

Telephone  
(914) 277-5366

FAX  
(914) 277-4093

PLANNING DEPARTMENT

TOWN HOUSE  
335 ROUTE 202  
SOMERS, NY 10589

**Town of Somers**

WESTCHESTER COUNTY, N.Y.



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

**SOMERS PLANNING BOARD  
AGENDA  
DECEMBER 14, 2016  
7:30 P.M.**

**PUBLIC HEARING**

- 1. SOMERS PUBLIC SAFETY CENTER [TM: 17.18-1-1]**  
Application for Preliminary Subdivision Approval to create a separate 12-acre parcel of land for the construction of a new Somers Public Safety Center to act as headquarters for the NYS Police, Somers Fire District, and Somers Emergency Services. A helicopter landing pad will be installed for emergency use. The property is located at 295 Route 100 and is in the R-80 Zoning District.
- 2. 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 consist of one (1) 33' tower in an open field at Stuart Fruit Farm. Consideration of a Draft Site Plan Resolution.

**CONTINUATION OF PUBLIC HEARING**

- 3. 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.

**DECISION**

**4. SOMERS CROSSING [17.15-1-15.1]**

Application for Preliminary/Final Subdivision Approval, The property is located at NYS Route 100 and US Route 202. Consideration of a Draft Final Subdivision Resolution for a two lot subdivision of 26.68 acre parcel into Lot 1 of 4.10 acres and Lot 2 of 22.58 acres.

**PROJECT REVIEW**

**5. 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.  
Consideration of a Draft Resolution Conditions.

**6. TAMARACK & VINE SUBDIVISION [TM: 16.07-1-1]**

Application for Preliminary Subdivision Approval, Steep Slopes and Tree Preservation Permits for property located at the end of Tamarack and Vine Road. The proposal is for a four (4) lot Conservation Subdivision. Three lots would be accessed off a common driveway from Vine Road and one lot would be accessed off a driveway from Hickory Road. Each lot will have individual wells and septic systems. Two conservation lots are also proposed.

**INFORMAL APPLICATION WITH SKETCH PLAN**

**7. HERITAGE HILLS SEWER WORKS CORPORATION**

**WASTEWATER TREATMENT PLANT UPGRADE [TM: 17.10-10-18.1]**

Informal application with sketch plan for the addition of temporary treatment system to ensure permit compliance until formal upgrade is complete.

Next Planning Board Meeting is Wednesday, January 11, 2017  
Agenda information is also available at [www.somersny.com](http://www.somersny.com)

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

Date of Adoption: December 14, 2016

**Name of Action:**

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

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

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

**Conditioned Negative Declaration:** No

**Description of Action:** Installation of a proposed 33 foot weather Tower within a 33' by 33' site area to be leased on the 70.48 acre Stuart Farm. The enclosed area will contain solar panels which will be the sole power source for the tower. Site disturbed area will be 0.25 acres. The enclosure is located 330 feet south of homes on Cottage Place, 298 feet from the property line to the west which is additional farmland and 928 feet west of the Westchester County North County Trailway. Based on the conduct of a Phase 1 Archeological Survey dated June 1, 2016, it was determined that the proposed action would not adversely impact archaeological sites and no further work was recommended. Westchester Land Trust is developing a Conservation Easement on Stuart Farm and has indicated in a letter of November 2, 2016 that the Mesonet installation in no way precludes the development of the conservation easement for Stuart Farm. A Structural Analysis Report prepared to assess the structural integrity of the proposed tower with the proposed antenna configuration found it to be structurally adequate.

**Location:** 62 Granite Springs Road – Stuart Farm Somers NY, Westchester County (Tax Lot Section 26.11Block 1 Lot 2)

**Reasons Supporting This Determination:**

Based upon a review of Parts 1, 2 and 3 of the Long Environmental Assessment Form (EAF) and all other application materials that were submitted in support of the Proposed Action, the Planning Board finds that the installation of the weather tower and its continued presence on the site will not have a significant construction impact, will not impact adjacent wetlands, will not remain in place if operations cease, and will not have a long term visual impact due to its distance from surrounding residential uses, and, therefore, will not have any significant adverse impacts upon the environment. This Negative Declaration indicates that no environmental impact statement need be prepared.

**Involved and Interested Agencies:**

See Attached

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

PLANNING AND ENGINEERING DEPARTMENTS

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

**Town of Somers**  
WESTCHESTER COUNTY, N.Y.

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

Steven Woelfle  
Principal Engineering Technician  
swoelfle@somersny.com



Syrette Dym, AICP  
Town Planner  
sdym@somersny.com

Planning Board Meeting December 14, 2016

**PLANNING BOARD**  
TOWN OF SOMERS, WESTCHESTER COUNTY, NEW YORK

Resolution No. 2016-14  
*Granting of Conditional Site Plan Approval  
To Pyramid Network Services, LLC  
for*

***New York State Mesonet Stuart Farm Weather Station***  
Town Tax Number: Section 26.11, Block 1, Lot 2

**WHEREAS**, on October 25, 2016 an application dated for Site Plan Approval and letter by Pyramid Network Services, Inc. dated October 24, 2016 for construction of a weather station at Stuart Farm as part of the New York State Mesonet system pursuant to Section 170-114 and Chapter 144 of the Code of the Tow of Somers, was received consisting of the following plans and supporting materials:

1. Cover Letter from Pyramid Network Services, Inc. dated October 24, 2016
2. Site Plan Application signed and dated October 17 and October 20, 2016
3. Full EAF Part 1 dated October 24, 2016 and Short Form EAF dated October 17, 2016
4. Letter of July 19, 2016 from Pyramid Network Services LLC to Efrem Citarella
5. Structural Analysis Report by Level 5 Communications Prepared for Mission1 Communications dated July 2, 2016
6. Public Archeology Facility Report by Laurie Miroff, Ph.D. and Nina M. Versaggi, Ph.D. RPA for The Research Foundation for the State University of New York University at Albany, dated June 1, 2016
7. Drawings dated October 23, 2016 Prepared by Pyramid Network Services, LLC consisting of the following:
  - a. Title Sheet -T-1

- b. General Notes & Legend – C-1
- c. Aerial Map – C-2
- d. Overall Site Plan – C-3
- e. Site Plan – C-4
- f. Enlarged Site Plan – C-5
- g. Tower Elevation – C-6
- h. Tower Foundation Details – C-7
- i. Foundation Details – C-8
- j. Alter Shield Support Detail – C-9
- k. Fence Elevation – C-10
- l. Electrical Site Plan – E-1
- m. Grounding Plan- E-2
- n. Grounding Details – E-3
- o. Grounding Details - E-4

**WHEREAS**, the subject application is located on a 100 acre portion of Stuart Farm, at 52 Granite Springs Road in an R120 Residence District; and

**WHEREAS**, the proposed weather station is part of a proposed statewide network of weather stations entitled The New York State Mesonet Early Warning Weather Detection System designed to measure weather observations and to provide detailed data to federal, State and local communities; and

**WHEREAS**, the proposed weather station at Stuart Farm is to feature a 33' steel tower on a 39.60 square foot concrete foundation equipped with weather measuring devices with a fenced area of 32 feet by 32 feet that will hold a rain gauge, soil sensors and a solar panel/battery cabinet to power the site; and

**WHEREAS**, the Office of Planning and Engineering was copied on a letter dated November 1, 2016 from David M. Emerson of the Westchester Land Trust to Meredith Smith Mathias of Pyramid Network Services, LLC that indicated that the proposed weather station is consistent with the Conservation Easement that is planned for placement on Stuart Farm to be held by the Westchester Land Trust; and

**WHEREAS**, installation of the Mesonet on Stuart Farm is consistent with the proposed easement, it is not precluded in any way by the terms of the easement which shall contain provisions that allow this use of the site; and

**WHEREAS**, the Planning Board at its meeting of November 9, 2016, moved to declare its intent to act as Lead Agency pursuant to SEQRA and to circulate a Notice of Intent to all involved and interested agencies, and determined that the proposed action is an Unlisted Action as per Article 8 State Environmental Quality Review Act (SEQRA) and Chapter 92 (Environmental Quality Review) of the *Code of the Town of Somers*; and

1 **WHEREAS**, the Planning Board at its meeting of November 9, 2016, also moved  
2 to schedule a public hearing at its meeting of December 14, 2016 to consider the  
3 site plan application for the proposed Mesonet weather station facility at Stuart  
4 Farm; and  
5

6 **WHEREAS**, The Town Board, at its meeting of November 10, 2016, adopted a  
7 Negative Declaration under SEQR regarding execution of two Conservation  
8 Easements one of which is the 75 acres of Stuart Farm owned by Robert Stuart  
9 consisting of Tax Lot 26.11-1-2 that is the subject of this Mesonet site plan  
10 resolution as well as lot 26.11-1-3 and the approximately 97 acres of Stuart Farm  
11 owned by Mary Lee Gerlach, fka Mary Lee Stuart, consisting of Tax Lot 216.11-  
12 1-1; and  
13

14 **WHEREAS**, at its meeting of December 14, 2016, the Planning Board moved to  
15 act as Lead Agency pursuant to SEQRA  
16

17 **WHEREAS**, the Planning Board discussed the Applicant's proposed site plan at  
18 meetings held on November 9, 2016 and December 14, 2016; and  
19

20 **WHEREAS**, during the course of the Planning Board's review of the Applicant's  
21 proposed site plan the Planning Board received and considered correspondence  
22 from the public as well as Town staff, Town advisory boards and other Involved  
23 Agencies and concerned citizens. Correspondence from Town staff, Town  
24 advisory boards, other Involved Agencies and concerned citizens are listed as  
25 follows:  
26

- 27 1. Memoranda from the Somers Director of Planning Town Planner dated  
28 November 3, 2016
- 29 2. Memoranda from the Somers Town Consulting Engineer dated November 4,  
30 2016
- 31 3. Memorandum from the Open Space Committee dated November 22, 2016
- 32 4. Letter from the Westchester Land Trust dated November 1, 2016  
33

