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PLANNING DEPARTMENT

TOWN HOUSE
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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

3

SOMERS PLANNING BOARD MINUTES JANUARY 9, 2013

4

5

6

ROLL:

8

PLANNING BOARD

MEMBERS PRESENT:

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

11

12

13

ALSO PRESENT:

Consultant Engineer Joseph Barbagallo
Consultant Planner Joanne Meder
Town Attorney Joseph Eriole
Planning Board Secretary Marilyn Murphy

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NOTE:

Town Planner Dym not required to attend the Planning Board Meeting

20

21

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.

25

RECOMMENDATION TO TOWN BOARD

27

SOMERS ESTATES SUBDIVISION PERFORMANCE BOND REDUCTION

30

Chairman Currie explained that this is a second request for a bond reduction of the Performance Bond for Somers Estates Subdivision for the

32

1 roadway improvements of the extension of Florence Drive and the
2 installation of two private common driveways and associated infrastructure.
3 He noted that the original bond amount of \$970,846 was reduced to
4 \$695,540. He said that the request is that the Planning Board consider
5 a second reduction of the performance bond in the amount of \$206,826
6 leaving a balance from the reduced amount of \$695,540 to \$488,714.

7
8 The Chair acknowledged a memo from Woodard & Curran dated
9 January 4, 2013.

10
11 Consultant Engineer Barbagallo opined that at the last meeting the
12 performance bond reduction was premature. He noted that he reviewed
13 the file and the reduction request and went on a site visit with Engineering
14 Technician Woelfle and is confident that the reduction is sufficient and
15 acceptable. He indicated that the remaining work has been completed to
16 his satisfaction and that the majority of the remaining bond will be for the
17 second access road. Consultant Engineer Barbagallo said that he supports
18 Engineering Technician Woelfle's recommendation.

19
20 The Chair noted that it was the consensus of the Board to recommend to
21 the Town Board to reduce the performance bond for Somers Estates
22 Subdivision to \$206,826.

23

24 **PROJECT REVIEW**

25

26 **THE GREEN AT SOMERS AMENDED SITE PLAN**
27 **WETLAND, STEEP SLOPES AND STORMWATER**
28 **MANAGEMENT AND EROSION AND SEDIMENT CONTROL**
29 **PERMITS [TM: 4.20-1-3.1]**

30

31 Chairman Currie noted that this is the project review of the application of
32 The Green at Somers Amended Site Plan and associated permits.

33

34 Chair Currie acknowledged that the Board just received a 41 page memo
35 from Frederick P. Clark and noted that the Board and the applicant did not
36 have time to review the memo.

37

38 Chair Currie asked the applicant's representative to give a brief summary of
39 the project.

40

1 Attorney Whitehead mentioned that in her December 26, 2012 memo to the
2 Board she addressed comments in the F.P. Clark memo of December 11,
3 2012. She said that she also did not have a chance to review the F.P.
4 Clark memo in detail.

5
6 Attorney Whitehead said that the applicant has been discussing recreation
7 fees with the Town Board and would like to update the Board on those
8 discussions.

9
10 Rick Van Benschoten, applicant, noted that he has been in discussion with
11 the Town Board on the recreation fees. He explained that with an
12 affordable housing project the Town Board can handle the recreation fees
13 in a variety of ways. Mr. Van Benschoten explained that Supervisor
14 Murphy scheduled a meeting with the County and all their executives to
15 discuss the idea of using recreation funds to build a recreation center in
16 Somers. He mentioned that Ken Kearney, developer of The Mews senior
17 affordable housing units, together with The Green project and the County,
18 pool their resources to build a senior recreation center. Mr. Van
19 Benschoten indicated that The Mews and The Green at Somers would
20 provide recreation fees of \$400,000 each with the County providing
21 approximately \$650,000.

22
23 Attorney Whitehead noted that affordable housing in Somers will help the
24 County with the HUD settlement and the County can help by using funding
25 for a senior center. She mentioned that the Town Board will have to hold a
26 Public Hearing on the partial waiver of the recreation fees.

