

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

Town of Somers

WESTCHESTER COUNTY, N.Y.



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SOMERS PLANNING BOARD MINUTES

April 8, 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 Gannon stated it is long-standing policy of the Town of Somers Planning Board that it does not allow public comments on matters that are not before the Board for a Public Hearing. Members of the public are welcome to submit written comments to the Board, which are reviewed by the Board in advance of the meeting. For matters that require a Public Hearing, we ask that those choosing to comment come up to the podium and clearly state your name and address for the record, as this Public Hearing is being transcribed. Please try to keep your comments to three minutes so as to provide an opportunity for all members of the public wishing to comment an opportunity to do so. Please do not repeat comments or issues as they are being duly noted for the record. She knows that everybody is not used to speaking in public and if a matter is close to your heart, you will be focusing on what you need to say. So, you cannot always track what happens in front of you. But we do ask you to please be mindful and avoid repetition.

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

Chair Gannon also noted that a microphone is up at the podium. It is okay to touch the microphone but not to speak into the front. That does no good. You have to talk into the top of the microphone if we are going to hear you. It is difficult to transcribe if we cannot hear everybody.

MINUTES

The first item for consideration was the February 11, 2026, draft minutes. Chair Vicky Gannon noted a typo on page 23. A “y” was missing from her name. She then asked if there were any other comments. There were none. She then made a motion to approve the minutes as amended. Mr. Paul Ciavardini seconded. All in favor. Motion passes.

TIME EXTENSION REQUEST

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

For the record Chair Vicky Gannon stated this is a request from Somers Fire District Board of Commissioners for a 90-day time-extension from April 28, 2026 up to and including July 26, 2026 for approved Preliminary Plat signature by the Planning Board Chairman to meet the conditions of approval, Resolution No. 2024-05 in accordance with Town Code Section 150-12.M.

Chair Gannon asked for a status update. Consulting Town Engineer, Mr. Steve Robbins stated that his office is handling the coordination between, the Fire District and the filing of the plat for this. The Realty Subdivision application was filed with the Westchester County Health Department. It took them a little bit to review that document. They did get back to us with some comments. They have gone back and forth with the Fire District to clarify some of the intent of that. The Health Department does owe us some revised language that we can incorporate into the plat, but he thinks they are at the short strokes here and this should hopefully be the last extension that the Planning Board needs to grant. Chair Gannon responded okay, well that is good. Mr. Robbins replied that is their hope. Chair Gannon then asked if there were any questions and/or comments from the Board. There were none. She then made a motion to grant the time extension request for New York State Police Headquarters, Somers Fire District, 295 Route 100 Subdivision, Resolution number 2024-05. This would be a 90-day time extension from April 28th, 2026, up to and including July 26, 2026, for approved preliminary plat signature by the Planning Board Chair to meet the conditions of approval. Mr. Jack Mattes seconded. All in favor with the exception of Mr. Anthony Sutton who recused himself. Motion passes.

PUBLIC HEARING**2. 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 improvements within the wetland buffer area. The property is located at 125 Mahopac Avenue and is located in an R-40 Zoning District.

Ms. Karol Knapp with Aspen Environmental came to the podium and introduced herself. She noted that since the meeting last month, they have responded to the comments from Consulting Town Engineer, Mr. Steve Robbins. Specifically, they have eliminated the manufactured chamber system for infiltration and instead have opted to be utilizing greater subsurface depth underneath the patio base. That has been calculated to be substantial enough to basically compensate for what the infiltrators would have done; and it involves less disturbance. As far as wetland mitigation, they have added plantings for the adjacent area, which they are disturbing. They selected the area which is the lowest point on the site, and the area which has the least amount of existing screening as shown on the photographs. They feel that the area is slightly open and they can backfill that area in to provide the screening. In addition, they have provided a species list of native shrubs. They have a combination of four different ones so that the landscaper can pick a certain group of trees that they have selected as being appropriate for the area to find out whichever ones are most available at the time, in best condition, and the largest species. So, in doing that, they have left the option open for 4 different species. Photos were provided in the packet to show the Board where the screening will be located. Chair Gannon asked Consulting Town Planner, Mr. David Smith if he had any comments. Mr. Smith responded no comments. Chair Gannon then asked Mr. Robbins if he had any comments. Mr. Robbins responded that Ms. Knapp summarized the discussion they had and appreciates the Applicant accommodating the needs of the Town and our Wetland Mitigation Policy. 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 26, 2026, and the adjoining property owners were notified via mail on March 18, 2026. Chair Gannon made a motion that we open the Public Hearing. Mr. Christopher Zaberto seconded. All in favor. Motion passes. Chair Gannon indicated that she wanted to start by acknowledging receipt of a memo from the Open Space Committee. It raised a question about whether water will discharge from the French drain. She then asked if Mr. Robbins could comment. Mr. Robbins responded if he was understanding that comment correctly, there is a French drain on the site that is existing that essentially is a curtain drain for the septic system. It is common where we have high levels of groundwater septic system to lower that through the use of a drain. That is noted on the plans with a terminus, kind of, within the area of work. The Applicant's engineer has added a note on the plan to field verify the location of that, just for documentation, and to make sure it is not going to interfere with the proposed stormwater practices. Chair Gannon responded right, because she thought the Committee wanted to know where the water will discharge from the French drain. To them, it was unclear in the submitted Site Plan. Ms. Knapp responded, if she might add, the French drain has been eliminated and is no longer on the plan. There is an existing French drain up near the septic, and it basically diverts the water from going into the leach field and that is just a drain that goes into the lawn currently. But there was a French drain previously

involved with the chambers, and that has been eliminated from the plans. Chair Gannon responded very good, that answers that question. Chair Gannon then asked if there was anybody here for the Public Hearing for this application. No one came forward. Chair Gannon then asked if there were any questions and/or comments from the Board. Mr. Zaberto responded the way he saw it; this was a pretty standard pool design layout. It was challenging with the wetland buffer there, but he thought they have done a pretty good job of minimizing impact to that, so he did not have too many questions. Chair Gannon then asked Mr. Smith if on the more straightforward applications where we have a Public Hearing, we do not usually hold it open for comments for 10 days. Mr. Smith responded correct. Chair Gannon stated she thought that given that there was nobody here for public comment at this point we could close the Public Hearing, and then, discuss when we could get a draft resolution. Mr. Smith responded direct staff to have a draft resolution for consideration at the next meeting. Chair Gannon asked if that sounded viable to everybody. Mr. Zaberto responded yes and made a motion to close the Public Hearing. Chair Gannon seconded. All in favor. Motion passes. She then made a motion to ask staff to draft a resolution for consideration at the May meeting. Mr. Anthony Sutton seconded. All in favor. Motion passes. Chair Gannon asked the Applicant if she had any questions for the Board. Ms. Knapp responded no. Chair Gannon responded that they would see Ms. Knapp on Wednesday, May 13, 2026.

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

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 stated tonight is the continuation of the Public Hearing, but we will start with the Applicant's presentation. Mr. Jared Boniello, the project Applicant for the North Edge Realty Site Plan application came to the podium and introduced himself. He stated that last month the Public Hearing was opened and comments were made on the project. His team made note of those comments and itemized them in a response letter that was shared with this Planning Board earlier this week, on Monday. As it was shared in their responses, they understand the public comments and feel that the noted impacts in some cases have been addressed. In other cases, they feel they can be addressed with this Board through the planning process. If no other comments are brought forward, they would like to return next month and continue working through the details of the project. The townhouse complex is pretty much summarized on the plan, and he did not think it was necessary to run back through the details on it but is happy to do anything that is asked. Chair Gannon then deferred to Planning and Engineering for comments. Consulting Town Planner, Mr. David Smith responded at the last meeting, the Board had a detailed presentation from Mr. Philip Grealy, P.E., with Colliers Engineering & Design, P.C., with respect to traffic, and the traffic implications, and at that time, Chair Gannon had asked, if the Town's independent third-party traffic consultant from Hardesty & Hanover would be able to appear at tonight's Public Hearing. So, representative Mr. Greg Del Rio is here with us tonight. So, at the appropriate time when you

feel it is ready he is available to come up and provide a summary of the process that he did on behalf of the Town and then answer any questions. Chair Gannon responded that is wonderful. She thought what she would like to do is the same as we did with the Applicant's consultant, which is to hear from you and Consulting Town Engineer, Mr. Steve Robbins and then have the representative from Hardesty & Hanover present, and then reopen the adjourned Public Hearing, so we get as much information on the table first before we invite the public up. Mr. Smith responded great, he had no other comments at this time. Chair Gannon asked Mr. Robbins if he had any comments. Mr. Robbins responded yes, for this application, as the Board is aware, the Applicant did prepare a response to the New York City Department of Environmental Protection (DEP), with their comments on the Stormwater Pollution Prevention Plan (SWPPP). In addition, he noted that they are also in receipt of a remarkably short, relatively speaking, letter from the Watershed Inspector General (WIG), which he thought acknowledged the work that the Applicant has done to address the WIG comments. There are still some minor comments outstanding from the WIG, which they will be reviewing with the Applicant to see where they can tweak things if necessary. Chair Gannon responded yes, she saw that they responded to that in what was received from the Applicant.

Chair Gannon then invited Mr. Greg Del Rio to the podium. Mr. Del Rio introduced himself and stated he is a Professional Engineer in the state of New York and is the Director of Transportation for Hardesty & Hanover and represented the Town in peer reviews for their traffic issues. Just to follow up, he noted that last time they were here was October 9, 2025, and at the time his associate, Mr. Steve Cipolla answered some questions and presented some of the findings. They had some comments on the traffic study, which were not very significant, and all the comments were addressed. They concurred with the findings, as well as the methodology. The methodology that they went through was a standard methodology that would be expected for this type of study and for the analysis as well as the findings and mitigation measures that they propose. They went back and forth a couple of times, but basically everything was answered appropriately. He concluded and stated that was a high-level summary but if there are any specific questions, he could address them. Chair Gannon stated so, overall, you found the methodology and conclusions that the Applicant's traffic consultant reached through that methodology to be accurate. Mr. Del Rio responded correct. Chair Gannon then asked if the Board members have any immediate questions. Mr. Christopher Zaberto asked about the methodology used and whether that is anecdotal or is that based on something. Mr. Del Rio responded it is not anecdotal; it is the New York State Department of Transportation (NYS-DOT) and it is overall national - anywhere in the country, follows these steps. He then added that within municipalities sometimes they have their nuances. He indicated that everything was followed appropriately. This is not spit balling by any means. This is very technical, and if they wandered off of that they would have had comments. Mr. Zaberto stated so you did not see any of that in their analysis. Mr. Del Rio responded correct. Mr. Zaberto then asked if they fully concur with their findings that the impact would be minimal. Mr. Del Rio responded that is correct. Chair Gannon then asked Mr. Del Rio if he had a chance to review their traffic consultant's response, which came under Bibbo Associates Engineering, P.C.'s April 6, 2026, letter. Mr. Del Rio nodded yes. Chair Gannon responded that is great, because she thought they would dig a little deeper into that once the Public Hearing is opened. Mr. Del Rio responded most of those comments were Site Plan related more than traffic impacts per se, but he confirmed they did review them. Chair Gannon responded okay, sounds good. She then asked Planning and Engineering if they had any questions for Mr. Del Rio at this point before we start. Mr. Smith responded no, not at this time. Mr. Robbins responded that he thought one of the things that he

