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PLANNING DEPARTMENT

TOWN HOUSE  
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Town of Somers

WESTCHESTER COUNTY, N.Y.



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

3

**SOMERS PLANNING BOARD MINUTES  
APRIL 13, 2016**

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6

7 **ROLL:**

8

9 **PLANNING BOARD**

10 **MEMBERS PRESENT:**

Chairman Currie, Ms. Gerbino,  
Mr. Goldenberg, Ms. Gannon, Mr. McNamara  
and Ms. Corning

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12

13

14 **ABSENT:**

Mrs. DeLucia

15

16 **ALSO PRESENT:**

Consultant Town Engineer Joseph Barbagallo  
Consultant Town Planner Fred Wells of  
Tim Miller Associates  
Consultant Town Planner Sarah Brown of  
Frederick P. Clark  
Town Director of Planning Syrette Dym  
Planning Board Town Attorney Joseph Eriole  
Planning Board Secretary Marilyn Murphy

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The meeting commenced at 7:30 p.m. Planning Board Secretary Marilyn  
Murphy called the roll and noted that a required quorum of four members  
was present in order to conduct the business of the Board.

**APPROVAL OF DRAFT MINUTES AND DVD OF THE PLANNING  
BOARD MEETING HELD ON MARCH 9, 2016**

1 Chairman Currie noted that Planning Board Secretary Marilyn Murphy  
2 prepared and submitted for the Board's approval the draft minutes and  
3 DVD of the Planning Board meeting held on March 9, 2016.

4  
5 The Chair asked if there were any comments or corrections from the Board  
6 on the draft minutes and DVD and no one replied.

7  
8 On motion by Chair Currie, seconded by Mr. Goldenberg, and unanimously  
9 carried, the draft minutes and DVD of the March 9, 2016 Planning Board  
10 meeting were approved.

11  
12 Chairman Currie stated that the text of the approved minutes is available  
13 on the Town's website [www.somersny.com](http://www.somersny.com) and is also available for public  
14 review at the Planning & Engineering office at the Town House. The  
15 approved DVD is available for public viewing at the Somers Public Library.

16  
17 **PUBLIC HEARING**

18  
19 **SOMERS POINTE COUNTRY CLUB [TM: 6.17-20-1.21]**

20  
21 Chairman Currie said that this is a Public Hearing on the application by  
22 Somers Pointe Country Club for construction of a swimming pool and  
23 cabana building and two tennis courts with associated parking lots to  
24 provide additional recreation activities.

25  
26 Chair Currie asked the applicant's representative to give the Board and the  
27 public an overview of the project.

28  
29 Richard Dorno, general manager of the Somers Pointe Country Club, noted  
30 that the project consists of a pool, cabana and two tennis courts. He  
31 mentioned that there will be a driveway so that tractor trailers do not block  
32 the roadway. Mr. Dorno indicated that there will be improved drainage to  
33 alleviate the flooding problems at Condo 15.

34  
35 Jeremy Rainato, the applicant's engineer, said that the project will take  
36 place near the existing golf clubhouse and restaurant. He indicated that  
37 there will be a proposed pool and cabana, two tennis courts and additional  
38 parking. Engineer Rainato said that Somers Pointe proposes to offer 100  
39 memberships and each membership would be an individual membership so  
40 the pool will have 100 memberships that will allow for a 100 person

1 capacity. He mentioned that there will not be any significant impacts from  
2 traffic and there will be landbanked parking, if needed. Engineer Rainato  
3 indicated that the stormwater runoff on the site has been analyzed to see  
4 what the potential impacts will be from the tennis courts, driveway and pool  
5 and there will be no additional runoff to the neighboring drains or properties  
6 and there will be a reduction in the overland flow runoff.

7  
8 Chair Currie asked the Planning Board Secretary if the legal notice was  
9 published and the adjoining property owners notified.

10  
11 Planning Board Secretary Murphy responded that the Notice of the Public  
12 Hearing was published in the Somers Record on March 31, 2016 and the  
13 adjoining property owners were notified via mail on April 3, 2016.

14  
15 Chair Currie opened the Public Hearing and asked if anyone from the  
16 public would like to speak on the application. He said that there will be a  
17 three-minute limit on speakers for the Public Hearing.

18  
19 Patricia Ploss, resident of 97A Heritage Hills and President of the Heritage  
20 Hills Society Board of Directors, said that the Board of Directors are  
21 responsible for the overall management of the Heritage Hills community.  
22 She indicated that the major concern of the Board of Directors is the health,  
23 safety and welfare of the residents. She said that the residents will spend  
24 one year in a construction zone and the Society wants to make sure that  
25 there is a minimal impact on their lives as possible. Ms. Ploss mentioned  
26 that others will speak on erosion, drainage, garbage and existing conditions  
27 and protection of the roads. She commented that these are some overall  
28 concerns of the community and not the least of their concerns is the hours  
29 of operation of the construction project. Ms. Ploss said that the plan states  
30 that the work will begin at 7:00 A.M to 7:00 P.M. She noted that Section  
31 123-3 of the Town Code limits construction hours where noise can be  
32 heard beyond the involved property from 7:00 A.M. to 6:00 P.M. Ms. Ploss  
33 said that when the Heritage Hills complex was being built the construction  
34 hours were 8:00 A.M. to 6:00 P.M. She requested that the constructed  
35 hours be restricted from 8:00 A.M. to 6:00 P.M. She noted that she was  
36 told that the pool will close at 6:00 P.M. and she requests that the hours of  
37 operation for the pool and tennis courts be stated in writing. Ms. Ploss  
38 asked for a dark sky standard as it pertains to the lighting of the  
39 recreational activities. She said that the Society Board would like to see  
40 penalties imposed should the project run substantially beyond the one year

1 period. She asked what remedies can be imposed if the project is  
 2 abandoned. Ms. Ploss said that the Planning Board is aware that Heritage  
 3 Hills, not the Town of Somers, pays for the paving of the roads. She noted  
 4 that construction vehicles, dump trucks that will be hauling materials in and  
 5 out may have a damaging effect on the roads and she is asking for a bond  
 6 that will cover damage. Ms. Ploss said that a path should be set for  
 7 construction vehicles to minimize their impact on Heritage Hills roads and  
 8 requests that be made a condition of approval. She commented that  
 9 Heritage is about to spend half a million dollars on drainage and paving on  
 10 ½ mile stretch of road and they know how expensive repairs can be.

