



June 18, 2026

Town of Somers Planning Board
335 Route 202
Somers, New York 10589

Attn.: Nicole Montesano
Planning Board Secretary

Re.: Town of Somers, County of Westchester, State of New York
Veolia Water New York, Inc. – Heritage Hills Water Treatment Plant
SBL: 06.20-10-13
Planning Board No. 2 – Comment Response Letter
File No.: SCE-R14119.011

Dear Ms. Montesano:

SUBURBAN ENGINEERING (SE) is in receipt of the review letters from the Town of Somers' Professionals following the May 13th, 2026, Planning Board Meeting, for the above-mentioned project.

On behalf of the Applicant, Veolia Water New York, Inc., SE is enclosing the following documents for your review and approval:

- Wetland and Water Course Protection Application, Signed (with Applicant Acknowledgement and Application Processing Restrictive Law Certification)
- NYSDEC Freshwater Wetland Permit Approval
- Draft Stormwater Maintenance Agreement
- Site Plan Titled 'Veolia Water New York, Inc. PFAS Compliance for Somers Heritage Hills', prepared by **SUBURBAN ENGINEERING**, consisting of 24 sheets, last revised June 11, 2026 (Rev B).

In addition, responses are provided **in bold** below, to the comments for each of the review letters.

WOODWARD & CURRAN (TOWN ENGINEER) REVIEW LETTER DATED MAY 06, 2026

****Note: Comments responses that were listed as 'Addressed' are not included, where the below comment responses are related to the items that are listed as 'Partially Addressed' only. Please refer to Planning Board Comment Response Letter prepared by Suburban Engineering dated April 27th, 2026, as well as Woodward & Currans review letter dated May 06, 2026, for additional information.***

1. The proposed development activity is located within the Town of Somers Groundwater Protection Overlay District and requires the issuance of a special exception use permit. Consistent with the Town Code requirements listed in §170.32, the Applicant shall be required to comply with the criteria necessary for issuance of Special Exception Use Permit including the preparation of a Groundwater Protection Plan.

Woodward & Curran Response: Partially Addressed. The Applicant shall provide the Special Use Exception Permit Application, inclusive of the hydrogeologic analysis. The analysis shall concisely demonstrate how the project will not result in degradation or contamination of the groundwater according to the requirements of the Overlay District.

RESPONSE: The Special Exception Use Application along with supporting documentation (including the hydrogeologic analysis and Groundwater Protection Plan (GWPP)) will be provided.



2. The Applicant shall confirm that all requirements are met and a permit is obtained according to Ch. 167-4 Wetlands and Watercourse Protection of the Town Code for construction within the 100-foot wetland buffer.

Woodward & Curran Response: Partially Addressed. The Applicant shall provide a wetlands permit for the Town's review.

RESPONSE: The Applicant submitted the Wetland and Watercourse Protection Application to the Town on March 30, 2026, following the initial application submission cut-off date associated with the April 8, 2026, Planning Board Meeting. Please find the enclosed application for your use and reference.

Furthermore, it is worth noting that the Applicant has also submitted a New York State Department of Environmental Conservation (NYSDEC) Permit Application for the activities within the Freshwater Wetland Adjacent Area onsite, where a copy of the permit approval is enclosed herein.

8. The Applicant proposes a 40,000-gallon above ground storage tank on the north side of the property. The following comments are regarding the proposed storage tank:
 - a. Please indicate how the stormwater runoff from the tank will be managed.

Woodward & Curran Response: Partially Addressed. The Applicant claims the stormwater will be managed by a french drain and subsequent infiltration drywell. However, the Applicant has not provided infiltration testing within the proposed location of the dry well. Please provide testing in any location proposed for infiltration. In addition, the Applicant shall provide calculations and/or size of the proposed riprap outlet protection of the drywell.