heard from the public comments, that he thought warrants some clarification is the difference between trip generation rates and peak hour versus total trips across the day. There were certainly comments about how many times someone comes and goes from a particular residence. And then on the technical side, the conversation would go to one trip - which is during the peak hour, as opposed to throughout the day. He then asked if Mr. Del Rio could talk about the difference in the methodology of how many trips per day each unit would produce versus how that is analyzed during that peak hour, and how that peak hour is selected. Mr. Del Rio responded sure and noted that the daily trip generation is less used for analysis purposes and impacts, because, of course, that is trips spread out over the day and what they tend to look at is two things. Either the peak period, peak hour of the generator, right, whatever the land use is. Sometimes, for example, if you put a mall in a very rural area then you might not want to do the peak hour of the traffic around the mall that is there today. You would want to do when a mall peaks. But in certain situations, you want where the peak of the surrounding neighborhood is. You ask where do your roads peak. In this case, it is the same time - right. A housing development, a residential development, when are most people coming and going - that is going to be in your morning commuter hours, and in your evening commuter hours, within those 2-hour bands, usually 6:00 to 8:00 or 7:00 to 9:00 in the morning depending on where you are, and 4:00 to 6:00 or 5:00 to 7:00 in the evening. So, when they did their traffic counts, they saw those peaks, they identified that peak traffic, and then they layered on the peak traffic for a residential development. So, it is kind of putting the worst case on top of the worst case, so you get peak on top of peak. The reasoning is if it works then, then it works the rest of the day, because both the background traffic and in this case, the generation from the land use are lower during all the other parts of the day. So, we focus in on those two prime periods. Sometimes three if it was a retail development, like, across the street they looked at the Saturday p.m. peak. Mr. Zaberto asked if this traffic study incorporated the volumes that are pre-existing. Mr. Del Rio responded correct. Mr. Zaberto responded he thought that was mentioned. Mr. Del Rio responded not only that pre-existing, but then they add background growth up to the year that the development is proposed to be opened and occupied. So, if there is another development, for example, that is in planning, and was already approved, they also accounted for those developments as well. Chair Gannon then asked if there were any other questions at this point. Mr. Anthony Sutton asked if the peak time periods that Mr. Del Rio was talking about are actually physical counts of vehicles. Mr. Del Rio responded correct. Mr. Sutton asked if then a model gets laid on top of that, in terms of predictors. Mr. Del Rio responded yes, that is a way of saying it. So, you have your base traffic, and then of course, you have a development that is not there yet. That is really what we get paid for, to figure out what that is going to be generating, and that's based on thousands of surveys across the country that say for residential developments of all kinds of sizes, it averages out to be about one trip per unit, or a half a trip per unit. In addition, there are credits if you are close to a train station, for example. Mr. Sutton responded so the actual observations of the cars, the counts, is then modeled into something that takes into account things like, if it is a day that school's off or any of the other factors that may address any individual day. Mr. Del Rio responded right. Mr. Sutton replied so it covers that. Mr. Del Rio responded correct, you got it. Chair Gannon asked if trips were counted in December. Mr. Del Rio responded he forgot the date of the actual counts, but the most important thing is that it is during school, it is decent weather, and there are no holidays. In addition, most times they also try and do it in the middle of the week to get that typical day.

Chair Gannon responded okay and then made a motion to reopen the Public Hearing that had been adjourned. Mr. Zaberto seconded. All in favor. Motion passes. Chair Gannon indicated that she

wanted to start by acknowledging that some written submissions were received since that adjournment. She noted a letter from a Mr. Robert Kearns, Carmel Town Councilman was received on March 16, 2026. It was addressed to the members of the Town of Somers Town Board and Planning Board. Also received on March 16, 2026 was a letter from Mr. Frank Lombardi, Carmel Deputy Supervisor and Town Councilman. The supervisor for the Town of Somers, Mr. Robert Scorrano, replied to the Town of Carmel on behalf of the Town Board and the Planning Board to both of those letters. A memo from the Open Space Committee, dated March 19, 2026 was received, a memo from the Bureau of Fire Prevention, dated March 20, 2026 was received. In addition, we received a letter that was already mentioned from the WIG on April 1, 2026, we also received a copy of a letter that was sent to Mr. Allen from the DEP, dated March 25, 2026 as well as a copy of Bibbo Associates Engineering, P.C.'s response to that. In addition, we did get, from Bibbo Associates Engineering, P.C., their responses to the comments that took place at the March 2026 Public Hearing. She then asked if she missed anything in terms of submissions. Mr. Smith responded that she got them all. Chair Gannon stated before we start asking people to come up, she had a few questions from the read-back on the comments that were made at the last Public Hearing and the responses to them. The first question was one that she had actually asked at the very beginning. It was about the entrance at Route 6. She thought Mr. Grealy properly corrected her when she was trying to describe it. It was about two things. It's about stacking the traffic as it builds up, because that's where you can only make a right-hand turn. Her concern was there is visitor parking in front of the recreation area. First, are we going to have people there, and they are sort of blocking people coming out. If you were in that parking space and you can't back out, you're just going to have to wait until the stacked cars move. More critically for her are the people who are coming downhill from Route 6. They are going to decelerate, and then they are going to make a right-hand turn in. And while making a right-hand turn in, people could also be backing out of those parking spots in front of the recreation area. The response from Colliers was the number of vehicles per hour entering the driveway locations expect to be in the order of no more than one vehicle every four plus minutes during any of the peak hour periods. And it says, in any event, the Site Plan has been updated to shift those spaces a little further to the west to provide some additional distance to allow 3 or 4 car lengths before they reach the spaces. So one question, she did not think the Board received a submission that shows that from the Applicant, because she did not get any plans after the last meeting. So what she wanted to ask was if those plans that would show the change were brought here tonight. Because she would want to ask Mr. Del Rio if he found that change to be sufficient to manage the problem. Mr. Allen stated the response should have been, we were considering that change. As Mr. Boniello mentioned we will be working with this Board to address and fine-tune this plan as we go along, so that'll be one of the items. But no, you have not seen new plans on this. It should have said the plans will be updated to address that. Chair Gannon responded okay, because it said the Site Plan has been updated, so she was confused. So it is forthcoming. Similar to the question about the sidewalk and where that's actually going to land. We will see that forthcoming when that plan comes out, too, because that was the comment see below. It says, now shown on the revised Site Plan, but we don't have that. Chair Gannon then stated in the public comments, there was a public comment from someone named Michele Stuart at 14 Cornelius Lane. And one of the things that Ms. Stuart mentioned was there being lots of accidents and when she concluded her remarks, Chair Gannon had asked if the Applicant could make sure to include data about accidents when they formulate the written response. But she did not see anything about that. The response really doesn't talk about that. So she wanted to ask if the Applicant has that data. She did not see it, maybe she missed it. She went through the original traffic report from Colliers, and looked at the appendices, and did not see it in there. Mr. Philip

Grealy came to the podium and introduced himself and stated as part of the review that was undertaken by Hardesty & Hanover, they asked for that data, and it was included in the December 24, 2025 response letter to Hardesty & Hanover's December 5, 2025 review. The crash data was provided and it was collected from NYS- DOT records, and they were summarized by location and the actual data was attached to that letter. Chair Gannon responded okay, and asked Mr. Grealy for purposes of the public's understanding if he could include a summary of that data when responding. Mr. Grealy responded yes, there was a summary in that submission to the Town Board but they can just refer to it on a response and attach it. Chair Gannon responded sure, just to respond to the member of the public who raised it. She stated she appreciates that because there was another person, Phyllis Morrison who also was talking about accidents as well. Chair Gannon then noted that there was a comment from Stephen See that mentioned drainage runoff. It says the drainage will primarily be away from Mahopac Avenue, and the Site Plan is designed to accommodate such. She then asked if they could get more detail about how the Site Plan accommodates drainage so that it's not going toward Mahopac Avenue. Mr. Grealy stated that he thought Mr. Allen could answer that. While pointing to the plan, Mr. Allen stated this forward portion, where the existing roadway comes into the church property is currently unmitigated and there is no drainage there. They are proposing to pick up that drainage on Mahopac Avenue and bring it onto their site. So, they will actually be helping that condition at the intersection there – it will be down and through their stormwater system. Chair Gannon responded okay and noted that the next part of Mr. See's concern was regarding the glare. The response indicated that any headlight glare will be dealt with as part of the final site details. She stated she wanted to get some insights from the Applicant as to what that looks like. Mr. Boniello indicated that he has walked that site with Mr. See and he is utilizing the area adjacent to their entry offset a little bit for access to his backyard, so he was not interested in trees on his property, but they are looking down the road to have this entrance not be pointing directly into his household. Mr. Boniello thought it is between property lines. Chair Gannon responded it kind of goes right at the hydrangea bush. Mr. Boniello responded they do not anticipate any glare through there. If there is more landscaping that could accommodate any sort of glare reduction, they are very open to adding that as they go down the road. It could be what works is what we do sort of thing. They will look to that as they see how the drive shakes out. For now, they are just planning on aiming at the most unoffensive. Chair Gannon responded it would seem to be the left-hand turns with the headlights that will cause the most problem. Mr. Boniello responded what made the most sense to them was some sort of evergreen on the shoulder of the road between the line of the turn and the household. That is something that they were looking at, and without the permission of Mr. See, he does not think they will be able to land it where it would have to go on the property there. Outside of that, he does not know what else they could do on their side. But they are open to trying to solve any sort of issues as they go down the line on this. Mr. Zaberto stated that he thought there's a level of fluidity here with this, and as the plan evolves some of these finer points can probably be addressed in that, as long as it is on the radar. He indicated that he felt the Applicant has it on the radar and he interprets it to be handled as part of the final site details. Chair Gannon stated she watched the Public Hearings last spring and fall and she has seen Mr. See and has heard him ask about it. He has taken the time to come in and she wants to make sure that it's going to be addressed and not overlooked. Mr. Sutton stated it would seem that anything at the end of the road would really not solve the problem. You have to be on the property across the street to really get the maximum effect, and if you put something too close to the intersection, then you're going to affect the line of sight. Chair Gannon responded and then you have other safety issues. Mr. Boniello responded not on their property, but again, they are open to it across the road, and it'll be at their cost, and as