11  
 12 Terry Clifford, resident of 956A Heritage Hills, said that she is concerned if  
 13 the existing conditions at Somers Pointe are indicative of the manner in  
 14 which they plan to construct and maintain the additions to the facility; for  
 15 example, the parking area in front of the clubhouse which looks more like a  
 16 moonscape than a parking lot, and the garbage that is strewn about the  
 17 grounds. She urged the Planning Board to demand that two bonds  
 18 accompany approval of the application.

19  
 20 Ms. Clifford said that during construction the wear and tear on roadways,  
 21 owned and maintained by the Heritage Hills Society require a Construction  
 22 Bond to protect the assets of the Society and the residents of Heritage  
 23 Hills. She requested a bond in the amount of 2 million dollars which should  
 24 cover repair and/or replacement of the 1.5 miles of roadway that will be  
 25 traversed and also the drainage systems beneath the roadway. Ms.  
 26 Clifford said that it is the intent to have an up-to-date road assessment  
 27 completed before the project begins and that a Performance Bond is also  
 28 needed to assure completion of all the elements of this project as approved  
 29 by the Planning Board.

30  
 31 Jack Mattes, resident of 642C Heritage Hills, noted that Chairman Currie  
 32 strongly suggested at earlier meetings on this matter that the applicant  
 33 meet with Heritage Hills Society to discuss their application and intentions,  
 34 since this costly project is ostensibly, in accordance with the DRD,  
 35 “primarily for the residents of Heritage Hills”. He said that suggestion was  
 36 echoed by the Supervisor of the Town of Somers, Rick Morrissey. Mr.  
 37 Mattes said that the applicant seemed to agree that this was a sound  
 38 suggestion and that such contact would be initiated as suggested but sadly  
 39 that never happened.

40

1 Mr. Mattes mentioned that at the last meeting of the Planning Board, on  
2 March 23<sup>rd</sup> of this year, in front of a full auditorium, the applicant referred to  
3 a conversation with the President of the Heritage Hills Society regarding  
4 working together as this project proceeded. He said that the truth is that  
5 the conversation took place solely because both the applicant and some  
6 Society Board members were waiting for the meeting to reach the subject  
7 matter in their agenda, and that it was never an actual planned meeting of  
8 the parties as the applicant made it appear on camera.

9  
10 Mr. Mattes commented that one would think that the applicant would act as  
11 a “Good Neighbor” and endeavor to work with the community from which  
12 they are to attract members for their facility, since the facility is intended  
13 primarily for these residents. He said that rather than doing so, when  
14 members of the Society Board, including the President, Patricia Ploss, met  
15 at the Somers Pointe site on April 9th to walk the area staked out for the  
16 construction so that they might better understand the details of the  
17 application. Steve Turcheck, the golf course superintendent at Somers  
18 Pointe, contacted the Heritage Hills Security service and demanded these  
19 individuals be removed from the site or be arrested for trespassing. Mr.  
20 Mattes stated that security contacted the group, and they voluntarily left the  
21 site at once, unable to accomplish what they tried to do. He stressed that  
22 rather than acting as a “Good Neighbor”, Somers Pointe showed their  
23 disdain for the residents they are to primarily draw their membership from.  
24 He said this might suggest that the actual motives for undergoing this  
25 expansion are not what they appear to be.

26  
27 Mr. Mattes explained that limited to 106 individual members, this project will  
28 cost well in excess of a million dollars to complete, and will cost a  
29 considerable amount each year to operate and to maintain. He mentioned  
30 that the likely annual membership fees they might collect would fail to  
31 return a gain on their investment for many years, if ever. Mr. Mattes noted  
32 that faced with a poor return on their sizable investment, they can approach  
33 the Town’s Zoning Board of Appeals (ZBA) with a claim of resulting  
34 economic hardship, seeking relief, and seeking to be permitted to amend  
35 the DRD by allowing alternative use of their grounds and facilities to the  
36 detriment of the Somers community in general and the Heritage Hills  
37 community in particular. He stated that the viability of this project was  
38 questioned by the Director of Planning to the Planning Board on June 3,  
39 2015.

40

1 Mr. Mattes strongly urged the Planning Board, as the Lead Agency on this  
2 application, to recognize that Somers Pointe is not interested in its  
3 “primary” target membership responsibility as stated in the DRD and that  
4 they vote to deny approval in the face of the above.  
5

6 John Milligan, Heritage Hills Society property manager, said that there are  
7 concerns related to steep slopes and erosion issues related to the  
8 proposed development. He mentioned that the majority of the steep slopes  
9 are on the west side of the property and in two separate locations there are  
10 significant surface water flows into the Condo 15 property that have not  
11 been adequately addressed. Mr. Milligan explained that the proposed  
12 project includes disturbance of 9,000 S.F. of areas exceeding 25% in grade  
13 and 23,000 S.F. of slopes greater than 15%. He said that there does not  
14 seem to be any erosion control measures. Mr. Milligan said he was before  
15 the Planning Board last year for a different project and was required to  
16 submit a plan showing structural fill and compacted 1 foot lifts to address  
17 their steep slope issues and this project only has erosion control blankets  
18 and hydroseeding as a measure to mitigate the erosion. Mr. Milligan said  
19 that there is a detail on the plan for retaining walls but he does not see  
20 where the retaining walls are going to be located. He said that a retaining  
21 wall would be a good option to address some of the steep slopes. Mr.  
22 Milligan mentioned that the plan does not show any silt fences at the  
23 southern end of the property near the tennis courts to mitigate runoff onto  
24 West Hill Drive. Mr. Milligan said that his concern is the existing surface  
25 water runoff on two areas of the existing steep slopes and that is before  
26 any additional disturbance that may occur. He said his concern is over a ½  
27 acre of disturbance to slopes greater than 15% that are likely to increase  
28 the surface water flows and impact Condo 15.  
29

30 Richard Tortorella, resident of 427A Heritage Hills and member of the  
31 Heritage Hills Society Board and Condo 15, said that he has witnessed  
32 very severe erosion in the buffer over the many years he has lived in  
33 Heritage Hills. He mentioned that the Planning Board saw the erosion on  
34 their site walk on April 2, 2016. Mr. Tortorella said that the erosion was  
35 only addressed a few months ago by uncovering the existing drainage pipe.  
36 He noted that the amount of water that comes off that area is very severe.  
37 Mr. Tortorella mentioned that the water is coming through a stone wall on  
38 the original part of the property. He said that four homes get flooded.  
39

