

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

# Town of Somers

WESTCHESTER COUNTY, N.Y.



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## SOMERS PLANNING BOARD AGENDA

April 8, 2026

7:30 PM

### MINUTES

Draft Minutes for consideration of approval: February 11, 2026.

### TIME EXTENSION REQUEST

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

Request from Somers Fire District Board of Commissioners for a 90-day time-extension from April 28, 2026 up to and including July 26, 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.

### PUBLIC HEARING

2. **125 MAHOPAC AVENUE WETLAND AND WATERCOURSE PROTECTION AND  
STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL PERMITS  
TM: 26.08-1-14**

The Applicant is proposing the addition of an inground pool, patio and stormwater management within the wetland buffer area. The property is located at 125 Mahopac Avenue and is an R-40 Zoning District.

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

The Applicant is proposing construction of 73-fee simple townhome units consisting of a mix of 2 and 3-bedroom units serviced by public sewer and water with required stormwater improvements. The property

is accessed from NYS Route 6 and Mahopac Avenue and is located in the Multifamily Residence Baldwin Place (MFR-BP) Zoning District.

### **PROJECT REVIEW**

**4. VEOLIA WATER NEW YORK, INC. – HERITAGE HILLS WATER TREATMENT PLANT SITE PLAN, WETLAND AND WATERCOURSE PROTECTION, STEEP SLOPE PROTECTION, STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL AND TREE REMOVAL APPLICATIONS  
TM: 6.20-10-13**

The project will consist of the installation of a new PFAS (Polyfluoroalkyl Substances) treatment building to house granular activated carbon (GAC) filtration vessels, which are to be used to reduce PFAS to regulatory compliance levels. The existing sodium hydroxide chemicals that feed the system will be relocated to dedicated rooms within the new building. An aboveground chlorine contact tank will be installed to replace the existing chamber. Additional process piping site improvements and associated modifications are required and further defined in the enclosed plans and engineer's report. The project will also include a paved driveway, an underground stormwater tank detection system, and an above ground spill containment pad. The property is located in a Designated Residential Development Overlay District (DRD).

**5. 20 PUTNEY ROAD WETLAND AND WATERCOURSE PROTECTION AND STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL PERMITS  
TM: 5.18-1-43**

The Applicant is proposing the installation of an 18'x 36' inground pool with non-backwashing equipment, natural gas (400k) heater, paving stone patio, fencing and required stormwater improvements. The property is located at 20 Putney Road and is in an R-40 Zoning District.

**6. ROCKLEDGE CENTER  
SITE PLAN APPLICATION  
247 ROUTE 100  
TM: 28.10-1-6.1**

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.

### **RESOLUTION DISCUSSION**

**7. 2 HAGEMAN COURT STEEP SLOPE PROTECTION, STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL AND TREE PRESERVATION PERMITS  
TM: 48.09-1-14**

The Applicant is proposing to construct a single-family house with associated septic, well and stormwater improvements. The proposed residence and design layout was originally approved in 2023. The Applicant was directed to resubmit the updated plans in order to receive a new Site Plan approval

because of the extent of the changes. The property is located at 2 Hageman Court is in an R-80 Zoning District.

Discuss draft resolution.

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

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

Discuss draft resolution.

**MEETING ADJOURNMENT**

**The next Planning Board Meeting is scheduled for  
Wednesday, May 13, 2026 at 7:30pm.  
Agenda Subject to Change**

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

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1  
2  
3 **SOMERS PLANNING BOARD MINUTES**  
4 **February 11, 2026**  
5 **7:30PM**  
6

7 **ROLL**

8  
9 **MEMBERS PRESENT** Chair Vicky Gannon, Paul Ciavardini, Jack Mattes, Bruce Prince,  
10 Anthony Sutton, Christopher Zaberto  
11

12  
13 **ALSO PRESENT** David Smith- Consulting Town Planner, Steve Robbins-  
14 Consulting Town Engineer, Michael Towey- Planning Board  
15 Attorney, Nicole Montesano-Planning Board Secretary  
16

17  
18 **MEETING COMMENCEMENT**  
19

20 The meeting commenced at 7:30 p.m.

21  
22 Chair Vicky Gannon welcomed everyone to the meeting and then requested that participants please  
23 stand for the Pledge of Allegiance.  
24

25 Chair Gannon stated before we get started with the meeting proper, she wanted to acknowledge  
26 the passing of Dennis McNamara. She first met Dennis as a Board member. She sat down at the  
27 end and noted that Mr. McNamara sat where Mr. Anthony Sutton sits today. She noted that he was  
28 such a wealth of information, so knowledgeable, experienced, professional, and kind – a real  
29 gentleman. She ran into him twice with her mom, and he just would give you this friendly smile  
30 and a look as if saying I know what you are doing, and you can do it. He was just a lovely man.  
31 She stated that she reached out to the office and asked if they could give her some more information  
32 because when she first met him, she had not realized how many years he served on the Board.  
33 Planning and Engineering Senior Office Assistant, Ms. Wendy Getting provided the information.  
34 Mr. McNamara's first term on the Planning Board was from 1979 to 1999 - what a time of  
35 development in this Town. In 1994 he was recognized as Vice Chair and from 1984 to 1985 he  
36 was acting Chair. He was Chairman from 1986 to 1987 and again in 1995. His second term on the

1 Planning Board, when she was privileged to sit next to him, was from 2017 to 2023 and he also  
 2 served on the Zoning Board of Appeals from 2014 to 2015, always keeping the best interest of the  
 3 Town at heart as well as the environment, understanding the needs of the Applicant. He really was  
 4 a great example. She then asked in anyone else had anything to say. Mr. Sutton stated he had a  
 5 conversation with former Board Chairman, Mr. John Currie, who he guesses followed Mr.  
 6 McNamara and Mr. Currie's comment to him was that he was so worried about screwing up  
 7 because his shoes were so big to fill. Chair Gannon then asked for a few moments of silence to  
 8 remember Mr. McNamara.

9  
 10 Planning Board Secretary, Ms. Nicole Montesano, called the Roll.

11  
 12 Chair Gannon then stated that it is a long-standing policy of the Town of Somers Planning Board  
 13 that it does not allow public comments on matters that are not before the Board for a Public  
 14 Hearing. Members of the public are welcome to submit written comments to the Board, which are  
 15 reviewed by the Board in advance of the meeting. For matters that require a Public Hearing, we  
 16 ask that those choosing to come up to the podium clearly state your name and address for the  
 17 record as this Public Hearing is being transcribed. Please try to keep your comments to three  
 18 minutes so as to provide an opportunity for all members of the public wishing to comment an  
 19 opportunity to do so. Please do not repeat comments or issues as they are being duly noted for the  
 20 record. She says this understanding that when you are sitting in the audience, and you are not used  
 21 to public speaking, and you are getting ready to come up and make your public comment, it is  
 22 sometimes hard to track what else is going on, but we do ask that we avoid repetition as much as  
 23 possible. In addition, she asked that in order to help us have a good record, that everybody who  
 24 comes to the podium, and this is to the Applicant and members of the public alike, to make sure to  
 25 speak into that microphone. If you have to step in front of the easel to point to something you can  
 26 flip that microphone over. In addition, we also have that wooden pointer with the red handle on it  
 27 that you can use to point to anything that you that you need to. So, if you could, that would really  
 28 help us with the minutes.

29  
 30  
 31 **MINUTES**

32  
 33 The first item for consideration was the January 14, 2025, draft minutes. Chair Gannon stated she  
 34 knew that the Board did not receive the draft minutes until yesterday and that she had some minor  
 35 comments that she sent out. She asked if everyone had a chance to read them before they vote on  
 36 it and if they had not, they could adjourn the matter and address it at the next meeting. Mr.  
 37 Christopher Zaberto stated that the corrections were noted and he is okay. The other Board  
 38 members indicated that they had enough time and were okay to vote as well. Chair Gannon made  
 39 a motion to approve the draft minutes as amended. Mr. Jack Mattes seconded. All in favor. Motion  
 40 passes.

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**CONTINUATION OF PUBLIC HEARING**

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

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 the Somers Realty Planned Hamlet via Reynolds Drive and is located in the Multifamily Residence Baldwin Place (MFR-BP) Zoning District.

Mr. Kenneth Kearney from Kearney Realty and Development Group Inc., came to the podium and introduced himself. He stated before Mr. Richard Williams, P.E., from InSite Engineering, Surveying & Landscape Architecture, P.C., puts his boards up, he wanted to provide a couple updates. He stated that last month, if you recall, there was public comment concerning the history of Baldwin Place mall and the contamination. At that time he was going back 15 years. He indicated they made a submission with charts and documents and have copies here which kind of affirmed what he remembered. It is not affecting our property, Trailside. He stated that he did offer to meet with some of the neighbors last week, two or three different times and met with two or three different groups of people, some who spoke, and they shared the maps and all the documentation. The other important news he wanted to share was this past Monday, at the Westchester County Office building in White Plains the Board of Legislators scheduled a Public Hearing on their sewer petition to get into the Peekskill Hollow Sewer District. He was there. They opened the Public Hearing and closed the Public Hearing. There was a resolution in front of them and it passed unanimously. So the petition has been granted to accept Trailside into the Westchester County, Peekskill Hollow Sewer District. The petition was signed by the Town and sent down. It took about a year, but that is the process and it has been completed, and that is very important for this project. He then turned it over to Mr. Williams to touch a bit on the Site Plan. Mr. Williams stated in the spirit and interest of time, this is their third Public Hearing, and asked the Board if they would like, he would walk through the plan again, but if not, he could answer any questions or clarify anything. Mr. Christopher Zaberto asked if there has been any design changes or anything of that nature since the last time the project was explained. Mr. Williams responded that they have added some additional erosion control matting in response to the engineering comments and we are continuing to work through technical details, but nothing substantial. Chair Gannon then asked if there were any comments from staff. Consulting Town Engineer, Mr. Steve Robbins stated that they were in receipt of the Gallagher Bassett Report on the Soil Management Plan. He indicated that one of their environmental remediation specialists is taking a look at that - but, had to leave town for a bit last week. So he will be connecting with him. However, his quick read of it is in alignment with your summary. He just asked the specialist to review the details and make sure that he can present that to the Board. He also noted that they are also in receipt of the comment

1 letter from the Watershed Inspector General (WIG) on this project from February 4, 2026. So their  
2 comment is basically to ask the Applicant to respond to that either item by item, or to help guide  
3 us through how that relates to their plan, and give some input on how you intend to address those  
4 comments. He added that they are and reviewing at the same time - it just came in last week.  
5 Consulting Town Planner, Mr. David Smith stated that the Open Space Committee submitted a  
6 series of comments dated February 9, 2026 and he believed Mr. Williams had those. He indicated  
7 that he did not know if Mr. Williams had responses to those at this point, but obviously the  
8 Planning Board would like to have those again responded to at some point. Mr. Williams  
9 responded, yes and he thought the easiest one is they had asked for a change in inclination on the  
10 curbing, we can accommodate that to help further move amphibians if necessary. He stated they  
11 also asked for a different grade on the catch basins for which they can probably make a swap. Mr.  
12 Zaberto stated that there was also a comment on the lighting plan too, regarding which way the  
13 lights face, some dark sky initiative. Mr. Williams responded that their lights are dark sky  
14 compliant and they do put house side shields on them which allows them to minimize the throw  
15 of the light. If they did not do that, they would have more of a 360-degree pattern, but with the  
16 house side shields, it directs them a little bit more focused towards the roadway, not towards the  
17 house, where you have landscaping. Chair Gannon responded that when she saw that comment,  
18 she was heartened, because it was essentially the same question that she had asked. When she  
19 looked at the lighting on the plan it looked as if the light is going to go up, but you were saying  
20 that it was like Hidden Meadow, which she then went to look at in the cover of darkness so she  
21 could appreciate it. She then noted that she thought the other thing that they had asked about might  
22 have been the tree removal plan. She noticed on the new plans one of the sheets was captioned to  
23 do with removal, but she did not know that it had the detail that he was looking for. Mr. Robbins  
24 stated that he could speak to that a bit. InSite Engineering and Mr. Robbins' office had some  
25 coordination on how to approach the quantification of trees for tree removal. As the Planning  
26 Board is aware, this is a densely forested site. Chair Gannon stated the former orchard. He noted  
27 that they felt that for a project of this type, with a uniform land cover that is largely second growth,  
28 fill in from an orchard, with trees of largely the same size that are there, that it was appropriate to  
29 do more of a sampling approach. We reviewed that methodology with InSite. They did a few  
30 transects of areas and quantified the trees in those areas. We reviewed that and we understood  
31 those to be characteristic of the rest of the area. Mr. Robbins then stated so, is it detailed to the  
32 exact number- no, but he thinks it is sufficient to quantify and understand for the Board what the  
33 level of impact would be for this particular site. Every project is different. Some projects that is  
34 appropriate. Some it is not - on most it is not. For this particular project, we felt that it was. Chair  
35 Gannon stated in thinking about when she saw his question, and then thinking about it on the Site  
36 Walk and the plan, she thought it made total sense. She stated it would be a good thing if that could  
37 be captured in the response to the Open Space Committee. Mr. Williams responded they could do  
38 that and they actually talked about that publicly here. And the conclusion was it was appropriate  
39 for Site Plan Review, but when the tree removal permit is actually issued by the Engineering  
40 Department, they will count the trees for the purpose of establishing the fee. Chair Gannon asked  
41 Mr. Robbins if there was anything else he wanted to bring up. He responded no. Chair Gannon  
42 made a motion to open the Public Hearing. Mr. Jack Mattes seconded. All in favor. Motion  
43 passes. Chair Gannon then stated that before we ask for anybody to come up, she wanted to  
44 acknowledge receipt- we had received a letter via email from Lisa Vanga, a letter via email from

1 Paul Harold and the memo from the Open Space Committee. She then stated that she would like  
2 acknowledge that Applicant, in their January 26, 2026 response has responded to the public  
3 comment that was made at the January 14, 2026 meeting. So, they responded to the comment made  
4 by Roland Ciofrone who had spoken here in person, and also to the comment that we received via  
5 email from Joe Vala. She reiterated that she wanted to acknowledge that the Applicant has already  
6 responded to those in the course of their memorandum. Chair Gannon then asked if there was  
7 anybody here who would like to come up and speak about the application. No one responded.  
8 Chair Gannon then asked for questions and/or comments from the Board. Mr. Christopher Zaberto  
9 stated that he was seeing that a lot of the subjects from the Woodard and Curran memo have been  
10 addressed and inquired if there were any outstanding. Mr. Robbins responded the two that we  
11 have open are just responding to and completing our review of documents received within the last  
12 two weeks. So the Soil Contamination Reports, and again, we have given the first review to that  
13 and he does not disagree with the characterization that the Applicant has made, and then the  
14 Watershed Inspector General had a comment letter, and we would just like the Applicant to work  
15 through that and understand how they are going to incorporate and respond to those comments as  
16 appropriate. Mr. Zaberto responded thank you. Chair Gannon asked for a little more detail on  
17 how that works - between your office, the Applicant, and the memo from the Watershed Inspector  
18 General. What she got as sort of the main conclusion out of the WIG's memo was that they felt  
19 that the calculations used by the Applicant in assessing the phosphorus loading were maybe a bit  
20 optimistic and that they thought maybe some other numbers should have been used. She then  
21 stated that she guessed in terms of her understanding how this goes - there is the WIG's  
22 perspective, there is the Applicant's perspective, and there is our perspective. She then asked how  
23 do we sort of navigate through all of this to understand the WIG, that does not have permitting  
24 authority, but we really value that input. How do we coalesce and bring it all together to get the  
25 best possible outcome for everybody. Mr. Robbins responded the WIG obviously an entity unto  
26 themselves, like any other member of the public, they have the right to comment. They are not a  
27 permit issuing authority like the Town is, like New York City Department of Environmental  
28 Protection (DEP) is for stormwater permits, and this Applicant will have to go through that process  
29 as well. Our review, on behalf of the Town makes sure that those documents are technically  
30 complete, that the Applicant's design proposal is in the best interest of the Town to meet the Town's  
31 Code, and in an instance like this, where there are multiple sources of guidance in the industry on  
32 different loading rates and factors to use, our approach is to take the WIG's comments, ask the  
33 Applicant to respond to them. We also do our own homework and due diligence. And if the  
34 Applicant can justify their approach and we feel that it is reasonable and appropriate and  
35 technically correct, then we advise the Board that we feel that the Applicant has addressed the  
36 intent of the WIG's comments within the context of their Site Plan, within the context of the Town's  
37 regulations, and with the understanding that they ultimately also have to get a permit from New  
38 York City DEP for stormwater. We don't always agree with the WIG, but we take their comments  
39 seriously and we apply our own engineering judgment as well as professionals. Chair Gannon  
40 thanked Mr. Robbins for that explanation. Mr. Zaberto asked if the WIG is a regulatory agency.  
41 Mr. Robbins responded no, they are an interested agency. He added that we obviously don't want  
42 them to sue. Mr. Williams stated just like DEP, they have worked with the Watershed Inspector  
43 General's Office many times, all successfully. Their comment is typical, in as much as they may  
44 look at us optimistically, but what they tend to do is manipulate the numbers in ways that did show

1 an increase in phosphorus. Just so you know and understand the methodology, we do not make it  
2 up. The same methodology that was applied here, they have approved the past couple of times we  
3 have worked with them, so they are changing the goalpost a little bit, and he is confident they are  
4 going to work through it with them. The methodology they have selected is also the same being  
5 applied by the East of the Hudson Watershed Corporation as part of the Stormwater Retrofit  
6 Program. So, he is sure the Watershed Inspector General does not want to undermine the work that  
7 has been done there. So we are going to have to work through this with their reviewer, who is  
8 reviewing it this time. Chair Gannon responded understood and that she thought in the earlier WIG  
9 memo there were some question from the WIG's perspective. They were saying, should the  
10 Applicant be using the standards set out in the 2015 General Permit and your argument was, you  
11 were already before a government agency so that you should be using the 2025 General Permit.  
12 She then asked if any of these differences in what you are calling changing of the goalposts related  
13 to differences in requirements of those two permits. Mr. Williams responded no, and for the record  
14 phosphorus loading calculations – they used to do them routinely, back in the 90s and early 2000s.  
15 When the General Permit came out in 2002 and the Stormwater Manual in 2003 it changed the  
16 game. You no longer had to do them because as long as you followed the design manual,  
17 phosphorus removal objectives were met. In 2008 they came out with the Enhanced Phosphorus  
18 Removal Supplement within the watershed. And the same premise held, that if you continue to  
19 follow the guidelines and the design parameters in the Stormwater Manual, you are automatically  
20 meeting the phosphorus objectives. The WIG still likes to run back to the phosphorus calculations,  
21 and we have had very direct conversations with them about this essentially undermining the New  
22 York State Department of Environmental Conservation (DEC) process. And we have been so blunt  
23 as to say if you do not like the DEC regulations, you should sue the regulator, not us. But each  
24 time, just like we do with the DEP, as we work through the process, particularly in the later steps  
25 while we are processing simultaneously with the DEP, we always find a way to work with them  
26 to come up with a solution. He noted he is very confident that they will do the same here, because,  
27 again, you know, we are not pulling methodology out of thin air. This is stuff that the state is  
28 using, it is part of all of our MS-4 Retrofit Programs. Chair Gannon responded understood and  
29 thank you. She then asked if there were any comments and/or questions. Mr. Charles Martabano,  
30 counsel for the Applicant came to the podium and stated that he wanted to provide a further update  
31 and that he meant to bring it up earlier, but will bring it up now. Mr. Martabano noted that they  
32 had previously been before the Board and described some of the community benefits that they  
33 wanted to provide as part of this project. He noted Chair Gannon had mentioned them when she  
34 introduced this project. That includes the donation of a seven-and-a-half-acre parcel, improved by  
35 a community center building and a dog park, parking, infrastructure, utilities, etc. In addition, they  
36 have committed to you that if the adjacent subdivision wanted to come through their property, they  
37 would make that available if that is how it is approved, etc. They prepared a Community Benefit  
38 Agreement, and several weeks ago that was executed by Mr. Kearney and the Town Supervisor,  
39 Mr. Robert Scorrano. Mr. Martabano noted that he did not have a signed copy, but that has now  
40 been fully executed and that he could provide a copy to the Board. So that is now a commitment  
41 by this Applicant for the community benefits for the benefit of the Town of Somers. Chair Gannon  
42 thanked Mr. Martabano and indicated that she though it would probably be good for the Board to  
43 have a copy and to also reference it in the conditions of any resolution. Mr. Martabano responded  
44 that is fine, he just wanted to let the Board know that it was executed. Chair Gannon responded

1 thank you and then stated at this point, we have some options. One would be, since no one has  
 2 appeared to come up to the microphone to speak, we have the option of closing the Public Hearing  
 3 but keeping it open for written comment for 10 days. If we do that, she would suggest that we  
 4 decide on a date certain that would be our deadline for written comment receipt, whether through  
 5 email or written mail, that would allow anybody who is watching tonight, who has heard any  
 6 additional information, who wants to submit their information to submit any comments or  
 7 questions that they have. That would be one thing we could do. In parallel to that, we could ask  
 8 staff to start work on preparing a resolution. Going back to counsel Mr. Martabano's comments,  
 9 it is a complex project, so there will be conditions involved, and it will take a little more time to  
 10 put together the resolution. It's going to have to meet the requirements of Mr. Robbins' office and  
 11 what they need technically, this ongoing discussion with the WIG. So that is definitely one course  
 12 of action that we could take. She noted she is just one Board Member, but thinks that might be a  
 13 good way to go and then, at the next meeting, we would have the benefit of any comments that  
 14 might be submitted in writing. If we have got something to start to look at in terms of resolution,  
 15 we could discuss it and make sure everything is there that we need. She then asked the Board for  
 16 their thoughts. Mr. Jack Mattes made a motion to close the Public Hearing which he later rescinded  
 17 after Consulting Town Planner, Mr. David Smith made a suggestion. Mr. Smith noted that 10 days  
 18 would end on Saturday, February 21, 2026 and he suggested that it be extended it to the February  
 19 23, 2026 which is a Monday, so it would be the close of business on Monday February 23, 2026.  
 20 Chair Gannon then made a motion to close the Public Hearing, but hold it open for written public  
 21 comment to be received by the end of business on Monday, February 23, 2026. Mr. Mattes  
 22 seconded. All in favor. Motion passes.  
 23  
 24

25 **PROJECT REVIEW**

26  
 27 **2. NEW CINGULAR WIRELESS PCS, LLC (AT&T) FOR AMENDED SPECIAL USE**  
 28 **PERMIT WIRELESS TELECOMMUNICATIONS FACILITY**  
 29 **121 ROUTE 100-AMATO**  
 30 **TM 38.17-1-5**  
 31

32 For the record Chair Vicky Gannon stated the Applicant is applying for an Amended Special Use  
 33 Permit. The project consists of modifications to the existing wireless telecommunications facility  
 34 comprising of equipment, antennas, and associated cables. The project site is located at 121 Route  
 35 100 and is in an R-80 Zoning District.  
 36

37 Mr. Martin McGee from Airosmith Development came to the podium and introduced himself and  
 38 indicated that he was there representing New Cingular Wireless more commonly known as AT&T.  
 39 Mr. McGee stated that this is one of 27,000 sites where AT&T will be swapping equipment. They  
 40 have nine antennas there now and they will have nine antennas after this proposal. They are just  
 41 removing six and replacing them with six different ones. Three of the ones that are there now are  
 42 staying. He noted that as far as the cabinets on the ground, they will have one less cabinet. There  
 43 are currently four and he thought they would have three at the end of this. He added that the  
 44 equipment is getting a little bit smaller in nature. Mr. McGee indicated there was a note from

1 Consulting Town Engineer, Mr. Steve Robbins and he thanked him for that and noted that they  
 2 received it yesterday, and it looked like it was in favor of it. Mr. McGee stated that there also was  
 3 one note about a visual inspection, and that they sent a letter on January 5, 2026, on that. He stated  
 4 that he was not sure if Mr. Robbins had it and if he did not, he could certainly send it again. Mr.  
 5 Robbins responded that we would double check on that. Mr. McGee stated that they will certainly  
 6 do a visual inspection prior to the commencement of construction. Mr. Robbins responded that  
 7 addresses their comment. Chair Gannon asked Consulting Town Planner, Mr. David Smith if he  
 8 had any comments. Mr. Smith responded, no other than this is, again kind of a routine application,  
 9 and the suggestion is, as you know, to waive the Site Walk and the Public Hearing and to direct  
 10 staff to prepare a confirmatory resolution for action subject to meeting the conditions that Mr.  
 11 Robbins has identified in his memo. Chair Gannon then asked Mr. Robbins if he had any  
 12 comments. Mr. Robbins responded no. Mr. Christopher Zaberto asked if this tower was one of  
 13 those monopines. Mr. McGee responded yes. Mr. Zaberto responded so we will not interfere with  
 14 the tree look of it. Mr. McGee responded correct and stated that they are at the top inside the radius  
 15 of the branches. Mr. Zaberto responded, okay perfect. Chair Gannon made a motion to waive the  
 16 Site Walk. Mr. Zaberto seconded. All in favor. Motion passes. Chair Gannon then made a motion  
 17 to waive the Public Hearing. Mr. Zaberto seconded. All in favor. Motion passes. Chair Gannon  
 18 then made a motion that we ask staff to prepare a draft resolution for Chair’s signature. Mr.  
 19 Ciavardini seconded. All in favor. Motion passes. Mr. Anthony Sutton, indicated in full disclosure,  
 20 he represents the Somers Fire District, and they do have transmitters on that site. Planning Board  
 21 Attorney, Mr. Michael Towey, responded that he did not believe that is an issue. This is an eligible  
 22 facilities request. This is a federal preemption of local law subject to the conditions we discussed.  
 23 No more than four cabinets being added, no greater width than 20 feet, no greater height. He does  
 24 not see that as an issue - many cell towers at this point have collocated EMS communication  
 25 infrastructure on them. Mr. Zaberto responded, so in the future, you do not think disclosure of that  
 26 would be necessary or is it just good practice to do it anyway. Mr. Towey responded you can  
 27 always mention it. He thinks transparency, especially in this day and age should be at any Boards  
 28 vanguard. However, there is no necessary benefit. Now, if it involves specifically the locating of  
 29 EMS equipment or communication equipment - Mr. Sutton interjected and added no pecuniary  
 30 interest either. Mr. Towey continued and stated no pecuniary interest – that is where issues of  
 31 conflicts come up, or a personal benefit. But otherwise, he advised to disclose, but no need to  
 32 abstain.

33  
 34 **3. MELISSA HARNEY – FINAL SUBDIVISION APPROVAL APPLICATION FOR**  
 35 **PROPERTY LOCATED AT 10 KEYREL LANE**  
 36 **TM 16.07-1-3**  
 37

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

41  
 42 Chair Gannon stated that we did receive a draft resolution. Mr. Timothy S. Allen, P.E. from Bibbo  
 43 Associates Engineering, P.C., came to the podium, introduced himself, and indicated that he was  
 44 representing Melissa Harney and David Schoenberg. He stated that he just received the draft

1 resolution and would like to quickly go over the conditions briefly with the Board. He noted that  
2 in looking at the resolution a couple of the items are triggered at Building Permit Application– like  
3 items 1 and 2-the bond and the inspection fee is generally set by the Town’s Principal Engineering  
4 Technician, Mr. Steven Woelfle at the time of the Building Application. He the indicated that items  
5 one and two should be under their own category and requested that we add a condition before  
6 building permit for those items. He continued and stated, similarly for number four, as part of this  
7 process, they did submit a Stormwater Application fee for the stormwater so that is already on  
8 record with the Board. In fact, it is referenced as being received by the Board in the beginning of  
9 the resolution. Number five on items received is the Stormwater Management, Erosion & Sediment  
10 Control Application, so he believed four could be stricken. Planning Board Attorney Mr. Michael  
11 Towey stated, alternatively, Madam Chair, if they did submit the fee and the Stormwater  
12 Prevention Plan-then that condition is met already. Mr. Allen responded that it is redundant, but  
13 they will just check it off as a condition that has already been met. Mr. Towey responded yes,  
14 especially if it is in a recital, the recital is part of the resolution that states that has been received -  
15 you don't necessarily need to omit it if it has been satisfied. Chair Gannon stated just because it is  
16 listed and you have accomplished it does not cause any harm. Chair Gannon then stated that she  
17 wanted to go back to one and two, because what she would like to accomplish is to make sure that  
18 the language is really tightened up and that staff agrees with these suggestions. She indicated that  
19 she would like to slow it down a bit because at the end she would like to come out with language  
20 that we can all agree on. Because if we can do that, we can vote to approve the resolution. It can  
21 be updated and then she can sign it. Mr. Allen responded, we do not want to hinder the process.  
22 Chair Gannon stated okay, let us just slow down and then and asked what exact change would be  
23 made to item number one. Mr. Allen responded that the language is fine for number one and two  
24 and suggested they remain, but they should be as a condition prior to building permit, not prior to  
25 signing of the plat. Chair Gannon responded so, add a separate category prior to the Building  
26 Permit. Mr. Smith stated prior to the issuance of the Building Permit. Chair Gannon stated so we  
27 would move the whole language of conditions required to signing of the final plat to the next page.  
28 Mr. Smith responded yes. Mr. Allen stated that he thought the correct language would be prior to  
29 issuance of a Building Permit. Chair Gannon responded that is what she is writing down -  
30 conditions required prior to issuance of Building Permit and that has been moved to the next page.  
31 It will appear before three on the subsequent page. As a result, three will become a one; four can  
32 become a two, existing five will become a three, six will become a four, seven becomes a five. She  
33 then asked if anybody else had any comments and/or corrections. There were none. She then asked  
34 staff if they were okay with these changes. Mr. Smith responded yes. Mr. Towey then asked Mr.  
35 Allen if he had another one. Mr. Allen responded that he had a question for staff on number seven,  
36 what are we expecting to get for seven out of the description of Keyrel Lane relative to the  
37 dedication. He then asked if it was the Applicant’s responsibility to get that road surveyed. Mr.  
38 Smith advised Mr. Allen that was the intention. Mr. Towey asked to see a copy of the resolution.  
39 Mr. Allen stated that is a little bit cumbersome in terms of having a road surveyed. Mr. Towey  
40 responded in the absence of something he was not advised of, he has had previous discussions with  
41 the Highway Department back when this was an issue for the frontage. We had discussions. It has  
42 been established that the Town has been maintaining Keyrel Lane for approximately 40 years. It  
43 has been paved multiple times. It appears to have been dedicated back circa 1950 to 1965 it was  
44 just never formally adopted and added to the registry of streets. He wrote to the Highway

1 Department admittedly, earlier today, because it just fell off his radar asking for confirmation that  
 2 it has been added to the Registry of Streets. So, he does not think it will be necessary to survey  
 3 anything. It is just a matter of getting the updated registry, and he is tracking that now. It fell off  
 4 his radar for a couple of weeks. Mr. Christopher Zaberto asked if we could strike seven. Mr. Towey  
 5 responded it is on the Town's side not the Applicant side and he thought striking item 7 was  
 6 appropriate because he was working with their legal counsel very early in this process, probably  
 7 during July of last year. We have worked it out and, in his opinion, it is a Town Highway, according  
 8 to the language in the statute. It is just a matter of getting the Town's Registry updated to formally  
 9 list it. It is on the unofficial map, and he does not believe it is yet on the official map, but that is  
 10 an internal thing for them. Mr. Towey stated he would handle it. Mr. Smith then stated so you can  
 11 strike seven. Chair Gannon responded okay, we strike the old seven, new five. Mr. Towey stated  
 12 just for the Board's awareness, once he receives confirmation from the Highway Department, he  
 13 will forward it, so the Board has it. Chair Gannon responded that would be good, we can get it into  
 14 the file as well. She then asked if there were any other questions and/or comments. There were  
 15 none. She stated that she thought we had a complete resolution and moved to approve Resolution  
 16 2026-02, Granting Conditional Final Subdivision Plat Approval, Tree Permit, Stormwater  
 17 Management and Erosion Sediment Control Permit to Melissa Harney, Town Tax Number Section  
 18 16.07, Block 1, Lot 3, as amended at tonight's meeting. Mr. Paul Ciavardini seconded. All in favor.  
 19 Motion passes.

