

Vicky Gannon, Chairman
Rick Bohlander
Paul W. Ciavardini
Damien DeSantis
Jack Mattes
Anthony Sutton
Christopher Zaberto

Town of Somers

WESTCHESTER COUNTY, N.Y.



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

SOMERS PLANNING BOARD AGENDA

July 8, 2026

7:30 PM

REMOTE ATTENDANCE NOTICE

Videoconferencing will be used during this meeting in accordance with the Town Board of Somers Videoconferencing Policy. The Planning Board will conduct the meeting at the Somers Town House, located at 335 Route 202, Somers, New York. Board Member, Jack Mattes will participate in the meeting via Zoom.

MINUTES

Draft Minutes for consideration of approval: May 13, 2026.

TIME EXTENSION REQUEST

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

Request from Somers Fire District Board of Commissioners for a 90-day time-extension from July 27, 2026 up to and including October 24, 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.

CONTINUATION OF PUBLIC HEARING -ADJOURNED AT THE APPLICANT’S REQUEST

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

The project will consist of the installation of a new PFAS (Polyfluoroalkyl Substances) treatment building to house granular activated carbon (GSC) 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 the 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).

PROJECT REVIEW

**3. HERITAGE HILLS SOCIETY, LTD.
SITE PLAN APPLICATION
51 HERITAGE HILLS DRIVE – EAST HILLS GOLF COURSE
TM: 6.18-10-11**

The Applicant is requesting approval to assemble a 14-foot gazebo on the 62-acre parcel now known as Meadowlark Park. The property is located in a Designated Residential Development Overlay District (DRD).

RESOLUTION DISCUSSION

**4. ROCKLEDGE CENTER-ADJOURNED AT THE APPLICANT'S REQUEST
SITE PLAN APPLICATION
247 ROUTE 100
TM: 28.10-1-6.1**

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

**5. HONEYBEE GROVE
SITE PLAN APPLICATION
265 ROUTE 202
TM: 17.11-1-21**

The project will consist of formalizing the existing Honeybee Grove cut-your-own flower farm located behind the retail building at 265 Route 202 as part of a Site Plan Application. The farm is open seasonally, with the average on-site operating season from March to December. The property is located in a Business Historic Preservation (BH-P) District.

MEETING ADJOURNMENT

**The next Planning Board Meeting is scheduled for
Wednesday, August 12, 2026 at 7:30pm.**

Agenda Subject to Change

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

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DRAFT

SOMERS PLANNING BOARD MINUTES

May 13, 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 before we get started with this evening's topics she wanted to acknowledge the passing of Bruce Prince. He loved this town and he volunteered not only for the Planning Board, but he served on other Boards as well. So many of you here tonight are here because you care about your town. You have left your family, pets, and loved ones at home. You have focused your attention on reading emails and/or listening to someone else. That is all part of loving your town, supporting your town, and volunteering. Bruce certainly did that. He was a diligent Board Member, and he fought to get to all the meetings that he could. She then asked if anyone else wanted to say anything. Mr. Christopher Zaberto responded, she captured it all. Chair Gannon then asked for a moment of silence in honor of Bruce Prince.

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

Chair Gannon then stated that it is a long-standing policy of the Town of Somers Planning Board to 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.

MINUTES

The first item for consideration was March 11, 2026, draft minutes. Chair Vicky Gannon asked if anyone had comments and/or questions as she did not find anything to comment on at all. They were great. Mr. Christopher Zaberto made a motion to approve the minutes as presented. Chair Gannon seconded. All in favor. Motion passes.

CONTINUATION OF PUBLIC HEARING

1. NORTH EDGE REALTY CORPORATION PRELIMINARY SUBDIVISION, SITE PLAN, STEEP SLOPE & STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL APPLICATIONS NYS 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 before we start, she wanted to set the stage of where we are. This application has had a long period of review. It went before the Town Board to get the zone applied to the property. We, the Planning Board opened the Public Hearing in March. We did have a Public Hearing in March and in April. She just wanted to remind everybody; the purpose of the Public Hearing is we are looking to hear new information. We are really trying to gather and make sure that we have not missed anything in our review. She noted she was hearing a lot of repetition as we are going through right now, but that is where we are tonight. She added that we have received some documents, and she wanted to note them before the Applicant starts. We received a determination from the New York City Department of Environmental Preservation (DEP) that the application is complete. We received a memo from the Applicant, Bibbo Associates and Engineering, P.C., along with the Pollutant Loading Analysis. She added that also the application was mentioned in meeting minutes of the Bureau of Fire Prevention and she asked if they were withdrawn. Consulting Town Planner, Mr. David Smith responded no they were not withdrawn, they are part of the record. Chair Gannon responded okay and that she just wanted to acknowledge all that. She added that we have not received anything in writing regarding public comment since the last Public Hearing. Mr. Jared Boniello, representing North Edge Realty came to the podium and introduced himself. He stated they reviewed over the last meeting and did not find many things that changed from first Public

Hearing, but nonetheless, they reviewed and responded. They are here now continuing the Public Hearing and want to get all the feedback. If anything, new comes up, they are here to try and work through that. Chair Gannon asked the Applicant for confirmation that he received a copy of the findings from the Town's traffic consultant Hardesty & Hanover indicating that their office reviewed and concurred with the response letter noting that a detailed accident analysis was prepared and provided in the March 6, 2026, submission to the Town. It follows industry standards and provides potential countermeasures. And also, they agreed that the updated Site Plan, which you had submitted, shifted the parking space near the Recreation Center further away from US Route 6 and improves internal circulation, which was something we had asked about. Chair Gannon asked Mr. Smith if he had any comments. Mr. Smith responded no comments at this point. Chair Gannon then asked Consulting Town Engineer, Mr. Steve Robbins if he had any comments. Mr. Robbins responded they wanted to acknowledge the progress that the Applicant has made around the stormwater and in response to DEP comments. He added there are still some open engineering details for buried infrastructure, wastewater pump stations, and things like that which they are working with the Applicant's engineer on. But no other comments at this time. Chair Gannon responded okay.

Chair Gannon made a motion to open the Public Hearing. Mr. Paul Ciavardine seconded. All in favor. Motion passes. Chair Gannon then asked if there was anybody here for the Public Hearing for North Edge Realty. Mr. Paul Harold from 7 Cornelius Lane, Somers, New York came to the podium and introduced himself. Mr. Harold stated this is a quick one. He noted that he believed the last meeting had gone on a little bit longer, and one of the gentlemen who was behind him, who he did not believe lives in Somers, called to stop public comment. Mr. Harold stated to him, that was wrong. You pay taxes in this town. He did not care if the meeting goes to midnight, if there are people sitting out here, they should be able to voice their opinion. There should not be an individual who was hired by somebody trying to call for the meeting to close. He stated he felt there were quite a few people that night that would have liked to have said stuff, and they did not, because the meeting was closed and it went on. He stated he was not going to get into the gentleman. But yes, it was closed. He concluded and said that was all he wanted to say. He then thanked the Board. Chair Gannon responded, when there is a Public Hearing, she says repeatedly after everybody comes up, is there anybody else who wants to speak and it is her absolute belief that everybody who was at that meeting had an opportunity to come up and speak if they wanted to.

Mr. Roland Ciofrone from 9 Lounsbury Drive in Baldwin Place came to the podium and introduced himself. He stated the reason he was up here tonight is to let the Board know that they have been in touch with the Assistant Attorney General, Claiborne Walthall, who was referred to Mr. Ciofrone by Mr. Charles Silver and Philip Bein. He noted that Mr. Walthall is very interested in this project. He said he has more comments coming out and they are requesting that the Board does not close this public comment until all the interested parties have checked in and put their comments forward. Mr. Walthall referred Mr. Ciofrone to the local New York State Department of Environmental Conservation (DEC) office in the Valhalla and advised him to contact that office directly, which they are working on right now. In addition to that, they have requested from the New York State Department of Transportation (DOT) to meet with Anne Darelius. She has much more to say about this thing than we do. Of course, everybody knows the traffic situation so he is not going to go through that thing all over again, but our request is, do not close this because we are talking with state officials to represent us, the people who live there in the area, not the people who are building for profit. We, the people have, as you know, have the congestion that we will be left with after they are gone. So, we request that the public comment period be kept open, because we still have to hear from these people in the state. He then thanked the Board. Planning Board Attorney, Mr. Michael Towey asked which office in the Attorney General's Office Mr. Ciofrone was working with. He

1 noted he was curious and there is a Real Estate Department, a Trust and Estates Department and others.
2 Mr. Ciofrone responded the Watershed Inspector General (WIG). Mr. Towey responded, okay, so through
3 the WIG. Mr. Ciofrone stated those are the people we are in touch with, and they are going to get back to
4 us, and we have some more comments coming.
5

6 Chair Gannon asked if there was anybody else here who would like to come up for public comment. Mr.
7 Stephen See from 258 Mahopac Avenue Yorktown Heights came to the podium and introduced himself.
8 He stated he would like to know why the traffic on Road C keeps going up. When it was in front of the
9 Town Board, prior to the Zoning Amendment, it was 40% of the traffic and 18 cars peak. In front of this
0 Board, it was 50% of the traffic, and now, after reading comments on the website, it is 35 to 45 cars peak.
1 He then asked why there is such a difference. Chair Gannon asked if there was a specific document and/or
2 documents that Mr. See could point to that he is concerned about and shows the mismatch of data. Mr.
3 See responded on February 11, 2026, Mr. Smith provided information that indicated that the a.m. peak
4 would be 18 cars, and p.m. peak would be 12 cars. The 30 to 45 cars were on the website for the comment
5 section. Chair Gannon asked where on the website and what document was it from. Mr. See responded it
6 was from the Planning Board, from the meeting that we had 2 months ago. Chair Gannon asked if this is
7 something that can be clarified. Mr. Smith responded, yes, we can have the Applicant clarify and part of
8 the minutes, he thinks referenced the document that had the numbers that were referred to. Chair Gannon
9 responded that she thought this would be a good moment for the Applicant to address it in detail with the
0 full explanation in their response to the Public Hearing for this. She then asked Mr. See if he had any other
1 questions. Mr. See responded he was just wondering if a left turn out of Road C is being considered. Chair
2 Gannon responded that she thinks we are considering a right and left turn out of Road C. The only
3 prohibition on left hand turns is on to Route 6 and that is actually per the New York State Department of
4 Transportation (DOT). Mr. See responded because prior to the vote on the Zone Amendment, the Town
5 Board made an agreement with Mr. Gus Boniello – there would be no left turn coming out of Road C. Mr.
6 Smith stated they would review it. Mr. Towey asked if Mr. See had a specific record or knew if this
7 occurred during one of the Town Board meetings. Mr. See responded he thought it was at the December
8 10, 2025, meeting and you can watch the tape, it is right there. Chair Gannon stated that she remembers
9 she watched the Public Hearings on this application at the Town Board, and she did recall hearing
0 discussion of it, but was not aware of any firm agreement. Mr. See responded, yes there definitely was.
1 Chair Gannon replied she did hear the topic discussed back and forth. Mr. See responded they actually
2 asked for that agreement, like two minutes before they voted on that amendment. Mr. Jared Boniello asked
3 Mr. See if he could respond. Mr. See replied sure. Mr. Boniello stated he was in the meeting, and he was
4 speaking to it. The thought was that there is up to four cars peak hour, turning left onto Mahopac Avenue.
5 To restrict the traffic going in that direction would be a little more unsafe than to send them down to the
6 light and have them turn around somewhere in Baldwin Place. The thought was they would do their best
7 to control the traffic turning in and out on Mahopac Avenue, but to restrict left hand turns there, was not
8 something they agreed to in full. Mr. See responded it was definitely agreed to. Mr. Boniello responded
9 then there was a misunderstanding. He added that he will go back and review and put it back in writing.
0 Mr. See responded sounds good and thanked the Board.
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2 Chair Gannon asked if there was anybody else here for public comment on the North Edge Realty
3 application. No one from the public responded. Chair Gannon then asked the Board if they had any
4 questions and/or comments. Mr. Anthony Sutton asked if all of the comments from the Open Space
5 Committee (OSC) and the Bureau of Fire Prevention (BFP) have been addressed. Mr. Smith responded
6 that was his understanding and then deferred to Mr. Jared Boniello. Mr. Boniello responded yes, they met
7 with the BFP and responded in writing to the OSC. Mr. Towey stated that he thought it was raised in the

1 BFP memo that the intention is to dedicate the road to the Town. Mr. Boniello responded the thought was,
2 they would go down that road when they get closer to the end of the Planning Board process. It is a fee
3 simple lot. So, the amenities that come with the fee simple -the road is a 24-foot-wide Town specs. Mr.
4 Boniello noted that they are going to go down that road and just see if it is something that makes sense so
5 that is kept as Town standard. Mr. Towey responded that should be raised sooner rather than later, because
6 he did review the most recent Site Plan submission and he did not see it in any of the comments. He added
7 that he spoke with Town Attorney, Mr. Roland Baroni, and he did not recall it being raised during the
8 rezoning portion-the Text Amendment. So that is something that would need to be addressed with the
9 Town to determine whether or not the Town is going to accept the dedication. Mr. Boniello responded
0 understood. Chair Gannon stated when she saw that in the minutes, and it was not explicitly stated, it just
1 said, all of the roads are spec roads and will be maintained and plowed by the Town. It was only from that
2 phrase that she realized that was the intention. Mr. Boniello stated the Town taking over the roads is not
3 going to change the design on the road. The road is being built 24-foot-wide, storm basins, and Town
4 specifications. The lots are all single-family home lots. He indicated they are going to talk about it with
5 the Town and figure out if it is a road dedication that they will accept. He added that it will happen sooner
6 than later. Mr. Towey stated the first mention was in the BFP's memo and there is a distinction between
7 private maintenance and public maintenance. Mr. Boniello responded it will not change this plan
8 whatsoever if the Town opts not to accept the road. Chair Gannon responded that was not the question, it
9 was just the element of surprise seeing it in there. Mr. Boniello apologized. Mr. Towey responded they
0 just want to make sure it gets addressed now so that there is a contingency to maintain the roads if the
1 Town Board accepts. Mr. Boniello responded absolutely. Chair Gannon stated this is part of dotting of the
2 I's and crossing of the T's. Mr. Towey then asked Madam Chair if he may inquire about the affordable
3 housing units. He noted that he did not see that in any of the submissions, just at some point, a count of
4 what is proposed. Mr. Boniello responded the count is in the resolution from the Town. Mr. Towey
5 responded, so it is in the Town Zoning Text Amendment – he will double check that. Mr. Boniello
6 responded or it could be a percentage of the units. Chair Gannon responded she believed it is 7 – that is
7 also reflected on the DEC website. Mr. Boniello responded that he would make sure the count is there
8 somewhere. Mr. Sutton then stated he just wanted to confirm that the OSC concerns about the tree counts
9 have all been addressed. Mr. Smith responded the tree count issue is similar to what was addressed as part
0 of the Trailside application. He thought there is a generic kind of understanding of the number of trees to
1 be removed, but when it comes time for issuing the Tree Permit, they will have to do the actual count
2 itself. Mr. Sutton responded that the impression he got from that one communication was that the OSC
3 thought this Board overstepped our bounds in previous discussions about tree counts. Mr. Smith
4 responded, however many trees need to be removed, the Applicant will have to comply with the Tree
5 Permit. But the expectation is that they have provided the information so that the Board has an
6 understanding of the extent of the tree removal, but not the exact specifics and the counts. Mr. Sutton
7 stated, just to be clear, he asked for confirmation that the Fire Prevention Board met and that they were
8 okay that it was compliant with 2025 Fire Codes, because he thought there was a question about that. Mr.
9 Smith asked what the question was. Mr. Towey responded he thought it was sprinklering; whether or not
0 the buildings would be sprinklered or be required to have sprinklers. Mr. Sutton stated he knew they had
1 discussions about the radiuses and turns and everything else. But he thought there was an additional
2 question about the 2025 Code. Mr. Boniello stated the meeting was with the Building Department and the
3 Fire Department, and the conversation was about roadways – they were found to be acceptable and about
4 sprinklering buildings. The conversation was left that in the Building Code if the Town of Somers is
5 requiring sprinklers for our size units, they will be sprinklered. So, it depends on what the code is at the
6 time of permits. Mr. Sutton responded the part he is referring to is the 2025, New York State Fire Code,
7 and he knows that they typically put that in all their memos - saying that to make sure that the entire

1 project is compliant with that. He just wanted to make sure we are clear before we go forward with closing
2 out those issues as being addressed. Mr. Robbins responded that the provision of sprinklers and materials
3 of construction are Building Permit questions, and that is something that comes after this Planning Board.
4 Mr. Sutton responded right, which should bring them back to the Fire Prevention Board anyway. Mr.
5 Robbins responded yes to the extent that we reviewed the BFP's comments related to the circulation and
6 the Site Planning. Mr. Boniello asked if he could go back to the OSC's comments. For the tree count, they
7 conducted a survey of a typical acre and were able to determine the species and number of trees that are
8 typical on an acre. That was the extent of the tree surveying they had planned to do. As part of the
9 Subdivision, the tree removals for the project will be carried under the Subdivision Application and the
0 fees associated with it. That was their intention. Mr. Christopher Zaberto stated he has the memo that Mr.
1 Sutton was referring to, and their last line says, after review and discussion with the builder, the Bureau
2 had no additional concerns. They did want to address the aspects of compliance of the 2025 New York
3 State Fire Code, share plans for sprinklering of the buildings, and wanted to have the opportunity to review
4 the building elevations as to the type of construction and height. After review and discussion, the Bureau
5 had no additional concerns, so that is consistent – it is closed out. Mr. Boniello asked if he could just
6 respond to one other comment that was made. The DOT's review is not over. Their application just went
7 into them, and they will be reviewing and making sure that the traffic concerns that have been echoed
8 throughout the public are addressed to the best of our ability. They are not running away from the DOT-
9 that is a Board that will continue to be in their purview for the foreseeable future. Chair Gannon then
0 asked if there were any other Board comments and/or questions. She then asked if we came to a final
1 decision regarding at what point in time would the Applicant enforce, certainly for the internal people
2 leaving the site during construction, no left hand turns onto Route 6. Mr. Boniello responded as soon as it
3 is feasible. He noted certainly to start the job; they need to get in and out of the existing driveway and it
4 is his understanding the DOT will have a during construction traffic pattern that will restrict them when
5 they pull trucks out. They will need to flag them if they are going certain ways. They will abide to the
6 DOTs requirements for getting trucks in and out of that road safely until the point where they can restrict
7 left hand traffic. That is how he feels comfortable saying it right now. The DOT will make an entire plan
8 be put together with how trucks are intended to get in and out of that site. It will be signed, flagged, and
9 appropriately done when they are making those turns. Mr. Zaberto asked Mr. Smith if that modality is
0 consistent for a large project. Mr. Smith responded yes, they are going to have to coordinate with the DOT,
1 that is part of the permitting process, and all that is including during the construction process.

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3 Chair Gannon made a last call for the Public Hearing and asked if anybody from the public wanted to
4 come up and speak on the North Edge Realty application. No one came forward. Mr. Anthony Sutton
5 addressed Mr. Jared Boniello and stated he did not want to belabor the point about the safety on that Road
6 C where the kids are crossing, potentially at some points, back and forth. He indicated that he knew they
7 talked about lighting and a crosswalk or delineating. He then asked if Mr. Boniello would be amenable to
8 putting up signs – Caution Pedestrians Crossing or something like that - one on either side. Mr. Boniello
9 responded, absolutely. He thought the floodlight and the crossing stripes are the start, and a pedestrian
0 sign could certainly be added to the plan. He indicated that he thought that is smart, and that probably
1 would have come up down the road as they got into signage in more detail - they will add that on. Chair
2 Gannon responded sounds good. She stated at this point, being nobody else wanting to speak on this
3 application and hearing a lot of repetition in the comments that we have been getting and not hearing new
4 information, she thought we are at the point where we can close the Public Hearing. She added that it is a
5 complex application, so this is one of the instances where we want to keep it open for written comment
6 for 10 days. However, in looking at the calendar that is going to land us on Memorial Day weekend -
7 which makes no sense to end it there. She then stated she would like to make a motion to close the Public

Hearing, but to keep it open for submission of written comment until 5:00 p.m. end of business on Tuesday, May 26, 2026. Mr. Sutton seconded. All in favor. Motion passes. Chair Gannon then said she thought we can ask staff to draft at least an initial resolution that we could look at. She knows there is still some moving parts going on, but we could get that and have something to put our eyes on and come back together again and talk in June. Mr. Smith responded that we would begin working on it. Chair Gannon responded okay, and that she thought that would give the WIG as well as other interested parties time to make a submission. Mr. Zaberto stated that we can still research the discrepancies that were called out. Chair Gannon responded the Applicant will respond to the comments from Public Hearing, that is always very helpful for everybody to see and for us to look at. Chair Gannon then asked Mr. Boniello and Mr. Allen if they had any questions. They did not. Chair Gannon made a motion, to direct staff to begin drafting a resolution of approval for this application. Mr. Zaberto seconded. All in favor. Motion passes.

PUBLIC HEARING

2. 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.

