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PLANNING DEPARTMENT

TOWN HOUSE
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SOMERS, NY 10589

# Town of Somers

WESTCHESTER COUNTY, N.Y.

John Currie, Chairman
Fedora DeLucia
Christopher Foley
Vicky Gannon
Nancy Gerbino
Eugene Goldenberg
John Keane

## SOMERS PLANNING BOARD
## AGENDA
## JANUARY 8, 2014
## 7:30 P.M.

**MINUTES** Consideration for approval of Draft Minutes for October 30, 2013 and November 13, 2013.

**PROJECT REVIEW**

1. **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.

**INFORMAL APPEARANCE WITH SKETCH PLAN**

2. **SOMERS CROSSING**
   **[TM: 17.15-1-15.1]**
   Application for Informal Appearance with Sketch Plan review for an amendment to a proposed mixed use development in connection with a proposed Zoning Amendment for application to the subject property that substitutes an additional 20 residential townhouse units for a prior proposed 75 bed memory care facility for a total of 80 townhouse units for property located at Route100 and Route 202 adjacent to the Somers Towne Centre.

## REVIEW OF DRAFT WATERSHED INSPECTOR GENERAL LETTER

3. Review of Draft Letter to Philip Bein and Charles Silver, Watershed Inspector General, regarding the Granite Pointe Subdivision Final Supplemental Environmental Impact Statement (FSEIS) from Consulting Town Engineer Barbagallo.

## PROJECT REVIEW (CONTINUED)

4. **GREENBRIAR SOMERS CORP.**
   **[TM: 6.14-1-28.29]**
   Application for Wetland, Steep Slopes, Tree Permit and Stormwater Management and Erosion and Sediment Control Permits for property located on the North side of Greenbriar Drive for the construction of 2 residential townhouse units with connection to existing utility lines and Roadway.

Next Planning Board Meeting, February 12, 2014
Agenda information is also available at www.somersny.com

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# MEMORANDUM

WOODARD &CURRAN

**TO:** Town of Somers Planning Board
**CC:** Marilyn Murphy, Planning Board Secretary
**FROM:** Robert Wasp, EIT on behalf of Joseph C. Barbagallo, P.E., BCEE
**DATE:** January 3, 2014.
**RE:** Hidden Meadow at Somers
Subdivision Plat Application, Site Plan Application
16 Route 6 (Birdsall Road)
TM: 15.07-1-6, R-80 District

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## GENERAL

The purpose of this memorandum is to provide the Planning Board with a summary of our comments related to our initial review of the Preliminary Subdivision Plat Approval and Site Plan Applications that have been submitted for the parcel located at 16 Route 6. The applications propose the creation of 46 individual lots for the construction of 53 housing units contained on 9 attached "townhouse-style" buildings. The 46 subdivided lots will be composed of 45 fee-simple lots and 1 home-owners association lot for common infrastructure. Proposed work includes the construction of sanitary sewer infrastructure, connection to municipal water supply system, stormwater infrastructure and electrical service utilities. The Application also proposes the construction of additional roadway and drainage infrastructure necessary to provide future connection to the adjacent Town owned parcel, located west of the project site. The following documents were received during the current review period.

## DOCUMENTS RECEIVED

- Cover Letter, by Insite Engineering, Surveying & Landscape Architecture, P.C., dated December 20, 2013.
- Town of Somers Planning Board: "Application for Preliminary Approval of Subdivision", , by Ken Kearny, dated December 18, 2013.
- Town of Somers Planning Board: "Application for Site Plan Approval", by Ken Kearny, dated December 18, 2013.
- Town of Somers Planning Board: "Application for Environmental Permit, Chapter 148 "Steep Slope Protection", by Ken Kearny, dated December 18, 2013.
- Town of Somers Planning Board: "Application for Environmental Permit, Chapter 167 "Wetland and Watercourse Protection", by Ken Kearny, dated December 18, 2013.
- Town of Somers Planning Board: "Application for Environmental Permit, Chapter 93 "Stormwater Management and Erosion and Sediment Control", by Ken Kearny, dated December 18, 2013.
- NYSDEC State Environmental Quality Review: Full Environmental Assessment Form (EAF), by Jeffrey J. Contelmo, PE, dated December 20, 2013.

- "Preliminary Wastewater Engineering Report", prepared by Insite Engineering, Surveying & Landscape Architecture, P.C, dated December 20, 2013.
- "Preliminary Water Engineering Report", prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated December 20, 2013.
- "Preliminary Stormwater Pollution Prevention Plan" (SWPPP), prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated December 20, 2013.
- Letter Report: "Evaluation of Traffic and Access Conditions", prepared by Maser Consulting, P.C., dated December 19, 2013.
- "Constraints Map", Drawing Sheet: "CM-1", by Insite Engineering, Surveying & Landscape Architecture, P.C., dated October 31, 2013, last revised, December 20, 2013.
- "Soils Map", Drawing Sheet: "SS-1", by Insite Engineering, Surveying & Landscape Architecture, P.C., dated December 20, 2013.
- Survey: "Preliminary Subdivision Plat known as the Hidden Meadow at Somers", prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated December 20, 2013.
- "Hidden Meadow at Somers", Drawing Sheet: "A1", prepared by Coppola Associates, dated September 26, 2013.
- "Hidden Meadow at Somers", Drawing Sheets: "1 – 7", prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated September 10, 2013, last revised December 20, 2013.
- Description of Existing Wetland Conditions, by Ecological Solutions, LLC, dated December 19, 2013.
- Letter to Somers Planning Board, by Cynthia Garcia, NYC DEP, dated December 18, 2013.
- Letter to Somers Planning Board, by Syrette Dym, Director of Planning, dated January 2, 2014

**PERMITS AND APPROVALS REQUIRED**

- Town of Somers Town Board: Application of MFR-BP Zoning District
- Town of Somers Town Board: Water/Sewer District Extension.
- Town of Somers Planning Board: Subdivision Plat Approval
- Town of Somers Planning Board: Site Plan Approval
- Town of Somers Planning Board: Stormwater Management and Erosion and Sediment Control Permit
- Town of Somers Planning Board: Wetlands Activity Permit
- Town of Somers Planning Board: Tree Removal Permit

- Town of Somers Planning Board: Steep Slopes Protection Permit
- Town of Somers Fire Department: Approval of Proposed Hydrant Locations
- NYC DEP: Approval of Stormwater Pollution Prevention Plan
- NYC DEP: Approval of Sanitary Sewer Connections
- NYSDEC: State Environmental Quality Review
- NYSDEC: SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001)
- NYSDOT: Highway Work Permit
- Westchester County Department of Health (WCDOH): Approval of Water and Sanitary Sewer Systems
- Westchester County Board of Legislators: Sewer District Expansion
- Westchester County Planning Board: Approval of Funding
- New York State Affordable Housing Corporation: Approval of Funding

**DISCUSSION**

The Applicant has provided preliminary design documents to describe the proposed residential development. The provided plans differ from the conceptual layout that was presented at the November meeting of the Planning Board in that the proposed site entrance has been shifted to meet the intersection of Route 6 and Windsor Road. The proposed layout also now includes a left turn only lane within the southbound travel lane of Route 6 and as a result requires widening of the Route 6 shoulder.

The following is a summary of our comments at this time. It should be noted that the provided comments are a function of the level of detail that has been submitted at this time. Further comments will be issued upon review of more detailed design submittals.

1. The NYC DEP has issued review comments for the project based upon preliminary project sketch plans that were provided to the DEP prior to receipt of the current Applicant submittal. NYC DEP comments shall be considered in coordination with engineering comments provided by this memorandum.
2. It has come to our attention through recent discussions with the New York State Office of the Attorney General, Watershed Inspector General, that in accordance with the Clean Water Act, additional requirements are applicable for projects located within the TMDL watershed of the Amawalk Reservoir. These requirements are in addition to those regulations already required by the NYSDEC SPDES program and the Enhanced Phosphorous requirements of the Stormwater Management Design Manual. The Applicant shall prepare a site specific phosphorous loading analysis that compares pre development to post development conditions.

