

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



**SOMERS PLANNING BOARD
AGENDA
JULY 9, 2014
7:30 P.M.**

MINUTES Consideration for approval of Draft Minutes for May 14, 2014

INFORMAL APPEARANCE WITH SKETCH PLAN REVIEW

- 1. SOMERS MANOR NURSING HOME [TM: 28.17-1-19.1]**
Application for informal appearance for Somers Manor Nursing Home for property located at Route 100 and Plumbrook Road for the construction of a 30'X30' patio and access sidewalk.

INFORMAL APPEARANCE

- 2. HERITAGE HILLS SOCIETY, LTD. [TM: 17.06-10-16]**
Application for an informal appearance for Heritage Hills Society, Ltd. for the slope stabilization of an existing swimming pool located at Recreation Area #2.
- 3. WRIGHT'S COURT SITE "B" [TM: 17.11-1-5]**
Application for an informal appearance for Wright's Court Site "B" for property owned by Silvio Management and located at 341 Route 202 in order to conform with §170-17.2A.(7) of the Zoning Ordinance by installing a tinted stamped concrete sidewalk instead of prior approved brick pavers.

PROJECT REVIEW

4. SUSAN HAFT AND RIDGEVIEW DESIGNER BUILDERS, INC.

[TM: 16.12-1-41, 42]

Application for Amended Final Subdivision Plat Approval. Property is owned by Ridgeview Designer Builders and Susan Haft and is located on the east side of Lovell Street. Applicant is requesting the amendment of final subdivision approval to permit them to file the subdivision in two sections pursuant to Town Law Section 276(7)(b) and the Town of Somers Subdivision Regulations Section 150-13(K).

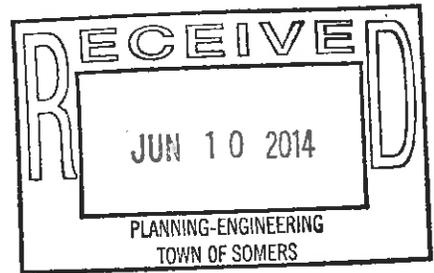
5. SOMERS REALTY PHASE 3 [TM: 4.20-1-15]

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

6. AVALON BAY SOMERS [TM: 4.20-1-13,14,15, p/o 12]

Application for Site Plan Approval, Steep Slopes, Tree Removal and Stormwater Management and Erosion and Sediment Control Permits for Avalon Bay Communities, Inc. for the construction of 152 residential units within 17 buildings with 23 affordable units on 53.2 acres. Also proposed is a community recreation building, pool and 324 parking spaces. Property is located on the south side of Route 6 and Clayton Blvd. and east of Mahopac Avenue and is in the Planned Hamlet (PH) Zoning District.

Next Special Planning Board Meeting is Tuesday, July 22, 2014
Agenda information is also available at www.somersny.com



June 10, 2014

Town of Somers Planning Board
Town House
Somers, NY 10589

Re: Request for informal appearance before Planning Board

Somers Manor Rehabilitation & Nursing Center is submitting a plan to construct a walkway leading to a patio. This will be located in one of the interior courtyards. This plan originated as a request from the residents of the home, and approved at both the family and resident council meetings. Many long term residents have capabilities to function independently, and desire to move about freely. The area of the proposed courtyard would allow them the ability to exit the building and enjoy the outside environment in a comfortable non restricted safe location. Residents now use the front entrance to the facility as a place to meet and enjoy the fresh air. The proposed area offers a more secure setting free from vehicle traffic, and potential wandering. The source of funding was from resident revenue from their coffee shop.

The courtyard entry is on the "Main Street" corridor, which is opposite the coffee shop. This exterior door will have automatic opening controls. Once outside, residents can proceed along the sidewalk to the large sitting area. Tables, chairs, and sun protection will be provided. Safety devices such as a "call box" and video observation will be provided.

The sidewalk and patio will be constructed with concrete. To collect runoff stormwater/rain, the patio will have a 1/8" slope pitched to one side. Water will be collected in a rain garden. Details and placement will be determined by the Town of Somers Engineering Department, with details from Section 9.5.1 of the New York State Stormwater Management Design Manual. The Town Planner and Engineer have reviewed the plans with a site inspection.

This project has generated much resident excitement during many months of planning. Your review and approval to proceed is anticipated. If there is a need for further clarification, and other consideration, please contact me.

John Cehi
Director of Facilities
914-373-6463
jcehi@somersmanor.com

A handwritten signature in black ink, appearing to read "John Cehi", written over the typed name and contact information.

Joy Bloomer, Administrator

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

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

FEE PAID: \$ 300

DATE PAID: 6/10/2014

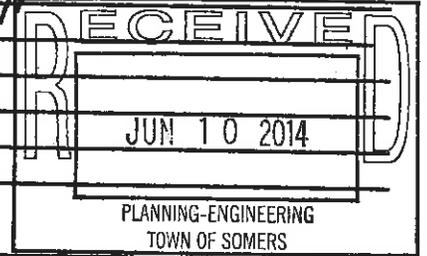
I. IDENTIFICATION OF APPLICANT:

A. OWNER: Somers Manor Nursing Home
ADDRESS: 189 RT100
SOMERS, NY 10589
TELE #: 914-373-6463

SUBDIVIDER: N/A
ADDRESS: _____
TELE #: _____

B. SURVEYOR: N/A
ENGINEER: N/A

TELE #: _____
TELE #: _____



II. IDENTIFICATION OF PROPERTY:

- A. Project Name: RESIDENT COURTYARD
- B. Street abutting property: RT100 & PLUMBROOK RD
- C. Tax Map Design: Sheet: 28.17 Block: 1 Lot: 19.1
Zoning District: Westchester County MAP # 25567
- E. Project (~~does~~) (does not) connect directly into (State) (County) highway.
- F. Proposed drainage (~~does~~) (does not) connect directly into channel lines established by the County Commission of Public Works.
- G. Project site (~~is~~) (is not) within 500 feet of Town boundary.
- H. Proof that taxes have been paid. PAID

III. BRIEF DESCRIPTION OF PROJECT PROPOSAL:

Concrete SIDEWALK LEADING TO A 30' X 30' PATIO

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

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

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

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

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

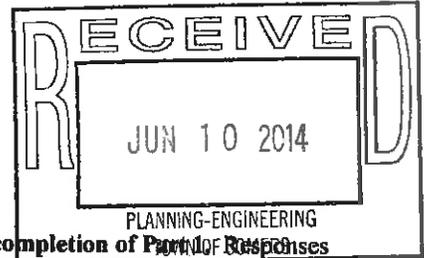
JOHN J. Cehi
Applicant

Date: 6/9/2014

Somers Manor Nursing Home
Owner
Arnold Putterman

Date: 6/9/2014

617.20
Appendix B
Short Environmental Assessment Form



Instructions for Completing

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

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

Part 1 - Project and Sponsor Information				
Name of Action or Project: <i>RESIDENT COURTYARD</i>				
Project Location (describe, and attach a location map): <i>189 RT 100</i>				
Brief Description of Proposed Action: <i>see attached</i>				
Name of Applicant or Sponsor: <i>JOHN J. CEHI</i>		Telephone: <i>914-383-6463</i>	E-Mail: <i>jcehi@SOMERSMAVOR.COM</i>	
Address: <i>189 RT 100</i>				
City/PO: <i>SOMERS</i>	State: <i>NY</i>	Zip Code: <i>10589</i>		
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>58</i> acres		
b. Total acreage to be physically disturbed?		<i>N/A</i>		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>4400</i> acres <i>58 ft</i>		
		<i>58</i> acres		
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>RAIN GARDEN</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: <u>RAIN GARDEN, APPROX 150 SF</u>	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>John Cehi</u>	Date: <u>6/9/14</u>	
Signature: <u>[Signature]</u>		

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

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

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

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

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

PRINT



RECEIVED
JUN 10 2014
PLANNING-ENGINEERING
TOWN OF SOMERS

PLANNING AND ENGINEERING DEPARTMENTS

Telephone
(914) 277-5366
Fax
(914) 277-4098

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: June 30, 2014

RE: Project: Heritage Hills Recreation Area #2 – Pool #3 Slope Stabilization
Applicant: Heritage Hill Society Ltd.
Location: Pond View Drive Somers, NY; Section 17.06 Block 10 Lot 16
Zoning: DRD Design Residential Development Overlay District
Actions: Informal Appearance Regarding Proposed Slope Stabilization Relative to Existing Pool #3 with Related Tree Removals.

The project relates to necessary repairs to Pool #3 in Recreation Area #2 of Heritage Hills that will require associated slope stabilization and reduction of the existing slope on one side of the pool. The pool and slope is adjacent to Pond View Drive and will require the removal of existing trees (15 regulated and 12 not regulated) that currently provide some buffer between the pool and the road. There are no abutting homes to the property.

Temporary Erosion Control measures will be required and installed. A new tree planting and landscape plan has been provided for review by the Planning Board.

A report from Carlin Simpson & Associates has been provided for review by the consulting town engineer.

The Planning Board has to determine whether the slope stabilization and tree removal can be accomplished based on the informal application provided or whether this request requires an amendment to the site plan and a full site plan amendment application based

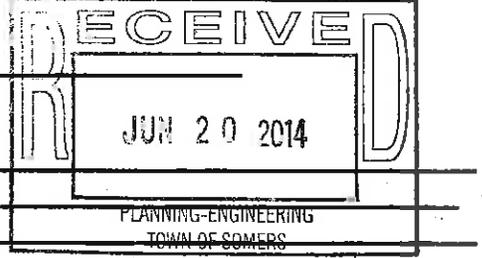
on Section 170-114 A. (1) which states that : “ No building permit shall be issued, no structure or use shall be established, no use shall be changed to another use and no existing grades shall be altered or impervious surface placed without prior conformity with the site plan approval procedures set forth in this section and with the technical requirements set forth in Chapter 144, Site Plan Review, of the Code of the Town of Somers.”

CC: Steve Woelfle
Joe Barbagallo
Roland Baroni
John Milligan

Z:\PE\Site plan files\Heritage Hills\Recreation Area#2 Pool Slope Stabilization\PlannerComments 06-30-14.doc

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

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



I. IDENTIFICATION OF APPLICANT:

A. OWNER: Heritage Hills Society Ltd
ADDRESS: 8 HERITAGE HILLS DRIVE
SOMERS NY 10589
TELE #: 914-276-2908

SUBDIVIDER: _____
ADDRESS: _____
TELE #: _____

B. SURVEYOR: _____
ENGINEER: BOB SIMPSON

TELE #: _____
TELE #: 732-432-5757

II. IDENTIFICATION OF PROPERTY:

- A. Project Name: SLOPE STABILIZATION - RECREATION AREA #2 - POOL #3
- B. Street abutting property: POUL VIEW DRIVE
- C. Tax Map Design: Sheet: 17.06 Block: 10 Lot: 16
Zoning District: DRD
- E. Project (does) (does not) connect directly into (State) (County) highway.
- F. Proposed drainage (does) (does not) connect directly into channel lines established by the County Commission of Public Works.
- G. Project site (is) (is not) within 500 feet of Town boundary.
- H. Proof that taxes have been paid. _____

III. BRIEF DESCRIPTION OF PROJECT PROPOSAL:

PROPOSED SLOPE STABILIZATION TO INCREASE STEEPNESS OF EXISTING SLOPE -
RECOMMENDED BY ENGINEERING REPORT PREPARED BY CAROL SIMPSON & ASSOCIATES

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

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

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

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

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

[Signature] John Muligan
PROPERTY MANAGER Date: 6-17-2014
Applicant Heritage Management Services

[Signature] _____ Date: June 12/14
Owner Heritage Hills Society

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: <i>SLOPE STABILIZATION</i>			
Project Location (describe, and attach a location map): <i>RECREATION AREA #2 - HERITAGE WINGS OF WESTCHESTER</i>			
Brief Description of Proposed Action: <i>SETTLEMENT OCCURRING ON THE POOL (POOL#3) AND POOL DECK REQUIRED THE SERVICES OF AN ENGINEERING CONSULTANT TO DETERMINE THE CAUSE AND MAKE RECOMMENDATIONS FOR REPAIRS/REMEDIATION. THEIR ENGINEERING REPORT INCLUDES RECOMMENDATIONS FOR SLOPE STABILIZATION, BASICALLY "FLATTENING OUT" THE EXISTING SLOPE IN COMPACTED 1 FOOT "LIFTS" OF FILL. PROCESS WILL REQUIRE ELIMINATION OF EXISTING TREES IN THAT LOCATION AND TEMP. EROSION CONTROL MEASURES.</i>			
Name of Applicant or Sponsor: <i>HERITAGE WINGS SOCIETY LTD.</i>		Telephone: <i>914-276-2614</i>	
<i>c/o HERITAGE MANAGEMENT SERVICES LLC</i>		E-Mail: <i>JMILLIGAN@HERITAGEMANAGE.COM</i>	
Address: <i>334 ROUTE 202</i>			
City/PO: <i>SOMERS</i>		State: <i>NY</i>	Zip Code: <i>10589</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO YES
If Yes, list agency(s) name and permit or approval:			<input checked="" type="checkbox"/> <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? <i>7.122</i> acres			
b. Total acreage to be physically disturbed? <i>LESS THAN 0.25</i> acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <i>8.002</i> acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input type="checkbox"/>	N/A
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input type="checkbox"/>	N/A
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input type="checkbox"/>	N/A
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>John Muligan PROPERTY MANAGER</u> Date: <u>6-19-2014</u>		
Signature: <u>[Signature]</u>		

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

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

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

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

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

PRINT

**Heritage Hills Society Ltd
Slope Stabilization
Planning Board Application
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CARLIN • SIMPSON & ASSOCIATES

Consulting Geotechnical and Environmental Engineers

61 Main Street, Sayreville, New Jersey 08872
Tel. (732) 432-5757
Fax. (732) 432-5717

Principal:
Robert B. Simpson, P.E.

Associates:
Robert H. Barnes, P.E.
Meredith R. Anke, P.E.
Kurt W. Anke
Eric J. Shaw

7 April 2014

Heritage Management Services, LLC
339 Route 202
Somers, New York 10589

Att: Mr. John Milligan
Property Manager

Re: Report on Geotechnical Evaluation
Subsidence and Potential Slope Instability
Heritage Hills - Pool No. 3
Somers, New York (13-173)

Dear Mr. Milligan:

In accordance with our proposal dated 23 December 2013 and your subsequent authorization, we have completed a geotechnical subsurface investigation at the referenced site. We understand that the south end of the existing pool, which is near the top of a soil slope, has shifted and settled. The purpose of this study was to determine the nature and engineering properties of the subsurface soil and groundwater conditions beneath the pool area, to determine the cause of the observed settlement, and to develop means for arresting the movement.

Our scope of work for this project included the following:

1. Reviewed the existing site conditions, the expected soil conditions, and planned this study.
2. Retained General Borings Inc. to advance six (6) test borings around the pool at the subject site.
3. Laid out the boring locations in the field, visually identified the soil layers encountered, obtained soil samples, and prepared detailed boring logs and a Boring Location Plan.
4. Performed a laboratory soil identification test on selected representative samples.
5. Performed a partial survey the existing pool and slope area.

6. Analyzed the field and laboratory test data and prepared this report containing the results of this study.

SUBSURFACE CONDITIONS

To determine the subsurface soil and groundwater conditions at the site, we advanced six (6) test borings at the locations shown on the attached Boring Location Plan (Figure 1). Detailed boring logs have been prepared and are included in this report. Our inspector visually identified the soil samples obtained from the test borings and selected soil samples were tested in our laboratory. The results of these tests are also included in this report.

Soil

The soil descriptions shown on the boring logs are based on the Burmister Classification System. In the Burmister Classification System, the soil is divided into three components: Sand (S), Silt (\$) and Gravel (G). The major component is indicated in all capital letters, the lesser in lower case letters. The following modifiers indicate the quantity of each lesser component:

<u>Modifier</u>	<u>Quantity</u>
trace (t)	0 - 10%
little (l)	10% - 20%
some (s)	20% - 35%
and (a)	35% - 50%

The subsurface soil conditions encountered in the test borings may be summarized as follows:

- Stratum 1**
Concrete The surface layer in each of the borings consists of the concrete patio that is approximately 0'4" in thickness.
- Stratum 2**
Existing Fill Underlying the concrete in borings B-1 through B-5 is existing fill that generally consists of loose to dense gray, gray brown, or brown coarse to fine SAND, little (to and) Silt, little (to and) coarse to fine Gravel, with cobbles, boulders, asphalt, wood, and concrete in areas. Where encountered in the borings, the existing fill extended to depths ranging from 6'0" to 10'6" below the existing ground surface.
- Stratum 3**
Topsoil Below the existing fill in borings B-1 and B-2 is buried topsoil that is approximately 0'6" to 0'8" in thickness.
- Stratum 4**
Sandy Clayey Silt Underlying the existing fill and buried topsoil in boring B-1 is medium stiff brown Clayey SILT and, coarse to fine Sand, little (+) coarse to fine Gravel that was approximately 1'6" in thickness and continued to a depth of 12'6" beneath the existing ground surface.

Stratum 5
Silty Sand or
Silty Gravelly
Sand

Beneath the Sandy Clayey Silt in boring B-1, the buried topsoil in boring B-2, the existing fill in borings B-3 to B-5, and the surface concrete in boring B-6 is virgin soil that consists of medium dense to dense brown coarse to fine SAND, little (to some) Silt, little (to and) coarse to fine Gravel. Rock fragments and decomposed Schist were encountered within this stratum in borings B-1 and B-2. Borings B-3 and B-5 were terminated in this stratum at final depths of 11'6" and 11'10" below the existing ground surface, respectively. In the remaining borings, this stratum continued to depths ranging from 7'0" to 18'0" below the existing ground surface.

Stratum 6
Weathered
Bedrock

Borings B-1, B-2, B-4, and B-6 were terminated at auger refusal on the probable weathered bedrock surface at final depths of 18'0" (B-1), 16'0" (B-2), 12'6" (B-4), and 7'0" (B-6) beneath the existing ground surface.

Groundwater

Observations for groundwater were made during sampling and upon the completion of the drilling operations at each boring location. Groundwater was not encountered in any of the test borings that were performed at the site during this investigation. These explorations extended to depths ranging from 7'0" to 18'0" beneath the existing concrete pool deck surface.

EVALUATION

The project site, which is identified as Pool No. 3, is located on West Hills Drive South within the Heritage Hills Development in Somers, New York. The property contains an existing swimming pool that is approximately 42 feet by 62 feet in area and a small maintenance building to the northeast of the pool. The pool is surrounded by a concrete pool deck and a chain link fence. It is our understanding that the existing pool is approximately 3'6" deep at the north end and approximately 5'0" deep at the south end. There is a steep soil slope to the west and south of the pool area and there is a retaining wall along the east side of the pool area. Surface grades around the site slope down from east to west.

We understand that the south end of the existing swimming pool has shifted and settled. This has resulted in problems with the pool filtering equipment, which requires the top of the pool wall to be level. Some small cracks were also observed in the pool deck on the west side of the pool. We also understand that repairs are planned for the existing pool in the near future. These repairs will include the removal and replacement of the existing concrete pool deck, repair or replacement of the pool filtering equipment and other utilities, extension of the pool wall to the proper elevation, and replacement of the existing pool liner.

Evaluation of Existing Conditions

During this study, six (6) test borings were advanced around the existing pool. Borings were performed near the observed settlement areas and outside the observed settlement areas. The boring observations are summarized in Table 1 below. In addition, Cross-Sections A, B, and C (Figure 2) have been prepared to show the subsurface conditions below and around the existing pool.

Table 1 - Boring Observations

Boring No.	Observed Depth to Groundwater	Depth to Bottom of Unsuitable Material	Depth to Probable Weathered Bedrock
B-1	NE to 18'0"	11'0"	18'0"
B-2	NE to 16'0"	9'2"	16'0"
B-3	NE to 11'6"	9'6"	NE to 11'6"
B-4	NE to 12'6"	7'0"	12'6"
B-5	NE to 11'10"	6'0"	NE to 11'10"
B-6	NE to 7'0"	NE	7'0"

NE – Not Encountered

The boring data indicates that there is existing fill present below the concrete pool deck in the five borings that were performed to the west and south of the pool. Near the southwest corner of the pool, where the settlement was observed (B-1, B-2, and B-3), there is approximately 9'2" to 11'0" of loose to dense existing fill with buried topsoil, boulders, asphalt, and wood followed by medium dense to dense virgin Silty Gravelly Sand and probable bedrock. On the west side of the pool (B-4), there is approximately 7'0" of existing fill with boulders and buried concrete followed by medium dense to dense virgin soil. At the southeast corner of the pool (B-5), there is approximately 6'0" of medium dense existing fill followed by dense virgin soil. On the north side of the pool, near the existing building (B-6), the subsurface soils consists of dense virgin soil with probable weathered bedrock at 7'0" and no existing fill material.

The steep slope on the west and south sides of the pool area is approximately 10 to 12 feet in height before flattening out. The slope area is wooded with sparse to moderate trees. As part of our evaluation, we have reviewed a topographic survey for the existing slope and performed a partial survey to provide additional topographic data to the south of the existing pool. Based on this survey, the existing slope is approximately 1.4 horizontal to 1.0 vertical (1.4H:1.0V) at its steepest point off the southwest corner of the pool area. Based on the existing site conditions and our observations, the steep soil slope does not appear to be the contributing to the settlement of the existing pool. However, this slope is impacting the existing pool deck. Some small, previously patched, cracks were observed in the pool deck on the west side of the pool during this study. The slope is unstable in its current configuration and could result in more significant damage to the concrete pool deck in the future.

Based on the boring data and our observations at the site, it appears that the pool was constructed in an area that was cut on the east side and filled on the west side. The loose fill, boulders, concrete, wood, and topsoil encountered within the existing fill stratum on the west side and south side of the pool have resulted in settlement of the existing fill material. The settlement of the fill material is also the cause of the observed settlement in the pool and the pool deck. Based on the depth of the existing fill and the types of materials encountered, the pool and pool deck will likely continue to settle unless appropriate remedial measures are taken. The additional settlement could result in additional damage to the pool structure and/or the concrete deck around the pool. Our recommendations for the site are discussed in the following sections of this report.

Pool and Pool Deck Recommendations

In order to prevent continued settlement, we recommend pressure grouting below the pool and pool deck to densify the existing fill in place. Pressure grouting is a soil improvement process in which a mass of flowable (high slump) cement-based grout is injected into weak (loose) soil strata under pressure to fill any voids within the fill and to densify the loose soils below the pool and pool deck. This pressure grouting technique is called “subsealing” or “undersealing”.

For this project we recommend that a series of grout injection points (grout pipes) be advanced through the bottom of the pool and through the pool deck in the delineated area shown on the attached Boring Location Plan (Figure 1). The grout injection points will be installed in a grid pattern and with a typical spacing of approximately five (5) feet on center. The holes should be spaced two (2) to three (3) feet from the pool wall.

The injection points consist of 1.5-inch to 2-inch diameter sectional pipe, drilled or driven at each location, down through the existing fill to the medium dense to dense virgin soil, which is approximately five (5) to 12 feet below the pool deck elevation. Secondary grout injection points may be required between primary points in the event that unusual conditions (i.e. large grout takes) or cavities are encountered. This will be determined by Carlin-Simpson & Associates at the time of construction.

The flowable cement-based grout shall be injected under controlled pressures, through each grout pipe as it is slowly withdrawn, filling voids and densifying the soil. As a guideline for the rate of grout pipe extraction, the required pressure shall be computed as 1.0 to 1.5 psi per foot of depth of the grout pipe. This pressure shall be recorded at the gauge located at the top of the grout pipe. Once the grouting is completed, the site soils would be densified and strengthened adequately to support the pool and pool deck, thereby minimizing any future settlement. Carlin-Simpson & Associates has prepared the attached Grouting Program Plan (GT-1), which includes technical specifications and a grout location plan for this project.

