

Vicky Gannon, Chair
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 MINUTES

June 10, 2026

7:30 PM

ROLL

MEMBERS PRESENT Vicky Gannon, Rick Bohlander, Paul Ciavardini, Damien DeSantis, 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 the first thing she wanted to do was welcome the two new Planning Board members. While pointing to where they were sitting, she introduced Damien DeSantis and Rick Bohlander. She thanked them for joining the Planning Board and added that they really appreciated them contributing to the Town by this volunteer effort.

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

Chair Gannon stated it is longstanding policy of the Town of Somers Planning Board that it does not allow public comments on matters that are not before the Board for a Public Hearing. Members of the public are welcome to submit written comments to the Board, which are reviewed by the Board in advance of the meeting.

MINUTES

The first item for consideration was the April 8, 2026, draft minutes. Chair Vicky Gannon noted one change on page 18, line number 827 – portable should be changed to potable. She then asked the Board if anyone else had comments and/or questions. There were none. She then made a motion to approve the minutes as amended. Mr. Jack Mattes seconded. All in favor with the exception of the two new Board members who abstained as they were not here at the time. Motion passes.

TIME EXTENSION REQUEST

**1. GRANITE POINTE RE-GRANT OF FINAL SUBDIVISION APPROVAL, WETLAND AND WATERCOURSE PROTECTION, STEEP SLOPE PROTECTION, TREE PRESERVATION, STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL PERMITS
TM: 27.05-3-2&5**

For the record Chair Vicky Gannon stated this is a request for the 36th 90-day time extension for the Granite Pointe Subdivision, Re-Grant of Final Subdivision Approval, Wetland and Watercourse Protection, Steep Slope Protection, Tree Preservation and Stormwater Management and Erosion and Sediment Control Permits, as per Resolution 2017-10, from July 5, 2026, up to and including October 2, 2026, as per Town Law Section 276 (7) (c) and Town Code Section 150-13M. The property is located on the east side of Route 118/202, adjacent to the Amawalk Reservoir and is located in an R-40 Zoning District for the development of 23 lots in a Cluster Subdivision.

Mr. Timothy Allen, P.E., from Bibbo Associates and Engineering P.C., came to the podium and introduced himself. He indicated he was representing Suelain Realty and Mr. John Harkins Jr., was there with him this evening. He stated since their last meeting before this Board, they had discussed how this was going to progress. They have since made a request to the Westchester County Health Department (WCHD) to retest the lots where the contaminated fill was taken out and new fill was brought back in. He was happy to report that the WCHD provided them with a date of June 22, 2026, to test those lots. In further discussion with the WCHD, the regime has changed since he last met with them a couple years ago, and there is discussion of the possibility of more testing that will be done throughout the Subdivision – that is still to be discussed with the WCHD. But, at the time being they will just be testing the lots that were part of the cleanup area. Mr. Allen added that he has also had a discussion with the New York State Department of Transportation (DOT). They are in the process of looking for the file and have not gotten back to him yet. But, since they have changed their whole online permitting process, it seems like that process will not be starting from scratch, but certainly an application will start anew for the DOT. Once the testing is in place for the WCHD, he will re-approach the New York City Department of Environmental Protection (DEP), knowing that the lots have tested properly, and we will work towards the Stormwater Permit after that. Consulting Town Planner, Mr. David Smith stated that the last time here Mr. Allen discussed a notification that was received from the New York State Department of Environmental Conservation (DEC) regarding clean up and asked if he could bring the Board up to date on that. Mr. Allen responded he does not think that the DEC has formally signed off on the cleanup. They have said that the site is deemed clean, and that they do have access to the site now. Remember, for a while they had no access because they were waiting for the work from the DEC. So, they did give permission to go back on the site to test, and they did preliminary testing a few months ago without the agencies - so they have been on the site. Now it is time to show the agencies the testing they need to do. Chair Gannon then asked if they are ultimately waiting

for a definitive report or statement from the DEC. Mr. Smith responded they will provide the Applicant with that documentation at some point. Mr. Allen responded yes. Chair Gannon stated okay. She then asked if there were any comments and/or questions from staff. There were none. She then asked if there were any comments and/or questions from the Board. Mr. Jack Mattes stated that he thought this project has gone on very long and that he had never seen anything extend such a duration of time, no matter what the reasons are. We are talking about 25 to 30 years at this point, and he is opposed to letting it continue. Chair Gannon then addressed Consulting Town Engineer, Mr. Steve Robbins, and stated when we were last gathered together, out of the winter thaw, and we were discussing what the Applicant could accomplish and she had asked him what could reasonably be expected. She then asked Mr. Robbins if he could comment on what Mr. Allen has said and advise as to what he thinks Mr. Allen could reasonably expect to accomplish by the next time he will be here for his next renewal. Mr. Robbins responded that the next time he will be here for renewal would be in three months. By that time, as Mr. Allen stated, they will have completed their septic testing with the WCHD witnessing those tests. The testing needs to reflect the existing site conditions, so that has been scheduled with the WCHD. He would expect that when the Applicant is next back here, that they will be able to present that to the Board to confirm their layout of the Site Plan or discuss with the Board if anything needs to change due to that site testing. Once they have that septic laid out, then they can continue to move on with the required DEP reviews for septic and for stormwater as well. It all starts with this first step. The Applicant is taking the appropriate next step for the WCHD testing of the septic field areas. Chair Gannon responded thank you. She then advised Mr. Allen when he gets any documentation as to the progress of the discussions with DOT, to copy the Board on it as she knows that he did copy the Board on the letter that went to the County. She added that she thinks that is very helpful in tracking and understanding the progress. Mr. Allen responded they will certainly do that. She then asked Planning Board Attorney, Mr. Michael Towey if he had any questions. He did not. She then asked Mr. Allen if he had any questions for the Board. He did not. She then made a motion to approve the request for the 36th 90-day time extension for the Granite Pointe Subdivision, Re-Grant of Final Subdivision Approval, Wetland and Watercourse Protection, Steep Slope Protection, Tree Preservation and Stormwater Management and Erosion and Sediment Control Permits, as per Resolution 2017-10, from July 5, 2026, up to and including October 2, 2026, as per Town Law Section 276 (7) (c) and Town Code Section 150-13M. Mr. Paul Ciavardini seconded. Chair Gannon then asked Planning Board Attorney, Mr. Towey if a roll call vote should be taken. Mr. Towey responded yes as Mr. Mattes has expressed opposition. He also added that the two new Board Members should abstain from the vote. A roll call vote was taken.