they get closer, they will make sure that there's a way to accommodate their closest neighbors without impeding their use of their properties. That's how he plans on keeping this in books. Chair Gannon stated in terms of the comments that are not from Colliers, but are planning comments on construction traffic. She noted the first one is a response to a concern that she had articulated - when does the ban on left-hand turns come. She read the paragraph multiple times and wanted to make sure she understood it. What she got out of it was that once the trucks enter the site, they're going to stay in the site, but at some point, they have to leave the site. So, she wanted to get clarity. She then asked does the response, and she thought it should, does it mean that vehicles exiting the site via the existing driveway on Route 6 will be limited to right turns only. Her concern being, she does not want a slow-moving construction truck making a left-hand turn onto Route 6, because we are concerned about it enough that we are not going to allow left-hand turns on Route 6. Mr. Allen responded that he did not think that was built into the beginning of the project to restrict that. He thought from predominant traffic flows and the Boniello's instructing any deliveries that they would come in from and take a right-hand turn out of there. But he did not think there's any restriction on that existing driveway initially. So when he is talking about the construction access being used as part of the initial mobilization of the property, they will bring backhoes and large equipment to start to build the road, until they get up to Mahopac Avenue, obviously. Those large vehicles and everything else will remain on site, and the only thing you'll have coming in is the workers to operate that during the day, until such time as Road C is developed, and then that'll be the construction access from there out. Mr. Allen indicated that he was trying to explain that while they will be using the existing driveway initially, it'll be minimal in traffic impact. He then asked Mr. Grealy if they could make a restriction. Chair Gannon stated it is your property - you could make the rule and put up a sign and say do not make a left-hand turn up the hill. Mr. Grealy responded as part of the construction plan, they get a modified permit from NYS- DOT. He noted, they can, at the Board's direction, request no left turn signing so that won't occur. Chair Gannon responded she would appreciate that. If we are concerned enough about it as the ongoing condition of the site that it could start with construction. Chair Gannon stated that she saw from the Fire Prevention Bureau memo, that they met with the Applicant and they did not have questions. She just wanted to be sure that there is sufficient turning radius throughout the site for the fire trucks, because it's not explicitly stated there, so she wanted to make sure that this has been reviewed, because she thought she asked for the plans to include that at some point, but does not think it has since come through on a submission. Mr. Boniello stated he has spoken to the Fire Department since then with the Building Department. The Fire Department was satisfied with the road widths and the cul-de-sac sizing. Obviously, their memo said such. Outside of that, he does not think they have any other involvement, but he was on the phone with them, and believed they went over building construction and access ways, so he thinks the site is appropriate for their access. Chair Gannon responded okay and then asked if he had anything else. Mr. Sutton stated the language had to be compliant with the National Fire Protection Association (NFPA) standards, and he thought that their discussion verified that. Mr. Allen responded yes, he believed there is a turning radius plan, at the very end of their vast plan set. Chair Gannon responded okay and noted she had one more question that is somewhat related to the WIG's response, and she is going to direct the question to Mr. Robbins. So the WIG, despite your trepidation, had praise. The WIG had some questions, but it said you had answered the questions well. But one of its comments said "Bibbo Associates Engineering, P.C.'s October 2025 response letter states that during the time the plan was discussed with the Town Board, various alternatives were presented, and that the number of units was decreased, and Street A was reduced in width and shifted to the east to minimize steep slope disturbance in the current proposal. However, they say, the layout in the current plan appears

to be the same as in earlier revisions reviewed by the WIG's office, without further reconfiguring of units to avoid steep slopes." Chair Gannon stated she could not understand what the WIG was looking at, but her question for Mr. Robbins was did the plans that we were given reflect those discussions that he is aware of that would have been referenced in that October 2025 letter. Mr. Robbins responded if he understood the comment, and he will ask Mr. Allen to confirm, the adjustments that were made to the Site Plan happened prior to the version that was reviewed by the WIG's office. So, they did not see any subsequent changes, because, as the response indicates, the changes had happened prior to their review. Chair Gannon responded excellent, thank you—that is the clarification. Mr. Allen stated and that's confirmed by our office, that's exactly what happened. Chair Gannon responded thank you and indicated that was the end of her questions. Mr. Zaberto stated just to simplify that, there was a lag in data, the Applicant had addressed it prior to the WIG, highlighting it—correct. Mr. Allen responded yes, you'll recall they were at the Town Board at a very early stage, and discussed with the Town Board, way before the WIG got involved, road configurations, and number of units. He thought they had somewhere of 80 units to start with and then were at 77, down to 73. They had back and forth discussions on road widths and decided on the Town road width. So it was a work in progress before the WIG even saw it. Due to steep slopes and the general configuration of the roadway, it was a straight shot in, and they gave it a little more design flair. We had discussed thoroughly the number of parking spaces and how many visitor parking spaces. All that came before the WIG even saw the plan. Mr. Zaberto said thank you. Chair Gannon said maybe one last question and asked Mr. Del Rio if he found it concerning at all that the visitor parking spaces in front of the recreation center are located as close as they are to the entrance from Route 6. Mr. Del Rio stated he was going to jump in before when she brought that up. He indicated that even though the Site Plan is not there, if they can achieve the 75 or 100 feet offset, which is about 3 or 4 cars length there to buffer, that will also help your entering vehicles have sight and understand what's going on and not be coming in too fast. He stated he believed that is a good solution. Chair Gannon asked that once they submit that, if Mr. Del Rio could take a look at it. Mr. Del Rio responded yes and the same thing with the extension sidewalk and the proposed crosswalk. Chair Gannon stated that was all from her and asked if anybody else had any questions and/or comments. There were none.

Chair Gannon stated she would like to open the meeting up for anybody in the public, who wants to come up and ask a question. She then asked if there was anybody there for public comment on North Edge to please come up and state their name and address. Mr. Emil Napolitano from 262 Mahopac Avenue came to the podium and introduced himself. He then asked about access to the letter of responses regarding the last Public Hearing comments that was mentioned earlier. Mr. Zaberto responded they are generally available on our website. Mr. Smith responded they were not yet available. Mr. Zaberto indicated that they were received subsequent to the cutoff date of when any backup material gets posted to the website but added it will be posted soon. Mr. Napolitano responded it would have been nice to have them for tonight's meeting. Chair Gannon responded that they were just received on Monday April 6, 2026. Mr. Smith advised Mr. Napolitano if he goes to the Town's website under the Planning Department, he will see a section called Environmental Reviews and The North Edge Realty has a separate line item, and that is where the materials are posted and he could access it that way. Mr. Napolitano responded understood. He then stated regarding this gentleman speaking about the traffic study here – he has been living in his house for 25 years. He is 4 houses from Route 6 and semi-retired and he sometimes sits on his porch in the morning. There are a lot of cars, because he is closer to Route 6, exiting the neighborhood in the back, which is Baldwin Lake. A lot of cars come through there during rush

hour – some days he sees many more than other days. He then stated what we have is now 75 or 72 townhouse units. Mr. Smith responded 73. Mr. Napolitano responded if these people are going to be buying these townhomes, he is sure that hopefully they will be working. So, we are probably looking at 1 to 2 cars per family going to work in the morning – that is 150 cars just coming out of that driveway in the morning. Traffic study or not, it is 150 cars. Mr. Zaberto responded and that is based on what- anecdotal information for him- he is just asking because he could respond to that. Mr. Napolitano responded okay, go ahead. Mr. Zaberto stated the Applicant did respond and said that there will be 30 additional vehicles during the peak AM hours, and 40 additional vehicles during the peak PM hours. That was based on non-anecdotal information. Information that is cross utilized from studies in New York State, in the region, encompassing other plans. So, while he will always validate the public's concerns that this could balloon that much, we as a Board do not have that information in front of us that would lead us to believe that it could be 150 cars. Mr. Napolitano asked and then when it happens, what do we do. Mr. Zaberto responded, but again, there could be a meteor that comes and hits the Town, right - what do we do then. Mr. Zaberto stated if we do not have the information in front of us at the time, we have to base the information that leads us into these decisions based on what is provided to us. He is not a traffic engineer. He is reading all of the data as it has been submitted by 3 professional Engineering entities. So, he feels like, it is concerning, and keep in mind, and he said this last month he is a resident of Somers, too, and he utilizes the shopping in Baldwin Place and his Dr.'s office was on Mahopac Avenue. In fact, he was just there today, so this is concerning to us. But the Applicant does have a right to develop that land and what we are trying to do is sort of broker the best for everyone here. Mr. Napolitano responded okay, so we are pretty much looking at 73 units, so you are talking about 30 and then 40, 30 in the morning, and 40 in the afternoon, or non-peak. Mr. Zaberto responded this is the information that is provided to us. Mr. Napolitano asked what the peak hours are. Mr. Zaberto asked if Mr. Grealy could let everyone know the specific peak hours. Mr. Grealy responded yes, the peak hours that we evaluate, covers from 6:30 to 9:30 in the morning, and from 3:30 to 6:30 in the afternoon. From that, we then focus on the highest peak hour, and that'll vary a little bit from one day to the next, but generally, 7:30 to 8:30 in the morning, and 5:00 to 6:00 or 4:45 to 5:45 in the afternoon is the highest time of all volumes on the roadway. In terms of multiple car ownership, it is taken into account in trip generation estimates and it does not all occur in one hour. For example, he leaves his house at 5:30 in the morning. His wife does not leave the house until 9:00. That is all worked into the trip generation estimates that we use as professionals. In terms of the traffic on Mahopac Avenue in the morning - remember, we have an access driveway to Route 6. So, right turns out of Route 6 in the morning heading westbound are not going on Mahopac Avenue – they are going right out onto Route 6. So that is why, when you look at the trip generation, which in our study we actually used higher trip generation. We looked at these being single-family detached homes. So, when you look at the distribution of trips, that is how you come up with what is being added to Mahopac Avenue. Mr. Zaberto then stated that he hopes that helped Mr. Napolitano understand and that he was not trying to be argumentative. He was just trying to help him feel more comfortable about what we are doing. Mr. Napolitano responded okay. He indicated that he believed someone mentioned it last month -regarding the traffic access to exiting the new development. He stated it was brought to his attention recently, that the Memory Center that is across the street on the south side of Mahopac Avenue on Route 6, that was built, 4 or 5 years ago and they had originally proposed to exit out onto Mahopac Avenue and they were denied access onto Mahopac Avenue because it's a residential street. So therefore, they go down Route 6 now and make a right-hand turn up into Bobo's, he believes. Someone recently told him that where that road was proposed is now a driveway with a chain across it. It is a fire exit, because they were not

allowed to exit onto Mahopac Avenue, a residential street. Mr. Napolitano stated it seems to be a Town Ordinance. He indicated that he has paperwork which he believes was given to the Board last month. So, he is wondering why they are able to do this between two residential homes. Which he believes is part of the church property onto Mahopac Avenue. It was not okay for the Memory Center, but it is okay for this development. He stated he was looking for an answer on that. Planning Board Attorney, Mr. Michael Towey, asked where exactly the Memory Center was located. Mr. Napolitano responded the corner opposite of the Tool Nut. Mr. Grealy stated that he has been around for a while and could help with that. He indicated when the property where the Memory Center is, was subdivided, and when the signal was put in at the intersection for Avalon and Bobo's Café there was a condition, he believes, in the original subdivision that that property, which was all one property, it extended from Baldwin Place Shopping Center, which is now Somers Commons. all the way to Mahopac Avenue. There was a restriction when it was subdivided, again, he is going from recollection, that any of the other parcels had to access via Route 6. So, you can check the records, but he believed that was the history. Mr. Napolitano asked if that is a subdivision. Mr. Grealy responded yes, that was part of one large parcel, or common ownership, and that was put in as a restriction. That is why there is the signalized intersection at the bottom of the hill. Mr. Napolitano then asked isn't your guy's project also a subdivision also. Mr. Grealy responded, but we do not have direct access to Route 6. That was one large parcel that ran all the way from Mahopac Avenue up to Somers Commons- at the time Baldwin Place Shopping Center. Mr. Napolitano stated that did not answer what he asked about, you guys exiting onto Mahopac Avenue, a residential street. Mr. Grealy stated he was saying why there was no access for the Memory Center that is all he was trying to clarify. Mr. Towey stated, if he is correct, when this was before the Town Board, when they made the zoning change, he believes they imposed the secondary access requirement - which led to Road C. Initially, he believed this project was proposed as only accessing into and out of Route 6, and it was the Town Board who imposed the condition that there be a second access, primarily for fire access. In the event that one of the internal roads was blocked, that a fire apparatus could then access the other side of the block. Mr. Napolitano responded so this was made for fire and asked if Mr. Towey was speaking about the Memory Center or about this project. Mr. Towey responded, no he was talking about this proposal when it was before the Town Board for the zoning change. He noted he was not here for that but believes the Applicant can elaborate. Mr. Grealy responded early in the process, NYS-DOT controls Route 6, they wanted the access restricted to right turn entry, right turn exit. That necessitated the access to Mahopac Avenue. Mr. Napolitano responded, thank you for your time. Mr. Zaberto thanked Mr. Napolitano.