The grouting program must be coordinated with the planned pool repairs. The area immediately below the pool could be grouted before the pool repairs are made but the pool deck area should not be grouted until after the pool repairs are made to avoid potential excavations in grouted fill material. Surveying will be required during the grouting process to ensure that the grouting process is not moving or lifting the pool. In addition, monitoring will be required during the grouting program to ensure that the grout does not affect any existing pool utilities. The locations of all existing and new utility pipes below and around the pool must be determined prior to grouting.

During this study, Carlin-Simpson & Associates was unable to evaluate the integrity of the existing pool structure. It is presumed that the pool consists of a reinforced concrete base and reinforced concrete walls that have settled and shifted but remain intact. Prior to making any repairs to the pool, we recommend that the existing pool structure be assessed for further damage, such as large cracks or holes.

Slope Recommendations

As discussed above, there is a steep soil slope to the west and south of the pool area with surface grades around the site sloping down to the west or southwest. The steep slope is

approximately 10 to 12 feet in height before flattening out. The slope area is wooded with sparse to moderate trees. At its steepest point off the southwest corner of the pool area, the existing slope is approximately 1.4 horizontal to 1.0 vertical (1.4H:1.0V). Slopes constructed in soil are typically constructed at 2.5H:1.0V or 3.0H:1.0V.

Based on the existing site conditions and our observations, the steep soil slope on the south and west sides of the pool is impacting the existing pool deck. The slope is unstable in its current configuration and could result in more significant damage to the concrete pool deck in the future. Therefore, we recommend that the slope area be remediated by re-grading the slope to 2.5H:1.0V or flatter. The approximate limits of the slope area to be flattened are shown on the attached Figure 2. By reducing the slope angle, the factor of safety associated with a slope failure is increased. We expect that the larger trees in the slope area can remain provided that tree wells are constructed to protect them but the smaller trees will have to be removed from the slope area prior to placing fill.

New fill used to flatten the slope shall consist of either suitable on-site soil or imported sand and gravel fill. Imported fill shall contain less than 20% material by weight passing a No. 200 sieve. The maximum particle size for on-site soil and imported fill shall be three (3) inches. The new fill shall be placed in layers up to one (1) foot in loose thickness and each layer shall be compacted to at least 95% of its Maximum Modified Dry Density (ASTM D1557). Each layer shall be compacted, tested, and approved before placing subsequent layers. The new fill must also be benched into the existing slope.

GENERAL

The findings, conclusions and recommendations presented in this report represent our professional opinions concerning subsurface conditions at the site. The opinions presented are relative to the dates of our site work and should not be relied on to represent conditions at later dates or at locations not explored. The opinions included herein are based on information provided to us, the data obtained at specific locations during the study and our past experience. If additional information becomes available that might impact our geotechnical opinions, it will be necessary for Carlin-Simpson & Associates to review the information, reassess the potential concerns, and re-evaluate our conclusions and recommendations.

Regardless of the thoroughness of a geotechnical exploration, there is the possibility that conditions between borings will differ from those encountered at specific boring locations, that conditions are not as anticipated by the designers and/or the contractors, or that either natural events or the construction process have altered the subsurface conditions. These variations are an inherent risk associated with subsurface conditions in this region and the approximate methods used to obtain the data. These variations may not be apparent until construction.

The professional opinions presented in this geotechnical report are not final. Field observations and monitoring by a geotechnical engineer, as well as soil density testing and other quality assurance functions associated with site earthwork, are an extension of this report. Therefore, Carlin-Simpson & Associates should be retained to observe all earthwork and to document that the conditions anticipated in this study actually exist. Carlin-Simpson & Associates is not responsible or liable for the conclusions and recommendations presented in this report if they do not perform these observation and testing services.

In order to preserve continuity in this project, the owner should retain the services of Carlin-Simpson & Associates to provide full time geotechnical related monitoring and testing during construction. This shall include the observation and testing of the following: 1) the installation of grout beneath the pool and pool deck; 2) the proofrolling of the subgrade soil prior to the placement of new compacted fill; and 3) the placement and compaction of controlled fill.

This report has been prepared in accordance with generally accepted geotechnical engineering practice. No other warranty is expressed or implied. The evaluations and recommendations presented in this report are based on the available project information, as well as on the results of our exploration. Should the nature of the project change, these recommendations should be re-evaluated.

This report is provided for the exclusive use of Heritage Management Services, LLC and the project specific design team and may not be used or relied upon in connection with other projects or by other third parties. Carlin-Simpson & Associates disclaims liability for any such third party use or reliance without express written permission. Use of this report or the findings, conclusions or recommendations by others will be at the sole risk of the user. Carlin-Simpson & Associates is not responsible or liable for the interpretation by others of the data in this report, nor their conclusions, recommendations or opinions.

If the conditions encountered during construction vary significantly from those stated in this report, this office should be notified immediately so that additional recommendations can be made.

Thank you for allowing us to assist you with this project. Should you have any questions or comments, please contact this office.

Very truly yours,

CARLIN-SIMPSON & ASSOCIATES

M. Anke

MEREDITH R. ANKE, P.E.
Project Engineer

Robert B. Simpson

ROBERT B. SIMPSON, P.E.



File No. 13-173

CARLIN - SIMPSON & ASSOCIATES Sayreville, NJ				TEST BORING LOG				BORING NUMBER B-1	
Project: Slope Subsidence, Heritage Hills Pool #3, Somers, NY							SHEET NO.: 1 of 1		
Client: Heritage Management Services LLC							JOB NUMBER: 13-173		
Drilling Contractor: General Borings, Inc.							ELEVATION:		
GROUNDWATER				CASING	SAMPLE	CORE	TUBE	DATUM:	
DATE	TIME	DEPTH	CASING	TYPE	HSA	SS		START DATE: 04 Feb 14	
				DIA.	3 1/4"	1 3/8"		FINISH DATE: 04 Feb 14	
No water encountered				WGHT		140#		DRILLER: T. McGovern	
				FALL		30"		INSPECTOR: KWA	
Depth (ft.)	Casing Blows per Foot	Sample No.	Blows on Sample Spoon per 6"	Sym	IDENTIFICATION			REMARKS	
					<u>Concrete</u>			0'4"	
1					FILL (Gr cf S, s (+) \$, l (+) cf G, w/cobbles, boulders)				
2		S-1	36					Rec = 20"	
			32					moist/frozen	
3			32						
			22		FILL (same, l \$, s cf G)				
4		S-2	12		<u>FILL (Gray coarse to fine SAND, little Silt, some coarse to fine Gravel, with cobbles, boulders, asphalt)</u>			Rec = 8"	
			14					moist	
5			9						
			12		FILL (same)				
6		S-3	12					No recovery	
			16						
7			12						
			20		FILL (same)				
8		S-4	50					No recovery	
					FILL (Bk asphalt)				
9		S-5	22						
			9					Rec = 12"	
10			4					moist	
			5					10'6"	
11			8		<u>Topsoil</u>			11'0"	
		S-6	18		Br Cy \$ a, cf S, l (+) cf G			Rec = 14"	
12			11		<u>Brown Clayey SILT and, coarse to fine Sand, little (+) coarse to fine Gravel</u>			moist	
			11					12'6"	
13			24		Br cf S, s (-) \$, l cf G				
		S-7	40					Rec = 20"	
14			30		<u>Brown coarse to fine SAND, some (-) Silt, little coarse to fine Gravel, with rock fragments</u>			moist	
			30						
15					same, w/rock fragments				
		S-8	50/3"					Rec = 1"	
16								moist	
17									
18								18'0" Auger refusal @ 18'0"	
					<u>End of Boring @ 18'0"</u>				
19									
20									
21									
22									

CARLIN - SIMPSON & ASSOCIATES Sayreville, NJ					TEST BORING LOG					BORING NUMBER B-2	
Project: Slope Subsidence, Heritage Hills Pool #3, Somers, NY										SHEET NO.: 1 of 1	
Client: Heritage Management Services LLC										JOB NUMBER: 13-173	
Drilling Contractor: General Borings, Inc.										ELEVATION:	
GROUNDWATER					CASING	SAMPLE	CORE	TUBE	DATUM:		
DATE	TIME	DEPTH	CASING	TYPE	HSA	SS			START DATE: 04 Feb 14		
				DIA.	3 1/4"	1 3/8"			FINISH DATE: 04 Feb 14		
No water encountered					WGHT	140#			DRILLER: T. McGovern		
				FALL		30"			INSPECTOR: KWA		
Depth (ft.)	Casing Blows per Foot	Sample No.	Blows on Sample Spoon per 6"	S y m	IDENTIFICATION					REMARKS	
					<u>Concrete with mesh</u>					0'4"	
1					FILL (Gr br cf S, l (+) \$, s (-) cf G)					Rec = 14"	
2		S-1	20							moist/frozen	
			22								
3			27								
			8		FILL (Gr cf S, a \$, l (-) mf G)					Rec = 18"	
4		S-2	7		<u>FILL (Gray brown coarse to fine SAND, some Silt, little coarse to fine Gravel)</u>					moist	
			6								
5			6								
			7		FILL (same, s \$)					Rec = 17"	
6		S-3	5							moist	
			5								
7			6								
			5		FILL (same)					Rec = 15"	
8		S-4	6							8'6" moist	
			5							9'2"	
9			27		<u>Brown Topsoil with wood</u>						
10											
			4		Br cf S, s \$, a (-) cf G					Rec = 14"	
11		S-5	8							moist	
			17		<u>Brown coarse to fine SAND, some Silt, and (-) coarse to fine Gravel, with decomposed Schist</u>						
12			34								
13											
			34		Br cf S, l (-) \$, with decomposed Schist					Rec = 6"	
14		S-6	50/3"							moist	
15											
16										16'0" Auger refusal @ 16'0"	
					<u>End of Boring @ 16'0"</u>						
17											
18											
19											
20											
21											
22											

CARLIN - SIMPSON & ASSOCIATES Sayreville, NJ				TEST BORING LOG				BORING NUMBER B-3	
Project: Slope Subsidence, Heritage Hills Pool #3, Somers, NY							SHEET NO.: 1 of 1		
Client: Heritage Management Services LLC							JOB NUMBER: 13-173		
Drilling Contractor: General Borings, Inc.							ELEVATION:		
GROUNDWATER				CASING	SAMPLE	CORE	TUBE	DATUM:	
DATE	TIME	DEPTH	CASING	TYPE	HSA	SS		START DATE: 04 Feb 14	
				DIA.	3 1/4"	1 3/8"		FINISH DATE: 04 Feb 14	
No water encountered				WGHT		140#		DRILLER: T. McGovern	
				FALL		30"		INSPECTOR: KWA	
Depth (ft.)	Casing Blows per Foot	Sample No.	Blows on Sample Spoon per 6"	Sym	IDENTIFICATION			REMARKS	
					<u>Concrete</u>				
1									
			21		FILL (Br cf S, l \$, a (-) cf G)				
2		S-1	35					Rec = 20" moist/frozen	
			34						
3			27						
			8		FILL (same)				
4		S-2	13		<u>FILL (Brown coarse to fine SAND, little Silt, and (-) coarse to fine Gravel)</u>			Rec = 12" moist	
			17						
5			22						
			13		FILL (same)				
6		S-3	35					Rec = 6" moist	
			50/3"					6'6"	
7									
		Run #1			<u>Boulder</u>			Boulder 6'6"-9'6"	
8									
9								9'6"	
			21		Br cf S, l (-) \$, s cf G				
10		S-4	49		<u>Brown coarse to fine SAND, little (-)</u>			Rec = 13" moist	
			47		<u>Silt, some coarse to fine Gravel</u>				
11			40					11'6"	
12					<u>End of Boring @ 11'6"</u>				
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									

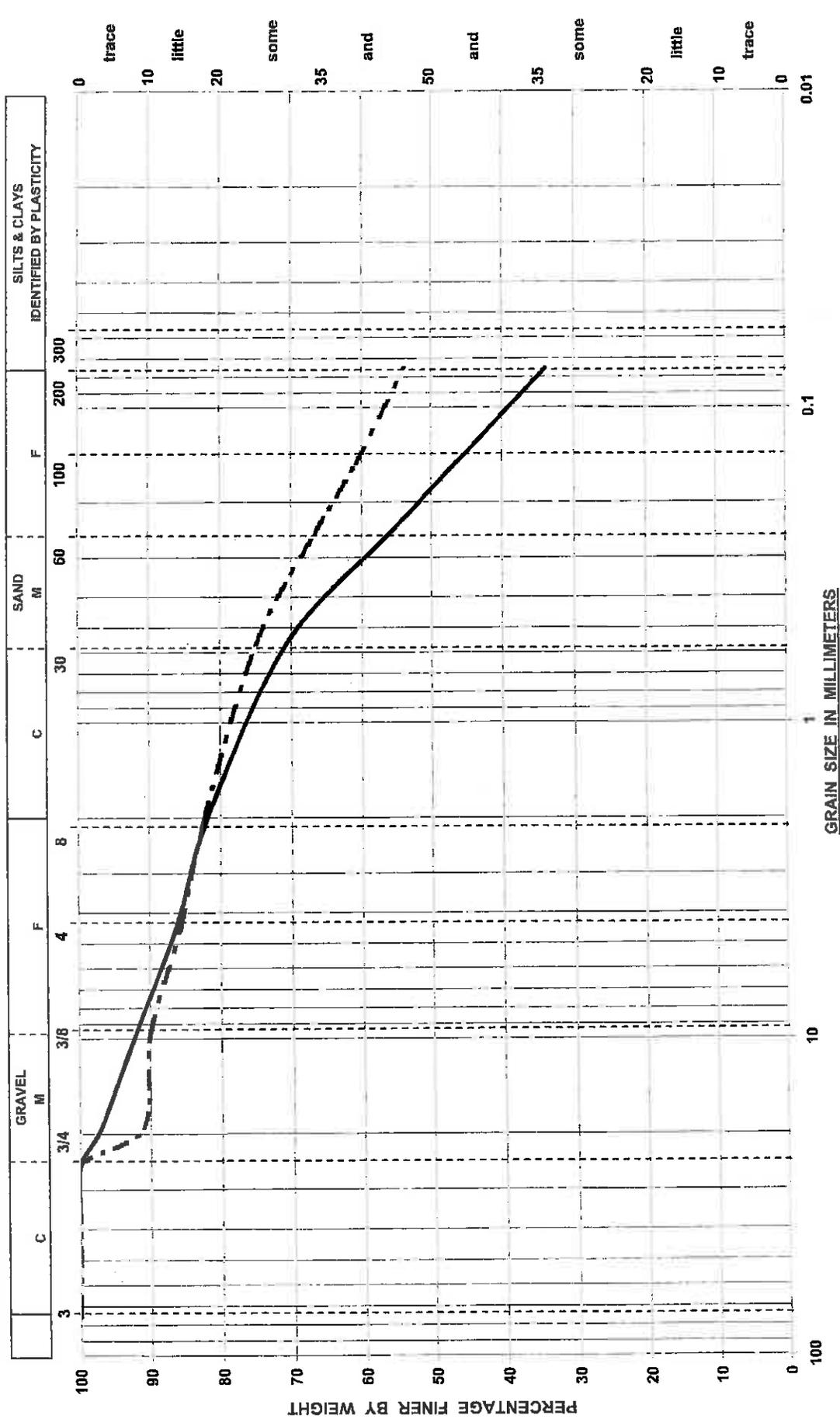
CARLIN - SIMPSON & ASSOCIATES Sayreville, NJ				TEST BORING LOG				BORING NUMBER B-4	
Project: Slope Subsidence, Heritage Hills Pool #3, Somers, NY							SHEET NO.: 1 of 1		
Client: Heritage Management Services LLC							JOB NUMBER: 13-173		
Drilling Contractor: General Borings, Inc.							ELEVATION: +790.0		
GROUNDWATER					CASING	SAMPLE	CORE	TUBE	DATUM:
DATE	TIME	DEPTH	CASING	TYPE	HSA	SS			START DATE: 07 Feb 14
				DIA.	3 1/4"	1 3/8"			FINISH DATE: 07 Feb 14
No water encountered				WGHT		140#			DRILLER: T. McGovern
				FALL		30"			INSPECTOR: KWA
Depth (ft.)	Casing Blows per Foot	Sample No.	Blows on Sample Spoon per 6"	Sym	IDENTIFICATION				REMARKS
1					<u>Concrete</u> 0'4"				
2		S-1	50/5		FILL (Br cf S, s \$, s cf G, w/cobbles) <u>FILL (Brown coarse to fine SAND, some Silt, some coarse to fine Gravel, with cobbles)</u> 2'6"				Rec = 7" moist
3									
4					<u>Boulders/Concrete</u> 3'9"				
5		S-2	11		FILL (Br cf S, s \$, s cf G, w/cobbles, boulders)				No recovery
			13						
6			18		<u>FILL (Brown coarse to fine SAND, some Silt, some coarse to fine Gravel, with cobbles and boulders)</u> 7'0"				
			37						
7									
8		S-3	29		Br cf S, 1 (+) \$, s (+) cf G				Rec = 19" moist
			28						
			29						
9			33						
10		S-4	16	same	<u>Brown coarse to fine SAND, little (+) Silt, some (+) coarse to fine Gravel</u>				Rec = 17" moist
			15						
			18						
11			42						
12									
13					12'6" Auger refusal @ 12'6"				
14					<u>End of Boring @ 12'6"</u>				
15									
16									
17									
18									
19									
20									
21									
22									

CARLIN - SIMPSON & ASSOCIATES Sayreville, NJ				TEST BORING LOG				BORING NUMBER B-5	
Project: Slope Subsidence, Heritage Hills Pool #3, Somers, NY							SHEET NO.: 1 of 1		
Client: Heritage Management Services LLC							JOB NUMBER: 13-173		
Drilling Contractor: General Borings, Inc.							ELEVATION: +790.0		
GROUNDWATER				CASING	SAMPLE	CORE	TUBE	DATUM:	
DATE	TIME	DEPTH	CASING	TYPE	HSA	SS		START DATE:	07 Feb 14
				DIA.	3 1/4"	1 3/8"		FINISH DATE:	07 Feb 14
No water encountered				WGHT		140#		DRILLER:	T. McGovern
				FALL		30"		INSPECTOR:	KWA
Depth (ft.)	Casing Blows per Foot	Sample No.	Blows on Sample Spoon per 6"	Sym	IDENTIFICATION			REMARKS	
					<u>Concrete</u>			0'4"	
1									
			9		FILL (Br, gr cf S, s \$, s cf G)				
2		S-1	14					Rec = 14" moist	
			27						
3			18						
			3		FILL (Br cf S, a \$, l (-) cf G)				
4		S-2	9		<u>FILL (Brown, gray coarse to fine SAND, and Silt, little coarse to fine Gravel)</u>			Rec = 6" moist	
			33						
5			27						
			6		FILL (same)				
6		S-3	8					6'0" Rec = 13" moist	
			27		Br cf S, l \$, l mf G				
7			20/1"					Boulder 6'7"-7'6"	
8									
			26		same, s (+) \$				
9		S-4	25		<u>Brown coarse to fine SAND, little Silt, little medium to fine Gravel</u>			Rec = 22" moist	
			30						
10			27						
			15		same, l \$				
11		S-5	17					Rec = 15" moist	
			27						
12			50/4"					11'10"	
					<u>End of Boring @ 11'10"</u>				
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									

CARLIN - SIMPSON & ASSOCIATES Sayreville, NJ				TEST BORING LOG				BORING NUMBER B-6	
Project: Slope Subsidence, Heritage Hills Pool #3, Somers, NY							SHEET NO.: 1 of 1		
Client: Heritage Management Services LLC							JOB NUMBER: 13-173		
Drilling Contractor: General Borings, Inc.							ELEVATION:		
GROUNDWATER					CASING	SAMPLE	CORE	TUBE	DATUM:
DATE	TIME	DEPTH	CASING	TYPE	HSA	SS			START DATE: 07 Feb 14
				DIA.	3 1/4"	1 3/8"			FINISH DATE: 07 Feb 14
No water encountered					WGHT	140#			DRILLER: T. McGovern
				FALL	30"				INSPECTOR: KWA
Depth (ft.)	Casing Blows per Foot	Sample No.	Blows on Sample Spoon per 6"	Sym	IDENTIFICATION				REMARKS
					<u>Concrete</u> 0'4"				
1			16		Br cf S, s \$, l (+) cf G				Rec = 19" moist/frozen
2		S-1	20						
			33		same <u>Brown coarse to fine SAND, some Silt, little (+) coarse to fine Gravel</u>				Rec = 17" moist
3			30						
			24		same, s (-) \$				Rec = 5" moist
4		S-2	27						
			36		7'0" Auger refusal @ 7'0"				
5			44						
			23		<u>End of Boring @ 7'0"</u>				
6		S-3	50/3"						
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									

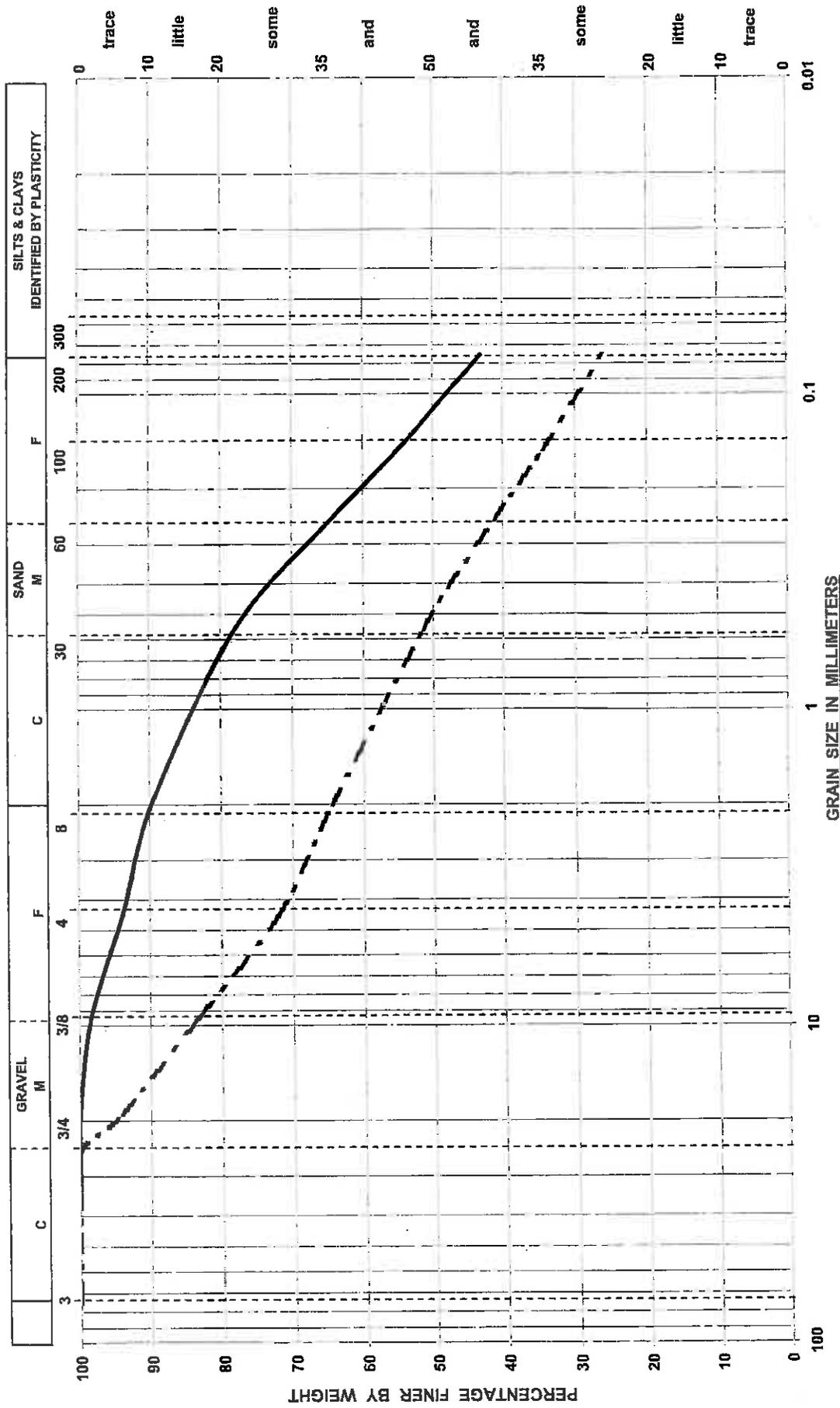
CARLIN-SIMPSON & ASSOCIATES
 SAYREVILLE, NJ 08872

