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PLANNING DEPARTMENT

TOWN HOUSE
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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
DECEMBER 12, 2012**

4

5

6

7 **ROLL:**

8

9 **PLANNING BOARD**

10 **MEMBERS PRESENT:**

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

11

12

13

14 **ALSO PRESENT:**

Town Planner Syrette Dym
Town Consultant Planner Meder
Consultant Engineer Joseph Barbagallo
Town Attorney Joseph Eriole
Planning Board Secretary Murphy

15

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18

19

20 The meeting commenced at 7:35 p.m. Planning Board Secretary Marilyn
21 Murphy called the roll and noted that a required quorum of four members
22 was present in order to conduct the business of the Board.

23

24 **TIME-EXTENSION**

25

26 **MERRITT PARK ESTATES FINAL SUBDIVISION APPROVAL**

27 **[TM: 5.20-1-1]**

28

29 Chairman Currie said that this time-extension request relates to the
30 application of Merritt Park Estates Final Subdivision Approval. He noted
31 that the request is for a 90-day time-extension of Final Subdivision Approval

1 from January 7, 2013 to and including April 4, 2013. Chair Currie
2 mentioned that this is the tenth request for a time-extension.

3
4 The Chair acknowledged a letter dated December 3, 2012 from Geraldine
5 Tortorella, the applicant's attorney, requesting the time-extension.

6
7 The Chair asked if there were any comments or questions from members of
8 the Board and no one replied.

9
10 On motion by Mrs. DeLucia, seconded by Ms. Gannon, and unanimously
11 carried, the Board moved to grant a 90-day tenth time-extension to Merritt
12 Park Estates to the period of Conditional Final Subdivision Approval from
13 January 7, 2013 to and including April 4, 2013 in accordance with
14 §150-13-M of the Code of the Town of Somers.

15
16 **PUBLIC HEARING**

17
18 **BOCKHAUS WETLAND AND TREE REMOVAL PERMIT**
19 **[TM: 16.06-2-46]**

20
21 Chairman Currie noted that this is the Public Hearing on the application of
22 George Bockhaus for a Wetland and Tree Removal Permit for property
23 located at 23 Cypress Lane for an addition with a loft to an existing
24 residence.

25
26 The Chair asked the applicant's representative to give a brief presentation
27 regarding this application.

28
29 John Di Vernieri, the applicant's representative, said that the applicant is
30 looking to build a 25X40' addition for storage. He noted that there was a
31 site walk on Saturday, December 1, 2012. Mr. Di Vernieri stated that he
32 addressed all Consultant Engineer Barbagallo's comments.

33
34 The Chair asked Consultant Engineer Barbagallo to review his memo
35 for the benefit of the public.

36
37 Consultant Engineer Barbagallo indicated that all his comments have been
38 addressed but he had a question on the test pit that was dug in the area of
39 the proposed storm water drainage system and to verify that the Cultec
40 900HD chamber would not be placed beneath the groundwater table. He

1 asked the applicant if the water in the pit was 14” deep from the bottom or
2 top of the trench.

3
4 Mr. Di Vernieri indicated that the water level was from the bottom of the
5 trench with the water line 58” below the soil surface. He noted that a trench
6 along the side of the building can be done so a smaller version of the
7 Cultec unit can be used. He said that another option is to raise the grade
8 by a foot.

9
10 The Chair then commenced with the Public Hearing and asked the
11 Planning Board Secretary Murphy if prior to this Public Hearing had the
12 legal notice been published and the adjoining property owners notified of
13 the Public Hearing. Planning Board Secretary Murphy stated that the legal
14 notice was published in the Journal News on December 2, 2012, the
15 adjoining property owners were notified via mail on November 30, 2012.

16
17 Consultant Engineer Barbagallo said that he had no objection to the
18 Planning Board proceeding with a Conditional Resolution of Approval
19 providing the outstanding comments are addressed as conditions of
20 approval.

21
22 The Chair asked if anyone from the public would like to be heard on this
23 application and no one replied.