Chair Vicky Gannon – Aye
Rick Bohlander- Abstain
Paul Ciavardini – Aye
Damien DeSantis- Abstain
Jack Mattes – Nay
Anthony Sutton – Aye
Christopher Zaberto -Aye

Motion passes.

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**

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 this has been adjourned at the Applicant's request. So, it will be adjourned until the next meeting which will be in July.

Planning Board Attorney, Mr. Michael Towey advised Chair Gannon that he knows that the Applicant requested that the application be adjourned, but it is a continuation of the Public Hearing. As such he stated for the Board's consideration, she may want to vote to open the Public Hearing solely to vote to adjourn it until the next meeting - just as a recommendation. Chair Gannon responded absolutely. She then stated as the Applicant has asked us to adjourn their appearance on this matter and since we do have a Public Hearing, she made a motion to open the Public Hearing. Mr. Christopher Zaberto seconded. All in favor. Motion passes. Chair Gannon then made a motion to adjourn the Public Hearing until the Planning Board's next meeting, which is Wednesday, July 8, 2026. Mr. Zaberto seconded. All in favor. Motion passes.

PROJECT REVIEW**3. BACK NINE GOLF, SOMERS COMMONS
SITE PLAN APPLICATION
80 ROUTE 6 SUITE 503/505
TM: 4.20-1-11.5**

For the record Chair Vicky Gannon stated the project will consist of a Change of Use within the existing 3,624 square foot commercial suite involving an interior fit-out. The project involves converting the existing commercial space into a modern indoor golf simulator facility. The new layout is designed to create a social and recreational venue, with dedicated areas for simulation. The property is located in a Community Shopping (CS) District.

Mr. Gary Gangi came to the podium and introduced himself and thanked the Board for having him. He stated Back Nine is going to be more than just a recreation facility. It is going to be more of an indoor

golf training facility. It will be a 24/7 membership-based facility. He indicated that he just wanted to read something quick that he had with him. He continued and stated the Back Nine is a member-based indoor golf training facility designed to provide golfers with private access and instruction, game improvement, fitness style practicing using advanced simulator technology. Our facilities are intentionally designed for small scale appointment-based use, functioning more like a boutique fitness studio or private athletic training center than public amusement or entertainment. As he stated earlier it is a premium member-based model with average memberships costing between \$250 and \$350 per month. It will also have public tee times at normal hours of operation, like from 10 a.m. to 9 or 10 p.m.- those are yet to be determined. Chair Gannon responded that makes sense, because she saw public versus private, and did not understand what that meant. Mr. Gangi responded the private members will have 24/7 access. There is an App-based key card entry system. They will get texted a code 15 minutes prior to the tee time and they can go to the studio, enter the code and go to their bay and play golf, no matter what time it is at night. It is going to be a very controlled low traffic access. The late-night use is going to be very predictable and minimal, as you can imagine. Chair Gannon asked if a lot of people play golf. Mr. Gangi responded yes, a lot of people play golf. He added that within this area there is Mahopac, Somers, and Yorktown and there are at least seven golf courses. Chair Gannon responded in the middle of the night, though. Mr. Gangi responded no you are not going to have many people playing. That could be for nurses who are doing 12-hour shifts after the day shift who may want to swing some clubs. You also have the Police and Fire Department or people in construction who can't get out during the day, and they want to come in for an hour or two to work on their golf game or just to let off some steam. So, they will have a facility where they can do that. He noted the late-night use will be very minimal. He also stated that Town services will be minimal as well. Mr. Gangi shared that Back Nine is a franchise. It is across the country and there are hundreds open already, and they have had virtually no police calls or fire calls or anything like that. He indicated that approximately 97% of the bookings are going to be from 5 a.m. to 10 p.m. and that just a little over 1% are going to be in the middle of the night. So, it will not be a nuisance in the community as it is just an occasional person in there in the middle of the night, just trying to get their swings in, because it works around their schedule. As far as traffic and parking, Mr. Gangi did not foresee more than 25 people being in there at most at a single time. He noted the section of the parking lot that they would be using at the Somers Commons in Baldwin Place has over 60 parking spots, so he did not see that being an issue. They only average 1.5 reservations per bay which would be like 7 to 10 people at any one particular time as well. He added they would rarely get any numbers higher than that. Mr. Gangi stated it is going to be soundproof, so there won't be any noise going to the neighboring stores. They are going to be utilizing a technology called Full Swing. Those who golf probably have seen Tomorrow's Golf League (TGL) on TV on ESPN. This is the same technology that is used by TGL, and it is backed by such people as Tiger Woods, Jason Day, some of the most prominent golfers that have ever played the game - so they are using it when they go out and practice before their rounds. You will see Dustin Johnson had the Full Swing kit outside as he's hitting balls on the driving range for a tournament. So, the technology is going to be good. It is not just going to be for golf training, but it's also going to be used for recreational purposes. Obviously, a lot of people want to try and get into indoor golf - children, schools and whatnot. So, they want to try and keep those things local and make it entertaining for them and give people a place to go where they can experience golf without having to go to a golf course where they can feel more comfortable. He indicated he knows a lot of ladies who are afraid to go try golf because they think it is a boy's club and they don't feel comfortable going out there and swinging a golf club because they've never done it before. This could actually give a lot of people an opportunity to try golf indoors before playing outdoors. Mr. Gangi noted they also want to promote some youth leagues, adult leagues, tournaments, and nationwide tournaments that go on with the Back Nine as well as other stores throughout the country. They also want to do some charitable events, like golf outings and whatnot. He added they are dedicated to giving a

