

Telephone
(914) 277-5366

FAX
(914) 277-4093

PLANNING DEPARTMENT

TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

Town of Somers

WESTCHESTER COUNTY, N.Y.



John Currie, Chairman
Jan Corning
Fedora DeLucia
Vicky Gannon
Nancy Gerbino
Eugene Goldenberg
Dennis McNamara

**SOMERS PLANNING BOARD
AGENDA
JANUARY 13, 2016
7:30 P.M.**

MINUTES Consideration for approval of Draft Minutes for November 10, 2015.

TIME EXTENSION

- 1. HAFT/RIDGEVIEW DESIGNER BUILDERS, INC. [TM: 16.12-1-41,42]**
Request for a 90-day time extension for Amended Final Subdivision Plat Approval for Section II from February 5, 2016 up to and including May 5, 2016 under Town Law Section 276 (7) (c). This is the fifth request for a time extension.

DETERMINATION OF LEAD AGENCY

- 2. SOMERS POINTE COUNTRY CLUB [TM: 6.17-20-1.21]**
Application of Somers Pointe Country Club for a Site Plan for property located on the southeast side of the Somers Pointe Clubhouse at 100 West Hill Drive for the construction of a swimming pool and cabana building and two tennis courts with associated parking to provide additional recreation activities. Accept role as Lead Agency.

PROJECT REVIEW

3. DISIENA PRELIMINARY SUBDIVISION [TM: 27.08-2-1, 2.1]

Application for Preliminary Subdivision Approval, Stormwater Management and Erosion and Sediment Control, Steep Slopes and Tree Removal Permits for property located at Primrose Street (Route 139) for the subdivision of two existing lots into 4 new lots.

4. SOMERS COMMONS SHOPPING CENTER [TM: 4.20-1-11.9]

Application for Amended Site Plan to construct two (2) additional freestanding signs at the access drive on Route 6 located west of the main entrance and the access drive on Route 118.

Next Planning Board Meeting is Wednesday, February 10, 2016
Agenda information is also available at www.somersny.com

HOCHERMAN TORTORELLA & WEKSTEIN, LLP
ATTORNEYS AT LAW

ONE NORTH BROADWAY, SUITE 701
WHITE PLAINS, NEW YORK 10601-2319

GERALDINE N. TORTORELLA
ADAM L. WEKSTEIN
NOELLE CRISALLI WOLFSON

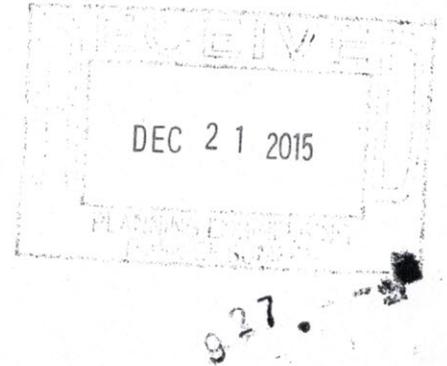
TEL: (914) 421-1800
FAX: (914) 421-1856
WEB: WWW.HTWLEGAL.COM

HENRY M. HOCHERMAN
RETIRED

December 21, 2015

Via Electronic Mail

Hon. John Currie, Chairman
and Members of the Planning Board
Town of Somers
Somers Town Hall
335 Route 202
Somers, New York 10589



*Re: Amended Final Subdivision Plat Approval for Haft/Ridgeview Designer Builders, Inc.
Lovell Street, Town of Somers
Tax Identification Nos.: Section 16.12, Block 1, Lots 41 and 42
Fifth Request for Extension for Section II*

Dear Chairman Currie and Members of the Planning Board:

As you may recall, by Resolution dated August 13, 2014, your Board granted Amended Final Subdivision Approval for the above-referenced Subdivision to permit the Final Plat to be filed in two sections. Section I was filed in the Office of the Westchester County Clerk, Division of Land Records on September 25, 2014 as Filed Map Number 28808 and Ridgeview Designer Builders has been constructing a new residence on one of the lots in that Section. At the Board's October 14, 2015 meeting, it extended Amended Final Subdivision Approval to February 5, 2016. A portion of Section II continues to be encumbered with a mortgage and Ridgeview and Haft are not prepared to file Section II at this time. Even though Haft and Ridgeview have filed Section I and have three years from September 25, 2014 to file Section II, to avoid any confusion over the continued effect of the Amended Final Subdivision Approval for Section II, we are writing to request a ninety-day (90) extension of such Approval to and including May 5, 2016. This is our fifth request for an extension of Amended Final Subdivision Approval which your Board has the authority to grant under Town Law Section 276(7)(c).

I understand that Mr. Steve Woelfle makes periodic inspections of the site, that the site is well stabilized, and that there have been no issues.

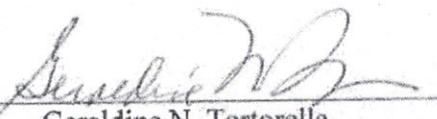
HOCHERMAN TORTORELLA & WEKSTEIN, LLP

Hon. John Currie, Chairman
and Members of the Planning Board
December 21, 2015
Page 2

Kindly schedule this request for consideration and action at the Board's January 13, 2016 meeting and let us know if an appearance is required or requested. Thank you for your courtesy. Best wishes for a Happy New Year.

