

PLANNING BOARD

Town of Somers

WESTCHESTER COUNTY, N.Y.



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SOMERS PLANNING BOARD MINUTES

March 11, 2026

7:30PM

ROLL

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

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

MEETING COMMENCEMENT

The meeting commenced at 7:30 p.m.

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

Chair Vicky Gannon stated before we call the roll, she just wanted to thank Bruce Prince for his years of service to the Planning Board as he had resigned. He was on the Planning Board for little over nine years and she wanted to thank him and wish him well.

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

Chair Gannon stated it is long standing policy at the Town of Somers Planning Board that it does not allow public comments on matters that are not before the Board for Public Hearing. Members of the public are welcome to submit written comments to the Board, which are reviewed by the Board in advance of the meeting. For matters that require a Public Hearing, we ask that those choosing to comment come up to the podium to clearly state your name and address for the record, as this Public Hearing is being transcribed. Please try to keep your comments to three minutes so as to provide an opportunity for all members of the public wishing to comment an opportunity to do so. Please do not repeat comments or issues as they are being duly noted for the record. She recognizes that sometimes when a matter is close to your heart and you are really focused on it,

that you may not track everything that is said at the podium, so you might miss that someone has already spoken on it, but we do ask everybody to try their best to comply with the repeating issues.

TIME EXTENSION REQUEST

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

TM: 27.05-3-2&5

For the record Chair Vicky Gannon stated this is a request for the 35th 90-day time extension for Granite Pointe Subdivision, Re-Grant of the Final Subdivision Approval, Wetland, Steep Slopes, Tree Preservation and Stormwater Management and Erosion and Sediment Control Permits, as per Resolution 2017-10, from April 5, 2026 up to and including July 4, 2026 as per Town Law Section 276 (7) (c) and Town Code Section 150-13M. The property is located on the east side of Route 118/202, adjacent to the Amawalk Reservoir and is located in an R-40 Zoning District for the development of 23 lots in a Cluster Subdivision.

Mr. Timothy S. Allen, P.E., with Bibbo Associates Engineering, P.C., who was representing the Applicant came to the podium and introduced himself. He indicated they finally have had access to the property and were able to do some preliminary test holes to see what the New York State Department of Environmental Conservation (DEC) had brought back onto the site. And then, unfortunately, we had snow right after that, so we are delayed in furthering with the agencies. He noted that now the snow is melted, they will continue on their journey involving the agencies and moving forward. Chair Gannon then asked Consulting Town Engineer, Mr. Steve Robbins if in his experience in dealing with the agencies that the Applicant has to deal with, if it sounds reasonable that the snow would have presented such an obstacle. Mr. Robbins responded that he thought the snow presented an obstacle to all of us going about our daily lives in the past month, and we are happy to see it melted, and he now expects that the property is also difficult to traverse until that dries out a little bit. So, yes, he thought this a reasonable and expected sequence of operations during winter and early spring site investigations. Chair Gannon then asked Mr. Robbins, looking forward to the next time that we will see the Applicant, what are some of the things that you would expect the Applicant should have made progress on by then. Mr. Robbins responded, weather permitting, he would expect that the Applicant would have completed the supplemental site investigations that they need, and that they would be able to provide the Board with an update on the timing of their subsequent submittals to this Board and to the other agencies. He added that he would not expect those to necessarily be ready by the next time that they are before this Board. Chair Gannon thanked Mr. Robbins and then asked the Applicant if this sounded reasonable. Planning Board Attorney, Mr. Michael Towey asked Mr. Allen if they submitted the Jurisdictional Determination (JD) to the New York City Department of Environmental Conservation (DEC) as he thought that was one of the outstanding conditions. Mr. Allen inquired as to what it was. Mr. Towey responded jurisdictional determination for the site. Mr. Towey added that he thought that was one of the outstanding conditions – he thought there were five conditions left. Mr. Allen asked if it was regarding wetlands. Mr. Towey responded, yes, whatever, he knew

they probably determined that when they were doing the remediation. Mr. Allen responded that he would have to look back at the resolution to know what to focus on. Mr. Towey responded, no, he understands, he just recalled that being one of the outstanding conditions. Mr. Allen responded that he certainly had not submitted. Mr. Towey thanked Mr. Allen. Chair Gannon asked if there were any comments and/or questions from the Board. There were none. She then made a motion to approve the request for the 35th 90-day time extension for Granite Pointe Subdivision, Re-Grant of the Final Subdivision Approval, Wetland, Steep Slopes, Tree Preservation and Stormwater Management and Erosion and Sediment Control Permits, as per Resolution 2017-10, from April 5, 2026 up to and including July 4, 2026. Mr. Anthony Sutton seconded. All in favor. Motion passes.

PUBLIC HEARING

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

For the record Chair Vicky Gannon stated 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.

Chair Gannon asked the Applicant to come forward to present. Mr. Jared Boniello from Boniello Development came to the podium and introduced himself. He stated the North Edge Realty Townhouse Project is in front of the Planning Board now. It is a 73-unit townhouse subdivision standing on 15 acres. It has access to both Mahopac Avenue and Route 6. Traffic patterns have been restricted at certain entrances to minimize traffic impact at certain times of the day to certain directions. He noted that they have been over this with the Board a few times and a lot of the information is out there. He added that he was not going to go into the full details of the project. There were some changes made since the last meeting. Sidewalk access to Route 6 for the pedestrians-they took it into their site and brought it in front of the Recreation (Rec) building as they felt that would be the optimal place to pick up pedestrians- get them off of jumping onto the sidewalk too close to Route 6. He concluded and stated that outside of that they are here to hear the feedback on the project. Chair Gannon responded that she wanted to make note that we did receive some correspondence since you were last here. Today, they received a letter from the Attorney General's Office of New York State and that is about the Watershed Inspector General (WIG) learning that the Planning Board had scheduled a Public Hearing for this evening and they wrote to request that the record for decision making be held open to allow sufficient time for consideration of the forthcoming comments. She then asked the Applicant if he received a copy of this. Mr. Boniello responded that they did. Chair Gannon stated that she wanted to make note that the Board also received, on March 3, 2026 a brief memo from the Bureau of Fire Prevention as

well as Consulting Town Engineer, Mr. Steve Robbins' comment memo. She then asked Mr. Robbins if he had any comments. Mr. Robbins responded that the one other item that he believed came in for the Applicant, that the Town was copied on, was a comment letter from New York City Department of Environmental Protection (DEP) regarding review of the Stormwater Pollution Prevention Plan Application that the Applicant submitted to DEP. That was one of the items that we noted in our comment letter. They issue that permit, not the Town, so we just wanted to have the benefit of the Applicant's responses to that letter as part of their review. The Applicant has addressed most of their other comments, other than some additional detail that we're looking for to confirm capacity of water and sewer systems, and just to document that for the record. Chair Gannon then asked Consulting Town Planner, Mr. David Smith if he had any comments. Mr. Smith responded he had no specific comments, but wanted to note that Mr. Phil Grealy was there, who is the Applicant's traffic consultant and at some point, during the presentation, the Applicant may want to have Mr. Grealy review for you and for the public the traffic conditions and how the Applicant has addressed those as part of the environmental review, as part of the Site Plan review. Chair Gannon responded that she thought it would be beneficial if that happened before we open the Public Hearing, so we can get as much information on the table as possible before we do that. In addition, she noted that she had her own list of questions that she wanted to ask as well. Mr. Philip Grealy, P.E., from Colliers Engineering & Design, came to the podium and introduced himself. He stated that they prepared the traffic studies for the project. The original studies date back to 2023 and they went through several revisions and responses to comments from your Town's traffic consultant as part of the review with the Town Board. So, the updates were in December of 2024 and most recently March of 2025. He stated that basically, and he will go through the details of the study, but the additional information that was requested as part of the review included crash and accident data as well as some clarifications on other developments that were considered as part of the study. They had to update it to include the Trailside project and a few others and information on sight distances and several of the technical details. He noted they finished that review process with them, he believed last March, or they culminated everything in September. The traffic study included existing traffic conditions. Early on in the process they had initial discussions with New York State Department of Transportation (NYS-DOT). They requested that the access to Route 6 be restricted to right turn entry and right turn exit. They did not want another full movement access in that vicinity. So the project was designed accordingly. Chair Gannon then asked at what point in time does that become effective. Because her concern was what will happen during construction – will that prohibition on left hand turn start effectively now so the construction vehicles would not be making left hand turns. Mr. Grealy responded under the NYS-DOT permit process, they will get a temporary construction access. So, there is an existing driveway into the property, they may allow that for limited conditions during construction, but the majority of it will require access to Mahopac Avenue through the traffic signals. Chair Gannon responded so during construction, the majority of traffic during the four construction phases will be taking place going up what's called Road C to Mahopac Avenue. It will not be entering directly on to Route 6. Mr. Grealy responded any traffic that would be coming from the west on Route 6 would come through the traffic signal. Anyone coming from the east would be able to make a right turn in. So, as part of the conditions of the NYS-DOT permit the right turn in/right turn out is part of the final plan. Once they get their temporary construction access, they may put restrictions on movements even sooner in terms of no left turns in. He added

