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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

3
4 **SOMERS PLANNING BOARD MINUTES OF**
5 **SPECIAL MEETING HELD ON**
6 **OCTOBER 30, 2013**

7
8 **ROLL:**

9
10 **PLANNING BOARD**

11 **MEMBERS PRESENT:**

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

12
13
14 **ALSO PRESENT:**

Consultant Planner Sarah Brown
Consultant Engineer Joseph Barbagallo
Town Attorney Roland Baroni
Planning Board Secretary Murphy

15
16
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18
19 **ABSENT:**

Mr. Keane

20
21 The special meeting commenced at 8:00 p.m. Planning Board Secretary
22 Marilyn Murphy called the roll and noted that a required quorum of four
23 members was present in order to conduct the business of the Board.

24
25 **APPROVAL OF SEPTEMBER 11, 2013 MINUTES**

26
27 Chairman Currie noted that Planning Board Secretary Marilyn Murphy
28 prepared and submitted for the Board's consideration the approval of the
29 draft minutes of the Planning Board meeting held on September 11, 2013.
30 The Chair asked if there were any comments or corrections from the Board
31 and no one replied.
32

1 On motion by Mrs. DeLucia, seconded by Mr. Foley, and unanimously
 2 carried, the minutes of September 11, 2013 were approved.

3
 4 The DVD of the September 11, 2013 Planning Board meeting is made a
 5 part of the approved minutes and is available for public viewing at the
 6 Somers Public Library. The text of the approved minutes is also on the
 7 Town’s website www.somersny.com and is available for public review at
 8 the Planning & Engineering office at the Town House.

9

10 **SEQRA DISCUSSION**

11

12 **GRANITE POINTE SUBDIVISION**

13 **[TM: 27.05-3-2 & 5]**

14

15 Chairman Currie said that the Board will be discussing and considering the
 16 adoption of the SEQRA Findings Statement.

17

18 Chairman Currie acknowledged correspondence from Attorney David
 19 Gordon dated October 29, 2013 and October 22, 2013, Helen Mahood
 20 dated October 15, 2013, the residents of Gwynne Drive dated October 22,
 21 2013, Keith Ford and Olga Shamraj dated October 19, 2013, New York City
 22 Department of Environmental Protection (DEP) dated October 21, 2013,
 23 Watershed Inspector General dated October 22, 2013 and James Bryan
 24 Bacon, ESQ. dated October 1, 2013.

25

26 Chair Currie asked the applicant’s representative to update the Board on
 27 the application.

28

29 Adam Wekstein, the applicant’s attorney, noted that the Board at its last
 30 meeting accepted the FSEIS as complete. He said that the Board has
 31 received various comments and he believes that the Board can make a
 32 decision tonight. Attorney Wekstein indicated his willingness to answer
 33 questions from staff or the Board.

34

35 Mr. Goldenberg mentioned that the Notice of Completion on the FSEIS was
 36 sent to the Interested and Involved agencies. He noted that the letter from
 37 the DEP dated October 21, 2013 states under Volume I on page III-2,
 38 *makes assertions that the applicant’s representative has made numerous*
 39 *calls to DEP with little to no response. In fact, the project sponsor has met*
 40 *with DEP on March 20, 2013 and spoken with various representatives*

1 *regarding a variety of issues.* Mr. Goldenberg said that does not agree with
2 the statement in the FSEIS, Paragraph D, *provide a plan to coordinate*
3 *cleanup with NYCDEP. Since this time numerous phone calls were made*
4 *to NYCDEP with little to no response. It was confirmed at a meeting with*
5 *Duncan Smith, DEP, on November 2006 and there is reference to a*
6 *meeting with the DEP in March 2013.* Mr. Goldenberg asked how the two
7 statements can be reconciled.

8

9 Attorney Wekstein explained that there have been five or six different
10 people from the DEP involved in this project and they would not have
11 knowledge of what has been happening throughout the project.

12

13 Timothy Allen, the applicant's engineer, indicated that originally with the
14 review of the Supplemental DEIS he discussed the cleanup with Duncan
15 Smith of the DEP. He said that Mr. Smith was receptive to the property
16 being cleaned up jointly by the applicant and the DEP. He explained that
17 he was not able to get in touch with Mr. Smith so he contacted the Valhalla
18 Office. Engineer Allen mentioned that he also spoke to Mary Galaso who
19 put him in touch with the person in charge of the East of Hudson. He said
20 that he received a call from the Department of Environmental Conservation
21 (DEC) who stated they would be responsible for the cleanup of the DEP
22 property. Engineer Allen commented that approximately eight months ago
23 he met with the DEP. He noted that Cynthia Garcia is in charge of the
24 SEQRA process and is not privy to conversations he had with the DEP.