3. The Applicant has prepared a preliminary Stormwater Pollution Prevention Plan (SWPPP) and drawings to describe proposed project stormwater infrastructure. The following comments are related to our review of the proposed site stormwater plan and systems.

    a. The Applicant has provided water quality volume calculations within the project SWPPP for the sizing of stormwater treatment infrastructure. Chapter 10 of the New York State Stormwater Management Design Manual requires that projects located within the NYC DEP East of Hudson watershed calculate water quality volumes considering the 1 year design storm rainfall based upon total watershed area following upon the SCS (Curve Number) methodology. The provided water quality volumes have been calculated considering the 1 year design storm through the Chapter 4 Water Quality Volume equation, which is not applicable based upon Chapter 10 of the Stormwater Manual. The Applicant shall calculate water quality volumes based upon the SCS method.

    b. The Applicant shall prepare hydraulic pipe design calculations for all proposed stormwater conveyance pipe. Hydraulic calculations shall demonstrate adequate capacity to convey runoff collected by the 100 year design rainfall without surcharging.

    c. The Applicant shall update the plans to indicate rim and invert elevations on all stormwater infrastructure.

    d. The Applicant shall provide a construction detail for the proposed underdrain located to the west of the Townhouses.

    e. The Application proposed to construction a Pocket Wetlands Area (NYSDEC Type W4). The following comments are based upon our initial review of the proposed wetlands design.

        i. The Applicant shall prepare a Wetlands Planting Plan based upon Appendix H of the NYSDEC Stormwater Management Design manual

        ii. The NYSDEC Stormwater Design Manual requires that pretreatment of stormwater flows is required prior to introduction to the stormwater wetland area. While it is noted that a portion of stormwater flows are routed to pretreatment prior to the proposed surface sand filter, stormwater flows are also allowed to flow directly to the wetland area from catch basin referred to as "6P" in the HydroCAD report. The Applicant shall show a pretreatment forebay or identify alternative pretreatment measures at the proposed discharge location into the wetland area.

        iii. The Applicant shall prepare a profile construction detail for the proposed wetland area that shows all applicable invert elevations for the proposed wetland system.

    f. The Applicant proposes to construct a surface sand filter as part of the proposed site stormwater infrastructure. The following comments are related to our review of the proposed surface sand filter design.

i. The Applicant shall provide site investigation data to demonstrate minimum 2 foot vertical separation between the invert of the proposed sand filter and groundwater/bedrock.

ii. The Applicant shall provide sizing design calculations for the proposed surface sand filter based upon the NYSDEC Stormwater Management Design Manual (SWMDM), latest edition.

iii. The Applicant shall revise the surface sand filter design to include an underdrain as required by the SWMDM. The Applicant shall revise the provided HydroCAD analysis to remove stormwater infiltration from being considered at the proposed sand filter. Stormwater is intended to be collected by the system underdrain after flowing through the filter media and would be discharged to the stormwater wetland area.

iv. The Applicant shall provide a construction detail and sizing calculations for the proposed hydrodynamic separator unit located prior to the surface sand filter.

g. The Applicant proposes to utilize porous pavement for a portion of the proposed unit driveways and also on the lower roadway within the development. Porous pavement systems must be designed in accordance with Chapter 5 of the NYSDEC SWMDM. The following comments are based upon our initial review of the proposed porous pavement areas.

i. The Applicant shall provide a construction detail for the typical porous pavement installation, including all cross section materials and depths.

ii. The Applicant shall provide site investigation data (soil percolation and deep hole testing) to demonstrate feasibility of the proposed porous pavement infiltration systems. Site investigation data shall demonstrate adequate separation to bedrock/groundwater and must prove adequate infiltration rates of site soils.

iii. The Applicant shall provide sizing details for porous pavement areas. Consistent with the NYSDEC SWMDM, porous pavement system stone reservoirs must be designed to contain runoff volume from the 10 year design storm without flooding.

h. The Applicant shall provide sizing calculations for all permanent stormwater swales based upon runoff generated by the 100 year design storm event.

i. The Applicant shall provide design details for the proposed level spreader at the combined stormwater outfall adjacent to the site entrance. The Applicant shall consider spreading stormwater discharge over a wider level spreader trench adjacent to the existing wetlands or may wish consider a secondary stabilized discharge location adjacent to the proposed surface sand filter. Greater distribution of discharged stormwater flows will better replicate existing hydrologic conditions for the existing wetland areas.

j. The Applicant shall prepare a draft Stormwater Maintenance Agreement for review and acceptance by the Consulting Town Engineer and Town Attorney.

4. The Applicant proposes to construct common access roadway to serve the Townhouse development and future access to the adjacent Town owned parcel. While it is unknown if a portion of the site roadway may be dedicated to the Town of Somers in the future, site roadway must be designed in accordance with the Somers "Town Road A" design standards. The following comments relate to our initial review of the proposed site roadway. It should be noted that the provided Traffic Analysis is not included within the review scope of our office.

    a. The Applicant shall prepare a roadway profile for the site that identifies stations, grades and vertical curves throughout the roadway layout.

    b. In accordance with the Somers Town Code, the Applicant must show that proposed roadway slopes will not exceed 3% grade within 60 feet of all proposed intersections.

    c. Site grading contains a steep elevation change of approximately 24 vertical feet between the proposed lower roadway and pocket wetland area. The Planning Board should consider if protective guardrail should be incorporated along the outer edge of roadway along this steep embankment.

5. The Applicant shall update the site Erosion and Sediment Control Plan to depict all proposed temporary soil stockpile areas.

6. The Applicant shall revise the provided construction detail for typical drainage catch basin to specify a Cambell Foundry Type 2541 frame and grade, and show top of frame set 1 inch below surrounding pavement, as specified by Town Code.

7. The Applicant shall revise the provided construction detail for typical drainage manhole to specify a Cambell Foundry Type 1203 Frame and Cover. Proposed covers shall read the word "DRAIN" as specified by Town Code.

8. The Applicant's SWPPP and Environmental Assessment acknowledge that a phased construction approach is necessary to ensure that no greater than 5 acres of land are disturbed at one time. The Applicant shall develop a land disturbance phasing plan that is coordinated to the proposed description of construction sequence and Erosion and Sediment Control Plan.

9. The Applicant has provided preliminary documents to describe the anticipated earthwork and grading for the proposed site development. The following comments are based upon our initial review of the preliminary earthwork documents that have been received.

    a. The provided Environmental Assessment Form (EAF) indicates that approximately 14,000 cubic yard of excess cut will be generated by the proposed site construction. The Applicant shall develop a proposed earthwork plan that will be coordinated with the land disturbance phasing plan. The earthwork plan shall include a proposed earthwork map that indicates the depth and volume of cut and fill placement throughout the entire proposed area of disturbance. The plan shall

also describe the limits and approximate height of all temporary stockpile areas and should detail the intended schedule of truck loading and hauling operations.

b. Based upon the volume of earthwork that is proposed for the site, there is high potential for encountering bedrock and shallow groundwater. The Applicant shall conduct site investigations (soil borings and deep hole excavations) to explore the existing subsurface conditions within the area of development. The Applicant shall provide a profile view which depicts subsurface soil strata and depth to bedrock and groundwater based upon investigation findings.

c. The provided EAF indicates that the maximum excavation depth will be approximately 15 feet below existing grade. The Applicant should note that description of temporary excavation bracing and dewatering operations must be included in the proposed earthwork plan.

d. The Applicant shall prepare a rock removal plan to describe rock excavation activities during construction. The rock removal plan shall estimate rock removal quantities and shall describe the limits of and methodology intended to be used for rock excavation.

10. The provided EAF indicates that outdoor lighting will be constructed as part of the proposed development. The Applicant shall show all intended outdoor light fixtures on the proposed site plan. The Applicant shall prepare a site photometric plan to depict illumination levels based upon the layout and intensity of light fixtures.

11. Review of NYS Environmental Resource Map data for project site indicates that no records of endangered or threatened animal species exist in the vicinity of the development. Federal Wildlife Service records, however indicate that the Northern Long Eared Bat, as recently registered on December 2, 2013 has been proposed for the Endangered Species List and may inhabit the project area. The Applicant shall contact the NYSDEC to confirm that Environmental Resource Map data is current and address whether the species is of concern within the project area.

12. Town of Somers regulated wetlands are located on the project site downgradient of the proposed area of disturbance. These wetland limits were delineated and confirmed by a Woodard & Curran Wetlands Scientist on August 21, 2013. The Applicant shall provide a Wetlands Impact Analysis prepared by a certified wetlands scientist to analyze any potential impacts to the existing wetlands based upon the proposed site hydrologic conditions.

13. The Applicant has provided preliminary design calculations and details for the proposed water service and sanitary sewer connections to the proposed development. Our office has completed initial review of these design calculations and has issued comments as cited below. It should be noted that these comments reflect our review of the conceptual level of detail that has been provided and that additional comments will be issued upon future submittal of detailed design documents:

    Wastewater Engineering Report

a. Section 2 - The estimate of maximum day flows shall use the Westchester County Health Department guidelines for flows per bedroom.

b. Section 2 - The design of the sanitary sewer conveyance and pumping system shall be based around the peak hourly flow, not the maximum daily flow, with consideration for pump station fill time at more typical flows.

c. Section 4 - It is noted that design calculations for the pump station and force main discharge will be included in future submittals.

d. Section 4 - Future discussion of pump station design should include system controls and emergency power.

Water Engineering Report

e. Section 2 - The estimate of maximum day flows shall use the Westchester County Health Department guidelines for flows per bedroom.

f. Section 2 - The design of the potable water distribution system shall be based around the greater of the peak hourly flow or fire flow demands, not the maximum daily flow.

g. Section 3 - Please provide additional information on water distribution system demands in the Windsor Farms district to justify the availability of adequate flow and pressure, as well as additional information on the fire flow test, including the location of the hydrant that was opened and the time of day of the test. We note that there was a significant drop in residual system pressure during the fire flow test, which was run at a relatively low flow for a 10-inch diameter pipe. Please comment on whether the observed residual pressure drop is due to friction losses in the pipe or if the meter pit is restricting the available flow.

h. Section 3 - It is noted that additional review of flow availability will be required when the project's fire flow requirements are known.