if that is something the Board wants them to pursue, they can add that to their discussions with NYS-DOT. Chair Gannon stated as well as turning in, there will be also be slow moving construction vehicles exiting. Mr. Grealy responded the NYS-DOT wanted anyone turning left to come out at the traffic signal. So, if that's something the Board would like them to pursue early, they can include that in the permit discussions. Chair Gannon responded duly noted and apologized for interrupting Mr. Grealy's flow. Mr. Grealy responded that was perfectly fine. He indicated that in terms of the traffic study, there are standards that they have to follow which NYS-DOT outlines. Number one is to establish existing traffic volumes. So they do their own traffic counts. They have data from NYS-DOT that they continue to monitor and update information on their roadways. They also include background traffic growth- they do not just say, okay, here is what it is now, here's our traffic. They include background traffic growth based on NYS-DOT growth rates, what they've seen historically and what they see going forward. Their project did a projection out five years into the future, and then included traffic for other developments that were under construction in the area. As part of the review by Hardesty & Hanover, your Town's consultant, we then added in Trailside because that was not part of our original evaluation. Traffic projections were included for that project also as it relates to the intersections that we studied. In addition, the trip estimates for this project are based on what's called the Institute of Transportation Engineers, which tells you the number of trips that would be generated by this type of use. These are townhouses which have slightly different trip generation than a single-family detached unit. In their study, they did a conservative analysis, because it was based on the trip generation for the single family detached to have a higher estimate of trips, just to make sure they were not going to have impacts that they could not mitigate. So that's outlined in the study. The analysis procedures that are used to evaluate intersections, such as the signal at Route 6 and Mahopac Avenue are all part of what's called the Highway Capacity Manual. Again, these are all prescribed by NYS-DOT, so the analysis is done for existing conditions, future conditions without the project, and then conditions with the project based on the added trips. For a project of this size, as he said, the townhouse category typically generates about .6 trips per dwelling unit during a one-hour period- that is the standard. In terms of our evaluation, we use the single-family detached which generates just over 1 trip per dwelling unit per hour during the peak time periods. Those are the standards. In terms of the evaluation, the conditions along Route 6, as you know, during commuter hours traffic does back up. That is one of the reasons why NYS-DOT wanted the driveway to be a right turn in /right turn out. They did not want turning movements to interfere with the through traffic, especially headed eastbound. In terms of the evaluation, it showed that with the distribution of the trips from the project that there would be some signal timing adjustments at the signal at Route 6 and Mahopac Avenue. Those are being coordinated with NYS-DOT as part of their permit. They are building sidewalks along the site frontage up to the corner, and that's all part of the permit review with NYS-DOT. Some of the other review comments that they responded to, as he mentioned before, crash data to evaluate if there were things that would be needed, such as additional signing or other measures that would be in place. Nothing particular came up from that. Mr. Grealy then stated that as the Board may know, the last review they had with Hardesty & Hanover indicated they were satisfied with the trip projections, both before and with and without their project. They were consistent with the results that they had in the report, and everything else that was submitted in terms of sight distances, etc., was acceptable to them. Chair Gannon said to put it in human terms, if she lived in that neighborhood what would she expect to experience. So

she is not in the actual development but lived north of that development, and was driving down Mahopac Avenue and commuting south – what is she going to experience on her morning trip out during rush hour and her evening rush home Monday to Friday. Mr. Grealy responded, in terms of the trip generation and the distribution, a high percentage of those trips are heading west on Route 6 towards the Taconic State Parkway, in that direction. The distributions are some going south on Mahopac Avenue. Mr. Grealy stated their original study was done for 77 dwelling units. The project is now reduced to 73 so if you look at it, at the higher traffic generation estimates he referred to, you're talking about somewhere between 60 and 70 trips per hour-approximately 1 trip per minute, and that's total entering and exiting the project. Of course, in the morning, most of the trips are outbound, and in the evening, most of the trips are inbound to the project. So you are talking about approximately one trip per minute. Of those roughly 50% to 55% are projected to go right turn out onto Route 6, headed westbound. So if you take half of that you are at approximately 30 to 35 trips that would use the Mahopac Avenue access. So roughly about one trip for every two minutes. Chair Gannon stated again, to put this in human terms, you do not know who is going to live there. She then asked how can you estimate the calculation toward southbound, what do you estimate and what can you estimate of northbound traffic people who would go up what we're calling Street C - not the right turn toward the light, but the left turn. How many people will be turning left. Mr. Grealy responded the split is, and again, you base it on current patterns, so you see what current traffic is doing. There is about 25% projected to turn left. Chair Gannon responded 25% of the 30 or 35. Mr. Grealy responded correct. Consulting Town Engineer, Mr. Steve Robbins stated 25% of the total trip generation would be turning left. Mr. Grealy qualified and stated 25% of the total project. Mr. Robbins stated just making sure, so 50% of what's going out on to Mahopac Avenue. Mr. Grealy responded yes. Mr. Christopher Zaberto asked if it is fair to say a trip is one car. Mr. Grealy responded yes, a vehicle trip and those are the standards that they have to use. It is what the DOT uses. As he said, their analysis based it on the higher trip rates, which is considered a standalone single family, as opposed to a townhouse, which generally will generate less per hour. Mr. Zaberto responded so your report was based on the higher. Mr. Grealy responded correct. Chair Gannon then stated so a conservative read of the situation. Mr. Zaberto then stated so we could see less than one car per minute during rush hour. Mr. Grealy responded yes, typically that is what they have seen in other similar projects after they are built. Chair Gannon then asked if she could ask a slightly different question - still related to traffic and movement, but it is more anchored back into something on the plans. She asked if they could turn to LP1. Her question was regarding where the exit from the property is on to Route 6. One of her questions/concerns is having visitor parking in front of the Rec building. She was just wondering if people are coming and they are sort of decelerating and coming in, if you have somebody backing out, she wondered about the wisdom of having that there, and she also was not sure what proposed detectable warning meant. She then asked if Mr. Grealy could take her through that and noted that there are handicapped spaces as well as 10 other spaces right at the entrance. Mr. Grealy pointed them out on the plan. Chair Gannon stated, yes, those spaces and noted that she was concerned about people backing out as people are entering or exiting the property there. She added that she was questioning the wisdom of having those spots there. Mr. Grealy responded the minimum setback off of the right of way is 50 feet, and that's about where those spaces start. So, you have a total distance for someone turning right turn in there at about 60 feet or three or four car lengths in. As they fine tune the plan, those spaces could be pushed back to provide additional

stacking distance. But the width of the road at that point is wide enough, if someone is turning left into the space, that a vehicle could get past them. But again, those are the types of comments that they like as they fine tune the plan. Chair Gannon responded because in back of that, also of the parking on the other side, is the sidewalk. She also wanted to ask why the sidewalk ends at the moment that it does. Mr. Grealy responded that he believed it was being extended. Mr. Timothy S. Allen, P.E. from with Bibbo Associates Engineering, P.C., stated he did not believe there was really a rhyme or reason. They were thinking that it would just make the turn to the property. It could be extended a little further towards the Rec building. With regard to the parking at the Rec building, a valid point. We could be able to push it a little bit further, but the Rec building probably is not going to be used during peak hours-particularly in the morning, probably no one will be parked there. Chair Gannon responded that she thought it was also visitor parking. She thought the last time here, the Applicant emphasized the need for the visitor parking. Mr. Allen responded right. Chair Gannon stated it is placed in front of the Rec building. But, were there not a Rec building there, she would say it was visitor parking. So she thought it's parking there to be used by people at the site, whether they are at the Rec building or whether it is going to be used as visitor parking- no matter what they're parking spaces of a nature that are designed to be used by people. Mr. Allen responded agreed, but there's additional visitor parking directly across from those units. Chair Gannon then stated that Mr. Anthony Sutton makes a point that you also have Street B coming out into that area. She then asked what proposed detectable warning means. Mr. Grealy responded that is for ADA compliance. Chair Gannon responded okay it is for bumps, the texture. Mr. Grealy stated in terms of Road B, that location again was positioned away from the entrance to give stacking distance. Typically, we would control that so that people would have to stop when they're exiting. So if someone was inbound, that traffic would have to stop for a gap to make that left out. But he thought that sidewalk could be extended and he thought the plan was actually to extend it further into the site. Originally, it stopped right as you came in off of Route 6. Chair Gannon responded right now it's stopping in front of the handicapped parking spots and then asked Mr. Grealy if he found that to be sufficient where it is extended to, in front of that recreation area. Mr. Grealy responded yes, that would be the location to get pedestrians in off of Route 6. Again, on a lot of these developments, you wouldn't have sidewalks throughout, but again, he thought getting them far enough in off of Route 6 so that they are not where the traffic movements are, is a good situation, at least, much better than the original plan that he had seen. Mr. Sutton asked how does that transition into the curb there. Mr. Boniello stated that all he wanted to point out about the sidewalk was that they contemplated bringing it to the intersection of Road B, trying not to complicate that intersection because of what they went over the other week about the width of the roads and the walking on the roads. They felt the best place to gain access to that sidewalk would be where a crosswalk lends itself to get from the sidewalk straight into the entrance of the Rec building. That's why they brought it to that point. There'll be a curb drop there and an ADA bump strip. If they find that the sidewalk should extend further to the intersection of Road B, they are not opposed to that. It was just a matter of trying to simplify access points, and they thought it was the safest point. Chair Gannon responded okay, and asked the Applicant why he doesn't add a crosswalk to the plan. Mr. Boniello responded absolutely, he thought that was the detectable warning surface. But he thought a striped crosswalk was in the plans there and he could talk to the engineers about putting something to get them across to the Rec building there. He thought a striped crosswalk made a lot of sense. It may have not just made it to the plans at that point. Chair

Gannon stated that while she had the traffic engineer here, she had another question. She recognizes that it is a blended site. There is another property owner - the church, and there is North Edge. When she was looking at the flow of traffic on the plan, there were two entrances to the property. There's an entrance that is the Street C, which will be North Edge, but there is the church entrance. So people can come off Mahopac Avenue and they could turn, and the traffic arrow show that you could come in and make a right-hand turn, but there's no stop sign before you enter Street C. She then asked if there would be a necessity for any internal traffic management signs - because you have a Street C that she thinks is contemplated as being pretty much in and out, but they will have the people from the church parking lot that can come in. Mr. Grealy responded yes. Chair Gannon asked if there is any need to slow them down with a sign. Mr. Grealy responded they could sign that with stop signs, but typically for the volumes that we are talking about, you would allow it to be free flow. But that is something that could be added. Chair Gannon responded okay and she asked because he is the traffic consultant and wanted to know whether it's the appropriate thing to do. Mr. Grealy stated he will work with Mr. Allen to fine tune the plans in terms of traffic control. He noted that typically, they deal with the external roadways, then when they get down to a kind of a finished Site Plan layout, they review the signing and the striping with them and add those signs. Chair Gannon responded, also on the Site Walk, the parking lot that is closest to the sort of playground there were two portable basketball hoops there and she thought this area of the parking lot was also being used for some recreational purposes. Her concern was regarding kids playing basketball- the ball goes astray and it heads over towards Street C, someone runs to get it. She then asked Mr. Grealy if he had any thoughts about that. Mr. Grealy responded, once we have the final plan, we will review that. But typical measures would be to do some fencing or some treatment so that there is a separation of the roadway from the play area. Chair Gannon responded that currently it is just a curb. Chair Gannon then indicated she had a question that kind of bridges traffic and lighting. She recalled that at the last meeting, she had asked that the lighting plan be updated to reflect the lighting that exists already on Street C in addition to any supplemental lighting that the Applicant will be adding to Street C, but she did not see any additional lighting information and asked what is she to understand from that. Mr. Boniello responded the location where the crosswalk is coming off of the church's property there have been floodlight type light fixtures there at one time or another. He noted that he has spoken to Lisa, who is the manager and owner of that property over there, and recommended updating that light and putting in some sort of motion detection, so that there would be lighting at the crosswalk, in the case there might be children or patrons utilizing that field across from the church. As far as the rest of the road, as they looked into it more, lighting beyond that point, an unlit rural road that is dumping on to Mahopac Avenue- they did not think the need for street lighting becomes something that they want to look into until you get into the site. So the floodlight was something he was going to update on the lighting plan. He indicated that he did not have the conversation with the Yorktown Assembly of God until after the submission point, but they will add that, and discuss that further at the next meeting if that is sufficient. Chair Gannon then asked if there are any street lights anywhere in the parking lot that are existing now. Mr. Boniello responded one light in the parking lot. Chair Gannon then asked Mr. Grealy how he felt about having Street C come in with no lighting. Mr. Grealy responded that he thought in the area where there would be potential pedestrian crossing, that should be lit. It could be motion activated. The area around there doesn't have a lot of street lighting. Other than where the pedestrians might be crossing, he did not see a