25

26 Mr. Goldenberg said that the DEP informed Engineer Allen to get in touch
27 with Randy Witcher of the NYSDEC.

28

29 Mrs. DeLucia asked about the Environmental Notice Bulletin (ENB).

30

31 Sarah Brown, Town Planning Consultant from Frederick P. Clark
32 Associates, Inc., said that the Notice of Acceptance of the Final SEIS was
33 published in the ENB on October 2, 2013.

34

35 Consultant Engineer Joseph Barbagallo said that the Notice of Acceptance
36 of the FSEIS was circulated and the Board is now receiving comments and
37 will review the input of the comments and will have the applicant address
38 the comments that are necessary to improve and complete the record so
39 the Board can issue a Findings Statement.

40

1 Consultant Engineer Barbagallo referred to the letter from the NYS Office
2 of the Attorney General dated October 22, 2013. He summarized the key
3 points that were raised in the letter to be the revision of the Stormwater
4 Pollution Prevention Plan (SWPPP) and that the Watershed Inspector
5 General supports the DEC's selected Remedial Action Work Plan (RAWP)
6 of removing and transporting contaminated soils and that the SWPPP for
7 remedial site activity is incomplete and deficient in a couple of areas.

8
9 Consultant Engineer Barbagallo indicated that some deficiencies in the
10 SWPPP have been pointed out by the Inspector General in conjunction
11 with Donald Lake, P.E. who is a stormwater management expert.
12 Consultant Engineer Barbagallo noted that he had similar concerns and
13 they were outlined in his August 20, 2013 memo to the Board. He stated
14 that the applicant has agreed to update the SWPPP in accordance with all
15 applicable regulations and his recommendation is that the SWPPP be
16 updated now. Consultant Engineer Barbagallo said that compliance with
17 the regulations will result in mitigation of stormwater impacts in accordance
18 with all applicable laws.

19
20 Consultant Engineer Barbagallo noted that based on the review of the
21 letters that were received in regard to the phosphorus pollutant loading
22 analysis he will be following up with the Watershed Inspector General's
23 Office to make sure they are satisfied. He noted that his conversation with
24 Charles Silver of the Watershed Inspector's Office explained where the
25 Board is in the process. He said that the subdivision was reviewed
26 previously with a Final Environmental Impact Statement approved and
27 unchallenged. Consultant Engineer Barbagallo explained that a FSEIS
28 was scoped and prepared and the Board determined it was a complete
29 document. He stressed that the subdivision is not being approved. He
30 noted that Mr. Silver indicated that he wanted the SWPPP for the entire site
31 and he explained that is not where the Board is at this time. Consultant
32 Engineer Barbagallo informed Mr. Silver that the proceedings are relative to
33 the Remedial Action Work Plan and the FSEIS. He explained that a
34 subdivision plan will come before the Board when this procedure is finished
35 and the SWPPP will be updated to comply with current standards.

36
37 Consultant Engineer Barbagallo said that when the DEP issued their
38 regulations in 1997 they indicated that under 1839C1 that when activities
39 proposed to be undertaken in a phosphorous restricted basin the SWPPP
40 shall include an analysis of phosphorous runoff before and after land