34 **WHEREAS**, a duly noticed public hearing on the application was opened on  
35 December 14, 2016 at which time all those wishing to be heard were given the  
36 opportunity to be heard and the public hearing was closed: and  
37

38 **WHEREAS**, the proposed area to be disturbed is 0.025 acres or 1,089 square  
39 feet and coverage under the New York State Department of Environmental  
40 conservation (NYSDEC) SPDES General Permit No. GP-)-15-002 is not  
41 required; and  
42

43 **WHEREAS**, the Applicant shall still provide site erosion and sediment control  
44 practices to protect the downstream receiving watershed area; and  
45

46 **WHEREAS**, the Town Consulting Engineer recommended to the Planning Board  
47 that the site plan and associated documents provide the required elements

1 necessary for approval of the site plan by the Planning Board providing that all  
2 outstanding engineering comments are addressed prior to the times set forth as  
3 conditions under this Resolution; and

4 **WHEREAS**, the consulting Town Engineer raised a question regarding the  
5 presence of a locally regulated wetland to the east of the proposed development  
6 area; and

7

8 **WHEREAS**, by submission of pictures showing the area adjacent to the site area  
9 by the Applicant, the Consulting Town Engineer and the Planning Board  
10 determined that there was no encroachment of the proposed project on any  
11 adjacent wetland; and

12

13 **WHEREAS**, the Planning Board has reviewed and is familiar with the Mesonet  
14 Project and has inspected the site and its surroundings; and

15

16 **WHEREAS**, after review and analysis of the potential environmental and visual  
17 effect of the proposed Mesonet facility, the Planning Board determined that the  
18 potential impacts resulting from the weather station due to its significant setbacks  
19 from surrounding residential uses and minimal disturbance were not significant,  
20 that there will be no significant adverse impact on the environment and adopted a  
21 Negative Declaration at its meeting of December 14, 2016; and

22

23 **WHEREAS**, the Planning Board has carefully considered all of the comments  
24 raised by the public and other interested agencies, organizations and officials,  
25 including those presented at meetings of the Board as well as those submitted  
26 separately in writing; and

27

28 **NOW, THEREFORE, BE IT RESOLVED** that the foregoing WHEREAS clauses  
29 are incorporated herein by reference and are fully adopted as part of this  
30 approval; and

31

32 **BE IT FURTHER RESOLVED**, that the applications for **conditional site plan**  
33 **approval, submitted by Pyramid Network Services, LLC for New York State**  
34 **Mesonet for Stuart Farm** as shown and described by the materials enumerated  
35 herein, **ARE HEREBY CONDITIONALLY GRANTED** in accordance with Section  
36 274-a of the New York State Town Law SUBJECT TO the following modifications  
37 and conditions being fulfilled:

38

39 **Conditions Required Prior to Signing of Site Plan**

40

41

- 42 1) Outstanding items enumerated in the Town Consulting Engineer's December  
43 9, 2016 memorandum shall be completed by the Applicant and approved by  
44 the Town Consulting Engineer, including the following conditions:

45

- 1                   i. The Applicant shall update the plan to specify the installation of
- 2                   seed and mulch as stabilization over areas disturbed during
- 3                   construction. The plan shall be updated to include a note that all
- 4                   disturbed area must receive stabilization within 14 days
- 5                   following the completion of construction.
- 6                   ii. Revise the construction sequence to indicate the installation of
- 7                   silt fence prior to the start of construction and the application of
- 8                   stabilization over disturbed areas at construction completion.
- 9                   iii. The Applicant shall clarify if data collected by the proposed
- 10                  weather station will be publicly available and accessible by the
- 11                  Town of Somers.
- 12                  2) The Applicant shall pay all engineering inspection fees and erosion control
- 13                  bonds required to be posted by the Principal Engineering Technician.
- 14

15                  **On-going Conditions Required After Signing of Site Plan**

- 16
- 17
- 18                  1) Appropriate erosion control measures satisfactory to the Principal
- 19                  Engineering Technician shall be installed prior to starting the construction and
- 20                  maintained during the construction period, in accordance with the New York
- 21                  State Standards and Specifications for Erosion and Sediment Control, dated
- 22                  August 2005, and the New York State Stormwater Management Design
- 23                  Manual, dated January 2015 (including all updates/or revisions).
- 24
- 25                  2) Construction activity, with the exception of rock removal shall be limited to
- 26                  Monday through Saturday 7AM to 6PM. Rock removal shall be limited to
- 27                  Monday through Friday 8AM to 6PM. No construction activity shall occur on
- 28                  Sundays or legal New York State holidays as specified by §144-7D. (13) of
- 29                  the *Code of the Town of Somers*.
- 30
- 31                  3) The Somers Engineering Department shall be notified (914-277-5366) prior to
- 32                  the beginning of any work on the site and also upon completion of the
- 33                  approved work.
- 34
- 35                  4) Field changes that do not change the intent of the design or are not
- 36                  significant, if required, may be approved by the Department Engineering
- 37                  Technician and the Town Consulting Engineer prior to implementation.
- 38                  Significant field changes or those that deviate from the intent of the design as
- 39                  approved by that Planning Board must be approved by the Planning Board.
- 40
- 41                  5) At the completion of all construction, and prior to issuance of the final
- 42                  certificate of occupancy for the development, the Applicant shall provide a
- 43                  Final As-Built Site Plan for review and approval by the Town Consulting
- 44                  Engineer.
- 45

1 **BE IT FURTHER RESOLVED**, that upon determination of compliance with the  
2 foregoing conditions, the Planning Board Chairman is hereby authorized to  
3 endorse this upon all maps and drawings constituting the site plan. The  
4 Applicant shall provide six (6) prints of each map and drawing to the Planning  
5 Board Secretary. No construction or site work is authorized until the site plan  
6 has been signed by the Chairman and the required copies delivered.  
7

8 In accordance with §170-114.H, "Time for Signature of Site Plan", and §170-  
9 114.K, "Extension", of the *Code of the Town of Somers*, failure to comply with the  
10 above shall result in the expiration of this approval on December 14, 2017,  
11 unless an extension of this time period is requested prior to the expiration date  
12 and approved by the Planning Board.  
13

14 Site plan approval and its continued validity are subject to all requirements of  
15 Section 170-114, "Site Plan Approval", and Chapter 144, "Site Plan Review", of  
16 the *Code of the Town of Somers*. Approval shall be deemed null and void one  
17 (1) year from the date of signing of the site plan unless a Building Permit in  
18 compliance with the above shall have been obtained and construction  
19 progressed as required by §170-114.I, "Time to Obtain Permit and Complete  
20 Construction", of the *Code of the Town of Somers*.  
21

22 In accordance with §170-114.M(2) of the *Code of the Town of Somers*, before  
23 the completion of the improvements shall be approved and the Certificate of  
24 Occupancy issued, the Applicant shall submit an as-built plan to be approved by  
25 the Town Consulting Engineer.  
26

27 The validity of any Certificate of Occupancy shall be subject to continued  
28 conformance with the approved site plan.  
29

30 This resolution shall have an effective date of December 14, 2016.  
31

32 **BY ORDER OF THE PLANNING BOARD**  
33 **OF THE TOWN OF SOMERS**  
34

35 \_\_\_\_\_  
36 **John Currie, Chairman** \_\_\_\_\_  
37 **Date**

38 **CERTIFICATION**  
39

40 I hereby certify that this is a true and correct copy of Resolution #2016-14  
41 adopted by the Town of Somers Planning Board granting of conditional site plan  
42 approval, to Pyramid Network Services, LLC for New York State Mesonet at  
43 Stuart Farm at a meeting held on December 14, 2016.  
44

45 \_\_\_\_\_  
46 **Syrette Dym, AICP** \_\_\_\_\_  
47 **Director of Planning** **Date**

# **BIBBO ASSOCIATES, L.L.P.**

*Consulting Engineers*

Joseph J. Buschynski, P.E.

Timothy S. Allen, P.E.

Sabri Barisser, P.E.

December 8, 2016

Somers Planning Board  
335 Route 202  
Somers, NY 10589-3226

Attn: Mr. John Currie, Chairman

Re: Green Briar Subdivision  
Sec. 6, Lot Nos. 35 & 36

Dear Mr. Currie:

We are writing in regard to the continuation of the public hearing scheduled for December 14, 2016 on the above project.

Arrangements are underway to schedule a meeting of Driftwood Drive residents and the applicant to discuss issues of concern. Due to scheduling conflicts the meeting will not occur before the Planning Board meeting of December 14<sup>th</sup>. As such, we request that the public hearing be adjourned to a January 2017 meeting date.

We will be present at the December 14<sup>th</sup> meeting to answer any questions.

Very truly yours,



Joseph J. Buschynski, P.E.

JJB/mme  
Enclosures

cc: R. Jones, Greenbriar-Somers Corp.  
File

*Site Design ♦ Environmental*

---

Mill Pond Offices · 293 Route 100, Suite 203 · Somers, NY 10589  
Phone: 914-277-5805 · Fax: 914-277-8210 · E-Mail: bibbo@optonline.net

PLANNING AND ENGINEERING DEPARTMENTS

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

**Town of Somers**  
WESTCHESTER COUNTY, N.Y.

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

Steven Woelfle  
Principal Engineering Technician  
swoelfle@somersny.com



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

**MEMORANDUM**

**TO:** Town of Somers Planning Board

**FROM:** Syrette Dym, Director of Planning

**DATE:** December 7, 2016

**RE:** Project: Green Briar Resubdivision Sec. 6 Lots 35&36  
Applicant: Greenbriar Somers Corp. & 2-4-36 Green, LLC  
Location: Driftwood Drive Somers, (Section 6.11 Block 2 Lots 77 and 78)  
Zoning: R40 Residence District  
Actions: Request for a Preliminary Subdivision Approval for Resubdivision to Merge Two Lots Designated as Sec. 6 Lots 35 and 36

**Background**

At the Planning Board meeting of November 9, 2016, there were numerous public comments that the proposed single-family home on the subject re-subdivided lot would be out of character with the attached homes on Driftwood Drive. Request was made of the applicant to provide elevation drawings of the proposed single family home to determine its compatibility with surrounding buildings. To date, no elevation drawings have been submitted.

