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PLANNING DEPARTMENT

TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

Town of Somers

WESTCHESTER COUNTY, N.Y.

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

SOMERS PLANNING BOARD
AGENDA
MARCH 25, 2015
7:30 P.M.

MINUTES Consideration for approval of Draft Minutes for February 11, 2015.

DISCUSSION AND REVIEW

1. **SOMERS CROSSING [TM: 17.15-1-15.1]**
   Discussion and review of technical comments from Town consultants regarding the DEIS for Somers Crossing and decision if additional comments are needed from the Planning Board.

Next Planning Board Meeting is Wednesday April 8, 2015
Agenda information is also available at www.somersny.com

NEW YORK STATE OF OPPORTUNITY. | Parks, Recreation and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

RECEIVED
MAR 12 2015
OFFICE OF THE SUPERVISOR
TOWN OF SOMERS

EC - TBTCTA
Town Planner
R. O'Rourke
3/16/15 bjb

March 11, 2015

C - PB
TP
LTE
Applicant
Consultant

Mr. Rick Morrissey
Town Supervisor
Town of Somers
335 Route 202
Somers, NY 10589

RECEIVED
MAR 16 2015
PLANNING ENGINEERING
TOWN OF SOMERS

800

Re: SEQRA
Somers Crossing (25 acre site)
307 NYS Route 100
13PR03018

Dear Supervisor Morrissey:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP) regarding the Somers Crossing project under the New York State Environmental Quality Review Act (SEQRA). As you know the role of this office in the SEQRA process is to provide the Lead Agency with comments relative to potential historic preservation concerns as part of its assessment of potential environmental impacts that may be associated with local discretionary reviews.

The proposed Somers Crossing project is located in proximity to a number of resources either listed on or eligible for listing on the State and National Register of Historic Places— the Somers Hamlet Historic District, the St. Luke's Episcopal Church complex, and the Somers Central School—in addition to one National Historic Landmark (NHL), the Elephant Hotel, which is located within the district. In this instance the potential impacts of the project appear to be indirect and visual in nature. As such our office recommends that steps be taken to minimize these impacts, which could adversely impact the setting of these various resources; particular emphasis should be given to protecting the setting of the Elephant Hotel, given its NHL status as a nationally significant property. In reviewing the materials submitted as part of the DEIS, it appears that consideration has already been given to assessing these potential adverse impacts as part of the planning process.

Our office has no further concerns with archaeology relative to the proposed project.

Please note that if any state or federal agencies are now or otherwise become involved in this project, further review may be required in accordance with section 14.09 of the New York State Parks, Recreation and Historic Preservation Law or Section 106 of the National Historic Preservation Act of 1966. If you have further questions, please feel free to call me at (518) 268-2167, or via email at William.Krattinger@parks.ny.gov.

Sincerely,

William E. Krattinger
Historic Preservation Program Analyst

via e-mail only

C
PB
TP

RECEIVED
MAR 19 2015
PLANNING ENGINEERING
TOWN OF SOMERS

804

TIM MILLER ASSOCIATES, INC.

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

March 18, 2015

Supervisor and Members of the Somers Town Board
Somers Town Hall
335 Route 202
Somers, New York 10589

RE: Somers Crossing - Draft Environmental Impact Statement, dated 2/12/15
SEQRA Technical Review

Dear Supervisor:

Tim Miller Associates, Inc. (TMA) has received the accepted Draft Environmental Impact Statement (DEIS) for the Somers Crossing project, dated February 12, 2015, and we have reviewed the content of the document relating to the human resource sections. The following comments are derived from our review and should be further explained to your Board's satisfaction in a Final EIS.

Project Description

1. A 50-foot access easement through the south end of site is proposed to remain within which the project access drive is proposed. The applicant should contact the owner of the adjoining land to inform the Town of any intention of future use of the adjoining land that would necessitate use of this access ROW and the possible extent of such use.