Chair Gannon noted that the Planning Board did go on a Site Walk of the property on Saturday May 2, 2026. Mr. Kevin Cohen with Nejame & Sons came to the podium and introduced himself. He indicated he was representing the Applicant. He wanted to note a couple of things. One being that they did not get the plans in time as the landscape architect is still working on them. He noted there were a couple of changes. The pavers were going to become permeable, and he did not know if that would change any of the drainage requirements, as far as the culverts. Consulting Town Engineer, Mr. Steve Robbins responded he thought that was a smart move in this particular area in terms of limiting the area of disturbance. He also thought his office's comment about making sure that there is a note on the plans to have a percolation test witnessed by Somers Town Engineering Technician, Mr. Steven Woelfle, at his discretion, would still hold and they would just need to see the backup calculations for the sizing of the stone underneath those pervious papers. Mr. Cohen added that they did receive the Watercourse Protection Permit from the New York State Department of Environmental Conservation (DEC). The other thing he wanted to discuss was the plantings. The homeowner and the landscape architect are working on a few different native and herbaceous plantings. The intention is to keep privacy from the neighbors in mind as well as for the plantings to look natural and fit properly. He noted he knew they were working on that as well, and they can notate that on the new plans. Chair Gannon responded okay and asked when Mr. Cohen thought the new plans would get to the Board. Mr. Cohen responded in a couple of weeks. Chair Gannon asked Mr. Robbins if he had any comments. Mr. Robbins responded no, he thought the Site Walk was instructive to the Board and thanked the owner for making the time available. Chair Gannon asked Planning Board Secretary, Ms. Nicole Montesano for the publishing and posting. Ms. Montesano stated the legal notice was published in the Journal News on April 30, 2026, and the adjoining property owners were notified via mail on April 22, 2026. Chair Gannon then made a motion to open the Public Hearing. Mr. Paul Ciavardini seconded. All in favor. Motion passes. Chair Gannon then asked if there was anybody present for the Public Hearing for 20 Putney Road. There was no one there from the public. She then asked the

Board if they had any questions and/or comments. Mr. Christopher Zaberto responded the Site Walk was definitely informative. It did show us the challenges with the wetlands in the back and also the current landscaping that was going on there with the trees. And so, to echo our engineer's sentiments he stated that he appreciated the homeowners time to allow us to take a look at that. He concluded and stated that was really it as it was pretty cut and dry. There are some challenges because of the wetlands and the buffer and everything else, but you are putting in a pool and so we have to follow through with some of the environmental aspects of the plan. He noted that he did not have any direct questions unless any of his colleagues do. Chair Gannon responded she thought it was very helpful, especially seeing it in person and understanding how much of the current vegetation has to be taken out of the back, but that will be replaced. It is very helpful to see that, because it is very dense as it is now, and to understand the range of how far the fence goes down. There is nothing like being there in person to really understand what the impact is going to be. She then asked the Board and staff if they thought it would be reasonable to close the Public Hearing at this point. Mr. Robbins responded he thought that was reasonable. Mr. Zaberto then made a motion to close the Public Hearing. Chair Gannon seconded. All in favor. Motion passes. Chair Gannon advised Mr. Cohen to submit the plans as soon as he can. Chair Gannon then stated that she thought we could ask staff to draft a resolution for consideration at the next meeting and made a motion to the same. Mr. Ciavardini seconded. All in favor. Motion passes. Chair Gannon added a draft resolution is a draft and if we do not have enough information available to take action on it, then we will just table it and hold it over to the next meeting. So, the better job Mr. Cohen does at getting the plans to the Board, the more likely they will be able to come to a conclusion at the next meeting. Mr. Cohen stated they will submit plans as soon as they can. Mr. Robbins advised Mr. Cohen if the landscape architect has any questions as they are going through that to please have them reach out to him so they can make sure it gets done.

**3. 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 (GSC) 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 above ground 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 the 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 stated the Board did a Site Walk on this application on Saturday May 2, 2026, and noted again, it was extremely helpful to take a look at the site itself. She also wanted to apologize as she had to leave very abruptly at the end of it, but she thought she stayed long enough that she really did not miss anything. She then asked the Applicant to please identify themselves and start their presentation. Mr. Lino Sciarretta, partner with Bleakley, Platt & Schmidt, LLP in White Plains, NY came to the podium and greeted Chair Gannon, the Board Members, Counsel, and staff. He stated they are here tonight on behalf of Veolia New York, for the Public Hearing. To give a brief background, Mr. Sciarretta stated they are

here because they have to be here due to the fact that the Environmental Protection Agency (EPA) changed their regulations, which will go into effect in a couple of years with respect to PFAS. The EPA has now mandated that our wells have to now be treated so that acceptable levels of PFAS are at four parts per trillion. So, what that has started is for Veolia working throughout the Hudson Valley, getting these facilities built, getting them up and running, all to meet the deadline that is fast approaching with respect to the EPA. Interestingly enough, when he went to use the restroom this evening, he noticed there was a little notice in the bathroom which says there is elevated levels of PFAS, and you have your drinking water there. So, it is exactly something like that they are trying to and have to address. Again, it is not a project that they want to do, but because of the Public Service Commission (PSC) and EPA they have to do. Mr. Sciarretta stated to give you an idea of what it is that will be done – they are installing what is called granulated active carbon (GAC) filters. He noted he mentioned this at the last meeting, but since it is a Public Hearing for the benefit of the public, they are installing a large Brita filter with carbon because that is what is used to take out levels of PFAS in the water-so that's exactly what's being installed. This site has five wells on it. It is currently a water treatment facility, but it is not set up for PFAS. So that is what this Site Plan proposes. Again, what they are building here is a 1,750 square-foot structure with related piping work. They are going to need some variances with respect to this project, mainly setbacks and a height variance. At the last meeting the Board, the Lead Agency, deemed this to be a Type II Action under the State Environmental Quality Review Act (SEQRA). So, they are here tonight, really, just to go through the Site Plan. With that he indicated without further ado he was going to bring up Mr. William Schurmann, Project Coordinator with Suburban Consulting Engineers, Inc. to go through it. He then stated that he appreciated the Board doing the Site visit on Saturday as he knows it is always helpful to look at the site. Mr. William Schurmann came to the podium and stated this property is landlocked and is accessed through an existing easement where the site contains an existing water treatment facility and an existing water storage tank. The proposed improvements on site include an addition of a 1,750 square- foot building to house additional water quality treatment for PFAS removal. Along with this, the addition of an above groundwater storage tank is also proposed on site to replace the existing water storage tank that is within the existing building. Along with this, several site improvements would be necessary, including a retaining wall, stormwater management system, driveway, security improvements via fencing, site grading, and related aspects. Zoning Variances will also be required where they would be seeking Zoning Variances through the Zoning Board. He then concluded and stated that was a high-level overview of the site, and he could go over any specifics, as necessary. Consulting Town Planner, Mr. David Smith asked if Mr. Schurmann had a map or graphic that shows this site in a larger context to the surrounding community. Mr. Schurmann put up the plans and stated on the cover of the Site Plan, there is aspect in relation to the Elephant Hotel, which is this building itself. Also, on this figure right here on the left side is showing in relation to the road itself, as well as the intersection on Route 202. Chair Gannon asked Mr. Schurmann to use the pointer. While pointing to the plan Mr. Schurmann identified their proposed facility, the Gerald Crane Stonehouse and the access road going into it. He also identified the existing facility and the proposed brand-new facility located in the front. Consulting Town Engineer, Mr. Steve Robbins asked if Mr. Schurmann could point to Route 100. Mr. Schurmann identified it on the plan. Mr. Schurmann stated located on the right is just a quick rendering of the site with the proposed improvements located on it. Chair Gannon stated it has the proposed new building in the foreground, the tank in blue in the rear, and the structure behind it is the existing building, and the existing tank at the left side. Mr. Schurmann responded correct. Chair Gannon asked if the new driveway is going to come in on the left side. Mr. Schurmann responded correct. Mr. Christopher Zaberto asked if that body of water that there is Rhinoceros Creek. Mr. Schurmann responded Rhinoceros Creek owns that property, and it is a small pond. Mr. Zaberto stated he thought it was named Rhinoceros Creek. Mr. Schurmann responded he did not know. Mr. Zaberto responded maybe in public comment, someone can clarify that to us. He then asked Mr.

1 Schurmann to confirm that they do not draft any water out of that for this. Mr. Schurmann responded
2 correct. Mr. Zaberto then asked where the water that Veolia is treating come from. While pointing to the
3 plan, Mr. Schurmann responded there are five groundwater sources located throughout this area. There
4 are two located on the adjacent property, and then three located right across the street over here. Mr.
5 Zaberto responded so like big wells. Mr. Schurmann responded correct they are groundwater wells drilled
6 hundreds of feet down, a vertical turbine pump or submersible pump sucks it up and it goes through raw
7 water process piping to the existing treatment facilities. Mr. Zaberto asked who uses that water. Mr.
8 Schurmann responded Heritage Hills Community currently. Mr. Zaberto asked all of Heritage Hills. Mr.
9 Schurmann responded that is his understanding.
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1 Chair Gannon asked Mr. Smith if he had any comments. Mr. Smith responded no additional comments at
2 this time. Chair Gannon then asked Mr. Robbins if he had any comments and/or questions. Mr. Robbins
3 responded the Applicants' resubmittal addressed the majority of their technical comments. A few do
4 remain that he knows that the Applicant and their engineer are aware of, including preparation of a
5 Groundwater Protection Plan, given that this is in the Overlay District. Obviously, the Applicant uses the
6 groundwater in the Groundwater Protection Overlay District, but for purposes of documentation for this
7 Board and in compliance with the Town Code, they do have to prepare that plan that kind of pulls all the
8 information that they already have prepared for the project into that one document for clarity. There are
9 some additional requirements for testing for the stormwater system that the Applicant is aware of. In some
0 of those areas, the site is currently forested, and so conducting a lot of that testing right now has not been
1 feasible through the winter, but they know that will have to be done, and we will be reviewing the
2 Applicant's calculations to make sure that they are making reasonably conservative assumptions without
3 having that testing in place just yet. They will have to do it but make sure that the Site Plan is complete
4 with what they have assumed to date. We did note in our last comment letter, a discussion item from the
5 Board's Site Walk, around asking the Applicant related to the visual impacts of the facility and its
6 adjacency to the park usage, for some additional information about how the building was located in this
7 spot on the site, as opposed to – to the side or in another orientation, to give this Board some context.
8 Chair Gannon then asked if Mr. Schurmann could flip back to their original sheet as that might be good
9 for looking at the top-down view. She then asked if that was a question Mr. Schurmann could respond to
0 now. While referencing the sheet, Mr. Schurmann responded the proposed facility is strategically located
1 within this area in an effort to minimize the amount of disturbance to the wetlands and wetland adjacent
2 area and to maximize the amount of accessibility to the site and surrounding areas. The building location
3 was reviewed multiple times throughout the design, where this current location was termed the most
4 feasible based off of the site constraints currently being worked with. Chair Gannon stated to Mr. Robbins,
5 the question as she recalls it, was could the structure be planted slightly to, as she is looking at it here, to
6 the left, which would be to the slightly to the southwest on the diagram, because that is where you would
7 have to do some leveling of the ground. Mr. Robbins responded clearing in that area for stormwater. Chair
8 Gannon then stated her follow-up questions to Mr. Schurmann was is the reluctance to move in that
9 direction because Veolia is trying to reserve it for future development or use, in the event there is a need
0 to build a third building. Mr. Schurmann responded currently that area where the Stormwater Management
1 System is going to be located is going to be in a wetland setback as well. So, when we are clearing out for
2 staging, it will be replanted back to the wetland buffer area following completion. Mr. Robbins stated so
3 this particular project and with the lands under Veolia's control, inclusive of all their well sites, are all in
4 wetlands or wetland buffer areas. This is a public utility infrastructure project. No one is selling luxury
5 condominiums here. So, in terms of wetland mitigation, there is a wide range of things that the Board can
6 consider that would be reasonable and appropriate. As we all know, this area does have a lot of invasive
7 species, so there is certainly a lot that can be done in terms of planting and/or invasive species removal

1 that in his opinion would be appropriate mitigation for a project of this type, but that's obviously subject
2 to the Board. He indicated the question still is to the Applicant, and if they need some additional time to
3 respond, he thinks it is reasonable to understand both, why the building cannot be moved into that space
4 for wetland mitigation. In his mind while we want wetland mitigation to happen as proximate as possible
5 to the disturbance, that there is plenty of other opportunities here that are not measurably different to
6 justify why it cannot be further separated from the park area and its usage. As he understands that the
7 Board's comment was during the Site walk. And/or did the Applicant consider an extension to the existing
8 building, or some adjacency to the existing building such that the building could be set further back from
9 the property line and away from that parking lot. It is a tall building-it has to be this tall. There is nothing
0 the Applicant can do about that, but he thinks it would be helpful for the Board to understand what else
1 factors into the "why" this is the optimal location, so that you can understand that, especially since
2 variances are required for the building to be in its current location. Are there any less restrictive locations
3 where the variances are not as great, even if they are still needed. You are not going to get away from a
4 height variance, but can we be further back from the property line or not. Mr. Schurmann responded yes,
5 they will provide a formal response to these comments. In relation to the extension off of the existing
6 building, they evaluated the existing building to one, consider if the vessels could be placed on the inside
7 of the existing facility or right next to the existing facility. However, based off the structural analysis of
8 the existing building, the structural foundation is not designed to accommodate the additional loading of
9 the vessels, which is about 400,000 pounds each, where we would either have to remove the entire
0 foundation, pour a new foundation slab, which would require a significant downtime of this facility, which
1 cannot be accommodated, or we would have to pour a new foundation slab adjacent to this building, where
2 we impose similar constraints - wetland adjacent, wetland buffer, area, x, y, z. Mr. Robbins stated that he
3 thought there was also some discussion at the Site Walk about blue versus green for the tank, and if there
4 is a visual preference. Planning Board Attorney, Mr. Michael Towey asked if each vessel is 400,000
5 pounds. Mr. Schurmann responded once it is filled with 40,000 pounds of media and filled with water. It
6 is two 12-foot diameter vessels 27-feet tall. Mr. Towey then asked if a geological assessment was done
7 behind the building from what Mr. Robbins proposed. As an attorney anticipating the need of a variance,
8 he then asked Mr. Schurmann if they can cut into that slope behind the existing building and get a
9 foundation in there and deferred to Mr. Robbins on the technical engineering aspects of it, but noted he
0 was just curious. Mr. Schurmann asked if he was talking about behind the existing building. Mr. Towey
1 responded what was suggested earlier, an alternative location. Mr. Robbins responded the location that he
2 was suggesting was to the front side of the existing building, not to the rear. Mr. Towey responded okay.
3 Mr. Robbins stated to the left or the left and up on the diagram not behind. Mr. Towey replied southwest
4 where there is a little grass area. Mr. Schurmann responded behind the facility is a very steep slope. There
5 would be a significant amount of site clearing grading that would be needed. Mr. Towey responded that
6 was why he asked. He was just curious and he had looked at the topography earlier.

8 Chair Gannon stated that she wanted to make note that we received some materials. We received a memo
9 from the Westchester County Planning Board, the County Planning Board referral file, site plan approval.
0 We received a memo from the Open Space Committee (OSC), and in that memo, the second paragraph
1 was discussing number 6 on the Environmental Assessment Form (EAF). The question addressed whether
2 the project is consistent with the character of the area is marked yes. The memo however says it should
3 be marked no. The proposed is located within and adjacent to the Rhinoceros Creek Reservation Nature
4 Preserve owned by the Somers Land Trust. She indicated she was looking at this and thinking, there is
5 already an existing building with a tank and a fence - would that not be an argument for it being yes and
6 asked if it has to be corrected. Mr. Smith responded that the part one of the EAF is the Applicant's
7 responsibility to prepare. Eventually this Board will be reviewing the EAF part two, and that will be done

1 with respect to the part one, and then all the other information that has been accumulated as part of the
2 public review process. Mr. Jack Mattes said it was stated at the moment this Veolia plant that exists
3 provides water to Heritage Hills. He then asked if it provides water currently to any place else in the
4 Somers area. Mr. Schurmann the consulted with the Veolia representative and stated there are existing
5 applications by customers in Somers currently. Mr. Mattes asked if it was correct to say that it will be
6 expanded in the future. Mr. Schurmann responded right but not as part of this application. Mr. Mattes
7 responded right, but to this particular area of Somers – the central part of the Town. Mr. Robbins stated
8 that the Veolia water supply area does include the De Cicco's and Somers Crossing currently. Mr.
9 Schurmann noted that the treatment capacity of this facility does have the capability of supplying portions
0 of the Town of Somers as well. Chair Gannon stated the only other document she wanted to note was a
1 memo from the Bureau of Fire Prevention was received, and the Applicant provided a supplemental
2 rendering of an AI generated drawing of what the structure would look like. She then asked if there were
3 any more questions before we open the Public Hearing. There were none. Shen then asked Planning Board
4 Secretary, Ms. Nicole Montesano for the publishing and posting. Ms. Montesano stated the legal notice
5 was published in the Journal News on April 30, 2026, the adjoining property owners were notified via
6 mail on April 22, 2026, and the sign stating the date and location of the Public Hearing was posted on the
7 site on April 30, 2026. Chair Gannon then made a motion to open the Public Hearing. Mr. Zaberto
8 seconded. All in favor. Motion passed. Chair Gannon then asked if there was anybody here to speak on
9 this application and to please come up and identify yourself for the record. She then stated before that she
0 wanted one comment on the record from the Site Walk. She indicated she had a question for the Applicant
1 and the Applicant's engineer. She asked what the maintenance schedule for the existing building is. Mr.
2 Schurmann responded typical maintenance schedule for painting, cleaning, and everything like that.
3 There is no real change in the maintenance schedule between the new facility that is being proposed and
4 the existing facility. Chair Gannon then asked but what is the maintenance schedule for the existing
5 facility. Mr. Zaberto asked when they are going to do and when is it going to be done. Chair Gannon asked
6 how often the existing building gets painted. Mr. Schurmann responded there is a life span on the painting,
7 and it is his understanding that it is in the queue for routine maintenance and operations. Chair Gannon
8 responded okay, because the gate was open and she was given permission to approach the building. She
9 took a close look, but even at a distance, there is a considerable amount of exterior need for maintenance.
0 There was wood rot, some missing wood holes, there was a piece where it was just missing. She could see
1 what she did not know was insulation or spray foam- it was orange. She indicated she took a good number
2 of pictures, which have been submitted for the file, and frankly she is concerned about the condition of
3 the exterior of the existing building because it holds such important infrastructure for the residents and
4 businesses of this portion of the Town. So, she would really like to know what to expect in terms of when
5 that would be addressed and certainly going forward. There was a question asked at the Site Walk – you
6 could see some patching had been done. Would it be painted to match. She noted at some point some
7 painting and repairs are going to have to be done on it. So ideally, we would have a coordination between
8 what the new structure will look like and what the existing structure looks like. So that is speaking to color
9 and paint choice and things like that. But she just needed to say for the record that she thinks it needs some
0 repairs, and there is some wood that needs to be replaced, and those pictures are now on file with this
1 application. She then apologized for interrupting to the person who came up to speak at the Public Hearing.

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3 Mr. Bob MacGregor, Vice President of the Somers Land Trust came to the podium and introduced himself.
4 He stated that the Somers Land Trust owns the property that is adjacent to this project. While pointing to
5 the plan he stated to answer a couple of the questions that came up before, this is a picture of the project
6 that's actually going on. He then held up a photograph and stated this is the 55-acres of the property that
7 exists right now and pointed to the cut out, which is the Veolia property as well as identifying what was

part of the nature preserve. He continued and noted that they have been developing this property out since 2017 as a nature preserve. A pavilion and hiking trails were built on the property, and they run a lot of education programs around nature. This is the only nature preserve in the Town, so they are trying to develop this as a place where people in the community can go and find out about nature. He added they do a lot of projects with the Scouts and youth - approximately 15 Eagle Scout projects in the last few years. He and another member of the Somers Land Trust have done over 55 Eagle Scout projects as sponsors. So they are trying to use this property as an opportunity for the members of the community to be able to get out and to be with nature. While holding up a photograph he indicated that on this property are the two wells which have been discussed. Chair Gannon asked Mr. MacGregor if he wanted to post his cutouts on the board. He did not and stated he had a couple. Mr. MacGregor continued and held up a second photograph and identified the other property, which is on the other side of the road, opposite the Stone House, where they have 60-acres over there. That is part of the Rhinoceros Creek also. He noted that on their property are the five wells that are used for this water project. They have a good working relationship with Veolia and they try to work together from time to time, because they have to do maintenance on the water lines, the wells and the pump stations. He noted they have tried to work with them and have been very successful – it has been a very good relationship. As far as this project goes, we do have some reservations about the project, and it is basically with the location of the building. One of the things that concerns them is that the main Education Center is opposite where the existing building is, and it will be where this new building is going to be built. As has already been noted, this building is going to be very close to the property line. It is going to be 37-feet in height and 56-feet wide and when we look at it from our property, that is all we are going to be able to see. Chair Gannon asked Mr. MacGregor to indicate this on the plan where that education space is relative to the building. Mr. MacGregor pointed to an area below the plan and stated it is opposite the parking lot. Chair Gannon responded so where the gazebo is. Mr. MacGregor responded yes, where the gazebo is. Chair Gannon stated sort of the toe. Mr. MacGregor responded that is all their Education Area. They built it out with a bunch of native gardens and are trying to promote the use of native plants and vegetation in the community. The best way to do that is to have a place where people can go and see how they can use native plants in their yard, in their environment. They are fortunate with the property. There has been talk about there being a lot of wet areas around this property. A bog garden was created opposite where the existing building is. At this point in time, they discharge about 2,000 gallons of water a day into that bog garden. In addition just opposite where the pavilion is, is the stream that runs from Heritage Hills down through our property, goes into the main pond by the entrance of the property, continues down across the Stone House property underneath the road and goes into three large ponds on the other side of the road and then discharges into the Croton Reservoir System. So, we are part of that process and that system. So for a nature preserve, it works out very well, because there are wetland areas and upland forest. When we look at the property where this building is going to be, the elevation is about 220-feet. Behind the building, because you asked the question, it is a very steep slope that goes up. The condos at the top of the hill are at 520-feet, so you have got a 300-foot rise from where this building is to the first condo up at the top, and then from there it is probably another 300 plus feet up to Veolia's water tank. Veolia's pipes crisscross on our property, they have an easement to be able to access those water lines and those wells to maintain them, and that has been working very successfully. So, where we are at this point in time, because this building is going to be so large and it is going to be so close to the property line, it is going to have a dramatic impact on people who are coming to use our property as a nature preserve. Also, because of its size, you will be able to see this building from US 202, all the way from the Stone House down to the entrance of Heritage Hills. One of the things that they were thinking about and have had some discussions about, and this Board also brought up the question, is about the possibility of moving the building down. Mr. MacGregor then stated take it from where it is directly in face. Chair Gannon asked Mr. MacGregor to point on to the diagram,