**Field Review**

To determine whether a single family home at this location would be visually out of character with the existing buildings, I visited the site and the surrounding community. While some of the existing single family home designs in Greenbriar might not

complement the design of the existing Driftwood Drive townhouses, it is clear from the attached photograph of the existing townhouses that an appropriate design could achieve the visual effect similar to that of two adjacent townhouses.

The applicant still needs to submit an elevation drawing to the Planning Board so it can make its determination on the re-subdivision request.

Cc: Steve Woelfle  
Joe Barbagallo  
Rob Wasp  
Roland Baroni  
Joe Buschynski

Z:\PE\Subdivision files\Greenbriar Seciton 6 lots.35-36\RE-Subdivision 2016\Planner comments 12-07-16.docx

**Marilyn Murphy**

---

**From:**  
**Sent:**  
**To:**  
**Subject:**

sdym@verizon.net  
Wednesday, December 07, 2016 12:27 PM  
Syrette Dym  
Green briar



Sent from my iPhone

PLANNING AND ENGINEERING DEPARTMENTS

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

Town of Somers  
WESTCHESTER COUNTY, N.Y.

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

Steven Woelfle  
Principal Engineering Technician  
swoelfle@somersny.com



Syrette Dym, AICP  
Town Planner  
sdym@somersny.com

1  
2 Planning Board Meeting December 14, 2016

3  
4 **PLANNING BOARD**  
5 TOWN OF SOMERS, WESTCHESTER COUNTY, NEW YORK

6  
7 Resolution No. 2016-15  
8 *Granting of Conditional Preliminary Subdivision Approval*  
9 *to*  
10 *Somers Crossing LLC*  
11 *for*  
12 **Somers Crossing Subdivision**  
13 Town Tax Number: Section 17.15, Block 1, Lot 15.1  
14

15  
16 **WHEREAS**, applications for Preliminary Approval of a 2-Lot Subdivision of Lot  
17 17.15 Block 1 Lot 15.1 consisting of 26.68 acres, Site Plan Approval for a  
18 Residential Development on one of the subdivided lots of 3.51 acres, and Site  
19 Plan Approval on the second subdivided lot of 23.17 acres for a Commercial  
20 Development, together with plans, associated materials and application fees  
21 were received by the Planning and Engineering Department on May 3, 2016,  
22 from Bibbo Associates, Engineers, on behalf of Somers Crossing, LLC  
23 ("Applicant") for the Somers Crossing development; and

24  
25 **WHEREAS**, the Somers Crossing property is a 26.68-acre undeveloped site  
26 located at 307 New York State Route 100 in the Somers hamlet, bounded on the  
27 east by NY State Route 100 and on the north by US Route 202; and

28  
29 **WHEREAS**, at the time of the subject application the lot in question was zoned  
30 R-80 Residence District and R-40 Residence District; and

31  
32 **WHEREAS**, the subdivision plan and site plans to construct Somers Crossing as  
33 a mixed-use development of multi-family housing and a grocery store, with

1 associated site appurtenances and infrastructure, were reviewed by the Planning  
2 Board simultaneously over the course of several months, including revised plans  
3 and reports submitted by the Applicant; and  
4

5 **WHEREAS**, the proposal for subdivision of the property into two lots was  
6 preceded by the creation of the Multifamily Residence Downtown Hamlet (MFR-  
7 DH) Floating Zone by the Town Board on June 9, 2016, filing of the Local Law  
8 creating such new district with New York State on June 17, 2016 and approval of  
9 the preliminary development concept plan and reclassification of Tax Lot 17.15-  
10 1-15.1 to the MFR-DH Floating Zone by the Town Board on July 14, 2016; and  
11

12 **WHEREAS**, the aforementioned zoning actions occurred at the conclusion of a  
13 full environmental review under the State Environmental Quality Review Act  
14 (SEQRA) conducted by the Town Board as lead agency, which concluded with  
15 the adoption of its Findings Statement on June 9, 2016, by which the Town  
16 Board found the potential adverse environmental impacts identified will be  
17 avoided or minimized to the maximum extent practicable by incorporating the  
18 specific mitigation measures and conditions of findings identified therein; and  
19

20 **WHEREAS**, the Planning Board was an involved agency in the SEQRA review of  
21 the zoning amendment and preliminary development concept plan and remained  
22 informed of the project proposal throughout the environmental review process;  
23 and  
24

25  
26 **WHEREAS**, the Applicant's proposal for Somers Crossing was first reviewed by  
27 the Planning Board as a preliminary development concept plan, virtually the  
28 same plan that was the subject of the SEQRA review, outlining proposed land  
29 uses, access and circulation, parking and utilities, as required by §170-13  
30 *Multifamily Residence MFR Districts* of the *Code of the Town of Somers*, and  
31 calls for development of the plan components through a subdivision of the  
32 property into two lots, and project-specific site plans in accordance with the  
33 concept plan and §150 *Subdivision of Land* and §170-114 *Site Plan Approval* of  
34 the *Code of the Town of Somers*; and  
35

36 **WHEREAS**, the Planning Board is required to evaluate the site development  
37 plans submitted by the Applicant to confirm that the plans include the mitigation  
38 measures identified and found to be necessary as a result of the SEQRA process  
39 and will not result in any additional significant adverse impacts not previously  
40 discussed and mitigated; and  
41

42 **WHEREAS**. The Planning Board will make such determination as part of the  
43 associated site plan approval process for this site development plan subsequent  
44 to subdivision approval; and  
45

1 **WHEREAS**, the proposed subdivision has been revised from the original  
2 submission of plans entitled Preliminary Grading Plan & Preliminary Plat dated  
3 May 2, 2016 to plans entitled Layout Plan LP-1 and Grading and Utility Plans  
4 GU-1 & GU-2 dated November 18, 2016 such that proposed Lot 1, being 4.10  
5 acres for the commercial component with direct access from US Route 202, and  
6 proposed Lot 2, being 22.58 acres for the residential component with direct  
7 access from NY State Route 100, are in conformance with the MFR-DH district  
8 requiring a four acre minimum lot size for the commercial development lot; and  
9

10 **WHEREAS**, the Somers Crossing mixed-use proposal includes multi-family  
11 housing, a grocery store and associated site appurtenances and infrastructure;  
12 the residential component consisting of (5) duplex buildings with (10) units, (12)  
13 triplex buildings with (36) units, and (5) quadruplex buildings with (20) units,  
14 totaling (22) residence buildings containing (66) residence units, each with  
15 garage and its own individual entry, an approximate 3,235 square foot recreation  
16 building, access from Route 100 and a connection to the adjacent Somers  
17 Towne Centre; and the commercial component consisting of an approximate  
18 19,030 square foot grocery store building, with parking, access from Route 202  
19 and a connection to the adjacent Somers Towne Centre; and  
20

21 **WHEREAS**, the Project includes one (1) two-bedroom residence unit to be built  
22 fully accessible for a special needs resident, the location of such unit not  
23 specifically designated on the site plan; and  
24

25 **WHEREAS**, the Project will include a public water connection to the Heritage  
26 Hills Water Works Corporation system and a sewer connection to the Heritage  
27 Hills Sewage-Works Corporation system, and onsite stormwater management  
28 infrastructure; and  
29

30 **WHEREAS**, the Applicant also proposes to implement a number of off-site  
31 improvements explicitly for the benefit of the Town of Somers, which is the  
32 subject of a separate community benefits agreement between the Town and the  
33 Applicant; and  
34

35 **WHEREAS**, on August 10, 2016 the Planning Board referred the application to  
36 the Westchester County Planning Board for review in accordance with General  
37 Municipal Law §239-n; and  
38

39 **WHEREAS**, the Planning Board opened a duly noticed public hearing on June 8,  
40 2016, on the Preliminary Subdivision, Site Plan, Wetland Protection, Tree  
41 Preservation, Stormwater Management Erosion and Sediment Control Permit  
42 applications, at which time the Planning Board discussed the Applicant's  
43 preliminary development concept plan, public comments were taken and the  
44 hearing was adjourned; and  
45

1 **WHEREAS**, the Planning Board noticed a public hearing for the October 26,  
2 2016 meeting on the Somers Crossing Steep Slopes Protection and Special  
3 Exception Use in a Groundwater Protection Overlay District (GPOD) permit  
4 approvals; and  
5

6 **WHEREAS**, on July 13, 2016, August 10, 2016, September 14, 2016, October 4,  
7 2016 and October 26, 2016, the Planning Board reopened the adjourned public  
8 hearing of June 8, 2016 and opened a separate public hearing on October 26,  
9 2016, at which time the Planning Board discussed the Applicant's proposed  
10 subdivision, site plans, and special permits; and  
11

12 **WHEREAS**, public comments were taken and all those wishing to be heard were  
13 heard and the hearing on the Site Plan, Subdivision, Steep Slopes Protection,  
14 Wetland Protection, Tree Preservation, and Special Exception Use permit  
15 approvals was closed on October 26, 2016, and the hearing on the Stormwater  
16 Management and Erosion and Sediment Control Permit was left open; and  
17

18 **WHEREAS**, during the course of the Planning Board's review of the Applicant's  
19 proposed subdivision and site plans, the Planning Board received and  
20 considered correspondence from the Director of Planning, Town Consulting  
21 Engineer, Town advisory boards and professional consultants to the Planning  
22 Board, includes the following correspondence. There was no correspondence  
23 received from the public.  
24

- 25 1. Memoranda from the Somers Director of Planning, dated May 6, July 5,  
26 September 7, October 18, October 21, 2016.
- 27 2. Memoranda from the Town's Engineering Consultant Woodard & Curran,  
28 dated September 9, October 21, 2016.
- 29 3. Memoranda from the Town's Landscape Design Consultant Tim Miller  
30 Associates, dated June 28, July 28, August 19, October 19, 2016.
- 31 4. Memoranda from the Town's Traffic Engineering Consultant Provident Design  
32 Engineering, dated October 19, 2016.
- 33 5. Memorandum from the Somers Open Space Committee, dated May 16, June  
34 14, September 20, 2016.
- 35 6. Memoranda from the Somers Bureau of Fire Prevention, dated August 16,  
36 September 21, 2016.
- 37 7. Letter from Building Inspector to Planning Board dated October 21, 2016.  
38

