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PLANNING DEPARTMENT

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Town of Somers

WESTCHESTER COUNTY, N.Y.

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SOMERS PLANNING BOARD
AGENDA
JANUARY 14, 2015
7:30 P.M.

MINUTES Consideration for approval of Draft Minutes for November 12, 2014.

PROJECT REVIEW

1. **AT&T MOBILITY, LLC STEEP SLOPES AND STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL PERMITS [TM: 17.05-20-2, 3, 12]**
   Application of AT&T Mobility c/o Bechtel (applicant) and Heritage Hills of Westchester (owner) for the installation of 2-4" conduits from existing telecommunications building to an existing Verizon manhole.

2. **HIDDEN MEADOW AT SOMERS [15.07-1-6]**
   Application for Preliminary Subdivision Approval, Site Plan Approval Steep Slopes, Wetland, Stormwater Management and Erosion and Sediment Control Permits relative to application of Multifamily Residence Baldwin Place District (MFR-BP) under consideration by the Town Board to a 16.7 acre parcel located along the south side of US Route 6 for the proposed development of 53 units of housing, sixteen of which would be affordable, within 45 townhouse buildings on 45 fee simple lots plus one lot for lands to be owned in common by a Home Owners Association.
   Review of the Negative Declaration

3. **GERLACH/ZADJELOVICH (STUART FARM) [TM: 26.11-1-1]**
   Application for Preliminary Subdivision Approval for a 2 Lot subdivision including one 3.0047 acre building lot and a 96.9953 acre lot to remain undisturbed
   The owner is Mary Lee Gerlach (Stuart) and the applicant is John Zadjelovich.
   The property is located on Granite Springs Road and is in the R-120 Zoning District.

Next Planning Board Meeting is Wednesday January 28, 2015
Agenda information is also available at www.somersny.com

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date of Adoption: _____

Name of Action: Hidden Meadow at Somers

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Somers Planning Board, as Lead Agency, has determined that the Proposed Action described below will not have a significant adverse effect on the environment and a Draft Environmental Impact Statement will not be prepared.

SEQR Status: Type I Action

Conditioned Negative Declaration: No

Description of Action: The Proposed Action consists of a multi-family housing development with associated site appurtenances, consisting of (8) buildings containing (53) total units as follows: (37) market rate town homes, (8) affordable town homes and (8) affordable apartments. Each affordable apartment, with its own individual entry, will be located within and owned by the owner of the corresponding affordable townhome, also with its own entry. The project includes public water and sewer connections and onsite stormwater management.

Location: Town of Somers, Westchester County

Reasons Supporting This Determination:

Based upon a review of Parts 1, 2 and 3 of the Full Environmental Assessment Form (EAF) and all other application materials that were submitted in support of the Proposed Action, the Planning Board makes the following findings:

IMPACT ON LAND

Construction on slopes of 15% or greater

Approximately 24,000 square feet of slopes in excess of 15% exist within the project area. Of the total area of slopes in excess of 15%, 5,900 square feet is proposed to be disturbed. As part of the Proposed Action, filling of the slopes will take place along US Route 6. The filling is required to widen US Route 6 in order to create a westbound left turn lane into the site. Even if the project is not constructed, the long term plans of the NYSDOT contemplate widening US Route 6, so it is likely that this impact would occur in the future. In addition, the proposed project will necessitate excavation which will result in the creation of on-site slopes steeper than currently exist and the removal of vegetation. An erosion and sediment control plan has been developed in accordance with the requirements of the New York State SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001) and the technical standards of the *New York State Standards and Specifications for Erosion and Sediment Control*.

In order to mitigate the erosion from construction runoff during the initial land disturbance and construction phase of the project, the Erosion and Sediment Control Plan includes the provision of silt fence, minimizing the amount of time areas can be disturbed before temporary stabilization must be provided, providing erosion control blankets on steep slopes, as well as seed mixtures appropriate for the proposed slopes. The Erosion and Sediment Control Plan also provides for monitoring during construction through weekly site inspections. There have been no other impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

Excavation and removal of more than 1,000 tons of natural material

Over 1,000 tons of natural material are proposed to be excavated in conjunction with the Proposed Action. The proposed earthwork will result in the need to import material to the site. Pursuant to NYSDEC regulations, a mining permit is not required because the earthwork is being performed in conjunction with a Site Plan. Based on requests by the Planning Board, the Applicant explored several alternatives to avoid the cutting and filling required for implementation of this site plan. The alternative selected by the Planning Board, which is the Proposed Action, greatly reduced the earthwork on-site compared with other identified alternatives. Potential impacts identified with the site excavation include the potential for erosion and truck traffic associated with importing materials.

An erosion and sediment control plan has been developed in accordance with the requirements of the New York State SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001) and the technical standards of the *New York State Standards and Specifications for Erosion and Sediment Control*. The potential

impact would occur during the initial land disturbance or construction phase of the project.

In order to mitigate the erosion from construction runoff during the initial land disturbance and construction phase of the project, the Erosion and Sediment Control Plan includes providing a silt fence, providing stabilized construction entrances, minimizing the amount of time areas can be disturbed before temporary stabilization must be provided, providing erosion control blankets on steep slopes, providing temporary soil stockpile locations that restrict temporary earthwork staging within controlled areas, providing diversion swales, and providing temporary sediment traps. The Erosion and Sediment Control Plan also provides for monitoring during construction through weekly site inspections. The anticipated construction traffic will be less than the proposed peak traffic generated by the Proposed Action, which was studied in the Traffic Report. Therefore, the truck traffic is not anticipated to create any impacts beyond those already contemplated and evaluated for the project. There have been no other impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

Increased erosion from physical disturbance and vegetative removal

The proposed project consists of 9.4 acres of disturbance on soils with Hydrologic Soil Groups of "C" and "D." The project also contains an onsite wetland that is tributary and in close proximity to the Muscoot River. Vegetation removal can lead to erosion from the site which has the potential to impact downstream water bodies. An erosion and sediment control plan has been developed in accordance with the requirements of the New York State SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001) and the technical standards of the *New York State Standards and Specifications for Erosion and Sediment Control* to ensure that erosion from construction runoff does not impact downstream properties and environmental features.

The erosion and sediment control plan was developed to mitigate impacts associated with vegetation removal. The Erosion and Sediment Control Plan includes providing a silt fence, providing stabilized construction entrances, minimizing the amount of time areas can be disturbed before temporary stabilization must be provided, providing temporary soil stockpile locations that restrict temporary earthwork staging within controlled areas, providing erosion control blankets on steep slopes, providing diversion swales, and providing temporary sediment traps. The Erosion and Sediment Control Plan also provides for monitoring during construction through weekly site inspections. There have been no other impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

IMPACTS ON SURFACE WATER

Construction within or adjoining a freshwater wetland

The Proposed Action includes approximately 0.03 acres of disturbance to local Town of Somers and Army Corps of Engineers regulated wetland. The impact to the wetland is only proposed within an isolated area and is 1.3% of the overall wetland. The existing wetland is located along the fill area of the U.S. Route 6 widening. Disturbance to wetlands is a regulated activity under the Town of Somers Code and must be thoroughly evaluated for impacts to the wetland, potential habitat and hydrology. In addition, the project requires approval of a Wetland Permit from Army Corps of Engineers for disturbance within the regulated wetland boundary.