27
28 Attorney Whitehead acknowledged that there are a number of site plan
29 details that have to be worked out but that is different from looking at
30 significant environmental impacts.

31
32 Attorney Whitehead said that at the last meeting the Board as Lead Agency
33 decided to work on Part 2 of the Environmental Assessment Form (EAF).
34 She noted that Part 2 will help with the Determination of Significance.
35 Attorney Whitehead explained that the Board will have to determine if the
36 impact is small or a potentially large impact and if the impact can be
37 mitigated by project change.

38
39 Attorney Whitehead commented that the wetland consultant for F.P. Clark
40 and the applicant's wetland expert, Paul Jaehnig, have been in discussions

1 and agree on the delineation of Wetland "B". She said that in an effort to
2 address this issue, Mr. Jaehnig provided a sketch that indicates the prior
3 line as well as the line indicated by F. P. Clark with the difference between
4 the two shaded.

5
6 Attorney Whitehead explained that all wetland flags were surveyed and the
7 flag locations shown on the plans are surveyed locations. She noted that
8 she provided a copy of the Wetland Survey for Wetland "A" bearing the
9 signature of the New York State Department of Environmental
10 Conservation (DEC). She indicated that DEC did not re-sign the Wetland
11 Survey for Wetland "A".

12
13 Joanne Meder, representing Frederick P. Clark, indicated that the DEC
14 stated that the Wetland Survey does not have to be re-signed because it is
15 valid for 10 years. She said that if Mr. Jaehnig can get a letter from DEC
16 stating that they are satisfied with the original delineation that will be
17 satisfactory.

18
19 Consultant Planner Meder noted that she provided an executive summary
20 at the beginning of her memo.

21
22 The Chair asked Consultant Engineer Barbagallo to summarize his memo
23 for the benefit of the Board and the public.

24
25 Consultant Engineer Barbagallo said that the applicant has prepared
26 updated drawings and landscaping details to describe the proposed site
27 plan. He noted that while these drawings and documents supplement
28 information as presented for the December Planning Board meeting, that
29 information does not reflect a complete submittal. He indicated that he is
30 still waiting for the updated SWPPP and a significant number of comments
31 related to details of the design and maintenance for the site stormwater
32 practices have not been addressed at this time.

33
34 Consultant Engineer Barbagallo mentioned that the current site plan
35 proposes to eliminate all construction disturbance within the 100-foot buffer
36 of Wetland "A". He said that this modification from the previous plan
37 proposes to leave the portion of the existing stormwater pipes and outfalls
38 located within the wetland buffer in place. Consultant Engineer Barbagallo
39 said that along the western boundary there is an existing drain pipe on the
40 previous application and he suggested removing the drain pipe to provide

1 water quality benefits. He explained that the applicant is proposing to
2 remove the drain pipe but only outside the distance from the 100-foot
3 wetland buffer. He said that this is a deviation and is something the Board
4 should consider. Consultant Engineer Barbagallo explained that if the drain
5 pipe is to remain the applicant has to demonstrate that the pipe can convey
6 the amount of water that is directed into it.

7
8 Consultant Engineer Barbagallo noted that there was a meeting on January
9 3, 2013. between the applicant's engineer, the consulting Town Engineer
10 and Engineer Gregory for the Somers Realty Subdivision. He indicated that
11 the purpose of the meeting was to discuss coordination of design for the
12 wastewater collection systems and pump stations for both projects located
13 on the Route 6 corridor. He noted that during the meeting design
14 expectations were communicated to the applicants on behalf of the Town of
15 Somers. Consultant Engineer Barbagallo said that he anticipates that the
16 applicant will incorporate all necessary information for the preparation of a
17 satisfactory sewer design submittal in the future.