24
25 On motion by Ms. Gerbino, seconded by Mr. Goldenberg, and unanimously
26 carried, the Board moved to close the Public Hearing on the application of
27 the Bockhaus Wetland and Tree Removal Permit.

28
29 On motion by Mr. Goldenberg, seconded by Ms. Gannon, and unanimously
30 carried, staff was directed to prepare a Resolution of Approval for the
31 Bockhaus Wetland and Tree Removal Permit for the Chairman’s signature.

32
33 **SOMERS REALTY PLANNED HAMLET**
34 **PRELIMINARY SUBDIVISION APPROVAL AND LOT LINE CHANGE;**
35 **WETLAND, TREE PRESERVATION AND STORMWATER**
36 **MANAGEMENT AND EROSION AND SEDIMENT CONTROL PERMITS**
37 **[TM: 4.20-1-15, 18]**

38

1 Chairman Currie said that this is the project review of the Somers Realty
 2 Planned Hamlet for Preliminary Subdivision Approval, Lot Line Change and
 3 related permits.

4
 5 The Chair asked the applicant's representative to give a brief presentation
 6 regarding this application.

7
 8 Linda Whitehead, the applicant's attorney, indicated that she provided
 9 comments on the draft Negative Declaration and draft Resolution. She said
 10 that the Stormwater Pollution Prevention Plan (SPPP) is finalized and will
 11 be sent to the Consulting Town Engineer.

12
 13 The Chair asked Town Planner Dym to review the draft Negative
 14 Declaration with the Board.

15
 16 Town Planner Dym opined that the Negative Declaration is in good shape
 17 except for a few items. She mentioned that the Landscape Plan has to be
 18 provided. Town Planner Dym said that the Planning Board just received the
 19 Negative Declaration and needs time to review before they make a
 20 decision.

21
 22 Attorney Whitehead made a change under *Impact on Wetlands* to read
 23 *This activity can be authorized under Nationwide Permit #18, which allows*
 24 *up to 0.1 acre of wetland disturbance with a preconstruction notification,*
 25 *even in the watershed. Since the disturbance is well below this threshold,*
 26 *the disturbance qualifies for the NWP#18 and a pre-construction*
 27 *notification will be required to be prepared by the Applicant and submitted*
 28 *to the Army Corps of Engineers with a copy provided to the Town.*

29
 30 Town Planner Dym explained that she submitted a revised timeline. She
 31 mentioned that in order for the Site Plan to proceed all actions on
 32 Preliminary and Final Subdivision Approval must be completed. She
 33 indicated that there has been discussion on additional special meetings.

34
 35 Town Planner Dym indicated that she prepared a draft Resolution for
 36 Conditional Preliminary Subdivision #2 for Somers Realty Corp. for the
 37 Somers Realty Planned Hamlet Master Plan. She mentioned that the Board
 38 has just received the resolution and needs time to review the document.
 39 Town Planner Dym noted that the Board should focus on Page 5 and make
 40 sure they agree on all the modifications to the Planned Hamlet.

1 She said the Board should also focus on Page 8 on the Conditions that
2 have already been met and the Conditional items that have to be met on
3 Pages 13 through 16.

4
5 Town Planner Dym said in order to give the Board time to review the Draft
6 Negative Declaration and Draft Resolution of Approval the Board should
7 schedule a special meeting for December 19, 2012.

8
9 Mrs. DeLucia read the conclusion from the Negative Declaration, *The*
10 *Somers Planning Board, acting as Lead Agency having thoroughly*
11 *reviewed the proposed project action and proposed modifications to the*
12 *prior approved Planned Hamlet Master Plan, and having compared the*
13 *impacts with those identified in the Environmental Findings of February 10,*
14 *2009, determines that the proposed Master Plan modifications and further*
15 *subdivision of Lot 2 and minor lot line change to the previously created*
16 *Sewer Pump Station Parcel will have no greater impact on the environment*
17 *than those impacts originally identified and mitigated in the Environmental*
18 *Findings and, therefore, will have no significant adverse impact on the*
19 *environment.*

20
21 Mr. Keane opined that there should be a linkage between the conclusions
22 and facts that support those conclusions. He mentioned if there are no
23 significant environmental impact the Board can support a Negative
24 Declaration.