1 disturbance activity. He explained that in April 2010 the regulations were
2 updated and 1839C1 now reads that the SWPPP shall include an analysis
3 of coliform runoff before and after land disturbance activity. Consultant
4 Engineer Barbagallo said that the DEP eliminated phosphorous from the
5 requirement and in 1893B3 that the SWPPP needs to be prepared in
6 accordance with the requirements of Part 3 of the NYSDEC General Permit
7 GPO10001 applicable to construction activities identified. He commented
8 that the requirement references the NYS Stormwater Design Manual and
9 Chapter 10 which is the Enhanced Phosphorous Removal Standards.
10 Consultant Engineer Barbagallo opined that in his view it is a requirement
11 for the project to do a phosphorous loading analysis. He indicated that the
12 regulations have been updated to address the issue more qualitatively with
13 the institution of actual controls as opposed to having the analysis done.
14 Consultant Engineer Barbagallo said that his office found a fact sheet from
15 2002 SPEDES General Permit, question 6, *why doesn't the DEC require*
16 *load reduction computation instead of volume based design approach*. He
17 noted that the answer is the approach presented in the Stormwater Design
18 Manual was chosen over the load reduction approach primarily because of
19 its simplicity, consistency and ease of application. Consultant Engineer
20 Barbagallo said he is not convinced that compliance with the regulations
21 does not accomplish the same goals as the pollutant loading analysis. He
22 noted that compliance with the regulations specifically Chapter 10 as it
23 relates to the remedial action and the restoration of the site will accomplish
24 the goals set forth by the DEP and DEC. Consultant Engineer Barbagallo
25 referenced the October 21, 2013 letter from the DEP which indicated that
26 the construction sequence be updated but nowhere in that letter does it ask
27 for a phosphorous loading analysis. He said that this is surprising as it is
28 their regulations and their reservoir.

29
30 Mrs. Delucia asked if Consultant Engineer Barbagallo is talking about the
31 total maximum daily load (TMDL).

32
33 Consultant Engineer Barbagallo said that the TMDL was mentioned in
34 conversation with the Inspector General and he will follow up on that
35 conversation tomorrow.

36
37 Engineer Allen indicated that the TMDL is a goal for the watershed as a
38 whole.

39

1 Consultant Engineer Barbagallo referred to the letter from the Water
2 Inspector General (WIG) dated October 22, 2013 on Page 2 which *states*
3 *DEC has determined that remedial action is needed to remove lead-*
4 *contaminated soil from the Project site and from adjacent DEP property off-*
5 *site. Granite Pointe Subdivision Site, Site No. C360107, Brownfield*
6 *Cleanup Program Decision Document, Division of Environmental*
7 *Remediation, DEC, February 2013. To eliminate the source of lead*
8 *contamination and protect drinking water quality, WIG supports DEC's*
9 *selected remedial action of removing and transporting lead contaminated*
10 *soil from the project site and the off-site area.* He explained that the off-site
11 area is the DEP property.

12 Mr. Foley said that the letter from the Watershed Inspector General
13 explains why the remediation is necessary in terms of lead and its capacity
14 to become free in the presence of acidic soil. He noted that the soils and
15 rainfall are acidic which leads to the conclusion that the lead may end up in
16 the reservoir.

17

18 Engineer Allen indicated that the original Granite Pointe Subdivision
19 provided a phosphorous removal analysis. He said that if you meet the
20 standards of the Code you meet the phosphorous removal requirements.
21 He stated that a SWPPP will be updated and provided before the final
22 findings.

23

24 Consultant Engineer Barbagallo stated that he will update and clarify the
25 discussion this evening with the Watershed Inspector General. He said
26 that the Watershed Inspector General was not aware of where the Board is
27 in regard to this proceeding.

28

29 Consultant Engineer Barbagallo referenced the DEP letter dated October
30 21, 2013 and noted that the SWPPP will be revised to include
31 comprehensive, logical construction sequences that specifies the timing of
32 tree removal and access road installation and sediment traps will be
33 installed and functional prior to the excavation of contaminated soils. He
34 recommended that the applicant prepare an errata sheet or an addendum
35 or clarifying letter to the existing document.

36

37 Consultant Engineer Barbagallo referred to the letter from Attorney James
38 Bryan Bacon dated October 1, 2013 representing the Croton Watershed
39 Clean Water Coalition and mentioned some key points. He said that it was
40 requested that the Board fully review the project's phosphorous loading

1 impacts and craft appropriate mitigation measures as required by SEQRA
2 and the Federal Clean Water Act and other changes to the projects scope.
3 Consultant Engineer Barbagallo noted that another key point in the letter
4 was that the Environmental Assessment Form (EAF) is outdated.

5

6 Consultant Planner Brown said that she will verify that there is nothing that
7 has to be updated but the Board does not have to go back to the original
8 SEQRA process.

9

10 Attorney Wekstein stated for the record that the purpose of the EAF is to
11 allow the Board to have a negative or positive declaration. He explained
12 that you do scoping and pick all the subject matters. Attorney Wekstein
13 said that the EAF being accurate or out of date is of no consequence to the
14 Board's conclusions.