A Threatened and Endangered Species Habitat Suitability Assessment and Wetland Report was prepared and addresses the potential impacts to the wetlands and potential habitat. A Biodiversity Assessment Report was also prepared to examine impacts to the wetland plants and fauna. Wetland functions and values were evaluated for the property in accordance with Town Code and following U.S. Army Corps recognized evaluation methodology. A Stormwater Pollution Prevention Plan (SWPPP) was prepared for the project. The SWPPP maintains that approximately 30.8 acres of pre- and post-development area drain to the onsite wetland. Therefore, no impact to the hydrology of the wetland is anticipated. Unnecessary disturbance will be avoided through the installation of construction barrier fence and silt fences prior to the start of land clearing activities.
Based upon the wetland assessment findings and scope of proposed disturbance, impacts to the site wetlands are minimal at 0.03 acres. Potential impacts to stormwater quality resulting from erosion and sedimentation and nutrient loading will be mitigated by the proposed permanent stormwater management practices, construction erosion and sediment control plan and site restoration. Two proposed stormwater pocket wetlands will be provided along the edge of the wetland buffer and will act in a similar manner as the displaced wetlands and will provide for functions of flood-flow attenuation and biological nutrient filtration. The project also requires issuance of a Wetlands Permit from the U.S. Army Corp of Engineers (ACOE) for the proposed disturbance to the regulated wetland area. Design of supplementary mitigation prior to issuance of such permit will be required if determined to be necessary by the ACOE. There have been no other impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

Creation of turbidity in a waterbody from runoff

Land disturbance encountered during clearing and construction activities has the potential to cause erosion and produce sediment laden stormwater runoff and turbid water conditions. In addition, improper design of permanent site stormwater controls risks the potential of increased and concentrated stormwater runoff peak flows that may also have the ability to create erosion and produce turbid conditions in receiving waterbodies.

An erosion and sediment control plan has been developed in accordance with the requirements of the New York State SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001) and the technical standards of the *New York State Standards and Specifications for Erosion and Sediment Control* to ensure that erosion from construction runoff does not impact downstream properties and environmental features. The potential impact would occur during the initial land disturbance or construction phase of the project. Long term impacts associated with post-construction stormwater runoff also have the potential to impact water quality. The Erosion and Sediment Control Plan, contained as part of the project SWPPP, was reviewed by the office of the New York State Attorney General, Watershed Inspector General (the WIG) during project review. Comments from the WIG related to the SWPPP were contemplated during project review by the Planning Board and were incorporated where applicable into the final design of stormwater management practices and the site SWPPP.

In order to mitigate the erosion from construction runoff during the initial land disturbance and construction phase of the project, the Erosion and Sediment Control Plan includes the provision of silt fence, providing stabilized construction entrances, minimizing the amount of time areas can be disturbed before temporary stabilization must be provided, providing erosion control blankets on steep slopes, provision of diversion swales, and providing temporary sediment traps. The SWPPP also includes the design of stormwater management practices to a proposed level spreader with rip-rap stabilized outlet apron sized to dissipate peak flows and stabilize the ground surface against erosion. The Erosion and Sediment Control Plan, as well as the Code of the Town of Somers, requires the Applicant to retain a qualified professional, as defined by the SPDES General Permit for Stormwater Discharges from Construction Activity, to perform weekly erosion and sediment control inspections throughout the duration of construction until proper Final Site Stabilization is determined by the Town to be met. Copies of the inspection reports will be kept on-site with the SWPPP document and must be available for inspection by Town and State officials. There have been no other impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

Cause soil erosion or create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies

Land disturbance encountered during clearing and construction activities has the potential to cause erosion and produce sediment laden stormwater runoff and turbid conditions. In addition, improper design of permanent site stormwater controls risks the potential of increased and concentrated stormwater runoff peak flows that may also have the ability to create erosion, sedimentation and produce turbid conditions in receiving waterbodies.
An erosion and sediment control plan has been developed as part of the project SWPPP in accordance with the requirements of the New York State SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001) and the technical standards of the *New York State Standards and Specifications for Erosion and Sediment Control* to ensure that erosion from construction runoff does not impact downstream properties and environmental features. In order to mitigate the erosion from construction runoff during the initial land disturbance and construction phase of the project, the Erosion and Sediment Control Plan includes providing silt fences, stabilized construction entrance, minimizing the amount of time areas can be disturbed before temporary stabilization must be provided, management of earthwork in controlled temporary stockpile areas, installation of erosion control blankets on steep slopes, construction of diversion swales, and providing temporary sediment traps. The SWPPP, as well as the Code of the Town of Somers, requires the Applicant to retain a qualified professional, as defined by the SPDES General Permit for Stormwater Discharges from Construction Activity, to perform weekly erosion and sediment control inspections throughout the duration of construction until proper Final Site Stabilization is determined by the Town to be met. Copies of the inspection reports will be kept on-site with the SWPPP document and must be available for inspection by Town and State officials.

Long term impacts associated with post-construction stormwater runoff also have the potential to impact water quality.

Permanent stormwater controls have been designed in accordance with the NYSDEC *New York State Stormwater Management Design Manual*, Town Code requirements and the supplemental design criteria prescribed by the NYC DEP *Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and its Sources*. Site stormwater flows will be controlled, mitigated and discharged to stabilized outlet practices through a stormwater management system consisting of surface sand filters, Bioretention filters, porous pavement, hydrodynamic separation, pocket wetlands and level spreaders.

The project SWPPP was also reviewed by the office of the New York State Attorney General, Watershed Inspector General (the WIG) during project review. Comments from the WIG related the SWPPP were contemplated during project review by the Planning Board and were incorporated where applicable into the final design of stormwater

management practices and the site SWPPP. There have been no other impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

Affect the water quality of any water bodies within or downstream of the site

Land disturbance encountered during clearing and construction activities has the potential to cause erosion and produce sediment laden stormwater runoff and turbid conditions. In addition, improper design of permanent site stormwater controls risks the potential of increased and concentrated stormwater runoff peak flows that may also have the ability to create erosion, sedimentation and produce turbid conditions in receiving waterbodies The potential impact would occur during the initial land disturbance or construction phase of the project. Long term impacts associated with post-construction stormwater runoff also have the potential to impact water quality.

In order to mitigate the erosion from construction runoff during the initial land disturbance and construction phase of the project, the Erosion and Sediment Control Plan, contained as part of the project SWPPP, includes providing a silt fence, providing stabilized construction entrances, minimizing the amount of time areas can be disturbed before temporary stabilization must be provided, providing temporary soil stockpile locations that restrict temporary earthwork staging within controlled areas, providing erosion control blankets on steep slopes, providing diversion swales, and providing temporary sediment traps. Permanent post-construction stormwater management controls have also been prepared for the project and are detailed in the project SWPPP. The SWPPP has been designed to meet the Enhanced Phosphorus Removal Standards identified in Chapter 10 of the *New York State Stormwater Management Design Manual*. Through following the design provisions for stormwater practices prescribed in Chapter 10, the proposed site stormwater management practices are determined to meet NYSDEC phosphorous treatment performance goal requirements in accordance with the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001). The project SWPPP was also prepared to conform with the NYC DEP "Rules & Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources", April 2010, and follows the supplementary stormwater design criteria prescribed by the NYC DEP for SWPPP approval. Although not a regulatory requirement, phosphorus loading calculations were performed for the subject project using the latest NYSDEC published phosphorous concentration values and the Simple Method loading methodology. The Simple Method is recognized by the NYSDEC as an acceptable phosphorus loading methodology and utilizes NYSDEC published coefficients for phosphorus loading. Based on the phosphorus loading calculations, the subject project would have a post-development

phosphorus load after treatment which equates to an 11% reduction from pre-development load. The site SWPPP and phosphorous loading calculations were reviewed by the office of the New York State Attorney General, Watershed Inspector General (the WIG) during project review. Comments from the WIG related to phosphorous loading calculations and SWPPP were contemplated during project review by the Planning Board and were incorporated where applicable into the final design of stormwater management practices and the site SWPPP. There have been no other impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

IMPACT ON GROUNDWATER

May result in new or additional use of groundwater or may have the potential to introduce contaminants to ground water or an aquifer

The project will not result in the additional use of groundwater because the project will be connected to the Windsor Farms Water District. As discussed in the Water Engineering Report, there is adequate capacity in the existing system to service the project. In addition, there will be no bulk storage of petroleum or chemical products at the site eliminating, the potential of introducing contaminants to the groundwater. In addition, site stormwater practices were designed to provide for water quality treatment of stormwater constructed wetlands and sand and bioretention practices. They do not rely primarily on the infiltration of collected stormwater.