Chair Gannon asked if there was anyone else present who wanted to speak on this application. Mr. Paul Harold from 7 Cornelius Lane came to the podium and introduced himself. He stated he has been there for 42 years and lived on the other side of Somers before that, when he was 4 years old up till now. He indicated he did not know where the traffic engineers are getting their information- from books and whatever scales they work on. He indicated he lives there and can tell everyone now, and he has mentioned this before at this meeting and at the Town Board meeting, he has video in his pocket of 10:00 on a Saturday morning from the restaurant with pink Cadillac up to the Mahopac Avenue light is bumper to bumper. Coming over the other side of the hill, all the way back to Whispering Pine, bumper to bumper. He asked how many people here have actually driven it - not looked on the books or looked up scales. He advised getting out and driving it, and tell him what you think, because it is backed up every day. And on top of these numbers, you have the place that is going to be opening behind Somers Commons - another 80-something units. That

is another 160 cars on top of the other 140. And yes, a large percentage comes from people going to work to and from work. He asked how many of them are coming out of Carmel. He is just talking about 300 extra people here. They have always come out of Carmel. Everybody is heading for the Taconic. Like he said, it is ridiculous. He mentioned this last time; you cannot get a rig in there. He worked for the police department for over 30 years. At one time they were discussing that they could not get a school bus into their lot. He asked how do you get a fire engine in there and what happens if someone is having a heart attack. You are not going to be able to get to them if you have bumper-to-bumper traffic on both sides of the road. It only has to happen once, and it is wrong. Mr. Harold indicated he had one other question, that maybe the Board could help him with. He wanted to know when the first meeting was of either the Town Board or this Board on this project. He asked because they have a group of people that really did not know this was even going on for years. Granted, we are the group that fought the lithium battery up in Somers on the border there with Carmel. Mr. Smith advised Mr. Harold that the process started at least a couple of years ago, maybe 3 years ago. The first Board meetings were held with the Town Board and that was to discuss the proposed zoning change to allow this to happen. Mr. Harold responded the reason he asked this question is because aren't they supposed to have signs on the sides of the roads regarding the meetings and what is going on the property- because signage does not go back 2 years. Mr. Smith responded no, the issue is that, for a zoning map amendment, there are different laws that pertain to how those meetings are noticed. The Town of Somers followed those laws as required. Mr. Harold asked if they put signs on the street two years ago. Mr. Smith responded signs are not required for a zoning map amendment. Mr. Harold responded, we knew nothing about this, and for this to be thrown at you all of a sudden, on top of Mr. Ken Kearney and the other place like that. As he said, he has lived here all his life. It was beautiful. There was no traffic, it was country. It is no longer country. Mr. Smith suggested to Mr. Harold, that tomorrow night is the Town Board meeting. Mr. Harold responded yes, they will be there. Mr. Smith responded good, they are considering amendments to the code that would modify the notice requirements for zoning map amendments, and he thinks that is in response to comments that were raised during the course of the public process with the Town Board. Mr. Harold concluded and discussed the problem coming over that light while the sun is going down. He indicated you have the crest and people driving that want to beat the light. He noted you cannot see the traffic until you come over the crest. You back traffic up on that and you are going to have a ton of accidents. He shared that because there are so many sirens going off now, he has been keeping track and has a list at home. In the last 11 days, 9 either ambulances or radio cars are screaming multiple times throughout the day. Mr. Harold stated that he was sure that information could be looked up as far as statistics go in the Fire Department or Police Department logs or something. It is a zoo up there now. You are outside working or sitting on your deck, and all day long you hear the sirens. Nowhere else in Somers is overhearing that – he guarantees you. He stated there is probably nothing going on right outside here at this intersection. It is wild. He is talking accidents with ambulances. Mr. Harold concluded and thanked the Board and wished them good night.

Chair Gannon then addressed Mr. Grealy and stated that when she was reading the original traffic report and was looking at the notes about the level of service for current build and no build her recollection was the PM rush hour was already at a level E, and that there was also a column that indicated if we make some adjustments to the pattern of the signalized intersection, that could improve it. But what she got out of reading the report was a confirmation of the reality of what people are experiencing, which is that traffic is heavy at certain times of day. Mr. Grealy responded correct. Chair Gannon stated the service is less than ideal, level E, which you can explain. But

what she also got out of it is that the level of development and additional cars that this project represents is not significant when you measure it against the overall number of cars coming through these intersections. She then asked Mr. Grealy if that was correct. Mr. Grealy responded yes, that is correct, and they also identified some adjustments to the signal to make it function better, and that is what the DOT also required. Chair Gannon asked so even with the addition of these cars, if we make these changes as a result of this development to the timing of the lights, will there be any improvement in the traffic as we currently know it. Mr. Grealy responded based on their adjustments it would offset any increase. The difference would be marginal; it is a couple of seconds' difference. Chair Gannon then asked if Mr. Grealy could explain what the different levels are- what level people should expect to experience at the intersections at the rush hour peak in the morning versus the rush hour peak in the afternoon. Mr. Grealy responded in the morning, he believes, and they looked at overall intersection and movements - level of service D. Again, the rating is A through F where F is the worst. In the afternoon, they identified a service level of E, which means it is approaching capacity. With the adjustments, they were able to offset the projected increases which also includes the background growth and the other developments, including Trailside, and he thought there were some others that they had to include in that background. Chair Gannon responded thank you and said one last question. She could understand why a member of the public as well as herself would sit there and could say, okay, 73 units and the developer is building 2 car garages, so we are anticipating 146 cars, and that is a lot of extra cars. But she is also understanding that we cannot expect, even if that was the worst-case scenario, that 100% of the cars are not all going to leave within the same hour. It is going to be distributed across, even in a rush hour, a 3-hour period. And as we discussed last time, we do not expect just one in-and-out. We could have up to ten in and outs from a household during a day. Mr. Grealy clarified on a daily basis. Chair Gannon responded so the volume is distributed throughout the day. Mr. Grealy responded correct. Chair Gannon thanked Mr. Grealy and then asked if there was anybody else there who wanted to come up and speak for Public Hearing on North Edge. Mr. Sutton stated that he thinks what we are hearing from everybody, like Mr. Harold's observation of what he remembers the neighborhood used to be. Mr. Sutton noted that he shares his history in the Town, and he thinks they have been here about the same amount of time. He indicated those roads have not seen any sizable improvement over the years. They may have been widened and got a little better drainage, but the real focus of any road improvements has been at the intersections. He then asked at what point does a traffic study say that these roads are not capable of handling additional volume. He thinks it is a matter of managing people's expectations. It will never be the way it was. We would love to go back to our childhood. That's not a reality, and we know that there is not nearly enough money just to repair the roads that are out there, as opposed to making substantive changes to accommodate more cars and he thinks that if there was a plan to make it a four-lane road, the cost would be so prohibitive, that would not happen. He then asked at what point does it reach the saturation point, and you say that this is not manageable. Mr. Grealy responded that is a state decision also, because this section of road is in Somers, but it is influenced by traffic in Yorktown. It is influenced significantly by traffic in Carmel and other places along the corridor. Overall, it is a state determination because Route 6 is a state highway. Over the last several years, other than the addition of the lane heading northeast bound by the state, which was done some 10 years ago near Somers Commons; which helped alleviate some of the condition there, the state has not done any of the improvements. The improvements at Bobo's, were all done by and at the owner's expense - the signal, the crosswalks, the widening. So, again, it is the state. Mr. Sutton responded he understands and wanted to point that out, because he thinks that is where the frustration is. They sit in that traffic, they experience it. He thought as a Board he wanted to just remind everybody

that developers come before us. It is their right to develop the property that they own and follow the rules. And, you know, at some point in time, the rules might have to change because there is no more capacity. Currently what we are faced with, as his colleagues said, is that we are here to try and mitigate the impact of development without impeding the developer's rights to develop the land that they own. Mr. Grealy responded understood. Chair Gannon stated the study that was done shows the reality that people are experiencing at capacity. It is all there, nothing is hidden. Mr. Grealy responded yes there is nothing hidden. Chair Gannon responded, that is where we are.