20  
 21 Subsequent to the meeting Mr. Towey forwarded and email from Principal Engineering  
 22 Technician, Steven Woelfle confirming that Keyrel Lane is an official Town road.

23  
 24 **4. NORTH EDGE REALTY CORPORATION**  
 25 **PRELIMINARY SUBDIVISION, SITE PLAN, STEEP SLOPE & STORMWATER**  
 26 **MANAGEMENT AND EROSION CONTROL APPLICATIONS**  
 27 **ROUTE 6 AND MAHOPAC AVENUE**  
 28 **TM 4.19-2-2, 3 & 4**  
 29

30 For the record Chair Vicky Gannon stated that the Applicant is proposing construction of 73-fee  
 31 simple Townhome units consisting of a mix of 2- and 3-bedroom units serviced by public sewer  
 32 and water with required stormwater improvements. The property is accessed from New York State  
 33 Route 6 and Mahopac Avenue and is located in the Multifamily Residence Baldwin Place (MFR-  
 34 BP) Zoning District.  
 35

36 Mr. Jared Boniello representing Boniello Development came to the podium and introduced  
 37 himself. He stated that Mr. Timothy S. Allen, P.E., from Bibbo Associates Engineering, P.C., was  
 38 the engineer on record and there with him this evening. Mr. Boniello noted that since the last  
 39 meeting, a couple of changes have been made to the plans to address concerns made by the Board.  
 40 While referencing the plan, he pointed to some buildings and stated that at an earlier meeting it  
 41 was brought up that there might be concern for possible falls behind those building because of the  
 42 steep slopes. It was a good point that he thought either Mr. Paul Ciavardini or Mr. Christopher  
 43 Zaberto pointed out. He indicated they were able to add in a post and rail fence anywhere that  
 44 they saw any sort of hazard and they will extend that based on where they think there is a concern.

1 Over on the other steep slopes, not where there was a concern of falling, but to stabilize steep  
2 slopes on the backside, they had experience with a crown vetch mix, which with the Board's help  
3 found out is not a native species. They were able to identify a native species that can achieve the  
4 same thing- it is a pines lands mix and is detailed in the plans. It has probably eight different native  
5 mixes in there. It is native grass and rye. Mr. Boniello stated another discussion item was  
6 coordinating with their neighbors, the Yorktown Assembly of God. They have met with them. In  
7 addition they have illustrated on the plans, the intended traffic flows as it relates to the project, and  
8 everything that they represented, the church is in agreement with, and the church is prepared to  
9 come and speak to any concerns that might come up at a further meeting. He also indicated that  
10 there were a couple of revised plans that were missed in the initial submission, namely the lighting  
11 plan. He stated that the Board had that since the last meeting- photo-metrics illuminations have  
12 been provided on that. He concluded and stated that he thought with that, they have provided the  
13 Board with a full drawing set. Mr. Allen came forward and stated that they had some discussion  
14 about where that playground was relative to the road and that has now been added to the plan.  
15 That road, as you all saw on the Site Walk, the whole playground area is fenced off and then even  
16 as you go past the playground area, the road is sloping away from it, so it is a natural barrier- there  
17 is no interference or anything that is going to happen in that area. Mr. Allen then pointed the area  
18 out on the plan and added that this road is lower than this elevation here as it comes down into the  
19 property. Another discussion was access across the new road. There is a crosswalk that was added  
20 from the existing walkway that would allow access across from the church area to the field on the  
21 other side. Mr. Boniello stated, while pointing to the plan, exactly as Mr. Allen just stated, the  
22 church is currently using this entrance as two-way traffic. He then pointed to the plan and stated  
23 this is being utilized as a one-way exit by the church right now. There are plans to maintain their  
24 road, which goes in front of their building's main entrance and has all of their parking access as  
25 two-way access, which it is wide enough for right now. They will have egress onto our road to be  
26 able to get out, to maintain the flow in and out. Mr. Boniello indicated they had proposed to them  
27 to limit cars coming from our development and this road in general, into their site, to just eliminate  
28 any cars that could be going into their parking lot in front of their building. They were on board  
29 with that. They loved the thought, and that is going to be done with signage and directional arrows.  
30 So we have a good plan. They are happy with it, and we think it makes a lot of sense and it is a  
31 safe plan. He then asked the Board if they had any other questions. Chair Vicky Gannon then  
32 stated let's start with Consulting Town Planner, Mr. David Smith. Mr. Smith responded and noted  
33 to Chair Gannon that at the last meeting she had raised an issue about traffic generation,  
34 particularly from the project going down onto Mahopac Avenue. He indicated that he had a chance  
35 to go back and review the traffic analysis that was prepared by the Applicant and the Applicant's  
36 traffic engineer, which was reviewed by the Town's Traffic Consultant. During the a.m. peak, they  
37 are expected to generate approximately 18 vehicles exiting the site from the access road onto  
38 Mahopac Avenue, making a right to go towards the signal. So that is about one car every three and  
39 a half minutes, which is fairly de minimis in the context of an hour. And then, in the p.m. peak,  
40 same condition, folks leaving the site onto Mahopac Avenue to go down to the intersection. It is  
41 essentially 12 vehicles, which is one vehicle every five minutes. Again, from a traffic standpoint,  
42 it is de minimis. You would not even notice it. He indicated that he thought if there was a concern  
43 about the volume of traffic, it is fairly benign over the course of the peak hour, when you have the  
44 most activity coming into and out of the site. So he thought that she should be comforted that there

1 are not significant volumes coming in and out of Mahopac Avenue to access that portion of the  
2 roadway and then to get to the intersection. Mr. Boniello stated that they had their traffic study  
3 performed by Phil Greeley, who has minimized the impact we would have on the roadways. He  
4 added that they plan to bring him here to the Public Hearing when it starts to speak to the public  
5 and to the Board and tell everyone what they have done to minimize their traffic impact. Route 6  
6 has traffic on it – their project is putting a minimal amount the way they have designed it back  
7 onto the roadway. They want people to understand they are not trying to compile a problem. Mr.  
8 Smith stated, to add to that, because he thought that there were comments that were submitted for  
9 other projects along this corridor, particularly for Trailside. There was a concern that this project  
10 did their traffic evaluation and did not incorporate anything else that was happening in the  
11 corridors. It was kind of being performed in a vacuum, and that is not what happened. There is a  
12 standard traffic methodology that was employed. The Applicant's traffic engineer followed that  
13 methodology, which included the other potential projects in the surrounding area, including  
14 Trailside. So, Trailside was combined with this project, along with other potential projects that  
15 may occur within the corridor. That is a standard procedure that the traffic engineers follow. That  
16 analysis was reviewed in detail, again by Hardesty and Hanover, who is an independent third-party  
17 consultant to the Town of Somers, and they agreed with the methodology, and they agreed with  
18 the results that not only this project, but also for Trailside. So there was a comprehensive evaluation  
19 that was prepared from a traffic standpoint. He noted that he was glad to hear that, Mr. Greeley, at  
20 said point in time when you decide to schedule a Public Hearing will be here to describe that in  
21 more detail. Chair Gannon responded yes, and she thought we had discussed that those two emails,  
22 which were textually pretty much the same, had been forwarded to you. They were sort of as a  
23 combined addressing both Trailside and North Edge-really could not parse them apart, so we  
24 wanted you to be aware of the content on it as well. Chair Gannon then asked Consulting Town  
25 Engineer, Mr. Steve Robbins if he had any questions and/or comments. Mr. Robbins responded  
26 that they did issue a comment memo. Most of their comments are detail oriented and clean up in  
27 nature. He did not think there was anything dramatic that changes the shape of the project, but we  
28 look forward to the Applicant's response to that. We were also copied on the comment letter from  
29 New York City Department of Environmental Protection (DEP) on their Stormwater Pollution  
30 Prevention Plan (SWPPP) review, and so we know that the Applicant will be addressing that as  
31 well. He advised the Applicant that if they had any questions on any of their comments to feel  
32 free to schedule time and we can go through them. Chair Gannon then asked for Board discussion  
33 and indicated that she could start. She indicated that they received a letter from the Westchester  
34 Planning Board Referral Review about North Edge, and they were talking about, on point number  
35 seven, pedestrian infrastructure. They were noting that even though new sidewalks proposed to be  
36 installed between the site driveway and Mahopac Avenue, which would span the existing sidewalk  
37 network along Route 6 within Baldwin Place, that the pedestrian infrastructure does not continue  
38 within the proposed development, which she thought was something that she mentioned and to  
39 paraphrase the Applicant, you basically said that you have so many units and that there are so  
40 many driveways there is no place to put a sidewalk. The letter further said, while we appreciate  
41 the addition of a recreational trail along the western side of the property, the Applicant should  
42 consider installing additional sidewalks within the development to connect the residences, as there  
43 would be many driveway curb cuts and parking lots along new streets that could prove inhospitable  
44 to pedestrians. Chair Gannon stated she thought that was notable, because she knew the

1 Applicant’s explanation of why he was not in favor of that, but a sidewalk along the proposed  
 2 street connecting to Mahopac Avenue should also be considered. So what this memo essentially is  
 3 saying is what would be the merits of having a sidewalk that would run from the development on  
 4 what is named as Street C within there. So that was one thing she wanted to get his take on. Mr.  
 5 Boniello responded that they did not breeze over the concern of the sidewalks. We had a long  
 6 discussion, and we have just come up with some pros and cons, and we are standing steadfast that  
 7 we do not believe this development constitutes sidewalks. He indicated that he would walk the  
 8 Board through a couple of concerns and let them bat that around. The roadways are going to have  
 9 several driveway cuts, and there is a Belgian block curb around the entire property and up into  
 10 each driveway. Every one of these sidewalks, you will have a drop, an apron to cross, and another  
 11 climb back up when you get to the other side of the driveways-it is creating a number of hazards  
 12 for trip possibility as you go through the entire property- 73 of them. He noted the road itself is  
 13 not a typical development road. In most of these communities that have sidewalks you will find  
 14 18 to 20-foot-wide roads. They are going to do road standard width of 24- feet. It will leave room  
 15 for two standard eight-foot vehicle lanes, and there will be adequate space on either side for  
 16 walking alongside of the vehicles. We have been seeing this in the works next door at the Somers  
 17 Crossing property, and people have had no problems with it. They actually applaud our decision  
 18 to keep it a rural community, because it is the feel we are trying to constitute, along with the fact  
 19 that, as he has pointed out, it would take a significant amount of the front lawn away from what  
 20 they are deeming are single family homes. These are not condos. They are being looked at as  
 21 single family homes. To tell someone they are now going to have a three-foot apron of grass- we  
 22 do not think is fair to them, and namely we do not think it is marketable. So there are a number of  
 23 reasons we are going to push back on that item from the County. Chair Gannon asked about their  
 24 suggestion, which she had thought of about putting a sidewalk in on what is known as Street C.  
 25 Mr. Boniello responded that he saw that comment and is not at liberty to make a decision on it  
 26 right now. He stated again, that road, he thinks has all the same points he just made, about the  
 27 width and he does not know if the neighbor is going to want to see sidewalks run up and down an  
 28 easement area that they have access to as well and that they are going to have eyes on for the  
 29 future. For the amount of people that are going to be walking up Road C - again, it is going to be  
 30 a 24-foot-wide access way. If they did not feel comfortable on a 24-foot-wide road. But again,  
 31 with our local traffic only, we are going to have sidewalks the second you get to the busy road that  
 32 we intend to put them to – Chair Gannon said Route 6 itself. Mr. Boniello stated on Route 6 the  
 33 sidewalk is necessary – obviously. Mr. Boniello stated that he feels strongly that a sidewalk is not  
 34 needed on Road C, and he does not think that it constitutes it on this project. Mr. Allen stated one  
 35 of the other things discussed on the sidewalks is that given the nature of the fee simple units, there  
 36 will be a lot of cars parked in the driveways also blocking the walkway of the sidewalk, so that  
 37 would be a bit of a hindrance. And a sidewalk up from the Street C – he did not believe there are  
 38 any sidewalks existing on Mahopac Avenue to get to, first of all, and second of all, notwithstanding  
 39 it being the church's property, it is an easement. He noted it does get a little tighter on the shoulders  
 40 as you come down and grade into that area. So they would rather have a grass shoulder than a  
 41 sidewalk coming down on that slope. But they did not really talk hard about that, but nonetheless,  
 42 we would probably not be in favor of that because there is really nowhere to get to. If you are  
 43 going to go out and walk up into Baldwin Place you are going to come up Route 6 and walk up  
 44 that way with the sidewalk. Chair Gannon stated another question she wanted to ask related to this

1 memo from the County was about parking spaces. They make the point that Applicant increased  
2 the visitor and Recreation Center parking to a total of 77 spaces and notices that it is more than the  
3 total number of residential units being proposed. So if you could just comment on the choice of  
4 having that many visitor parking spaces. Mr. Boniello responded they put parking at a premium.  
5 They will ask the County if as long as their impermeables could be acceptable by the New York  
6 City Department of Environmental Protection (DEP) and they do not have an unallowable amount  
7 of impervious as far as paved area, they do not see a reason to take away parking. Once you get  
8 the handicap added in, you are at less than one space extra per unit, because he is pretty sure there  
9 is going to be multiple handicapped spaces in each one of these areas, and it is just what ends up.  
10 Mr. Allen stated that he wanted to add to that, he thought they had a discussion at the Town Board  
11 level regarding the number of parking spaces and that they did not want to sell themselves short.  
12 You see a lot of developments where there is not enough parking, and so that is how they arrived  
13 at that number. He thought it was larger than what the code requires, but it is something that in the  
14 past, having done these projects before, that we had a comfort level with the number of spaces.  
15 Chair Gannon indicated that she had a question about the recreation area. She noted that in the in  
16 the new submissions that were received, in the legend, there is a circle with lines recreation area.  
17 Mr. Boniello responded yes. Chair Gannon responded that she could not find the recreation area.  
18 Mr. Allen responded that he could explain that. Chair Gannon then opened the plans and stated  
19 that if you look at LP-1, for example, she cannot find the circle with the lines and just sees the  
20 recreation building. She stated that she wanted to know if that was because it is near that very  
21 steeply pitched end of the property and asked if there was going to be an outside area that would  
22 be considered recreation area adjacent to that building. Mr. Allen responded, minimal was the  
23 intent. He thought back at the conceptual level, at the Town Board they just had kind of a hatched  
24 area and said, this is the recreation area. It has been a little better defined on this. He does not  
25 think there is a whole lot of room for additional area around the building, but they will focus on  
26 that. Chair Gannon responded she was not understanding as she was looking at the legend, trying  
27 to understand what was going on with it, and what the use was going to be at that space. Mr. Allen  
28 said that was more concept now it has been a little more defined. Chair Gannon responded okay.  
29 Mr. Allen responded that hatching probably should have been taken off the drawing. Chair  
30 Gannon then asked if there were any other questions. Mr. Anthony Sutton stated he had a question  
31 about the crosswalk. He asked if there were going to be any kind of signage or hash marks.  
32 Because, as he recalled, when they did the Site Walk, there was a tent set up in the field next door,  
33 and it looked as if the parking would be in the church parking lot, but everybody would be crossing  
34 the road to get over to the tent. He noted he did not want to use the word traffic calming, because  
35 we do not want to talk about speed bumps or stuff like that. He then asked what they had in mind  
36 in terms of demarcation of that area. While pointing to the plan, Mr. Boniello responded sure, the  
37 church's plan is - they utilize this space to the side of their road as a seasonal overflow. They set  
38 up that tent, they pull their permits, and they do some seasonally appropriate games for the camps.  
39 He then pointed out the building where the people/the children, originate from and noted that there  
40 is an existing sidewalk that comes out and pointed to where it ends. There is not a crosswalk right  
41 now to get across this road. Their current road does not have any signage, any striping or any sort  
42 of crossing for them. Mr. Sutton responded right, but admittedly there is going to be an increase.  
43 Mr. Boniello responded there is an increase in traffic. It is a road now. There is going to be some  
44 sort of crosswalk designed here. Striping is preferred by the church and by them. He added that as

1 they talk to their traffic people, they will make sure that they are designing this properly to make  
2 sure that these people are safe as they come across – that is the intent. They want to give them a  
3 safe point to continue their sidewalk across. It is not an inordinate amount of time that the Church  
4 will be utilizing that field. He added that he thought it was adequate for them to stop and look  
5 both ways and utilize the crosswalk the way most street crosswalks are used. He did not think  
6 they needed anything excessive for the amount of traffic that they would be sending across there.  
7 That is the thought right now, and that will get developed as we get further along. Mr. Bruce  
8 Prince asked if there would be a stop sign there. Mr. Boniello responded that there was not a plan  
9 to stop traffic as it is not ideal for that location. He added that he did not think it was necessary,  
10 and not something that they were looking at. Chair Gannon stated that she appreciated their  
11 provision of the lighting plan as she knows she asked for that. But, in looking at it and she  
12 understands why, the lighting plan is really focused on their project area, but Road C is also now  
13 your area -right. She indicated that she wanted to understand what existing lighting is on that  
14 church property that will illuminate Road C just to get a sense of what is there. She then asked if  
15 the Applicant could document what lighting is already there on the lighting plan so we understand.  
16 Because he has planned it out and shown us that in the development. But that whole route out,  
17 which connects to the idea of safety and the crosswalk- what is going on there. She added that it  
18 is more than just people crossing and that if you look at it as an athletic field – it is kids crossing  
19 because they have got camps. So that adds a little extra layer on to it than just you and her walking  
20 across the road. Mr. Boniello responded that he will investigate and certainly talk to the church  
21 and find out what lighting exists. He stated that his gut tells him this field, especially across this  
22 road, is not utilized at nighttime and he does not believe that it is the church's intent to illuminate  
23 any more of their property. In addition, he did not think that it is something that the residents are  
24 going to want us to push down that road. They are set back very far from any residential homes  
25 and he thinks that they plan to maintain a fair amount of wooded cover to all of our neighbors. He  
26 noted that he did not think that there would be a ton of light pollution. Regardless of whether there  
27 is lighting there or not, he thought that might be more detrimental than positive, considering they  
28 have access for walking purposes to Route 6's sidewalk, which will be well lit all the way to Route  
29 6, and then Route 6 as we know, has its own lighting abilities. Chair Gannon responded that she  
30 was not asking for additional lighting. She was asking Mr. Boniello to please document the lighting  
31 that exists so she can understand how when you are leaving, because we are responsible for the  
32 development and the route out to Mahopac Avenue, so she understands what existing lighting is  
33 there. Mr. Boniello responded okay, they will identify it. Mr. Zaberto stated that he wanted to  
34 bring it back to the sidewalks again. He advised Mr. Boniello that he thought he made a compelling  
35 argument as to why the interior of the development should not get sidewalks. He added that he  
36 takes that from a standpoint of being proud as one of the founding fathers of Somers Complete  
37 Streets initiatives here. He noted that recently, the Somers Town Supervisor was discussing plans  
38 here in town. Mr. Zaberto indicated that he believed we received a grant for a sidewalk project  
39 that would on-lay itself with some other infrastructure development that is going to happen here.  
40 He noted that he is a staunch advocate of sidewalks, but your point about the driveways and now  
41 not having a linear or flat sidewalk, and people now are going to have to go up and down for curb  
42 cuts. And with the design layout, as tight as it is, he thought that would actually not suit well for  
43 the purposes of making it a walkable community which is generally the goal of Complete Streets.  
44 We like to advocate for the ability for residents to have a pathway to walk. A lot of research shows

1 that does increase property values. Walkable communities are very desirable, but he thinks in this  
2 development, and again, it is based on now the clarity that you brought, the deliberations that you  
3 had with your team, that you brought forward to us, and he thinks the roadways are wide enough.  
4 He made that connection with the semi-rural nature of Somers. He indicated that he hears the  
5 residents in Baldwin Place are concerned about over development and that could potentially lose  
6 the bucolic nature that Somers has always been proud of. So, he thinks he is going to agree with  
7 the Applicant on this and he is pleased that you guys are doing it on a more feasible Route- Route  
8 6, which already has some interconnect-ability with sidewalks, and that you would be able to keep  
9 that in flow. He stated from his standpoint, he was going to vehemently oppose your objection to  
10 putting in sidewalks until you illuminated that argument here. He then stated that he would like  
11 his colleagues to take that into consideration as well. He advised the Applicant that he applauded  
12 him on that. Mr. Zaberto concluded and stated that he likes to consider that his thoughts on this  
13 are reasonable and he will take a stand when he thinks it is worthy of it. He stated that he likes the  
14 community benefit to be able to do sidewalks. But he thinks Mr. Boniello is right. He noted that  
15 he has gone through some of the developments here in town that do not have sidewalks. He sees  
16 the compact nature, and he tries to envision it with sidewalks, specifically the one here on Route  
17 100 just near the Mobile Station. He noted he sees it and so he is going to stand down on that  
18 platform and say that he would be content with this development not having interior sidewalks  
19 despite what the County had brought up. In addition, he knows Chair Gannon is as passionate  
20 about this as he is, but he can see it where it probably would not work great or look good. It would  
21 deny the homeowners the right to have what little front lawn they are going to have to begin with,  
22 and then we are going to put in concrete and whatnot. He then thanked Mr. Boniello for illustrating  
23 it the way that you did. Mr. Boniello responded that he appreciated Mr. Zaberto's take on the  
24 matter. Chair Gannon stated she just wanted to ask a question, because you know more about  
25 sidewalks than she does. She noted Mr. Greeley will be here and stated in terms of traffic calming  
26 and sidewalks, she wondered if, there was anything like areas where they have changed the paint  
27 on the road and suggested, almost like a bike lane or a walking lane to slow down the traffic-put  
28 what is called a road diet that would also provide a walking path. She stated she did not necessarily  
29 think it would be helpful, but just to put the idea out there, and asked if there is something like that  
30 which might be helpful. Mr. Smith responded that the Applicant should take that comment back  
31 to Mr. Greeley and have him include that as part of his presentation to the Planning Board when  
32 we schedule the Public Hearing. Chair Gannon stated she wanted to be exhaustive, to make sure  
33 that we consider things and if they were not considered not to exclude them-to really have it all  
34 discussed. Mr. Boniello responded there might be some method of striping or something of that  
35 nature. We will have Mr. Greeley speak to it- that is a great idea. Mr. Zaberto responded if that is  
36 going to make the project look too urban, he would take that into consideration as well. This is  
37 residential-correct. So the likelihood of folks speeding through their community, our community,  
38 but specifically those that live there and he would hope that those folks are responsible, knowing  
39 that their neighbors would be potentially walking on the sidewalks. He indicated he knows exactly  
40 what she was talking about, and thinks that has a much a better setting in a more urban/commercial  
41 environment. He added that he did not want to say city environment. There could be areas in our  
42 town where we could explore that, but he did not think that specifically would work here either.  
43 But that was just his opinion. Chair Gannon responded if anything, maybe Street C. Mr. Zaberto  
44 stated that he was not opposed to Street C. Although the argument about what are we really

1 connecting back there to Mahopac Avenue. He indicated he was going to look at the walkability  
2 of that area again. He thought it would be maybe more beneficial to include that near the recreation  
3 center, that leading out into Route 6 to the sidewalks now, because we are sort of widening out,  
4 there are less houses and now that could sort of facilitate those that are walking in that direction to  
5 sort of gain their bearings and then be able to get onto the sidewalks. Mr. Boniello responded that  
6 he will talk to Mr. Greeley and see if he has any statistics on what is out there. So let us find out  
7 what he has used. Chair Gannon responded he is your expert. Mr. Prince stated he would like to  
8 present a different argument, because unfortunately, he disagrees with his fellow Board Member.  
9 He indicated that Heritage Hills, where he has lived for for 22 years has 13 miles of road. They  
10 are wide streets like the ones you are proposing. There are no sidewalks. People walk, which we  
11 are not happy about but they walk and there has not been one accident in the last 21 years. There  
12 was one occurrence about 23 years ago, but for 13 miles of road with no problem with people  
13 walking on along the curb is fine. He added that he liked the idea that there are 71 parking spaces,  
14 because again, with the experiment at Heritage Hills, they are running out of parking spaces for  
15 cars because residents are not parking in their garage or in their driveway. Heritage Hills was  
16 originally set up for age 55 and older, but this project is talking about families, and with families  
17 come young kids who are going to want cars and you are going to need the excess parking. He  
18 concluded and stated he just wanted to make that clear. Mr. Sutton stated that he had another  
19 perspective. If he was a resident in one of those houses at the end of the exit road, as it is being  
20 referred to, human nature, is that they are going to walk to Mahopac Avenue. They may walk  
21 down Mahopac Avenue to hit Route 6. They are not going to walk through the entire development  
22 to get to the sidewalks along Route 6 the other way. Mr. Boniello responded, he could see that for  
23 these people. Mr. Sutton said yes, for those on that end of the development. He noted that he did  
24 not want to be looking at this after the fact saying we should have when we had the opportunity to  
25 talk more about it. He stated that he thought that if there is a justification for a sidewalk on Route  
26 6, that there is justification for the sidewalk on another road as well and that he did not know that  
27 it would offend the church. Chair Gannon said Street C as it is known. Mr. Sutton responded yes.  
28 Mr. Boniello responded that he thinks he heard the concern and that he has heard most of the  
29 Board come around on inside of the development, but essentially, or especially, the exit on Route  
30 C, and possibly past the residential homes, the parking area, the recreation center up to Route 6,  
31 are two areas he is going to look at with their traffic person to come up with some sort of solution  
32 for the concerns. And if anyone is still on the fence about sidewalks within the development, take  
33 a look at the snow removal on sidewalks around this town, because it is really rough to walk on  
34 some of these sidewalks until you get adequate shoveling in there. Mr. Sutton responded that was  
35 his thought, too, you are going to lose some of that road with snow removal- just opening it up,  
36 you are going to lose two feet easily if we have a storm like we just experienced. Mr. Boniello  
37 responded what they found on their development next door, and on any developments with this  
38 curb cut like we have, is that plow will get right on the edge of that curb and that snow is going to  
39 end up on their lawns- which can be a sidewalk in some conditions. They would rather that snow  
40 be on the front lawn and open that road up to 24-feet. You are not going to snowplow in a  
41 development like this, on a sidewalk. Mr. Zaberto responded, he sees it, it is valid. Chair Gannon  
42 asked if there was any feedback yet from the Bureau of Fire Prevention because one of the things  
43 she looks at is to make sure that everyone agrees that the turn in that cul-de-sac are such that our  
44 trucks could turn around. Mr. Smith responded that the application has been forwarded to the

1 Bureau of Fire Prevention but he did not know if they had a chance to provide comments back yet,  
2 but he thought that was a pretty cogent observation and that Mr. Allen could probably answer that  
3 with respect to what type of apparatus to get into and out of the cul-de-sac. Chair Gannon asked  
4 if that was Mr. Robbins' purview. Mr. Robbins responded that they will look at that again and  
5 make sure that they incorporate any comments from the Bureau of Fire Prevention in their memo.  
6 Mr. Allen stated they would be more than happy to sit down with the Bureau of Fire Protection.  
7 He indicated they have done that on many projects before, but again, even to the sidewalk issue  
8 into this layout – it is modeled almost exactly as we did over at Somers Crossing. So the cul-de-  
9 sac sizes, the road width and everything else is basically the same and we did not have a problem  
10 there and we are assuming we will not have a problem here, but nonetheless, we should certainly  
11 talk to the Fire Bureau about this. Similarly, with the sidewalks, if you go through Somers Crossing  
12 now, and he thinks Mr. Zaberto alluded to this-there are people walking all the time, and they are  
13 enjoying it. The way it sets up is very nice. Mr. Zaberto asked if they are 24-foot roads too. Mr.  
14 Allen responded, yes those are 24-foot roads. Mr. Zaberto responded that he drove through it, for  
15 the first time, actually, and he did not envision sidewalks appropriate in that development. Mr.  
16 Allen responded when we were discussing it, he was thinking if you are in a nice little  
17 neighborhood like White Plains where there are driveways and two single-family homes- tight  
18 lot, like a quarter acre, but they are spaced and you are not going up and down, up and down. It is  
19 very nice to be able to walk out of your neighborhood onto maybe a main road, where you are not  
20 doing the ups and downs and everything. But, again, as you mentioned, we do not want to be  
21 White Plains. Mr. Zaberto responded, no he agrees which was his point about keeping Somers  
22 bucolic and semi-rural. Chair Gannon indicated that she appreciated their provision of the interior  
23 traffic flow that she asked for. One of the concerns she had was regarding the entrance to the  
24 property that the church uses that's closer to Route 6. She wondered if there would there be an  
25 incentive for residents to use it as a shortcut, to come in and come around. But she thought given  
26 the traffic statistics that it would not be an issue, but that was one thing in terms of the layout and  
27 the pattern. She just did not want that to be because people who take shortcuts do it for a reason-  
28 they want to get someplace quickly. Mr. Boniello responded sometimes, even if it is not a shorter  
29 line. Chair Gannon responded yes, sometimes it is all in your mind what is and what is not. Which  
30 is exactly what she was thinking she would do. She would come in and walk around because she  
31 would rather be in motion than to be stopped and waiting at a light. Chair Gannon asked if there  
32 were any other questions. Planning Board Attorney, Mr. Michael Towey asked if Mr. Boniello or  
33 Mr. Allen could provide an update on the status of their application to the County to get into the  
34 Sewer District. Mr. Boniello responded that, he, Mr. Allen and Mr. Gus Boniello have spoken to  
35 their legislator, and they have the petition. They have not voted on it yet and it has not yet hit an  
36 agenda. He indicated that they feel confident that they are going to be able to move this through.  
37 They see the capacity letters. They see that there are no issues with the volume at the Peekskill  
38 plant. It is just a matter of getting them to sit down and process it. It has been in for two months or  
39 so now. It could not go in until their resolution was approved with the Town Board. When that  
40 happened in November they submitted. They are pushing, and are hoping to have something  
41 concrete within a few months. Mr. Towey thanked Mr. Boniello for the update. Chair Gannon  
42 stated her next question was for staff and asked if they both felt that we have enough information  
43 that the public could fairly evaluate this project and that we could schedule a Public Hearing to  
44 open at our next meeting. Mr. Smith responded that the thought it was reasonable given the extent

1 of the information that the Applicant has prepared to date, and their commitment to continuing to  
 2 address comments as they have come up, and particularly having their traffic engineer come in  
 3 and provide a full presentation. He stated he felt comfortable with the Board scheduling a Public  
 4 Hearing and providing that information to the public. Mr. Robbins stated that he concurred. While  
 5 they do have some open comments, they are detail in nature, and there is sufficient information for  
 6 the public to review and comment. Chair Gannon responded, with that feedback in mind, she made  
 7 a motion to schedule the Public Hearing for our next meeting, which is Wednesday, March, 11,  
 8 2026. Mr. Paul Ciavardini seconded. All in favor. Motion passes. Chair Gannon stated to get  
 9 Mr. Greeley ready. Mr. Boniello responded he will be here. Chair Gannon asked the Applicant if  
 10 they had any other questions before they go. Mr. Boniello responded no, he is all set. Chair  
 11 Gannon thanked the Applicant.