There have been no impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

IMPACT ON PLANTS AND ANIMALS

May cause reduction in population or loss of individuals of any threatened or endangered species

A Threatened and Endangered Species Habitat Suitability Assessment and Wetland Report and a Biodiversity Assessment Report were prepared for the Site. Four threatened or endangered species of animals have been identified as having the potential to use the site as a habitat. The species identified include the Bog Turtle, Indiana Bat, Northern Long Eared Bat, and the New England Cottontail. However, correspondence with the NYSDEC and US Fish and Wildlife indicate that there has been no occurrence of any of the species documented on the site. As noted in the Biodiversity Assessment Report, due

to the adjacent heavily traveled Route 6, the property is not part of a significant wildlife corridor and yield low wildlife usage of the property, as revealed during the site surveys. However, potential impacts from the project were avoided to the maximum extent practicable by reducing grading, utilizing the area topography, and concentrating development in one area of the property. With respect to the Indiana Bat and the Northern Long Eared Bat, the Reports indicate that there is potential habitat for both of these species on the site. The potential to harm either bat species occurs when forest is cleared outside of the hibernation period when the species are using the forest.

In addition to the NYSDEC and the US Fish and Wildlife list of Threatened and Endangered species, the Westchester County endangered species list was reviewed to determine whether locally designated species were observed utilizing the habitats on the property. The list of endangered species, threatened species and species of special concern was prepared by Westchester County Commissioner of Parks, Recreation and Conservation and was adopted by the Town of Somers. Westchester County listed mammals possibly found in this area include the bobcat and the river otter. Neither of these species are likely to occur on the property except as transients because of the property being located adjacent to Route 6. Suitable habitat for these species is lacking within the property. The eastern box turtle, the spotted turtle and the wood turtle are the only Westchester County listed reptile or amphibian documented for the area in which the property is located. However, none of the turtles were observed on the site or in the surrounding locale during the six site visits performed during the survey. The type of habitat needed by these turtles is not found on the property. The wood thrush was the only Westchester County listed bird species of special concern documented on the property. It was recognized through vocalization. Since the species is highly mobile and there is no specific need to utilize the habitat onsite for its life cycle, meaning that it is not a site specific species, there would be no significant impact since foraging and other wooded habitat will remain on the property. None of the fourteen species of butterflies or the nine species of dragonflies listed by Westchester County have been identified on the site.

As recommended by the Open Space Committee, to further ensure that habitat fragmentation will not occur on site, "Cape Cod" style curbing will be used along roadways in order to allow for the movement of smaller animals, particularly turtles and amphibians, over the road and a 2-foot by 2-foot box culvert will be placed under the entrance roadway to allow animals to pass under the roadway, instead of over it. To avoid impacts to either the Indiana Bat or the Northern Long Eared Bat, clearing would be restricted to occur between October 1 and March 31. In addition, as recommended by the US Fish and Wildlife Service, orange construction fencing and/or silt fencing would be placed between the areas to be cleared and the areas to be left undisturbed. There have been no other impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

May result in a reduction or degradation of any habitat used by rare, threatened or endangered species

Four threatened or endangered species of animals have been identified as having the potential to use the site as a habitat. The species identified include the Bog Turtle, Indiana Bat, Northern Long Eared Bat, and the New England Cottontail. However, correspondence with the NYSDEC and US Fish and Wildlife indicate that there has been no occurrence of any of the species documented on the site.

A Threatened and Endangered Species Habitat Suitability Assessment and Wetland Report and a Biodiversity Assessment Report were prepared for the Site. As noted in the Biodiversity Assessment Report, due to the adjacent heavily traveled Route 6, the property is not part of a significant wildlife corridor and yields low wildlife usage of the property, as revealed during the site survey. However, potential impacts from the project were avoided to the maximum extent practicable by reducing grading, utilizing the area topography, and concentrating development in one area of the property and placing the remainder of the site in a conservation easement. With respect to the Indiana Bat and the Northern Long Eared Bat, the Reports indicate that there is potential habitat for both of these species on the site. The potential to harm either bat species occurs when forest is cleared outside of the hibernation period when the species are using the forest.

To avoid impacts to either species, clearing would be restricted to occur between October 1 and March 31. In addition, as recommended by the US Fish and Wildlife Service, orange construction fencing and/or silt fencing would be placed between the areas to be cleared and the areas to be left undisturbed. There have been no other impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

May substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species on site

The proposed development will require the clearing of approximately 8 acres of oak-hickory forest habitat. Earth moving, operation of heavy machinery, construction, alteration of existing drainage patterns, addition of impervious surfaces, changes in traffic patterns, and increased human activity will occur on the property. The closed canopy in the oak-hickory forest will be partially cleared. Approximately 3 acres will remain as a buffer to the on-site forested wetland that will be preserved. The oak-hickory woods on the property are already fragmented since there are no contiguous woodlands around the

property, which is surrounded by Route 6 and fields. Habitat fragmentation is the separation and isolation of habitats and wildlife populations by placing impenetrable barriers between habitats that prevent mixing formerly connected or adjacent wildlife populations, thereby creating "habitat islands." For the project site, significant habitat fragmentation has already existed for many decades in the form of Route 6. The proposed 8 acres of impact to the oak-hickory habitat component will not likely impede wildlife movement through the property because the remaining habitat will continue to connect to adjacent offsite habitats. Due to the heavily traveled Route 6, the property is not part of a significant wildlife corridor as revealed during the site surveys, which showed low wildlife usage of the property.

A Threatened and Endangered Species Habitat Suitability Assessment and Wetland Report and a Biodiversity Assessment Report were prepared for the Site. While the Threatened and Endangered Species Habitat Suitability Assessment and Wetland Report and the Biodiversity Assessment Report did not identify any potential plant or animal species requiring mitigation, certain measures will be taken to protect wildlife on the property. The Applicant will minimize impacts by leaving undisturbed, naturally vegetated zones, demarcated in the field by orange construction fencing, and by clearing only areas within the limit of disturbance. The impacted oak-hickory forest areas will not fully be replaced but will be enhanced by replanting some areas within the development with native plant species. The native plantings will provide wildlife with habitat and food sources. Other habitat aspects of the property that will be preserved include stonewalls and standing dead trees (snags). Old stonewalls provide habitat for small mammals, herptiles and invertebrates. Snags provide perching, nesting, and feeding areas for a wide variety of wildlife.

As recommended by the Open Space Committee, to further ensure that habitat fragmentation will not occur on site, "Cape Cod" style curbing will be used along roadways in order to allow for the movement of smaller animals, particularly turtles and amphibians, over the road and a 2-foot by 2-foot box culvert will be placed under the entrance roadway to allow animals to pass under, instead of over it. There have been no other impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

IMPACT ON OPEN SPACE AND RECREATION

The proposed action may result in an impairment of natural functions, or "ecosystem services," provided by an undeveloped area, including but not limited to, stormwater storage, nutrient cycling, wildlife habitat

The project will consist of the development of approximately 9.4 acres of currently undeveloped land. The loss of natural resources through construction is likely to be an irreversible impact. To lessen the impact to the overall property, the development has been clustered on site. As opposed to a conventional subdivision, the clustered development results in less overall land development and has allowed for slightly less than 50% of the site to be placed in a Conservation Easement. The Proposed Action includes approximately 0.03 acres of disturbance to local Town of Somers and Army Corps of Engineers regulated wetland. The impact to the wetland is only proposed within an isolated area and is 1.3% of the overall wetland.