Respectfully yours,

Hocherman Tortorella & Wekstein, LLP

By: 
Geraldine N. Tortorella

GNT:hc

cc: *(via electronic mail)*
Syrette Dym, AICP
Roland Baroni, Esq.
Joseph P. Eriole, Esq.
Joseph Barbagallo, P.E.
Mr. Steve Woelfle
Timothy Allen, P.E.
Ms. Susan F. Haft
Mr. Eric Moss

PLANNING AND ENGINEERING DEPARTMENTS

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Town of Somers
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Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



Syrette Dym, AICP
Director of Planning
sdym@somersny.com

DATE: January 8, 2016
TO: Somers Planning Board
FROM: Syrette Dym, AICP
Director of Planning
RE: Susan Haft/Ridgeview Designer Builders, Inc. Amended Subdivision –
Fifth Request for Extension for Section II

On August 13, 2014, the Planning Board granted Amended Final Subdivision Approval for Ridgeview Builders by Resolution 2014-01 to permit the Final Plat to be filed in two sections. Section I was filed on September 25, 2014 in the Westchester County Clerk's office. The Resolution stated that the amended approval was to expire on February 9, 2015 and Ridgeview and Haft were not prepared to file Section II at that time, so they requested a ninety-day (90) extension of approval until May 10, 2015. By Letter of March 16, 2015, the applicant's attorney requested a second ninety-day (90) extension of approval up to and including August 8, 2015, which was granted on April 8, 2015 by the Planning Board. The applicant's attorney requested a third ninety-day extension of approval up to and including November 6, 2015 which was granted at the Planning Board meeting of July 8, 2015. The Applicant's attorney requested a fourth ninety-day extension of approval up to and including February 5, 2016 which was granted at the meeting of October 14, 2015.

Once again, the applicant is requesting a ninety-day (90) extension of the amended Final Subdivision Approval for Section II even though they have three years from September 25, 2014 to file Section II. Therefore, the request is for an extension of such Approval up to and including May 5, 2016. Steve Woelfle continues to monitor work on the site and indicates all is going well.

Given the filing of Section I in a timely manner and submission of the request for the fifth extension of approval for filing of Section II prior to the expiration date, and authority given to the Planning Board to grant such extension under Town Law Section 276(7)(c), I have no problem with the Board granting this request.

cc: Geraldine Tortorella, Esq.

Susan Haft

Z:\PE\Subdivision files\EricMossRidgeview\Modification\Extensions\3rd Ext. For Seciton II- Amended Sub.doc

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Town of Somers
WESTCHESTER COUNTY, N.Y.

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Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



Syrette Dym, AICP
Director of Planning
sdym@somersny.com

MEMORANDUM

TO: Town of Somers Planning Board

FROM: Syrette Dym, Director of Planning

DATE: January 8, 2016

RE: Project: Somers Pointe Country Club Amended Site Plan and Zoning Text Amendment
Applicant: Somers Pointe Country Club, LLC
Location: 1000 West Hills Drive (Section 6.17 Block 20 Lot 1.21)
Zoning: DRD Designed Residential Development Overlay District
Actions: Site Plan Application to Planning Board - Request for Construction of a Swimming Pool, Cabana and Two Tennis Courts

Acceptance of Lead Agency

At its meeting of November 10, 2015, the Planning Board declared it intent to be lead agency for the above proposed action of construction of a swimming pool, cabana and two tennis courts related to Somers Pointe Country Club.

Since the Planning Board has received comment from the NYS DEC (letter of November 19, 2015) that it has no problem with the Board acting as lead agency and since more than 30 days has passed since mailing to the Westchester County Department of Health as the only other involved agency, the Planning Board can vote to accept its role as lead agency under SEQR.

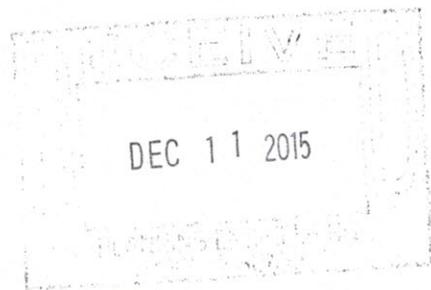
Cc: Town Board
Joe Barbagallo/Rob Wasp
Roland Baroni
Christine Leas
John Petroccione
Steven Kuo
Sadie Chen



PB
TP
CTE
Applicant

December 8, 2015

Ms. Syrette Dym, AICP, Town Planner
Town of Somers
335 Route 202
Somers, New York 10589



Emily Lloyd
Commissioner

Re: Lead Agency Notification -
Somers Pointe Country Club
100 West Hills Drive
Town of Somers, Westchester County
Tax Map #s: 6.17-20-1.21
DEP Log#: 2015-MU-0702-SQ.1

Paul V. Rush, P.E.
Deputy Commissioner
Bureau of Water Supply
prush@dep.nyc.gov

Dear Ms. Dym and Members of the Planning Board:

The New York City Department of Environmental Protection (DEP) has reviewed the Town of Somers Planning Board's (Board) Lead Agency Notification and Full Environmental Assessment Form (EAF) for the above-referenced project. DEP does not object to the Board acting as Lead Agency for the Coordinated Review of the proposed action pursuant to the New York State Environmental Quality Review Act (SEQRA).

The proposed site is located in the Muscoot Reservoir drainage basins of the New York City's Water Supply. Muscoot Reservoir is phosphorous restricted; therefore, water quality impacts to the receiving reservoir from pollutant laden runoff must be avoided or mitigated.

The proposed action involves the construction of a new swimming pool, cabana building, two (2) tennis courts and 38 additional parking spaces within the existing golf course facility.

Based on the review of the materials received, DEP respectfully submits the following for your consideration:

1. Based on the site plan provided, many of the improvements are proposed on relatively steep areas and will require significant grading. It is unclear whether or not the 1.95 acre disturbance estimated in the EAF is reasonable since areas for regrading, staging, stockpiling, etc. are not shown. DEP review and approval of a SWPPP is required for land clearing or grading resulting in two or more acres of disturbance. As the estimated amount of disturbance is very close to this threshold, it is recommended that the applicant prepare a more detailed site plan showing all grading, staging, and limits of disturbance so that DEP's regulatory involvement can be determined.

2. The narrative proposes to treat runoff from proposed impervious surfaces using infiltration beneath the proposed parking lot. It has not been demonstrated that this area is suitable for infiltration as no soil testing data results have been provided to verify that the proposed practice is viable.
3. The submission did not include any information regarding construction sequencing and erosion controls. Based on the site plan, it appears that the work area is relatively compact and will require careful staging to construct without disturbing additional areas and/or causing turbid runoff during construction. Without more detailed information regarding sequencing and erosion controls, mitigation and avoidance of water quality impacts during construction has not been demonstrated.