RESPONSE: The proposed location of the infiltration drywell is situated outside of the existing fence line, where this area is heavily vegetated. It is proposed that the Applicant will perform infiltration testing during construction when the area is cleared. The following note has been added to the Plan on Drawing Number C300 (enclosed herein):

"During construction and prior to the installation of the drywell, the Owner shall perform infiltration testing in the location of the proposed drywell. Prior to performing the infiltration testing, the Owner shall coordinate with the Town and provide the Consulting Town Engineer or Principal Engineering Technician the opportunity to witness the testing. Upon completion of the testing, the results shall be provided to the Consulting Town Engineer. In the event that the testing results indicate infiltration rates less than 0.5 in/hr, the infiltration practice will require a revised design to be approved by Consulting Town Engineer."

The proposed infiltration drywell has been designed utilizing the minimum allowable infiltration rate of 0.5 in/hr, where the drain time calculation for the infiltration drywell has been provided in the revised Stormwater Management Report indicating that the drywell will fully drain within 48 hours. Additionally, the NYSDEC Stormwater Design Manual indicates that a drywell requires pretreatment prior to being infiltrated. The plans (Drawing Number C300, enclosed herein) have been revised to include a sediment chamber for pretreatment prior to the stormwater entering the drywell. In determining the pretreatment volume, the design assumes infiltration rates greater than 10 in/hr. as this would require a pretreatment volume of 50% of the WQv.

Additionally, the plans (Drawing Number C300 and CD102, enclosed herein) have been revised to include a detail for riprap apron for the overflow pipe utilizing the minimum size for rip rap apron as the drywell overflow discharge rates do not exceed the minimum discharge rate as shown in NYS Standards and Specifications for Erosion and Sediment Control, Figure 3.16 Outlet Protection Design.

10. The Applicant shall prepare a draft Stormwater Maintenance Agreement, in accordance with the provisions of Town Code for review by the Consulting Town Engineer & Town Attorney.



Woodward & Curran Response: Partially Addressed. The Applicant shall prepare and submit a draft agreement for the Town's approval

RESPONSE: The Applicant has prepared a draft agreement for the Town's approval. Please refer to the enclosed draft Stormwater Maintenance Agreement.

Based on our discussions with the Planning Board during the May 2nd site walk, the following is a summary of additional comments:

1. The Applicant shall provide justification for the building location on the site and why an alternate location further southwest is not feasible.

RESPONSE: The current building location was strategically positioned onsite to minimize disturbance and site impacts associated with clearing and grading. The area that is selected for the proposed building is located within an area that was previously disturbed (i.e., an existing maintained lawn) and would reduce the amount of site clearing and grading that may be required, as compared to other alternate locations. The proposed building location does not interfere with the existing finished water main and associated easement. The proposed building location will also minimize the view of the generator and backwash tank from the Somers Land Trust's pavilion area. Additionally, the proposed building location minimizes environmental impacts, particularly with respect to wetland adjacent area disturbance. Finally, the proposed location optimizes operational efficiency and reduces operational work hazards. In all, shifting the proposed building risks delays leading to noncompliance with existing PFAS regulations.

The selected building location is in an area with gentle slopes that require less grading and excavation for the building foundation as compared to other locations. Areas on the southwestern corner of the property are encumbered by steep slopes, where additional excavation limits and the use of additional protection measures would be required for adequate construction.

The selected building location also minimizes the amount of clearing required on the site as compared to other locations. The selected location is in a previously disturbed area that is currently a maintained grass lawn. As such, the Company's proposal minimizes unnecessary disturbances to the natural state of the surrounding lands.

Additionally, the selected building location does not interfere with the existing finished water main from the water treatment plant and associated easement. Shifting the building to the southwestern corner of the property would potentially encroach on the high-pressure finished water main. Such a move may necessitate relocating the existing high pressure water main, which would potentially require the prolonged process of securing additional real estate rights that the Company does not currently possess. In addition, interrupting the high pressure water main, which is the sole supply to customers in the Heritage Hills service territory, would increase the risk of unplanned service outages during construction, and may increase operational hazards during construction. Such an outcome risks noncompliance with federal and state PFAS regulations.

Shifting the building may increase the visibility of the proposed building and the existing generator, backwash tank, and water treatment plant from the vantage point of the Somers Land Trust pavilion area.