A Stormwater Pollution Prevention Plan (SWPPP) has also been prepared for the project. The SWPPP maintains that approximately 30.8 total acres of pre- and post-development area drain to the onsite wetland. Therefore, non impact to the hydrology of the wetland is anticipated. The SWPPP has been designed to meet the requirements of the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001), including the Enhanced Phosphorus Removal Standards of the *New York State Stormwater Management Design Manual,* Town Code requirements, and the supplementary SWPPP requirements prescribed by the NYC DEP *Rules & Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources, latest edition.* The site SWPPP and phosphorous loading calculations were reviewed by the office of the WIG during project review. Comments from the WIG related to phosphorous loading calculations and the SWPPP were contemplated during project review by the Planning Board and were incorporated where applicable into the final design of stormwater management practices and the site SWPPP. Based on the provided phosphorus loading calculations, the subject project has been calculated to have a post-development phosphorus load after treatment that equates to an 11% reduction from pre-development load.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

If the Town elects to pursue development of a park on the adjacent property, this project will assist the Town with the opportunity to develop the adjacent recreation parcel with a town park.

One positive impact of the project relates to the future opportunity for the Town to develop an adjacent piece of Town owned property as a Town park. The Town property has constrained access from Route 6, and the Hidden Meadow site could provide future joint access that would permit development of a limited amount of ball fields and/or other recreational uses. The Applicant has agreed to provide an easement with water and sewer connection from the project entry road to the adjacent property, such road to be completed at some point in the future by the Town. The environmental impacts of the

adjacent parcel would be considered at the time of such development and are not impacts considered as part of this SEQRA action.

There have been no impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

The Project Site is located adjacent to the Baldwin Place Critical Environmental Area (CEA). The CEA is due to the history of hazardous materials leaking into the groundwater from the former Baldwin Place Shopping Center and affecting potable water supplies. The subject project proposes to extend and use the Windsor Farms Water District.

There have been no impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

IMPACT ON TRANSPORTATION

A Traffic Report was prepared to study the impacts of the proposed development. The NYSDEC assumes that projects generating fewer than 100 peak hour vehicle trips will not result in any significant increases in traffic. The Traffic Report for the proposed project indicates the project will generate 26 peak hour trips, which is well below the 100 peak hour vehicle trips considered by the NYSDEC. The Town is also in receipt of correspondence from the New York State Department of Transportation (NYSDOT) which states that the proposed project will not result in a significant impact on traffic. Temporary impacts in the form of construction traffic delays may occur; however, these impacts are anticipated to be short in duration. It is not now known whether school buses will stop inside the development or on Route 6 to pick up project generated school children. The Somers Central School District will not make a final determination on school bus pick up until construction of the development is complete and a request from the Homeowners Association is received by the District. The two possible scenarios for student pickup/drop off include the following: 1) buses entering and exiting the Hidden Meadows Development to pick up/drop-off students within the property; or 2) school bus routing such that school buses approaching from the west would turn right onto Windsor Road, exit at the easterly terminus connection with Route 6, make a left turn onto Route 6 westbound, then proceed on Route 6 to the development access, load and unload students along the site frontage and continue easterly along Route 6. The drop-off trip would be done in the same manner. The stopping on Route 6 would be temporary and not

result in a major impact on Route 6 traffic. Appropriate bus stop signage would be provided as part of the final access improvement plans. The implementation of either of these options would eliminate the need for any students to cross Route 6.

The temporary impacts identified with regard to traffic delays from construction vehicles will be mitigated with a Maintenance and Protection of Traffic Plan for the project. There have been no other impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

IMPACT ON ENERGY

The project is a residential development within an already developed area. The project will be designed to meet the New York State Energy code. A new substation or upgrades to an existing substation are not anticipated to be needed for the project.

There have been no impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

IMPACT ON NOISE, ODOR, AND LIGHT

The noise anticipated to be generated by the project is the typical noise generated by a residential neighborhood. Noise levels will be temporarily elevated during the short-term construction phase. Blasting is not anticipated on the site.

The temporary impacts of noise during construction are unavoidable. A limited number of lighting fixtures are proposed for parking and safety lighting. All lighting fixtures will be fully shielded, downward-directed. A photometric plan has been provided and demonstrates that the lighting will not result in light spillage onto adjacent properties.

There have been no impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

CONSISTENCY WITH COMMUNITY PLANS

The project is consistent with the requirements of the MFR-BP Multifamily Residential Baldwin Place District and the 1994 Comprehensive Master Plan as amended. The project is also consistent with other residential developments in the area, such as the

Yorktown Mews and the existing and proposed development of the Somers Realty Planned Hamlet. In addition, the project will result in the positive impact of 16 units of affordable housing which will assist the Town and Westchester County meet its affordable housing obligations. The affordable units will consist of 8 owner occupied units with a separate affordable rental unit on the lower level of each unit. All of the units are proposed to be clustered in one area of the site. As is customary in implementing affordable housing, the Westchester County Planning Board has recommended that the units be scattered throughout the site. However, due to the rear, first-level, rental apartments of these units and their unit and parking access requirements in relation to site topographical features, only a specific area of the site can accommodate these units. Therefore, after careful consideration of available site alternatives, the Planning Board has decided to provide all of the affordable units in one area to create less impact to onsite grading and to provide better accessibility to units and parking. Therefore, the affordable units have been clustered rather than scattered throughout the site. On balance, the Planning Board determines that the positive impact of providing 16 units of affordable housing is greater than any impacts caused by clustering the units

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

CONSISTENCY WITH COMMUNITY CHARACTER

The project is consistent with the requirements of the MFR-BP Multifamily Residential Baldwin Place District and the 1994 Comprehensive Master Plan as amended. The project is also consistent with other residential developments in the area, such as the Yorktown Mews and the existing and proposed development of the Somers Realty Planned Hamlet. The architectural styles are consistent with other developments in the Baldwin Place area. The Town of Somers Architectural Review Board will be working with the Applicant to ensure that the architectural style is satisfactory prior to the issuance of a building permit.

There have been no impacts identified that would require mitigation.

Based upon the foregoing, it is the determination of the Planning Board that the project will not result in a significant adverse environmental impact.

CONCLUSIONS

The Proposed Action is not expected to result in any significant adverse impacts on the environment. In summary:

1. The Proposed Action will not have a significant adverse environmental impact with respect to the impact on land. An erosion and sediment control plan has been

developed in accordance with the *New York State Standards and Specifications for Erosion and Sediment Control* to ensure that erosion from construction runoff does not impact downstream properties and environmental features.

2. The Proposed Action will not have a significant adverse environmental impact with respect to any unique or unusual land forms because there are no unique or unusual land forms in the area.

3. The Proposed Action will not have a significant adverse environmental impact on any wetlands or other surface water bodies. Stormwater management practices for the site have been designed to conform with all required State and local stormwater design regulations and treatment objectives including the enhanced phosphorous removal standards of the NYSDEC Stormwater Management Design Manual, latest edition, and supplementary SWPPP requirements of the NYC DEP "Rules & Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources, latest edition. Mitigation for the wetland disturbance consists of the construction of 0.75 acres of wetlands (pocket wetlands). The two proposed pocket wetlands will be provided along the edge of the wetland buffer and will act in a similar manner as the displaced wetlands.

4. The Proposed Action will not have a significant adverse environmental impact with respect to new or additional use of ground water, and will not have a significant adverse environmental impact with respect to the introduction of contaminants to ground water or an aquifer. The project will be connected to the public water supply. In addition, the proposed project will be residential development, and except for the reasonable use of lawn care products, does not involve any contaminants.

5. The Proposed Action will not have a significant adverse environmental impact with respect to the development of lands subject to flooding. The project is not located within the floodplain.

