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PLANNING DEPARTMENT

Town of Somers

WESTCHESTER COUNTY, N.Y.

TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

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

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

MINUTES Consideration for approval of Draft Minutes for July 22, 2014 and August 13, 2014

PUBLIC HEARING

1. **FABRY WETLAND PERMIT [TM: 47.20-1-12]**
   Application for a Wetland Permit for property owned by Christopher and Dina Fabry located at 135 Pines Bridge Road for the construction of a detached three car garage west of the single family residence.
   Consideration of a draft Resolution of Approval

TIME EXTENSION

2. **MITCHELL CONSERVATION SUBDIVISION [TM: 16.09-1-9]**
   Request for a 180-day extension to the Conditional Preliminary Subdivision Re-Approval from October 13, 2014 up to and including April 13, 2015.

COMPLETION REVIEW OF DEIS

3. **SOMERS CROSSING [TM: 17.15-1-15.1]**
   Discussion by Board members regarding their completeness comments on the Somers Crossing DEIS.

PROJECT REVIEW

4. **HAUSER WETLAND PERMIT [TM: 17.11-1-16]**
   Application for a Wetland Permit for a single story frame garage for property owned by Michael and Randi Hauser located at 7 Scott Drive.

5. **SOMERS REALTY PHASE 3 [TM: 4.20-1-15]**
   Application for Preliminary Subdivision Approval, Steep Slopes, Wetland, Tree Removal and Stormwater Management and Erosion and Sediment Control Permits to create Lots 3a, 3b, and 3c (53.2 acres), relative to the Site Plan application of Avalon Bay Communities, Inc. and Lot 4 (4.9 acres) and Lot 5 (0.9 acres) for future commercial and firehouse uses, respectively of the Planned Hamlet for the proposed subdivision, roads and stormwater management improvements. Property is owned by Somers Realty Corp. and is located on the southeast side of Route 6 and Clayton Blvd. and is in the Planned Hamlet (PH) Zoning District.

6. **AVALONBAY SOMERS [TM: 4.20-1-13,14,15, p/o 12]**
   Application for Site Plan Approval, Steep Slopes, Tree Removal and Stormwater Management and Erosion and Sediment Control Permits for AvalonBay Communities, Inc. for the construction of 152 residential units within 17 buildings with 23 affordable units on 53.2 acres. Also proposed is a community recreation building, pool and 324 parking spaces. Property is located on the south side of Route 6 and Clayton Blvd. and east of Mahopac Avenue and is in the Planned Hamlet (PH) Zoning District.

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

BIBBO ASSOCIATES, L.L.P.
Consulting Engineers

Joseph J. Buschynski, P.E.
Timothy S. Allen, P.E.
Sabri Barisser, P.E.

CPB
TP

September 5, 2014

RECEIVED
SEP - 8 2014
PLANNING ENGINEERING
TOWN OF SOMERS

725

Somers Planning Board
335 Route 202
Somers, NY 10589-3206

ATTN: Mr. John Currie, Chairman

RE: Mitchell Conservation Subdivision
Tomahawk Street
Sec. 16.09, Block 1, Lot 9

Dear Chairman and Members of the Board:

On behalf of our client we are writing to formally request a 180-day extension of the conditional preliminary subdivision re-approval, granted for the above noted property on September 12, 2012. *(Resolution # 2012-06)* and extended to currently expire on October 13, 2014.

This office currently is close to obtaining all necessary approvals from outside agencies, and assembling the required documents necessary to satisfy the conditions of approval listed in the above noted resolution.

As always feel free to contact us with any questions you may have regarding this matter. We respectfully request this matter be placed on your next available agenda for consideration.

Very truly yours,

Timothy S. Allen, P.E.

TSA/mme
Enclosures

cc: G. Mitchell
File

Site Design • Environmental

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PLANNING AND ENGINEERING DEPARTMENTS

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Town of Somers

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Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com

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

DATE: September 26, 2014

TO: Planning Board

FROM: Syrette Dym, AICP
Director of Planning

RE: Mitchell Conservation Subdivision Conditional Preliminary Subdivision Re-Approval Time-Extension – 4th 180-day Request

On September 5, 2014, a request for a fourth third180-day time extension of Conditional Preliminary Subdivision Re-Approval, previously granted on April 14, 2014, was received by the Planning Board. The previously granted conditional preliminary subdivision re-approval 180-day extension in accordance with Section 150-12-N of the Code of the Town of Somers will expire on October 13, 2014. As such, this office has no objection to the Planning Board issuing the requested fourth 180-day time extension from October 13, 2014 up to and including April 13, 2015 (the first business day after the 180-ieth day which is April11, 2015).

If you have any questions, please do not hesitate to contact me.

cc: Timothy S. Allen, P.E.
Gary Mitchell
Ann Mitchell
Roland Baroni

Z:\PE\Subdivision files\Mitchell\Extensions\4th extension\4thprelim.subdivision extensionre-approval2.doc

C: PB TP CTE applicant

TIM MILLER ASSOCIATES, INC.

10 North Street, Cold Spring, NY 10516 *(845) 265-4400* *www.timmillerassociates.com*

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PLANNING ENGINEERING
TOWN OF SOMERS

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July 31, 2014

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

RE: Somers Crossing - Draft Environmental Impact Statement
SEQRA Completeness Review on Applicant's 7/15/14 Draft
Visual Resources and Community Character

Dear Ms. Dym:

Tim Miller Associates, Inc. (TMA) has received and reviewed portions of the Applicant's first draft of the Draft Environmental Impact Statement (DEIS) for the Somers Crossing project, dated July 15, 2014. The comments presented in this correspondence are limited to "completeness" of the DEIS with regard to Visual Resources and Community Character, in accordance with the revised Scope (adopted February 20, 2014) for the purpose of commencing public review of the proposed action. After the DEIS is accepted by the Town Board as adequate with respect to its scope and content, TMA will undertake further technical review on the substance of the document and provide our comments during the public review period.

In summary, the results of TMA's review find that this Draft is not "complete" in its current form and it is recommended that the lead agency direct the Applicant to revise the document and resubmit a DEIS that responds to the comments contained herein, as well as addressing any other relevant comments by the Town, its other consultants and legal counsel.

Materials received for review:

a. Somers Crossing - Draft Environmental Impact Statement (DEIS), July 15, 2014. Volumes 1 and 2 and Drawings.

<u>The above materials were reviewed as pertains specifically to Visual Resources and Community Character (primarily DEIS Section M), the Conceptual Landscape Plan, and the Conceptual Lighting Plan</u>.

Our comments below follow the sequence of the Scope. These comments are derived from a comparison of the final scoping document to the Applicant's preliminary DEIS, as well as considering the adequacy of the content of a DEIS as outlined in 6 NYCRR 617.9(b).

Section M. Visual Resources and Community Character

Existing Conditions

a. *Scope item e) Identify any existing local regulations (e.g. Zoning) or policies (e.g. Comprehensive Plan) governing setbacks, landscape buffers and view corridors along Route 100 or Route 202.* – Applicable regulations in the cited sections of the Town Code (§170-34 and §138) should be provided in the DEIS. If they are located elsewhere in the document, a reference needs to be inserted. Indicate whether the Route 100 corridor has been designated scenic by the Town and for what scenic resource.

b. Relative to existing aesthetic features, stone walls are indicated along the Route 100 road frontage of the site on the base survey and in Site Section D-D'. This wall should be described under existing conditions, particularly if it will be a visual feature of the proposed project.

Anticipated Impacts

c. *Scope item b) Illustrate proposed conditions using line of sight cross sections, and photosimulations, based on the conceptual plan. Graphics should illustrate existing vegetation to remain as well as proposed vegetation based on the proposed conceptual landscape plan. Cross sections shall include lines of sight. At least one cross section shall be taken through the site from one side to the other to illustrate the topographic position of the project relative to Route 100.* – DEIS does not include the requisite photosimulations demonstrating the project visibility from Route 100 and from Route 202. The lead agency should determine whether Figures III.M-3 and III.M-4 and site sections III.M-6 through 8 suitably demonstrate views of the project in lieu of photosimulations. Additionally, the site sections should indicate the lines of sight from the public roadways, per the scope.

d. *Scope item c) Describe project components that will be obviously different from or in sharp contrast to the character of existing surrounding land uses. Identify project components that will result in elimination or significant screening of scenic views known to be important to the community. Assess the impact on identified aesthetic resources or scenic views in the local community.* – Identification of aesthetic resources and scenic views designated by the community, if any, and impacts or lack of impact thereto, are not addressed.

e. *Scope item d) Describe any non-conformance with existing local regulations and policies governing setbacks, landscape buffers and view corridors along Route 100 or Route 202.* – To substantiate the statement on page M-6 that the impact on the Route 100 scenic corridor is not significant, conformance or non-conformance with §138 must be explained.

f. Scope item e) DEIS page M-4 includes the statements: *"The color, scale (height and mass) and architectural style of these residential buildings has not specifically been determined, but will be designed to fit in with the character of the Somers Hamlet area"* and *"similarly … the grocery store….".* -- The DEIS does not demonstrate what the character of the hamlet is. Without such a discussion these statements are baseless. One way to resolve this would be to include photographs of representative building façades in the hamlet in the DEIS so a comparison to Figures III.M-3 and 4 can be made.

g. Scope item f) DEIS page M-5 states: *"The store is set back significantly from the road, and would be visible from the immediate area, but not immediately visible as a driver along Route 202.* -- Please discuss why the store would not be immediately visible.

h. DEIS page M-5 states: "*The closest cars in the parking lot would be approximately 20 feet from the front property line on Route 202. This is consistent with other structures and parking along the south side of Route 202."* -- Please indicate graphically or in text what the setbacks from the street are for existing structures and parking along Route 202 to substantiate this statement.

i. DEIS page M-5 states: *"Existing vegetation would remain where possible and supplemented if necessary to screen the parking lots from the new units."* -- The DEIS must establish whether screening is needed and propose it if appropriate. Sight lines added to the site sections may assist in this decision.

j. *Scope item g) Identify and describe the visual relationship between the wireless telecommunications facility on the Towne Centre site and uses proposed on the Project Site.* -- The existing cell tower is not described in the text nor depicted in a photograph. The tower could be indicated in site section C-C' to demonstrate its relationship to the proposed project.

Mitigation Measures

k. On the bottom of page M-6, remove the phrase "and not even visible", as this statement is not supported by the DEIS.

Graphics and Section N

l. The Proposed Site Layout Plan shows proposed trees differently from the Conceptual Landscape Plan. To correct this discrepancy, trees should be removed from the former or revised to match the landscape plan.

m. The DEIS states that there will be a pedestrian path from the residential component to the grocery store, but none of the plans show this connection.

n. DEIS page N-5 – References to photographs HR-10, HR-5, HR-12 and HR-4 should be checked and either removed where they do not illustrate the narrative where referenced or replaced with the appropriate views.

o. DEIS pages N-6 and N-7 use the word "generous" to describe the project's Route 100 setback. This vague word should be removed and the actual dimension proposed should be inserted.

p. DEIS pages N-5 and N-6 -- The dimension of the existing landscape buffer in front of the Towne Centre should also be cited.

q. The existing "forested" and "pastoral" character of the Route 100 corridor is referenced in the Section N. Historic Resources impacts and mitigation narratives. The Section M

narrative should describe these characteristics in Existing Conditions and identify the impact on that character in Impacts.

r. DEIS page N-7 last para., delete the phrase "Although not required as mitigation,".

We recommend that the lead agency direct the Applicant to revise the DEIS to address these items prior to the document being deemed complete for public circulation. Should you have any questions regarding these review comments, please contact me or Tim Miller at (845) 265-4400.