need for it. It's a typical rural road, and people driving with their headlights would have full visibility. Chair Gannon asked if Mr. Grealy would find a motion detector light to be sufficient. Mr. Grealy responded it would be reasonable you will not have that constant light. Mr. Zaberto stated that he thought we are trying to shy away from turning this into like a little city and so he tends to agree that on a small, low volume rural road where, if it is nighttime, vehicles have headlights, and unless you intend there to be pedestrian traffic, like closer to the sidewalks or near Route 6 a motion light would probably be sufficient. Chair Gannon responded that she thought having the traffic consultant here is a good chance to pick his brain on various things that have a synergy and a cross with traffic and lighting or just traffic. Mr. Sutton stated he thought it might also be important to find out how many night activities take place in that field. If the tent is there that we saw last year on our Site Walk, if there's evening activities there, then there's bound to be people crossing that road and in large numbers to get back to their cars. He noted that it looked like that was an activity that was pretty frequent. Mr. Grealy stated they would look into that further. Mr. Boniello stated one of the owners and the people that run the Yorktown Assembly of God is with us tonight, she said that she is okay with speaking to the use of the field and one or two other things that the Board may have for her. Ms. Lisa Wayne, Executive Pastor at the Yorktown Assembly of God came to the podium and introduced herself. She stated she can just ease some minds about the field. She noted that they typically, very rarely use it at night, because the field is not lit, so there's not much activity they can do out there without lighting. The field is typically not used often. It is usually used on a Sunday, if they are having a picnic after church, which is maybe three times a year. They also, at times, will have a planned kid's activity in the field, but with that comes their own volunteers of parking attendants and safety, because they do have the church exit that has to be crossed. This is already a concern they have lived with, with children running around in the playground, at the basketball hoop, because there is traffic flowing. As you know, not everybody leaves a picnic at the same time. So there are those concerns that we've lived with as long as we've had that field. But as far as at night goes, we would be comfortable with just a motion light, because it would not be often. Really, the only time anybody would be walking that way at night would be because one of our staff members lives in a home on that side. So it would just literally be a staff member walking to and from the property at night. Otherwise the field is not used at night. Chair Gannon responded to Ms. Wayne and stated that she had expressed existing concerns and asked if there was some change that she would like to see made that would mitigate, alleviate or cure these concerns. Ms. Wayne responded, for us, for example, the basketball hoops, they're not really used much anymore. We used to have a school all the way through 12th grade, and those were used more at that time. Now the school is just through second grade on our property, so those basketball hoops are not used often, and when it comes to that, we could just move them to the other side of our property, in a safer corner. So that's not a concern. Again, this is the property we've lived with, with having a full-fledged school with that exit there and people coming and going throughout the day. So it's just something we've always worked through on our end. Chair Gannon asked if other than moving the hoops, from her experience of the property if she had any other concerns. Ms. Wayne responded that any concerns they have had have already been shared with the Boniello's and they have been wonderful to work with the church. Their concern was the playground, and we are totally comfortable with what the Boniello's expressed to us of how that is being handled. They don't have any concerns. As you were talking about the traffic flow for our property. Our property is used to them entering that

first road and coming out the other road. So our people are used to it being like a one-way horseshoe around our property. The road that's coming in doesn't affect how we already operate. Chair Gannon responded it would on the exit, if I was coming off Mahopac Avenue and I was coming to the church, I would make the first turn in, and then when I would leave, I would leave out on Route C. Ms. Wayne responded that they discussed that they would keep the traffic flow- that our church people don't enter through their road. Our church will just enter through that road and exit through Road C. They're going to come out that way, and then either make their right or their left. Mr. Zaberto asked Mr. Grealy if their traffic study took into account the church volume. Mr. Grealy responded, yes at the time of their traffic studies, they observed the movements to and from the church. Mr. Sutton then stated that he just wanted to make sure that everybody in the audience as well as himself understood that we are talking about an assumption that 50% of the traffic is going to the south out of the property to Route 6, and then goes west, and that 50% of the volume is going to go down Road C, out to Mahopac Avenue, and half of that volume is going to make a left hand turn, and the other half is going to make a right hand turn. Mr. Grealy responded a small portion of it will make a right turn. Most of it will go straight across Mahopac Avenue. So the split, he believed is actually 55% west, on Route 6. We had assigned 5% coming out originally, making a left turn onto Mahopac Avenue and heading that way- not much traffic that way. Mr. Sutton then asked why wouldn't we make the same street improvements on Street C to accommodate that increased traffic that we're making on the other end of the project out to Route 6. He noted that his concern was sidewalks for which a conversation was had at the last meeting. Human nature is people aren't going to walk from unit number 27 all the way through to get to the sidewalk out on Route 6. They're going to go down on Street C out to Mahopac Avenue and then go and hit Route 6 that way. It is the shortest distance. He then asked why wouldn't we put lighting or sidewalks there. He added that this is our opportunity to make this as safe a project as we can. Mr. Grealy responded, understood. Mr. Sutton stated that he is just really concerned with the volume- we don't want to underestimate the car traffic number one, and we don't underestimate the pedestrian traffic on there, or the crosswalk for what activity there may be. It is our opportunity to make sure that we get as good as we can right now. He noted that it is a big concern to him. He added that he knows that Mr. Grealy studies human nature for his decision making, but it just seems to him that at least half the people are going to go down Street C and the other half are going to go out the other way. It's the shortest distance between two points. Mr. Grealy responded that they can look at that further. He added that he still thinks the bulk of the units/pedestrians, will use the sidewalk on Route 6 to continue to connect to the other sidewalks along Route 6. But thought they can look at that for those other units. The difference here is that the vehicles can't make a left down to Route 6. They're heading in that direction. Pedestrians can, because the sidewalk will connect right up to the corner. So you're in an area where there's more activity, but we can look at that further. Mr. Grealy advised Mr. Sutton that he understood his point, but the difference is, cars have to go that way to get to the traffic light. Pedestrians from the development can come out and use the sidewalk on Route 6. Mr. Timothy S. Allen, P.E., with Bibbo Associates Engineering, P.C., then advised Mr. Sutton that we did discuss this a little bit at the last meeting, and you know, human nature as well as safety plays into that. If you're on the sidewalk, because there are no sidewalks on Mahopac Avenue, yes, it may be a quicker route, but you're a lot safer being on the sidewalk then you are probably walking up and down Mahopac Avenue without a sidewalk. And as far as Road C goes, we talked about walking on the shoulders.

There will be plenty of shoulder on Road C to traverse there even if it is grass or snow time and things like that. Mr. Sutton stated, but again, if we are going to start walking on Road C it's a practice that's not really happening presently, but we could predict that it is probably going to happen, then we need to take some safety precautions in terms of lighting at least and sidewalks. Until we really experience the number of cars that flow through there, it's going to be hard to engineer the safety part into the program. Mr. Grealy responded they would look at that further. Mr. Sutton thanked Mr. Grealy. Chair Gannon then asked if there were any other comments and/or questions. Mr. Paul Ciavardini asked if the traffic study is public. Mr. Grealy responded yes, all the traffic correspondence is in the Town's file, including that from the Town's traffic consultant. Mr. Smith advised Mr. Ciavardini that on the Town's website, there's a section under Environmental Reviews that's dedicated specifically to North Edge, all the relevant documents are there and available for public review, including the initial traffic report and then all the subsequent back and forth between the Town's traffic consultant and Mr. Grealy. Chair Gannon advised Mr. Grealy that there was nothing else right now, but if something comes up during the Public Hearing that triggers a question, he may be needed. Chair Gannon then stated that she had some questions for Mr. Allen on the Phasing Plans. She noted that phase one and four have special construction entrances, special texture things and phases two and three do not. Mr. Allen responded if he recalls correctly phases two and three are access to the other two phases. So it's on separate access for those phases. Chair Gannon responded so on those plans it doesn't have the pattern- shouldn't they all look the same. Mr. Allen responded it is a construction entrance- that's the rock entrance. Chair Gannon responded that is shown on phase one and four, but it's not shown on phase two or three. Mr. Allen responded his point is that phase one and phase four are the access to the property-we are anti tracking back to the main roads of the access. So two and three are internal of those two entrances, and he believes that's the way the plan is. Chair Gannon then advised Mr. Allen to double check. She then asked if the draft Stormwater Control Facility Management and Access Agreement had been executed because it had a couple typos in it. Mr. Allen responded they will certainly correct any typos and added that normally the document is not executed until the end of the project. She asked that it get more thoroughly reviewed as she just identified some basic things and wanted to make sure that nothing profoundly important gets missed. Planning Board Attorney, Mr. Michael Towey asked to take a look at it. Mr. Sutton then asked if a response was provided to the Fire Prevention Bureau memo yet. Mr. Robbins responded not that he has seen. Mr. Sutton then asked if the units are sprinklered. Mr. Allen asked if the Board had a spare copy of the Fire Prevention Bureau memo. Chair Gannon handed Mr. Allen her copy. Mr. Sutton responded that he knew there was one concern, specifically about the turning radius over on Street B at that cul-de-sac.

