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PLANNING DEPARTMENT

TOWN HOUSE  
335 ROUTE 202  
SOMERS, NY 10589

Town of Somers

WESTCHESTER COUNTY, N.Y.



John Currie, *Chairman*  
Fedora DeLucia  
Christopher Foley  
Vicky Gannon  
Nancy Gerbino  
Eugene Goldenberg  
John Keane

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**SOMERS PLANNING BOARD MINUTES  
JANUARY 14, 2015**

4

5

6

**ROLL:**

8

**PLANNING BOARD**

**MEMBERS PRESENT:**

Chair Currie, Mrs. DeLucia,  
Mr. Keane, Ms. Gerbino, Mr. Goldenberg,  
Mr. Foley and Ms. Gannon

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13

**ALSO PRESENT:**

Director of Planning Syrette Dym  
Consultant Town Engineer Joseph Barbagallo  
Planning Board Town Attorney Joseph Eriole  
Planning Board Secretary Marilyn Murphy

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18

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.

22

**APPROVAL OF DRAFT MINUTES FOR MEETING HELD ON  
NOVEMBER 12, 2014.**

25

Chairman Currie noted that Planning Board Secretary Marilyn Murphy  
prepared and submitted for the Board's consideration approval of the draft  
minutes of the Planning Board meeting held on November 12, 2014.

29

The Chair asked if there were any comments or corrections from the Board  
on the November 12, 2014 Planning Board minutes.

31

1 Ms. Gannon noted that she was not at the November 12, 2014 Planning  
2 Board meeting but watched the video so she felt comfortable voting on the  
3 minutes.

4  
5 On motion by Ms. Gerbino, seconded by Mr. Goldenberg, and unanimously  
6 carried, the draft minutes of November 12, 2014 were approved.

7  
8 The DVD of the November 12, 2014 Planning Board meeting is made a  
9 part of the approved minutes and is available for public viewing at the  
10 Somers Public Library and the text of the approved minutes is also on the  
11 Town's website [www.somersny.com](http://www.somersny.com) and is available for public review at  
12 the Planning & Engineering office at the Town House.

13  
14 **PROJECT REVIEW**

15  
16 **AT&T MOBILITY, LLC, STEEP SLOPES AND STORMWATER**  
17 **MANAGEMENT AND EROSION AND SEDIMENT CONTROL PERMITS**  
18 **[TM: 17.05-20-2, 3, 12]**

19  
20 Chairman Currie noted that this is the application of AT&T Mobility, LLC for  
21 a Steep Slopes and Stormwater Management and Erosion and Sediment  
22 Control Permits. The applicant is Bechtel and the owner is Heritage Hills of  
23 Westchester for the installation of 2-4" conduits from the existing  
24 telecommunications building to an existing Verizon manhole.

25  
26 Chair Currie stated that at the applicant's request the application has been  
27 adjourned to the January 28, 2015 Planning Board meeting.

28  
29 Mrs. DeLucia suggested that applicants state the reason why they cannot  
30 be present for a meeting.

31  
32 Consultant Town Engineer Barbagallo noted that he has information on the  
33 reason AT&T is not present this evening. He explained that AT&T revised  
34 their plan according to comments from the Board. Consultant Town  
35 Engineer Barbagallo mentioned that the revised plan does not rise to the  
36 level requiring Planning Board approval. He asked the applicant to revise  
37 their application to be complete for administrative review. Consultant Town  
38 Engineer Barbagallo mentioned that there was a delay and that is the  
39 reason they asked to be removed from the agenda.

1 He said that the review will be informational so the Board is comfortable  
2 with the application being handled administratively.

3  
4 Mr. Goldenberg read from the November 12, 2014 Planning Board minutes,  
5 *Director of Planning Dym said that she questioned if this application*  
6 *needed Site Plan Approval or a Special Permit renewal and based on the*  
7 *information provided and discussions with the Town Attorney neither Site*  
8 *Plan or Special Permit renewals are required for the application or for any*  
9 *facility on the site due to the grandfathering status and interpretation by the*  
10 *Building Official.*

11  
12 Mr. Goldenberg questioned why this application needs to be on the  
13 Planning Board agenda if it is going to be handled administratively.

14  
15 Consultant Town Engineer Barbagallo explained that the reason the  
16 application was before the Board was because there were steep slopes  
17 and the route was going through Condo property and there was an issue if  
18 they had Condo approval and this lead to the re-routing of the excavation  
19 work through the public right-of-ways and not going through Condo  
20 property.

21  
22 Consultant Town Engineer Barbagallo felt that the applicant should explain  
23 the revisions to the Board.

24  
25 **HIDDEN MEADOW AT SOMERS [TM: 15.07-1-6]**

26  
27 Chair Currie said that at the applicant's request Hidden Meadow has been  
28 removed from the agenda.

29  
30 Mrs. DeLucia said that the applicant should state the reason for the  
31 adjournment.

32  
33 Ms. Gannon suggested that the applicant should be asked when they are  
34 at the next meeting the reason they had the application removed from the  
35 agenda.