SIEVE ANALYSIS



CARLIN-SIMPSON & ASSOCIATES
 SAYREVILLE, NJ 08872

SIEVE ANALYSIS

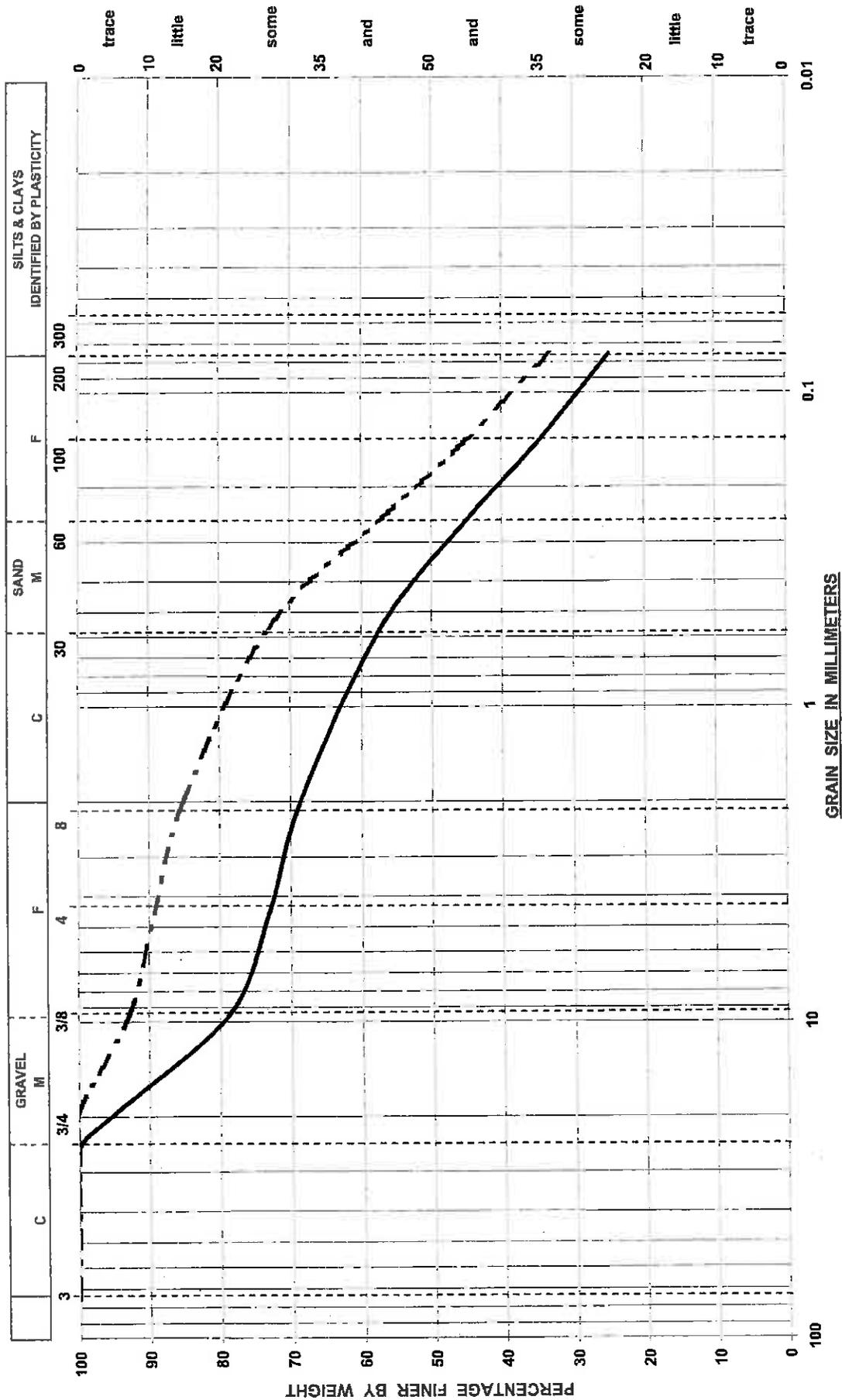


SYMBOL	BORING	SAMPLE	DEPTH	DESCRIPTION	NAT MC
—	B-2	S-2	3'0"-5'0"	FILL (Gray coarse to fine SAND, and Silt, little (-) medium to fine Gravel)	11.9%
— -	B-2	S-5	11'0"-12'6"	Brown coarse to fine SAND, some Silt, and (-) coarse to fine Gravel	7.6%

PROJECT: Heritage Hills Pool No. 3, Somers, NY
 BY: MW DATE: 5-Mar-14 JOB NO: 13-173

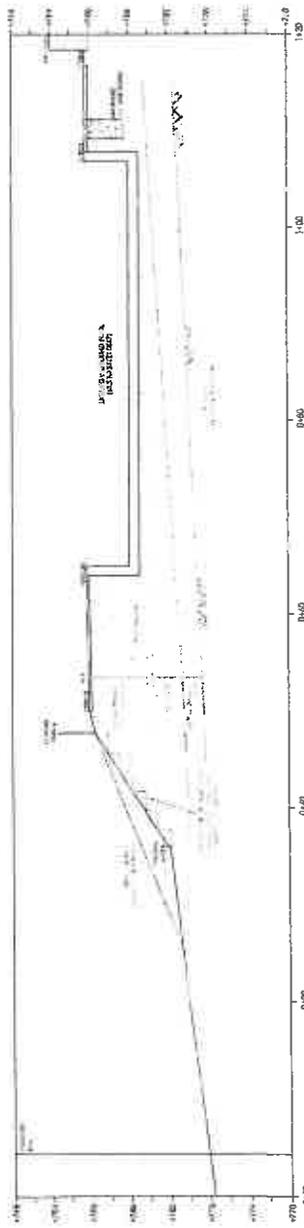
CARLIN-SIMPSON & ASSOCIATES
 SAYREVILLE, NJ 08872

SIEVE ANALYSIS

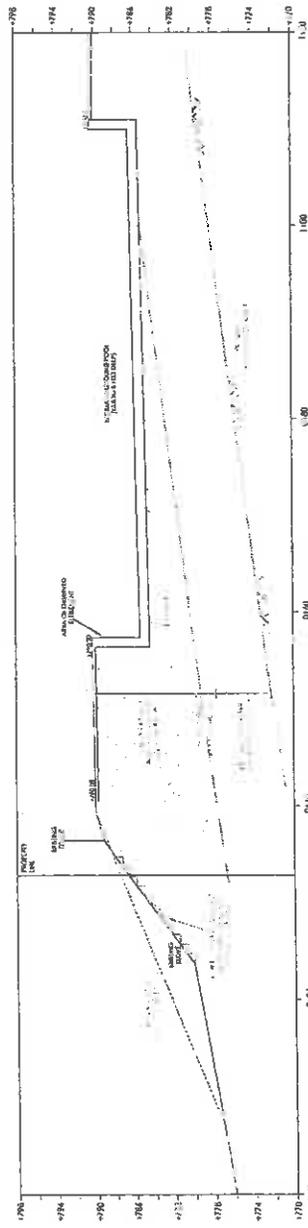


SYMBOL	BORING	SAMPLE	DEPTH	DESCRIPTION	NAT MC
—	B-5	S-1	1'0"-3'0"	FILL (Brown, gray coarse to fine SAND, some Silt, some coarse to fine Gravel)	9.8%
- - -	B-5	S-4	8'0"-10'0"	Brown coarse to fine SAND, some (+) Silt, little medium to fine Gravel	9.6%

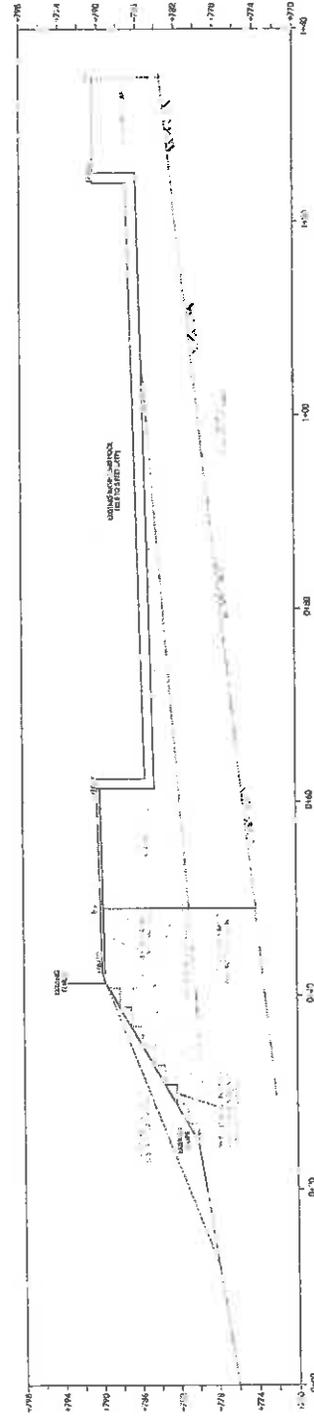
PROJECT: Heritage Hills Pool No. 3, Somers, NY BY: MW DATE: 5-Mar-14 JOB NO: 13-173



CROSS-SECTION A-A



CROSS-SECTION B-B



CROSS-SECTION C-C

ROBERT B. SIMPSON, P.E.
PROFESSIONAL ENGINEER

CROSS-SECTIONS A, B, & C

HERITAGE MILLS COLLO. 3
STAMEN, N.Y. YORK

DATE	NO.	BY	SCALE
11/14/19	11	RBS	1" = 6'
PROJECT	NO.	DATE	BY
18-273	11	11/14/19	RBS
CARLINSBERG AND ASSOCIATES 61 Main Street Sayreville, NJ 08711 FIG. 2 Consulting Geotechnical and Environmental Engineers			

PLANNING AND ENGINEERING DEPARTMENT
TOWN OF SOMERS
WESTCHESTER COUNTY, NEW YORK
ENVIRONMENTAL PERMIT

TREE REMOVAL PERMIT #AT2013-40

DATE APPLIED: September 27, 2013

OWNER/APPLICANT: Heritage Hills ~ Pool #3/Gary Knox/Dan Marino of The Arborist Inc.

ADDRESS: 8 Heritage Hills, Somers, NY 10589

TAX LOT DESIGNATION: 17.05-20-3

DESCRIPTION OF ACTIVITY: the proposed activity consists of the removal of fifteen (15) regulated trees; and the additional twelve (12) trees to be cut are code allowed and/or not regulated, and to provide an area to replant trees and shrubs more suitable for pool environment.

ISSUED: October 10, 2013

EXPIRES: October 10, 2015

APPLICATION/ENGINEERING INSPECTION FEE: \$200.00

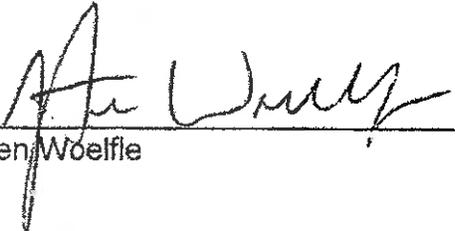
EROSION CONTROL BOND: N/A

SEQR DETERMINATION: Unlisted Action - no significant adverse impact to environment

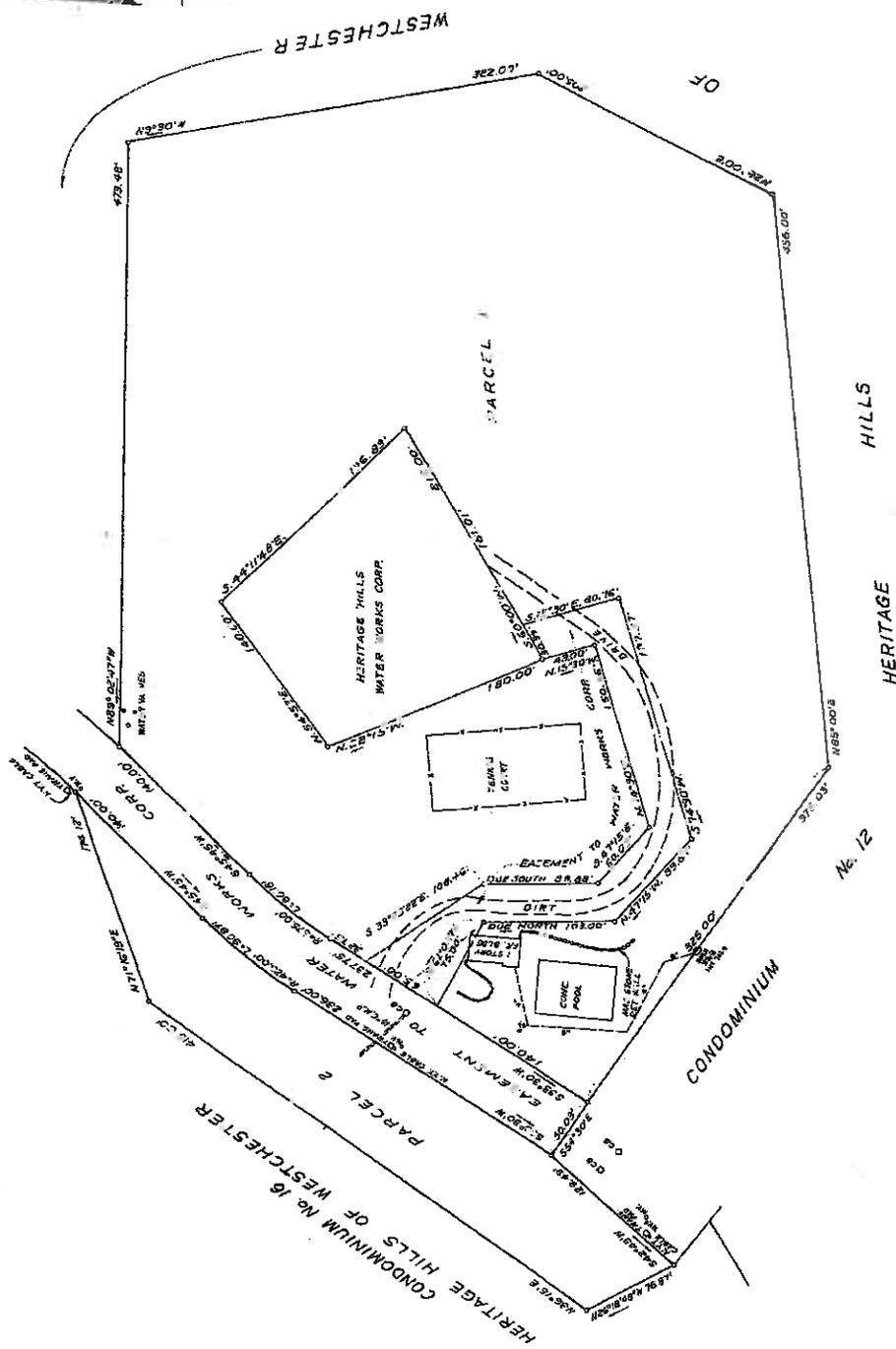
Conditions of Permit:

1. Erosion controls consisting of silt fence and hay bales shall be installed around the entire perimeter of the proposed disturbance area. Erosion controls are to be inspected and installed prior to commencement of any work. They must be maintained throughout the construction process, and remain in place until final site inspections for compliance with conditions of permit have been completed, if necessary.
2. The Somers Engineering Department shall be notified (277-5366) prior to the beginning of any work on the site and also upon completion of the approved work.
3. Recommend saving Pine Tree located at front corner of pool entrance.

BY ORDER OF THE PRINCIPAL ENGINEERING TECHNICIAN:


even Woelfle

Date: 10 / 10 / 13



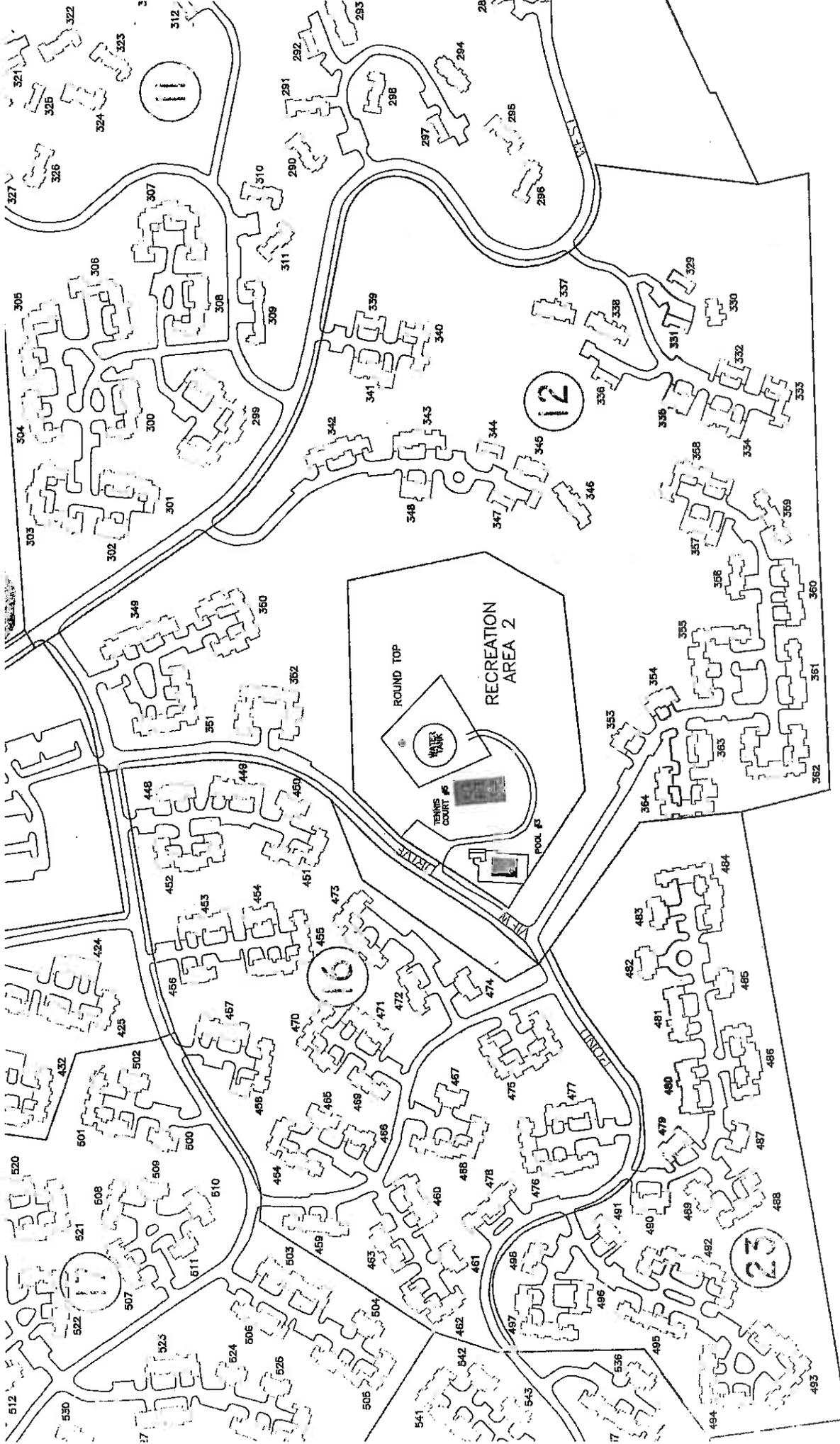
SEWER AS-BUILT
 SURVEY MAP
 OF
RECREATION AREA NO. 2
HERITAGE HILLS
OF WESTCHESTER
 SITUATE IN THE
TOWN OF SOMERS
WESTCHESTER COUNTY, N.Y.