18
19 Consultant Engineer Barbagallo said that on drawing sheet 1 it indicates
20 that porous pavement is proposed for a portion of the site driveway located
21 to the North of Building No. 2 but porous pavement surface is not shown on
22 any drawings and he would like it clarified if porous pavement is intended to
23 be proposed on the current site plan. He mentioned that on drawing sheet
24 4 it depicts that the majority of the existing drainage pipe located along the
25 center of the site is proposed to be removed and replaced with a new
26 drainage pipe. He said that the applicant shall provide information to justify
27 the proposed reduction in pipe size with a future submittal. Consultant
28 Engineer Barbagallo indicated that the proposed pump station is required
29 to incorporate infrastructure for the addition of bioxide before the
30 introduction of wastewater to the County Sewer Main, and that based upon
31 this requirement communicated from the Town of Somers Water and
32 Sewer Department access to the pump station for bioxide deliveries must
33 allow for travel by an 18-wheeler truck. He noted that the applicant is
34 encouraged to contact his office to discuss options for delivery vehicle
35 access. Consultant Engineer Barbagallo said that he expects to see either
36 an easement or utility parcel created where the pump station will be
37 located. He said that the Town of Somers will have responsibility for
38 operating the pump station, therefore, by incorporating the connectively to
39 the adjoining parcel, it will make the process simpler by having the
40 easement along both properties.

1 Ms. Gerbino asked how often the chemicals will be delivered.

2

3 Consultant Engineer Barbagallo responded that delivery of chemicals will
4 depend on the size of the tank and probably will be delivered monthly or
5 quarterly. He indicated that the chemical delivery will be done by an 18-
6 wheeler truck.

7

8 Ms. Gerbino asked about the Planning Board providing information to the
9 Town Board on future needs of residents having access to the sewer line.

10

11 Consultant Planner Meder noted that the Town Board wants to make sure
12 that the Planning Board is considering all the issues that are relevant for
13 the environmental impact or the environmental analysis. She explained
14 that the Town Board felt that if the sewer pump station is sized to
15 accommodate more flows from this property it will go a long way to allaying
16 concerns in regard to long range planning.

17

18 Attorney Whitehead stated that the sewer pump station will be sized so that
19 in the future if other properties in the district want to connect there will be
20 that capacity.

21

22 Consultant Engineer Barbagallo indicated that he received a copy of a
23 letter sent to the Town Board from four property owners requesting
24 inclusion into the sewer district. He said that the applicant has agreed to
25 accommodate the additional flow.

26

27 Consultant Engineer Barbagallo said that drawing sheet 7 proposes that a
28 temporary sediment basin be constructed along the western property line
29 and he is requesting additional details be provided. He noted that the
30 applicant has provided a construction detail for a proposed spillway and he
31 is asking for clarification on where a spillway will be constructed.

32 Consultant Engineer Barbagallo asked that the applicant clarify where the
33 construction detail for the proposed maintenance drive will be incorporated
34 into the site plan. He also mentioned that the details for the proposed bio-
35 retention areas are not complete and he suggested comments to be
36 considered in the revision. Consultant Engineer Barbagallo asked the
37 applicant to update drawing sheet 17 to illustrate a complete post
38 construction watershed map. He also commented that that greater than 5
39 acres of land disturbance is to be generated by the proposed construction

1 activities and that be incorporated into the SWPPP. Consultant Engineer
2 Barbagallo stated that the important issue for the Board's consideration is
3 the treatment of the existing pipe along the westerly property line and the
4 change that leaves a portion of the pipe in place.

5
6 Attorney Whitehead noted that most of the pipe will be removed but the
7 concern is that there be no activity within the wetland buffer or Wetland "A"
8 that would require a State permit.

9
10 Consultant Engineer Barbagallo said that there will be plantings in the
11 wetland buffer and he asked if a permit will be needed for the plantings.

12
13 Attorney Whitehead stated that planting landscaping does not require a
14 permit.

15
16 Paul Jaehnig, the applicant's wetland consultant, said that the DEP has no
17 objection to the removal of the pipe on the western side of the property. He
18 indicated that the DEP suggested final grading be done after the removal of
19 the pipe. He noted that the plantings in the wetland can be non-native
20 according to the DEP representative and that the DEC Wetland Survey
21 does not have to be re-signed because it is valid for 10 years. He
22 mentioned that the DEP is delighted that the basins will be removed from
23 the buffer area and there will now be a "No-Mow area."

