

Telephone
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PLANNING DEPARTMENT

TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

Town of Somers

WESTCHESTER COUNTY, N.Y.



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

**SOMERS PLANNING BOARD
AGENDA
NOVEMBER 9, 2016
7:30 P.M.**

MINUTES Consideration for approval of Draft Minutes for September 14, 2016.

PUBLIC HEARING

- 1. GREENBRIAR SOMERS CORP. [TM: 6.11-1-77, 78]**
Application for Preliminary Subdivision, Wetland, Steep Slopes, Tree Preservation and Stormwater Management and Erosion and Sediment Control Permits for property located on Driftwood Drive and is part of the Greenbriar development for the construction of one residential house for the re-subdivision of Section 6, lots 77 and 78.

PROJECT REVIEW

- 2. SOMERS POINTE COUNTRY CLUB [TM: 6.17-20-1.21]**
Application of Somers Pointe Country Club for a Site Plan for property located on the southeast side of the Somers Pointe Clubhouse at 100 West Hill Drive for the construction of a swimming pool and cabana building and two tennis courts with associated parking to provide additional recreation activities.
- 3. NYS MESONET [TM: 26.11-1-2]
STUART FRUIT FARM WEATHER STATION**
Application for Site Plan Approval for an early warning detection system designed to measure weather observations around New York State. The project will consists of one (1) 33' tower in an open field at Stuart Fruit Farm.

PROJECT REVIEW (CONTINUED)

- 4. DISIENA PRELIMINARY SUBDIVISION [TM: 27.08-2-1, 2.1]**
Application for Preliminary Subdivision Approval, Stormwater Management and Erosion and Sediment Control, Steep Slopes and Tree Preservation Permits for property located at Primrose Street (Route 139) for the subdivision of two existing lots into four new lots.

- 5. MITCHELL FINAL CONSERVATION SUBDIVISION [TM: 16.09-1-9]**
Application for a four (4) lot Conservation Subdivision three of which are new building lots and one existing lot on a 7.1 acre parcel. Each lot is to be served by individual wells and septic systems. The owner is Gary and Ann Mitchell. The subject property is located west of Tomahawk Street, Route 118 in the residential R-40 Zoning District.

INFORMAL APPLICATION WITH SKETCH PLAN

- 6. ROYAL POOLS AND SPAS [TM: 4.20-1-5]**
Informal application with sketch plan to display four (4) pools on the back right section of the property. The property is located at 63 Route 6.

CALENDAR FOR 2017

- 7. PLANNING BOARD CALENDAR FOR 2017**

EXECUTIVE SESSION

- 8. Granite Pointe Subdivision to review a matter in litigation Houslanger**

Next Planning Board Meeting is Wednesday, November 30, 2016
Agenda information is also available at www.somersny.com

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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: November 3, 2016

RE: Project: NYS Mesonet at Stuart Farm
Applicant: NYS Mesonet/The Research Foundation of the State University of New York
Location: 62 Granite Springs Road – Stuart Farm (Section 26.11 Block 1 Lot 2)
Zoning: R120 District
Actions: Site Plan Approval for a Weather Tower Within Small Equipment Enclosure

The following documents were submitted to the Planning Board on October 25, 2016:

- Cover Letter of October 24, 2016 from Pyramid Network Services, LLC, project Consultants
- Application for Site Plan Approval dated 10/17/16 and 10/20/16 Application for Preliminary Subdivision Approval
- Full Environmental Assessment Form Part 1 and attachment
- Short Environmental Assessment Form Part 1
- Letter dated July 19, 2016 from NYS Mesonet and Pyramid Network Services, LLC to Efram Citarella
- Structural Analysis Report dated July 2, 2016 prepared by Level 5 Consulting Engineers, Inc. for Mission 1 Communications
- Land Use Permit between Stuart Farm and The Research Foundation for the State University of New York dated May 11, 2016 and May 16, 2016 respectively
- Public Archaeology Facility Report

- Plans prepared by Mission 1 Communications and Pyramid Network Services, LLC dates 10-23-16:
 - Title Page – T-1
 - General Notes and Legend – C-1
 - Aerial Map – C-2
 - Overall Site Plan – C-3 Sire Plan C-4
 - Enlarged Site Plan C-5
 - Tower Elevation – C-6
 - Tower Foundation Details C-7
 - Foundation Details C-8
 - Alter Shield Support Detail – C-9
 - Fence Details – C-10
 - Electrical Site Plan – E-1
 - Grounding Plan – E-2
 - Grounding Details – E-3

After review of the applicant's submission, the following items were determined as still needed. The applicant's representative was informed of these deficiencies and trying to secure them prior to the Planning Board meeting or just after it:

- Application Processing Law Certification
- Ownership Affidavit
- Proof of Taxes Paid

Determination of Application Process

Based on the letter of July 19, 2016 sent by NYS Mesonet to the Town Building Inspector, the Director of Planning discussed processing alternatives with the applicant's representative, researched options available in the Town Code and discussed these options with the Town Attorney. Although the requested weather tower in some aspects might appear similar to a telecommunications tower and might, therefore, be processed as a special permit under Section 170-129 of the Town Code, it was determined that the better approach was to process it as a site plan application.

The requested use is to be located within Stuart Farm which is a principal permitted use in the R120 district as per Section 170-10C. In accordance with Section 170-11 B. (8) the tower and associated cabinet would be considered "Other accessory structures" based on the following:

B. (8) Other accessory structures, such as toolhouses, playhouses, pools, outdoor fireplaces, tennis courts, drying yards or housing for permitted animals, provided that they shall not be in any front yard or be nearer to any side or rear lot line that is specified in Columns 13 and 14 of the Schedule."