39 **WHEREAS**, during the course of the Planning Board's review of the Applicant's  
40 proposed subdivision, the Planning Board received additional correspondence  
41 from the Applicant's representatives responding to such public, staff, and  
42 Planning Board comments, including the following:  
43

- 44 1. Letters from Bibbo Associates, dated July 19, August 1, August 9, September  
45 30, October 19, November 22, 2016.  
46

1 **WHEREAS**, the Director of Planning identified a non-conformity with regard to  
2 the proposed density of the residential component, whereupon Bibbo Associates  
3 submitted an explanatory letter dated October 19, 2016, with calculations of the  
4 maximum permitted number of density units compared to the calculations used in  
5 the EIS, and a calculation of the permitted versus the proposed residential  
6 building coverage, and the Director of Planning also prepared an explanatory  
7 memo dated October 21, 2016, that together explained the need for the applicant  
8 to pursue variances from the Zoning Board of Appeals to remedy the density and  
9 coverage proposed; and

10  
11 **WHEREAS**, residential building floor plans were submitted to the Town Building  
12 Inspector, whereupon the Building Inspector opined in a letter dated October 21,  
13 2016, that the units to be developed as part of the subsequent site plan approval  
14 consist of two bedrooms and two bathrooms or three bedrooms and two and half  
15 bathrooms, for the purpose of establishing the project bedroom count as relates  
16 to a determination of conformity to the requirements of § 170-13C(1)(a) for  
17 project density; and

18  
19 **WHEREAS**, having reviewed the revised subdivision and revised lot sizes and  
20 the need for variances, the Planning Board, at its meeting of October 26, 2016  
21 determined to recommend granting of an Area Variance to permit seven (7)  
22 additional bedrooms or 1.06 additional density units over what is permitted in the  
23 MFR-DH district on the residential lot and an Area Variance from 15% permitted  
24 coverage to 16.8% proposed coverage for the residential parcel and directed the  
25 Director of Planning to send such letter to the Zoning Board of Appeals and such  
26 letter dated October 27, 2016 was sent; and

27  
28 **WHEREAS**, on November 15, 2016, the Zoning Board of Appeals approved the  
29 above-cited area variances for the residential lot; and

30  
31 **WHEREAS**, the public hearing on the Stormwater Management and Erosion and  
32 Sediment Control Permit will remain open until site plan review and approval of  
33 the SWPPP by NYC DEP; and

34  
35 **WHEREAS**, in response to the reviews of the Applicant's submitted plans and  
36 reports by the Planning Board, Town staff and other advisors to the Planning  
37 Board throughout the review process, the following plans and reports (as  
38 required to be revised by the conditions of this resolution) were submitted for the  
39 Planning Board's consideration related to the subject subdivision application as  
40 well as to the associated site plan application:

- 41  
42
- 43 • Preliminary Plat – (To be constituted by Layout Plan LP-1, and Grading  
44 and Utilities Plans GU-1 and GU-2 listed below) dated 11/18/16
  - 45 • Engineer's Report – Wastewater & Water Supply Facilities, prepared by  
46 Bibbo Associates, LLP, dated July 13, Revised September 30, October 2,  
and November 7, 2016

- 1 • Stormwater Pollution Prevention Plan report, prepared by Bibbo
- 2 Associates, LLP, dated July 14, Revised September 29, November 17,
- 3 2016
- 4 • Aquifer Impact Assessment Report, prepared by HydroEnvironmental
- 5 Solutions, dated July 12, Revised September 23, 2016
- 6 • Club house Elevation
- 7 • Residence Elevation
- 8 • "Construction Plans" prepared by Bibbo Associates, LLP, last dated as
- 9 listed below:
- 10

Sheet	Title	Dwg #	Last Dated
1	Cover Sheet	CS-1	11/18/2016
2	Existing Conditions	EX-1	11/18/2016
3	Layout Plan	LP-1	11/18/2016
4	Grading and Utilities Plan	GU-1	11/18/2016
5	Grading and Utilities Plan	GU-2	11/18/2016
6	Erosion Control Plan	EC-1	11/18/2016
7	Erosion Control Plan	EC-2	11/18/2016
8	Phasing Plan - Overall	PH-1	11/18/2016
9	Phasing Plan - Phases 1 & 3	PH-2	11/18/2016
10	Phasing Plan - Phase 2	PH-3	11/18/2016
11	Phasing Plan - Phases 4 & 6	PH-4	11/189/2016
12	Phasing Plan - Phase 5	PH-5	11/189/2016
13	Road Profiles and Details	RP-1	11/18/2016
14	Drainage Profiles	DP-1	11/18/2016
15	Drainage Profiles	DP-2	11/18/2016
16	Sewer Profiles	SP-1	11/18/2016
17	Water Profiles	WP-1	11/18/2016
18	Site Details & Turning Maneuvers	D-1	11/18/2016
19	Drainage Details	D-2	11/18/2016
20	Drainage Details	D-3	11/18/2016
21	Drainage Details	D-4	11/18/2016
22	Erosion Control Details	D-5	11/18/2016
23	Sewer Details	D-6	11/18/2016
24	Water Details	D-7	11/18/2016
25	Tree Plan (Residential)	T-1	11/18/2016
26	Landscape Plan (Residential)	LL-1	11/18/2016
27	Tree Plan (Commercial) & Turning Maneuvers	LL-2	11/18/2016
28	Lighting Plan	LL-3	11/18/2016
29	Lighting Plan	LL-4	11/18/2016
30	Off-Site Sidewalk Plan	SW-1	11/18/2016

- 11
- 12 • Plans for the commercial component prepared by Studio RAI Architectural

1 Design, PC, last dated as listed below:  
2

--	Landscape Plan	LS-1	11/18/2016
	Details	LS-2	11/18/2016
--	Building Elevations	A-1	11/18/2016
--	Building First Floor Plan	A-2	11/18/2016

3  
4  
5 **WHEREAS**, of all the plans listed above, the only plans that are the subject of  
6 this Preliminary Subdivision approval are the Layout Plan LP-1 and Grading and  
7 Utilities Plans GP-1 and GP-2, all of which constitute the Preliminary Plat and  
8 none of the above reports are the subject of this approval, with all plans and  
9 reports subject to further site plan review; and

10  
11 **WHEREAS**, the subdivision application has been found to be complete and  
12 contains all required elements as specified by §150 Subdivision of Land of the  
13 *Code of the Town of Somers*; and

14  
15 **WHEREAS**, the Town Consulting Engineer recommended to the Planning Board  
16 that the Preliminary Subdivision Plat as constituted by Drawings L-1, and GU-1  
17 and GU- 2, and associated documents provide the required elements necessary  
18 for preliminary subdivision approval by the Planning Board providing that all  
19 outstanding engineering comments are addressed prior to the times set forth as  
20 conditions under this Resolution; and

21  
22 **WHEREAS**, in its letter dated October 13, 2016, the Heritage Hills Sewage-  
23 Works Corporation stated it will provide collection of sanitary sewage for Somers  
24 Crossing. The sewer mains to be extended from Heritage Hills to the proposed  
25 development will be owned and maintained by Heritage Hills Sewage-Works  
26 Corporation, which has verified that there is adequate capacity in the Heritage  
27 Hills treatment plant to serve the 66 new homes and grocery store; and

28  
29 **WHEREAS**, the Applicant has petitioned the Town Board for the extension of the  
30 Heritage Hills Special Sewer District and the Heritage Hills Special Water District  
31 on November 10, 2016 with a request for setting of a public hearing; and

32  
33 **WHEREAS**, a duly noticed public hearing on such water and sewer district  
34 extensions was held by the Town Board on December 8, 2016 and those wishing  
35 to be heard were heard and at which time the Town Board closed the public  
36 hearing and voted to approve the sewer and water district extensions; and

37  
38 **WHEREAS**, the Planning Board has carefully considered all of the comments on  
39 the proposed subdivision raised by the public and other interested agencies,  
40 organizations and officials, including those presented at meetings of the Board as  
41 well as those submitted separately in writing and is familiar with and has  
42 inspected the site and its surroundings; and

1  
2 **WHEREAS**, in accordance with §277(4) of the New York State Town Law and  
3 §150-24.A of the *Code of the Town of Somers*, the Planning Board has  
4 considered the relationship between the proposed subdivision and the potential  
5 recreational needs resulting therefrom; and  
6

7 **WHEREAS**, the Planning Board finds that, given the creation of only one new lot  
8 and proposed provision of a recreation building in the associated residential site  
9 plan for use of residents to be generated by the proposed residentially developed  
10 lot of this two lot subdivision, the Planning Board does not find that a proper  
11 case exists for requiring any additional park or parks be suitably located for  
12 playgrounds and other recreational facilities within the Town, however, does find  
13 that, due to use of townwide facilities by occupants of the proposed residential  
14 lot, the subdivision will be subject to a Town of Somers Recreation Fee as  
15 established by Chapter 55 of the *Code of the Town of Somers* and such fee shall  
16 be \$575,000 based on 65 units and not including the unit to be donated for a  
17 disabled resident; and  
18

19  
20 **NOW, THEREFORE, BE IT RESOLVED** that the foregoing WHEREAS clauses  
21 are incorporated herein by reference and are fully adopted as part of this  
22 approval; and  
23

24 **BE IT FURTHER RESOLVED**, that the Planning Board hereby adopts the  
25 SEQRA Findings of the Town Board adopted on June 9, 2016; and  
26

27 **BE IT FURTHER RESOLVED**, that the application for Preliminary Subdivision  
28 Approval for Somers Crossing as shown and described by the materials  
29 enumerated herein, IS HEREBY CONDITIONALLY GRANTED in accordance  
30 with the New York State Town Law § 276 and in accordance with §150-12M  
31 "Planning Board Action" of the *Code of the Town of Somers*, SUBJECT TO the  
32 following modifications and conditions being fulfilled:  
33