DEP submits this letter to you as lead agency as part of a coordinated SEQRA review. It is recommended that the project sponsor provide additional detail regarding stormwater management both during and post construction prior to issuance of a determination by the lead agency. Thank you for the opportunity to provide comments. You may reach the undersigned at cgarcia@dep.nyg.gov or (914) 773-4455 with any questions or if you care to discuss the matter further.

Sincerely,



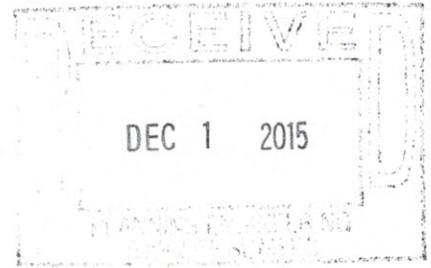
Cynthia Garcia
SEQRA Coordination Section

C: D. Whitehead, NYSDEC

C-
PB
TP
CTE
Application



Condo 15
HERITAGE HILLS OF WESTCHESTER
P.O. Box 215, Somers, N.Y. 10589



Hon. John Currie, Chairman
and Members of the Planning Board
Town of Somers
Somers Town Hall
335 Route 202
Somers, New York 10589

December 1, 2015

Re: Somers Pointe Country Club Expansion Project

Dear Chairman Currie and Members of the Planning Board,

My name is Edmund Humen and I am the president of Heritage Hills Condominium # 15, which represents 95 separate condos, or units, many of which border the Somers Pointe restaurant and golf course properties.

While we all support Somers Pointe's right to develop the property, we as property owners in the affected area need to make sure that this project is being done in accordance with the regulations and requirements of our Planning Board.

In reviewing this project based on the limited information we, all of the unit owners in Condo 15, especially those whose units are directly next to the Somers Pointe property, have some serious and genuine concerns that need to be addressed.

It should be noted that this project affects all of Heritage Hills and not just Condo 15. As I stated previously, Condo 15 borders this project. The project was originally targeted primarily to Somers residents, who, we all know would have minimal interest in the Somers Pointe expansion based on our existing facilities, which are free. Somers Pointe has now changed their projections to include a much larger percentage of members from outside of Heritage Hills. Heritage Hills Society should also be concerned with this expansion since there will now be an increased level of traffic and use of the facilities in our development.

Issues to be considered:

Drainage at the existing site is already a problem... Page 1 of Ms. Dym's Memo of November 5 states "...stormwater drainage measures that Somers Pointe Country Club instituted last month..."

Page 4 of this memo states that "The Narrative identifies that off-site stormwater drainage issues behind the location of the proposed pool caused by clogging of debris was cleared by Somers Pointe staff." Clogged drainage issues are relatively minor in comparison to the extreme runoff of water from multiple areas of the Somers Pointe property on to the units of Condo 15. The clearing of the above site will add significant new water to an already troubled area. Other measures may need to be taken to include additional sewers and curtain drains.

There are also several misrepresentations outlined in the EAF form:

Section 1b: The response of "No" is incorrect. The slopes of the property between Condo 15 and the Somers Pointe are far greater than 15%!!! The EAF form states there will be no or little impact. Since Somers Pointe has already acknowledged that there are drainage problems, I fail to see how this is listed as having little, or no impact.

Section 1e: Construction for more than one year. Once again listed as having no or little impact! Will this project be longer than a year? What hours will they be working? Will blasting be involved???

Section 4d: How will the chlorinated pool water be disposed? Will the pool have salt water??

Section 7g: Condo 15 already has a serious raccoon problem in condo 15. The removal and shifting of Several acres of natural land can only make this problem worse.

Section 15: All items are listed as having no or small impact!

Section 15a: Noise— how close will the expansion be to the nearest units in Condo 15? What will be the hours and dates of operation? Somers pools close at 8pm. What noise abatement structures will be in place?

Section 15b: What is the extent of Blasting??? How long? When and what hours?

Section 15d: Lighting!! What type of lighting? Please explain "sky glow condition."

The following important point must be noted..."The lead agency must complete part 3 for every question in part 2 where the impact has been identified as potentially moderate to large."
Somers Pointe conveniently had none of the items identified above listed as "moderate to large."

Other considerations:

Every Somers resident we have spoken to has serious concerns regarding the financial viability of the project. The failure of this project will affect all Heritage Hills residents if the facility is abandoned and goes into disrepair.

Consideration should be given to restoration. Have any market analyses been done? Polling of golf members regarding their interest? Outside interest analysis? Can the Condominium Boards of Heritage Hills see these reports?

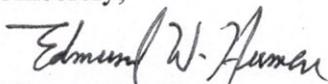
Can this project be expanded?? More parking? Additional pool?

I hope this helps in your evaluation of the Somers Pointe expansion project. Please keep Heritage Hills Condo 15 advised on all future meetings and public hearings regarding this matter.

Do not hesitate to call me if you have any questions, or need any additional information.

Thank you in advance for your consideration in this matter.

Sincerely,



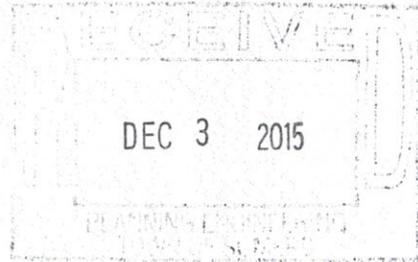
Edmund W. Humen,
President, Heritage Hills Condominium #15

Robert P. Astorino
County Executive

County Planning Board

December 3, 2015

Syrette Dym, AICP, Town Planner
Town of Somers Town House
335 Route 202
Somers, NY 10589



Subject: **Referral File No. SOM 15-006 – Somers Pointe; Site Plan – Lead Agency**

923.