The Mesonet Tower can be classified as an accessory farm use because one of the major purposes of the Mesonet system is to provide data that has significant beneficial agricultural applications such as providing improved insect and disease advisories, spraying

recommendations, irrigation scheduling, frost protection, planting and harvesting recommendations and prescribed burn advisories.

With regard to compliance with other regulations of the R120 district, the maximum permitted height for accessory uses are 15 feet to the midpoint of slope of roof or 10 feet to the highest point of the roof, or one story. However in accordance with Section 170.47 of the Town Code which specifies exception to height limitations, Section 170-47 B. states the following:

“The height limitations of this chapter shall not apply to chimneys, church spires, standpipes, water towers, flagpoles, monuments, transmission towers and cable or radio or television antennas or towers.”

Since the Mesonet tower is essentially an information transmission tower, its proposed 33 foot height is exempted from the limitations of the R120 district.

Submission Materials Corrections

The following corrections need to be made with regard to the submission materials:

1. Discrepancy of site address – The correct site address is 62 Granite Springs Road not 52. The Structural Analysis Report needs to have its cover page changed as do all the title blocks and Title page of the drawing submission package
2. EAF's – The Short Form EAF should be discarded, The following items on the Long Form EAF need correction:
 - a. C.2.a. both boxes should be answered yes, not no because the Comprehensive Plan discusses Stuart Farm and its conservation easement
 - b. D.1.b.- Total acreage of site and area to be disturbed is correct at 70.48 acres and .025 acre based on the Mesonet leased site area of 33' by 33'
 - c. D.2 a. v, For area to be excavated explaining that the tower foundation pad is 4'X6'X6' and the solar panel foundation is 54"X4"X6" deep.
3. Site Plan Application – It should be noted that the site plan application in II.G. Identifies total area of site as 100 acres when it is correct on the EAF at 70.48 and disturbed area as 0.23 acres when it should be 0.25 acres as in the EAF.

Conservation Easement

As indicated in the letter of November 2, 2016 from the Westchester Land Trust, the proposed Mesonet installation is not precluded in any way from the conservation easement being developed for Stuart Farm. The letter states that the Mesonet installation is likely to be completed before recording of the conservation easement and if not, it will include provisions to allow for it.

Structural Analysis Report

Although the Mesonet is not a Telecommunications Facility either as regulated by the Telecommunications Act of 1996 nor under Town Code Section 170-129, a structural analysis

report has been submitted to assess the structural integrity of the proposed tower with the proposed antenna configurations. Since this is a new tower the analysis was done on a theoretical 30' tower and loads utilized were those recommended by the Telecommunications Industry Association Standard EIA/TIA-222-G. The analysis found the proposed tower to be structurally adequate.

Unlike a special permit for a telecommunications facility, once erected, there will be no mechanism for review of the structural integrity of the tower over time. The applicant needs to provide an understanding of how the State proposes to maintain and monitor the structural integrity of these towers throughout the State over time.

SEQRA and Environmental Impacts

The Planning Board should declare its intent to be lead agency at the meeting of November 9, 2016 for this unlisted action and circulate such to all involved and interested agencies.

The main impacts of the proposed installation could be visual. The location is 330 feet south of homes on Cottage Place, 298 feet from the property lien to the west which is additional farmland and 928 feet west of the Westchester County North County Trailway. The Planning Board may want to request a section drawing that depicts the visual impacts on the homes to the north. Please specify the height of the fence and provide a visual for what is proposed.

The Public Archeology Facility Report, Phase 1 Archeological Survey dated June 1, 2016 prepared for Binghamton University concluded that impacts for the Somers Mesonet station will not adversely impact archaeological sites and no further archaeological work is recommended.

Town maps appear to show a Town wetland and or buffer in the vicinity of the proposed site and compound. Please identify how this relates to the proposed site.

Z:\PE\Site plan files\Mesonet\Town comments\Planners Comments 11-03-16.doc

Cc: Joe Barbagallo
Rob Wasp
Roland Baroni
Town Board
Krissy Grugan Donohue

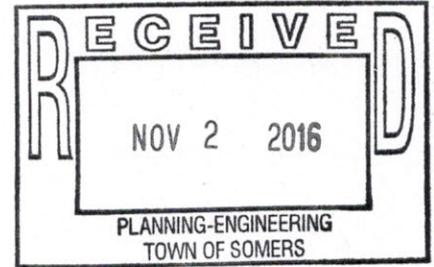
C-
PB
TP
CTE
applicant

Westchester Land Trust

It's Our Nature



November 1, 2016



000110

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Meredithe Smith Mathias, AICP
 Project Manager
 Pyramid Network Services, LLC
 11 River Road, Glenmont, NY 12077

Via e-mail: msmith@pyramidns.com

RE: Mesonet Weather Station – Stuart’s Fruit Farm

Dear Ms. Mathias:

You have asked about the consistency of the proposed Mesonet Weather Station installation to be sited at Stuart’s Fruit Farm with the conservation easement that will encompass the property and be held by Westchester Land Trust. Plans and specifications for the installation were provided to WLT during July 2016, and we have discussed the project with both town officials and with staff at the New York State Department of Agriculture & Markets and other pertinent parties.

Please know that the installation as depicted on the project drawings submitted with your application for site plan approval filed with the Town of Somers Planning Board is not precluded in any way by the terms of the easement. As we discussed by telephone earlier today, the installation will likely be completed before the easement is recorded, but if not, the easement will contain provisions that allow this use of the site.