Chair Gannon stated last call for tonight and asked if there was anybody here for public comment that wants to speak. Ms. Sara Nugent from 260 Mahopac Avenue came to the podium and introduced herself. She indicated that she lived in Somers and attended Somers High School back in the day. She was here when Mahopac Avenue and Route 6 really did not even have a traffic light and you had to come up Route 6 and try to race to make that left-hand turn onto Mahopac Avenue. She indicated that she was taking in everything that everyone was sharing tonight, and was just curious about the traffic study because what's being built are townhomes, but tonight, she felt like the language shifted a little bit to the study was done with homes or houses across the country. She then asked if there is a difference with the traffic study being based on townhouses versus individual single homes. Mr. Grealy responded this project is a townhouse project. In their study, they identified the trip generation for a townhouse, which is less than a single-family home. However, their analysis was a conservative analysis because they used the higher trip generation as if they were single-family detached homes. To give Ms. Nugent an order of magnitude, Mr. Grealy stated on a peak hour basis, a townhouse will generate somewhere between .5 to .7 trips per dwelling unit. A single-family home, detached home generates, typically, one or a little bit over one trip per dwelling unit. Ms. Nugent thanked Mr. Grealy and then asked for confirmation that they are building townhomes with two-car garages. Mr. Grealy responded correct. Ms. Nugent asked if they took into consideration the number of children that might be living in these homes as well as the buses that need to pick up the kids and drop them off. She added that might add to the traffic. She also stated there is a nursery school that is currently there and inquired if it is anticipated that it is going to stay. She stated she would be a little concerned with their playground in the backyard, where these cars are going to be driving as well as the buses having to get in and out. She noted we are talking about if they exit onto Route 6, that they would have to make a right out of their road onto Route 6. She asked if Somers' buses are allowed to do that and if they do, where are they going to turn around to come back to Somers. She stated that is just a thought. She also asked when comparing traffic studies, if the comparison is across the country and then stated maybe that is beneficial – she does not know. But when you are buying a home, and you are comparing what you have to pay for your home, it has to be within a certain radius or diameter, and it has to be comparative sales. She indicated she was unsure if this traffic study was comparing to places within this vicinity compared to across the country. Also, peak hours she noted they were talking about peak hours and that they did the study from whatever it was, 6:30 to 9:30, but then they honed into 1 hour and asked how is that hour determined as the peak time and does that take into consideration the buses or how many kids might be living in this development, and whether their parents are driving them to school, and then picking them up and bringing them back home. She indicated she felt like that would add a lot to the traffic. We live there and see it. There are so many accidents, and the sirens, like everyone mentioned. Behind our house, it used to be the golf range. Since then, every night we hear sirens, and the lights from that development are glaring back at our homes. And for our neighbors who brought attention to the possible lights and layering- to put a bush in front of somebody's home. She questioned how a bush would guarantee to stop the glare. A bush

dies. So, to put a bush or a tree, that is not a solution, in her opinion. She stated that she appreciates everybody taking things into consideration, but it is really for the Town of Somers. It is almost like Central Avenue right now and she is not one to cause a ruckus, but it is just for the kids, for our Town, for our people. This just seems very extreme right now for what we need in our Town. She stated she is just trying to keep it for who we are and what is here and keep that little bit of country vibe that we are trying to hold onto. She reiterated that she appreciates everybody's consideration and thanked the Board for their time. Chair Gannon thanked Ms. Nugent for her time.

Mr. Harold came to the podium to voice some additional remarks. He stated they agree with the comments Mr. Sutton made earlier. Mr. Harold shared that he has known Mr. Gus Boniello, the Applicant, since high school. They played sports together and all of that. His family had been building up in this area for years. They do good work. There is no argument about that. But why was the zoning changed – that is the question. The project went from 15 - you could build 10 to 12 homes in there at a million dollars apiece- the market up there calls for it – that is \$12 million. He asked why we are packing in 73 homes – that is the problem and that was the big difference. Whoever voted for a zoning change, it was already an R- 40 district. Why did it get switched. That was the problem. That is where the numbers come in. That is where the road problems come in. That is where emergency problems come in. Mr. Harold asked for what and who benefits. Mr. Gus Boniello does. Not other relatives, or people who were living up there for years. That is where the problems lie.

Chair Gannon then asked if there was anybody else here who wanted to participate in public comment for this application tonight. Mr. Emil Napolitano came back to the podium and stated he had a quick question on the traffic study and asked where the traffic studiers sat, laid, or hung out to do the study and get the numbers. He asked if they were up and down the street or at the intersection. Mr. Grealy responded the traffic counts are conducted at the intersection. They are done both visually and with video recordings. In addition, in the traffic study, as referenced in the responses, NYS- DOT also collects their own data, and he thought the most recent data was from March of 2025 from DOT and that the DOT uses various methods. Some are road tubes, some are visual. But Colliers' traffic counts were visual observations and video confirmations. Mr. Napolitano asked if any of that is available. Mr. Grealy responded all the data is included in the traffic studies and the submissions to the Town. Mr. Napolitano asked if there was any video. Mr. Grealy responded the video is not there, no. Mr. Napolitano asked how come. Mr. Grealy responded it is typically not included in a submission. Mr. Napolitano responded that is odd. He then stated the zoning change, as Mr. Harold said went from 12 - 15 homes to 73 units and then asked when that was done. Mr. Smith responded the zoning change itself was done this past fall. Mr. Napolitano stated he knows getting a sewer line was mentioned once before and did not recall which meeting, but the dozen or so homes of their neighborhood on Mahopac Avenue will have the most impact against them with the traffic and the people. He then asked if a sewer line could be put in for their neighborhood. He reiterated that he believed it was mentioned at the last meeting and was just something that the Planning Board could kick around and maybe help the residents out also because the developer was helped out. Planning Board Attorney, Mr. Michael Towey stated just to respond to that, and he raised this at the last meeting, when it was asked by one of the gentlemen. When an Applicant petitions the Town Board to expand a sewer district, it is a county sewer district. The Applicant pays the infrastructure improvements. The Town does not. Mr. Napolitano responded understood. Mr. Towey continued and stated so the Applicant would have to upfront all those costs to run the main the necessary distance, all the laterals, pays all the engineering fees, and

the legal fees on the Town and the Applicant's side. So just for your knowledge. Mr. Napolitano responded yep. Mr. Towey stated it is not something that the Town is paying for the Applicant. Mr. Napolitano responded understood thanks, it is just something the Applicant maybe can kick around.

Chair Gannon then asked if there was anybody else here who has not spoken yet, who would like to speak tonight for public comment for this application. No one came forward. Chair Gannon then asked for Board comments and/or thoughts. Mr. Zaberto stated that he thought we all echo the same sentiments and he would just be repeating himself. For Somers residents, we are concerned and we do have your best interests. Despite the last comment that he took as personal, but that is okay. He added if you have any issues with zoning, or any issues with the trajectory of the Town, we are not elected officials, we are volunteers appointed by elected officials, and your best bet is to voice your same concerns to the elected officials at the Town Board Meetings. He noted there is time for public comments in the beginning of every meeting. And you have a right to voice your concerns there as well as here. He then thanked the public. Chair Gannon then asked if there were any thoughts and/or comments from Planning or Engineering. Both Mr. Smith and Mr. Robbins responded they had nothing further. Chair Gannon stated that we definitely need to get some additional information – we are awaiting the plans that are going to be updated. She added that her feeling, and she is just one member, is at this point we adjourn the Public Hearing until next month and then see what else we have gotten at that point. Mr. Zaberto stated that is reasonable. Chair Gannon made a motion to adjourn the Public Hearing until our next meeting, which is May 13, 2026. Mr. Allen addressed the Board and stated that he knows they have worked very hard on this. He noted that the Site Plan is not complete, but nonetheless, in terms of what the Board has heard in terms of Public Hearing, they would ask that the Board consider closing the Public Hearing. He stated they would work on those minor aspects of the plan – they are not talking about shifting roads or anything drastic here. It is just about shifting a couple parking spaces here and dotting the I's and crossing the T's. He added he thought if the Public Hearing is left open, we are just going to hear more of the same. Nothing really has changed since the last Public Hearing, so we would ask that the Board consider closing the Public Hearing with a comment period. He then thanked the Board. Chair Gannon responded duly noted. She then made a motion to adjourn the Public Hearing until our next meeting on Wednesday May 13, 2026. Mr. Jack Mattes seconded. All in favor. Motion passes. Chair Gannon asked if there was anything else. Mr. Allen responded no. Chair Gannon responded that they will see them next month.

PROJECT REVIEW

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

For the record Chair Vicky Gannon stated the project will consist of the installation of a new PFAS (Polyfluoroalkyl Substances) treatment building to house granular activated carbon (GAC) filtration vessels, which are to be used to reduce PFAS to regulatory compliance levels. The existing sodium hydroxide chemicals that feed the system will be relocated to dedicated rooms within the new building. An aboveground chlorine contact tank will be installed to replace the

existing chamber. Additional process piping site improvements and associated modifications are required and further defined in the plans and engineer's report. The project will also include a paved driveway, an underground stormwater tank detection system, and an above ground spill containment pad. The property is located in a Designated Residential Development Overlay District (DRD).

Chair Gannon started with a disclosure as she is a customer of Veolia because she lives in Heritage Hills, as is her mother. She then asked if there was anybody else who needed to disclose that they are a customer of Veolia. Mr. Jack Mattes stated the he also lives in Heritage Hills. Chair Gannon added that she is nowhere near the site so any development on the site does not impact her in that manner. She then asked the Applicant to introduce himself and start the presentation. Mr. Lino Sciarretta, Partner with the law firm Bleakley, Platt & Schmidt, located at One North Lexington Avenue in White Plains NY came to the podium and greeted the Chair, Board, Counsel and staff. He stated he was there on behalf of Veolia Water New York and that Will Schurmann from Suburban Consulting, was with him this evening as well and would speak a little later. In addition he noted representatives from Veolia were there this evening as well. He provided some background as why they were there. He indicated this is something that has been ongoing. He has been representing Veolia for a number of years and this is a project that is something they have to do- not something they want to do. It all started back several years ago, back in 2020. He calls it the battle between the Fed, the Environmental Protection Agency (EPA) and New York State. Back several years ago the EPA had their guidelines for PFAS, which are forever chemicals. These chemicals have been used in fire foam, non-stick surfaces and makeup. Unfortunately, now we have to treat for that and that is what we have to do with respect to our existing water wells. We have been doing this throughout the Hudson Valley. But just to go back to how this all started, again back in 2020, New York State set a new standard for acceptable PFAS in water, and that was 10 parts per trillion. So what they did several years ago throughout the Hudson Valley was upgraded all the wells to meet that standard for New York State. Now the EPA has issued new regulations that have now brought that number even lower. New York State went to 10, now the EPA is going to 4 parts per trillion. This means it is great for us lawyers, because it makes him have to go to these meetings and get these facilities approved, for Veolia to do this. But it is a lot of work, and in order to provide potable drinking water that's deemed necessary to comply with our regulations, we have to do this – that is why we are here. Not because they want to do this. They have already done about 17 of these facilities across the Hudson Valley to get up to the new guidelines, which go into effect in a couple of years. All these systems have to be online before that compliance date by the EPA. Again, just to give you a little background with respect to this project, as Chair Gannon stated it is located in the 405 Route 202. This is an existing treatment facility. There are 5 wells on this site. Currently, it is a chlorination building, which will be upgraded. That will remain, but there'll be a PFAS building that'll be built next to it. That building is approximately 1,750 square feet. And what it will house is called a GAC (granular activated carbon) building. And to give you an example of what that is, if you know what a Brita filter is for water, there's carbon in that, you fill it up, that's exactly what gets rid of PFAS. So, think of these as large Brita filters that are being utilized to treat the water, and that's what we have to do. As part of this project, what we're doing is we're installing a new PFAS building that will house the GAC filtration. There are existing sodium hypochlorite, sodium hydroxide, that are chemicals that are used to treat the water which are going to be dedicated to certain rooms on site. There's also above-ground chlorine contact tank that'll be installed to replace the existing chamber that is there now. As part of this, there's additional piping, site improvements that are going to be