Dear Ms. Dym:

The Westchester County Planning Board has received a notice of Lead Agency designation with respect to a site plan application for the construction of a swimming pool and accessory cabana building adjacent to an existing golf clubhouse located at 1000 West Hills Drive within Heritage Hills. Two new tennis courts and associated parking are also proposed.

We have no objection to the Somers Planning Board assuming Lead Agency status for this review.

In addition, we have reviewed the site plan under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code. As there are no County or intermunicipal planning issues of concern to the County Planning Board, this action is a matter for local determination in accordance with your community's planning and zoning policies.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

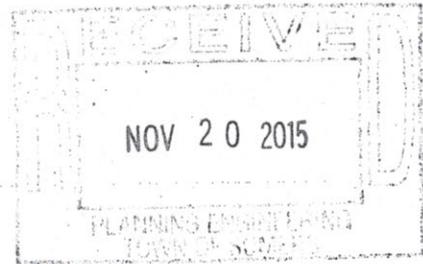
For:
By:

Edward Buroughs, AICP
Commissioner

EEB/LH

C- PB- CTE- 1A- 11- approval
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3
21 South Platt Corners Road, New Paltz, NY 12561-1620
P: (845) 256-3054 | F: (845) 255-4659
www.dec.ny.gov



November 19, 2015

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

316

Re: SEQR LEAD AGENCY DESIGNATION
Somers Pointe Country Club – Proposed Site Plan Approval for Swimming Pool,
Cabana Building, Two Tennis Courts and Associated Parking
Town of Somers, Westchester County

Dear Ms. Dym:

This is in response to your notice dated November 10, 2015 on behalf of the Town of Somers Planning Board requesting SEQR Lead Agency Status for the above noted project. Based upon the information provided, the proposed project is an Unlisted action in which the Town of Somers Planning Board has chosen to coordinate the review of the potential environmental impacts.

Based upon our review of the circulated documents, this office has identified the following environmental concerns:

- 1. Endangered and Threatened Species** - According to Department records, the following state-listed species have been recorded within or near the project site: Northern Long-eared Bat (NYS *Threatened*). The potential impacts of the proposed project on this species should be fully evaluated during the review of the project pursuant to SEQR. The Department recommends that any tree removal associated with the proposal take place between October 31st and March 31st.

The absence of other species data does not necessarily mean that additional rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources

2. **SPDES Stormwater (Construction)** – Since project activities will disturb over 5,000 square feet of land within the NYC Department of Environmental Protection East of Hudson Watershed, the project sponsor must obtain coverage under the current SPDES General Permit (GP-0-15-002) for Stormwater Discharge from Construction Activities, and a Stormwater Pollution Prevention Plan (SWPPP) must be developed which conforms to requirements of the General Permit. As the Town of Somers is an MS4 community (Municipal Separate Storm Sewer System), the City is responsible for review and acceptance of the SWPPP. [The MS-4 Acceptance Form must be submitted to the Department.] Authorization for coverage under the SPDES General Permit is not granted until the Department issues any other necessary DEC permits.

3. **Cultural Resources** – We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicated that the project is located within an area considered to be sensitive with regard to archaeological resources. For more information, please visit the New York State Office of Historic Preservation website at <http://nysparks.state.ny.us/>.

In addition to transmitting the above comments, this letter also serves to confirm that we have no objection to the Town of Somers Planning Board assuming lead agency status for this project. As such, it will be the responsibility of the Town of Somers Planning Board to determine the significance of the action (i.e. positive/negative declaration).

If you have any questions or comments about this letter, please contact me at (845) 256-3040.

Sincerely,



Joseph R. Murray
Environmental Analyst
Division of Environmental Permits

enc.

cc: NYC DEP – East of Hudson

PLANNING AND ENGINEERING DEPARTMENTS

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Town of Somers
WESTCHESTER COUNTY, N.Y.

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Principal Engineering Technician
swoelfle@somersny.com



Syrette Dym, AICP
Director of Planning
sdym@somersny.com

MEMORANDUM

TO: Tim Allen

FROM: Syrette Dym, Director of Planning

DATE: January 8, 2016

RE: Project: DiSiena 4 Lot Preliminary Subdivision
Applicant: Frank and Rosemarie DiSiena
Location: 126 Primrose Street (Route 139); (Section 27.08 Block 2
Lots 1&2.1)
Zoning: R80 Residence District
Actions: Preliminary Subdivision of Two Existing Lots totaling 11.7
acres into Four Lots

Completeness and Corrections Needed for Application

Of the items identified in my memorandum of December 3, 2015 the following is their status:

- Corrected Preliminary Subdivision and Wetland Applications or initialization of those submitted changing Lot from Section 28.08 to 27.08 - **Addressed**
- Proof of taxes paid - **Addressed**
- Calculations demonstrating change in wetland disturbed area from prior application to current application resulting in additional wetland fee paid of \$200 in addition to previous wetland payment of \$500 in January 30, 2006. - **Not addressed**
- Calculation demonstrating that original application fee for steep slopes of \$225 remains the same for this application as for the previous application.- **Not Addressed**

EAF

A revised EAF Part 1 was submitted dated December 11, 2015. It addressed all items with the exception of the following:

- Page 6 – D.2.e. *i*. The number 11.01 for parcel size does not match the 11.6997 acres on the Plot Plan Map acres imperious surface does not match numbers in table on page 9 – If correct, please explain. If not correct, please change.

Escrow

An initial escrow deposit fee has been made.

Subdivision Drawings

The application is for further subdivision of two existing lots into four lots. The intent of the applicant as indicated in the submission letter by Bibbo Associates, LLP of November 18, 2015 is to establish the proposed four lots meet the criteria of a conventional subdivision prior to consideration by the Town Board and Planning Board of conservation subdivision under NYS Town Law Section 278. Therefore, the following comments relate to compliance of the proposed lots with standards of a conventional subdivision.