Utility Plan and Details

i. SP-2 - Some portions of the water and sewer main alignments do not appear to meet the required 10-foot horizontal separation. Please confirm that adequate separation exists in future submittals.

j. SP-2 - While we note the preliminary nature of these plans, an initial review of the proposed pump station location does not show much space or provisions for access, controls, and emergency power.

k. D-2 - We note that several of the details and notes are inconsistent with each other and with the Engineering reports (i.e. PVC water main in detail on sheet D-2, class 54 ductile iron pipe in notes on sheet D-2, class 52 ductile iron pipe in Engineer's report). Please review and correct for subsequent submittals.

l. The Applicant shall prepare a utilities profile to illustrate all layout of sanitary sewer and water service infrastructure in profile view.

14. The proposed site layout will create a steep slope embankment along the western property line adjacent to Town-owned parcel. The Planning Board may wish to consider if a temporary chain link fence should be incorporated in the plan along the top of embankment on the property line.
15. The grading and utilities plan does not include proposed electrical service utilities for the development. Future plan submittals shall include the proposed layout of site electrical service and must include documentation that proposed electrical demand may be met by existing electrical infrastructure available on the Route 6 corridor.
16. The proposed site layout includes construction of access roadway terminating at the eastern property boundary of the adjacent Town of Somers owned parcel (the Windsor Farms parcel). It is our understanding that the Town of Somers may wish to pursue development of a conceptual park layout for adjacent Town owned parcel so that it can be coordinated with the current applications. Coordination of conceptual plan development should be contemplated by the Planning Board during review of the subject application.
17. The Applicant shall prepare a Tree Removal Plan that identifies all trees to be removed on the site. The Tree Removal Plan shall include a schedule that lists all trees to be removed by species and caliper and also shows all trees to be protected during construction.

Please feel free to contact our office anytime with any questions or concerns.

Sincerely,

Robert Wasp, EIT, CDT
Assistant Consulting Town Engineer

On behalf of,

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

INSITE
ENGINEERING, SURVEYING &
LANDSCAPE ARCHITECTURE, P.C.

January 3, 2014

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

RE: Hidden Meadow at Somers
16 US Route 6
NYCDEP December 18, 2013 Letter

Dear Chairman Currie and Members of the Board:

This office is in receipt of the above referenced letter from NYCDEP. Their letter was prompted by the Planning Board's request to act as Lead Agency under SEQRA. In their letter the NYCDEP does not object to the Planning Board acting as Lead Agency. Ultimately as an involved agency the NYCDEP will conduct their own detailed review of this project for conformance with their regulations. With respect to the comments offered in their December 18 2013 letter, we offer the following:

1. A Full EAF, using the latest forms issued by the NYSDEC, has been provided in the most recent submission. This EAF was supplemented with a Preliminary Stormwater Pollution Prevention Plan, Water Engineering Report, Wastewater Engineering Report, letter report from the project's traffic consultant, and estimate of the number of school children to be generated by the project.

2. The amount of material to be removed from the site has been provided in D.2 of the new EAF.

3. The project drawings propose native, non-invasive plant species for restoration.

4. With respect to wastewater treatment for the project, a Wastewater Engineering Report has been submitted to the Town. This report illustrates sufficient capacity exists in the Peekskill Sanitary Wastewater Treatment Plant (WWTP) to treat wastewater from the proposed project. This office is not aware of any US Route 6 Corridor Wastewater Study prepared by the Town. The current Town of Somers Comprehensive Plan, 1994, mentions the approval of the Meadow-Greens Subdivision, and the formation of the sewer district, that has now become Somers Sewer District 1.

   In the Comprehensive Plan there is a discussion about the connection to the Peekskill Sanitary WWTP as a benefit to the New York City water supply and Plum Brook because sewage will be directed out of the watershed. The Comprehensive Plan also recommends that proposed developments adjacent to the central sewage system should connect into the sewer system. Further it is stated that the use of cluster development should be dependent on the creation of a sewer district to serve the cluster. Hidden Meadow at Somers is consistent with all of the above recommendations.

5. New York State passed the Dishwater Detergent and Nutrient Runoff Law which began January 1, 2013. This law prohibits the use of phosphorus lawn fertilizer unless establishing a new lawn or a need for phosphorus can be shown through soil testing. The Hidden Meadow at Somers Project will follow all the requirements of the Dishwater Detergent and Nutrient Runoff Law. Further it prohibits lawn fertilizers from being spread onto impervious surfaces, and regulates the sale of phosphorus containing fertilizers.

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*www.insite-eng.com*

6. A Water Engineering Report has been included in the latest submission.

7. A preliminary stormwater pollution prevention plan (SWPPP) has been included in the latest submission. A SWPPP Application will be submitted to the NYCDEP at the appropriate time in the process. As part of the NYCDEP SWPPP Application the necessary witnessed soil testing will be performed with the NYCDEP.

8. Soil testing has been conducted onsite. Within the areas of proposed cut no groundwater seeps were encountered to a depth of fifteen feet. This equates to the bottom of the cut section of the site. Therefore it is not anticipated groundwater seeps will be exposed during the excavation of the building pad.

9. US Route 6 is located in a fill section along the frontage of the site. The slopes of the fill section are in excess of 15%. In order to access the site it is necessary to install fill against the existing US Route 6 fill section. This disturbance cannot be avoided. The project's Erosion and Sediment Control Plan will ensure disturbed soil is contained within the limits of disturbance.

10. The project's Erosion and Sediment Control Plan addresses temporary site stabilization for the full calendar year. This includes during the wet season, and freeze-thaw cycle.

11. The EAF provided in the most recent submission expands on the discussion regarding the depth to the water table. Per onsite soil testing one groundwater seep was encountered at eight feet. This seep was located in the proposed Pocket Wetland location. It should be noted that the NYSDEC Stormwater Management Design Manual encourages Pocket Wetlands to be located within the groundwater table. For the balance of the development pad groundwater was not encountered in the soil test pits performed.

12. A Preliminary SWPPP has been provided to the Town, and has been designed in accordance with the requirements of the NYSDEC, NYCDEP, and Town of Somers Stormwater Management and Erosion and Sediment Control Regulations.

13. A Preliminary SWPPP has been provided to the Town. Before the project can be constructed a SWPPP Approval will be obtained from the NYCDEP. During the NYCDEP SWPPP Application process the NYCDEP will have the opportunity to review the project SWPPP for conformance with the NYCDEP's regulations.

14. The most recent NYCDEP Regulations eliminated the need for applicant's to perform a pollutant loading analysis. With respect to the TMDL established for the NYC East of Hudson Watershed, there are several programs that have been implemented in order to reduce the amount of phosphorus within the watershed. These programs have been discussed in detail in the project SWPPP. The program that addresses TMDL requirements for new development is the *SPDES General Permit for Stormwater Discharges from Construction Activity, General Permit GP-0-10-001* (General Permit). This permit places additional stormwater requirements for projects located within TMDL Watersheds. In addition to the General Permit the NYCDEP revised its stormwater regulations in 2010, to better comport with the latest state regulations. The revised regulations require additional stormwater treatment beyond those required in the General Permit. These revised regulations also eliminated the requirement to provide pollutant loading calculations.

15. A Preliminary SWPPP has been provided to the Planning Board. As illustrated in the Preliminary SWPPP all the site runoff is tributary to Design Point 1 in the pre and post-development conditions. Therefore the project will not alter the existing drainage boundaries.

<u>Drawing Comments:</u>

1. The Preliminary SWPPP has been designed to provide two practices in series when the contributing area to a stormwater management practice is greater than 20% impervious.

2. Cut and fill quantities have been provided in the EAF, and will be included on the Project Drawings in the next submission.

3. An erosion control plan has been provided in the latest submission to the Planning Board. In addition the offsite grading associated with the US Route 6 improvements is being developed, and will be included on future submissions.

The NYCDEP did not object to the Planning Board acting as Lead Agency. As such the Planning Board will be responsible for evaluating the potential impacts and proposed mitigation associated with the project. The information the NYCDEP suggested be provided by the applicant, was submitted to the Planning Board in the past submission. The information requested by the NYCDEP consisted of three categories, wastewater, stormwater and erosion and sediment control. In the most recent submission a Wastewater Engineering Report, Preliminary SWPPP and Erosion and Sediment Control Plan were provided. The NYCDEP will have an opportunity to perform their own detailed review of these items for conformance with their regulations. Notwithstanding the submitted reports illustrate the framework for how the proposed project will mitigate any impacts with respect to wastewater, stormwater, and erosion and sediment control. In their response to the public comments on the new EAF, the NYSDEC indicated the new Full EAF requests a greater amount of information in order to assist lead agencies in identifying impacts, as well as mitigation measures more comprehensively and earlier on in the process. The intent of this was to "eliminate the need for many of these additional studies and the iterative nature of the review...." Based on the Planning Board's continued review of the submitted materials, the mitigation measures proposed, it is anticipated the Planning Board will issue a Negative Declaration for the project.

We trust you will find the enclosed information in order and look forward to discussing this application with you at the January 8, 2013 Planning Board meeting.

If you have any questions or comments regarding this information, feel free to contact this office.

Very truly yours,

INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

By: _____
Jeffrey J. Contelmo, P.E.
Senior Principal Engineer

JJC/rdw

cc: K. Kearney, The Kearney Realty & Development Group, Inc.
R. Noonan, Housing Action Council, Inc.