2. DEIS states the adjacent land to the south and west is "unlikely to be developed," and has "limited development potential." Demonstrate this conclusion, including providing a topo map and site constraints study for that parcel. Or provide such statement or study from the parcel owner. The lack of development potential of the neighbor's property should be demonstrated before the Town approves of a reduction in the 100' required setback on the south and west sides.

3. Why doesn't the proposed plan exercise the existing access easement through the Towne Centre property to provide connectivity of the adjoining land uses in true Hamlet or Village Center fashion? Modern sustainable design practice (also known as labels such as Traditional Neighborhood Design, New Urbanist, Neighborhood Development, Sustainable Sites) for a hamlet or village advocates connectivity via walking paths and bicycle paths in addition to vehicle access to improve the health of the community. How will this project connect to the rest of the hamlet?

4. What is the appropriate wellhead protection area around the existing nearby (active) well on the Towne Centre property that is required by County or State health department standards? How is the project providing appropriate protection of this water source?

Zoning

5. The proposed zoning advocates "shopping opportunities for the residential development in the proposed district." The project as proposed relies on the major roadways to connect the shopping to the residences. How does the proposed zoning promote hamlet connectivity between the residential component and grocery store and to the project's neighbors?

6. The DEIS states, "Section 170-13 of the Zoning Code sets forth as its purpose that multifamily residence [MFR] districts be *'established in order to provide suitable opportunities within the Town for the development of housing designed to satisfy the needs of households maintained by the young, the elderly and families earning less than 80% of the county's median income, and to permit a broad array of housing types, dwelling unit sizes and forms of ownership/occupancy'"*. [DEIS page III.B-5] The affordability component as identified for the Town's MFR districts has been eliminated from the proposed MFR-DH zone. How can the Town enact a new subsection of zoning that is clearly inconsistent with the stated purpose for establishing the MFR district?

7. Both the Town's Comprehensive Plan and the Westchester County 2025 Plan call for the implementation of affordable housing in the Town of Somers. We understand that there are other alternative housing types and affordable units proposed or being provided in the Town. Explain how "the affordability needs of present and future residents" as identified in §170-13 for the MFR districts can be satisfied by implementing the proposed project at this site and other projects in the hamlet.

8. The DEIS states that providing a retail grocery store as a community benefit offsets the effect of not providing affordable housing. How do the benefits of one parallel the effects of the other?

Community Services

9. A written response from the Somers Fire Department, specifically with regard to maneuverability of fire trucks internal to the site, adequacy of site access, and sufficiency of water supply and pressure should be provided.

10. Illustrate sufficient turning radius for emergency service vehicles including fire trucks on the site plan for the proposed access locations.

11. Provide a written response from the Somers School District as to the prospect of permitting a school bus stop along the private roads within the Somers Crossing development instead of on Route 100.

12. Alternatively, provide a written commitment from the School District to both pick up and discharge students from Route 100 Southbound to prevent the need for students to cross Route 100 to utilize the bus. A pull off area for school bus loading and unloading on Route 100 could be incorporated into the entrance design of the Route 100 residential access location.

13. Even if the internal roads will be private roads, a dedication of town maintained road at the entrance with a loop turnaround to facilitate bus ingress and egress could be considered.

Open Space & Recreation

14. Explain how the proposed walking trail will provide suitable access between the residences, the grocery store, and the Towne Centre. Will it be available in winter? At night? Based upon the likelihood of using a cart to transport groceries between the residential area and the proposed grocery, explain whether a pervious path will adequately facilitate pedestrian use of the grocery store. Will the proposed pervious path adequately facilitate bicycle use?

15. How long is the walking route from the furthest residence to the grocery store via the proposed walking trail?

16. How will indemnification of public use of the walking trail within the dedicated open space on site be provided?

17. The proposed zoning text reads: "The Town Board shall apply the basic planning standards set forth in Subsections A(1), A(2), A(4), A(5) and A(7) to A(17) for the MFR-BP District in determining the controls for each MFR-DH District established pursuant to this section, as modified." However, the DEIS proposal omits provision of on-site recreation as required by A(14). Instead, the DEIS indicates that the applicant will provide "payment in lieu" of this lack of recreation space/facilities. There is no provision in the existing section 170-13 nor the proposed Local Law for a payment in lieu with regard to recreation.