SCALE: 1" = 50'
 DATE: JULY 9, 1985

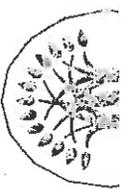
AREA:
 PARCEL 1 7.122 ACRES
 PARCEL 2 0.860
 WATER WORKS CORP. 0.747

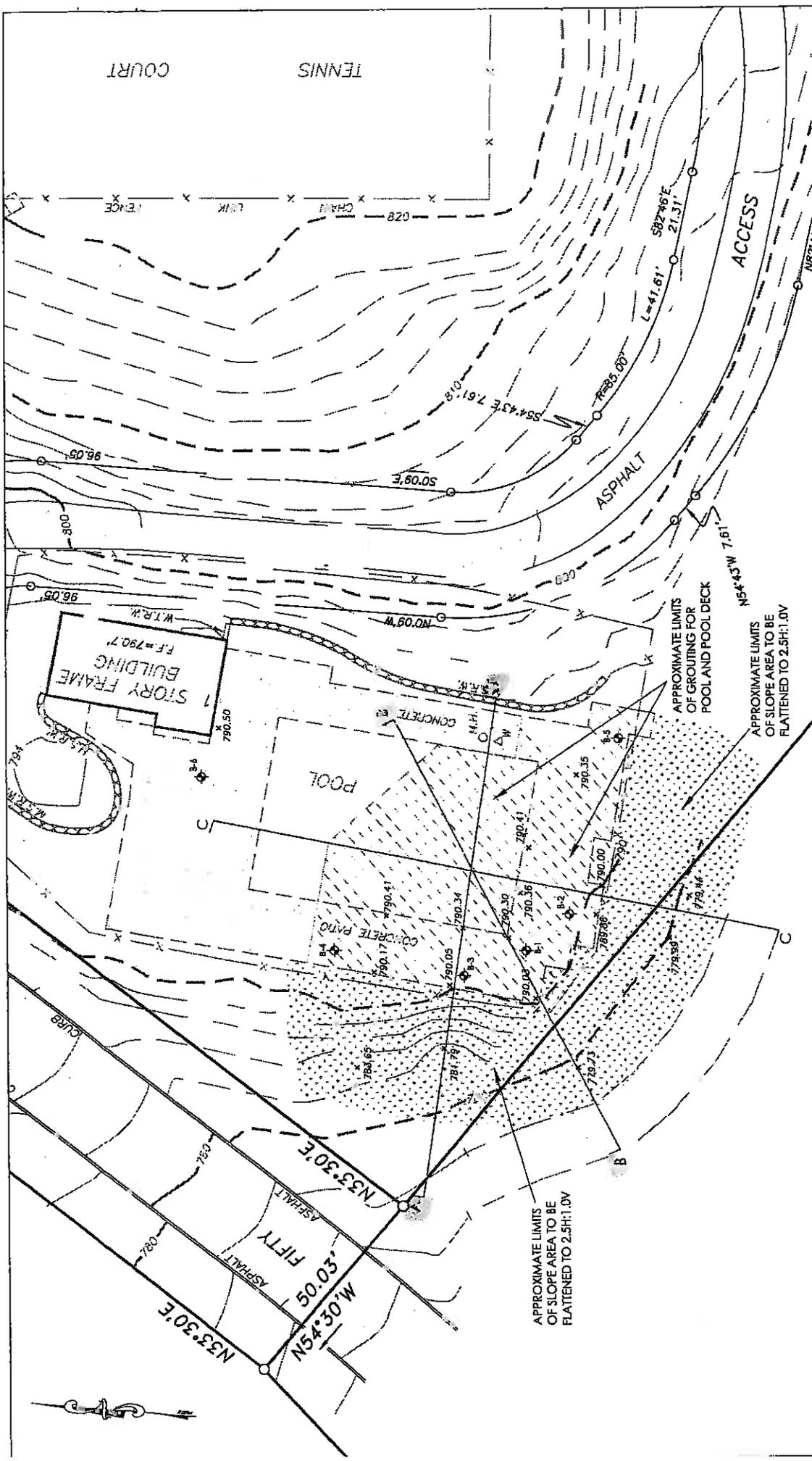
SURVEYED & PREPARED BY
BUNNEY ASSOCIATES
 LAND SURVEYORS
 20 WOODBRIDGE ROAD
 NATONAH, NEW YORK 10836

Anthony DeStefano
 N.Y.S. LIC. 154633B



HERITAGE HILLS





GENERAL NOTES:

1. THIS PLAN WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF CALIFORNIA.
2. THE INFORMATION ON THIS PLAN IS BASED ON THE DATA AND INFORMATION PROVIDED TO ME BY THE CLIENT AND I HAVE NOT CONDUCTED A FIELD SURVEY TO VERIFY THE DATA.
3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

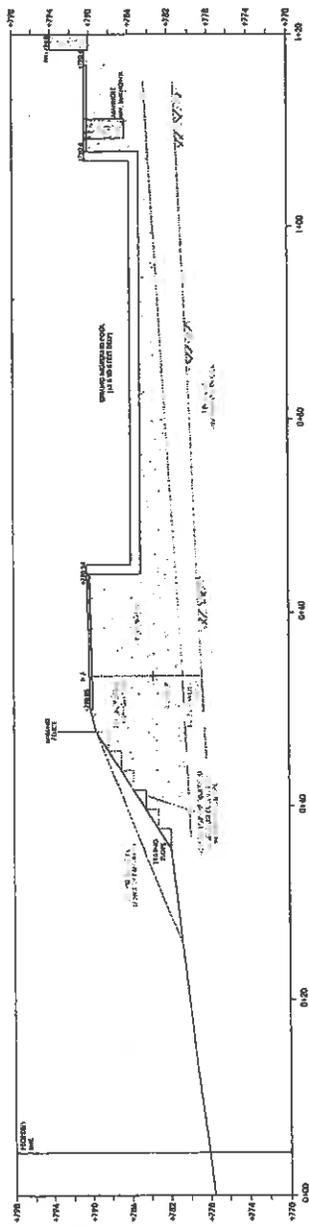
LEGEND:

- BENCHMARK
- BORING LOCATION
- CONSTRUCTION LINE
- FENCE
- POOL AND POOL DECK AREA TO BE FLATTENED
- SLOPE AREA TO BE FLATTENED

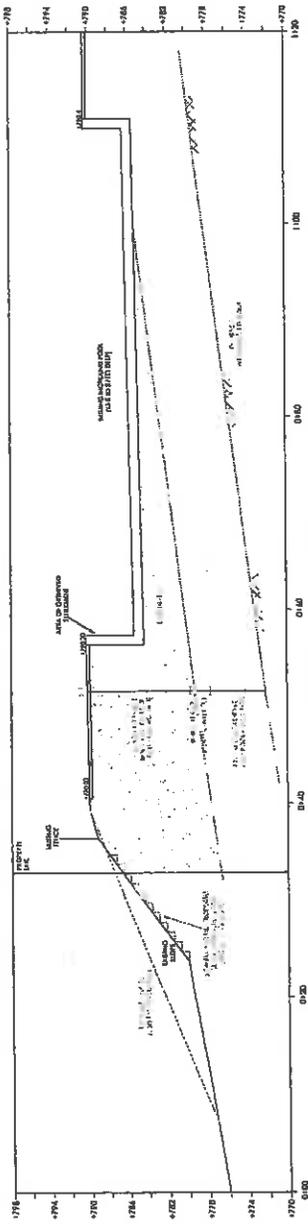
PROJECT INFORMATION:

PROJECT: HUNTER HILLS POOL NO. 1
 CLIENT: CARLINS-SIMPSON AND ASSOCIATES
 ADDRESS: 81 Main Street, Somerville, NJ 08876
 DATE: 12-17-11
 DRAWING NO.: 11-173

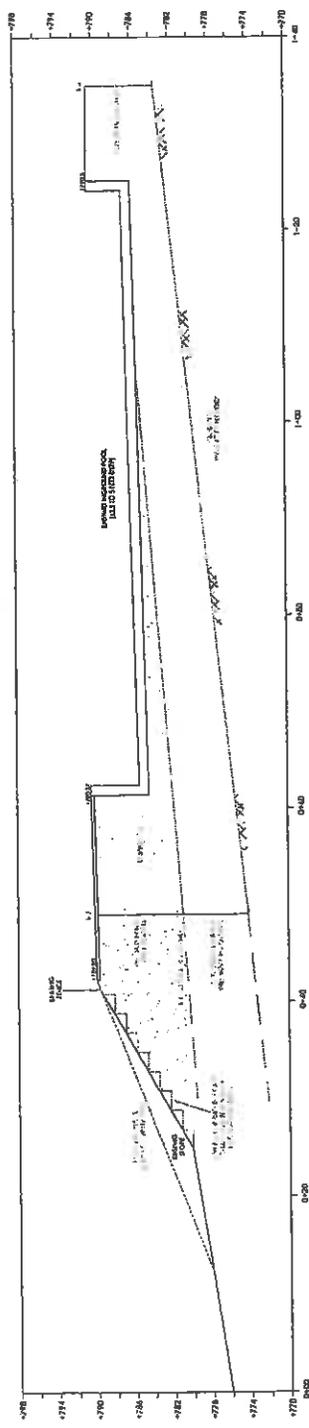
ENGINEER: ROBERT B. SIMPSON, P.E.
 PROFESSIONAL ENGINEER



CROSS-SECTION A-A



CROSS-SECTION B-B



CROSS-SECTION C-C

ROBERT H. SIMPSON, P.E.
PROFESSIONAL ENGINEER

CROSS-SECTIONS A, B, & C

111 HUNTER HILLS ROAD, NO. 13
SCARSDALE, NEW YORK

DATE	1/14/14	PROJECT	1 - 4 - 6
DRAWN BY	RES	CHECKED BY	04.03.14
SCALE	AS SHOWN	PROJECT NO.	115-2
PROJECT NO.	115-2	DATE	04.03.14

CARL SIMPSON AND ASSOCIATES
61 Main Street
Syosset, NY 11787
Qualified Professional
Registered Engineer



"The Landscape Specialists"
PO Box 250, Armonk, New York 10504
Phone: (914) 666-3950 Fax: (914) 666-2813

June 18, 2014

**Heritage Hills – Pool #3
Restoration Project
Landscape Plan**

Proposal

The following Scope of Work is included:

The attached is the landscape plan for pool #3.

The design covers all the disturbed areas where large existing pines and shade trees were removed. The plant selection takes into consideration the following perimeters:

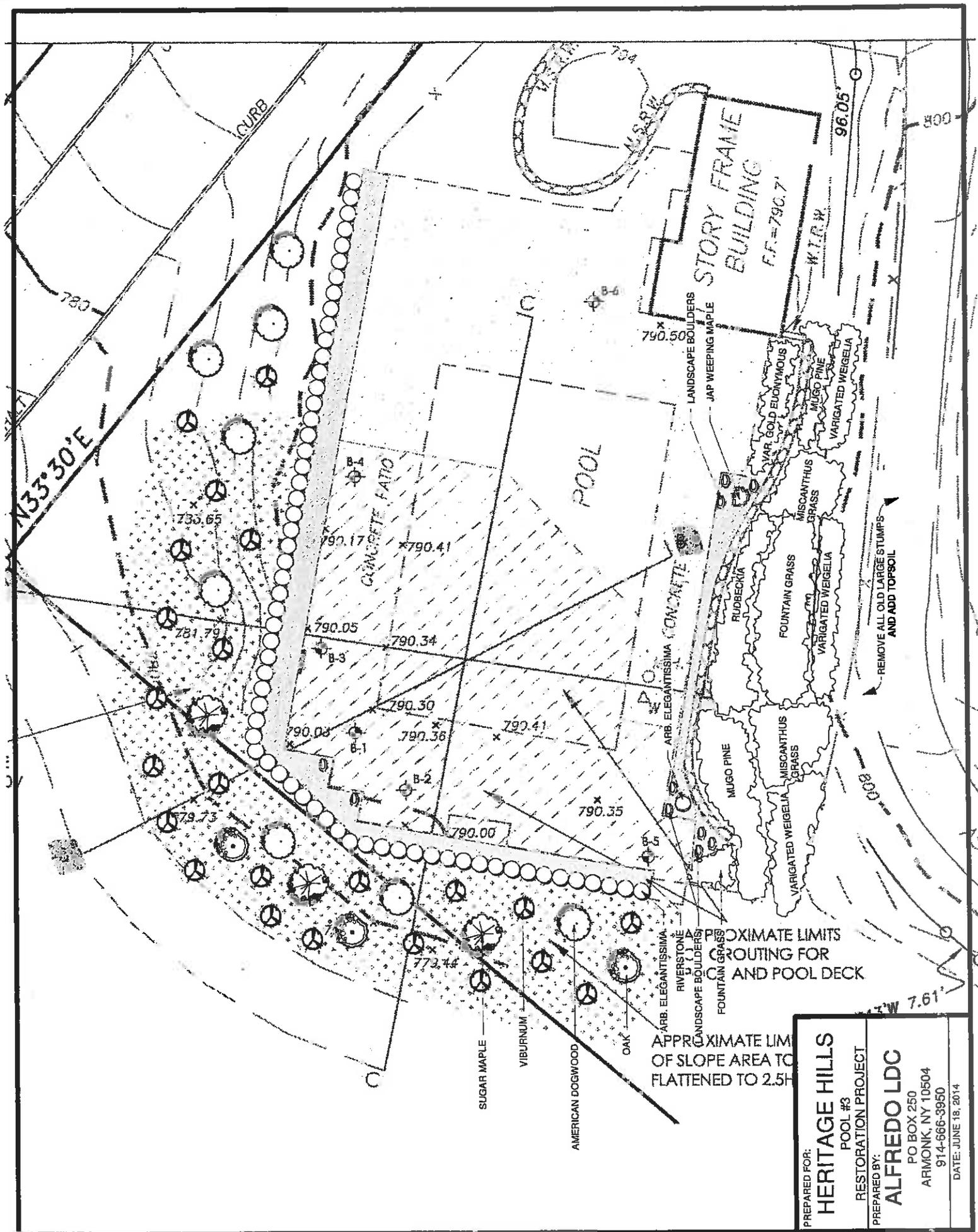
- slope conditions
- deer (outside of fence area)
- species indigenous to the area
- aesthetics
- screening
- maintenance

The plant selection list is as follows:

30	Variegated Weigelia	3-4'
30	Miscanthus Grass	3 gal.
20	Mugo Pine	3 gal.
45	Rudbeckia	2 gal.
22	Fountain Grass	2 gal.
4	Oak	3-3.5" cal.
4	Sugar Maple	3-3.5" cal.
7	American Dogwood	8-10'
23	Viburnum	3-4'
12	Variegated Gold Euonymous	3 gal.
1	Japanese Weeping Maple	48-54" spread
8	Landscape Boulders	
65	Arborvitae Elegantissima	5.5-6'
12 Yds	River Stone / 1.5-2" Size	

Additional Specifications

- All existing stumps to be removed and carted off site.
- All plants to be fertilized with Healthy Start
- Topsoil to be added to all planting zones.
- 2-3" of single shredded bark mulch to be applied to all planting zones.
- All evergreen plants to be sprayed with anti-desiccant this fall 2014.



APPROXIMATE LIMITS OF SLOPE AREA TO BE FLATTENED TO 2.5% FOR ROUTING FOR CURB AND POOL DECK

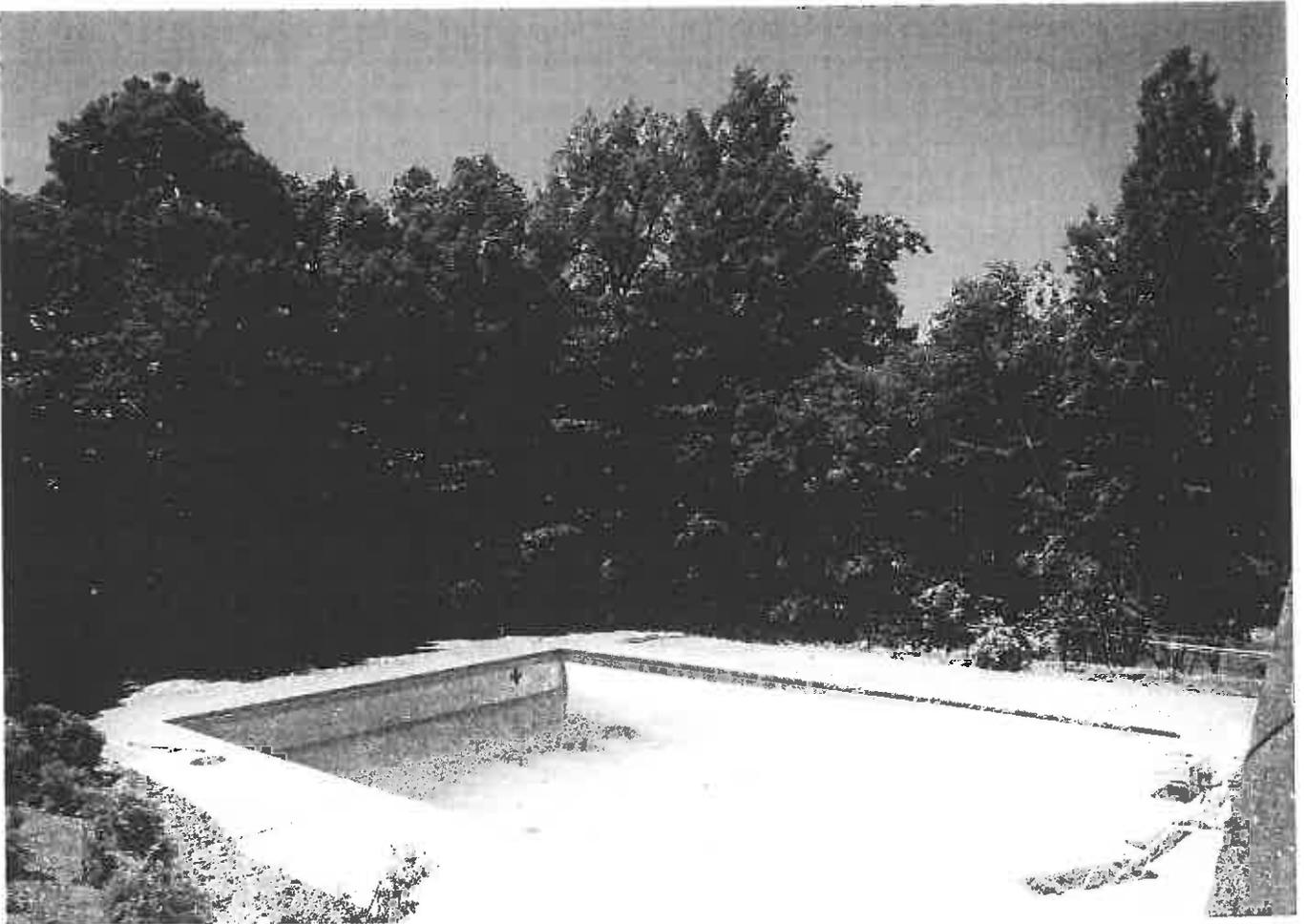
REMOVE ALL OLD LARGE STUMPS AND ADD TOPSOIL

PREPARED FOR:
HERITAGE HILLS
 POOL #3
 RESTORATION PROJECT
 PREPARED BY:
ALFREDO LDC
 PO BOX 250
 ARMONK, NY 10504
 914-566-3950
 DATE: JUNE 18, 2014

(A)



(B)

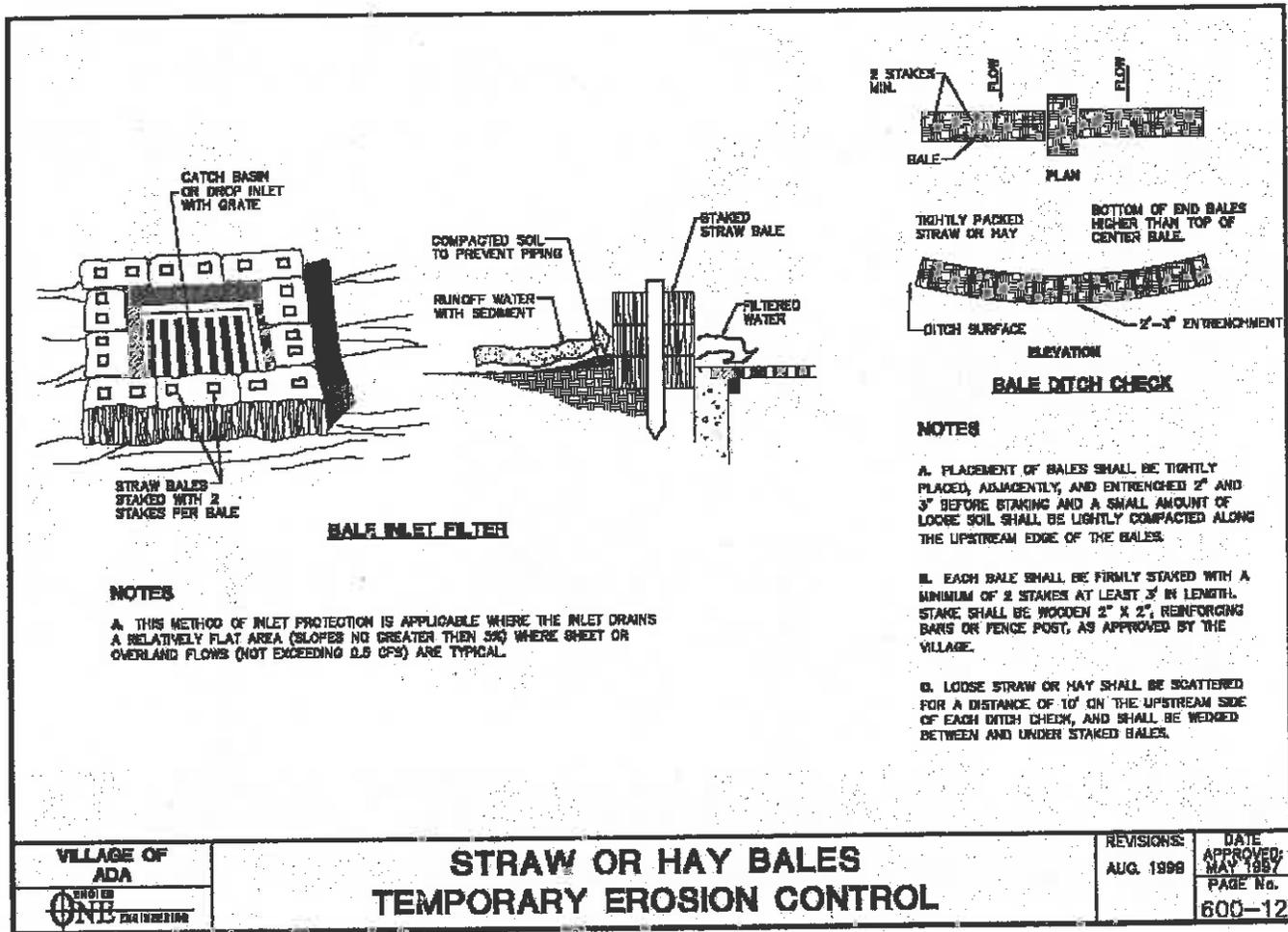


(C)



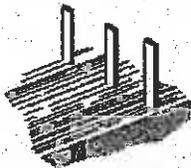
(D)



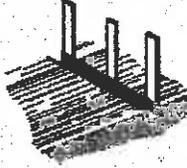


Silt Fence/Temporary Erosion Control

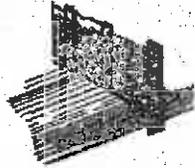
A. SET STAKES NO MORE THAN 3' APART AND DRIVE THEM INTO THE GROUND AT LEAST 2".



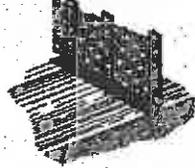
B. EXCAVATE A 4" x 4" TRENCH UP SLOPE ALONG THE LINE OF STAKES.



C. STAPLE FILTER MATERIAL ON UP SLOPE SIDE OF STAKES AND EXTEND IT INTO THE TRENCH. WHEN JOINTS ARE NECESSARY, OVERLAP MATERIAL BETWEEN 2 STAKES AND FASTEN SECURELY.



D. BACKFILL AND COMPACT THE EXCAVATED SOIL.





FILTER FABRIC
V-TRENCH



FILTER FABRIC

VILLAGE OF ADA 	<h2 style="margin: 0;">SILT FENCE</h2> <h3 style="margin: 0;">TEMPORARY EROSION CONTROL</h3>	REVISIONS: AUG. 1999	DATE APPROVED: MAY 1997 PAGE No. 600-13
--	--	-------------------------	---

Repair of Existing Field Tile or Storm Pipe Detail

PLANNING AND ENGINEERING DEPARTMENTS

Telephone
(914) 277-5366
Fax
(914) 277-4098

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: Town of Somers Planning Board

FROM: Syrette Dym, Director of Planning

DATE: June 30, 2014

RE: Project: Wright's Court – Site B Amended Site Plan Application
Applicant: Silvio Management Dev. LLC
Location: Scott Drive and Somerstown Turnpike (Rt. 202); Section 17.11 Block 1 Lot 5
Zoning: B-HP Business Historic Preservation District
Actions: Informal Appearance Regarding Amendment to Approved Site Plan to Install Stamped Concrete Sidewalk in Lieu of Brick Pavement

The project, which is currently under construction, was approved with a variance BZ12A/09 which approved the request by the applicant to use brick sidewalks along the frontage of two property lots whereas "tinted concrete stamped with a brick pattern that matches the color and design layout of the brick walkway installed along the frontage of the Elephant Hotel site" is required by Section 170-17.2 A.(7) of the Somers town code.

The applicant now seeks to conform to the zoning regulations and build the tinted stamped concrete sidewalks on both frontages to match the interior sidewalks identified on the approved site plan. If the Planning Board agrees to allow this conformance with zoning, no further action on the approved variance would be required as discussed with the Building Inspector in a telephone conversation of June 26, 2014.

I have no problems with provision of all sidewalks as specified in the code.