- 34 1. Prepare and submit a final subdivision plat containing all required  
35 elements of §150-13 and 150-30 of the *Code of the Town of Somers* and  
36 Articles IV and V of the *Code of the Town of Somers*, and reflecting the  
37 conditions as stated herein and including:  
38
- 39 a. A note indicating that construction activity shall be limited from 7:00  
40 a.m. to 6:00 p.m. and that no construction activity shall occur on  
41 Sundays or legal New York State holidays.  
42
  - 43 b. A note that if blasting is to occur it shall be limited to occur between  
44 the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday only.  
45

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

- c. That three points be posted on the plat with northing and easting coordinates consistent with the NAD83 State Plane coordinate system.
  - d. Include a note on the Final Subdivision Plat that membership in the subdivision Homeowners Association shall be mandatory for all Owners and their successors.
  - e. The Final Subdivision Plat shall show all existing and proposed access and utility easements and include descriptive notes.
  - f. The Final Plat shall bear all other notations, legends and signature blocks as required by Town Code §150-30.
2. The final plat should be submitted to the Planning and Engineering Office for review prior to submission to the Westchester County Health Department for signature.
3. The Applicant shall address the following outstanding engineering comments identified as conditions of resolution of approval required to be addressed prior to Final Subdivision Plat approval, as enumerated in memorandum from the Consulting Town Engineer, dated December 9, 2016:
- a. Revise the project Stormwater Pollution Prevention Plan (SWPPP) to address all remaining technical design comments. It should be noted that the final project SWPPP must carefully consider input from the New York State Attorney General – Office of the Watershed Inspector General, providing that such comments do not conflict with nor exceed requirements of the NYC DEP.
  - b. The Applicant shall address all outstanding comments related to the design of water supply and sanitary sewer infrastructure both on and off-site, including:
    - i. Address necessary revisions to the wastewater engineering report related to capacity at the Heritage Hills Wastewater Treatment Plant (WWTP) as referenced to the December 9<sup>th</sup>, 2016 Consulting Town Engineer memorandum.
    - ii. Provide legal agreements for the operation, inspection and maintenance of the proposed water distribution and sanitary sewer infrastructure located within the subdivision intended to be dedicated to the Heritage Hills Sewer Works and Water Works Corporations upon the completion of construction.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

- iii. Provide a performance surety for proposed work related to water and sanitary sewer infrastructure improvements intended for dedication to the Heritage Hills Water Works and Sewer Works Corporations. The amount of such surety shall be based upon cost estimate prepared by the Applicant's Engineer for review and approval by the Heritage Hills Utility in conjunction with Consulting Town.
  - iv. Provide documentation of water main and sanitary sewer extension approvals from the Westchester County Department of Health.
  - c. Provide sufficient detail to describe the proposed layout and installation of infrastructure for the site geothermal systems and their interaction with other proposed site utilities.
  - d. Consider the installation of cape cod style curbing along proposed driveways located in proximity to regulated wetlands and wetland buffer areas consistent with the recommendations of the Town of Somers Open Space Committee.
  - e. Provide supplemental detail to describe the proposed development earthwork management plan including field identification and management of potential colloidal soils.
  - f. Provide existing easement documents for the 50 foot wide access easement shown along the proposed alignment of "Road E"
4. The Applicant shall obtain Realty Subdivision Approval of the proposed subdivision from the Westchester County Department of Health (WCDOH) and the Final Plat drawing shall bear such approval from the WCDOH, as required prior to signing of the Final Subdivision Plat by the Planning Board chairman.
- L
5. The Applicant shall provide documentation of having received outside agency approval from the New York City Department of Environmental Protection for the following permits and approvals:
- a. Approval of SWPPP
  - b. Approval of Pump Station & Sanitary Sewer District Extension
6. All easements and agreements between the Applicant and the neighboring Somers Town Center shopping center shall be finalized to allow for the proposed development and documented to the Town of Somers.

- 1 7. The Applicant shall provide all draft access easement documents and any  
2 required utility easements documents for review and acceptance by the  
3 Town Attorney and Consulting Town Engineer.  
4
- 5 8. The Applicant shall obtain review and approval by the Bureau of Fire  
6 Prevention for the hydrant placement with respect to the street curb and  
7 the sidewalk.  
8
- 9 9. The Applicant shall produce draft Homeowners Association (HOA)  
10 agreement documents that address maintenance and repair of common  
11 infrastructure including roadways, water service laterals, sanitary sewer  
12 connections and stormwater system improvements. Members of the  
13 Homeowners Association shall share all costs of the Homeowner's  
14 Association including without limitation, the costs of owning and  
15 maintaining the Common Driveways, sidewalks and recreation areas,  
16 stormwater collection structures and management practices and other  
17 utility facilities described above.  
18
- 19 10. A performance bond/security shall be provided to cover the cost of soil  
20 erosion and sedimentation control measures on the site during the course  
21 of construction. The above stated security shall be based upon  
22 construction cost estimate prepared by the Applicant and determined to be  
23 acceptable by the Town Consulting Engineer and Principal Engineering  
24 Technician and shall be in form, sufficiency and manner of execution  
25 satisfactory to the Town Attorney and approved by the Town Board.  
26
- 27 11. An engineering inspection fee for the Subdivision shall be paid by check  
28 made payable to the Town of Somers in accordance with the Fee  
29 Schedule adopted by the Town Board. The amount of such fee shall be  
30 set after submission by the Applicant of estimated construction costs for  
31 required site improvements, as accepted by the Town Consulting  
32 Engineer and Principal Engineering Technician.  
33
- 34 12. The Applicant shall pay the required recreation fee.  
35
- 36 13. The Applicant shall reimburse the Town for any outstanding review fees,  
37 as applicable, consistent with Town Code as well as State and Local  
38 Environmental Quality Review laws.  
39  
40

41 **BE IT FURTHER RESOLVED** that the conditional granting of preliminary  
42 subdivision plat approval is also subject to compliance with the following  
43 conditions:  
44

- 45 1. All references to "the Applicant" shall include the Applicant's successors  
46 and assigns.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

**BE IT FURTHER RESOLVED** that this conditional approval of the preliminary subdivision application shall expire on June 14, 2017, if no application for final subdivision approval is submitted, unless an extension of this time period is requested by the Applicant prior to the expiration date of the conditional approval, and approved by the Planning Board in accordance with §150-12.N of the *Code of the Town of Somers*.

This resolution shall have an effective date of December 14, 2016.

**BY ORDER OF THE PLANNING BOARD  
OF THE TOWN OF SOMERS**

\_\_\_\_\_  
**John Currie, Chairman**

\_\_\_\_\_  
**Date**

**CERTIFICATION**

I hereby certify that this is a true and correct copy of Resolution #2016-15 adopted by the Town of Somers Planning Board granting of Conditional Preliminary Subdivision Approval to Somers Crossing LLC for Somers Crossing at a meeting held on December 14, 2016.

\_\_\_\_\_  
**Syrette Dym, AICP  
Director of Planning**

\_\_\_\_\_  
**Date**

PLANNING AND ENGINEERING DEPARTMENTS

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

**Town of Somers**

WESTCHESTER COUNTY, N.Y.

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

Steven Woelfle  
Principal Engineering Technician  
swoelfle@somersny.com



Syrette Dym, AICP  
Town Planner  
sdym@somersny.com

**MEMORANDUM**

**TO: Planning Board**

**FROM: Syrette Dym, Director of Planning**

**DATE: December 7, 2016**

**RE: Tamarack and Vine Preliminary Subdivision Application – 80 Route 6, Somers, NY; Tax Lot: 16.07-1-1**

The following documents were submitted to the Planning Board by letter of November 30, 2016 from Zarin & Steinmetz received the same date in the Planning and Engineering office:

- Subdivision Plans (16 sheets) prepared by Zarecki & Associates, LLC last revised November 11, 2016 including the following
  - Cover Sheet, Sheet 1
  - Overall Layout/Landscape Planting Plan, Sheet 2
  - Final Subdivision Plat, Sheet 3
  - Final Subdivision Plat, Sheet 4
  - NYSDEC Freshwater Wetlands Validation Map, Sheet 5
  - Grading & Drainage Plan, Sheet 6
  - Grading & Drainage Plan, Sheet 7
  - Drainage Profiles, Sheet 8
  - Septic Plan, Sheet 9
  - Construction Phasing Plan, Sheet 10
  - Erosion & Sediment Control Plan, Sheet 11
  - Erosion & Sediment Control Plan, Sheet 12
  - Slopes Plan, Sheet 13
  - Slopes Plan, Sheet 14
  - Site Details, Sheet 15
  - Site Details, Sheet 16

- Conventional Subdivision Layout dated 10/14/16 – Sheet 1 of 1 by Zarecki & Associates L.L.C.
- Stormwater Pollution Prevention Plan Report with Watershed Maps, dated November 30, 2016, prepared by JT Chase Engineering, PLLC
- Abbreviated Conventional Subdivision Report, dated November 30, 2016, by JT Chase
- Letter from Zarecki dated November 23, 2016 in response to Syrette Dym Comment letter of September 30, 2016
- Letter from Zarecki dated November 23, 2016 I response to New York City Department of Environmental Protection comment letter of April 6, 2016
- Letter from Zarecki dated November 23, 2016 in response to September 30, 2016 Woodard & Curran memorandum
- Letter from JT Chase dated November 30, 2016 in response to Woodard & Curran memorandum
- Revised Full EAF
- Draft Declaration of Easements, Covenants and Restrictions relative to Stormwater Management System
- Draft Common Driveway Easement Declaration.

### **Conventional Subdivision**

At its meeting of October 4, 2016, the Planning Board made it clear to the applicant that they would have to submit a conventional subdivision layout proving that four lots were achievable under zoning as the basis for their desired four lot conservation subdivision.