discount to Senior Citizens, First Responders and Veterans. Mr. Gangi noted as stated earlier, with the 24/7 it is going to be secure access, cameras constant 24/7 indoors. They will be able to monitor everything and will get alerts on his phone and computer. Everything will be under surveillance. You never know, God forbid, if anything does happen, they can have it documented. He then reiterated that historically there has been virtually no public need for the Police or Fire Departments. He stated to sum it up, it is just an average indoor golf facility that is really in tune for golfers. They are going to have an entertainment value as well, for people, so they can experience the sport that he personally loves. They are looking for a zoning that is more of a fitness center than recreation and amusement. They are not going to have a bar and that type of thing. They will have candy, chips, water and soft drinks and stuff like that- but that is about the extent of it. They are not going to be serving food or anything like that. Mr. Gangi concluded and said that is it, that was his spiel and thanked the Board for having him and asked if there were any questions.

Chair Gannon stated that was the first time the Planning Board has had a slide show and it was very nice. Mr. Gangi responded all about the tech. Consulting Town Planner, Mr. David Smith stated he had no comments other than the only reason that this application is before the Planning Board is because it is Change of Use, and the code requires a Change of Use to come back for a Site Plan. So, it is really memorializing the change that the Applicant was proposing. He added with respect to parking; this is part of an existing commercial facility. As you may recall, we had a similar application with Hudson Billiards, same type of issue. There are peaks and flows of that facility. He stated he is quite confident that there is more than enough parking to service this facility, along with the balance of the other uses in there, and he thought there was a representative from Regency Centers here. So, he is sure if you asked, they would confirm that there is plenty of parking for this type of use, along with everything else. Ms. Christy Hooper, Manager of Tenant Coordination came up to the podium and introduced herself. She indicated that Somers Commons is in her portfolio and that they have done parking studies and they have plenty of parking. She added that they actually give parking away to Granger for them to park tractors and things like that in as well. So, plenty to offer. Mr. Jack Mattes asked Ms. Hooper to speak into the microphone. Ms. Hooper responded absolutely and reiterated that they have plenty of parking. Chair Gannon responded okay, thank you and then asked Consulting Town Engineer, Mr. Steve Robbins if he had any questions and/or comments. Mr. Robbins responded no comments. Chair Gannon then asked the Board if they had any questions and/or comments. Mr. Christopher Zaberto asked knowing some other sports that utilize simulators, if at the Back Nine you would be able to choose a course to play. Mr. Gangi responded multiple- hundreds and hundreds of courses. Plus the TGL courses that you see on TV – we are the only facility that will be able to do that. Mr. Zaberto then asked if it was all in real time, so to speak. Mr. Gangi responded exactly that is one of the benefits of the Full Swing technology. It is actually instantaneous. You will see what they call a tracker once the ball hits the screen. The tracker for Full Swing goes on immediately. There are two ion cameras that also track the ball, as well as the camera above - and that is from the initial hitting of the ball - so almost instantaneously you will see the ball on the screen, which is a lot better than a lot of the other technology around, including the other one named Trackman, which is one of the top ones as well. Mr. Zaberto then asked if you are you physically striking a ball. Mr. Gangi responded you are standing about 10 feet to 15 feet away from the screen, and you are hitting a ball into a screen, which is also backed by your net. Mr. Zaberto responded and asked if to the best of Mr. Gangi's knowledge if any of the Back Nine franchises serve alcohol and food. Mr. Gangi responded food no, but there are some that serve alcohol, but it would only be during public tee times not in the middle of night, when there's only members there. He added that none are in the state of New York. Mr. Zaberto asked if there is intent to apply for a liquor license. Mr. Gangi responded as of right now, no, he wants to get open. But he would consider applying for a liquor license in the future. But again, it would only be for canned