Yours truly,

Frederick. P. Wells, RLA
Senior Planner
TIM MILLER ASSOCIATES, INC.

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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: September 29, 2014
RE: Hauser Residence
Wetland Activity Permit
7 Scott Drive
TM: 17.11-1-16, R-80 District

GENERAL

The purpose of this memorandum is to provide the Planning Board with a summary of our initial comments related to our review of the applications for environmental permits that have been submitted for the project located at 7 Scott Drive. The applications relate to the construction of a new detached garage structure and subsurface infiltration chamber on the existing residential lot. The following documents were received during the current review period:

DOCUMENTS RECEIVED

- Town of Somers Planning Board: "Application for Environmental Permit, Chapter 167 "Wetland and Watercourse Protection", by Michael & Randi Hauser, dated August 24, 2014.
- NYSDEC State Environmental Quality Review: Short Environmental Assessment Form (EAF), by Michael Hauser, dated June 15, 2014.
- "Garage Site Plan", Drawing Sheet: "1", prepared by McGoey, Hauser and Edsall Consulting Engineers, D.P.C., dated August 23, 2014.
- National Flood Insurance Program (NFIP): "Flood Insurance Rate Map (FIRM) containing Towns of Somers and North Salem", dated effective September 28, 2007.
- Cover Letter, by William J. Hauser, P.E., dated August 22, 2014.
- Survey Photocopy: "Wetlands Determination of 7 Scott Drive", prepared by Evans Associates, dated as "Received by Town of Somers" April 16, 2008.
- "Roof Drainage", Calculations, prepared by McGoey, Hauser and Edsall Consulting Engineers, P.C., dated August 22, 2014.

PERMITS AND APPROVALS REQUIRED

- Town of Somers Planning Board: Wetlands Activity Permit
- NYSDEC: State Environmental Quality Review

DISCUSSION

The Applicant has provided preliminary project drawings that describe the proposed garage construction that include erosion and sediment control plan elements, construction details and sizing calculations that describe the proposed subsurface infiltration chamber. The following is a summary of our comments at this time. It should be noted that additional comments may be issued upon the review of more detailed design submittals.

1. The Applicant shall revise the plan to include a limit of land disturbance line and shall note total land disturbance in square feet (as referenced by the provided project narratives).
2. The provided drawing does not illustrate existing topography for the site. The Applicant shall revise the plan to show existing topography within the vicinity of the garage structure. It should be noted that 2' topographic data is publicly available through the Westchester County Geographic Information Systems (WCGIS) database and is acceptable for use with this application.
3. The Applicant proposes to collect stormwater from the new proposed roof area into a subsurface infiltration chamber to be constructed on the west side of proposed garage. The following sub-comment applies to the proposed infiltration design:
    a. Provide deep hole excavation data within the vicinity of the proposed chamber. Results must demonstrate a minimum of 3' vertical separation between the proposed invert and bedrock or groundwater.
    b. Clarify note on Drywell detail "4' diameter requires 4' – 6" depth, etc." It should be noted that drywells with a vertical depth / horizontal width ratio of less than 0.5 require EPA permitting as an underground injection well. The 4' diameter well at its stated depth should not be considered for this application.
    c. Identify overflow bypass provisions for runoff flows beyond the storage capacity of the drywell. Bypass flow must be shown to be routed to a stabilized dissipation outlet.
    d. The proposed drywell is shown to be located 8 feet from the proposed garage. NYSDEC requires that a minimum of 10' to be provided between the edge of the drywell and structure. The Applicant shall revise the plan to provide the required separation.
    e. Revise the plan to include note that inspection of the installed stormwater drywell by Consulting Town Engineer is required prior to backfill of the system.
    f. Include summary of maintenance and inspection procedures for the proposed drywell during and following the completion of construction.
4. The Applicant shall confirm that no additional impervious driveway surfaces are proposed to be created as a result of this application.
5. The Applicant shall update the plan to show the proposed electrical utility connections to the new garage. The drawing shall be revised to include a construction detail for proposed electrical trench. The Applicant must confirm that that the electrical supply infrastructure

WOODARD &CURRAN

serving the existing dwelling has sufficient capacity to support the loads generated by the new garage structure.

6. The provided plans show apparent locally regulated wetland area as "Wet Area", located to the west of the existing residence. The Applicant has provided a sketch of this wetland boundary that is identified as completed by Evans Associates, dated 2008. It is our recommendation to the Planning Board that the provided delineation of wetland boundary is acceptable based upon the minor project scope. The wetland boundary however and its associated 100 foot regulated buffer line should be superimposed on the project drawing. The Planning Board should consider whether the proposed wetland buffer disturbance warrants further assessment of ecological buffer functions and design of additional mitigation measures.
7. Application shall indicate whether any new exterior lighting is proposed on garage structure. If new light features are proposed, the Applicant shall update the plan to show the location(s) and detail the type of fixtures proposed. The Applicant will be required to demonstrate that appropriate shielding will be installed to the satisfaction of the Planning Board.
8. Based upon the scope of site disturbance, the Applicant shall be required to prepare an acceptable erosion and sediment control plan for the construction activity. Several erosion and sediment control plan components were already included on the initial drawing submittal. The following additional comments should be incorporated that will constitute an acceptable project Erosion and Sediment Control (E&SC) plan:
    a. Provide a summary of the proposed sequence of construction
    b. Provide a summary of the maintenance and inspection procedures for the proposed erosion and sediment control devices
    c. Revise the plan to include note that all disturbed areas must be stabilized within 14 days of completion of work in that area
    d. Revise the plan to include a note that all work must be completed within allowable construction hours in accordance with Town Code
9. The Applicant shall revise the plan to include a note that details the proposed seed mix for disturbed area surrounding the garage within the regulated wetland buffer area.

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

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DRIVE RESULTS

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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: September 29, 2014
RE: Somers Realty Planned Hamlet – Phase III Subdivision
Subdivision Plat Application
Route 6 and Mahopac Avenue
TM: 4.20-1-13,14,15, PH

GENERAL

The purpose of this memorandum is to provide the Planning Board with a summary of our comments related to our review of the Preliminary Subdivision Plat Approval Application that has been submitted for the parcel located at 50 Route 6. This subdivision application has been filed and is being reviewed in conjunction with a site plan application by Avalon Bay Communities, Inc. for the construction of 152 housing units located on proposed subdivision parcel Lot 3A. The Application proposes to further subdivide the existing 59.0 acre Lot 3 to create five (5) new lots that include the Avalon Bay Communities parcel, Village Green, and lots for future commercial development and construction of the proposed firehouse. The SEQR process relative to the Master Plan subdivision was completed in February 2009 through Planning Board acceptance of the Final Environmental Impact Statement (EIS) and approval of the Planned Hamlet.

Land disturbance relative to this subdivision application is limited to the extension of Clayton Boulevard, construction of proposed Town Roads "B", "C", "D" & "E" and improvements to the U.S. Route 6 shoulder, construction of stormwater management practice areas as well as construction of utility infrastructure to serve the new development. The following documents were received during the current review period:

DOCUMENTS RECEIVED

- Cover Letter, by Insite Engineering, Surveying & Landscape Architecture, P.C., dated September 17, 2014.
- Survey: "Preliminary Subdivision Plat known as the Somers Realty – PH Zone Phase III Resubdivision of Lot 3", prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated September 17, 2014.
- "Preliminary Stormwater Pollution Prevention Plan for Somers Realty Corp./Avalon Bay Communities, Inc.", prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated September 17, 2014.
- "Phosphorous Loading Analysis for Somers Realty Corp/Avalon Bay Communities, Inc.", Analysis Report, prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated September 17, 2014.

management practices. **Not Addressed. To be provided with future application submittal.**

ii. Provide sizing details for proposed sediment traps consistent with the requirements of the NYSDEC New York Standards & Specifications for Erosion & Sediment Control, latest edition. **Not Addressed. To be provided with future application submittal.**

iii. Provide a construction detail for typical sediment trap consistent with the NYSDEC New York Standards & Specifications for Erosion & Sediment Control, latest edition. **Not Addressed. To be provided with future application submittal.**

b. Update the plan to show an additional stabilized construction entrance at the end of the Clayton Boulevard Phase II hammerhead turn-around, for use by construction traffic upon completion of Phase II construction activities. **Addressed.**

c. Revise the layout of silt fence as shown on sheet "SP-3.1" located adjacent to southwest corner of the proposed Extended Detention Pond to capture upgradient disturbance by the proposed elevation 536' contour. **Addressed.**

d. The Applicant shall update the plan to show the location of proposed roadway monuments. The drawings shall include a construction detail for typical roadway monument consistent with Town Code requirements. **Addressed.**

e. The erosion and sediment control plan shall consider if additional measures are necessary to minimize temporary impacts from proposed construction activity to the nearby stormwater management practices and pump station part currently in construction as part of the Phase II planned hamlet development. **Not Addressed. Review of the erosion and sediment control devices and design of the proposed water quality swale to be constructed will be completed upon receipt of future detailed submittal.**

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

8. The Applicant shall revise the provided construction detail for typical drainage manhole to specify a Campbell Foundry Type 1203 Frame and Cover and show top of frame set 1 inch below surrounding pavement, as specified by Town Code.. Proposed covers shall read the word "DRAIN" as specified by Town Code. **Addressed.**

9. The Applicant shall revise the provided construction detail for proposed wood guardrails to address the following comments, as required by Town Code Section §A174-28:

   a. Revise the detail to utilize a support post equivalent or equal to a 12" diameter circular pressure treated timber post. **Comment No Longer Applicable. Proposed guardrail posts are noted be consistent with those installed as part of the Phase II Subdivision Development.**

- "Somers Realty Phase III", Drawing Sheets: "1-17", prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated June 6, 2014, last revised September 17, 2014.
- "Wetland & Wetland Buffer Impact Analysis", Drawing Sheet: "W-1", prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated September 15, 2014.
- "Highway Improvement Plans for Somers Realty Phase 3", Drawing Sheets: "1-10", prepared by Maser Consulting, dated July 9, 2014.

PERMITS AND APPROVALS REQUIRED

- Town of Somers Planning Board: Approval of Modifications to Master Plan**
- Town of Somers Planning Board: Subdivision Plat 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 Architectural Review Board Approval
- Town of Somers Open Space Committee Approval
- Town of Somers Fire Department: Approval of Proposed Hydrant Locations
- NYC DEP: Approval of Stormwater Pollution Prevention Plan
- NYC DEP: Approval of Variance for Construction of New Impervious Surfaces
- 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 Department of Health (WCDOH): Realty Subdivision Approval
- United States Army Corp of Engineers: Wetlands Permit

**** - If proposed development activities are determined by the Planning Board to warrant modification of the previously approved Master Plan and/or require additional review under SEQR.**

DISCUSSION

The Applicant has provided a revised stormwater pollution prevention plan (SWPPP) and subdivision plat construction drawings in response to previously identified engineering comments.

In addition, the current submittal includes preliminary highway design drawings and a phosphorous loading analysis for the planned hamlet.

Based upon our review of the provided documents, the current submittal represents positive design development focused on the site stormwater systems and highway improvements to U.S. Route 6. While stormwater system inverts and dimensions have not yet been finalized, the provided layout and sizing calculations schematically demonstrate adequate treatment volume sizing and storage capacities within the proposed practices. Further design details related to the proposed stormwater management practices and conveyance structures will be confirmed upon receipt of the Final Design (SWPPP) and plans.