12  
 13 **5. 2 HAGEMAN COURT STEEP SLOPE PROTECTION, STORMWATER**  
 14 **MANAGEMENT AND EROSION AND SEDIMENT CONTROL AND TREE**  
 15 **PRESERVATION APPLICATION**  
 16 **TM: 48.09-1-14**

17 The Applicant is proposing to construct a single-family house with associated septic, well and  
 18 stormwater improvements. The proposed residence and design layout was originally approved in  
 19 2023. The Applicant was directed to resubmit the updated plans in order to receive a new Site Plan  
 20 approval because of the extent of the changes. The property is located at 2 Hageman Court and is  
 21 in an R-80 Zoning District.

22  
 23 Mr. Rick Bohlander, the project engineer, came to the podium, introduced himself, and stated that  
 24 he was joined tonight by the owners, Leo Gray and Melissa Vesuvio. Mr. Bohlander indicated that  
 25 this project was approved in 2023 and that it has since been sold. He noted that the new owners  
 26 were not crazy about the layout of the house and they wanted to update it. While pointing to the  
 27 plan Mr. Bohlander stated that he did not know how easy it was to see the plan from the Board’s  
 28 standpoint, but he highlighted the former footprint of the house along with the driveway. He stated  
 29 that he did not know if the Board recalled the environmentally uniqueness of the site – it is bordered  
 30 on the east by a rather large wetland area and then steep slopes to the west. He noted that the house  
 31 was situated as best they could - where it really would only fit. The central location of the house  
 32 really did not change much - just the layout. The footprint was reduced by about 500-square feet.  
 33 He indicated he was not sure if the Board recalled, it being three years ago, but it was more of a  
 34 square and kind of compact. While pointing to the plan, Mr. Bohlander noted that now this is a  
 35 little more spaced out and showed where the garage was located and where they flipped the  
 36 driveway’s original location from and to. He noted that they reduced the limit of disturbance in  
 37 some areas and extended the limit of disturbance in other areas. He pointed out where they had  
 38 two tier walls and indicated that now they have three, just because it pushed this way a bit. The  
 39 septic was located in the front yard, and it is still located in the front yard. He added that they do  
 40 have Health Department approval as of December. While pointing to the plan Mr. Bohlander stated  
 41 in addition, the stormwater went from under the driveway, outside of the garage to this back area  
 42 and noted that it is going to be an underground infiltration system. He indicated they maintained  
 43 the amount of landscaping, obviously, the location was tweaked a bit. He indicated that he has not

1 yet located the additional trees to be removed as they are in the steep slope area, but there are about  
2 five additional trees to be removed. He was not too hot about scaling that area in the snow, but  
3 those will be marked out. He concluded and stated that was really it for the changes since the Board  
4 last saw this plan. Mr. Christopher Zaberto asked if Mr. Bohlander was the engineering architect  
5 for the original submission in 2023. Mr. Bohlander responded yes. Chair Vicky Gannon asked  
6 Consulting Town Engineer, Mr. Steve Robbins if he had any comments. Mr. Robbins responded  
7 that often on a residential subdivision like this there are minor tweaks that happen when it gets to  
8 construction. When necessary, the Town's Engineering Technician, Mr. Steven Woelfle will bring  
9 it to our attention for some input where there is any need for determination on whether the final  
10 details meet the intent of the Planning Board's review, and if there is anything that has changed.  
11 Often if those are anything like we are going to move this catch basin from five feet to the left to  
12 five feet to the right-those are field changes that are typical in construction. Sometimes the limits  
13 of the change are within and smaller than the project that the Planning Board reviewed and  
14 approved. In this particular case, back in 2023 the Board had a significant discussion around the  
15 location of the driveway and the stormwater drainage coming down the road, and this particular  
16 development application increased the steep slopes disturbance to the west. So, the character and  
17 nature of the development is very similar to what it was before, but the bounds are different. The  
18 bounds are bigger, and some of the particular elements in the approvals changed. So, since the  
19 impacts were greater than what was approved previously, Mr. Woelfle and he agreed that it should  
20 come back to the Board. Although the Board is familiar with the site and the nature of the  
21 development is very similar, some of the details have changed, and we felt that it warranted coming  
22 back to the Board for review.

23  
24 Chair Gannon stated from this distance she was not seeing the north arrow and asked if Mr.  
25 Bohlander could show where the west was so she could get oriented. Mr. Bohlander pointed it out  
26 on the plans. Mr. Robbins stated that his detailed review is underway. He added that while we have  
27 seen the Site Plan, they are approaching it as a new Site Plan review and approval because while  
28 a lot of things are in the same places, some of the limits are greater than what was reviewed  
29 previously. He added that he should be issuing their comment memo shortly. He indicated he had  
30 two other comments. One was regarding how previously the drainage was coming down the street.  
31 There was a discussion about the stormwater running down the road – how it gets into the wetland  
32 now with an existing catch basin and how the driveway related to that. He then asked if there is an  
33 addition of a catch basin structure at the end of the driveway and if so, could Mr. Bohlander  
34 describe that for the Board. Mr. Bohlander responded that what they did to mitigate that, on that  
35 previous application it used to be asphalt now they are making the driveway gravel to percolate  
36 stormwater. Mr. Robbins then asked if that meant that the stormwater practices that Mr. Bohlander  
37 is designing are only capturing drainage from the roof leader. Mr. Bohlander responded correct.  
38 Mr. Robbins stated for the Board, that as they know, the Open Space Committee (OSC) will often  
39 comment on the relative appropriateness of bioretention and surface infiltration practices  
40 compared to subsurface infiltration. Their concern is often, especially adjacent to or within wetland  
41 buffers, whether amphibians are going to be washed down into the subsurface chambers. He added  
42 that in this case, it is our hope that we do not have salamanders crawling across their roof, and so  
43 he does not have any issues, and he does not think the OSC would have any issues with subsurface  
44 infiltration in this case. Mr. Bohlander responded that they looked at the above ground stormwater

1 but based on the way the site is graded, ideally, they could have put in a rain garden or small  
 2 infiltration pond. He pointed out the area on the plan and noted that was the expansion area for the  
 3 septic. He added that with the way the roof drains drained and where they had to locate the  
 4 stormwater, the inverts did not work for above ground. Chair Gannon asked if the Board had any  
 5 comments and/or questions. Mr. Anthony Sutton asked if the wetlands are between Wood Street  
 6 and the site. Mr. Bohlander responded yes. Mr. Zaberto asked if they did a Site Walk for this  
 7 previously. Both Mr. Sutton and Mr. Bohlander responded that they did not think so. Chair Gannon  
 8 asked if we need to have a Site Walk for this-the site is so constrained. Mr. Robbins responded that  
 9 there is not a lot to see, and he thought that certainly right now, with ground cover and snow, that  
 10 it would be a challenge. He then asked Mr. Bohlander if he had any photos of the site that he could  
 11 share with the Board. Mr. Bohlander responded that he had plenty of photos, just not here with  
 12 him tonight. He stated he could get updated ones as well as his are a little dated since the last time  
 13 he was looking at this site. Mr. Robbins stated it has not changed that much and that he thought  
 14 that would be helpful to submit to the Board for their review and for the context of the site. Mr.  
 15 Anthony Sutton asked Mr. Robbins if he was comfortable with the addition of that third tier. Mr.  
 16 Robbins indicated that is part of his review - with the height that is being traversed what the  
 17 engineer has done is stepped it up in some smaller steps. When we get over 4 or 4 ½-feet, we do  
 18 require a PE stamp, which they can obviously design and provide. By stepping it and setting it  
 19 back as part of our review, they do not necessarily need to do that. Chair Gannon then asked Mr.  
 20 Robbins' thoughts in terms of a Public Hearing. Mr. Robbins stated that he did not recall if the  
 21 project had one in the previous iteration. This is certainly not a significant scale, and he would  
 22 argue that the impact on the neighbors is relatively minor, and certainly the public has an  
 23 opportunity to provide written comment. Chair Gannon made a motion to waive the Site Walk. Mr.  
 24 Zaberto seconded. All in favor. Motion passes. Mr. Zaberto then made a motion to waive the Public  
 25 Hearing. He stated he thought the changes were de minimis and to Mr. Robbins' point the  
 26 neighbors could write in if they had an issue. Chair Gannon seconded. All in favor. Motion passes.  
 27 Chair Gannon stated that the next steps at this point are Mr. Bohlander will be submitting photos  
 28 to the Board. Mr. Robbins added that they owe the Board a comment letter and he would anticipate  
 29 at the next meeting, if the Applicant has an opportunity to address their comments, that the Board  
 30 would be in a position at that point, if they felt the project was satisfactory, and our comments have  
 31 been addressed, to direct staff to prepare a confirmatory resolution. Chair Gannon stated let us get  
 32 that information gathered for the next meeting.

33  
 34 **ADMINISTRATIVE ITEMS**

35  
 36 **7. DISCUSS THE RESCHEDULING OF THE SITE WALK FOR ROCKLEDGE**  
 37 **CENTER**

38  
 39 Chair Vicky Gannon stated the last item on the agenda is an administrative item. She thanked Mr.  
 40 Harrison Cook from HC Property Group for coming as she thought he would be attending via  
 41 Zoom. Mr. Cook responded that he decided to stick around. Chair Gannon noted that the issue was  
 42 we had initially scheduled the Site Walk for Rockledge Center and the weather was against us-way  
 43 too cold. Since then, we had a question during the discussion of trying to reschedule. The question  
 44 was how we do a Site Walk and when can you do a Site Walk when there is snow on the ground.

1 She indicated that is a nuanced type of a question, and she really thought it deserved an answer, so  
2 she deferred to Consulting Town Engineer, Mr. Steve Robbins. Mr. Robbins stated the intent of the  
3 Site Walk is to allow the Planning Board and staff to be able to observe the site and understand the  
4 context of the project- how the project relates to adjacent properties, how the site is being used,  
5 and to understand the broader picture to an application beyond the paper that gets presented in  
6 front of the Board. There are some projects where the nature of the site and the nature of the project  
7 allow for the Board to understand that context while there's snow on the ground. And there are  
8 others where understanding the topography and the environmental conditions on the site, where  
9 viewing the ground surface and the plants, are important to the context of understanding the  
10 application. In this particular case, this is a proposed infill development project where the new  
11 building is proposed, between two existing buildings. The site surface that is being disturbed is  
12 currently disturbed. They recently removed a big hill of rock in the middle there and a lot of the  
13 Board's concerns that he heard at the last meeting were around site circulation and access, which  
14 he thought could be understood in the context of there being snow on the ground. It is harder to  
15 move around the site. In his opinion, in some ways having mountains of snow on the site is almost  
16 a worst-case condition. Chair Gannon responded exactly. Mr. Robbins continued and stated that it  
17 does not provide the context to the proposed parking expansion area, to the extent that actually  
18 viewing that area is harder to do in the snow. But the ability of the Board to be at the site with  
19 enough time to look at it and understand it and kind of get their bearings on the condition would  
20 have been very hard over the last couple of weekends. The cold was prohibitive of being outside  
21 for an extended period of time, so the fact that there is snow on the ground, he does not think is  
22 prohibitive in this case, but we need to be able to stay out there and have a conversation. Mr.  
23 Anthony Sutton stated you could get a 360-degree view of what we are looking at, because as he  
24 recalled, you can look at it from all the way around and if you want to look at it from the other side  
25 - the backside there is a portico that goes across there – right. Mr. Cook responded that is true,  
26 you could go in there. Mr. Sutton replied as opposed to the last site where unless you are bringing  
27 hip boots with you, you are not going to be able to really do that. Mr. Zaberto stated that  
28 embarrassingly he wrote down the wrong date for the Site Walk and went to the site the Saturday  
29 after last month's meeting, and he pulled out the blueprints and then realized that he did not know  
30 where anybody was but did not want to waste his visit there. He noted that there is this area where  
31 that breezeway is that connects the two buildings. So, he does think that we can visualize that with  
32 snow on the ground. The topography there was pretty flat. And then, to your point about the snow  
33 piles and things like that, that would be an adverse scenario where it could impact traffic, and we  
34 would want to see that in real time. Because we want to prepare for the worst and plan for the best.  
35 He indicated that he thought we could do a Site Walk barring single digits. Chair Gannon added  
36 or extremely icy or something because we need to be able to get out and walk around, and we do  
37 not want anybody to get injured. Mr. Zaberto responded if it were like Trailside, where we would  
38 have to hike through woods – that is a different story. Chair Gannon responded that she was okay  
39 with this. Mr. Cook responded that he started throwing around dates with the owner and his  
40 engineer and they were talking about it and came to the conclusion that there is a ton of snow on  
41 the ground and there is no way they would have any submittals for the March meeting ready before  
42 then and decided to just do it sometime in March and he thought the date that worked best for them  
43 would be March 21, 2026. Mr. Robbins indicated that date worked for him. Chair Gannon asked  
44 the Board if Saturday, March 21, 2026, at 9:00 a.m. worked for them. The date worked for all.

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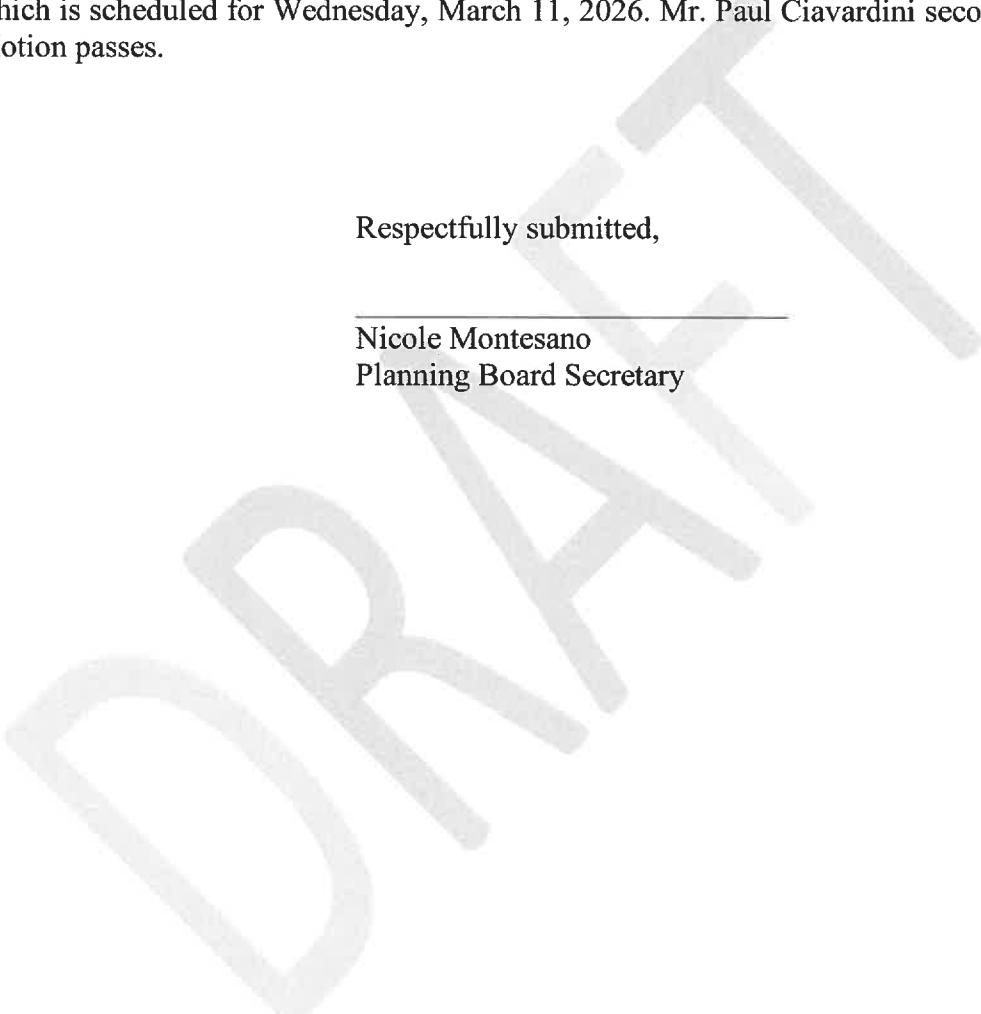
Chair Gannon then asked Planning Board Secretary, Ms. Nicole Montesano to send out a reminder when we get closer to the date. Chair Gannon thanked the Applicant for stopping by. Mr. Cook said no worries; he wanted to discuss it in person.

**MEETING ADJOURNMENT**

Chair Vick Gannon made a motion at 9:17 p.m. to adjourn until the next Planning Board meeting, which is scheduled for Wednesday, March 11, 2026. Mr. Pául Ciavardini seconded. All in favor. Motion passes.

Respectfully submitted,

\_\_\_\_\_  
Nicole Montesano  
Planning Board Secretary



**Nicole Montesano**

---

**From:** Eric Zohar <ezohar@somersfd.com>  
**Sent:** Saturday, March 21, 2026 6:07 AM  
**To:** Nicole Montesano  
**Cc:** David B. Smith; Jsj@krne.com; All Commissioners; Claire Kelmer; Michael T. Liguori  
**Subject:** Re: Apri 9, 2026 Planning Board Meeting - NYS Police Headquarter 295 Route 100 Subdivision

To; Somers town planning board

Re: Somers Fire District Request to extend Subdivision Permit for 295 Route 100 Somers Fire District Property NYSP Barracks.

Planning board meeting date April 8,2026

The Somers Fire District Board of Fire Commissioners is hereby Requesting a 90 day extension of the Subdivision permit currently in place for our property located at 295 Route 100 Somers NY, 10589 NYS Police Barracks.

RECEIVED

MAR 23 2026

PLANNING & ENGINEERING  
TOWN OF SOMERS

Thank you,

Ariye Zohar  
Chairman

## Board of Fire Commissioners

Somers Fire District  
119 Primrose Street Lincolndale NY, 10540  
9147740157

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On Mar 17, 2026, at 12:44 PM, Nicole Montesano <nmontesano@somersny.gov> wrote:

Mr. Zohar-

Woodard & Curran Engineering  
and Geological Services P.A. P.C.  
800 Westchester Avenue | Suite N507  
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T 800.426.4262  
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F 914.448.0147



## MEMORANDUM

RECEIVED

**TO:** Town of Somers Planning Board  
**CC:** Town of Somers Planning and Engineering Department  
**FROM:** Steve Robbins, P.E., LEED AP  
**DATE:** April 1, 2026  
**RE:** 2603: 125 Mahopac Avenue Proposed Residential Pool and Patio  
Review of Wetland and Water Course Protection and Stormwater Management  
and Erosion and Sediment Control Permit Applications  
TM: 26.08-1-14, R-40 District

APR - 1 '2026

**PLANNING & ENGINEERING  
TOWN OF SOMERS**

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### GENERAL

The purpose of this letter is to provide a summary of our comments related to our review of the Wetlands and Stormwater Applications that were submitted for the 125 Mahopac Avenue Proposed Pool and Patio Project, in the Town of Somers, New York.

The Applicant is proposing the construction of a 15x30 residential pool addition, patio, and stormwater infiltrators within an existing fenced in lawn area, with a total site disturbance of 4770 sf.

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

- Chapter 93 – Stormwater Management and Erosion and Sediment Control
- Chapter 167 – Wetland and Watercourse Protection

### DOCUMENTS REVIEWED

- Town of Somers Environmental Determination Letter dated June 18, 2025.
- Short Environmental Assessment Form, prepared by Kara and Paul Morett, dated November 5, 2025.
- Application for "Wetland and Watercourse Protection" Permit, prepared by Kara and Paul Morett, dated November 5, 2025.
- Chapter 67 "Application Processing Restrictive Law", prepared by Kara and Paul Morett, dated November 5, 2025.
- Applicant Acknowledgement Form, prepared by Kara and Paul Morett, dated November 5, 2025.
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- Supplemental Information Package, prepared by Kara and Paul Morett.
- Referral Memo to Town of Somers Planning Board, prepared by the Town of Somers Engineering Department, dated February 10, 2026.
- Application for General Permit Coverage and DEC Authorization, prepared by Kara and Paul Morett, dated February 7, 2026.
- Notice of Coverage Under GP-0-25-003, prepared by Mickenna Meyer, dated February 9, 2026.
- Basic Freshwater Wetlands General Permit, prepared by NYSDEC, dated February 9, 2026.
- Wetland Referral Form, prepared by the Town of Somers Engineering Department, dated August 22, 2025.
- Application for Environmental Permit, prepared by Jason Long, dated August 19, 2025.
- NYSDEC Wetlands Permit, prepared by Ellen Hart, dated June 13, 2025.
- Zoning Board Approval Letter, prepared by Victor Cannistra, dated August 30, 2023.
- Letter, RE: Morett Pool Project, prepared by Aspen Environmental, dated March 31, 2026, including photo pages
- Drawings prepared by Paul Gdanski P.E., PLLC, including:

Sheet Number	Sheet Name	Dated	Revised
1	NA	September 2, 2025	March 21, 2025
2	NA	September 2, 2025	March 21, 2025

**PERMITS AND APPROVALS REQUIRED**

- Stormwater Pollution Prevention Plan
- Wetland and Watercourse Protection

**DISCUSSION**

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

1. *Prepare and Submit a Stormwater Pollution Prevention Plan in accordance with Section 93-6 of the Town Code.* **Addressed.**
2. *Prepare and Submit a Mitigation Plan for the disturbance in the wetland buffer, in accordance with Section 167-9 of the Town Code.* **Addressed.**



March 31, 2026

Town of Somers Planning & Engineering  
Somers Town House  
335 Route 202  
Somers, NY 10589

**RECEIVED**

APR - 1 2026

**PLANNING & ENGINEERING  
TOWN OF SOMERS**

RE: Morett Pool project  
125 Mahopac Avenue (26.08-1-14)

Dear Mr. Robbins, PE and Planning Board members,

In conjunction with the Morett pool and patio permit application dated February 2, 2026, and discussions with Town reviewing engineer S. Robbins, PE, please accept this updated site plan, photos highlighting the area of proposed wetland mitigation, and this brief narrative in support of Town issuance of a Chapter 167 - Wetlands and Watercourse Protection permit. Site Plan Approval and a Chapter 93 – Stormwater Management and Erosion and Sediment Control Permit are also being requested with this submission.

The site plan, last modified 3/31/26, accurately depicts all required existing and proposed site conditions. The primary change to the plan is the elimination of the Cultec infiltration system. As suggested by the Town Engineer, stormwater is now to be treated via the permeable patio with deeper stone base layers for storage and infiltration. This proposed system is both upgradient and shallower than the previously proposed stormwater treatment. Perc and deep test are still to be performed, witnessed and approved by the Town engineer prior to construction.

Additionally, the site plan identifies the location, species options, and the minimum size and number of shrubs to be planted as mitigation for wetland adjacent area disturbance. As a reminder, the area of the proposed pool and patio exists now, and prior to ownership by the Morett's, as maintained lawn. An existing fence encompasses the yard with a vegetated strip being situated on

the lawn side of the fence. Replacement of an appropriate area of lawn and ornamentals with native shrubs is proposed as appropriate and sufficient mitigation.

In accordance with Chapter 167-8, Aspen Environmental has considered the standards for permit issuance. Aspen contends that the proposed development, specifically the addition of a modest in ground pool with patio, along with minor temporary work, is unlikely to result in any significant impact to the wetland adjacent area where the project is located, to the abutting wetland itself, nor to any areas downstream of the project. Furthermore, Aspen finds the buffer area loss to be necessary and unavoidable, given nearly any backyard improvement project; no alternative other than "no action" exists. Finally, mitigation is proposed which is deemed to adequately compensate for minor alteration of the wetland adjacent area. The projects' consideration of regulated wetland and adjacent area impact is defined as follows.

#### AVOIDANCE:

Specifically, there is no impact to the wetland. Similarly, the project will not result in any further encroachment into the wetland buffer than that which currently exists. (A fence and landscaping currently separate the wetland area, as well as some buffer, from the existing yard.)

The proposed pool and patio project cannot be sited anywhere else on the property, which would lie outside of the wetland adjacent area.

#### MINIMIZATION:

As the entire back yard lies within the regulated adjacent area, the project has been tucked behind the house nearest all existing and authorized improvements and in an area where the separation between the existing fence and the wetland boundary is greatest. Additionally, the total impact area has been minimized to the greatest extent practicable to in order to achieve a reasonable and acceptable pool and patio area.

The project will disturb a total of 1.1 acre or 4770 sf of wetland buffer. Of this disturbance, nearly 2900 sf is considered either temporary or minor in nature (access, material stock piles and minor grading with return to existing or improved vegetative cover), while only an estimated 1900 sf will constitute permanent disturbance (pool and patio).

MITIGATION:

The patio area has been redesigned several times to promote subsurface infiltration and reduce the potential for overland flow towards the wetland. Specifically, the patio is designed and will be constructed to be pervious and with sufficient sub base storage capacity so as not to result in runoff for the standard 25 year storm event.

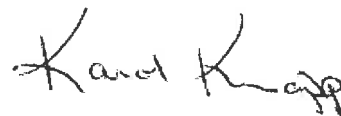
Additionally, the existing fence line landscaping will be enhanced where the fence abuts the wetland boundary and where existing screening is the lightest (see photos). Specifically, the existing ornamental grasses will be removed and the area will be backfilled with a double row of native shrubs. As indicated on the plan, the applicant's landscaper will select appropriate vegetation, based on availability, size and condition, from the native shrubs identified, or like native species as first approved by Aspen Environmental.