6. The Proposed Action will not have a significant adverse environmental impact on any State regulated air emission source because the area does not involve or affect any State regulated air emission source.

7. The Proposed Action will not have a significant adverse environmental impact with respect to the loss of flora or fauna.

8. The Proposed Action will not have a significant adverse environmental impact on agricultural resources because there are no agricultural resources on the site.

9. The Proposed Action will not have a significant adverse environmental impact on any scenic or aesthetic resources.

10. The Proposed Action will not have a significant adverse environmental impact on any historic or archaeological resources because there are no historic or archaeological resources in the study area.

11. The Proposed Action will not have a significant adverse environmental impact with respect to the loss of recreational opportunities or with respect to a reduction of an open space resource. If the Town elects to pursue development of a park on the adjacent property, this project will assist the Town with the opportunity to develop the adjacent recreation parcel with a Town Park.

12. The Proposed Action will not have a significant adverse environmental impact on a Critical Environmental Area (CEA).

13. The Proposed Action will not have a significant adverse environmental impact on existing transportation systems. The Traffic Report for the proposed project indicates the project will generate 26 peak hour trips, which is well below the 100 peak hour vehicle trips considered significant by the NYSDEC.

14. The Proposed Action will not have a significant adverse environmental impact as a result of an increase in the use of any form of energy.

15. The Proposed Action will not have a significant adverse environmental impact as a result of an increase in noise, odors or outdoor lighting.

16. The Proposed Action will not have a significant adverse environmental impact on human health from exposure to new or existing sources of contaminants.

17. The Proposed Action will not have a significant adverse environmental impact as a result of being inconsistent with the existing community character. The project is consistent with the requirements of the MFR-BP Multifamily Residential Baldwin Place District and of the policies of the 1994 Comprehensive Master Plan as amended.

Based upon this information and the information in the Environmental Assessment Form, the Planning Board finds that the proposed project will not have any significant adverse impacts upon the environment. This Negative Declaration indicates that no environmental impact statement need be prepared.

Involved Agencies:

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

Westchester County Board of Legislators, 800 Michaelian Office Building, 148 Martine Avenue, 8th Floor, White Plains, New York 10601, Attn: Tina Seckerson

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 1st Floor, *Valhalla*, New York 10595, Attn.: Cynthia Garcia

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

New York State Affordable Housing Corporation, 641 Lexington Avenue, New York City, NY 10022, Attn: Len Sedney, AICO, Director, Environmental Services

New York State Department of Transportation, Region 8 Office, 4 Burnett Boulevard Poughkeepsie, NY 12603, Attn.: William Gorton, P.E., Acting Regional Director

U.S. Army Corps of Engineers, Eastern Permits Section, New York District, Jacob K. Javits Federal Building, 26 Federal Plaza, Room 2109, New York, NY 10278-0090

Interested Agencies:

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

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

Town of Somers Affordable Housing Board, 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

NYS Office of the Attorney General, Environmental Protection Bureau, NYC Watershed Inspector General Scientist, The Capitol, Albany, NY 12224-0341, Attn: Charles Silver, Ph.D.

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

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

New York State Office of Parks, Recreation and Historic Preservation, P.O. Box 308, Staatsburg, NY 12580, Attn.: Linda Cooper, Taconic Regional Director

Central Hudson Gas & Electric Corporation, 284 South Avenue, Poughkeepsie, NY 12601, Attn: Veronica Bardunias, Real Property Services Representative

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

Others – Project Sponsor Representatives

The Kearney Realty & Development Group, 1777 Route 6, Carmel, NY 10512, Attn: Ken Kearney

Housing Action Council, Inc., 55 South Broadway, 2nd fl., Tarrytown, NY 10591 Attn: Rose Noonan

Insite Engineering, Surveying & Landscape Architecture, P.C., 3 Garrett Place, Carmel, NY 10512

Riverkeeper, Inc., 78 North Broadway, E-House, White Plains, NY 10603, Attn: Misti Duvall, Esq., Staff Attorney, Watershed Program

For Further Information Contact: Syrette Dym, Director of Planning, Somers Town House, 335 Route 202, Somers, New York 10589, (914) 277-5366

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
Town Planner
sdym@somersny.com

MEMORANDUM

TO: Town of Somers Planning Board

FROM: Syrette Dym, Director of Planning

DATE: January 6, 2015

RE: Project: Gerlach/Zadjelovich Subdivision (Stuart Farm) Preliminary Subdivision Approval
Applicant: John Zadjelovich
Location: Granite Springs Road (Section 26.11-1-1)
Zoning: R120 Residence District
Actions: Request for a Two Lot Subdivision for Creation of One 3.0047 Acre Building Lot and One 96.9953 Acre Lot to Remain Undisturbed

Application Status

The applicant has submitted an application for preliminary subdivision approval, but provided the requirements necessary for a sketch plan review by the Planning Board. The items that were not provided to meet preliminary subdivision plan review were the completion of road profiles, and a Stormwater Pollution Prevention Plan as required by Town Code Sections 150-12B.(5)(d) and (8) respectively and a general lack of the level of detail on plan. However, since the applicant's Engineer, Bibbo Associates, submitted a letter of January 6, 2015 requesting the Planning Board to consider this for preliminary subdivision approval rather than sketch plan, the item is listed for review of such on the Planning Board agenda.

Preliminary Construction Plan

The Preliminary Construction Plan drawing of 11-14-14 has several items that need correction, namely the following:

- Under Site Data, Item 4, the Tax I.D. needs to be corrected to read Sheet 26.11, Block 1, Lot 1 as well as in other locations on the plan
- The Zoning Conformance Table under Buildable Area footnote "**" identifies the Town Code reference as Section 170-53. 4 when it should be Section 170-58.4

Under the Zoning Conformance Table, the category of Wetlands identifies 4,466 square feet of wetlands. The plan shows some area of the proposed lot as containing wetlands and another area as containing a large area wetland buffer area. The square footage of each, wetlands and buffer area, needs to be separated out and provided. This will help to verify compliance with Section 170-58.4 of the Town Code. With regard to Section 170-58.4, the plan needs to identify the total area of the wetland buffer so it is clear that not more than 1/3 of the minimum buildable area consists of wetland buffer area.

With regard to steep slopes, the EAF identifies that 11 percent of the site has slopes 15 percent or greater. While the Preliminary Construction Plan indicates there is no disturbance to slopes of 15-25% or 25% or greater, these slope areas are not shown on the plan and need to be.

Agricultural Data Statement

The applicant has submitted an Agricultural Data Statement and Control form in accordance with NYS Agriculture and Markets Law 305-a, as requested by the Planning office. The applicant needs to submit verification that this form has been submitted to the NYS Department of Agriculture and Markets, as required by the form.

Tree Removal Permit

No tree removal permit was submitted with the application. A tree survey of the area of disturbance needs to be submitted with any required tree removal permit application and related fee.

Cc: Joe Barbagallo
Open Space Committee
Roland Baroni
Tim Allen

Z:\PE\Subdivision files\Stuart\Re-Subdivsion Lori & Robert Stuart\Town Comments\Planner Comments 01-06-15.docx

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www.woodardcurran.com

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T 914.448.2266
F 914.448.0147

WOODARD &CURRAN

MEMORANDUM

TO: Town of Somers Planning Board
CC: Marilyn Murphy, Planning Board Secretary
FROM: Joseph C. Barbagallo, P.E., BCEE
DATE: January 8, 2015
RE: Gerlach Subdivision
Subdivision Plat Approval, Stormwater Management and Erosion & Sediment Control Permit and Tree Removal Permit.
61 Granite Springs Road
TM: 25.11-1-1, R-120 District

The purpose of this memorandum is to provide the Planning Board with a summary of our review of the documents received related to the Subdivision Plat Approval and Residential Site Plan Application for the property located at 61 Granite Springs Road. The Application proposes the construction of a new 4 bedroom residence and associated site elements including a new driveway, groundwater supply well, septic sewer system and stormwater infrastructure. The following documents were received during this review period:

DOCUMENTS RECEIVED:

- Cover Letter, by Bibbo Associates, L.L.P., dated December 10, 2014.
- "Preliminary Construction Plan", Drawing Sheet: "CP", prepared by Bibbo Associates, L.L.P., dated November 14, 2014, last revised December 10, 2014.
- Application for Preliminary Approval of Subdivision, by John Zadjelovich, last dated November 20, 2014.
- Full Environmental Assessment Form, by John Zadjelovich, last dated December 10, 2014.
- Agricultural Data Statement and Control Form, by Mary Lee Gerlach, dated December 4, 2014.