24
25 Consultant Planner Meder asked if the plantings in the wetland will need a
26 permit. She said that she is trying to understand which pieces of the
27 original concept may be reintroduced. She asked if the turf will be changed
28 to a "No-Mow" mix and if invasive plantings will be removed by hand.

29
30 Mr. Jaehnig suggested that the plans before final approval be sent to the
31 DEC and DEP to determine if the amount of disturbance requires a permit.
32 He noted that the DEP does not want more disturbance and the area is
33 vegetated. Mr. Jaehnig stated that if you want something to remain a
34 meadow you should mow once a year.

35
36 Mr. Keane said that the buffer should function as a buffer.

37
38 Consultant Engineer Barbagallo indicated that the pipe is still shown on the
39 plan.

40

1 Consultant Planner Meder said that the pipe will be out-failed just short of
2 the buffer and the pipe will be taken out that goes beyond that point.
3 Consultant Engineer Barbagallo asked if the central pipe was discussed.
4 He said that if you are going to be creating water quality benefits for the
5 wetland both pipes should be pulled back from the buffer and that area
6 vegetated.

7
8 Mr. Jaehnig opined that the DEP would not have a problem with the pipes
9 being pulled back from the buffer as they like to see less pipes.

10
11 Engineer Holt said that he wants to make sure what the DEP will allow.
12 He indicated that he has not found any easement description that states
13 who owns the pipe but assumes it is the DEP.

14
15 Mr. Keane said that the central pipe is part of the DEP MS4 and the
16 Department of Transportation (DOT) has to deal with the discharge point
17 just before the wetland and provide their treatment of the water quality from
18 their MS4.

19
20 Attorney Whitehead noted that the DOT will put the responsibility on the
21 property owner.

22
23 Consultant Engineer Barbagallo said that when the SWPPP is revised that
24 the water quality benefit is qualified in terms of phosphorus.

25
26 Mr. Keane said that the two concerns vis-à-vis the wetland are the post
27 construction operations, and the change in the hydrogeology and how the
28 sheet flow changes the input to the wetland. He said that the change in the
29 discharge of pollutants into the wetland will be different due to the
30 impervious surfaces. He noted that his concern will be where is the outflow
31 pipe and what size is the artifice and will the heavy metals be dealt with.
32 Mr. Keane said that with SEQRA these concerns should be dropped below
33 the level of significance.

34
35 Engineer Holt explained that the requirements of the SWPPP will cause a
36 lot of infiltration and pretreatment to take place. He indicated that there will
37 be planters around the buildings that will allow the roof runoff to go into the
38 planters and soak into the ground. He explained that the underlying
39 requirement of the SWPPP is to get infiltration into the ground. He noted

1 that he is still finalizing infiltration practices. Engineer Holt indicated that
 2 the pond is the major stormwater mitigation.

3
 4 Consultant Engineer Barbagallo explained that the total volume of water
 5 that reaches the wetland may increase. He indicated that the peak rate of
 6 run-off that flows into the wetland does not change from a preexisting
 7 condition.

8
 9 Mrs. DeLucia referred to Attorney Whitehead's letter dated December 26,
 10 2012; *It is unclear how water level is expected to fluctuate within the*
 11 *proposed stormwater basins. According to the Carlin-Simpson report dated*
 12 *May 31, 2012, groundwater was found at an elevation of 517 feet near the*
 13 *location of the proposed stormwater detention area in the northern part of*
 14 *the site in May 2012. This may be an indicator of the high water level in the*
 15 *spring; however, the Carlin-Simpson report does not indicate how*
 16 *groundwater fluctuates throughout the year.*

17
 18 Ms. Gannon asked if there has been further discussion on the petroleum
 19 odor at the site.

