

SOMERS CROSSING

307 NYS Route 100
Town of Somers,
Westchester County
New York
(Tax Map Sheet 17.15, Block 1, Lot 15.1)

Prepared for **Boniello Land & Realty, Ltd**
Goldens Bridge, New York

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I. EXECUTIVE SUMMARY

This Draft Environmental Impact Statement (DEIS) is submitted on behalf of Boniello Land & Realty, LTD (Applicant) in compliance with the State Environmental Quality Review Act (SEQRA) and in accordance with the requirements of the Town Board of the Town of Somers, the Lead Agency under SEQRA. This DEIS analyzes the potential impacts and proposed mitigation associated with a Proposed Action that includes (1) amendments to the Town of Somers Zoning Ordinance to create a new Multifamily Residence Downtown Hamlet (MFR-DH) Floating Zone District; (2) rezoning the subject site from R-40 and R-80 to MFR-DH; and (3) the approval of a preliminary development concept plan including a grocery store ($\pm 19,000$ sf) and an 80-unit multi-family residential community (the "Project").

A. Summary Description of the Proposed Action

1. Existing Conditions

The 26.68-acre Site consists of undeveloped, vacant land adjacent to an existing neighborhood shopping/hamlet center to the north and east (Towne Centre at Somers) and vacant land to the south and west. No buildings, facilities or improvements are located on the Site. The Site contains a man-made stormwater basin that was constructed to accommodate stormwater flows from the adjacent shopping center, and two existing test wells, drilled by previous owners (1986) for a previous application.

The Site is forested, as well as previously excavated/mined areas (portions of the Site were stripped of topsoil in the past). Natural site features and environmental constraints include wetlands, steep slopes, floodplains, stone walls, and treed areas. The Site is within the Somers Groundwater Protection Overlay District.

2. The Proposed Action

The proposed grocery store is proposed to be located in the northern portion of the Site, with direct access to NY Route 202. Access is proposed directly across from the existing entrance to the Heritage Hills planned community at the existing traffic signal, creating a new 4-way intersection on NY Route 202. This access to the grocery store from Heritage Hills would improve the traffic pattern in this vicinity. The grocery store would be approximately 19,000 square feet in size and is anticipated to be a locally-oriented grocery store/neighborhood market.

Parking for the grocery store is proposed adjacent to Route 202, on either side of the entry road. A total of 107 parking spaces are proposed for the grocery store. Loading for the store is proposed to the rear of the building.



The Proposed Action also includes the development of an 80-unit multifamily residential condominium community with private roads. The residential units would be 2-story townhomes and would contain a mix of 50 two-bedroom units and 30 three-bedroom units, all with 2-car garages. Visitor parking would be provided along the internal private roads.

The townhomes would be marketed to “empty nesters” wishing to downsize from their current homes. The project is not proposed to be age-restricted.

The project is proposed to be serviced by Heritage Hills water supply and Heritage Hills Wastewater Treatment Plant (WWTP). These utilities are adjacent to the site (to the north), and their service areas are proposed to be expanded to include the Site.

B. Summary of Significant Impacts and Proposed Mitigation Measures

This section briefly summarizes potential Project impacts, and required mitigation measures in each of the areas analyzed for the DEIS. Refer to Chapter III of this DEIS for a complete discussion of each of these potential impacts. Unless otherwise indicated, all opinions and conclusions stated below and in the other sections of this DEIS are the Applicant’s opinions and conclusions.

1. Land Use

The Site is currently comprised of undeveloped vacant land. Surrounding land uses include the adjacent Somers Towne Centre neighborhood shopping center, residential, office, public/quasi-public (including town hall), retail and vacant land.

Implementation of the proposed conceptual plan would change the land use on-site from vacant forested land to a residential community on the southern portion of the Site and a neighborhood grocery store on the northern portion. These uses are consistent with and complement the existing uses in the Somers hamlet. In the Applicant’s opinion, the Proposed Action is consistent with local and County planning objectives, although it will not contribute to the Town’s obligation to provide affordable housing. The Project will contribute multi-family housing and a grocery store to the hamlet, an appropriate location for both uses. It is the Applicant’s opinion that the addition of multi-family housing and a grocery store are positive benefits to land use in the hamlet, therefore, no mitigation is proposed.

2. Zoning

The Site is currently zoned in the R-40 and R-80 Districts, and is within the limits of the Somers Groundwater Protection Overlay District (GPOD). The R-40 district is located

along the Route 202 frontage of the Site, for a depth of approximately 200 feet. The remainder of the Site, including the entire Route 100 site frontage, is in the R-80 District.

Proposed zoning on the Site will be an amendment to the Town of Somers Zoning Code to adopt a new Multifamily Residence – Downtown Hamlet District (MFR-DH). With the proposed MFR-DH floating district applied, the Site would provide for a neighborhood grocery store, 80 multifamily residential units, and natural open space to compliment the Somers Hamlet area. The MFR-DH establishes a new floating zone that is, in the Applicant's opinion, appropriate specifically for the Somers hamlet with the inclusion of a retail component adjacent to existing retail. The proposed MFR-DH floating zone, however, does not include an affordable housing component (a difference from the MFR-H district) and all residential units are proposed to be market-rate condominiums, which will be designed to be appropriate for empty nesters and professional couples. The MFR-DH also includes the provisions for a neighborhood grocery store; another difference from the MFR-H, but considered by the applicant to be filling a community need in the hamlet.

The Applicant is seeking a waiver regarding two setbacks (reduction of 100-foot setback to 50 feet where adjacent to vacant lands south and west of the Site to facilitate less impact to steep slopes). Although not technically a waiver, the Applicant is proposing a payment in lieu of providing an active recreation facility on the Site due to site constraints. In the Applicant's opinion, the proposed MFR-DH floating district compliments the existing two MFR floating districts which do not permit retail uses. Significant impacts due to amendment of the zoning code and rezoning of the Site are not anticipated.

3. Topography and Slopes

The project layout is planned to avoid creation of steep slope areas, but it is unavoidable in some instances such as: roadway embankments, stormwater treatment area embankments and unit grading, etc. Approximately 16.1 acres of the Site is proposed to be disturbed. The proposed plan does not propose disturbance to any steep slopes as regulated by Somers.

Proposed site topography has been planned to discharge drainage flows matching the existing topography. The potential impact to topography and slopes, from soil erosion and sedimentation, is proposed to be mitigated by stabilization during construction, on-site stormwater practices, seeding/mulching, monitoring after storm events, and implementing the detailed Soil Erosion and Sediment Control Plan to be prepared in accordance with all applicable regulations, standards and guidance documents.

4. Soils and Geology

The Proposed Action is estimated to impact 16.1 acres (almost 60%) of the soils on-site. No hydric soils (wetlands) are proposed to be disturbed except for one temporary



disturbance of 0.01 acre for a utility line. No blasting is proposed.

Earthwork is anticipated to include 88,818 cubic yards (cy) of cut and 53,506 cy of fill, for an overall excess cut of 19,072 cy to be removed from the Site via truck over a 24-36 month construction period, divided into 4 phases. Proposed import fill is 6,740 cy. The silt layer that exists at the Site shall be removed under the building slabs, foundations and roadways. The remaining soils are adequate to carry building loads up to 4,000 lbs/SF soil bearing capacity.

The project site layout has been planned to minimize the total site disturbance. The majority of the site disturbance will occur in portions of the Site which have been previously disturbed by historic mining operations and/or agricultural use. The remaining site disturbance will occur in soils which are well suited to development. The primary mitigation measure proposed for potential impacts to soils is the implementation of an Erosion and Sediment Control Plan, with proposed measures including: installation of staked silt fence (double rows), drain inlet sediment filters, water breaks, temporary sediment traps, orange construction fencing to demarcate phases of construction and protect vegetation to remain, temporary stockpile areas (located away from wetlands and immediately stabilized with seed) and stabilized construction entrances.

5. Groundwater

The Applicant is proposing to connect the project to the Heritage Hills Water District. There is sufficient surplus water available from the District to meet the water demand requirements of the Proposed Action. The existing wells on the Site will be abandoned in accordance with all applicable laws and regulations after connection to the Heritage Hills Water District.

The runoff collected in the retention and infiltration basins will continue to recharge groundwater at the site, and it is likely that groundwater recharge following build-out of the site will be greater than the conservative recharge values provided in Chapter III.E, which means groundwater recharge will be maintained at a reasonably sustainable level.

In order to avoid, minimize or mitigate potential impacts resulting from the Proposed Action to the maximum extent practicable to groundwater resources (including drinking water) the following is proposed: water conservation techniques including low-flow toilets and shower heads and irrigation time restrictions, deed restrictions on proposed open space, best management practices during construction, safe, protected salt storage areas on the site that prevent spillage.



6. Surface Water and Stormwater Management

Two wetlands, Wetland A and Wetland C (both connected as parts of the same larger wetland), were identified on the Site. Brown Brook begins off-site, north of the Site. The main channel of Brown Brook does not flow through the Site, but enters into a large wetland system, of which a portion is located in the northern portion of the Site. The site layout has been planned to minimize impacts to existing surface water resources.

A preliminary Stormwater Pollution Prevention and Stormwater Management Plan (SWPPP) was prepared for the project by Bibbo Associates, LLP (dated April 23, 2014). Pre- and post-development rates of stormwater runoff have been computed for comparison for the 1, 2, 10, 25, 50 and 100 year storm events using Type III, 24-hour rainfall events.

Stormwater peak runoff rates following development will not exceed those in the existing condition. As proposed, stormwater runoff rates following development would have no adverse impacts on downstream properties or stormwater conveying systems. Similarly, considering the nature of the existing site conditions and the level of stormwater treatment proposed in the post-development condition, it is predicted that this development will not represent a negative impact to stormwater quantity or degradation in the quality to any reservoir, stream, wetlands or watercourses. All surface water runoff from the proposed project will be captured and treated in accordance with the details provided in the SWPPP (Appendix E). Six stormwater treatment basins have been proposed, including four infiltration systems, one bioretention system, and one pocket wetland. No direct permanent impacts are proposed in any wetlands on site, and impacts to the 100-foot NYSDEC wetland adjacent area have been minimized to the maximum extent practicable.