1 Bruce Prince, resident of 618A Heritage Hills and a member of the Heritage  
 2 Hills Society Board, said that according to reports that he read from the soil  
 3 engineer, one to four feet of soil will be removed which is 1,800 cubic yards  
 4 of soil. He stressed that while the soil is being removed the entire site will  
 5 be open to erosion. Mr. Prince mentioned that 1,800 cubic yards of  
 6 stabilized soil will be trucked in that can be built on. He asked how the  
 7 developer will deal with the soil and is concerned about the dust that will be  
 8 generated. Mr. Prince said that 3,000 cubic yards of materials will be used  
 9 for the stones and paving. He said that means with the removal of the dirt  
 10 and the addition of the dirt and construction material there will be a lot of  
 11 trucks moving over Heritage Hills roads. He stated that the Town has to  
 12 have a construction bond to cover any damage to Heritage Hills roads and  
 13 the underlying infrastructure, trees and lighting fixtures. Mr. Prince said that  
 14 a pre-designated construction route for trucks has to be agreed upon. He  
 15 said that he is also concerned about the financial viability of this project and  
 16 what will happen if the project is abandoned.

17  
 18 William Harden, resident of 452A Heritage Hills and member of Heritage  
 19 Hills Society and Condo 16, noted that he lives directly across the street  
 20 from the proposed tennis courts and his concern is the view that he will  
 21 have from the tennis courts. He mentioned that there are several trees that  
 22 are a foot in diameter in the area where the tennis courts will be built. Mr.  
 23 Harden noted that the applicant should replant an arborvitae buffer across  
 24 from the tennis courts to increase the landscape buffer between the tennis  
 25 courts and West Hill Drive. Mr. Harden asked who the complaints from the  
 26 residents should be heard by. He suggested that a group be formed  
 27 between the society, Town staff, consultants and the applicant to hear  
 28 complaints and follow up. He mentioned that experience with the owner of  
 29 the property has not been good as residents were told to get off their land.

30  
 31 Ed Goldfarb, resident of 477A Heritage Hills, Director of the Heritage Hills  
 32 Society and Condo 16 President, said that about 15 years ago, while living  
 33 on Long Island, he witnessed the removal of a great deal of trees and soil  
 34 from a vacant lot in Levittown for the construction of two retail stores. He  
 35 mentioned that the result uncovered and let loose into the surrounding  
 36 neighborhoods over 1,000 rats. He said that the builder had to employ  
 37 dozens of teams of exterminators to solve the problem. Mr. Goldfarb's  
 38 question to the Somers Pointe builder is "Do you know what vermin is living  
 39 under the soil that is planning to be removed". Mr. Goldfarb said that  
 40 currently, Condo 15 is experiencing the invasion of raccoons onto their

1 property and the raccoon problem is caused because the food and garbage  
 2 is left outside of the restaurant. He commented that the removal of the  
 3 existing soil and trees will only increase this problem for Condos 15 and 16,  
 4 it will also impact other surrounding condos. He stressed that they are not  
 5 only a nuisance but a health hazard.

6  
 7 Mr. Goldfarb said that Somers Pointe needs to make every effort to insure  
 8 that this situation doesn't occur. He noted that they need to determine  
 9 what's living under the ground and address it before they start the removal  
 10 of the soil and trees.

11  
 12 John Taxter, resident of 436C Heritage Hills, the Heritage Hills Society and  
 13 Treasurer and Board member of Condo 15, noted that one of the major  
 14 concerns is the stormwater runoff that has impacted unit owners' quality of  
 15 life in Condo 15. He said that in the past few years Condo 15 has spent  
 16 over \$10,000 to try and mitigate the water runoff from Somers Pointe by  
 17 installing a drainage system between Condo 15 and Somers Pointe  
 18 property. He said that he was told previously that there were unmaintained  
 19 drains in the woods adjacent to Condo 15 but that this issue was rectified  
 20 but there has been more water runoff and a lot of erosion impacting several  
 21 units. Mr. Taxter stated that recently erosion settled on resident's decks  
 22 and patios when ground water passed on to Heritage Hills streets leaving  
 23 one to two inches of mud to clean up. He said that the plan shows a swale  
 24 that will carry the water down the line and before seeing this swale he was  
 25 told that all Somers Pointe has to do is put in a berm. He stated that a  
 26 permanent solution is needed not a temporary berm and swales. Mr.  
 27 Taxter opined that the wooded area has to be re-landscaped to remove the  
 28 natural swales and proper drainage needs to be installed. He said that if  
 29 Somers Pointe wants to be a "Good Neighbor" they will rectify the problems  
 30 and the Planning Board and its engineers need to see that the problems  
 31 are resolved. Mr. Taxter said that it is not fair for Condo 15 to keep  
 32 cleaning up and fixing damage caused by Somers Pointe. He said that  
 33 Somers Pointe shows a complete disrespect for Condo 15 by blowing  
 34 leaves on their property and a lack of care for the concern of the surface  
 35 water discharge. Mr. Taxter said that if any blasting has to be done within  
 36 200 yards of any condo it should require a pre-blasting inspection, prior  
 37 notification and a mailing in advance and posting on mailboxes to anyone  
 38 in the surrounding area so that they can make arrangement to not be home  
 39 when the blasting takes place. He said that notification should be accurate  
 40 as to the date and time the blasting will occur. Mr. Taxter asked the Board

1 to ensure proper drainage be shown on the plans and that the new system  
2 not be maintained by Somers Pointe, as he does not believe they will  
3 maintain it.

4  
5 Arthur Singer, resident of 803A Heritage Hills, noted that there is a pile of  
6 sand in the existing parking area. He asked if that is the designated  
7 location for this material. Mr. Singer mentioned that there is an above  
8 ground gasoline tank and an oil storage tank located in the maintenance  
9 area. He asked that their capacity be indicated and that they meet current  
10 safety standards. Mr. Singer asked if they are registered with the DEC and  
11 inspected by the local fire officials. He mentioned that there are  
12 abandoned vehicles on the property and he wondered if the fuel and oil  
13 have been properly drained. He noted that there will be a quantity of  
14 various soils removed during excavation and he asked where the final  
15 designation of the soils will be and if it is off site the location should be  
16 named.