Insite File No. 13155.100

INSITE
ENGINEERING, SURVEYING &
LANDSCAPE ARCHITECTURE, P.C.

January 6, 2014

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

RE: Hidden Meadow at Somers
16 US Route 6
Open Space Committee, November 27, 2013 Memorandum

Dear Chairman Currie and Members of the Board:

This office has received the November 27, 2013 Memorandum from the Open Space Committee (OSC). Specific responses to each of the comments are contained below. However, in the context of open space, it is appropriate to first point out the following:

- The Hidden Meadow at Somers has been designed to incorporate a "green space" connection between the Town property, the eastern forested half of the subject site, and the adjacent NYCDEP property. At the January 8, 2014 Planning Board meeting the applicant plans to discuss providing a conservation easement over portions of the property.
- This project will balance open space goals, with other Town goals. The Hidden Meadow at Somers includes 16 units of fair and affordable housing. These 16 units will assist the Town as well as Westchester County in meeting its fair and affordable housing goals.
- Based upon the past preservation success of the Angle Fly Preserve there is a nexus between fair and affordable housing and open space preservation. The Hidden Meadow at Somers project offers the opportunity to provide fair and affordable housing while establishing an access to Town property, on which the Town seeks to construct athletic fields. The future development of this park can also be an opportunity to couple active and passive recreation mirroring the success at Reis Park.

With respect to the comments offered in the November 27, 2013 OSC memorandum, we offer the following:

1. *Paragraph 1*: The OSC memorandum correctly states the Town property adjacent to the subject site is protected by a Conservation Easement. The Town Planner's December 9, 2013 electronic mail correspondence to the Planning Board contained the Conservation Easement as recorded in the Westchester County Clerk's office. The Conservation Easement clearly allows for the subject Town property to be developed as a Town Park with athletic fields. Based upon recent conversations between the applicant and Steve Ralston, the Superintendent of Parks and Recreation, and Mr. James Papa, Chairman of the Parks and Recreation Board, there is a desire to improve the subject Town property for park purposes including athletic fields. This type of use is permitted by the Conservation Easement. Part of the Hidden Meadow at Somers application is to construct an access drive, and provide for a future sewer and water connection into the neighboring Town property, allowing for its development as a Town Park.

   This paragraph also indicates the portion of US Route 6 along which the site is located is in a rural state. This section of US Route 6 contains three large undeveloped properties. They are the Town property, the subject site, and the adjacent NYCDEP property. West of the Town

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property is a cluster subdivision currently under construction in Yorktown. East of the NYCDEP property is the commercial development surrounding Mahopac Avenue, followed by the Somers Realty Planned Hamlet's multi-family residential development. It is proposed to develop Hidden Meadow at Somers as a multi-family residential development. The development has been clustered in the south west corner of the site, maximizing open space preservation. The proposed design also maintains a wooded buffer along US Route, consistent with that of the residential properties located on the north side of US Route 6 will be provided.

In comparison to the multi-family residential development proposed, if an as-of-right single family subdivision were constructed at the site, both sides of the onsite wetland would be developed with individual lots. Lots would also be sited closer to US Route 6 as the density would be spread out. By developing the property as multi-family residential, and clustering the development, less land disturbance is proposed, and more open space is preserved. Also by clustering the development the subject project follows the recommendations of Green Infrastructure Planning pursuant to the *New York State Stormwater Management Design Manual* (Design Manual).

With respect to water quality, the proposed development will provide stormwater treatment for the proposed development, as well as part of the existing US Route 6 highway that currently has no treatment. The project SWPPP will meet all of the stormwater regulations of the Town of Somers, NYCDEP, and New York State Department of Environmental Protection (NYSDEC), including the Enhanced Phosphorus Removal Standards.

2. *Paragraph 2:* This paragraph comments on the application of the MFR-BP zone to the site. The Town Board, which ultimately applies the zone, has indicated its support of the MFR-BP zone being applied to the site. The Town Board process to apply the zone requires a report from the Planning Board and OSC. The OSC memorandum indicates they do not believe the subject site is consistent with the development on the neighboring properties. As indicated above the property to the West is owned by the Town and is currently not developed, although there is a desire within the Town to develop the property for park purposes including athletic fields. To the west of the Town property is a cluster subdivision consistent with what is being proposed by this application, with one exception. Hidden Meadow at Somers has been designed to preserve the existing forest along US Route 6. The property west of the Town (currently under construction) eliminated the forest along US Route 6. To the north of the site is Windsor Road. Along Windsor Road is another cluster subdivision, the Windsor Farms subdivision. To the east is the NYCDEP property followed by the commercial developments along US Route 6 and Mahopac Avenue. Also located at this intersection is another clustered multi-family residential development, the Somers Realty Planned Hamlet. Thus this development is consistent with the development along US Route 6, and furthermore has been uniquely designed to maximize preservation of open space, and maintain a wooded buffer along US Route 6.

3. *Paragraph 3:* The OSC memorandum indicates concerns that application of the MFR-BP to this property could establish a precedent, allowing for its application in other areas of Somers. At the last Town Board meeting the applicability of the MFR-BP zone to this site was discussed, particularly with how the zone may be applied in the future. Several items were discussed that limits this zone's applicability. The first is that a property must have access to public sewer and water. Within northwest Somers, or Baldwin Place, the only place public water and sewer is available is within the Preserves (a cluster subdivision), along Meadow Park Road (an existing residential development) and US Route 6 between Somers Commons and the Town of Yorktown. The second limiting factor is that the property must be a minimum of ten acres in size. After reviewing the properties that are over ten acres, not developed, and have access to public water and sewer, there are only two properties which can have the MFR-BP zone applied, of which the Hidden Meadow at Somers property is one. The Town Board echoed this sentiment by indicating it was the access to public water and sewer, and the subject property's

location along US Route 6 that made the MFR-BP zone applicable to the site. Further, with a zone that has never been applied, and only two parcels to which it can be applied, the application of the MFR-BP zone to this site would not set establish a precedent allowing the zone's application in other parts of the Town.

4. *Paragraph 4:* This paragraph indicates there is concern with development on Ridgebury soils and the amount of stormwater that will be generated by the site. With respect to Ridgebury soils, the Natural Resource Conservation Service, *Soil Survey of Westchester and Putnam Counties,* indicates that Ridgebury is comprised of two different soil categories, Woodbridge, and Sun Loam. The Sun Loam is typically located along flat areas and wetlands, while the Woodbridge is located along slopes, and can have boulders at the surface. Woodbridge is not a wetland soil, and Sun Loam is. The upland areas proposed to be developed displays characteristics of the Woodbridge soil category. Soil test pits were performed onsite to depths of fifteen feet and indicate dry soils within the limits of the development. Test pits adjacent to the edge of the one-hundred foot wetland buffer contained mottling at five to eight feet, but the groundwater table was not encountered. Based on the onsite soil testing performed, the wetland delineation performed by the applicant's professional wetland scientist, and verified by the Town's consultant, only the central corridor through the site contains wetland soils, and have been appropriately designated as a Town Regulated Wetland.

   As noted above by clustering the proposed development it is consistent with the Green Infrastructure Planning recommendations of the *NYS Stormwater Management Design Manual.* In addition, the project SWPPP address all runoff quality and quantity requirements of the Town of Somers, NYCDEP, and NYSDEC. This includes additional requirements because the property is located within the NYC East of Hudson Watershed. Some of the additional requirements include compliance with the *Enhanced Phosphorus Removal Standards* and treatment of a larger water quality volume, then typically required.

5. *Paragraph 5:* The EAF has been revised such that the wetland area is listed as poorly drained. The onsite wetland was delineated by the applicant's professional wetland scientist, and verified by the Town's independent wetland consultant. The wetland boundary as illustrated on the plan is correctly shown in accordance with the Town's Wetland Regulations. The applicant is also having a tree survey prepared in accordance with the Town Code. By clustering the proposed development the preservation of the existing trees and open space is maximized. When compared to the conventional as-of-right subdivision, clustering the development allows for far less land disturbance and tree removal. As proposed approximately 40% of the site is proposed to remain undisturbed as open space.

We trust you will find the enclosed information in order and look forward to discussing this application with you at the January 8, 2013 Planning Board meeting.

If you have any questions or comments regarding this information, feel free to contact this office.

Very truly yours,

INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

By: _____
Jeffrey J. Contelmo, P.E.
Senior Principal Engineer

JJC/rdw

cc: K. Kearney, The Kearney Realty & Development Group, Inc.
R. Noonan, Housing Action Council, Inc.

Insite File No. 13155.100

KEANE & BEANE P.C.
ATTORNEYS AT LAW

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White Plains, NY 10601
Phone 914.946.4777
Fax 914.946.6868

Mid-Hudson Office
200 Westage Business Center
Fishkill, NY 12524
Phone 845.896.0120

December 19, 2013

RECEIVED
DEC 19 2013
PLANNING-ENGINEERING
TOWN OF SOMERS

RICHARD L. O'ROURKE
Principal Member
ro'rourke@kblaw.com

Town of Somers Planning Board
Town House
Town of Somers Town Hall
335 Route 202
Somers, New York 10589
Attention: John Currie, Chairman

Re: Somers Crossing (TM:17.15-1-15.1)

Dear Mr. Currie and Members of the Planning Board:

As you know, the above-captioned application involves approvals from both the Town Board and Planning Board in connection with a Zoning Amendment and Preliminary Concept Plan. As stated previously, while there was the intention to proceed with a memory care housing facility as part of the proposal, due to matters beyond our control, the memory care facility will not be part of the project going forward. Instead, the area will be occupied by additional residential units as depicted on the enclosed proposed Preliminary Concept Plan. The retail grocery component of the Plan remains unchanged, and it is anticipated that the areas of disturbance on the site will remain essentially the same as the previously proposed Preliminary Concept Plan.