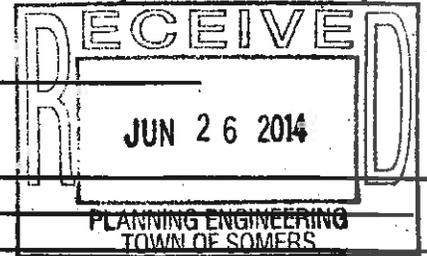
Cc: Joe Barbagallo
Roland Baroni
Enrico DiNardo
Efrem Citarella Z:\PE\Site plan files\Wright's Court DiNardo\PlannerComments 06-30-14.doc

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

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

FEE PAID: _____

DATE PAID: _____



I. IDENTIFICATION OF APPLICANT:

A. OWNER: Silvio Management Corp
ADDRESS: 147 Rolling Hills Rd
Thornwood NY 10594

SUBDIVIDER: _____
ADDRESS: _____

TELE #: 914-277-7500

TELE #: _____

B. SURVEYOR: Donnelly Land Surveying
ENGINEER: Kellard Engineering

TELE #: 914-962-2215

TELE #: 914-273-2323

II. IDENTIFICATION OF PROPERTY:

A. Project Name: Wrights Court Site B

B. Street abutting property: Scott Drive

C. Tax Map Design: Sheet: 1711 Block: 1 Lot: 5
Zoning District: BHP

E. Project (does) (does not) connect directly into (State) (County) highway.

F. Proposed drainage (does) (does not) connect directly into channel lines established by the County Commission of Public Works.

G. Project site (is) (is not) within 500 feet of Town boundary.

H. Proof that taxes have been paid. _____

III. BRIEF DESCRIPTION OF PROJECT PROPOSAL:

To conform with current zoning regulations by installing tinted stamped concrete sidewalk instead of brick pavers?

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

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

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

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

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

[Signature]
Applicant

Date: 6/26/14

[Signature]
Owner

Date: 6/26/14

617.20
Appendix B
Short Environmental Assessment Form

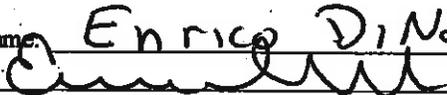
Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: WRIGHT'S COURT SITE B / Silvio Management Corp			
Project Location (describe, and attach a location map): Wright's Court SITE B (Sidewalks)			
341 Route 202, Somers, NY 10589			
Brief Description of Proposed Action: To conform to current sidewalk zoning regulations by installing tinted stamped concrete sidewalks in place of brick pavers			
Name of Applicant or Sponsor: Enrico DiNardo		Telephone: 914-277-7500	
		E-Mail: gleneridarealty@gmail.com	
Address: 343 Route 202, Somers NY 10589			
City/PO: Somers		State: NY	Zip Code: 10589
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO YES <input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO YES <input checked="" type="checkbox"/> <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.73 acres	
b. Total acreage to be physically disturbed?		.40 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.73 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Enrico DiNardo</u>	Date: <u>6/26/14</u>	
Signature: <u></u>		

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

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

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

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

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

PRINT

HALLIC PLACE DEVELOPMENT, LLC

BZ12A/09
17.11-1-5, 18

WHEREAS, an application for Area Variances for the construction of a proposed new commercial building to be located in the Business Historical Preservation District was submitted to the Zoning Board of Appeals of the Town of Somers, Westchester County, New York by **Hallic Place Development, LLC**, and

WHEREAS, this application is taken on a referral from the Planning Board dated September 9, 2009 pursuant to Sections 170-17.1E, 170-17.10 and 170-17.2A of the Zoning Ordinance of the Somers Code, and

WHEREAS, a Public Hearing was scheduled and held on December 15, 2009 at 7:30 P.M. at the Somers Town Hall for the purpose of hearing this request, and

WHEREAS, the property is known and designated on the Town Tax Maps as Section: 17.11, Block: 1, Lots: 5 & 18 and is situated at **339 and 341 Route 202**, and

WHEREAS, the following persons were:

PRESENT: Chairman Marx, Messrs Burke, Carpaneto, Cannistra and Wohlberg

ALSO

PRESENT: Efreem Citarella, Building Inspector, Teresa Reale, ZBA Secretary and interested citizens

FINDINGS AND DETERMINATIONS

WHEREAS, the interest of the appellant is that of the owner, and

WHEREAS, it was established that all the proper notices had been sent out,
and

WHEREAS, Mr. Adam Wekstein, Attorney from the offices of Hocherman, Tortorella and Wekstein, LLP, accompanied by Mr. John Kellard, Project Engineer of Kellard Sessions Consulting, approached the podium on behalf of the Hallic Place Development, LLC and explained that the applicant is seeking area variances pertaining to floor area ratios and separation distance between buildings. In addition, the applicant is requesting permission for the usage of brick sidewalks along the frontage of two property lots, which are the subject of this application, wherein concrete stamped with a brick pattern is required by the Somers town code, and

WHEREAS, upon further review of the application, Chairman Marx determined that the applicant was seeking a floor area variance to increase from 14% to 15% on the lot located to the west side of Scott Drive. The applicant also seeks an area variance for the non-residential use of the property from 8% to 8.81%, a 4 foot area variance between the proposed building and the existing building on the lot located to the west side of Scott Drive and to permit the usage of brick sidewalks along the frontage of both lots and

HALLIC PLACE DEVELOPMENT, LLC

**BZ12A/09
17.11-1-5, 18**

A vote was then taken by the Board as follows...

POLL OF THE BOARD

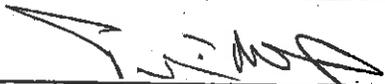
Mr. Carpaneto	Aye
Mr. Cannistra	Aye
Ms. Burke	Aye
Mr. Wohlberg	Aye
Chairman Marx	Aye

The application for the Area Variances was granted.

THEREFORE, BE IT RESOLVED, that the request for Area Variances be granted to the **Hallic Place Development, LLC** pursuant to the Zoning Ordinance of the Town of Somers and New York State Law.

BY ORDER OF THE ZONING BOARD OF APPEALS

TOWN OF SOMERS, WESTCHESTER COUNTY, NEW YORK



PAUL I. MARX, ESQ., CHAIRMAN,

DATE: _____

2/1/10

PLANNING AND ENGINEERING DEPARTMENTS

Telephone
(914) 277-5366
Fax
(914) 277-4098

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: June 30, 2014

RE: Project: Susan Haft and Ridgeview Designer Builders
Applicant: Susan F. Haft and Ridgeview Designer Builders, Inc.
Location: Lovell Street (Section 16.12 Block 1 Lots 41 and 42)
Zoning: R4 Residence District
Actions: Request for Amended Final Subdivision Plat Approval for Submission of Plat in Two Sections

Application Request and Background:

The applicant's cover letter of June 16, 2014, provides a detailed description of their request. In summary, the original conservation subdivision was granted conditional Final Conservation Subdivision Approval, Steep Slopes Permit, Stormwater Management and Erosion and Sediment Control Permit and Tree Removal Permit Approval by Resolution 2010-06 adopted August 25, 2010. Since that time the applicant has requested and received 14 time extensions, the most current set to expire August 17, 2014.

While the applicant has been proceeding on installing the infrastructure required by the Resolution of Approval on the site, they have determined, due to financial reasons, that they would like to proceed with developing and filing the subdivision in sections, such method which is permitted by NYS Town Law Section 276(7)(b) and Town of Somers Subdivision Regulations Section 150-13(K).

The only final subdivision change that is being proposed as a result of the sectioned approvals is that the conservation lot, which was the fifth lot created as part of the subdivision would permanently be designated as Conservation Parcel Section 1 and Conservation Parcel Section 2. To accomplish the sectioning of the plat, a sliver of land ultimately to be part of Lot 2, providing frontage onto Lovell Street for that lot, and on which part of the common access driveway lies, and which is currently on property owned by Ridgeview Builders, Inc., would be filed with the Section 1 Plat. To ensure that this land sliver will be reinstated as part of Lot 2 in the Section 2 Plat, providing frontage for this lot and access for both this lot and Lot 1, the Section I plat identified this sliver as “ crosshatched with the designation” 0.4935 acres to be conveyed to the owner of Section II.

Public Hearings

Based on input from the Town Attorney, a public hearing will need to be held on the amended subdivision. Depending on whether the Town Attorney indicates whether an abbreviated publishing time frame of five rather than 10 days in advance of the hearing is permissible, the public hearing will be scheduled for either the meeting of July 22 as strongly requested by the applicant’s representative or at the August 13 meeting.

In addition, depending on who will be the recipient of the conservation easement, an additional Town Board public hearing may need to be held. The applicant is discussing with the Westchester Land Trust whether or not it will accept the conservation easement. If it does, no public hearing will be required. If they refuse and the Town Board is the recipient, it will be required to hold a public hearing to accept the conservation easement prior to filing of the final plat.

Basis of Comments

- Cover Letter of June 16, 2014 from Hocherman Tortorella & Wekstein, LLP
- Application for Amended Subdivision Approval
- Short Form EAF
- Plat sheets prepared by Jeffrey DeRosa, L.S., De Rosa Land Surveying, dated June 11, 2014
 - Subdivision Plat with Sections I and II
 - Subdivision Plat – Section I, Lots 3 & 4, Conservation Parcel Section I, Section I sliver for conveyance to owner of Section II, majority common driveway and access, drainage and utility easements
 - Subdivision Plat of Section II with lots 1 & 2, Conservation Parcel Section 2 and sliver of land from Section I to provide frontage on Lovell Street to Lot 2
- Application Fee dated June 19, 2014
- Proof of Taxes Paid for Susan F. Haft – 16.12-1-42; dated June 19, 2014
- Proof of Taxes Paid for Ridgeview Design Builders Inc. – 16.12-1-41; dated June 19, 2014

Main Issues for Planning Board Meeting of July 9, 2014

Infrastructure

The status of the site according to Steve Woelfle, who has been monitoring onsite construction of the infrastructure, is that all required infrastructure components are built except for the following items:

1. Asphalt for common driveway
2. Guide rail for common driveway
3. Detention basin plantings
4. Curbing
5. Post and rail fence along conservation easement parcel

It should be determined that the remainder of these infrastructure improvements will be completed prior to the filing of Section I of the proposed amended subdivision.

Bonds and Fees

Bonds already paid include the Engineering Inspection Fee, the Erosion Control Bond and the Recreation Fee. The Performance Bond, which has not been paid as permitted by Town Law Section 150-16E.(1), will need to be posted for the value of the infrastructure improvements yet remaining to be constructed. No building permit would be issued until issuance of this performance bond and granting of final amended subdivision approval.

Conservation Easement

According to the regulations identified permitting the application for filing of subdivisions in two sections, i.e., pursuant to Town Law Section 276(7)(b) and Town of Somers Subdivision Regulations Section 150-13(K), Section II of the Plat would have to be filed no more than three years from the date of filing of Section I or the approval lapses.

Since the Conservation Easement parcel is now being subdivided into two parcels, it would seem that this leaves open the possibility that Section II might never be filed, and that only Conservation Parcel I would be created. This needs to be addressed by the applicant's representative.

Homeowners Association

Note 5 on the Plat of all lots indicates that a homeowners association will be created and that the HOA declaration will be filed along with filing of Section I of the Plat. It also states that "Membership in the homeowners association shall be mandatory for the owners of lots shown on any section filed in the office of the Westchester County Clerk". Since this will be a sectioned subdivision, it appears that the homeowner's association could potentially only consist of Lots 1 and 2 and Conservation Parcel I and that those two homeowner's would be responsible for all the common infrastructure until such time

as Section II is filed or possibly longer. This should be verified with the applicant's representative.

Cc: Roland Baroni
Joe Barbagallo
Geraldine Tortorella

Z:\PE\Subdivision files\EricMossRidgeview\Modification\Planner Comments\Planner's Comments 06-30-14.docx

HOCHERMAN TORTORELLA & WEKSTEIN, LLP
ATTORNEYS AT LAW

ONE NORTH BROADWAY, SUITE 701
WHITE PLAINS, NEW YORK 10601-2319

GERALDINE N. TORTORELLA
ADAM L. WEKSTEIN
NOELLE CRISALLI WOLFSON

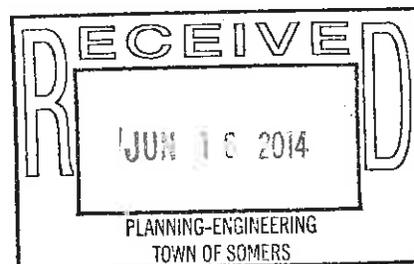
TEL: (914) 421-1800
FAX: (914) 421-1856
WEB: WWW.HTWLEGAL.COM

HENRY M. HOCHERMAN
RETIRED

June 16, 2014

Via Hand Delivery

Hon. John Currie, Chairman
and Members of the Planning Board
Town of Somers
Somers Town Hall
335 Route 202
Somers, New York 10589



*Re: Application for Amended Final Subdivision Plat Approval
Applicants: Susan F. Haft and Ridgeview Designer Builders, Inc.
Lovell Street, Town of Somers
Tax Identification Nos.: Section 16.12, Block 1, Lots 41 and 42*

Dear Chairman Currie and Members of the Planning Board:

As you know, this firm represents Susan F. Haft ("Haft") and Ridgeview Designer Builders, Inc. ("Ridgeview") (collectively the "Applicants") in connection with the above-referenced subdivision on Lovell Street in the Town. We submit this letter and its enclosures in support of Haft's/Ridgeview's application to amend their current final subdivision approval to permit them to file the subdivision in two Sections pursuant to Town Law Section 276(7)(b) and Town of Somers Subdivision Regulations Section 150-13(K). Enclosed for filing are twelve copies of the following documents and plans in support of that request:

1. Application for Amended Subdivision Approval, prepared by Timothy Allen, P.E. and signed by Susan F. Haft on behalf of the Applicants;
2. Short Form Environmental Assessment Form, prepared by Timothy Allen, P.E. and signed by Ms. Haft;
3. The following plat sheets prepared by Jeffrey DeRosa, L.S., DeRosa Land Surveying, dated June 11, 2014:
 - a. "Subdivision Plat" showing Sections I and II and their relationship to one another;
 - b. "Subdivision Plat of Section I" showing Lots 3 and 4, Conservation Parcel Section 1, a sliver of land in Section I to be conveyed to the owner of Section II, the majority of the common driveway, and access, drainage and utility easements; and
 - c. "Subdivision Plat of Section II" showing Lots 1 and 2, Conservation Parcel Section 2, and the sliver of land from Section I that is to provide frontage on Lovell Street to Lot 2.

Hon. John Currie, Chairman
and Members of the Planning Board
June 16, 2014
Page 2

The Property and Its Status

As you may recall, the Subdivision involves two separate parcels owned by Haft and Ridgeview, respectively. The property owned by Haft (i.e., Section II) is improved with a single family residence and garage, cottage and inground pool. By Resolution adopted by your Board on August 25, 2010, the Board granted Conditional Final Conservation Subdivision Approval, Steep Slopes Permit, Stormwater Management and Erosion and Sediment Control Permit and Tree Removal Permit Approvals for the Subdivision to permit, among other things, the creation of four building lots and a fifth lot to be held and maintained as a conservation parcel. (The Haft parcel would be divided into Lots 1 and 2 and a portion of the Conservation Parcel; the Ridgeview parcel would be divided into Lots 3 and 4 and a portion of the Conservation Parcel.) The Subdivision was approved as a Conservation Subdivision but each lot has frontage on Lovell Street and access to the Subdivision Lots is across a common driveway from Lovell Street.

Ridgeview and Haft have not yet filed the plat, opting instead to extend its approval and invest the resources they otherwise would have had to post as security for completion of the infrastructure improvements in installing the infrastructure (i.e. the common driveway, an extensive stormwater management system, and utilities). The Applicants have also paid the Town \$11,566.00 for engineering inspection fees and \$23,000 for recreation fees (which most Applicants pay on the eve of filing a plat), and posted an erosion and sediment control bond in the amount of \$6,738.00.

The site infrastructure work is substantially completed and the Applicants are prepared to satisfy the balance of the conditions required to file the plat and begin construction of a residence on a Ridgeview Lot. However, the Haft parcel is subject to a mortgage they are not prepared to pay off, and they do not anticipate being able to obtain the lender's consent to filing the plat within the reasonably foreseeable future. Therefore, they would like permission to file the plat in two sections, which your Board is permitted to approve under Town Law Section 276(7)(b) and Section 150-13(K) of the Town's Subdivision Regulations. Section I, the Ridgeview parcel, consists of Lots 3 and 4, Conservation Parcel Section 1, a sliver of land that will be transferred to the owner of Section II (for frontage for Lot 2 once created), and the access, drainage and utility easements in which the majority of the common driveway and the stormwater management basins and improvements have been constructed. Section II, the Haft parcel, consists of Lots 1 and 2, Conservation Parcel Section 2, and the sliver of land that will provide frontage for Lot 2.

The building lots (i.e., Lots 1, 2, 3 and 4) and the access, drainage and utility easements shown on the Section plats are identical to those previously approved by your Board. No changes to those features are proposed. In fact, the only layout change being proposed is to the Conservation Parcel, which the Applicants now seek to divide into two parcels, Conservation Parcel Section 1 and Conservation Parcel Section 2, to follow the division line between the Haft and Ridgeview parcels. Each Conservation Parcel will be created at the time the Section on which the Parcel is located is filed in the Westchester County Clerk's Office.

Hon. John Currie, Chairman
and Members of the Planning Board
June 16, 2014
Page 3

Although the Applicants seek to file the plat in Sections, they are not proposing any changes to the manner in which the infrastructure improvements and Lots will be built, the improvements that will be constructed, or the manner in which the shared infrastructure improvements will be owned and/or maintained. The Applicants continue to plan to form a homeowners association that will own the Conservation Parcels and maintain the common driveway and drainage system in accordance with the applicable approvals. Membership in the Association will be mandatory for the Owner of each Lot in a Section and automatic upon the filing of the Section plat on which that Lot is shown in the Office of the Westchester County Clerk. Members of the homeowners association will share the cost of maintenance.

The homeowners association will be formed and all easements, covenants and restrictions will be recorded at the time the Section I Plat is filed in the Office of the Westchester County Clerk. Notes to this effect and which explain the Sections are included on the various Plats.

Approving a Plat to be Filed in Sections

If the Board agrees to this amendment, the Board will approve the full Subdivision Plat (item 3.a above) and file it with the Town Clerk as a record of what has been approved. Thereafter, once the conditions for filing a Section are satisfied, that Section's plat (i.e. items 3.b and 3.c above) will be filed. The Section I Plat will be filed first and the Section II Plat must be filed within three years thereafter.

Section 150-13(K) of the Town's Subdivision Regulations states that your Board is authorized to approve the filing of a subdivision plat in sections under the following circumstances:

- (1) The Planning Board shall determine that the sections are logical in their extent. Each section shall encompass at least 10% of the total number of lots contained in the approved final subdivision plat.
- (2) Conditional or final approval of the sections of a final subdivision plat may be granted concurrently with conditional or final approval of the entire plat, subject to any requirements imposed by the Planning Board. The extent of each section shall be shown on the overall final subdivision plat.
- (3) No section will be approved for filing prior to another section or sections upon which it will depend for street access and traffic circulation. No section will be approved for filing if a prior section has not first been satisfactorily completed.

Each criterion is met here. Specifically, except for the Conservation Parcels, the Lots, their means of access and the stormwater improvements are identical to that previously approved by the Board and the Sections follow the dividing line between the Haft and Ridgeview Parcels. Further, each section contains fifty (50) percent of the total number of lots.

HOCHERMAN TORTORELLA & WEKSTEIN, LLP

Hon. John Currie, Chairman
and Members of the Planning Board
June 16, 2014
Page 4

We have already anticipated that the Board will impose requirements to ensure that the Sections are filed and developed in logical order and that the easements, covenants and restrictions will be effective at the time the Lots shown thereon are created. For that reason, we have provided on the Plat that the easements, covenants and restrictions will be recorded and the homeowners association formed at the time the Section I Plat is filed.

Further, the common driveway providing access to each of the Lots and the stormwater management system for the entire subdivision are substantially completed so there can be no concern that necessary and required infrastructure improvements have not been or will not be constructed.

Kindly schedule this matter for discussion at the earliest opportunity and let us know the date of such meeting. Thank you for your courtesy in this matter.

Respectfully yours,

Hocherman Tortorella & Wekstein, LLP

By: 
Geraldine N. Tortorella

GNT:mc

Enclosures

cc: *(via electronic mail)*
Syrette Dym, AICP
Roland Baroni, Esq.
Joseph P. Eriole, Esq.
Mr. Steve Woelfle
Timothy Allen, P.E.
Ms. Susan F. Haft
Mr. Eric Moss

ANEUDBB

7/02

SOMERS PLANNING BOARD
APPLICATION FOR FINAL APPROVAL OF SUBDIVISION

I. IDENTIFICATION OF APPLICANT:
 A. OWNER: RIDONICU/S. HART SUBDIVIDER: SLNC
 ADDRESS: 45 Belleau Way ADDRESS: Poude Ridge Dr
 TELE #: _____ TELE #: 804-6380
 B. SURVEYOR: J. Rose L.S. TELE #: 277-3404
 ENGINEER: BIBBO ASSO. TELE #: 277-5805

II. IDENTIFICATION OF PROPERTY:
 A. Subdivision identifying Title: RIDONICU DESIGNER B-205, L.U.
 B. Street abutting property: LOVELL ST.
 C. Tax Map Designation: Sheet: 16.12 Block: 1 lot: 41842
 D. Zoning District: R-40
 E. Total area of property in acres: 12.441

III. APPLICATION FEES PAID: By certified check payable to Town of Somers
 Fee: \$150 for each lot shown on the final subdivision plat, minimum
 application fee is \$600. Fee: T.B.D. Paid: T.B.D.
 14 copies of all correspondence/plans must be submitted to the Planning
 Board during review.

- A. 14 copies of Final Subdivision Plat.
- B. 14 copies of Construction Plans.
- C. _____ Proof of ownership by the applicant of the premises affected by the application.
- D. _____ Certificate of Title Company covering all interests, liens, & objections to title if any.
- E. _____ Engineer's or surveyor's certification of total area of subdivision shown on the plat.
- F. _____ Length of all proposed streets shown on plat.
- G. _____ Engineer's estimate of cost of construction of the subdivision streets and all other improvements shown on the final construction plans.
- H. _____ Deed to Town of the proposed streets and park areas shown on the plat.
- I. _____ Proof of approval by Somers Town Board of all proposed street names.
- J. _____ Proof of approval by the State Department of Transportation or the County Department of Public Works, as appropriate, of the design and proposed construction of any intersection of a proposed street on the plat with a State or County highway if any.
- K. _____ Proof that taxes have been paid.

ALL ON FILE

IV. LIST OF ADJOINING PROPERTY OWNERS OF RECORD:

NAME	ADDRESS	BLOCK	LOTS

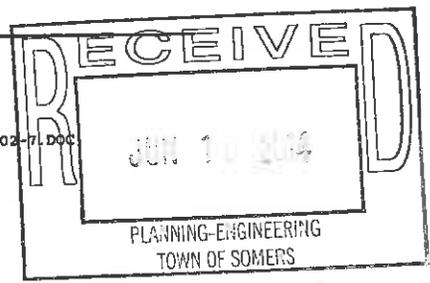
It is the responsibility of the applicant to be knowledgeable of the law. The following are available at the Town Clerk's Office: Master Plan, Zoning Ordinance, Subdivision Regulations, State Environmental Quality Review (SEQR), Wetland and Steep Slope Ordinances.

WAIVERS: As part of this application, I request the Planning Board to authorize certain exceptions that lie within its discretion to the regulation, codes, ordinances and/or specification governing subdivisions and I attach hereto a list of such exceptions with the reason for each exception as set forth.

The undersigned applicant requests the Planning Board to approve his plat.