The following is a summary of our comments at this time. The status of all previously identified engineering comments as well as new comments is shown in **Bold Type.** It should still be noted however that the provided submittal reflects the current progress of design development for the project and that not all detailed design components have been included at this time. Further comments will be issued upon review of more detailed design submittals.

1. The Applicant has provided a drawing sheet titled "Master Plan Conformance Drawing" that compares the new proposed layout of the phase III planned hamlet subdivision development to the Master Plan. Unlike the previous Lot 3 subdivision development, the currently proposed layout is concentrated within a development cluster at the center of Lot 3A, surrounding the Village Green area. The western portion of proposed Lot 3A is now identified as a future reserve parcel and proposed "Town Road D" has been shortened from the approved planned hamlet layout.

   Provided subdivision construction drawings "SP-3.1" – "SP-3.3" depict the proposed limits of project disturbance relative to anticipated site disturbance that was contemplated during Master Plan approval. In general, overall site disturbance has been reduced by the proposed development layout. The following is a summary of observed key modifications from the approved Planned Hamlet Layout

   - The plans identify the south-western portion of Lot 3A as a "reserve parcel" where development is no longer proposed by the planned residential development. **Comment No Longer Applicable. The proposed subdivision plat has been revised and now identifies the former Lot 3A as proposed Lot 6 (no longer a reserve parcel). The Applicant's provided comment response indicates that the Lot is currently being marketed towards nursing care facilities, consistent with discussion at the August 2014 meeting of the Planning Board.**

   - The limits of proposed disturbance have been expanded slightly in western portion of Lot 3A, adjacent to the proposed intersection of Clayton Boulevard and U.S. Route 6. This expanded disturbance is shown to allow for the construction of shoulder/turning lane improvements on U.S. 6 and for the construction stormwater management practices. A portion of this area is located within the limits of identified Town Wetland Area "A" and its associated wetland buffer as well as the buffer of the NYC DEP watercourse. **No further comment necessary.**

- A balanced cut/fill is no longer proposed for the Subdivision development. Approximately 60,000 cubic yards of excess cut material is identified to be removed from the site by the provided project documents. **Detailed earthwork calculations are to be provided by the Applicant with more future detailed design submittals.**
- The location / size of proposed stormwater management practices has been modified from the Approved Master Plan, based upon the revised development layout. **No further comment necessary.**

The Planning Board should consider during the course of project review if these modifications warrant modification of the Master Plan approval or if new potential project impacts require additional review under SEQR.

2. The site development activities involve greater than 2 acres of site disturbance and require review and approval of the project SWPPP by the NYC DEP. In addition, project disturbance requires the approval of a variance from NYC DEP for the construction of new impervious surfaces within the limiting distance of identified watercourses and wetlands.

   Variance approval for this project is specifically related to the proposed extension of Clayton Boulevard to its intersection with U.S. Route 6 where crossing of identified "Town Wetland A" and a NYC DEP identified watercourse is required. In addition, the layout of "Town Road D" is shown to be constructed through a portion of identified "Town Wetland E". Satisfaction of NYC DEP requirements for issuance of a variance was identified on Planning Board Resolution No. 2013-01, under "On-going Conditions Required After Signing of Plat", Condition No. 2, to be completed prior to any further development on Subdivision Lot 3. The Applicant shall be required to review both of these crossings with the NYC DEP, obtain all required variances and address all NYC DEP requirements to achieve issuance of necessary permits and approvals. **Not Addressed. The Applicant indicates that application for variance is currently being prepared for submittal to NYC DEP.**

3. 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 proposed Lot 3 subdivision development layout has been modified from what was contemplated at the time of Planned Hamlet approval and the conclusion of project SEQR review. Based upon this understanding, the Applicant shall prepare a site specific phosphorous loading analysis that compares the current proposed post development conditions to those post development conditions that were reviewed at the point of Master Plan approval. The Planning Board shall determine whether additional study is required as part of project review. **Addressed. The Applicant has provided a pollutant loading analysis for phosphorous with the current project submittal. It is noted that the provided analysis compares the proposed planned hamlet development, exclusive**

of the MEWS Phase I and Phase II lots, to the pre-development existing conditions. The analysis findings indicate that the proposed stormwater management practices yield a slight net reduction of annual phosphorous loading from the overall development.

Based upon our review of the provided information, it is our recommendation that the analysis methodology and results are acceptable. Final acceptance of pollutant loading analysis will be determined upon receipt of the final design SWPPP and construction drawings.

4. The Applicant has prepared a preliminary Stormwater Pollution Prevention Plan (SWPPP) and drawings to describe proposed project stormwater infrastructure. Our office has commenced review of the provided hydrologic and hydraulic design calculations and stormwater management practices and will continue our review as further more detailed design submittals are received. The following comments are related to our initial review of the proposed site stormwater plan and management practices.

    a. The Applicant shall include additional required elements within future complete SWPPP submittal as specified by Somers Town Code Chapter 93 and the NYSDEC SPDES General Permit for Construction Activity (GP-0-10-001). Additional required elements include but are not limited to, stormwater practice maintenance and inspection worksheets to be used by the Qualified Inspector, and a Contractor Certification Statement. **Addressed.**

    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. **Not Addressed. To be provided with future detailed SWPPP submittal.**

    c. The Applicant shall update the plans to indicate rim and invert elevations on all stormwater infrastructure on subsequent more detailed submittals. **Not Addressed. To be provided with future detailed SWPPP submittal.**

    d. The Applicant shall revise the SWPPP to include the Post Development HydroCAD Model Node Routing Diagram on a full size letter page. **Addressed.**

    e. The provided Master Plan Conformance Drawing sheet identities that Stormwater Design Point 2 receives a watershed of 27.8 acres, while the provided HydroCAD report considers a drainage area of 33.17 acres. The Applicant shall revise the project documents to reflect the correct drainage area. **Comment No Longer Applicable.**

    f. The Application proposed to utilize Surface Sand Filters (NYSDEC Type F-1) as a treatment practice for stormwater collected within identified subcatchments 2.1, 3.1 and 3.3 within the development. The following comments are applicable to our review of the preliminary sand filter sizing calculations and details that have been provided at this time:

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. **Partially Addressed. The Applicant has provided preliminary testing data with the current submittal. Further site investigation is being undertaken and data results will be included with future submittal.**

ii. The Applicant shall provide sizing calculations for sand filter pretreatment sediment forebays, based upon the formula specified by Section 6.4.3 of the NYSDEC Stormwater Management Design Manual, latest edition. **Addressed. Sizing calculations to be confirmed upon receipt of the final design SWPPP and design drawings.**

iii. The Applicant shall provide a site specific construction detail for proposed surface sand filters, consistent with the NYSDEC Stormwater Management Design Manual, latest edition. The construction detail should include a summary table to identifies all applicable inverts for each sand filter practice. **Partially Addressed. The provided drawings include a construction details for typical sand filter cross section, but do not identify specific component design elevations. Final construction details to be provided with final detailed submittal.**

iv. The Applicant shall update the plans and detail to utilize 8" diameter perforated pipe as the filter underdrain. **Addressed.**

v. The provided HydroCAD hydrologic model data for proposed sand filters does not accurately represent practice stormwater volume storage for the design rainfall events. The Applicant shall revise the HydroCAD report to model sand filter exfiltration so that filter basin storage is accurately represented over required design storms. The Applicant may contact our office directly if further clarification is desired on this matter. **Addressed. The provided modeling data demonstrates adequate capacity within proposed sand filter practices. Practice storage volumes will be confirmed upon receipt of the final design SWPPP and design drawings.**

g. The Application proposes to construct Pocket Wetlands Area (NYSDEC Type W-4) as a treatment practice for stormwater collected within identified subcatchments 2.1S and 2.3S. The following comments are based upon our initial review of the proposed wetlands design calculations that have been provided at this time.

i. The Applicant shall prepare a Wetlands Landscaping Plan based upon Appendix H of the NYSDEC SWMDM. The Applicant shall consider the placement of chloride tolerant plant species in development of the Landscaping Plan. **Not Addressed. To be provided with future detailed SWPPP submittal.**

ii. The Applicant shall prepare a profile view construction detail for the proposed wetland area with a summary table that shows all applicable

invert elevations for the each proposed pocket wetland system. **Partially Addressed. The provided drawings include a profile view construction detail of the pocket wetland practice, but does not summarize all respective invert elevations for practice structures.**

iii. Provide wetland sizing calculations that show that a storage volume of at least 10% of the required water quality volume is provided within a micropool at the wetland outlet control structure. **Addressed. Sizing calculations to be confirmed upon receipt of the final design SWPPP and design drawings.**

iv. Update the layout plan to demonstrate that required planting setbacks are provide between the maximum water surface elevation and adjacent structures. **Addressed.**

h. The Applicant proposes to construct a Extended Detention Stormwater Pond (NYSDEC Type P-1) 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 identify the existing groundwater elevation at the proposed pond site relative to the proposed pond invert. **Partially Addressed. The Applicant has provided preliminary testing data with the current submittal. Further site investigation is being undertaken and data results will be included with future submittal.**

ii. The Applicant shall prepare a profile view construction detail for the proposed Extended Detention Pond with a summary table that shows all applicable invert elevations of the proposed practice. **Partially Addressed. The provided drawings include a profile view construction detail of the pond practice, but does not summarize all respective invert elevations for practice structures.**

iii. Provide sizing calculations that demonstrate a storage volume of at least 10 percent of the calculated water quality volume is provided within the pond inlet forebay. **Addressed.**

iv. Provide a calculation of pond surface area relative to drainage area, as defined by Section 6.1.4 of the NYSDEC SWMDM. **Addressed.**

v. Demonstrate that an aquatic bench (maximum ponding depth of 18 inches) is provided surrounding all deep water pools in excess of 4 feet depth. **Addressed. Pond grading to be confirmed upon receipt of the final design SWPPP and design drawings.**

vi. Update the layout plan to demonstrate that required planting setbacks are provide between the maximum water surface elevation and adjacent structures. **Addressed.**

vii. The Applicant shall prepare a Landscaping Plan for the stormwater pond and buffer consistent with the requirements of the NYSDEC SWMDM, latest edition. The Applicant shall consider the incorporation of chloride tolerant plantings for the Landscaping Plan. **Not Addressed. To be provided with future detailed SWPPP submittal.**

i. The Applicant proposes to utilize porous pavement for a portion of Proposed Town Road "D" within the eastern portion of the subdivision 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. **Not Addressed. To be provided with future detailed SWPPP submittal.**

   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. **The Applicant states that the proposed porous pavement installation will not be contemplated towards project stormwater management objectives and goals, and is proposed to conform with conditions of prior planned hamlet approval.**

   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. **Comment No Longer Applicable. Refer to Comment No. 4 (l)(iii), above.**

j. The Applicant shall provide sizing calculations for all proposed water quality swales/dry swales as referenced on the project drawings and SWPPP. The Dry Swale design must demonstrate compliance with Section 6.5 of the NYSDEC SWMDM. **Partially Addressed. Further design details for the proposed dry swale practices will be reviewed upon receipt of the final SWPPP and drawings.**

k. The Applicant shall provide sizing calculations for proposed spillways and stabilized outlet protection practices based upon peak runoff flows resulting from the 100 year design storm. Sizing calculations and associated construction details shall demonstrate that stormwater flows are discharged in a manner that minimizes the potential for erosive impacts to downgradient land surfaces and receiving wetlands/watercourses. **Partially Addressed. Provided hydraulic analysis will be reviewed upon review of the final SWPPP. The Applicant should include a stabilized outlet protection design summary table to detail**

the stone size and dimensions for each outlet practice based upon the hydraulic peak flows discharged.