Chair Gannon then asked Planning Board Secretary, Ms. Nicole Montesano for the publishing and posting. Ms. Montesano stated the legal notice was published in the Somers Record on March 4, 2026, the adjoining property owners were notified via mail on February 24, 2026, and the sign stating the date and location of the Public Hearing was posted on the site on February 27, 2026. Chair Gannon then made a motion that we open the Public Hearing. Mr. Sutton seconded. All in favor. Motion passes. Chair Gannon then asked if there was anybody here to speak on the North Edge project and if so, she asked that they come up to the microphone and give their name and address. Mr. Paul Harold from 7 Cornelius Lane in Baldwin Place came to the podium and

introduced himself. He stated he wanted to note that he and his wife had done research on crown vetch. He noted that he saw that Chair Gannon had done some research as well and it killed crown vetch from being used. He then asked Chair Gannon if she saw where one seed in a child's mouth can cause a heart attack. He then thanked her for not putting that in the ground. Chair Gannon responded that she was not aware of that but was concerned that it was an invasive species. Mr. Harold stated his first question was that at one time we were worried about turning in off of Mahopac Avenue into the place that a school bus could not get in there. He then noted that fire trucks are a lot bigger than a school bus and asked how they will get in the event of an emergency- that one is a biggie. He then mentioned response times from the fire department and asked how long it takes to get up there with all the rigs. He indicated that he lives right next to the Preserve, and two houses burned down last year, and there was another one across the street in Heritage Hills that burned to the ground he believed in October. That is three houses. He indicated that he worked for the Police Department in the city and spoke of the volunteers and that he is all for them. But as he understands it you have to get there. Mr. Harold then asked about fire hydrants and noted that was another thing that was never mentioned. He added that he was just notified today of the last Town meeting and noticed they were talking about removing the curbs and this and that. He asked if there were going to be fire hydrants at the project and how would they be protected when there are no curbs or sidewalks. He asked if they would just put the hydrants in the ground. If so, what happens in the wintertime when snows are steep, and you have to plow- is that going to take away the hydrant. He then indicated that construction was something to think of. He indicated that he built a lot of homes out in Colorado and other states. It is what he used to do before joining the Police Department. He stated that he had a coworker from the Police Department who lived in buildings like these down on Long Island. One day he got up, went to work and the person who lived two houses away had a fireplace or stove that caught fire. The fire went up across the attic and down. It killed his wife and three kids, one of them being about a 6-month-old baby. He added that what they did in Colorado was all common walls, either were block all the way up and had the gable ends. He stated that he did not know if anybody at the meeting was from the Building Department but if they were not going to use block, they used to turn around and have to put double layers of each wall- that common wall- in sheet rock and that would give you about an hour and a half burn time before it went through. But that is a biggie- here you go to work, and you think you are coming home and your family's dead. Mr. Harold then stated that he was also concerned with the playgrounds and stuff like that. He asked where the playgrounds were and if they are using the church's playground. He noted that he has seen a lot of problems with the children and death and stuff in the city. He indicated that we, the people that are here, fought the lithium batteries and won and that his one big thing was to save some kid. Mr. Harold wanted to know where the kids would be going because there is nothing but parking lot. There are cars coming in and going out - where will the kids play and run around. He said, God forbid, as he said earlier, he thought of this with the crown vetch - little girls running around the parking lot and they see, beautiful flowers. What is the first thing they are going to do- pick them up and sniff them then the next thing you know. He then stated God bless you to Chair Gannon, for what she found out, and that did not happen. Mr. Harold stated that was it, but he really would like to know the response times- how long it takes to get up there. Because, right on the short bend of 118 when you come into Mahopac, and we laugh, because everybody that lives in our development will tell you we hear sirens three to four times a day, every day. He added that he has lived in Somers since he was four years old.

Never used to hear them-now in the Baldwin Place area it is constant every day to where the turn right on by Route 118 going up to Miller Road or heading towards Mavis, they had trees there. The trees went down from cars and accidents. Then they put up a guardrail like you see on the Taconic-that is pushed over now. People are flying up there because of what you were just talking about. He then stated that if the Board ever wants to see it that he has a video from Mavis Tire down to Mahopac Avenue on a Saturday, at 10:00 AM showing bumper to bumper traffic. He indicated that he did not know what Mr. Grealy was talking about-the numbers and blah, blah, blah. He also stated that the other way, because he went down by Curry Street to pick up a battery for his wife's car and from Whispering Pines all the way to the light there also was bumper to bumper traffic. Mr. Harold then thanked to Board for listening. Chair Gannon then advised that she wanted Mr. Harold and everybody to know that the Applicant will be responding to the questions asked. We are taking notes for ourselves as is the Applicant. They also have the recording. As part of the Public Hearing process, this is the moment where we are looking to get information that we have not had before. Mr. Harold indicated that like he said, the Fire Department stuff to him is very important. Mr. Zaberto stated that he would like to comment on that. He indicated that the Applicant does not control our Fire Department or their response times and if Mr. Harold is concerned about response times and it sounds like he has them, he may want to direct them towards our Fire Department. He stated to correct him if he is wrong, but they do have meetings where you can voice concerns. He continued and stated we have an opportunity, to hear the Fire Department's advice. They have provided us with some information and their concerns regarding this project. They too review this stuff, and so it would probably bolster your concern even more if you now went to them and say you have a concern, because you have been a resident here since you were four years old and you have seen an increase in siren activity, and an increase in response times. They may be able to provide you the answers that the Applicant may not necessarily have in front of them. He concluded and stated that he was just trying to help Mr. Harold with some of the stuff. Mr. Harold responded thank you.

Chair Gannon then asked if there was anyone else there for public comment for North Edge. Mr. Roland Ciofrone from 9 Lounsbury Drive in Baldwin Place came to the podium and introduced himself. He indicated that he is a 43-year resident of Baldwin Place and greeted Chair Gannon and the Planning Board. He stated that he has some questions and some comments related to the North Edge Realty subdivision. He noted that, very recently, he thought to be exact on Saturday, February 28, 2026, the notice for a Planning Board meeting for tonight's Public Hearing was finally posted. They never saw a posting in the three years of this project being under review- there was never a posting at all. He noted that across the street, where Mr. Kearney was doing his subdivision, there was always a posting. We always knew what was going on. We could come down and comment. This project never had not one posting until he and Mr. Harold went down to see the Town Supervisor the other day to find out why it did not have a posting – which will bring him to the point. None of us knew this was going on. So, we all, as residents, we the people of Baldwin Place, knew nothing of this project until just recently, maybe in October or November, when we came down to speak on this subject with the Town Board. Mr. Ciofrone stated his question was, are there any ordinances, statutes or laws that define when that planting of that sign has to go in the ground for the public to know. Planning Board Attorney, Mr. Michael Towey responded, so there's two different things that went on for this application. There was a rezoning

petition to the Town Board. The New York State law and the local code require that those notices be published in a newspaper with regular circulation within the municipality. He added that there is a difference between posting for a petition like that and then posting for a Public Hearing during a Site Plan and Subdivision application review, which requires the posting of the sign, the mailings and posting on the website is the third one. So that maybe why. Mr. Ciofrone responded by and large, most people are not looking on the 20th of 21 pages in the Somers Record to see that posting one inch by two inch. We're looking for that sign that was never there. Mr. Towey responded that is something to raise with the Town Board. Mr. Ciofrone inquired if the way it is presently, are there any ordinances, statutes, laws that dictate you have to put this in place prior so we could have conversation on this thing. Mr. Towey responded and asked prior to the Public Hearing. Mr. Ciofrone responded yes. Mr. Towey replied, for the Site Plan and Subdivision application there is a sign posting requirement. For a Zoning Text Petition which is the original application that kind of started this multi-year process, it is publishing in the Somers Record. So that is something to raise to the Town Board, and they can amend the local laws to require additional postings if they so choose to. Mr. Ciofrone responded it sounds a little weaselly because they're putting it in the back. Mr. Towey responded the Town controls the local code and the Planning Board reviews applications under its delegated authority by the Town Board. If you want to change a local code, that has to go before the Town Board, that is the statutory procedure in New York State. The Town Board is both the executive and legislative body. Mr. Ciofrone responded that is what he wanted to know. As he said, we knew nothing of this. Chair Gannon then asked if she could make a suggestion. She then advised Mr. Ciofrone that he could subscribe online to get the agenda for the Planning Board and the Town Board. If he does that in addition to the agenda also comes attached relevant informational documents, and that is one the ways that she keeps apprised of what's going on. She added that it was just as an additional thought, as a concerned citizen, he could do that. Mr. Ciofrone responded after what has happened recently to deal with this project, he guarantees her that nobody's going to miss the agenda postings that come out online. He then asked about the community benefits- the raising of- and did not know if that fell under this Board's scope. He then asked if the taking down of the houses on Angle Fly was part of this this Board's package for review. Mr. Zaberto responded that he believed the Town Supervisor already addressed that with him at the Town meeting, correct. Mr. Ciofrone responded that they discussed what was going on. But he was asking if that is part of this Board's review process. Mr. Zaberto responded it is not. Mr. Towey responded that is negotiated with the Town Board. Mr. Ciofrone responded okay, that's the answer. He did not know if this Board had any viewing of that part of the package. He then noted that he listened at a previous meeting, maybe the February meeting, sidewalks were being discussed on this project. It almost sounded with arrogance, that the developer was telling you what you're not going to get and what they're going to give you. You are the ruling body in his opinion you tell him what the requirements are. This is supposed to be a community benefit, and they want to get out of putting in sidewalks. Mr. Zaberto asked if he could correct Mr. Ciofrone on something. He stated we; the Planning Board are not a ruling body; we are a reviewing body. We review the plans, and we ensure that they conform with the environmental requirements that are part of the Town Code and the State Code. We cannot issue an edict and say, Mr. Developer, you will put sidewalks there. He added that he just wanted to clear that up for the record. He indicated that we have to work with everyone. The developer has a right to choose what he wants to do with the plan, and then we have to review that plan and