7. Vegetation and Wildlife Habitats

The majority of the Site (21.40 acres) consists of successional southern hardwood forest, which is an upland vegetative community. Wetland communities are dominated by shallow emergent marsh (3.92 acres) and red maple swamp (1.15 acres). The Site also contains small areas of mowed lawn and a man-made stormwater basin. Red maple (*Acer rubrum*) and white ash (*Fraxinus americana*) trees dominate the overstory, along with the invasive species tree-of-heaven (*Ailanthus altissima*). The understory is dominated in many areas by Japanese barberry (*Berberis thunbergii*) shrubs and Japanese stilt-grass (*Microstegium vimineum*), both of which are also invasive, non-native species.

Approximately 60% of the vegetative communities on the Site will be altered by the proposed plan. The majority of the site development will take place in the Successional Southern Hardwood Forest community which typically occurs on sites that have been previously disturbed or cleared. The removal of approximately 16 acres of upland forest



will change the function of this ecosystem and alter the wildlife habitat by altering the vegetative community. However, this upland, forested habitat supports a much less diverse ecosystem than the wetland habitats on-site. There is no high-quality wildlife habitat in the uplands on the Site and none of this habitat is rare or unique or would support any selective species that would not already be relatively tolerant of human disturbance. Impacts to 40 percent of the Site (approximately 10 acres) have been avoided by the proposed plan layout. A detailed Landscape Plan will be prepared further along in the application process and will include native, non-invasive species in order to best represent natural wildlife habitat.

Tree removal is an unavoidable impact of the Proposed Action. Approximately 864 trees are estimated to be removed for the residential development area and 203 trees are estimated to be removed for the grocery store, for a total of 1,067 trees to be removed.

8. Fish, Shellfish, and Wildlife

The young forest and shallow emergent marsh that exist on the Site provide habitat for a variety of species of animals. However, the ability of the Site to support less disturbance-tolerant species that require large blocks of undisturbed forest is somewhat diminished by the surroundings that partially consist of roads, commercial buildings, and parking lots. All species that were documented on, or are anticipated to be present on, the Site are species that are common to central Westchester County.

Approximately 60% (16.1 acres) of the Site is within the proposed limit of disturbance line; approximately 16 wooded acres (about 75% of the forested acres on-site) are proposed to be permanently altered. Most species documented on the Site are not development sensitive and will likely relocate to nearby areas during construction; some may return after construction is completed. The likelihood of any rare, threatened, or endangered species to be present on-site is highly unlikely.

The wetlands and most of the wetland buffers will be preserved, thus protecting the most valuable habitat on the property. Within the landscaped areas, habitat will be provided by the proposed plantings. Habitat will be provided in the proposed tree, shrub, and grass plantings in the uplands, within the bioretention basin, and within the created pocket wetland. In addition, a wetland buffer mitigation plan has been prepared to enhance areas of the wetland buffer that are currently compromised by past site disturbance and the overgrowth of invasive species.

9. Wetlands

Two wetlands, Wetland A and Wetland C exist on the Site. In total, wetlands comprise 5.2 acres, or approximately 19.5% of the Site. Town-regulated 100-foot wetland buffers

comprise 6.0 acres, or approximately 22% of the Site. NYSDEC-regulated 100-foot adjacent areas comprise 4.6 acres, or approximately 17% of the Site.

In the south-central portion of the Site there is a depressional area (shallow basin) where hydric soils are present. The area of the ponded portion of the depressional basin, however, has an area of 3,230 square feet, which is below the minimum area of 5,000 square feet for a Town-regulated wetland.

The proposed impact to wetlands is 0.01 acre along the edge of the stormwater basin (Wetland C). This disturbance will be temporary, and the area will be restored to existing conditions after utility installation. Proposed impacts to the Town-regulated 100-foot wetlands buffer total 1.1 acres. Of this total, 0.27 acres is in association with the grocery store; the remaining 0.83 acres is in association with grading for stormwater treatment systems and a parking lot, and drainage and utilities installation. Approximately 80% of the Town wetland buffer, and 85% of the NYSDEC adjacent area, will remain undisturbed. Therefore, the functions that are provided by the wetlands will not be significantly impacted by the proposed project.

Plantings in the stormwater treatment areas (bioretention area, infiltration basins, and pocket wetland) will be native and will perform the functions of plants in natural wetland areas. Upland plants will also be native and will improve on-site infiltration and water uptake. Trees will provide shade to cool impervious surfaces and reduce the temperature of surface water runoff. Impacts to the Brown Brook watershed will be negligible due to the size of the watershed compared to the Site, along with the proposed mitigation features (stormwater treatment systems).

10. Transportation

The Site is currently vacant and does not contain vehicular access. Access to the residential development is proposed via a new unsignalized driveway connection to NYS Route 100 and access to the grocery store is proposed opposite Heritage Hills Drive at a new signalized intersection on US Route 202, improving the circulation to the shopping center in that vicinity. The proposed development will be served by various area and local roadways including US Route 202, NYS Route 100, NYS Route 138, and NYS Route 116.

It is estimated that the proposed residential development and grocery store will generate 39 “new” entering vehicles and 53 “new” exiting vehicles during the Weekday Peak AM Hour, 121 “new” entering and 100 “new” exiting vehicles during the Weekday Peak PM Hour, and 105 “new” entering and 97 “new” exiting vehicles during the Saturday Peak Hour (after “pass-by” trips are accounted for). A SYNCHRO Analysis was completed for each of the Peak Hours in order to determine existing and future traffic operating conditions at the study area intersections.



With the completion of the recommended signal timing improvements, as well as the alignment of the proposed site access opposite the existing Heritage Hills driveway with restriping to develop a separate westbound left turn lane for entering traffic, the traffic generated by the project can be accommodated on the roadway system in the vicinity of the Site, and no other road improvements are proposed for mitigation.

No significant impacts to bus or train systems, bicyclists or pedestrians are anticipated, so no mitigation is proposed. A pathway through the open space is proposed to create a new pedestrian connection through the Site from Route 202 to Route 100. A pathway connection is also proposed from the residential community to the parking lot of the adjacent Towne Centre.

11. Demographics

In 2010 the Town of Somers had a total population of 20,434 people, according to the 2010 US Census. The 80 proposed residential units could generate approximately 241 individuals, using the standard multipliers for two- and three-bedroom condominiums. This would represent a 1.2% increase in the Town's 2010 population of 20,434. A potential town-wide population increase of 1.2% is not considered to be a significant adverse impact, therefore no mitigation measures are proposed for demographics.

12. Community Services

a) Schools

The Somers Central School District (SCSD) consists of four schools providing education to Kindergarten through Grade 12 with 3,317 students. Utilizing standard multipliers, the Proposed Action is projected to generate approximately 37 public school children. Although this represents a 1.1% increase in current enrollment, enrollments in the school district are anticipated to decrease over the next five years. The potential impact of 37 new school children into the school district is not considered significant, so no mitigation is proposed. Using a methodology based on the portion of the school budget for student instruction, transportation and employee benefits and subtracting the portion from state aid, compared to the calculated tax revenue to be generated, the project is estimated to generate over \$1,597 annually in surplus taxes. The Applicant will work with the school district to provide a school bus stop within the private road system for pickup of school children in the Project.



b) Emergency Services

The Site is served by the Somers Town Police Department, which is a part-time force, and by the New York State Police. Emergency fire and medical services are provided by the Somers Volunteer Fire Department.

The addition of 80 new multi-family residential units would likely bring approximately 241 residents to the Site. If all of those residents were new to Somers, the population of the Town would increase approximately 1.2%. This increase would likely result in a proportionate increase in demand for police, fire and emergency medical services, which would not be significant. The addition of a new grocery store would also likely generate some additional demand for emergency services.

Emergency service providers would access the residential units via the proposed driveway from Route 100. Access to the new grocery store would be from the new access road off Route 202. Site access, as well as water supply and pressure would be adequate for emergency service purposes.

It is anticipated that tax revenue generated by the project would offset costs of additional emergency services.

c) Solid Waste

Solid waste will be collected and disposed of by private carters. No Town services or facilities will be required for solid waste disposal. The proposed residences and grocery store will follow all applicable regulations regarding recycling. Adverse impacts due to solid waste are not anticipated.

13. Open Space and Recreation

Parks and recreation areas within 0.5 mile walking distance of the Site include: Bailey Park, Firemen's Field and portions of the Heritage Hills golf course (which is open to the public with a membership). The Town owns 825 acres of land in six public parks.

The proposed residential units are anticipated to generate up to 241 residents, an increase by approximately 1.2%, which is not considered significant in creating demand for open space and recreation. Approximately 10.58 acres of the Site will be preserved as natural open space, although a pervious walking trail will be installed to provide a link from Route 202 to Route 100. The recreation fee collected by the Town from the Applicant is estimated to be \$695,750 for 80 units.



14. Utilities

The proposed townhouses and grocery store are proposed to be served by sanitary sewer collection and water distribution systems which will be connected to the Heritage Hills Sewage Works Corporation and Heritage Hills Water Works Corporation. The sewer and water service areas will be extended on the site to accommodate the project. The average water demand for the project is estimated to be 37,437 gallons per day (including residential, grocery store and irrigation water usage). According to Heritage Hills Water District, they have the ability to meet the combined water demands of all potential and proposed uses. The water connection pipe between the Site and the Heritage Hills Water system will be designed for delivery of 1,200 gpm.

The Heritage Hills wastewater treatment plant (WWTP) is permitted to a capacity of 702,000 gpd by NYSDEC. Heritage Hills is contractually committed to provide sewage capacity for the Somers School District (13,000 gpd) and the Merritt Park project (6,000 gpd). This analysis concludes that there would be remaining excess capacity of 394,760 gpd available after construction of the proposed project.

15. Fiscal

The Site currently generates \$31,349 in property taxes. The Proposed Action, however, is expected to generate a total of approximately \$716,365 (\$611,864 from residential use and \$104,500 from grocery store) in annual property taxes, distributed among the various taxing entities. This includes approximately \$548,161 to be generated for the Somers Central School District. The grocery store would also generate approximately \$300,000 (\$25,000 per month) in sales tax and would employ approximately 25 people per shift for three shifts. It is anticipated that the Proposed Action would result in a net positive impact for the taxing districts, including the Somers Central School District. Using a methodology based on the portion of the school budget for student instruction, transportation and employee benefits and subtracting the portion from state aid, compared to the calculated tax revenues to be generated, the estimated tax surplus from the project for the School District is approximately \$1,597 per year. Therefore, it is not anticipated that the Project would result in any significant adverse impacts to the taxing districts (a positive impact is anticipated) and no mitigation is required.