17  
18 Richard Youtz, resident of North Salem and Golf Club member, said that he  
19 is sympathetic of the issues discussed tonight and he hopes the Golf Club  
20 and Heritage Hills will work together in good faith to solve the problems.  
21 He said that if the issues are worked out the Town will have a real gem of a  
22 Golf Club that will be a benefit to Heritage Hills and Somers. Mr. Youtz  
23 explained that when the present owners purchased the Golf Club it was in  
24 bad shape and is now getting better as the current owner is putting money  
25 into the club. He said that he can't speak to the points that have been  
26 raised because as a member of the Golf Club he does not see those issues  
27 that are discussed this evening. Mr. Youtz said that the Golf Club will act  
28 as a magnet for the sort of businesses the Town and Heritage Hills would  
29 like to see. He mentioned that he lives in North Salem and they do not  
30 have much in the way of services and now he comes to Somers and uses  
31 their stores, banks and restaurants. He opined that this project will bring  
32 people to Somers to use the Golf Club and with the addition of the  
33 swimming pool it will be a boom for business in Somers. Mr. Youtz  
34 said that the proposal will make Heritage Hills a very attractive place to live.

35  
36 Fredda Lyn, resident of 475E Heritage Hills, read a letter from Claudia  
37 Donato, a resident of Condo 16, she noted that the owners have not  
38 attended to maintaining their current property which are the Pinnacle  
39 grounds, parking lot and the golf course. She asked why would residents  
40 of Heritage Hills welcome added property when the existing property has

1 been so poorly maintained currently and in the past, right in the middle of  
 2 our community. She said that the parking lot at the Pinnacle is full of large  
 3 holes, dips, broken curbs and blacktop, glass box of some sort laying on  
 4 the corner of the lot, a large pile of sand in the middle and poor lighting.  
 5 She mentioned that light poles have been uprooted and have been lying on  
 6 the ground for the last 2 years along with boxes and wires. She mentioned  
 7 that there are unkept gardens and planters and the front garden was  
 8 overrun with weeds and unpruned shrubs all last spring, summer and fall  
 9 until 2 weeks ago. Ms. Lyn commented that planters and gardens directly  
 10 in front of the building are bare and filled with weeds and dead plants  
 11 throughout the high season. She noted that past management stated that  
 12 they were denied a budget to plant planters and gardens when addressing  
 13 complaints regarding the property and lack of attractiveness and  
 14 maintenance. She said she was told that the owners are just not  
 15 interested. She noted that the side and back of the building is often used to  
 16 store excess piles of chairs and tables, empty milk crates, the topiary trees  
 17 and other extras and create an eyesore for all driving and walking by. She  
 18 said that the plastic sheeting on the second window of the stone annex,  
 19 along the main road has been hanging in an unsightly manner for months  
 20 and the lighting in the garden and on signage often are not working.

21  
 22 Ms. Lyn's other concerns are:

- 23
- 24 • Added traffic and wear and tear on the roads and possible danger to
- 25 those walking on the roads.
- 26 • Infringement of the quiet community and atmosphere.
- 27 • Increased noise and emissions from added cars and trucks.
- 28 • Increased noise from the pool, children, and music during pool hours
- 29 and until closing time in the evening.
- 30 • Parking monopoly in the Pinnacle lot that would affect available
- 31 spaces for Heritage Hills residents, golfers, diners and guests.
- 32 • How will the alternate parking plan be enforced and monitored in
- 33 order to avoid inconvenience to Heritage Hills residents.
- 34

35 Ms. Lyn asked that the Board to consider the Heritage Hills community and  
 36 lifestyle. She mentioned that residents pay monthly fees in order to  
 37 maintain their pristine gardens, roads, pools and overall community. She  
 38 said that given the conditions of the Pinnacle over the past few years and  
 39 the corporations' lack of attention or interest to their existing properties, it is

1 evident that they do not have the same interest, respect and goals for the  
 2 community.

3  
 4 Jeffrey Robbins, resident of 424C Heritage Hills mentioned that he had a  
 5 brief chance to look at the plans for Somers Pointe Country Club and was  
 6 surprised that there are no elevation views as there are steep slopes on the  
 7 property. Mr. Robbins said that there are no elevation views at the parking  
 8 lot, pool and cabana as there are lots of changes in elevation. He  
 9 commented that when reviewing the plans the first thing he looks at is the  
 10 elevation views to get a sense of what is being built. He noted that there  
 11 are no details for the drainage units and there is plan data missing and  
 12 some materials are not labeled. Mr. Robbins said that he is a professional  
 13 engineer and he would not submit the plans that were submitted to the  
 14 Planning Board. He asked that the Planning Board ask for additional  
 15 information to be added to the plans especially the cuts and fills and  
 16 elevations to the site, slopes and pitch of the driveways and parking areas.  
 17 Mr. Robbins said that he has questions in reference to the drainage plans.  
 18 He noted that Carlo Simpson, the geotechnical engineer report, made a  
 19 number of recommendations about continued review on their part of the  
 20 plans. Mr. Robbins noted that there is nothing in the file that shows that  
 21 they have had any more input on the project. He opined that the current  
 22 set of plans that have been submitted are not adequate to properly  
 23 evaluate the engineering impacts of the project. He noted that he has been  
 24 an engineer for 40 years and feels that the plans do not address his issues.

25  
 26 Fred Bailey, resident of 954D Heritage Hills, said that there is a lack of  
 27 communication between residents, the country club personal and the  
 28 owners. He mentioned that the proposal of having a committee is good as  
 29 it will keep channels open. He commented that there has to be some type  
 30 of authority on the committee. Mr. Bailey said that he has interacted with  
 31 Mr. Doino, the general manager of the Somers Pointe Country Club, and  
 32 has joined the golf club. He said that the neighborhood is well maintained  
 33 and everyone is proud to call it home. He stated that he would be open to  
 34 contributing to a conciliatory process so that concerns and questions are  
 35 addressed by the owners of Somers Pointe. Mr. Bailey mentioned that the  
 36 general manager and the restaurant staff have been great but he can't say  
 37 the same thing about the superintendent.