The following drawings were submitted as part of the initial submission:

- Existing Conditions Plan – EX-1- dated November 3, 2015
- Integrated Plot Plan – IPP- dated November 3, 2015
- Preliminary Site Development Plan SP-1 – dated November 23, 2015

Site Constraints, Slopes, Wetlands and Trees

Although the Preliminary Site Development Plan indicates steep slopes in shades of gray and indicates the 100' wetland control line, there is no separate constraints map provided in color for review by the Planning Board both for determination of the conventional as well as later determination of conservation subdivision layout. The Planning Board should determine if the applicant should provide a separate colored constraints map.

In addition, the Existing Conditions Plan does not show the wetland buffer line and the Preliminary Site Development Plan does not show the wetland line and each drawing should show these lines. The area of disturbance proposed to the wetland buffer by the main road and in other locations both temporary and permanent should be calculated and identified in total and by lot/ road.

The amount of steep slopes within each category and then the amount in each to be disturbed need to be calculated and provided.

The type and caliper of trees needs to be provided.

Limit of Disturbance

The total area of limit of disturbance for each lot and for the overall proposed subdivision should be provided.

It does not appear that the limit of disturbance line in the vicinity of proposed lots 3 and 4 accounts fully for removal of the existing dwelling, slate patio and one story frame building and should. Please revise as necessary and provide as part of calculated area.

Parcel Access

The proposed access to the four lots includes creation of a Town Road cul-de-sac intended to provide access to Lots 1 and 2 and of a private driveway intended to provide access to Lots 3 and 4. Although the proposed Town road provides frontage for each proposed lot this large roadway requiring Town maintenance only provides access to two lots. Disturbance of the wetland buffer, however, and its impact may be an obstacle for creation of this road as a way to obtain frontage for the proposed lots.

An alternative conventional layout that avoids or reduces wetland buffer disturbance should be provided.

The two proposed access roads/driveways have to be shown to meet the respective requirements of the Town Code. Please provide a compliance chart showing required and provided compliance of the proposed Town road with the requirements of Section A174-31 and compliance of the proposed driveway with requirements of Section A174-29 and 170-6E.

Items of particular concern are the adequate width of the private driveway for its length, angle of the existing driveway at its intersection with Route 139 and the provision of adequate sight distance at the intersection of both roads/driveways with Route 139.

SEQR

The Planning Board should declare its intent to be lead agency on the project as it considers the conventional subdivision. Lead Agency would start now and be determined and revised submissions would be distributed to interested and involved agencies at such time that the application is revised to a conservation subdivision. In this way, preliminary comments from involved and interested agencies can be gathered at this early point in the process.

Z:\PE\Subdivision files\Disiena\2015-16 Application\Planner Comments\Planner's Comments01-8-16.docx

NOTICE OF SEQR ACTIONS – DiSiena Proposed Preliminary Subdivision Approval for a Four Lot Subdivision of Prior Existing Two Lots

Notice of Intent to Act as Lead Agency

Issued by Town of Somers Planning Board Westchester County, New York

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act (SEQRA)) of the New York State *Environmental Conservation Law* and Chapter 92 (Environmental Quality Review) of the *Code of the Town of Somers, New York*.

The Planning Board of the Town of Somers, Westchester County, declares its intent to act as lead agency for a Proposed Preliminary Subdivision Approval for a Four Lot Subdivision of Prior Existing Two Lots on property owned by Frank and Rosemarie DiSiena.

The Somers Planning Board, at its meeting of January 13, 2016 declared its intent to establish itself as Lead Agency with regard to this Proposed Action under the procedures and requirements of SEQRA and Chapter 92 of the Somers Town Code as part of a coordinated review.

The Proposed Action is an Unlisted Action under SEQRA as per Chapter 92 of the *Code of the Town of Somers* in conjunction with Article 24 of the *NYS Environmental Conservation Law*.

PROPOSED LEAD AGENCY: Planning Board, Town of Somers
Somers Town House
335 Route 202
Somers, New York 10589

TITLE OF ACTION: DiSiena Proposed Preliminary Subdivision Approval for a Four Lot Subdivision of Prior Existing Two Lots

DESCRIPTION OF ACTION: Frank and Rosemarie DiSiena, the owner of two existing lots consisting of 11.7 acres of R-80 zoned land each with an existing house, want to resubdivide the parcels into four new lots to accommodate three new homes and one of the existing houses. The proposed subdivision involves a proposed town road to provide frontage for all four lots but which will provide access off of Route 139 to only two of the proposed lots. The other two lots are proposed to be accessed by extension of the existing driveway off of Route 139. All lots will be supplied by individual wells and separate sewage disposal systems. The proposal is to obtain a conventional subdivision lot count approval for future submission of a conservation subdivision.

LOCATION: Primrose Street (Route 139) Somers NY, Westchester County (Tax Lots 27.08-2-1 & 2.1)

SUPPLEMENTAL INFORMATION: A Full Environmental Assessment Form Part 1 has been prepared for the Proposed Action (dated 12/11/15). This form is being distributed to all Involved

and Interested Agencies (see attached below), and this information is also available for review in the Planning and Engineering office at the Town House and on the Town's web site.