16. Visual Resources and Community Character

All existing views of the Site, including views from Route 202 and Route 100, are views of vacant woodlands.

The Proposed Action will change the visual character of the Site from completely wooded to partially developed. The proposed structures would be partially visible post-construction, especially in the "leaf off" condition during the winter months. Some of the



residential structures would be partially visible from Route 100, but the grocery store would not. Similarly, the grocery store would be visible from Route 202, but the residential community would not.

Mitigation measures to reduce anticipated impacts to visual resources and community character include landscaped buffer areas between the development and adjacent roadways and architecture that is intended to conform to the general character of the Somers hamlet. Further, the residential units are substantially lower in elevation than Route 100, thereby reducing visual impacts as viewed from the roadway. No significant impacts are anticipated from the proposed site lighting.

17. Historic Resources

The Site is located adjacent to the Somers Hamlet Historic District (SHHD), which includes St. Luke's Church and rectory, the Elephant Hotel (Somers Townhouse) and the Old Bet statue (among others).

Neither the proposed residences nor the proposed grocery store will impact upon historic properties/districts in the vicinity or properties that are eligible for listing on the National Register. Current design plans avoid visual and contextual impact of the proposed residential complex on the pastoral Route 100 corridor entrance into the SHHD's southeast corner. The proposed, low-rise neighborhood grocery store, fronting on a commercial strip along Route 202, is the only new building that will be within immediate public view from any local street. It is not anticipated that the store will impact either the visual or historical context of the SHHD or the individual historic sites, including the Elephant Hotel.

18. Archeological Resources

The lack of documented historical development in the Area of Potential Effect (APE) and the lack of intact archaeological deposits recovered through systematic field investigations indicate that no additional archaeological consideration is warranted for the entire APE. Documentary research found that the Site was not potentially sensitive for historical cultural resources. This conclusion was confirmed through the completion of shovel tests, only a few of which produced modern artifacts.

Since the cultural resource reports done previously for the Site (1995 and 2010) recommend no further archeological investigations, and the NYSOPRHP determined that archeological issues had been addressed in 2010, no mitigation is necessary. This has been reviewed and verified relative to the Proposed Action.



19. Air Quality

Studies of potential impacts to air quality and greenhouse gas emissions conclude that the proposed Project would have no long term significant impacts. Temporary, short term, construction-related impacts are identified and would be mitigated through a variety of best management practices. The air quality study demonstrates that the proposed Somers Crossing conforms to the Clean Air Act Amendments.

20. Climate Change/Greenhouse Gases/Energy

The proposed project will not result in adverse air quality impacts. The greenhouse gas analysis, using the Town of Somers spreadsheet program titled "Development GHG Evaluator" demonstrated that the proposed project would result in insignificant increases in CO₂ emissions. There are no short or long term air quality impacts anticipated from the proposed project.

The Applicant is intending to provide many energy efficient features that will help to reduce energy use in the long term and short term. The proposed structures will include building principles and "green technology" with an emphasis on energy efficiency to the extent feasible. The proposed residences would be designed to meet or exceed the New York State Energy Conservation Construction Code which requires the use of energy efficient products in all new and renovated construction, including LED lights and low-flow plumbing fixtures. The Applicant is currently proposing geothermal technologies for heating and cooling for residential and grocery store uses at the Site.

21. Noise

The new uses proposed on the Site will not generate significant new noise sources. The new residences on the Site will be constructed to attenuate exterior noise levels in accordance with the New York State Building Code. The proposed grocery store is anticipated to generate ambient noise similar to that at the existing shopping center. Even though this will be a change from the existing conditions, it is not anticipated to be a significant adverse impact. Construction noise impacts will be temporary, and will be tempered by compliance with the local noise ordinance, as well as best management practices used during construction.

22. Odor

There are no significant odor sources or emissions nearby. The only odor sources at the Site could be the solid waste storage areas. Solid waste at the grocery store and residential community would be properly collected, sealed and stored. No impacts from odor are anticipated, therefore, no mitigation is proposed.



C. Summary of Alternatives

1. Alternative A: No Action

The No Action alternative describes the scenario whereby the Site would remain in its existing condition, with no site improvements and no site development of any kind. With this alternative, none of the negative, or positive, impacts of the proposed development would occur and the Site would remain as vacant land. The No Action alternative is not financially feasible for the Applicant.

2. Alternative B1: Development with Existing Zoning

This alternative reflects a conventional layout for a single family lot subdivision on the Site, in full compliance with existing zoning (portions of the site are in both R80 and R40 districts), including required deductions for regulated "environmentally sensitive lands."

This alternative plan includes a total of 10 lots, all with individual wells and septic systems. Three lots would front on Route 202, one lot on Route 100, and the remaining 6 lots would be served by a ±700 foot long cul de sac roadway intersecting with Route 100.

The development of single family homes with individual wells and septic fields on this site, adjacent to existing neighborhood shopping, within the Somers hamlet, does not meet the Town's planning objectives of placing denser housing in the hamlet centers, utilizing central water and sewer service where available, or encouraging varied unit types (such as multifamily) in Somers. This alternative also does not provide a new grocery store for the hamlet. Further, this alternative does not meet the objectives of the Applicant.

3. Alternative B2: Creation of a New Non-Floating Mixed Use Downtown Hamlet District

Creation of a new non-floating mixed use district could have been requested, but the Applicant pursued the MFR-DH in an effort to replicate as many of the standards in the existing MFR districts as possible, which have already been adopted as part of the Town Code, and have been applied elsewhere in the Town. The difference in this proposed MFR-DH district is that it makes it possible for the Town to permit a local grocery as a benefit to the community.

4. Alternative B3: Affordable Housing in MFR-DH

If the standards for affordable housing in the MFR-BP district were applied to the MFR-DH district, then approximately 12 additional units (15% of total 80 market rate) would be affordable (8 two-bedroom units and 4 three-bedroom units) and 80 units would be market rate (50 two-bedroom units and 30 three-bedroom units), for a total of 92 residential units. Given the addition of the 12 affordable units, the project would not



change significantly in terms of physical site impacts since the layout of the plan would be similar to the Proposed Action. Impervious area and tree removal would be slightly higher, and open space would remain the same. Impacts to traffic, population and school children would be slightly higher. Fiscal benefits would be slightly more with the inclusion of the 12 affordable units. The grocery store remains the same in this alternative.

5. Alternative B4: Affordable Housing Based on Existing Regulations (Applying MFR-H to Site)

In the plan applying the MFR-H District zoning to the Site, the land adjacent to Route 202 where the grocery store is proposed in the Proposed Action would contain residential units, and a grocery store would not be included since this use is not permitted in MFR-H. This plan shows 109 multifamily condominium units (85 market rate 2-bedroom units and 24 affordable 2-bedroom units), with the 24 affordable units located on the northern portion of the Site adjacent to Route 202.

Without a grocery store on the plan, trip generation, water demand and sewage generation would all be less than the Proposed Action. The units in this alternative are smaller and would therefore generate less in taxes. Impervious surface, land disturbance and tree removal would be approximately the same (as the Proposed Action) with this layout, however, there would be greater impacts to wetland buffers.

This plan meets the Town's planning objectives for the Somers hamlet by providing varied residential units and utilizing available central sewer and water. However, it does not provide additional retail and employment opportunities in the form of a local grocery store for the community.

6. Alternative C1: Grocery Store with Minimum Setback and Parking in Rear

This alternative plan is different from the Proposed Action only at the north end of the Site, with the grocery store set at the street/sidewalk (Route 202) and parking in the rear. The entry/exit to the grocery store is at the same location on Route 202 as the Proposed Action, with a split accessway set at the traffic signal, directly opposite the Heritage Hills entry. Compared to the Proposed Action, this alternative would have slightly more impervious surface, about the same clearing required, and about the same tree removal. Trip generation, tax revenues, site population, water demand and sewage generation would all be the same as the Proposed Action. Visually, this alternative is different from the Proposed Action because the grocery store would be located directly on Route 202, rather than set back from the street. Views to this portion of the Site would be of the front façade of the grocery store and the adjacent parking lot rather than just parking lots along Route 202. In either scenario, the parking lots will be screened with landscaping. Having the grocery store located on the roadway is more characteristic of the hamlet



setting and would further emphasize this portion of Route 202 as an entry into the hamlet.

7. Alternative C2: Clustering of Groups of Residential Units in New Urbanist Pattern

With a “new urbanist” layout pattern, the loop road would be in the same location as the Proposed Action, but the units would be closer to the road, and sidewalks added, so they could have smaller front yards, front porches, and no driveways or garages along the streetscape and a more walkable community. However, to accommodate the garages and circulation for cars, alley ways are provided to access the rear of the townhomes. With this layout the physical impacts (including disturbance area and impervious surfaces) would be greater than with the Proposed Action. The loop road circulation pattern, as in the Proposed Action, is a more efficient way to layout the townhomes, with less physical impact to the Site.

8. Alternative C3: Additional Buffering Along Route 100

This alternative includes the same elements as the Proposed Action but provides additional buffering between the proposed residential development and Route 100. This additional buffer area would be planted, as with the Proposed Action, but with additional variety of evergreen and deciduous shrubs and trees along the cut slope in this location, in order to lessen the potential visual impacts along Route 100. The proposed development is set back over 75 feet from Route 100, and the buildings are set well below the existing grade of Route 100.

9. Alternative C4: Reduced Length of Loop Road for Multifamily Residential

This plan differs from the Proposed Action only in the residential portion of the Site which would be altered to reduce the amount of internal roadways. This plan contains three cul-de-sacs rather than a loop road to serve the residential population. Compared to the Proposed Action, this alternative would have slightly less impervious surface, clearing and tree removal than the Proposed Action. Wetland buffer impacts, tax revenues, site population, trip generation, water demand and sewage generation would be the same as the Proposed Action. A road system with three cul-de-sacs, rather than a loop road, however, could make access for emergency vehicles more difficult.