15

16 Consultant Engineer Barbagallo referenced the letter from the residents of
17 Gwynne Drive dated October 22, 2013 and said that he will talk about
18 some of the key points. He said there are concerns about the protective
19 nature of the Remedial Action Work Plan (RAWP) as it relates to the
20 disbursement of any materials that can be potentially harmful.

21 Paul Muessig, Town consultant senior scientist, said that the RAWP in
22 Volume II of the FSEIS outlines the procedures for removal of material from
23 the site. He explained that there are a number of steps that have to be
24 complied with and one is that the contaminated material will be transported
25 in dump trucks which will be covered to prevent disbursement of materials.
26 Senior Scientist Muessig noted that drivers have to be certified and comply
27 with NYS Department of Transportation (DOT) regulations for transport of
28 hazardous materials. He stressed that before the vehicles leave the site
29 they have to be cleaned to remove any material caked on the wheels or
30 under sides of wheel wells to prevent anything from being carried off site.
31 Senior Scientist Muessig explained that there is a requirement for a
32 designated engineer to observe on site the entire process to insure
33 everything is being done in compliance with the RAWP. He said that there
34 is also a requirement for an air monitoring program on site to insure the
35 material is not being carried in the form of dust off site in levels and
36 quantities that is hazardous to the local community.

37

38 Consultant Engineer Barbagallo stated that the Findings Statement will
39 need updating and will include procedures on the third party engineer that

1 will be overseeing and how those activities will be undertaking on behalf of
2 the Town.

3

4 Engineer Allen said that the third party engineer is part of the DEC
5 Brownfield Program who will send reports to the Town. He indicated that
6 the engineer will have to meet the qualifications of the Remedial Action
7 Work Program (RAWP).

8

9 Mr. Goldenberg said that there is concern about the dump trucks going
10 through the community. He asked if the applicant will hold the Town
11 harmless if anything goes wrong with the cleanup of the property. Mr.
12 Goldenberg noted that this is a voluntary problem and the reason for the
13 Brownfield Cleanup is because it is what the applicant wanted. He said
14 that he just wants to know who will be responsible that the cleanup of the
15 site is done correctly.

16

17 Engineer Allen noted that the applicant will be using the Best Management
18 Practices according to the Brownfield program.

19

20 Senior Scientist Muessig explained that there will be an open bed truck but
21 the load will be covered by a tarp that is tied down on both sides to seal it.
22 He stressed that this is approved by the DOT and the DEC for
23 transportation of the material.

24

25 Attorney Wekstein stressed that the applicant agreed to the cleanup that he
26 was not originally responsible for and is doing the cleanup as a landowner.
27 He noted that the idea that the applicant is a volunteer is wrong. He said
28 that he feels the Board would want him to seek DEC's expertise and
29 comply with their program and regulations. Attorney Wekstein mentioned
30 that DEC is not developing their site but is removing the lead. He noted
31 that the Planning Board required a Supplemental Environmental Review
32 and that proved to be the best remedy.

33

34 Mr. Goldenberg said that he is worried about the citizens of Somers and
35 how this cleanup will affect them.

36

37 Mr. Foley interjected and asked about the citizens of Somers that consume
38 water from the reservoir that is located next to lead contaminated soil. He
39 said that the Inspector General's report says that lead is stable in neutral

1 soil but the soil on this site is acidic and lead will come off and if it comes
2 off it will end up in the reservoir.

3
4 Consultant Engineer Barbagallo reminded the Board that the DEP property
5 will be remediated. He stated that the DEC is moving ahead with the
6 cleanup of the DEP property whether the Granite Pointe project moves
7 ahead or not. He said that the DEC does not need permission and can
8 remediate and cut trees on their property.

9
10 Mrs. DeLucia stated that it is the Board's responsibility that the health,
11 safety and welfare of the citizens of Somers are considered when reviewing
12 this cleanup of the project.

13
14 Senior Scientist Muessig explained that the Board has gone through the
15 process that developed the RAWP to eliminate the contamination at the
16 site. He noted that the DEC is moving ahead even if nothing happens with
17 the Granite Pointe project. He indicated that the DEC will be following the
18 same procedures that were approved by the DEC in the RAWP for the
19 Brownfield Program. Senior Scientist Muessig said that a key part of the
20 process is the monitoring program which is the role of the third party
21 engineer to oversee the practices on the site to make sure of the safety of
22 the community and that the site is property remediated before subsequent
23 activities take place.