beer, wine, canned cocktails - not a full- service bar. He added when people golf, they like to have a cocktail or two and it would only be during the hours when someone legally able to serve is there. Mr. Zaberto asked if they would you have staff there that could ensure the safety of people who are hitting golf balls, because it is like 24/7 is it remote. Mr. Gangi responded each bay is basically a solo bay, so the walls will extend out past the hitting area. So, it would be virtually impossible for anybody to get hit with a golf ball. They would have to be standing inside the bay with the person. Mr. Zaberto responded so no staff. Mr. Gangi responded not during 24/7, but public tee time hours, yes, there would be staffing to keep things under control. Mr. Anthony Sutton asked Mr. Gangi if there is feedback for the participants that tell them about their swing. Mr. Gangi responded there is a lot they are still working on in terms of more improvements. But, as soon as you hit the ball, it is going to show you the path as well as the club face angle - dead center of the screen. So, you will be able to get instant feedback as far as what happened, the ball went right and it kind of curved. With the tracer you will see the club come down in slow motion and you will see that the club face might be turned and caused that rotation. Plus, it is going to have your launch angle, your club head speed, your ball speed, all these different types of data. Too much data as far as he was concerned. He noted it may be good for the High School; they would use it more than anybody else. They were also eventually going to get pressure plates for your feet, so you can actually see where your feet are in relation to the golf swing. The technology is going to just keep getting better and Full Swing is one of the top ones out there. Mr. Sutton asked how many storefronts were actually being combined. Mr. Gangi responded two storefronts. It will be a five-bay facility. He added he was only getting four machines in the beginning to get up and running because they are quite expensive. Once things get rolling, he will get the fifth bay going as soon as membership warrants it. Mr. Rick Bohlander asked if club rentals are provided or if you have to bring your own clubs. Mr. Gangi responded you bring your own clubs, but he will have clubs there. He indicated he is not going to charge people to use his clubs if they do not have any of their own. He wants to get them involved in golf and does not want to start nickel and diming them for silly things like that. He wants them in there using the clubs and not buying clubs yet. Customers can keep using his until they get their swing going. He stated he wants to hire a PGA professional and work with him for lessons and whatnot and then eventually they can do a fitting for them and then get their own clubs. Mr. Damien DeSantis then stated that Mr. Zaberto mentioned the bar and that he knows that Mr. Gangi did not plan to get a liquor license and then asked about the members who come in after public hours and if they are able to bring liquor in. Mr. Gangi responded that from what he understands he has to get a liquor license for that Bring Your Own Beer (BYOB) type thing and so he definitely has to get a liquor license regardless, just so everything is insured, and everything else like that. Obviously, he will not be able to control that, but it is not going to be a place where people are sitting there drinking like crazy. Mr. Desantis responded no, he knows that, but he was just curious about that. Mr. Zaberto stated he was not familiar with the State Liquor Authority (SLA) Laws, but he would imagine that if you have access to alcohol, you should have staff available, and if it is not in the law, and he does not expect the Applicant know that, but if it's not in the law, he would think it should be - just some things to consider. Mr. Gangi responded as he stated earlier, if staff is not there, they will not be serving. Mr. Zaberto responded, oh, you will not and asked if there would be a vending machine that dispenses cans of beer. Mr. Gangi responded, no not at all, that would definitely be locked up. Chair Gannon then stated this is coming from a non-golfer. She said when you are hitting a golf ball, you are standing on the ground. She then asked what do you do to give a sense of other than absolute flat ground for someone who is playing the simulated golf. Mr. Gangi responded it is just flat. Chair Gannon responded so you are never in the rough. Mr. Gangi responded you are in the rough, and the simulator, the technology will penalize you for being in the rough, say 10% of your swing. So, suppose you could hit a ball 100 yards, normally with a certain club, you will only hit it 90 if you swing that same club, if you are hitting out of the rough

or the sand it will make the adjustment. Chair Gannon stated so there is nothing like in the floor to give the person hitting the sensation that they are downhill or uphill or something. Mr. Gangi responded no.

Chair Gannon advised Mr. Smith that the memo he provided the Board was very helpful, but she had one question regarding whether the Board needed to declare this to be a Type II Action under the State Environmental Quality Review Act (SEQRA). Mr. Smith responded, yes that should be done - essentially that is part of the process. Because the application itself, is so minor under the SEQRA laws this qualifies as a Type II Action. So, essentially, that means the Environmental Review was concluded and done. Chair Gannon then made a motion to find this application to be a Type II Action. Mr. Sutton seconded. All in favor. Motion passes. Chair Gannon then stated that we have the option of waiving the Site Plan, and in this instance, all of the construction activity is taking place within the envelope of the building. Nothing is taking place outside and pre-existing parking will be used. She then made a motion to waive the Site Plan requirements. Mr. Zaberto seconded. All in favor. Motion passes. Chair Gannon then stated similarly, given the nature of the application, we have the ability to waive the Public Hearing and the Site Walk. She then made a motion to waive the Public Hearing for this application. Mr. Paul Ciavardini seconded. All in favor. Motion passed. Chair Gannon then made a motion to waive the Site Walk for this application. Mr. Ciavardini seconded. All in favor. Motion passes. Chair Gannon then stated that she thought at this point what we can do, because it's a very straightforward application, is direct staff to prepare a confirmatory resolution of approval for this Site Plan for Chair's signature, so that the Applicant wouldn't have to come back. She then made a motion to the same. Mr. Mattes seconded. All in favor. Motion passes. Chair Gannon then advised the Applicant that when the resolution is ready, Planning Board Secretary, Ms. Nicole Montesano will reach out to her to arrange a time for review and signature. Once it is signed, she will follow up with you. The Applicant thanked the Board.

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

For the record Chair Vicky Gannon stated 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.

Ms. Sarah Coldwell, the owner of Honeybee Grove came to the podium and introduced herself. Ms. Coldwell stated the flower farm is located in your backyard. It is mostly seasonal. Their peak season is July through October. But they do have some things happening that start in March and go through December. They are primarily a cut your own flower farm, which means customers come in and they buy a jug and they cut their own flowers and bring them home. They also are trying to operate as a bit of a community space and host the Somers Farmers Market every Sunday from June until the end of October. In addition, there's a couple of other small events like floral arranging classes and that is kind of it. So, mostly it is a pick your own, cut your own flower farm. Chair Gannon asked what the basic hours of operations are. She indicated she drove by on a Sunday afternoon to just refresh her memory as to how it was and there was nobody there. Ms. Coldwell responded that their main season begins in mid-July. So right now, they are only open on Sundays from 9 a.m. to 2 p.m. for the farmers market, not for cutting. Once the flowers are in bloom in July, they will open Saturdays 9 a.m. to 4 p.m. and Sundays 9 a.m. to 2 p.m. She noted she was hoping she could pull off Thursdays and Fridays also, with times roughly being 9