18. Explanation of the adequacy of a payment in lieu of parkland should be provided. Does the Town want fees in lieu of an active recreation facility at this site? Is a commensurate amount of playground or other active recreation facilities available nearby in lieu of on-site recreation? How will only payment of the requisite recreation fee satisfy the recreation need of future project residents?

Fiscal

19. The analysis of impacts to the Somers School District is accurately based upon a projection of Public School Students according to the Rutgers Multipliers. This analysis results in a marginal annual benefit of $1,597 to the School District. Data from the Somers School District Business Office relative to the Willows Development indicate a similar student multiplier of 0.48 students per unit, but would result in 39 students. This small increase in the student population would negate the statement that "the proposed Project would result in a net positive impact for the taxing districts, including the Somers School District." (page III.L-10). The EIS should more accurately state that the proposed Project would result in a net positive impact for the municipal taxing districts, and is projected to generally cover costs to the School District.

Alternatives

20. Why are potential connections to the Towne Centre shown on Alternatives but not on the proposal?

21. All alternatives apply the same two assumptions as the project proposal: a 50-foot setback waiver to adjacent residential zone and no on-site active recreation facility. Some also do not demonstrate a housing mix that is envisioned for the MFR districts. If

the Town wants to consider one of the alternatives as the preferred plan (for the purpose of a reduced-impact plan) and these assumptions are not acceptable to the Town, the resulting plan would have different impacts (and likely a lower unit count) than what are presented in the DEIS Alternatives section.

22. Could the same project be achieved if the site is subdivided and then rezoned with MFR-H district applied to the south side and NS to the north side? What is the advantage to the Town of adopting the new DH district rather than this?

23. Alternative C1 shows one possible layout with the grocery store at the street line. Different configurations of this area should be studied to evaluate whether a plan could, for example: eliminate the existing Towne Centre driveway to Route 202, possibly in favor of a pedestrian alley, and route all traffic thru the new signalized intersection; connect the grocery store visually to the Towne Centre activities by facing the grocery store front door toward the Towne Centre.

24. Not mentioned in Alternative F is that pavement connections between the project and the Towne Centre would provide means and encourage pedestrian access between the two uses, not just vehicular.

Landscape / Visual

25. The Town needs a visual representation (photo sim or rendering) of the view of the grocery store and its parking from Route 202, and design details of the new entrance – would there be walls, hedges, walks, pedestrian amenities, decorative signage?

26. There is at least one dumpster and a trash compactor next door at the south side of the Towne Centre site that would need to be screened from the Somers Crossing residences. Regarding noise, what is the frequency and time of trash pickups?

Should there be any questions regarding these review comments, please contact one of us.

Yours truly,
TIM MILLER ASSOCIATES, INC.

Frederick. P. Wells, RLA
Senior Planner - Project Manager

Ann Cutignola, AICP
Senior Planner

\\\tma DEIS substance review - multi sections5.doc

C, PB TP applicant

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MAR 19 2015
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TOWN OF SOMERS

March 13, 2015

805

Ms. Syrette Dym, Town Planner
Town of Somers Town Hall
335 Route 202
Somers, NY 10589

Re: TRC Engineers, Inc. Review of Transportation Section
Draft Environmental Impact Statement
Boniello Land & Realty, Ltd. - Somers Crossing
Somers, New York

Dear Ms. Dym:

TRC Engineers, Inc. (TRC) has conducted a Review of the Transportation Section of the Draft Environmental Impact Statement (DEIS) of the proposed Somers Crossing project, dated February 12, 2015. The comments contained herein are based upon this review of the Transportation Section of the DEIS as well as the Traffic Study. The Traffic portion of the DEIS is in general conformance with the Scope of Study and follows standard traffic analysis methodology. TRC has had multiple meetings and discussions with the Applicant's Traffic Consultant during the process as well as conducted various site visits.