25
26 The Chair asked Consultant Engineer Barbagallo if he had anything he
27 wanted to discuss with the Board.

28
29 Consultant Engineer Barbagallo explained that on December 7, 2012 he
30 met with the applicant's engineer and the Water Superintendent to review
31 the sewer pump station configuration and progress was made. He noted
32 that this project will interface with The Green project as it relates to the
33 sewer and forcemain. Consultant Engineer Barbagallo indicated that the
34 pump station will serve as a terminal pump station for the future demands
35 coming out of Shenorock and the Shopping Center.

36
37 Chair Currie said that it was the consensus of the Board to take time to
38 review the draft Negative Declaration and draft Resolution of Approval and
39 continue the discussion at the December 19, 2012 special meeting.

40

1 **THE MEWS AT BALDWIN PLACE PHASE 2 SITE PLAN APPROVAL,**
2 **WETLANDS, STEEP SLOPES, TREE PRESERVATION AND**
3 **STORMWATER MANAGEMENT AND EROSION AND SEDIMENT**
4 **CONTROL PERMITS**
5 **[TM: 4.20-1-15]**
6

7 The Chair asked the applicant's representative to give a brief summary of
8 The Mews at Baldwin Place Phase 2 Site Plan Approval, Wetlands, Steep
9 Slopes, Tree Preservation and Stormwater Management and Erosion and
10 Sediment Control Permits.

11
12 Richard Williams, the applicant's engineer, noted that revised drawings in
13 response to staff's comments have been submitted and all engineering
14 comments have been addressed. He noted that he has one concern in the
15 Resolution as it states that a building permit cannot be obtained until
16 sewers are constructed and he suggested that the condition say the
17 Clayton Boulevard sewer extension and pump station installed as part of
18 the Somers Realty Corp. subdivision work shall be completed and
19 accepted by the Town of Somers prior to issuance of a Certificate of
20 Occupancy.

21
22 Consultant Engineer Barbagallo said that he supports the change
23 suggested by Engineer Williams and is ready to move forward on the
24 Resolution if the Board is.

25
26 Mr. Goldenberg asked about the December 2012 letter from the NYC
27 Department of Environmental Protection (DEP) stating that the application
28 was incomplete.

29
30 Engineer Williams explained that until the SEQRA determination from the
31 Lead Agency is submitted the application is deemed incomplete. He said
32 that the comments are minor in nature and are easily addressable and
33 revised plans will be submitted to the DEP next week. Engineer Williams
34 mentioned that the DEP requires a completed NOI for stormwater
35 discharges from construction activity which must be accepted by
36 Consultant Engineer Barbagallo before sending it to the Department of
37 Environmental Conservation for the SPDES General Permit.

38
39 Ms. Gerbino asked about the cottonwood trees that were removed and if
40 the landscape buffer is sufficient.

1 Engineer Williams said that in reference to the vegetated landscape buffer
 2 along Route 6 it is substantial but three deciduous trees have been added.

3
 4 Town Planner Dym noted that the Board at the December 19, 2012 special
 5 meeting will be reviewing the draft Negative Declaration and draft
 6 Conditional Resolution of Approval.

7
 8 *At this point Town Planner Dym excused herself from the rest of the*
 9 *meeting.*

10
 11 **PROJECT REVIEW**

12
 13 **THE GREEN AT SOMERS AMENDED SITE PLAN, WETLAND,**
 14 **STEEP SLOPES AND STORMWATER MANAGEMENT AND EROSION**
 15 **AND SEDIMENT CONTROL PERMITS [TM: 4.20-1-3.1]**

16
 17 Chairman Currie noted that this is the application of National Golfworx/Rick
 18 Van Benschoten, owner, for a mixed-use development consisting of four
 19 buildings with a combination of retail and residential uses. He said that this
 20 site is proposed to be serviced by public sewer and water.

21
 22 The Chair asked the applicant’s representative to update the Board on the
 23 project.