ensure that it conforms to the Town Code. And until there's an actual Town Code that requires a developer to put in the sidewalk, we cannot enforce that. He noted that he just wanted to make that clear as well. Mr. Ciofrone responded that he thought all reviews had to go through you. Mr. Zaberto responded that reviewing and then making edicts are two different things and he just wanted to make it clear and that Mr. Ciofrone understands that we are not a ruling body here. We do not legislate. We do not pass laws and counsel, you can correct me if I'm wrong. All we do is review them as they're presented to us and ensure that it conforms to the Town and it is within the trajectory of our Town Comprehensive Plan, which has pretty much been codified by the Town Board, and it lets us know the direction that the Town as a whole, all of us as citizens want the Town to take. So that's what we do. Before anyone thinks that we're signing papers here, because we're not. Mr. Ciofrone stated that the appearance on that last Planning Board meeting was the developer was telling you what he was going to do. Mr. Zaberto responded that he has a right to tell us what he's going to do and believe him, he is one of the top Town advocates for sidewalks here. He noted that he has been involved in the Complete Streets Program dating back to former Supervisor, Mary Beth Murphy. So, if there was legislation that required sidewalks to be put in, he would ensure that these guys as well as all developers do it. Mr. Ciofrone stated that his last point, which is probably the most important point, is the traffic. Let's take a look at that for a moment. Right now, he is seeing Penn & Teller come up here and tell you that you're not seeing what's really there. He indicated that we could tell you what's there. Nobody outside of the residents that are here representing Baldwin Place- nobody over here lives in Baldwin Place- to know what that traffic is like up on Route 6. Mr. Zaberto responded, you know, we are all Somers residents. Mr. Ciofrone responded he understands. Mr. Zaberto stated for the record, in case Mr. Ciofrone thought they were out of towners that don't take Route 6. Mr. Ciofrone responded yes, you wouldn't be on the Board. Mr. Zaberto responded exactly. We are all very well aware of your concerns, and we take them very seriously. Mr. Ciofrone indicated that on any given day, Saturday and Sunday are probably the worst, trying to get anywhere from Baldwin Place Road across towards the Taconic – it is bumper to bumper. Once you get past Navajo Street, it opens up. You've got four lanes down here. He then indicated that he wanted to talk about Navajo Street. Right now, the traffic, as you know, dead stops at Navajo Street every rush hour afternoon. And the mornings from Route 118 South Baldwin Place Road, again, we have bumper to bumper. His point would be, if you were to get off of the Taconic State Parkway on any given rush hour, they've opened the lanes, they've given them a turning lane to go on to Route 6N. The turning lane, the traffic lane, and then the far-right lane, bumper to bumper, you can't get through and there have been more than a couple of road rage incidents over trying to get through that intersection. Mr. Ciofrone stated that his point is the hammers of hell are being released upon the residents of Baldwin Place to allow 73 homes to go where 15 was supposed to go. He understands that that is another issue. But asked the Board to understand what they are looking at. There is the other subdivision coming in. Mr. Kearney's subdivision is going to have; he thinks 83 townhouses – approximately 160 cars. He has four exits off of the property, so that's going to make it a little easier. But we are still going to be adding North Edge where you have 73 units- roughly 140 cars. We are looking at 300 cars dumping into Baldwin Place. That doesn't happen any place. Even when they built IBM and Pepsi, they had other ways of dispersing the traffic. We don't have that advantage up where we are. We have two lanes that cannot be opened up. They cannot be widened. You go to Windsor Farm Road over there, that section of Route 6, there's no room to open it up because now you're on to private

property. They cannot open that road. You've got a 10-foot easement on either side, so you might be able to make one turning lane out there. He indicated that his point was they are getting killed with traffic. And if you could put a moratorium on this thing and slow things down so we can figure this thing out, that's what we would like to see if that's possible. He then thanked everyone for their time. Chair Gannon stated as she was saying to everybody, the Applicant is taking notes, and they will be responding to the issues raised in writing as part of their response. It is their responsibility under the Public Hearing process. Mr. Ciofrone asked if that would be available for the next meeting. Chair Gannon responded that sometimes they will wait until the end and sometimes Applicants will respond as they go. If they do, we may receive something. But she does not know what they're going to do in this instance. Consulting Town Planner, Mr. David Smith advised Chair Gannon that any submission by the Applicant will be posted on the Town's website, so that's the place to look. Mr. Ciofrone responded thank you.

Michele Stuart from 14 Cornelius Lane, Baldwin Place, came to the podium and introduced herself. She stated that as a Planning Board, you need to have a 30,000-foot view of the impact of projects such as this, and she is sure that the Board is doing that, and it's not just about the acute minutia of the project, but about the greater impact to all the residents in this Town. She has heard a lot of dialogs about the details of this project, but wanted to speak more broadly, as a Somers resident who lives in Baldwin Place, and about the downstream effect of adding more volume and cars on the road. That was her main concern, and there are many others, but she will focus on that tonight. She stated that someone just actually said that they were against turning Somers into a little city. But as a resident, that is actually a perfect way to describe this situation when you think about the development of this one particular area of town in Baldwin Place, it has become a little city. The thought of more cars and traffic on the road really concerns her. In her opinion, the intersection on Route 6 and Mahopac Avenue currently is a disaster, and she is from Brooklyn. Accidents happen all of the time at the top of the hill with nowhere to go, no way in, no way out. She has been there with small children in the car, having to wait, and it is a nightmare. She then noted the traffic study of grade 6. She stated maybe she is wrong, but we won't eat in restaurants with health grades of 6, so she does not know why we're okay with roads being at this grade - and then we're thinking about adding more cars- really, again concerning She leaves her development multiple times a day, 6 today to be exact, taking her kids to school, taking them to activities, taking them to sports, to work, and getting out of her development right now is an absolute nightmare with the traffic just as it is right now, it's really dangerous. She has to wait upwards of five minutes, sometimes more, even if she needs to make a left and if she cannot she ends up having to make a right and go turn around at Stop and Shop, just so she can come back and go in the other direction so she can get into the town. She moved in close to 10 years ago, and it has really just gotten worse and worse. She ends up on Route 6 many days waiting in bumper-to-bumper traffic, and again there is nowhere to go. You're stuck in one lane, and it's the only way to get in and out of town to the Taconic unless she wants to drive all the way through Yorktown, which is another disaster that's also gotten very congested, but she knows that's not the point. As homes are added to one particular area, this puts us at risk for not having emergency vehicles get to us. Mr. Harold just pointed this out and painted a picture of the many homes that have burned to the ground without fire support. But Somers' residents using Route 6, a one lane road which leads to another one lane road, 118-it is so congested. Until the Town can really manage and update the

infrastructure that needs to be on the roads to support the exorbitant growth that is happening-she is worried. It is too much growth for one lane roads. She then stated that she would ask that the Board be objective and consider who really benefits from this development and who really pays the price. Leaving her house 6 times a day, that is a regular day- she has two kids and works full time. That is 30 minutes or so of waiting just to make a left or right, and that is right now. That is before adding however many cars this project is going to add onto the road. Ms. Stuart then thanked the Board for their time. Chair Gannon responded thank you and asked the Applicant if their response could definitely include information about accident rates at Mahopac Avenue and Route 6 as that would be helpful. As would addressing the traffic grade numbers and explaining what they are. In addition to everything else, she just wanted to make sure that that does not get lost in the comments.

Chair Gannon then asked if there was anybody else present for public comment on North Edge. Mr. Harold stated he had video of the traffic concerns if the Board would like them. Mr. Dennis Persico from 266 Mahopac Avenue came to the podium and introduced himself. He noted that he has been an owner since 2003. He stated that he would be really quick here and just wanted to touch base on what the lady just said prior. Traffic Engineering - there is kind of a black art to it. It's not a hardcore engineering. A lot of these charts and a lot of these graphs that we read off of to take some of these assumptions- since all they are assumptions. They're antiquated. Time today is different than when these charts were created. Reality should guide us, and reality is what the traffic is today. This lady just said that she left 6 times in one day- one day- one person- 6 times. Mr. Grealy said that it is going to be one per unit. There are multiple bedrooms in a unit and multiple cars. So, we can do a lot of voodoo with these traffic studies, but we really should get a disinterested third party to take a look at what's really going on here. That would benefit the Town. Mr. Zaberto then asked Mr. Smith if there was an independent consultant that's involved in this. Mr. Smith responded yes, the Town has retained an independent third-party traffic consultant, Hardesty & Hanover, and they've reviewed, as part of the Town Board's deliberation on the rezoning, they reviewed the traffic studies that were prepared by the Applicant and provided the comments to the Town Board prior to any decision being made. Mr. Zaberto replied, so the Town does retain a consultant to review the Applicants' charts, data and graphs. Mr. Smith responded that is correct. Mr. Zaberto responded and to the best of your knowledge, are they in concurrence with the results of the report. Mr. Smith responded they reviewed and they had comments, and the Applicant provided response to those comments, and eventually, Hardesty & Hanover agreed with the final conclusions of the report. Mr. Persico responded he agreed and was aware of Hardesty & Hanover and their purpose here. He would just recommend a party that might be a little bit more critical would be a benefit because, as he said, it's kind of a black art and assumptions are made. Someone could say, they are getting paid to review it, and they reviewed it, and you know what- they wouldn't do that if they were tasked to do the entire traffic study, but he could see how they can get away with that and they let it go. That doesn't benefit us, though – these people back here or us or your up there. Chair Gannon then asked if there was a particular assumption that's of concern to him that he would like to see addressed. Mr. Persico responded that he appreciated that question but he was not ready to speak to that right now. He noted that he printed out all of the loadings, both existing and both proposed and within 40 seconds, he was shaking his head and saying, this is not good. He indicated he will be able, at a later date,

unfortunately, not today, to speak to more of that. Mr. Zaberto then asked Mr. Persico if he had background. Mr. Persico responded that he is a Civil Engineer licensed in New York State. Mr. Zaberto responded that is important information for us to digest. Mr. Persico responded that he should have mentioned that. Mr. Zaberto stated that it validates what you are telling us. Mr. Persico stated that he came here to speak about the concerns of the majority of the dozen property owners of Mahopac Avenue in the Town of Somers and to the north of Route 6. A lot of attention has been taken to the south of Route 6, and the cars going down there. He is talking to the 12 or so property owners that are to the north of Route 6. Before he goes into details, he stated that he would like to give a little bit of history in this area. When we buy our homes, we look at the existing zoning laws, and we imagine the worst-case scenario that could be created based on those laws. Problems and unforeseen negative quality of life issues often occur when the Town changes zoning laws to the benefit of others. That's just a fact. Case in point was 10 years ago, when the developer Mr. Ken Kearney wanted a zoning change to build the Crossroads at Baldwin Place. He presented to the Board at the time that the project couldn't be buildable nor profitable- he needed this change. Well, he got the change, and he got the profits that he wanted. What did the 12 owners that live right there in their backyard get. They got 200 or so new neighbors, along with the traffic, cars and noise that come with them. They also got the only murder in this Town in the past 15 years to happen in our backyards. Mr. Persico then said, now let's go back to the present. We yet again, have another developer who requested a zoning change, and they got it. They got it, and just like the last developer, it was asked for their zoning change to maximize profitability. They bought two R-40 lots, and then a third that was subdivided by another party. It's quite the risk. He then asked if they knew that the change was going to go through. The North Edge property, if built, will allow us to get another 300 or so new neighbors, and just like the Somers Commons along with them comes the traffic, the cars and the noise. So, over the past 10 years, this Town has created with their changes to the zoning to give us, the 12 property owners north of Mahopac Avenue, 500 plus new neighbors. He stated before he continues, he would like to ask the Board to reflect on their living situations and asked what if they got 500 new neighbors within 500 yards from their homes. We live this 24/7. The Town's collective departments, and the Planning Board is one of them to act as stewards of our community. We feel that our best interests have been glossed over and ignored. In short, we need and deserve some sweetness given all the negative quality of life issues that we have been asked to endure, and that sweetness has to be shared with us by the developer. Let me be clear, we have options. We do not want this project to happen, and we have options to oppose it and we plan to exercise those actions. But, if it does have to happen, we need to ask for a reasonable benefit, and that is connection to the sewer. Ten years ago, he asked the same thing from the Town and Mr. Kearney, and he was told by former Supervisor, Rick Morrissey, it's a very reasonable request, but it's too late in the process, and next time it could get done. Well, now is next time, and it is not too late. In the ample trove of documents there contains a January 10, 2005, letter from the Director of Wastewater Treatment at the County Department of Environmental Facilities. His name is Mr. Marion Pompa, P.E. He states that the facility is permitted for 10 million gallons a day, and it's only taking 6.5 million gallons. The North Edge project will only produce 21,000 gallons per day. If you connect us, we will only be 4,000 gallons-we have the capacity. That is without question. He indicated that he spoke to this person earlier today, and he explained the situation. He told me my request would be reasonable and it's easily approvable, and all that's needed is the Town to request that we be put onto the Sewer District, the same very task