We respectfully request that the Planning Board place this matter on its next agenda in January, 2014 to permit the applicant to appear before the Planning Board to discuss the consideration of the Plan, which is now the proposed action for purposes of review.

Thank you for your consideration.

Respectfully yours,

Richard L. O'Rourke

RLO/mq
Enclosure(s)
cc: Hon. Mary Beth Murphy, Town Supervisor
Mr. Gus Boniello, Boniello Land & Realty, Ltd.
Bonnie Von Ohlsen, RLA, VHB Engineering
Syrette Dym, Town of Somers Town Planner
Timothy S. Allen, P.E., Bibbo Associates

7/05

RECEIVED
DEC 19 2013
PLANNING-ENGINEERING
TOWN OF SOMERS

# TOWN OF SOMERS PLANNING BOARD
## REQUEST FOR INFORMAL APPEARANCE BEFORE PLANNING BOARD

FEE: $150 WITHOUT CONCEPTUAL PLAN $300 WITH SKETCH PLAN REVIEW
FEE PAID: _____ DATE PAID: $300 12/19/13

I. IDENTIFICATION OF APPLICANT:

A. OWNER: Somers Crossing, LLC SUBDIVIDER: same
ADDRESS: 165 Wheelwright Rd ADDRESS: _____
Goldens Bridge, NY 10526
TELE #: (914) 523-5046 TELE #: _____

B. SURVEYOR: Dougherty, P.L.S. TELE #: 962-2215
ENGINEER: Bibbo Assoc., LLP TELE #: 277-5305

II. IDENTIFICATION OF PROPERTY:

A. Project Name: Somers Crossing
B. Street abutting property: Rt. 100/Rt. 202
C. Tax Map Design: Sheet: 17.15 Block: 1 Lot: 15.1
Zoning District: R-80
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. Proof that taxes have been paid. ✓

III. BRIEF DESCRIPTION OF PROJECT PROPOSAL:
Proposed mixed use development.

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

The comprehensiveness of the material submitted will determine the extent of comments that the Planning Board can make on a sketch plan. No materials received after the submission date of this application will be considered by the Board.

Ten (10) copies of all plans and written reports are requested.

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

The undersigned hereby requests an informal appearance before the Planning Board to discuss the proposed project.

_____ Date: _____
Applicant

_____ Date: 12/19/13
Owner

C:\Documents and Settings\tsavva.SOMERSNY\Local Settings\Temporary Internet Files\OLK124F\Somer_PE_InformalApplication_2002-07.DOC

PLANNING AND ENGINEERING DEPARTMENTS

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

# Town of Somers

WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
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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 2, 2014

**RE:**

| | |
|---|---|
| Project: | Somers Crossing |
| Applicant: | Boniello Land & Realty, Ltd. |
| Location: | Route 100/Route 202 (Section 17.15 Block 1 Lot 15.1) |
| Zoning: | R80 Residence District |
| Actions: | Informal Appearance with Sketch Plan Review for an Amendment to a Proposed Mixed Use Development in Connection with a Proposed Zoning Amendment for Application to the Subject Property that Substitutes an Additional 20 Residential Townhouse Units for a Prior Proposed 75 Bed Memory Care Facility for a Total of 80 Townhouse Units |

### Application Request

This application is related to the Zoning Amendment Petition and Preliminary Concept Plan currently under review by both the Town Board and Planning Board. For that application, the SEQRA Scoping Process has been completed and the applicant and its representatives are in the process of preparing a Draft Environmental Impact Statement that provides the information required by the approved scope. That original petition envisioned, 60 residential townhouse units and a 75 bed memory care facility on the portion of the property fronting on Route 100 and an approximately 19,000 sq. ft. grocery store on the parcel fronting on Route 2012, as depicted in the submitted concept plan. Because the applicant wanted flexibility regarding the potential future replacement of the memory care facility by additional residential townhouse units, an alternative

scenario that included this possibility was included in the approved scope for analysis as part of the DEIS alternatives. This informal application proposes substituting 20 additional townhouse units as a revised layout configuration on the Route 100 parcel in exchange for the 75 bed memory care facility and making what was an alternative, the proposed action of the DEIS A concept plan layout has been provided for review by the Planning Board. The purpose of the application is to get feedback from the Planning Board on the concept plan and communicate that feedback to both the applicant and to the Town Board as lead agency.

**Basis of Comments**

Eight copies of the following application package were submitted to the Planning Board.

- Cover Letter – from Keane & Beane by Richard L. O'Rourke dated December 19, 2013
- Application Request for Informal Appearance Before the Planning Board with Sketch Plan
- Following Drawings –
    - CP- Concept Grading Plan – Somers Crossing/Boniello – dated 1122, 2013

**Preliminary Comments**

Since the scope for the project has been adopted, the applicant appears to have two options to proceed with preparation of their DEIS in light of their desire to consider the alternative in the scope as their proposed action in the DEIS. Those options are the following:

1. Revise the Petition, Amend the Scope, Recirculate in accordance with SEQR - In this option, a new petition would revise the proposed action to the preferred alternative, the Town Board would re-establish itself as lead agency for this revised action, the scope could be minimally revised to adjust to this new proposed action. Given the minimal anticipated changes in the scope, the Town Board as lead agency could opt not to have a public scoping. Once the revised scope is adopted, which might take about two months, the DIES could focus only on the newly established proposed action. Should the applicant and Town decide, the memory care facility could then become an alternative to be explored as an alternative, or, more likely, be deleted from consideration as such.
2. Once a reading on the proposed amended concept plan has been given by both the Planning Board and Town Board, if there is a favorable response, the applicant could propose preparation of the DEIS that raises the all townhouse and grocery store use and concept plan as the preferred alternative and do a full blown analysis of this side-by-side with the original proposed action for all disciplines outlined in the approved scoping document. While this is more cumbersome for the applicant, and potentially more confusing for the reviewing bodies and the public, it would meet the letter of required analysis under SEQRA. At the time of preparation of the FEIS the all townhouse grocery store could be raised as the preferred alternative and the memory care facility plan dropped from consideration in the FEIS.

This suggested approach has been forwarded to the Town Attorney for his determination and opinion to the Planning Board.

Cc: Town Board
Town Clerk
Roland Baroni
Joe Barbagallo
Rick O'Rourke
Bonnie VonOhlsen

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WOODARD &CURRAN

December 4, 2013

Philip Bein
Charles Silver, Ph.D
Watershed Inspector General
Environmental Protection Bureau
Office of the Attorney General
The Capital
Albany, New York 12224

Re: Grainite Point Subdivision – Final Supplemental Environmental Impact Statement (FSEIS)

Dear Mr. Bein & Mr. Silver,

It was a pleasure to make your acquaintance during our phone calls regarding the Granite Point Subdivision Final Supplemental Environmental Impact Statement (FSEIS). As you are aware, the Granite Point project has captured significant attention from the Town of Somers and has been the subject of numerous concerns as expressed by local residents. As we discussed during our phone conversations on Wednesday, October 30th and Friday, November 1st, Woodard & Curran serves the Town of Somers as their Consulting Town Engineer. Through our role as Consulting Town Engineer, we have been a member of the Consultant Review Team supporting the Somers Planning Board for their review of the Granite Point Subdivision FSEIS.

This letter is intended to provide greater background on the Granite Point project and to explain our understanding of regulatory requirements under NYSDEC SEQRA and SPDES programs. In addition, this letter will summarize recent actions by the Town of Somers Planning Board since the date of your October 22, 2013 letter and will describe our proposed future actions as discussed with the New York State Office of the Watershed Inspector General (WIG).

## PROJECT BACKGROUND

*Project History*

The Granite Point property is a 28.8-acre parcel of undeveloped, mostly woodland located on Tomahawk Street in Somers, New York. Tomahawk Street is located to the west and residential properties are located to the north and south of the site. The property is mainly surrounded by the Amawalk Reservoir, a tributary of the Muscoot Reservoir within the New York City Department of Environmental Protection East of Hudson Watershed.

The Applicant (Suelain Realty) had been granted preliminary and final subdivision plat approval following a full SEQRA review which culminated in the adoption of findings for the development of 23 single-family residential lots on the property, dated February 25, 1998. The Somers Planning Board granted conditional final subdivision plat approval for Granite Point on July 24, 2002. Subsequent to the granting of final approval, it was discovered that specific areas of the property were impacted with deposited lead from an old shooting range. The presence of lead was confirmed in a report prepared by the project sponsor's consultant, Groundwater and Environmental Services, Inc. dated March 3, 2004. As a result of this new information that arose after the approval process, and in order to allow the

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Applicant sufficient time to prepare a Supplemental Environmental Impact Statement (SEIS) within the allowable time constraints, action was taken by the Planning Board to rescind the final subdivision plat approval on June 9, 2004 and the application's status reverted to the preliminary subdivision plat approval stage. At that time the Planning Board began the SEQR process to address the impacted areas of the Site and the Applicant embarked upon preparation of a SEIS.