24
 25 Linda Whitehead, applicant’s attorney, said that the last meeting where the
 26 Green was discussed was at the joint meeting with the Town Board. She
 27 indicated that the Board reviewed the new concept plan that has four two-
 28 story buildings. She explained that three buildings at the back of the site
 29 are all residential and the building at the front of the site will have 8,000 SF
 30 of non-residential with residential units on the top floor.

31
 32 Attorney Whitehead said that she asked the Town Board to schedule a
 33 Public Hearing on the proposed adoption of a local law concerning the
 34 zoning text amendment. She opined that the Town Board was generally
 35 supportive of the proposed development concept but needed more
 36 information before scheduling a Public Hearing. Attorney Whitehead
 37 indicated that she provided the Town Board with information addressing
 38 areas of concern such as taxes, recreation fees and the sewer process.
 39 She mentioned that The Green is scheduled on the Town Board agenda for
 40 tomorrow evening and hopefully they will schedule the Public Hearing on

1 the zoning text amendment. She said that she welcomes any Planning
2 Board members that can attend the Town Board meeting.

3
4 Attorney Whitehead said that the applicant submitted a more detailed Site
5 Plan, Landscape Plan and a Wetland Mitigation Planting Plan that
6 addresses comments. She noted that most of the comments from Town
7 Consultant Engineer Barbagallo that have not been addressed relate to the
8 Stormwater Pollution Prevention Plan (SPPP). Attorney Whitehead noted
9 that the design of The Green Sewer Pump Station will have to be
10 coordinated with the Somers Realty Pump Station and the overall sewer
11 district.

12
13 Consultant Engineer Barbagallo said that he expects to provide comments
14 on the SPPP for the next Planning Board meeting. He explained to the
15 Board the options on moving forward with the sewer district on the north
16 side of Route 6 that will drain to The Green Sewer Pump Station.

17 Consultant Engineer Barbagallo said that one option is that the pump
18 station will drain into the forcemain and discharge into the gravity location
19 in Yorktown and then flow to Peekskill. He explained that Somers Realty
20 will pump into the 8" line and the Green project will pump into the 6" line
21 and will run parallel over the hill. He said by doing it this way there are two
22 pump stations to service the area. Consultant Engineer Barbagallo said
23 that the second option is to pump into the Somers Realty Pump Station and
24 have all the fill go by gravity to the location in Yorktown. He stated that this
25 will depend on if the Somers Commons Shopping Center commits to going
26 to gravity. Consultant Engineer Barbagallo indicated that after meetings
27 with the applicant's engineer and the Somers Realty engineer he will be
28 able to update the Board on the status of the pump stations.

29
30 *At this point Consultant Planner Meder joined the meeting.*

31
32 Mr. Foley said with the new proposal there are apartments over
33 apartments. He said with the Code changes there is nothing non-
34 specifically authorizing apartments over apartments and that is a problem.
35 He mentioned that the proposal allows the Planning Board to have
36 apartments on the first floor.

37
38 Attorney Whitehead stated that the listed use is residential apartments and
39 is being changed to non-residential uses. She explained that the Code

1 change will allow the Planning Board to say that the non-residential use is
 2 not needed on the first floor. She said that this has to be clarified.

3
 4 Mr. Foley said that the Code change allows discretion by the Planning
 5 Board but he feels there is no direction. He opined that the Board needs
 6 discretion on what should be exercised.

7
 8 Attorney Whitehead said that the Planning Board can make a finding that
 9 non-residential uses in the rear portion of the site *will* not be marketable.
 10 She noted that it can say that the Board *shall* upon making a finding that
 11 the rear portion of the site will not be marketable.

12
 13 Town Attorney Eriole said that the decision the Board would make, even if
 14 that language does not change, would have to be reasonably supported on
 15 the record as the law will impose some standards.

16
 17 Town Consultant Planner Joanne Meder of F. P. Clark stated that the Town
 18 Board will decide what the language will be. She said that a standard
 19 should be incorporated into the Resolution. She mentioned that the
 20 proposal for retail cannot be higher than 14% according to the developer.
 21 Consultant Planner Meder noted that the Planning Board should convey
 22 their thoughts to the Town Board rather than try to draft a law that the Town
 23 Board has to adopt.