or 10 a.m. to 4 or 6 p.m. depending on staffing. She concluded and stated that it is a sporadic seasonal, and you got to pay attention to her hours. Mr. Christopher Zaberto responded that we see that you have a website. Ms. Coldwell responded yes, we have a website. Mr. Anthony Sutton stated his only observation is that he knows when the Yoga Studio went in that there were complaints from the tenants that there was no parking available for the deli or the dry cleaners when yoga classes were in session. He indicated that he knows she made arrangements for people to park back here, at the Town House parking lot, and asked if there was a possibility of getting some signage to indicate that there's additional parking behind the townhouse. Ms. Coldwell responded yes, she actually printed those corrugated lawn signs that say additional parking located at the Elephant Hotel just for the times that she has events that she has gotten approved through the Town. So, during the farmers market and their spring and winter markets she puts those signs out for those days and then brings them in at night. In addition, it is also posted on her website in a few places, and every time she is posting on social media about the events that are coming up, she directs people to send overflow parking here. Mr. Zaberto responded and that does not happen arbitrarily - the Town is aware. Ms. Coldwell responded yes, it is only a handful of events, and the farmers market, obviously, is 21 weeks this season, and it is all Sundays. So, before any of the events happen or get advertised, she sends the approval through the Town Supervisor's office, and they have offered to send overflow parking to the Town. Chair Gannon advised Consulting Town Planner, Mr. David Smith that the memo he sent the Planning Board on this application was very useful. She then asked Mr. Smith if he had any particular questions or comments. Mr. Smith responded, no he thought Ms. Coldwell had done a very good job in explaining the operation. He noted he wanted to remind the Board and the public that because this is in the Business Historic Preservation District, there is a process where the Applicant needed to meet with the Technical Committee to discuss the proposed use, before it came before the Planning Board, and the notes in the memo reflect the conversation that we had at that meeting. He added that he thought if this Board is going to consider a resolution, that those notes be incorporated as part of the conditions, and if Chair Gannon would like, he could go over those, but he thought they were pretty self-explanatory. Chair Gannon responded that she agreed. She then asked if the Board had any other questions and/or comments. There were none. She then stated given the nature of the application, that she thought they could follow the same path as the previous application, with the exception that because there is a pending meeting coming - correct. Mr. Smith responded yes. As part of this application, once a formal Site Plan application has been submitted, there are formal referrals to the Town Board, the Architectural Review Board (ARB), Open Space Committee (OSC), and the Landmarks Committee. The Town Board at their meeting last week said they had no issues with this proposed application. So, we are just basically waiting for the OSC and the ARB. Mr. Smith stated his suggestion would be that you could do a resolution, subject to there being no comments that come in that would require any additional revisions to the plan or to the conditions that are being proposed as part of the Site Plan approval. Chair Gannon responded, or we can have a draft resolution prepared for review at the next meeting, and if nothing happens, the same thing. We would just kind of look at it, be like, okay, here it is. You will have seen it. If you had any questions, or concerns on the resolution you could communicate back to the office. Mr. Smith responded yes, he believed that would work. Chair Gannon stated we are going to go through very similar to what we did on the previous application. She then made a motion that given the nature of the application, that the Board waive the Site Plan requirements. Mr. Sutton seconded. All in favor. Motion passes. Chair Gannon then made a motion that the Board waive the Public Hearing. Mr. Paul Ciavardini seconded. All in favor. Motion passes. Chair Gannon then made motion to waive the Site Walk for this application. Mr. Zaberto seconded. All in favor. Motion passes. Mr. Smith apologized to Chair Gannon for interrupting and reminded her that also on the the last application, the Action under SEQRA was deemed a Type II and this is also a Type II. Chair Gannon then made a motion that the Board finds this to be a Type II Action. Mr. Sutton seconded. All in favor. Motion passes. Chair Gannon then made a motion that we ask staff to

prepare a resolution for review. Mr. Zaberto seconded. All in favor. Motion Passes. Chair Gannon stated because there are these other points of feedback to happen – the ARB and OSC, it is actually going to come back here, so instead of just her looking at it, we can come back here. The Applicant will have gotten a copy of it, and she does not think the Applicant needs to necessarily be here. We can look at it and vote on it at that time. We cannot take immediate action anyway because it is pending with other Committees. Mr. Sutton asked if we could make it contingent on there being no objection from the other Committees. Mr. Smith responded you could if you wanted to. Chair Gannon then asked if he wanted her to withdraw her motion. Planning Board Attorney, Mr. Michael Towey responded it really kind of works out either way. You may receive comments back, you may not. If you were to adopt the resolution now or have staff prepare a draft – either way. Chair Gannon stated let us stay with what we have. We will have staff prepare a draft. Mr. Zaberto stated and then we can make edits to it if need be. Chair Gannon responded right so the draft will be circulated. She then stated all right that we are done for now and then thanked the Applicant.

RESOLUTION DISCUSSION

5. 20 PUTNEY ROAD WETLAND AND WATERCOURSE PROTECTION AND STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL PERMITS

TM: 5.18-1-43

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

Chair Gannon stated we have a draft resolution for discussion. She then asked the Board if there were any comments on the resolution. There were none. She then asked staff what number we were up to in the realm of resolution numbers. Mr. Smith responded that 6 was the last number assigned so this would be 2026-7. Chair Gannon then made a motion to approve Resolution 2026-7, Granting Conditional Approval for Wetland and Watercourse Protection and Stormwater Management and Erosion Sediment Control Permits to James Lian (Owner)/Nejame & Sons of Danbury, LLC (Applicant), Tax Map 5.18-1-43. Mr. Anthony Sutton seconded. All in favor. Motion passes.