20
 21 Engineer Holt said that he contacted the company that provided the clean
 22 up and they responded by saying that the State did not have a problem
 23 with the petroleum odor at the site. He stated that he will provide
 24 documentation from the State; however, the applicant will still be looking at
 25 the issue during construction.

26
 27 Engineer Consultant Barbagallo noted that when excavation is being done
 28 Photo-Ionization Detector (PID's) picks up volatiles and measures ambient
 29 air volatile compounds during field sampling. He said that if you smell gas
 30 or petroleum odors that triggers a different type of handling.

31
 32 Mr. Keane explained that the Town and the Planning Board's responsibility
 33 is to make sure that the stormwater discharges have been mitigated to the
 34 maximum extent practicable.

35
 36 Consultant Planner Meder mentioned that additional information is needed
 37 on the details of the Stormwater Management Plan.

38
 39 Engineer Holt opined that if the requirements of the SWPPP and the
 40 Stormwater Design Manual are followed the issues will be taken care of.

1 Mr. Keane indicated that the Board asked the applicant to provide the
2 information that will help complete Part 2 of the Full Environmental
3 Assessment Form.

4
5 Consultant Planner Meder indicated that additional information is needed.
6 She mentioned that an update of plans to depict integration of information
7 on proposed grading, proposed landscaping, and proposed location of the
8 wood chip walking trail in relation to contour intervals of the stormwater
9 mitigation area in the northeast corner of the site. Consultant Planner
10 Meder noted that planting details for the proposed stormwater mitigation
11 area at the southwest corner of the site should be separated from the
12 proposed grading plan to determine the location of the trail. She
13 commented that supplemental information describing the ways in which the
14 proposed wood chip walking trail could be located in areas of proposed
15 stormwater management facilities, without impairing the function of those
16 facilities or creating other types of adverse environmental impacts.
17 She suggested locating the trail above the top of the basin but needs more
18 information on the water level. Consultant Planner Meder said that she just
19 wanted to call to the Board's attention the location of the wood chip walking
20 trail but does not expect a decision tonight.

21
22 Mr. Keane noted that if the trail gets in the way it should be eliminated.

23
24 Consultant Planner Meder mentioned that the basic development parcel is
25 composed of two tax lots in Somers and a separate tax lot in Carmel. She
26 said that she was under the assumption that those lots would be merged
27 and she requested clarification.

28
29 Attorney Whitehead said that she has never done a subdivision to merge
30 tax lots. She noted that a tax lot line is not a property line.

31
32 Town Attorney Eriole advised that if two tax lots were not created by
33 subdivision they can be merged without subdivision but it is not automatic.
34 He stated that this has to be confirmed.

35
36 Consultant Planner Meder mentioned that when the Planning Board has
37 determined that the applications are complete, the Board will schedule a
38 Public Hearing on the Site Plan and all related permits.

39

1 Consultant Planner Meder mentioned policy decision that have to be made
 2 such as whether to provide advisory comments to the Town Board on two
 3 potential modifications to the proposed zoning text amendment that would
 4 authorize deviation from the normally applicable provision of the
 5 Neighborhood Shopping District (NS) under certain narrowly defined
 6 circumstances. She indicated that the Town Board has agreed to schedule
 7 a Public Hearing on the Zoning Text Amendment for February 14, 2013.
 8 She explained that the Town Board is considering whether the
 9 determination should be made by the Town Board or the Planning Board.
 10 Consultant Planner Meder explained that the way the Zoning Text
 11 Amendment is written it gives the authority to the Planning Board.
 12 She said that the idea that buildings will not be marketable if they are not
 13 located at the front of the property, the Town Board felt that it may be
 14 appropriate to receive advice from a market consultant to evaluate that
 15 criteria. She mentioned that if the Planning Board would like to discuss the
 16 conceptual changes to the Zoning Text Amendment they can at the
 17 February 14, 2013 Town Board meeting.

18
 19 Attorney Whitehead indicated that it is appropriate for the Planning Board
 20 to make a recommendation to the Town Board in regard to the language in
 21 the Zoning Text Amendment. She mentioned that the Town Board
 22 discussed requiring an independent market study and if that happens
 23 before the Planning Board could grant site plan approval the applicant
 24 would have to go back to the Town Board for review of the market study.
 25 She opined that the Planning Board has the better background to make
 26 planning determinations.