If you have any questions, you may call me at (914) 234-6992 ext 26.

Sincerely,

David M. Emerson, Land Project Manager
david@westchesterlandtrust.org

cc: Syrette Dym, AICP, Director of Planning
 Town of Somers, 335 Route 202
 Somers, NY 10589
 Via e-mail: sdym@somersny.com



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info@westchesterlandtrust.org : westchesterlandtrust.org



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

MEMORANDUM

TO: Planning Board

FROM: Syrette Dym, Director of Planning

DATE: November 4, 2016

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

Conservation Subdivision Plan

Based on discussion of the Planning Board at its meeting of October 11, 2016, the applicant has submitted drawings showing their proposed conservation subdivision having proved out the ability to provide four conforming conventional lots in the R80 district. This is the case even though they do not meet the 12 acre minimum parcel size to qualify for a conservation subdivision pursuant to Section 170-13.2 C for which they will have to seek a variance from the ZBA.

The proposed conservation subdivision depicted in drawing CSP shows the following.

- Lot #1 is a flag lot with a 24 foot flag frontage of approximately 450' in length leading to the original house on the property. The 250,069 square foot/5.74 acre lot contains a proposed 1.485 rear conservation easement composed of a sloped area. The applicant should calculate the amount of acreage within the proposed

conservation easement that falls within each slope category of 0-15%, 15-25%, 25%-35% and 35% and over so it can consider the value of designating this area for conservation. The applicant should identify how this property is currently being used and its current condition as wooded, lawn area, prior disturbed, etc.

- Lot #2 is a proposed 90,744 square foot/2.083acre lot with approximately 194 feet of frontage on Primrose Street. Its access is gained from the existing driveway to the existing house on proposed Lot #1 which now is mostly contained within the flag lot of proposed Lot#4. Stone walls defining the southern portion of the driveway exist on the flag portion of proposed Lot #1. A large portion of the proposed 2.095 conservation easement proposed along the subdivision frontage exists on this lot. A portion of the brook and wetland, as well as sloped area, exists on this lot.
- Lot #3 is a proposed 81,693 square foot/1.875acre lot with approximately 450 feet of frontage on Primrose Street from which an existing house currently gains access. A significant portion of this lot is proposed to be contained in the proposed 2.095 acres conservation easement. This portion of the conservation easement contains a continuation of the brook and a portion of the wetland. There is also an area with slopes some of which appear to be in the category of 25-35% and 35% and over. The overall area of steep slopes for this 2.095 acre proposed conservation easement should be calculated, as should the land area of the wetland.
- Lot #4 is a 87,140 square foot/2 acre flag lot with what appears to be 24' of frontage on Primrose Street. The flag portion of this lot contains the majority of the existing driveway and bridge over the brook that provides access to Lots 1, 2 and 4. This driveway has a descending width as it progresses from 16 feet with 2 two foot shoulders at Primrose Street necking down to 10 feet as permitted by Section A174-29C. for the last house with less than a 500 foot driveway. Lot 4 is the second house provided access and from its driveway to that of 1 Lot 2 the common driveway is 14 ' with 2 2foot shoulders.. This lot does not contain any of the proposed conservation easements.

Justification for Conservation Subdivision and Conservation Easements

As stated at the Planning Board meeting of October 11, 2016, the Board needs to be able to make a finding that creation of a conservation subdivision accomplishes several purposes stated in Section 170.13.1 of the Town Code in order to approve a conservation subdivision pursuant to Section 170.13.2 (A).

The applicant has made several points supporting this finding. It is the Planning Board's job to determine whether it agrees that these or other benefits meet the criteria threshold.

1. Avoidance of a new Town road and impact on visual and aesthetic characteristics of this view corridor
2. Retention of driveway tree allee

3. Reduction of disturbance and impervious surface areas between conventional and conservation subdivision in the magnitude of 0.3 acres for impervious area and 1.5 acres for disturbed area
4. Creation of 2.095 conservation easement along property frontage to protect watercourse, buffer and scenic corridor views
5. Creation of conservation easement of 1.485 acres at rear of property to protect steep slopes
6. Preservation of overall estate quality of property

As indicated earlier, the applicant should quantify the categories of steep slopes existing on the proposed rear conservation parcel. With this information, the Planning Board should consider whether this parcel is worthy of conservation or whether it should just remain as part of Lot 1 where it has been presumably undisturbed.

Z:\PE\Subdivision files\Disiena\2015-16 Application\Planner Comments\Planner's comment 11-04-16.docx

Cc: Joe Barbagallo
Rob Wasp
Roland Baroni
Tim Allen

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

MEMORANDUM

TO: Town of Somers Planning Board

FROM: Syrette Dym, Director of Planning

DATE: November 2, 2016

RE: Project: Mitchell 4-Lot Conservation Subdivision
Applicant: Gary & Ann Mitchell.
Location: 197 Tomahawk Street (Route 118) (Section 16.09 Block 1 Lot9)
Zoning: R40 Residence District
Actions: Request for Final Subdivision Approval

Application Request and Background:

The applicant's cover letter of October 24, 2016 indicates a request for final subdivision approval for the 4-Lot Conservation Subdivision located on Tomahawk Street adjacent to Koegel Park to the south. Documents provided in support of this application include the following:

- Cover letter from Bibbo Associates, L.L.P. dated October 21, 2016
- Bureau of Fire Prevention Memorandum to Planning Board dated October 18, 2011
- Construction Cost Estimates - Revised August 3, 2016
- Draft Declaration of Covenants, Conditions, Restrictions and Easements for Gary G. Mitchell and Ann L. Mitchell - The Mitchell Subdivision, 201 Tomahawk Street, Town of Somers
- Stormwater Pollution Prevention Plan - Revised August 19, 2016
- Drawings that included the following:
 - Subdivision of Property Prepared for Gary and Ann Mitchell - Survey Based on Deed Conveyed by John F. Benson III to Gavl, LLC

- Plans prepared by Bibbo Associates, LLP all dated October 21, 2016:
 - Layout Plan – PP-1
 - Construcion Plan – CP-1
 - Erosion Control Plan – EC-1
 - Landscaping & Erosion Control details – ECD-1
- Profile and Details – D-1
- Stormwater Facilities Details– D-2
- NYSDOT Entrance Plan – DOT-1

Background

A conditional reapproval and re-granting of the preliminary conservation subdivision application was granted by Resolution No. 2012-06 on September 12, 2012 since the prior approval had expired and approval had not been extended within the required time frame. Since the re-approval, four re-approval extensions have been granted and the request for filed, the fourth and last which is to expire April 13, 2015. Therefore, the request for final subdivision approval was been made within the 180-day required time frame prior to expiration of the extension in accordance with Section 150-12-N of the Code of the Town of Somers.

The conditions of the re-granting resolution were identified in the Bibbo cover letter of January 21, 2014 as largely having been met. His cover memorandum of this submission dated October 24, 2016 dealt with the items raised in my memorandum of January 30, 2015 in the following ways.

Conditions of Re-Granting Resoluition#2012-06 of September 12, 2012:

Condition 5 - Relative to driveways, while the grades are identified as having been adjusted to comply with Town Requirements, it appears that language on the preliminary plat stating that the stucco shed located within the access, grading utilities and drainage easement is “to be removed”, has been omitted from the final plat and needs to be included.

Addressed - by adding “To be removed” on plat.

Condition 16 of the Resolution indicates the following is to happen: “Submission of information that separately quantifies the proposed number of trees (12”dbh or greater) to be removed for the development of each individual lot, the common driveway, utility easement and stormwater practices for Lot #2, Lot #3 and Lot #4. Such information shall be noted on the Plans”. This information has not been provided. The applicant can meet with Steve Woelfle, but will still have to provide the information in the format required and then identify it on the plans.

Partially Addressed - While the Erosion Control Plan identifies the trees to be removed over 12”dba, there should be a listing of the number by each lot as well as those to be removed in the access driveway, identifying the total trees over this caliper to be removed.

Conditions 7 and 8: Easement document for the common driveway and general utility easement and the conservation easement document have been identified as being provided as part of the Draft Legal Documents. Please verify that the Draft document provided covers both of these issues. These documents must be reviewed for compliance by the Town Attorney.

With regard to the conservation easement, the Resolution indicated that the applicant was to convey the deed restricted conservation parcel to the Town of Somers and, if not accepted by the Town, that the applicant would work with a conservation association to ensure that the deed restricted parcel is maintained and managed. As part of the Ridgeview Builder final approval, however, it was determined that the Town did not want to accept the conservation parcel and that there was no land trust that was interested in accepting such parcel. Since the parcel is adjacent to Koegel Park, the applicant may want to approach the Town and Parks Board to see if it has any interest in accepting this parcel. If the Town is interested, those arrangements must be worked out, similar to the Windsor Farms approval. If the Town is not interested, as in the case of Ridgeview Builders, the homeowner's association would own and maintain the Conservation parcel and enforce the covenants and restrictions relative to such parcels.

Partially Addressed - The Draft Easement document has been provided. It should be reviewed by the Town Attorney and language regarding the ability of the Town to put liens on taxes of individual properties of the HOA if maintenance conditions are not met should be added to the document if they are not already part of it.

Request to Waive Recreation Fee

The cover letter of January 21, 2015 requests the Planning Board to waive the recreation fees in consideration of the donation of 2.48 acres as the conservation easement that is indicated "to be attached to Koegel Park". Although the resolution identifies that on June 30, 2010, the Planning Board recommended to the Town Board that the subdivision be treated as a Conservation Subdivision (see attached memorandum) due to several unique benefits available with the application, one of them being: "1. The Applicant has agreed to dedicate the western portion of the property to the Town as an extension of Koegel Park". The steps that would lead to this are not clear and, as stated above, need to be explored prior to determination of how this parcel is to be treated on the final subdivision plat. This relates directly to the applicant's request that recreation fees be waived, a determination that is only within the purview of the Town Board.

Addressed - Town Board will not waive recreation fee for four lot subdivisions by vote at meeting of March 12, 2015 and Resolution dated March 17, 2015

Stockade Fence

A comment in the resolution that did not become a condition of the preliminary subdivision approval was a request by the Historic Properties Board that a six foot high cedar stockade fence be placed on the property along the church and cemetery cleared area at the southern property boundary, the fence to be maintained by the homeowners association. The fence was also requested to be screened with tall thin plantings such as evergreens. The status of this request needs to be determined by the Planning Board since it does not appear on the preliminary approval or final subdivision approval drawings.

Partially addressed – The six foot cedar Board fence requested by the Historic Properties Board has been provided and shown on the Erosion Control Plan EC-1 at the southern boundary of Lot 2. The Planning Board should consider whether the additional request for arborvitae screen should be provided. Although the 40' area is designated as the rear yard, and, even with the plantings would remain at least 30+ feet, the side yard and front yards are substantial at 55 and 94 feet respectively with the long side yard incorporating a portion of the front yard space effectively acting as a yard for this home.