l. Provided drawing sheet "SP-2.3" depicts that bypassed stormwater from proposed Surface Sand Filter "3.3" will be routed through stormwater piping towards drainage design point 3. The project plans to not illustrate the termination and stabilized outlet control device of the identified stormwater pipe. The Applicant must update the plans to show the proposed pipe outlet and associated flow dissipation measures. **Addressed.**

m. The Applicant shall prepare a draft Stormwater Maintenance Agreement for review and acceptance by the Consulting Town Engineer and Town Attorney. **Partially Addressed. The Applicant has included a draft Stormwater Maintenance Agreement (SMA) with the current submittal. Our office has commenced review of the agreement and will provide our specific comments directly to the Applicant's Engineer.**

5. The Application proposes to construct new roadways intended for future dedication to the Town of Somers. These roadways are shown on the site drawings to include the extension of Clayton Boulevard (formally Town Road "A") as well as the construction of other roadway segments, Town Roads "B", "C", "D" & "E". The provided submittal includes proposed roadway profiles on drawing sheet "PR-1" as well as a construction detail based upon "Town Road A" code standards. Based upon our review of the provided information, the following Town Code requirements are not met by the proposed Roadway Design and are intended for consideration by the Planning Board:

   a. Three (3) percent maximum grade within 60 feet of all Town Road intersections.

   b. Minimum 100 foot length of tangent between reverse curves

   c. Minimum K value of 35 for sag vertical curves

   The following additional comments are applicable to our review of the roadway design documents:

   a. The Applicant shall update the plan to identify approximate sight distance at all proposed road intersections of Clayton Boulevard, including the connection to U.S. Route 6. **Partially Addressed. Sight distance at the proposed intersection of Clayton Boulevard and U.S. Route 6 has been identified on the Highway Improvement Plans by Maser Consulting. The Applicant indicates that traffic study and analysis for other proposed intersections was previously completed during review of the Planned Hamlet. It is our recommendation that at a minimum, the Applicant should update the plan to reference sight distances determined by previous analysis at proposed intersections within the development. Identification of sight distance will allow for verification that the proposed site grading has not changed apparent line of sight of intersections in an unsafe manner that would warrant further analysis and design consideration**

b. Town Code §150-24(E) requires that sight easements be provided across all corners at intersections, outside the street right-of-way, to allow for maintenance of a clear line of sight for traffic at the intersection. The Applicant shall provide the necessary documents to comply with sight easement requirements of Town Code. **Partially Addressed. Easement agreement documents will be included with future submittal.**

d. Improvements to the shoulder of US Route 6 are subject to the design standards, review and approval of the NYSDOT. The Applicant shall provide supporting design documents related to Route 6 improvements for review and record by the Consulting Town Engineer. **Partially Addressed. The provided application submittal includes Preliminary Highway Improvement Plan drawings by Maser Consulting for U.S. Route 6. While it is noted that the provided drawings are preliminary in nature, we would like to offer the following comments for consideration at this time:**

i. **The proposed layout of the curb island/median within Clayton Boulevard at the intersection with U.S. Route 6 must be coordinated with the project drawings by Insite.**

ii. **Provide details for the proposed relocation of fire hydrants located on the shoulder of U.S. Route 6. The Applicant shall provide fire hydrant appurtenances that are satisfactory to the Town of Somers Fire Department, if new replacement fixtures are proposed.**

iii. **Proposed highway improvement work must be sufficiently described and detailed in the project construction sequence.**

iv. **Design of proposed drainage and utility infrastructure within the proposed area of the highway improvements must be coordinated with required burial depths as noted on the plans by Maser Consulting.**

6. The Applicant has included preliminary erosion and sediment control plan elements as contained on drawing sheets "SP-3.1" – "SP-3.3" and the project SWPPP. The following comments are based upon our review of the preliminary erosion and sediment control plan and should be incorporated in future more detailed plan submittals:

a. The plans identify that Extended Detention Pond 3.2P and Pocket Wetland Area 2.2P will be utilized as temporary sediment traps during construction activities. The Applicant shall address the following comments relative to the proposed temporary sediment traps:

i. Provide temporary grading and/or notes on the erosion and sediment control plan to demonstrate that the proposed invert of each sediment trap is a minimum of two feet higher than the proposed final inverts of the stormwater management practice. The Applicant shall include a note that all accumulated sediment must be removed from the temporary sediment traps prior to excavation of subgrade for the proposed stormwater

b. Revise the detail to specify the minimum embedment of the post footing as 3'-6" below ground surface and identify exposed post height as 2'-3.5" above ground surface. **Addressed.**

c. Revise the detail to note that posts shall be spaced at four feet on-center. **Addressed. It should be noted that proposed guardrail post spacing should be kept consist with spacing provided by guardrails part of the Phase II subdivision development.**

10. The Applicant is required to satisfy Town of Somers Fire Department requirements for the construction of firefighting measures within the proposed subdivision development. The Applicant shall update the plan to identify the proposed locations of fire hydrants and truck pull-off locations, as determined by the Town of Somers Fire Department. **Partially Addressed. The Applicant indicates no comments were received following review of the plan by the Somers Fire Prevention Bureau. The Applicant shall provide documentation of no objection by the Somers Fire Prevention Bureau, prior to final approval of the proposed subdivision.**

11. The provided plans depict that street trees are proposed to be planted along the Clayton Boulevard extension, south-west of proposed Town Road B. The Applicant should note that specific requirements for street tree plantings are provided by Town Code §150-22 (D). The Applicant shall revise the construction detail intended for street tree plantings to reflect the required town code standards. **Addressed.**

12. The Applicant's SWPPP acknowledges 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, Erosion and Sediment Control Plan, and related comments provided under Comment No. 14, below. **Not Addressed. Project land disturbance phasing plan to be prepared with future application submittal.**

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

    a. The provided project documents indicate that as a result of the revised layout, a balanced cut fill is no longer feasible for the proposed development. As a result of these changes, a net export of approximately 60,000 cubic yards of material is anticipated to be transported off-site as a result of construction activities. An estimate of this earthwork and the associated truck traffic from export activities is included on the provided Short Environmental Assessment Form, that was prepared by the Applicant.

    A large portion of the material to be exported is identified to be taken from the soil stockpiles that were generated during Phase II of the Somers Realty Subdivision and MEWS Phase II projects. These projects are still in construction and must be coordinated with the development proposed by the Phase III subdivision construction. The following sub-comments summarize our concerns related to the proposed soil export activities:

i. The Planning Board should consider whether the proposed net soil export for the site warrants additional review under SEQR. **Not Addressed. Detailed earthwork calculations have not been included at this time. The Planning Board should consider whether the Applicant's Comment response that peak traffic from off-site hauling of extra cut volume does not warrant additional review under SEQR.**

ii. The Applicant shall develop a proposed final earthwork plan that is 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. **Not Addressed. To be prepared with future application submittal.**

iii. The Applicant shall provide structural measures to minimize dust generation during fill export activities. These plan elements must be coordinated with the Land Disturbance Phasing Plan and project erosion and sediment control plan within the SWPPP. **Partially Addressed. To be confirmed upon receipt of the Land Disturbance Phasing Plan and final Erosion & Sediment Control Plan.**

iv. The Applicant shall characterize all soils planned for export to demonstrate compliance with NYSDEC DER-10 and CP-51 guidance document standards for exported fill material. **Not Addressed.**

b. The Applicant shall prepare a rock removal plan to describe rock excavation activities during construction. The rock removal plan shall estimate rock removal quantities based upon the revised development layout and shall describe the limits of and methodology intended to be used for rock excavation. **Not Addressed. To be prepared with future application submittal.**

14. The provided plans do not depict any street lighting to be constructed within the proposed Town Roads and associated development areas. While it is understood that this information may be included in a future more detailed design submittal, the Applicant should note that all proposed street lighting, if proposed, must be shown on a future plan submittal. A project photometric plan that depicts illumination levels based upon the layout and intensity of light fixtures must be also prepared for review if street lighting is proposed. **Addressed. The provided comment response indicates that all proposed street lighting is shown on the drawings prepared by Milone & MacBroom. No additional street lighting within the Somers Realty Subdivision is proposed.**

15. Town of Somers regulated wetlands are located on the project site within the vicinity of the proposed subdivision development. These wetland limits were previously delineated by the Applicant and were most recently confirmed by NYC DEP representatives on May 19, 2014. The Applicant shall provide a Wetlands Impact Analysis prepared by a certified wetlands scientist that analyzes any potential impacts to the identified wetlands based upon the proposed site development and hydrologic conditions. Part of such Wetlands

Impact Analysis will require the preparation of a Wetlands Mitigation Plan that restores any ecological functions that may become disturbed/impaired as a result of the development activities. The Applicant shall prepare a Wetlands Mitigation Plan that includes a planting plan for proposed disturbance to all wetlands and regulated buffer areas. It should be noted the proposed wetland mitigation impact analysis and mitigation plan are also subject to the permit conditions and requirements of the NYC DEP and U.S. Army Corp of Engineers. **Partially Addressed. Assessment of existing wetland function and proposed impacts relative to those contemplated under Master Plan approval has been provided. Our office has commenced review of this assessment and will provide comments, if determined necessary, upon completion of review. Documentation of Army Corp Wetland Permit issuance must be provided upon Applicant receipt.**

16. The Applicant has provided preliminary design layout for the proposed water main extension within Clayton Boulevard. Further detailed design documents have not been submitted at this time but are expected with future application submittals. Our office has completed initial review of the provided information and has identified the following 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:

    Water Main Extension

    a. The Applicant shall provide a profile view drawing of the proposed water main extension. The profile shall demonstrate that adequate vertical separation is provided at all proposed pipe crossings as shown on the project layout plan drawings. **Not Addressed.**

    b. Update the plans to identify size and material of the proposed water main extension and connections. **Addressed.**

    c. Provide a construction detail for the proposed water main connection to the existing public supply main located within the U.S. Route 6 Right of Way.

    d. Provide an Engineering Report with supporting calculations for the proposed water main extension. **Not Addressed.**

    e. **Revise the plan to note where tapping sleeve and cap connection details are to be used (i.e., note at Route 6: Connect new 10" water main to existing 10" water main with tapping sleeve and valve, per detail [...])**

    f. **The provided hydrant detail shall call out stainless steel tie rods instead of galvanized.**

    g. **Include construction details for proposed valve box I and utility/sanitary sewer crossing and separation.**

    h. **Note pipe size for stub to AvalonBay development. AvalonBay plans call for 8" water main.**

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i. **Thrust blocks or restrained joints shall be required at all bends and fittings, including caps and tees. Include thrust block or restrained joint table or detail.**

17. The grading and utilities plans do not include proposed electrical and gas service utilities for the development within the proposed Town Roads. Future detailed plan submittals shall include the proposed layout of site electrical service and gas service mains within the Phase III subdivision development. **Not Addressed. Utility information to be incorporated into future application submittals.**

18. Provided drawing sheets "SP-1.1" – "SP-1.3" include a survey of existing site trees and identify all trees to be removed as a result of development activities. The Applicant shall clarify if any existing trees are proposed to remain following project completion and will require protection during construction activities. The Applicant shall update the layout plan to label all trees to be protected during construction and must include a construction detail for typical tree protection, if proposed. **Addressed.**