24
 25 Attorney Whitehead said that she is going to suggest language to the Town
 26 Board based on discussion this evening.

27
 28 The Chair asked Consultant Planner Meder to summarize her memo dated
 29 December 2012.

30
 31 Consultant Planner Meder said that the first comment which is a carryover
 32 from an earlier report when Frederick P. Clark recommended that the
 33 applicant supply a written narrative stating how the proposal addresses the
 34 design guidelines of the Neighborhood Shopping District (NS). She noted
 35 that this will make sure that the design guidelines are embraced.
 36 Consultant Planner Meder indicated that the Planning Board should provide
 37 additional direction on this matter and determine if such a narrative
 38 summary should be submitted as the applicant will only provide the
 39 summary at the Planning Board's direction.

40

1 Chair Currie indicated that it was the consensus of the Board not to request
2 the narrative summary on the design guidelines of the NS Zone.

3
4 Mr. Keane said that the visual impact was addressed by reducing the
5 buildings from three stories to two and the reduction in impervious surface.

6
7 Attorney Whitehead commented that she is trying to get the Board to a
8 point where they can make a Determination of Significance.

9
10 Town Planner Meder explained that the applicant is hoping that they built
11 into the proposed action all the mitigation that would be required to reduce
12 a potential significant impact to one that the Board could accept.

13
14 Mr. Foley said that he is reserving his decision on a Positive Declaration.

15
16 Mr. Keane noted that if the applicant wants a Negative Declaration they will
17 submit an application with mitigation built into it so that will reduce the
18 impact below the level of significance.

19
20 Town Attorney Eriole stated that the concept is called mitigation by design.
21 He indicated that the Planning Board's decision will be discretionary based
22 on the record.

23
24 Mr. Foley asked what action can be taken to change the classification of
25 the proposed action from Unlisted to Type 1. He stressed that the Town
26 Code states that in almost every instance it will have a significant effect on
27 the environment. He mentioned that there are triggers that effect a Positive
28 Declaration such as the encouragement or attraction of a large number of
29 people to a place or places for more than a few days relative to the number
30 of people who would come in such place absent the action.

31
32 Attorney Whitehead noted that under the Town's Environmental Quality
33 Review Act the action is a Type 1. She explained that does not change the
34 process of making a Determination of Significance. Attorney Whitehead
35 said that the attraction of a large number of people to a place means a
36 concert or a big shopping center and not 72 residents.

37
38 Attorney Whitehead said that hopefully the application reaches the level
39 that a majority of the Planning Board determines that the impacts are not

1 potentially significant based on the modifications to the plan based on the
2 process.

3
4 Consultant Planner Meder said that the applicant indicated that revised
5 building elevations are being prepared and the Planning Board should
6 reconfirm that building elevations are being prepared for all facades of
7 Building 4 in addition to the other three proposed buildings. She
8 recommended that buildings on adjacent property be identified. Town
9 Consultant Planner Meder explained that the location map just identifies
10 the street network surrounding the property. She noted that the zoning
11 districts have to be added with lot lines and building locations.

12
13 Attorney Whitehead stated that the building elevations will be provided for
14 the next meeting.

15
16 Consultant Planner Meder explained that the Planning Board reviewed the
17 application as far as it can go without input from the Town Board. She
18 noted that the new concept plan was fine-tuned so the Planning Board
19 could comfortably go to the Town Board and engage in the discussion.
20 Consultant Planner Meder noted that all obligations that the Planning Board
21 has to satisfy under Town Code and SEQRA were put on the back burner.
22 She said that she is trying to get the Planning Board process back on track
23 and is not starting all over but resuming discussions.

24
25 Attorney Whitehead noted that the issue is visual impact and the Planning
26 Board spent a lot of time on that concern.

27
28 Mr. Keane suggested that the Board start the process by reviewing the
29 Environmental Assessment Form (EAF) which will help them make a
30 decision. He asked how many significant impacts is the Board looking at.

31
32 Consultant Planner Meder mentioned that the wetland is an impact.