This also raises the question regarding the single stone wall existing along the entire rear of Lot 2 and the partial area with a double stone wall. Whereas it has been noted on the Plat in note 13 that the double stone walls along lots 3 and 4 will be maintained to the maximum extent feasible, it would seem that this note should also include the double wall partially on Lot 2 and single stone wall that continues along the remainder of Lot 2 and into Lot 1.

Affordable Housing Unit

The Letter of January 21, 2015 requests that the house on Lot 1 which was identified as being affordable as part of the preliminary subdivision approval, be reconsidered as a market rate unit as part of the final subdivision approval. It is not, however, only in the preliminary subdivision approval that this was a consideration. The letter of June 30, 2010 from the Planning Board to the Town Board asking the Town Board to consider this application as a conservation subdivision stated: "The existing home would remain and the Applicant has agreed to restrict the existing house as an affordable house". The Planning Board needs to verify with the Town Board that it still wants to accept this house as an affordable unit and do what is necessary to sell or rent it as such.

Addressed - Town Board will not require the existing residence to be affordable by vote taken at the meeting of March 12, 2015 and Resolution dated March 17, 2015.

Zoning Conformance Table

The Zoning Conformance Table on the Layout Plan PP-1 needs some explanation. The column showing Buildable area shows that each lot meets the minimum requirement of 20,000 square feet, but, with the exception of Lot 1, each area is less than the gross lot area. Since there does not appear to be any environmental constraint for which there would be a lot area reduction, this difference is not clear. Even if the disturbance to steep slope column areas are subtracted from gross lot area, they do not result in the buildable areas shown. Please explain these discrepancies.

Driveway Calculations

The memorandum of October 18, 2011 from the Bureau of Fire Prevention indicated that they wanted the common driveway to be 20 feet wide. The Layout Plan shows that the driveway width from Tomahawk Street is now 16' wide with two, two-foot pervious shoulders, tapering down to 14' with two, two-foot shoulders for Lot 2 and 10 feet with two, two-foot shoulders for Lot 3. These driveway widths appear to conform to the regulations specified in Section A174-29C of the Town Code. There is a 50' by 12' pull-out shown after the driveway serving Lot 3. The applicant should get approval of this layout from the Fire Prevention Bureau.

Notes on Layout Plan

It appears there is either typos or references to an older code in Notes on the Layout Plan that need to be changed. Note 4 refers to Section 179.48.1 relative to clear cutting of trees and such section does not exist. It also refers to Drawing 5 of which there is none. Even Note 7 which refers to Section 170.49.1.B, while existing does not refer to clear cutting of trees.

Note 11 should read "Excluding Sunday and Holidays"

Cc: Tim Allen
Roland Baroni
Joe Barbagallo
Rob Wasp
Steve Ralston
Town Board

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7/05

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

FEE: \$150 WITHOUT CONCEPTUAL PLAN \$300 WITH SKETCH PLAN REVIEW
Erosion and Sediment Control Application fee: \$100 for disturbances of at least one acre or for the placement or removal of 20 cubic yards of soil, plus \$500 for each additional acre of disturbance.

FEE PAID: \$300 DATE PAID: 10/27/2016

I. IDENTIFICATION OF APPLICANT:

A. OWNER: Paul Lacunella
ADDRESS: 63 Route 6

SUBDIVIDER:
ADDRESS:

TELE #:

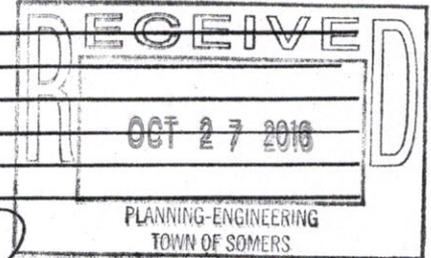
TELE #:

B. SURVEYOR:

TELE #:

ENGINEER:

TELE #:



II. IDENTIFICATION OF PROPERTY:

- A. Project Name: 63 Route 6 (Pool displays)
- B. Street abutting property:
- C. Tax Map Design: Sheet: 4.20-1-5 Block: 1 Lot: 5
Zoning District: Commercial
- E. Project (does) (does not) connect directly into (State) (County) highway.
- F. Proposed drainage (does) (does not) connect directly into channel lines established by the County Commission of Public Works.
- G. Project site (is) (is not) within 500 feet of Town boundary.
- H. Proof that taxes have been paid.

III. BRIEF DESCRIPTION OF PROJECT PROPOSAL:

4 Pools to be put outside to the Back
Right side of property

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

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

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

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

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

[Signature]
Applicant

Date: 10/27/16

[Signature]
Owner

Date: 10/27/16

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Royal Pools + Spas			
Name of Action or Project: Outdoor Pool display			
Project Location (describe, and attach a location map): Back right of Property			
Brief Description of Proposed Action: Display 4-5 above ground Pools on the back right section of the Property.			
Name of Applicant or Sponsor: Royal Pools + Spas		Telephone: 845-374-1147	
Address: 5008 Route 17M		E-Mail: Joe.Rosetti@RoyalPoolsandSpas.com	
City/PO: New Hampton		State: NY	Zip Code: 10958
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1 acres	
b. Total acreage to be physically disturbed?		0 acres <i>no dirt to be removed</i>	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ <i>N/A</i> _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <i>Septic</i>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody, and extent of alterations in square feet or acres: <i>Pools will not be in wetlands</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: <u>We are erecting 4 above ground pools that will contain water that remains in the pool.</u>	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Royal Pools + Spas</u>	Date: <u>10/27/16</u>	
Signature: <u>[Signature]</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