In response to that comment, the Applicant has submitted the Conventional Subdivision Layout dated October 14, 2016. A zoning Bulk Table has been provided to help identify whether or not the conventional lots meet the requirements of the R40 Residence District. As seen in the bulk table, with the exception of “Width at Front Lot Line” for Lot 2 where 119 feet is provided and 150 feet is required, the lots appear to comply with the required regulations. The bulk table notes that the Planning Board may reduce the frontage requirement to no less than 50’ (actually reads “not less than 1/3 of the width requirement” which is 150 feet in the R40 district), for lots fronting on a permanent turnaround . What it does not add is that this discretion is only permitted provided that “the full minimum width requirement is met at the front yard setback”, i.e., at 40 feet in the R40 district. It appears that this criterion is met, but the measurement should be verified by the applicant. Once verified, the Planning Board will have to approve this reduction.

What the bulk table does not provide is the lot size once environmental features are subtracted to ensure that each lot complies with the required minimum of 40,000 square feet. In a conversation of December 6, 2016 with Richard Zapp of Zarecki Associates, LLC, the Planning Director requested that these calculations be provided. On receipt of these calculations, which are attached, it became clear that all lots meet the minimum required lot size.

## **Wetlands**

As requested, the wetlands boundaries were recertified by NYS DEC on September 23, 2016, with such verification expiring on September 23, 2021. These boundaries are shown on Sheet 5.

## **Conservation Subdivision Final Plat**

The cover Sheet lists the total lot acreage as 19.859 acres. However, when the acreage of all lots and the A and B Conservation parcels are added, it only equals 19.8 acres. Is this due to rounding of decimal places even though each acreage calculation was taken out to three decimal places?

For each of the four proposed building lots, a total area in square feet and acres is provided to be compared with a specified maximum development area which is considerably less in each case. The plat, however, does not indicate how maximum development area was arrived at in that it does not reflect subtraction of environmental features existing on each lot and/or subtraction of deed restricted areas on each lot. In a phone conversation of December 6, 2016, the Planning Director asked Richard Zapp to provide an understanding of how this calculation was determined.

## **EAF**

The EAF has been revised to reflect the modifications in the project.

There are two items, however, that need greater detail and information. The SEQOR mapper has indicated that there is the potential for endangered or threatened species to be encountered on the site. Those species need to be identified by the Applicant so any conditions necessary to protect those species can be incorporated into conditions of the subdivision approval.

Second, the mapper has indicated the potential presence of archeological sites on the property. More information needs to be provided to assess whether further study of the site prior to approval needs to be undertaken or whether special procedures need to be undertaken when construction begins. The first would consist of a Phase 1 Archeological Survey and then a possible Phase 2 assessment. The second approach would be after findings of a Phase 1 study, if necessary, to have an archeological historian on site during construction of disturbed areas to determine if significant artifacts need to be retrieved.

## **Response to Comments in Memorandum of September 30, 2016**

Comment #1. Addressed.  
Comment #2. Addressed  
Comment #3. Addressed  
Comment #4. Addressed  
Comment #5. Addressed

Comment #6. Addressed

Comment #7. Addressed

### **Conservation Subdivision Required Modifications**

As stated in the Zarin & Steinmetz cover letter of November 30, 2016, the changes from the conventional subdivision required by the conventional subdivision are twofold. The first is the provision of a common driveway rather than a 24 foot wide Town Road for access. The second as stated in the letter is a reduction of the required "100" foot required lot frontage for Lots 2 and 3 to frontage of 25.31 feet and 75.93 feet respectively. Therefore, the applicant is requesting not only a reduction from the required 150 foot frontage required in a conventional plan down to the permitted 100 foot frontage of a conservation subdivision, but an additional 74.69 feet for Lot 2 and additional 24.07 feet for Lot 3. Such reduction is permitted on a case-by-case basis as determined by the Planning Board pursuant to Seciton170-13.3D. (1) of the Town Code.

### **Justification for Conservation Subdivision**

As stated at previous Planning Board meetings, 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 Section170.13.2 (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 24 foot Town road and cul-de-sac reducing impervious coverage by 6,000 square feet.
2. Preservation of 9.53 acres of permanent open space through creation of Conservation Parcels A and B.
3. For conservation Parcel A, this preserves approximately 1.75 acres of slopes over 25% and, in some cases, those over 35%.
4. For Conservation Parcel A, approximately 0.5 acres and for Conservation Parcel B approximately 1.25 acres are encumbered by Town and DEC regulated wetlands and associated 100 foot buffers which will be protected in perpetuity.

The Planning Board needs to determine whether preservation of the above areas meet the criteria for granting of a conservation subdivision.

Cc: Joe Barbagallo  
Rob Wasp  
Roland Baroni  
Richard Zapp, Jr.  
Jody Cross

**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Instructions for Completing Part 1**

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

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

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

**A. Project and Sponsor Information.**

Name of Action or Project: New York State Early Warning Weather Detection System, Somers Station		
Project Location (describe, and attach a general location map): 62 Granite Springs Road, Granite Springs, NY 10527		
Brief Description of Proposed Action (include purpose or need): The New York State (NYS) Mesonet Early Warning Detection System is an advanced, statewide weather station network designed to measure weather observations around New York State. This network will consist of up to 125 surface weather stations that will detect weather phenomena across the entire state. This weather detection system will provide federal, state, and local communities with access to high-resolution, real-time data, and more robust predictive models.  This project will consist of one (1) 33' tower in an open field at Stuart's Fruit Farm in the Town of Somers. The 33' tall tower will be centered within a 33' x 33' plot of land enclosed by a feed lot (cattle guard) fence. The tower will be on a 25.2 square foot foundation, equipped with measuring devices. Within the fenced area will hold a rain gauge, solar equipment and battery equipment cabinet to power the site.		
Name of Applicant/Sponsor: NYS Mesonet/The Research Foundation of the State University of New York		Telephone: (518)442-MESO E-Mail: ekane@albany.edu
Address: Lecture Center SB 28, 1400 Washington Avenue		
City/PO: Albany	State: NY	Zip Code: 12222
Project Contact (if not same as sponsor; give name and title/role): Meredith Smith Mathias, AICP		Telephone: (518)791-0053 E-Mail: msmith@pyramidns.com
Address: 11 River Road		
City/PO: Glenmont	State: NY	Zip Code: 12077
Property Owner (if not same as sponsor): Robert Stuart		Telephone: (914)245-2784 E-Mail:
Address: 62 Granite Springs Road		
City/PO: Granite Springs	State: NY	Zip Code: 10527

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Somers Planning Board	October 2016
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	SHPO Review, SUNYRF, NYS Division of Homeland Security and Emergency Services	Spring 2016
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	FEMA Approval	Spring 2016
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

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

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

**C.2. Adopted land use plans.**

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

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

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

If Yes, identify the plan(s):  
 NYC Watershed Boundary

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

If Yes, identify the plan(s):

Property preserved through an easement held by Westchester Land Trust, funded in part by Somers Land Trust, Scenic Hudson, Westchester County and Town of Somers.

**C.3. Zoning**

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
R120
- b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No
- c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

- a. In what school district is the project site located? Somers Central School District
- b. What police or other public protection forces serve the project site?  
NYS Police, NYCDEP, Westchester County Sheriff's Department, Town of Somers Police Dept.
- c. Which fire protection and emergency medical services serve the project site?  
Somers Volunteer Fire Department
- d. What parks serve the project site?  
N/A

**D. Project Details**

**D.1. Proposed and Potential Development**

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Weather station to monitor and collect localized weather data
- b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ 70.48 acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ .025 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ 70.48 acres
- c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_
- d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_  
ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? \_\_\_\_\_  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_
- e. Will proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: \_\_\_\_\_ months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

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

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,  
 i. Total number of structures 1  
 ii. Dimensions (in feet) of largest proposed structure: 30 height; 1' width; and \_\_\_\_\_ length  
 iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ N/A square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,  
 i. Purpose of the impoundment: \_\_\_\_\_  
 ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_  
 iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_  
 iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres  
 v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length  
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:  
 i. What is the purpose of the excavation or dredging? Foundations for Tower and Solar Cabinet  
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  
 • Volume (specify tons or cubic yards): +/- 10 yards  
 • Over what duration of time? 1.5 days  
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  
Native grass and soils  
 iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 v. What is the total area to be dredged or excavated? \_\_\_\_\_ .0057 acres  
 vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ .025 acres  
 vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ 4.5 feet  
 viii. Will the excavation require blasting?  Yes  No  
 ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
Spoils from foundation will be retained on-site and used within the existing property.

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:  
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

iii. Will proposed action cause or result in disturbance to bottom sediments?  Yes  No  
 If Yes, describe: \_\_\_\_\_

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

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

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

---

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

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

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

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

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

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

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

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

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

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

---

d. Will the proposed action generate liquid wastes?  Yes  No  
 If Yes:

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

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

\_\_\_\_\_

\_\_\_\_\_

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

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

• Do existing sewer lines serve the project site?  Yes  No  
 • Will line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

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

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

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)  
 ii. Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 • Will stormwater runoff flow to adjacent properties?  Yes  No

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

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No  
 If Yes:  
 i. Estimate methane generation in tons/year (metric): \_\_\_\_\_  
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No  
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No  
 If Yes:  
 i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_  
 ii. For commercial activities only, projected number of semi-trailer truck trips/day: \_\_\_\_\_  
 iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_  
 iv. Does the proposed action include any shared use parking?  Yes  No  
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

---

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No  
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No  
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No  
 If Yes:  
 i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Will the proposed action require a new, or an upgrade to, an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.  
 i. During Construction:  
 • Monday - Friday: \_\_\_\_\_ 8am-5pm \_\_\_\_\_  
 • Saturday: \_\_\_\_\_  
 • Sunday: \_\_\_\_\_  
 • Holidays: \_\_\_\_\_  
 ii. During Operations:  
 • Monday - Friday: \_\_\_\_\_ 3-5 times annually \_\_\_\_\_  
 • Saturday: \_\_\_\_\_  
 • Sunday: \_\_\_\_\_  
 • Holidays: \_\_\_\_\_

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 \_\_\_\_\_

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

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:  
 \_\_\_\_\_

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally describe proposed storage facilities: \_\_\_\_\_

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 • Operation: \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 • Operation: \_\_\_\_\_

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: \_\_\_\_\_ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: \_\_\_\_\_

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

**E. Site and Setting of Proposed Action**

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

a. Existing land uses.