10. Alternative D: Proposed Project with Fewer than 80 Residential Units, with Grocery Store

This plan includes 72 units on the southern portion of the Site with the same grocery store plan at the north end of the Site. Impacts from the residential units would be less in many respects including site population, school children, trip generation and site clearing, due



to the decrease in overall units. Impacts to stormwater would not be significantly different. Tax revenue generated from the project would be less than the Proposed Action.

11. Alternative E: Alternative Area of Applicability for New MFR-DH Floating District

Two alternative areas for the MFR-DH floating district are reviewed:

- *700-foot width along Route 100 and Along Route 100, to a distance 2,500 feet away from the intersection.* Instead of a radius, this alternative area may include lands with frontage on Route 202 or Route 100, for a depth of about 700 feet for a distance of 2,500 feet from the same intersection. This area of applicability may be more relevant than a radius, since the 2,500-foot radius includes many land areas that do not have frontage on the major streets.
- *Areas in the hamlet within the B-HP and NS districts only.* Utilizing this area of applicability would include all of the business and commercial zoned parcels in the hamlet, allowing for mixed uses including some residential. Using this area of applicability would eliminate parcels not likely to use the overlay including the OB-100 (Office-business/IBM campus) or DRD (Designed Residential District/Heritage Hills).

12. Alternative F: Evaluation of Use of Existing Shopping Center Entrance/Exit

The Scoping document requires the DEIS to evaluate use of the existing entrance/exit to the shopping center as well as integrating traffic movements between the shopping center and the Somers Crossing Site. There are three potential connections to the shopping center: a connection between the grocery store; a connection between the residential development; and a connection to both the grocery store and residential community. The benefit of all three connections would be a reduction of traffic on the adjacent driveways.

13. Alternative G: Alternative Site Hydrology Analysis

See SWPPP in Appendix E for an alternative drainage analysis considering precipitation data for the Site established by the Northeast Regional Climate Center (NRCC).

A detailed comparison between the Alternatives and the Project is presented on Table I-1 (a duplicate of this table is also included in Chapter IV, Alternatives).



**Table I-1
Comparative Table of Project Alternatives**

	Proposed Action	No Action	Alt. B1. Existing Zoning	Alt. B3. MFR-DH with Affordable Housing	Alt. B4. Applying MFR-H to Site (No Grocery)	Alt. C1. Grocery Store Along Street, Rear Parking	Alt. C2. Residential in New Urbanist Pattern¹	Alt. C3. Additional Buffer Along Route 100	Alt. C4. Reduce Length of Loop Road	Alt. D. MF Residential With Fewer than 80 Units and Grocery
DEIS Exhibit #	II-5	II-2	IV-1	IV-2	IV-3	IV-4	IV-5	IV-6	IV-7	IV-8
Residential Units										
• Market Rate	80	0	10	80	85	80	80	80	80	72
• Affordable	<u>0</u>	0	<u>0</u>	<u>12</u>	<u>24</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	80	0	10	92	109	80	80	80	80	72
Grocery Store/ parking	19,000 sf (107 spaces)	None	None	19,000 sf (107 spaces)	None	19,000 sf (124 spaces)	19,000 sf (107 spaces)	19,000 sf (107 spaces)	19,000 sf (107 spaces)	19,000 sf (107 spaces)
Open Space (acres)	10.58 acres (40% of site)	26.68 acres (100% of site)	0 (0% of site)	10.47 acres (40% of site)	10.38 acres (39% of site)	10.88 acres (41% of site)	(less than prop. action)	10.58 acres (40% of site)	10.47 acres (40% of site)	10.58 acres (40% of site)
Area of Disturbance (acres)	16.1 acres	0 acres	8.4 acres	16.22 acres	16.21 acres	15.8 acres	(more than prop. action)	16.1 acres	16.21 acres	16.0 acres
Impervious Area (acres)	7.28 acres	0 acres	1.8 acres	7.82 acres	7.43 acres	7.52 acres	(more than prop. action)	7.28 acres	7.24 acres	7.05 acres
Wetland Disturbance (acre)	.01 acre (temporary)	0 acres	0	.01 acre (temporary)	.01 acre (temporary)	.01 acre (temporary)	.01 acre (temporary)	.01 acre (temporary)	.01 acre (temporary)	.01 acre (temporary)
Wetland Buffer Disturbance (acres)	1.1 acres	0 acres	0	1.2 acres	1.4 acres	1.2 acres	(Same as prop. action)	1.1 acres	1.1 acres	1.2 acres
Trip Generation ³										
• AM Peak	AM-92	None	AM-14	AM-99	AM-59	AM-92	AM-92	AM-92	AM-92	AM-88
• PM Peak	PM-221		PM-12	PM-228	PM-69	PM-221	PM-221	PM-221	PM-221	PM-215
• Saturday Peak	Sat-202		Sat-14	Sat-210	Sat-71	Sat-202	Sat-202	Sat-202	Sat-202	Sat-197



	Proposed Action	No Action	Alt. B1. Existing Zoning	Alt. B3. MFR-DH with Affordable Housing	Alt. B4. Applying MFR-H to Site (No Grocery)	Alt. C1. Grocery Store Along Street, Rear Parking	Alt. C2. Residential in New Urbanist Pattern ¹	Alt. C3. Additional Buffer Along Route 100	Alt. C4. Reduce Length of Loop Road	Alt. D. MF Residential With Fewer than 80 Units and Grocery
Population	241	0	37	276	287	241	241	241	241	220
School Children	37	0	11	42	40	37	37	37	37	34
Sewage Generation ²	18,240 gpd	0 gpd	8,000 gpd/ Indiv. septics	21,760 gpd	23,980 gpd	18,240 gpd	18,240 gpd	18,240 gpd	18,240 gpd	16,832 gpd
Water Demand ²	37,437 gpd	0 gpd	8,000 gpd/ Indiv. wells	39,437 gpd	43,177 gpd	37,437 gpd	37,437 gpd	37,437 gpd	37,437 gpd	36,557 gpd
Annual Tax Generation	\$716,365	\$31,349	\$190,000	\$727,605	\$586,970	\$716,365	\$716,365	\$716,365	\$716,365	\$655,178
Emergency Service Impacts ⁴ (Police, Fire and EMS)	Additional calls for service. Emergency access provided.	No additional impacts.	Less impact than proposed action.	Slightly greater impacts than proposed action.	Slightly greater impacts than proposed action.	Same impacts as proposed action.	Similar impacts as proposed action.	Same impacts as proposed action.	Greater impacts due to more cul-de-sacs.	Slightly less impacts than proposed action.
Recreation Requirement ⁵	13,500 sf	None	None	15,500 sf	16,350 sf	13,500 sf	13,500 sf	13,500 sf	13,500 sf	12,300 sf



	Proposed Action	No Action	Alt. B1. Existing Zoning	Alt. B3. MFR-DH with Affordable Housing	Alt. B4. Applying MFR-H to Site (No Grocery)	Alt. C1. Grocery Store Along Street, Rear Parking	Alt. C2. Residential in New Urbanist Pattern ¹	Alt. C3. Additional Buffer Along Route 100	Alt. C4. Reduce Length of Loop Road	Alt. D. MF Residential With Fewer than 80 Units and Grocery
Visual Impacts	Some units partially visible in winter months from Route 100.	None	3 lots on Route 202; 3 lots on Route 100.	Slightly more clearing and site disturbance than proposed action.	75' buffer to Route 100 (100' to structures). Loss of open space on Rte 202 frontage.	Grocery facade closer to street line (Rte 202) than proposed action, but in keeping with streetscape	More clearing and site disturbance likely than proposed action	More landscape planting along Route 100 than proposed action.	Same as proposed action.	Fewer units/less disturbance than proposed action.

¹Alternative C2, Residential in New Urbanist Pattern is a conceptual partial plan, therefore, detailed physical impacts were not calculated. It is anticipated that the plan would have more impacts to the Site in terms of greater impervious surfaces (almost double the amount of roadways, with roads, sidewalks, garages and alleys), more cleared area, as well as larger flat building/road pads for these rear driveways and alleys.

² All alternatives, except No Action and Alternative B1, Existing Zoning, as noted, would join the Heritage Hills Water and Sewer Districts.

³ New trips.

⁴Emergency service impacts based on population increase and plan circulation.

⁵ Recreation facilities are not included on any of the alternative plans or the Proposed Action. Recreation fees-in-lieu would be paid instead.



D. List of Permits and Approvals

The Lead Agency for the review of the Proposed Action is the Town Board of the Town of Somers. Agencies that have permit-granting authority over the project are described as Involved Agencies under SEQRA, and other related agencies are described as Interested Agencies.

Involved Agencies and their related project approval authority are listed below on Table I-2, and Interested Agencies are listed below. (Full DEIS distribution list with contacts and addresses is included in Chapter II.D, Project Reviews and Approvals.)

Table I-2 (duplicate of Table II-2)
Project Approvals Required
 (Involved Agencies as per SEQRA)

Involved Agency	Type of Approval/Review
Somers Town Board	Creation of Multifamily Residence Downtown Hamlet (MFR-DH) zone Rezoning to new MFR-DH zone - map Approval of preliminary development Concept Plan Expansion of Heritage Hills Sewer Service Area Expansion of Heritage Hills Water Service Area
Somers Planning Board	Site Plan Subdivision (potential future*) Tree Removal Permit Local Wetland Permit Steep Slope Permit*
Westchester County Department of Health (WCDOH)	Water Extension permit Sewer Extension permit
New York City Dept. of Environmental Protection (NYCDEP)	Stormwater Pollution Prevention Plan Sanitary Sewer extension
New York State Department of Environmental Conservation (NYSDEC)	SPDES Permit Wetland Activity Permit
New York State Department of Transportation (NYSDOT)	Highway Work Permit (NYS Route 202 and NYS Route 100)

*If required. No subdivision is necessary at this time, however, potential future subdivision approval is listed here in event that a future subdivision is proposed for the grocery store, if a potential tenant requires a separate parcel.