1 so everyone can understand which direction you are moving it in, because these relative directions are
2 difficult. Mr. MacGregor responded okay and pointed to the new building and pointed to where it could
3 be moved. He stated when he started to look at the plans, it appeared that the building could actually be
4 moved down about 68-feet. If the building were moved down 68-feet, it would move it from center of
5 where we would see the building further down the driveway towards Well 2, and it could almost be
6 blocked out from visual from their pavilion. It would be blocked totally from US 202 because opposite on
7 the driveway there are some very large Poplar, Willow and other trees that are there that are 50 to 60-feet
8 tall. So that would completely block the view from US 202. He would like to really have consideration
9 be given for moving the building down. He noted there was also a discussion on the walkthrough about
0 the high-pressure water line. That was a concern when they first started discussing moving the building to
1 the left-hand side. At this point in time, it appears that there is enough space between that high-pressure
2 water line and the property next to the driveway. He did some rough looking at the calculations, and it
3 appears that you could be about 10-feet from that high-pressure water line, you would have 31-feet for the
4 building and you would have 14-feet before you would get to the property line. So there would appear to
5 be enough space front to back for the building just to slide down. Also between the property line and the
6 driveway is about another 10-feet, so we have a buffer then between the driveway and the building. So we
7 would like it be considered to move the building down to the left. Now if we come back from the property
8 line on the left-hand side, where the question about the wetland is, you could come back off 10-feet. You
9 have 56-feet for the building. You would come up to where the new driveway is that they are proposing
0 to put in, and then the space in front of the old building would be all open and we would not have any
1 problem with this enormous building directly in the line of sight as you would view the building. So we
2 would like it to be considered to move the building down to the left. While pointing to the plan he added
3 the other piece about moving the building down to the left is where they are going to propose to put the
4 building - which is in this spot. It is all ledge to rock in here. So the plans are to cut into the ledge rock,
5 and then they are going to have to go down still further for their footings. They are going to have to do a
6 lot of rock excavation. While referencing the plan he stated if they move the building down into this area,
7 there would not be that ledge rock that is up here in this area. He indicated he was not sure whether they
8 are going to do blasting or chipping of that rock, but assumes that they would not do blasting because of
9 all the other water lines that are in that area. He stated they have had discussions amongst themselves
0 about how to fit this building in. Mr. MacGregor stated they are not proposing not to build the building
1 as they understand it has to be built. They just think that there is a better location for it that it is not
2 specifically out of the way. They also realize that there may be some slightly additional cost, because it
3 would be a little bit more piping. While pointing to the plan he stated instead of going directly across here,
4 they would have to come up this way and then into the building - so there might be some cost. They know
5 that the engineers are having a budget issue because of the price of this, but for that additional piping
6 there, they do not believe that is something that should block the consideration of moving the building
7 down further. He indicated they would like that to be looked at. While pointing to the plan Mr. MacGregor
8 stated the other thing that they would like to think about when doing this project is that if the building is
9 moved down 68-feet, to then flip the building over, or turn it 180 degrees, because right now, this end of
0 the building is a single story. The other end of the building is 37-feet in height. If we move it down and
1 flip it over, we have got a single story here, which pushes the building down still further, and then really
2 puts it so it is not in direct line of vision. So we would like that to be considered. It does not change the
3 building if you just turn it 180 degrees, the building can stay the same as it is. If you just flip it over, it is
4 going to stay the same that it is. So the ability to be able to put in the tanks and all of the rooms that they
5 want to have in the building can still fit in the same footprint. So that is one of the things we would like
6 to have considered. Also by moving the building down and moving it away from the driveway, it solves
7 another problem. Over the last eight or nine years that he has been watching and working at Rhinoceros

Creek, there is a lot of activity from the technicians coming and going to do servicing in this building. He believes that a lot of the stuff that goes on in this building will remain the same, and there will also be technicians that will be needed in this building. If this building is moved down, the space here currently, when the technicians are working here, they park on the Veolia property. If the building has been moved down, this space is now still available for them to park there, and then they don't have to block the driveway, which is getting narrow because of the building being almost right on the property line. The other thing is that in the wintertime, there is snow removal. This past winter we had 21- inches of snow which they were able to push off to the side and pointed to the space on the plan. If this building is here, they will have no place to push that snow. So it is going to come out and this is going to get narrower and narrower, and eventually, if there is a truck in here or something else doing a delivery, our driveway to get to the other end of our property is going to be blocked. Chair Gannon stated there is also a parking lot below there as well. While pointing it out on the plan, Mr. MacGregor responded yes, we have a big parking lot over here, which they have already been working with Veolia and the team. They use that quite frequently for their operations. Chair Gannon responded and there was a shed-like structure – if she stood with her back to the current building, and she was looking toward the gazebo on the right-hand side, kind of catty corner there is a parking lot, but then there is a shed there in the corner too. Mr. MacGregor responded yes, that is their shed. They keep their materials in there and when they do education programs in the pavilion, that is where they keep their tables and chairs and other things which are used during the educational programs. He added that they are an all-volunteer organization, so a lot of the maintenance of the trails and so forth are done by volunteers. So within the shed, are the tools needed to maintain the trail, such as rakes, shovels, chainsaws and weed whackers and all of that kind of equipment. The volunteers may not come with equipment, but we can provide it to them so that they are able to help maintain the property. So that's another piece that would be very helpful if the building was moved down. A couple of other things we talked about was the underground stormwater storage. If the building is moved down that probably would have to be moved a couple of feet just to fit it in there. But they have got about 10 or 12-feet there, so it should not be a major problem just to move it down 3 or 4-feet. The other advantage of having it there, if we ever get to the point where it overflows, right now there is a ditch that goes along here, so the water would be funneled right into the wetland. And we have got both. While pointing to the plan he stated on this side there is a pipe underneath the driveway that goes into the stream and identified where on another side there is another pipe that goes underneath the driveway. He stated stormwater from here goes underneath the driveway again into the stream. We have talked on this project for the last few months, and one of the things that we had asked for to try to soften the view of what was going to be going on here was to use black fencing. Right now, it is that aluminum color fencing with the barbed wire on top. It stands out quite a bit. He added there has been agreement that it would be replaced with black fencing. And identified on the plan the portion of property, where it is visible from the driveway. He added if we move the building down, the fencing can continue across, again, opening up all of this space rather than having it closed off with fence for a building. So that is again usable for Veolia, particularly when they get large pieces of equipment and other stuff which they have to store. They have been storing on their property and we would like that to continue as much as possible. When Veolia has a flatbed truck or they have an excavator that they brought in those kinds of things, which are not uncommon, we would like those stored on their property. While referencing the plan Mr. MacGregor stated so, by just extending the fence down, it opens up all this space for them to use for that purpose. The other piece is that if the building were moved down -right now, they are planning on 44 shrubs in this area that were noted to replant, because most of the vegetation in here is invasive. So already, they are going to be clearing this all out for staging area, as well as removing a lot of the invasive species, so they were going to replant with shrubs down in this area. If we move the building down, it gives us an opportunity and we can work together. We would strategically locate those shrubs as buffer for the property to make it a little

1 bit softer so it doesn't stand out. Even though we moved the building down, it gives us an opportunity to
2 clean up some of this area and make it less in your face. The last piece is the one that you've already
3 mentioned - is painting the building. This building probably has never been painted in the 50 years that it
4 has been there, but it is in desperate need of maintenance. We would like if whatever project is approved
5 to make sure that painting and maintaining the backwash tank and the building is included in that.
6 Otherwise it will go into the maintenance queue, and it could be another 5 or 10 years before they would
7 ever get to it. We have been asking for it for the last eight years to see if we could get it painted. And we
8 are always told it will be in the maintenance plan. So we just do not want it to get lost. So that is really
9 what we are looking for. We understand that Veolia is going to have to have variances. And so that is
0 going to have to take place. If the building stays here, we are going to object to the variances. If the
1 building is moved down, we have no problem with the variances at that point in time, because the variances
2 that they need to put this in, there is an option to move the building here. So there is no hardship, they
3 can move the building down. They are very much concerned about their property and ability to be able
4 to continue to use their property as a nature preserve, open to the community. They have opened it for the
5 public, and the public has been using it extensively. During COVID this was one of the places where
6 people went, particularly with Heritage Hills. It is where grandma and grandpa met the family, because
7 they could be outside in nature, and they could spend time with their family. Families were there almost
8 every day as meetups. In addition a lot of people from places in the community where they don't have
9 yards and some of these multifamily housing areas who need to be outside and be with nature were also
0 using our property. Mr. MacGregor concluded and stated they hope that consideration will be given to
1 moving the building and allowing us to use some of the shrubs strategically placed. He stated he had kind
2 of a summary of what he just covered if the Board would like a copy. Chair Gannon stated to give a copy
3 to Ms. Montesano and then she will make sure that everybody receives a copy and it becomes part of the
4 file and the record. Mr. MacGregor stated the one other question that he will answer, which is the question,
5 about where Rhinoceros Creek get its name. Mr. Zaberto asked is that body of water named Rhinoceros
6 Creek. Mr. MacGregor responded it was unnamed, but we got the name because at the Stone House, it
7 was part of the menagerie. And during the menagerie time, they kept the large animals in the barn, and
8 that is where they kept the rhinoceros, in the Stone House, in the big barn that's there next to the Stone
9 House. The rhinoceros, from time to time, would get out of the barn, get into the stream and follow the
0 stream up into Town, and the Town residents would have to try to get the rhinoceros to go back to the
1 barn. So because of that history, and the Historical Society shared that with us, we thought Rhinoceros
2 Creek would be a good name for the property. We also want to try to encourage young people to enjoy
3 our property and kids get a charge out of going to Rhinoceros Creek. Mr. Zaberto thanked Mr. MacGregor
4 for answering that question and illustrating the tie in to Somers' history as he thought that was important
5 for everyone to digest. Mr. MacGregor thanked everyone for their time.

7 Chair Gannon then asked if there was anybody else present that wanted to speak on this application
8 tonight. No one came forward. Chair Gannon stated after looking at the plans she had a question. She
9 knows one thing that we asked about when we were out in the field was, could you take the building and
0 move it to where the current driveway is that serves the current building. The response in the field from
1 the engineers was basically, there is so much infrastructure underneath that it would not be feasible to do
2 it that way, but it was also considering that rotation of the shape to get the smaller end, and by that reduce
3 visibility. She then stated sort of related question, given Mr. MacGregor's comments about parking and
4 land usage within the fence, she was wondering if the Applicant needs additional parking and if at this
5 time, it makes sense to address that driveway. She then asked should or could something be done with the
6 existing driveway on the existing building to provide a greater footprint for parking or drop offs or
7 whatever, that would integrate and make the whole future site flow better and work better. Mr. Schurmann

1 responded at this time the occupancy of the site is not going to change. Typical operations and the vehicle
2 traffic would not change based off of new improvements. So, anything that is currently existing for the
3 existing building would not change as a part of the new building. Mr. Dan Schoenfelder, Project Manager
4 for Veolia came to the podium and introduced himself and stated first he would like to thank everyone for
5 coming to the Site Walk, they appreciated the time to meet with everybody and look at the site as a group.
6 Concerning the last comment regarding parking. Veolia has a good working relationship with the Somers
7 Land Trust, with Mr. MacGregor, and would like to maintain and continue that relationship. We are
8 currently working together on developing a formal easement to use the existing parking lot for utility
9 purposes on an as needed basis. So that is happening on the side, in the background, but is something that
0 we are hoping to come to a consensus and an agreement on moving forward. Chair Gannon responded
1 okay that makes sense. She thought she was hearing some concerns about parking and space usage, which
2 is why she wanted to open the door to whether you want to do something about that driveway and take
3 advantage of the moment. Mr. Schoenfelder responded that they proposed a license agreement for the
4 construction of the facility to stage equipment during construction and then a permanent easement for
5 ongoing maintenance and operations of the facility. Chair Gannon stated another question she had was,
6 does the building always have to be rectangular. Mr. Schoenfelder responded so what is primarily
7 determining the size and shape of the building are the two large carbon vessels that are inside the building.
8 They are approximately 12-feet in diameter and 20 plus feet tall. Chemical storage is also needed within
9 the building for water treatment purposes – so those are two separate dedicated rooms on the side.
0 Typically, the building is rectangular in shape. That is not to say that it could not be a different shape, but
1 that is typically what is proposed. Chair Gannon responded okay, she was just wondering if you could
2 have a square building just sort of right next to it. Mr. Robbins stated he thought what Mr. Schoenfelder
3 is trying to describe and thought there may be something in the plan set that shows that the two 12-foot
4 diameter vessels – but there is kind of only so many ways you can arrange two pieces and with that, the
5 space required for the chemical feed facilities is more space efficient in a squarer room. And so, tucking
6 two of them on this short side of the building is much easier than trying to stretch them out over the longer
7 side of the building, because you are always going to be in that 35 to 40-foot plus, by putting two 12-foot
8 circles in a box with some circulation space around it. Mr. Schoenfelder responded two other general
9 comments he would like to make are first, like he mentioned before, Veolia has been trying to work with
0 the Somers Land Trust and be a good neighbor. We reached out to them well before we started this process
1 to engage with them and we got a lot of preliminary feedback from the Somers Land Trust, a lot of which
2 Mr. MacGregor communicated today. It has been consistent. There was some other feedback which we
3 received and already incorporated into our submittal. There are a handful of items which he thought they
4 identified in the letter to the Planning Board, where we have already addressed some of the initial
5 comments that came in from the Somers Land Trust. The second thing that he feels he needs to state is
6 that this is a water treatment plant. It is serving a public use function. There is a public benefit to it, and
7 we are trying to design and construct this project as effectively and most efficiently as possible. At the
8 end of the day, the costs for this project will be incurred by the rate payers, and so it is our job to make
9 sure we keep those costs under control, especially for a public utility. Mr. Sciarretta stated, just to echo
0 that point, Veolia has been speaking to the Somers Land Trust and some of the suggestions tonight in
1 terms of painting, the black fencing, the shrubs, those are things that he knows Veolia could probably
2 accommodate, and they have in the past for other locations. But, also to echo what Mr. Schoenfelder was
3 saying, we spent a lot of time with respect to the design and where the site is located. Unlike private
4 developers building homes, we have to answer to rate payers, and we do have a budget in terms of what
5 we can do in terms of this site. He heard 65-feet and then 68- feet and some arbitrary number related to
6 shifting this building. To go back to what was said earlier, this is a public benefit, it is a water utility. We
7 are trying to do this project because water needs to be treated. Shifting this building is a concern for Veolia.

1 We understand this is a Land Trust. We understand that it is a nature preserve. We respect all that. But,
2 from a budgetary standpoint, it does pose a significant concern for Veolia to shift this building. Again, we
3 could do other things as a compromise -like the fencing, the color scheme- whatever the color that you all
4 want to see the tank. But it does pose an issue from a budgetary standpoint to shift this building. Even
5 moving this building 65- feet or 68- feet, even further in addition to the wetlands mitigation that we have
6 proposed, and the County General Municipal Law (GML) talked about wanting to see wetlands mitigation
7 would cause an issue with that. Veolia believes that where the building is located, just from operational
8 standpoint makes the most sense. Again, there are other things can be done. He stated being very candid,
9 actually redesigning this thing at this stage, given where we are in the process, and trying to get this thing
0 online again, poses a significant concern for Veolia with respect to their budget line and what they can do
1 on this site. Mr. Zaberto asked if they were able to do a cost analysis and know the difference. Mr.
2 Schurmann responded yes, the cost for relocating the building was approximately \$400,000 without the
3 engineering fees associated with the relocation and everything like that. So overall, it would be close to
4 around \$500,000 to shift the building. Mr. Zaberto then asked if you are not changing the size of the
5 building, explain to a layman like him why it would cost more to just shift it as you are not changing the
6 size of it – correct. Mr. Schurmann responded there will be additional grading that will be necessary. So
7 right now, the staging area is not anticipated to be fully flat where, for the proposed building, there is
8 going to be excessive amounts of excavation needed to dig down to the foundation and below that for the
9 footings. He indicated he believed it is an additional six or seven feet of additional grading that would be
0 necessary in the back end of the building where across 30-feet wide, a lot of excavation adds up, a lot of
1 soil disturbance would be required. Mr. Zaberto then stated he had two relatively legal questions. He then
2 asked if Veolia's business is under the umbrella of the Public Service Commission. Mr. Sciarretta
3 responded yes, we are. Mr. Zaberto then asked if this facility is considered a critical infrastructure and a
4 key resource as well. Mr. Sciarretta responded yes.

5
6 Chair Gannon then asked if there was anybody else there for public comment. No one came forward.
7 Chair Gannon stated one thing that was brought up during the Site Walk was, as a landlocked property
8 the notice was on the much-discussed fence. So the signage was within that property but not visible from
9 the road. After the Site Walk, she sent an email to Mr. Smith asking him about that, and his sense was that
0 the posting met the letter of the law and the spirit of law as we have it now. She also copied our counsel,
1 Mr. Towey, and he had a suggestion of how some alternate language could be added to the Code so that
2 in the future other land locked properties would have signage that is more visible. She then asked Mr.
3 Smith to speak to that. Mr. Smith responded his review is that the Applicant had met the spirit and intent
4 of the law. They posted the notice on a traveled way. It may not be a public road, but it is visible to the
5 public. In addition, they provided mailings to all of the surrounding property owners, that is required by
6 law. Mr. Towey had suggested language in the Code that would in the future, address this particular issue,
7 and that has been forwarded to the Town Board for their consideration. Chair Gannon stated she just
8 wanted everybody to be aware that the question was asked, and staff has followed up on it so for future
9 applications that are landlocked, we should be able to provide better public access to the sign, but that
0 what was done in this instance was absolutely adequate to the situation. Chair Gannon concluded and
1 stated always trying to make things better where we can and then asked the Board if they had any other
2 comments. Mr. Paul Ciavardini stated he had and question asked if the rate payers in this situation would
3 be Heritage Hills residents. Mr. Schoenfelder responded, in this case, the residents of Heritage Hills and
4 some of the customers that are in Somers outside of Heritage Hills would see a potential rate impact from
5 this project. The cost of the capital projects get passed down to the customers within the respective
6 business units. Mr. Ciavardini responded got it, and added so if the cost went up, that would be passed
7 through to those same customers. Mr. Schoenfelder responded eventually, yes. Mr. Zaberto stated

1 and that would be after the PSC approves the increases. Mr. Anthony Sutton stated it is kind of how it
2 works with New York State Electrical & Gas (NYSEG). Mr. Zaberto responded that is why he is just
3 trying to get the similarities, if there are, with water. Mr. Schoenfelder responded the rate case making
4 process is very complicated, and he does not understand fully how the rates are determined and when the
5 rates come into effect. He indicated he could find out, if it is helpful what rate case it will fall into. Mr.
6 Zaberto responded it would be helpful. Chair Gannon stated she thinks for all their future discussions, it
7 would be good, the more information you have for when the question comes up again would probably be
8 good. Mr. Sciarretta responded he is not the rate guy counsel, but he does know whenever he does these
9 projects, he is told by the rate Counsel this is what it is and if it exceeds this amount, it does pass through,
0 eventually it will hit the rate payer. Again, it may not be immediate, but again, all the additional capital
1 expenditures, that is expended does get passed through. He stated again he does not do the rates. Mr.
2 Zaberto responded that is fair. Somers has experienced that with NYSEG. It is another utility, electric,
3 obviously, that's under the PSC. We advocated for infrastructure improvements in Town to help keep our
4 power on. We were having a long spat of that, and then, yes, it did catch up to the to the ratepayers. Some
5 folks absorbed it, you know, willingly, and others were outspoken about it. He indicated that he just
6 wanted to now, at this point have full clarity as to where this goes. He then asked for clarification that
7 regardless of extra cost, there will be a rate increase due to the project baseline. Mr. Schoenfelder
8 responded that he believes it is safe to assume that rates will increase over time. Mr. Zaberto responded
9 understood and then if we look at moving or adjusting the project because, it sounds to him like Veolia
0 did have that in mind, and you went with what was the soundest from an engineering standpoint and cost
1 effective for your customers- right. He then stated he just wants to make sure that is the case, and that if
2 we were to ask you to change things that increase cost, that that too will be passed on to the rate payers.
3 Mr. Schoenfelder responded yes, so maybe to expand on that comment, very early on in the preliminary
4 design of this project we looked at multiple different locations for locating the building on our property.
5 Mr. Schurmann presented a summary of an estimated cost of shifting it 60 to 70 -feet to the southwest. It
6 is substantial. We have a prerogative to have a facility that is designed and constructed cost effectively
7 and to get that facility in service to meet the regulations in time. And so that is what we proposed here,
8 the most cost-effective option, and that is the mandate. Mr. Zaberto responded, thank you appreciate that.
9 Chair Gannon stated so the rate increase will happen. It is just the magnitude of the increase that is
0 unknown. Mr. Anthony Sutton stated he thinks the point is that, we should kind of pinpoint what the
1 increased rate would be for the local residents. He is assuming company wide as we have seen with
2 NYSEG, the increases go on across the board, no matter where they are operating. He thinks what our
3 viewers out there tonight might want to know is, what's this going to cost them in terms of increased rates.
4 Mr. Zaberto then asked since this project services Heritage Hills if Veolia pinpoints the increases related
5 to this project to just them or to Mr. Sutton's point is it more all of your facilities and you kind of absorb
6 it across. Chair Gannon asked if we can say Veolia customers in Somers because it is not just exclusively
7 Heritage Hills. Mr. Schoenfelder stated going back to what he said before, he does not know enough
8 about the rate making process, but Veolia has a Rate Department and a Finance Department. If the
9 question is asked to figure out what the potential rate is going to be, somebody probably knows the answer
0 to that, and we could try and come up with an answer. Mr. Sutton responded but your operations, trying
1 to kind of define it in layman's terms, are across the company. You have a construction allocation across
2 the company. You have rates set, he would assume across the company, or maybe they are divided by
3 location. But he thinks that if Mr. Schoenfelder is going to go have a conversation with the guy who is
4 the attorney concerning rates that he may want to ask that pointed question in terms of local customer.
5 Mr. Schoenfelder responded they could clarify what the potential rate increase would be for what we
6 consider to be the Heritage Hills Water Business Unit, which includes the Heritage Hills development and
7 some of the surrounding customers in Somers. Mr. Sutton asked if is safe to say that the construction