Susan B. Hart Date: 6/16/14
 Applicant's Signature

SLNC 45 BELLEAU WAY Date: _____
 Owner's Signature



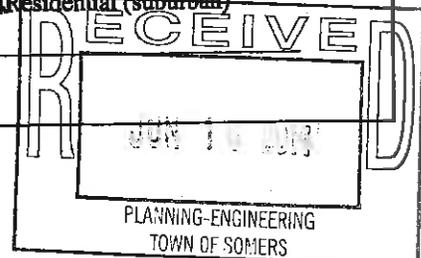
617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: <i>RITCHEW DESIGNER BUILDERS, INC</i>			
Project Location (describe, and attach a location map): <i>LOVELL ST. SOMERS, NY</i>			
Brief Description of Proposed Action: <i>AMCUD SUBDIVISION TO FILE PLAT IN SECTIONS.</i>			
Name of Applicant or Sponsor: <i>SHANE AS LBOVE</i>		Telephone:	
		E-Mail:	
Address: <i>45 BUDDER WAY POOND RIDGE, NY</i>			
City/PO: <i>POOND RIDGE</i>		State: <i>NY</i>	Zip Code: <i>10576</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>12.4</i>	acres
b. Total acreage to be physically disturbed?		<i>0</i>	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>12.4</i>	acres
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify):			
<input type="checkbox"/> Parkland			



	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>SUPPLY + WELLS</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>SUPPLY + WELLS</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <u>OFF-SITE DRAIN</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: <u>STORMWATER QUALITY + QUANTITY</u>	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>BIOGENIC POSITIVE BUILDERS</u> Date: <u>6/14/14</u>		
Signature: <u>[Signature]</u>		

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

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

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

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

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

PRINT

C-
PB
TP
CTE
Application

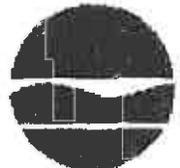
New York State Department of Environmental Conservation

Division of Environmental Permits, Region 3

21 South Putt Corners Road, New Paltz, New York 12561-1620

Phone: (845) 256-3054 FAX: (845) 255-4659

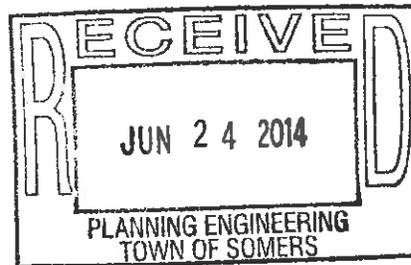
Website: www.dec.ny.gov



Joe Martens
Commissioner

June 20, 2014

Syrette Dym, Planner
Town of Somers
335 Route 202
Somers, New York 10589



67?

Re: SEQR LEAD AGENCY DESIGNATION
AVALON BAY COMMUNITIES, INC
TOWN OF SOMERS, WESCHESTER COUNTY

Dear Ms.Dym:

This is in response to the Town of Somers Planning Department's notice dated June 10, 2014 regarding the above noted project. From the information provided, it is apparent that the project is an Unlisted action in accordance with 6 NYCRR Part 617, State Environmental Quality Review Act.

Based upon our review of the circulated documents, this office has identified the following environmental concerns:

1. **Water Service** - If the Town of Somers proposes to extend the supply or distribution mains of a public water supply system into a new water service area or extension thereof such that the water withdrawal system remains or becomes one with a capacity equal to or greater than the threshold volume (100,000 gallons per day), then the Town will be required to obtain a Water Withdrawal Permit from the Department [see 6 NYCRR Part 601.6(d)].
2. **Sewer Service** - An engineering report must be prepared to confirm the capacity of the waste water facility that will serve the proposed project. Approval of plans for any proposed sewer extensions or facility expansions will be required from DEC.
3. **SPDES Stormwater (Construction)** - As project activities will disturb over 1 (>1) acre of land, the project sponsor must obtain coverage under the current SPDES General Permit (GP-0-10-001) for Stormwater Discharge from Construction Activities, and a Stormwater Pollution Prevention Plan (SWPPP) must be developed which conforms to requirements of the General Permit. As the Village of Woodbury is an MS4 community (Municipal Separate Storm Sewer System), the Village is responsible for review and acceptance of the SWPPP. [The MS-4 Acceptance Form must be submitted to the Department.] Authorization for coverage under the SPDES General Permit is not granted until the Department issues any other necessary DEC permits.

SEQR LEAD AGENCY DESIGNATION
Kikkerfrosch Brewery
Village of Goshen, Orange County

In addition to transmitting the above comments, this letter also serves to confirm that we have no objection to the Town of Somers assuming lead agency status for this project. As such, it will be the responsibility of the Town of Somers to determine the significance of the action (i.e. positive/negative declaration).

If you have any questions or comments about this letter, please contact me at (845) 256-3040.

Sincerely,



Joseph R. Murray
Environmental Analyst
Division of Environmental Permits

cc: Westchester County Health Department

**DELBELLO DONNELLAN WEINGARTEN
WISE & WIEDERKEHR, LLP**

ERICA FREYMAN AISNER
THOMAS R. BEIRNE
ANN FARRISSEY CARLSON^o
JULIE CZEK CURLEY
ALFRED B. DELBELLO
ALFRED E. DONNELLAN[†]
JANET J. GIRISV
FRANK J. HAUPEL
ROBERT HERMANN
DAWN KIRBY^o
JONATHAN S. PASTERNAK
PATRICK M. REILLY
STEVEN R. SCHOENFELD[†]
ELIOT M. SCHUMAN
BRADLEY D. WANK^{*}
MARK P. WEINGARTEN^o
LEE S. WIEDERKEHR
PETER J. WISE, AICP [†]

JACOB E. AMIR
NELIDA LARA
ERIC J. MANDELL
SUSAN CURRIE MOREHOUSE
MICHAEL J. SCHWARZ^o
HEIDI WINSLOW

COUNSELLORS AT LAW
THE GATEWAY BUILDING
ONE NORTH LEXINGTON AVENUE
WHITE PLAINS, NEW YORK 10601

(914) 681-0200
FACSIMILE (914) 684-0288

ANDREW J. BALINT
RICHARD BEMPORAD
GERALD K. GEIST
BRANDON R. SALL^{*}
DAVID R. SELZNICK & Co., LLP

COUNSEL

^oMEMBER OF NY & CT BARS
[†]MEMBER OF NY & NJ BARS
^{*}MEMBER OF NY & DC BARS
[▼]MEMBER OF NY, NJ & MA BARS
^{*}MEMBER OF NY, NJ, CT & FL BARS

June 9, 2014

Honorable John Currie, Chairman
and Members of the Planning Board
Town of Somers
335 Route 202
Somers, New York 10589

**Re: Application of AvalonBay Communities, Inc. for Site Plan Approval for the
Property Located on Route 6 and Mahopac Avenue, Somers, New York.**

Dear Chairman Currie and Members of the Planning Board:

This firm represents AvalonBay Communities, Inc. (the "Applicant" or "AvalonBay") in connection with the property located at Route 6 and Mahopac Avenue, Somers, and which is also known and designated on the tax map of the Town of Somers as Section 4.20, Block 1, Lots 13, 14, 15 and p/o 12 (the "Property"). On behalf of the Applicant, we respectfully submit the enclosed applications for: 1) site plan approval pursuant to Section 170-114 of the Zoning Code of the Town of Somers (the "Zoning Code"); 2) a steep slopes permit pursuant to Section 148-8 of the Code of the Town of Somers (the "Town Code"); 3) a tree removal permit pursuant to Section 156-5 of the Town Code; and 4) a stormwater management and erosion and sediment control permit pursuant to Section 93-10 of the Town Code (collectively, the "Application").

The Applicant

AvalonBay is the contract vendee of the Property. AvalonBay is a publicly traded Real Estate Investment Trust whose core business is developing, redeveloping, acquiring and managing high quality rental apartment communities in the Northeast, Mid-Atlantic, Midwest, Pacific Northwest, Northern California and Southern California regions of the country, and is one of the best capitalized and most stable developers of luxury apartment communities in the nation. AvalonBay currently owns hundreds of apartment communities containing more than 80,000 apartment homes in suburban and urban locations in sixteen (16) markets. AvalonBay has successfully developed and owns numerous residential communities in the immediate region, including Avalon Ossining, Avalon White Plains, Avalon Green in the Town of Greenburgh, Avalon on the Sound in New Rochelle, The Avalon in Bronxville, Avalon Willow in Mamaroneck, Avalon Corners and Avalon Grove in Stamford, Connecticut, Avalon Wilton in

Wilton Connecticut, Avalon New Canaan in New Canaan, Connecticut and Avalon Darien in Darien, Connecticut.

The Property and Brief History of the Residential Component of the Master Plan

The Property is located in a PH District, and is located on Route 6 and Mahopac Avenue, Somers. It consists of approximately 53.2 acres and is a portion of the larger planned community commonly known as “Somers Realty Planned Hamlet”, the master plan for which was originally approved by the Planning Board in February, 2009, and was most recently amended in January, 2013 (the “Master Plan”).

As part of the Master Plan approval in 2009, the Planning Board approved the development of 152 residential units (containing a total of 183,762 gross square feet) on the Property together with parking and related infrastructure. Of the 152 units, 129 were to be market rate and 23 were to be “affordable” in accordance with the Town’s affordable housing requirements. The units were designed as townhouses, and were distributed throughout the Property. Due to market conditions, the residential portion of the community has not yet been constructed.

The Current Applications

The Applicant is seeking site plan approval, a steep slope permit, a tree removal permit and a stormwater management and erosion and sediment control permit for the construction of a 152 unit luxury apartment development on the Property, to be known as “Avalon Somers” (the “Project” or the “Community”), in lieu of the previously approved residential units. The Project consists of slightly less total floor area than previously approved.¹

The proposed Community consists of seventeen (17) residential buildings, together with 324 parking spaces and related infrastructure and amenities. The two-story residential buildings will contain a total of 152 units, the unit mix of which is anticipated to be 62 one-bedroom units, 66 two-bedroom units, and 24 three-bedroom units. As with the previously approved residential development, 23 of the units are intended to be “affordable” units in accordance with the Town’s affordable housing requirements. The Project includes an approximately 3,779 square foot community recreation building, an outdoor pool, and a “town green.” As shown on the enclosed drawings, the proposed residential structures have been arranged in a manner that creates two distinct community spaces; the Community’s clubhouse and outdoor pool are surrounded by a group of residential buildings, while a series of six (6) residential buildings form an “L” shape around the large “town green.”

The Community has been designed to be aesthetically appealing, and has been designed to better conform to the Property’s natural topography to minimize site disturbance, and will result in less overall disturbance than the prior project. The mass and scale of the buildings is

¹ The floor area of the proposed development is 183,060 square feet; the previously approved residential units consisted of 183,762 square feet.

varied by the use of color, texture and materials. Through the use of clapboard and shaker siding, stone and bridge masonry, as well as a variety of dormers and window sizes and arrangements, the Community has the look of a traditional neighborhood community that complements the style of the existing buildings in the Somers Planned Hamlet and is consistent with the pattern of the region. As with all AvalonBay Communities, the Community will be attractively landscaped with a variety of evergreen, flowering and shade trees, shrubs, flowering perennials, ground covers and grasses.

Related Actions

As previously stated, the Applicant is the contract vendee of the Property. The owner of the Property (and the remainder of the Somers Realty Planned Hamlet), Somers Realty Corp. (the "Owner"), has simultaneously filed corresponding applications with the Planning Board for: amendments to the Master Plan, and subdivision approval, to facilitate the sale of the Property to the Applicant, and a steep slope permit, tree removal permit, and stormwater management and erosion and sediment control permit for the roads and other related infrastructure improvements at the Somers Realty Planned Hamlet.

Review Under the State Environmental Quality Review Act

As the Board may recall, the Somers Realty Planned Hamlet was the subject of an exhaustive environmental review under the State Environmental Quality Review Act and regulations thereunder (SEQRA). The review was concluded on February 10, 2009, at which time the Planning Board adopted the lead agency SEQRA Findings Statement for the Somers Realty Planned Hamlet.

The proposed Community is generally consistent with the previous project addressed in the SEQRA Findings Statement, will disturb less of the Property than the previous project, and will not result in any new or different significant adverse environmental impacts which were not already evaluated in 2009.

A complete environmental assessment form is included with this submission.

Required Submissions

In support of the Applications, we respectfully submit twenty-two (22) sets of the following:

1. A letter of authorization from the Owner of the Property;
2. A completed application for Site Plan Approval;
3. A completed application for Environmental Permit (Steep Slopes);
4. A completed Tree Removal Permit Application;

5. A completed Environmental Assessment Form (EAF) prepared by VHB;
6. An "Engineering Report" prepared by Milone & MacBroom, dated June 9, 2014;
7. A set of site plan drawings consisting of the following:

Drawing No.	Title	Prepared By	Dated
---	Title Sheet	Milone & MacBroom ("MM")	06-09-14
IN	Index Plan	MM	06-09-14
EX-1	Existing Conditions	MM	06-09-14
EX-2	Existing Conditions	MM	06-09-14
EX-3	Existing Conditions	MM	06-09-14
EX-4	Existing Conditions	MM	06-09-14
EX-5	Existing Conditions	MM	06-09-14
LA-1	Site Plan - Layout	MM	06-09-14
LA-2	Site Plan - Layout	MM	06-09-14
LS-1	Site Plan - Landscaping	MM	06-09-14
LS-2	Site Plan - Landscaping	MM	06-09-14
GR-1	Site Plan - Grading	MM	06-09-14
GR-2	Site Plan - Grading	MM	06-09-14
UT-1	Site Plan - Utilities	MM	06-09-14
UT-2	Site Plan - Utilities	MM	06-09-14
SA-1	Steep Slope Analysis - Existing Conditions	MM	06-09-14
SA-2	Steep Slope Analysis - Proposed Conditions	MM	06-09-14
SP-1	Stormwater Pollution Prevention Plan	MM	06-09-14
SP-2	Stormwater Pollution Prevention Plan	MM	06-09-14
SP-3	Stormwater Pollution Prevention Details	MM	06-09-14
SP-4	Stormwater Pollution Prevention Details	MM	06-09-14
SD-1	Site Details	MM	06-09-14
SD-2	Site Details	MM	06-09-14
SD-3	Site Details	MM	06-09-14
SD-4	Site Details	MM	06-09-14
SD-5	Site Details	MM	06-09-14
A0.00	Cover Sheet	Edward R. Kimsey, Jr. AIA, Architect (Niles Bolton) ("NB")	06-09-14
A2.01	Building Type 201 Building Plans	NB	06-09-14
A2.02	Building Type 201S Building Plans	NB	06-09-14
A2.03	Building Type 204 Building Plans	NB	06-09-14

A2.04	Building Type 204S Building Plans	NB	06-09-14
A2.05	Building Type 209 Building Plans	NB	06-09-14
A4.01	Building Type 201 Elevations	NB	06-09-14
A4.02	Building Type 201S Elevations	NB	06-09-14
A4.03	Building Type 204 Elevations	NB	06-09-14
A4.04	Building Type 204S Elevations	NB	06-09-14
A4.05	Building Type 209 Elevations	NB	06-09-14
A5.01	Units AD2 & AD2-L Unit Plan	NB	06-09-14
A5.02	Units AD3 & AD3-L Unit Plans	NB	06-09-14
A5.03	Units BD3 & BD3A Unit Plans	NB	06-09-14
A5.04	Unit CD9 Unit Plans	NB	06-09-14
A10.01	Lease Office Building Plan	NB	06-09-14
A10.02	Lease Office Elevations	NB	06-09-14

8. A check in the amount of \$25,194 made payable to the Town of Somers representing the application fees.

Conclusion

We respectfully request that this matter be placed on the Planning Board's July 9, 2014 agenda for commencement of review of the Applications. In the interim, please do not hesitate to contact me if you have any questions or if you would like any additional information.

Thank you for your consideration. We look forward to meeting with the Planning Board on July 9.

Very truly yours,



MARK P. WEINGARTEN

Enclosures

Cc: Grant Jaber, AvalonBay
Thomas Shiel, P.E., Milone & MacBroom
Bonnie von Ohlsen, VHB
Linda Whitehead, Esq. McCullough Goldberger & Stoudt
Richard D. Williams, Jr., P.E., Insite Engineering

SOMERS REALTY CORP.
c/o Seth Capozza
15 Charles Street, Apt. 12G
New York, New York 110014



June 6, 2014

Honorable John Currie, Chair
and Members of the Planning Board
Town of Somers
335 Route 202
Somers, New York 10589

Re: Applications of AvalonBay Communities, Inc. for Site Plan Approval and related applications for the Property Located on Route 6 in the Town of Somers, known as Sheet 4.20 Block 1 and Lots 13, 14, 15, and part of Lot 12 on the tax map of the Town of Somers.

Dear Chairman Currie and Members of the Board:

We are the owners of the property located at on Route 6 in the Town of Somers, also known and designated on the tax assessment map of the Town as Section 4.20, Block 1, Lots 13, 14, 15, and p/o 12 (the "Property"). AvalonBay Communities, Inc. is the contract vendee of the Property, and as such is seeking site plan approval and related permits to permit the development of 152 residential units as part of the Somers Planned Hamlet Master Plan on the Property.

As the owner of the Property, we are writing to advise you that AvalonBay Communities, Inc. and its attorneys, DeBello Donnellan Weingarten Wise & Wiederkehr, LLP and consultants are hereby authorized to file any and all applications in connection with the above-referenced applications and proposed development of the Property as described above.

SOMERS REALTY CORP.


By: _____
Title:

Sworn to before me this 7 day
of June, 2014.


Notary Public

HELEN ANN LALLY
Notary Public: State of New York
No. 01LA5017182
Qualified in New York County
Commission Expires August 30, 2017

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

Application Processing Affidavit must also be completed. Click here for form.

I. IDENTIFICATION OF APPLICANT:

- A. Owner: Somers Realty Corp. Applicant: AvalonBay Communities, Inc.
Address: 15 Charles St, Apt 12G Address: 1499 Post Road, Fairfield, CT 06824
Tele #: New York, NY 10014 Tele #: (203) 926-2309
- B. Architect: Niles Bolton Engineer: Milone & MacBroom
Address: 3060 Peachtree Rd Address: 99 Realty Drive, Cheshire, CT 06410
Tele #: Atlanta, GA 30305 Tele #: (203) 271-1773
- C. Surveyor: _____ Tele #: _____
Address: _____

II. IDENTIFICATION OF PROPERTY:

- A. Identifying Title: AvalonBay Somers
- B. Tax Map Design: Sheet: 4.20 Block: _____ Lot(s): 13, 14, 15, p/o 12
- C. Zoning District: PH
- D. Street which property abuts: Route 6
- E. Does property connect directly into State or County highway? Yes
- F. Is site within 500 feet of Town Boundary? No
- G. Total area of site: + 53.2 Area of site activity: + 17.0 acres
- H. Site coverage: 9.3 % Building coverage: 4.6 %
- I. Affected Wetland Area N/A Wetland Buffer Area N/A
- J. Affected Steep Slope Area: 15%-25% 2.2 acres Over 25% 0
- K. Existing building size: N/A New/additional building size: 183,060 in
- L. Existing parking spaces: N/A New parking spaces: 324

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.

Total Fee: \$23,504 Date Paid: 6-9-14

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.

AvalonBay Communities Inc. by its attorneys DeBello Donnellan Weingarten et al

By: Janet J. Girls
Signature of Applicant, Janet J. Girls, ESq

Date: 6-6-14

Signature of Owner

Date: _____

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

APPLICATION FEE:

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

OWNER: Somers Realty Corp. Tel. #: _____

Mailing Address: 15 Charles St., Apt 12G, New York, NY 10014

APPLICANT: AvalonBay Communities, Inc. Tel. #: (203) 926-2309

Mailing Address: 1499 Post Road, Fairfield, CT 06824

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

Premises: Sheet: 4.20 Block: 1 Lot: 13, 14, p/o 15, p/o 12

Situated on the _____ side of _____ (Street) _____ feet from the intersection of _____ (Street)

Description of Work and Purpose: _____

Estimated Quantity of Excavation: 24,300 C.Y. 111,300 CUT 135,600 FILL

Size of Activity Area: ± 17 acres

Total Value of Work: TBD

Slope Category: 15% < 25%: 2.2 - 25% < 35%: 0 or > 35%: 0

Soil Types: Ub - Udorthents, smooth

Proposed Starting Date: Spring 2015 Proposed Completion Date: 18 months from start

Plans Prepared by: Milone & MacBroom Dated: 6/9/14

Plans must be submitted with application.

List of Applicable County, State, or Federal Permits:

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

NAME	ADDRESS	BLOCK	LOTS

AvalonBay Communities Inc. by its attorneys DelBello Donnellan Weingarten Wise & Wiederkehr, LLP

Applicant's Signature: [Signature] Date: 6-6-14

Owner's Signature: [Signature] Date: _____

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

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

Administrative Permit: _____

Planning Board Permit: _____

5/9/2012

TREE REMOVAL PERMIT APPLICATION
SECTION 156, TREE PRESERVATION



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

DATE: 6/6/14

1. APPLICATION FEE:

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

2. IDENTIFICATION OF APPLICANT:

OWNER: Somers Realty Corp. Tel. #: _____
Mailing Address: c/o Seth Capozza, 15 Charles St., Apt. 12G, New York, NY 10014

APPLICANT: (if other than Owner)
AvalonBay Communities Inc. Tel. #: (203) 926-2309
Mailing Address: 1499 Post Road, Fairfield, CT 06824
Professional preparing site plan: Milone & MacBroom
State authority: _____ If other than owner, authorization must be submitted in writing.

3. IDENTIFICATION OF SUBJECT PROPERTY

Address: Route 6
PREMISES: Sheet: 4.20 Block: 1 Lot: 13,14,15, p/o 12

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

Zoning District: R10 R40 R80 R120 Other (Circle)

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

5. PURPOSE FOR TREE REMOVAL

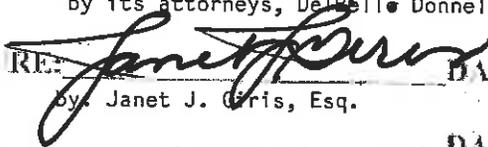
Development of 152 residential units on 53.2 acres of the Somers Planned Hamlet.

6. SKETCH OR SITE PLAN*

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

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

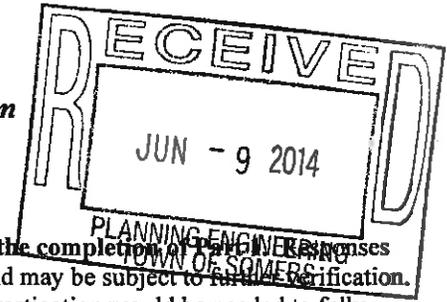
AvalonBay Communities Inc.
by its attorneys, DeBelle Donnellan Weingarten Wise & Wiederkehr, LLP

APPLICANT'S SIGNATURE:  DATE: 6/6/14
by: Janet J. Chris, Esq.