38  
 39 Gene Goldenberg, resident of 882D Heritage Hills, explained that he is a  
 40 member of the Planning Board but has recused himself and is speaking as

1 a resident, said that he also is concerned about the financial viability of the  
 2 venture. He noted that he has a prospectus that calls it the Heritage Hills  
 3 Golf Club and now it is called the Somers Pointe Country Club. He  
 4 mentioned that because of a change in zoning some golf clubs have built  
 5 homes on golf club property. He wants a commitment there will be no  
 6 future attempt to redevelop the golf course with additional condominiums.  
 7 Mr. Goldenberg asked that the word “primarily” be looked at because the  
 8 Building Inspector said that it is primarily for Heritage Hills residents who  
 9 already have swimming pools and tennis courts. He opined that this is a  
 10 play on words and should never have gone through.

11  
 12 Mr. McNamara noted that the Board was on a site walk of the property and  
 13 observed many of the issues that were spoken about this evening. He  
 14 mentioned that the cart paths and the restaurant is in disrepair and the  
 15 maintenance yard is a junk yard. He said that he would like a condition on  
 16 the Certificate of Occupancy (CO) on cleaning up the site, refurbishing the  
 17 restaurant and getting rid of the debris in the maintenance area.

18  
 19 Bruce Prince said that the residents are interested in the project going  
 20 forward, however, that no matter how good the proposals are unless the  
 21 Town enforces and pays attention to the soil erosion, drainage, steep  
 22 slopes this all will be for naught. He stressed that there be major  
 23 enforcement so that everything that is proposed is done in an adequate  
 24 way and that there will be no negative impact on the surrounding  
 25 community. Mr. Prince stressed that the residents do not have control of  
 26 the golf club property and they have the right under the DRD to do this.

27  
 28 Ms. Gannon said that a lot of valuable comments have been heard tonight  
 29 and now that all the comments have been heard, she suggested closing  
 30 the Public Hearing and having a ten day written comment period.

31  
 32 Chair Currie said that the Planning Board wants the right thing done and  
 33 will address the concerns and safeguards that can be put in place.

34  
 35 On motion by Chair Currie, seconded by Ms. Gannon and unanimously  
 36 carried, the Board moved to close the Public Hearing on the Somers Pointe  
 37 Country Club with a 10 day written comment period.

38  
 39 Chair Currie asked Consultant Town Engineer Barbagallo to address some  
 40 of the comments heard this evening.

1 Consultant Town Engineer Barbagallo noted that during the site walk at  
 2 Somers Pointe he saw the drainage and is comfortable in concept that the  
 3 drainage issue is going to alleviate the situation. He mentioned that one of  
 4 the things that is not on the plans is the overflow discharges from the  
 5 stormwater units onto the ground surface and that has been changed so  
 6 that there will be no discharge to the ground surface from the collection  
 7 areas, the parking lots and the pond. He said that overflows that were seen  
 8 in the field will be hard piped into the existing drainage system. Consultant  
 9 Town Engineer Barbagallo stated that the applicant has agreed to inspect  
 10 the drainage pipes to the catch basins to make sure that everything is clear  
 11 and is ready to accept the water. He stated that he has made a  
 12 commitment to the Heritage Hills community that the stormwater from the  
 13 site that is generated from the improved areas will be appropriately  
 14 managed and is not contributing to any discharges onto the property.  
 15 Consultant Town Engineer Barbagallo noted that at certain times there will  
 16 be water that flows off the land from the sloped wooded area. He stressed  
 17 that the stormwater from the developed area will be collected and treated  
 18 for water quality as well as water quantity reasons. He commented that this  
 19 has been designed around the 100 year storm event but there are  
 20 overflows that go into the hard piped system.

21  
 22 Consultant Town Engineer Barbagallo said that there will be defined  
 23 storage areas on the plan. He mentioned that the Board can look at the  
 24 screening to determine if it is sufficient or if more screening is necessary.

25  
 26 Consultant Town Engineer Barbagallo said that he will take another look at  
 27 the dark sky lighting and if the existing lighting is sufficient. He noted that  
 28 when the applicant is traversing private roads there can be a repair bond.

29  
 30 Ms. Gerbino said she would be comfortable if the Heritage Hills Society  
 31 President, Pat Ploss, is involved with the discussion on the bonding of the  
 32 private roads.

33  
 34 Consultant Town Engineer Barbagallo indicated that he would review the  
 35 trees that will be removed and the type of tree that will be replacing the  
 36 trees.

37  
 38 Mr. McNamara said that a condition in the approval should be “no refuse  
 39 outside of a container”.

40

1 Chair Currie said that there are concerns about broken lampposts and poor  
2 parking lot conditions.

3  
4 Consultant Town Engineer Barbagallo said that the parking lot will be  
5 paved and the lighting will be reviewed.

6  
7 Planning Board Town Attorney Eriole advised that because this is an  
8 Amended Site Plan anything on the original Site Plan has to be in  
9 compliance. He said that if any conditions violate the original Site Plan the  
10 Board can mandate they be rectified as part of this approval. He  
11 mentioned that if there is not adequate lighting that may be a code  
12 enforcement issue now.

13  
14 Ms. Gannon said that another concern is what will happen during the  
15 course of construction with erosion and sediment control.

16  
17 Consultant Town Engineer Barbagallo said that the applicant will receive  
18 coverage under the NYS General Permit and one of the obligations is  
19 weekly inspections of the erosion and sediment controls on site. He said  
20 that the applicant will post an erosion and sediment control bond for the  
21 Town to monitor the site. Consultant Town Engineer Barbagallo said that  
22 the applicant has an obligation to remove and clean up the erosion that  
23 leaves their site. He said that if there are complaints during construction  
24 the Planning and Engineering office should receive those calls. He said  
25 that he can communicate with Pat Ploss on some of the concerns and  
26 issues.

27  
28 Planning Board Town Attorney Eriole said that the idea of forming a  
29 committee should be pursued in order to bridge the gap in communications.  
30 He stated that the Planning Board does not have the authority to mandate  
31 an Ad Hoc committee.

32  
33 Director of Planning Dym said the Planning and Engineering office can act  
34 as a vacillator on this project.

35  
36 Chairman Currie mentioned that during the site walk it was decided that the  
37 delivery trucks will be on the Main Road but set back with a green island in  
38 between so the look of the club will not be affected.

39  
40 Consultant Town Engineer Barbagallo said that Somers is not Levittown

1 and we are talking about disturbed wooded area and he does not feel that  
 2 there will be animals living there. He said that he can take a look to see if  
 3 there is any evidence of rodents.