associated with the modifications to this, and also there's going to be a water storage tank, paved driveway, underground stormwater tank detention, and an above-ground spill containment pad as proposed. We will need variances for this project with respect to setback and height. Also, we need Stormwater, Steep Slope, Tree Removal Permits, and Wetland and Watercourse, and a Special Permit as well, all from this Board. With respect to the State Environmental Quality Review Act (SEQRA), they did receive a memo from Consulting Town Planner, Mr. David Smith. They believe this is a Type II action which falls under 617.5A, which deems this a Type II action. They are below that threshold and believe in terms of SEQRA, the Board can conclude tonight that the process hopefully is concluded. That is why they are here. Again, it's not something that they want to come here and do. This, by the way, is an unmanned facility. It can be manned, but it's remote. He indicated that there was a lot of discussion on traffic for the previous application, but, in terms of traffic, this is the total opposite of that. It will be manned when it has to be, otherwise it'll be remote. Mr. Sciarretta indicated he was going to have Mr. Schurmann come up and give an overview of the Site Plan. This is their first time here, and hopefully what we would like to achieve tonight, because given the timelines that we have to get these systems online, hopefully the Board, if satisfied with it, we can schedule the Public Hearing to continue this, because we do have to go to the Zoning Board of Appeals and others to effectuate and process this application. Mr. William Sherman from Suburban Consulting Engineers came to the podium and introduced himself. While referencing the plan he stated that as Mr. Sciarretta mentioned, there's an existing treatment facility on site that currently houses the water quality treatment, where an additional treatment building is proposed to house the polyfluorinated compound treatment removal through the granular activated carbon as located in the front of the site. Along with this, there is a proposed water storage tank as located in the rear of the site, along with associated site improvements for stormwater improvements, driveway improvements, security improvements via fencing, as well as related sidewalk improvements. Under this project, variances would be required and requested specifically for building setbacks off the property lines for the primary as auxiliary structures, as well as the height bearings for the above groundwater storage tank. Chair Gannon stated when she was looking at the plans, and maybe she missed something, but if she did not know where it was located, she would not know where it's located. Mr. Schurmann responded correct. Chair Gannon stated she did not think that was a good thing. There was no rendering within the plans that clearly showed where it's connected to the driveway. Your address is 202, but you haven't got a curb cut. She indicated that she knows where it is because she lives in Heritage Hills. But she thought that was something that's missing from the plan set. The cover page has that satellite picture type of thing, but the road that should be rendered just kind of trails off, and she thinks especially if you are going to the Zoning Board of Appeals asking about setbacks, she would add something that gives that level of context. Mr. Anthony Sutton responded that he agreed - almost like zooming out so you get a better idea of where this is in context to everything else that's there. Mr. Schurmann responded correct and noted this property is landlocked, and it's accessed through a current access easement through the land trust. That is why it is off the property. He added that he did have a photo in the back which he could show. Chair Gannon responded right, she thought it would be good to show that. Mr. Schurmann responded they can show that. Mr. Christopher Zaberto responded even in, like, a corner snippet, right. We get a lot of plans that come from either the official mapper, or even Google Earth, and they generally highlight that. He noted he is not a resident of Heritage, and does not know where this is in relation to any public facilities, or housing, or structures, or roads, for that matter. He tried to figure that out, and couldn't. So, he definitely agrees. He added it would definitely be helpful for those of us that are not as familiar with the site, and Somers is a big town geographically, and that would definitely help us

out. So, thank you. Mr. Schurmann responded yes, that can be provided. Mr. Sutton asked how big is the water tank. Mr. Schurmann responded the proposed water tank is about 40,000 gallons, it's about 17-foot diameter. Mr. Sutton asked if that is above ground. Mr. Schurmann responded correct, it will be above ground and it will replace the existing one that's currently located within the treatment facility. Mr. Sciarretta stated one thing he forgot to mention, was they are not increasing the capacity of these wells, they are still the same, so again, in terms of that, nothing's changing. This is really all about just treatment of PFAS. He just wanted to make sure there's no questions about increasing water capacity - that is not what they are doing here. It's just strictly the treatment itself. Chair Gannon asked if in terms of the new structure would there any noticeable noise or if she was near there would there be a smell or humming noise. Mr. Schurmann responded no additional noise or sound from this new treatment facility other than the existing infrastructure on site. Chair Gannon asked if it would have additional lighting, like lighting on the side of the building or security lights. Mr. Schurmann responded there will be emergency lighting on all the doors. However, we will be considerate of that to the nearby neighbors, as well as across the area-there's no permanent 100% lighting all the time. It will just be based on proximity when you walk through it or in case of emergency. Chair Gannon responded okay and then asked for Planning and Engineering comments. Mr. David Smith stated that this particular application needs to get a variance for the setback and height and that the granting of a variance is an action under SEQRA. So, the memo that we prepared kind of walks through what are the thresholds for the different types of actions that are classified under SEQRA. He noted that he thought this action does not come close to a Type I Action, which means you would have a serious adverse impact to the environment. But focusing on the Type II list, he thought that there are at least a couple of the criteria in the Type II list that this action would fall under. So, as an immediate action that your Board could take is just to declare that based on your review of the SEQRA Type II list, that this action would fall under a Type II and essentially that concludes the Environmental Review. That doesn't mean that it concludes the Site Plan review that you're doing with respect to the impacts on site disturbance and wetland buffers and that type of thing - that still goes on. But from a SEQRA standpoint, that just concludes the environmental review. It's more of a procedural matter that allows the Applicant to then go to the Zoning Board of Appeals, get the request for the variance, and then they would ultimately come back to your Board for finishing the process with Site Plan review and all the other permits that are required. Chair Gannon responded which is what the Applicant asked for, so they can move forward with the Zoning Board of Appeals. Mr. Smith responded correct. Chair Gannon stated that she would agree we have enough information on the application, on the surface of it, just to find that. She then asked Consulting Town Engineer, Mr. Steve Robbins if he had any comments. Mr. Robbins responded no comments on SEQRA directly. They did prepare a comment memo that addresses their technical comments. Stormwater, this project is within the Town's Groundwater Protection Overlay District, so there is some additional analysis that needs to happen there. A lot of their comments are detail-related. They deal with making sure that we're understanding the calculations that are performed. A number in one place didn't match a number in another place, and maybe we misread it, but it is about confirming the analyses that were produced and adding some additional detail to the plans where we thought that is required to meet the Town Code requirements. He concluded and stated their comments are relatively straightforward, and they are happy to work with the Applicant's engineer and get them addressed. Mr. Sciarretta stated first of all he wanted to thank staff as they were great in accommodating their questions and in preparing their application and answering the questions in order to get here today, so we want to thank staff for that. And, just the one comment from Mr. Robbins, we have to obtain a Special Permit under he guesses Section 170-32.8. That section,

again, because of what they are doing here, as part of the Special Permit it says that a hydrologic analysis has to be provided to show that they are not causing any degradation or contamination of groundwater. Obviously, this is a water company, looking to treat water, so we are hoping that requirement can be waived. We understand we have to go through the Special Permit, but with respect to that component of it, we would hope to waive the piece of requiring that, because again, we're not affecting groundwater we are just providing treatment. Again, we are the water company, so the last thing we want to do is contaminate our main asset. Hopefully that can be waived if that's something that you would consider. Mr. Robbins responded that he did not know if the Board has the ability to waive that requirement or not, but regardless, he thought Mr. Sciarretta had started to outline that analysis, and that would just need to be presented to them. Mr. Sciarretta thanked Mr. Robbins. Chair Gannon stated so for discussion in a future meeting, if we do have the ability to do that it could be considered at our next meeting. Mr. Smith responded yes. Mr. Sciarretta stated just for the record they are not saying they do not need a Special Permit it was just an element of that Special Permit that they are looking to discuss and maybe not have to do that analysis. Chair Gannon responded understood. Chair Gannon asked for Board discussion. Mr. Zaberto indicated he had some questions. He noted that the engineer mentioned that there would be chemicals stored on-site - chlorine and some others. Mr. Sciarretta responded there are chemicals there now. Mr. Schurmann stated correct, there are two chemicals currently on site, sodium hydroxide and sodium hypochlorite. So one's a disinfectant, like a bleach. The other one is sodium hydroxide, which is a pH adjustment for the water. Both of them are currently stored within the existing treatment facility as it stands today. We are relocating them to the brand-new treatment facility in dedicated rooms for ease of operation and maintenance. Mr. Zaberto then responded alright, and then asked if there will be some sort of containment system for those chemicals in the event that there is some sort of an issue. Mr. Schurmann responded correct, they will be located within a secondary containment area, dedicated within those rooms, so in case there is a spill, it will only go into that single room and will not make it outside. Mr. Zaberto asked to confirm if that existed today with the current setup. Mr. Schurmann responded that is correct they are just changing the design slightly and relocating it to the other room to make sure that it will maintain compliance and that there is no contamination. Mr. Zaberto asked for the purposes of filtering out the PFAS, which is not being done currently what exactly is being changed. Is it really more about the physical filtration part of it. No additional chemicals are needed to mitigate the PFAS, or is he way off base with that. Mr. Schurmann responded no, you are 100% correct. There's no new additional treatment or additional chemicals that are required. As Mr. Sciarretta mentioned, it's like a giant Brita filter. Mr. Sciarretta stated it is just carbon that's being added. The chemicals that are there, again, basically amounts to – it is a nice way of saying bleach, that's exactly what it is. The only additional component to that that is the GAC, which is the filter. That's it. So, again, water passes through that GAC filter which is designed to take out the PFAS to regulatory levels, which is 4 parts per trillion, which will be the case when the EPA regulations kick in. Mr. Zaberto responded got it and then asked how often do the filters have to be removed as he assumes there will be an accumulation of those chemicals. Mr. Schurmann responded the vessels themselves stay there for the lifespan, so typically about 30, 40 years. The media itself will be replaced every year to two years, depending on the water quality. Mr. Zaberto asked if that follows some sort of safety protocol. Mr. Schurmann responded correct. The replacement will follow the DOH (Department of Health) requirements, as well as Veolia specific requirements for the removal of that, where dedicated tanks would come onto site to remove the chemicals, and remove the media. Media would be disposed of to appropriate waste receivable facilities, and new media would be installed. Mr. Zaberto confirmed that Mr. Schurmann stated it was the Department