Contact: Syrette Dym, AICP, Director of Planning
335 Route 202
Somers, New York 10589

Telephone: 914-277-5366

Date of this Notice: January 13, 2016

SEQR DISTRIBUTION LIST – See Attached

SEQR DISTRIBUTION LIST –DiSiena Four Lot Subdivision From Two Existing Lots

Lead Agency

Somers Planning Board Members
Somers Town House
335 Route 202
Somers, New York 10589

Involved Agencies

Westchester County Department of Health
25 Moore Avenue
Mt. Kisco, New York 10549
Attn.: Frederick Beck

New York City Department of Environmental Protection
465 Columbus Avenue 1sr Floor
Valhalla, New York 10595
Attn.: Mariyam Zachariah

New York State Department of Environmental Conservation
Division of Environmental Permits--Region 3
21 South Putt Corners Road
New Paltz, New York 12561-1696
Attn.: Daniel T. Whitehead, Regional Permit Administrator
Interested Agencies

Interested Agencies

Town of Somers Town Clerk
Somers Town House
335 Route 202
Somers, New York 10589
Attn.: Patricia Kalba, Town Clerk

Somers Town Board
Somers Town House
335 Route 202
Somers, New York 10589

Town of Somers Open Space Committee
Somers Town House
335 Route 202
Somers, New York 10589

Town of Somers Parks & Recreation Board
Somers Town House

335 Route 202
Somers, New York 10589

Town of Somers Energy and Environment Committee
Somers Town House
335 Route 202
Somers, New York 10589

Somers Bureau of Fire Prevention
Somers Town House
335 Route 202
Somers, New York 10589

Somers Fire District
P.O. Box 300
Somers, NY 10589
Attn.: John Markiewicz, Chairman, Board of Fire Commissioners

Town of Somers Highway Department
Somers Town House
335 Route 202
Somers, New York 10589
Attn.: Thomas Chiaverini, Highway Superintendent

Town of Somers Police Department
Somers Town House
335 Route 202
Somers, NY 10589

New York State Police (Somers)
295 Route 100
Somers, NY 10589

Somers Central School District
P.O. Box 620
Lincolndale, New York 10601
Attn: Dr. Raymond Blanch – 1 Copy

Westchester County Planning Board
432 Michaelian Office Building
White Plains, New York 10601

New York State Department of Transportation
Region 8 Office
4 Burnett Boulevard

Poughkeepsie, NY 12603
Attn.: William Gorton, P.E., Acting Regional Director

Others – Lead Agency Representatives

Syrette Dym, AICP, Director of Planning
Somers Town House
335 Route 202
Somers, New York 10589

Woodard & Curran Engineering P.A P.C.
709 Westchester Avenue Suite 12
White Plains, NY 10604
Attn.: Joseph Barbagallo, Senior Vice President

Stephans, Baroni, Reilly & Lewis LLP
175 Main Street
White Plains, NY 10601
Attn.: Roland A. Baroni, Esq.

Others – Project Sponsor Representatives

Bibbo Associates, LLP
293 Route 100 Suite 203
Somers, NY 10589
Attn: Tim Allen

PLANNING AND ENGINEERING DEPARTMENTS

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

Town of Somers
WESTCHESTER COUNTY, N.Y.

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

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



Syrette Dym, AICP
Director of Planning
sdym@somersny.com

January 8, 2016

Involved and Interested Agencies

Re: Proposed Preliminary Subdivision Approval for a Four Lot Subdivision of Prior Existing Two Lots on property owned by Frank and Rosemarie DiSiena.

Frank and Rosemarie DiSiena, the owner of two existing lots consisting of 11.7 acres of R-80 zoned land each with an existing house, want to resubdivide the parcels into four new lots to accommodate three new homes and one of the existing houses. The proposed subdivision involves a proposed town road to provide frontage for all four lots but which will provide access off of Route 139 to only two of the proposed lots. The other two lots are proposed to be accessed by extension of the existing driveway off of Route 139. All lots will be supplied by individual wells and separate sewage disposal systems. The proposal is to obtain a conventional subdivision lot count approval for future submission of a conservation subdivision.

At its meeting of January 13, 2016, the Town of Somers Planning Board voted to declare its intent to be Lead Agency for the Proposed Action under SEQR based on its review of a Full EAF –Part 1 dated December 11, 2015...

The Proposed Action is an Unlisted Action pursuant to Chapter 92 of the *Code of the Town of Somers*. The Planning Board will conduct a coordinated environmental review. The attached Notice of Intent to Be Lead Agency and attached Full EAF are being distributed to involved and interested agencies for their information.

Syrette Dym, AICP
Director of Planning

Attach. – Notice of Intent to Be Lead Agency
SEQR Distribution List
Full Environmental Assessment Form – Part 1
Z:\PE\Subdivision files\Disiena\2015-16 Application\SEQR\Site Plan Lead Agency Cover Letter.docx

**STATE ENVIRONMENTAL QUALITY REVIEW
LEAD AGENCY RESPONSE FORM**

Response Deadline: February 12, 2016

TO: Town of Somers – Planning Board
Attn: Syrette Dym, AICP, Director of Planning
Town House
335 Route 202
Somers, New York 10589

RE: Establishment of Lead Agency – DiSiena Subdivision Application Requesting Preliminary Subdivision Approval for a Four Lot Subdivision of Prior Existing Two Lots (126 Primrose Street - Route 139 – Tax Lots 27.08-2-1 & 2.1)

Please be advised that the _____,
(Name of Agency)

as an involved agency under SEQR concurs with the designation of the Somers Planning Board as Lead Agency for the above-captioned project.

Comments, if any, on approval(s) under our jurisdiction and/or issues to be examined as part of environmental review under SEQR:

Signature: _____ Date: _____

Print Name and Title: _____

C-
PB
TP
CTE
application

BUREAU OF FIRE PREVENTION

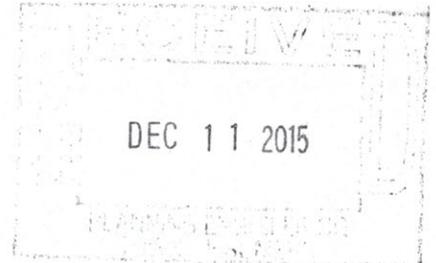
Town of Somers

WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

Telephone
(914) 277-8228
Fax
(914) 277-3790

EFREM CITARELLA
CHIEF



925.

MEMO TO: Planning and Engineering Department

FROM: Bureau of Fire Prevention

RE: Frank and Rosemarie DiSiena

DATE: December 10, 2015

At our monthly meeting on December 8, 2015, the site plan for Frank and Rosemarie DiSiena was reviewed and discussed. We would like a representative of Bibbo Associates to attend our next meeting on January 13, 2016 at 4:30 p.m. in the Building Department to discuss this further.