19. The provided project drawings show that the western portion of proposed Lot 3A, where development is no longer proposed by the residential site plan application at this time, is now identified as a "Reserve Parcel". The Applicant shall clarify if their intent is to develop the identified "Reserve Parcel" at a later time, and if future development is contemplated, describe how access to the parcel with be provided. It should be noted that separate access to this parcel from Mahopac Avenue was not considered under the previously completed Planned Hamlet SEQR process, if such an access route is proposed. **The provided cover letter indicates that the previously identified reserve parcel is now included in the current subdivision as Lot 6 and will be marketed towards a senior living facility. It should be noted that future SWPPP and stormwater design document submittals must consider development of Lot 6 as part of the post development site condition.**

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

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MEMORANDUM

TO: Town of Somers Planning Board

FROM: Syrette Dym, Director of Planning

DATE: September 26, 2014

RE: Comments on Somers Realty Planned Hamlet Master Plan Preliminary Subdivision Application#3

Somers Realty Corporation – Planned Hamlet Zone Phase 3 Subdivision – Preliminary Subdivision Approval

The original proposed action consisted of the following components and those that have since changed are highlighted:

1. *Proposed Amendment to the Somers Realty Planned Hamlet Master Plan pursuant to the Somers Zoning Code Planned Hamlet PH District Section 170-23.3 Approval process which states that: "The site plan required for each proposed development within a PH district shall be consistent with the approved site master plan. The site master plan may be amended only with the approval of the Planning Board."*

   The proposed amendments were initially indicated to include the following items, the first of which was identified in the application cover letter of June 9, 2014 from McCullough, Goldberger & Staudt LLP. That letter indicates that the subdivision plan is consistent with the approved Master Plan but then goes on to identify minor changes that include the following: (1) shortening of proposed Town Road B; (2) consolidation of AvalonBay site plan resulting in excess material due to imbalance of cut and fill and need for additional export from the

site in addition to stockpiled material from construction of Clayton Boulevard associated with the Mews I and 2; (3) additional area required for stormwater management facilities and associated minor disturbance outside of the designated Clearing and Grading Limit Line in area adjacent to Clayton Boulevard near the Route 6 entrance. Additional modifications not included in that letter include: (4) Elimination of 80,000 square foot assisted living facility and 30,000 square foot mixed professional office/retail/restaurant use moved south of Clayton Boulevard as part of the Subdivision 2 approval by not showing any evidence of location for these uses. ***The Preliminary Subdivision Plat dated June 6, 2014 showed only 5 lots whereas this September 17, 2014 plat preliminary plat drawing shows 6 lots. No use has been proposed for this lot, but a previous informal submission by Somers Realty to the Planning Board identified this area as a possible site for an assisted living facility.*** *(5) a reserve parcel has been identified on Insite Drawing MC-1 Proposed Post-Development Drainage Boundaries that was not identified in the Planned Hamlet Master Plan;* ***This is the same parcel that is now the 7.1 acres Lot 6 referred to above.*** *(6) Proposed lot 3c, to be conveyed to Avalon Bay, was previously identified as a community recreation area and now is a subdivided lot with no identified use; and (7) the Planned Hamlet Master Plan called for the development of 152 townhouse units which were to be fee simple units and Avalon is building rental units with a differing bedroom count than previously proposed and analyzed for purposes of impacts on traffic, parking, utilities, community facilities and fiscal impacts. Z98)*

These modifications from the Somers Realty Planned Hamlet Master Plan that was the subject of the SEQRA Findings Statement of February 10, 2009, while many are identified in the long form EAF provided, may require further analysis to determine that they are not significant changes to the approved Master Plan and that their resulting impacts are the same as or less than those identified in the Findings Statement.

2. *Preliminary Subdivision#3 for Applicant Somers Realty Corporation, for the Somers Realty Planned Hamlet Master Plan to further subdivide prior created Lot 3 (Town Tax Map Sheet 4.20, Block 1. Lot 15) into five lots and several street right-of-ways totaling 62.3 acres. The right-of-ways include Clayton Boulevard extension to Route 6 and proposed town roads B, C, D, and E (3.3 acres); Lot 3A for AvalonBay Communities (45.4 acres); Lot 3B Village Green (1.4 acres) and Lot 3C Area north of Road D (6.4;) all three to be developed by Avalon Bay communities; Lot 4 is the Planned Hamlet commercial lot of 4.9 acres and Lot 5 is the firehouse parcel (0.9 acres).*
3. *Steep Slopes Permit*
4. *Wetland and Watercourse Protection Permit*
5. *Stormwater Management and Erosion and Sediment Control Permit*

Comments Relative to Submission of September 17, 2014 Regarding Somers Realty Planned Hamlet Subdivision #3

Documents included in this submission included the following:

- Cover Letter from Insite Engineering Dated September 17, 2014
- Wetland Mitigation Narrative and Specification and attached 11x17 Wetland Mitigation Plan prepared by Tim Miller Associates
- Phosphorus Loading Analysis dated September 17, 29014
- Preliminary Stormwater Pollution Prevention Plan- 9-17-14

Plans submitted are the following:

- Preliminary Subdivision Plat - Somers Realty – PH Zone Phase III – Resubdivision of Lot 3 dated 9-17- 14 by Insite Engineering
- Resubmitted Plan set by Insite Engineering including the following:
    - OP-1 – Overall Site Plan –9-17-14
    - Sp-1.1 – Layout and Landscape Plan
    - SP-1.2 – Layout and Landscape Plan
    - SP-1.3 - Layout & Landscape Plan
    - SP-2.1 - Grading & Utilities Plan
    - SP-2.2 – Grading & Utilities Plan
    - SP-2.3 – Grading & Utilities Plan
    - SP-3.1 – Sediment & Erosion Control Plan
    - SP 3.2 – Sediment & Erosion Control Plan
    - SP-3.3 – Sediment & Erosion Control Plan
    - PR-1 – Road Profiles
    - D-1 – D-6 - Details
- Pre-Development Phosphorus Analysis Figure 1 and Post Development Phosphorous Analysis Figure 2, dated 9-17-14, by Insite Engineering.
- Wetland & Wetland Buffer Impact Analysis Dated 9-15-14 by Insite Engineering

Changes in Subdivision

The applicant has modified the proposed subdivision from that identified in the originally submitted EAF and plans such that the 62.3 acres now include a formally identified Lot 6 of 7.1 acres that was previously informally identified as a Reserve Parcel that was part of Lot 3A. Lot 3A formerly included 45.4 acres and now includes 38.3 acres, bringing the Avalon acreage from a total of 53.2 acres to 46.1 acres.

Since FAR calculation of maximum permitted FAR by use are based on the overall original site size of 70.9± acres, this reduction in site size for the Avalon residential portion still meets the FAR requirement for residential use of a minimum of 0.04 and maximum of 0.06 FAR.

In addition, as identified on prior submitted Master Plan Conformance Drawing MC-1 dated 06-06-14daily water demand and sanitary sewer flow even with additional development from Lot 4 and that from Lot 6 (assumed to be potential assisted living)

with additional development that might occur in the future on lot 3C to be owned by Avalon, would still appear to be within to the total approved flows of the master plan. The ability of the site to meet the stormwater requirements of these still to be determined uses on Lot 6 and potentially on Lot 3C are yet to be determined.

Master Plan Connection to Parcel owned by Shore & Tetenbaum

The Master Plan identified roadway connection to two parcels to the south of the PH Panned Hamlet District. One of those parcels is an 18± acre landlocked parcel (4.20-1-12) owned by Somers Realty Corporation adjacent to another 36.9 acre landlocked parcel (15.08-1-4) also owned by Somers Realty. The other parcel is a 49 acre parcel (Lot 15.08-1-3 owned by Hy Shore Theodore Tetenbaum, that does have access from Mahopac Avenue. All of the above parcels are zoned R-80.

Whereas the connection to the Somers Realty parcel has been maintained with proposed Town Road D, the connection envisioned in what would have been an extension of Town Road B through the Algonquin Gas pipeline is no longer proposed. While this former proposed connection did not appear to cut through wetlands at the time, it now would cut through what is identified as a NYCDEP intermittent watercourse. To establish this connection, the Avalon site plan would have to be modified. Since no development is now envisioned south of the pipeline, there would be a long road required to reach the Shore/Tetenbaum parcels. An alternative that might be considered, with input from the Shore/Tetenbaum owners and certainly with that of Somers Realty, could be provision of a connection to the extension of Town Road D into Somers Realty's 18 acre landlocked parcel south of the Planned Hamlet. This, however, would require approvals of future plans that Somers Realty is not ready to consider and for which Shore/Tetenbaum may not be willing to wait.

Sight Easements

A number of sight easements have been identified on the revised Preliminary Subdivision Plat of September 17, 2014. One at the new entry drive into Clayton Boulevard, although identified, is not dotted and needs to be. One location where these sight easements are not being shown as provided is at the intersection of Mahopac Avenue and Route 6. While

The Preliminary Subdivision Plat of September 17, 2014 identifies the strip along Mahopac Avenue from Route 6 for 184 feet south as Somers Realty Corp. property to be dedicated to the Town of Somers as a Road widening parcel. According to the Town Assessor, this parcel has already been created as tax lot 4.20-1-16. As part of the resolution of approval of this subdivision, appropriate actions will have to be taken such that the Town will take ownership of this parcel and then make it part of the road. The widening strip along Route 6 is indicated on the plat to already be in the process of dedication to NYSDOT. Even though these roadway widenings at this location are not planned or required as part of this subdivision approval, it would seem that a sight easement should be identified and approved at this intersection as part of this subdivision

approval so it will be available on the subject property at such time that future roadway improvements may be made.

Note 15 on the Plat relative to rights within the sight easements should be amended to read as follows with the **bold** to be added: "The sight easements as shown hereon establish the perpetual right of the holder of fee title of the highway/**Town Road,** or his authorized representatives, ……..".

Amendments to Master Plan

The applicant has clearly stated its position that the changes proposed as identified in the project description with the addition of lack of extension of Road B and the creation of additional Lot 6 do not constitute a modification of the Planned Hamlet Master Plan. The Board should consider this question and determine if it also thinks that the proposed modifications do or do not rise to the level of a change to the Panned Hamlet Master Plan. The decision should be considered knowing that, as in the Phase 2 approval, such modification was largely an acknowledgement of such in the resolution of approval, as long as the environmental impacts are no greater than previously studied and envisioned.

Z:\PE\Subdivision files\Somers Realty Subdivision 3\Town Comments\Planner Comments 9-26-14.doc

PLANNING AND ENGINEERING DEPARTMENTS

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Town of Somers

WESTCHESTER COUNTY, N.Y.

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Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com

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

MEMORANDUM

TO: Town of Somers Planning Board

FROM: Syrette Dym, Director of Planning

DATE: September 26, 2014

RE: Comments on Avalon Bay Somers Residential Site Plan Application Package

AvalonBay Communities, Inc. - Site Plan Approval for Somers Avalon

The current proposed action consists of the following components:

1. *Site Plan approval for Applicant AvalonBay Communities, Inc. for Avalon Somers, to construct 152 residential rental apartments units containing a total of 183,060 square feet of which 129 are market rate and 23 are to be affordable units. Apartment mix is to be 62 one-bedroom, 66 two-bedroom and 24 three-bedroom units. The project includes a 3,779 square foot community recreation building and outdoor pool, and a "town green", the community recreation building for the sole use of apartment unit renters. The project as originally submitted consisted of proposed subdivided Lot 3A at 45.4 acres and Lot 3B as the Village Green lot at 1.4 acres and lot 3C the area north of Road "D" at 6.4 acres. Based on revised subdivision submissions by Somers Realty, the revised parcel for Avalon Bay consists of lot 3A at 38.3 acres instead of 45.4 acres, such that total Avalon site area is now 46.1 acres as opposed to the former 53.2 acres, to be subdivided as part of the associated Somers Realty, Inc. subdivision application.*
2. *Tree Removal Permit*
3. *Stormwater Management and Erosion and Sediment Control Permit*
4. *Steep Slope Protection Application*

The following comments are based on the following submittals:
Letters:

- September 17, 2014 letter from DelBello Donnellan Weingarten Wise &Wiederkehr, LLP
- September 15, 2014 letter from Milone & MacBroom

Plans by Milone & MacBroom dated 09-09-14:

- Title Sheet
- IN – Index Plan
- EX-1-5 – Existing Conditions
- LA-1 – 2 – Site Plan – Layout
- LS-1-2 – Site Plan – Landscaping
- GR-1-2 – Site Plan – Grading
- UT-1 1-2 -0 Site Plan – Utilities
- SA-1-2 - Steep Slope Analysis – Existing and Proposed Conditions
- SP-1-4 - Stormwater Pollution Prevention Details
- DS-1-5 – Site Details
- PH-1 - Photometric Plan
- PR-1 – Road E and Road H Plan and Profile
- PR-2 Road F Plan and Profile

Plans by Edward R. Kimsey, Jr. AIA, Architect (Niles Bolton):

Although all plans have an issue date of 06-09-14, they have clearly been updated since that time based on comments I submitted to the applicant seeking clarification of location of doors and information regarding building sizes.