TRC's review included a review of the traffic volumes utilized, trip generation, capacity analyses, impacts to pedestrians/bicyclists, traffic impacts, and mitigation, among other items, as well as reviewed the Site Plan from a traffic/parking standpoint. Our comments/findings are discussed below. Some of the items below are for the Town's information and no response is necessary in the Final Environmental Impact Statement (FEIS). The technical comments/questions will need to be addressed in the FEIS.

Project Summary

The project as proposed is to consist of 80 multi-family units with access onto NY Route 100 from a new unsignalized driveway and a 19,000 square foot grocery store with access onto US Route 202 opposite Heritage Hills Drive at the existing signalized intersection. The site is adjacent to the Towne Centre at Somers Shopping Center. As currently shown, from a traffic standpoint, the site is more like two separate parcels as opposed to a mixed use project as there is no vehicular or sidewalk connection between the grocery store and

the residential portion (there is an unpaved pedestrian path) due to the wetlands in between.

A. Section III.G Transportation

1. There were eleven study locations and the Weekday AM Peak Period, the Weekday PM Peak Period and the Saturday Midday Peak Period were analyzed.
2. The base traffic volumes were from previous traffic counts and supplemented with manual traffic counts and machine traffic counts in October 2013. Thus the background traffic volumes are based upon 2013 conditions. TRC reviewed the comparison of the older traffic volumes and the 2013 volumes and the base traffic volumes are acceptable.
3. A one percent per year growth rate along with adjacent development traffic was utilized in the traffic projections. These are appropriate. An analysis year of 2018 was utilized in the DEIS. This appears appropriate.
4. The base traffic factors utilized in the capacity analyses such as the peak hour factors, lane widths, etc. are generally appropriate.
5. The arrival and departure distributions utilized appear appropriate.
6. TRC reviewed the trip generation for the site. For the residential trips, the site-generated volumes were obtained from the Institute of Transportation Engineers (ITE), as per standard practice for these types of residential facilities. For the commercial portion, the ITE information was also utilized. Commercial facilities like the one proposed can vary in their trip generation based upon the surrounding population as well as the size/type/location of competing uses. To verify the trip generation utilized for the grocery, TRC performed our own traffic count at a similar facility. A 25% pass-by credit was utilized for the grocery store. This is acceptable.
7. The Peak AM Hour traffic for the Site illustrated in the DEIS would tend to occur during the School Peak Hour and this was accounted for in the analyses. The Peak PM Hour traffic for the Site would occur after the School Peak Hour. The Site will generate less traffic during the School Peak Hour.
8. To help limit the trip generation, there should be a connection between the two uses of the project if possible as discussed under Site Plan comments below. At a minimum, if an internal roadway can't be physically provided due to the wetlands, there should at least be a pedestrian connection (an unpaved path is currently proposed). Thus, if a resident is desiring groceries, they should be able to walk to the commercial property and not have to drive on the adjacent local roadways. This is especially key as these type facilities now serve a significant amount of ready-made hot meals and thus people make more short trips to these type facilities as opposed to a longer trip to a larger supermarket.
9. There should also be a connection to the adjacent shopping center (Towne Centre), again preferably both vehicular and pedestrian and from both the residential and the commercial portions of the Site.

10. TRC's observations of the surrounding area indicate that there currently are not many sidewalks in the area around the site. The limited number of pedestrians and bicyclists utilize the minimal shoulders where they exist. The land uses proposed, especially combined with the adjacent Towne Centre, provide potential origins/destinations for walkers including possible school and public bus stops (none currently exist nearby). No sidewalks are being proposed either on-site or off-site. An unpaved path is proposed between the two uses of the site. A jitney is not proposed due to the potential limited demand.
11. The project is not projected to significantly increase cut-thru's/diversions in the area.
12. The zoning change would influence only one other site according to the DEIS and that site would generate approximately 80 peak hour vehicles.