4

5 **RENEWAL OF SPECIAL USE PERMIT**

6

7 **NEW CINGULAR WIRELESS PCS, LLC (AT&T)**

8

8 **RENEWAL OF SPECIAL USE PERMIT**

9

9 **[TM: 28.10-1-6.1]**

10

11 Chairman Currie noted that this is the application of New Cingular Wireless  
 12 for renewal of a Special Use Permit for existing approved AT&T Tower and  
 13 related Wireless Facility located at Route 100, Majestech Corporation  
 14 property. He said that the Board will be reviewing a Draft Resolution of  
 15 Approval.

16

17 Chair Currie said that since the applicant or their representative is not  
 18 present this evening the application is tabled.

19

20 **PROJECT REVIEW**

21

22 **HERITAGE HILLS WASTEWATER TREATMENT PLANT UPGRADE**

23

23 **[TM: 17.10-10-18]**

24

25 Chairman Currie said that this is an application for an Informal Appearance  
 26 with a Sketch Plan for property located at Heritage Hills Drive for an update  
 27 to meeting NYC DEP effluent requirements. He mentioned that additional  
 28 tasks include new odor control and screenings.

29

30 Chair Currie noted that the applicant is requesting a waiver of Site Plan  
 31 application procedures specified in Section 170-114(B); and the waiver  
 32 provisions set forth in Section 170-14(F) (1) (b).

33

34 Chair Currie asked the applicant's representative to explain the request for  
 35 the waiver of Site Plan procedures.

36

37 Richard O'Rourke, the applicant's attorney, said that this is part of the  
 38 continuing efforts by the City of New York to upgrade all of the wastewater  
 39 treatment plants located in the watershed. He mentioned that the plant  
 40 needs a permit and the issue is when there are increased flows the City of

1 New York is of the opinion that they can make the plant better. Attorney  
2 O'Rourke commented that what is being proposed is further improvements  
3 to make the plant more efficient particularly if flows were to increase.  
4 Attorney O'Rourke said that the reason he is seeking the waiver to the Site  
5 Plan procedures is because construction is a replacement within the  
6 existing structures. He noted that there is one small structure that is being  
7 built which extends a little outside of the existing footprint and has two  
8 posts that go into the ground. Attorney O'Rourke said that the  
9 improvements are not visible from the road.

10  
11 Mr. Goldenberg asked if the Department of Environmental Conservation  
12 (DEC) and the Department of Environmental Protection (DEP) are  
13 compelling the applicant to make improvements. He mentioned that he has  
14 not seen a history of the plant. He asked how many people will be affected  
15 by the change.

16  
17 Consultant Town Engineer Barbagallo explained that in 1997 the  
18 Department of Environmental Protection (DEP) came out with new  
19 regulations. He mentioned that the DEP pays for the upgrade of small  
20 wastewater treatment plants that existed in the watershed. Consultant  
21 Town Engineer Barbagallo stated that the DEP hired the consultant to do  
22 the work. He opined that the reason the plant is not working has nothing to  
23 do with Heritage Hills and is a DEP issue. Consultant Town Engineer  
24 Barbagallo said that it is a change in technology that allows more treatment  
25 in a smaller footprint.

26  
27 Consultant Town Engineer Barbagallo said that he is supportive of the  
28 applicant's request based upon the minimal scope of site modifications and  
29 the necessity of plant treatment upgrades. He mentioned that the applicant  
30 wants him to attend meetings with the DEP, the Department of Health  
31 (DOH) and attend construction meetings. He said that he is concerned  
32 because the Town Board will want some of the projects in Town hooked up  
33 to the Heritage Hills Wastewater Treatment Plant and he needs to answer  
34 affirmatively.

35  
36 Consultant Town Engineer Barbagallo said that when the trucks come in to  
37 pump out the wells it creates an odor.

38

1 Attorney O'Rourke said that the improvements to the plant will provide  
 2 better service to the residents of Heritage Hills and will not affect the  
 3 garden operation.

4  
 5 Mr. Goldenberg asked if Consultant Town Engineer Barbagallo is satisfied  
 6 that the applicant meets the requirement to waive the Site Plan procedures.

7  
 8 Consultant Town Engineer Barbagallo said that a waiver from the site plan  
 9 procedure requirements as provided under Town Code Section 170-114  
 10 F. (1) (a) *is a change of one use to another that does not affect the*  
 11 *characteristics of the site in terms of traffic, access, parking, loading,*  
 12 *circulation, hours of operation, drainage utilities, lightning, security or other*  
 13 *Town services.*

14  
 15 Ms. Gerbino asked if the plant is sufficient to handle Shenorock,  
 16 Lincolndale and Purdys.

17  
 18 Consultant Town Engineer Barbagallo said that the plant is sufficient to  
 19 handle Shenorock, Lincolndale and Purdys. He noted that the permit for the  
 20 plant is 702 thousand gallons per day and now they are operating at under  
 21 300 gallons per day.

22  
 23 On motion by Chair Currie, seconded by Mr. McNamara, (Mr. Goldenberg,  
 24 voted nay), and carried, the Board moved to waive Site Plan application  
 25 procedures specified in Section 170-114(B) and the waiver provisions set  
 26 forth in Section 170-14(F) (1) (a) contingent upon the agreed upon scope of  
 27 work.

28  
 29 **SOMERS CROSSING [TM: 17.15-1-15.1]**

30  
 31 Chairman Currie said that the Board will review and comment on the  
 32 Revised Somers Crossing Final Environmental Impact Statement (FEIS).

33  
 34 Chairman Currie acknowledged a letter from Michael Dulong of the  
 35 Riverkeeper and Ira Allen, a Somers resident.

36  
 37 Ms. Gannon said that she does not know Michael DeLong but the return  
 38 address is that of her employer, Pace University.

39

1 Chair Currie asked Consultant Town Planner Fred Wells to answer any  
 2 questions or comments on the FEIS.

3  
 4 Consultant Town Planner Fred Wells said that the FEIS has been accepted  
 5 by the Town Board and was distributed and now is in the review and  
 6 comment period prior to the Findings Statement.

7  
 8 Chair Currie said that sidewalks are proposed from Bailey Park south on  
 9 Route 100 and then to the school. He opined that the sidewalk going south  
 10 should not go past the Church as he feels it will ruin the corridor. He also  
 11 does not see a benefit to extending the sidewalk in front of the proposed  
 12 project. Chair Currie said his concern is safety and the visual from the  
 13 corridor.