that the Town has to do for the Applicant. The Town has to go to the County and say, we want them on and it is an easy peasy thing to do. Just do it for us too. Mr. Persico stated again, he is a licensed engineer, and he has experience, amongst all the other civil engineering matters associated with this project. He has designed wastewater treatment systems and lift pumping stations. This request to connect to the sewer is very reasonable and very doable and he welcomes any conversations with the Town or the developer in regard to this matter. He noted that he also has a very real concerns to the content as shown on the design documents and what was submitted by the Applicant and his professionals. He indicated that he would not go through the details at this time, but they include, which he touched on before, the accuracy of this traffic study, the location and existence of Road C, the setbacks off the residential property lines, the lift station design, which is nonexistent, cut and fill quantities and other things. Chair Gannon asked Mr. Persico what he said was nonexistent. Mr. Persico responded the lift station. Mr. Smith then asked Mr. Persico when he said he was having a conversation if that was with Mr. Pompa. Mr. Persico responded yes and then asked if there was anything else. There was not. Mr. Zaberto asked Mr. Smith who could initiate a petition to have a section of Town attached to the Sewer District the way that the developer had to manage that. Planning Board Attorney, Mr. Michael Towey responded, the Town Board can initiate under Town Law Section 12-A; or which he believed happened here and Mr. Boniello can confirm he petitioned the Town Board under Town Law Section 12, and then the Town Board applies to the County Sewer District on behalf of them. So, whether or not residents can together petition the Town Board to extend the Sewer District toward their homes- that is a question that he does not have an answer for right now. However, typically, when a developer petitions, the developer performs the infrastructure improvements to include extending the main. So, the question will be, who would pay for the improvement to benefit those 12 homes and how that will be distributed. They would be pulled into the Sewer District, and it will be taxed by the County. However, who's going to lay the line and extend it to that point-but that is a question for the Town Board. Mr. Zaberto stated that it may be advantageous for Mr. Persico to take that same argument to the Town Board at one of their Public Hearings. Mr. Towey advised Mr. Persico that he should speak to the Town Board. They have meetings twice a month. They have a work session, and they have a regular meeting. So you could speak as they have a public comment period during each meeting. Chair Gannon asked if the Town Board's meeting will be tomorrow. Mr. Towey responded yes. Mr. Persico responded, see you then. Chair Gannon then stated that the way it works, just so you know here, and as noted in her opening remarks, she states that we don't allow public comment on projects that are before the Planning Board. You can speak during a Public Hearing. The Town Board does accept public comment, so there doesn't have to be a hearing on the topic. Generally speaking, at the beginning of the meeting, you can go up, they will say, is there anybody here for public comment. At that point, you could speak. Mr. Zaberto stated and then reference this application and then speak exactly how you presented that as a community benefit. As he mentioned before, we're not a legislative body that can manage that. Chair Gannon stated that as a general rule, zoning is supposed to be in accord with the Comprehensive Plan. It starts always with the Comprehensive Plan and zoning changes that are enacted by the Town Board, because they are a legislative body, have to be in conformance with that and so she thinks that concern goes back to the Town Board. Mr. Persico responded ultimately, is he wrong to say that the Planning Board has an interest in any zoning changes. Mr. Zaberto responded well personally, as a resident he does. But as a review body, we are not reviewing zoning changes. Mr.

Smith stated lets backup, whenever there is a proposed zoning text or zoning map amendment there is a referral for review and comment back to the Town. Mr. Zaberto responded, right and thanked Mr. Smith for clarifying.

Chair Gannon then asked if there was anyone else from the public that wanted to speak. Ms. Phyllis Morrison, from 180 Mahopac Avenue came to the podium and introduced herself. She stated she would like to talk about the residences on the south side of Mahopac Avenue. We are not in favor of this. And again, it comes to traffic. She is at 180 right on top of the hill. She has signs on both sides- blind driveway. She spoke to the number of times that they were almost hit and/or the very close accidents. There have been multiple unfortunate deaths on Mahopac Avenue, just past her house. Teens racing to BOCES in the morning, parents texting and driving. It is not a safe road with the number of people that are on it now, and you are going to add all these people. They are going to come out and not try to go to Route 6, because that is going to be too backed up. They are going to make that left and come down Mahopac Avenue, just like so many other people do now. She cannot tell the Board the number of times a day people are going by her kitchen window. They have to be going 60 mph or more. The police cannot be there all the time, but she is sure they can fortify their budgets when they are there. She stated it is a hard thing to live on that road, and have all these new homes, and then more new homes, and more new homes. They are just getting swallowed up. Ms. Morrison shared that she has been a resident for almost 40 years and that Mahopac Avenue has changed tremendously in that amount of time. When she moved in, Mahopac Avenue and Route 6- there was nothing. Then you put up a Stop sign up at Route 6, so you had to make the stop. Then a flashing caution light went up. Now we have a turn lane and a regular light. It does not help-there are still accidents. And now you are going to add how many more cars- 400, 500. People are not going to go in and out of their house once a day. She stated that she goes in and out of her house at least 4 times a day and she does not work- she is retired. She still has to go places and has to do things. She stated that she is not in agreement with the traffic study that has been done and thinks Mahopac Avenue itself as a road is going to take a lot of this traffic just because people are not going to want to go down and wait at the traffic light at 118. We are a cut-through. There is one stop sign and if there is no one there, they blow through it. So, you can get from Route 6 all the way down to 35 with just a stop sign. People do that all the time, and they are racing. A number of kids in the morning are racing to BOCES. We have school buses. She had kids that got on the school bus, and there are a people that pass school buses. Mahopac Avenue is a road that is really getting to be a dangerous road to live on and to drive on and she really hopes that the Board reviews the traffic that is coming in and out of this development. She thinks it is way too many houses and cars, and with the opening onto Mahopac Avenue there is going to be a lot of problems.

Chair Gannon then asked if there was anyone else from the public that wanted to speak. Mr. Stephen See from 258 Mahopac Avenue came to the podium and introduced himself. He noted that his house is directly across from Road C. He has lived there for 29 years. This housing complex will have a severe impact on his quality of life with all the traffic. There would be hundreds of cars and buses going in and out, day and night and headlights would be shining in his windows. In addition, he noted stormwater runoff into his yard and flood his basement. Road C is pitched towards his house and he gets runoff now, and if Road C is made 12 foot wider, it would be a lot

worse. He noted that he went on to the Town website and found supplemental information and then go to Traffic Access. It says properties within Multifamily Residence Baldwin Place District shall have either direct frontage on a major or collector road, as shown in the Town Development Plan, or a safe and convenient access to such road without passing through a single-family residence neighborhood. Road C passes between houses, a church playground in a field, and into a residential neighborhood. Road C is not allowed for this type of use in the Town of Somers, according to them. Then we have Artist Senior Living Center, which he recalled when they were built, they were not allowed to access Mahopac Avenue, because this Board did not want the townhouse people driving through to Mahopac Avenue. He concluded and stated that was pretty much it and thanked the Board and indicated that he had copies of the documents for them to read. Chair Gannon then asked Planning Board Secretary, Ms. Nicole Montesano to take care of distributing this and to make sure the Applicant gets a copy as well.

Chair Gannon then asked if there was anybody else here for public comment on North Edge. There was not. Mr. Zaberto then asked Mr. Robbins if there were any engineering comments. Mr. Robbins responded that their open comments are in their memo to the Board, and the Applicant has a copy of that. They are, stormwater related and, utility (water and sewer) related. Chair Gannon then asked for Board discussion and/or thoughts. Mr. Anthony Sutton responded that it is a lot to digest, and he thought this was an unusual format for a Public Hearing and asked Counsel to correct him if he was wrong but, usually it is comments without a rebuttal or response to comments. Mr. Towey responded so it kind of depends on the Application, the scene, the Board, and the public in attendance. Typically, you are not going to necessarily have a dialogue between the Applicant and the public. He indicated that he has been at Board meetings where that does occur, depending on the concerns. You know, the standard format is the public concerns. The Applicant may choose to respond to them during the meeting or may wish to respond to those comments in advance of the next meeting, so it is kind of at the Board's discretion so long as people are not trying to get over desks. Mr. Sutton responded that he gets it and that there is a benefit to getting an answer to a question. Mr. Towey responded it does help, yes, especially questions about authority within the Town itself. He did want to add those who are concerned about traffic on Route 6, it is a state road, the State Department of Transportation (DOT), would probably love to hear your concerns about traffic. There has been an ongoing traffic study for Route 6, 35, and 202, probably for 20 years at this point. But the Town is limited in how it can improve that street, because it does not have authority over it. He does not know the exact mechanism but is sure there is some kind of online submission format for you to submit complaints, especially regarding traffic. The DOT is the entity that needs to hear that. The Town can convey as it does. But really, direct public comment is a great way to drive action in our country. Mr. Sutton responded hopefully they respond better than they do for potholes. Mr. Towey responded that he doubts it. But, if again, you see a pothole in your Town, if you put the Town on notice, the pothole gets fixed very quickly because the Town becomes liable. Mr. Sutton responded, not the case with the state. Chair Gannon then stated that she had a question of the traffic consultant, Mr. Grealy. She stated that she does not do this in a way to shortcut his response to the people who have been up here, because she wants him to respond to them. Mr. Grealy responded that they would respond to everything in writing. Chair Gannon responded wonderful and noted one thing that she has noticed thematically through this are concerns about Mahopac Avenue and she had been re-reading through his