B. Levels of Service/Mitigation

1. The traffic analyses incorporated the improvement proposed by the New York State Department of Transportation (NYSDOT) for a right turn lane to replace the slip lane along NY Route 138 at NY Route 100.
2. There are various intersections where certain turning movements currently operate at Levels of Service E or F. These delays will increase as a result of general background growth in traffic (including previously-approved projects) and will be further increased in conjunction with the traffic from the proposed project. The following is a summary of the intersections that have individual movements that currently operate or will operate at Levels of Service E or F during any of the Roadway Peak Hours. The Levels of Service for signalized intersections is represented by upper case letters and unsignalized intersections are represented by lower case letters. The Build Condition includes the signal timing modifications proposed. The Levels of Service listed are for individual movements, not the intersection as a whole:

LEVEL OF SERVICE SUMMARY									
Intersection	Peak AM Hour			Peak PM Hour			Peak Saturday Hour		
	Existing	No Build	Build	Existing	No Build	Build	Existing	No Build	Build
US Route 202 & NY Route 116 (signalized)	-	-	-	-	E	E	-	-	-
US Route 202 & NY Route 100/Bailey Court (signalized)	F	F	F	E	E	E	-	E	E
US Route 202 & Heritage Hills Drive & Proposed Site Driveway (signalized)	-	-	-	-	-	-	-	E	-
US Route 202 & Towne Centre Driveway (unsignalized)	e	f	f	f	f	f	f	f	f
NY Route 100 & Towne Centre Driveway (unsignalized)	f	f	f	e	f	f	-	-	-
NY Route 100 & Mill Pond Offices (unsignalized)	f	f	f	-	e	e	-	-	-
NY Route 100 & Mobil Entrance (unsignalized)	-	-	-	-	-	-	-	-	-
NY Route 100 & Mobil Exit (unsignalized)	f	f	f	-	e	e	-	-	-
NY Route 100 & NY Route 138 (signalized)	-	-	-	-	-	-	-	-	-
US Route 202 & Warren Street (unsignalized)	f	f	f	e	f	f	-	e	e
NY Route 100 & Proposed Site Access (unsignalized)	-	-	f	-	-	-	-	-	-

Between the 2018 No Build and 2018 Build Conditions, the Levels of Service tend to be the same, however the delays are increased. There will be some increases in delay at the intersection of US Route 202/Heritage Hills Drive when the project driveway is added as a fourth approach to the intersection. The intersection as a whole will continue to operate at Level of Service C. The NYSDOT must approve the signal phasing and timing changes.

3. As a result of the delays experienced at the intersections during the peak hours, long queues are currently experienced and extend past various adjacent intersections. These queues will be further extended as the delays increase as a result of background growth and traffic from the project.
4. The Site Driveway for the commercial portion of the project along US Route 202 will be at the signalized intersection with the driveway being opposite Heritage Hills Drive. A 100 left turn lane is proposed to be provided within the existing striping along US Route 202 for traffic turning left into the site. The traffic signal will need to be modified and brought up to current NYSDOT standards, as appropriate. The Site Driveway approach and the left turn lane should be actuated to limit impact to traffic on US Route 202.
5. The unsignalized Site Driveway for the residential portion along NY Route 100 is projected to operate at a Level of Service "f" with an average delay of 80.4 seconds per vehicle exiting the driveway during the Peak AM Hour. Since a traffic signal is not warranted, there are limited options that could be considered here such as turn restrictions during the peak hours (however there would be limited locations to turn around), thus vehicles exiting the Site Driveway in the peak period in the morning will experience delays.
6. The only additional mitigation proposed is traffic signal timing changes at the intersection of US Route 202/NY Route 116 and the intersection of US Route 202/NY Route 100/Bailey Court. No mitigation is proposed at the unsignalized intersections. The Applicant should discuss whether any other mitigation could be provided to help improve future operating conditions and reduce delays and queues.
7. At the intersection of NY Route 100 and the Site Driveway for the residential portion, there are sight distance limitations due to the existing vegetation. Sufficient clearing should be performed to provide as much sight distance as reasonably possible to meet the recommended sight distance and this should be indicated on the Site Plan. The minimum required sight distance, the Stopping Sight Distance, will be met with the clearance.
8. The Applicant should discuss whether there are any patterns in the types/causes of accidents at the intersections that currently operate with long delays/queues and whether any modifications could be performed to mitigate those conditions.