OWNER'S SIGNATURE: _____ DATE: _____

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

617.20
Appendix B
Short Environmental Assessment Form



Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: AvalonBay Somers			
Project Location (describe, and attach a location map): Route 6 and Mahopac Ave, Somers, NY			
Brief Description of Proposed Action: Project-specific plan for construction of 152 residential units within 17 buildings on 53.2 acres (part of the Somers Planned Hamlet Master Plan, which was previously approved and subject of a SEQR review; with Findings dated February 2009). Proposed project includes 62 one-bedroom; 66 two-bedroom and 24 three-bedroom units; of which 23 units (15%) will be affordable units. Also proposed is a community recreation building (3,779 sf) and pool, as well as private roads and parking areas for the residences (324 total parking spaces).			
Name of Applicant or Sponsor: AvalonBay Communities, Inc.		Telephone: 203-926-2300	
		E-Mail: grant_jaber@avalonbay.com	
Address: 1499 Post Road, 2nd Floor			
City/PO: Fairfield		State: CT	Zip Code: 06824
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Somers Planning Board: Site Plan, Stormwater management, Erosion Control, Wetland, Tree removal, steep slopes approval. Somers Arch RB; WCDOH: water and sewer approval. NYCDEP: SWPPP, sewer approval; NYSDEC: SWPPP Gen. Permit			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		53.2 acres	
b. Total acreage to be physically disturbed?		approx. 17 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		53.2 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ Brownfield Cleanup Program site Granite Pointe (144 Route 118, Somers) is within 2,000 feet of subject site.	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>VHB representing AvalonBay</u>		Date: <u>June 6, 2014</u>
Signature: <u><i>Ronnie M. Thelma</i></u>		

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

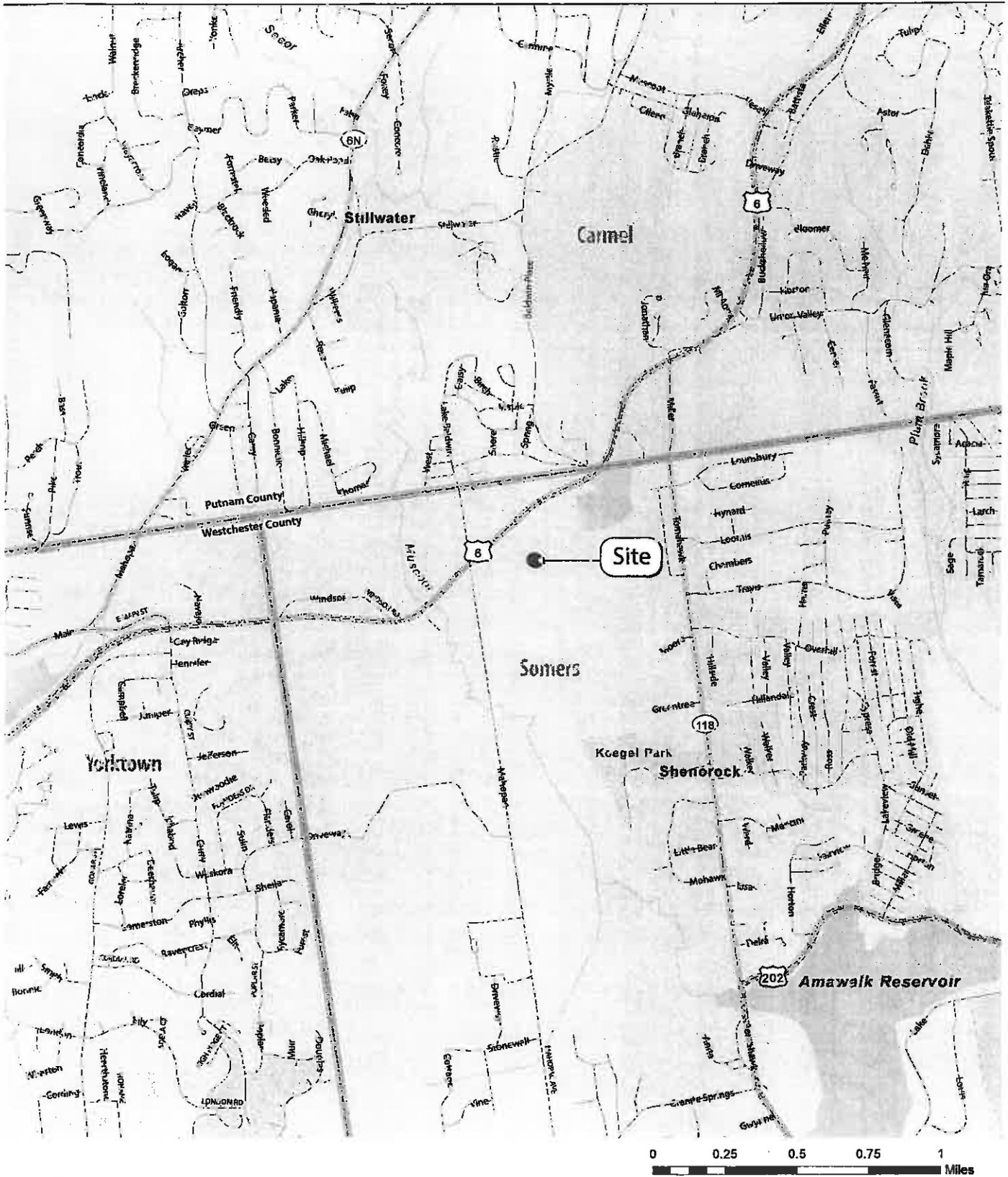
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use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

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

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

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

PRINT



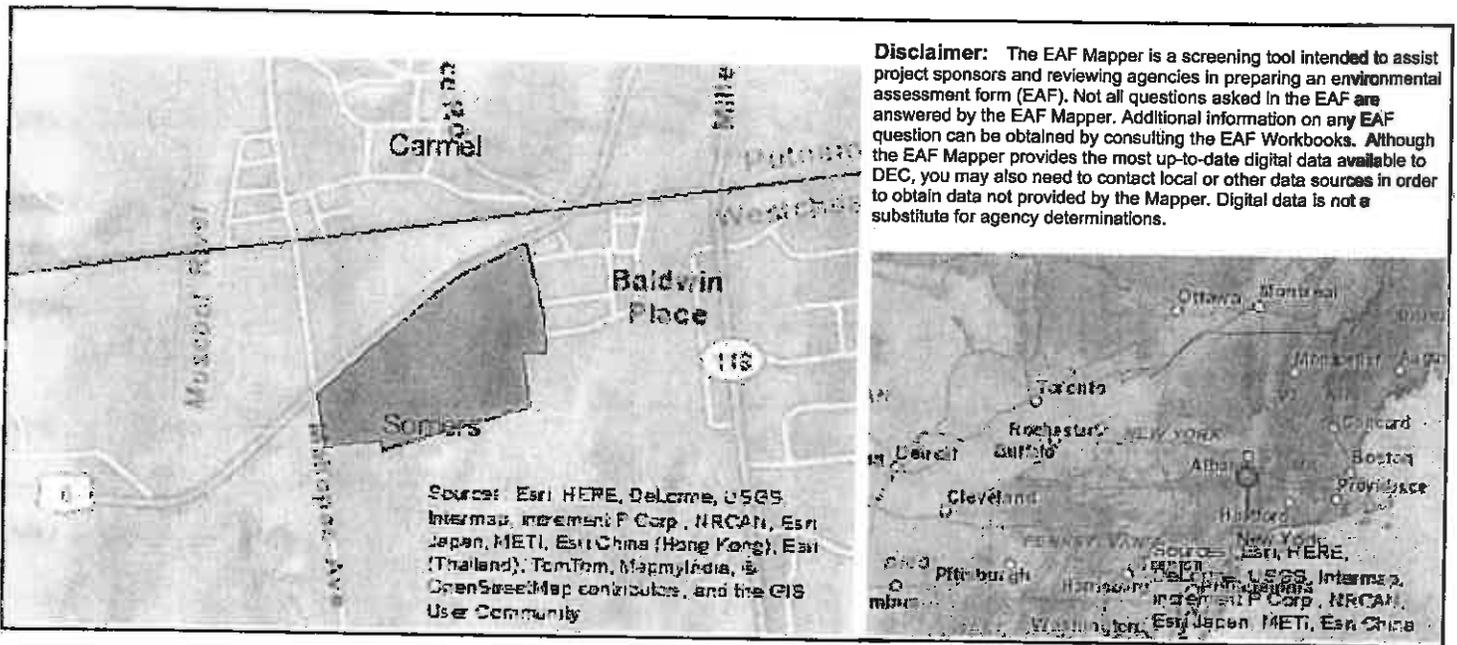
Source: NYS GIS Clearinghouse

AVALONBAY SOMERS
Somers, New York

Site Location

Exhibit

1



Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:Baldwin Place Area, Reason:Difficulties w/ portable water source, Agency:Somers, Town of, Date:9-26-90
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes- Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

McCULLOUGH, GOLDBERGER & STAUDT, LLP

ATTORNEYS AT LAW

1311 MAMARONECK AVENUE, SUITE 340

WHITE PLAINS, NEW YORK

10605

(914) 949-8400

FAX (914) 949-2510

WWW.MCCULLOUGHGOLDBERGER.COM

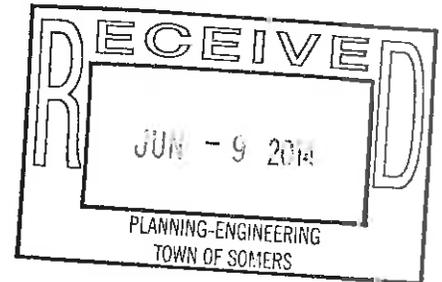
**FRANK S. McCULLOUGH, JR.
CHARLES A. GOLDBERGER
JAMES STAUDT
LINDA B. WHITEHEAD
SETH M. MANDELBAUM**

**JOANNA C. FELDMAN
DEBORAH A. GOLDBERGER
EDMUND C. GRAINGER, III
PATRICIA W. GURAHIAN
MEREDITH A. LEFF
RUTH F-L. POST
KEVIN E. STAUDT**

**KEITH R. BETENSKY
COUNSEL**

**FRANK S. McCULLOUGH (1905-1998)
EVANS V. BREWSTER (1920-2005)**

June 9, 2014



**Chairman John Currie and Members of the Planning Board
Town of Somers
335 Route 202
Somers, New York 10589**

**Re: Somers Realty Planned Hamlet Master Plan
Preliminary Subdivision Application #3
AvalonBay Somers residential site plan**

Dear Chairman Currie and Members of the Board:

As you will recall, in February 2009 the Planning Board approved the Somers Realty Planned Hamlet Master Plan (the "Master Plan") for the property owned by Somers Realty Corp. located on Route 6 and Mahopac Avenue (the "Property") and adopted a SEQRA Findings Statement. Thereafter, and based upon the Master Plan, you have approved subdivisions of the Property to create lots for The Mews and The Mews 2, as well as the sewer pump station lot and the future potential water tank lot. A portion of the right of way for Clayton Boulevard was created as part of each of these subdivisions, and the road widening strips on Route 6 and Mahopac Avenue were also created. You also approved a Modification of the Master Plan to modify the use of Lot 2 for The Mews 2. We are currently in the process of dedicating the Route 6 road widening parcel to New York State. A reduced copy of the most recent filed subdivision map is provided herewith for your reference.

We are now submitting to you herewith a preliminary subdivision application with supporting plans and stormwater report for a further subdivision of the large lot 3 as shown on the most recent subdivision map to create 5 lots together with additional road rights of way. Lots 3a, 3b and 3c with a total of approximately 53.2 acres will be conveyed to AvalonBay for residential development and the Village Green. Lot 4 consists of 4.9 acres east of the Village Green for future commercial development, and Lot 5 is the 0.9 acre parcel for the future firehouse. The subdivision and uses of each of these lots is consistent with the Master Plan. The road layout for the public roads and the utilities therein which are a part of the subdivision are also consistent with the Master Plan. although Road B has been shortened as no development is

planned south of the Algonquin gas main. The internal private roads for the residential development are part of the AvalonBay site plan and not the subdivision.

Together with the subdivision application, we are submitting a Wetland and Watercourses Protection permit application for the road crossings of the wetlands consistent with what was reviewed in the Master Plan and SEQRA process, and Steep Slope Protection, Stormwater Management and Erosion and Sediment Control and Tree Removal permit applications. These applications are each generally consistent with what was approved in the Master Plan and SEQRA process with a few minor modifications. First, due to various layout changes including the consolidation of the residential development as indicated on the AvalonBay site plan, and certain portions of the site no longer being disturbed, the site will no longer be fully balanced with cut and fill and there will be excess material to be exported from the site. The export material is a portion of what is stockpiled from the construction of Clayton Boulevard and The Mews 1 and 2. All of this material is no longer needed for development of the balance of the site. The potential impacts of the need to export material is discussed in the EAF submitted herewith. In addition, due to modifications to stormwater regulations since the adoption of the Master Plan, additional area is required for stormwater management facilities which has required minor disturbance outside of the Clearing and Grading Limit Line in one area adjacent to Clayton Boulevard near the Route 6 entrance. However, the overall site disturbance is greatly reduced with the proposed plans.

Simultaneous with our submission, AvalonBay is submitting a site plan and related applications for AvalonBay Somers, consisting of 152 residential units with a floor area not exceeding 183,762 square feet as set forth in the Master Plan. While the number of units and square footage and therefore also FAR are consistent with the Master Plan, the layout has been modified and condensed such that there is no residential development proposed at the western side of the property near Mahopac Avenue, and no development south of the Algonquin Gas Easement. Residential development is still proposed on two sides of the Village Green and in the area to the west of that area and south of Clayton Boulevard. The overall area of disturbance and total impervious surface is reduced. All required parking for the residential units is provided.

As anticipated and required by the Master Plan approval and SEQRA process, the stormwater management plan for the residential development and the public roads has been designed as a single integrated system and is indicated on the improvement plans submitted herewith. Preliminary meetings with NYCDEP have already taken place to begin the review of this plan.

As with the prior subdivision applications, we have reviewed the additional Planning Board submission requirements as they would apply to this application. It must be noted that this is a unique situation in that the subdivision and related applications before you are a follow up to a full SEQRA process and Master Plan approval. In addition, other than the portion of road and utility improvements including the stormwater management system discussed above, no construction is proposed as part of this application. As you are aware, the environmental constraints and potential environmental impacts that you would normally need as the additional

submission materials to review in conjunction with a subdivision application have already been provided and reviewed as part of the EIS process except for the impact of the few modifications set forth above. Under SEQRA, the Planning Board as Lead Agency should review the current proposal and determine if it will result in any new potential significant environmental impacts not already reviewed and mitigated as part of the Master Plan SEQRA process. We are submitting an EAF to you for procedural purposes, but the relevant information here is the comparison to your prior SEQRA review. In many cases, the EAF addresses these comparisons and refers you to the prior EIS for information already provided.

Please note that the Environmental Constraints Map (showing wetlands and steep slopes) can be found at Figure 5 of the Master Plan, and the Soils Data Map can be found at Figure 3.3-2 of the DEIS. The EIS contains significant additional discussion of wetlands, steep slopes and soils. Therefore, any additional mapping and data which the Planning Board would need to review this subdivision has already been submitted and reviewed. It would seem redundant and inconsistent with the SEQRA process to have to resubmit this information now.

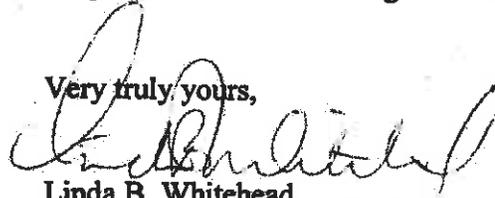
You will recall that the Master Plan approval resolution listed a number of conditions required prior to subdivision approval. Many of these related to the sewer and water district approvals and were completed prior to the first subdivision being completed. Condition #5 required the submission of "such easements, deeds, agreements or restrictions required in relation to the long-term operation and maintenance of the proposed circulation features, stormwater system, and other utility systems, as necessary in relation to the lots being subdivided." No access easements are required for the roads shown hereon as they will be dedicated as public roads. Until such time as they are dedicated, the proposed lots have a right of access by law over the roads shown on a subdivision map as providing access. The private roads are internal to the AvalonBay site plan which will be under single ownership with no easements therefore required. Easements and Maintenance Agreements as may be necessary for stormwater management facilities and wetland maintenance will be provided prior to final subdivision approval. Also, as with the prior subdivisions and site plans, no landbanked parking is being proposed, and therefore no agreement regarding the landbanked parking is required at this time. In fact, landbanked parking was never anticipated for the residential development, which must and will provide all required parking. The conditions required for site plan approval as set forth in the Master Plan approval resolution will be satisfied with the site plan application being submitted by AvalonBay.

We do not believe the change in the residential layout or other provisions of the current applications require a modification of the Master Plan. However, if the Board believes such a Modification is necessary as a result of any provisions of the proposed subdivision or AvalonBay Somers site plan, we hereby request the Planning Board approve such modification. As you will recall, the Zoning Code requires that the Planning Board review and approve a site master plan for the entire PH property. This plan is intended to "present a generalized land use, access and traffic circulation plan as well as a conceptual statement describing the design and development concept, the intended manner of provision of utility services and other such relevant information, which statement may be in written and/or graphic form." Somers Code Section 170-23.3. This

section further states that the site master plan may be modified with the approval of the Planning Board (although no procedure for such a modification is set forth). With the proposed plans, the "generalized land use, access and traffic circulation plan as well as a conceptual statement describing the design and development concept, the intended manner of provision of utility services" are not changing, except to the extent that the development is somewhat condensed and thereby some roads have been shortened or eliminated.

We look forward to reviewing these applications with you. We would appreciate if you could place this matter on your July 9, 2014 agenda for discussion together with the site plan application being submitted.

Very truly yours,



Linda B. Whitehead

Enclosures

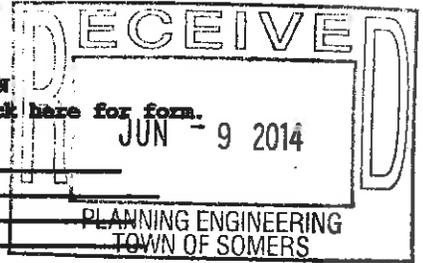
cc: Seth Capozza, Somers Realty
Rich Williams, Insite Engineering
Janet J. Giris, Esq., DelBello Donnellan Weingarten Wise & Wiederkehr, LLP

7/02

SOMERS PLANNING BOARD

APPLICATION FOR PRELIMINARY APPROVAL OF SUBDIVISION

Application Processing Affidavit must also be signed. Please click here for form.



I. IDENTIFICATION OF APPLICANT:

A. OWNER: SOMERS REALTY CORPORATION SUBDIVIDER: SAME
ADDRESS: 1/5 CHARLES STREET, NEW YORK, NY 10014
TELE #: 917-584-6527
SURVEYOR: SAME AS ENGINEER
ENGINEER: INSITE ENGINEERING SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

II. IDENTIFICATION OF PROPERTY:

A. Subdivision Identifying Title: SOMERS REALTY - PHASE 3
B. Street abutting property: CLAYTON BOULEVARD
C. Tax Map Designation: Sheet: 4.20 Block: 1 Lot: 15
D. Zoning District: PH (PLANNED HAMLET)
E. Project (does) (does not) connect directly into (State) (County) highway.
F. Proposed drainage (does) (does not) connect directly into channel lines established by the County Commission of Public Works.
G. Project site (is) (is not) within 500 feet of Town boundary.
H. Affected Wetland Area: 20,400 SF Wetland Buffer Area: 105,200 SF
I. Affected Steep Slope Areas: 15% - 25%: 0 Over 25%: 6,800 SF
J. Total area of property in acres: 0.232171

III. APPLICABLE FEES PAID: By certified check payable to Town of Somers

Abbreviated Procedure fee of \$250: Data Paid:
Preliminary Subdivision Plat is \$400 per lot \$2,000
Number of lots: 5 LOTS plus 800 Right-of-Way Data Paid:
Wetland Permit Fee: \$200 min. fee + \$100 per 5,000 s.f. of regulated area or proposed portions to be disturbed (\$2,800.00)
Steep Slope Permit Fee: \$150 min. fee + \$75 per 10,000 s.f. of regulated area or proposed portions to be disturbed. (\$225.00)
Total Fee: \$16,685.00 Data Paid:
Fees: SUBDIVISION 2,000.00, WETLAND 2,800.00, SLOPE 225.00, TREE 560.00, STORMWATER 11,100.00, \$16,685.00

IV. DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

- 14 copies of all submitted correspondence during review process
A. 14 copies of Preliminary Plat
B. 14 copies of Preliminary Construction Plans
C. 14 copies of Topographic Map
D. 2 copies of Affidavit of Ownership & Title Policy
E. 14 copies of Environmental Assessment Form
F. Proof that taxes have been paid

V. ADJOINING PROPERTY OWNERS

A. Identify all adjoining property owners & owners directly across any and all adjoining streets including those in adjoining communities. Submit stamped envelopes addressed as listed.
SHEET BLOCK LOT NAME OF OWNER & MAILING ADDRESS

To be Provided

If necessary, continue listing on additional sheet.

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.

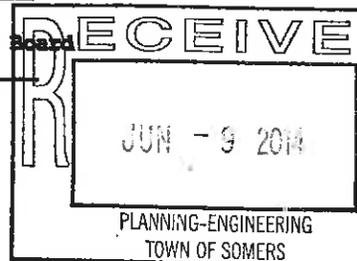
Property shall be identified on site as being proposed for subdivision. Center line of proposed roadway(s) shall be staked prior to scheduling of a walk-through by the Planning Board.

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

All revised plans shall be accompanied by a letter indicating what has been changed. All costs incurred by the Town for Professional Services and SEQOR review will be paid by the applicant.

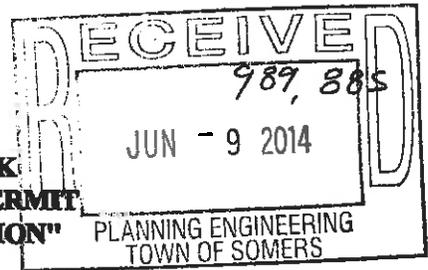
The undersigned applicant hereby requests approval by the Planning Board of the Preliminary Plat and Construction Plans.

Applicant: Somers Realty Corp. Date: 6/9/14
Property Owner: Brian L. Sullivan, Attorney



7/02

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



APPLICATION FEE:

Alteration of Steep Slopes: \$150.00 minimum fee plus \$75.00 per 10,000 S.F. of regulated area or proposed portions thereof to be disturbed. # 15 x

OWNER: SOMERS REALTY CORPORATION Tel #: 917-584-6527
Mailing Address: 115 CHARLES STREET, APARTMENT 126 NEW YORK, NEW YORK 10014
APPLICANT: SAME Tel #: _____
Mailing Address: _____

State authority: N/A If other than owner, authorization must be submitted in writing.
Premises: Sheet: 420 Block: 1 Lot: 15
Situating on the SE side of U.S. ROUTE 6 (Street) _____ feet from the intersection of _____ (Street) CLAYTON BVD.

Description of Work and Purpose: PROPOSED SUBDIVISION AND ROAD AND STORMWATER MANAGEMENT IMPROVEMENTS

Estimated Quantity of Excavation: _____ C.Y. 111,300 CUT 135,600 FILL = 24,300 cy (FILL REQUIRED)
Size of Activity Area: 22.7 ACRES - 60,000 cy (EXISTS STOCKPILE)
Total Value of Work: TO BE DETERMINED 35,700 cy EXPORT

Slope Category: 15% < 25% 0 25% < 35% 6,700 sq or > 35%: 0

Soil Types: REFER TO SOMERS REALTY DEIS FOR SOILS MAP

Proposed Starting Date: TO BE DETERMINED Proposed Completion Date: TO BE DETERMINED

Plans Prepared by: INSITE Dated: 6-6-14

Plans must be submitted with application.

List of Applicable County, State, or Federal Permits:

SEE ATTACHMENT TO PROTECT EAF

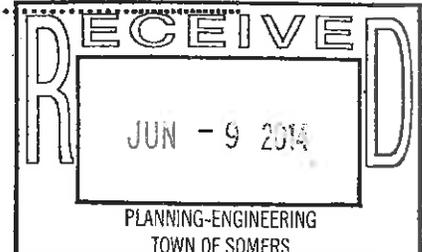
List of Property Owners of Record of Lands and Claimants of Water Rights within 100 feet of Subject Property.