*SEIS Review*

The Draft Supplemental Environmental Impact Statement (DSEIS) was accepted by the Town of Somers Planning Board on August 23, 2006 and the Final Supplemental Environmental Impact Statement (FSEIS) was accepted as complete by the Planning Board on September 24, 2013.

Woodard and Curran was retained as Consulting Town Engineer by the Town of Somers as established by Master Services Agreement between Woodard and Curran and the Town of Somers, dated March 11, 2009. Under our scope of services as Town Engineer, Woodard & Curran is responsible for providing technical review of applications submitted to the various Boards in the Town for conformance with Town Codes, State and Federal Regulations, including best engineering practices.

Submittal of the FSEIS was made to the Planning Board in September 2012. Due to the extensive review scope involved, Woodard & Curran was assigned to review a portion of FSEIS along with Planning Consultant, F.P. Clark & Associates and EA Engineering. Our review responsibility included review of DSEIS comments associated with stormwater and the Stormwater Pollution Prevention Plan (dated June 17, 2008), associated with the remedial action, while EA was responsible for the review of the Remedial Work Plan, dated January 2010, that was approved by the NYSDEC on February 22, 2010.

Our office completed review of FSEIS documents in relation to our assigned review scope in April 2013. Two memorandums were issued in response to review of the documents provided, dated April 5, 2013 and August 8, 2013 respectively. As referenced by our memorandums, numerous comments were identified based upon our review of the FSEIS documents, including the Stormwater Pollution Prevention Plan (SWPPP). These comments have not been satisfied to date. As described on our August 8th memorandum, the Applicant's Engineer committed to address all outstanding comments related to the remedial site SWPPP following the conclusion of review under SEQRA but prior to issuance of environmental permits by the Town of Somers. These permits include issuance of a Town of Somers Stormwater Management and Erosion and Sediment Control Permit and Tree Removal Permit that would be required prior to start of remedial site work. It should be emphasized that these permits are required specifically for Granite Point remediation.

Under this approach, SEQRA findings associated with the FSEIS, and specifically the SWPPP for remediation would be drafted to certify that all potential stormwater impacts will be in accordance with applicable law(s). Our office felt comfortable following this approach because it has been utilized by the Town of Somers Planning Board during review under SEQRA for other projects and that necessary mechanisms (Town environmental permits) to ensure compliance with applicable regulations were in place.

Based on your letter and our subsequent discussion, it is our understanding that the approach was not favored as the WIG preferred that the SWPPP be updated prior to issuance of findings. The Town of Somers accepted the approach preferred by the WIG and at the October 30, 2013 Planning Board

meeting we recommended that the remediation SWPPP be updated to address current regulations and be reviewed prior to issuance of the SEQR findings statement for the site remediation FSEIS.

*Current Understanding*

Based on the project history, the Office of the WIG is comfortable proceeding with a two-step review process moving forward with the Granite Point project. The first step will address review of project FSEIS documents, adoption of findings under SEQR and issuance of Town of Somers environmental permits related to the remedial site work for the Granite Point property. The second step will address review and approval of the Granite Point Subdivision (inclusive of a full site SWPPP) following the future submittal of an application for final subdivision plat approval.

The Pollutant Load Analysis (PLA), as referenced by the WIG, will be completed at the subdivision review stage as that reflects the permanent site condition for which the comment was intended. No PLA will be completed at the interim site remediation stage. Site restoration as part of Town of Somers issued environmental permits will include a sunset provision as to result in reestablishment of removed vegetation in the event the subdivision application and process is not acted on.

In addition, as part of NYSDEC remediation of the DEP parcel (the off-site property), the WIG has committed to support the Town on the submittal and review of a NYSDEC prepared SWPPP as part of the environmental permit process. We anticipate that the NYSDEC will submit application for this off-site work in the first quarter of 2014.

**RECENT PLANNING BOARD ACTION**

A special meeting of the Somers Planning Board was held on October 30, 2013 for the consideration of a findings statement related to the Granite Point FSEIS. During this meeting, recent correspondence related to the Granite Point project was discussed, including the WIG letter in addition to other letters and emails from the NYC DEP, Westchester County Legislators Peter Harckham and Michael Kaplowitz and concerned community groups and residents. Concerns of the WIG were reviewed in detail by the Somers Planning Board. During the meeting we recommended and the Planning Board accepted without dispute from the Applicant that the existing SWPPP for remedial site activities be updated to address current regulatory requirements prior to adoption of a findings statement by the Planning Board. In addition an errata sheet to the FSEIS will be issued to identify updates to the Remedial Action Work Plan, as requested by the NYC DEP in their October 21, 2013 letter. The Applicant's representatives understand the adopted position of the Somers Planning Board and have agreed to prepare the revised Remedial Site SWPPP for consideration at a future meeting.

**FUTURE PLANS**

It is our intention to keep the New York State Office of the WIG fully updated and involved in further review actions undertaken for the Granite Point property. The following is a bulleted list of steps that we anticipate following through completion of FSEIS review and future review of the Granite Point Subdivision application:

- The SWPPP for remedial site cleanup of the Granite Point property will be revised prior to consideration of adoption of FSEIS SEQRA findings by the Planning Board. The revised SWPPP must address full compliance with NYSDEC Stormwater and Erosion and Sediment

DRAFT

Control design standards. The remediation SWPPP will not include Pollutant Loading Analysis (PLA) as this is an interim and not permanent condition.

- A copy of the revised remedial site cleanup SWPPP will be provided to the New York State Office of the WIG for review and comment. WIG Comments will be considered as part of SEQR findings.

- Upon application from the NYSDEC for environmental permits associated with remedial activities on the NYC DEP owned off-site property, our office will provide a copy of the SWPPP for remedial site cleanup activities on the off-site property to the WIG for review and comment.

- The Applicant shall be required to prepare a full site SWPPP at the time of application of Subdivision Plat Approval for the residential development of the Granite Point property. The Subdivision SWPPP shall be required to include a Total Phosphorous Loading Analysis to support necessary mitigation to ensure compliance with Amawalk Reservoir TMDL limits.

- A copy of the Subdivision SWPPP will be provided to the New York State Office of the WIG for review and comment.

Through compliance with the above actions, we hope that all involved parties can stay in contact throughout future review of the Granite Point project and ensure that all potential environmental impacts are mitigated in accordance with applicable law and to the greatest extent practicable. We appreciate the time and efforts of the New York State Office of the WIG to assist in our review completed to date and look forward to working together more closely in the future.

Please feel free to contact me anytime with questions or concerns.

Sincerely,

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

RW
213780.29

Enclosure(s)

cc:

DRAFT

**BIBBO ASSOCIATES, L.L.P.**
*Consulting Engineers*

Joseph J. Buschyns
Timothy S. All
Sabri Bariss

C
PB
CTE
PET

December 4, 2013

RECEIVED
DEC - 6 2013
PLANNING-ENGINEERING
TOWN OF SOMERS

Somers Planning & Engineering Dept.
335 Route 202
Somers, NY 10589-3226

Attn: Mr. Steven Woelfle, Principal Engineering Technician

Re: Green Briar
Sec. 7, Lots #1 & 2

Dear Mr. Woelfle:

We are writing in regard to the Wetland Application submitted for the above lots on November 19, 2013. The 100 foot adjacent area of NYSDEC Wetland #F-2 extends onto a portion of Lot #1. Grading for construction of the townhouse on Lot #1 will extend into the adjacent area as will installation of a sewer lateral from Lot #2. While the boundary of Wetland F-2 was delineated and survey located during the initial processing of the Green Briar Subdivision, more recent delineations have been made of the wetland edge closest to the subject lots. The wetland was flagged in 1999 by the DEC in connection with an application to install wells nos. 5 & 6, water and electric lines, and access to the wells. In 2004, the wetland was again flagged as part of the application for resubdivision of Lots #1-4 of Sec. 7.

In that the wetland's boundary has been confirmed on multiple occasions, we request that the need for an additional delineation in connection with the current application be waived. Thank you.

Very truly yours,

Joseph J. Buschynski, P.E.

JJB/mme
cc: File

*Site Design ◆ Environmental*

Mill Pond Offices · 293 Route 100, Suite 203 · Somers, NY 10589
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# MEMORANDUM

WOODARD &CURRAN

**TO:** Town of Somers Planning Board
**CC:** Marilyn Murphy, Planning Board Secretary
**FROM:** Robert Wasp, EIT, on behalf of Joseph C. Barbagallo, P.E., BCEE
**DATE:** January 3, 2014.
**RE:** Green Briar Somers Corporation – Section 7, Lots 1 & 2
Stormwater Management and Erosion & Sediment Control Permit, Steep Slopes Protection Permit, Wetland Activity Permit and Tree Removal Permit.
Green Briar Drive
TM: 6.14-1-28,29, R-40 District

---

## GENERAL

The purpose of this memorandum is to provide the Planning Board with a summary of our comments related to our initial review of the applications for environmental permits for the parcels located on Green Briar Drive. The Applications are for construction of two townhouse units that were previously granted approval under Resolution No. 2006-26 for the re-subdivision of Lots 1-4 in Green Briar Section 7. The following documents were received during the current review period.