of Health. Mr. Schurmann responded yes. Mr. Zaberto stated that he knows with Type I it is a lot more than just chemicals and stuff like that. He then asked if the sodium hypochlorite and the other chemical that will be used is in solid or liquid form. Mr. Schurmann responded liquid form. Mr. Zaberto stated and there is no chance, because of the containment systems, that the chemicals could leach into the groundwater – right. Because we want to be confident that if we are potentially waiving the requirements to do testing, to make sure that it isn't there already, or can't happen in the future. He noted that he just wants to make sure that we cover all the bases. Mr. Sciarretta responded again, to your point, it's a valid one - this facility has been there already for many years. It serves five wells that are on that property. All that is being done now and it is going to be better than it is today. Again, it is going to be housed separately. Going back to SEQRA, having done these, not just throughout the Hudson Valley, whether it's Westchester, Rockland, Putnam, Dutchess for the most part, all these have been Type II actions because they fall under the criteria that he was stating earlier. So, again, these things don't arise to that level. Again, this is just really just a component to get the water to comply. Before COVID, the EPA levels were much higher than the state, and now the EPA is going below the state, now they're both going to be at 4 parts per trillion at some point, so we're just trying to keep up. Mr. Zaberto responded he understands that. He is not a big advocate of “we've always done it that way”. Mr. Sciarretta responded, he gets it, but out of the 17 that they have done they have all been Type II under the criteria. Mr. Zaberto responded that holds some credence, but he would still like to make sure that they are covering all the bases and thanked Mr. Sciarretta. Mr. Sciarretta responded he agrees, but other professionals who agree with your professional have done that in other locations as well. Mr. Zaberto responded alright, he is comfortable if we do decide to deliberate on waiving anything. Mr. Sutton asked if there are increased quantities of what is being stored on site associated with this new facility. Mr. Schurmann responded no change in chemical quantities or volumes are anticipated, because it's the same volume of treatment before and after. Mr. Sutton responded, as a little background for the audience, there have been a number of sites where the groundwater has been contaminated, particularly at airports where the firefighting drills have been using that foam for years and years. He knows that the Westchester County Airport had a significant problem with it, and Stewart had an even bigger problem when it was a military situation. He thinks he is correct in saying this is a forever chemical. Mr. Sciarretta responded that is correct, that is what they are called. Mr. Sutton responded to put it in context about the need for it and the necessity of taking these steps. He is assuming people's water bills are going to go up. Mr. Sciarretta responded that is a Public Service Commission (PSC) issue, so we'll leave that answer for another day. But they did acknowledge that we have to do these improvements so it is baked in already, if you will. Mr. Zaberto stated unrelated non sequitur he remembers former Planning Board member, Ms. Nancy Gerbino mentioning that there was once an airfield at IBM/ Pepsi and he thought there was some contamination there, too. Mr. Sutton responded yes, a lot of petroleum chemicals up there. Mr. Zaberto responded we have seen it peppered in Town. We have got some salt issues up on the north side of Somers here, and so groundwater to us is important. Mr. Sciarretta responded yes, again, what we are treating is something that is great for him to stand up here and talk about because it's a great sell, because he gets to provide potable water. He noted they have to do it. It is great, you know, it is a lovely position to be in, unlike other projects he does where he gets screamed at, but it is okay. This is a nice one. Chair Gannon then stated just a question for clarification and she is sorry if she missed this. The original building - how is the activity that is going on in the original building changing as a result of this. Mr. Sciarretta responded it is chlorination. It is the same thing that is going to happen there. But, in addition, they are going to have the carbon to address PFAS. Chair Gannon responded okay that is not changing. Mr. Sciarretta responded again, the

quantity, the million gallons per day is not changing, we are not increasing capacity, we are just adding another treatment component. Chair Gannon then asked how many visits – it is unmanned, but during the course of a week, how many visits do we expect. Mr. Schurmann responded so, typically, the site would be visited daily by the operators from Veolia just checking in to make sure the equipment is functioning properly, and anything like that and to take water quality samples as necessary. Mr. Zaberto then asked to confirm that they have remote monitoring as a backup in the event that someone is sick or something like that and cannot get to the site. Mr. Schurmann responded correct. Chair Gannon asked what happens if the power goes out. Mr. Schurmann responded there an existing generator out there. We are proposing replacement of that generator underneath this project to make sure that it can accommodate the additional electrical loads for the new treatment facility. Mr. Sutton asked in terms of the containment system, what capacity does that have - is it 100% containment, or is it partial or if you had a major spill, would it grab it all, or would you lose some of it. Mr. Schurmann responded for the chemicals, it would be 100% containment. So if there is a breach in any of the containment walls of the chemicals, it will flow into a tertiary pit, which contain technically 120% of the volume. Mr. Sutton responded good. Mr. Schurmann said so it will not be any concern. Chair Gannon asked if there were any other question. There were none. She then asked the Board about scheduling a Site Walk and indicated that she would like to see the site. The Board then discussed various dates and made sure Mr. Robbins could attend. The Site Walk was scheduled for Saturday, May 2, 2026, at 9:00 a.m. She then asked Planning Board Secretary, Ms. Nicole Montesano to send out a reminder to everyone. She then asked the Board if they felt there was enough, information to set a Public Hearing for the May meeting. Mr. Smith stated that he felt comfortable with that. Chair Gannon then made a motion to schedule a Public Hearing for this application at our, Wednesday, May 13, 2026, meeting. Mr. Zaberto seconded. All in favor. Motion passes. She then made a motion that this Board finds that the application in front of us is a Type II Application under SEQRA. Mr. Zaberto seconded. All in favor. Motion passes. Mr. Smith stated one more thing and then asked if the Applicant needed a formal referral to the Zoning Board of Appeals (ZBA), or if they were going to do that on their own. Mr. Sciarretta responded if staff would like to and if Chair Gannon deems that appropriate, then they could start the application process. Planning Board Attorney, Mr. Michael Towey stated under the Town Law anyone with an active Site Plan application before the Planning Board can apply for a variance. He added that a memo may help facilitate the process. Chair Gannon made a motion to have staff draft a referral memo for the Applicant to the ZBA. Mr. Zaberto seconded. All in favor. Motion passes.

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

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

Mr. Kevin Cohen, with Nejame & Sons Pool Company, came to the podium and introduced himself. He indicated that he was there on behalf of the homeowner regarding the proposed installation of an inground pool at 20 Putney Road. This project has been thoughtfully designed with careful

consideration of the property's existing conditions, surrounding environment, and all applicable Town regulations. Chair Gannon asked if Mr. Cohen could put the plan up so that everybody can see it at home. Mr. Cohen indicated that their team has worked closely with the landscape architect to ensure that all runoff is properly managed and that the proposed improvements will not create an adverse impact on neighboring properties. In addition, the Erosion and Sediment Control Plan has been designed to protect the site conditions, and the long-term Stormwater Controls are incorporated to maintain proper drainage after completion. While referencing the plan, Mr. Cohen illustrated where the pool was sitting and showed where there is a French drain that will go around the entire patio. He pointed out the channel drain and added that is all going to be incorporated into four XL330 Cultecs. He stated he saw on the plans it said a Tree Permit, but they are not taking any trees down. The only thing that is going to be removed are some hedges- which he pointed out on the plan and indicated that they would be replaced with native or herbaceous plantings to help mitigate any runoff towards the wetlands and that was kind of where the pop-up emitter would be. He stated there would not be any disturbance in the 50-foot buffer, other than the plantings and the hedges that are getting removed are in that area. Chair Gannon asked if there were any engineering comments. Consulting Town Engineer, Mr. Steve Robbins responded that they did have a few technical comments on this because there is new impervious area within the 100-foot wetland buffer, there is a requirement for mitigation. He noted that he believed the Applicant is proposing to remove some non-native species and replace them with native. He added that he thought it would be helpful for the Board to kind of bubble that area and show that in a bit more context. He stated that he had some comments around helping the Board see the existing conditions relative to proposed, because it is a small site and there is a lot of line work going on in a small space. Chair Gannon responded it is very narrow and she is concerned about how narrow it is. Mr. Robbins asked in what way. Chair Gannon responded that the neighbor's lawn and that everybody is just sort of lined up. She is concerned about the visual impacts. Mr. Christopher Zaberto asked if it was an R-40 Zoning District. Mr. Robbins responded yes. Chair Gannon stated the lot line is right there. Mr. Cohen stated there is a lot of neighboring properties on that road that do have pools. All of the properties in that development are all a half-acre or less and a multitude of them do have pools and similar visual effects. Chair Gannon responded okay. Mr. Robbins advised Mr. Cohen if the landscape architect has any questions on their comments or needs any clarification, to please feel free to have them reach out to him. He anticipates that the comments are relatively easily addressed by the Applicant – no showstoppers, just cleaning up some details. Chair Gannon then asked if there were any comments from Planning. Consulting Town Planner, Mr. David Smith responded no comments. Chair Gannon then asked if there were any comments and/or questions from the Board. Mr. Anthony Sutton asked if the pool would be fenced in. Mr. Cohen responded yes. Mr. Sutton asked is the fence would be off the line. Mr. Cohen responded correct, there is a plan that shows the fence as well, and it will be off the line. Chair Gannon then indicated that she was looking at L-1 – Landscaping 1 and asked about the plantings at the side. Mr. Cohen responded that is what is existing and the proposed plantings which are on the side are smaller. Chair Gannon stated she was sorry and asked Mr. Cohen to clarify. Mr. Cohen responded and stated the bigger trees are existing, and the plantings on the side to the left side of the property line, those are proposed. Chair Gannon asked left and right. Mr. Cohen responded yes, all the smaller plantings. Mr. Zaberto asked to confirm whether or not any trees would be removed. Mr. Cohen responded no, the only trees that would be in consideration are in that buffer, so they are not going to touch those. Chair Gannon asked if the Black Walnut tree which was 13 inches in diameter and breast height was going to be removed. Cohen responded no- no trees. The planting note states just the invasive privet hedges are going to be replaced with native shrubs and herbaceous trees, and he could get a species for the

Board. Chair Gannon noted the plan said Black Walnut and asked what that was. Mr. Sutton noted it was right-hand corner, back side of the concrete pavers. Mr. Cohen responded he sees it on the plan. But does not think there is anything existing there. Chair Gannon asked if something was going to be put in. Mr. Cohen responded he could get clarification from the landscape architect but does not think there is anything existing in that spot. Chair Gannon responded that she did not understand – but that is a question we will take a look. She then indicated that there is the possibility of doing a Site Walk and that she would like to do one because she is concerned about the narrowness and sort of the bulk of it, and wants to make sure, in her mind, that whatever we're agreeing to for landscaping is sufficient. She did not think that she could agree to it without visually seeing it. Mr. Cohen responded that he understood, and they would also be open if there were more plantings or something specific, that would work for the Planning Board. Chair Gannon stated that maybe we could add this to the May 2, 2026, Site Walk schedule. Some discussion was had on how long the Board thought it would take as well as the Site Walk scheduled for Veolia. Chair Gannon asked if we could fit a Site Walk in on May 2, 2026, at 8:30 and then go to the Veolia Site Walk directly following. She then stated that her feeling was we would have enough information to set a date for a Public Hearing at the May meeting. She then made a motion to schedule the Public Hearing for the Wednesday, May 13, 2026, meeting. Mr. Zaberto seconded. All in favor. Motion passes. Chair Gannon then indicated that the Site Walk would be done before the next meeting and Public Hearing. That way, if any neighbors do find that they have any comments or suggestions, they will have an opportunity to speak. Mr. Zaberto indicated that he was looking at the aerial, and there were no pools to the left or to the right of this particular project. There were a bunch down Weeks Court. Mr. Cohen responded that he thought the closest one is at 14, three houses down. Chair Gannon asked if Mr. Cohen had any questions for the Board. He replied no that is it. Chair Gannon thanked the Applicant and stated we will see you next month.