24
25 Engineer Allen stated that the DEC has accepted the applicant's plan to
26 cleanup their property.

27
28 Ms. Gerbino asked if there will be a manifest for the truck.

29
30 Consultant Engineer Barbagallo noted that the DOT has requirements for
31 labeling the vehicles.

32
33 Ms. Gannon said that reading from the Remedial Action work Plan (RAWP)
34 it states that a weight shipping paper will be prepared for each conveyance
35 in compliance with DOT regulations with the shipping papers pre-signed by
36 an assigned client representative so the shipment will not be delayed. She
37 suggested that there be something that points to the specification on the
38 amount of containment that is appropriate.

39

1 Consultant Engineer Barbagallo asked where the monitoring will occur
2 relative to the homes on Gwynne Drive.

3
4 Engineer Allen said that the monitoring is located on the perimeter of the
5 property.

6
7 Ms. Gannon noted that there is a map that shows the location of the
8 monitoring with a narrative which says that as an activity moves around the
9 site the monitoring systems can be moved to adjust to wind direction and
10 activity.

11
12 Consultant Engineer Barbagallo referenced the letter dated October 22,
13 2013 from Attorney David K. Gordon. He indicated that the key point of the
14 letter is that the assessment of scenic resources has been omitted from the
15 FSEIS and must be rectified before the Board issues the Findings
16 Statement.

17
18 Consultant Planner Brown said that as part of the original application there
19 were 12 Town regulated trees to be removed. She noted that there was a
20 full visual analysis from all the adjacent roads and the 300-foot buffer
21 between the Granite Pointe property and the reservoir was enough buffer
22 and there would not be any visual impact from the removal of the trees.
23 Consultant Planner Brown commented that as part of the RAWP 18
24 additional trees for a total of 30 regulated trees will be removed. She
25 stressed that this area was already looked at and the 300-foot buffer is still
26 there. Consultant Planner Brown explained that the trees have to be
27 removed as part of the RAWP and that is an unavoidable impact in regard
28 to SEQRA. She said that the scenic impact was looked at on the other side
29 of the property as well as part of the original SEQRA review. Consultant
30 Planner Brown explained that the new trees that will be removed are part of
31 the RAWP and are unavoidable.

32
33 Consultant Engineer Barbagallo referred to the NYCDEP letter dated
34 January 29, 2013 that was attached to the Attorney General's letter number
35 2 which states *that all trees within the area where soil is being removed*
36 *should be cut; it is virtually impossible to remove the top 18 inches of soil*
37 *around a tree without killing it. Trees outside the area being remediated*
38 *may need to be cut as well depending on how close they are to the soil*
39 *removal work. Please be advised that tree removals may require a permit*
40 *from the Town.*

1

2 Consultant Planner Brown said that a tree permit will be required from the
3 Town and there will be remediation for trees that have been removed.

4

5 Consultant Engineer Barbagallo referenced the letter from Legislators Peter
6 B. Harckham and Michael B. Kaplowitz dated September 11, 2013, and
7 mentioned the key points, *the selected excavation and removal techniques*
8 *are the most invasive*. He said that the DEP, DEC and the Watershed
9 Attorney General all agree that this is the appropriate remediation action.
10 He referenced another point in the letter, *the FSEIS will also not address*
11 *regulatory and other changes that have occurred since the Board's*
12 *adoption of the Final Environmental Impact Statement (FEIS) for the project*
13 *in 1997 and the issuance of a Findings Statement in 1998*. He said that he
14 has spoken specifically on how the SWPPP will be updated prior to the
15 issuance of the Findings Statement. He noted that the letter also
16 referenced impacts to wildlife and ecosystems. Consultant Engineer
17 Barbagallo reminded the Board that remediation is an additional 18 trees
18 which the DEP, DEC and the Watershed Inspector General agreed should
19 be removed. Consultant Engineer Barbagallo explained that he reviewed
20 the Legislator's letter point by point at the last meeting.