NAME	ADDRESS	BLOCK	LOTS
<u>TO BE PROVIDED</u>			

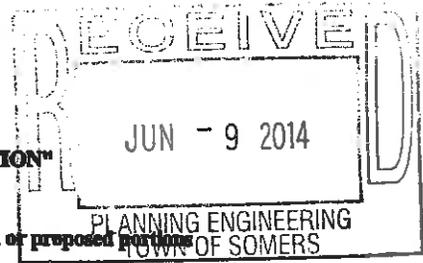
Applicant's Signature: Somers Realty Corp. Date: 6/9/14
Owner's Signature: By: [Signature] Date: _____

ON-SITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.
*APPLICATION MUST BE ACCOMPANIED WITH A COMPLETED ENVIRONMENTAL ASSESSMENT FORM, COMPLETE PLANS FOR LOT IMPROVEMENTS, AND LOCATION AND SIZE OF SLOPE CATEGORIES.

.....Office Use Only.....
Administrative Permit: _____
Planning Board Permit: _____



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



APPLICATION FEE:

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

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

OWNER: SOMERS REALTY CORPORATION Tel#: 917-584-6527
Mailing Address: 15 CHARLES STREET, APARTMENT 126, NEW YORK, NEW YORK 10014
APPLICANT: SAME Tel #: _____
Mailing Address: _____
State authority: _____ If other than owner, authorization must be submitted in writing.

PREMISES: Sheet: 4.20 Block: 1 Lot: 15
Situating on the SOUTH side of CLAYTON BOULEVARD (Street), 0 feet from the intersection of US ROUTE 6 (Street)

DESCRIPTION OF WORK AND PURPOSE: PROPOSED SUBDIVISION ROAD IMPROVEMENTS AND STORMWATER MANAGEMENT IMPROVEMENTS

SIZE OF ACTIVITY AREA: 22.7 AC TOTAL (2.9 AC WITHIN REGULATED AREAS)

Is work proposed in Wetland: YES or Wetland Control Area: YES

Is there an existing house located on the site: NO

Is pond, lake or detention basin proposed to be cleaned: NO

Functions provided by Wetland: REFER TO SOMERS REALTY DES

Wetland Expert delineating Wetland: TIM MULLER ASSOCIATES

ESTIMATED QUANTITY OF EXCAVATION: C.Y. 113,000 CUT, 133,000 FILL =

ESTIMATED TOTAL VALUE OF WORK: To BE DETERMINED (TBD)

PROPOSED STARTING DATE: TBD PROPOSED COMPLETION DATE: TBD

PLANS PREPARED BY: INSITE DATED: 6-6-14

24,300 CY (Full Road)
60,000 CY (EX STOCKPILE)
35,700 CY EXPORT

Plans must be submitted with application.

LIST OF APPLICABLE COUNTY, STATE, OR FEDERAL PERMITS: SEE ATTACHMENT TO EAF

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

NAME ADDRESS BLOCK LOTS
SEE ATTACHED LIST

APPLICANT'S SIGNATURE: Somers Realty Corp. DATE: 6/9/14

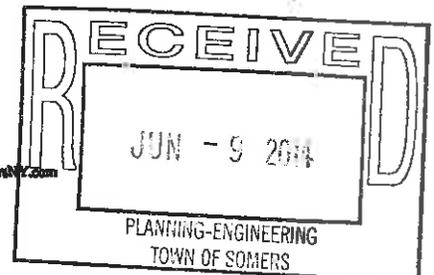
OWNER'S SIGNATURE: [Signature] DATE: _____

*APPLICATION MUST BE ACCOMPANIED WITH A COMPLETED ENVIRONMENTAL ASSESSMENT FORM, COMPLETE PLANS FOR LOT IMPROVEMENTS, AND LOCATION MAP OF WETLANDS AS THEY EXIST IN THE FIELD OR AS SHOWN ON SOMERS ENVIRONMENTAL MAPS.

① INSITE ENGINEERING SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

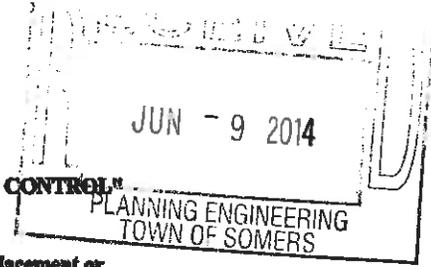
Administrative Permit: _____

Planning Board Permit: _____



11/06

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



Application Processing Affidavit must also be completed. Click here for form.

APPLICATION FEE: \$100 for disturbances of five thousand (5,000) square feet and/or for the placement or removal of 50 cubic yards of soil, plus \$500 for each additional acre of disturbance. FEE = \$100 + (22.7-1)(\$500) = \$11,100.00

OWNER: SOMERS REALTY CORPORATION TEL#: 917-584-6527
Mailing Address: 15 CHARLES ST. APT 12 C NEWYORK, NY 10014
APPLICANT: SAVIE Tel #: _____
Mailing Address: _____
State authority: If other than owner, authorization must be submitted in writing

PREMISES: Sheet: 4.20 Block: 1 Lot: 15

DESCRIPTION OF WORK AND PURPOSE: PROPOSED SUBDIVISION ROAD & STORMWATER MANAGEMENT IMPROVEMENTS

SIZE OF ACTIVITY AREA: _____ feet by _____ feet 22.7 AC TOTAL
(include all construction activity area)

VOLUME OF EXCAVATED MATERIAL: 35,700 cu YD EXPORT
(leave blank if not known)

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

PROPOSED STARTING DATE: _____ PROPOSED COMPLETION DATE: _____
PLANS PREPARED BY: _____ DATED: _____
NOTE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.
Plans and copy of Stormwater Pollution Prevention Plan must be submitted with application.

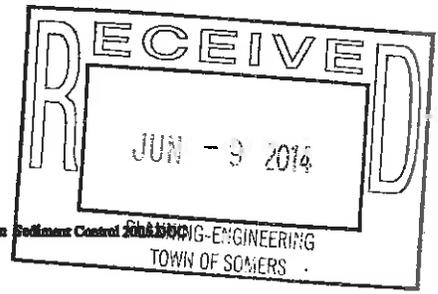
LIST OF APPLICABLE COUNTY, STATE, OR FEDERAL PERMITS: SITE ATTACHED MEMORANDUM TO SUPERVISOR DATED JUNE 6, 2014

LIST OF PROPERTY OWNERS OF RECORD OF LANDS AND CLAIMANTS OF WATER RIGHTS WITHIN 100 FEET OF SUBJECT PROPERTY
NAME ADDRESS BLOCK/LOT
TO BE PROVIDED

APPLICANT'S SIGNATURE: [Signature] DATE: 6/9/14
OWNER'S SIGNATURE: [Signature] DATE: _____
Attorney

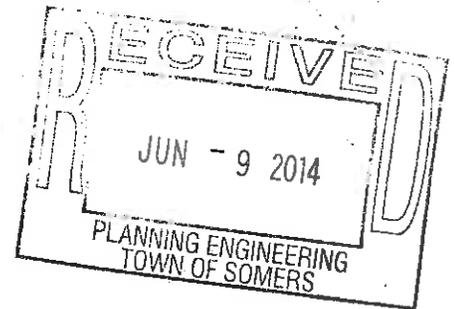
*APPLICATION MUST BE ACCOMPANIED WITH A COMPLETED ENVIRONMENTAL ASSESSMENT FORM, A VICINITY MAP, A DEVELOPMENT PLAN, EROSION AND SEDIMENT CONTROL PLAN, AND THE PROPOSED PHASING OF DEVELOPMENT OF THE SITE.

.....Office Use Only.....
Administrative Permit: _____
Planning Board Permit: _____



5/9/2012

**TREE REMOVAL PERMIT APPLICATION
SECTION 156, TREE PRESERVATION**



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

DATE: _____

1. APPLICATION FEE:

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

$FEE = \$50 + (39-5)(\$15.00) = \$560.00$

2. IDENTIFICATION OF APPLICANT:

OWNER: SOMERS REALTY CORPORATION Tel.#: 917-584-6527
Mailing Address: 15 CHARLES STREET, APARTMENT 12G, NEW YORK, NEW YORK 10014

APPLICANT: (if other than Owner)

SAME Tel.#: _____
Mailing Address: _____

Professional preparing site plan: INSTE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.
State authority: N/A (if other than owner, authorization must be submitted in writing.)

3. IDENTIFICATION OF SUBJECT PROPERTY

Address CLAYTON BOULEVARD
PREMISES: Sheet: 4.30 Block: 1 Lot: 15

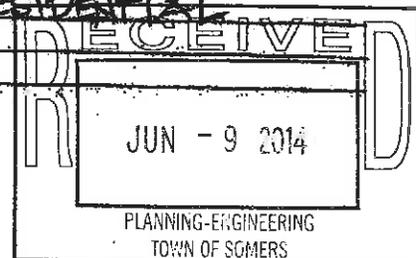
4. NUMBER OF TREES TO BE REMOVED (12-INCHES OR GREATER)

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

→ 39 Quantity of trees to be removed (Must be tagged/identified to evaluate permit requirements)

5. PURPOSE FOR TREE REMOVAL

PROPOSED ROAD AND STORMWATER MANAGEMENT IMPROVEMENTS ASSOCIATED WITH A RESIDENTIAL SUBDIVISION



6. SKETCH OR SITE PLAN*

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

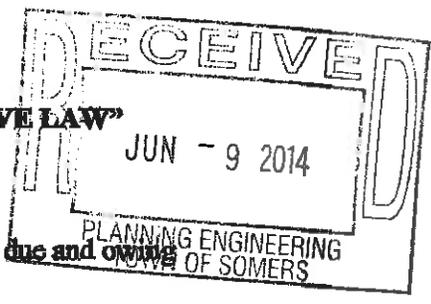
The Town Engineer or other duly authorized representative shall inspect the property to assure satisfactory completion of the requirements of the approved tree removal permit, and, upon such completion, the approving authority shall require documentation from such official stating that all required conditions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

APPLICANT'S SIGNATURE: Somers Realty Corp DATE: 6/9/14
OWNER'S SIGNATURE: [Signature] DATE: _____
Attorney

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

(Initial)

TOWN OF SOMERS
WESTCHESTER COUNTY, NEW YORK
CHAPTER 67 "APPLICATION PROCESSING RESTRICTIVE LAW"



CERTIFICATION

I hereby certify that to the best of my knowledge no outstanding fees are due and owing to the Town of Somers for the following property:

Section 4.20 Block 1 Lot 15

Property Address CLAYTON BOULEVARD

Permit Applying For STEEP SLOPE, WETLAND AND WATERCOURSE, STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL, TREE REMOVAL PERMITS & SUBDIVISION APPROVAL

Furthermore, I hereby certify that to the best of my knowledge no outstanding violation (as that term is defined for the purposes of the Application Processing Restrictive Law, Paragraph 4D) of local laws or ordinances of the Town of Somers exist with respect to the above cited property or any structure or use existing thereon.

Signed [Signature]
(Owner of Record)

Signed [Signature]
(Applicant for Permit)

SETH CAROZZA
(Print Name)

SETH CAROZZA
(Print Name)

Date 6/6/14

Date 6/6/14

CONFIRMATIONS

Zoning Enforcement Officer

Date: _____

Director of Finance for Fees

Date: _____

Engineering Department

Date: _____

APPLICANT ACKNOWLEDGEMENT

By making this application, the undersigned Applicant agrees to permit Town officials and their representatives to conduct on-site inspections in connection with the review of this application.

The applicant also agrees to pay all expenses for the cost of professional review services required for this application, as referred to in §133-1 of the Code of the Town of Somers. As such, an Escrow Account, according to §133-2 of the Code of the Town of Somers, may be required.

It is further acknowledged by the Applicant that all bills for the professional review services shall be mailed to the Applicant, unless the Town is notified in writing by the Applicant at the time of initial submission of the application that such mailings should be sent to a designated representative instead.

Signature of Applicant: *Scott Canyon* Date: 6/8/14

Signature of Property Owner: _____ Date: _____
(if different from applicant)

AFFIDAVIT TO BE COMPLETED BY CORPORATION OWNER

STATE OF NEW YORK)

COUNTY OF NY)
SS:

SETH CAROLLA, being duly sworn, deposes and says that he resides at 15 CARROLL'S STREET, APARTMENT 122G, NY, NY 10014 in the County of NEW YORK, State of NEW YORK that he is the PRESIDENT of SOMERS REALTY CORPORATION
(Title)

(Name of Corporation)

which is the owner in fee of all property shown on plat entitled SUBDIVISION OF PROPERTY KNOWN (FD) 28375 AS SOMERS REALTY PT ZONE - PHASE 2, application for approval of which is herein made. That said SOMERS REALTY CORPORATION

(Name of Corporation)

acquired title to the said premises by deed from GENERAL INDUSTRIES, INC. recorded in the Office of the Clerk of the County of WESTCHESTER on SEPT. 30, 1906 in Liber 8570 of Conveyances at Page 128

That the statements contained herein are true to the best of deponent's knowledge and belief, and are made for the purpose of obtaining the approval of the submitted application by the Planning Board of the Town of Somers.

(Signed) Seth Carolla

Sworn to before me this 9 day of Jun, 2014
Helen Ann Lally

(Notary Public)

HELEN ANN LALLY
Notary Public, State of New York
No. 011-A5017192
Qualified in New York County
Commission Expires August 30, 2017

OFFICE OF THE TAX RECEIVER

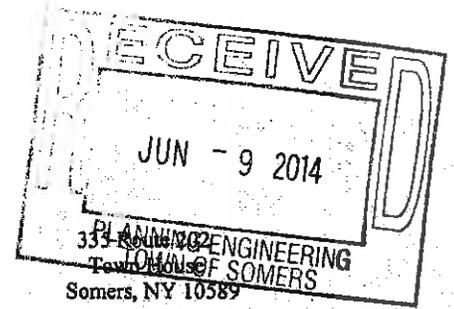
Town of Somers

WESTCHESTER COUNTY, N.Y.

Telephone
(914) 277.3610

Fax
(914) 277.8932

Joan Ribaudo
Receiver of Taxes
jribaudo@somersny.com



Michele McKearney
Deputy Receiver of Taxes
mmckearney@somersny.com

June 4, 2014

RE: Mews Housing Development Fund Company Inc.
50 Route 6
4.20-1-15

To Whom It May Concern,

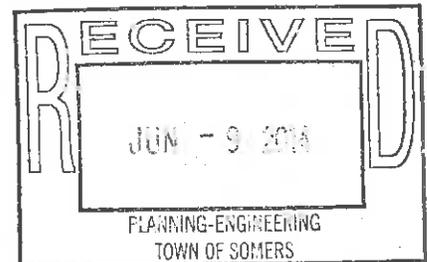
There are no outstanding liens or taxes on the above referenced parcel as of the date of this letter.

If you have any questions or need additional information, please do not hesitate to contact me.

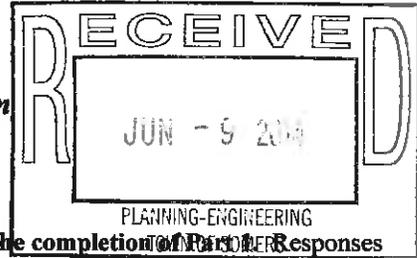
Sincerely,

Michele McKearney
Deputy Receiver of Taxes

cc: Steve Woelfle
Principal Engineering Technician



617.20
Appendix B
Short Environmental Assessment Form



Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: Somers Realty - Phase 3 Subdivision			
Project Location (describe, and attach a location map): Clayton Boulevard and U.S. Route 6			
Brief Description of Proposed Action: The project was previously reviewed under SEQRA by the Town of Somers (lead agency) and findings were adopted. This EAF is being provided to compare the proposed Phase 3 subdivision to the previously reviewed project. Differences between the proposed action and the previously reviewed project have been identified for an evaluation of potential impacts. The proposed subdivision consists of subdividing 62± acres into 5 lots and road right of ways. This subdivision is the third subdivision of the Somers Realty Planned Hamlet. Lot 1 contains The Mews at Baldwin Place, Lot 2 contains The Mews at Baldwin Place Phase 2 and Lot 3 is undeveloped. It is proposed to subdivide Lot 3 into Lots 3a, 3b, 3c, 4, and 5 as well as provide road right of ways for Clayton Boulevard and Roads B, C, D and E. Lot 3 will contain the 152 unit Avalonbay Communities residential development, Lot 3b will contain the Village Green and Lot 3c will remain undeveloped. Lot 4 will consist of the future commercial parcel, and Lot 5 contains the Firehouse parcel. The proposed action includes road, utility and stormwater management improvements associated with the proposed subdivision.			
Name of Applicant or Sponsor: Somers Realty Corporation		Telephone: 917-584-6527	
		E-Mail:	
Address: 15 Charles Street, Apartment 12G			
City/PO: New York		State: NY	Zip Code: 10014
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: See attached memorandum to Syrette Dym, Town Planner, dated 6/16/14			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		62.3217± acres	
b. Total acreage to be physically disturbed?		22.7 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		Approx. 97 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: Approximately 236,000 gallons of water are proposed to be stored in stormwater management practices	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: Adjoining site was subject to remediation from hazardous waste as discussed in EIS. Brownfield Cleanup Program site Granite Pointe (144 Route 118, Somers) is within 2,000 feet of site.	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>RICHARD WILLIAMS JR, PE</u> Date: <u>6-9-14</u>		
Signature: <u><i>R Williams</i></u>		

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

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

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

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

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

PRINT



MEMORANDUM

TO: Grant Jaber
Thomas Sheil, LA
Thomas Daly, PE

DATE: March 25, 2014

FROM: Richard D. Williams, Jr., PE

JOB #: 14109.100

CC: Linda Whitehead
Seth Capozza

RE: Somers Realty/Phase 3
Summary of Required Permits

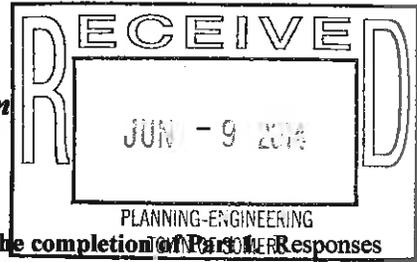
Comments:

The following is the list of permits identified for the Somers Realty Phase 3 / AvalonBay Communities, Inc. projects. Where feasible permits that can be processed simultaneously have been identified.

Permit	Somers Realty Required Permit	AvalonBay Required Permit	Permit that can be Processed Jointly
TOWN OF SOMERS			
Master Plan Amendment	X		
Realty Subdivision Approval	X		
Site Plan Approval		X	
Stormwater Management and Erosion and Sediment Control Permit	X	X	X
Wetland and Watercourse Permit	X	X	X
Tree Removal Permit	X	X	
Steep Slopes Approval	X	X	
Architectural Review Board Approval		X	
Open Space Committee (No Approval – Just Appearance)	X	X	
Fire Prevention Bureau (Advisory Board – No Approval, Just Appearance)	X	X	
WESTCHESTER COUNTY DEPARTMENT OF HEALTH			
Realty Subdivision Approval	X		
Water and Sewer System Approval	X	X	X
NEW YORK CITY DEPARTMENT OF ENVIROMENTAL PROTECTION			
Impervious Surface Setback Variance	X		
SWPPP Approval	X	X	X
Sewer Approval	X	X	X
Sewer Approval of Service Connections if they will convey more than 2,500 gpd		X	X

Permit	Somers Realty Required Permit	AvalonBay Required Permit	Permit that can be Processed Jointly
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION			
SWPPP General Permit Coverage	X	X	X
NEW YORK STATE DEPARTMENT OF TRANSPORTATION			
Highway Work Permit	X		
UNITED STATES ARMY CORPS OF ENGINEERS			
Wetland Permit (with NYSDEC Water Quality Certification)	X		

617.20
Appendix B
Short Environmental Assessment Form



Instructions for Completing

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

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

Part 1 - Project and Sponsor Information							
Name of Action or Project: Somers Realty - Phase 3 Subdivision							
Project Location (describe, and attach a location map): Clayton Boulevard and U.S. Route 6							
Brief Description of Proposed Action: The project was previously reviewed under SEQRA by the Town of Somers (lead agency) and findings were adopted. This EAF is being provided to compare the proposed Phase 3 subdivision to the previously reviewed project. Differences between the proposed action and the previously reviewed project have been identified for an evaluation of potential impacts. The proposed subdivision consists of subdividing 62± acres into 5 lots and road right of ways. This subdivision is the third subdivision of the Somers Realty Planned Hamlet. Lot 1 contains The Mews at Baldwin Place, Lot 2 contains The Mews at Baldwin Place Phase 2 and Lot 3 is undeveloped. It is proposed to subdivide Lot 3 into Lots 3a, 3b, 3c, 4, and 5 as well as provide road right of ways for Clayton Boulevard and Roads B, C, D and E. Lot 3 will contain the 152 unit Avalonbay Communities residential development, Lot 3b will contain the Village Green and Lot 3c will remain undeveloped. Lot 4 will consist of the future commercial parcel, and Lot 5 contains the Firehouse parcel. The proposed action includes road, utility and stormwater management improvements associated with the proposed subdivision.							
Name of Applicant or Sponsor: Somers Realty Corporation		Telephone: 917-584-6527					
Address: 15 Charles Street, Apartment 12G		E-Mail:					
City/PO: New York		State: NY	Zip Code: 10014				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: See attached memorandum to Syrette Dym, Town Planner, dated 6/16/14			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		62.3217± acres					
b. Total acreage to be physically disturbed?		22.7 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		Approx. 97 acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ Approximately 236,000 gallons of water are proposed to be stored in stormwater management practices _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ Adjoining site was subject to remediation from hazardous waste as discussed in EIS. Brownfield Cleanup Program site Granite Pointe (144 Route 118, Somers) is within 2,000 feet of site.	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>RICHARD WILLIAMS JR, PE</u> Date: <u>6-9-14</u>		
Signature: <u>[Signature]</u>		

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

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

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

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

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

PRINT



MEMORANDUM

TO: Grant Jaber
Thomas Sheil, LA
Thomas Daly, PE

DATE: March 25, 2014

FROM: Richard D. Williams, Jr., PE

JOB #: 14109.100

CC: Linda Whitehead
Seth Capozza

RE: Somers Realty/Phase 3
Summary of Required Permits

Comments:

The following is the list of permits identified for the Somers Realty Phase 3 / AvalonBay Communities, Inc. projects. Where feasible permits that can be processed simultaneously have been identified.

Permit	Somers Realty Required Permit	AvalonBay Required Permit	Permit that can be Processed Jointly
TOWN OF SOMERS			
Master Plan Amendment	X		
Realty Subdivision Approval	X		
Site Plan Approval		X	
Stormwater Management and Erosion and Sediment Control Permit	X	X	X
Wetland and Watercourse Permit	X	X	X
Tree Removal Permit	X	X	
Steep Slopes Approval	X	X	
Architectural Review Board Approval		X	
Open Space Committee (No Approval – Just Appearance)	X	X	
Fire Prevention Bureau (Advisory Board – No Approval, Just Appearance)	X	X	
WESTCHESTER COUNTY DEPARTMENT OF HEALTH			
Realty Subdivision Approval	X		
Water and Sewer System Approval	X	X	X
NEW YORK CITY DEPARTMENT OF ENVIROMENTAL PROTECTION			
Impervious Surface Setback Variance	X		
SWPPP Approval	X	X	X
Sewer Approval	X	X	X
Sewer Approval of Service Connections if they will convey more than 2,500 gpd		X	X

Permit	Somers Realty Required Permit	AvalonBay Required Permit	Permit that can be Processed Jointly
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION			
SWPPP General Permit Coverage	X	X	X
NEW YORK STATE DEPARTMENT OF TRANSPORTATION			
Highway Work Permit	X		
UNITED STATES ARMY CORPS OF ENGINEERS			
Wetland Permit (with NYSDEC Water Quality Certification)	X		