## DOCUMENTS RECEIVED

- Cover Letter, by Bibbo Associates, LLP, dated November 19, 2013.
- Town of Somers Planning Board: "Application for Environmental Permit, Chapter 148 "Steep Slope Protection", dated December 18, 2013.
- Town of Somers Planning Board: "Application for Environmental Permit, Chapter 167 "Wetland and Watercourse Protection", dated December 18, 2013.
- Town of Somers Planning Board: "Application for Environmental Permit, Chapter 93 "Stormwater Management and Erosion and Sediment Control", dated December 18, 2013.
- Town of Somers Planning Board: "Tree Removal Permit Application", dated August 2, 2013.
- NYSDEC State Environmental Quality Review: Short Environmental Assessment Form (EAF), by Joseph J. Buschynski, PE, dated November 19, 2013.
- Stormwater Pollution Prevention Plan, prepared by Joseph J. Buschynski, PE, dated November 14, 2013.
- "Site Plan", Drawing Sheets: "SP-1", "CM-1", "LP-1","EC-1" & "AD-1", prepared by Bibbo Associates, LLP, dated November 4, 2013.

## PERMITS AND APPROVALS REQUIRED

- Town of Somers Planning Board: Stormwater Management and Erosion and Sediment Control Permit
- Town of Somers Planning Board: Wetlands Activity Permit

- Town of Somers Planning Board: Tree Removal Permit
- Town of Somers Planning Board: Steep Slopes Protection Permit
- NYSDEC: State Environmental Quality Review
- NYSDEC: Freshwater Wetlands Permit
- NYSDEC: SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001)

**DISCUSSION**

The Applicant has provided site drawings and a stormwater pollution prevention plan to support the provided applications for environmental permits. Principal Town Engineering Technician Steve Woelfle and Assistant Consulting Town Engineer Robert Wasp, EIT visited the site on December 31, 2013 to observe existing site conditions. The following is a summary of our comments at this time. It should be noted that supplementary comments may be issued upon the receipt of additional information.

1. The Applicant shall revise the plan to include a limit of disturbance line and shall identify total land disturbance in square feet.
2. The Applicant has provided a Stormwater Pollution Prevention Plan (SWPPP) for the development on Lots 1 & 2. Consistent with the requirements of Chapter 93 of Somers Town Code, the project accounts for less than 1 acre of land disturbance but must still prepare a SWPPP with Erosion and Sediment Controls. In addition, the Applicant is required to obtain coverage under the NYSDEC General SPDES Permit for Stormwater Discharges from Construction Activity (GP-0-10-001). The following comments are based upon our review of the provided SWPPP.
    a. The SWPPP shall be revised to include a description of litter control measures and storage of construction chemicals.
    b. The Applicant shall revise the SWPPP to include an acceptable Erosion and Sediment Control Inspection Form to be used during weekly inspections in accordance with the SPDES General Permit.
    c. The Applicant shall provide a summary of earthwork for the project site, including totals of net cut and fill.
3. The proposed site work includes site disturbance within the 100 foot buffer of NYSDEC regulated wetlands, as shown on the provided plans. Through discussions with the Town Principal Engineering Technician, the Applicant has requested to waive requirement for an updated delineation of the wetland limits. Based upon the minimal level of disturbance and the observed site conditions, we feel comfortable to recommend that the Planning Board consider waiving such requirement for an updated delineation.
4. The Applicant shall provide a description of seeding and vegetative restoration proposed within the NYSDEC Wetland buffer.
5. The Applicant shall revise the Erosion and Sediment Control drawing sheet to include a row of silt fence along the southern project limits to Green Briar Drive.

WOODARD &CURRAN

6. Existing slopes on northwest property line of lots 1 & 2 along the edge of the sewer easement have become eroded. The Applicant shall revise the erosion and sediment control plan to include slope stabilization measures for the deteriorated steep slope surfaces along the edge of sewer easement and where sanitary sewer connections are proposed.
7. NYSDEC State Environmental Quality Review Forms have been updated, as effective on October 7, 2013. The provided Short Environmental Assessment Form was not completed on the currently accepted form template. The Applicant shall revise the project Environmental Assessment Form to use the current issued template.
8. The Applicant shall prepare a Tree Removal Plan that identifies all trees to be removed by species and caliper.

Please feel free to contact our office anytime with any questions or concerns.

Sincerely,

Robert Wasp, EIT, CDT
Assistant Consulting Town Engineer

On behalf of,

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

7/06

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

**APPLICATION FEE:**

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

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

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

**OWNER:** GREEN-BRIAR - SOMERS CORP. **Tel.#:** 845-371-2100
**Mailing Address:** 21 PERLMAN DRIVE, SPRING VALLEY, N.Y. 10977
**APPLICANT:** _____ **Tel. #:** _____
**Mailing Address:** _____
**State authority:** _____ **If other than owner, authorization must be submitted in writing.**

**PREMISES: Sheet:** 6.14 **Block:** 1 **Lot:** 28, 29
**Situated on the** NORTH **side of** GREENBRIAR DRIVE **(Street),** 1200± **feet from the intersection of** WARRENT STREET **(Street)**

**DESCRIPTION OF WORK AND PURPOSE:** TO CONSTRUCT 2 RESIDENTIAL TOWNHOUSE UNITS

**The information listed below shall only relate to the impact within wetland and/or wetland buffer:**
**SIZE OF ACTIVITY AREA:** 650 SF±
**Is work proposed in Wetland:** _____ **or Wetland Control Area:** ✓
**Is there an existing house located on the site:** NO
**Is pond, lake or detention basin proposed to be cleaned:** NO
**Functions provided by Wetland:** HABITAT (WILDLIFE), STORMWATER TREATMENT, GWater RECHARGE
**Wetland Expert delineating Wetland:** _____
**ESTIMATED QUANTITY OF EARTH WORK:**
**Excavated material placed as fill:** 25± **C.Y.**
**Imported Fill Type:** _____ **C.Y.**
**PROPOSED STARTING DATE:** 4/14 **PROPOSED COMPLETION DATE:** 4/15
**PLANS PREPARED BY:** BIBBO ASSOC. **DATED:** 8-1-13
*****Plans must be submitted with application.*****
**LIST OF APPLICABLE COUNTY, STATE, OR FEDERAL PERMITS:**
NYSDEC - Wetland Permit

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

| NAME | ADDRESS | BLOCK | LOTS |
|---|---|---|---|
| A. + L. Linde | 6 Golf View Dr. | 1 | 41 |
| M. Mendez, M. Guzman | 5 Golf View Dr. | 1 | 42 |

**APPLICANT'S SIGNATURE:** _____ **DATE:** 10/29/13
**OWNER'S SIGNATURE:** _____ **DATE:** 10/29/13

7/06

# TOWN OF SOMERS
## WESTCHESTER COUNTY, NEW YORK
## APPLICATION FOR ENVIRONMENTAL PERMIT
## CHAPTER 148 "STEEP SLOPE PROTECTION"

**APPLICATION FEE:**
**Alteration of Steep Slopes: $150.00 minimum fee plus $75.00 per 10,000 S.F. of regulated area or proposed portions thereof to be disturbed.**

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

**OWNER:** GREENBRIAR-SomersCorp. **Tel. #:** 845-371-2100
**Mailing Address:** 21 PERLMAN DRIVE, SPRING VALLEY, NY 10977

**APPLICANT:** _____ **Tel. #:** _____
**Mailing Address:** _____
**State authority:** _____ **If other than owner, authorization must be submitted in writing.**

**PREMISES: Sheet:** 6.14 **Block:** 1 **Lot:** 28, 29
**Situated on the** NORTH **side of** GREENBRIAR DR. **(street)** 1200+ **feet from the intersection of** WARREN STREET **(street)**

**DESCRIPTION OF WORK AND PURPOSE:** TO CONSTRUCT 2 RESIDENTIAL UNITS,

**Estimated Quantity of Excavation:** 500 **C.Y.** 95% **CUT** 5% **FILL**
**Size of Activity Area:** 8700 SF ± IN STEEP SLOPES
**Total Value of Work:** _____
**Slope Category: 15%<25%** ✓ **25%<35%** ✓ **or >35%:** _____
**Soil Types:** CHARLTON LOAM
**Proposed Starting Date:** 4/14 **Proposed Completion Date:** 4/15
**Plans Prepared by:** BIBBO ASSOC. **Dated:** 9-1-13

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

**List of Applicable County, State, or Federal Permits:**
NYSDEC - Wetland Permit

**List of Property Owners of Record of Lands and Claimants of Water Rights within 100 feet of Subject Property.**

| NAME | ADDRESS | BLOCK | LOTS |
|---|---|---|---|
| A.+L. Linde | 6 Golf View Dr. | 1 | 41 |
| M. Mendez, M. Guzman | 5 Golf View Dr. | 1 | 42 |

**Applicant's Signature:** _____ **Date:** 10/25/13
**Owner's Signature:** _____ **Date:** 10/29/13

***APPLICATION MUST BE ACCOMPANIED WITH A COMPLETED ENVIRONMENTAL ASSESSMENT FORM, COMPLETE PLANS FOR LOT IMPROVEMENTS, AND LOCATION AND SIZE OF SLOPE CATEGORIES.**

.....**Office Use Only**.....