1 budget is companywide, and it is not that the entire cost of this project is going to be levied on the local
2 ratepayers. Mr. Schoenfelder responded the utility is broken up into different business units, and there is
3 different capital budgets for the different business units that we have to stay within. Mr. Sciarretta stated
4 they could provide it informationally. He then noted again, he knows it is not part of the land use decision
5 making process, but just as an FYI for you all, we could probably track that down. But again, the reason
6 why he mentioned is because, he has been doing this for a while and yes, we try to keep it lean. But again,
7 we work with the folks who are near these projects and have done it successfully. And again, to the extent
8 that we can compromise. It is just there is certain things that we kind of have to stay in lane. But there are
9 other things, like, in terms of the esthetics, in terms of fencing, in terms of screening, those we have little
0 more flexibility - so that is all. Chair Gannon responded once this project is built, and she just wanted to
1 go back to what she started with which was the existing building and the maintenance issues on the existing
2 building and then asked for any new construction what is the maintenance schedule and what will the new
3 exterior of the new building be built with. Mr. Schurmann responded there will be a maintenance schedule
4 provided to the Applicant or the owner. With this project, this proposed building is going to be a pre-
5 engineered metal building that is currently proposed. So the maintenance for metal building versus a
6 shingled or a vinyl side building is slightly different, where, of course, there will be, if there is any visible
7 sign of corrosion or a leak or painting requirements, they will be adequately painted. There will be a
8 specific time frame for that within the maintenance schedule, provided. Chair Gannon then asked the
9 Board if they had any additional comments and/or questions. Mr. Sutton stated he had some comments.
0 First, he thanked Veolia for hosting the Site Walk and stated it was so important to this project. He then
1 gave his compliments to the Somers Land Trust and Veolia for having a good relationship and are working
2 through things. He noted so often it turns out that a guy buys a house and it is near the airport and all of
3 a sudden, he wants them to change the landing pattern because he lives next to it now. Or in his own
4 personal experience, they buy a house in town when the siren for the Fire Department does not go off
5 while they are there, and then all of a sudden, when it goes off, it is a problem. He then reiterated that he
6 really appreciated their relationship. He added being one of the older guys around and having lived here
7 most of his life he knows the history of that site. They put it there because that's where the water was.
8 They built it about the same time that they started the condos, actually even a little bit before. It is the
9 same construction the current building there. That is why it does not surprise him that you're worried about
0 the thickness of that slab. And he would echo Chair Gannon's comments, the building is in terrible shape.
1 Just as all the condominiums in Condo I had to be resided and needed new windows and all of those things
2 over the years. Let's face it, we are talking better than 50 years ago. So that is the kind of stuff that he
3 thinks really needs to be looked at. In terms of the disrepair, there was a backwash silo or a hopper. Mr.
4 Schurmann started correct. Mr. Sutton stated, that it looks terrible. The good part about it is it is so far
5 off of Route 100 that it cannot really be seen and it not noticed. But because it is becoming more and more
6 of a recreational site, that is going to be more and more of an issue. Mr. Sutton stated, if we had a clean
7 slate here, nobody would build that. It seems like you are handcuffed by a number of factors. You're
8 handcuffed by the site itself and by the existence of the buried infrastructure that is already there. He noted
9 in terms of squeezing that building closer or squeezing it down further, to not forget that if there is a failure
0 of a high-pressure pipe, they will need a lot of machines and a lot of excavation. So if you build a building
1 that impedes your ability to repair that, it is going to prolong the lack of service. He stated that he could
2 tell them that from his experience in life that if they were given this project in engineering school and were
3 asked to design the solution, you would probably flunk due to being constrained by so many different
4 factors here. The first is that it is so close to the road. Now, granted, you were there first. But working
5 with all the constraints that you have, he just wants to be sure that we are not sacrificing change for the
6 purpose of economics. You are only going to get one chance to do this right this time. He questioned
7 whether the benefit outweighs the loss in terms of what you can do now, in terms of cost and whether it

1 is worth it to put some more money to the project and try and make some accommodations. One of the
2 things that really concerns him about this, having been an Emergency Manager for a very long time, if he
3 heard correctly, and he should not be saying this on television, because he was always taught not to give
4 anybody bad ideas. But that seems like a huge single point of failure for the water supply to what 5,000
5 residents. If that is a single pipe and a high-pressure pipe, he would encourage the company to look at a
6 belt and suspenders kind of approach to this because it is buried infrastructure. It has an expected life. He
7 knows that Veolia has maintained it over the years from the conversations that we had that day. But
8 sometimes you just cannot predict what is going to happen. But again, he goes again back to the point and
9 encourages you both to keep up the good neighbor's policy that you have and work together and keep us
0 informed if there are any issues that this Board can help with. Chair Gannon stated she is going to say
1 again that sort of random thing she said earlier. In the future, if we had a need for a third building for
2 reasons that we can't even understand and envision right now, does what Veolia is doing now preserve the
3 ability to do something to help the people who'll be here long after she is gone and has that been part of
4 your consideration. Mr. Schurmann responded definitely, future proofing the site is a one of the design
5 points and design topics that we always look to consider and implement. Inside this facility we have the
6 treatment and since we are removing the existing water storage tank outside of the existing building, that
7 adds additional floor space for future treatment. Mr. Zaberto responded so expansion could be internal as
8 opposed to external is what he is gathering. Mr. Schoenfelder responded depends on the contaminant and
9 the size of treatment that may be required for such. Mr. Zaberto stated so you're designing it big enough
0 to cover that base, so to speak. Mr. Schurmann responded, correct we have looked into future proofing
1 the facility- that's always the goal and intent. Chair Gannon stated so there is maybe a little more space
2 than you might need today in that building. Mr. Schurmann responded we can't predict what future
3 contaminant concern there will be or the size of the treatment that would be necessary. However, we are
4 opening up floor space inside this existing building to accommodate future treatment if necessary. Chair
5 Gannon asked is the construction of the building such that it would more readily accommodate expansion
6 than the current building. Mr. Schurmann asked to clarify if she was asking about the proposed treatment
7 currently. She stated she thought the verdict was that the current building is not such that it would easily
8 accommodate expansion and then asked if the proposed building was such that it would more easily
9 accommodate expansion at some point in the future if that was needed. Mr. Schurmann responded, there
0 is the potential, yes. Mr. Zaberto stated right, because you had said that you have a weight restriction in
1 the old building. He then asked if now they are going to design this to only manage the weight that will
2 be put in or can it sustain additional purification systems, weight wise as an example. Mr. Schurmann
3 responded there is always a safety factor included into their calculation. So definitely, it is designed for
4 the minimum, which would be what is currently there, but there is always a safety factor. Mr. Zaberto
5 responded, he gets the safety buffer, but he thinks what Chair Gannon is trying to say, and again, it goes
6 to that long term expansion. If there is a new contaminant, or a contaminant that we know exists, but have
7 no way to purify it now can the new facility manage that. He indicated that he recognizes that is a tough
8 question to answer. But we just want to know that now we are not going to have to revisit in 40 years,
9 you having to build yet another building because you have zero room right now in this current design to
0 manage anything extra. Chair Gannon stated we are called the Planning Board. Mr. Sciarretta stated that
1 is a great question, and the way he will answer that is with an example. Just in the past few years when
2 he started doing this pre-COVID, the EPA DEC had their own regulations. Now all of a sudden, a few
3 years later, it changed. We cannot predict what the law may be. In five or six years they could go four
4 parts to two parts. PFAS is the forever chemical that was in makeup and fire foam that has now seeped
5 into these wells that the federal government says we have to address. So you are right, you want to plan.
6 The site is what it is. The short answer is if a regulation comes out years from now, or something happens,
7 we have to do it – we are a public utility. We provide potable water and we have to address it. That is

1 why, when it comes to utilities, Use Variances, when it comes to Zoning Boards, are very different. When
2 you look for Use Variance as a utility versus a Use Variance as a private developer building a house, it is
3 a different criteria. That is because it takes into account laws interchange or maybe new chemicals. They
4 just do not know and do the best they can with the constraints that they have on the site. They were
5 fortunate enough to have enough room on the site to do two rounds of regulations that have come in the
6 past several years. Now the latest is the four parts per trillion. Hopefully they won't change in 40 years.
7 But at the same time they do what they can, and have to bob and weave with respect to the regulations
8 that have come out. As he said when he started tonight, it is not that they want to do this. It is that they
9 have to do it because the regulations are telling them they have to do it. Chair Gannon asked if there were
0 any more Board comments this evening. There were none. She then stated that she thought because the
1 Applicant does have to go before the Zoning Board, that we would keep the Public Hearing open and then
2 made a motion that we adjourn the Public Hearing until our next meeting, which is going to be Wednesday,
3 June 10, 2026. Mr. Zaberto seconded. All in favor. Motion passes. Chair Gannon then asked the
4 Applicant if they had any questions for the Board or if there was anything that they needed right now. Mr.
5 Sciarretta thanked Chair Gannon and stated that they appreciate the Board's time and thoughtful questions.
6 Chair Gannon requested that they address the issues that were raised during the Public Hearing. Mr.
7 Sciarretta responded they will. There were a couple of comments and some metrics that were thrown out.
8 They don't discharge anything, and he doesn't know what the Million Gallons per Day (MGD) was, but
9 they have those calculations, and could present that next time they are here before the Board. Chair
0 Gannon responded that is great, thank you so much.

1
2 **4. ROCKLEDGE CENTER**
3 **SITE PLAN APPLICATION**
4 **247 ROUTE 100**
5 **TM: 28.10-1-6.1**
6

7 For the record Chair Vicky Gannon stated the Applicant is proposing construction of an approximately
8 18,500 square-foot addition to Building C at the Rockledge Center to be utilized as an athletic facility.
9 The property is located at 247 Route 100 and is located in the Office and Light Industry (OLI) Zoning
0 District.

1
2 Mr. Matthew Gironda, P.E., from Bibbo Associates Engineering, P.C., came to the podium and introduced
3 himself. He noted he was there on behalf of the Applicant, 247 Route 100 and that Mr. Harrison Cook
4 from HC Property Group was there with him this evening. He stated for the benefit of the public,
5 obviously, this is a Public Hearing, and as Chair Gannon mentioned, the project involves the expansion
6 of an existing commercial facility, which is developed as a mixed-use office warehouse and also contains
7 an indoor athletic facility operated by Prodigy Athletics. While referencing the plan Mr. Gironda noted
8 that the proposed project is for an expansion of the existing indoor athletic facility utilized by the existing
9 tenant, Prodigy Athletics, which is identified on this plan as Building D, just to the north of Building C,
0 which is what is utilized right now by Prodigy Athletics. The new building will connect to the existing
1 septic system on site. Stormwater runoff from the roof area from the new building will be captured and
2 treated in an on-site subsurface infiltration system which he pointed out on the plan. He indicated they
3 have been before the Board several times and had a Site Walk. In addition, they tried to respond to all the
4 feedback they received from the Board. They also received an additional comment memo from Consulting
5 Town Engineer, Mr. Steve Robbins essentially addressing all outstanding comments with a couple of very
6 minor ones still to be addressed, but for the most part, he thought that all the technical comments and
7 engineering items have been substantially resolved. Mr. Gironda stated if there were any additional

1 questions from the Board or public, they would be happy to answer. Chair Gannon responded that a memo
2 was received from the Bureau of Fire Prevention dated April 17, 2026, and she wanted to know what the
3 outcome was regarding the discussion about the water gallon storage. Mr. Harrison Cook, from HC
4 Property Group and Manager of the property came to the podium and introduced himself. He stated they
5 have a meeting with the Bureau of Fire Prevention on Wednesday, May 20, 2026, at their next meeting to
6 go over in detail their concerns, and they will be able to report back from that after that meeting. Chair
7 Gannon responded good. She then asked if there were any comments from Consulting Town Planner, Mr.
8 David Smith. He responded no, the only comment he had was about the discussion with the Bureau of
9 Fire Prevention regarding the water storage tank and how that may or may not be resolved. In addition,
0 he wanted her to know that he raised the issue about the refrigerator on site, and Mr. Cook removed it.
1 Mr. Cook stated it is no more, that area is getting cleaned up. People are removing stone and it will be
2 better looking soon. Chair Gannon responded that she appreciated that. She then asked for comments from
3 Mr. Robbins. He stated that Mr. Gironda is correct, they have addressed the majority of our comments.
4 There are some minor items left in their modeling analysis. That just needs to be updated to make sure
5 that all the numbers line up and everything matches. The Applicant did provide an Aquifer Protection Plan
6 today, and on preliminary review, it appears to be satisfactory. They will give it a detailed review, but
7 everything looks to be in order. Chair Gannon then asked Planning Board Secretary, Ms. Nicole
8 Montesano for the publishing and the posting. Ms. Montesano stated the legal notice was published in the
9 Journal News on April 30, 2026, the adjoining property owners were notified via mail on April 22, 2026,
0 and the sign stating the date and the location of the Public Hearing was posted on the site on May 1, 2026.
1 Chair Gannon then made a motion to open the Public Hearing. Mr. Paul Ciavardini seconded. All in favor.
2 Motion passes. Chair Gannon asked if anybody was there for the Public Hearing on this application for
3 Rockledge Center, construction of proposed Building D. There was no one there from the public wishing
4 to speak. Chair Gannon then asked if there were any questions and/or comments from the Board. Mr.
5 Anthony Sutton stated on the previous project it said the rock was going to be taken and brought across to
6 Lawton Adams, and it seemed like a lot of it got deposited on the backside of the property instead of that.
7 He added that he noticed in this application the language was something to the effect of the fill brought in
8 would be estimated and the amount of debris would be taken off site. He then asked if that was correct.
9 Mr. Gironda responded yes, any excess cut will be removed from the site. Chair Gannon then stated there
0 were also those boulders that were being saved for the boulder wall. But the wall has been changed from
1 a boulder wall to a different type of masonry block wall. Mr. Gironda responded that was based on
2 feedback received from the Board at the Site Walk. Chair Gannon asked again if there was anybody
3 present for public comment on Rockledge Center. No one was present for public comment. Chair Gannon
4 stated she felt as if things are pretty straightforward and asked staff if they were comfortable from their
5 perspective of what they need if we were to close the Public Hearing today. Both Mr. Smith and Mr.
6 Robbins responded yes, they were okay. Chair Gannon then asked the Board if they agreed. They did.
7 Chair Gannon made a motion to close the Public Hearing. Mr. Sutton seconded. All in favor. Motion
8 passes. Chair Gannon then made a motion to ask staff to prepare a draft resolution of approval, for
9 consideration at the next meeting. Mr. Ciavardini seconded. All in favor. Motion passes. Chair Gannon
0 told the Applicant we would see them in June.

RESOLUTION DISCUSSION

- 1
2
3
4 **5. 125 MAHOPAC AVENUE WETLAND AND WATERCOURSE PROTECTION AND**
5 **STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL PERMITS**
6 **TM: 26.08-1-14**
7

1 For the record Chair Vicky Gannon stated the Applicant is proposing the addition of an inground pool,
2 patio, and stormwater management improvements within the wetland buffer area. The property is located
3 at 125 Mahopac Avenue and is located in an R-40 Zoning District.
4

5 Mr. Paul Morrett, resident of 125 Mahopac Avenue came to the podium and introduced himself. Chair
6 Gannon stated we did hear from your representative that they were not going to be here and that you would
7 be representing yourself. She then stated we have a draft resolution which we were going to discuss. For
8 background purposes she noted we had a resolution and then we got two revisions on it, one that changed
9 the text, another that added the resolution number. She then asked if everybody had a chance to look at
0 the draft resolution and if there were any comments and/or questions about the language in the draft
1 resolution. There were none. With no objections, Chair Gannon made a motion to approve the draft
2 resolution for Chair signature, which could actually happen tonight, after the meeting. Mr. Jack Mattes
3 seconded. All in favor. Motion passes.
4

5 **MEETING ADJOURNMENT**

6

7
8 Chair Vicky Gannon made a motion at 9:39 p.m. to adjourn until the next Planning Board meeting, which
9 is scheduled for Wednesday, June 10, 2026, at 7:30 p.m. Mr. Jack Mattes seconded. All in favor. Motion
0 passes.
1
2
3
4

5 Respectfully submitted,
6
7

8 _____
9 Nicole Montesano
0 Planning Board Secretary

PLANNING AND ENGINEERING DEPARTMENTS

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

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589
www.somersny.com

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



David B. Smith
Town Planner
directorofplanning@somersny.com

June 25, 2026

Somers Crossing Condominium
Board of Managers
Mark Connelly, President
57 Sienna Drive
Somers, NY 10589

Re: New York State Police Barracks

Dear Mr. Connelly,

Thank you for reaching out in your capacity as President of the Somers Crossing Board of Managers regarding the New York State Police Barracks. The Planning Board granted the applicant (Somers Fire District Board of Commissioners) Conditional Preliminary Subdivision Approval in May 2024. As you may be aware, this application will appear on the July 8, 2026 Planning Board Agenda for a 90-day time extension for Preliminary Plat signature to meet the conditions of approval.

Your reference regarding a site plan application is premature at this time. The final subdivision plat needs to be approved first and then an application for site plan approval will need to be made. As part of the site plan approval process, you will be notified by mail regarding when a public hearing will be held.

In order to determine whether application is on the agenda for an upcoming Planning Board meeting, you can check the agendas which are posted on the Town of Somers Website <https://www.somersny.gov/boards-and-committees/planning-board>.

Additionally, you can sign up to receive agendas via email (<https://www.somersny.gov/resources/subscribe-to-news-agendas>). When the applicant submits plans, etc. as part of their site plan application, those materials will be posted on the Town of Somers website (<https://www.somersny.gov/resources/environmental-reviews>).

Please be aware that 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 comments to the Board which are reviewed by the Board in advance of the meeting. Per Town Code, copies of the notice of a public hearing shall be mailed by the Planning Board Secretary at least 10 days prior to the public hearing date to each owner of property abutting or directly across a street or right-of-way from the land included within the site plan, and to the applicant.

Sincerely,

A handwritten signature in black ink, appearing to read 'D.B. Smith', written in a cursive style.

David B. Smith, Planning Director

Cc: Town Board
Planning Board

Nicole Montesano

From: Eric Zohar <ezohar@somersfd.com>
Sent: Wednesday, June 17, 2026 8:30 PM
To: Nicole Montesano
Cc: mtliguori@hrlawyers.com; David B. Smith; Wendy Getting; John Fitzgerald; Anthony Sutton; Jamie Spillane
Subject: Re: July 8, 2026 Planning Board Meeting

To; Somers town planning board

Please see request for extension below.

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

Planning board meeting date July 8, 2026

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

Thank you,

Ariye Zohar
Chairman

Board of Fire Commissioners

Somers Fire District
119 Primrose Street Lincolndale NY, 10540
9147740157

This e-mail and any attachments thereto are intended only for the use by the addressee(s) named herein and contain proprietary, privileged, and confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution, or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, please immediately notify me by telephone and permanently delete the original and any copy of this e-mail and any printout thereof

On Jun 17, 2026, at 2:40 PM, Nicole Montesano <nmontesano@somersny.gov> wrote:

Mr. Zohar-

Please send a written request for the next 90-day time-extension. This item will be on the July 8, 2026 Planning Board Agenda as the current extension will expire on July 26, 2026.

Thank you.

Nicole Montesano

Planning Board Secretary

June 1, 2026

RECEIVED

Somers Crossing Condominium Association
Board of Managers
Mark Connelly, President
57 Sienna Drive
Somers, NY 10589

JUN 11 2026

PLANNING & ENGINEERING
TOWN OF SOMERS

(Sent via Certified Mail)

To: Somers Town Board
Supervisor Robert Scorrano
Town Hall
335 Route 202
Somers, NY 10589

Somers Planning Board
Chairwoman Vicky Gannon
Town Hall
335 Route 202
Somers, NY 10589

Subject: Request for Stakeholder Involvement - New NY State Police Barracks

On behalf of the Somers Crossing Condominium Association and our residents, we are writing to express our community's interest in the planning and development of the new NY State Police Barracks on the adjacent property to our south on Route 100.

Somers Crossing is a private townhome community consisting of 66 homes and a community center. The roadways in the community have not been dedicated to the town and are maintained by our Association. The community is accessed with its own entrance from Route 100. Our Offering Plan and governing documents discuss the planned police barracks, but indicate that there will be no traffic interconnection between the two properties.

We support the new police barracks project as an important initiative for the town. However, because our property shares a border to this development, the project will directly impact our residents. We are primarily concerned with construction, landscape screening and access. With regard to access, since our roadways are private, there should be no plans to use them for any construction or permanent access. There is no need as the proposed development can be easily accessed from Route 100 and from the existing state police location.

We respectfully request that our Association Board be included as an active stakeholder in the ongoing planning and review process. Specifically, we ask to be:

- Notified in advance of any public hearings or planning board meetings regarding this project.
- Provided with copies of the site plans and development proposals.
- Given the opportunity to formally submit community feedback for the public record.

We look forward to collaborating with the the Town Board and the Planning Board to ensure that this project benefits the community. Please use my contact information below for future updates.

Thank you for your time, leadership and commitment to our community.

Sincerely,



Somers Crossing Board of Managers
Mark Connelly, President
Cell 914-450-8354
MXConnelly1376@gmail.com

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

T 800.426.4262
T 914.448.2266
F 914.448.0147

RECEIVED



MEMORANDUM

JUL 01 2026

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

**PLANNING & ENGINEERING
TOWN OF SOMERS**

GENERAL

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

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

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

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

DOCUMENTS REVIEWED

- Comment Response Letter, "Planning Board No. 2 – Comment Response Letter", prepared by Suburban Consulting Engineers, Inc., dated June 18, 2026;
- Stormwater Control Facility Maintenance Agreement, prepared by Suburban Consulting Engineers, Inc.;
- Wetland and Water Course Protection Application, dated March 30, 2026;



- Site Plans, prepared by Suburban Consulting Engineers, Inc., dated February 18, 2026; revised June 11, 2026;

PERMITS AND APPROVALS REQUIRED

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

DISCUSSION

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

1. *The proposed development activity is located within the Town of Somers Groundwater Protection Overlay District and requires the issuance of a special exception use permit. Consistent with the Town Code requirements listed in §170.32, the Applicant shall be required to comply with the criteria necessary for issuance of Special Exception Use Permit including the preparation of a Groundwater Protection Plan.* **Not 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.**
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.* **Addressed.**
3. *The Applicant is requesting zoning variances associated with the primary and accessory structures proposed for the project. Please justify variances according to Ch. 170-Zoning, Article XIX Appeals, Variances, and Other Applications.* **Addressed. The Applicant provided justification for variances associated with structures which are subject to review by the Zoning Board of Appeals.**
4. *The Applicant is applying for site plan permit and shall comply with all the standards according to Ch. 144-7 of the Town Code. The following general comments are offered regarding applicable standards:*
 - a. *The Applicant shall estimate site earthwork, indicating total net cut/fill in cubic feet.* **Addressed.**
 - b. *The Applicant shall prepare a draft engineer's estimated cost of the proposed stormwater infrastructure.* **Addressed.**



5. *The Applicant shall confirm the exact limit of disturbance proposed for the building, tank, and site development. The Short Environmental Assessment Form and Soil Erosion and Sediment Control Plan claim 0.496 acres, while the SWPPP states +/-0.357 acres.*
Addressed.
6. *The Applicant proposes subsurface infiltration systems for stormwater management. The following comments are regarding the proposed infiltration systems:*
 - a. *The system is proposed on steep slopes greater than 15%. According to the SMDM, underground infiltration systems should not be located on slopes greater than 15%. The Applicant shall explain how the 15% max site slope requirement for infiltration systems will be met.* **Addressed.**
 - b. *The Applicant shall provide a note to the plan that any infiltration system shall be subject to inspection by the Consulting Town Engineer or Town Principal Engineering Technician prior to backfill.* **Addressed.**
7. *The Applicant includes PDA-1B as a drainage area in the Hydrograph Report, but it is not shown on the proposed conditions drainage area map. Please update the map and report for consistency.* **Addressed.**
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.* **Addressed.**
 - b. *Please provide the 18-foot diameter concrete tank foundation detail from the structural drawings to evaluate the foundation relative to the proposed grading.* **Addressed.**
9. *The Applicant has provided a Soil Erosion and Sediment Control Plan (E&SC). The following comments pertain to the proposed E&SC measures:*
 - a. *The Applicant shall provide inlet protection for all drain inlets (including the trench drain) and indicate as such on the E&SC plans.* **Addressed.**
 - b. *The Applicant shall indicate how the proposed disturbance within slopes steeper than 15% will be protected from erosion during construction.* **Addressed.**
 - c. *The Applicant shall indicate the proposed concrete washout facility location on the site plans.* **Addressed.**
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.* **Addressed.**
11. *The Applicant shall provide a contractor certification statement.* **Addressed.**
12. *The Applicant shall include a note on the plans which states the following:*
 - a. *"Any imported topsoil shall comply with all federal, state, and local requirements for quality and use."* **Addressed.**
 - b. *"Off-site disposal of excess cut shall be in accordance with all federal, state, and local requirements."* **Addressed.**



- c. *"No construction activity, the sound or noise from which is audible beyond the boundaries of the property on which such construction activity is located, shall start before 7:00 a.m. or extend beyond 6:00 p.m. No construction activity shall be allowed on Sundays or legal New York State holidays."* **Addressed.**

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

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

RECEIVED

Public Hearing Sign
for Planning Board Application

JUN 26 2026

PLANNING & ENGINEERING
TOWN OF SOMERS

Affidavit:

I, Christopher Graziano do hereby affirm that on JUNE 12 2026,
pursuant to Sections 170-114C(5) and 150-12E of the Code of the Town of
Somers, I installed the required sign, informing the public that the Public Hearing
will be held on July 8th, 2026 at 7:30 PM at the Somers Town House,
335 Route 202, Somers NY for the Veolia Water New York, Inc. -
Heritage Hills Water Treatment Plant project.