27
 28 Mr. Keane said that it is important to understand where the Board and the
 29 applicant have come from. He explained that originally the plan was for
 30 three story buildings which was in compliance with the previously adopted
 31 text amendment. He noted that the Planning Board felt that three story
 32 buildings in this location was not a good idea because of visual impacts.
 33 Mr. Keane said that the Planning Board also considered commercial
 34 businesses that would be located within this site. He mentioned that the
 35 Planning Board felt it was important to reduce the height of the buildings
 36 and to maximize the number of housing units. Mr. Keane indicated that the
 37 Planning Board decided to eliminate retail on the first floor given the
 38 reasoning that small retail operations would not be practicable and to locate
 39 retail in the back of the site would not work because it would not be seen
 40 from Route 6. He stressed that visibility for retail is very, very important.

1 He said that the Planning Board felt this was the right design for success.
2 Mr. Keane opined that the Planning Board should reiterate to the Town
3 Board why they made the decisions they did and that it was good planning
4 and that multiple goals were accomplished. He said that the Planning
5 Board should provide a summary that embodies the history of where the
6 application started and where it is now. He said that another market study
7 is just someone's opinion that has to be balanced against someone else's
8 opinion and he feels that it is not necessary to go through that exercise
9 again.

10
11 Attorney Whitehead stated that a developer makes more money off
12 successful retail than he does from affordable housing. She said that if the
13 owner felt he could have successful retail on this property he would do that
14 instead of affordable housing.

15
16 The Chair asked if there were any comments from the Board on sending a
17 letter to the Town Board reiterating the Planning Board's position on the
18 application and the Zoning Text Amendment.

19
20 Ms. Gannon said that the Town Board, when enacting a Zoning Text
21 Amendment, may require a market study and she understands why they
22 may need to protect itself by availing themselves the opportunity to select
23 someone of their choice to do a market study. She mentioned that the
24 Board has not reviewed the Zoning Text Amendment and she has a
25 problem being asked to analyze something that she has not read.

26
27 Consultant Planner Meder indicated that Attorney Whitehead agreed to
28 draft a Local Law based on the Zoning Text Amendment. She noted that
29 the Town Board has not made a decision on the optional provision that
30 deals with the minimum 10% non-residential floor area.

31
32 Mr. Goldenberg opined that the Town will lose marketability with additional
33 retail stores. He noted that there are many empty stores and he feels that
34 the Planning Board can recommend to the Town Board that another market
35 study is not necessary.

36
37 Rick Van Benschoten, applicant, said that because this is an affordable
38 housing project financial sources determine how much retail there can be.
39 He said that retail is limited to 10,000 feet and if a new market study states
40 that there can be 30,000 feet of retail that will kill the project. He opined

1 that 10,000 feet of retail does not make sense from an economic
2 perspective.

3
4 Town Attorney Eriole said that an environmental review is based on the
5 Planning Board making a decision with competent information. He
6 indicated that the Planning Board can make the decision that the
7 professional study that has already been provided is adequate and no other
8 study is needed.

9
10 Mr. Foley commented that the applicant said that the project is not viable if
11 such a market study suggests additional retail and the point that additional
12 retail will not be successful. He opined that those points should be made to
13 the Town Board and he questioned why the applicant wants the Planning
14 Board to advance those arguments to the Town Board on the applicant's
15 behalf. Mr. Foley said that when the Planning Board makes
16 recommendations on behalf of any applicant the lines between the two
17 Boards are getting blurred. He said that in Town government the boards
18 have very different types of rolls.

19
20 Attorney Whitehead said that the Planning Board would not be advocating
21 for the applicant, it would be good planning which is the roll of the Planning
22 Board. She noted that it is typical for the Town Board to ask the Planning
23 Board for a recommendation or comment on a Zoning Text Amendment.
24 Attorney Whitehead explained that there are two changes to the Zoning
25 Text Amendment; one, is to determine which Board makes the
26 determination and two, to require an independent market study.