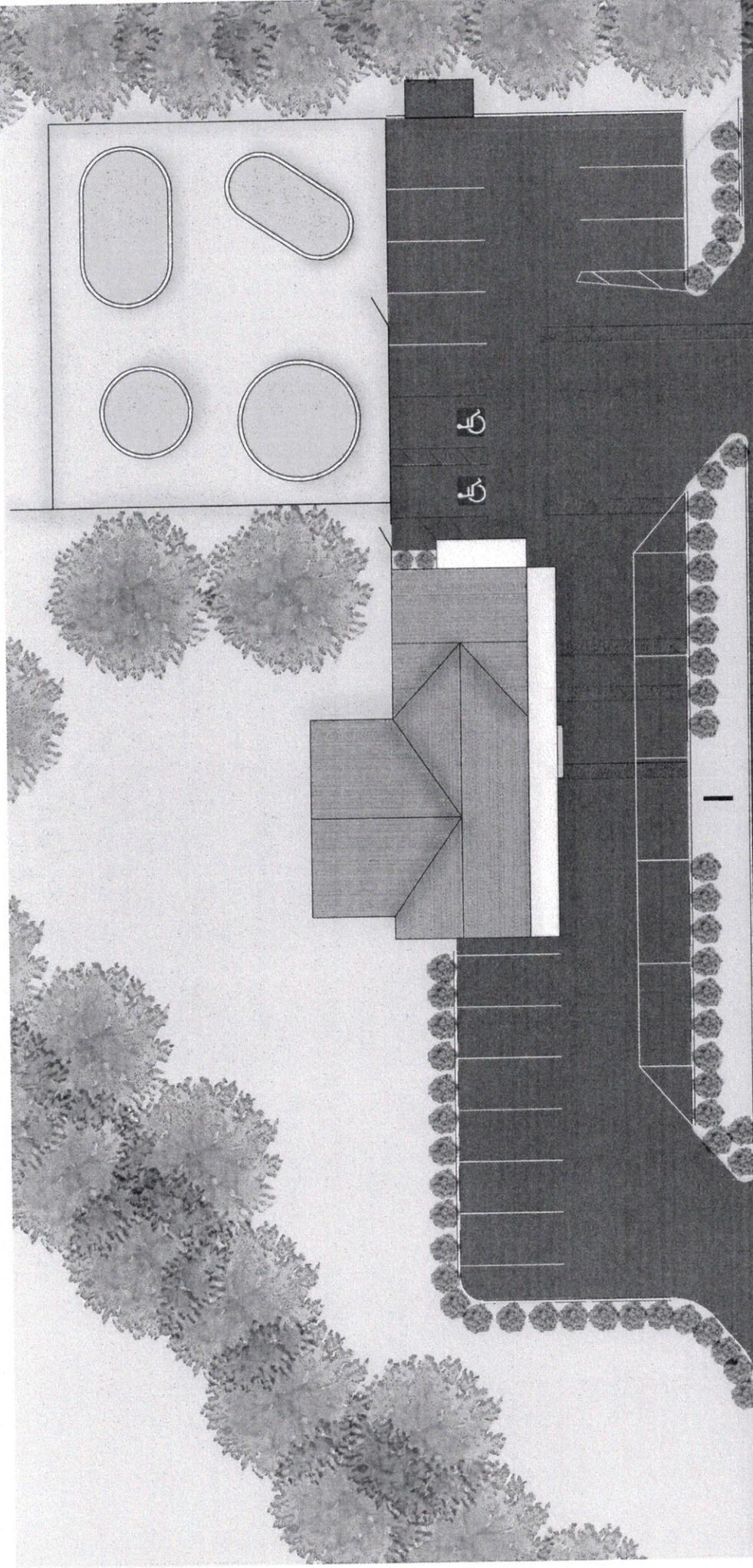
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

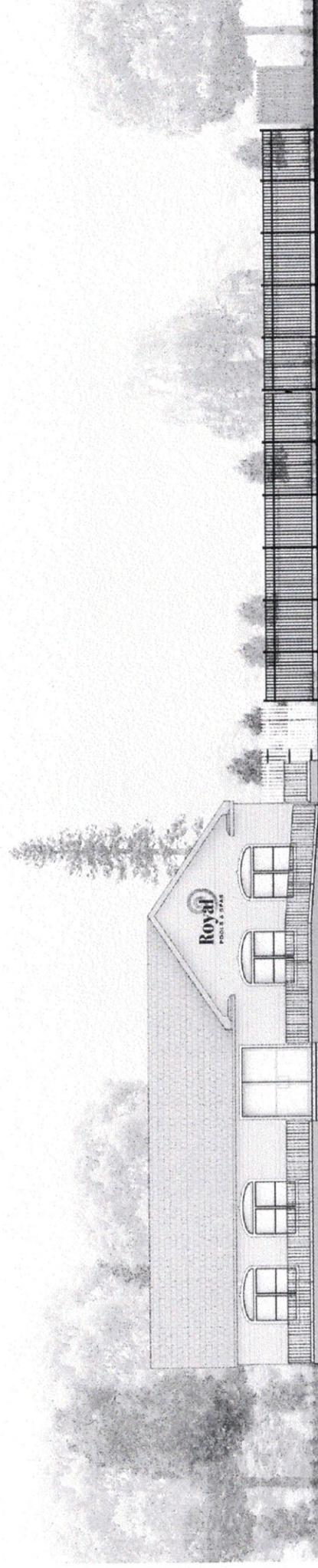
PRINT



Site Plan
 Scale: 1/16" = 1'