C-
PB
TP
CTE
Applicant

ENERGY ENVIRONMENT COMMITTEE

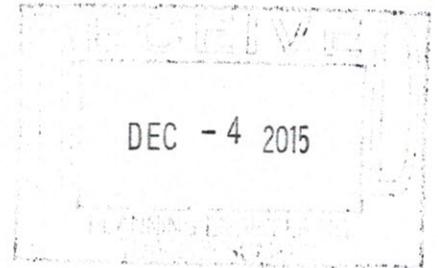
Town of Somers

WESTCHESTER COUNTY, N.Y.

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

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

MICHAEL BLUM
CHAIRMAN



MEMO TO: Planning and Engineering

FROM: Energy Environment Committee

RE: Frank and Rosemarie DiSiena

DATE: December 4, 2015

At our monthly on December 3, 2015, the preliminary subdivision for Frank and Rosemarie DiSiena was reviewed. The Energy Environment Committee has no comments.

924 .

PLANNING AND ENGINEERING DEPARTMENTS

Telephone
(914) 277-5366
Fax
(914) 277-4098

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
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www.somersny.com

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



Syrette Dym, AICP
Director of Planning
sdym@somersny.com

MEMORANDUM

TO: Town of Somers Planning Board
FROM: Syrette Dym, Director of Planning
DATE: January 8, 2016
RE: Application for Additional Signage – Somers Commons Shopping Center (4.20-1-11)

Based on the prior informal application of September 3, 2015, and comments from the Director of Planning, Town Consulting Engineer and Planning Board, Zarin & Steinmetz as attorney for Somers Commons, an application for and Amended Site Plan for Additional Signage was submitted.

As indicated in the application, Section 170-21.6R of the Zoning Code permits an identification sign at each access drive connecting to the external public road system. Based on this, the two additional signs are permitted.

Locations of Signs and Site Easements

The Applicant has submitted an Overall Plan (OP-1) indicating the locations of the two proposed signs and a Detail Sheet (D-1). The detail sheet indicates that each proposed sign is located such that the sight distance to the nearest intersection is unobstructed. What is not shown on the plan are the sight easements at these intersections that would show that the signs comply with the regulation of Section 150-30 J. (3) which states that:

“The sight easements as shown hereon establish the perpetual right of the holder of fee title of the highway, or his authorized representatives to clear, regrade and maintain the area within these easements at such elevation that there is a clear line of sight anywhere across the area between an observer’s eye at an elevation of 3.5

feet above the street surface at the nearest edge of the street and an object one foot above the nearest edge of pavement on the intersecting street.”

A further explanation of this regulation is stated in Section 150-24E. Sight easements. The applicant needs to show these on the plan and show that the locations of the signs comply with the regulations of these sections.

Additionally, Section 170-35. Visibility at intersections identifies additional regulations that must be met on any corner in the Town. The plan needs to show that these regulations are met with the proposed sign locations.

Revised Site Plan

It is also not clear that the Overall Site Plan as submitted meets the criteria of an Amended Site Plan which is required by Section 170-21.3.B Accessory uses in the CS district which states that:

“B. Signs, in accordance with the provisions and procedures of Chapter 6 and as depicted on an approved site plan and subject to the limitations in Section 170-26.”

This will be verified with the Town Attorney and should be discussed by the Applicant and their attorney.

The Planning Board needs to have the above issues clarified by the applicant. The Planning Board should complete its review of site plan issues prior to referring this application to the Architectural Board of Review for sign design.

SEQR

At its meeting of January 13, 2016, the Planning Board should declare its intent to be lead agency and distribute all appropriate forms to all involved and interested agencies.

Z:\PE\Site plan files\Baldwin Place\Somers Commons Signs\Planner Comments\Planner Comments 01-08-16.docx

**STATE ENVIRONMENTAL QUALITY REVIEW
LEAD AGENCY RESPONSE FORM**

Response Deadline: February 12, 2016

TO: Town of Somers – Planning Board
Attn: Syrette Dym, AICP, Director of Planning
Town House
335 Route 202
Somers, New York 10589

RE: Establishment of Lead Agency – Amended Site Plan Approval for Additional Signage at Existing Somers Commons Shopping Center

Please be advised that the _____,
(Name of Agency)

as an involved agency under SEQR concurs with the designation of the Somers Planning Board as Lead Agency for the above-captioned project.

Comments, if any, on approval(s) under our jurisdiction and/or issues to be examined as part of environmental review under SEQR:

Signature: _____ Date: _____

Print Name and Title: _____

NOTICE OF SEQR ACTIONS – Proposed Amended Site Plan Approval for Additional Freestanding Signage at Existing Somers Commons Shopping Center

Notice of Intent to Act as Lead Agency

Issued by Town of Somers Planning Board Westchester County, New York

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act (SEQRA)) of the New York State *Environmental Conservation Law* and Chapter 92 (Environmental Quality Review) of the *Code of the Town of Somers, New York*.

The Planning Board of the Town of Somers, Westchester County, declares its intent to act as lead agency for a Proposed Amended Site Plan Approval for additional freestanding signage at the existing Somers Common Shopping Center.

The Somers Planning Board, at its meeting of January 13, 2016 declared its intent to establish itself as Lead Agency with regard to this Proposed Action under the procedures and requirements of SEQRA and Chapter 92 of the Somers Town Code as part of a coordinated review.

The Proposed Action is an Unlisted Action under SEQRA as per Chapter 92 of the *Code of the Town of Somers* in conjunction with Article 24 of the *NYS Environmental Conservation Law*.