Upon completion of construction, the proposed staging area southwest of the selected building location will be used as a wetland mitigation area in accordance with the Town of Somers Wetlands and Watercourse Protection (Chapter 167). The location of the proposed wetland mitigation area is on VWNY's property, outside of the proposed fence line, and the area would be continuous to the existing forested wetland adjacent area on the adjacent property. This aligns with the requirements of the wetland buffer area, which *"...is a specified area surrounding a wetland that is intended to provide some degree of natural protection to and separation from the wetland from human activity and other encroachment associated with development."* Shifting the location of the proposed



building destroys the ability to have a contiguous wetland mitigation area on the southwestern corner of the property.

The proposed location optimizes operational efficiency and reduces operational work hazards. Locating water treatment plant equipment close together on a site improves operator efficiency by centralizing daily maintenance and monitoring tasks between the proposed building and the existing water treatment plant. Locating the buildings close together reduces operational work hazards by reducing the physical distance between the critical infrastructure located within each building, which would allow the operations staff to move more efficiently and safely between the buildings, particularly in the winter months.

OPEN SPACE COMMITTEE (TOWN ENGINEER) REVIEW LETTER DATED MAY 06, 2026

1. The Committee rejects the letter's stated reasons for refusing to look closely at reorienting the proposed building, that "all of the building locations and orientations would have similar visual impacts." Shifting the building to present its smaller profile (by 26') to the neighboring Rhinoceros Creek Reservation pavilion and parking area would considerably reduce its visual impact.

RESPONSE: Acknowledged. The intent of the statement was in relation to the fact that a new building onsite would pose similar visual impacts, in comparison to the existing conditions of the site and surrounding area. Shifting the building to an alternate location may increase the visibility of the proposed building and the existing generator, backwash tank, and water treatment plant from the vantage point of the Somers Land Trust pavilion area as compared to the proposed location. Please refer to the comment responses under the Additional Comments No. 1 associated with the Woodward & Curran (Town Engineer) Review Letter Dated May 06, 2026, as well as the comment response under Comment No. 4 of the Open Space Committee (Town Engineer) Review Letter Dated May 06, 2026, for additional information related to alternate building location impacts.

2. Since the entire building envelope lies within the associated wetland buffer, however the building is oriented, we do not agree that reorientation of the building would necessarily impose significantly greater wetland impact.

RESPONSE: Please refer to the Comment Response under the Additional Comment No. 1 under the Woodward and Curran (Town Engineer) Review Letter Dated May 06, 2026, for additional information.

3. The Committee would like to see details regarding the scope and nature of alternative sitings and orientations of the PFAS building rather than unsupported, general claims about impact as are communicated in Suburban Engineering's submitted response. Without details, the Committee cannot confirm the tradeoffs between visual and environmental impacts of various alternatives as represented by Suburban Engineering.

RESPONSE: Based on the size of the proposed treatment building, Suburban Engineering has evaluated several different potential building locations onsite. The alternative building locations (along with their related impacts) are discussed below:

- **Alternate Location No. 1: Shifting the Building 25-ft to the West**

Under this Alternate Location, the proposed building would be shifted to the west, where the building would have a separation of approximately 48-ft between the western edge of the building and the western property line. Based on a preliminary review of the site elevations within this area, the finished floor elevation of the building would need to be adjusted to suit the surrounding grades (by lowering the finished floor elevation). Along with this, the internal piping modifications, stormwater management system relocation (including underground piping modifications), additional raw and finished water yard piping, additional electrical conduit, fencing modifications and driveway modifications would be required



to accommodate the revised building location. Furthermore, it is worth noting that the wetland mitigation area would also be reduced to accommodate such site modifications.