6. ROCKLEDGE CENTER SITE PLAN APPLICATION

247 ROUTE 100

TM: 28.10-1-6.1

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

Chair Gannon stated they are here to discuss the draft resolution and asked if anyone on the Board had any comments. There were none. She then asked Consulting Town Planner; Mr. David Smith, if he had any comments. Mr. Smith responded the only issue that is outstanding at this point is that the Bureau of Fire Prevention had issued a memo where they were looking to have the Applicant come in and meet with

them at their June 17, 2026, meeting. Based on his conversation with the Building Inspectors, there were some concerns with respect to the layout, and they wanted to understand the access and egress, and so they wanted to have an opportunity to review that before there was a formal approval by this Board, and then it was requested that the Applicant have a response to that memo. They did prepare a response, and they submitted it to the Town earlier this week. A letter from the Applicant's architect, Mr. Michael Piccirillo, PLLC was provided to this Board as part of the proceedings. Chair Gannon responded that was about the sprinklers and fire suppression water storage. Mr. Smith responded yes. Chair Gannon responded that she thought she agreed and the Board should wait and not take any action on the resolution at this time. She thought it could be discussed now and if there are any things that we need to change or correct, that could be ready for the next meeting, but to wait until that meeting happens, and then see what the outcome is of it. Mr. Christopher Zaberto asked before we go there if the Building Department has been able to respond to their response regarding the letter that they just received. Mr. Smith responded the Building Department just received the letter, so they have not had a chance to review it in detail, and that it would be part of the June 17, 2026, meeting with the Applicant and the Bureau of Fire Prevention. The Building Inspector sits on the Bureau of Fire Prevention, so that is why it is essentially one in the same. Mr. Zaberto responded yes, he thought the Board should wait. Chair Gannon responded they would table this and come back to it in July. She added she thought the Board is looking at a resolution where, absent feedback from that, nobody has any questions or issues with it, so she would anticipate it is going to be pretty straightforward to approve it. We are just waiting until we get through this meeting, and then we will deal with any comments or questions or things that come through from that. Consulting Town Engineer, Mr. Robbins responded and certainly, as there are some minor engineering comments open, the Applicant can address those and take that condition off. Chair Gannon responded absolutely. Mr. Robbins replied it is moving forward. Chair Gannon stated only the opportunity for progress to be made. Mr. Matthew Gironda P.E., from Bibbo Associates Engineering, P.C., came to the podium and introduced himself and responded certainly, they can take care of that. He added that Mr. Harrison Cook was also there with him. He stated just to clarify; he believed the outstanding comments to be discussed with the Bureau of Fire Prevention are really interior building related code compliance. He believed they have already confirmed that the tank is not required, which was really the main Site Plan related issue they were considering. He concluded and stated obviously the Board's decision, is a decision, and they are not going to challenge that, but he just wanted to clarify that the outstanding comments from the Bureau of Fire Prevention are really not Site Plan related, they are specific to the building itself. Chair Gannon replied okay, and that they will see them next month.

**7. NORTH EDGE REALTY CORPORATION
PRELIMINARY SUBDIVISION, SITE PLAN, STEEP SLOPE PROTECTION &
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 we have a draft resolution to discuss. She noted when last we met; we closed the Public Hearing but left it open for written comment. When adjusted for the holiday, it ended up being 13

days. She indicated that two written comments were received within that time frame. One from Mr. Stephen See and another from Mr. Ed Dowdall. Consulting Town Planner, Mr. David Smith confirmed those were the two Public Hearing comments that were submitted as part of the public written comment period. Chair Gannon then asked Mr. Smith if there was anything particular that he wanted to draw our attention to about the resolution. Mr. Smith advised that resolution that you have before you, has been shared with the Applicant and they have reviewed it and have a comment on page 10, which is on condition number one. He noted that he provided the Board with their proposal. In the Town of Somers Code, the distribution of the affordable dwelling units is essentially under the purview of your Board and the resolution initially proposed that prior to the issuance of the certificate of occupancy for the 40th unit, the Applicant was to construct all the affordable units. But it was noted that the affordable units are scattered throughout the development, so what they have proposed is not unreasonable, and it would allow for essentially at 40 units they would have to provide 4 affordable units, and that 55 units would be 6 affordable units. Essentially, they are at 10% increments of the project, they have to provide the required 10% of the affordable units. Mr. Smith stated his suggestion which he is comfortable with if she is -is that we would just amend the language to allow for the inclusion of the affordable units at the schedule that the Applicant has proposed. Which is at 40 units they would have to provide 4 affordable units. For 55 units, they would have to provide 6 affordable units, and then for 70 units, they would have to complete that and provide the 8 affordable units total for the project. Chair Gannon stated that she thought that sounded very reasonable to her. She then asked if there were any comments and/or questions from the Board. There were none. She then asked Consulting Town Engineer, Mr. Steve Robbins if he had any comments. Mr. Robbins stated his only question on that, because he does not remember the numbers in the breakdown how do those milestones coordinate with the proposed phasing plan. We obviously went through a pretty detailed phasing plan, primarily focused on erosion and sediment control, but it has buildout of units in different phases. So, he thinks, in principle, the phased approach to building out the affordable units makes complete sense, but he does not know, 40, 55 and then 70. He continued and stated 70 is obviously less than the full buildout, but do the others align. Mr. Jared Boniello responded they agreed with the turnover of the affordable units and he talked about it with Mr. Allen. Mr. Robbins asked if they had a phase that ends at 54. Chair Gannon then asked if their phasing conflicts with this timing. Mr. Allen responded that when they discussed the dispersion of the units, they took into account where they were relative to the various phases, so they are pretty comfortable in those numbers. Mr. Robbins responded okay. Mr. Anthony Sutton then asked Mr. Allen if all the issues were addressed from the May 27, 2026, letter from the New York City Department of Environmental Protection (DEP). Mr. Allen responded they have looked through it and are now beginning to address some of them. They are working on one major comment regarding the grading of the basins with Mr. Robbins and he thinks they can satisfy that. They are in discussion in house and if they need further assistance, they will reach out to the DEP and work on that - but that was certainly not a showstopper just something they have to address. Mr. Allen noted that essentially the basins will be the same size and the same cuts and fills most likely just reconfigured a little to lessen the berm on one side. Mr. Sutton then asked if these are just comments and suggestions and there is no enforcement power here. Mr. Allen responded no, the DEP has enforcement and they need their approval. They need to satisfy those, and it is a condition of the resolution that they cannot get the Plat signed and the Site Plan signed until such time we get that done. Mr. Smith responded, yes that is condition number four on page 8. Mr. Christopher Zaberto asked who will ensure that these conditions are met. Mr. Smith responded between Mr. Robbins and himself, before they come in to sign the Site Plan, there is going to be a checklist. We will let the Applicant and Mr. Allen know which conditions have and have not been satisfied. Mr. Zaberto stated that he agreed that some of the comments on it are extensive. Mr. Smith stated he understands their concern about the design, but it should also be noted that this Applicant went through an extensive review process with the Watershed Inspector General