The area of additional planting is not included in the total area of disturbance as this action merely eliminates an area of lawn and non native ornamentals nearest the wetland in favor of providing better wetland separation and screening. The selected native shrubs will also benefit insects and other wildlife by providing additional flower, berry and seed from which to feed and potential cover over that which currently exists. Finally, while minimal, the addition of more roots immediately adjacent the wetland boundary in this area, an area which displays significant historic alteration, will serve to further stabilize the wetland edge and support additional natural colonization.

With this supplemental information, we respectfully request that a Town of Somers Wetlands and Watercourse Protection permit be issued at this time, along with all other required authorizations. Please note that NYSDEC authorization under Article 24 Freshwater Wetlands was issued on February 9, 2026.

Please contact me at your earliest convenience should you have any questions.

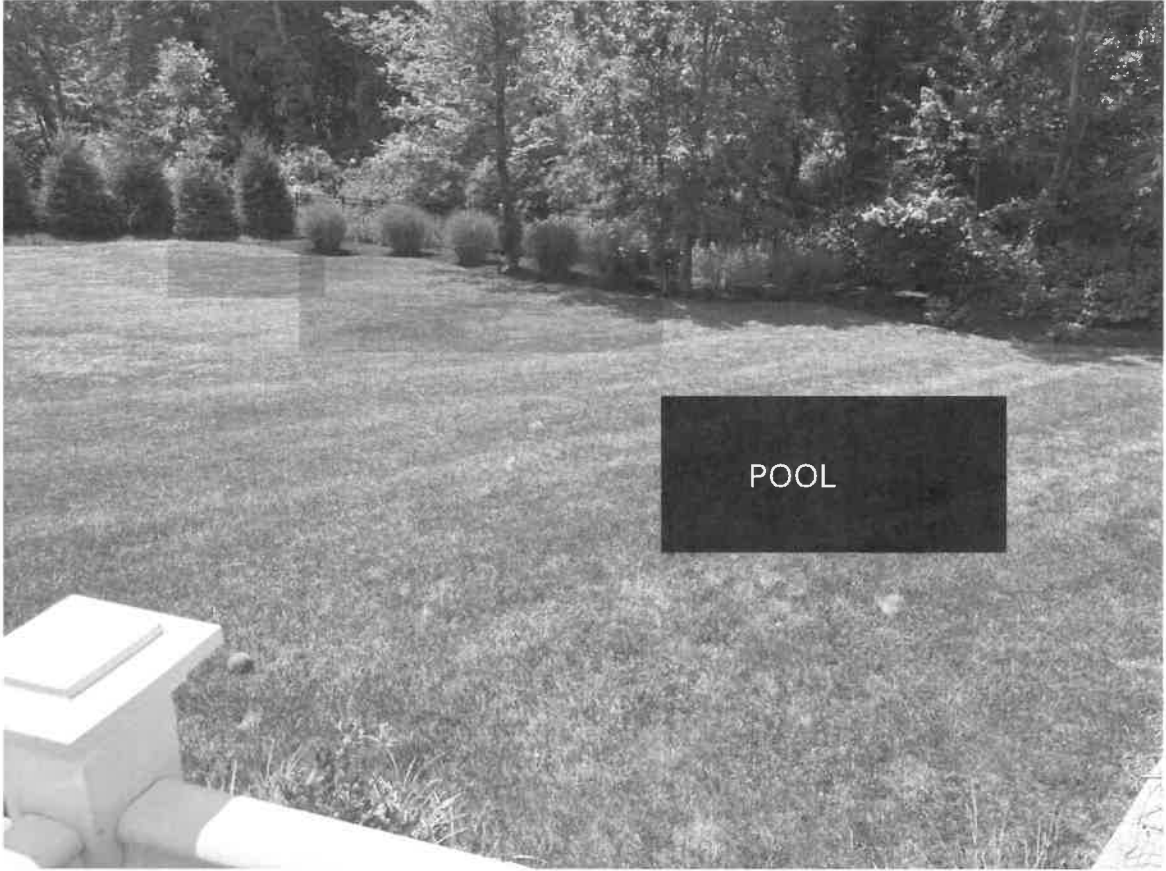
Sincerely,



Karol Knapp  
President, Aspen Environmental

**Morett Pool – 125 Mahopac Avenue**





OPEN SPACE COMMITTEE

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

**Town of Somers**  
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE  
335 ROUTE 202  
SOMERS, NY 10589

**MICHAEL BARNHART**  
CHAIRMAN



RECEIVED

MAR 19 2026

**MEMO TO:** Planning Board

**PLANNING & ENGINEERING**  
**TOWN OF SOMERS**

**FROM:** Open Space Committee

**RE:** 125 Mahopac Avenue

**DATE:** March 19, 2026

The Committee reviewed and discussed the submission, received from the Planning Board, for 125 Mahopac Avenue at our meeting on March 12, 2026.

It appears that the placement will be on the only dry section of the property, however, the Committee wants to know where the water will discharge from the French drain. It is unclear in the submitted site plan.

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

T 800.426.4262  
T 914.448.2266  
F 914.448.0147

**RECEIVED**

## MEMORANDUM

**TO:** Town of Somers Planning Board  
**CC:** Town of Somers Planning and Engineering Department  
**FROM:** Steve Robbins, P.E., LEED AP  
**DATE:** March 9, 2026  
**RE:** 2603: 125 Mahopac Avenue Proposed Residential Pool and Patio  
Review of Wetland and Water Course Protection and Stormwater Management  
and Erosion and Sediment Control Permit Applications  
TM: 26.08-1-14, R-40 District

**MAR - 9 2026**

**PLANNING & ENGINEERING  
TOWN OF SOMERS**



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- Stormwater Pollution Prevention Plan
- Wetland and Watercourse Protection

**DISCUSSION**

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

1. Prepare and Submit a Stormwater Pollution Prevention Plan in accordance with Section 93-6 of the Town Code.
2. Prepare and Submit a Mitigation Plan for the disturbance in the wetland buffer, in accordance with Section 167-9 of the Town Code.

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

OFFICE OF THE SUPERVISOR

Telephone  
(914) 277-3637  
Fax  
(914) 276-0082

**Town of Somers**  
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE  
335 ROUTE 202  
SOMERS, NY 10589

ROBERT SCORRANO  
SUPERVISOR



April 2, 2026

**RE: Proposed North Edge Realty Corp**

Dear Carmel Town Board,

I am writing in response to your correspondence regarding the proposed North Edge development and activity along the Somers–Carmel municipal border, which the Town received on March 17, 2026.

We take intermunicipal coordination seriously, and throughout this process, we have followed the established review procedures and public processes designed to ensure transparency and input on projects near municipal boundaries. It is important, however, to clarify several points so the discussion reflects the full context of this proposal and the process to date.

This project is not new. The North Edge proposal has been under review since March 2022. During that time, the project has appeared on Town Board and Planning Board agendas approximately 20 times, including roughly 15 Town Board meetings and 5 Planning Board meetings. These reviews included ongoing discussions, requests for additional information, and follow-up by the applicant in response to questions raised by both the Town Board, Planning Board, and the Watershed Inspector General. As of January 2026, the project is again before the Planning Board, where the duly noticed public hearing remains open and detailed site plan review is ongoing.

Given this timeline and level of review, it would not be accurate to suggest that the project has advanced without transparency or opportunity for public awareness and input.

With respect to public notice, the Town of Somers has fully complied with all requirements under the Town Code and New York State Town Law, including publication, posting, and public hearings at each required stage of review. These procedures are established by law to ensure consistency and fairness in the process, and they have been fully followed.

The proposal consists of 73 units. While any development demands careful review, this is not atypical in scale for areas identified in the Town of Somers Comprehensive Plan for this type of housing, particularly where connection to existing infrastructure, such as water and sewer, is readily available.

The zoning applicable to this property was amended from prior R-80 and R-40 designations to allow for multifamily use through a formal legislative process. That process was undertaken in strict compliance with applicable New York State laws and in accordance with the Town's Comprehensive Plan, which identified this area as appropriate for this type of development based on location, infrastructure availability, and planning objectives.

Regarding traffic, we recognize that Route 6 is a shared concern for residents of both Somers and Carmel. For that reason, the review has not relied solely on applicant submissions. The Town retained an independent third-party traffic consultant, Hardesty & Hanover, to review the analysis, request revisions, and confirm that the study meets accepted engineering standards. In addition, the New York State Department of Transportation is an involved agency given its jurisdiction over Route 6.

We also acknowledge your comments regarding public trust and regional impacts. These are important considerations. At the same time, all municipalities must apply a consistent standard when evaluating projects. Land use decisions are guided by adopted plans, zoning codes, and environmental review processes, and those standards are being followed here.

As part of the ongoing public hearing process before the Planning Board, your correspondence has been included in the record and provided to the applicant for review and response, consistent with standard procedure.

The North Edge project remains under active review. The public hearing is open, additional information is being requested, and no final approvals have been granted.

We remain open to continued dialogue with the Town of Carmel as this process moves forward.

Sincerely,



Robert Scorrano  
Supervisor

RS:ts  
[https://somersny-supervisor/shared\\_documents/tsavva/letters/north edge.docx](https://somersny-supervisor/shared_documents/tsavva/letters/north%20edge.docx)



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

**Letitia James  
Attorney General**

April 1, 2026

***By Email***

Vicky Gannon, Chair  
Town of Somers Planning Board  
335 Route 202  
Somers, NY 10589  
vgannon@somersny.gov  
pbmeeting@somersny.gov

**RECEIVED**

**APR 01 2026**

**PLANNING & ENGINEERING  
TOWN OF SOMERS**

**RE: North Edge at Somers SWPPP and Site Plans**

Dear Chair Gannon and Member of the Somers Planning Board:

The Office of the New York City Watershed Inspector General (WIG Office) respectfully submits the attached comments on the Stormwater Pollution Prevention Plan (SWPPP; last revised December 19, 2025) and associated Site Plans (last revised December 17, 2025 in full, and partially revised February 23, 2026). The WIG Office appreciates this opportunity to comment on the North Edge at Somers SWPPP, associated attachments and site plans, and looks forward to working with the Town, Watershed regulators, the Project sponsor, and other stakeholders as review of the Project proceeds.

Respectfully submitted,

/s/ Claiborne E. Walthall  
Claiborne E. Walthall  
Assistant Attorney General  
Charles Silver, Ph.D.  
Watershed Inspector General Scientist  
Dan King  
Environmental Scientist

Encl.

cc: David Smith, Director of Planning, Town of Somers  
Nicole Montesano, Planning Board Secretary, Town of Somers  
Cynthia Garcia, NYC DEP  
Matt Giannetta, NYC DEP  
Karen Stainbrook, NYS DEC  
Steve Robbins, Woodard & Curran

Tim Allen, Bibbo Associates  
Raymond Hamill, Bibbo Associates  
Gus Boniello, North Edge Realty Corporation  
Jared Boniello, North Edge Realty Corporation

# **The North Edge at Somers**

**45 Route 6 (Birdsall Road)  
Somers, NY 10598**

**RECEIVED**

**APR 01 2026**

**PLANNING & ENGINEERING  
TOWN OF SOMERS**

## **Review of the Stormwater Pollution Prevention Plan**

### **Technical Comments Prepared By:**

**Mary Galasso, P.E.**

**on behalf of the**

**Office of the New York City Watershed Inspector General**

**April 1, 2026**

The following discussion and comments are based on a continued review of the North Edge at Somers project documents, including:

- a) Stormwater Pollution Prevention Plan (SWPPP) for North Edge Realty Corporation, including Appendices A through N and Figures 1 and 2, prepared by Bibbo Associates, LLP (Bibbo), dated October 30, 2024, last revised December 19, 2025.
- b) Pollutant Loading Analysis for North Edge Realty Corporation, including Appendix A, prepared by Bibbo, dated July 17, 2025, last revised October 22, 2025.
- c) North Edge Realty Site Plan Set, prepared by Bibbo, dated October 30, 2024, last revised December 17, 2025 (24 sheets).
- d) Partial plan set for North Edge Realty, prepared by Bibbo, dated October 30, 2024, last revised February 23, 2026 (13 sheets including Drawings LP-1, SP-1, UP-1, UP-2, EC-1, PH-1, PH-2, PH-3, PH-4, DP-1, DP-2, SP-1, and WP-1).
- e) Bibbo's responses to the NYC Watershed Inspector General's (WIG's) August 13, 2025 technical comments dated October 22, 2025 (October 2025 Response Letter).

### **Project Description and Background**

The proposed North Edge at Somers project consists of 73 multi-family townhouse units, as well as associated access roads, parking, and stormwater treatment and management facilities on approximately 16.2 acres of land. A sewer extension is proposed to convey wastewater to the Peekskill Water Treatment Plant. The

project also proposes improvements to recreation opportunities at the Site. The project is located at 45 Route 6 (Birdsall Road) in the Town of Somers, Westchester County, New York (the Site).

The project proposes roughly 13 acres of land disturbance during construction, roughly 6 acres of new impervious surfaces, and over 12 acres of forest removal. Nearly a quarter of the Site is characterized as having slopes greater than 15 percent, and soils at the Site have a high to very high runoff classification. A New York State Department of Environmental Conservation (NYSDEC) regulated wetland exists on the Site (ML-10). The project is also located in or adjoins the Baldwin Place Area, which is a state-designated critical environmental area. The nearby Muscoot River will receive drainage from the Site and is tributary to the Croton River.

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

## **Comments**

Review of the project documents with latest revision dates in October 2025 through February 2026, as listed above, indicates there have been significant positive revisions to the design, particularly as it relates to construction sequencing. The WIG Office appreciates the degree of attention that the applicant's engineer has given to the design. Many of the itemized comments presented in the May 1, 2025 Letter from the WIG Office have been addressed. However, some comments were not addressed adequately and remain unresolved. The WIG Office has consolidated and reiterates unresolved issues in the comments that are presented below.

1. Steep Slope Disturbance - As discussed in the WIG's May 1, 2025 technical comments (May 2025 WIG Comments) and August 13, 2025 technical comments (August 2025 WIG Comments), page 5-7 of the 2024 New York State Stormwater Management Design Manual (2024 Design Manual) states:

Development on slopes with a grade of 15% or greater should be avoided, if possible, to limit soil loss, erosion, excessive stormwater runoff and the degradation of surface water. Excessive grading should be avoided on all slopes... as should the flattening of hills and ridges. Steep slopes should be kept in an undisturbed natural condition to help stabilize hillsides and

soils. On steep slopes, new development, re-grading, or stripping of vegetation must be minimized.

For this Site in the New York City Watershed, the disturbance of any steep slopes creates a potential threat to water quality that should be avoided in accordance with the 2024 Design Manual.

The Constraints Map (Drawing C-1) for this project indicates regrading and building construction on portions of Housing Units 5 through 21, 32 and 33 (19 buildings) are proposed on existing slopes greater than 25%. Regrading of existing slopes greater than 25% is proposed immediately uphill of the proposed infiltration basins.

Soils within the proposed limits of disturbance are identified by the Natural Resources Conservation Service (NRCS) Web Soil Survey as predominantly Paxton, which typically has seasonally high groundwater (18" to 37" depths). NRCS classifies Paxton soils that have slopes greater than 15% as having high to very high runoff potential. The proposed action requires approximately 13 acres of earthwork to be completed and stabilized within 24 months - through at least two freeze/thaw cycles.

Bibbo's October 2025 Response Letter states that during the time the plan was discussed with the Town Board, various alternatives were presented, and that the number of units was decreased and Street A was reduced in width and shifted to the east to minimize steep slope disturbance in the current proposal. However, the layout in the current plan appears to be the same as in earlier revisions reviewed by the WIG Office, without further reconfiguration of units to avoid steep slopes. Therefore, the proposed layout does not avoid steep slope disturbance in accordance with the 2024 Design Manual. More than half the areas sloping between 15% and 25% will be disturbed and nearly all the slopes greater than 25% will be disturbed.

2. The Constraints Map, last revised December 17, 2025 (Drawing C-1), shows a small portion of Infiltration Basin 2, on the west side of the Site, will be located in an area where the existing slope is 15% or greater. Additionally, the floor of this Infiltration Basin will require a combination of cut and fill to establish the bottom elevation of 528 feet. Section 6.3.1 of the 2024 Design Manual requires that a slope stability analysis be performed by a qualified geotechnical engineer for infiltration practices on slopes greater than 15%. This analysis needs to be incorporated in the SWPPP. Section 6.3.1 of the Design Manual also includes criteria for construction of infiltration practices through cut and fill operations. These criteria, including the properties itemized in Table 6.9 and on Figure

6.15, need to be identified on the Site Plans and in the SWPPP.

3. According to the October 2025 Response Letter, stormwater treatment of runoff from impervious surfaces will include about 1.6 acres of existing offsite impervious surface from the properties east of the project. However, a small amount of new impervious area, about 0.06 acres, associated with the Route 6 project entrance is not tributary to any runoff reduction (RRv) or treatment practice. Part II.C.a.i.2 of the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activities GP-0-25-001 states that projects that cannot meet 100% runoff reduction (RR) of the entire Water Quality Volume (WQv) due to site constraints “must direct runoff from all newly constructed impervious areas to a RR technique or a standard stormwater management practice with RRv capacity, unless infeasible. The specific site limitations that prevent reduction of 100% of the WQv must be documented in the SWPPP.” Therefore, the SWPPP needs to include a discussion regarding how runoff from the new impervious surfaces associated with the Route 6 project entrance have been reduced and/or treated to the extent feasible and identify which site constraints render additional reduction or treatment infeasible.
4. This project is located within the Amawalk Reservoir Watershed. The Amawalk Reservoir is a “phosphorus restricted basin” due to an overabundance of phosphorus, which stimulates algae growth and contributes to the formation of algal blooms. Algal blooms adversely impact drinking water quality. Stormwater entering the Amawalk Reservoir from construction and development activities is of great concern to the WIG Office. Development projects should result in no net increase of phosphorus loading to the Amawalk Reservoir.

To assess the threats to drinking water quality posed by potential stormwater pollutants, a revised pollutant loading analysis (PLA) has been provided for the project to estimate the existing and proposed total phosphorus (TP) load at the project Site. The revised analysis now references sources used to estimate both the TP loads and the removal rates for the proposed practices. However, there appear to be some inconsistencies in the amount of impervious surface analyzed as either impervious surface or as a percentage of the residential component of the PLA, and the amount of impervious surface modeled in the hydrologic analysis in Appendix C of the SWPPP.

Therefore, the WIG Office completed a separate PLA using the sources of TP loading and removal rates proposed by Bibbo and by incorporating the amount of impervious surfaces included in the hydrologic analysis. Where Bibbo

calculated a net *decrease* of 1.47 pounds (lbs) of TP load for the Site in the post-development condition after treatment (16.82 lbs to 15.36 lbs, an 8.72% decrease), the WIG Office calculations show a net *increase* in TP of 0.83 lbs in the post-development condition after treatment (16.86 lbs to 17.69 lbs, an increase of about 5%). The increase, though small, must be mitigated. Therefore, the plan needs to be revised to eliminate the increase in TP load that would result from the project's completion. This may be accomplished by incorporating measures that will maximize TP removal in the proposed practices, additional runoff reduction and/or treatment practices, or a combination of these measures.

RECEIVED

MAR 31 2026

Affidavit:

PLANNING & ENGINEERING  
TOWN OF SOMERS

I, Jared Boniello do hereby affirm that on March 27th, 2026  
pursuant to Sections 170-114C(5) and 150-12E of the Code of the Town of  
Somers, I installed the required sign, informing the public that the Public Hearing  
will be held on Wednesday, April 8th, 2026 at the Somers Town House,  
335 Route 202, Somers NY for the North Edge Realty Corp. project.



Signature

I, Michele M. Eberle a Notary Public do hereby certify that on this, the  
27th day of March, 2026 the above named Jared Boniello  
subscribed the foregoing affidavit in my presence, and declare that the matters set  
forth in said affidavit are true, to the knowledge of said deponent.

IN WITNESS WHEREOF, I have hereunto set my hand.



Notary Public

Commission expires: October 18, 2026

MICHELE M EBERLE  
Notary Public, State of New York  
No. 6227154  
Qualified in Putnam County  
Commission Expires Oct. 18, 2026



RECEIVED

MAR 31 2026

PLANNING & ENGINEERING  
TOWN OF SOMERS



A PROPOSED 73-LOT SUBDIVISION, SITE PLAN, STEEP SLOPES,  
STORMWATER MANAGEMENT AND EROSION & SEDIMENT CONTROL,  
AND TREE REMOVAL APPLICATIONS FOR NORTH EDGE REALTY  
ON THIS PROPERTY WILL BE DISCUSSED AT A PLANNING BOARD  
PUBLIC HEARING ON APRIL 8TH 2026 AT 7:30 PM AT THE  
SOMERS TOWN HOUSE, FOR INFO: CALL 914-277-5366

**RECEIVED**

**MAR 31 2026**

**PLANNING & ENGINEERING  
TOWN OF SOMERS**

March 25, 2026

Mr. Timothy S. Allen, P.E.  
Bibbo Associates, LLP  
293 Route 100, Suite 203  
Somers, NY 10589

RECEIVED

Via email: [tallen@bibboassociates.com](mailto:tallen@bibboassociates.com)

Re: North Edge Realty Corporation - SWPPP  
29, 43 & 45 Route 6, (T) Somers  
Tax Map ID #s: 4.19-2-2, -3 & -4  
Amawalk Reservoir Drainage Basin  
DEP Log #: 2023-AM-0744-SP.1

MAR 25 2026

PLANNING & ENGINEERING  
TOWN OF SOMERS

Dear Mr. Allen:

The New York City Environmental Protection (DEP) has determined that the above referenced application is *incomplete*. Please be advised that the following information is required before DEP can commence its review.

**A. Project Description**

1. The design proposes to discharge runoff towards the DEC-regulated wetland and watercourse. Section 1.2 should be revised to include a description of the watercourse and its terminus, which would be the Amawalk Reservoir. Additionally, please include the information provided in the comment response letter regarding the NYSDOT cross culvert and its condition.
2. Based on the contours, it appears that portions of the front yards of the church and the existing residence should be included in Subcatchment of 2.1S, as well as the portions along the west side of Mahopac Drive. Please revise the drainage area boundary and update relevant sections of the report and model as necessary.
3. The comment response letter indicates porous patios have been removed from the scope of the project and that the runoff from the patios will be conveyed to the infiltration basins via trench drains. Please revise Section 1.3 to reflect the revised design. Additionally, the proposed trench drains could not be identified on the utility plans. Ensure these drainage conveyance systems are depicted on relevant plans.

4. Callout the surface cover type for the area behind the recreation building and the presumed walking trail that begins at the recreation building.

**B. Post-Construction Stormwater Management Practice Design and Layout**

1. The design does not provide for the capture and treatment of runoff from the new impervious area (driveway apron) within Subcatchment 3.2S. In accordance with the 2015 DEC Stormwater Design Manual (2015 DM), all new impervious surfaces must be captured and treated. As discussed in an e-mail correspondence with your office, please provide the following information in the SWPPP:
  - a. Quantify the total area of this new impervious surface area.
  - b. The SWPPP narrative must acknowledge that the design does not provide for the capture and treatment of this new impervious surface area through the use of a Green Infrastructure Practice from Chapter 5 of the 2015 DM or a standard Stormwater Management Practice from Chapters 6/10 of the 2015 DM.
  - c. Detail the site constraints that prohibit standard treatment.
  - d. Detail the proposed alternative treatment devices and provide supporting documentation demonstrating technical equivalency to 2015 DM standards.

The review of your application will not commence until the DEP receives the necessary information and determines that the application is complete. The DEP will notify you within 10 days of its receipt of the additional information requested above as to the completeness of your application. Failure to submit information to the DEP or to follow DEP procedures is sufficient grounds to deny approval, pursuant to Section 18-23(b)(3).

If you have any questions, I can be reached at (914) 749-5441 or [mng@dep.nyc.gov](mailto:mng@dep.nyc.gov).

Sincerely,



Melissa Ng  
Supervisor, EOH Project Review Group  
Regulatory & Engineering Programs

- c: North Edge Realty Corp (Owner/Applicant) – [gtboniello@aol.com](mailto:gtboniello@aol.com)  
Town of Somers Engineering – [wgetting@somersny.com](mailto:wgetting@somersny.com)  
Town of Somers Planning – [directorofplanning@somersny.com](mailto:directorofplanning@somersny.com)  
Matthew Giannetta, CPSWQ (DEP)

BUREAU OF FIRE PREVENTION

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

**Town of Somers**

WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE  
ANNEX  
337 ROUTE 202  
SOMERS, NY 10589

THOMAS J. TOOMA, JR.  
CHIEF



RECEIVED

**MEMO TO:** Planning Board

**FROM:** Bureau of Fire Prevention

**RE:** North Edge Realty

**DATE:** March 20, 2026

MAR 20 2026

PLANNING & ENGINEERING  
TOWN OF SOMERS

At our monthly meeting on March 18, 2026, the Bureau met with North Edge Realty developers Gus and Jared Boniello to discuss requests shared last month: that the applicant address all aspects of compliance of the 2025 NYS Fire Code; share plans for sprinkling the buildings; and wanted to have the opportunity to review the building elevations as to the type of construction and height. After review and discussion, the Bureau had no additional concerns.

OPEN SPACE COMMITTEE

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

**Town of Somers**  
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE  
885 ROUTE 202  
SOMERS, NY 10589

MICHAEL BARNHART  
CHAIRMAN



**RECEIVED**

**MEMO TO:** Planning Board

**MAR 19 2026**

**FROM:** Open Space Committee

**PLANNING & ENGINEERING  
TOWN OF SOMERS**

**RE:** North Edge Realty

**DATE:** March 19, 2026

At our monthly meeting on February 5, 2026, the Committee reviewed and discussed an application received from the Planning Board for North Edge Realty.

A review and discussion took place regarding the submission for North Edge Realty. This property is adjacent to NYSDEP property through which flows the Muscoot River. So, while the property isn't particularly sensitive it lies adjacent to important habitat. It also appears to be wooded, but because there is no existing conditions site plan, the Committee does not know the extent of forestation. Hence, the following species may occur on the property that are federally and NYS listed: northern long-eared bat (federally and NYS endangered), wood turtle (NYS special concern), woodland box turtle (NYS special concern). There may well be others, but these immediately stood out as the Open Space Committee has expressed concern for their protection regarding other site proposals in this area as well as in the Town as a whole. The Committee will certainly want to time tree removals to minimize impact on the bat population. The omissions of these species also would indicate that the Full EAF is incorrect regarding items o, p, and possibly q (if there is fishing at that location in the Muscoot) for section E2. The Committee also wants to see a tree inventory and removal plan, with species and dbh indicated, and will also want to review details of the storm water plans as well as matters such as curbing, erosion controls, inlet gratings and their apertures.

Another review and discussion of an updated submission took place at our monthly meeting on March 12<sup>th</sup>. The only response to the aforementioned

concerns the claim made by the applicant in response to the Town's consulting engineer that a full tree removal inventory is not required. The Committee disagrees and at the very least would appreciate reasons for so claiming. The Committee looks forward to responses to their other concerns.

**MICHAEL S. CAZZARI**  
Town Supervisor  
**FRANK D. LOMBARDI**  
Town Councilman  
Deputy Supervisor  
**ROBERT KEARNS**  
Town Councilman  
**MICHAEL LUGO**  
Town Councilman  
**ROBERT SCHANIL**  
Town Councilman

## TOWN OF CARMEL

TOWN HALL



60 McAlpin Avenue  
Mahopac, New York 10541  
Tel. (845) 628-1500 • Fax (845) 628-6836  
[www.townofcarmelny.gov](http://www.townofcarmelny.gov)

**ALICE DALY**  
Town Clerk  
**KATHLEEN KRAUS**  
Receiver of Taxes  
**MICHAEL STERN**  
Superintendent of Highways  
Tel. (845) 628-7474

RECEIVED

MAR 16 2026

PLANNING & ENGINEERING  
TOWN OF SOMERS

Dear Members of the Town of Somers Town Board and Planning Board,

I am writing to respectfully express my concerns regarding the proposed development along the municipal border between the Town of Somers and the Town of Carmel, particularly the project proposed by North Edge Realty on Mahopac Avenue. While I recognize that growth and development are part of any community's future, the potential impacts of this project on neighboring communities—especially Carmel residents—deserve careful consideration.

Traffic congestion along Route 6 in the Carmel–Baldwin Place area has already increased significantly over the past several years. What was once a manageable roadway now experiences substantial delays during peak commuting hours. Introducing a large residential development near the border will likely add further strain to an already congested corridor, increasing traffic volume and safety concerns for Carmel residents who will absorb these impacts without receiving the direct benefits of the development.

It is also concerning that the traffic study associated with the proposal reportedly produced a Level of Service rating of “C,” which is generally viewed as the lower threshold of acceptable roadway performance. Approving a project that brings traffic conditions to this limit before construction begins raises reasonable questions about how conditions may deteriorate once the development is completed and traffic patterns evolve.

Transparency is another important consideration. It is my understanding that the Mahopac Avenue site was not publicly posted until the matter was raised by a local resident. Projects of this scale—particularly those located near municipal borders—should be communicated openly and early so that residents and neighboring municipalities have a meaningful opportunity to engage in the process.

I am also concerned about zoning changes that appear to permit higher-density residential development in this area. Significant zoning decisions near municipal boundaries should be evaluated with careful attention to regional impacts, particularly when those impacts may extend beyond the municipality approving the project.

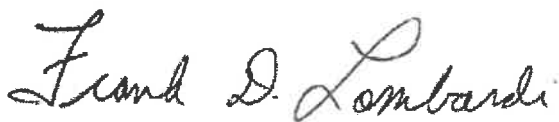
Finally, I would note that during the review of the Battery Energy Storage System proposal in the Town of Carmel, representatives from Somers expressed concerns about potential impacts to their residents and community character. Those concerns were acknowledged and taken seriously. Given that context, it is reasonable for Carmel residents to hope that their concerns regarding development along our shared border will receive similar consideration.