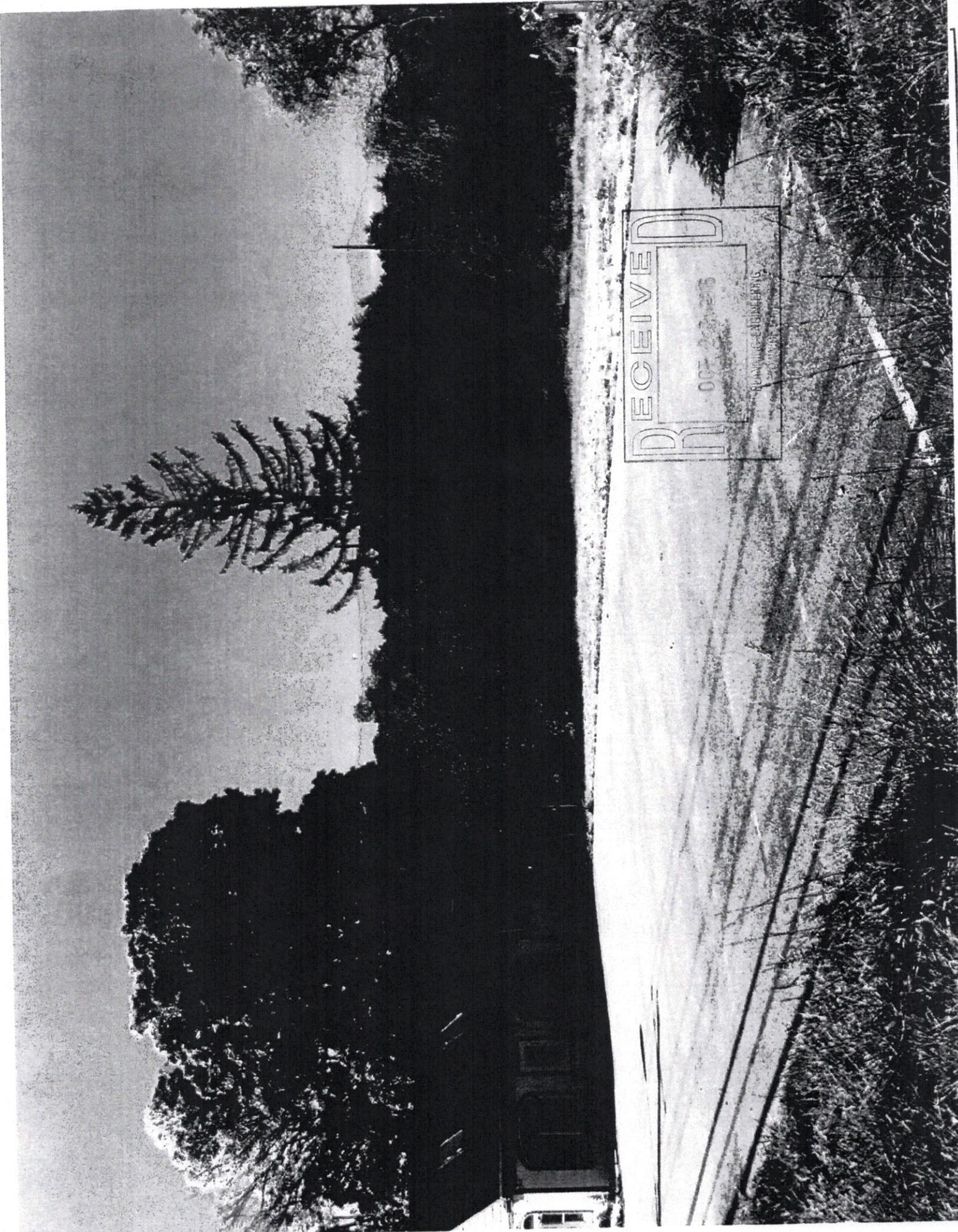
Route 6

RECEIVED
 OCT 27 2016
 PLANNING-ENGINEERING

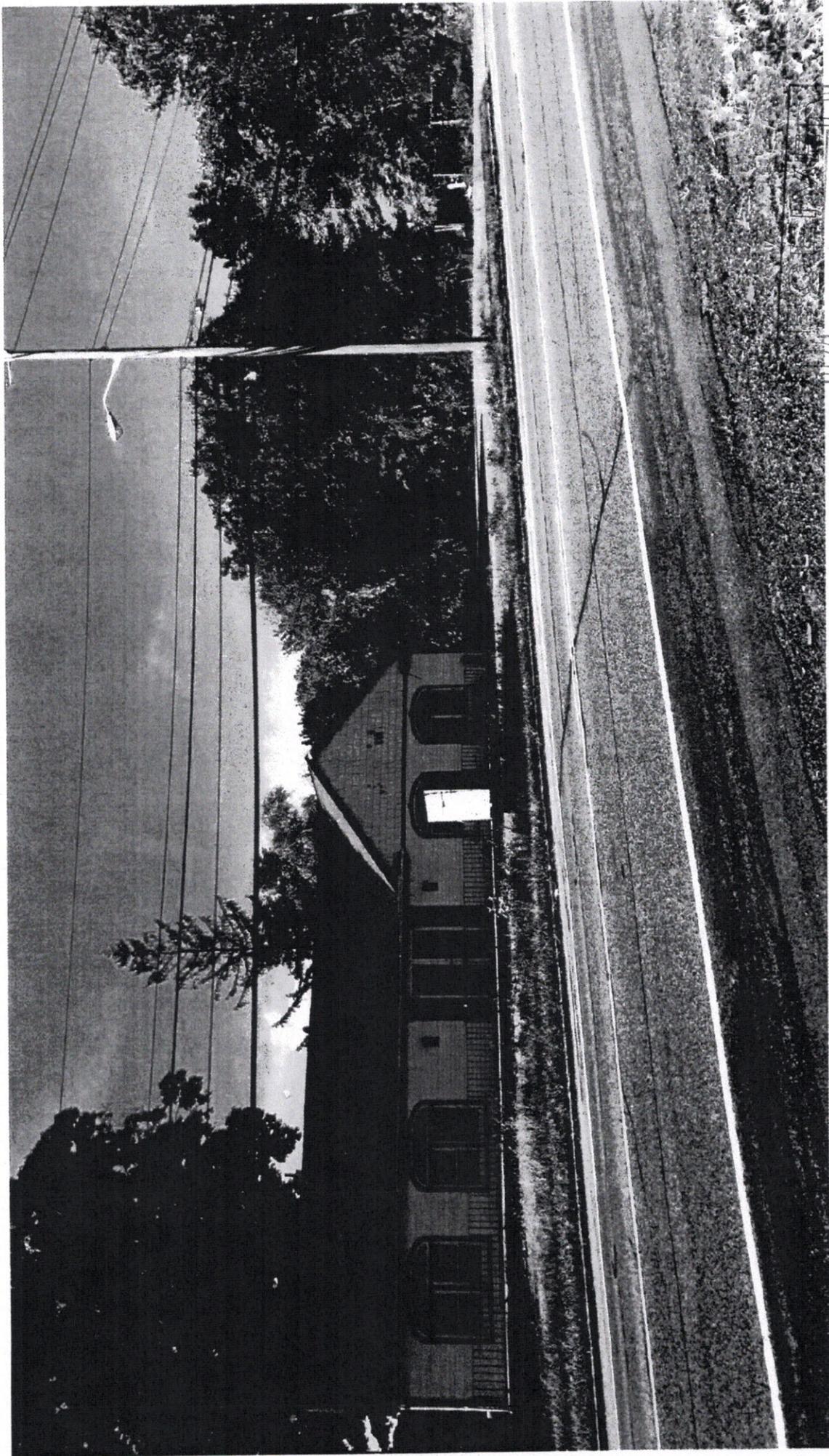


Front Elevation
Scale: 3/32" = 1'





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PLANNING-ENGINEERING
TOWN OF SOMERS

**PLANNING BOARD –TOWN OF SOMERS
MEETING DATES FOR 2017**

ADOPTED _____

Meeting Date	Evening	Staff\Consultant Submission Cut Off Date	Applicant's Sub. Cut Off Date
January 11, 2017	2 nd Wednesday	January 4, 2017	December 23, 2016
February 8, 2017	2 nd Wednesday	February 1, 2017	January 25, 2017
March 8, 2017	2 nd Wednesday	March 1, 2017	February 22, 2017
April 12, 2017	2 nd Wednesday	April 5, 2017	March 29, 2017
May 10, 2017	2 nd Wednesday	May 3, 2017	April 26, 2017
June 14, 2017	2 nd Wednesday	June 7, 2017	May 31, 2017
July 12, 2017	2 nd Wednesday	July 5, 2017	June 27, 2017
August 9, 2017	2 nd Wednesday	August 2, 2017	July 26, 2017
Sept. 13, 2017	2 nd Wednesday	September 6, 2017	August 29, 2017
October 11, 2017	2 nd Wednesday	October 3, 2017	September 26, 2017
November 8, 2017	2 nd Wednesday	October 31, 2017	October 24, 2017
December 13, 2017	2 nd Wednesday	December 6, 2017	November 29, 2017

Note Pursuant to §150-11 C. (1) of the Somers Code new applications shall not be considered by the Planning Board less than 31 days after the date of receipt by the Planning Board's professional staff of all required materials.