36  
37 **GERLACH/ZADJELOVICH (STUART FARM) [TM: 26.11-1-1]**

38  
39 Chairman Currie said that this is an application for Preliminary Subdivision  
40 Approval for a 2 lot Subdivision including one 3.0047 acre building lot and a

1 96.9953 acre lot to remain undisturbed. He noted that the owner is Mary  
2 Lee Gerlach nee Stuart and the applicant is John Zadjelovich.

3  
4 Chair Currie mentioned that the Director of Planning and the Consultant  
5 Town Engineer submitted memos.

6  
7 Chair Currie asked the applicant's representative to describe the  
8 application for the benefit of the Board and the public.

9  
10 Timothy Allen, the applicant's engineer, said that this is a simple project.  
11 He showed the Board the land known as Stuart Farm and explained that it  
12 was split between Bob Stuart and his sister Mary Lee Gerlach. He  
13 mentioned that the proposed 3 acre subdivision is located at the corner of  
14 the farm. Engineer Allen noted that there are a couple of neighbors across  
15 the street but the rest is the farm.

16  
17 Engineer Allen mentioned that there are outstanding comments that he will  
18 address and he will submit the Stormwater Pollution Prevention Plan  
19 (SWPPP). He said that once the application is complete he feels that a  
20 Public Hearing can be scheduled.

21  
22 Director of Planning Dym said that the Board has to declare itself Lead  
23 Agency. She explained that the Lead Agency Notice has to be circulated  
24 and there is a timeframe of 31 days before the Board becomes Lead  
25 Agency on the project.

26  
27 Engineer Allen stated that the NYC Department of Environmental  
28 Protection (DEP) has no jurisdiction over this project.

29  
30 Consultant Town Engineer Barbagallo said that because the septic system  
31 is located within 200 feet of a wetland it is subject to DEP review.

32  
33 Engineer Allen said that he will move the septic system away from the  
34 wetland.

35  
36 Planning Board Attorney Eriole explained that if any other agency has an  
37 approval or permitting authority it is a coordinated review.

38  
39 On motion by Mr. Goldenberg, seconded by Ms. Gerbino and unanimously  
40 carried the Board declared its intent to be Lead Agency on the Gerlach-

1 Zadjelovich Subdivision pursuant to Section 170-13.C. (1) (6) of the  
2 Somers Town Code and under SEQRA (6 NYCRR Part 617).

3  
4 Chair Currie asked the Consultant Town Engineer to review his memo for  
5 the benefit of the Board and the public.

6  
7 Consultant Town Engineer Barbagallo said that the applicant shall submit a  
8 Preliminary Subdivision Plat, a SWPPP must be submitted, more details  
9 are needed on the location of the stormwater management area which may  
10 have to be moved to create greater separation to the well and septic, a  
11 profile view drawing of the proposed driveway must be prepared, identify  
12 sight distance in both directions along Granite Springs Road at the  
13 proposed driveway entrance and provide construction details for the  
14 driveway cross section and show all regulated trees within the area of  
15 disturbance and identify all trees to be removed or protected during  
16 construction and identify the source used for the wetlands delineation and  
17 indicate when it was completed. Consultant Town Engineer Barbagallo  
18 stated that work has to be done but there is no major issue on this project.

19  
20 Chair Currie asked Director of Planning Dym to review her memo for the  
21 benefit of the Board and the public.

22  
23 Director of Planning Dym said that the Environmental Assessment Form  
24 (EAF) has to be revised, the Zoning Conformance Table under the Town  
25 Code has to be correctly referenced and verification is needed on the  
26 Agricultural Data Statement.

27  
28 Engineer Allen explained that the Agricultural Data Statement cannot be  
29 submitted until the lots are created. He said that there are no Town  
30 regulated steep slopes and that is the reason they are not shown on the  
31 plan.

32  
33 Chair Currie asked the Board if they were comfortable setting the Public  
34 Hearing.

35  
36 Consultant Town Engineer Barbagallo said that the Board has to declare its  
37 intent to be Lead Agency and schedule a site walk. He noted that all the  
38 details can be worked out while we are waiting for the intent to be Lead  
39 Agency 31 day clock to expire and if all the information is satisfactory the  
40 Board can set the date for the Public Hearing.

1 Ms. Gannon said that she would like to walk the site with Consultant Town  
2 Engineer Barbagallo.

3  
4 Director of Planning Dym mentioned that the DEP asked for a site walk and  
5 that can be scheduled with Consultant Town Engineer Barbagallo.

6  
7 Chair Currie thanked John Keane for his 15 years of service to the Town  
8 and said that Somers is a better place because of him.

9  
10 Mrs. DeLucia said that there is no one better than Mr. Keane on stormwater  
11 except Professional Engineer Barbagallo. She mentioned that Mr. Keane  
12 was acting chairman for seven years.

13  
14 Consultant Town Engineer Barbagallo said that Mr. Keane’s input has  
15 always been appreciated especially on stormwater.

16  
17 Mr. Keane thanked the Board for their kind words. He said that this is his  
18 town and he wanted to make it a better place.

19  
20 There being no further business, on motion by Mr. Goldenberg,  
21 seconded by Mr. Keane and unanimously carried, the meeting adjourned  
22 at 8:00 P.M. The Chair announced that the next Planning Board meeting  
23 will be held on Wednesday January 28, 2015 at the Somers Town House.

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Respectfully submitted,

Marilyn Murphy  
Planning Board Secretary