27
28 Mr. Keane opined that if the Board does not make a recommendation there
29 is a danger that important considerations the Board dealt with will not be
30 considered.

31
32 Mrs. DeLucia noted that originally the applicant was asking for three story
33 buildings; however, they reduced those buildings to two stories which is a
34 tremendous improvement.

35
36 Chair Currie said that he supports a memo to the Town Board stating how
37 the Planning Board reached the changes in the plan.

38
39 Attorney Whitehead stated that the Board does not have to make a
40 decision this evening as there will be more opportunities.

1 Mr. Keane stated that the Board is dealing with the issue of a
2 Determination of Significance. He indicated that there is criteria that has to
3 be addressed before adopting a Determination of Significance under
4 SEQRA. He mentioned Section 617.7 determines if all the information that
5 is reasonably necessary has been received. Mr. Keane indicated that
6 permitting issues are not substantive issues that will result in a Positive
7 Declaration.

8

9 Town Attorney Eriole said the question is, is there enough information to
10 make a Determination of Significance.

11

12 Mrs. DeLucia noted that the Board will be identifying, evaluating and
13 discussing the impacts.

14

15 Consultant Planner Meder asked the Planning Board to review Part 2 of the
16 Full EAF for the purpose of identifying potential environmental impacts and
17 determining whether those impacts should be considered "small to
18 moderate" or "potential large".

19

20 The Planning Board reviewed the Full EAF Part 2 and the Board
21 determined that there were potential large impacts in relation to the
22 construction of slopes of 15% or greater or where the general slopes in the
23 project area exceed 10%, construction of land where the depth to the water
24 table is less than 3 feet and the proposed importation of 24,289 ± cubic
25 yards of fill. The Planning Board also determined that it did not have
26 sufficient information to reach a determination on the size of the impact for
27 the site de-watering activities that would need to occur during the
28 construction phase, the installation of exterior site lighting and the
29 generation of traffic during the construction phase, including that
30 associated with importation of fill to the site.

31

32 The Planning Board also requested supplementary information on the
33 amount of on-site chemical products storage that is required for the
34 proposed sewage pump station and they requested a narrative description
35 of the proposed de-watering activities that are expected to be required to
36 prepare the site for construction of the proposed improvements with
37 reference to a detailed plan to be submitted later. The Planning Board
38 noted that additional information should be submitted on components of the
39 stormwater management plan that are related to potential wetlands impacts
40 and to the proposed planting plan for the wetlands and/or stormwater

1 mitigation purposes, to the extent that such information can be submitted in
2 advance of the fully updated SWPPP.

3
4 Consultant Planner Meder also said that the proposed site lighting,
5 including photometric data and technical specs on the proposed lighting
6 fixtures and information on the construction traffic associated with delivery
7 of fill to the site be provided.

8
9 Robert Sherwood, the applicant's Landscape Architect, showed the Board
10 a color aerial photograph of the site along with several small photographs
11 that were taken of surrounding properties as viewed from within the site as
12 well as views of the site from a few surrounding locations from the vantage
13 point of residents living in the homes on the adjacent properties. He
14 explained that existing vegetation between the site and the neighboring
15 residences are composed of both evergreen and deciduous plants.

16
17 Consultant Planner Meder noted that the applicant will prepare Part 3 of the
18 EAF. She said that the information presented in the applicant's
19 supplementary narrative will be incorporated in Part 3 of the EAF.

20
21 There being no further business, on motion by Ms. Gannon, seconded by
22 Mr. Goldenberg, and unanimously carried, the meeting adjourned at
23 11:15 P.M. and the Chair noted that the next Planning Board meeting will
24 be held on Wednesday, January 19, 2013 at 7:30 P. M. at the Somers
25 Town House.

26
27
28 Respectfully submitted,

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31
32 Marilyn Murphy
33 Planning Board Secretary
34
35
36
37
38
39