PLANNING BOARD MEETING SUBMISSION DATE IS 10 BUSINESS DAYS PRIOR TO MEETING DATE

STAFF AND CONSULTANT'S SUBMISSION DATE IS 5 BUSINESS DAYS PRIOR TO MEETING DATE.

**PLANNING BOARD -TOWN OF SOMERS
ADDITIONAL MEETING DATES FOR 2017
IF NEEDED**

ADOPTED _____

Meeting Date	Evening	Staff/Consultant Submission Cut Off Date	Applicant's Sub. Cut Off Date
January 25, 2017	4 th Wednesday	January 18, 2017	January 11, 2017
February 22 2017	4th Wednesday	February 14, 2017	February 7, 2017
March 22, 2017	4th Wednesday	March 15, 2017	March 8, 2017
April 26, 2017	4th Wednesday	April 19, 2017	April 12, 2017
May 24, 2017	4th Wednesday	May 17, 2017	May 10, 2017
June 28, 2017	4th Wednesday	June 21, 2017	June 14, 2017
July 26, 2017	4th Wednesday	July 19, 2017	July 12, 2017
August 23, 2017	4th Wednesday	August 16, 2017	August 9, 2017
Sept. 27, 2017	4th Wednesday	September 19, 2016	September 13, 2017
October 25, 2017	4 th Wednesday	October 18, 2017	October 11, 2017
Nov. 29, 2017	5th Wednesday	November 20 2017	November 13, 2017
December, 2017	No meeting		

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STAFF AND CONSULTANT'S SUBMISSION DATE IS 5 BUSINESS DAYS PRIOR TO MEETING DATE.