PERMITS AND APPROVALS REQUIRED:

- Town of Somers: Preliminary & Final Subdivision Approval
- Town of Somers: Tree Removal Permit
- Town of Somers: Stormwater Management and Erosion & Sediment Control Permit
- Town of Somers: Highway Permit
- NYSDEC: State Environmental Quality Review
- NYSDEC: SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001)
- WCDOH: Approval of Septic System & Groundwater Well Locations

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DISCUSSION:

The Applicant has provided preliminary site plans for a 4 bedroom residence and associated site elements including a new driveway, groundwater supply well, septic sewer system and stormwater infrastructure. The subject site is a subdivision of an existing agricultural lot. The project site is located inside of the NYC DEP regulated East of Hudson Watershed. Initial applicant submittals are mindful of Town Code requirements and we anticipate that additional detailed submittals will be provided following initial feedback from the Planning Board

The following is a summary of our comments at this time. It should be noted that additional comments may be added upon receipt of additional information or after a site walk is completed.

1. The Applicant shall submit an acceptable Preliminary Subdivision Plat, as required to accompany an application for Preliminary Subdivision Approval as required by Town Code Chapter 150-26.
2. The provided site plan drawing does not indicate a limit of land disturbance as a result of the proposed development activities on site. The Applicant shall revise the drawing to include a limit of land disturbance and quantify in square feet.
3. Based upon the apparent level of site disturbance, the application is subject to preparation of a Stormwater Pollution Prevention Plan (SWPPP). Town Code Chapter 93 indicates that projects involving land disturbance greater than 5,000 square feet requires preparation of a SWPPP. In addition, an application for construction of a new residence requires the design of post-construction stormwater controls to be incorporated as part of such SWPPP.

   The Applicant has included preliminary stormwater details on the provided site plan drawing. The following comments are intended to guide the Applicant in preparation of additional information that is necessary to address stormwater requirements for an acceptable SWPPP:

   a. The SWPPP shall contain hydrologic calculations for the site for 1 year, 10 year and 100 year design rainfall events, consistent with the NYSDEC requirements. The SWPPP shall include a table that compares pre versus post development stormwater flows at an applicable downstream design point identified on the plan.

   b. The SWPPP shall contain hydraulic design calculations for all proposed stormwater management practices and conveyance pipe. Stormwater infrastructure shall be sized to address site water quality volume requirements, as defined by the NYSDEC Stormwater Management Design Manual.

   c. The Applicant shall verify soil group WbD is appropriate for the entire parcel.

   d. The SWPPP shall contain an estimate of site earthwork, indicating total net cut/fill in cubic feet.

   e. The SWPPP shall include a description of all necessary maintenance and inspection procedures for any proposed stormwater management and sediment control structures during construction. The SWPP shall include a template weekly inspection worksheet that will be utilized the Qualified Inspector during inspections.

WOODARD &CURRAN

f. The Applicant shall prepare a draft maintenance agreement for permanent stormwater infrastructure, based upon Town Code Chapter 93, for review by the Town Attorney and Consulting Town Engineer.

g. The Applicant shall revise the site plan drawing to incorporate a temporary sediment trap downgrade of the proposed area of developments for use during construction.

h. The Applicant shall provide descriptions of and construction details for all proposed erosion and sediment control practices consistent with NYSDEC Blue Book.

i. The SWPPP shall describe proposed final soil restoration and stabilization consistent with Chapter 5 requirements of the NYSDEC Stormwater Management Design Manual.

j. The SWPPP shall include a description of controls for litter and any stored chemicals or substances on site.

k. The SWPPP shall include a Contractor Certification Statement, in accordance with SPDES permit.

l. The construction sequence will be further assessed upon receipt of the complete project SWPPP.

4. The provided drawing shows a proposed stormwater management area to be constructed north of the proposed site driveway. While limited details of the proposed practice type/design have been provided, the following comments shall guide the Applicant:

   a. The Applicant shall provide field investigation data within the proposed stormwater management system area. Testing results must demonstrate greater than 3 foot vertical separation between the proposed system invert to groundwater, soil mottling and/or bedrock. In addition, percolation test data must be provided to demonstrate acceptable soil percolation rates for an infiltration system.

   b. The Applicant shall provide hydraulic sizing calculations for the stormwater management practice. Calculations shall demonstrate that adequate storage is provided based upon the NYSDEC Water Quality Volume treatment objectives.

   c. The Applicant shall design for bypass overflow to a stabilized outlet sized to the 100 year design storm.

   d. The Applicant shall provide construction details for all proposed stormwater management practices.

   e. The Applicant shall provide a summary of practice specific maintenance and inspection procedures.

5. The following comments relate to our review of the preliminary plans for proposed driveway construction:

   a. The Applicant shall prepare profile view drawings of the proposed driveway.

   b. The Applicant shall identify approximate sight distance in both directions along Granite Springs Road at the proposed driveway entrance.

   c. Applicant shall provide a construction detail for driveway cross section.

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d. The Applicant is required to obtain a Highway Permit from the Town of Somers Highway Superintendent to allow for construction of the new site driveway opening to Granite Springs Road. The Applicant shall submit documentation Highway Permit approval prior to issuance of a Building Permit for the project.

6. The provided plans depict that site subsurface sewage treatment area (Septic Fields) will be located to the east of the proposed house. The proposed septic absorption fields are located outside the 100 foot buffer of adjacent wetland areas. The following comments are applicable to the proposed site septic field design:

   a. Revise the plans to show the proposed location of the site septic tank and effluent pipe connection to the absorption fields.

   b. The included Construction Sequence details protective markers to be installed around the proposed septic field to prevent over-compaction by equipment tracking during construction. The Applicant shall revise the plans to show markers or construction fence surrounding the proposed septic absorption field limits.

   c. Provide test pit excavation and percolation test data for the proposed septic fields.

   b. Provide documentation of final Westchester County Department of Health WCDOH design approval for the proposed site septic system.

7. The proposed site development includes the construction of a new groundwater supply well located to the southwest of the proposed residence. The following comments are applicable to the proposed well location and design:

   a. The Applicant shall expand the proposed 100 foot radius around the groundwater well to show keyhole separation for upstream properties on the south side of Granite Springs Road. Adequate separation between the proposed site groundwater well and septic fields to existing groundwater wells and septic fields on these properties must be shown.

   b. The Applicant shall revise the plans to illustrate the proposed water line connection from the well to the proposed dwelling.

   c. The Applicant shall provide documentation of final design approval by the Westchester County Department of Health (WCDOH).

8. The provided plan shows a retaining wall adjacent to driveway. The following comments shall pertain to the proposed retaining wall:

   a. Update plan to show proposed top and bottom elevations of wall along proposed length of wall.

   b. Provide construction detail for typical wall cross-section.

   c. Signed and sealed structural design calculations shall be required for any retaining wall segments with an exposed height of greater than 4 feet.

9. The provided drawings do not illustrate any installation of exterior site lighting.

   a. The Applicant shall update the plans to depict any proposed exterior lighting.

   b. The Applicant shall update plan to show proposed electrical service to house.