33
34 Mr. Keane said that he believes the wetland is a habitat wetland and
35 Wetland B needs a permit.

36
37 Attorney Whitehead said that she wants everything out of the buffer so a
38 Department of Environmental Conservation (DEC) Permit will not be
39 necessary.

40

1 Consultant Engineer Barbagallo mentioned that the focus of the Board is
2 on the viewshed from Route 6.

3
4 Attorney Whitehead said that the view from Route 6 is directly into the site.

5
6 Consultant Planner Meder mentioned that Building 4 is up near Route 6.

7
8 Attorney Whitehead indicated that the Board and staff wanted Building 4 up
9 near Route 6. She questioned if this is a visual impact.

10
11 Consultant Planner Meder commented that it is an impact but may not be
12 an adverse impact.

13
14 Chair Currie said after the photographs are reviewed that will help the
15 Board decide if Building 4 is an adverse visual impact.

16
17 Consultant Planner Meder noted that a feature of the Site Plan that is not
18 resolved yet in regard to the width of the outer loop circulation drive
19 where the applicant is proposing perpendicular parking spaces in several
20 locations behind or adjacent to Buildings 2 and 3. She mentioned that F.P.
21 Clark previously commented that an 18-foot wide travel lane along the
22 perpendicular parking spaces is not sufficient. Consultant Planner Meder
23 mentioned two options, one, widen the loop road in the area where parking
24 is perpendicular to it but not have too many breaks if this is the solution;
25 two, 60 degree angled parking but this would reduce the number of parking
26 spaces.

27
28 Attorney Whitehead said that angled parking can be reviewed. She stated
29 that a full 24-foot aisle width is necessary.

30
31 Consultant Planner Meder stated that Town Code and Traffic Engineering
32 Manuals say the aisle width has to be 24-feet. She stressed that this issue
33 has to be addressed.

34
35 Attorney Whitehead agreed to review the aisle width and the angled
36 parking. She noted that some compact spaces which are shorter can be
37 used.

38
39 Consultant Planner Meder mentioned the plans that depict proposed future
40 conditions on the site now include a new feature "potential future driveway

1 extension” in dashed lines that is presumably intended to accommodate a
 2 potential future vehicular connection between the applicant’s site and the
 3 adjacent property to the east at a location where the proposed outer loop
 4 drive comes close to the neighboring property line. She noted that the
 5 outer loop road is intended to be one-way counter-clockwise and F. P.
 6 Clark’s suggestion is that be changed to two-way in the area where the
 7 proposed vehicular connection would be made. Consultant Planner Meder
 8 said if this is to be shown on the plan more information is needed on how it
 9 will be developed in the future.

10
 11 Attorney Whitehead said although the potential future driveway extension is
 12 good planning, if it is an issue it will be taken off the plan.

13
 14 Engineer Holt explained that he is not planning on redirecting or changing
 15 the flow patterns around the property but only in one section that will be
 16 two-way with no change to the outer loop road.

17
 18 Consultant Planner Meder mentioned open space and recreation and said
 19 that the proposed site plan contains a relatively small amount of open
 20 space that can be used for recreational purposes with the exception of the
 21 Green in the central portion of the site and the walking paths that are
 22 proposed to cross through the adjacent bio-retention area and a small area
 23 outside of the wetland buffer. She said that the applicant will seek a partial
 24 waiver of at least 50% of the applicable recreation fee from the Town
 25 Board.

26
 27 Attorney Whitehead said that there have been discussions with the
 28 Supervisor on the Town’s desire to build a Senior Center with contributions
 29 from recreation fees.

30
 31 Ms. Gannon mentioned that Councilman Clinchy asked about a walking
 32 path around the loop road and Engineer Holt replied that can be done and
 33 will count toward recreation.

34
 35 Consultant Planner Meder said that she would like to talk about steps that
 36 the Planning Board can take to change the classification of the proposed
 37 Action from ‘Unlisted’ to “Type 1”. She noted that if the Planning Board
 38 determines that it wants to formally change the classification of the
 39 proposed action she can prepare a letter to the Involved and Interested
 40 Agencies.