PROPOSED LEAD AGENCY: Planning Board, Town of Somers
Somers Town House
335 Route 202
Somers, New York 10589

TITLE OF ACTION: Amended Site Plan Approval for Additional Signage at Existing Somers Commons Shopping Center

DESCRIPTION OF ACTION: UB Somers, Inc., the owner of Somers Commons Shopping Center, seeks to erect two additional freestanding signs to be located at the access drive on Route 6 to the west of the main entrance and at the access drive on Route 118. These would be in addition to the existing sign located at the main entrance on Route 6. While the existing sign is 29.1 feet tall and 24.9 feet wide, the proposed signs would be 13 feet tall and 13 feet wide.

LOCATION: 80 Route 6, Somers NY, Westchester County (Tax Lot 4.20-1-11)

SUPPLEMENTAL INFORMATION: A Short Environmental Assessment Form has been prepared for the Proposed Action. This form is being distributed to all Involved and Interested Agencies (see attached below), and this information is also available for review in the Planning and Engineering office at the Town House and on the Town's web site.

Contact: Syrette Dym, AICP, Director of Planning
335 Route 202
Somers, New York 10589

Telephone: 914-277-5366

Date of this Notice: January 13, 2016

SEQR DISTRIBUTION LIST – See Attached

SEQR DISTRIBUTION LIST – Proposed Amended Site Plan Approval for Additional Freestanding Signage at Existing Somers Commons Shopping Center

Involved Agency

Architecture Review Board
Somers Town House
335 Route 202
Somers, New York 10589

Interested Agencies

New York State Department of Environmental Conservation
Division of Environmental Permits--Region 3
21 South Putt Corners Road
New Paltz, New York 12561-1696
Attn.: Martin Brand, Regional Director

New York City Department of Environmental Protection
465 Columbus Avenue
Valhalla, New York 10595
Attn.: Mariyam Zachariah

Town of Somers Town Clerk
Somers Town House
335 Route 202
Somers, New York 10589
Attn.: Patricia Kalba, Town Clerk

Somers Town Board
Somers Town House
335 Route 202
Somers, New York 10589

Other- Lead Agency Representatives

Syrette Dym, Director of Planning
Somers Town House
335 Route 202
Somers, New York 10589

Woodard & Curran Engineering P.A P.C.
709 Westchester Avenue Suite L2
White Plains, NY 10604
Attn: Joseph Barbagallo, Senior Vice President

Stephans, Baroni Reilly & Lewis LLP
175 Main Street White Plains, NY 10601
Attn: Roland A. Baroni, Esq.

Other- Project Sponsor Representatives

Zarin & Steinmetz
81 Main Street
Suite 415
White Plains, NY 10601
Attn: Jody Cross

Insite Engineering, Surveying & Landscape Architecture, P.C.
3 Garrett Place

Carmel, NY 10512
Attn: Richard Williams

SEQR DISTRIBUTION LIST – Proposed Amended Site Plan Approval for Additional Freestanding Signage at Existing Somers Commons Shopping Center

Involved Agency

Architecture Review Board
Somers Town House
335 Route 202
Somers, New York 10589

Interested Agencies

New York State Department of Environmental Conservation
Division of Environmental Permits--Region 3
21 South Putt Corners Road
New Paltz, New York 12561-1696
Attn.: Martin Brand, Regional Director

New York City Department of Environmental Protection
465 Columbus Avenue
Valhalla, New York 10595
Attn.: Mariyam Zachariah

Town of Somers Town Clerk
Somers Town House
335 Route 202
Somers, New York 10589
Attn.: Patricia Kalba, Town Clerk

Somers Town Board
Somers Town House
335 Route 202
Somers, New York 10589

Other- Lead Agency Representatives

Syrette Dym, Director of Planning
Somers Town House
335 Route 202
Somers, New York 10589

Woodard & Curran Engineering P.A P.C.
709 Westchester Avenue Suite L2
White Plains, NY 10604
Attn: Joseph Barbagallo, Senior Vice President

Stephans, Baroni Reilly & Lewis LLP
175 Main Street White Plains, NY 10601
Attn: Roland A. Baroni, Esq.

Other- Project Sponsor Representatives

Zarin & Steinmetz
81 Main Street
Suite 415
White Plains, NY 10601
Attn: Jody Cross

Insite Engineering, Surveying & Landscape Architecture, P.C.
3 Garrett Place

Carmel, NY 10512
Attn: Richard Williams

PLANNING AND ENGINEERING DEPARTMENTS

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

Town of Somers

WESTCHESTER COUNTY, N.Y.

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

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



Syrette Dym, AICP
Director of Planning
sdym@somersny.com

January 6, 2016

Involved and Interested Agencies

Re: Proposed Amended Site Plan Approval for Additional Freestanding Signage
at Existing Somers Commons Shopping Center

UB Somers, Inc., the owner of Somers Commons Shopping Center, located at 80 Route 6, Somers NY, Westchester County (Tax Lot 4.20-1-11) seeks to erect two additional freestanding signs to be located at the access drive on Route 6 to the west of the main entrance and at the access drive on Route 118. These would be in addition to the existing sign located at the main entrance on Route 6. While the existing sign is 29.1 feet tall and 24.9 feet wide, the proposed signs would be 13 feet tall and 13 feet wide.

At its meeting of January 13, 2016, the Town of Somers Planning Board voted to declare its intent to be Lead Agency for the Proposed Action under SEQR based on its review of a Full EAF –Part 1 dated December 21, 2015..

The Proposed Action is an Unlisted Action pursuant to Chapter 92 of the *Code of the Town of Somers*. The Planning Board will conduct a coordinated environmental review. The attached Notice of Intent to Be Lead Agency and attached Full EAF are being distributed to involved and interested agencies for their information.

Syrette Dym, AICP
Director of Planning

Attach. – Notice of Intent to Be Lead Agency
SEQR Distribution List
Full Environmental Assessment Form – Part 1

Cc: Involved and Interested Agencies Z:\PE\Site plan files\Baldwin Place\Somers Commons Signs\SEQR\Site Plan Lead Agency Cover Letter.docx