Interested agencies are those other agencies that have an interest in the project, but not an approval. Interested agencies for this action are listed below:

- United States Army Corps of Engineers, Eastern Permits Section
- Somers Open Space Committee
- Somers Architecture Review Board
- Somers Landmarks Committee
- Somers Historic Properties Board
- Somers Affordable Housing Board
- Somers Parks and Recreation Board
- Somers Energy and Environment Committee
- Somers Bureau of Fire Prevention
- Somers Fire District
- Somers Highway Department
- Somers Police Department
- New York State Police (Somers)
- Somers Central School District
- Westchester County Planning Board
- NYS Office of Parks, Recreation and Historic Preservation- Taconic Regional Director
- NYS Watershed Inspector General Scientist, Environmental Protection Bureau, Office of the Attorney General
- Riverkeeper, Inc.
- Somers Director of Planning
- Woodard & Curran Engineering
- Stephens, Baroni, Reilly & Lewis LLP



II. DESCRIPTION OF PROPOSED ACTION

A. Introduction

This Draft Environmental Impact Statement (the “DEIS”) analyzes the potential impacts and proposed mitigation associated with a Proposed Action that includes (1) amendments to the Town of Somers Zoning Ordinance to create a new Multifamily Residence Downtown Hamlet (MFR-DH) Floating Zone District; (2) rezoning the subject site from R-40 and R-80 to MFR-DH; and (3) the approval of a preliminary development concept plan including a grocery store (±19,000 sf) and an 80-unit multi-family residential community (the “Project”).

The subject site (the “Site”) is located at 307 NYS Route 100 in the Town of Somers, New York and is designated as Tax Map Sheet 17.15, Block 1, Lot 15.1. The Site is located west of NYS Route 100 (Somertown Road) and south of US Route 202 (Mill Street). The Site consists of approximately 26.68 acres. (See Exhibit II-1, Site Location; Exhibit II-2, Aerial Photograph and Exhibit II-3, Site Survey). The Site is currently located in the R-40 and R-80 Zoning Districts. The property is owned by Boniello Land and Realty, Ltd (the “Applicant”).

B. Detailed Description of Proposed Action

1. Summary of Existing Site Conditions

The Site consists of undeveloped, vacant land adjacent to an existing neighborhood shopping/hamlet center to the north and east (Towne Centre at Somers) and vacant land to the south and west (see Exhibit II-2, Aerial Photograph). No buildings, facilities or improvements are located on the Site. The Site contains a man-made stormwater basin that was constructed to accommodate stormwater flows from the adjacent (off-site) shopping center. The Site also contains two existing test wells, drilled by previous owners (1986) for a previous application.

Easements on the Site (as indicated on Exhibit II-3, Site Survey) are as follows:

- 50-foot wide access easement at the southern end of the site connecting through the site from Route 100 frontage to the vacant parcel located directly to the west of the site (“in favor of adjoining Lot A”). Regarding the potential for the adjoining lands (owned by IBM) needing future access, the Applicant believes that there is no potential for needing this future access to the adjoining land through this easement. The easement provides access to a parcel that is substantially constrained for development by a NYSDEC wetland.
- Drainage easement surrounding the man-made stormwater basin directly adjacent to the Towne Centre at Somers parking lot.



- Drainage easement surrounding a stormwater pipe and outlet adjacent to the shopping center driveway/loading area.
- An easement in favor of the Somers Crossing property that permits ingress, egress and access across the common areas on the Towne Centre at Somers property i.e., all portions other than those portions upon which buildings are constructed. The Site's owners, occupants, licensees have a perpetual right, privilege, authority and easement to maneuver vehicles and a means of ingress and egress and access across and through the Towne Centre property in the "common areas" to the streets and highways (including Routes 202 and 100). "Common areas" means all portions of the Towne Centre land other than those portions upon which buildings are now located.
- Although not an easement, the "wellhead protection area" surrounding the adjacent off-site well is identified on Exhibit II-4, Site Constraints.

2. Existing Site Character and Natural Features

The Site is forested, and includes portions of wetlands, as well as previously excavated/mined areas (portions of the Site were stripped of topsoil in the past). Natural site features and environmental constraints are illustrated on Exhibit II-4, Site Constraints. This includes the location of state and local wetlands and regulated buffer areas, some areas of steep slopes (as defined by the Town of Somers), floodplains, stone walls, treed areas and adjacent roads. The entire Site is within the limits of the Somers Groundwater Protection Overlay District. (See Chapter III.G, Groundwater).

Approximately 5.07 acres of a New York State Department of Environmental Conservation (NYSDEC) regulated wetlands are located at the west side of the Site, along with a 100-foot regulated buffer. A small (\pm 0.12 acre) man-made stormwater basin, which is also designated as part of this wetland is located east of the primary wetland. This basin was constructed to detain stormwater flows from the Towne Centre site. Regulated buffer areas from the wetlands total approximately 5.43 acres on the Site (see Chapter III.E, Surface Water, Including Wetlands). The Site also falls under the jurisdiction of the New York City Department of Environmental Protection (NYCDEP). Jurisdiction of NYCDEP and NYSDEC are described in Chapters III.E, Water Resources and III.F.3, Wetlands.

None of the Project Site contains slopes 25% or greater (as defined by Town Code) that are regulated by the Town of Somers. (See Chapter III.C, Topography and Slopes.)

Approximately 6.09 acres of the Project Site are in the FEMA 100-year floodplain. The FEMA 100-year floodplain is located within the delineated wetland areas. (See Chapter III.F, Stormwater Management.)



3. Site History

The Somers Crossing site has had prior owners, and has been the subject of prior development applications and one prior approval, the most recent of which are described generally below.

1995 – 1998 (The Oaks): The property was previously granted approvals for the development of a 137-unit congregate care facility (The Oaks at Somers, by Pinnacle Retirement Services Corporation) in 1998¹. At that time, the Planning Board undertook an environmental review of The Oaks pursuant to SEQRA, including the preparation of an environmental impact statement, which eventually culminated in the adoption of a Findings Statement by resolution (dated July 11, 1997). That project was never built and approvals lapsed.

2007-2011 (Somers Woods): In June 2007, application was first made by a new property owner², for development of multifamily rental units and a grocery store on the Site. A petition for rezoning to Multifamily Residence Hamlet (MFR-H) and Neighborhood Shopping (NS), Concept Plan, application and Expanded Environmental Assessment Form (EAF) were submitted to the Somers Town Board in December 2007, for 112 units and a grocery store. Subsequently, the SEQRA process was begun by the Town with the Somers Town Board declaring their intent to be Lead Agency in August 2008, and in October 2008, the Town Board adopted a Positive Declaration requiring an EIS to be prepared. The DEIS was prepared for Somers Woods, and was submitted to the Town Board in November 2010, but that applicant did not proceed beyond that point.

The current Applicant is not related to these former applicants or projects.

2013 (Somers Crossing): The current owner/applicant, Boniello Land & Realty, Ltd, submitted a zoning petition and Environmental Assessment Form (EAF) to the Town Board in April 2013 for re-zoning to MFR-DH on the site (a new overlay district based on the existing overlay districts). The Town Board declared Intent to be Lead Agency in July 2013 and issued a positive declaration for the Proposed Action in August 2013. After a public scoping session held on September 12, 2013 (which was continued on September 24, 2013 and October 3, 2013, as well as having a public comment period continue open from October 3 to October 10, 2013), the Town Board adopted the final scope of this DEIS on October 10, 2013.

¹ Site Plan, Wetlands and Steep Slopes Approval and a Special Exception Use Permit for Groundwater Overlay District by Resolution No. 98-06; and in 1999, the Planning Board granted Amendments to the Site Plan, Wetlands and Steep Slopes, and Special Exception Use Approvals by Resolution No. 99-02.

² Land owner at this time was Somers Woods Development LLC, with a co-applicant, Urstadt Biddle Properties, Inc.



A revised Scope, which this DEIS is based on, was adopted by the Lead Agency in February 2014.³ (See Appendix A for Scoping Document and SEQRA documentation).

4. Summary of Existing and Proposed Zoning

The Site is currently zoned in the R-40 and R-80 Districts, in addition to being within the limits of the Somers Groundwater Protection Overlay District (GPOD). The R-40 district is located along the Route 202 frontage of the site, for a depth of approximately 200 feet. The remainder of the site, including the entire Route 100 site frontage, is in the R-80 District. (See Chapter IV, Alternatives, for discussion of potential development of single family lots with existing zoning).

Proposed zoning on the Site will be an amendment to the Town of Somers Zoning Code to adopt a new Multifamily Residence – Downtown Hamlet District (MFR-DH). With the MFR-DH, the Site is proposed to provide a local market, 80 multifamily residential units, and natural open space to compliment the Somers Hamlet area. (See Chapter III. B, Zoning, for further description of existing and proposed zoning).

5. Description of Proposed Project Components

The proposed project components, access and circulation are illustrated on Exhibit II-5, Concept Plan. All of the proposed development is designed to minimize impact on environmental features (such as regulated wetlands, floodplains and steep slopes). Approximately 10.58 acres, or 40 percent of the Site, is proposed to remain in permanent open space.

a) Retail Grocery Development

The proposed grocery store would be located in the northern portion of the Site, with direct access to NY Route 202. Access is designed to improve the current awkward intersection movement, and would be located across from the existing entrance to Heritage Hills at the existing traffic signal, creating a new 4-way intersection on NY Route 202. The grocery store would be approximately 19,000 square feet (sf) in size and is anticipated to be a locally-oriented grocery store/neighborhood market. The primary market area for this store would be within the Town of Somers.

³ In December 2013, a revised Concept Plan was submitted, removing a Memory Care residential facility from the proposed plan. A revised scope removing all references to a Memory Care facility was subsequently reviewed and adopted by the lead agency in February 2014.



Parking for the grocery store is proposed adjacent to Route 202, on either side of the entry road. A total of 107 parking spaces are proposed for the grocery store. Loading for the store is proposed to the rear of the building.

b) Residential Development

The Proposed Action includes the development of an 80-unit multifamily residential condominium community with private roads. The residential units would be 2-story townhomes and would contain a mix of 50 two-bedroom units and 30 three-bedroom units, all with 2-car garages. The units would be attached with 3 duplexes (6 units), 14 triplexes (42 units) and 8 quadplexes (32 units). The units are proposed to be 2,200 to 2,600 square feet in size, with perhaps a single floor unit at around 1,800 square feet.

The townhomes would be marketed to “empty nesters” wishing to downsize from their current homes. The project is not proposed to be age-restricted.

**Table II-1
Proposed Plan**

	Proposed Development	Parking
2 bedroom units	50	160 spaces (in garages)
3 bedroom units	<u>30</u>	160 spaces (in driveways)
total	80	<u>32 Visitor spaces</u> 352
Grocery store	19,000 sf	107 spaces
Open space	10.58 acres to remain; with walking trail	0

6. Access, Circulation, Parking and Loading

Vehicular circulation on the Site is proposed in two separate systems:

- Access from Route 100 into the residential community which will loop back out to Route 100.
- Access on Route 202 into/out of the retail/grocery store area.