WOODARD &CURRAN

10. Proposed site development will require removal of several trees.
    a. Applicant shall update plan to show any regulated trees within the area of disturbance.
    b. Applicant shall identify all trees to be removed or protected during construction.
11. The Applicant shall revise plan to incorporate a north arrow or compass rose.
12. The Applicant shall identify the source used for the wetlands delineation as shown on the submitted drawing and indicate when it was completed.

Please feel free to call me at anytime at 914-448-2266 with any questions.

Sincerely,

Joseph C. Barbagallo, P.E., BCEE
Consulting Town Engineer

7/02

SOMERS PLANNING BOARD

APPLICATION FOR PRELIMINARY APPROVAL OF SUBDIVISION

Application Processing Affidavit must also be signed. Please click here for form.

I. IDENTIFICATION OF APPLICANT: GERLACH

A. OWNER: MARY LEE GERLACH SUBDIVIDER: JOHN ZADDELOVITCH
ADDRESS: 615 MOUNT OLIVET CT. ADDRESS: 3036 QUINLAN ST.
Clayton, CA 94517-1607 YORKTOWN N.Y. - 10598
TELE #: — TELE #: 962-3538

B. SURVEYOR: DON COLEMAN, L.S. TELE #: 962-2215
ENGINEER: TIM ALLEN, P.E. TELE #: 277-5805

II. IDENTIFICATION OF PROPERTY:

A. Subdivision identifying Title: RESUB LOT 1 - ROBERT STUARTS
B. Street abutting property: GRANITE SPRINGS RD
C. Tax Map Designation: Sheet: 26.11 Block: 1 Lot: 1
D. Zoning District: R-120
E. Project (~~does~~) (does not) connect directly into (State) (County) highway.
F. Proposed drainage (~~does~~) (does not) connect directly into channel lines established by the County Commission of Public Works.
G. Project site (is) (~~is not~~) within 500 feet of Town boundary.
H. Affected Wetland Area: N.A. Wetland Buffer Area: N.A.
I. Affected Steep Slope Areas: 15% - 25%: 0 Over 25%: 0
J. Total area of property in acres: 100 ±

III. APPLICABLE FEES PAID: By certified check payable to Town of Somers
Abbreviated Procedure fee of $250: Date Paid:
Preliminary Subdivision Plat is $400 per lot
Number of lots: 2 Date Paid:
Wetland Permit Fee: $200 min. fee + $100 per 5,000 s.f. of regulated area or proposed portions to be disturbed.
Steep Slope Permit Fee: $150 min. fee + $75 per 10,000 s.f. of regulated area or proposed portions to be disturbed.
Total Fee: Date Paid:

IV. DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION
14 copies of all submitted correspondence during review process

A. _____ 14 copies of Preliminary Plat
B. _____ 14 copies of Preliminary Construction Plans
C. _____ 14 copies of Topographic Map
D. _____ 2 copies of Affidavit of Ownership & Title Policy
E. _____ 14 copies of Environmental Assessment Form
F. _____ Proof that taxes have been paid

V. ADJOINING PROPERTY OWNERS

A. Identify all adjoining property owners & owners directly across any and all adjoining streets including those in adjoining communities. Submit stamped envelopes addressed as listed.

SHEET BLOCK LOT NAME OF OWNER & MAILING ADDRESS

If necessary, continue listing on additional sheet.

By submission of this application, the property owner agrees to permit Town officials and their designated representatives to conduct on-site inspections in connection with the review of the proposal.

Property shall be identified on site as being proposed for subdivision. Center line of proposed roadway(s) shall be staked prior to scheduling of a walk-through by the Planning Board.

It is the responsibility of the applicant to be knowledgeable of the law. The following are available at the Town Clerk's Office: Master Plan, Zoning Ordinance, Subdivision Regulation, State Environmental Quality Review Act, Wetland and Steep Slope Ordinances, Road Specifications.

All revised plans shall be accompanied by a letter indicating what has been changed. All costs incurred by the Town for Professional Services and SEQR review will be paid by the applicant.

The undersigned applicant hereby requests approval by the Planning Board of the Preliminary Plat and Construction Plans.

X Applicant John Zaddelovitch Date: 11/20/2014

X, Property Owner Mary Lee Gerlach Date: 8/27/2014

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TOWN OF SOMERS

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Zadjelovich		
Project Location (describe, and attach a general location map): Going West on Granite Springs Road before Hill Top Drive		
Brief Description of Proposed Action (include purpose or need): A 2 lot residential subdivision, including one 3.0047 acre building lot and a 96.9953 acre lot to remain undisturbed.		
Name of Applicant/Sponsor: John Zadjelovich	Telephone: 914-962-3538 E-Mail: jz122582@aol.com	
Address: 3036 Quinlan Street		
City/PO: Yorktown	State: NY	Zip Code: 10598
Project Contact (if not same as sponsor; give name and title/role): Don Kenneally	Telephone: E-Mail:	
Address: 3036 Quinlan Street		
City/PO: Yorktown	State: NY	Zip Code: 10598
Property Owner (if not same as sponsor): Mary Lee Gerlach	Telephone: 415-264-3505 E-Mail:	
Address: 615 Mount Olivet Ct.		
City/PO: Clayton	State: CA	Zip Code: 94517-1607

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Council, Town Board, or Village Board of Trustees ☐Yes☑No		
b. City, Town or Village Planning Board or Commission ☑Yes☐No	Town Planning Board	Dec. 2014
c. City Council, Town or Village Zoning Board of Appeals ☐Yes☑No		
d. Other local agencies ☑Yes☐No	Open Space Committee	
e. County agencies ☑Yes☐No	WCDH	Spring 2015
f. Regional agencies ☐Yes☑No		
g. State agencies ☐Yes☑No		
h. Federal agencies ☐Yes☑No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☑Yes☐No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐Yes☑No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes☐No

If Yes, identify the plan(s):

NYC Watershed Boundary

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☑Yes☐No

If Yes, identify the plan(s):

However, parcel is within a NYS Agricultural District and subject to inclusion of an Agricultural Data Statement as per Section 283-a of NYS Law. See qustion E.3a and b.

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
R-120

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? Somers Central

b. What police or other public protection forces serve the project site?
Somers Town Police Department, NYS Police

c. Which fire protection and emergency medical services serve the project site?
Granite Springs Fire House

d. What parks serve the project site?
Koegel Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? A 2 lot residential subdivision, including one 3.0047 acre building lot and a 96.9953 acre lot to remain undisturbed.

b. a. Total acreage of the site of the proposed action? 100.00 acres
b. Total acreage to be physically disturbed? 0.5 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 100.00 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☑ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
Residential
ii. Is a cluster/conservation layout proposed? ☐ Yes ☑ No
iii. Number of lots proposed? 2
iv. Minimum and maximum proposed lot sizes? Minimum 3.0047 Maximum 99.9953

e. Will proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: 12 months
ii. If Yes:
- Total number of phases anticipated 1
- Anticipated commencement date of phase 1 (including demolition) 2 month 2015 year
- Anticipated completion date of final phase 2 month 2016 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

f. Does the project include new residential uses? ☑ Yes ☐ No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	1			
At completion of all phases	1			

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☑ No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☑ No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ☑ No

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No

If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐ Yes ☐ No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☑ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shores. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐Yes☐No

If Yes, describe:

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes☐No

If Yes:

- acres of aquatic vegetation proposed to be removed:
- expected acreage of aquatic vegetation remaining after project completion:
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):
- proposed method of plant removal:
- if chemical/herbicide treatment will be used, specify product(s):

v. Describe any proposed reclamation/mitigation following disturbance:

c. Will the proposed action use, or create a new demand for water? ☑Yes☐No

If Yes:

i. Total anticipated water usage/demand per day: 300 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes☑No