21

22 Consultant Engineer Barbagallo mentioned an e-mail from a property
23 owner dated September 6, 2013 and January 25, 2013. He noted that it
24 says that the Westchester Land Trust opposed the project in 2006 which is
25 relative to the subdivision and not this remedial action. He mentioned a
26 comment about monitoring wells to conduct periodic sampling and further
27 analysis of groundwater conditions. Consultant Engineer Barbagallo
28 indicated that the Board is past this step because the RAWP is in place and
29 that has been approved.

30

31 Consultant Engineer Barbagallo said that there were concerns about Bald
32 Eagles on the site.

33

34 Consultant Planner Brown indicated that Steve Marino submitted a report
35 as part of the FSEIS noting that there are no Bald Eagle nests on the
36 property.

37

38 Consultant Engineer Barbagallo referred to an e-mail from Helen Dowding
39 Mahood dated October 25, 2013 and mentioned a key point is that her
40 objections are simple, *the development of Granite Pointe will further*

1 *deprave the surrounding community of the beauty of the Town of Somers*
2 *will create even more congestion, will be an environmental threat, will*
3 *impact the visual surrounding area and am not convinced by any argument*
4 *that the development will not be seen from the roadway could lead to the*
5 *contamination of water and/or soil. The developer has no idea what the*
6 *environmental impact will be. Consultant Engineer Barbagallo indicated*
7 *that these are comments relative to the subdivision.*

8

9 Consultant Engineer Barbagallo said his recommendation is that the
10 applicant update the SWPPP to comply with current codes, address the
11 DEP's comments relative to construction sequence and items raised by the
12 DEP and incorporate the additional information into a cover sheet or
13 addendum to the FSEIS. He indicated that the Findings Statement will be
14 modified to provide more specificity on the community monitoring plan and
15 language for the professional engineer who will monitor the cleanup of the
16 site and bonding in regard to the site restoration in accordance with the
17 Tree Permit.

18 Town Attorney Baroni asked that the applicant provide a letter waiving the
19 30-day time limitation provided by 6N.Y.C.R.R. §617.11(b) which the Town
20 would otherwise have had to issue SEQRA findings and allow the 30-day
21 period to begin anew.

22

23 The Chair asked if there were any comments or questions from the Board.

24

25 Ms. Gannon said that it is important to focus on the action that is before the
26 Board and not talk about other actions because that muddies the water.
27 She noted that Consultant Engineer Barbagallo did a thorough review as
28 the Board received many documents. She indicated that there was a
29 common thread through the letters mainly the SWPPP and the
30 transportation of materials. She opined that the pieces of the puzzle have
31 to be tied up and gotten to a workable state. Ms. Gannon indicated that
32 she wants the Watershed General's concerns to be addressed. She noted
33 that she supports Consultant Engineer Barbagallo's recommendations.

34

35 Mr. Foley noted that he acknowledges all the comments that were received
36 and knows they were concerns for the subject matter that was discussed.
37 He said that it is through this process that the best decisions get made. Mr.
38 Foley commented that he only wished the concerns were heard more often
39 with other projects because you rarely see the level of involvement that you
40 see with this project.

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Ms. Gerbino said she appreciated all the input that was received. She indicated that the Board is trying to reach a Findings Statement to make public that the Board has considered all the available information and public comments.

Ms. Gerbino asked about the timeline for the Findings Statement.

Engineer Allen noted that his hope is to have the information for the December meeting with adoption of the Findings Statement at the January meeting.

Mrs. DeLucia said that she read all the letters of concern from the citizens and everything the Board does concerns the health, safety and welfare of Somers citizens. She thinks about how this affects the Town and will it keep you safe and not be detrimental to your health and how does this project move on. She mentioned that the Board took a hard look again at this project and is doing that by addressing all the concerns that were omitted and that everything is being adequately addressed.

Chair Currie said he agrees with the Board's comments and Board members live in Town and want what is best for this Town and he is confident in the program the Board is following.

Mr. Foley reminded everyone that the project is not finished as this is only the remediation of the site and the second phase of the project has not started.

Mrs. DeLucia indicated that this project has to go back to the subdivision stage where there will be an opportunity for the citizens to speak on the subdivision.

There being no further business, on motion by Mr. Goldenberg, seconded by Mrs. DeLucia, and unanimously carried, the meeting adjourned at 9:45 P.M. and the Chair noted that the next Planning Board meeting will be held on Wednesday, November 13, 2013 at 7:30 P. M. at the Somers Town House.

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Respectfully submitted,

Marilyn Murphy
Planning Board Secretary