C. Parking

1. There are 107 parking spaces proposed for the grocery store. 352 parking spaces are proposed for the residential portion, 160 spaces of which will be in the garages (2 per garage), 160 spaces in the driveways (2 per driveway), and 32 visitor spaces. Typically in these type facilities the garage spaces are sometimes occupied by personal storage. There should be some form of a restriction on residents parking in the visitor spaces.
2. Will any on-street parking be permitted in the residential portion?

D. Conceptual Site Plan (from a Transportation Standpoint)

1. From a Traffic standpoint, there should be connections between the residential and commercial portions of the site. If a roadway connection cannot be made, at least a pedestrian connection should be provided. This will help reduce trip generation. Otherwise, some from the residential portion trying to get to the commercial portion would have to enter the local roadway network, including travelling through the intersection of Route 100 and Route 202, and then reverse these maneuvers to return back. The DEIS mentions that an unpaved pedestrian path is proposed. This may be difficult for someone carrying groceries or someone on a bicycle to use. It also would not be handicapped accessible.
2. Vehicular connections as well as pedestrian connections to the adjacent property (Towne Centre at Somers) should be provided if possible. A plan showing how these could be constructed should be provided and whether this would impact the parking and circulation for the Towne Centre. Some of the benefits of this are described in the DEIS including the reduction in traffic and the impacts to the adjacent roadway network. The DEIS mentions that a pedestrian path will be provided to the edge of the property but no connection is proposed to the adjacent Towne Centre.
3. If there are no connections to the adjacent parcels, there is no emergency access provided for either portion of the Site. This should be discussed with the Town's Emergency Services.
4. The Applicant should discuss whether any driveways along US Route 202 and NY Route 100 can be combined.
5. Can a truck circulate through each of the parcels? Moving trucks could bring furniture and such to the residences. How many deliveries and what size deliveries are projected for the grocery store and will the truck be able to turn around, particularly if more than one truck is present?
6. How will trash pickup be handle at the two portions of the Site?
7. The locations for snow removal should be discussed. It is important that parking spaces and travel aisles are not blocked by snow piles.

8. Will on-street parking within the site be permitted within the residential portion?
9. Will the "landbank" or "potential" grocery parking be added and at what point? Also, sightlines should be clear for this area to allow vehicles to exit safely.
10. Patrons of the grocery store who park in the landbank area will have to walk across the driveway for the Grocery Store. Sidewalks or some form of path should be provided to limit the vehicular and pedestrian interaction. Also the grade in that area appears to be steep for someone with a shopping cart.
11. Cart corrals should be provided. These would impact parking.
12. Will a school bus travel within the residential portion of the site and where would it stop on-site? If the school bus would not travel on-site, where will a school bus stop and how will the residents-students reach that stop?
13. Consideration should be given to providing sidewalks within portions of the site leading to the bus stop. It is noted that there are very limited sidewalks currently on the roadways adjacent to the site.
14. The sight distance and the area for clearing should be illustrated on the Site Plan or on another plan.

E. Additional Comments

1. As the site has access to NY Route 100 and US Route 202, which are both under the jurisdiction of the New York State Department of Transportation (NYSDOT), the DEIS/Traffic Study including the access, traffic impacts, mitigation, and proposed traffic signal timing/phasing changes (including at the proposed Site Driveway) should be reviewed by the NYSDOT. Highway Work Permits will be required from the NYSDOT to construct the driveways as well as any roadway or signal improvements.

The above comments are the professional opinion of TRC and do not necessarily reflect the opinion of the Town. We look forward to continuing our review on this Project. If you have any questions on the above, please call.

Very truly yours,

TRC Engineers, Inc.

Brian E. Dempsey, P.E., PTOE
Senior Project Manager

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