Development near municipal boundaries requires cooperation, transparency, and thoughtful planning. At present, the impacts of this proposal—including increased traffic and infrastructure strain—appear likely to fall primarily on Carmel residents, while the Town of Carmel does not share in the associated tax revenue or planning benefits.

For these reasons, I respectfully urge the Town of Somers to reconsider the scale and timing of this proposal and to consider pausing the approval process until further dialogue can occur with neighboring municipalities. A coordinated regional approach to planning would help ensure that development proceeds in a way that is balanced and fair for all communities involved.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in cursive script that reads "Frank D. Lombardi".

Frank Lombardi

Carmel Deputy Supervisor / Town Councilman

**MICHAEL S. CAZZARI**  
Town Supervisor  
**FRANK D. LOMBARDI**  
Town Councilman  
Deputy Supervisor  
**ROBERT KEARNS**  
Town Councilman  
**MICHAEL LUGO**  
Town Councilman  
**ROBERT SCHANIL**  
Town Councilman

**TOWN OF CARMEL**  
**TOWN HALL**



60 McAlpin Avenue  
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**ALICE DALY**  
Town Clerk  
**KATHLEEN KRAUS**  
Receiver of Taxes  
**MICHAEL STERN**  
Superintendent of Highways  
Tel. (845) 628-7474

RECEIVED

MAR 16 2026

PLANNING & ENGINEERING

Dear Members of the Town of Somers Town Board and Planning Board,

I am writing to formally express my strong opposition and concern regarding the proposed developments along our shared municipal border, particularly the project proposed on Mahopac Avenue by North Edge Realty. While growth and development are realities for any community, the way these projects are being pursued raises serious concerns for the residents of the Town of Carmel who will be directly impacted.

For years, residents in the Carmel–Baldwin Place area have already experienced significant traffic congestion along Route 6. What was once a manageable roadway has increasingly become overwhelmed. During peak hours, Route 6, already constrained to a single lane in several sections, can resemble the Long Island Expressway in the middle of summer. The addition of large-scale residential development along our border will only intensify this problem, placing an unfair burden on Carmel residents who must absorb the increased traffic, congestion, and safety risks without receiving any of the benefits of the development itself.

Of particular concern is that the traffic study associated with this proposal reportedly yielded a Level of Service grade of “C,” which is widely understood to be the threshold of what is considered acceptable roadway performance. Approving a project that pushes traffic conditions to the borderline of acceptable service levels before the development is even constructed should give serious pause to any reviewing agency. Once the project is built and traffic patterns evolve, the likelihood of further degradation to traffic flow and safety is substantial.

Equally troubling is the lack of transparency surrounding the proposal on Mahopac Avenue. It is my understanding that the site was not publicly posted until a concerned resident brought the matter to light. Development proposals of this scale, particularly those that will directly impact neighboring municipalities, should be communicated openly and early so residents and local governments can meaningfully participate in the discussion. Failing to do so undermines public trust and creates the perception that these projects are being advanced without proper community engagement.

I am also deeply concerned about the recent zoning changes that appear to have been enacted to permit higher-density housing development in this area. Significant zoning modifications that facilitate large-scale residential projects near municipal borders should be carefully evaluated with consideration given to the regional impacts they may create. When zoning changes enable development that places disproportionate strain on neighboring communities, it raises legitimate questions about long-term planning and intermunicipal coordination.

I am also disappointed by what appears to be a lack of consideration for neighboring communities. Representatives from the Town of Somers were publicly critical of the Town of Carmel during the review process for the Battery Energy Storage System proposal in Carmel. At that time, Somers officials voiced concerns about potential impacts to their residents and community character. Those concerns were heard and respected. However, it is difficult not to view the current situation as inconsistent when Carmel residents are now raising legitimate concerns about developments along our shared border, yet those concerns appear to be receiving far less consideration.

Development along municipal borders require cooperation, transparency, and mutual respect. Unfortunately, the current process does not reflect that spirit. Allowing substantial development immediately adjacent to Carmel shifts the burden—traffic impacts, infrastructure strain, and quality-of-life concerns—onto our residents while the Town of Carmel receives none of the tax revenue, services, or planning benefits associated with the project.

For these reasons, I respectfully urge the Town of Somers to reconsider the scale and timing of these proposals and pause the approval process until a more collaborative discussion can take place with neighboring communities. A regional approach to planning, particularly along municipal borders, is essential to ensure that development occurs responsibly and in a way that works for everyone, not just one municipality.

Growth should not come at the expense of neighboring communities. I strongly encourage the Town of Somers to reevaluate these developments and work with the Town of Carmel to find a solution that respects the residents on both sides of the border.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in black ink that reads "Robert Kearns". The signature is written in a cursive style with a large, prominent "R" at the beginning.

Robert Kearns  
Carmel Town Councilman

PLANNING AND ENGINEERING DEPARTMENTS

Telephone  
(914) 277-5366  
Fax  
(914) 277-4093

**Town of Somers**  
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE  
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Steven Woelfle  
Principal Engineering Technician  
swoelfle@somersny.com



David B. Smith  
Town Planner  
directorofplanning@somersny.com

April 2, 2026

To: Vicky Gannon, Chair and Planning Board Members

From: David B. Smith

Re: Veolia Water New York, Inc – Heritage Hills Water Treatment Plant

Cc: Steve Robbins  
Michael Towey  
Lino Sciaretta

The Town of Somers is in receipt of a completed application for improvements required by the US EPA and NYS Department of Health related to specific improvements to the existing Veolia water supply system. These improvements require a number of approvals from the Planning Board including site plan, steep slopes, stormwater management & erosion control, wetlands and tree removal. In addition, the Applicant has indicated, refer to Drawing #C200, that they need several variances related to setbacks and building height.

With respect to processing, one of the first steps under the State Environmental Quality Review Act (SEQRA) (refer to CRR-NY 617.6(a) (1)), an agency must make a determination as to whether the action is subject to SEQRA. Under SEQRA, there are three classifications of actions: Type I, Unlisted<sup>1</sup> and Type II.

Type I Actions are typically those that are anticipated to have some potentially adverse impacts given the extent and nature of the action such as the adoption of a comprehensive plan, physical alteration of 10-plus acres, parking for 500 vehicles in a city, town or village having a population of 150,000 persons or less. It is noted that the Town, see Chapter 92 of the Town Code, maintains their own list of Type I and Type II Actions which is largely consistent with the State lists.

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<sup>1</sup> Under SEQRA if an Action does not fall under the definitional list of Type I or Type II Actions it is classified as an Unlisted Action. For the purposes of this review, as noted above it is anticipated that the proposed action will be classified as a Type II Action.

Under SEQRA, actions included in the Type II list have been determined not to have a significant adverse impact on the environment or have been otherwise precluded from review under SEQRA<sup>2</sup>. If the action is classified as a Type II action, the agency has no further responsibilities under SEQRA. The Type II list includes the following which could be applied to the subject application:

*(9) construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;*

*(16) granting of individual setback and lot line variances and adjustments;*

As noted previously, the Subject Application will need several variances from the Zoning Code, the approval of the variances is an Action under SEQRA. In order for the Applicant to appear before and have a decision made relative to their pending variance request, they will need to have SEQRA concluded.

Accordingly, it is suggested that the Planning Board, as part of their initial consideration regarding this application, consider reviewing the applicable SEQRA criteria noted above and make a determination as to whether the Type II criteria apply, which would conclude the environmental review. Such determination would in no way impede the Planning Board from continuing their site plan review and the review associated with the other required permits.

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<sup>2</sup> NYS DEC SEQRA Handbook, p. 11

6 CRR-NY 617.4

NY-CRR

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF NEW YORK  
TITLE 6. DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
CHAPTER VI. GENERAL REGULATIONS  
PART 617. STATE ENVIRONMENTAL QUALITY REVIEW

6 CRR-NY 617.4

6 CRR-NY 617.4

617.4 Type I actions.

(a) The purpose of the list of Type I actions in this section is to identify, for agencies, project sponsors and the public, those actions and projects that are more likely to require the preparation of an EIS than Unlisted actions. All agencies are subject to this Type I list.

(1) This Type I list is not exhaustive of those actions that an agency determines may have a significant adverse impact on the environment and requires the preparation of an EIS. However, the fact that an action or project has been listed as a Type I action carries with it the presumption that it is likely to have a significant adverse impact on the environment and may require an EIS. For all individual actions which are Type I or Unlisted, the determination of significance must be made by comparing the impacts which may be reasonably expected to result from the proposed action with the criteria listed in section 617.7(c) of this Part.

(2) Agencies may adopt their own lists of additional Type I actions, may adjust the thresholds to make them more inclusive, and may continue to use previously adopted lists of Type I actions to complement those contained in this section. Designation of a Type I action by one involved agency requires coordinated review by all involved agencies. An agency may not designate as Type I any action identified as Type II in section 617.5 of this Part.

(b) The following actions are Type I if they are to be directly undertaken, funded or approved by an agency:

(1) the adoption of a municipality's land use plan, the adoption by any agency of a comprehensive resource management plan or the initial adoption of a municipality's comprehensive zoning regulations;

(2) the adoption of changes in the allowable uses within any zoning district, affecting 25 or more acres of the district;

(3) the granting of a zoning change, at the request of an applicant, for an action that meets or exceeds one or more of the thresholds given elsewhere in this list;

(4) the acquisition, sale, lease, annexation or other transfer of 100 or more contiguous acres of land by a State or local agency;

(5) construction of new residential units that meet or exceed the following thresholds:

(i) 10 units in municipalities that have not adopted zoning or subdivision regulations;

(ii) 50 units not to be connected (at the commencement of habitation) to existing community or public water and sewerage systems including sewage treatment works;

(iii) in a city, town or village having a population of 150,000 persons or less, 200 units to be connected (at the commencement of habitation) to existing community or public water and sewerage systems including sewage treatment works;

(iv) in a city, town or village having a population of greater than 150,000 persons but less than 1,000,000 persons, 500 units to be connected (at the commencement of habitation) to existing community or public water and sewerage systems including sewage treatment works; or

(v) in a city or town having a population of 1,000,000 or more persons, 1,000 units to be connected (at the commencement of habitation) to existing community or public water and sewerage systems including sewage treatment works;

(6) activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds; or the expansion of existing nonresidential facilities by more than 50 percent of any of the following thresholds:

(i) a project or action that involves the physical alteration of 10 acres;

(ii) a project or action that would use ground or surface water in excess of 2,000,000 gallons per day;

(iii) parking for 500 vehicles in a city, town or village having a population of 150,000 persons or less;

(iv) parking for 1,000 vehicles in a city, town or village having a population of more than 150,000 persons;

(v) in a city, town or village having a population of 150,000 persons or less, a facility with more than 100,000 square feet of gross floor area;

(vi) in a city, town or village having a population of more than 150,000 persons, a facility with more than 240,000 square feet of gross floor area;

(7) any structure exceeding 100 feet above original ground level in a locality without any zoning regulation pertaining to height;

(8) any Unlisted action that includes a nonagricultural use occurring wholly or partially within an agricultural district (certified pursuant to Agriculture and Markets Law, article 25-AA, sections 303 and 304) and exceeds 25 percent of any threshold established in this section;

(9) any Unlisted action (unless the action is designed for the preservation of the facility or site), that exceeds 25 percent of any threshold established in this section, occurring wholly or partially within, or substantially contiguous to, any historic building, structure, facility, site or district or prehistoric site that is listed on the National Register of Historic Places (volume 36 of the *Code of Federal Regulations*, parts 60 and 63, which is incorporated by reference pursuant to section 617.17 of this Part), or that is listed on the State Register of Historic Places or that has been determined by the Commissioner of the Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places pursuant to sections 14.07 or 14.09 of the Parks, Recreation and Historic Preservation Law;

(10) any Unlisted action, that exceeds 25 percent of any threshold in this section, occurring wholly or partially within or substantially contiguous to any publicly owned or operated parkland, recreation area or designated open space, including any site on the Register of National Natural Landmarks pursuant to 36 CFR part 62 (which is incorporated by reference pursuant to section 617.17 of this Part); or

(11) any Unlisted action that exceeds a Type I threshold established by an involved agency pursuant to section 617.14 of this Part.

6 CRR-NY 617.4

Current through September 15, 2023

END OF DOCUMENT

**IMPORTANT NOTE REGARDING CONTENT CURRENCY:** The "Current through" date indicated immediately above is the date of the most recently produced official NYCRR supplement covering this rule section. **For later updates to this section, if any, please: consult editions of the NYS Register published after this date; or contact the NYS Department of State Division of Administrative Rules at [dos.dl.InetAdminRules@dos.ny.gov](mailto:dos.dl.InetAdminRules@dos.ny.gov). See [Help](#) for additional information on the currency of this unofficial version of NYS Rules.**

6 CRR-NY 617.5

NY-CRR

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF NEW YORK  
TITLE 6. DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
CHAPTER VI. GENERAL REGULATIONS  
PART 617. STATE ENVIRONMENTAL QUALITY REVIEW

6 CRR-NY 617.5

6 CRR-NY 617.5

617.5 Type II actions.

(a) Actions or classes of actions identified in subdivision (c) of this section are not subject to review under this Part, except as otherwise provided in this section. These actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under Environmental Conservation Law, article 8. The actions identified in subdivision (c) of this section apply to all agencies.

(b) Each agency may adopt its own list of Type II actions to supplement the actions in subdivision (c) of this section. No agency is bound by an action on another agency's Type II list. The fact that an action is identified as a Type II action in an agency's procedures does not mean that it must be treated as a Type II action by any other involved agency not identifying it as a Type II action in its procedures. An agency that identifies an action as not requiring any determination or procedure under this Part is not an involved agency. Each of the actions on an agency Type II list must:

(1) in no case, have a significant adverse impact on the environment based on the criteria contained in section 617.7(c) of this Part; and

(2) not be a Type I action as defined in section 617.4 of this Part.

(c) The following actions are not subject to review under this Part:

(1) maintenance or repair involving no substantial changes in an existing structure or facility;

(2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;

(3) retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure;

(4) agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures, and land use changes consistent with generally accepted principles of farming;

(5) repaving of existing highways not involving the addition of new travel lanes;

(6) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;

(7) installation of telecommunication cables in existing highway or utility rights of way utilizing trenchless burial or aerial placement on existing poles;

(8) maintenance of existing landscaping or natural growth;

(9) construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;

(10) routine activities of educational institutions, including expansion of existing facilities by less than 10,000 square feet of gross floor area and school closings, but not changes in use related to such closings;

(11) construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system or both, and conveyances of land in connection therewith;

- (12) construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;
- (13) extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list;
- (14) installation of solar energy arrays where such installation involves 25 acres or less of physical alteration on the following sites:
- (i) closed landfills;
  - (ii) brownfield sites that have received a Brownfield Cleanup Program certificate of completion (COC) pursuant to ECL section 27-1419 and section 375-3.9 of this Title or environmental restoration project sites that have received a COC pursuant to section 375-4.9 of this Title, where the COC under either program for a particular site has an allowable use of commercial or industrial, provided that the change of use requirements in section 375-1.11(d) of this Title are complied with;
  - (iii) sites that have received an inactive hazardous waste disposal site full liability release or a COC pursuant to section 375-2.9 of this Title, where the department has determined an allowable use for a particular site is commercial or industrial, provided that the change of use requirements in section 375-1.11(d) of this Title are complied with;
  - (iv) currently disturbed areas at publicly-owned wastewater treatment facilities;
  - (v) currently disturbed areas at sites zoned for industrial use; and
  - (vi) parking lots or parking garages;
- (15) installation of solar energy arrays on an existing structure provided the structure is not:
- (i) listed on the National or State Register of Historic Places;
  - (ii) located within a district listed in the National or State Register of Historic Places;
  - (iii) been determined by the Commissioner of the Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places pursuant to sections 14.07 or 14.09 of the Parks, Recreation and Historic Preservation Law; or
  - (iv) within a district that has been determined by the Commissioner of the Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places pursuant to sections 14.07 or 14.09 of the Parks, Recreation and Historic Preservation Law;
- (16) granting of individual setback and lot line variances and adjustments;
- (17) granting of an area variance for a single-family, two-family or three-family residence;
- (18) reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part;
- (19) the recommendations of a county or regional planning board or agency pursuant to General Municipal Law sections 239-m or 239-n;
- (20) public or private best forest management (silviculture) practices on less than 10 acres of land, but not including waste disposal, land clearing not directly related to forest management, clear-cutting or the application of herbicides or pesticides;
- (21) minor temporary uses of land having negligible or no permanent impact on the environment;
- (22) installation of traffic control devices on existing streets, roads and highways;
- (23) mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;
- (24) information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;
- (25) official acts of a ministerial nature involving no exercise of discretion, including building permits and historic preservation permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building or preservation code(s);
- (26) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;

- (27) conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;
- (28) collective bargaining activities;
- (29) investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;
- (30) inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;
- (31) purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials;
- (32) license, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities;
- (33) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list;
- (34) engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this Part have been fulfilled;
- (35) civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;
- (36) adoption of a moratorium on land development or construction;
- (37) interpretation of an existing code, rule or regulation;
- (38) designation of local landmarks or their inclusion within historic districts;
- (39) an agency's acquisition and dedication of 25 acres or less of land for parkland, or dedication of land for parkland that was previously acquired, or acquisition of a conservation easement;
- (40) sale and conveyance of real property by public auction pursuant to article 11 of the Real Property Tax Law;
- (41) construction and operation of an anaerobic digester, within currently disturbed areas at an operating publicly-owned landfill, provided the digester has a feedstock capacity of less than 150 wet tons per day, and only produces class A digestate (as defined in section 361-3.7 of this Title) that can be beneficially used or biogas to generate electricity or to make vehicle fuel, or both;
- (42) emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this Part;
- (43) actions undertaken, funded or approved prior to the effective dates set forth in SEQR (see chapters 228 of the Laws of 1976, 253 of the Laws of 1977 and 460 of the Laws of 1978), except in the case of an action where it is still practicable either to modify the action in such a way as to mitigate potentially adverse environmental impacts, or to choose a feasible or less environmentally damaging alternative, the commissioner may, at the request of any person, or on his own motion, require the preparation of an environmental impact statement; or, in the case of an action where the responsible agency proposed a modification of the action and the modification may result in a significant adverse impact on the environment, an environmental impact statement must be prepared with respect to such modification;
- (44) actions requiring a certificate of environmental compatibility and public need under article VII, VIII, X or 10 of the Public Service Law and the consideration of, granting or denial of any such certificate;
- (45) actions subject to the class A or class B regional project jurisdiction of the Adirondack Park Agency or a local government pursuant to sections 807, 808 and 809 of the Executive Law, except class B regional projects subject to review by local government pursuant to section 807 of the Executive Law located within the Lake George Park as defined by subdivision one of section 43-0103 of the Environmental Conservation Law; and
- (46) actions of the Legislature and the Governor of the State of New York or of any court, but not actions of local legislative bodies except those local legislative decisions such as rezoning where the local legislative body determines the action will not be entertained.

END OF DOCUMENT

***IMPORTANT NOTE REGARDING CONTENT CURRENCY:*** The "Current through" date indicated immediately above is the date of the most recently produced official NYCRR supplement covering this rule section. **For later updates to this section, if any, please: consult editions of the [NYS Register](#) published after this date; or contact the NYS Department of State Division of Administrative Rules at [dos.dl.InetAdminRules@dos.ny.gov](mailto:dos.dl.InetAdminRules@dos.ny.gov). See [Help](#) for additional information on the currency of this unofficial version of NYS Rules.**

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

T 800.426.4262  
T 914.448.2266  
F 914.448.0147

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## MEMORANDUM

APR 01 2026

PLANNING & ENGINEERING  
TOWN OF SOMERS



**TO:** Town of Somers Planning Board  
**FROM:** Steven Robbins, P.E., LEED AP  
**DATE:** April 1, 2026  
**RE:** Veolia Water New York, Inc. – Heritage Hills Water Treatment Plant  
Review of Site Plan Permit Application  
TM: 06.20-10-13

### GENERAL

The purpose of this memorandum is to provide a summary of our comments related to our review of the Site Plan Application that was submitted for the proposed Per- and Polyfluoroalkyl Substances (PFAS) treatment building located along Route 202 in the Town of Somers, New York.

The Applicant is proposing a 1,750 square-foot PFAS treatment building and 40,000-gallon above ground storage tank as well as a stormwater mitigation system and site improvements. The total site disturbance is approximately 0.50 acres, with disturbance to steep slopes and tree removal. The project site is located within the East of Hudson Watershed and the Groundwater Protection Overlay District within the Town of Somers.

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

- Town of Somers Code, Chapter 93: Stormwater Management and Erosion and Sediment Control
- Town of Somers Code, Chapter 148: Steep Slope Protection
- Town of Somers Code, Chapter 156: Tree Preservation
- Town of Somers Code, Chapter 167: Wetlands and Watercourse Protection
- Town of Somers Code, Chapter 144: Site Plan Review
- New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016.
- New York State Department of Environmental Conservation's (NYSDEC's) Stormwater Management Design Manual (SMDM), dated July 2024.

### DOCUMENTS REVIEWED

- Cover Letter, "Re: Veolia Water New York, Inc. – Heritage Hills Water Treatment Plant Premises: Tax Lot# 06.20-10-13", prepared by Bleakley Platt & Schmidt, LLP, dated March 5, 2026;
- Site Plan Application, prepared by Suburban Consulting Engineers, Inc., dated March 3, 2026;
- Short Environmental Assessment Form, by Veolia Water New York, Inc., dated March 3, 2026;



- Stormwater Pollution Prevention Plan (SWPPP) "Veolia New York, Inc.", prepared by Suburban Consulting Engineers, Inc, dated February 20, 2026;
- Site Plans, prepared by Suburban Consulting Engineers, Inc., dated February 18, 2026;

#### **PERMITS AND APPROVALS REQUIRED**

- Town of Somers Planning Board: Site Plan Application Permit
- Town of Somers Planning Board: Stormwater Management and Erosion Control Application Permit
- Town of Somers Planning Board: Steep Slope Protection Application Permit
- Town of Somers Planning Board: Tree Removal Application Permit
- Town of Somers Planning Board: Wetlands and Watercourse Protection Application Permit
- Town of Somers Planning Board: Special Exception Use Permit

#### **DISCUSSION**

The following is a summary of our comments based on our technical review of the latest submittal.

1. The proposed development activity is located within the Town of Somers Groundwater Protection Overlay District and requires the issuance of a special exception use permit. Consistent with the Town Code requirements listed in §170.32, the Applicant shall be required to comply with the criteria necessary for issuance of Special Exception Use Permit including the preparation of a Groundwater Protection Plan.
2. The Applicant shall confirm that all requirements are met and a permit is obtained according to Ch. 167-4 Wetlands and Watercourse Protection of the Town Code for construction within the 100-foot wetland buffer.
3. The Applicant is requesting zoning variances associated with the primary and accessory structures proposed for the project. Please justify variances according to Ch. 170-Zoning, Article XIX Appeals, Variances, and Other Applications.
4. The Applicant is applying for site plan permit and shall comply with all the standards according to Ch.144-7 of the Town Code. The following general comments are offered regarding applicable standards:
  - a. The Applicant shall estimate site earthwork, indicating total net cut/fill in cubic feet
  - b. The Applicant shall prepare a draft engineer's estimated cost of the proposed stormwater infrastructure.
5. The Applicant shall confirm the exact limit of disturbance proposed for the building, tank, and site development. The Short Environmental Assessment Form and Soil Erosion and Sediment Control Plan claim 0.496 acres, while the SWPPP states +/-0.357 acres.
6. The Applicant proposes subsurface infiltration systems for stormwater management. The following comments are regarding the proposed infiltration systems:



- a. The system is proposed on steep slopes greater than 15%. According to the SMDM, underground infiltration systems should not be located on slopes greater than 15%. The Applicant shall explain how the 15% max site slope requirement for infiltration systems will be met.
  - b. The Applicant shall provide a note to the plan that any infiltration system shall be subject to inspection by the Consulting Town Engineer or Town Principal Engineering Technician prior to backfill.
7. The Applicant includes PDA-1B as a drainage area in the Hydrograph Report, but it is not shown on the proposed conditions drainage area map. Please update the map and report for consistency.
8. The Applicant proposes a 40,000-gallon above ground storage tank on the north side of the property. The following comments are regarding the proposed storage tank:
  - a. Please indicate how the stormwater runoff from the tank will be managed.
  - b. Please provide the 18-foot diameter concrete tank foundation detail from the structural drawings to evaluate the foundation relative to the proposed grading.
9. The Applicant has provided a Soil Erosion and Sediment Control Plan (E&SC). The following comments pertain to the proposed E&SC measures:
  - a. The Applicant shall provide inlet protection for all drain inlets (including the trench drain) and indicate as such on the E&SC plans.
  - b. The Applicant shall indicate how the proposed disturbance within slopes steeper than 15% will be protected from erosion during construction.
  - c. The Applicant shall indicate the proposed concrete washout facility location on the site plans.
10. The Applicant shall prepare a draft Stormwater Maintenance Agreement, in accordance with the provisions of Town Code for review by the Consulting Town Engineer & Town Attorney.
11. The Applicant shall provide a contractor certification statement.
12. The Applicant shall include a note on the plans which states the following:
  - a. "Any imported topsoil shall comply with all federal, state, and local requirements for quality and use."
  - b. "Off-site disposal of excess cut shall be in accordance with all federal, state, and local requirements."
  - c. "No construction activity, the sound or noise from which is audible beyond the boundaries of the property on which such construction activity is located, shall start before 7:00 a.m. or extend beyond 6:00 p.m. No construction activity shall be allowed on Sundays or legal New York State holidays."

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

07/18

TOWN OF SOMERS
WESTCHESTER COUNTY, NEW YORK
APPLICATION FOR ENVIRONMENTAL PERMIT
CHAPTER 167 "WETLAND AND WATER COURSE PROTECTION"

APPLICATION FEE:

Alteration of Wetlands Fee: \$200 minimum fee plus \$100 per 5,000 S.F. of regulated area or proposed portions thereof to be disturbed.

Annual Maintenance Permit Renewal Fee: Administrative Permit: \$25.00, Planning Board Permit: \$75.00

Stormwater Management and Erosion and Sediment Control Application Fee: \$100 for disturbances of five thousand (5,000) square feet and/or for the placement or removal of 50 cubic yards of soil, plus \$500 for each additional acre of disturbance.

OWNER: Veolia Water New York, Inc. Tel.#: \_\_\_\_\_

Mailing Address: 162 Old Mill Road, West Nyack, NY 10994

Email address: \_\_\_\_\_

APPLICANT: Veolia Water New York, Inc. Tel. #: \_\_\_\_\_

Mailing Address: 162 Old Mill Road, West Nyack, NY 10994

Email address: \_\_\_\_\_

State authority: NY If other than owner, authorization must be submitted in writing.

PREMISES: Sheet: 06.20 Block: 10 Lot: 13

Situated on the Northwest side of Somerstown Road (U.S. Highway Route 202) (Street), 1500 feet from the intersection of Old Croton Falls Road / Somerstown Road (US Highway Route 202) (Street)

DESCRIPTION OF WORK AND PURPOSE:

This project is required to comply with mandatory EPA and State PFAS Regulations for WNY's Heritage Hills WTP Facility (PWSID No. NY5917221). The construction will consist of the installation of a new PFAS treatment building to house the PAC filtration vessels, which are to be used to remove PFAS to regulatory compliance levels. The existing influent hypochlorite dosing and hydroxide chemical feed system will be relocated to ceiling rooms within the new building. An aboveground chlorine contact tank will be installed to replace the existing chamber. Additional process piping, site improvements and associated modifications are required and are further defined in the Plans and Engineering Report. The project will also include a water storage tank, paved driveway, an underground stormwater detention system, and an aboveground soil containment pad as proposed.

The information listed below shall only relate to the impact within wetland and/or wetland buffer:

SIZE OF ACTIVITY AREA: 0.496 acres

Is work proposed in Wetland: No or Wetland Control Area: Work to be conducted within Wetland Adjacent Areas

Is there an existing house located on the site: No. Several water treatment structures onsite.

Is pond, lake or detention basin proposed to be cleaned: No

Functions provided by Wetland: Potential habitat for T&E species & Flood Control

Wetland Expert delineating Wetland: Matthew S. Popin. Verified by Paige Lowandowski at NYSDEC

ESTIMATED QUANTITY OF EARTH WORK:

Excavated material placed as fill: 60 C.Y.

Imported Fill Type: 0 C.Y.

PROPOSED STARTING DATE: Q1 2027 PROPOSED COMPLETION DATE: Q1 2028

PLANS PREPARED BY: Suburban Engineering DATED: 02/18/2026

\*\*Plans must be submitted with application.\*\*

LIST OF APPLICABLE COUNTY, STATE, OR FEDERAL PERMITS: \_\_\_\_\_

Town of Somers: Planning Board Application for Site Plan Approval, Application for Stormwater Management and Erosion and Sediment Control, Steep Slope and Tree Removal Permit Application. & NYSDEC: Freshwater Wetlands Permitting & NYSDOH: Water Supply Improvements

LIST OF PROPERTY OWNERS OF RECORD OF LANDS AND CLAIMANTS OF WATER RIGHTS WITHIN 100 FEET OF SUBJECT PROPERTY

Table with 4 columns: NAME, ADDRESS, BLOCK, LOTS. Row 1: Condominium Number 8 Heritage Hills of Westchester, 262 Heritage Hills, Somers, NY 10589, 10, 8. Row 2: N/F Somers Land Trust, Inc., 401 Route 202, Somers, NY 10589, 10, 15.