If Yes:

- Name of district or service area:
- Does the existing public water supply have capacity to serve the proposal? ☐Yes☐No
- Is the project site in the existing district? ☐Yes☐No
- Is expansion of the district needed? ☐Yes☐No
- Do existing lines serve the project site? ☐Yes☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project:
- Source(s) of supply for the district:

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes☐No

If, Yes:

- Applicant/sponsor for new district:
- Date application submitted or anticipated:
- Proposed source(s) of supply for new district:

v. If a public water supply will not be used, describe plans to provide water supply for the project:

New Drilled Well

vi. If water supply will be from wells (public or private), maximum pumping capacity: 5 gallons/minute.

d. Will the proposed action generate liquid wastes? ☑Yes☐No

If Yes:

i. Total anticipated liquid waste generation per day: 300 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):

Sanitary Wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes☑No

If Yes:

- Name of wastewater treatment plant to be used:
- Name of district:
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes☐No
- Is the project site in the existing district? ☐Yes☐No
- Is expansion of the district needed? ☐Yes☐No

- Do existing sewer lines serve the project site? ☐Yes ☐No
- Will line extension within an ex g district be necessary to serve the project? ☐Yes ☐No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☑No

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

Subsurface disposal system.

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐Yes ☑No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes ☐No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes ☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☑Yes ☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Normal machinery, trucks, cars etc. associated with the single family home construction.

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

Portable generators.

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

None.

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: N/A
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: N/A
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☑ No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No

Describe:

n.. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Typical residential lighting for safety and security.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities:

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☑ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:
- Operation:

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction:
- Operation:

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☑ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

The building lot is proposed to be built on an unused area of a agricultural lot located on Granite Springs Road across from a residential area.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	0.11	+ 0.11
• Forested	72	71	- 1.0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	2	2	0
• Agricultural (includes active orchards, field, greenhouse etc.)	20	20	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	2	2	0
• Wetlands (freshwater or tidal)	4	4	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☑ No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☑ No

If Yes,

i. Identify Facilities:

_____

e. Does the project site contain an existing dam? ☐ Yes ☑ No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☑ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☑ No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

v. Is the project site subject to an institutional control limiting property uses? ☐Yes☐No

- If yes, DEC site ID number: ___
- Describe the type of institutional control (e.g., deed restriction or easement): ___
- Describe any use limitations: ___
- Describe any engineering controls: ___
- Will the project affect the institutional or engineering controls in place? ☐Yes☐No
- Explain: ___

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? unknown feet

b. Are there bedrock outcroppings on the project site? ☐Yes☑No
If Yes, what proportion of the site is comprised of bedrock outcroppings? ___%

c. Predominant soil type(s) present on project site:

Woodbridge Loam	70 %
Paxton fine sandy loam	30 %
	%

d. What is the average depth to the water table on the project site? Average: 7+/- feet

e. Drainage status of project site soils:
- ☐ Well Drained: ___% of site
- ☑ Moderately Well Drained: 100 % of site
- ☐ Poorly Drained ___% of site

f. Approximate proportion of proposed action site with slopes:
- ☑ 0-10%: 25 % of site
- ☑ 10-15%: 64 % of site
- ☑ 15% or greater: 11 % of site

(3.0 Acre Site)

g. Are there any unique geologic features on the project site? ☐Yes☑No
If Yes, describe: ___

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐Yes☑No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐Yes☑No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐Yes☑No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name ___ Classification ___
- Lakes or Ponds: Name Uknown Name Classification ___
- Wetlands: Name ___ Approximate Size ___
- Wetland No. (if regulated by DEC) ___

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes☑No

If yes, name of impaired water body/bodies and basis for listing as impaired: ___

i. Is the project site in a designated Floodway? ☐Yes☑No

j. Is the project site in the 100 year Floodplain? ☐Yes☑No

k. Is the project site in the 500 year Floodplain? ☐Yes☑No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes☑No

If Yes:

i. Name of aquifer: ___

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? ☐Yes ☑No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☑Yes ☐No

The wetland located off site and out of the building area may contain some threatened species causing the mapper to check 'yes'.

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☑No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No

If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☑Yes ☐No

If Yes, provide county plus district name/number: WEST001

b. Are agricultural lands consisting of highly productive soils present? ☑Yes ☐No

i. If Yes: acreage(s) on project site? 20 acres

ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No

If Yes:

i. CEA name: _____

ii. Basis for designation: _____

iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeologic site, or district which is listed on, or has been nomina y the NYS Board of Historic Preservation fo lusion on, the State or National Register of Historic Places? ☐Yes ☑No

If Yes:

i. Nature of historic/archaeological resource: ☐Archaeological Site ☐Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐Yes ☑No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐Yes ☑No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐Yes ☑No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐Yes ☑No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐Yes ☐No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name JOHN ZLOSCLOVICH Date Dec 10, 2014

Signature _____ Title PARTNER - BIBBO ASSOC., LLP

PRINT FORM

Section 305-a Review
Department of Agriculture and Markets

The information requested in this form is for purposes of reviewing a local law/regulation and its impact upon your farm under Agriculture and Markets Law (AML) §305-a. The review will be commenced upon your completion and return of this form and the receipt of any other information or documentation that the Department may determine necessary to conduct a 305-a review. Please complete and return this form and provide any additional information you believe relevant, to the New York State Department of Agriculture and Markets, Division of Agricultural Protection and Development Services, 10B Airline Drive, Albany, New York 12235.

1. Name Mary Lee Gerlach

   Address Granite Springs Road
   Somers, N.Y.

   Telephone No. and Fax No.

   E-mail address

   County Westchester Town Somers

RECEIVED
DEC 10
PLANNING-ENGINEERING
TOWN OF SOMERS

2. Name of Farm Stuart's Farm

   Number of Acres Owned 100 Number of Acres Rented 0

   If the farm is located in an Agricultural District, please indicate the Number
   (AML§305-a only applies to farm operations in a State certified agricultural district)

   Does the land/farm receive an agricultural assessment? Yes If no, why not?
   (e.g., start-up, insufficient sales)

   *Please complete the AML §305-a Questionnaire if the farm does not qualify for agricultural assessment, or if the Department informs you that it is otherwise needed for its review.

3. Description of the farm – include the following information and provide as much detail as possible (attach additional sheets as necessary): size of farm; type of enterprise; products; acreage; buildings; years in operation; annual gross income.

   100 acres Fruit + vegetable No buildings
   184 years in operation

Please be aware that any and all records, including e-mails, submitted to the Department are subject to the NYS Freedom of Information Law and may be released.

4. Description of the specific farm buildings, equipment or practices involved and how they are affected. (* Please provide as much detail as possible and attach additional sheets as necessary.)

None

5. Please provide a complete copy of the local law or ordinance (e.g. Zoning Code, Junkyard Law, etc.) and identify the specific section or sections regarding which review is sought:

Section or sections of local law/ordinance: CHAPTER 150; SUBDIVISION OF LAND

If any violations of local law are alleged to have occurred, please provide copies of any Notices of Violation, Tickets, etc. and related documents/letters to the Department.

Describe the status of the charge (e.g., pending, dismissed, on appeal): N/A

If applicable, please provide copies of building/zoning applications, permits and/or correspondence between you and the town, planning board and/or zoning board of appeals.

6. Provide a list of other persons or entities (e.g. Building Inspector, Code Enforcement Officer, Town Attorney) who may have further information; include title and day-time phone number:

N/A

7. Please provide any additional information that may be useful in conducting the Department's review.

The information provided by me above and in the attached documents, if any, is truthful and accurate to the best of my knowledge.

Mary Lee Gerlach — Signature

12/4/2014 — Date

Please be aware that any and all records, including e-mails, submitted to the Department are subject to the NYS Freedom of Information Law and may be released.