Emergency-only access up to the property lines, to provide potential future access through the shopping center if desired, will be provided from each of these areas as well. The emergency-only access is depicted in Exhibit IV-4A, Alternative C-1. The access easement through the Towne Centre property benefitting the Site may be exercised to provide such access. In the final plan, access and pavement up to the property lines will be shown and such access may be either full or emergency only as a result of the review process.

Vehicular access for the grocery store proposed for the northern portion of the Site would be from a new 4-way intersection on NY Route 202, aligned across from the existing entrance to the Heritage Hills planned community. Internal access and loading for the grocery is shown on the concept plan. 107 parking spaces are proposed at the north end of the Site for the grocery store.

Parking for the residential units will be provided within the garages, as well as in the driveways. In addition, 32 visitor parking spaces are indicated along the loop road.

Given the low volumes on the private residential streets, pedestrian circulation will be accommodated on the streets (sidewalks are not proposed). A walking trail is proposed within the open space area, to be surfaced with wood chips or similar pervious surface, and will provide a north-south connection between Route 202 and Route 100. No tree removal, clearing or grading is proposed for this trail.

Bicycle connections to nearby community facilities will be via the existing roadway network. Bicycle storage will be within private garages for the residential development, and bicycle racks will be provided at the grocery store for patrons and/or employees.

7. Summary of Water Supply, Sanitary Sewage and Stormwater Management

The project is proposed to be serviced by Heritage Hills Water Works Corporation for water supply and Heritage Hills Wastewater Treatment Plant (WWTP) for sanitary sewage. These service areas are adjacent to the Site (to the north) and are proposed to be expanded to include the Site. See Chapter III.K, Utilities for detail on demand, connection and supply.

Stormwater management will be accommodated on-site with six stormwater treatment areas, including four infiltration systems, one bioretention system, and one pocket wetland. See Chapter III.E, Water Resources, Stormwater for details on drainage and stormwater measures proposed.

8. Conceptual Landscape Plan

Exhibits II-6A, Conceptual Landscape Plan (south) and II-6B, Conceptual Landscape Plan (north), illustrate the proposed conceptual landscape treatments throughout the development. Along Route 100, the large vertical separation will remain between the road and the units, and will be landscaped to stabilize the slope and provide screening between the units and the road. This relationship between the road in this area and the units is very similar to the relationship

between the road and the buildings and parking lots at the adjacent shopping center. Development of site planting plan will occur during the site plan review process, including additional plantings along the property line with the adjacent shopping center if needed to supplement the existing trees to provide privacy to the residential units.

Street trees for shade and aesthetic purposes will be planted throughout the residential community. Parking lots are within a few feet of the property line near the proposed grocery store, and those parking lots will be in close proximity to one another. These uses will not have a lot of screening between them since they are similar uses. The entrance to the proposed grocery store on Route 202 will be landscaped with plantings and entry signage (to be detailed with site plan submission). Trees will be provided around the perimeter of the parking lots and within the parking lot islands to meet Town requirements.

9. Conceptual Lighting Plan

The lighting for the Site is preliminary, but a Conceptual Lighting Plan has been developed for impact analysis purposes, as required in the scoping document. The Conceptual Lighting Plan is designed to keep the development safely and attractively lit without impacting neighboring properties or creating unnecessary impacts. The Conceptual Lighting Plan (Exhibit II-7), shows proposed outdoor light fixtures for both the residential community and the grocery store. Internal roadways and parking lots would be lit by 16-foot high lamp posts with 175-watt luminaires. The residential units would each have wall mount lighting with 25-watt luminaires. The foot candle symbols on Exhibit II-7 indicate the anticipated light intensity.

C. Project Purpose, Needs and Benefits

The proposed concept plan includes varying uses which will serve the needs of the Somers community.

There is a need for a local grocery store in the Somers hamlet. With the departure of the Gristedes store from the shopping center in 2003 (that space is now a CVS Pharmacy), residents of Somers travel up to 8 miles to either Goldens Bridge or Baldwin Place to buy groceries. The proposed locally-oriented grocery store would provide residents of Somers with a convenient alternative that would reduce vehicle trips on local roads, thus providing environmental benefits to the community and region, and by contributing to the economic health of the Somers hamlet center business area.

The proposed townhomes provide another alternative to single family homes in Somers, directly adjacent to the uses and services at the existing shopping center and Somers

hamlet businesses. See Chapter III.A, Land Use for more discussion of the marketability of the residences and the grocery store.

The proposed zoning amendment will yield community benefits to the Town of Somers through increased employment opportunities (both construction and permanent jobs), increased shopping opportunities in the hamlet, as well as additional tax revenue, without significant negative impacts.

(See Chapter III.A, Land Use, for further description of the need for, and marketability of each project component).



D. Project Approvals and Reviews

Approvals and reviews required for the proposed action are listed below, in Table II-2.

Under SEQRA, Involved Agencies are those which have approval authority over a proposed action. In this case, the Somers Town Board is the Lead Agency, and the Involved Agencies, and their respective approvals, are listed below.

**Table II-2
Project Approvals Required
(Involved Agencies as per SEQRA)**

Involved Agency	Type of Approval/Review
Somers Town Board	Creation of Multifamily Residence Downtown Hamlet (MFR-DH) zone Rezoning to new MFR-DH zone - map Approval of preliminary development Concept Plan Expansion of Heritage Hills Sewer Service Area Expansion of Heritage Hills Water Service Area
Somers Planning Board	Site Plan Subdivision (potential future*) Tree Removal Permit Local Wetland Permit Steep Slope Permit*
Westchester County Department of Health (WCDOH)	Water Extension permit Sewer Extension permit
New York City Dept. of Environmental Protection (NYCDEP)	Stormwater Pollution Prevention Plan Sanitary Sewer extension
New York State Department of Environmental Conservation (NYSDEC)	SPDES Permit Wetland Activity Permit
New York State Department of Transportation (NYSDOT)	Highway Work Permit (NYS Route 202 and NYS Route 100)

*If required. No subdivision is necessary at this time, however, potential future subdivision approval is listed here in event that a future subdivision is proposed for the grocery store, if a potential tenant requires a separate parcel.

Interested agencies are those other agencies that have an interest in the project, but not an approval. Interested agencies for this action are listed below:

Interested Agencies:

- United States Army Corps of Engineers, Eastern Permits Section
- Somers Open Space Committee

- Somers Architecture Review Board
- Somers Landmarks Committee
- Somers Historic Properties Board
- Somers Affordable Housing Board
- Somers Parks and Recreation Board
- Somers Energy and Environment Committee
- Somers Bureau of Fire Prevention
- Somers Fire District
- Somers Highway Department
- Somers Police Department
- New York State Police (Somers)
- Somers Central School District
- Westchester County Planning Board
- NYS Office of Parks, Recreation and Historic Preservation- Taconic Regional Director
- NYS Watershed Inspector General Scientist, Environmental Protection Bureau, Office of the Attorney General
- Riverkeeper, Inc.
- Somers Director of Planning
- Woodard & Curran Engineering
- Stephens, Baroni, Reilly & Lewis LLP

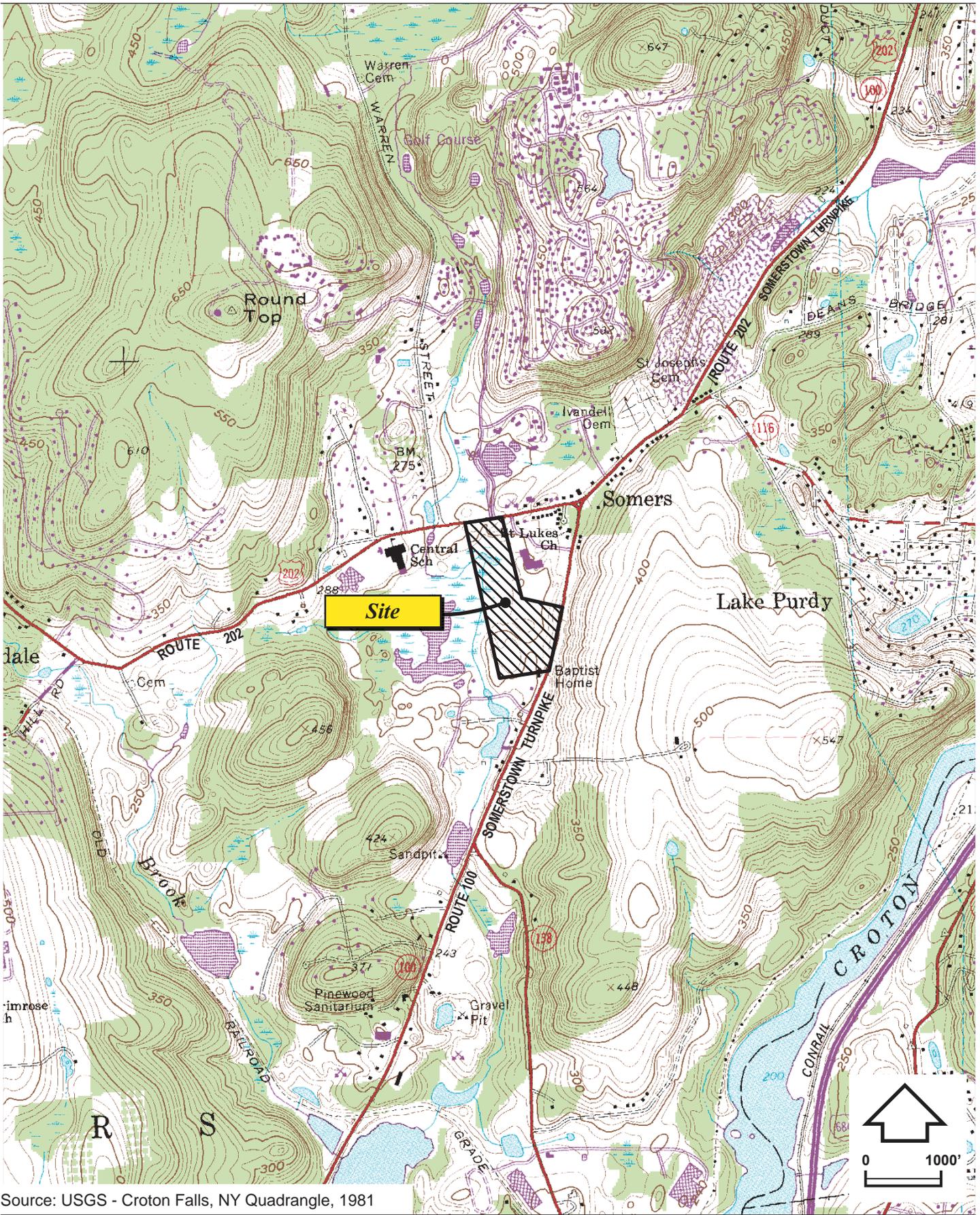
Notices only:

ENB – Environmental Permits (enb@dec.state.ny.us)

E. Summary of Construction Schedule and Phasing

Construction period will be a total of 24-36 months. The Proposed Action comprises the request for zoning on the entire Site, but the two entities (residential and grocery store) could be built simultaneously or separately. If constructed separately, the construction period for the store from beginning to end would be 18 months. The construction period for the residential would be 24-36 months. A more detailed description of the proposed construction phasing is provided in Chapter III.D., Soils and Geology and on Exhibit III.D-5, Construction Phasing.