Signature

I, Paula Vina a Notary Public do hereby certify that on this, the
16th day of June 2026, the above named Christopher Graziano
subscribed the foregoing affidavit in my presence, and declare that the matters set
forth in said affidavit are true, to the knowledge of said deponent.

IN WITNESS WHEREOF, I have hereunto set my hand.

PAULA A VINA
Notary Public - State of New York
No. 01V10032416
Qualified in Rockland County
My Commission Expires 12/31/2028


Notary Public
Commission expires: 12/31/28

RECEIVED

JUN 26 2026

PLANNING & ENGINEERING
TOWN OF SOMERS

A PROPOSED SITE PLAN FOR THE CONSTRUCTION OF AN
1,750 SF. TREATMENT BUILDING AND 40,000-GALLON
ABOVE GROUND STORAGE TANK AS WELL AS A STORMWATER
MITIGATION SYSTEM AND SITE IMPROVEMENTS ON THIS
PROPERTY WILL BE DISCUSSED AT A PLANNING BOARD
MEETING ON JULY 8TH, 2026 AT 7:30 PM AT THE
SOMERS TOWN HOUSE. FOR INFO: CALL 914-277-5366



SUBURBAN ENGINEERING

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

RECEIVED

JUN 19 2026

PLANNING & ENGINEERING
TOWN OF SOMERS

Dear Ms. Montesano:

SUBURBAN ENGINEERING (SE) is in receipt of the review letters from the Town of Somers's 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 VWN'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)
Daniel Schoenfelder, Project Engineer, Veolia Water New York (Daniel.schoenfelder@veolia.com)

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

CERTIFICATION

For: Chapter 167 'Wetland and Water Course Protection'

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

Section 06.20 Block 10 Lot 13

Property Address 405 Route 202, Somers, NY 10589

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

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

Signed  Signed _____
(Owner of Record) (Applicant for Permit)

Chris Graziano _____
(Print Name) (Print Name)

Date 3/30/2026 Date _____

CONFIRMATIONS

Engineering Department Date: _____

Zoning Enforcement Officer Date: _____

Last Revised 11/2023

07/18

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

APPLICATION FEE:

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

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

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

OWNER: Veolia Water New York, Inc.

Tel.#: _____

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

Email address: _____

APPLICANT: Veolia Water New York, Inc.

Tel. #: _____

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

Email address: _____

State authority: NY

If other than owner, authorization must be submitted in writing.

PREMISES: Sheet: 06.20

Block: 10

Lot: 13

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

DESCRIPTION OF WORK AND PURPOSE:

This project is required to comply with mandatory EPA and State PFAS Regulations for VNY's Heritage Hills WTP Facility (PWSID No. NY0017221). The construction will consist of the installation of a new PFAS treatment building to house the VNY filtration vessels, which are to be used to reduce PFAS to regulatory compliance levels. The existing sodium hypochlorite and sodium hydroxide chemical feed system will be relocated to dedicated rooms within the new building. An aboveground chlorine contact tank will be installed to replace the existing chamber. Additional process piping, site improvements and associated modifications are required and are further defined in the Plans and Engineer's Report. The project will also include a water storage tank, paved driveway, an underground stormwater tank detention system, and an aboveground soil containment pad is proposed.

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

SIZE OF ACTIVITY AREA: 0.496 acres

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

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

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

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

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

ESTIMATED QUANTITY OF EARTH WORK:

Excavated material placed as fill: 60 **C.Y.**

Imported Fill Type: 0 **C.Y.**

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

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

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

LIST OF APPLICABLE COUNTY, STATE, OR FEDERAL PERMITS:

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

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

NAME	ADDRESS	BLOCK	LOTS
Condominium Number 8 Heritage Hills of Westchester	262 Heritage Hills, Somers, NY 10589	10	8
N/F Somers Land Trust, Inc.	401 Route 202, Somers, NY 10589	10	15

APPLICANT'S SIGNATURE: _____

DATE: _____

OWNER'S SIGNATURE: _____

DATE: 3/30/2026

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

Office Use Only

Administrative Permit: _____

Planning Board Permit: _____

Z:\PE\General files\Permit Application forms\Somers_P&E_Wetlands_2002-07.DOC

APPLICANT ACKNOWLEDGEMENT

For: Chapter 167 'Wetland and Water Course Protection'

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

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

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

Signature of Applicant: _____ Date: _____

Signature of Property Owner:  Date: 3/30/2024
(if different from applicant)

RECEIVED

JUN 19 2026

PLANNING & ENGINEERING
TOWN OF SOMERS



IMPORTANT NOTICE TO ALL PERMITTEES

The permit you requested is enclosed. Please read it carefully and note the conditions that are included in it. The permit is valid for only that activity expressly authorized therein; work beyond the scope of the permit may be considered a violation of law and be subject to appropriate enforcement action. Granting of this permit does not relieve the permittee of the responsibility of obtaining any other permission, consent or approval from any other federal, state, or local government which may be required.

Please note the expiration date of the permit. Applications for permit extension should be made well in advance of the expiration date (minimum of 30 days) and submitted to the Regional Permit Administrator electronically via email to dep.r3@dec.ny.gov. Submission of hard copies is optional.

The DEC permit number & program ID number noted on page 1 under "Permit Authorization" of the permit are important and should be retained for your records. These numbers should be referenced on all correspondence related to the permit, and on any future applications for permits associated with this facility/project area.

If a permit notice sign is enclosed, you must post it at the work site with appropriate weather protection, as well as a copy of the permit per General Condition 2.

If you have any questions on the extent of work authorized or your obligations under the permit, please feel free to contact me.

Michael Grosso
Division of Environmental Permits,
Region 3

RECEIVED

JUN 19 2026

**PLANNING & ENGINEERING
TOWN OF SOMERS**



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
VEOLIA WATER NEW YORK, INC.

162 Old Mill Rd
West Nyack, NY 10994
(877) 426-8969

Facility:
HERITAGE HILLS OF WESTCHESTER
WATER SYSTEM
RTE 202
SOMERS, NY 10589

Facility Location: in SOMERS in WESTCHESTER COUNTY

Facility Principal Reference Point: NYTM-E: 608.754 NYTM-N: 4577.251
Latitude: 41°20'21.9" Longitude: 73°42'00.7"

Authorized Activity: This permit authorizes disturbance to the state regulated 100-foot adjacent area of NYS Freshwater Wetlands for the purpose of constructing a PFAS treatment system with all federal, state, and locally required features. The approved area is restricted to the limit of disturbance shown on the approved plans.

As per Natural Resource Condition No. 4, any tree cutting for this project shall take place in winter between November 1st and March 31st of any given year to avoid impacts to Northern Long-eared bats.

Permit Authorizations

Freshwater Wetlands - Under Article 24

Permit ID 3-5552-00029/00004

New Permit

Effective Date: 6/5/2026

Expiration Date: 12/31/2030

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: REBECCA S CRIST, Deputy Regional Permit Administrator

Address: NYSDEC Region 3 Headquarters
 21 S Putt Corners Rd
 New Paltz, NY 12561

Authorized Signature: Rebecca S. Crist

Date 06 / 05 / 2026



6. Equipment Cleaning Before equipment and materials are used in any project work area involving regulated waters or wetlands, the equipment must be inspected for, and cleaned of, any visible soils, vegetation, and debris to prevent the potential introduction of invasive species into regulated waters or wetlands from other areas.

7. Install Erosion Controls Before any soil is disturbed on the subject site, the permittee shall install erosion and sedimentation controls which are adequate to prevent erosion and sedimentation off-site. Such controls shall be maintained until the unpaved portions of subject site, if any, are stabilized by a self-sustaining cover of vegetation that is adequate to prevent erosion and sedimentation on and off such site. Before such controls are removed, the permittee shall remove all sediment that has accumulated at such controls.

8. Precautions Against Contamination of Waters All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

9. Work Within Area Depicted on Plans All construction activity, including operation of machinery, excavation, filling, grading, clearing of vegetation, disposal of waste, street paving and stockpiling of material must take place within the project site as depicted on the project plans referenced by this permit. Construction activity is prohibited within areas to be left in a natural condition or areas not designated by the subject permit.

10. Prior Approval of Changes If the permittee desires to make any minor changes to the scope of the work shown in the approved plans referenced in Natural Resource Permit Condition 1 or seeks minor changes to any conditions of this permit not related to bats, the permittee shall submit a request via email to the Bureau of Ecosystem Health (R3.BEH@dec.ny.gov) to make such proposed changes. The proposed changes shall not be implemented unless authorized in writing by the Department. Issuance of such approval without modification of the permit is at the Department's discretion.

11. Clean Fill Only All fill shall consist of clean soil, sand and/or gravel that is free of the following substances: asphalt, slag, flyash, broken concrete, demolition debris, garbage, household refuse, tires, woody materials including tree or landscape debris, and metal objects. The introduction of materials toxic to aquatic life is expressly prohibited.

12. Concrete Leachate During construction, no wet or fresh concrete or leachate shall be allowed to escape into any wetlands or waters of New York State, nor shall washings from ready-mixed concrete trucks, mixers, or other devices be allowed to enter any wetland or waters. Only watertight or waterproof forms shall be used. Wet concrete shall not be poured to displace water within the forms.

13. Disposal of Material Any demolition debris, excess construction materials, and/or excess excavated materials shall be immediately and completely disposed of on an approved upland site more than 100 feet from any regulated waterbody or wetland. These materials shall be suitably stabilized so as not to re-enter any water body, wetland, or wetland adjacent area; and must be disposed of in accordance with all local, state, and federal statutes, regulations, or ordinances.

14. Seed, Mulch Disturbed Areas All areas of soil disturbance resulting from this project shall be seeded with an appropriate perennial grass, and mulched with straw immediately upon completion of the project, within two days of final grading, or by the expiration of the permit, whichever is first.



15. State Not Liable for Damage The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

16. State May Order Removal or Alteration of Work If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

17. State May Require Site Restoration If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:
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1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.



3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC Region 3 Headquarters
21 S Putt Corners Rd
New Paltz, NY12561

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Freshwater Wetlands.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.



NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

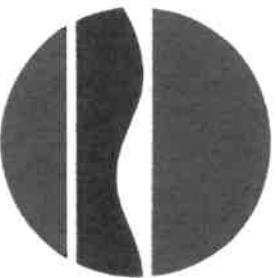
The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

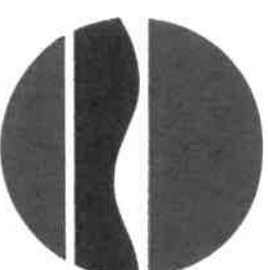
This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

Item E: SEQR Unlisted Action, No Lead Agency, No Significant Impact Under the State Environmental Quality Review Act (SEQR), the project associated with this permit is classified as an Unlisted Action and the Department of Environmental Conservation has determined that it will not have a significant effect on the environment. Other involved agencies may reach an independent determination of environmental significance for this project.

New York State
Department of Environmental Conservation



NOTICE



The Department of Environmental Conservation (DEC) has issued permit(s) pursuant to the Environmental Conservation Law for work being conducted at this site. For further information regarding the nature and extent of work approved and any Department condition on it, contact the DEC at 845-256-3054. Please refer to the permit number shown when contacting the DEC.

Veolia

Permittee: Water New York, Inc. Permit No. 3-5552-00029/00004

Effective Date: June 5, 2026 Expiration Date: December 31, 2030

☐ Applicable if checked. No instream work allowed between October 1 & April 30

NOTE: This notice is **NOT** a permit.

Date of Document:

JUN 19 2025

**STORMWATER CONTROL FACILITY
MAINTENANCE AGREEMENT** **PLANNING & ENGINEERING
TOWN OF SOMERS**

Whereas, the Town of Somers ("Town") located at 335 Route 202 Somers, New York 10589 located in the Town of Somers, County of Westchester, State of New York and Veolia Water New York, Inc. ("Facility Owner") located at 162 Old Mill Road, West Nyack, New York 10994 for the address 405 Route 202, Somers, New York 10589, Town of Somers, County of Westchester, State of New York, Section 6.20, Block 10, Lot 13, want to enter into an agreement to provide for the long term maintenance and continuation of stormwater control measures approved by the Town for the below named project, and Whereas, the Town and the Facility Owner desire that the stormwater control measures be built in accordance with the approved project plans and thereafter be maintained, cleaned, repaired, replaced and continued in perpetuity in order to ensure optimum performance of the components. Therefore, the Town and the Facility Owner agree as follows:

1. This agreement binds the Town and the Facility Owner, its successors and assigns, to the maintenance provisions depicted in the approved project plans which are attached as Schedule A of this agreement.
2. The Facility Owner shall maintain, clean, repair, replace and continue the stormwater control measures depicted in Schedule A as necessary to ensure optimum performance of the measures to design specifications. The stormwater control measures shall include, but shall not be limited to, the following: drainage ditches, swales, dry wells, infiltrators, drop inlets, pipes, culverts, soil absorption devices and retention ponds.
3. The Facility Owner shall be responsible for all expenses related to the maintenance of the stormwater control measures and shall establish a means for the collection and distribution of expenses among parties for any commonly owned facilities.
4. The Facility Owner shall provide for the periodic inspection of the stormwater control measures, not less than once in every five year period, to determine the condition and integrity of the measures. Such inspection shall be performed by a Professional Engineer licensed by the State of New York. The inspecting engineer shall prepare and submit to the Town within 30 days of the inspection, a written report of the findings including recommendations for those actions necessary for the continuation of the stormwater control measures.
5. The Facility Owner shall not authorize, undertake or permit alteration, abandonment, modification or discontinuation of the stormwater control measures except in accordance with written approval of the Town.
6. The Facility Owner shall undertake necessary repairs and replacement of the stormwater control measures at the direction of the Town or in accordance with the recommendations of the inspecting engineer.
7. This agreement shall be recorded in the Office of the County Clerk, County of Westchester together with the deed for the common property and shall be included in the offering plan and/or prospectus approved pursuant to _____.

8. This agreement is effective _____ .

Printed Name

TOWN OF SOMERS

Date of Signature: _____

By: _____
Signature of Mayor

By: _____
Printed Name

Date of Signature: _____

VEOLIA WATER NEW YORK, INC.

By: _____
President / Owner

By: _____

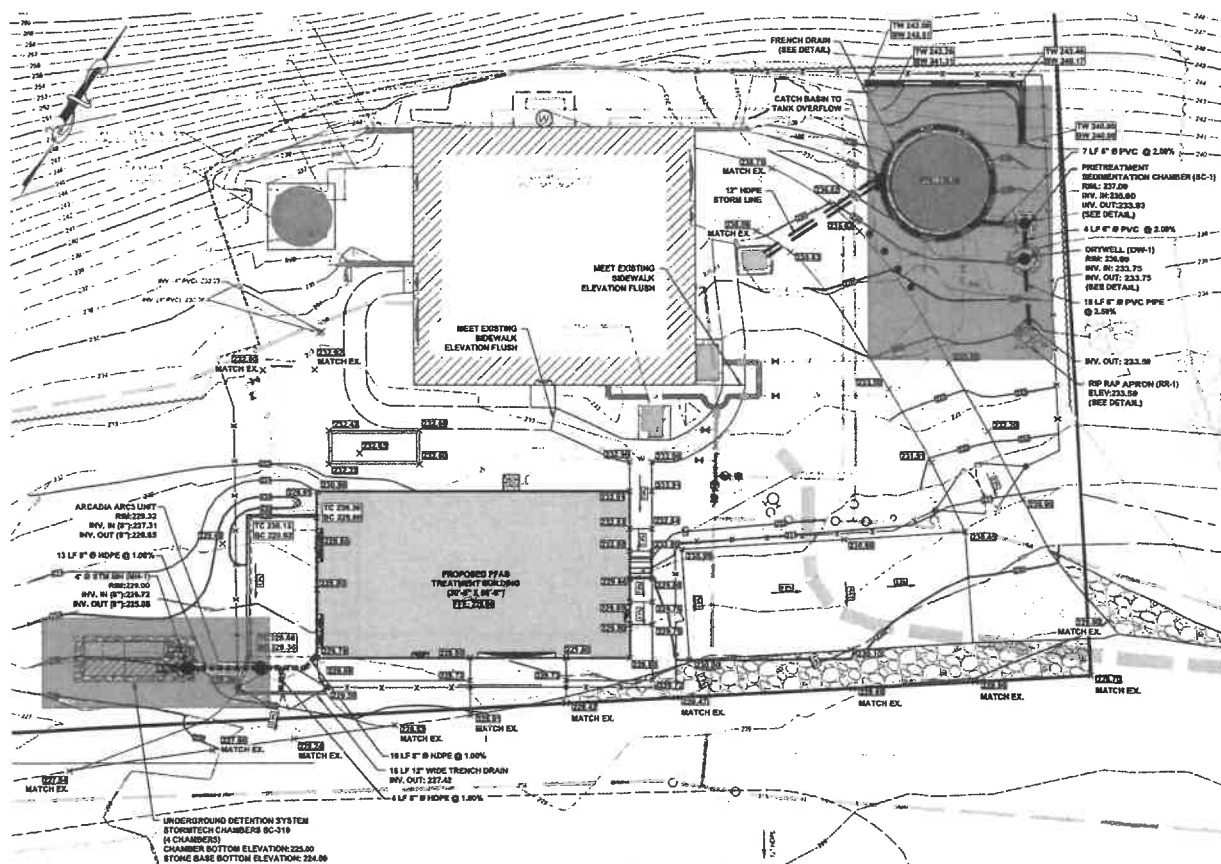
STORMWATER CONTROL FACILITY

INSPECTION AND MAINTENANCE SCHEDULE

Stormwater Management Structures:

- Vegetated areas tributary to the French drain
- Pretreatment Sediment Chamber (SC-1)
- Drywell (DW-1)
- Riprap Apron (RR-1)
- Manufactured Treatment Device (MTD-1)
- Underground Infiltration Basin (BSN-1)

Location of Subject BMPs:



Inspection & Maintenance Notes:

1. Proper routine maintenance of the post-construction stormwater management system (SWS) is required to ensure it continues to function as designed and permitted. Maintenance activities shall be performed as outlined in Table 1.
2. Periodic inspections of the entire stormwater system (SWS) by the owner's personnel specifically assigned to this task, or duly authorized representative of the owner, should occur at a minimum frequency of **once per month**, with additional inspections within 24 hours of the end of significant weather events (e.g snow, ice, rain). For purposes of this SWM Agreement, a significant weather event is defined as any storm event resulting in one (1) inch or greater of rainfall during a consecutive 24-hour period.
3. The stormwater management system conditions during the inspection should be recorded, and a log of inspection dates shall be maintained by the owner.