14  
 15 Consultant Town Planner Wells said the proposal is to have a sidewalk  
 16 from the entrance of the Towne Centre on Route 100 going north around  
 17 the corner. He said that if the Department of Transportation (DOT) wants  
 18 to take land at the frontage of the development a future sidewalk could  
 19 happen.

20  
 21

22 **HIDDEN MEADOW AT SOMERS [TM: 15.07-1-6]**

23

24 Chairman Currie said that the application is for Final Subdivision Approval,  
 25 Site Plan Approval, Steep Slopes, Wetland, Stormwater Management and  
 26 Erosion and Sediment Control Permits relative to the development of  
 27 Hidden Meadow at Somers. He noted that the proposal is for the  
 28 development of 53 units of housing, sixteen of which would be affordable,  
 29 within 45 townhouse buildings on 45 fee simple lots plus one lot for lands to  
 30 be owned in common by a Homeowners Association.

31

32 Chair Currie asked the applicant's representative to update the Board and  
 33 the public on the project.

34

35 Richard Williams, the applicant's engineer, said that along with the final  
 36 subdivision application he submitted a final plat, an updated Stormwater  
 37 Pollution Prevention Plan (SPPP) and revised drawings relative to testing  
 38 that was completed with the Department of Protection (DEP). He  
 39 mentioned that he responded to the majority of the engineering comments.

40

1 Engineer Williams said with respect to the outside agencies, the project has  
2 the Army Corps of Engineers permit, the Department of Transportation  
3 (DOT) conceptual approval while working through their technical comments  
4 and the Department of Environmental Protection (DEP) deemed the  
5 application complete and will have their permit in approximately two  
6 months. Engineer Williams mentioned that he submitted an application to  
7 the Department of Health (DOH) and is awaiting their comments. Engineer  
8 Williams stated that the applicant should be ready for Final Approval in  
9 June.

10  
11 Engineer Williams mentioned some of the changes and one was the pocket  
12 wetland on the lower portion of the site and now that will be used as an  
13 infiltration practice. He said that the soils are not adequate enough for the  
14 proposed porous driveways. Engineer Williams explained that additional  
15 grading was added and he identified details on the pocket wetland.

16  
17 Consultant Town Engineer Barbagallo said that the Board should be  
18 thinking about the road to the parcel. He mentioned that he is not aware of  
19 the Town's plan to develop that road. Consultant Town Engineer  
20 Barbagallo noted that there will be an easement but the Board has to  
21 decide if the road should be built to that area. He said that the Board has  
22 to make sure that the easements are properly identified on the plan.

23  
24 Engineer Williams said that the applicant's position is that he will cooperate  
25 with the Town. He commented that certain Boards would like to see the  
26 road developed now but the Planning Board indicated that they did not  
27 want the road developed at this time.

28  
29 Director of Planning Dym mentioned the sign on Route 6 for a future park.  
30 She explained that the resolution for Windsor Farms stipulates in exchange  
31 for the developer donating the two conservation parcels to the Town he  
32 was allowed to name the park.

33  
34 **SEQRA DISCUSSION**

35  
36 **CROSSROADS AT BALDWIN PLACE [TM: 4.20-1-3.1]**

37  
38 Chairman Currie noted that this is an application for Site Plan Approval for  
39 property located on Route 6. He mentioned that the proposal is for a mixed

1 use development consisting of a two story 24,000 S.F. building with 12,000  
2 S.F. of retail, 12,000 S.F. of professional office and 66 residential units.  
3 Chair Currie asked the applicant's representative to update the Board and  
4 the public on the project.

5

6 Richard Williams, the applicant's engineer, mentioned that the Board  
7 reviewed a similar project known as The Green at Somers. He explained  
8 that this proposal is also commercial and residential but has different  
9 propositions. He said that the applicant will need Site Plan Approval,  
10 Stormwater Management and Erosion and Sediment Control, Tree  
11 Protection and Wetland Permits. Engineer Williams noted that the  
12 applicant is working with the Town Board on a text change with the petition  
13 already submitted.

14

15 Engineer Williams said that the development project is a 24,000 S.F.  
16 commercial building located along the front edge of Route 6, 54 units of  
17 senior affordable housing units located in two buildings with a third building  
18 with 12 units of market rate housing, 10 of which are affordable.

19

20 Engineer Williams noted that a Negative Declaration (Neg Dec) was  
21 previously issued for this project and if a new owner comes in and the  
22 Department of Environmental Conservation (DEC) states that it is  
23 appropriate to reaffirm the previous Neg Dec that is the process that he is  
24 hoping the Planning Board will take. Engineer Williams stressed that  
25 reaffirming the Neg Dec is critical to this project. He mentioned that he  
26 prepared a comparative analysis for the Board to come to the conclusion to  
27 reaffirm the Neg Dec. He explained that he went through the previous Neg  
28 Dec line by line and compared the proposed action to what was previously  
29 reviewed. Engineer Williams said that all cases showed that the impact  
30 was less or if the impact was more appropriate mitigation was provided  
31 such that there is not a significant adverse impact. He opined that enough  
32 information was provided from a SEQRA perspective to reaffirm the Neg  
33 Dec.

34

35 Sarah Brown, Consultant Town Planner, said that she agrees that enough  
36 information was provided to reaffirm the Neg Dec. She explained that this  
37 application is a continuation of the previous application with a Neg Dec  
38 being issued by the Planning Board. She said that the Planning Board  
39 can continue to act as Lead Agency and the Notice of Intent does not have  
40 to be recirculated. Consultant Town Planner Brown said that the next steps

1 that will need to be considered by the Planning Board with regard to  
 2 SEQRA are:

- 3
- 4 1. The Planning Board will have to reaffirm that it will act as Lead  
 5 Agency.
- 6 2. If the Planning Board will continue to act as Lead Agency, the  
 7 Board will need to decide if a courtesy notification will be circulated  
 8 to the other Involved and Interested Agencies. She said that the  
 9 notification is not required by SEQRA and would state that the  
 10 current application is a continuation of the previous application  
 11 with the Planning Board continuing to act as Lead Agency.
- 12

13 Engineer Williams said that the applicant is hoping for a positive  
 14 recommendation from the Planning Board to the Town Board on the text  
 15 change. He mentioned that the sidewalks that will go along the frontage of  
 16 Route 6 and the potential for sewers will be reasons for other commercial  
 17 developments along the Route 6 corridor. Engineer Williams noted that  
 18 he received positive feedback from the Town Board and that gives some  
 19 comfort level that this project will move forward.