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

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

Mr. Matthew Gironda, P.E., from Bibbo Associates Engineering, P.C., greeted the Planning Board and stated he was there on behalf of the Applicant, 247 Route 100-LLC. Also there with him was Mr. Harrison Cook from HC Property Group. Mr. Gironda stated that the project involves an addition to the existing commercial building indoor athletic facility on the property. He pointed out the area on the plan where what is known as Proposed Building D is located. Since they were last before the Board, there was a Site Walk, which some of the members were able to attend. Mr. Gironda noted that they subsequently tried to incorporate the comments received from the Board into the plan submitted and in front of the Board tonight. In addition, they also responded to and generally resolved most of the technical comments received from the Consulting Town Engineer, Mr. Steve Robbins. He added that a couple technical items still remain to be addressed but were discussed with Mr. Robbins today. Generally, Mr. Gironda thought he saw a simple path to resolve those outstanding comments and get them addressed. He stated he was there tonight to answer any

questions that the Board may have tonight to move this thing forward and hopefully schedule the Public Hearing. Chair Gannon stated that one of the things that came out at the Site Walk was that we talked about the boulder wall, which had been on the plans, but somehow had fallen off them, so we had not all seen them. She noted that they were included in this submission. Mr. Girona responded yes, one of the comments discussed at the Site Walk was that boulder wall. He is sort of delineating the access from the parking lot and steering people in the right direction towards the entrance of the new building. We also revised that from a boulder wall to what we are calling a masonry block landscape wall and planting boxwoods in front of it to sort of mitigate against people using it as a sitting area, as discussed at the Site Walk. Chair Gannon responded she thought that sounded good. She then asked if there were any comments from Planning or Engineering. Consulting Town Planner, Mr. David Smith responded not at this time. Mr. Robbins responded that they are in receipt of the updated memo from Bibbo Associates Engineering, P.C., responding to the comments. That is under review, but he agrees that there are some of those minor details that they are cleaning up at this point, so the Board has a substantially complete application. Chair Gannon responded okay and asked for Board discussion. Mr. Christopher Zaberto stated he was not able to attend the official Site Walk as he had a previous commitment. But he did go on his own - erroneously, prior. He still thinks that is pretty funny, that is why he keeps mentioning it. But the one thing that he did notice, was he had a little difficulty in trying to identify the buildings. One of the buildings on the upper soffit had like the letter A or B on it, and then there were others that he could not figure out. He did not know if they were missing, or they just were not readily identifiable. He noted as someone who is involved in airport management and larger trust buildings like this, it is always good to be able to identify them quickly to responders. So if he had a hard time on foot trying to figure it out, he thought and Mr. Anthony Sutton could definitely agree with him on that now that we're getting a little more condensed in this area, and the buildings are all in close proximity of one another, he thought it would be wise to follow that pattern that he had seen, but then couldn't follow it around the property and to make sure that those letters are visible. Mr. Jack Mattes responded that he would take Mr. Zaberto there over the upcoming weekend and show him. Mr. Zaberto agreed they would take a look together. Mr. Cook stated he would say that on Building C, it is on the building. While pointing to the plan Mr. Cook stated on the other two it is stuck into a large boulder in front and pointed to the area. Mr. Zaberto responded, he thought consistency would be better. It is not a big deal but having previously been a first responder that was the only thing that he saw. For him it was confusing, which is how he ended up walking around the whole thing, trying to figure out where this new building was going to be. He added that he did see those. Mr. Cook responded that they are going to have to think about it. Mr. Zaberto responded right and asked how attached it is going to be to the other buildings and is there going to be a space. He knows we have not gotten into that yet. We will definitely get to that as we talk more about the Site Plan, but that was the only thing that he saw on his independent Site Walk, that could have used some clarification. Mr. Sutton asked if they are going to be creating new signage for the new building. Mr. Cook responded yes. Mr. Sutton stated so you can make the other buildings consistent and put it in an easily identifiable spot. Mr. Zaberto stated not to change the landscape style that they have- he did notice that. They are industrial buildings, we get it, we do not want them to look that way, but, you know, when the firemen pull up their mindset is going to be we got an automatic alarm in Building C - which one is that. You do not want them going to the wrong spot. Chair Gannon stated that is a good insight. Mr. Zaberto responded that was the only thing that he saw that was interesting to point out and his only comment so far. Chair Gannon asked if there were any other comments. Mr. Sutton responded he was just wondering if they had a conversation with the Fire Prevention Bureau. Mr. Cook stated they responded to their memo, and

they will be meeting to discuss his clarification request on the 15th. Mr. Zaberto asked if that was for the tank issue. Mr. Sutton responded tank and sprinklers. Mr. Cook responded according to their architects, they do not need a sprinkler for this building, and none of the existing buildings have a sprinkler system. During their conversations with the Building Inspector, Tom Tooma indicated that the Board thought that the new building might have a sprinkler, and that might be what it's for, but we're going to get an official memo from the Bureau of Fire Prevention clarifying what their intent was there. Chair Gannon stated whatever materials you do end up using for that wall, a little cleanup could be done at the site. The boulders at the back could be managed, and that refrigerator on the hill. She did not know if the door was off, which it has to be, but they knew instantly it was a refrigerator when she asked what that was. She stated it should be brought down in a controlled fashion, as opposed to it deciding to come down on its own someday. She stated she would like that to get taken care of. Mr. Cook responded that he would have it brought down. Chair Gannon responded thank you. She then stated she thought there was enough information to schedule a Public Hearing at the May 13, 2026, meeting and then motioned to the same. Mr. Mattes seconded. All in favor. Motion passes. Chair Gannon asked the Applicant if he had any additional questions for the Board. They did not.

RESOLUTION DISCUSSION

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

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 located in an R-80 Zoning District. She noted we are here to discuss the draft resolution and asked if everybody had a chance to take a look at it. She indicated she had one comment, which was regarding a note here within the draft resolution. It was on page 2, in the whereas paragraph on lines 59 through 66. It described the Open Space Committee's concerns about whether it is actually zoning compliant. Mr. Bohlander responded that he and Consulting Town Planner, Mr. David Smith had discussions today and they were able to verify that even with subtracting the wetlands and the steep slopes they are still well under the zoning compliance for building coverage and impervious coverage. For building, it is 7% and they are at 4.73% and for impervious, it is 15% max and they are at 7.19% subtracting away the wetlands and the slope areas over 25%. Chair Gannon responded okay, because she had seen some initial calculations that looked like it was compliant. She then asked if Mr. Smith had anything else he wanted to add. Mr. Smith responded no, other than our office did the initial review, then checked it with Mr. Bolander, and they were both are in agreement that the lot is a zoning compliant lot, based on subtracting out the environmentally sensitive lands and what is left over and what is being proposed. Chair Gannon responded that she was going to ask that we add a whereas clause that captures that to follow the Open Space Committee clause in the resolution. So, whereas Planning Department and Applicant reviewed the numbers and determined that the project was zoning compliant along with the extra detail that you have in the numbers. Mr. Christopher Zaberto then

asked if we could just strike that paragraph altogether, since it is compliant or if we still had to designate the concerns of the Open Space Committee. He noted that he was just curious. Planning Board Attorney, Mr. Michael Towey responded he does not know if it is necessary to include them. Whereas clauses are recitals intended to state the factual background, that kind of leads to the Board's resolutions or resolved clauses. He stated that he did not know what prior practice was and asked if it is typical to include it as a recital. Mr. Smith responded that he does not think there is any harm in leaving it there. It is part of the record. Chair Gannon stated she thought it acknowledges their question, and that it was responded to. Mr. Smith responded right. Mr. Zaberto responded that makes sense. He just did not remember seeing something as specific as that from a committee being included. Mr. Anthony Sutton stated if you look at the whereas clause in front of it, it says that the application was referred to the Open Space Committee on February 5, 2026. So, it follows that you would have to have the results of what their findings were. Mr. Smith responded yes and typically in the resolutions, we like to reflect for the record what the Open Space Committee and the Bureau of Fire Prevention and some of the other groups have submitted as part of your review and analysis. He did not see any harm in that. Mr. Zaberto responded that he gets it. Mr. Smith responded they raised the question. Mr. Sutton responded otherwise, it could be you basically missed a step. Mr. Zaberto responded, yes, that we did our job to make sure that the concerns were met, and we are compliant with zoning. Now that it has been explained it makes sense. Chair Gannon advised if you think of it in a way as an index into the record, it is a reflection not necessarily at a granular level, but a reflection of the discussion that's taken place. So, she was fine with having both parts of it. Mr. Zaberto agreed and noted it was just a question whether you could strike it or not-and we could, but he understands the point. Chair Gannon stated that was her only concern regarding the resolution and asked the Board if there were any other concerns. There were none. She then made a motion to approve the resolution as amended for Chair signature. Mr. Paul Ciavardini seconded. All in favor. Motion passes. Chair Gannon thanked the Applicant.

**8. 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. She added this is another discussion of a draft resolution for Trailside Estates at Somers and thanked everyone for their patience. She stated that everyone should have received the initial draft. She indicated that she had made some minor suggestions and some changes were made, and then we received a copy of the final completed draft. She then asked if anybody had any further comments or corrections. Mr. Jack Mattes responded no, he did not. Chair Gannon asked Planning Board Secretary, Ms. Nicole Montesano about the Resolution Number as she wanted to make sure we have the resolution numbers aligned. She wanted to keep track of the resolution and number that she signs. Consulting Town Planner, Mr. David Smith responded he believed that this is resolution 2026-5, the previous one was No. 2026-4. Mr. Anthony Sutton stated the only point he wanted to bring up was we had some discussion about whether the

Community Center was going to have a backup generator. Mr. Kenneth Kearney responded yes. Mr. Sutton responded there was no mention of that in the description in the memo, and he was wondering if we could just add it in there at some point. Mr. Smith thanked Mr. Sutton and advised that in the revised resolution, there is discussion about the Community Benefits Agreement, and we added a bullet point that says installation of electricity, gas if available, telecommunication connections, and backup generator. Mr. Sutton responded okay. Chair Gannon stated we included add backup generator on page 5 of 11. Mr. Sutton responded it will make a great shelter if needed. Counsel for the Applicant, Mr. Charles Martabano stated that was a good thought. Mr. Christopher Zaberto responded Mr. Sutton is always thinking. Mr. Sutton replied, a lot of years in emergency management. Chair Gannon asked if there were any other suggestions and/or corrections. Mr. Jack Mattes responded no. Mr. Zaberto stated it all looks good. Chair Gannon then asked where the page was with the change to the Green Tree language. She noted that she thought Mr. Martabano made a suggestion. Mr. Martabano responded correct, he did make a suggestion. They got the resolution in advance, and it was more grammatical than anything else. Mr. Smith responded it was on page 5 at the Whereas clause at the bottom. Chair Gannon responded she saw it and it looks good. She then asked if there were any other questions and/or comments. There were none. Chair Gannon motioned that the Board approve the resolution as amended for Chair's signature. Mr. Mattes seconded. All in favor. Motion passes. Chair Gannon thanked the Applicant. Mr. Kearney responded always a pleasure.

MEETING ADJOURNMENT

Chair Vicky Gannon made a motion at 10:03 p.m. to adjourn until the next Planning Board meeting, which is scheduled for Wednesday, May 13, 2026. Mr. Jack Mattes seconded. All in favor. Motion passes.

Respectfully submitted,



Nicole Montesano
Planning Board Secretary