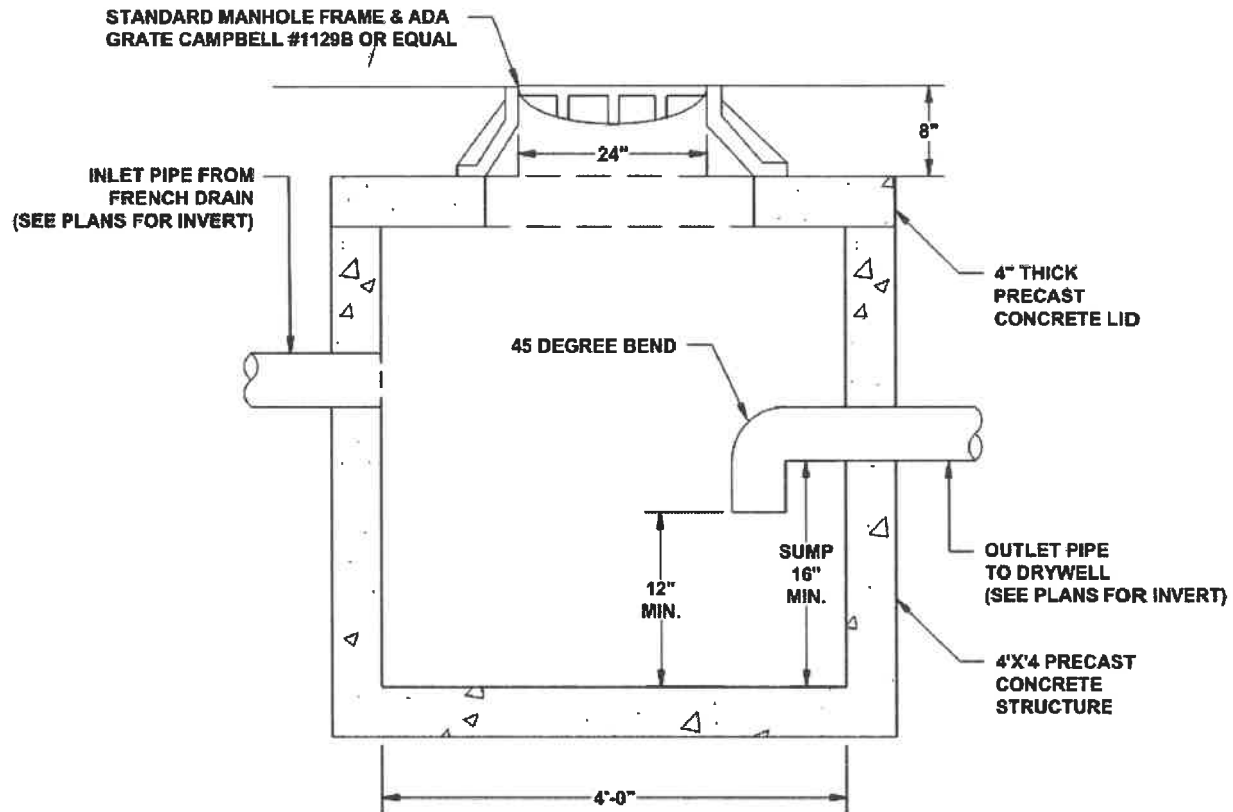
Maintenance Requirements and Frequency:

TABLE 1:

SYSTEM COMPONENT	MAINTENANCE REQUIREMENTS	MAINTENANCE FREQUENCY
VEGETATED AREAS	1. Mow Grass 2. Remove all liter and debris 3. Remove and replace dead or diseased vegetation 4. Remove weeds	1. Monthly 2. Monthly 3. Semi-Annually 4. Semi-Annually
FRENCH DRAIN	1. Remove all debris and litter from stone cover. 2. Remove any vegetation growth	1. Monthly 2. Monthly
PRETREATMENT SEDIMENTATION CHAMBER	1. Remove accumulated sediment	1. Every 5 years, or when storage volume has been reduced by 33% of the height of the basin sump.
RIPRAP APRON	1. Remove all liter and debris 2. Remove weeds and vegetation	1. Semi-Annually 2. Semi-Annually
MANUFACTURED TREATMENT DEVICE (MTD)	Refer to attached Manufacturer Recommendation for Inspection and Maintenance Requirements	
UNDERGROUND INFILTRATION BASIN	Refer to attached Manufacturer Recommendation for Inspection and Maintenance Requirements	

Stormwater BMP Details:

Pretreatment Sedimentation Basin:



NOTES:

1. SEDIMENTATION CHAMBER SUMP SHALL PROVIDE A MINIMUM OF TWENTY ONE (21) CUBIC FEET OF SEDIMENT STORAGE BELOW THE INVERT OF THE OUTLET PIPE.

PRETREATMENT SEDIMENTATION CHAMBER DETAIL N.T.S.

Drywell (DW-1):

DRY WELL SIZING CALCULATIONS

REQUIRED STORAGE:

WATER QUALITY VOLUME = 42 CF

CAPACITY OF ONE 4' CONC. SEEPAGE TANKS:

$$(2)^2 \times 3.14 \times 3 = 37.70 \text{ CUFT}$$

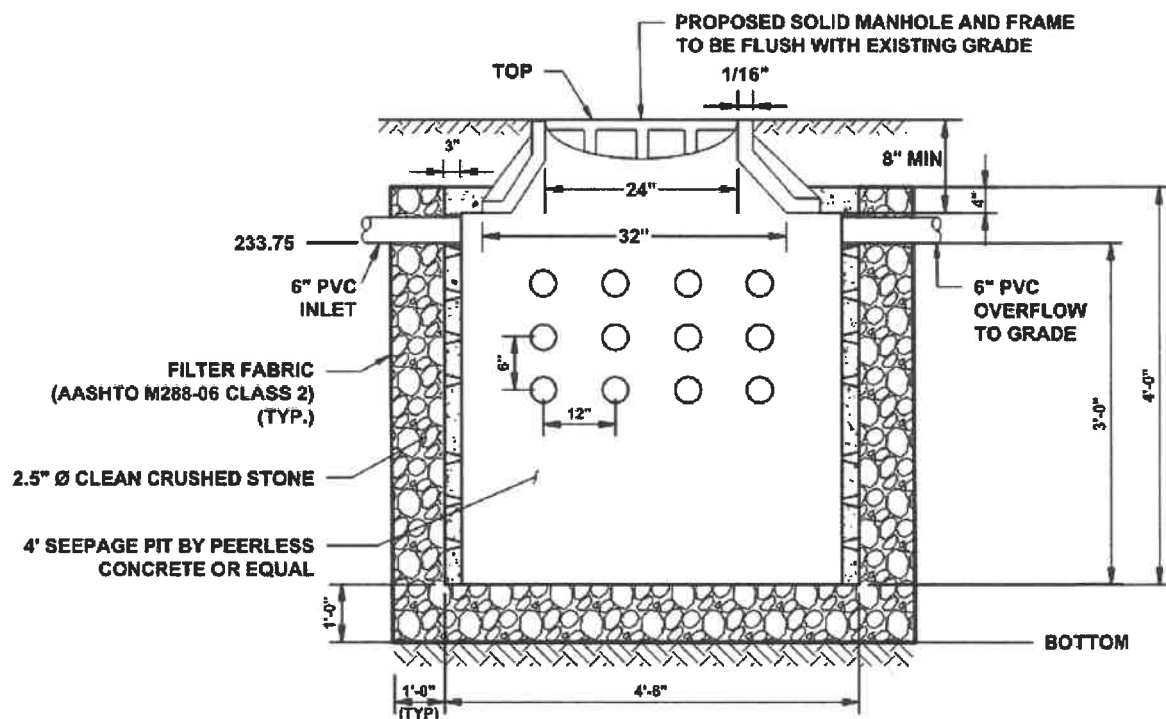
WITH 12" OF 2 1/2" CLEAN CRUSHED STONE AROUND PERIMETER @ 40% VOID RATIO:

$$[(3.25)^2 \times 3.14 \times 3] - [(2.25)^2 \times 3.14 \times 3] \times 0.40 = 20.71 \text{ CUFT}$$

WITH 12" OF 2 1/2" CLEAN CRUSHED STONE BELOW @ 40% VOID RATIO:

$$((3.25)^2 \times 3.14 \times 1) = 13.27 \text{ CUFT}$$

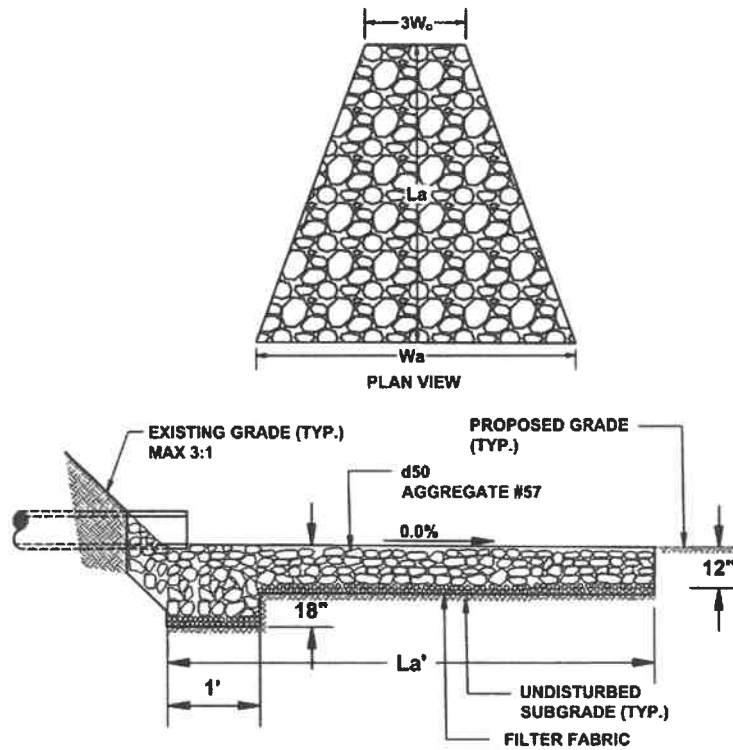
37.70 CUFT + 20.71 CUFT + 13.27 CUFT = 71.68 CF STORAGE > 42 CF



DRYWELL DETAIL

N.T.S.

Riprap Apron (RR-1):



CALCULATIONS:

$$Tw < \frac{1}{2} D_o \quad L_a = 1.8(q/D_o^{0.5}) + 7D_o \quad W_a = 3W_o + L_a$$

$$d_{50} = \frac{0.02}{Tw} q^{1.33} \quad \text{Where } q = \frac{Q}{W_o}$$

Where Tw cannot be computed, use $Tw = 0.2 D_o$

$W_o = 0.5'$
 $D_o = 0.5'$
 $Q = 0.10 \text{ cfs}$
 $q = 0.2 \text{ cfs/ft}$
 $L_a = 4.0'$
 $W_a = 5.5' \text{ (USE } 6')$
 $d_{50} = 0.5'$

$3W_o$	1.5'
L_a	4'
W_a	6'

RIPRAP APRON

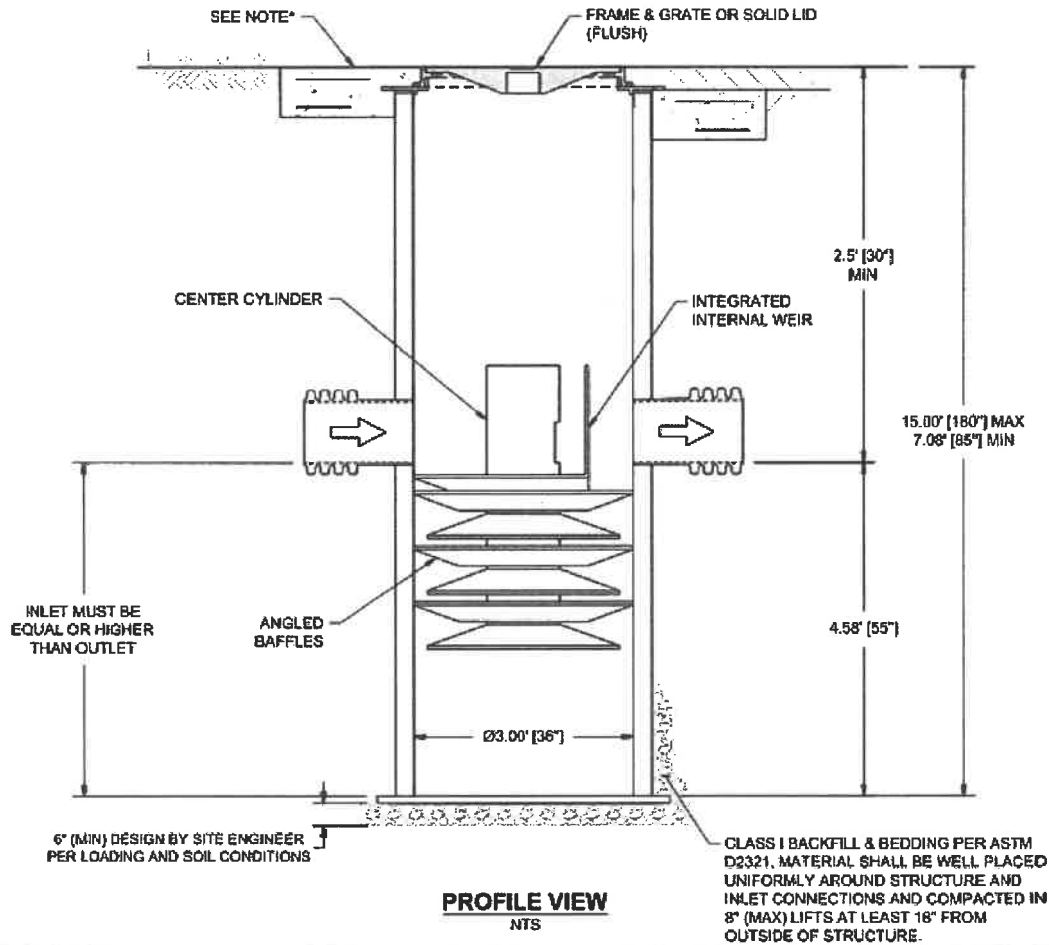
N.T.S

Manufactured Treatment Device (MTD-1):

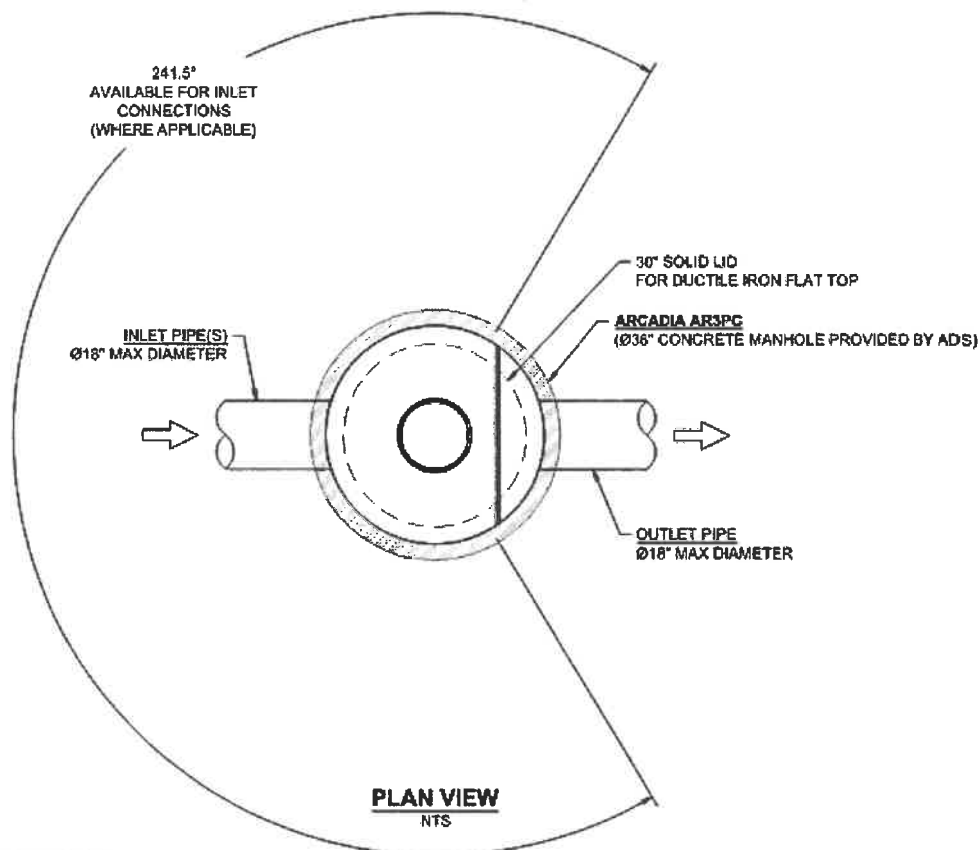
ATTENTION:

THIS TREATMENT UNIT WAS DESIGNED BASED ON THE GEOTECHNICAL INVESTIGATION FINDING NO EVIDENCE OF GROUNDWATER. IF THE GROUNDWATER DEPTH ABOVE THE BOTTOM OF THE SUMP EXCEEDS ONE-THIRD THE DEPTH OF THE UNIT, CONTACT ADS FOR SOLUTIONS.

- * CONCRETE SLAB DIMENSIONS ARE FOR GUIDELINE PURPOSES ONLY. ACTUAL CONCRETE SLAB MUST BE DESIGNED TAKING INTO CONSIDERATION LOCAL SOIL CONDITIONS, TRAFFIC LOADING, & OTHER APPLICABLE DESIGN FACTORS.
- ** SUPPLIED BY ADS FOR LOADS NOT TO EXCEED HL-93; SEE STD-414 FOR FURTHER DETAILS OF FRAME & COVER. ALTERNATE LID & FRAME BY OTHERS AS ALLOWED PER DESIGN ENGINEER. FRAME TO BE SUPPORTED BY CONCRETE COLLAR.



Manufactured Treatment Device (MTD-1) (Cont.)



PRODUCT SPECIFICATIONS

- THE STORMWATER TREATMENT UNIT HAS BEEN DESIGNED TO BE AS AN INLINE UNIT CAPABLE OF CONVEYING 100% OF THE DESIGN PEAK FLOW.
- THE ARCADIA UNIT SHALL BE DESIGNED TO REMOVE AT LEAST 80% OF THE SUSPENDED SOLIDS ON AN ANNUAL AGGREGATE REMOVAL BASIS. SAID REMOVAL SHALL BE BASED ON FULL-SCALE THIRD PARTY VERIFIED TESTING USING OK-110 MEDIA GRADATION OR EQUIVALENT AND 300 MG/L INFLUENT CONCENTRATION. FULL SCALE TESTING SHALL HAVE INCLUDED SEDIMENT CAPTURE BASED ON ACTUAL TOTAL MASS COLLECTED BY THE STORMWATER TREATMENT UNIT.

NOTES:

- ENGINEER / CONTRACTOR TO CONFIRM PIPE MATERIALS AND APPLICABLE ADAPTERS.
- CONTRACTOR IS RESPONSIBLE FOR MATERIAL AND LABOR TO BRING CASTINGS TO FINISHED GRADE.
- CONTRACTOR TO MEASURE HEIGHT OF STRUCTURE TO ENSURE THAT DEPTH OF EXCAVATION IS CORRECT.
- UNIT SHALL CONFORM TO HS20-44 LOAD RATINGS.

Manufactured Treatment Device (MTD-1) (Cont.)

Table 1: Arcadia Hydrodynamic Separator Models and Associated MTRs

Arcadia Hydrodynamic Separator Model	Diameter (ft)	Maximum Treatment Flow Rate (cfs)	Treatment Area (sq. ft.)	Hydraulic Loading Rate (gpm/sq. ft.)
Arcadia ARC3	3	0.95	7.07	60.0
Arcadia ARC4	4	1.68	12.57	60.0
Arcadia ARC5	5	2.63	19.63	60.0
Arcadia ARC6	6	3.78	28.27	60.0
Arcadia ARC8	8	6.72	50.27	60.0
Arcadia ARC10	10	10.5	78.54	60.0

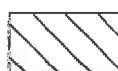
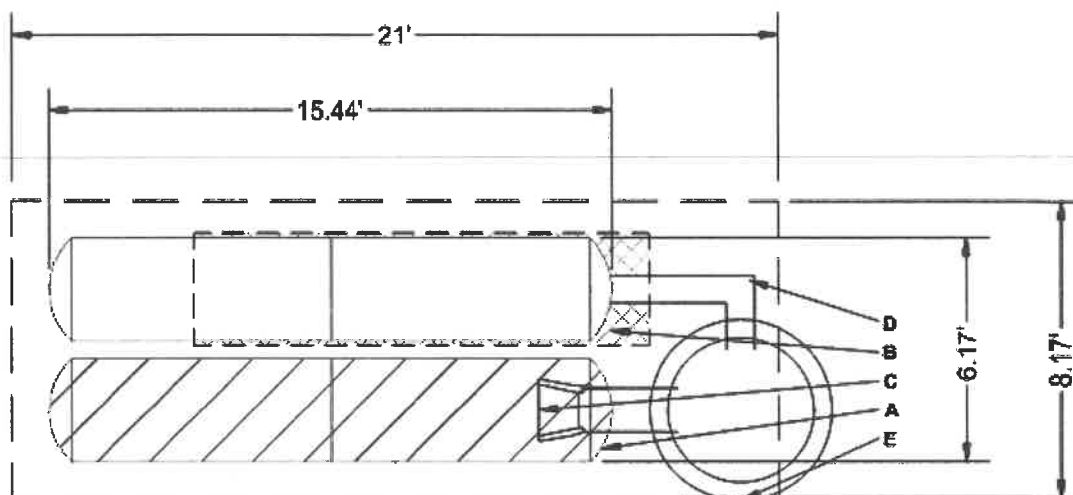
Arcadia Storage Capacities

Model	Manhole Diameter in (mm)	Total System Volume Gallons (Liters)	Treatment Chamber Capacity Gallons (Liters)	Standard Sediment Capacity (18" depth) Yards ³ (m ³)	NJDEP Sediment Capacity (50% of Standard Depth) Yards ³ (m ³)
AR3	36 (914)	242 (917)	203 (767)	0.39 (0.30)	0.19 (0.15)
AR4	48 (1219)	635 (2402)	564 (2135)	0.70 (0.53)	0.35 (0.27)
AR5	60 (1524)	991 (3753)	881 (3336)	1.09 (0.83)	0.55 (0.42)
AR6	72 (1829)	1428 (5404)	1269 (4804)	1.57 (1.20)	0.79 (0.60)
AR8	96 (2438)	4136 (15656)	3854 (14588)	2.79 (2.14)	1.40 (1.07)
AR10	120 (3048)	7931 (30022)	7490 (28354)	4.36 (3.34)	2.18 (1.67)

ARCADIA ARC3 WATER QUALITY UNIT **N.T.S.**

Underground Infiltration Basin (BSN-1):

PROPOSED LAYOUT		PROPOSED ELEVATIONS	
4	STORMTECH SC-310 CHAMBERS	MAXIMUM ALLOWABLE GRADE (TOP OF PAVEMENT/UNPAVED):	234.33
4	STORMTECH SC-310 END CAPS	MINIMUM ALLOWABLE GRADE (UNPAVED WITH TRAFFIC):	228.17
12	STONE ABOVE (in)	MINIMUM ALLOWABLE GRADE (UNPAVED NO TRAFFIC):	227.67
6	STONE BELOW (in)	MINIMUM ALLOWABLE GRADE (TOP OF RIGID CONCRETE PAVEMENT):	227.67
40	STONE VOID	MINIMUM ALLOWABLE GRADE (BASE OF FLEXIBLE PAVEMENT):	227.67
230	INSTALLED SYSTEM VOLUME (CF) (PERIMETER STONE INCLUDED) (COVER STONE INCLUDED) (BASE STONE INCLUDED)	TOP OF STONE:	227.33
		TOP OF SC-310 CHAMBER:	226.33
		8" x 8" TOP MANIFOLD INVERT:	225.29
		12" ISOLATOR ROW PLUS INVERT:	225.07
171	SYSTEM AREA (SF)	BOTTOM OF SC-310 CHAMBER:	225.00
58.3	SYSTEM PERIMETER (ft)	BOTTOM OF STONE:	224.50



ISOLATOR ROW PLUS
(SEE DETAIL)



PLACE MINIMUM 12.50' OF ADSPLUS625 WOVEN GEOTEXTILE OVER BEDDING STONE AND UNDERNEATH CHAMBER FEET FOR SCOUR PROTECTION AT ALL CHAMBER INLET ROWS

— — — BED LIMITS

PART TYPE	ITEM ON LAYOUT	DESCRIPTION	INVERT*
PREFABRICATED EZ END CAP	A	12" BOTTOM PREFABRICATED EZ END CAP, PART#: SC310ECEZ / TYP OF ALL 12" BOTTOM CONNECTIONS AND ISOLATOR PLUS ROWS	0.90"
PRE-CORED END CAP	B	8" TOP PRE-CORED END CAP, PART#: SC310EPE08TPC / TYP OF ALL 8" TOP CONNECTIONS	3.50"
FLAMP	C	INSTALL FLAMP ON 12" ACCESS PIPE / PART#: SC31012RAMP	
MANIFOLD	D	8" x 8" TOP MANIFOLD, MOLDED FITTINGS	3.50"
CONCRETE STRUCTURE	E	(DESIGN BY ENGINEER / PROVIDED BY OTHERS)	

*INVERT ABOVE BASE OF CHAMBER

Pretreatment Sedimentation Basin (SC-1)

Management Inspection Checklist

Project: Veolia Water New York, Inc. – Heritage Hills

Location: Section 6.20, Block 10, Lot 13

Address: 405 Route 202, Town of Somers, County of Westchester County, State of New York

Site Status: Post Construction

Date: _____

Time: _____

Inspector: _____

** Note: Annual Inspections must be performed by a Professionally Engineer licensed by the State of New York and report shall be submitted to Town of Somers Engineer within 30 days of inspection.*

REASON FOR INSPECTION:				
☐ Routine - Monthly ☐ Routine - Annual ☐ Following Significant Rain Event ☐ Other				
ITEM	INSPECTION RESULTS	YES	NO	COMMENTS
1	Frame and/or grate damaged/displaced			
2	Concrete structure damaged/cracking			
3	Inlet pipe damaged/cracked			
4	Outlet pipe damaged cracked			
5	Litter/debris observed in basin			
6	Sediment accumulated on basin bottom			
Is maintenance required at this time?				