- **Alternate Location No. 2: Shift The Western Edge of the Building 70-ft to the West**

Under this Alternate Location, the proposed building would be shifted to the west, where the building would have a separation of approximately 8-ft between the western edge of the building and the western property line. This alternative location would have similar impacts as denoted under Alternative Location No. 1, however, the extent of the impacts would be increased. In regards to the site clearing and grading requirements, as the entire building would be shifted over to this area, there would be a grade difference of about 5-ft between the front and back-side of the building. This would require additional site modifications for grading in the vicinity of the existing high-pressure finished water main. In regards to the wetland mitigation area, under this alternative location, the entire wetland mitigation area would be removed and different alternatives would need to be considered, which may not be on property owned by VWNV, and/or contiguous to the existing wetland buffer area. Along with this, the internal modifications, the stormwater management system relocation (including underground piping modifications), additional raw and finished water yard piping, additional electrical conduit, fencing modifications and driveway modifications, would be necessary to accommodate the alternate building location.

- **Alternate Location No. 3: Rotate Building such that the Long Building Side is 12' off of the Western Property Line**

Under this Alternate Location, the proposed building would be shifted to the west and rotated (such that the long edge of the building would be parallel to the western property line), where there would be an offset of approximately 12-ft between the building and the western property line. This alternative location would have similar impacts as denoted under Alternative Location No. 2, however, the extent of the impacts would be increased. In regards to the site clearing and grading requirements, instead of the clearing for the width of the building (30'-8") the entire length of the building (56'-0") would need to be cleared and graded to accommodate the surrounding grades (which would result in an approximate 10-ft grade difference across the building). Along with the significant site clearing and grading requirements, the proposed shifting of the building would impact the existing high-pressure water main which extends into the adjacent property's easement. This may require relocating the watermain and extending the easement area to accommodate the alternate building location. Furthermore, similar wetland mitigation removal, as well as site and building layout modifications would be required to accommodate the alternate building location.

As denoted above, each alternative location, as compared to the proposed building location on the Site Plan, would pose greater impacts to the site and the environmental features. Additionally, shifting the building may increase the visibility of the proposed building and the generator, backwash tank, and water treatment plant from the vantage point of the Somers Land Trust pavilion area. In all, shifting the proposed building risks delays leading to noncompliance with existing PFAS regulations.

4. Proposed "aesthetic improvements" to the building were still missing from the submitted elevation plans. Without these, the Committee cannot determine the degree to which the building conforms to neighborhood character. The Committee does appreciate that the applicant admits that such is an issue.

RESPONSE: The Building Aesthetic Improvement exhibit has been provided with the initial Planning Board Application Documents on March 06, 2026, associated with the April 8th, 2026, Planning Board



Meeting. Furthermore, the Building Aesthetic Improvements Exhibit has been incorporated into the Site Plan. Please refer to Drawing No. A200 for additional information.

BUREAU OF FIRE PREVENTION REVIEW LETTER DATED MAY 22, 2026

At our monthly meeting on April 15, 2026, a submission received for the Heritage Hills Water Treatment Plant was reviewed and discussed. The Bureau would like to see a building section of the proposed building and what will be inside for example chemicals, flammables. In addition, they would like the applicant to address the sections of the 2025 NYS Fire Code as it pertains to emergency access.

A representative from Veolia and three representatives from their engineering firm attended our May 20th meeting for a review and discussion. The same two chemicals being stored in the existing building will be moved into the new building. It was also noted that the primary gate has to be 18' wide and must have a Knox pad lock. There has to be a Knox Box on site for the existing and new buildings. There must be exterior horn strobes on both buildings. The proposed turning radius is fine and each building has to be labeled with a letter, A and B

RESPONSE: Acknowledged, the Site has been updated to reflect an 18-ft wide access gate (at the location of the existing driveway), as well as would incorporate several notes regarding the Knox padlock, Knox box, horn strobe, and building labeling requirements. Please refer to Drawing No. C201 for additional information.

If you need further assistance regarding this matter, please contact our office. Thank you.

Very truly yours,
SUBURBAN CONSULTING ENGINEERS, INC.

William A. Schürmann
Project Coordinator

/jmb

Enclosures: As outlined above

cc: Lino J. Sciarretta, Esq, Partner, Bleakly Platt & Schmidt, LLP (lsciarretta@bpslaw.com)
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