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

- Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)
- Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Coverture	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)	70.48	70.455	.025
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

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

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
\_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_  
\_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply;  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_  
\_\_\_\_\_

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

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

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 0-5 feet

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

c. Predominant soil type(s) present on project site: Paxton Fine Sandy Loam \_\_\_\_\_ 100 %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 5-8 feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ 100 % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

---

h. Surface water features.

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

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No  
 If Yes to either i or ii, continue. If No, skip to E.2.i.

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

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

- Streams: Name 864-120, 864-124 Classification C
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size NYS Wetland (in a...)
- Wetland No. (if regulated by DEC) A-13

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

---

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

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

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

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: Principal Aquifer

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
fox, coyote, deer, squirrel, skunk, \_\_\_\_\_  
bird species, chipmunk, porcupine \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
If Yes:  
i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
ii. Source(s) of description or evaluation: \_\_\_\_\_  
iii. Extent of community/habitat:  
• Currently: \_\_\_\_\_ acres  
• Following completion of project as proposed: \_\_\_\_\_ acres  
• Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
Bald eagle, Bog Turtle, Indiana Bat & New England Cotton Tail are identified to be known to exist in Westchester County by US Fish & Wildlife.

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

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_

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

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
If Yes, provide county plus district name/number: WEST001

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
i. If Yes: acreage(s) on project site? \_\_\_\_\_  
ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
If Yes:  
i. Nature of the natural landmark:  Biological Community  Geological Feature  
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
If Yes:  
i. CEA name: \_\_\_\_\_  
ii. Basis for designation: \_\_\_\_\_  
iii. Designating agency and date: \_\_\_\_\_

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
<hr/>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
<hr/>	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
<hr/>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

**F. Additional Information**

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

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

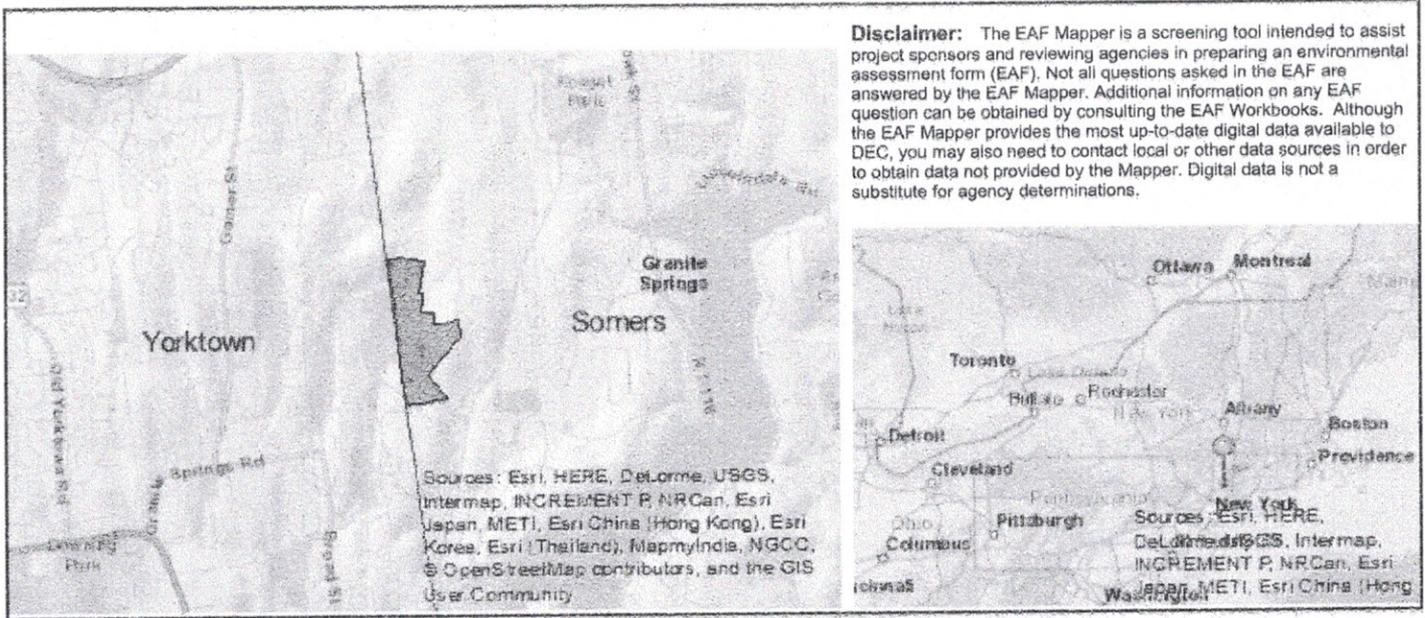
**G. Verification**

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

Applicant/Sponsor Name NYS Mesonet Date 10/24/16

Signature Meredithe S Mathias Title Project Manager

**PRINT FORM**



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts, Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYC Watershed Boundary
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete, Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	864-120, 864-124
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):157.1
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	A-13

E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	WEST001
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

**TOWN OF SOMERS  
PLANNING BOARD  
APPLICATION FOR SITE PLAN APPROVAL**

**I. IDENTIFICATION OF APPLICANT:**

A. Owner: Robert Stewart Applicant: Pyramid Network Services  
 Address: 62 Granite Springs Rd. Address: 11 River Rd., Calenmont, NY 12017  
 Tele #: 914-245-2724 Tele #: 518-462-1483  
 B. Architect: N/A Engineer: Mission 3 Communications  
 Address: \_\_\_\_\_ Address: 6355 Constitution Dr, Site A, Fort Wayne, IN 46804  
 Tele #: \_\_\_\_\_ Tele #: \_\_\_\_\_  
 C. Surveyor: Dr. Dickerson + Assoc. Tele #: 360-410-0852  
 Address: 7 Icaquis St, Lake George, NY 12845 Tele #: 518-668-4676

**II. IDENTIFICATION OF PROPERTY:**

A. Identifying Title: Stewart Fruit Farm Weather Station  
 B. Tax Map Design: Sheet: 26.11 Block: 1 Lot(s): 2  
 C. Zoning District: R120  
 D. Street which property abuts: Granite Springs Road  
 E. Does property connect directly into State or County highway? No  
 F. Is site within 500 feet of Town Boundary? No  
 G. Total area of site: 70.48 acres Area of site activity: .025 acres  
 H. Site coverage: .025 % Building coverage: N/A %  
 I. Affected Wetland Area: N/A Wetland Buffer Area: N/A %  
 J. Affected Steep Slope Area: 15%-25%: N/A Over 25%: N/A *see attached FEMA Report*  
 K. Existing building size: \_\_\_\_\_ New/additional building size: N/A  
 L. Existing parking spaces: \_\_\_\_\_ New parking spaces: N/A

**III. APPLICATION FEE:**

\$500 base fee plus \$50 per 1,000 sq. ft. or part thereof plus \$25 per parking space to be paid by certified check to the Town of Somers.

Wetland Permit Fee: \$200 min. fee + \$100 per 5,000 sf. of regulated area or proposed area to be disturbed.

Steep Slope Fee: \$150 min. fee + \$75 per 10,000 s.f. of regulated area or proposed area to be disturbed.

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

Total Fee: \$1600 Date Paid: \_\_\_\_\_

**IV. DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION:**

- Submit 14 copies of all correspondence and plans to the Planning Board.
- A. 14 copies of Site Plan with north arrow and location map drawn to scale of 1" = 1,000'.
- B. Survey Map defining precise boundaries of property.
- C. Copies of all existing and proposed deed restrictions or covenants applying to the property, including covenants and agreements restricting use, and establishing future ownership and maintenance responsibilities for all private roads, recreation and open space areas.
- D. Preliminary Architectural Drawings to be submitted to Planning Board prior to public hearing for referral to Building Inspector and Architectural Advisory Review Board.
- E. Environmental Assessment Form.
- F. Proof that taxes have been paid.

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, State Environmental Quality Review (SEQR) and Environmental Quality Review, Wetland and Steep Slope Ordinances of the Town of Somers.

All revised plans shall be accompanied by a letter indicating what changes were made. All costs incurred by the Town for professional services and SEQR review will be paid by the applicant.

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 property shall be identified on site as being proposed for site plan approval.

Gladys Ferguson Decker  
 Signature of Applicant

Date: 10/17/16

Robert Stewart  
 Signature of Owner

Date: 10/20/16



December 2, 2016

Town of Somers  
Somers Town House  
335 Route 202  
Somers, NY 10589  
Attn: Syrette Dym, Director of Planning

**Re: NYS Mesonet Station, Stuart's Fruit Farm, 62 Granite Springs Road  
Response to Comments Received**

Dear Ms. Dym,

In response to the two review letters we received on November 3<sup>rd</sup> and 4<sup>th</sup> from the Town of Somers, we offer the following responses and items resubmitted:

**Documents Re-Submitted:**

- Construction Drawings
- Structural Report
- Long Form EAF
- Site Plan Application

**November 3, 2016 Letter from Syrette Dim, Director of Planning**

1. The address has been corrected on the Construction Drawings and Structural Analysis Report to 62 Granite Springs Road.
2. Items A-C on the Long Form EAF have been corrected.
3. The Site Plan Application has been revised as per the correct acreages and areas of disturbance.

**Comment regarding tower maintenance:**

As discussed at the Planning Board meeting on November 9<sup>th</sup>, the Mesonet station is designed to be folded over allowing the technicians to access the instruments on the top of the tower. This tower is to be visited approximately 3-5 times annually by technicians, and the tower will be regularly inspected and maintained during these visits.