Change in Avalon Site Size

It appears that the site plan submission by Avalon is out of sync with that of Somers Realty in that the site plans are still based on the original site size of 53.2 acres rather than the new site size of 45.3 acres with the creation of lot 6, the former reserve parcel, as an independent lot of 7.1 acres. Therefore, the Zoning Data and Lot Development tables on the submission title sheet have to be revised to comply with the new lot size.

Parking

Parking has now been identified as a total of 342 spaces. The narrative indicates that the required 324 spaces is provided based on 2 spaces per unit and 20 required for the clubhouse, and that 36 of these spaces are located around the Village Green. In addition, another 18 spaces are provided around the Village Green. The Parking Data table on the Title sheet prepared by Milone &MacBroom indicates that there are 324 spaces allocated between 23 surface spaces and 50 garage spaces. Please clarify these numbers since they do not seem to add to the total 234 spaces required. In addition, please identify the total number of handicapped spaces being provided.

Refuse and Recyclables

The refuse and recyclable area is provided in a rear corner of the residential cluster surrounding the village green. While this can be accessed by residents in this area of the development, it seems remote for residents located in buildings around the clubhouse. The Board should consider whether this is workable or whether an additional refuse/recyclable area should be considered.

Elevations and Plan Drawings

Building Elevations and Floor Plans

The building elevations and floor plans are greatly improved in terms of readability. Whereas the requirement by the Town Board that all apartments have exterior entrances has created a large number of exterior doors, the drawings now make clear which doors provide access to livable as opposed to non-livable . The shading of the floor plans also helps to clarify the layout of the different apartment types.

Garage Elevations

The architectural drawings and elevations are greatly improved and now more clearly show which door provide entry to apartments and which to non-livable space.

One set of elevation drawings that are missing are those of the garage buildings and they should be provided. It is not clear if all the buildings are to be fully enclosed garages or designed to look alike. For example, the 4space garage that sits in the middle of the parking area for buildings I through 4 appears to have curbing or landscaping around it. Please identify what this is. In fact the placement of this garage could be improved and this area better utilized as a landscaped median or area for additional surface parking and landscaping with the four garage spaces relocated to other exterior locations as site plan conditions allow.

Extension of Roadway B and Need for Site Plan Modification

As identified in comments to Somers Realty, the Planned Hamlet Master plan identified an extension of Road B over the Algonquin gas pipeline to the boundary of the parcel such that a future connection could be made to the adjacent Shore/Tetenbaum property. Although this parcel is not landlocked like the adjacent parcel owned by Somers Realty which will be connected to the Planned Hamlet by Road D, the master plan called for this connection which is no longer being provided. These parcels to the south are zoned R80 and could be developed in the future.

It would appear that elimination of this connection would constitute an amendment to the Master Plan that needs to be considered by the Planning Board. Should the Board require it, Avalon would need to resubmit a revised site plan that accounts for this connection in

the location identified in the Master Plan unless some other arrangement for connection, acceptable to all parties, could be made through the adjacent Somers Realty R80 parcel.

Tree Survey

Although Drawing EX-5 now identifies in columnar form all trees to be removed, the applicant should provide one large scale drawing of the entire Avalon site on one drawing that shows all trees with those to be removed.

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C PB TP CTE applicant

BUREAU OF FIRE PREVENTION

Town of Somers

WESTCHESTER COUNTY, N.Y.

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EFREM CITARELLA
CHIEF

SOMERS TOWN HOUSE
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SOMERS, NY 10589

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TOWN OF SOMERS

732

MEMO TO: Planning Board

FROM: Bureau of Fire Prevention

RE: Avalon Bay Communities and Somers Realty Planned Hamlet Master Plan Preliminary Subdivision

DATE: September 19, 2014

At our monthly meeting on September 10, 2014, the Bureau met with Thomas Sheil,VP, Milone & McGroom; Todd Nicotra, Development Director, Avalon Bay Communities, Inc.; Janet Giris, Partner, DelBello, Donnellan, Weingarten, Wise & Wiederkehr, LLP; and Rich Williams, Insite Engineering to review site plans for Avalon Bay Communities and Somers Realty Planned Hamlet Master Plan Preliminary Subdivision. Recommendations were made and the Bureau is awaiting a response.

C
PB
TP
CTE
applicant

State of New York
Department of Transportation
Region 8
4 Burnett Boulevard
Poughkeepsie, New York 12603
www.dot.ny.gov

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704

William J. Gorton, P.E.
Regional Director

Joan McDonald
Commissioner

August 20, 2014

Mr. John Currie
Chairman
Town of Somers Planning Board
335 Route 202
Somers, NY 10589

Re: SEQRA#s 07-0158, 08-0295 & 12-0161
Somers Realty Corp. & AvalonBay Somers
Route 6 & Mahopac Ave.
Town of Somers, Westchester County

Dear Chairman Currie:

The New York State Department of Transportation (NYSDOT) is in receipt of plans and also received the Town's Notice of Intent to Continue to Act as Lead Agency for the SEQR review of this project(s) on July 15, 2014. Because of the project size it has been designated a Major Commercial development. NYSDOT has a specific fee schedule and procedures for the review of Major Developments and Highway Work Permits. Please instruct the applicant to address the following requirements. Subsequent to the applicant's response, a Project Identification Number (PIN) will be generated and submissions will be accepted for review.

1. The applicant shall submit a HIGHWAY WORK PERMIT APPLICATION FOR NON-UTILITY WORK (PERM 33). It must be signed by the applicant and the name/address provided in the upper left hand corner. All known information must be included.
2. A check for $2,000 made out to the New York State Department of Transportation.
3. The applicant shall submit a PERMIT AGREEMENT FOR HIGHWAY WORK PERMITS DESIGN REVIEW (PERM 51). The PERM 51 form must be completed by the applicant. The Application No. and PIN will be filled in by the Regional Traffic Engineering & Safety Group. The applicant should be aware that the $2,000 fee referenced thereon shall be the minimum cost for the Department's review time and is non-refundable. Hereafter, all Department employees assigned the responsibility of reviewing any documents, plans, maps, etc., which are directly related to the subject proposal, shall charge their review time to this project. The applicant will then be billed periodically by the Department for the actual cost of our review and processing of the respective project. Such billings which exceed the minimum $2,000 initial fee must be paid immediately upon receipt or the Highway Work Permit shall not be issued, or shall be revoked.
4. The items noted above shall be forwarded to the Regional Highway Work Permit Coordinator (address below).

Once the PIN is established, the applicant may submit one complete set of the planning documents described below to each of the following:

Regional Highway Work Permit Coordinator
NYS Department of Transportation
4 Burnett Blvd.
Poughkeepsie, NY 12603

Permit Engineer
NYS Department of Transportation
85 Route 100
Katonah, NY 10536

Planning Documents:
1 set of site plans showing proposed access, and Highway Improvement plans (if available) in paper and PDF format, 1 copy of drainage study/SWPPP in PDF format, 1 copy of Synchro analysis of affected intersections on disc (actual files), 1 copy of the Traffic Impact Study (TIS) in paper and PDF and format. For your reference, I have included the NYSDOT Submission Guidelines.

If you have any questions, please feel free to contact me at (845) 437-3398.

Very truly yours

Mary McCullough
HWP/SEQR Unit

cc: M. Sassi, P.E., NYSDOT Regional Highway Work Permit Coordinator
J. Agota., NYSDOT Resident Engineer, Residency 8-8
S. Sprague, NYSDOT Permit Engineer, Residency 8-8
Westchester County Planning Board
G. Jabar, AvalonBay Communities, Inc.
J. Giris, DelBello, Donnellan, Weingarten, Wise & Weiderkehr, LLP
S. Capozza, Somers Realty Corp.

C/
PB
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applicant

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Robert P. Astorino
County Executive

County Planning Board

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August 19, 2014

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

101

Subject: **Referral File No. SOM 14-003B – Somers Realty Planned Hamlet Phase 3 Subdivision Application**
Avalon Bay Somers Site Plan Application

Dear Ms. Dym:

The Westchester County Planning Board has received a revised site plan (dated revised July 30, 2014) for Avalon Bay Somers, which is Phase 3 of the Somers Realty Planned Hamlet Master Plan. Avalon Bay Somers is proposed as 152 rental apartments, or which 62 would be one-bedroom units, 66 would be two-bedroom units and 24 would be three-bedroom units. Of the proposed units, 23 are to be set aside as affordable affirmatively furthering fair housing (AFFH) units. In addition to the residential dwellings, a 3,779 square foot community recreation building would be constructed along with an outdoor pool and playscape.

The proposed development would be constructed on three newly subdivided lots (3a, 3b and 3c) which are currently located within "Lot 3" of the existing master plan site. Lot 3a would contain all of the residential dwellings (serviced by private internal roadways connecting to Road B, Road D and Clayton Boulevard), Lot 3b would contain a new "Village Green" and Lot 3c would contain open space. New subdivision roads would also be established.

We previously reviewed this matter under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and responded to the Town in a letter dated July 16, 2014. We offer the following comment with respect to the revised plans:

Village Green. The revised plans show pedestrian-scale lighting surrounding the Village Green which we support. We continue to recommend that the applicant and Town consider adding benches or other seating within this area so as to allow a greater use of this open space.

Thank you for the opportunity to comment on this matter.

Respectfully,
For: WESTCHESTER COUNTY PLANNING BOARD
By:

Edward Buroughs, AICP
Commissioner

EEB/LH
cc: Cynthia Garcia, Bureau of Water Supply, SEQR Coordination Section, NYC DEP

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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: September 29, 2014
RE: Avalon Bay Communities, Inc.
Site Plan Application
U.S. Route 6 and Mahopac Avenue
TM: 4.20-1-13,14,15, PH

GENERAL

The purpose of this memorandum is to provide the Planning Board with a summary of our comments related to review of the site plan application that has been submitted for the proposed parcel located within the Planned Hamlet at the intersection of U.S. Route 6 and Mahopac Avenue. This site plan application has been filed and is being reviewed in conjunction with a subdivision plat application by Somers Realty Corporation for the further subdivision of the Planned Hamlet development and construction of Town Roadways and common infrastructure. This site plan is located on proposed Lot 3A within the Phase III subdivision and involves the construction of 152 housing units. The proposed housing units will be constructed among 17 residential buildings, along with 324 parking spaces and related site infrastructure. The project site will be served by public water supply and sanitary sewer utilities that will be constructed as part of the related subdivision plat application.