(WIG), prior comments from the DEP, DEC, as well as Mr. Robbins, who's coordinated all that on behalf of the Town. Mr. Robbins responded and that review is done as part of the Environmental Review Process at the Town Board. Chair Gannon then asked if there were any other questions or comments. She then asked Mr. Robbins if his sort of catch-all is left on page 6 that the Applicant shall address all outstanding engineering comments necessary to resolve prior to issuance of Final Subdivision Plat, as referenced in Consulting Town Engineer's memorandum dated March 3, 2026 – correct. Mr. Robbins responded that it is addressed there and on page 7, item two, as well. And further on, there is a provision here about wastewater facilities as well, which become Town assets, page 6, item five. Chair Gannon responded yes. Mr. Robbins responded so once this resolution leaves the Board, as Mr. Zaberto and Mr. Smith were talking, there is still a significant amount of technical work that all occurs within the bounds of the resolution and within the bounds of the approvals granted by the Board. Chair Gannon stated she used to think that when we approved a resolution, someone was signing it right away, but there can be a significant amount of time while these details are worked out, so, it can take a while, and it's just a matter of getting everything complete, and the office is very thorough about it. Mr. Sutton asked just in summary, we put that question to bed about left hand turns on to Mahopac Avenue - it is not a requirement, no restriction. Mr. Smith responded there are no restrictions. In fact, we went back through and looked at the turning counts. It is de minimis the number coming from this, and also the Yorktown Assembly of God submitted a letter. Some of the parishioners may be coming from that direction, that is a pre-existing condition, so again, that is a reflection of the existing condition with that church. Mr. Sutton responded thank you. Chair Gannon stated that by her reckoning, this is going to be Resolution Number 2026-8. She then asked if there were any questions. There were none. Chair Gannon made a motion that the Board approve Resolution Number 2026-8 as amended Granting of Conditional Preliminary Subdivision Plat Approval, Conditional Site Plan, Stormwater Management and Erosion and Sediment Control Applications, Steep Slope Protection Permit, and Tree Removal Permit to North Edge Realty Corporation for the North Edge Realty Corporation Subdivision Site Plan. TM: 4.19-2-2,3 & 4. Mr. Zaberto seconded. All in favor. Motion passes. Mr. Boniello thanked the Board and stated they would get started on those conditions and hopefully they would see the Board in a few months, if not a year for a renewal.

Subsequent to the meeting a new Resolution Number was assigned, and Resolution 2026-9 was executed.

REFERRALS

8. REFERRAL BY THE SOMERS TOWN BOARD FOR INTENT TO ACT AS LEAD AGENCY FOR A ZONING TEXT AMENDMENT REGARDING PUBLISHING AND POSTING OF PROPOSED ZONING MAP AMENDMENTS, SITE PLAN AND SUBDIVISION

For the record Chair Vicky Gannon stated the Town Board has initiated a proposal to amend the Zoning Code of the Town of Somers related to the notice requirements for Zoning Map Amendments and the notice requirements for landlocked parcels subject to Site Plan and Subdivision.

The Town Board declared their intent to establish itself as Lead Agency with regard to this Proposed Action under the procedures and requirements of the State Environmental Quality Review Act (SEQRA) and Chapter 92 of the Somers Town Code.

Chair Gannon asked Consulting Town Planner, Mr. Dave Smith to provide a summary of what is going on. Mr. Smith responded the Town Board recently went through two Zoning Map Amendments, one of which was the recent North Edge Realty case. During the course of the North Edge application, members