comments back on the Public Hearing for the zoning process. She thought she remembered some document with a reference to problems inherent in Mahopac Avenue and then asked if there is something about Mahopac Avenue that is creating a condition that is not as safe as we would want right now. Mr. Grealy responded the discussion with the Town Board was about speed enforcement, primarily. Because the concerns were about the speed. There are different types of traffic calming measures that can be implemented to bring speeds down. Typically, speeds are higher on roads that do not have high volumes because that allows people to speed. So, for example, on Route 6, and we know the congestion during rush hour, traffic speeds are not high on Route 6. Mahopac Avenue, as indicated, because we only have the 4-way stop going from Route 6 down to 35, in terms of volume, it allows people to speed. It is relatively straight, there's some vertical alignment changes, which is problematic for some of the driveways. We talked about some signing improvements, but again, it was a discussion about what the Town could do to help reduce the speeds along that roadway regardless of the project. Mr. Grealy added, one other clarification, a traffic study looks at the entire day, but the focus in terms of analysis per guidelines is a one-hour peak period morning and afternoon peaks. So yes, people, make multiple trips during the day. But the focus, in terms of analysis, is on one- the peak hours. Chair Gannon responded so, when you say one trip, you are saying in that peak hour, you are not contemplating the full round. Mr. Grealy responded typically, one trip is out, coming back in is another trip. So, a typical single-family home, in terms of trip generation, will have in the order of 10 trips a day total. That is total entering and exiting vehicles. So, the woman speaking about 6 trips, that is not unusual that she is going out 6 times. Again, their studies are based on the current standards. The most recent of which there was a comment about the age of the data- but the most recent trip generation data was published in 2025. So, it is constantly updated. The state requires updates. The analysis procedures were updated within the last 2 years also. Mr. Sutton then addressed Mr. Grealy, and stated based on his report, and what we have heard from him here, there is an obvious lack of confidence in the findings voiced by the audience, but it might help if you tell us how much of the traffic report is generated by assumptions and by experience that's recorded and established as guidelines, and how much of it is actually done by observation of the traffic and car counts. Mr. Grealy responded the first thing you do is car counts, and those car counts are done with video, so you see what happens on each approach. We also have machines for recording speeds. In this case, some of the data was collected with road tubes, which is the historical way of doing that, it is now done more with video. So, in this case, we had to identify hourly variations throughout the day. We have several days of data. The speeds vary by time of day, because the volume changes. But the basis of the traffic study is hard data. It is what is there, what is happening, what the movements are, what pedestrian movements might be at an intersection. Not that there is a lot here yet today. And then in terms of the projections, for residential developments, the number of studies that our traffic projections are based on are not just a handful of studies, it is thousands of studies. So, we feel very comfortable in terms of our estimates, in terms of that peak hour analysis. As he said, they have analyzed this as a conservative, as if they are single-family homes on large lots with that type of traffic generation. Typically, the generation here would be less. Mr. Sutton thanked Mr. Grealy. Mr. Grealy noted that the state has been looking at the corridor for years. It is a state road, and he thinks that is part of the global issue. Chair Gannon stated that the state has been aware of the Application, and they have had the opportunity to provide comments. Mr. Grealy responded yes. Mr. Zaberto asked if they have accepted the traffic study. Mr. Grealy responded they are in what is called the

Highway Work Permit Process. Because they are now reviewing the design of the entrance to make sure the signing is proper, that the radius and the geometry of the driveway meet their standards. That is where we are now with the DOT. But this traffic study has been reviewed. Chair Gannon asked if they had requested the sort of the triangle piece. Mr. Grealy responded correct, that was originally requested by your consultant to reinforce that, and then we refined it to meet the standards, and then, of course, there is signing plus the angle of the islands. Chair Gannon then asked if there were any other questions. Mr. Zaberto responded no. Chair Gannon stated that she thought considering the amount of comment received tonight, the amount of interest we have had and the fact that we have the letter from the WIG's office she would suggest that we adjourn the Public Hearing to be continued at the next meeting which would be on Wednesday, April 8, 2026. She then made a motion to the same. Mr. Zaberto seconded. All in favor. Motion passes. Chair Gannon then asked the Applicant if there was anything else he wanted to say. Mr. Boniello responded that he knows what they have to respond to and they will get it in writing. Chair Gannon then asked if there were any questions. Mr. Allen responded that he just wanted to make one point of clarification. Some of the public was talking about a zone change. This is an overlay zone that was in the Comprehensive Plan that was applied to this. It was not a zone change for this Applicant. Secondly, you just discussed the WIG letter. He wanted to make sure that this Board is clear that they went through about 4, 5 or 6 months of WIG review at the Town Board level, so he is not really sure how much more they are going to have to say about this project. He noted that they were put through the wringer by the WIG already on this project and he just wanted to make the record clear on that. Chair Gannon responded okay, but we did also receive a letter from them today. Mr. Allen responded he knows and saw that and was surprised as they have been reviewed upwards and downwards by the WIG already. Mr. Zaberto responded yes, they were specifically asking to allow time, for consideration of their forthcoming comments, so there may be more coming.

PROJECT REVIEW

3. 2 HAGEMAN COURT STEEP SLOPE PROTECTION, STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL AND TREE PRESERVATION APPLICATIONS

TM: 48.09-1-14

For the record Chair Vicky Gannon stated 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 and is in an R-80 Zoning District.

Mr. Rick Bohlander, the project engineer came to the podium and introduced himself. He stated he wanted to say thank you for letting them present on such a quick turnaround and to also thank the consultants for turning this around so quickly. He indicated they made an interim submission to the Consulting Town Engineer, Mr. Steve Robbins, who had a few comments. They addressed

those, and then received another comment letter, just clarifying that all comments have been addressed. Chair Gannon then asked Mr. Robbins for an update. Mr. Robbins responded that the Applicant is correct. Certainly, the Town Code affords staff and outside consultants a reasonable amount of time to review submittals before the Board. In this particular case, we were able to turn them around, and the Applicant made their responses very clear for us to review and understand and be able to reply. So there has been several back-and-forth correspondences since our original comment memo between the Applicant and us. In addition, copies were sent to the Board. At this time, the Applicant has addressed all of our technical comments. We have reviewed their plans. They have answered our questions about the details of stormwater practices that they have proposed on the project to our satisfaction and that meet the Town Code. Chair Gannon stated that the last thing that she saw was the back- and- forth on item 20 A, which seemed to be the sticking point and was marked as partially addressed. The Applicant is proposing a well within 100- feet of the system and according to the Stormwater Management Design Manual (SMDM) the underground infiltration system shall have a minimum horizontal separation of 100-feet. She then asked Mr. Robbins where we were with that. Mr. Robbins responded that he thought they made a resubmittal last Friday, March 8, 2026, that addressed our comment. Chair Gannon then opened it up for Board Discussion. There were no comments. She then noted that she thought when we were last together, we anticipated that if the Applicant were able to submit sufficient documents and that Engineering had enough, we could make a request for staff to start to draft a resolution for consideration at next month's meeting. She then asked Mr. Robbins if he would you agree that we have reached that point. Mr. Robbins responded from his perspectives, yes. Chair Gannon then asked Consulting Town Planner, Mr. David Smith if he was in agreement. Mr. Smith responded he was. Chair Gannon then made a motion to ask staff to draft up a resolution of approval for consideration at next month's meeting. Mr. Jack Mattes seconded. All in favor. Motion passes. Chair Gannon advised the Applicant that the Board would see him next month.

4. 125 MAHOPAC AVENUE WETLAND AND WATERCOURSE PROTECTION AND STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL PERMITS

TM: 26.08-1-14

For the record Chair Vicky Gannon stated 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.

Ms. Karol Knapp from Aspen Environmental came to the podium and introduced herself. She stated this is a simple residential addition of a pool and patio. The property is 125 Mahopac Avenue. It is about 2 ½- acres, most of which is within the wetland buffer, but not in the wetland itself. The modest pool, 15' by 30', with surrounding patio with pavers, as opposed to a concrete impervious surface with French drains to infiltrators. The total area of disturbance of the site is 6,100-feet of which 4,800-feet is in the buffer. The buffer, as you have seen in the photographs, is entirely lawn. It is manicured and has been for quite some time. It was not previously a New York State Department of Environmental Conservation (DEC) wetland, although DEC erroneously

indicated that it was. However, it is jurisdictional because Mahopac Avenue, believe it or not, is considered an urban area. So therefore, the DEC took jurisdiction. They submitted and received authorization from the DEC effective February 9, 2026. They are here to request the authorization for the pool and patio with the Stormwater Management and Erosion and Sediment Control Permit and Wetland and Watercourse Permit. Chair Gannon thanked the Applicant for submitting photographs before they had to ask for them and then asked Consulting Town Engineer, Mr. Steve Robbins if he had any comments. Mr. Robbins responded this is a relatively straightforward project and application. The Board has seen a number of pools in the past. As part of their review, they identified two areas where they would like some additional information around stormwater. The Stormwater Code does require a number of specific elements that could be added to the plans. He advised to just run through Chapter 93. Ms. Knapp responded that she did, and she thought that it was there. She noted that they do not have a standalone stormwater plan, but it seems that all the elements, all the stormwater features, the silt fencing, the stabilized construction entrance, the infiltrators, and the French drain to that as well are all on the plan. In addition, there are also a number of requirements from the DEC which are probably more stringent, and we have to comply and send them photographs and confirmation once that is completed. So again, we feel that everything from that is on there or has been provided within the application material. Mr. Robbins replied that they are certainly happy to go through it again and happy to set up a time where we can go through that in detail and just make sure all of those elements are there for that. He added as an example, one of the things that he did not see there was any certification of percolation tests for the infiltration practice. He noted that we are comfortable for a project of this type, with that being deferred to being reviewed by the Town Engineering Technician, Mr. Steven Woelfle during construction. But, as an example of a detail, make sure we have those test results. Ms. Knapp responded if she may, one of the notes says the soil testing in the vicinity of the proposed mitigation system to be witnessed by the Town Engineer. The test location results shall be shown on the plan. Once completed the engineers shall be contacted to schedule testing. Mr. Robbins responded it is kind of a deviation from having it during the application stage. It is up to the Board, but it would be his recommendation as an example, that we accept that. The other key element was around wetland mitigation. The Town does have a wetland mitigation policy for additional disturbance and additional structures within the wetland buffer, and it was not clear to him what was being proposed as part of that mitigation. Ms. Knapp responded that part of the reason they did not supply a mitigation plan was because this is entirely lawn. When the previous patio was installed, they also added a significant amount of landscaping in the form of screening. The large trees that are in between the existing lawn and the wetland. The fence is already there, and these are already providing a lot of the mitigation that you would be requesting. She continued and stated because it is already lawn, the only thing that she thinks would be reasonable would-be additional screening in the form of native trees or shrubbery and that is part of the landscape plan that they will be putting in around the back of the pool. Mr. Robbins asked if those are native species and if they are mainly ornamental. He then asked if Ms. Knapp could describe to the Board the makeup of the landscaping plan. Ms. Knapp responded she can provide that and they can talk about it. Mr. Robbins responded typically that this Board has, in the past, accepted additional landscaping and providing additional buffer from manicured lawn areas to the wetland. Obviously, there is an ecological function that the buffer serves such as, uptake of nutrients and fertilizers that might be applied to the lawn, reduction in runoff temperature, etc. That makes up for the fact that we are