It should be noted that the SEQR process relative to the Site Plan was completed in February 2009 through Planning Board acceptance of the Final Environmental Impact Statement (EIS) and approval of the Planned Hamlet. The following documents were received during the current review period:

DOCUMENTS RECEIVED

- Cover Letter, by Delbello, Donnellan, Weingarten, Wise & Weiderkehr, LLP, dated September 17, 2014
- Letter, by Thomas J. Daly, PE, Milone & MacBroom, Inc., dated September 15, 2014, including "Sanitary Sewer and Potable Water Design Summary."
- "Wetland Mitigation Narrative and Specification", prepared by Tim Miller Associates,.
- "Avalon Bay Somers", Drawing Sheets: 1 – 29, prepared by Milone & Macbroom, Inc., dated June 9, 2014, **last revised September 9, 2014**.
- "Avalon Somers", Drawing Sheets: "A0.00" – "A10.02", prepared by Edwin R. Kimsey, Jr., Architect, dated June 9, 2014, **last revised September 17, 2014**.

PERMITS AND APPROVALS REQUIRED

- 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
- Town of Somers Architectural Review Board Approval
- 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)
- Westchester County Department of Health (WCDOH): Approval of Water and Sanitary Sewer Systems

**** - If proposed development activities are determined by the Planning Board to warrant modification of the previously approved Master Plan and/or require additional review under SEQR.**

DISCUSSION

The following is a summary of our comments at this time. The status of all previously identified comments as well as new comments is shown in **Bold Type.** Further review of our other previously identified engineering comments will continue upon receipt of more detailed design information.

1. The provided application documents identify approximately 17 acres of disturbance are anticipated as a result of construction activities related to the Avalon Bay site plan. This area of disturbance is contained within the greater 22.7 acres of site disturbance for the overall Phase III Planned Hamlet subdivision. Based upon the Application submittal, the Applicant intends to coordinate the preparation of a single comprehensive Stormwater Pollution Prevention Plan (SWPPP) for the entire Phase III Planned Hamlet Development.

   Town Code Chapter §144-7, identifies that preparation of an acceptable SWPPP is a required element necessary for approval of a site plan. Based upon our understanding and interpretation of Town Code, although the SWPPP may contain similar content, rely on comprehensive plan elements (i.e., coordinated Land Disturbance Phasing Plan, Earthwork Plan) and should be coordinated with the general SWPPP for the Somers Realty Corp. subdivision, a separate SWPPP document must be submitted for the Avalon Bay Communities site plan. The Avalon Bay Communities SWPPP will also serve for required review for necessary approvals and permits from the NYC DEP and the NYSDEC SPDES General Permit (GP-0-10-001).

The Applicant has prepared a preliminary Stormwater Engineering Report and drawings to describe the proposed project stormwater infrastructure located on the Avalon Bay Communities Site Plan. These report items, including design of onsite stormwater collection structures, conveyance pipe and associated NYSDEC Runoff Reduction Volume (RRv) calculations are referenced in the preliminary SWPPP that was provided by Somers Realty Corp. We have completed review of the stormwater engineering report that has been provided and offer the following initial comments at this time. It should be noted that further comments may be added upon receipt of more detailed design information:

a. Page 4 of the provided stormwater engineering report states that hydrologic rainfall intensities for applicable design storms were obtained from the NYSDOT Highway Design Manual. The applicant shall revise design calculations to consider rainfall data from the Northeast Regional Climate Center (NRCC) and SCS Type III rainfall distributions as were considered for the Somers Realty Corp. Subdivision SWPPP. **Partially Addressed**. *The provided hydraulic computations contain acceptable hydrologic rainfall data from the NRCC based upon peak hourly rainfall intensities for the 100 year storm. Although the provided data is acceptable for the hydraulic sizing of conveyance pipes, the Applicant will also be required to also consider rainfall depths for the respective 24 hour rainfall depths, as is considered by the stormwater practices being designed as part of the Somers Realty Subdivision, to which Avalon Bay will discharge to.* **It should be noted that the intent of this comment is focused on the design of stormwater conveyance pipes located within the Avalon Bay Communities development prior to connection to the stormwater management practices designed by Insite Engineering, Surveying & Landscape Architecture, P.C. (Insite). The hydraulic calculations that were provided in August 2014 report submittal appear to consider NRCC rainfall intensities for the 100 year design storm assessed through the rational method. Hydraulic calculations that have been submitted by Insite apply NRCC rainfall intensities through the SCS TR-55 Type III rainfall distribution. The Applicant shall review their hydraulic calculation methodology to ensure that consistent peak flow data is provided for the overall development SWPPP that is to be prepared by Insite.**

b. The Applicant has submitted hydraulic pipe design calculations for all proposed stormwater conveyance pipe based upon peak runoff rates resulting from the 10 year design storm. Hydraulic calculations and pipe sizing however shall demonstrate adequate capacity to convey runoff collected by the 100 year design rainfall without surcharging. **Addressed. Comment satisfaction to be confirmed by future SWPPP submittal.**

c. The Applicant has provided RRv calculations based upon green infrastructure practices and stormwater management practices with RRv credit that are proposed on the Avalon Bay site plan. These calculations are referenced within the Somers Realty Corp. Comprehensive SWPPP.

The provided calculation methodology is inconsistent with the NYSDEC Stormwater Management Design Manual. The following sub-comments relate to our review of the provided RRv calculations:

i. The water quality volume equation is not appropriate to be used for determination of required Water Quality Volume/RRv for projects located within the NYSDEC East of Hudson Watershed. As referenced by Chapter 10 of the NYSDEC Stormwater Management Design Manual, water quality volume is to be taken as the runoff volume for the respective drainage area based upon the 1 year design storm calculated by the SCS drainage methodology. The site specific minimum reduction factor "S" based upon Hydrologic Soil Group shall be multiplied by the appropriate water quality volume to determine the minimum required site RRv. **Not Addressed.**

ii. RRv credit shall be assessed for green infrastructure practices with area reduction (i.e., Rooftop Disconnect) by eliminating the reduced area from the initial required WQv/RRv calculation. **Not Addressed.**

iii. RRv credit shall be assessed for provided stormwater practices with volume reduction credit, by multiplying the reduction capacity factors contained on Table 3.5 of the NYSDEC Stormwater Management Design Manual for the respective design practice. It should be noted that the runoff reduction capacity for Infiltration is 90% while Bioretention Filters provide reduction capacity of 80% or 40% depending on the practice design configuration. **Not Addressed.**

d. The provided project documents identify that seven infiltration areas will be constructed on the Avalon Bay site plan that will accept stormwater runoff from proposed building rooftops. The Applicant has included a typical construction detail for "Bio-Infiltration Area", as shown on drawing sheet "SD-2".

The practice design is required to conform with the technical standards of the NYSDEC Stormwater Management Design Manual (SMDM). Based upon the provided system cross section, the identified "infiltration areas" are more appropriately considered Bioretention Filter Areas as specified by the NYSDEC SMDM. The following comments are applicable based upon our initial review of these systems:

i. The Applicant shall provide site investigation data to demonstrate minimum 2 foot vertical separation between the invert of the proposed filter system and groundwater/bedrock. **Not Addressed.**

ii. The Applicant shall provide sizing calculations for proposed filter areas based upon minimum filter surface area and storage volume requirements as specified by Section 6.4 of the NYSDEC SMDM. **Not Addressed.**

iii. The Applicant shall address how filter system pretreatment requirements for the proposed stormwater practices will be addressed. **Not Addressed.**

iv. The Applicant shall revise the provided construction detail for the proposed practice to be consistent with the NYSDEC SMDM requirements. **Not Addressed.**

v. The Applicant shall update the plans and detail to utilize 8" diameter perforated pipe as the filter underdrain (if intended to remain proposed in future design submittals). **Not Addressed.**

vi. The Applicant shall prepare a Landscaping Plan for the proposed stormwater practices, consistent with the requirements of the NYSDEC SMDM. **Not Addressed.**

e. The Applicant proposes to construct 8" diameter stormwater pipes to convey stormwater collected from building rooftops to proposed "infiltration areas". No further sizing details have been provided at this time. The Applicant shall provide hydraulic sizing calculations for proposed stormwater pipes based upon peak flows collected by the 100 year design storm. In addition, the plan shall be identified to show the location of all proposed cleanouts and drainage structures within the stormwater collection system. **Addressed. Comment satisfaction to be confirmed by future SWPPP and drawing submittals.**

f. The Applicant proposes to utilize permeable pavers within a portion of the development driveway and parking spaces located within the northern portion of the site plan. Permeable paver systems must be designed in accordance with Chapter 5 of the NYSDEC SWMDM. The following comments are based upon our initial review of the permeable pavement areas.

i. 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. **Not Addressed.**

ii. 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. **Not Addressed.**

iii. The Applicant shall provide a final construction detail for the typical permeable paver cross section that demonstrates the required material types, dimensions and that the required stormwater storage volume is provided. **Partially Addressed. The provided detail notes that perforated under drain is to be sloped to storm sewer or stream. The Applicant shall revise the construction detail to eliminate reference to connection of proposed underdrain to streams.**

g. The Applicant shall identify the point of connection for the proposed Trench Drain, as shown on drawing sheet "UT-1", to the stormwater conveyance system. **Addressed.**

WOODARD &CURRAN

h. The Applicant shall update sizing calculations for proposed stabilized outlet apron practices to consider dissipation of peak runoff flows resulting from the 100 year design storm. **Partially Addressed. Rip rap outlet aprons should be labelled in plan view to match the sizing table "IDs" as identified on drawing sheet SD-3.**

i. It is noted that the proposed stormwater collection system connection points to stormwater management practices designed under the Somers Realty Corp. Subdivision application, differ between the two application drawing sets. More specifically the system connection points to "Surface Sand Filter 2.1" and "Surface Sand Filter 3.1" are inconsistent. The Applicant shall coordinate the drawings and design calculations to reflect the intended design. **Comment satisfaction to be assessed by future submittal.**

j. The Applicant has included a construction detail for typical "Rain Garden Area", but no rain gardens are shown on the plan view layouts. The Applicant shall update the plans to show rain garden areas where proposed, or eliminate the rain garden detail from the drawing set. **Not Addressed. To be addressed by future submittal.**

k. The Applicant shall update the Avalon Bay drawings to superimpose the maintenance access driveways to Stormwater Management Practices designed under the Somers Realty Corp application, on the site plan. **Partially Addressed. The outline of proposed access driveways appear to be shown on drawing sheet LA-1. The Applicant should revise the plan include a callout that identifies the feature as proposed maintenance access drive (by others), clear access path to be maintained.**

l. The Applicant shall prepare draft Stormwater Maintenance Agreement for all permanent stormwater management practices on Avalon Bay Communities site plan for review by the Consulting Town Engineer and Town Attorney. **Not Addressed. Stormwater Maintenance Agreement to be provided with future application submittal.**

2. The site development activities involve greater than 2 acres of site disturbance and requires the approval of the project Stormwater Pollution Prevention Plan (SWPPP) from NYC DEP. In addition, NYC DEP project approval is required for proposed sanitary sewer connections to the site. The Applicant shall be required to address all NYC DEP requirements for issuance of all necessary permits and approvals. **Not Addressed.**

3. The provided site plan construction drawings include an erosion and sediment control plan and construction details and notes related to erosion and sediment control practices limited to within the Avalon Bay Communities site plan. The Applicant must prepare an acceptable erosion control plan as part of the SWPPP document that is necessary for site plan approval. The following comments are focused upon our review of the identified site erosion and sediment control plan elements within the Avalon Bay Communities drawing set:

WOODARD &CURRAN

a. Temporary sediment traps are shown to be constructed within several of the proposed "Infiltration Areas" as shown on the drawings. While it is unclear if the Applicant wishes to pursue further design of the identified stormwater practices as infiltration basin, bioretention filters or other stormwater management practice, it should be noted that Temporary Sediment Traps are prohibited to be located in the proposed location of an infiltration practice. **Addressed.**

b. The Applicant shall provide sizing calculations for proposed temporary sediment traps based upon the NYSDEC New York Standards & Specifications for Erosion & Sediment Control, latest edition. **Addressed.**

c. Update the plans to show approximate grading for temporary diversion swales intended to be used during construction activity. Swales shall be sized based upon the NYSDEC New York Standards & Specifications for Erosion and Sediment Control. **Not Addressed. To be assessed by future detailed design submittal.**

d. Update the plans to remove all references to the installation of hay/straw bales as a temporary erosion and sediment control practice. **Addressed.**

e. The provided drawings indicate that's stone check dams will be installed within temporary diversion swales during construction activities. The Erosion and Sediment Control Plan shall be updated to shall the spacing of proposed check dams based upon the provided diversion swale longitudinal slopes. **Addressed.**

f. Revise the provided Land Grading Notes to indicate that all inactive disturbed site areas will be stabilized within 14 days of work completion in that area, or if no additional work is intended to occur within 14 days. **Addressed. Vegetative Cover notes on drawing sheet SP-4 still reference temporary cover to be installed within 30 days. The Applicant shall update the note to match the 14 day requirement.**

g. Revise the provided Land Grading notes to reference that all site soils will be restored following the completion of construction activities in accordance with NYSDEC Stormwater Management Design Manual Chapter 5 Soil Restoration Standards. **Addressed.**

h. Remove all construction details for erosion and sediment control practices not shown to be implemented on the site on plan view layouts. Such details appear to include but are not be limited to: Pipe Slope Drain and Water Bar. **Partially Addressed. Further assessment of construction details shall be completed upon receipt of the final design plans.**

i. Update the plan to show temporary grading intended for soil stockpile areas at their respective maximum capacity. The total available stockpile volume must be shown to adequately store excess cut material prior to off-site export, as referenced to the Earthwork Plan and Land Disturbance Phasing Plan. *Not Addressed.* **Partially Addressed. The Applicant has revised the plan to depict temporary topsoil stockpiles during construction. General stockpile area**

will be coordinated with the overall site SWPPP and Land Disturbance phasing Plan.

4. The Applicant shall coordinate their intended sequence of construction and erosion & sediment control plan with the Land Disturbance Phasing Plan and Site Earthwork Plan that are being prepared as part of the Somers Realty Corp. Phase III Subdivision SWPPP. In particular, Avalon Bay Communities shall ensure that their provided earthwork quantities and limits of phased construction activity are consistent with those considered by Somers Realty Corp. **Not Addressed. Comment Satisfaction to be assessed by future coordinated application submittals.**

5. The "Lot Development Table" as shown on provided drawing title sheet number "01" identifies provided lot area and Water and Sanitary Sewer loading demands for the Avalon Bay site plan compared to those anticipated at the time of Master Plan approval. These quantities differ from those identified on Master Plan Conformance Drawing 'MC-1" that was included with the Subdivision Plat submittal by Somers Realty Corp. The Applicant shall confirm that the provided data is correct and consistent with other provided project review documents. **Addressed.**

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

7. The Applicant shall revise the provided construction detail for typical drainage manhole to specify a Campbell Foundry Type 1203 Frame and Cover and show top of frame set 1 inch below surrounding pavement, as specified by Town Code. Proposed covers shall read the word "DRAIN" as specified by Town Code. **Addressed.**

8. The Applicant shall revise the provided construction detail for proposed wood guardrails to address the following comments, as required by Town Code Section §A174-28:

    a. Revise the detail to utilize a support post equivalent or equal to a 12" diameter circular pressure treated timber post. **Addressed.**

    b. Revise the detail to specify the minimum embedment of the post footing as 3'-6" below ground surface and identify exposed post height as 2'-3.5" above ground surface. **Addressed.**

    c. Revise the detail to note that posts shall be spaced at four feet on-center. **Addressed.**

9. The Applicant is required to satisfy Town of Somers Fire Department requirements for the construction of firefighting measures within the proposed site plan. The final site layout plan shall depict the final locations of fire hydrants and truck pull-off locations, as determined by the Town of Somers Fire Department. *The Applicant has provided an AutoTurn analysis that considers travel by a Ladder Truck Fire Department design vehicle through the development. Based upon the provided drawing, we feel generally comfortable with the depicted vehicle travel. Some vehicle body travel is depicted within the western driveway entrance to the development. The Applicant should consider mountable curb on*

the center island to provide access in the event that wheel travel falls outside the curb limits, or widen the entrance.

Final comment satisfaction is subject to determination by the Town of Somers Fire Department. **The Applicant states that the Somers Bureau of Fire Prevention has completed review of the project plans and has no comment. The Applicant shall provide documentation of no objection from the Somers Bureau of Fire Prevention for the final site layout prior to approval of the proposed site plan.**

10. The provided site layout plans show the proposed locations of street lighting fixtures to be constructed within the Avalon Bay Communities Site Plan. A construction detail for "Typical Light Standard" is included on drawing sheet "SD-5". The following comments relate to the proposed development lighting:

    a. The Applicant shall certify that all proposed light fixtures are dark sky compliant. *Partially Addressed. The Applicant shall provide documentation of proposed fixture compliance with International Dark-Sky Association (IDA) standards.* **The provided product literature appears to suggest that the fixtures address the intent of dark sky standards but does not hold specific IDA certification. IDA certification is not a requirement of Town Code. The Planning Board should consider whether the provided documentation is adequate to ensure dark sky objectives are met.**

    b. The Applicant shall prepare a site photometric plan based upon the layout and intensity of light fixtures. **Addressed. The provided photometric plan identifies the location of 59 lighting features throughout the development which produce average and maximum illumination levels of 0.06 and 2.0 foot-candles throughout the development, respectively.**

    While determination of comment satisfaction is subject to the discretion of the Planning Board, it is our recommendation that the proposed illumination intensities are consistent with what is appropriate for such a development.

11. The Applicant has provided preliminary design layout and details for the proposed water service and sanitary sewer connections within the site plan development. The water service and sanitary sewer systems are proposed to connect to the water main, sanitary gravity sewer and pump station in construction as part of the Somers Realty Corp. Phase II and Phase III construction projects. Our office has completed initial review of the design layout and has prepared comments as cited below. It should be noted that these comments reflect the conceptual level of detail that has been provided and that additional comments will be issued upon future submittal of detailed design documents:

    Water and Wastewater Systems Engineering

    a. Provide Engineering Reports for the proposed Water and Sewer Systems, including hydraulic design calculations. **Partially Addressed. The following comments have been generated after review of the Sanitary Sewer and Potable Water Design Summary:**

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i. **Summary lists 7 employees at 15 gpd/employee, while Lot Development Table on drawing coversheet lists 5 employees at 15 gpd/employee and 2 employees at 13 gpd/employee.**

ii. **Infiltration and inflow (I/I) estimates should be included in sanitary sewer flow calculations.**

iii. **Residential average daily flow would likely also include some minor demand that does not become sanitary wastewater (i.e., car washing, consumption, etc.)**

iv. **As stated, fire demand is still to be determined. Once determined, evaluation shall confirm whether existing system provides sufficient residual pressure during peak-day demand plus fire demand. Current analysis reports that a minimum of 39 psi is available at the second-floor ceiling elevation during peak-day flow only, and does not take into account fire demand.**

v. **Documentation of hydrant flow testing and locations, as well as system pressure analysis should be included**

b. Provide profile view drawings of the proposed water and sanitary sewer systems. The profiles shall demonstrate that adequate vertical separation is provided at all proposed pipe crossings as shown on the project layout plan drawings. **Addressed. The following comments have been generated after review of profile sheets PR-1 and PR-2:**

i. **A potential conflict between water and sanitary sewer is noted near Station 47+05± on PR-1, especially for the water services that will be crossing the sanitary sewer main.**

ii. **Sanitary MH-2 on PR-1 has inverts greater than 2' apart, requiring a drop manhole per TR-16.**

iii. **Sanitary MH-9 on PR-2 has inverts greater than 2' apart, requiring a drop manhole per TR-16. In addition, the invert in to MH-9 at elevation 550.0 is only 2' below the top of frame elevation and should be lowered.**

iv. **Not all sanitary sewer pipes and manholes were shown in profile view. Either all pipes and manholes should be shown in profile or all manhole top of frame and invert elevations should be noted on the plans. At a minimum, profile views should be generated for sewer segments "SMH-14 – Ex. SMH-B" and "SMH-9 – SMH-18"**

c. Update the design plans to size and material of water pipes and connections. **Addressed.**

d. Revise the construction detail for sanitary sewer manholes to identify benches within the Manhole and address how inflow from elevated inlets will be accepted. **Partially Addressed. The construction detail should also identify pipe boot**

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connection details, joint sealant, and detail on how drop connections will be made.

e. Provide a construction detail for typical House Trap. **Addressed.**

f. The proposed sanitary sewer main has several segments where additional length of pipe is proposed upstream of the first service connection. Please clarify why this layout element is proposed. **Addressed.**

g. Revise the construction detail for Hydrant to specify stainless steel tie rods instead of galvanized. **Addressed.**

h. Revise the Combination Valve detail to only consist of an air release valve, and remove references to use on a force main. **Addressed.**

i. The Applicant shall evaluate the possibility of looping the water main back to "Town Road C" / Clayton Boulevard within the eastern portion of the Avalon Bay development. This alternative layout will eliminate the dead end in the distribution system and provide hydraulic redundancy to serve the project. **Not Addressed. The Applicant states that design plans have been provided to the Water and Sewer Department for review. Our office is awaiting further input from Town Water & Sewer Department on this design consideration.**

12. The grading and utilities plans do not include proposed electrical and gas service utilities for the development within the Avalon Bay development. Future detailed plan submittals shall include the proposed layout of site electrical service and gas service mains within the site layout. **Addressed. The final layout of electric and gas service main providers shall be confirmed by the Applicant and utility provider prior to issuance of a Building Permit.**

13. The provided plans indicate that several retaining wall segments are proposed to be constructed within the proposed site plan. It should be noted that structural design calculations must be provided for all retaining walls in excess of 4 feet in exposed height. Structural design calculations shall be signed and sealed by a licensed professional engineer and must be accompanied by a construction detail and cross section view showing materials, to describe the proposed wall design and aesthetics. **Addressed. Note 5 on sheets LA-1 and LA-2 include requirement that retaining wall calculations be signed and sealed by a licensed professional engineer. Note 29 on drawing sheet "IN" should also be updated to include requirement that calculations are to be signed and sealed by a licensed professional engineer.**

14. The Applicant has provided tree survey data and a Tree Removal Schedule on drawing sheet "EX-5". The Applicant shall revise the tree schedule to include column titles for what appear to be measured tree calipers. In addition, the Tree Removal Plan shall be updated to also identify trees to be protected during construction, if any existing site trees are proposed to remain following site development. **Addressed.**

15. The provided site grading plans depict that the proposed Village Green area will be constructed with a mounded high point near the center within the walkway loop. The proposed elevation difference across the interior green area is shown to be approximately

10 feet. The Planning Board may wish to consider if an alternative grading plan should be prepared for the Village Green that better suits recreational opportunities within the open space. **Not Addressed.**

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