of the public came out and asked how come there were not signs posted for the amendment process. It was brought to the public's attention, that there was nothing in the Code that requires the Town to post or have Applicants post on their property when a Zoning Map Amendment is occurring. So, in order to better include transparency as part of the process, the Town Board initiated the Zoning Text Amendments, and Planning Board Attorney, Mr. Michael Towey was the primary author of putting together the language, so that when Applicants come in and petition the Town for Zoning Map Amendments, the process would include the posting of a sign, so that the public along the traveled ways would be made aware, and then also there would be a mailing requirement for making sure that neighbors within, he believes 500-feet, and that is a standard that's already in the Code, are notified in writing that there is a proposed Map Amendment. So, this was intended to enhance transparency as part of the process for members of the public. Chair Gannon wanted to state that the Town did everything correctly on those applications and that this is just to improve what we are doing in response to public comments and concerns. Mr. Smith stated the Town followed all the New York State Law and Town Law requirements, as well as all the local requirements for noticing those Public Hearings. But again, because the public was not aware, or they conflated the Site Plan Subdivision process with the Zoning Map Amendment process. Here we just wanted to make the process clear, and now there is an opportunity for the public to be made aware that there are Zoning Map Amendments occurring within their neighborhood. In addition, this Board is still reviewing the Veolia application, and that application had a landlocked parcel, so we have included some additional amendments that would cover that particular application. It is rare that it occurs. It happened to occur recently. So, while we were at the same process of public noticing, we included that as part of the package that the Town Board is considering. So, what is before you, is essentially the Town Board, they have an automatic referral to your Board, but in addition, because of the SEQRA requirements, they have initiated a Notice of Intent to Act as Lead Agency (NOI). So, one of the actions that he would suggest is; he is sure this Board does not object to the Town Board assuming the role of Lead Agency, and then if you have any additional comments to pass along to the Town Board you could do that as well. Mr. Smith added the Town Board is looking to schedule a Public Hearing for their July 9, 2026, meeting. Chair Gannon asked if anybody had any comments and/or questions about the language in the proposal. Mr. Christopher Zaberto asked if that language is just mirroring the already pre-established or pre-existing language for Site Plan postings and notifications. Mr. Smith responded yes. Mr. Zaberto asked if it will have the same distances, same neighbors get notified and sign posting requirements. Mr. Smith responded we are mirroring that. For instance, we have included - the petitioners' post signs along the property line. Here we said at intervals of not more than 500-feet along the entire frontage of the property. He did not know if there is anything specific in the Site Plan Subdivision that gets to that, and that if the property is less than 500-feet in length, the minimum of two signs be posted. So, this was a little bit of an improvement. Mr. Zaberto responded that it sounds like it, only one is required for a Site Plan. Mr. Smith replied you are right, typically you have one sign for that size. Mr. Smith further stated if it is a bigger property and used IBM as an example, you would want to have multiple signs along the frontage. Chair Gannon stated unless anybody has any other questions, she suggests we make a motion to ask staff to prepare a memo to the Town Board stating that we have no objection to their being the Lead Agency on this. Mr. Anthony Sutton seconded. All in favor. Motion passes.

9. REIS PARK NOTICE OF INTENT TO ACT AS LEAD AGENCY AND PRELIMINARY SITE PLAN APPLICATION
80 ROUTE 139
TM: 27.16-2-2

For the record Chair Vicky Gannon stated the Somers Town Board has declared its intent to act as Lead Agency under the State Environmental Quality Review Act (SEQRA) as part of a coordinated review for proposed improvements to include: conversion of three existing tennis courts to six pickleball courts and a splash pad, construction of a new 600 s.f. comfort station, conversion of two existing grass athletic fields to turf fields, installation of new lighting park-wide, reconditioning of the existing basketball courts, installation of upgraded stormwater management system for proposed turf fields (the "Proposed Action"). The property is located at 1 Plum Brook Road.

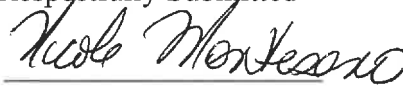
Chair Gannon then asked Consulting Town Planner, Mr. David Smith, to take the Board through what this is. Mr. Smith responded the Town has been in the process of getting the funding for these improvements to Reis Park. Because the Town Board is the agency that is helping to fund this particular application, they put out a Notice of Intent to Act (NOI) as Lead Agency. One of the criteria for being the Lead Agency, is you are a funding agency, even though this Board would ultimately approve the Site Plan. Mr. Smith stated he would get to that process in a minute. The Town Board is going through the formal process of doing the NOI that has been circulated to all the other interested and involved agencies. He noted that one of the Planning Board's decisions is whether you object to the Town Board acting as Lead Agency or not. He then stated he would make that recommendation back to the Town Board. He then stated that if the Planning Board has any questions on what is being proposed, they could certainly raise those now, but the Town Board is in process. Once they do the Lead Agency and get through that hurdle, they are preparing more detailed plans. They need to go through the Environmental Review, and they will make a determination ultimately on the Environmental Review, and then at some point that application will come back to the Planning Board for Site Plan approval and there may be wetlands approvals associated with that as well. So, this Board will eventually have this application, similar to what you had last year when the Town was considering improvements at Reis Park. The Town Board sent it here, you had a Public Hearing and then ultimately, they made a different decision about the improvements that were made. But here it is the same type of process. They are going to go through and conduct the Environmental Review, and then at the appropriate time, a Site Plan Application will be submitted for your Board's review. Chair Gannon then asked Consulting Town Engineer, Mr. Steve Robbins and Consulting Planning Board Attorney, Mr. Michael Towey, if they had any comments. Mr. Robbins responded no comments as it relates to the Environmental Review and the designation of the Lead Agency. Mr. Towey responded the same, no comments. Chair Gannon then asked the Board members if they had any comments and/or questions. Mr. Christopher Zaberto asked when the Town Board acts as Lead Agency and they conduct these Environmental Reviews who is helping them along the way – is it the Consulting Engineer. Mr. Smith responded yes, our office would be reviewing it, and he assumes that Mr. Robbins and his office may be reviewing it as well. In addition, the design team has hired Rich Williams from Insite Engineering, who you know and has been here before and worked on the prior Reis Park application. So, it is a very credible team that is preparing the documentation and going through the Environmental Review. In addition, we have reached out to SHPO, which is the State Historic Preservation Office, New York State Department of Environmental Conservation (DEC), New York City Department of Environmental Protection (DEP), and the New York State Department of Transportation (DOT). So, all of the other agencies that would be reviewing an application like that have been notified and included as part of the standard practice. Mr. Zaberto stated he had no objection. Chair Gannon asked if there were any other

comments and/or questions. There were none. Chair Gannon then made a motion to direct staff to draft a memo to the Town Board stating the Planning Board has no objection to the Town Board acting as Lead Agency on this application. Mr. Zaberto seconded. All in favor. Motion passes.

MEETING ADJOURNMENT

Chair Vicky Gannon made a motion at 8:42 p.m. to adjourn until the next Planning Board meeting which is scheduled for July 8, 2026. Mr. Jack Mattes seconded. All in favor. Motion passes.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "Nicole Montesano", written over a horizontal line.

Nicole Montesano,
Planning Board Secretary