APPLICANT'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_
OWNER'S SIGNATURE: [Signature] DATE: 3/30/2026

\*APPLICATION MUST BE ACCOMPANIED WITH A COMPLETED ENVIRONMENTAL ASSESSMENT FORM, COMPLETE PLANS FOR LOT IMPROVEMENTS, AND LOCATION MAP OF WETLANDS AS THEY EXIST IN THE FIELD OR AS SHOWN ON SOMERS ENVIRONMENTAL MAPS.

.....Office Use Only.....

Administrative Permit: \_\_\_\_\_

Planning Board Permit: \_\_\_\_\_

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TOWN OF SOMERS

**TOWN OF SOMERS  
WESTCHESTER COUNTY, NEW YORK  
CHAPTER 67 "APPLICATION PROCESSING RESTRICTIVE LAW"**

**CERTIFICATION**

For: Chapter 167 ' Wetland and Water Course Protection'

I hereby certify that to the best of my knowledge no outstanding fees are due and owing to the Town of Somers for the following property;

Section 06.20 Block 10 Lot 13

Property Address 405 Route 202, Somers, NY 10589

Permit Applying For For: Application for Environmental Permit - Chapter 167 ' Wetland and Water Course Protection'

Furthermore, I hereby certify that to the best of my knowledge no outstanding violation (as that term is defined for the purposes of the Application Processing Restrictive Law, Paragraph 4D) of local laws or ordinances of the Town of Somers exist with respect to the above cited property or any structure or use existing thereon.

Signed  Signed \_\_\_\_\_  
(Owner of Record) (Applicant for Permit)

Chris Grazino \_\_\_\_\_  
(Print Name) (Print Name) **RECEIVED**

Date 3/30/2026 Date MAR 31 2026

CONFIRMATIONS **PLANNING & ENGINEERING  
TOWN OF SOMERS**

\_\_\_\_\_  
Engineering Department Date: \_\_\_\_\_

\_\_\_\_\_  
Zoning Enforcement Officer Date: \_\_\_\_\_

**APPLICANT ACKNOWLEDGEMENT**

For: Chapter 167 ' Wetland and Water Course Protection'

By making this application, the undersigned Applicant agrees to permit Town officials and their representatives to conduct on-site inspections in connection with the review of this application.

The applicant also agrees to pay all expenses for the cost of professional review services required for this application, as referred to in §133-1 of the Code of the Town of Somers. As such, an Escrow Account, according to §133-2 of the Code of the Town of Somers, may be required.

It is further acknowledged by the Applicant that all bills for the professional review services shall be mailed to the Applicant, unless the Town is notified in writing by the Applicant at the time of initial submission of the application that such mailings should be sent to a designated representative instead.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: *CLGh* Date: 3/30/2026  
(if different from applicant)

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MAR 31 2026

PLANNING & ENGINEERING  
TOWN OF SOMERS



Lino J. Sciarretta, Esq.  
Direct: 914-287-6177  
Email: [lsciarretta@bpslaw.com](mailto:lsciarretta@bpslaw.com)

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March 5, 2026

MAR 06 2026

**VIA EMAIL & HAND DELIVERY**

PLANNING & ENGINEERING  
TOWN OF SOMERS

Chairwoman, Vicky Gannon, and Members of the Planning Board  
Town of Somers  
355 Route 202  
Somers, NY 10589

Re: Veolia Water New York, Inc. – Heritage Hills Water Treatment Plant  
Premises: Tax Lot# 06.20-10-13(the “Property”)

Dear Chairwoman Gannon and Members of the Planning Board:

This firm represents Veolia Water New York, Inc. (“Veolia”) in connection with the above-referenced application..

By way of background, Veolia must undertake this project because it is required to comply with mandatory regulations from the US Environmental Protection Agency and NY State Department of Health concerning PFAS to provide potable water to its customers (the “Project”).

The Project will consist of the installation of a new PFAS treatment building to house granular activated carbon (GAC) filtration vessels, which are to be used to reduce PFAS to regulatory compliance levels. The existing sodium hypochlorite and sodium hydroxide chemicals that feed the system will be relocated to dedicated rooms within the new building. An aboveground chlorine contact tank will be installed to replace the existing chamber. Additional process piping site improvements and associated modifications are required and further defined in the enclosed plans and engineer’s report. The Project will also include a paved driveway, an underground stormwater tank detection system, and an aboveground spill containment pad.

Before the submission of this application, Veolia met with representatives from Somers Land Trust and incorporated a portion of their initial comments directly into this submission, specifically:

- Exterior building modifications
  - Trim additions for single, double, and overhead door
  - Addition of a barn hoist
  - Addition of three framed sections with cross bracing

- Modified the pre-engineered building's exterior color to match the Land Trust's preference by selection a standard dark grey/brown color option
- Changed the color of the chain-link fence from standard silver/grey to black
- Changed the temporary storage area's surface from asphalt to gravel

To that end, enclosed are the following documents in support of Veolia's application:

1. Ten (10) copies of Town of Somers Planning Board Application for Site Plan Approval;
2. Ten (10) copies of Short Environmental Assessment Form;
3. Ten (10) copies of Application for Environmental Permit Chapter 148 "Steep Slope Protection"
  - a. Application Form
  - b. Applicant Acknowledgement Form
  - c. Applicant Processing Restrictive Law Form;
4. Ten (10) copies of Application for Environmental Permit Chapter 93 "Stormwater Management and Erosion and Sediment Control"
  - a. Applicant Form
  - b. Applicant Acknowledgement Form
  - c. Applicant Processing Restrictive Law Form;
5. Ten (10) copies of Tree Removal Permit Application Section 156, Tree Preservation;
6. Ten (10) copies of Application Fee Calculations
7. Application Fee in the amount of [REDACTED] for application fees (Planning Board, Wetland Permit, Steep Slopes Fee, Stormwater Management Fee, and Tree Removal Permit);
8. Ten (10) copies of Site Plans titled "Veolia Water New York PFAS Compliance for Somers Heritage Hills", dated February 18, 2026, prepared by Suburban Engineering;
9. Ten (10) copies of the Stormwater Management Report, dated February 2026, prepared by Suburban Engineering;
10. Ten (10) copies of the Proof of Taxes;

11. Four (4) USBs containing electronic copies of submission documents;
12. One (1) electronic copy of the submission via email with ShareFile Link (Submitted separately); and
13. Ten (10) copies of Building Elevation Exhibit with Aesthetic Improvements.

We thank you for your consideration of this Project and look forward to working with you all on this matter. Should you have any questions, please do not hesitate to reach out to me or members of our project team.

Respectfully submitted,

BLEAKLEY PLATT & SCHMIDT, LLP



Lino J. Sciarretta

cc: Veolia Water New York, Inc – Project Team (*via email*)  
David Smith, Town Planner (*via email*)

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

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

**I. IDENTIFICATION OF APPLICANT:**

- A. **Owner:** Veolia Water New York, Inc. **Applicant:** Veolia Water New York, Inc.  
**Address:** 162 Old Mill Road, West Nyack, NY 10994 **Address:** 162 Old Mill Road, West Nyack, NY 10994  
**Tele #:** \_\_\_\_\_ **Tele #:** \_\_\_\_\_
- B. **Architect:** Suburban Engineering **Engineer:** Suburban Engineering  
**Address:** 98 U.S. Highway 206, Suite 101, Flanders, NJ 07835 **Address:** 98 U.S. Highway 206, Suite 101, Flanders, NJ 07835  
**Tele #:** \_\_\_\_\_ **Tele #:** \_\_\_\_\_
- C. **Surveyor:** Suburban Engineering **Tele #:** \_\_\_\_\_  
**Address:** 98 U.S. Highway 206, Suite 101, Flanders, NJ 07835

**II. IDENTIFICATION OF PROPERTY:**

- A. **Identifying Title:** Veolia Water New York, Inc. (VWNY) - Heritage Hills Water Treatment Plant
- B. **Tax Map Design:** Sheet: 06.20 Block: 10 Lot(s): 13
- C. **Zoning District:** Designated Residential Development Overlay District (DRD)
- D. **Street which property abuts:** Somerstown Road (U.S. Highway Route 202)
- E. **Does property connect directly into State or County highway?** No
- F. **Is site within 500 feet of Town Boundary?** No
- G. **Total area of site:** +115,121 SF **Area of site activity:** = 21,615 S.F. (0.496 AC)
- H. **Site coverage:** 4.47 % **Building coverage:** 2.03 %
- I. **Affected Wetland Area:** 0 SF **Wetland Buffer Area:** = 21,615 S.F. (0.496 AC)
- J. **Affected Steep Slope Area:** 15%-25% = 6,300 SF **Over 25%:** = 1,800 SF
- K. **Existing building size:** One Story Building (+2,400 SF) **New/additional building size:** Additional PFAS Treatment Building (+1,720 SF Additional Area)
- L. **Existing parking spaces:** N/A **New parking spaces:** N/A

**III. APPLICATION FEE:**

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

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

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

**Total Fee:** \$ 2,525.00 **Date Paid:** \_\_\_\_\_

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**MAR 06 2026**

**IV. DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION:**

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

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

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

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

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

[Signature]  
Signature of Applicant

**Date:** 3/3/2026

\_\_\_\_\_  
Signature of Owner

**Date:** \_\_\_\_\_

**PLANNING & ENGINEERING  
TOWN OF SOMERS**

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**Short Environmental Assessment Form** MAR 06 2026  
**Part 1 - Project Information**

PLANNING & ENGINEERING  
TOWN OF SOMERS

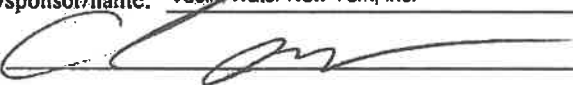
**Instructions for Completing**

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

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

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: PFAS Compliance for Somers Heritage Hills			
Project Location (describe, and attach a location map): Situated in Block 10, Lot 13 in the Town of Somers (as shown in Tax Map Sheet 6.20) to the northwest side of Somerstown Road (Route 202)			
Brief Description of Proposed Action: This project is required to comply with mandatory EPA and State PFAS Regulations for VVNY's Heritage Hills WTP Facility (PWSID No. NY5917221). The construction will consist of the installation of a new PFAS treatment building to house the GAC Filtration vessels, which are to be used to reduce PFAS to regulatory compliance levels. The existing sodium hypochlorite and sodium hydroxide chemical feed system will be relocated to dedicated rooms within the new building. An aboveground chlorine contact tank will be installed to replace the existing chamber. Additional process piping site improvements and associated modifications are required and are further defined in the Plans and Engineer's Report. The project will also include a water storage tank, paved driveway, an underground stormwater tank detention system, and an aboveground spill containment pad is proposed.			
Name of Applicant or Sponsor: Veolia Water New York, Inc.		Telephone:	
		E-Mail:	
Address: 405 Route 202			
City/PO: Somers	State: NY	Zip Code: 10589	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Wetlands Permit, Steep Slopes Protection Permit, Tree Removal Permit, & Town of Somers Planning and Zoning Approval			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		2.64 acres	
b. Total acreage to be physically disturbed?		0.496 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.64 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input checked="" type="checkbox"/> Parkland			

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

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Northern Long-eared Bat	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: The footprint of the underground stormwater detention basin will be approximately 172 SF and will have a storage volume capacity of 230 CF.	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>Veolia Water New York, Inc.</u> Date: <u>3/3/2016</u> Signature: <u></u> Title: <u>Regional President</u>		



7/06

TOWN OF SOMERS
WESTCHESTER COUNTY, NEW YORK
APPLICATION FOR ENVIRONMENTAL PERMIT
CHAPTER 148 "STEEP SLOPE PROTECTION"

APPLICATION FEE:

Alteration of Steep Slopes: \$150.00 minimum fee plus \$75.00 per 10,000 S.F. of regulated area or proposed portions thereof to be disturbed.

Stormwater Management and Erosion and Sediment Control Application Fee: \$100 for disturbances of five thousand (5,000) square feet and/or for the placement or removal of 50 cubic yards of soil, plus \$500 for each additional acre of disturbance.

OWNER: Veolia Water New York, Inc. Tel. #:
Mailing Address: 162 Old Mill Road, West Nyack, NY 10994

APPLICANT: Veolia Water New York, Inc. Tel. #:
Mailing Address: 162 Old Mill Road, West Nyack, NY 10994
State authority: N/A If other than owner, authorization must be submitted in writing.

PREMISES: Sheet: 06.20 Block: 10 Lot: 13
Situating on the northwest side of Somerstown Road (U.S. Highway Route 202) (street)
1,050 feet from the intersection of U.S. Highway Route 202 and Old Croton Falls Road (street)

DESCRIPTION OF WORK AND PURPOSE

This project is required to comply with mandatory EPA and State PFAS Regulations for WWTW's Heritage Hills WTP Facility (PWSID No. N-Y5817221). The construction will consist of the installation of a new PFAS treatment building to house the GAC filter for vehicles, which are to be used to treat PFAS to regulatory compliance levels. The existing open hydraulic and sodium hypochlorite chemical feed system will be relocated to dedicated rooms within the new building. An aboveground chlorine contact tank will be installed to reduce the chlorine chamber. Additional process piping, valves, and electrical modifications are required and are further detailed in the Plans and Engineer's Report. The project will also include a water storage tank, paved driveway, an underground stormwater tank collection system and an aboveground soil containment pad is proposed.

Estimated Quantity of Excavation: C.Y. X CUT FILL
Size of Activity Area:
Total Value of Work:
Slope Category: 15% < 25% 25% < 35% or > 35%: N/A
Soil Types: Udorthents, smoothed (Ub) and udorthents, wet substratum (Uc)
Proposed Starting Date: Q1 2027 Proposed Completion Date: Q1 2028
Plans Prepared by: Suburban Consulting Engineers, Inc. Dated: 02/18/2026

\*\*Plans must be submitted with application.\*\*

List of Applicable County, State, or Federal Permits:

Town of Somers: Planning Board Application for Site Plan Approval, Application for Stormwater Management and Erosion and Sediment Control, Steep Slope and Tree Removal Permit Application. & NYSDEC: Freshwater Wetlands Permitting & NYSDOH: Water Supply Improvements

List of Property Owners of Record of Lands and Claimants of Water Rights within 100 feet of Subject Property.

Table with 5 columns: NAME, ADDRESS, BLOCK, LOTS. Rows include Condominium Number 8 Heritage Hills of Westchester and N/F Somers Land Trust, Inc.

Applicant's Signature: [Signature] Date: 3/3/2026
Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*APPLICATION MUST BE ACCOMPANIED WITH A COMPLETED ENVIRONMENTAL ASSESSMENT FORM, COMPLETE PLANS FOR LOT IMPROVEMENTS, AND LOCATION AND SIZE OF SLOPE CATEGORIES.

Office Use Only

Administrative Permit:
Planning Board Permit:

Z:\PE\General files\Permit Application forms\Somers\_P&E\_SteepSlopes\_2002-07.DOC

RECEIVED
MAR 06 2026
PLANNING & ENGINEERING
TOWN OF SOMERS

**APPLICANT ACKNOWLEDGEMENT**

Steep Slopes Protection

By making this application, the undersigned Applicant agrees to permit Town officials and their representatives to conduct on-site inspections in connection with the review of this application.

The applicant also agrees to pay all expenses for the cost of professional review services required for this application, as referred to in §133-1 of the Code of the Town of Somers. As such, an Escrow Account, according to §133-2 of the Code of the Town of Somers, may be required.

It is further acknowledged by the Applicant that all bills for the professional review services shall be mailed to the Applicant, unless the Town is notified in writing by the Applicant at the time of initial submission of the application that such mailings should be sent to a designated representative instead.

Signature of Applicant:  Date: 3/3/2026

Signature of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
(if different from applicant)

RECEIVED

MAR 06 2026

PLANNING & ENGINEERING  
TOWN OF SOMERS

**TOWN OF SOMERS  
WESTCHESTER COUNTY, NEW YORK  
CHAPTER 67 "APPLICATION PROCESSING RESTRICTIVE LAW"**

**CERTIFICATION**

I hereby certify that to the best of my knowledge no outstanding fees are due and owing to the Town of Somers for the following property:

Section 06.20 Block 10 Lot 13

Property Address 405 Route 202, Somers, NY 10589

Permit Applying For Town of Somers Application for Stormwater Management and Erosion and Sediment Control

Furthermore, I hereby certify that to the best of my knowledge no outstanding violation (as that term is defined for the purposes of the Application Processing Restrictive Law, Paragraph 4D) of local laws or ordinances of the Town of Somers exist with respect to the above cited property or any structure or use existing thereon.

Signed \_\_\_\_\_  
(Owner of Record)

\_\_\_\_\_  
(Print Name)

Date \_\_\_\_\_

Signed   
(Applicant for Permit)

Chris Marino  
(Print Name)

Date 3/3/2026

**CONFIRMATIONS**

\_\_\_\_\_  
Engineering Department

Date: \_\_\_\_\_

\_\_\_\_\_  
Zoning Enforcement Officer

Date: \_\_\_\_\_

**RECEIVED**

Last Revised 11/2023

MAR 06 2026

**PLANNING & ENGINEERING  
TOWN OF SOMERS**

07/18

TOWN OF SOMERS
WESTCHESTER COUNTY, NEW YORK
APPLICATION FOR ENVIRONMENTAL PERMIT
CHAPTER 93 "STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL"

APPLICATION FEE: \$100 for disturbances of five thousand (5,000) square feet and/or for the placement or removal of 50 cubic yards of soil, plus \$500 for each additional acre of disturbance.

ENGINEERING INSPECTION FEE: \$100

RECEIVED

OWNER: Veolia Water New York, Inc. Tel.#:
Mailing Address: 162 Old Mill Road, West Nyack, NY 10994
Email Address:

MAR 06 2026

APPLICANT: Veolia Water New York, Inc. Tel.#:
Mailing Address: 162 Old Mill Road, West Nyack, NY 10994
Email Address:

PLANNING & ENGINEERING
TOWN OF SOMERS

State authority: If other than owner, authorization must be submitted in writing

PREMISES: Sheet: 06.20 Block: 10 Lot: 13

DESCRIPTION OF WORK AND PURPOSE:

This project is required to comply with mandatory EPA and State PFAS Regulations for VWN's Heritage Hills WTP Facility (PWSID No. NYS917221). The construction will consist of the installation of a new PFAS treatment building to house the GAC Filtration vessels, which are to be used to reduce PFAS to regulatory compliance levels. The existing sodium hypochlorite and sodium hydroxide chemical feed system will be relocated to dedicated rooms within the new building. An aboveground chlorine contact tank will be installed to replace the existing chamber. Additional process piping and improvements and associated modifications are required and are further defined in the Plans and Engineer's Report. The project will also include a water storage tank, paved driveway, an underground stormwater tank detention system, and an aboveground split containment pad is proposed.

SIZE OF ACTIVITY AREA: =21,615 SF (0.496 AC)

(include all construction activity area)

VOLUME OF EXCAVATED MATERIAL:
(leave blank if not known)

IN CONJUNCTION WITH:

Wetland Permit: X Steep Slopes Permit: X Tree Preservation Permit: X
Site Plan: X Subdivision:

PROPOSED STARTING DATE: Q1 2027 PROPOSED COMPLETION DATE: Q1 2028

PLANS PREPARED BY: Suburban Consulting DATED:
Engineers, Inc.

\*\* Plans and copy of Stormwater Pollution Prevention Plan must be submitted with application. \*\*

LIST OF APPLICABLE COUNTY, STATE, OR FEDERAL PERMITS:

Town of Somers: Planning Board Application for Site Plan Approval, Application for Stormwater Management and Erosion and Sediment Control, Steep Slope and Tree Removal Permit Application. & NYSDEC: Freshwater Wetlands Permitting & NYSDDH: Water Supply Improvements

LIST OF PROPERTY OWNERS OF RECORD OF LANDS AND CLAIMANTS OF WATER RIGHTS
WITHIN 100 FEET OF SUBJECT PROPERTY

Table with 3 columns: NAME, ADDRESS, BLOCK/LOT. Rows include Condominium Number 8 Heritage Hills of Westchester and N/F Somers Land Trust, Inc.

APPLICANT'S SIGNATURE: DATE: 3/3/2026
OWNER'S SIGNATURE: DATE:

\*APPLICATION MUST BE ACCOMPANIED WITH A COMPLETED ENVIRONMENTAL ASSESSMENT FORM, A VICINITY MAP, A DEVELOPMENT PLAN, EROSION AND SEDIMENT CONTROL PLAN, AND THE PROPOSED PHASING OF DEVELOPMENT OF THE SITE.

Office Use Only

Administrative Permit:
Planning Board Permit:

**APPLICANT ACKNOWLEDGEMENT**

Stormwater Management And Erosion And Sediment Control

By making this application, the undersigned Applicant agrees to permit Town officials and their representatives to conduct on-site inspections in connection with the review of this application.

The applicant also agrees to pay all expenses for the cost of professional review services required for this application, as referred to in §133-1 of the Code of the Town of Somers. As such, an Escrow Account, according to §133-2 of the Code of the Town of Somers, may be required.

It is further acknowledged by the Applicant that all bills for the professional review services shall be mailed to the Applicant, unless the Town is notified in writing by the Applicant at the time of initial submission of the application that such mailings should be sent to a designated representative instead.

Signature of Applicant:  Date: 3/3/2026

Signature of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
(if different from applicant)

RECEIVED

MAR 06 2026

PLANNING & ENGINEERING  
TOWN OF SOMERS

9/2019

RECEIVED

TREE REMOVAL PERMIT APPLICATION  
SECTION 156, TREE PRESERVATION

MAR 06 2025

SUBMIT TO: Town of Somers, Engineering Department  
335 Route 202, Somers, New York 10589

PLANNING & ENGINEERING  
TOWN OF SOMERS

DATE: \_\_\_\_\_

1. APPLICATION FEE:

Tree Removal - \$50.00 for the first five (5) trees to be removed, \$15.00 for each additional tree to be removed.

2. IDENTIFICATION OF APPLICANT:

OWNER: Veolia Water New York, Inc. Tel.#: \_\_\_\_\_

Mailing Address: 162 Old Mill Road, West Nyack, NY 10994

E-mail Address: \_\_\_\_\_

APPLICANT: (if other than Owner)

\_\_\_\_\_ Tel. #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Professional preparing site plan: \_\_\_\_\_

State authority: \_\_\_\_\_ If other than owner, authorization must be submitted in writing.

E-mail Address: \_\_\_\_\_

3. IDENTIFICATION OF SUBJECT PROPERTY

Address 405 Route 202, Somers, NY 10589

PREMISES: Sheet: 06.20 Block: 10 Lot: 13

4. NUMBER OF TREES TO BE REMOVED (12-INCHES OR GREATER)

Zoning District: R10 R40 R80 R120 Other (Circle)

5 Quantity of trees to be removed (Must be tagged/identified to evaluate permit requirements)

5. PURPOSE FOR TREE REMOVAL


To allow for construction of proposed driveway access to proposed PFAS Treatment building and chlorine contact tank.

**Project Description:** This project is required to comply with mandatory EPA and State PFAS Regulations for VWNYS Heritage Hills WTP Facility (PWSID No. NY5917221). The construction will consist of the installation of a new PFAS treatment building to house the GAC Filtration vessels, which are to be used to reduce PFAS to regulatory compliance levels. The existing sodium hypochlorite and sodium hydroxide chemical feed system will be relocated to dedicated rooms within the new building. An aboveground chlorine contact tank will be installed to replace the existing chamber. Additional process piping site improvements and associated modifications are required and are further defined in the Plans and Engineer's Report. The project will also include a water storage tank, paved driveway, an underground stormwater tank detention system, and an aboveground spill containment pad is proposed.

6. **SKETCH OR SITE PLAN \***

\* A site plan shall be provided if the tree removal activity involves clearing and must be certified by an arborist, landscape architect or professional forester.

The Town Engineer or other duly authorized representative shall inspect the property to assure satisfactory completion of the requirements of the approved tree removal permit, and, upon such completion, the approving authority shall require documentation from such official stating that all required conditions of the tree removal permit have been satisfactorily completed. If, upon inspection, it is found that any of the required conditions have not been addressed in accordance with the approved permit and/or plans, the applicant shall be responsible for addressing all conditions of approval pursuant to the original conditions of approval. Failure of the Town Engineer or other duly authorized representative to carry out inspections of required improvements during the tree removal shall not in any way relieve the applicant or the bonding company of their responsibilities. The Town Engineer, his designee, and the Town Environmental Enforcement Officer shall have access to all parts of the work area at all times during tree removal.

APPLICANT'S SIGNATURE:  DATE: 3/3/2026

OWNER'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

*By submitting this application I understand, allow and agree to a Town inspector making a site visit to the exterior of my property.* \_\_\_\_\_  
(Initial)

07/18

TOWN OF SOMERS  
WESTCHESTER COUNTY, NEW YORK  
APPLICATION FOR ENVIRONMENTAL PERMIT  
CHAPTER 167 "WETLAND AND WATER COURSE PROTECTION"

APPLICATION FEE:

Alteration of Wetlands Fee: \$200 minimum fee plus \$100 per 5,000 S.F. of regulated area or proposed portions thereof to be disturbed.

Annual Maintenance Permit Renewal Fee: Administrative Permit: \$25.00, Planning Board Permit: \$75.00

Stormwater Management and Erosion and Sediment Control Application Fee: \$100 for disturbances of five thousand (5,000) square feet and/or for the placement or removal of 50 cubic yards of soil, plus \$500 for each additional acre of disturbance.

OWNER: James Lian Tel. #:

Mailing Address: 20 Putney Rd, Baldwin Place

Email address:

APPLICANT: Nejame & Sons Tel. #:

Mailing Address: 91 South St. Danbury Ct 06810

Email address:

State authority: Contractor If other than owner, authorization must be submitted in writing.

PREMISES: Sheet: 5.18 Block: 01 Lot: 43  
Situating on the RIGHT side of Putney Rd (Street), 207.21 feet  
from the intersection of Loomis Drive (Street)

DESCRIPTION OF WORK AND PURPOSE: installation of 18x36 16 pool, w/ (nonbackwashing) equipment, nat. gas (400k) heater, paving stone patio, fencing and required stormwater.

The information listed below shall only relate to the impact within wetland and/or wetland buffer:

SIZE OF ACTIVITY AREA: 57x40

Is work proposed in Wetland: or Wetland Control Area:

Is there an existing house located on the site: YES

Is pond, lake or detention basin proposed to be cleaned: NO

Functions provided by Wetland:

Wetland Expert delineating Wetland: N.Y.S. D.E.C.

ESTIMATED QUANTITY OF EARTH WORK:

Excavated material placed as fill: C.Y.

Imported Fill Type: N/A C.Y.

PROPOSED STARTING DATE: 6/1/26 PROPOSED COMPLETION DATE: 10/1/26

PLANS PREPARED BY: Gregory Mercurio DATED: 2/16/26

\*\*Plans must be submitted with application.\*\*

LIST OF APPLICABLE COUNTY, STATE, OR FEDERAL PERMITS: NYS DEC wetlands, stormwater mgmt, Building

LIST OF PROPERTY OWNERS OF RECORD OF LANDS AND CLAIMANTS OF WATER RIGHTS WITHIN 100 FEET OF SUBJECT PROPERTY

NAME ADDRESS BLOCK LOTS

Please see attached

APPLICANT'S SIGNATURE: gm DATE: 2/20/26

07/18

TOWN OF SOMERS  
WESTCHESTER COUNTY, NEW YORK  
APPLICATION FOR ENVIRONMENTAL PERMIT  
CHAPTER 93 "STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL"

APPLICATION FEE: \$100 for disturbances of five thousand (5,000) square feet and/or for the placement or removal of 50 cubic yards of soil, plus \$500 for each additional acre of disturbance.

ENGINEERING INSPECTION FEE: \$100

OWNER: James Lian Tel.#: \_\_\_\_\_  
Mailing Address: 20 Putney Rd. Baldwin Pt.  
Email Address: \_\_\_\_\_

APPLICANT: Ngjame & Sons Tel.#: \_\_\_\_\_  
Mailing Address: 91 South St Danbury Ct 06810  
Email Address: \_\_\_\_\_

cl. Samantha Brant

State authority: If other than owner, authorization must be submitted in writing: Contractor

PREMISES: Sheet: 510 Block: 01 Lot: 43

DESCRIPTION OF WORK AND PURPOSE: Installation of 10x36 16 pool w/ nonback washing pump, 4000 nat gas heater, paving stone patio, fencing and stormwater

SIZE OF ACTIVITY AREA: 57 feet by 40 feet  
(include all construction activity area)

VOLUME OF EXCAVATED MATERIAL: \_\_\_\_\_  
(leave blank if not known)

IN CONJUNCTION WITH:  
Wetland Permit:  Steep Slopes Permit: \_\_\_\_\_ Tree Preservation Permit: \_\_\_\_\_  
Site Plan: \_\_\_\_\_ Subdivision: \_\_\_\_\_

PROPOSED STARTING DATE: 6/01 PROPOSED COMPLETION DATE: 10/01  
PLANS PREPARED BY: Grea DATED: 2/16/26

Mercurio  
\*\* Plans and copy of Stormwater Pollution Prevention Plan must be submitted with application. \*\*

LIST OF APPLICABLE COUNTY, STATE, OR FEDERAL PERMITS: NYS DEC, Planning Board Wetland Protection, Building

LIST OF PROPERTY OWNERS OF RECORD OF LANDS AND CLAIMANTS OF WATER RIGHTS WITHIN 100 FEET OF SUBJECT PROPERTY

NAME	ADDRESS	BLOCK/LOT
------	---------	-----------

APPLICANT'S SIGNATURE: [Signature] DATE: 2/20/26  
OWNER'S SIGNATURE: [Signature] DATE: 2/24/26

\* APPLICATION MUST BE ACCOMPANIED WITH A COMPLETED ENVIRONMENTAL ASSESSMENT FORM, A VICINITY MAP, A DEVELOPMENT PLAN, EROSION AND SEDIMENT CONTROL PLAN, AND THE PROPOSED PHASING OF DEVELOPMENT OF THE SITE.