now adding additional impervious surface and additional disturbance within the wetland buffer. That is the mitigation. But that is a typical mitigation for a simple project of this type and has typically been accepted in the past by this Board. Ms. Knapp responded okay, we can speak on this. Mr. Robbins responded he would send Ms. Knapp an email tomorrow, and they can set up time to discuss everything and go through it. Chair Gannon then asked the Board if there were any questions and/or comments. Mr. Christopher Zaberto stated it is pretty cut and dry - other than the wetland buffer - which is why it is here. He then asked if the Site Walk could be waived. Chair Gannon responded it seems appropriate for this. We have on other applications. She then made a motion to waive the Site Walk on this Application. Mr. Paul Ciavardini seconded. All in favor. Motion passes. Chair Gannon then asked Mr. Robbins if there was enough information in the pipeline to schedule a Public Hearing. Mr. Robbins responded yes, and that he will discuss with the Applicant to make sure that they provide that response at least two weeks before the next meeting, so the public has an opportunity to comment prior to that required Public Hearing. Chair Gannon responded okay and motioned to schedule a Public Hearing for the next meeting on April 8, 2026, provided the Applicant meets that requirement. Mr. Ciavardini seconded. All in favor. Motion passes. Chair Gannon then asked the Applicant if there were any other questions. Ms. Knapp responded she did not think so it seems pretty straightforward and as previously said, the pictures probably helped.

Chair Gannon then stated there was going to be a five-minute break before the next agenda item.

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

Chair Gannon asked if any written comments were submitted since the last meeting where the Public Hearing was closed but was left open 12 days for written comments. Consulting Town Planner, Mr. David Smith responded that neither he nor Planning Board Secretary, Ms. Nicole Montesano had received anything in writing from the public or any other institute or involved agencies. Chair Gannon responded okay, so we are focused on looking at the draft resolution which she thought was a work in progress. As the Board has a copy of the draft resolution, she asked if there were any initial comments, impressions, or questions. There were none. Mr. Smith indicated that we have not had a project of this nature in some time. So, he thought it was important that as the Board is getting closer to considering the Subdivision and Site Plan approvals to at least begin to look at some of the conditions that would typically be provided in this type of an approval. He

would just ask where Consulting Town Engineer, Mr. Steve Robbins stands with the back and forth with the Applicant with respect to the application. Mr. Robbins responded that they are in the process of reviewing this and have not provided any comments to the Applicant yet on their review of the draft resolution. Mr. Smith responded, right, and then asked about the review of the project itself and if there were still any outstanding comments. Mr. Robbins responded there are some still outstanding. Mr. Smith responded so, those would essentially be conditions of the approval. Mr. Robbins responded, right at this time, and if they are resolved before this is finalized, then not. Mr. Smith responded, okay. So, essentially, you have an application where you are considering Preliminary Subdivision Plat approval and Site Plan approval. That is where we folded in both of those as part of the conditions and the resolves. The resolution itself is still being worked on. We are supplementing that with all of the different submissions that have been made by the Applicant throughout the course of the Site Plan approval process. One of the issues that came up with the prior applications was the discussion about the Community Benefits Agreement (CBA), and that has been signed and approved by the Town Board. Mr. Smith indicated that he did not recall if that had been forwarded to your Board, but he would get that to you in due course. Chair Gannon responded that she wanted to make sure, because there was one aspect of the CBA that had been discussed here-which was that there was going to be the possible future access to the adjacent landlocked parcel, and she wanted to make sure that was reflected either in the CBA, which she had not seen, or was that also the third bullet point in the summary of the CBA within the resolution. Counsel for the Applicant, Mr. Charles Martabano came to the podium and introduced himself and indicated that is something that is actually in the CBA. Chair Gannon responded okay and then stated that she notes and knows that she is the person who had brought up the issue of irrigation, and she thought the Applicant had suggested possible language to include in the resolution about how irrigation could be, if it were to take place- that it would be with timers and etc. And at the same time, she thought we came to the conclusion that given the amount of land available to irrigate, that the difference probably would be de minimis. She then asked whether or not it was necessary to be included in the resolution, or if we resolve that the amount of water involved even if done would not rise to a level of significance. Chair Gannon just wanted to affirmatively make a decision that yes, it should be included or no it should not. Mr. Smith asked Mr. Richard Williams, P.E., from InSite Engineering, Surveying, & Landscaping Architecture, P.C., how we left off with irrigation. Mr. Williams responded that he believed it was left that we are not installing an irrigation system and that ultimately it would come down to the Water Department, their regulations, their jurisdiction and that they may have touched on the Homeowner's Agreement (HOA) a bit. Mr. Martabano stated it was left out of the HOA. It would be a situation that if an individual property owner wanted to seek that, they would have to go through the Town process, which is already laid out. Chair Gannon responded, so it does not have to be included in here. Mr. Martabano responded he did not believe so. Chair Gannon responded all right. Mr. Smith added that might include a Site Plan amendment if they came back for an irrigation system. Mr. Martabano responded he did not know on individual lot, but certainly if it came back as the entire parcel then yes. Planning Board Attorney, Mr. Michael Towey stated it would likely be done through the Building Department as a plumbing permit for an individual lot. If the HOA itself irrigated all the common areas, then it would likely be a Site Plan amendment. However, in discussions with Roland Baroni, you run the risk of them being removed at a later date if you prohibit them through the mechanisms of in a deed restriction and the HOA documents.

Or the alternative, you just have the person with a hose and a small front yard with the articulating sprinkler that runs for 15 hours, which will likely expel much more water. As you know, these are nice townhomes, and the people are not going to put poor irrigation systems into there, so you are going to have better controls with a single lot of irrigation systems, rather than the old method of it just tipped over and pouring into the driveway and into the stormwater. Mr. Martabano responded that he thought those recollections were completely correct and they went through all those discussions. Mr. Towey stated there would be a lot more work to include the prohibition that may be fruitless or may prove more damaging to the environment and the adjacent wetland. Chair Gannon responded that she just wanted to make sure. Mr. Towey responded it was discussed at length. Mr. Smith stated just as a follow up, you recall, as part of this process, it was revealed that the historical use of the site was an orchard. The Applicant had identified that. They put together a Soil Management Plan that identified the areas how they were going to address all that. So as part of the identification of this new information, that was brought back to the Town Board, and because the Town Board did the initial Environmental Review as part of the zoning and issued the initial Negative Declaration. So, they had to amend the negative declaration to reflect this new information. So, the Town Board, at their last meeting, amended the Negative Declaration to reflect that this new information is available, that the impacts have been mitigated to the maximum extent practicable as part of the Soil Management Plan that the Applicant would be implementing as part of the action. So that essentially clears your Board for moving forward with kind of completing the environmental review as part of your Site Plan and Subdivision review and then moving forward with the approvals. Chair Gannon stated in terms of the resolution, she thought we could add more detail regarding the water district information, because that came from the County. In addition, she asked if a date should be added to the CBA to label it with the date of signature. Mr. Smith responded, yes, we can. Chair Gannon stated we cannot act on this resolution now. Mr. Smith responded, no we are not asking to act on it tonight. Chair Gannon asked the Applicant if they had any questions for the Board. Mr. Martabano responded not at this stage and noted that they did send Mr. Smith a couple of comments and some information that he was looking for and knows that he is going to expand it by reference to certain submissions that were made. So, as you said, it is not really ready to go, but hopefully by next meeting it will be. Mr. Christopher Zaberto stated that he only had the ability to skim the resolution and asked if after he more thoroughly reviews it if he could email Mr. Smith if he has any questions. Mr. Smith responded of course. Mr. Martabano advised Mr. Smith if anything comes up or if more information is needed to please reach out. Chair Gannon then asked if Mr. Smith would anticipate that we would have enough material that we could take a closer look at this resolution at the next meeting and vote on it. Mr. Smith responded absolutely, that would be the goal. Chair Gannon responded, that is what we are going to shoot for and advised the Applicant to clear their calendar for Wednesday April 8, 2026.

MEETING ADJOURNMENT

Chair Vicky Gannon stated before we adjourn, she just wanted to remind everybody that we have a Site Walk scheduled at Rockledge Center, 247 Route 100, Saturday March 21, 2026, at 9:00 a.m. and a reminder email will be sent out about it. She then made a motion at 10:00 p.m. to adjourn

until the next Planning Board meeting, which is scheduled for Wednesday, April 8, 2026. Mr. Paul Ciavardini seconded. All in favor. Motion passes.

Chair Gannon noticed there was someone remaining in the back of the room and asked what they wanted. An unidentified gentleman from 15 Meadow Park he had a question pertaining to Trailside Estates. He indicated that he lived behind where they were building. Planning Board Attorney Mr. Michael Towey advised that the public comment period is closed for Trailside Estates. Mr. Christopher Zaberto advised that the time window to give the Board comments has passed already. He advised the individual that they could submit some stuff in writing, but there is no guarantee that they would see it. Consulting Town Planner, Mr. David Smith told the individual to go on the Town's website, under environmental reviews and find Trailside – there will be a link to submit his comments. But, as previously stated there is no guarantee that it is going to be considered, but at least it can be submitted. The individual responded that he received something in the mail and was trying to figure where it was in terms of where his house is and how it was going to work – where the construction was going to be and everything. Mr. Smith responded that if he wanted, he could call the Planning Office and leave us your contact information, and someone would get back to him.

Subsequent to the meeting, Mr. Kearney sent an email notifying the Board that he approached the neighbor who stayed until after the meeting ended. He answered some of his immediate concerns but gave him his card and told him he could stop by their office anytime to review the plans or address additional questions.

Respectfully submitted,



Nicole Montesano
Planning Board Secretary