Source: USGS - Croton Falls, NY Quadrangle, 1981

SOMERS CROSSING
Somers, New York

Site Location

Exhibit
II-1



Source: NYS GIS Clearinghouse

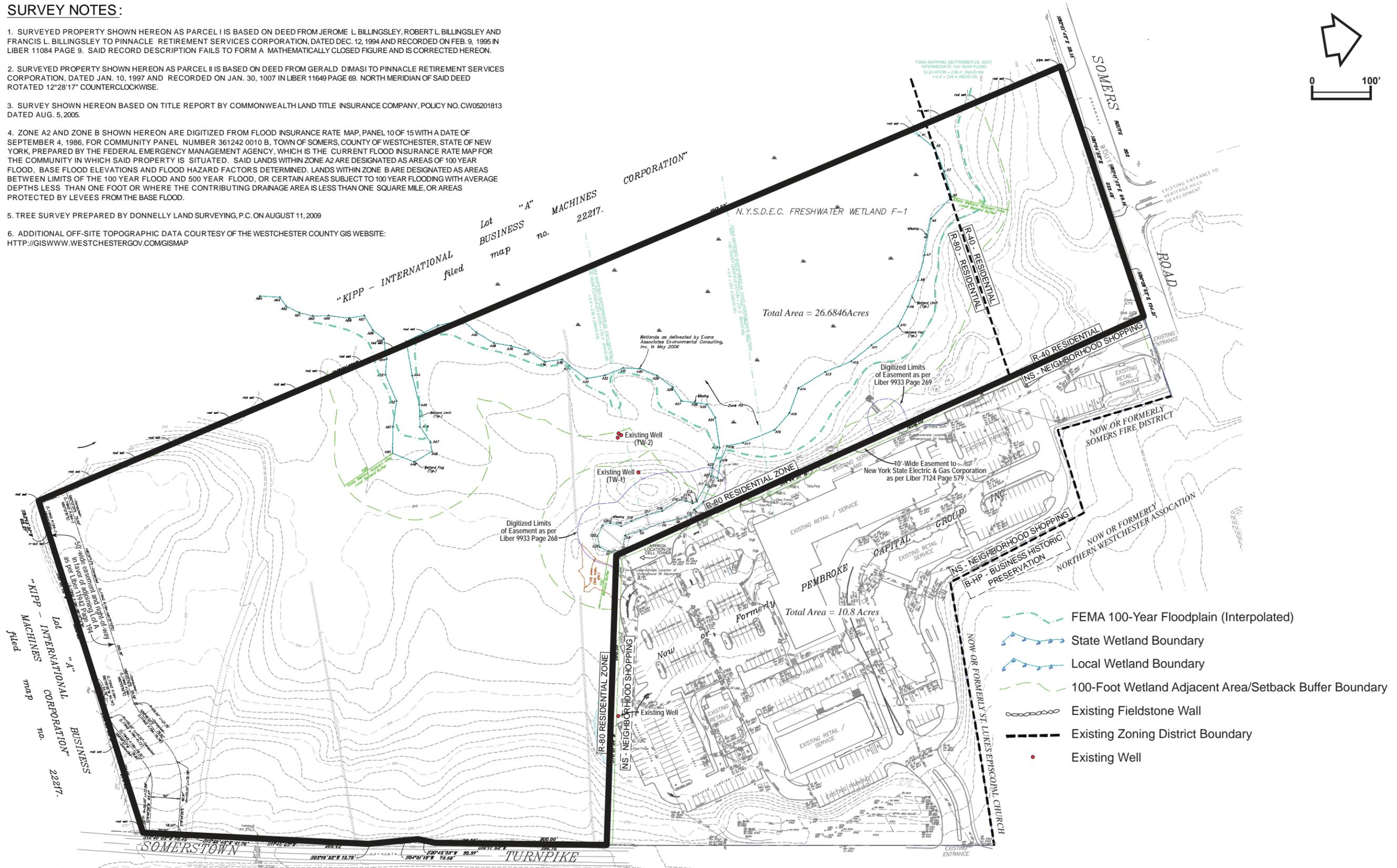
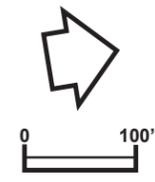
SOMERS CROSSING
Somers, New York

Aerial Photograph

Exhibit
II-2

SURVEY NOTES:

1. SURVEYED PROPERTY SHOWN HEREON AS PARCEL I IS BASED ON DEED FROM JEROME L. BILLINGSLEY, ROBERT L. BILLINGSLEY AND FRANCIS L. BILLINGSLEY TO PINNACLE RETIREMENT SERVICES CORPORATION, DATED DEC. 12, 1994 AND RECORDED ON FEB. 9, 1995 IN LIBER 11084 PAGE 9. SAID RECORD DESCRIPTION FAILS TO FORM A MATHEMATICALLY CLOSED FIGURE AND IS CORRECTED HEREON.
2. SURVEYED PROPERTY SHOWN HEREON AS PARCEL II IS BASED ON DEED FROM GERALD DIMASI TO PINNACLE RETIREMENT SERVICES CORPORATION, DATED JAN. 10, 1997 AND RECORDED ON JAN. 30, 1007 IN LIBER 11649 PAGE 69. NORTH MERIDIAN OF SAID DEED ROTATED 12°28'17" COUNTERCLOCKWISE.
3. SURVEY SHOWN HEREON BASED ON TITLE REPORT BY COMMONWEALTH LAND TITLE INSURANCE COMPANY, POLICY NO. CW05201813 DATED AUG. 5, 2005.
4. ZONE A2 AND ZONE B SHOWN HEREON ARE DIGITIZED FROM FLOOD INSURANCE RATE MAP, PANEL 10 OF 15 WITH A DATE OF SEPTEMBER 4, 1986, FOR COMMUNITY PANEL NUMBER 361242 0010 B, TOWN OF SOMERS, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED. SAID LANDS WITHIN ZONE A2 ARE DESIGNATED AS AREAS OF 100 YEAR FLOOD. BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED. LANDS WITHIN ZONE B ARE DESIGNATED AS AREAS BETWEEN LIMITS OF THE 100 YEAR FLOOD AND 500 YEAR FLOOD, OR CERTAIN AREAS SUBJECT TO 100 YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE, OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD.
5. TREE SURVEY PREPARED BY DONNELLY LAND SURVEYING, P.C. ON AUGUST 11, 2009
6. ADDITIONAL OFF-SITE TOPOGRAPHIC DATA COURTESY OF THE WESTCHESTER COUNTY GIS WEBSITE: [HTTP://GISWWW.WESTCHESTERGOV.COM/GISMAP](http://GISWWW.WESTCHESTERGOV.COM/GISMAP)



Source: Bibbo Associates, LLP (2009)

SOMERS CROSSING
Somers, New York

VHB Engineering, Surveying and Landscape Architecture, P.C.