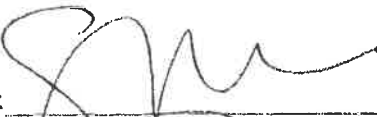
.....Office Use Only.....  
Administrative Permit: \_\_\_\_\_  
Planning Board Permit: \_\_\_\_\_

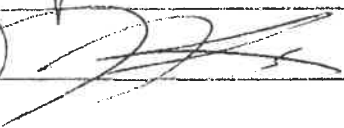
**APPLICANT ACKNOWLEDGEMENT**

By making this application, the undersigned Applicant agrees to permit Town officials and their representatives to conduct on-site inspections in connection with the review of this application.

The applicant also agrees to pay all expenses for the cost of professional review services required for this application, as referred to in §133-1 of the Code of the Town of Somers. As such, an Escrow Account, according to §133-2 of the Code of the Town of Somers, may be required.

It is further acknowledged by the Applicant that all bills for the professional review services shall be mailed to the Applicant, unless the Town is notified in writing by the Applicant at the time of initial submission of the application that such mailings should be sent to a designated representative instead.

Signature of Applicant:  Date: 2/20/26

Signature of Property Owner:  Date: 2/24/26  
(if different from applicant)

**AFFIDAVIT TO BE COMPLETED BY OWNER OTHER THAN CORPORATION**

STATE OF NEW YORK )

ss:

COUNTY OF Westchester

JAMES J. LIAN, being duly sworn, deposes and says: that he is the owner in fee of all the property shown on plat entitled 20 Putney Rd application for approval of which is herein made. The deponent acquired title to the said premises by deed from Christopher Walt dated 7/27/21, and recorded in the Office of the Clerk of the County of Westchester on 7/27/21, in Liber 61208 of Conveyances at Page 03400. That the statements contained herein are true to the best of deponent's knowledge and belief, and are made for the purpose of obtaining the approval of the submitted application by the Planning Board of the Town of Somers.

(Signed)



Sworn to before me this 2/17/2026 <sup>11P</sup> 21<sup>th</sup>  
day of February, 2026.

[Signature]  
(Notary Public)



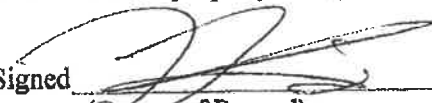
**TOWN OF SOMERS  
WESTCHESTER COUNTY, NEW YORK  
CHAPTER 67 "APPLICATION PROCESSING RESTRICTIVE LAW"**

**CERTIFICATION**

I hereby certify that to the best of my knowledge no outstanding fees are due and owing to the Town of Somers for the following property:

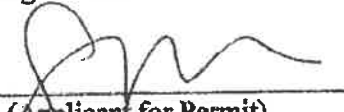
Section 5.18 Block 01 Lot 43  
Property Address 20 Putney Rd Baldwin Pl.  
Permit Applying For Stormwater Permit /  
Wetland & Water Course

Furthermore, I hereby certify that to the best of my knowledge no outstanding violation (as that term is defined for the purposes of the Application Processing Restrictive Law, Paragraph 4D) of local laws or ordinances of the Town of Somers exist with respect to the above cited property or any structure or use existing thereon.

Signed   
(Owner of Record)

JAMES J. LIAN  
(Print Name)

Date 2/24/26

Signed   
(Applicant for Permit)

Samantha Brant  
(Print Name)

Date 2/20/24

**CONFIRMATIONS**

\_\_\_\_\_  
Engineering Department

Date: \_\_\_\_\_

\_\_\_\_\_  
Zoning Enforcement Officer

Date: \_\_\_\_\_

**LEONE, ANTIONETTE LOMIO-**  
2 WEEKS COURT  
BALDWIN PLACE, NY 10505

**DOOLEY, BRIAN T. &**  
16 PUTNEY ROAD  
BALDWIN PLACE, NY 10505

**DURSO, CHRISTOPHER &**  
22 PUTNEY ROAD  
BALDWIN PLACE, NY 10505

**WILLIAMS, CHRISTOPHER R**  
46 LOOMIS DRIVE  
BALDWIN PLACE, NY 10505

**LIAN, JAMES J. &**  
20 PUTNEY ROAD  
BALDWIN PLACE, NY 10505

**ADRIEN, RALPH &**  
**CLAIRE**  
18 PUTNEY RD.  
BALDWIN PLACE, NY 10505

**BEAVER BROOK/SOMERS ACQ**  
118 N BEDFORD ROAD  
MT. KISCO, NY 10549

20 Putney Rd

617.20  
Appendix B  
Short Environmental Assessment Form

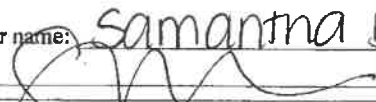
**Instructions for Completing**

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

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

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: <u>Lian Pool Project</u>			
Project Location (describe, and attach a location map): <u>20 Putney Rd, Baldwin Pl. NY</u>			
Brief Description of Proposed Action: <u>Installation of 18x36 IG pool w/ (nonbackwashing) equipment, 400K Nat. Gas heater, paving stone patio, fencing and stormwater.</u>			
Name of Applicant or Sponsor: <u>Nejame &amp; Sons c/o Samantha Brant</u>		Telephone: _____ E-Mail: _____	
Address: <u>91 South Street</u>			
City/PO: <u>Danbury</u>		State: <u>CT</u>	Zip Code: <u>06810</u>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: <u>NYS DEC Wetlands, Building permit, SW mgmt permit.</u>		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>.46</u> acres	
b. Total acreage to be physically disturbed?		<u>.05</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>.46</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>truck delivery for pool fill</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>non backwashing filter</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <u>installation of four (4) 330xl culvert units to collect and redistribute.</u> <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Samantha Brant</u> Date: <u>2/20/20</u>		
Signature: 		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.**

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**

Woodard & Curran Engineering  
and Geological Services P.A. P.C. | T 800.426.4262  
800 Westchester Avenue | T 914.448.2266  
Suite N507 | F 914.448.0147  
Rye Brook, New York 10573  
www.woodardcurran.com

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APR 01 2026

PLANNING & ENGINEERING  
TOWN OF SOMERS



## MEMORANDUM

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

### GENERAL

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

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

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

- Town of Somers Code, Chapter 93: Stormwater Management and Erosion and Sediment Control
- Town of Somers Code, Chapter 144: Site Plan Review
- New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016.
- New York State Department of Environmental Conservation's (NYSDEC's) Stormwater Management Design Manual (SMDM), dated July 2024.

### DOCUMENTS REVIEWED

- Cover Letter, "Re: Site Plan Application, 247 Route 100, LLC – Rockledge Center, 247 Route 100, Sh. 28.10, Blk. 1, Lot 6.1", prepared by Bibbo Associated Engineering, P.C., dated March 24, 2026;
- Project Follow-up Memo, "Re: Application for Site Plan – Rockledge Center, 247 Route 100 (Building C Addition)", prepared by Bibbo Associated Engineering, P.C., dated March 24, 2026;
- Draft Notice of Intent (NOI) & MS4 SWPP Acceptance Form, prepared by Bibbo Associated Engineering, P.C., dated November 24, 2025;
- Project Narrative, prepared by Harrison Cook Property Group, dated November 5, 2025;
- Short Environmental Assessment Form, by Michael Piccirillo Architecture, dated March 24, 2026;



- Architectural Plans, by Michael Piccirillo Architecture, dated March 24, 2026;
- Construction Cost Estimate, Bibbo Associated Engineering, P.C., dated March 23, 2026;
- Stormwater Pollution Prevention Plan (SWPPP) "247 Route 100, LLC. 247 Route 100 Somers (T)", prepared by Bibbo Associated Engineering, P.C., dated March 23, 2026;
- Site Plans, prepared by Bibbo Associated Engineering, P.C., dated March 23, 2026;

#### PERMITS AND APPROVALS REQUIRED

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

#### DISCUSSION

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

1. *The proposed development activity is located within the Town of Somers Groundwater Protection Overlay District and requires the issuance of a special exception use permit. Consistent with the Town Code requirements listed in §170.32, the Applicant shall be required to comply with the criteria necessary for issuance of Special Exception Use Permit including the preparation of a Groundwater Protection Plan.* **Partially Addressed. The Applicant will provide an Aquifer Impact Assessment and Groundwater Protection Plan.**
2. *The Applicant shall confirm the exact limit of disturbance proposed for the building addition and site development. The Short Environmental Assessment Form claims 0.43 acres, while the SWPPP states 0.85 acres.* **Addressed.**
3. *The Applicant is applying for site plan permit and shall comply with all the standards according to Ch.144-7 of the Town Code. The following general comments are offered regarding applicable standards:*
  - a. *The Applicant shall estimate site earthwork, indicating total net cut/fill in cubic feet.* **Addressed.**
  - b. *The Applicant shall include any proposed grading on Sheet SP-1 for the reconfiguration of the parking lot or within the limit of disturbance identified on EC-1.* **Addressed. The Applicant provided spot grades in lieu of proposed contours.**
  - c. *The Applicant shall identify infrastructure demolition/protection and tree protection on the plan set.* **Addressed.**
  - d. *The Applicant shall prepare a draft engineer's estimated cost of the proposed sewer and stormwater infrastructure.* **Addressed.**



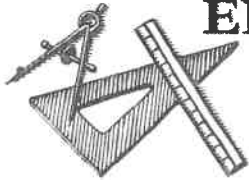
- e. *The Applicant shall explain how the proposed ES outfall will not have negative impacts on the existing southern drain inlet at the property line. **Addressed.***
4. *The Applicant proposes a reconfiguration of the existing parking lot adjacent to existing Building A and proposed Building D. This parking lot contains an existing drain inlet that appears will have a revised contributing drainage area entering the existing stormwater treatment system. The Applicant shall confirm the existing treatment system is able to handle the revised flows entering the system and revise the HydroCAD model in the SWPPP to indicate revised stormwater flows and volumes. **Not Addressed. The Applicant claims the reconfiguration of the parking lot will result in a smaller contributing area to the existing system. However, an estimated area take-off of the proposed parking lot reconfiguration indicates a greater contributing area than existing conditions. Please revise the HydroCAD model to include the additional area and confirm the existing system can maintain the revised flows. Confirm that the separation from the new building and existing stormwater system is adequate.***
5. *The Applicant shall include the proposed concrete sidewalks in the hydrologic model as this is newly proposed impervious surfaces. The hydrologic model shall indicate the pre vs post conditions of the area of concrete sidewalk and the corresponding drainage area to the downstream drain inlet located to the north of existing building B. **Addressed.***
6. *The Applicant shall provide a map depicting existing and proposed drainage areas utilized for the hydrologic model. **Addressed.***
7. *The Applicant indicates a 10 in/hr exfiltration rate for the proposed Cultec subsurface infiltration system; however, the soils map indicates the underlying soils to be HSG B. The Applicant shall provide test pits and percolation test results that confirms the proposed exfiltration rates utilized in the HydroCAD model, as well as confirmation of adequate vertical separation to groundwater elevation from the system invert. **Partially Addressed. The Applicant provides test pit and percolation test results along with confirming adequate groundwater separation. However, the Applicant shall provide the exact location of TP S-1 and PT SW-1 for the proposed infiltration system.***
8. *The Applicant proposes infiltration within the proposed subsurface system. The Applicant shall clarify how pretreatment will be provided prior to infiltration. **Addressed. The Applicant is proposing a diversion structure and catch basin hood over the infiltration system inlet pipe as pretreatment.***
9. *The Applicant shall demonstrate the velocities exiting the proposed flared end section and provide outlet protection practices as necessary. It appears the 12" pipe exiting the flared end section is in a significant slope which may cause high velocities. **Partially Addressed. The Applicant has provided a rock outlet protection callout and detail but shall indicate non-erosive velocities with supplemental calculations.***
10. *The Applicant shall indicate top of wall and bottom of wall elevations for the proposed boulder landscape wall. **Addressed.***
11. *The Applicant shall indicate the direction of proposed traffic and provide turning radii to ensure proper flow of delivery vehicles within the area of the reconfigured parking lot adjacent to Buildings A and D. **Addressed.***



12. *The Applicant shall indicate the proposed concrete washout facility location on the site plans. **Addressed.***
13. *The Applicant shall provide the sizes of the proposed septic tank and pump chamber and provide construction details on the site plans. The site plans indicate the sizes are TBD. **Addressed. The Applicant has indicated the size of the proposed septic tank and pump chamber on sheet SP-1.***
14. *The Applicant shall update the scale on the site plans. It does not appear to be 50' scale as indicated in the graphic scale. **Addressed.***
15. *The Applicant shall prepare a draft Stormwater Maintenance Agreement, in accordance with the provisions of Town Code for review by the Consulting Town Engineer & Town Attorney. **Addressed.***
16. *The Applicant shall provide a draft Notice of Intent and MS4 SWPPP Acceptance Form to obtain coverage under NYSDEC General SPDES Permit based on the SWPPP for review and acceptance by the Consulting Town Engineer. **Addressed.***
17. *The Applicant shall include a note on the plans which states the following:*
  - a. *"Any imported topsoil shall comply with all federal, state, and local requirements for quality and use." **Addressed.***
  - b. *"Off-site disposal of excess cut shall be in accordance with all federal, state, and local requirements." **Addressed.***
  - c. *"No construction activity, the sound or noise from which is audible beyond the boundaries of the property on which such construction activity is located, shall start before 7:00 a.m. or extend beyond 6:00 p.m. No construction activity shall be allowed on Sundays or legal New York State holidays." **Addressed.***

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

# BIBBO ASSOCIATES ENGINEERING, P.C.



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

March 24, 2026 RECEIVED

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

MAR 24 2026

## PLANNING & ENGINEERING TOWN OF SOMERS

Attn: Ms. Vicky Gannon, Chairwoman

Re: Site Plan Application  
247 Route 100, LLC – Rockledge Center  
247 Route 100  
Sh. 28.10, Blk. 1, Lot 6.1

Dear Chairwoman and Members of the Board:

In support of our client's application for an amended site plan approval, in connection with the proposed construction of an addition of approximately 18,450 s.f. to the existing commercial building at the above referenced property, please find enclosed the following:

- 6 copies - Project Follow-up Memo, prepared by Harrison Cook, dated March 23, 2026
- 6 copies – Short Environmental Assessment Form, prepared by Michael Piccirillo Architecture, revised March 24, 2026
- 6 copies – Project Plans, (5-sheets) prepared by Bibbo Associates Engineering, P.C., revised March 23, 2026
- 6 copies – Architectural Plans, (5-sheets) prepared by Michael Piccirillo Architecture, revised March 24, 2026
- 2 copies – Stormwater Pollution Prevention Plan, prepared by Bibbo Associates Engineering, P.C., revised March 23, 2026
- 2 copies – Draft Notice of Intent and MS4 SWPPP Acceptance Form
- 2 copies – Construction Cost Estimate, prepared by Bibbo Associates Engineering, P.C., dated March 23, 2026
- 4 flash drives containing all items submitted

We are in receipt of a memorandum from Woodard & Curran Engineering and Geological Services, P.A. P.C. dated February 4, 2026, and we offer the following responses for consideration:

1. The applicant has engaged a Hydrogeologist to prepare an Aquifer Impact Assessment and Groundwater Protection Plan which will be provided with future submittals. Please note, the proposed development is not anticipated to have any adverse impact on the groundwater or underlying aquifer.

*Site Design ♦ Engineering*

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

Phone: 914.277.5805

Website: [www.bibboassociates.com](http://www.bibboassociates.com) · E-mail: [bibbo@bibboassociates.com](mailto:bibbo@bibboassociates.com)

2. The limit of disturbance in the E.A.F. has been revised to match the project drawings.
3. We offer the following in response to the requirements of Ch.144-7 of the Town Code:
  - a. A site earthwork estimate has been added to the plans.
  - b. The area of the proposed work is relatively flat in lieu of proposed contour lines, spot grades have been added to the site plan.
  - c. Existing features to be removed have been identified on the Existing Conditions Plan as well as existing trees to be removed identified. Tree protection has also been added to the Erosion Control Plan and associated details added.
  - d. A construction cost estimate for the proposed sewer and stormwater infrastructure improvements has been provided herewith.
  - e. A peak flow analysis was completed for pre and post development conditions in which the existing drain inlet at the southern property line was utilized as a design point. The results of the analysis indicate that post development peak flows will be attenuated to below pre-development levels at the existing drain inlet for the analyzed storm events, as such no adverse impacts to the existing drain structure are anticipated.
4. The existing parking lot to be reconfigured adjacent to existing Building A and proposed Building D contains an existing drain inlet which enters into an existing stormwater treatment system. The proposed reconfiguration will result in a smaller contributing tributary drainage area to the system. Therefore, the existing treatment system will be able to handle the revised flows and revisions to the HydroCAD model are not necessary.
5. The proposed sidewalks have been included in the hydraulic model of the existing drywell system. The hydrologic model has been revised to indicate the pre vs post conditions of the area of concrete sidewalk and the corresponding drainage area to the downstream drain inlet located to the north of existing building B.
6. Predevelopment and Post Development drainage basin figures have been provided depicting existing and proposed drainage areas utilized for the hydrologic model.
7. Test pit and percolation test results have been provided in the project SWPPP.
8. Pretreatment will be provided for the infiltration system through the installation of a 36” deep sump in the diversion structure and an ADS Nyloplast EnviroHood catch basin hood on the infiltration system inlet pipe.
9. An outlet protection pad has been proposed at the end of the flared end section of the 12” pipe to mitigate potential erosion from the outflow during larger storm events.
10. Top of wall and bottom of wall elevations for the proposed landscape wall have been shown on the plans.

11. Turning maneuvers have been provided for delivery vehicles within the area of the reconfigured parking lot adjacent to Buildings A and D.
12. A proposed concrete washout facility has been shown on the Erosion Control Plan and associated details added to the site plans.
13. The sizes of the proposed septic tank and pump chamber have been shown on the plans, details for such tanks are shown on the Westchester County Health Department Septic Plans for review by the Health Department.
14. Drawing scales have been verified and corrected as necessary.
15. A draft Stormwater Maintenance Agreement has been prepared and included in the SWPPP for review by the Consulting Town Engineer & Town Attorney.
16. A draft Notice of Intent and MS4 SWPPP Acceptance Form have been provided for review and acceptance by the Consulting Town Engineer.
17. The following notes have been added to the Site Plan, sheet SP-1:
  - a. “Any imported topsoil shall comply with all federal, state, and local requirements for quality and use.”
  - b. “Off-site disposal of excess cut shall be in accordance with all federal, state, and local requirements.”
  - c. “No construction activity, the sound or noise from which is audible beyond the boundaries of the property on which such construction activity is located, shall start before 7:00 a.m. or extend beyond 6:00 p.m. No construction activity shall be allowed on Sundays or legal New York State holidays.”

We trust the enclosed supporting materials are sufficient for your review, and we respectfully request this matter be placed on your next available agenda for discussion.

As always, should you have any questions or need anything further please feel free to contact our office.

Sincerely,



Matthew J. Gironda, P.E.  
*Principal*

MJG/rh  
Enclosures

cc: H. Cook (via email w/encls)  
S. Realbuto (via email w/encls)  
File

**Rockledge Center – Site Plan Approval Application**

March 23, 2026

Town of Somers Planning Board

335 Route 202

Somers, NY 10589

RECEIVED

MAR 24 2026

PLANNING & ENGINEERING  
TOWN OF SOMERS

Re: Application for Site Plan Approval – Rockledge Center, 247 Route 100 (Building C Addition)

Members of the Planning Board:

Following up on our meeting from January 14, 2026, we have recently completed a site walk and had time to consider the feedback from all members of the Planning Board. We would like to address a few items that we have updated in respect to our project.

First, we have added a second floor to the lobby area. The tenant would like to have their offices there. As these offices will be used during the day, much like the other offices on the property, based on our observations this will have little to no impact on traffic and parking requirements, as during 9-to-5 hours there are still have a substantial number of parking spaces remaining. During the facility's peak operating hours, the offices will be largely unused.

We have also taken the opportunity to address several questions raised by members of the Board at the January meeting, as set forth below.

**1) Landscaping**

The new building will affect a portion of the existing driveway / loading area at the southeast corner of Building "A". Existing landscaping adjacent to this loading area that may be affected by the construction of Building "D" will be relocated on site as necessary

**2) Fuel Tank**

The fuel tank that currently serves Prodigy Athletics will be relocated and set on a new concrete pad on the eastern edge of Building C.

**3) Circulation and Drop-Off**

The circulation and drop-off pattern at Rockledge Center has been functioning safely and effectively since Prodigy Athletics began operations. As documented in the original June 2024 Parking Study, the facility operates primarily as a drop-off and pick-up facility, with athletes being deposited at the building entrance and walking no more than 10 to 15 feet from the vehicle to the covered entry. This pattern is consistent with the athlete parking coefficient methodology used by Barton & Loguidice in both the original study and the November 2025

addendum, which accounts for the fact that the majority of users are middle and high school aged athletes who do not drive themselves.

The site is posted with a 5 MPH speed limit, and during peak drop-off and pick-up periods the volume of vehicles naturally slows traffic further, creating a self-regulating condition that keeps vehicle speeds low precisely when most children are present.

The October 2025 parking survey confirms that even at peak utilization, the site never exceeded 42% of available capacity, leaving substantial open parking area that allows vehicles to circulate freely without conflict. Drop-off activity is further managed by the structured nature of Prodigy's programming, where practice times are fixed and staggered, meaning arrival and departure patterns are predictable and spread across a window of time rather than concentrated in a single moment.

With respect to lighting, please see the attached photographs taken during evening hours at peak operating times, which illustrate the level of illumination on the premises.

We look forward to continued discussion with the Board as the review of our application continues. Please let us know if any additional materials are required in advance of the meeting.

Sincerely,

Harrison Cook, Member

247 Route 100 LLC

914-400-5699

HarrisonCook@HCProperty.Group

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

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

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

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Prodigy Athletics LLC at Rockledge Center (formerly Pinewood Business Center)			
Project Location (describe, and attach a location map): 247 Rt 100, Somers, NY 10589			
Brief Description of Proposed Action: New building		<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: auto;"> <p style="margin: 0;"><b>RECEIVED</b></p> <p style="margin: 0;"><b>MAR 24 2026</b></p> <p style="margin: 0;"><b>PLANNING &amp; ENGINEERING TOWN OF SOMERS</b></p> </div>	
Name of Applicant or Sponsor: Michael Piccirillo Architecture		Telephone: 914-368-9838	
Address: 345 Kear Street Suite 203		E-Mail: <span style="background-color: black; color: black;">[REDACTED]</span>	
City/PO: Yorktown Heights		State: NY	Zip Code: 10598
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		14.55 acres	
b. Total acreage to be physically disturbed?		0.9 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		26.252 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			



# NOI for coverage under Stormwater General Permit for Construction Activity

version 1.44

(Submission #: HQH-BH7F-3H871, version 1)

RECEIVED

PL 24

## Details

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**Originally Started By** Ray Hamill

**Alternate Identifier** 247 Route 100,LLC.

**Submission ID** HQH-BH7F-3H871

**Status** Draft

**Active Steps** Form Submitted

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MAR 24 2026

PLANNING & ENGINEERING  
TOWN OF SOMERS

## Form Input

---

### Owner/Operator Information

The previous version of the Construction General Permit (CGP), GP-0-20-001, expired on January 28, 2025, and therefore this GP-0-20-001 eNOI form cannot be used to obtain CGP coverage.

Instead, the GP-0-25-001 eNOI form must be used to obtain coverage under the currently effective CGP, GP-0-25-001, which is effective as of January 29, 2025, with an expiration date of January 28, 2030. In nForm, the name of the GP-0-25-001 eNOI that must be used is: Construction General Permit (CGP) Electronic Notice of Intent (eNOI) GP-0-25-001

Please see the CGP Webpage for further information: <https://dec.ny.gov/environmental-protection/water/water-quality/stormwater/construction-activity-permit>

**Owner/Operator Name (Company/Private Owner/Municipality/Agency/Institution, etc.)**  
247 Route 100, LLC

**Owner/Operator Contact Person Last Name (NOT CONSULTANT)**  
Cook

**Owner/Operator Contact Person First Name**

Harrison

**Owner/Operator Mailing Address**

247 Route 100

**City**

Somers

**State**

NY

**Zip**

10589

**Phone**

914-400-5699

**Email**

harrisoncook@hcproperty.group

**Federal Tax ID**

*NONE PROVIDED*

If the owner/operator is an organization, provide the Federal Tax ID number, or Employer Identification Number (EIN), in the format xx-xxxxxx. If the owner/operator is an individual and not an organization, enter "Not Applicable" or "N/A" and do not provide the individual's social security number.

**Project Location****Project/Site Name**

247 Route 100,LLC.

**Street Address (Not P.O. Box)**

247 Route 100

**Side of Street**

West

**City/Town/Village (THAT ISSUES BUILDING PERMIT)**

Somers

**State**

NY

**Zip**

10589

**DEC Region**

3

The DEC Region must be provided. Please use the NYSDEC Stormwater Interactive Map (<https://gisservices.dec.ny.gov/gis/stormwater/>) to confirm which DEC Region this site is located in. To view the DEC Regions, click on "Other Useful Reference Layers" on the left side of the map, then click on "DEC Administrative Boundary." Zoom out as needed to see the Region boundaries.

For projects that span multiple Regions, please select a primary Region and then provide the additional Regions as a note in Question 39.

**County**

WESTCHESTER

**Name of Nearest Cross Street**

Highview Terrace

**Distance to Nearest Cross Street (Feet)**

1,235

**Project In Relation to Cross Street**

South

**Tax Map Numbers Section-Block-Parcel**

28.10-1-6.1

**Tax Map Numbers**

NONE PROVIDED

If the project does not have tax map numbers (e.g. linear projects), enter "Not Applicable" or "N/A".

**1. Coordinates**

---

Provide the Geographic Coordinates for the project site. The two methods are:

- Navigate to the project location on the map (below) and click to place a marker and obtain the XY coordinates.
- The "Find Me" button will provide the lat/long for the person filling out this form. Then pan the map to the correct location and click the map to place a marker and obtain the XY coordinates.

**Navigate to your location and click on the map to get the X,Y coordinates**

41.309482,-73.6957852

## **Project Details**

### **2. What is the nature of this project?**

New Construction

For the purposes of this eNOI, "New Construction" refers to any project that does not involve the disturbance of existing impervious area (i.e. 0 acres). If existing impervious area will be disturbed on the project site, it is considered redevelopment with either increase in impervious area or no increase in impervious area.

### **3. Select the predominant land use for both pre and post development conditions.**

#### **Pre-Development Existing Landuse**

Commercial

#### **Post-Development Future Land Use**

Commercial

### **3a. If Single Family Subdivision was selected in question 3, enter the number of subdivision lots.**

*NONE PROVIDED*

---

4. In accordance with the larger common plan of development or sale, enter the total project site acreage, the acreage to be disturbed and the future impervious area (acreage) within the disturbed area.

\*\*\* ROUND TO THE NEAREST TENTH OF AN ACRE. \*\*\*

#### **Total Site Area (acres)**

14.5

#### **Total Area to be Disturbed (acres)**

0.9

#### **Existing Impervious Area to be Disturbed (acres)**

0.1

#### **Future Impervious Area Within Disturbed Area (acres)**

0.5

### **5. Do you plan to disturb more than 5 acres of soil at any one time?**

No

---

6. Indicate the percentage (%) of each Hydrologic Soil Group(HSG) at the site.

**A (%)**

0

**B (%)**

100

**C (%)**

0

**D (%)**

0

**7. Is this a phased project?**

No

**8. Enter the planned start and end dates of the disturbance activities.**

**Start Date**

04/01/2026

**End Date**

04/30/2027

**9. Identify the nearest surface waterbody(ies) to which construction site runoff will discharge.**

Muscoot Reservoir

Drainage ditches and storm sewer systems are not considered surface waterbodies. Please identify the surface waterbody that they discharge to. If the nearest surface waterbody is unnamed, provide a description of the waterbody, such as, "Unnamed tributary to Niagara River."

**9a. Type of waterbody identified in question 9?**

Other Type Off Site (enter description below)

**Other Waterbody Type Off Site Description**

Reservoir

**9b. If "wetland" was selected in 9A, how was the wetland identified?**

NONE PROVIDED

**10. Has the surface waterbody(ies) in question 9 been identified as a 303(d) segment in Appendix E of GP-0-20-001?**

NONE PROVIDED

**11. Is this project located in one of the Watersheds identified in Appendix C of GP-0-20-001?**

NONE PROVIDED

**12. Is the project located in one of the watershed areas associated with AA and AA-S classified waters?**

NONE PROVIDED

Please use the DEC Stormwater Interactive Map (<https://gisservices.dec.ny.gov/gis/stormwater/>) to confirm if this site is located in one of the watersheds of an AA or AA-S classified water. To view the watershed areas, click on "Permit Related Layers" on the left side of the map, then click on "Class AA AAS Watersheds."