Drywell (DW-1)

Management Inspection Checklist

Project: Veolia Water New York, Inc. – Heritage Hills

Location: Section 6.20, Block 10, Lot 13

Address: 405 Route 202, Town of Somers, County of Westchester County, State of New York

Site Status: Post Construction

Date: _____

Time: _____

Inspector: _____

** Note: Annual Inspections must be performed by a Professionally Engineer licensed by the State of New York and report shall be submitted to Town of Somers Engineer within 30 days of inspection.*

REASON FOR INSPECTION:				
☐ Routine - Monthly ☐ Routine - Annual ☐ Following Significant Rain Event ☐ Other				
ITEM	INSPECTION RESULTS	YES	NO	COMMENTS
1	Frame and/or grate damaged/displaced			
2	Concrete structure damaged/cracking			
3	Inlet pipe damaged/cracked			
4	Outlet pipe damaged cracked			
5	Litter/debris observed in basin			
6	Sediment accumulated on basin bottom			
7	Standing water observed 48 hours after major storm event			
Is maintenance required at this time?				

Riprap Apron (RR-1)

Management Inspection Checklist

Project: Veolia Water New York, Inc. – Heritage Hills

Location: Section 6.20, Block 10, Lot 13

Address: 405 Route 202, Town of Somers, County of Westchester County, State of New York

Site Status: Post Construction

Date: _____

Time: _____

Inspector: _____

** Note: Annual Inspections must be performed by a Professionally Engineer licensed by the State of New York and report shall be submitted to Town of Somers Engineer within 30 days of inspection.*

REASON FOR INSPECTION:				
☐ Routine - Monthly ☐ Routine - Annual ☐ Following Significant Rain Event ☐ Other				
ITEM	INSPECTION RESULTS	YES	NO	COMMENTS
1	Outlet pipe cracked/damaged			
2	Erosion visible			
3	Riprap displaced/missing			
4	Vegetation/Weeds visible			
5	Litter/debris observed in apron			
6	Standing water observed 48 hours after major storm event			
Is maintenance required at this time?				

Manufactured Treatment Device (MTD-1)

Management Inspection Checklist

Project: Veolia Water New York, Inc. – Heritage Hills

Location: Section 6.20, Block 10, Lot 13

Address: 405 Route 202, Town of Somers, County of Westchester County, State of New York

Site Status: Post Construction

Date: _____

Time: _____

Inspector: _____

** Note: Annual Inspections must be performed by a Professionally Engineer licensed by the State of New York and report shall be submitted to Town of Somers Engineer within 30 days of inspection.*

REASON FOR INSPECTION:				
☐ Routine - Monthly ☐ Routine - Annual ☐ Following Significant Rain Event ☐ Other				
ITEM	INSPECTION RESULTS	YES	NO	COMMENTS
1	Frame and/or grate damaged/displaced			
2	Concrete structure damaged/cracking			
3	Inlet pipe damaged/cracked			
4	Outlet pipe damaged cracked			
5	Litter/debris observed in basin			
6	Sediment accumulated on basin bottom			
Is maintenance required at this time?				

Underground Infiltration Basin (BSN-1)

Management Inspection Checklist

Project: Veolia Water New York, Inc. – Heritage Hills

Location: Section 6.20, Block 10, Lot 13

Address: 405 Route 202, Town of Somers, County of Westchester County, State of New York

RECEIVED

Site Status: Post Construction

Date: _____

JUN 19 2026

Time: _____

**PLANNING & ENGINEERING
TOWN OF SOMERS**

Inspector: _____

** Note: Annual Inspections must be performed by a Professionally Engineer licensed by the State of New York and report shall be submitted to Town of Somers Engineer within 30 days of inspection.*

REASON FOR INSPECTION:				
☐ Routine - Monthly ☐ Routine - Annual ☐ Following Significant Rain Event ☐ Other				
ITEM	INSPECTION RESULTS	YES	NO	COMMENTS
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3	Inlet pipe damaged/cracked			
4	Outlet pipe damaged cracked			
5	Litter/debris observed in basin			
6	Sediment accumulated on basin bottom			
7	Standing water observed 48 hours after major storm event			
Is maintenance required at this time?				

PLANNING AND ENGINEERING DEPARTMENTS

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

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589
www.somersny.com

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



David B. Smith
Town Planner
directorofplanning@somersny.com

June 22, 2026

To: Vicky Gannon, Chair and
Planning Board Members

From: David B. Smith

Re: Application for Heritage Hill Site Plan Amendment

Provided herewith is a preliminary site plan application submitted on behalf of Heritage Hills Society for the construction and installation of a 14-foot gazebo. As noted in the cover letter, the Applicant met with the Building Department and determined that the use is considered a permitted accessory use under zoning. The Town Engineer and I discussed this application, and while it is di minimis in nature, we thought it best to have it located on a site plan so in the future there is no dispute.

The proposed plan is considered a Type II Action under SEQRA so an environmental assessment form is not required for this application. Similar to what the Board has done procedurally for other comparable applications, it is suggested that the Board waive the other site plan requirements and consider waiving the public hearing.

Should you have any questions on the above please do not hesitate to reach out to this office.

**Planning Board Application
Heritage Hills Society Ltd
June 18, 2026**

Table of Contents

Application for Site Plan Approval

Chapter 67 "Application Processing Restrictive Law" Certification

Cover Letter

Meadowlark Park Trail Map

Photo – Playground

Photo – Warren Trail marker

Photo – Heritage Trail marker

Photo – Challenge Trail marker

Photo – Horseshoe Pits

Rendering – Proposed Gazebo

Gazebo Site Preparation Instructions

Map of East Hill Golf Course

RECEIVED

JUN 18 2026

**PLANNING & ENGINEERING
TOWN OF SOMERS**

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

I. IDENTIFICATION OF APPLICANT:

A. Owner: HERITAGE HILLS SOCIETY, INC. Applicant: HERITAGE HILLS SOCIETY, LTD.
Address: 8 HERITAGE HILLS DRIVE Address: 8 HERITAGE HILLS DRIVE
Tele #: 914-276-2908 Tele #: 914-276-2908
B. Architect: N/A Engineer: N/A
Address: _____ Address: _____
Tele #: _____ Tele #: _____
C. Surveyor: N/A Tele #: _____
Address: _____

II. IDENTIFICATION OF PROPERTY:

A. Identifying Title: _____
B. Tax Map Design: Sheet: 6.1B Block: 10 Lot(s): 11
C. Zoning District: DRB
D. Street which property abuts: HERITAGE HILLS DRIVE
E. Does property connect directly into State or County highway? No
F. Is site within 500 feet of Town Boundary? No
G. Total area of site: 62.02 Area of site activity: _____
H. Site coverage: _____ % Building coverage: _____ %
I. Affected Wetland Area: N/A Wetland Buffer Area: N/A
J. Affected Steep Slope Area: 15%-25%: N/A Over 25%: N/A
K. Existing building size: _____ New/additional building size: Approx. 150 sf
L. Existing parking spaces: _____ New parking spaces: _____

III. APPLICATION FEE:

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

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

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

Erosion and Sediment Control Application fee: \$100 for disturbances of at least one acre or for the placement or removal of 20 cubic yards of soil, plus \$500 for each additional acre of disturbance.

Total Fee: \$1,500 Date Paid: _____

IV. DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION:

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

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

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

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

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

Signature of Applicant: _____

Signature of Owner: _____

Date: 6/12/2026

Date: 6/12/2026

RECEIVED

JUN 18 2026

PLANNING & ENGINEERING
TOWN OF SOMERS

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

CERTIFICATION

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

Section 6.18 Block 10 Lot 11

Property Address 51 HERMAGE HILLS DRIVE

Permit Applying For N/A PLANNING & BOARD REVIEW

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

Signed [Signature]
(Owner of Record)

Signed [Signature]
(Applicant for Permit)

GENE ARCHER
(Print Name)

GENE ARCHER
(Print Name)

Date 6-18-2026

Date 6-18-2026

RECEIVED

JUN 18 2026

CONFIRMATIONS

**PLANNING & ENGINEERING
TOWN OF SOMERS**

Engineering Department

Date: _____

Zoning Enforcement Officer

Date: _____

Planning Board
Town of Somers
335 Route 202
Somers, NY 10589

RECEIVED

JUN 18 2026

Re: Planning Board Application
Heritage Hills Society Ltd.

**PLANNING & ENGINEERING
TOWN OF SOMERS**

Dear members of the Planning Board,

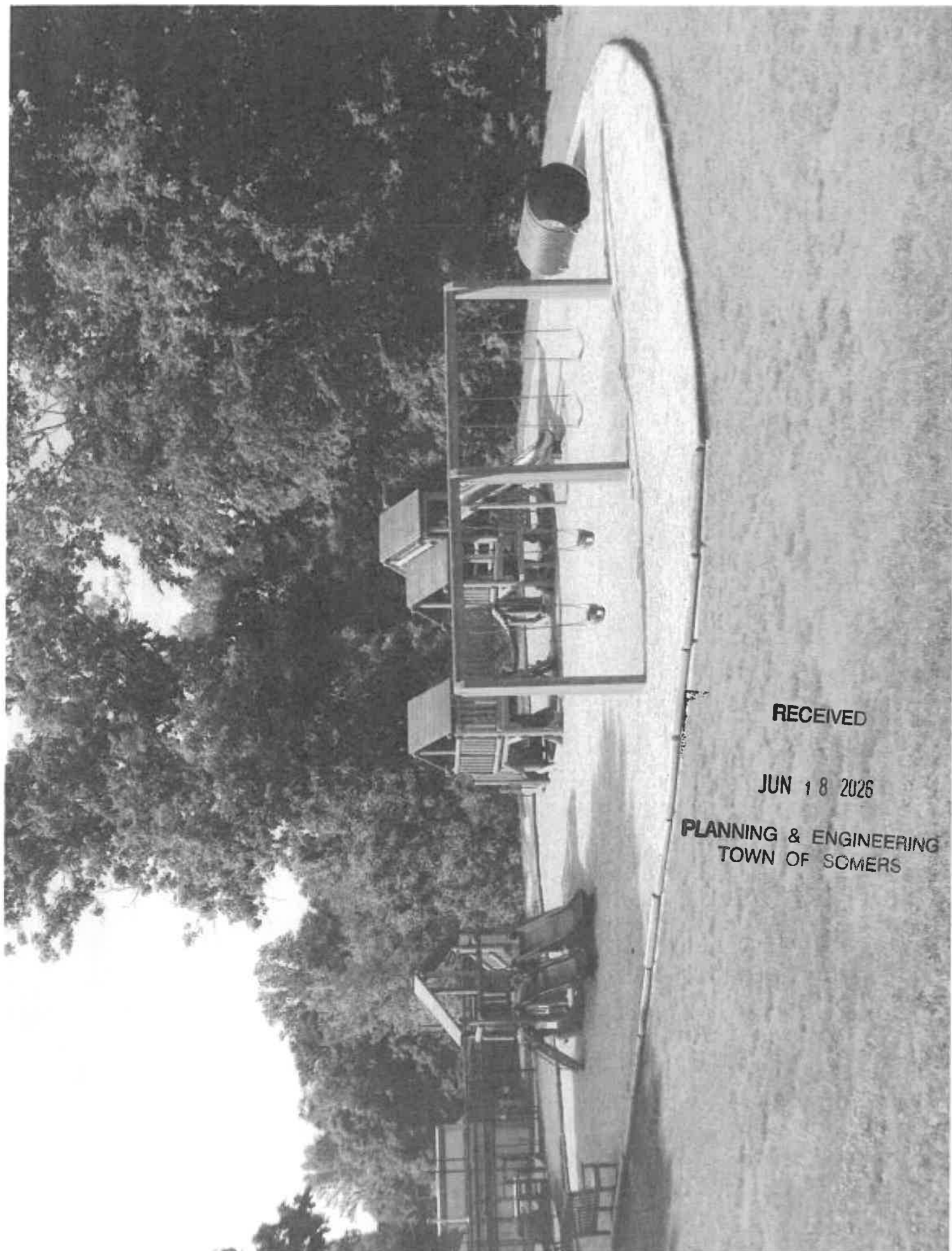
Although the attached application is a straightforward request for approval to assemble a 14' gazebo on the 62-acre parcel now known as Meadowlark Park, perhaps some context concerning this proposed accessory is appropriate for your review.

Upon learning in late 2020 that the former East Hill Golf Course was for sale, the Heritage Hills Society Board was immediately interested in acquiring the property for two primary reasons. The first reason was that given the property's location immediately adjacent to our main Activities complex they felt strongly that if anyone was to own that property, it should be the residents of Heritage Hills, each of whom is a member of Society. The second reason is that the purchase would allow space for two amenities lacking in Heritage Hills: A playground for the ever-increasing number of children residing in Heritage Hills and open space for walkers, lowering the number of residents walking along our very narrow roads. A capital expenditure of this value required a community wide vote, and the residents overwhelmingly supported this purchase and Society closed on the property in February, 2021.

After checking with Tommy Tooma, who determined that a playground was a permitted accessory, Society installed a playground in June of 2021, and work began to install trail markers connecting the existing cart paths creating walking trails for our residents. Eventually the former pro shop received a coat of paint inside and out, a couple of new windows, some comfortable furniture and it became a welcoming lounge for residents with views of the park, swimming pool and tennis courts. Eventually horseshoe pits and a tether ball court were added.

The walking trails immediately became very popular and given our aging population, several benches were added at various locations along the trails. One of these benches was placed at the highest point of one of our steepest trails, what we call the Heritage Trail. While this spot featured a stunning view, the bench was fully in the sun all day and a gazebo was suggested as a perfect solution, allowing residents to rest and enjoy shade from the sun.

After considering several vendors and configurations for a gazebo, the Society Board decided on a 14-foot diameter all wood gazebo, with a design, size and appearance consistent with the three existing gazebos within the community. This will be provided by Amish Country Gazebos, and it comes delivered as essentially a kit, all pre-cut elements which will be assembled on site. The site preparation is quite straightforward, and we have spoken to the vendor and expressed our interest in using concrete filled sonotubes for support. They will provide full architectural drawings to obtain all required building permits, and the building department has already determined that this sort of structure is a permitted accessory.



RECEIVED

JUN 18 2026

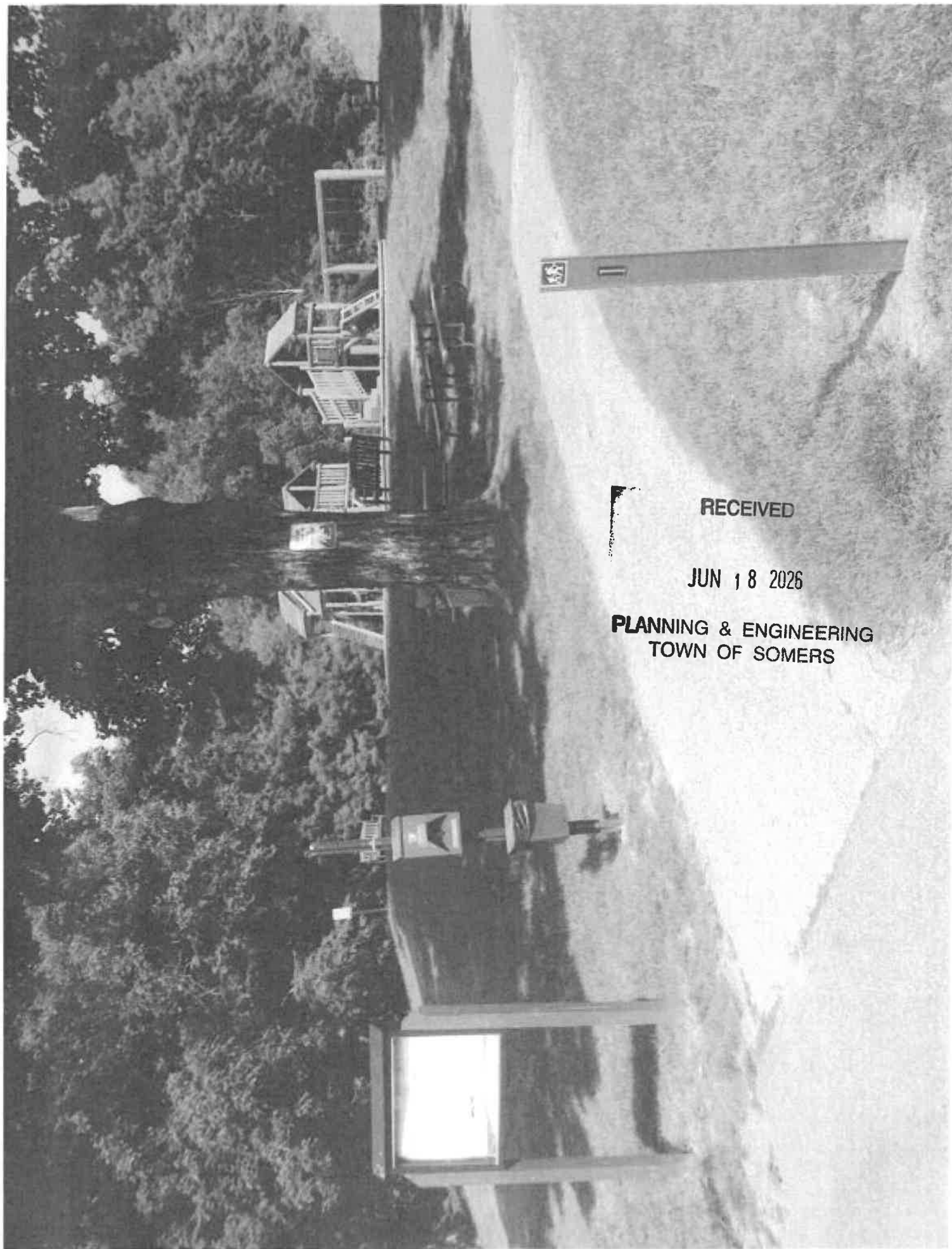
PLANNING & ENGINEERING
TOWN OF SOMERS



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JUN 18 2026

**PLANNING & ENGINEERING
TOWN OF SOMERS**



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TOWN OF SOMERS

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JUN 18 2026

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TOWN OF SOMERS



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JUN 18 2025

PLANNING & ENGINEERING
TOWN OF SOMERS





Your Gazebo is Complete!

Call us today at 1-800-700-1777 to speak with a gazebo designer.

Gazebo Basics

Type: Gazebo

Shape: Octagon

Material: Wood

Size: 14 ft

Customized Options

Roof: Pagoda

Cornice: Straight

Posts: Straight

Braces: Standard

Spindles: Straight

Colors

Color: Cedar

Roof: Earthtone Cedar

Floorboard: Tan Composite

Enclosures

Screens: None

Accessories

Electrical Package: 0

Additional Outlets: 0

Ceiling Fan: None

Weathervane: No

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JUN 18 1998

PLANNING & ENG
TOWN OF SOMERSET

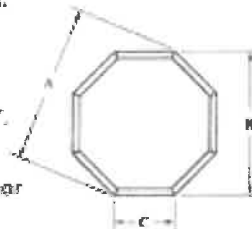
16

GAZEBO SITE PREPARATION

It is most important to have a solid, flat and level foundation for your gazebo.

Indicate the location of your gazebo foundation by doing the following:

1. Cut 8 boards at a 22.5° angle. Each should be the length of dimension 'C' at their longest point.
2. Place the boards around the perimeter of the site to be prepared for your gazebo. Verify that the boards are positioned in an octagonal shape by using dimensions 'A' and 'B'.
3. Spray paint along the outside of the boards to indicate the precise perimeter of your gazebo floor and then remove the boards.



*Notes: If you choose the concrete pad option, refer to the instructions in the bottom right corner of this page.

FLOOR DIMENSIONS TABLE

These dimensions are ideal to use for your foundation, whether you have a gazebo floor or not.

Size	A	B	C
8 ft.	103 1/2"	96"	39 1/2"
10 ft.	129 1/2"	120"	49 1/2"
12 ft.	155 1/2"	144"	59 1/2"
14 ft.	181 1/2"	168"	69 1/2"
16 ft.	207 1/2"	192"	79 1/2"
18 ft.	233 1/2"	216"	89 1/2"
20 ft.	259 1/2"	240"	99 1/2"

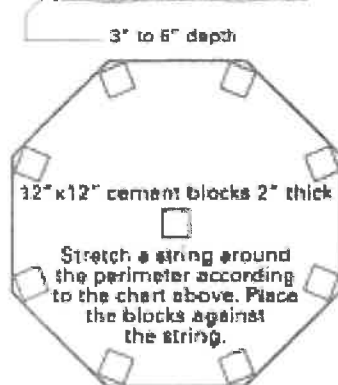
Larger gazebos should be installed on a concrete pad made to these dimensions.