Site Survey

Exhibit
II-3

APPROXIMATE AREAS OF SENSITIVE LANDS

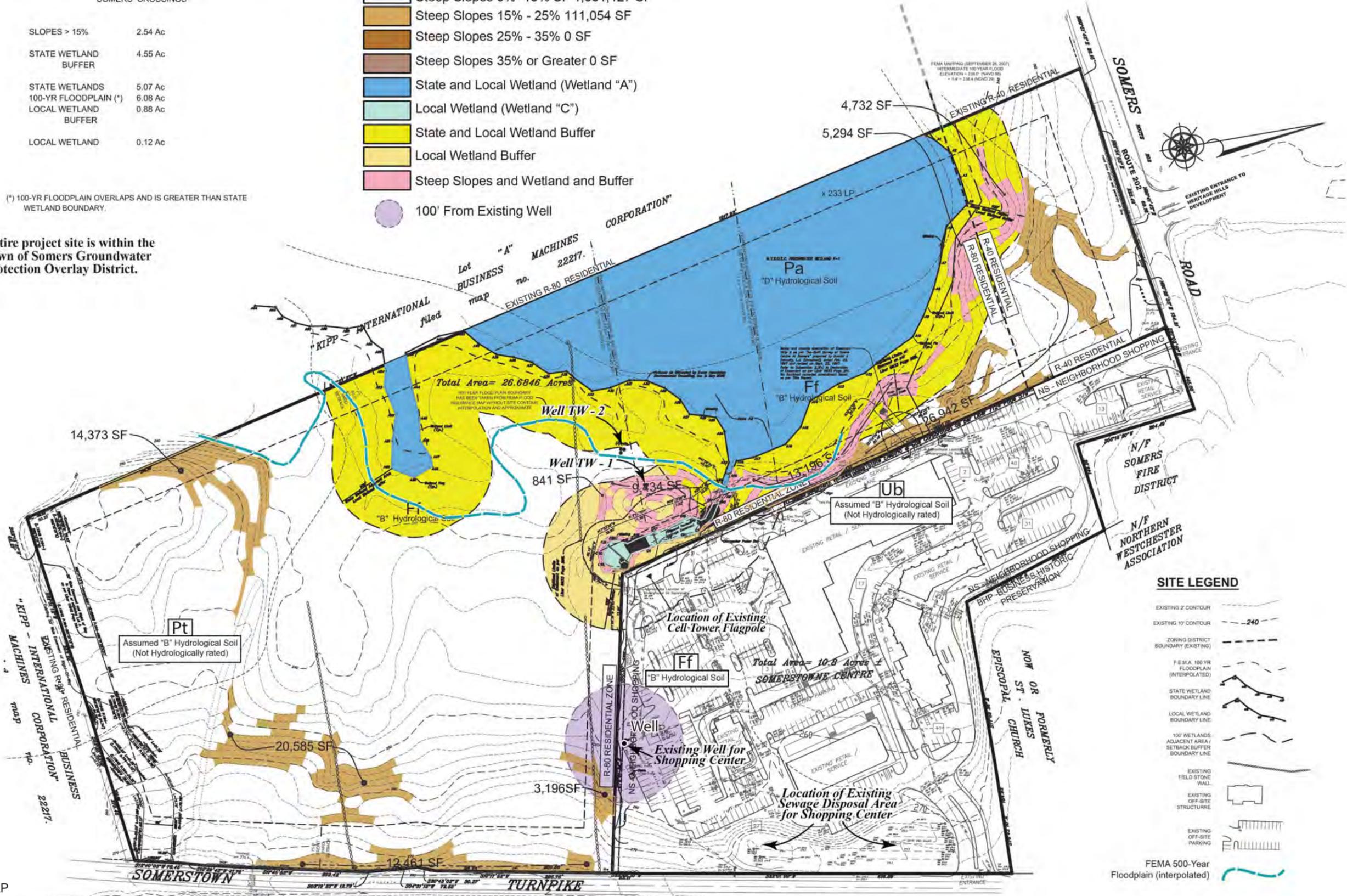
SOMERS CROSSINGS	
SLOPES > 15%	2.54 Ac
STATE WETLAND BUFFER	4.55 Ac
STATE WETLANDS	5.07 Ac
100-YR FLOODPLAIN (*)	6.08 Ac
LOCAL WETLAND BUFFER	0.88 Ac
LOCAL WETLAND	0.12 Ac

(*) 100-YR FLOODPLAIN OVERLAPS AND IS GREATER THAN STATE WETLAND BOUNDARY.

CONSTRAINTS LEGEND

- Steep Slopes 0% -15% 1,051,127 SF
- Steep Slopes 15% - 25% 111,054 SF
- Steep Slopes 25% - 35% 0 SF
- Steep Slopes 35% or Greater 0 SF
- State and Local Wetland (Wetland "A")
- Local Wetland (Wetland "C")
- State and Local Wetland Buffer
- Local Wetland Buffer
- Steep Slopes and Wetland and Buffer
- 100' From Existing Well

NOTE: Entire project site is within the Town of Somers Groundwater Protection Overlay District.



SITE LEGEND

- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- ZONING DISTRICT BOUNDARY (EXISTING)
- FEMA 100 YR FLOODPLAIN (INTERPOLATED)
- STATE WETLAND BOUNDARY LINE
- LOCAL WETLAND BOUNDARY LINE
- 100' WETLANDS ADJACENT AREA / SETBACK BUFFER BOUNDARY LINE
- EXISTING FIELD STONE WALL
- EXISTING OFF-SITE STRUCTURE
- EXISTING OFF-SITE PARKING
- FEMA 500-Year Floodplain (interpolated)

Source: Bibbo Associates, LLP

SOMERS CROSSING
Somers, New York

VHB Engineering, Surveying and Landscape Architecture, P.C.

Site Constraints

Exhibit
II-4

CALCULATION OF BASE LOT AREA (W/ OR W/O GROCERY STORE)			
	GROSS AREA	DEDUCTION %	NET AREA
SITE AREA	26.68	-	26.68
STATE WETLANDS / 100 YR FLOOD PLAINS	6.08	75%	-4.55
LOCAL WETLANDS	0.12	75%	-0.09
VERY STEEP SLOPES (>25%)	0.0	75%	-0.0
BASE LOT AREA			22.04 *

CALCULATION OF MAXIMUM # OF UNITS	
2 DENSITY UNITS X BASE LOT AREA	44.08
# UNIT TYPES PER DENSITY UNIT (D.U.):	
2 2-BR UNITS	
1.5 3-BR UNITS	
X = NUMBER OF 2-BR UNITS	
Y = NUMBER OF 3-BR UNITS	
PROPOSED RATIO OF 2-BR UNITS TO 3-BR UNITS: X = 2/3 Y	
THEREFORE:	
$\frac{2}{3}X + Y = 44.08$	
$\frac{2}{3}(\frac{2}{3}Y) + Y = 44.08$	
$\frac{4}{9}Y + Y = 44.08$	
NUMBER OF 3-BR UNITS: Y = 30 (ROUNDED)	30
AND, # OF 2-BR UNITS: X = 2/3 Y = 50 (ROUNDED)	50
MAX. # OF UNITS.	80

Proposed 30 Three Bedroom Units
50 Two Bedroom Units
80 Units Total

32 Visitor Parking (Residential)



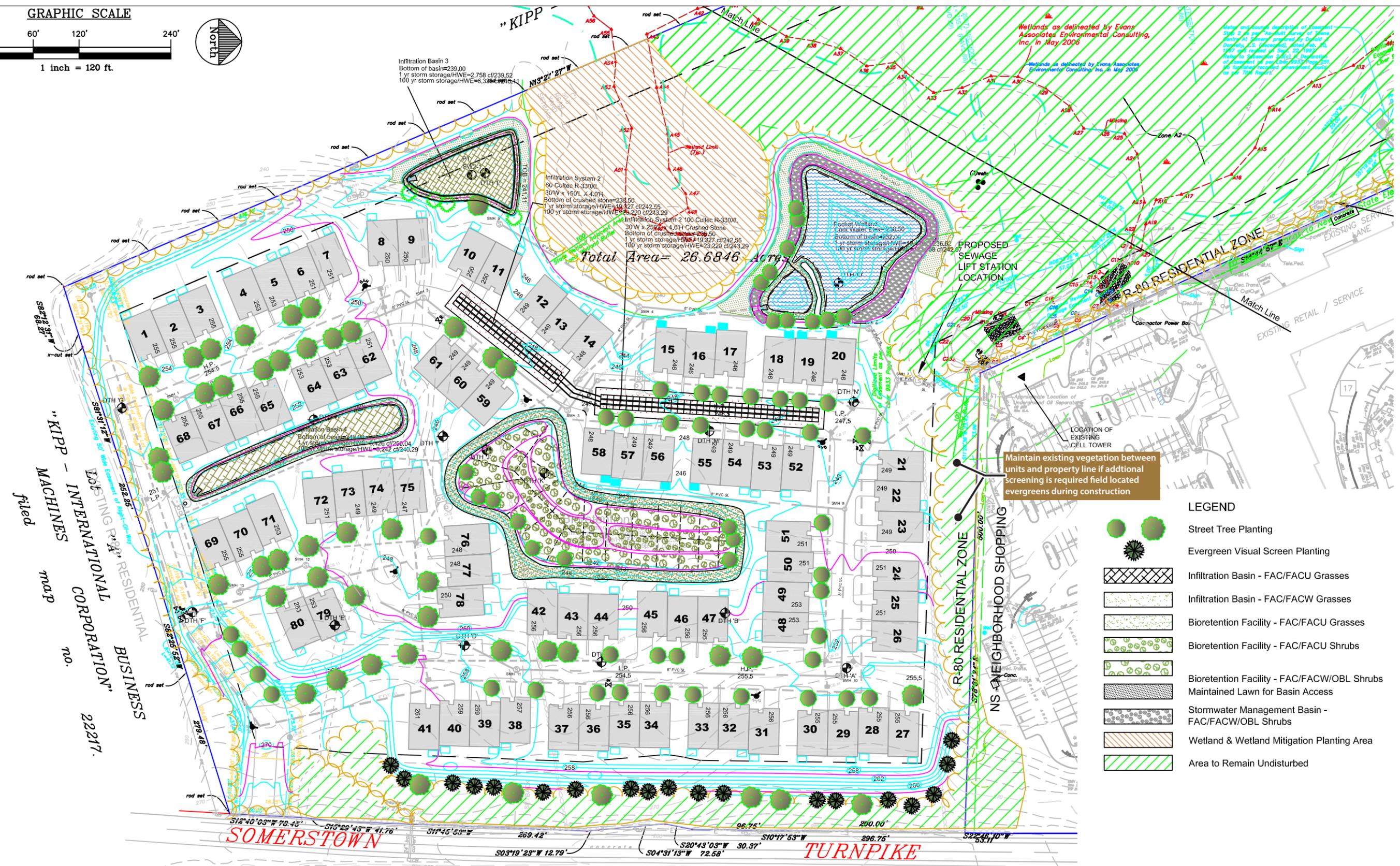
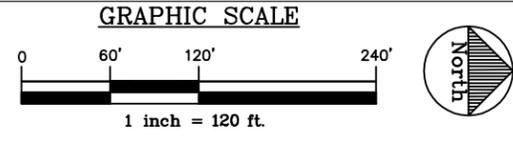
Source: Bibbo Associates, LLP

SOMERS CROSSING
Somers, New York

VHB Engineering, Surveying and Landscape Architecture, P.C.

Conceptual Site Plan

Exhibit
II-5



Total Area = 26.6846 Acres

Maintain existing vegetation between units and property line if additional screening is required field located evergreens during construction

- LEGEND**
- Street Tree Planting
 - Evergreen Visual Screen Planting
 - Infiltration Basin - FAC/FACU Grasses
 - Infiltration Basin - FAC/FACW Grasses
 - Bioretention Facility - FAC/FACU Grasses
 - Bioretention Facility - FAC/FACU Shrubs
 - Bioretention Facility - FAC/FACW/OBL Shrubs
 - Maintained Lawn for Basin Access
 - Stormwater Management Basin - FAC/FACW/OBL Shrubs
 - Wetland & Wetland Mitigation Planting Area
 - Area to Remain Undisturbed

Source: Evans Associates Environmental Consulting, Inc.

SOMERS CROSSING
Somers, New York

Conceptual Landscape Plan (South)

Exhibit
II-6A