**If No, skip question 13.**

**13. Does this construction activity disturb land with no existing impervious cover and where the Soil Slope Phase is identified as D (provided the map unit name is inclusive of slopes greater than 25%), E or F on the USDA Soil Survey?**

NONE PROVIDED

**If Yes, what is the acreage to be disturbed?**

NONE PROVIDED

**14. Will the project disturb soils within a State regulated wetland or the protected 100 foot adjacent area?**

NONE PROVIDED

**15. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)?**

NONE PROVIDED

**16. What is the name of the municipality/entity that owns the separate storm sewer system?**

NONE PROVIDED

**17. Does any runoff from the site enter a sewer classified as a Combined Sewer?**

NONE PROVIDED

**18. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law?**

NONE PROVIDED

**19. Is this property owned by a state authority, state agency, federal government or local government?**

NONE PROVIDED

**20. Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.)**

NONE PROVIDED

## **Required SWPPP Components**

**21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)?**

*NONE PROVIDED*

**22. Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)?**

*NONE PROVIDED*

**If you answered No in question 22, skip question 23 and the Post-construction Criteria and Post-construction SMP Identification sections.**

**23. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the 2015 or 2024 NYS Stormwater Management Design Manual?**

*NONE PROVIDED*

**24. The Stormwater Pollution Prevention Plan (SWPPP) was prepared by:**

*NONE PROVIDED*

**SWPPP Preparer**

*NONE PROVIDED*

**Contact Name (Last, First)**

*NONE PROVIDED*

**Mailing Address**

*NONE PROVIDED*

**City**

*NONE PROVIDED*

**State**

*NONE PROVIDED*

**Zip**

*NONE PROVIDED*

**Phone**

*NONE PROVIDED*

**Email**

*NONE PROVIDED*

**Download SWPPP Preparer Certification Form**

Please take the following steps to prepare and upload your preparer certification form:

- 1) Click on the link below to download a blank certification form
- 2) The certified SWPPP preparer should sign this form

- 3) Scan the signed form
  - 4) Upload the scanned document
- [Download SWPPP Preparer Certification Form](#)

**Please upload the SWPPP Preparer Certification**

NONE PROVIDED

**Comment**

NONE PROVIDED

**Erosion & Sediment Control Criteria**

**25. Has a construction sequence schedule for the planned management practices been prepared?**

NONE PROVIDED

**26. Select all of the erosion and sediment control practices that will be employed on the project site:**

**Temporary Structural**

NONE PROVIDED

**Biotechnical**

NONE PROVIDED

**Vegetative Measures**

NONE PROVIDED

**Permanent Structural**

NONE PROVIDED

**Other**

NONE PROVIDED

**Post-Construction Criteria**

**\* IMPORTANT: Completion of Questions 27-39 is not required if response to Question 22 is No.**

**27. Identify all site planning practices that were used to prepare the final site plan/layout for the project.**

NONE PROVIDED

**27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6("Soil Restoration") of the Design Manual.**

NONE PROVIDED

**28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout). (Acre-feet)**

NONE PROVIDED

**29. Post-construction SMP Identification**

Use the Post-construction SMP Identification section to identify the RR techniques (Area Reduction), RR techniques (Volume Reduction) and Standard SMPs with RRv Capacity that were used to reduce the Total WQv Required (#28).

Identify the SMPs to be used by providing the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

Note: Redevelopment projects shall use the Post-Construction SMP Identification section to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

**30. Indicate the Total RRv provided by the RR techniques (Area/Volume Reduction) and Standard SMPs with RRv capacity identified in question 29. (acre-feet)**

*NONE PROVIDED*

**31. Is the Total RRv provided (#30) greater than or equal to the total WQv required (#28)?**

*NONE PROVIDED*

**If Yes, go to question 36. If No, go to question 32.**

**32. Provide the Minimum RRv required based on HSG. [Minimum RRv Required = (P) (0.95) (Ai) / 12, Ai=(s) (Aic)] (acre-feet)**

*NONE PROVIDED*

**32a. Is the Total RRv provided (#30) greater than or equal to the Minimum RRv Required (#32)?**

*NONE PROVIDED*

**If Yes, go to question 33.**

Note: Use the space provided in question #39 to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). A detailed evaluation of the specific site limitations and justification for not reducing 100% of the WQv required (#28) must also be included in the SWPPP.

If No, sizing criteria has not been met; therefore, NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

### **33. SMPs**

Use the Post-construction SMP Identification section to identify the Standard SMPs and, if applicable, the Alternative SMPs to be used to treat the remaining total WQv (=Total WQv Required in #28 - Total RRv Provided in #30).

Also, provide the total impervious area that contributes runoff to each practice selected.

NOTE: Use the Post-construction SMP Identification section to identify the SMPs used on Redevelopment projects.

**33a. Indicate the Total WQv provided (i.e. WQv treated) by the SMPs identified in question #33 and Standard SMPs with RRv Capacity identified in question #29. (acre-feet)**

*NONE PROVIDED*

Note: For the standard SMPs with RRv capacity, the WQv provided by each practice = the WQv calculated using the contributing drainage area to the practice - provided by the practice. (See Table 3.5 in Design Manual)

**34. Provide the sum of the Total RRv provided (#30) and the WQv provided (#33a).**

*NONE PROVIDED*

**35. Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)?**

*NONE PROVIDED*

If Yes, go to question 36.

If No, sizing criteria has not been met; therefore, NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

**36. Provide the total Channel Protection Storage Volume (CPv required and provided or select waiver (#36a), if applicable.**

**CPv Required (acre-feet)**

*NONE PROVIDED*

**CPv Provided (acre-feet)**

*NONE PROVIDED*

**36a. The need to provide channel protection has been waived because:**

*NONE PROVIDED*

**37. Provide the Overbank Flood (Qp) and Extreme Flood (Qf) control criteria or select waiver (#37a), if applicable.**

**Overbank Flood Control Criteria (Qp)**

**Pre-Development (CFS)**

*NONE PROVIDED*

**Post-Development (CFS)**

*NONE PROVIDED*

**Total Extreme Flood Control Criteria (Qf)**

**Pre-Development (CFS)**

*NONE PROVIDED*

**Post-Development (CFS)**

NONE PROVIDED

**37a. The need to meet the Qp and Qf criteria has been waived because:**

NONE PROVIDED

**38. Has a long term Operation and Maintenance Plan for the post-construction stormwater management practice(s) been developed?**

NONE PROVIDED

**If Yes, Identify the entity responsible for the long term Operation and Maintenance**

NONE PROVIDED

**39. Use this space to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). (See question #32a) This space can also be used for other pertinent project information.**

NONE PROVIDED

**Post-Construction SMP Identification**

**Runoff Reduction (RR) Techniques, Standard Stormwater Management Practices (SMPs) and Alternative SMPs**

Identify the Post-construction SMPs to be used by providing the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

**RR Techniques (Area Reduction)**

---

Round to the nearest tenth

**Total Contributing Acres for Conservation of Natural Area (RR-1)**

NONE PROVIDED

**Total Contributing Impervious Acres for Conservation of Natural Area (RR-1)**

NONE PROVIDED

**Total Contributing Acres for Sheetflow to Riparian Buffers/Filter Strips (RR-2)**

NONE PROVIDED

**Total Contributing Impervious Acres for Sheetflow to Riparian Buffers/Filter Strips (RR-2)**

NONE PROVIDED

**Total Contributing Acres for Tree Planting/Tree Pit (RR-3)**

NONE PROVIDED

**Total Contributing Impervious Acres for Tree Planting/Tree Pit (RR-3)**

NONE PROVIDED

**Total Contributing Acres for Disconnection of Rooftop Runoff (RR-4)**

NONE PROVIDED

**RR Techniques (Volume Reduction)**

---

**Total Contributing Impervious Acres for Disconnection of Rooftop Runoff (RR-4)**

NONE PROVIDED

**Total Contributing Impervious Acres for Vegetated Swale (RR-5)**

NONE PROVIDED

**Total Contributing Impervious Acres for Rain Garden (RR-6)**

NONE PROVIDED

**Total Contributing Impervious Acres for Stormwater Planter (RR-7)**

NONE PROVIDED

**Total Contributing Impervious Acres for Rain Barrel/Cistern (RR-8)**

NONE PROVIDED

**Total Contributing Impervious Acres for Porous Pavement (RR-9)**

NONE PROVIDED

**Total Contributing Impervious Acres for Green Roof (RR-10)**

NONE PROVIDED

**Standard SMPs with RRv Capacity**

---

**Total Contributing Impervious Acres for Infiltration Trench (I-1)**

NONE PROVIDED

**Total Contributing Impervious Acres for Infiltration Basin (I-2)**

NONE PROVIDED

**Total Contributing Impervious Acres for Dry Well (I-3)**

NONE PROVIDED

**Total Contributing Impervious Acres for Underground Infiltration System (I-4)**

NONE PROVIDED

**Total Contributing Impervious Acres for Bioretention (F-5)**

NONE PROVIDED

**Total Contributing Impervious Acres for Dry Swale (O-1)**

NONE PROVIDED

**Standard SMPs**

---

**Total Contributing Impervious Acres for Micropool Extended Detention (P-1)**

*NONE PROVIDED*

**Total Contributing Impervious Acres for Wet Pond (P-2)**

*NONE PROVIDED*

**Total Contributing Impervious Acres for Wet Extended Detention (P-3)**

*NONE PROVIDED*

**Total Contributing Impervious Acres for Multiple Pond System (P-4)**

*NONE PROVIDED*

**Total Contributing Impervious Acres for Pocket Pond (P-5)**

*NONE PROVIDED*

**Total Contributing Impervious Acres for Surface Sand Filter (F-1)**

*NONE PROVIDED*

**Total Contributing Impervious Acres for Underground Sand Filter (F-2)**

*NONE PROVIDED*

**Total Contributing Impervious Acres for Perimeter Sand Filter (F-3)**

*NONE PROVIDED*

**Total Contributing Impervious Acres for Organic Filter (F-4)**

*NONE PROVIDED*

**Total Contributing Impervious Acres for Shallow Wetland (W-1)**

*NONE PROVIDED*

**Total Contributing Impervious Acres for Extended Detention Wetland (W-2)**

*NONE PROVIDED*

**Total Contributing Impervious Acres for Pond/Wetland System (W-3)**

*NONE PROVIDED*

**Total Contributing Impervious Acres for Pocket Wetland (W-4)**

*NONE PROVIDED*

**Total Contributing Impervious Acres for Wet Swale (O-2)**

*NONE PROVIDED*

**Alternative SMPs (DO NOT INCLUDE PRACTICES BEING USED FOR PRETREATMENT ONLY)**

---

**Total Contributing Impervious Area for Hydrodynamic**

*NONE PROVIDED*

**Total Contributing Impervious Area for Wet Vault**

*NONE PROVIDED*

**Total Contributing Impervious Area for Media Filter**

NONE PROVIDED

**"Other" Alternative SMP?**

NONE PROVIDED

**Total Contributing Impervious Area for "Other"**

NONE PROVIDED

**Provide the name and manufacturer of the alternative SMPs (i.e. proprietary practice(s)) being used for WQv treatment.**

**Note: Redevelopment projects which do not use RR techniques, shall use questions 28, 29, 33 and 33a to provide SMPs used, total WQv required and total WQv provided for the project.**

**Manufacturer of Alternative SMP**

NONE PROVIDED

**Name of Alternative SMP**

NONE PROVIDED

**Other Permits**

**40. Identify other DEC permits, existing and new, that are required for this project/facility.**

NONE PROVIDED

**If SPDES Multi-Sector GP, then give permit ID**

NONE PROVIDED

**If Other, then identify**

NONE PROVIDED

**41. Does this project require a US Army Corps of Engineers Wetland Permit?**

NONE PROVIDED

**If "Yes," then indicate Size of Impact, in acres, to the nearest tenth**

NONE PROVIDED

**42. If this NOI is being submitted for the purpose of continuing or transferring coverage under a general permit for stormwater runoff from construction activities, please indicate the former SPDES number assigned.**

NONE PROVIDED

**MS4 SWPPP Acceptance**

**43. Is this project subject to the requirements of a regulated, traditional land use control MS4?**

NONE PROVIDED

**If No, skip question 44**

**44. Has the "MS4 SWPPP Acceptance" form been signed by the principal executive officer or ranking elected official and submitted along with this NOI?**

NONE PROVIDED

**MS4 SWPPP Acceptance Form Download**

Download form from the link below. Complete, sign, and upload.

[MS4 SWPPP Acceptance Form](#)

**MS4 Acceptance Form Upload**

NONE PROVIDED

**Comment**

NONE PROVIDED

**Owner/Operator Certification**

**Owner/Operator Certification Form Download**

Download the certification form by clicking the link below. Complete, sign, scan, and upload the form.

[Owner/Operator Certification Form \(PDF, 45KB\)](#)

**Upload Owner/Operator Certification Form**

NONE PROVIDED

**Comment**

NONE PROVIDED

**Status History**

---

	User	Processing Status
11/24/2025 1:47:08 PM	Ray Hamill	Draft

**Processing Steps**

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Step Name	Assigned To/Completed By	Date Completed
Form Submitted		
Under Review	Daniel von Schilgen	



Department of  
Environmental  
Conservation

## MS4 SWPPP Acceptance Form

for construction activities seeking authorization under the

### SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

#### I. Project Owner/Operator Information

1. Owner/Operator Name: 247 Route 100, LLC.

2. Contact Person:

3. Street Address: 247 Route 100

4. City/State/Zip: Somers, NY 10589

#### II. Project Site Information

5. Project/Site Name: 247 Route 100, LLC.

6. Street Address: 247 Route 100

7. City/State/Zip: Somers, NY 10589

#### III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information

8. SWPPP Reviewed by:

9. Title/Position:

10. Date Final SWPPP Reviewed and Accepted:

#### IV. Regulated MS4 Information

11. Name of MS4 Operator:

12. MS4 SPDES Permit Identification Number: NYR20A

13. Street Address:

14. City/State/Zip:

15. Telephone Number:

**MS4 SWPPP Acceptance Form - continued**

**V. Certification Statement - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative**

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in section II. of this form has been reviewed and meets the substantive requirements in the SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP).  
Note: The MS4 Operator, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 Operator does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name<sup>1</sup>:

Title/Position:

Signature:

Date:

**VI. Additional Information**

<sup>1</sup> Printed name of the principal executive officer or ranking elected official for the MS4 Operator or their duly authorized representative in accordance with CGP Part VII.J.2.

Vicky Gannon, *Chairman*  
Paul W. Ciavardini  
Jack Mattes  
Anthony Sutton  
Christopher Zaberto

PLANNING BOARD  
**Town of Somers**  
WESTCHESTER COUNTY, N.Y.

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



**DATE:** March 13, 2026  
**TO:** Planning Board  
**FROM:** Nicole Montesano  
Planning Board Secretary  
**RE:** **SITE WALK**  
**Saturday, March 21, 2026**  
**Weather Permitting**

---

A site walk has been scheduled for Saturday, March 21, 2026 at **9:00 AM** for the following project:

**ROCKLEDGE CENTER**  
**APPLICATION FOR AMENDED SITE PLAN APPROVAL**  
**247 ROUTE 100**  
**TM: 28.10-1-6.1**

**It is the applicant's responsibility to stake out all major improvements for the project and to provide clear access to the project area.**

\*Walkers to meet at the site.

Copy: Harrison Cook  
Matthew J. Gironda, P.E.

BUREAU OF FIRE PREVENTION

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

**Town of Somers**  
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE  
ANNEX  
337 ROUTE 202  
SOMERS, NY 10589

THOMAS J. TOOMA, JR.  
CHIEF



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FEB 10 2026

PLANNING & ENGINEERING  
TOWN OF SOMERS

**MEMO TO:** Planning Board

**FROM:** Bureau of Fire Prevention

**RE:** 247 Route 100

**DATE:** February 10, 2026

At our monthly meeting on January 21, 2026, a submission received for 247 Route 100 was reviewed and discussed. Currently there is a 10,000-gallon buried water tank on the property and the Bureau would like a 60,000-gallon buried water tank to be added as part of this project. In addition, the Bureau would like the applicant to address all aspects of compliance of the 2025 NYS Fire Code.

OPEN SPACE COMMITTEE

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

**Town of Somers**  
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE  
335 ROUTE 202  
SOMERS, NY 10589

**MICHAEL BARNHART**  
CHAIRMAN



**RECEIVED**

**FEB 09 2026**

**PLANNING & ENGINEERING**  
**TOWN OF SOMERS**

**MEMO TO:** Planning Board

**FROM:** Open Space Committee

**RE:** 247 Route 100

**DATE:** February 9, 2026

At our monthly meeting on February 5, 2026, the Committee reviewed and discussed an application received from the Planning Board for 247 Route 100. There were no comments.

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

T 800.426.4262  
T 914.448.2266  
F 914.448.0147

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## MEMORANDUM

FEB 05 2026



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

PLANNING & ENGINEERING  
TOWN OF SOMERS

### GENERAL

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

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

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

- Town of Somers Code, Chapter 93: Stormwater Management and Erosion and Sediment Control
- Town of Somers Code, Chapter 144: Site Plan Review
- New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016.
- New York State Department of Environmental Conservation's (NYSDEC's) Stormwater Management Design Manual (SMDM), dated July 2024.

### DOCUMENTS REVIEWED

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



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

#### **PERMITS AND APPROVALS REQUIRED**

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

#### **DISCUSSION**

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

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



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

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



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

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



January 13, 2026

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

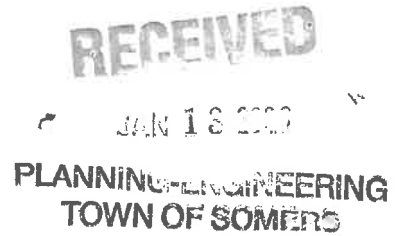
Rohit T. Aggarwala  
Commissioner

Paul V. Rush, P.E.  
Deputy Commissioner

465 Columbus Avenue  
Valhalla, NY 10595

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

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



Dear Mr. Smith and Members of the Planning Board:

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

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

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

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

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

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

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

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

Sincerely,

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

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

OPEN SPACE COMMITTEE

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

**Town of Somers**  
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE  
335 ROUTE 202  
SOMERS, NY 10589

MICHAEL BARNHART  
CHAIRMAN



RECEIVED

MAR 19 2026

PLANNING & ENGINEERING  
TOWN OF SOMERS

**MEMO TO:** Planning Board

**FROM:** Open Space Committee

**RE:** 2 Hageman Court

**DATE:** March 19, 2026

The Committee reviewed and discussed the submission, received from the Planning Board, for 2 Hageman Court at our meeting on March 12, 2026.

The property is in an R-80 Zone and is 2.25 acres, much of which is steep slopes and a major wetland. By Somers zoning codes, 75% of steep slope and wetland areas must be subtracted from the calculation of required buildable lot area. The Committee is concerned that the property may not meet these requirements for buildable area and recommends checking compliance given that we do not see it addressed in the submitted site plans.

In addition, the Committee would like to see a more detailed list of the trees to be removed, providing species information together with dbh, and would also appreciate a planting schedule primarily composed of native plants as recommended by the NYSDEC and available on their website.

March 8, 2026

RECEIVED

Ms. Vicky Gannon, Planning Board Chair  
Town of Somers Planning & Engineering Department  
335 US-202  
Somers, New York 10589

MAR - 9 2026

PLANNING & ENGINEERING  
TOWN OF SOMERS

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

**Responses to Comments Outlined in the Memorandum prepared by Mr. Steve Robbins of Woodard & Curran, dated March 3, 2026:**

Dear Ms. Gannon:

In response to comments outlined in the memorandum prepared by Mr. Steve Robbins of Woodard & Curran, dated March 3, 2026, please find the attached updated drawings and documents:

To assist in your review of the revised drawings and documents, we are pleased to provide the following, which restates the items from the above-mentioned memorandum, followed by our responses.

Item #20a:

*Partially Addressed. The Applicant demonstrates a setback of more than 100' for the septic system, but the plans show the infiltration system is still slightly within 100' of the proposed well. Please update the plans accordingly.*

Response No. 20a

The proposed well location has been updated to provide all the proper setbacks.

Item #24:

*The SWPPP narrative and HydroCAD report different proposed total and new impervious areas. The Applicant shall clarify these values for consistency.*

Response No. 24

The impervious numbers in the SWPPP have been updated to match those in the HydroCAD model.

Item #25:

*The Applicant claims vegetated swales will be used as a permanent control measures in the SWPPP. Please provide a callout and detail of the proposed swale on the plan set.*

Response No. 25

All references to vegetated swales have been removed from the SWPPP.

Item #26:

*I-2 (infiltration basin) is listed as a permanent control measure instead of I-4 (underground infiltration system) in the SWPPP narrative. The Applicant shall revise the narrative with the proposed infiltration practice.*

Response No. 26

The text on page 36 of the SWPPP has been updated to detail the I-4 instead of the I-2 practice.

Item #27:

*The Applicant provided existing drainage area (EDA) and proposed drainage area (PDA) plans as part of the SWPPP. The drainage area boundaries shall be clearly defined within the EDA and PDA, please update the plans accordingly.*

Response No. 27

Labels have been added to the drainage boundaries and are now colored green to show clearly.

We trust that the above, along with the enclosed documents and drawings, sufficiently address the comments detailed above. In the meantime, should you have any questions or require additional information regarding the information provided above, please do not hesitate to contact our office at 914-907-4692.

Sincerely,

*Rick Bohlander*

Rick Bohlander, PE  
Project Engineer

[https://d.docs.live.net/72152fe43f8870c4/Desktop/hard drive/RB/Personal/BH-PE/2 Hageman Court^\] Somers - Part 2/ltRobbins 03-08-2026.docx](https://d.docs.live.net/72152fe43f8870c4/Desktop/hard%20drive/RB/Personal/BH-PE/2%20Hageman%20Court/Somers%20-%20Part%202/Robbins%2003-08-2026.docx)

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5 **DRAFT**  
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10 Meeting Date: April 8, 2026  
11  
12

13 **PLANNING BOARD**  
14 **TOWN OF SOMERS, WESTCHESTER COUNTY, NEW YORK**

15 **\*\*\*\*THIS IS NOT A PERMIT\*\*\*\***

16 **Resolution No. 2026-\_\_\_\_\_**

17 **Granting Conditional Approval for**  
18 **Steep Slope Protection Permit,**  
19 **Stormwater Management and Erosion and Sediment Control Permit and**  
20 **Tree Preservation Permit to**

21 **Leo Gray**

22 **2 Hageman Court**

23 **TM: 48.09-1-14**  
24

25 **WHEREAS**, the proposed residence and design layout were originally approved in 2024;  
26 however, the property has since been sold and the new owner was directed to resubmit  
27 the updated plans for approval due to the extent of the changes; and  
28

29 **WHEREAS**, an application for a Steep Slope Protection Permit was submitted under the  
30 provisions of Chapter 148 "Steep Slopes Protection Ordinance" by Leo Gray received on  
31 February 4, 2026 for the construction of a single-family house and associated  
32 improvements; and  
33

34 **WHEREAS**, an application for a Stormwater Management and Erosion and Sediment  
35 Control Permit was submitted under the provisions of Chapter 93 "Stormwater  
36 Management and Erosion and Sediment Control" by Leo Gray received on February 4,  
37 2026 for the construction of a single-family house and associated improvements; and  
38

39 **WHEREAS**, an application for a Tree Preservation Permit was submitted under the  
40 provisions of Chapter 156 "Tree Preservation" by Leo Gray received on February 4, 2026  
41 for the construction of a single-family house and associated improvements; and  
42

Leo Gray  
Steep Slope, SMESC & Tree Permit  
TM: 48.09-1-14

43 **WHEREAS**, the site is located at 2 Hageman Court, identified on the Town Tax Maps  
44 as Sheet 48.09 Block 1, Lots 14 and is located within the R-80 Zoning District, as defined by  
45 the Town of Somers "Zoning Ordinance", consists of 2.25 acres and the proposed  
46 development of this site will cause less than one (1) acre of disturbance; and

47 **WHEREAS**, the project site is located within the East of Hudson watershed; and

48 **WHEREAS**, the Applicant submitted a plan entitled "Site Cover Sheet", "Existing Conditions  
49 Map", "Site Layout & Landscaping Plan", Site Grading, Utilities and Sediment & Erosion  
50 Control Plan" and "Site Detail Sheets" prepared by Frederick Bohlander, P.E. dated January  
51 23, 2026, last revised March 8, 2026; "Stormwater Pollution Prevention Plan" prepared by  
52 Frederick Bohlander, P.E., dated January 23, 2026, last revised March 8, 2026;  
53 Applications for Environmental Permits Chapter 148 "Steep Slope Protection", Chapter 93  
54 "Stormwater Management and Erosion and Sediment Control" and Chapter 156 "Tree  
55 Preservation"; an Applicant Acknowledgement form dated February 4, 2026; Chapter 67  
56 "Application Processing Restrictive Law" Certification; and

57 **WHEREAS**, the application was referred to the Open Space Committee on February 5,  
58 2026, February 27, 2026 and March 9, 2026; and

59 **WHEREAS**, the Open Space Committee (OSC) noted that by Somers Zoning codes, 75%  
60 of steep slope and wetland areas must be subtracted from the calculation of required  
61 buildable lot area and the Committee is concerned that the property may not meet these  
62 requires for buildable area and recommends checking compliance. In addition, the  
63 Committee would like to see a more detailed list of the trees to be removed, providing  
64 species information together with DBH, and would also appreciate a planting schedule  
65 primarily composed of native plans as recommended by the NYSDEC. These comments  
66 are enumerated in the OSC memorandum dated March 19, 2026; and

67 **WHEREAS**, during the course of project review, the Consulting Town Engineer offered  
68 technical review comments for consideration by the Planning Board, as enumerated in  
69 memorandum dated February 24, 2026, March 3, 2026 and March 10, 2026; and

70 **WHEREAS**, the Planning Board has reviewed the application and the material submitted  
71 by the applicant and the memoranda of the Consulting Town Engineer and Open Space  
72 Committee; and

73 **WHEREAS**, the Planning Board discussed the application at the February 11, 2026, March  
74 11, 2026 and April 8, 2026 meetings; and

75 **WHEREAS**, at the February 11, 2026 Planning Board Meeting, a motion was made to  
76 waive the Public Hearing, and all members were in favor; and

77 **WHEREAS**, at the February 11, 2026 Planning Board Meeting, a motion was made to  
78 waive the Site Walk, and all members were in favor; and

79 **NOW, THEREFORE BE IT RESOLVED**, that based on the review of the submission, the  
80 Planning Board hereby determines that the proposed activity is a Type II Action under  
81 Somers and New York State Environmental Quality Review Act (SEQRA) and, therefore, no  
82 further SEQRA review is necessary.

83 **BE IT FURTHER RESOLVED**, that the application of Leo Gray is hereby approved by the  
84 Planning Board for the activity proposed and described above, and the Steep Slope Protection  
85 Permit, Stormwater Management and Erosion and Sediment Control Permit and Tree  
86 Preservation Permit will be issued; and

87 **BE IT FURTHER RESOLVED**, that the Planning Board approve the issuance of the Steep  
88 Slope Protection Permit, Stormwater Management and Erosion and Sediment Control  
89 Permit and Tree Preservation Permit after demonstration of compliance with the  
90 following conditions:  
91

- 92 1. That a Steep Slope application fee in the amount of \$225 be posted  
93 by separate check payable to the Town of Somers.
- 94 2. That an Erosion Control Bond in the amount of \$500.00 be posted  
95 by separate check payable to the Town of Somers.
- 96 3. The Applicant shall reimburse the Town for any outstanding review  
97 and escrow fees, as applicable, consistent with Town Code as well  
98 as State and Local Environmental Quality Review laws.

99 This conditional authorization for issuance of the Steep Slope Protection Permit, Stormwater  
100 Management and Erosion and Sediment Control Permit and Tree Preservation Permit shall  
101 expire if compliance with the conditions noted above are not demonstrated prior to January 8,  
102 2027, unless an extension of such time period is requested of and granted by the Engineering  
103 Department/Consulting Town Engineer.

104 **BE IT FURTHER RESOLVED**, that upon compliance with the above, the Steep Slope  
105 Protection Permit, Stormwater Management and Erosion and Sediment Control Permit and  
106 Tree Preservation Permit shall be issued with the following conditions:

- 107 1. This permit is not valid until a building permit is issued by the Building  
108 Department.  
109

- 110 2. The Engineering Department shall be notified (914) 277-5366 prior to  
111 the beginning of any work on the site and upon completion of the  
112 approved site work. Erosion Control Must be installed prior to soil  
113 disturbance.
- 114 3. Silt fence or other DEC approved erosion control measures are to be  
115 installed on the downslope edge of any disturbed areas and/or as  
116 shown on the approved drawing. This barrier to sediments is to be  
117 put in place before any disturbance of the ground occurs and is to be  
118 maintained in a functional condition until all disturbed land is heavily  
119 vegetated.
- 120 4. The applicant shall provide construction fencing around the extents of  
121 the infiltration system and the SSTS areas.
- 122 5. Work shall be undertaken consistent with Town of Somers  
123 regulations to the satisfaction of the Engineering Department.
- 124 6. That field changes, if required, are approved by the Engineering  
125 Department prior to implementation.
- 126 7. An As-Built Foundation Survey shall be provided as per Town Code  
127 §74-28.

128 **RESOLVED**, that the Steep Slope Protection Permit, Stormwater Management and  
129 Erosion and Sediment Control Permit and Tree Preservation Permit be valid for a period  
130 of one year from the date of the issuance of the permit.

131 This resolution shall have an effective date of April 8, 2026.  
132  
133  
134  
135

136 \_\_\_\_\_ Dated: \_\_\_\_\_  
137 Vicky Gannon  
138 Planning Board Chairman