Administrative Permit: _____
Planning Board Permit: _____

5/9/2012

# TREE REMOVAL PERMIT APPLICATION
# SECTION 156, TREE PRESERVATION

SUBMIT TO: Town of Somers, Engineering Department
335 Route 202, Somers, New York 10589

DATE: 8-2-13

1. **APPLICATION FEE:** #80-

Tree Removal - $50.00 for the first five (5) trees to be removed, $15.00 for each additional tree to be removed.

2. **IDENTIFICATION OF APPLICANT:**

OWNER: GREENBRIAR SOMERS CORP Tel.#: 845-371-2100
Mailing Address: 21 PERLMAN DRIVE, SPRING VALLEY, N.Y. 10977

APPLICANT: (if other than Owner)

_____ Tel. #: _____
Mailing Address: _____
Professional preparing site plan: _____
State authority: _____ If other than owner, authorization must be submitted in writing.

3. **IDENTIFICATION OF SUBJECT PROPERTY**

Address GREENBRIAR DRIVE, SOMERS, N.Y. 10589 (SUB LOTS 1+2)
PREMISES: Sheet: 6.14 Block: 1 Lot: 28, 29

4. **NUMBER OF TREES TO BE REMOVED (12-INCHES OR GREATER)**

**Zoning District: R10 (R40) R80 R120 Other (Circle)**

7 **Quantity of trees to be removed (Must be tagged/identified to evaluate permit requirements)**

5. PURPOSE FOR TREE REMOVAL
Trees to be removed are impacted by foundation excavation and site grading surrounding the foundation.

6. SKETCH OR *SITE PLAN* *

* A site plan shall be provided if the tree removal activity involves clearing and must be certified by an arborist, landscape architect or professional forester.

The Town Engineer or other duly authorized representative shall inspect the property to assure satisfactory completion of the requirements of the approved tree removal permit, and, upon such completion, the approving authority shall require documentation from such official stating that all required conditions of the tree removal permit have been satisfactorily completed. If, upon inspection, it is found that any of the required conditions have not been addressed in accordance with the approved permit and/or plans, the applicant shall be responsible for addressing all conditions of approval pursuant to the original conditions of approval. Failure of the Town Engineer or other duly authorized representative to carry out inspections of required improvements during the tree removal shall not in any way relieve the applicant or the bonding company of their responsibilities. The Town Engineer, his designee, and the Town Environmental Enforcement Officer shall have access to all parts of the work area at all times during tree removal.

APPLICANT'S SIGNATURE: _____ DATE: 10/29/13

OWNER'S SIGNATURE: _____ DATE: 10/29/13

*By submitting this application I understand, allow and agree to a Town inspector making a site visit to the exterior of my property.* _____
*(Initial)*

11/08

# TOWN OF SOMERS
## WESTCHESTER COUNTY, NEW YORK
## APPLICATION FOR ENVIRONMENTAL PERMIT
## CHAPTER 93 "STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL"

**APPLICATION FEE: $100 for disturbances of five thousand (5,000) square feet and/or for the placement or removal of 50 cubic yards of soil, plus $500 for each additional acre of disturbance.**

2-4-36 Greenbriar Corp.

**OWNER:** GREENBRIAR-SOMERS **Tel.#:** 845-371-2100
**Mailing Address:** 21 PERLMAN DRIVE, SPRING VALLEY, NY 10977
**APPLICANT:** _____ **Tel. #:** _____
**Mailing Address:** _____
**State authority: If other than owner, authorization must be submitted in writing** _____

**PREMISES: Sheet:** 6.14 **Block:** 1 **Lot:** 28, 29

**DESCRIPTION OF WORK AND PURPOSE:** CONSTRUCT 2 RESIDENTIAL TOWNHOUSES

**SIZE OF ACTIVITY AREA:** 145 **feet by** 135 **feet**
**(include all construction activity area)**

**VOLUME OF EXCAVATED MATERIAL:** 500 CU YD ±
**(leave blank if not known)**

**IN CONJUNCTION WITH:**
**Wetland Permit:** ✓ **Steep Slopes Permit:** ✓ **Tree Preservation Permit:** ✓
**Site Plan:** _____ **Subdivision:** _____

**PROPOSED STARTING DATE:** 4/14 **PROPOSED COMPLETION DATE:** 4/15
**PLANS PREPARED BY:** Bibbo Assocs. **DATED:** 8-1-13

*****Plans and copy of Stormwater Pollution Prevention Plan must be submitted with application.*****

**LIST OF APPLICABLE COUNTY, STATE, OR FEDERAL PERMITS:**
NYSDEC - Wetland Permit

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

| NAME | ADDRESS | BLOCK/LOT |
|---|---|---|
| A. & L. Linde | 6 Golf View Dr. | 1/41 |
| M. Mendez, M. Guzman | 5 Golf View Dr. | 1/42 |

**APPLICANT'S SIGNATURE:** _____ **DATE:** 10/29/13
**OWNER'S SIGNATURE:** _____ **DATE:** 10/29/13

***APPLICATION MUST BE ACCOMPANIED WITH A COMPLETED ENVIRONMENTAL ASSESSMENT FORM, A VICINITY MAP, A DEVELOPMENT PLAN, EROSION AND SEDIMENT CONTROL PLAN, AND THE PROPOSED PHASING OF DEVELOPMENT OF THE SITE.**

.....**Office Use Only**.....

Administrative Permit: _____

Planning Board Permit: _____

617.20

# Appendix C
## State Environmental Quality Review
# SHORT ENVIRONMENTAL ASSESSMENT FORM
## For UNLISTED ACTIONS Only

**PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)**

1. APPLICANT/SPONSOR
Greenbriar-Somers Corp.

2. PROJECT NAME Townhouse Construction on Lots #1+2, Sec. 7

3. PROJECT LOCATION:
Municipality (T) Somers County Westchester

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)
Approx. 1200 ft. east of Warren St. + located on the north side of Greenbriar Dr.

5. PROPOSED ACTION IS:
☒ New ☐ Expansion ☐ Modification/alteration

6. DESCRIBE PROJECT BRIEFLY: Construct 2 residential townhouse units with connection to existing utility lines and roadway. Approx. disturbance to land with slope >15% = 8700 sf Approx. disturbance to wetland buffer = 650 sf

7. AMOUNT OF LAND AFFECTED:
Initially 0.44 acres Ultimately 0.44 acres

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
☒ Yes ☐ No If No, describe briefly

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
☒ Residential ☐ Industrial ☐ Commercial ☐ Agriculture ☐ Park/Forest/Open Space ☐ Other
Describe: Project is part of the Greenbriar Subdivision approved as a mix of detached single family residential and attached Town homes under the cluster development provisions of Town Law (Sec. 278)

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?
☒ Yes ☐ No If Yes, list agency(s) name and permit/approvals:
NYSDEC - Wetland Permit

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
☒ Yes ☐ No If Yes, list agency(s) name and permit/approvals:
Somers Planning Board - Subdivision Approval

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
☐ Yes ☒ No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE
Applicant/sponsor name: Greenbriar-Somers Corp. Date: _____
Signature: Joseph Burchynski (Engr. for Applic.)

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**

OVER



Reset

# TOWN OF SOMERS
# WESTCHESTER COUNTY, NEW YORK
# ENVIRONMENTAL DETERMINATION

**DETERMINATION FEE: $50.00**

**OWNER:**
**Name:** Greenbriar-Somers Corp. **Tel.#** 845-371-2100
**Property Address:** Greenbriar Drive Section 7, Lots #1-4

**Mailing Address:** 21 Perlman Drive
Spring Valley, NY 10977

**APPLICANT: (if other than owner)**
**Name:** _____ **Tel.#** _____
**Mailing Address:** _____

**State authority: If other than owner, authorization must be submitted in writing:** _____

**PREMISES: Section:** 6.14 **Block:** 1 **Bldg Nbr/Lot:** 26,27,28,29

**APPLICANT IS REQUESTING TO BUILD:**
**House:** _____ **Size** _____ **With Basement or Crawl Space (Please Circle)**
**Addition:** _____ **Size** _____ **With Basement or Crawl Space (Please Circle)**
**Septic System:** _____ **Size** _____ **With Plans**
**Garage:** _____ **Size** _____ **With Accessory Apartment (Please Circle if applicable)**
**Above Ground Pool:** _____ **Size** _____ **With or Without Decking (Please Circle)**
**Inground Pool:** _____ **Size** _____ **With or Without Decking (Please Circle)****
**Other:** 4 Resid. Townhouse Units

**For In-ground Pool: Elevation of pool deck in relationship to house and surrounding ground:** _____ **Maximum pool depth:** _____

****Please Specify Decking:** _____

**AREA OF DISTURBANCE:** 150 **FEET by** 260 **FEET.**
(39,000 s.f.)

***By submitting this application I understand, allow and agree to a Town inspector making a site visit to the exterior of my property.*** _____
*(Initial)*