20

21 Ken Kearney, applicant, noted that a he will build a sidewalk from the  
 22 Baldwin Farm stand to PJ's Restaurant. He is installing sewer lines from  
 23 the PJ Restaurant to the Baldwin Farm to the center at the corner of  
 24 Mahopac Avenue. Mr. Kearney said what remains to be seen is whether  
 25 all these properties can get into the sewer district at once.

26

27 Town Consultant Engineer Barbagallo said that there may be a  
 28 complicating issue that the Watershed Inspector General (WIG) wants to  
 29 be involved in Town projects. He explained that the Town Attorney and  
 30 Town Supervisor have directed him to cooperate with the WIG. He asked  
 31 that a pollutant loading analysis be done on this site and compare that to  
 32 see if pollutant loading has increased or not. Town Consultant Engineer  
 33 Barbagallo noted that he will engage and work with the WIG and explain  
 34 what is being done and mention that this project is very important to the  
 35 Town and the County.

36

37 Chair Currie asked what has changed because it was always presented  
 38 that the WIG was advisory.

39

1 Town Consultant Engineer Barbagallo said that his position is that once  
2 SEQRA is finished the WIG is advisory but during SEQRA he can submit  
3 comments and concerns. He explained that the WIG argument relative to  
4 his jurisdiction is that compliance with the NYS DEC Regulations does not  
5 necessarily mean that you are in compliance with the Clean Water Act.

6  
7 Ms. Corning asked if the Board is required to work with the WIG or is it a  
8 suggestion.

9  
10 Consultant Town Engineer Barbagallo noted that the WIG does not issue  
11 any permits and is not an involved agency but is an interested party.

12  
13 Planning Board Town Attorney Eriole advised that the potential risk from  
14 an interested party is did the Board listen, did they take a hard look and did  
15 they arrive at reasonable conclusions. He stated that the SEQRA  
16 determination has to match the project that any Board in Somers might  
17 vote on. Attorney Eriole said that the Board has to address the fact that this  
18 is a different plan and reflect that in the SEQRA determination so it is clear  
19 that all the issues were considered and because the Board had one  
20 changed relationship and that is that the Board is listening to the WIG.

21  
22 Planning Board Town Attorney Eriole said that the Board does not have to  
23 comply with the WIG's request but to protect the Town's decision and the  
24 applicant assuming there is an approval you don't want to leave open any  
25 accusations that a valid impact consideration was excluded from the  
26 Board's consideration.

27  
28 Mr. Goldenberg asked if anyone contacted the WIG on this project.

29  
30 Mr. Kearney said that he contacted the WIG and is waiting for him to return  
31 his call. He noted that on his other project Hidden Meadow the WIG  
32 received an alarming phone call saying that he was developing a property  
33 on Route 6 and the Town Board is pushing it through and no one is looking  
34 at the impacts. He mentioned that he called a meeting with the WIG and his  
35 engineer and the Town's consulting engineer. Mr. Kearney stressed that  
36 there was 10 month delay before the WIG was satisfied. He said that there  
37 is a policy not to engage the WIG negatively and to try to work with him and  
38 answer his concerns. Mr. Kearney said that he engaged the WIG and  
39 wants to tell him that there is a previous Neg Dec under SEQRA for this  
40 project and he believes this project is in a different position than the other

1 projects. He said that this project does not have the flexibility in its  
2 schedule to engage the WIG and wait many months before a meeting.

3  
4 Mr. Kearney mentioned the case of the Village of Red Hook Planning  
5 Board versus the Town of Red Hook. He said that a Neg Dec was issued in  
6 2006 and he bought the property in 2013 and about that time the order  
7 came from the DEC that ruled that the Lead Agency was the Lead Agency  
8 and the Neg Dec stood. He opined that the opportunity to challenge the  
9 Neg Dec on this project has expired.

10  
11 Planning Board Town Attorney Eriole asked Mr. Kearney his position on the  
12 phosphorous loading analysis.

13  
14 Mr. Kearney said that the phosphorous loading analysis is one and the  
15 same.

16  
17 Engineer Williams said that phosphorous is a pollutant of concern in the  
18 watershed and the report says that you can't increase the phosphorous  
19 beyond a certain level or you compromise the use of the water supply. He  
20 explained that the Department of Environmental Conservation (DEC) is in  
21 charge of programs to maintain the level of phosphorous in the watershed.  
22 He noted that one of the programs is the MS4 program and under that  
23 there is a retrofit program for existing development for phosphorous.  
24 Engineer Williams said for new development the DEC issued the General  
25 Permit Chapter 10 and that says if you design your stormwater practices to  
26 certain levels that are standards in the Design Manual and if you  
27 accomplish that you are done. Engineer Williams noted that the WIG feels  
28 that there should be a separate analysis under SEQRA for phosphorous  
29 and that undermines DEC. He stated that a phosphorous analysis is not  
30 required under the regulations that permits are issued by.

31  
32 Planning Board Town Attorney Eriole explained that the Planning Board  
33 remains Lead Agency on this project but the determination has to be  
34 amended to reflect this project. He stated that the issue is how do we  
35 protect the environmental record such that any vote that a Board of Somers  
36 takes and the rights of the applicant are protected.

37  
38 Consultant Town Engineer Barbagallo said that he agrees with everything  
39 that Engineer Williams said but the WIG has asserted other responsibilities

1 of the Board during the SEQRA process. He said that he will have a  
2 discussion with the WIG and ask him to come up with guidelines.

3  
4 On motion by Chair Currie, seconded by Mr. McNamara and unanimously  
5 carried, the Board moved to reaffirm that the Planning Board is Lead  
6 Agency and circulate a courtesy notification of reaffirmation to existing  
7 involved and interested agencies.

8  
9 There being no further business, on motion by Chairman Currie, seconded  
10 by Mr. Goldenberg, and unanimously carried, the meeting adjourned at  
11 10:45 P.M. The Chair announced that the next Planning Board meeting will  
12 be held on Wednesday, May 11, 2016 at 7:30 P.M. at the Somers Town  
13 House.

14  
15  
16  
17  
18  
19  
20  
21  
22  
23

Respectfully submitted,

Marilyn Murphy  
Planning Board Secretary