**November 4, 2016 Letter from Robert Wasp, P.E. on behalf of Josephy C. Barbagallo, P.E.**

1. Limits of disturbance and a construction staging area have been added to the Construction Drawings, Page C-5.

2. Although the construction will not require the preparation of a storm water pollution prevention plan (SWPPP), we offer the following comments:
  - a. A silt fence will be placed around the perimeter at the limit of disturbance line to contain any possible storm water runoff.
  - b. Any spoils generated from the construction of the foundations will be disposed of on-site. The Mesonet station is to remain in an undisturbed state as much as possible to provide for the most accurate data collection of local conditions. The area within the tower compound will be left to regrow naturally and stone will not be utilized in and around the compound.
  - c. The construction schedule for the development of the station is as follows:
    - o Estimate 1.5-2 weeks construction time from receipt of building permit from Town of Somers.
    - o Work times: 8am-5pm, Monday – Friday.
    - o Day 1: Delivery of equipment, excavation of tower and solar pad foundation
    - o Day 2: Tower Foundation, Solar Pad foundation construction, concrete pour
    - o Day 3: Rain Gauge installation, tower installation
    - o Day 4: Solar equipment delivery and installation
    - o Day 5: Equipment installed on tower.
    - o Day 6: Fence installation
    - o Day 7: Mesonet system testing and readiness
  - d. The installed silt fences will be inspected daily and removed after Day 6 when the fence is installed and the overall construction is complete. In the event of a heavy rain storm with potential runoff the silt fence will be checked and cleared of any dirt and debris to prevent compromise of the fence.
3.
  - a. Confirmed; the weather station will only be solar powered and not connected to any other source of electrical service.
  - b. The solar panel is installed at an angle that snow accumulation will slide off the panels and not impede the power generating function of the panels.
4. The nearby locally regulated wetlands were discussed at the November 9<sup>th</sup> meeting; it was determined the facility is in far enough proximity, and our proposed storm water protection measures will ensure there will be no negative impact on the wetlands.
5. No new lighting is proposed at the Mesonet station.
6. Detail on Page C-10 revised.
7. See comment above regarding tower maintenance.
8. The issue of Tower Abandonment was discussed at the November 9<sup>th</sup> meeting, within the Land Use Permit Agreement between Stuart's Fruit Farm and The Research Foundation of the State University of New York (facilitator of NYS Mesonet), if the station ceases operation, Mesonet has one (1) year to remove the structures entirely. This was found to be satisfactory with the Planning Board.

We hope the above satisfies the board regarding our review.

Sincerely,

*Krissy Grugan Donohue*

Krissy Donohue  
Project Manager, Pyramid Network Services  
Contractor for Mesonet  
11 River Road  
Glenmont, NY 12077  
(973)907-0585  
kdonohue@pyramidns.com

# NEW YORK STATE MESONET



**SOMERS**  
**62 GRANITE SPRINGS ROAD**  
**GRANITE SPRINGS, NY 10527**

**Project Information**  
 SITE NAME: SOMERS  
 SITE ADDRESS: 62 GRANITE SPRINGS ROAD  
 GRANITE SPRINGS, NY 10527  
 LATITUDE: 41° 15' 27.337" (N, 43.2602064)  
 LONGITUDE: -73° 46' 1.596" (W, 73.7671096)

**Project Directory**  
 OWNER: NEW YORK STATE MESONET  
 APPROVAL: NEW YORK STATE MESONET  
 CONTACT: EDUARD BRODZIE  
 (516) 442-6372  
 PROJECT MANAGER: PYRAMID NETWORK SERVICES  
 11 RIVER ROAD  
 GLENMOUNT, NY 10077  
 CONTACT: KRISSEY GRAHAM DONAHUE  
 OFFICE (516) 462-5463  
 ENGINEER: MISSION 1 COMMUNICATIONS  
 1000 CONSTRUCTION DRIVE  
 SUITE 100  
 FORT WAYNE, OH 46884  
 CONTACT: SCOTT HARTMAN  
 CELL (260) 410-0562

**Drawing Index**

DWG#	TITLE	REV#	REV DATE
0-1	TITLE SHEET	1	11/14/2016
0-1	GENERAL NOTES & LEGEND	1	11/14/2016
0-2	AERIAL MAP	1	11/14/2016
0-3	OVERALL SITE PLAN	1	11/14/2016
0-4	SITE PLAN	1	11/14/2016
0-5	ENLARGED SITE PLAN	1	11/14/2016
0-6	TOWER SELECTION	1	11/14/2016
0-7	FOUNDATIONS DETAILS	1	11/14/2016
0-8	UTILITY SHIELD SUPPORT DETAIL	1	11/14/2016
0-9	FENCE ELEVATION	2	12/05/2016
1-1	ELECTRICAL SITE PLAN	1	11/14/2016
1-2	LANDSCAPE PLAN	1	11/14/2016
1-3	DRAINING DETAILS	1	11/14/2016
1-4	DRIVING DETAILS	1	11/14/2016



Location Map (1" = 1000')

Vicinity Map (N.T.S)

Received And Accepted	
SITE REPRESENTATIVE	RECEIVED
LANDOWNER	ACCEPTED
	RECEIVED
	ACCEPTED



CALL TOLL FREE  
 PHONE (800) 862-7822



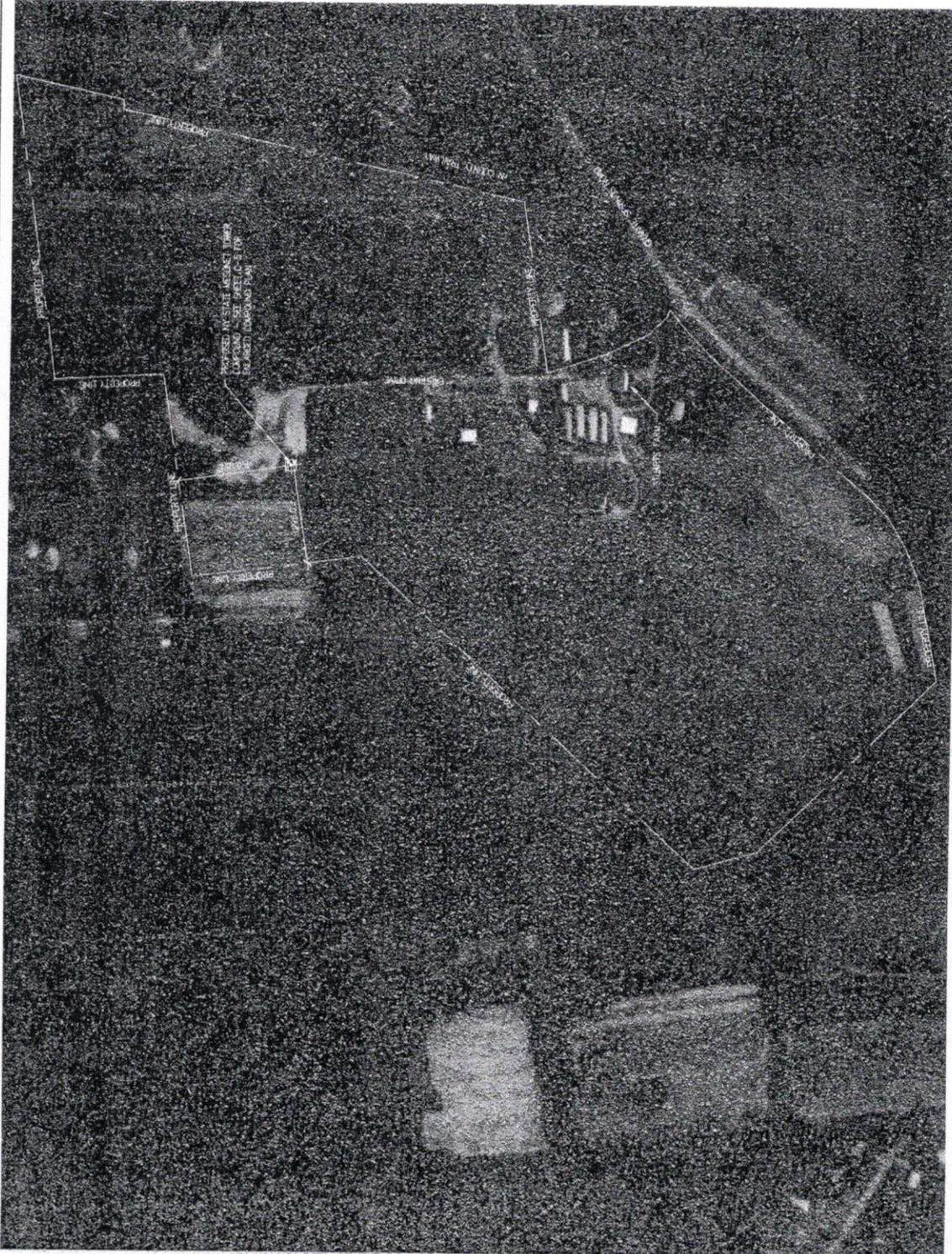
T-1

TITLE PAGE  
 SOMERS  
 62 GRANITE SPRINGS ROAD  
 GRANITE SPRINGS, NY 10527



NO.	DATE	BY	CHK	APP'D
1	11-20-16	WJURY/DETA		
1	11-14-16	ADDRESS / CIVIL INFORMATION		
1	10-21-16	PROPERTY LINES AND STRUCKS ADDED		
1	10-21-16	SPILT SUPPORT DIMO		
1	07-20-16	ISSUED FOR REVIEW		
NO.	DATE	BY	CHK	APP'D
				REVISIONS





**AERIAL MAP**

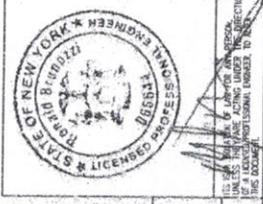
1" = 300'

0 100' 200' 300'

NORTH



CALL TOLL FREE  
PHONE (800) 368-5862



**C-2**

**AERIAL MAP**

**SOMERS**  
62 GRANITE SPRINGS ROAD  
GRANITE SPRINGS, NY 10527



**MISSION 1**  
6995 Convent Road, Suite A  
Pittsford, NY 14534

NO.	DATE	REVISIONS	BY	CHK	APP'D.
2	12-10-15	UTILITY RETAIL	SR	SR	
1	11-14-15	ADDRESSES / DATE INFORMATION	SR	SR	
0	10-23-15	PROPERTY LINES AND SETBACKS ADDED	CAH	SR	
0	10-22-15	SELF SUPPORT TOWER	CAH	SR	
0	10-09-15	ISSUED FOR REVIEW	CAH	SR	
			BT	DMK	APP'D.