24 ft.	319"	292"	120 1/2"
28 ft.	370 1/2"	342"	141 1/2"
30 ft.	398 1/2"	366"	161 1/2"

Carefully consider the recommendations listed below prior to choosing the ideal foundation for your gazebo. Our kits with floors are designed to have all the floor joists in contact with crushed stone or concrete. If you are installing on a deck or elevated surface, please contact your designer, as each situation is site specific.

CRUSHED STONE (to be used with a floor)

1. Dig out 3"- 6" of ground.
2. Plant concrete blocks at each octagonal point and in the center (9 blocks total).
3. The top of the blocks will be the highest point of your foundation. All blocks must be level with each other.
4. Place 3"- 4" of crushed stone around the blocks and throughout the foundation. Make sure none of the crushed stone are higher than the blocks.



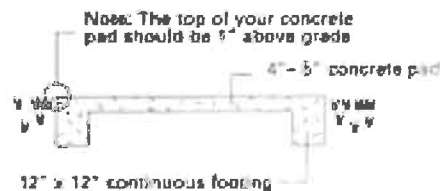
RECEIVED

JUN 18 2026

PLANNING & ENGINEERING
TOWN OF SOMERS

CONCRETE PAD (to be used with or without a floor)

1. Dig out 4"- 5" of ground so it is level all throughout its lowest point.
2. Temporarily plant wood forms around the perimeter of your gazebo foundation area.
3. Dig a 12"x12" continuous footing around the perimeter of the pad.
4. Use rebar as needed.
5. Pour concrete throughout the base, making sure all points of the top are level.



*When you cut the form boards for your concrete pad, make sure the short points of each board are cut to the "C" dimension. This will ensure that your concrete pad is made precisely to the dimensions shown above.

Amish Country Gazebos is not responsible for site preparation. The property owner is responsible for permits if any are required. Engineered drawings are available.

Site preparation available in various locations, call for details.

INVESTIGATOR CERTIFY OF COMPLAINT OF RACIAL
PHOTO TAKING, 4/7
APPROVED SUBJECT TO PROVISION OF PUBLIC INTEREST
AND PUBLIC SAFETY, 3/17/74 TO
BUREAU, 4/7/74. ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED DATE 08/11/2010 BY 60322
AUTHORITY 50 USC 3025 (a)(2). ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED DATE 08/11/2010 BY 60322
AUTHORITY 50 USC 3025 (a)(2).

ANY SPECIALIZED CHANNELS, ADOPTIONS OF ALTERNATIVES
OR ANYTHING, EXCEPT THE ADOPTION OF STANDARDS
OR OTHER ACCEPTED AUTHORITY, AND THE DATE
THEREOF, MADE ON THIS PLAN AFTER THE DATE OF THIS
ADVERTISING, SHALL INVALIDATE THIS AGREEMENT.

Blue Point Water #2
12-10-80
DATE
12-28-81
12-10-80
DATE
12-28-81

REGULARITY SHOWS ABSENCE OF AVERAGE IN "ROCKS AND MINERALOGISTS" AND THE PROJECTION FROM IDENTIFICATION OF THE CITY OF NEW YORK FROM THE STATE AND ITS SOURCES, OFFICE OF THE CITY AND COUNTY OF NEW YORK, DEPARTMENT OF THE ARMY, NEW YORK, N.Y.

[illegible]

**MAP OF
EAST HILL
9 HOLE GOLF COURSE
HERITAGE HILLS OF WESTCHESTER
TOWN OF SOMERS
WESTCHESTER COUNTY
NEW YORK**

UNLAWFUL TO ATTEMPT TO OBTAIN TO A SURVEY AND GRANTING A LICENSED LAND SURVEYOR'S DEED, AS A VIOLATION OF SECTION 2409, SUBDIVISION B, OF THE 1987 NORTH DAKOTA EDUCATION LAW.

MUNNEY ASSOCIATES
LAND SURVEYORS
RURAL ROUTE 4 SHELDON LAKE
NORTH DAKOTA, 58131

4. ANTHONY JARROSA, THE SUPERVISOR WHO MADE THIS MAN, WHO WENTENY CERTIFY THAT THE DOMINICAL FIELD ABOVE WAS TRUTHY IT IS BASED WAS CONFIRMED BY ALEXANDER BURNETT, LAND SURVEYOR, N.C. ON DATE 1/19/72 AND THAT THIS MAN WAS TRUTHY, N.C. BY VIEW OF 10/19/70 BY SURVEYOR ALEXANDER BURNETT, LAND SURVEYOR, N.C. AND SURVEYOR TO ALEXANDER BURNETT, LAND SURVEYOR, N.C.

Anthony J. Jarrosa

CONFIDENTIAL
WOMAN ET AL
180 BAYVIEW ROAD
NORTH YORK, ONTARIO

DATE: MAR. 12 1963
 FROM: DIRECTOR TO ASST
 RE: 67-17740
 100-17740

SCALE: 1"=100'

HERITAGE DEVELOPMENT GROUP, INC.

[illegible]



The map is a topographic representation of Heritage Hills Park, overlaid with a grid labeled A-E horizontally and 1-6 vertically. Key features include:

- Water Bodies:** Warren Pond (top left), North Pond (top right), Meadow Pond (center), and South Pond (bottom center).
- Infrastructure:** Green Briar (top), Golf Cart Bridge (left), Warren Street (bottom left), and Heritage Hills Dr. (right).
- Buildings:** Heritage Hills Condo #6 (top right), Heritage Hills Condo #10 (bottom center), and a Maintenance Building (center).
- Trails:** Warren Trail (dashed line), Heritage Trail (solid line), and Challenge Trail (thick solid line).
- Recreational Features:** A playground (bottom center), horseshoe pits (bottom right), and a pollinator garden (bottom right).
- Topography:** Contour lines indicating elevation from 310 to 500 feet.
- Legend:** Located on the right, defining symbols for Contour Line, Stream, Property Line, Warren Trail, Heritage Trail, Challenge Trail, Playground, Maint. Buiding, Park Place, Horseshoe Pits, Pollinator Garden, and Gazebo.
- Scale:** A graphic scale at the bottom right shows distances from 0' to 300'.
- Grid:** A coordinate grid with letters A-E and numbers 1-6.

Legend

- Contour Line
- Stream
- Property Line
- Warren Trail
- Heritage Trail
- Challenge Trail
- Playground
- Maint. Buiding
- Park Place
- Horseshoe Pits
- Pollinator Garden
- Gazebo – Not To Scale

Scale

0' 60' 180' 300'

30' 120'

Grid

A B C D E

6

5

4

3

2

1

Map Labels

Green Briar

North Pond

Heritage Hills Condo #6

Heritage Hills Dr.

Warren Pond

Warren Street

Meadow Pond

South Pond

Heritage Hills Condo #10

Heritage Hills Activities Area

Parking Lot

Golf Cart Bridge

Warren Trail

Heritage Trail

Challenge Trail

Maint. Buiding

Park Place

Horseshoe Pits

Pollinator Garden

Gazebo – Not To Scale

Disclaimer:

"Please be aware that walking trails throughout the park contain uneven surfaces and steep inclines. Weather conditions can also adversely impact the paths. Please exercise caution when walking on the trails. Ultimately, you use the park at your own risk."

RECEIVED

PLANNING & ENGINEERING

TOWN OF SOMERS

5/29/2026

OFFICE OF THE TAX RECEIVER

Town of Somers

WESTCHESTER COUNTY, N.Y.

Telephone
(914) 277.3610

Fax
(914) 277.8932

Michele A. McKearney

Receiver of Taxes
mmckearney@somersny.com



335 Route 202
Town House
Somers, NY 10589

Christine Rossiter

Deputy Receiver of Taxes
crossiter@somersny.com

RECEIVED

June 22, 2026

JUN 22 2026

**PLANNING & ENGINEERING
TOWN OF SOMERS**

RE: Heritage Hills Society, LTD
51 Heritage Hills Dr.
Somers, NY 10589
Parcel # 6.18-10-11

To Whom It May Concern,

All taxes have been paid in full on the above referenced parcel. There are no outstanding liens or taxes due as of the date of this letter.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Christine Rossiter
Deputy Receiver of Taxes



May 28, 2026

RECEIVED

Planning Board
Town of Somers
Somers, NY 10589

JUN 09 2026

**PLANNING & ENGINEERING
TOWN OF SOMERS**

Re: New Building
Fire Suppression and Water Storage
247 Route 100
Somers, NY (Rockledge Center)

To Whom it may concern,

This memorandum confirms the fire suppression and water storage requirements for the proposed building at 247 Route 100, following our review with the Bureau.

Sprinkler System

The proposed building does not require an automatic sprinkler system. Under Section 903.2.1.3 of the 2025 Building Code of New York State, a Group A-3 occupancy requires sprinklers only where a fire area exceeds 12,000 square feet, has an occupant load greater than three hundred, or is located on a floor other than the level of exit discharge. The proposed building contains two A-3 fire areas separated by a fire wall. Both fire areas are under 12,000 square feet, each has an occupant load below three hundred, and both are on the level of exit discharge. None of the three thresholds is met, and a sprinkler system is therefore not required.

Water Storage

Because the building does not require a sprinkler system, no additional fire suppression water storage is required, and the previously discussed 60,000-gallon tank is not required. The existing 10,000-gallon buried water tank on the property remains in place.

Means of Egress

All means of egress have been designed in accordance with the 2025 NYS Building & Fire Code, including the required number of exits, travel distances, and fire-rated construction.

345 Kear Street - Suite 203
Yorktown Heights, New York 10598

(914) 368-9838 (telephone)
Email: Michael@mpiccirilloarchitect.com

These conclusions are based on the code analysis prepared for this project and do not change the approved site plan or building design.

Please call me with any questions

Sincerely,

Michael Piccirillo Architect PLLC
Licensed Architect
NYS 028090



PLANNING AND ENGINEERING DEPARTMENTS

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

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589
www.somersny.com



Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com

David B. Smith
Town Planner
directorofplanning@somersny.com

Planning Board Meeting June 10, 2026

PLANNING BOARD
TOWN OF SOMERS, WESTCHESTER COUNTY, NEW YORK

Confirmatory Resolution No. 2026-10
*Granting of Conditional Site Plan Approval
To FSAA, LLC.*

For

Honeybee Grove, LLC

Town Tax Number: Section 17.11, Block 1, Lot 21

WHEREAS, the Planning Board of the Town of Somers (the "Planning Board") has received and reviewed an application for site plan approval (the "Application") pursuant to Zoning Chapter 170-114 Site Plan Review of the Town Code and to applicable laws and regulations considered pertinent to the Application, for the installation of a storage shed as an accessory use for Honeybee Grove's cut your own flower farm operation located at 265 Route 202 (the "Project Site"); and

WHEREAS, the Application is submitted on behalf of Honeybee Grove, LLC (the "Applicant"); and,

WHEREAS, the Application calls for the formalization of the existing Honeybee Grove cut-your-own flower farm as part of a Site Plan Application; and,

WHEREAS, as required by §170-18.2 of the Town Code, the Application was forwarded to the Business Historic Preservation (B-HP) District Technical Committee and a meeting of the Technical Committee was held on 5/25/26; and

1 **WHEREAS**, during the course of the Technical Committee it was suggested that
2 the following conditions be imposed on the proposed use:

- 3 1. Given the presence of a wetland in the back portion of the property, the
4 operation should be limited to existing conditions.
- 5 2. Restrict the use of pesticides and herbicides and limit fertilizer use to fish
6 fertilizer
- 7 3. The Applicant shall continue to coordinate with the Supervisor's Office
8 regarding events that potentially need to use Town Hall parking.
- 9 4. Any signage will still need to be coordinated with the Building Department
10 and the ARB.

11
12 **WHEREAS**, the Bureau of Fire Prevention in their correspondence dated 7/1/2026
13 expressed concern about parking and access and requested that the owner work
14 with the Building Department on updating the parking lot striping; and

15
16 **WHEREAS**, pursuant to §170-18.2.C of the Town Code, requires that a copy of
17 the Site Plan application also be forwarded to the Town Board, the Landmarks
18 Committee, ARB, and Open Space Committee and a copy of the Application was
19 sent on or about 5/27/2026; and

20
21 **WHEREAS**, on 6/10/2026 the Planning Board reviewed and considered the
22 Application and determined that the physical changes to the site as a result of the
23 Application did not create a significant environmental impact; and

24
25 **WHEREAS**, the Planning Board has reviewed the following materials:

- 26 1. Town of Somers Site Plan Approval Applications and Forms:
 - 27 a. Town of Somers Site Plan Application for Site Plan Approval dated
28 5/22/2026
 - 29 b. An aerial view of the property dated 5/22/2026
 - 30 c. Site Plan Application Fee
 - 31 d. Proof of paid taxes dated 5/22/2026
 - 32 e. Cover letter from the Applicant dated 4/30/2026

33
34
35 **WHEREAS**, the Planning Board has reviewed and is familiar with the Project Site;
36 and

37
38 **WHEREAS**, the Planning Board at their 06/10/2026 meeting waived the Public
39 Hearing and Site Walk; and

40
41 **WHEREAS**, a memorandum to the Planning Board by the Director of Planning
42 dated 5/26/2026 was provided for due consideration; and

43
44 **WHEREAS**, during the course of the Planning Board's review of the Applicant's
45 proposed Site Plan Application, the Planning Board received and considered
46 correspondence from Town staff, Town advisory boards and other involved and
47 interested agencies, as follows:

- Discussion by the Town Board at their 6/4/26 meeting and had no objections to the proposed use.
- Memoranda from the Open Space Committee dated 6/12/2026
- Memoranda from the Bureau of Fire Prevention dated 7/01/2026
- Memoranda from the Architectural Review Board dated 5/29/2026
- A letter from the Landmarks Committee dated 5/19/2026

WHEREAS, the Planning Board has carefully considered all of the comments raised by the other interested agencies, organizations and officials, including those presented at meetings of the Board as well as those submitted separately in writing; and

NOW, THEREFORE, BE IT RESOLVED that the foregoing WHEREAS clauses are incorporated herein by reference and are fully adopted as part of this approval; and

BE IT FURTHER RESOLVED, after review and analysis of the potential environmental effect of the Proposed Action, the Planning Board determines that the Proposed Action is a Type II Action under SEQR and issues a determination of no significant impact under SEQRA; and, be it further

RESOLVED, that the Planning Board after a review of the Proposed Action and upon recommendation from the Town of Somers Planning Director, does hereby waive site plan requirements as provided in Section 170-114.F of the Town Code including the scheduling of a public hearing; and, be it further

RESOLVED, that given that the Planning Board conditions the subject approval to the Town Board had no objections to the Proposed Action moving forward; and, be it further

RESOLVED, that the application for **conditional site plan approval, of the Code of the Town of Somers submitted by Honeybee Grove, LLC** as shown and described by the materials enumerated herein, **ARE HEREBY CONDITIONALLY GRANTED** in accordance with Section 274-a of the New York State Town Law SUBJECT TO the following modifications and conditions being fulfilled:

Conditions Required Prior to Signing of Site Plan Resolution

- 1) The Applicant shall reimburse the Town for any outstanding review fees, as applicable, consistent with Town Code as well as State and Local Environmental Quality Review laws.

1 **On-going Conditions Required After Signing of Site Plan Resolution**

- 2
- 3 1. Site plan approval and its continued validity are subject to all requirements
- 4 of Section 170-114, "Site Plan Approval", and Chapter 144, "Site Plan
- 5 Review", of the *Code of the Town of Somers*. Approval shall be deemed
- 6 null and void one (1) year from the date of signing of the site plan unless a
- 7 Building Permit, if applicable, in compliance with the above shall have been
- 8 obtained and construction progressed as required by §170-114.I, "Time to
- 9 Obtain Permit and Complete Construction", of the *Code of the Town of*
- 10 *Somers*.
- 11 2) Given the presence of a wetland in the back portion of the property, the
- 12 operation shall be limited to existing conditions.
- 13 3) No use of pesticides and herbicides
- 14 4) Fertilizer shall be limited to fish fertilizer
- 15 5) The Applicant shall continue to coordinate with the Supervisor's Office
- 16 regarding events that potentially need to use Town Hall parking.
- 17 6) Any signage will still need to be coordinated with the Building Department
- 18 and the ARB.
- 19
- 20

21 This resolution shall have an effective date of June 10, 2026.

22

23 **BY ORDER OF THE PLANNING BOARD**

24 **OF THE TOWN OF SOMERS**

25

26

27

28

29 _____

30 **Vicky Gannon, Chair**

31

Date

BUREAU OF FIRE PREVENTION

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

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

THOMAS J. TOOMA, JR.
CHIEF



RECEIVED

MEMO TO: Planning Board

JUL 01 2026

FROM: Bureau of Fire Prevention

**PLANNING & ENGINEERING
TOWN OF SOMERS**

RE: 265 Route 202

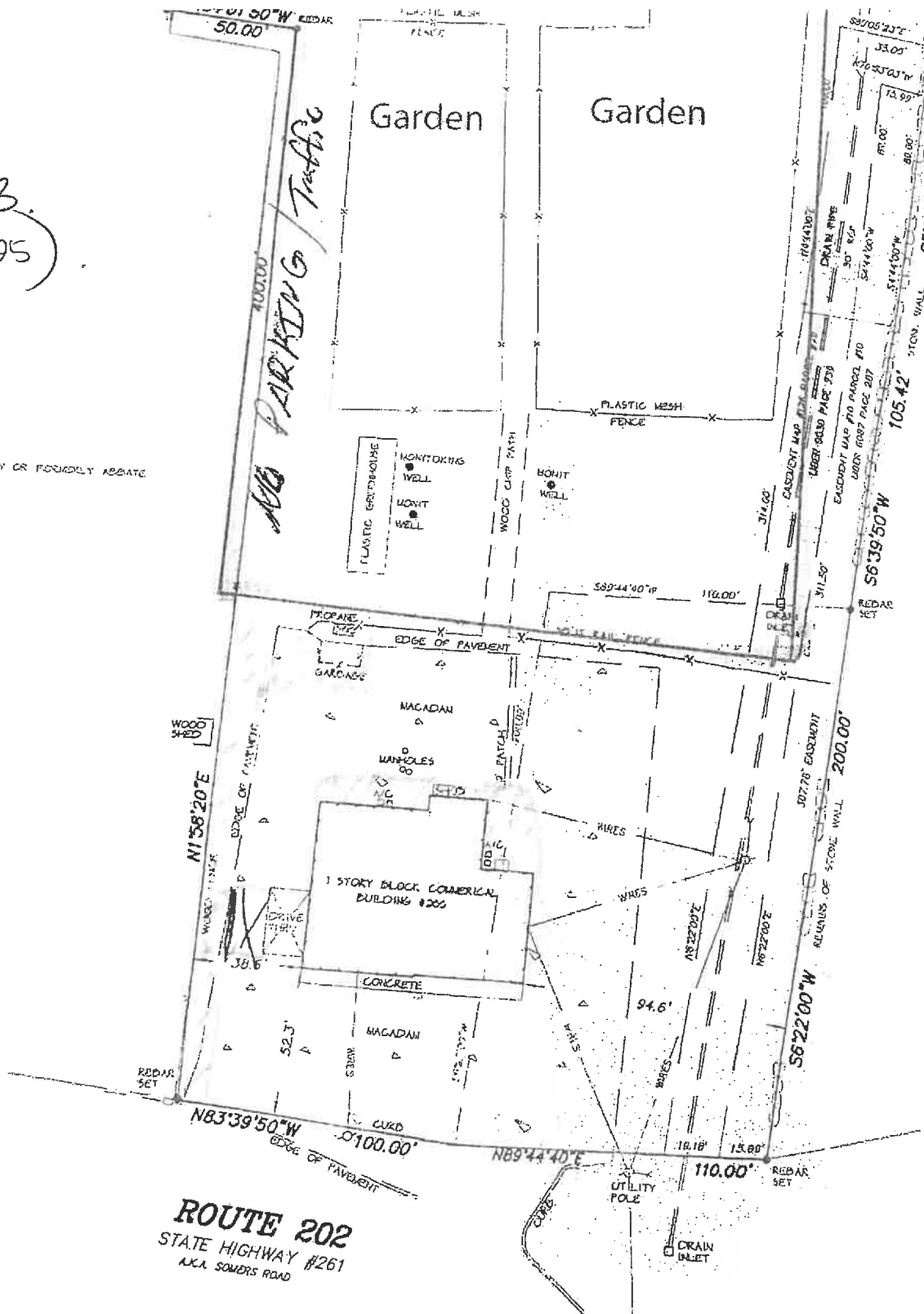
DATE: July 1, 2026

At our monthly meeting on June 17, 2026, a submission received for Honeybee Grove located at 265 Route 202 was reviewed and discussed. The only concern that the Bureau had was cars being parked in areas around the building that would prohibit emergency vehicles from having access. Please find attached a sketch of the areas of the parking lot that should be striped so no one will park in those areas.

attachment

SECT. 3107.2.3.
FL. NUS. (2025)

HOW OR FORMALLY ADJACENT



ROUTE 202
STATE HIGHWAY #261
A.K.A. SOMERS ROAD

FILED ONLY TO:
LLC
MARK TITLE AGENCY, LLC
AMERICAN TITLE INSURANCE COMPANY

[Signature]
L.S. N.Y. LIC. # 49990

ARCHITECTURAL REVIEW BOARD

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

JOHN ALFONZETTI
CHAIRMAN

Town of Somers

WESTCHESTER COUNTY, N.Y.



SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

DENISE SCHIRMER
SECRETARY
dschirmer@somersny.com

RECEIVED

MAY 29 2026

PLANNING & ENGINEERING
TOWN OF SOMERS

MEMO TO: Planning Board

FROM: Architectural Review Board

RE: Honeybee Grove

DATE: May 29, 2026

At our May 28, 2026 monthly meeting, the Board reviewed and discussed a submission from the Planning Board for Honeybee Grove at 265 Route 202.

There were no objections to the proposal as submitted.

OPEN SPACE COMMITTEE

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

MICHAEL BARNHART
CHAIRMAN

Town of Somers

WESTCHESTER COUNTY, N.Y.



SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

DENISE SCHIRMER
SECRETARY
dschirmer@somersny.gov

RECEIVED

JUN 23 2026

MEMO TO: Planning Board

FROM: Open Space Committee

RE: Honeybee Grove

DATE: June 12, 2026

PLANNING & ENGINEERING
TOWN OF SOMERS

At our June 11, 2026 monthly meeting, the Board reviewed and discussed a submission from the Planning Board for Honeybee Grove at 265 Route 202.

There were no objections to the proposal as submitted.