1 On motion by Mr. Foley, seconded by Ms. Gannon, and unanimously
 2 carried, the Board moved to reclassify the proposal for The Green at
 3 Somers as a Type 1 Action under the Town's Environmental Quality
 4 Review Law and notify the Involved and Interested Agencies.
 5

6 Consultant Planner Meder noted the locations of pedestrian crosswalks
 7 and the direction of travel in the inside loop which is clockwise and is the
 8 reverse of what it should be. She said that passengers are being dropped
 9 off in the travelled lane instead of on the side of the road where there would
 10 be more direct access to the buildings. Consultant Planner Meder said that
 11 F. P. Clark feels that could be reversed and one feature of the pedestrian
 12 circulation system could be eliminated. She said that this is shown on a
 13 sketch on the back of the F. P. Clark memo. Consultant Planner Meder
 14 indicated that there is a pedestrian walkway that is sitting on top of the
 15 median separating the ingress and egress lanes. She opined that this is
 16 not a good place for a pedestrian connection. Consultant Planner Meder
 17 said that the traffic circulation and pedestrian paths suggested in the sketch
 18 would eliminate a crosswalk between Buildings 3 and 4 that will otherwise
 19 route pedestrian onto a traffic median within the sites main access drive,
 20 thereby improving pedestrian safety. She said that the direction of parking
 21 in the inner loop and in the angled parking lot closest to the bio-retention
 22 basin will turn the connection between the outer and inner loop road to a
 23 two-way connection. She opined that this is a feasible alternative.
 24

25 Attorney Whitehead opined that the location of the pedestrian crosswalks
 26 and the direction of travel in the inside loop is not a significant issue as
 27 there is not a lot of traffic.
 28

29 Engineer Holt said that he has a concern when coming off the back of the
 30 interior loop road as there is an 8% grade and that is where the new
 31 driveway connection off the interior parking loop will be and this is not an
 32 ideal situation. He indicated that the suggested circulation revisions will not
 33 make it better because it will add more impervious surface and will
 34 separate the parking areas.
 35

36 Consultant Planner Meder said that the basic principle of site planning is
 37 not to have clockwise one-way loop in the parking.
 38

39 Chair Currie asked if there were any comments from the Board.
 40

1 Ms. Gannon asked if there will be a landscaping guarantee.

2

3 Consultant Planner Meder said that there will be a perpetual landscaping
4 guarantee for functional purposes.

5

6 Ms. Gannon mentioned a SEQRA issue in F. P. Clark's memo, *As*
7 *requested in the former Town Planner's memo dated March 9, 2012,*
8 *documentation should be provided as part of the response verifying that the*
9 *project is not located in the 100-year flood plain. Since this request was*
10 *made multiple times, it is recommended that the applicant also identify the*
11 *elevations of the nearest 100-year and 500-year floodplains and indicate if*
12 *any portions of those floodplains are located on the site.*

13

14 Consultant Planner Meder explained that there was a map attached to an
15 EAF but that has been superseded and she is asking that the revised map
16 be attached to the current EAF.

17

18 Attorney Whitehead said that all the previous Town Planner's comments
19 have been addressed as she circulated the EAF.

20

21 Consultant Planner Meder said that a new EAF should be submitted
22 before the Board completes Part 2 of the EAF.

23

24 Mr. Keane said that the applicant has to provide all the information that is
25 necessary to make a Determination of Significance. He noted that the
26 Board should do Part 2 of the EAF at the next meeting.

27

28 Ms. Gannon asked if the zoning text amendment has to be included in the
29 EAF as part of the action.

30

31 Town Attorney Eriole said that the zoning text amendment does not have to
32 be in the EAF. He said that changes in the project are part of the process.

33

34 Attorney Whitehead said that she will provide an updated EAF which will
35 help with Part 2. She mentioned that Engineer Holt met with the Fire
36 Prevention Bureau and they only need one more hydrant and are happy
37 with the circulation.

38

39 There being no further business, on motion by Chair Currie, seconded by
40 Mrs. DeLucia, and unanimously carried, the meeting adjourned at 11:00

1 P.M. and the Chair noted that the next Planning Board meeting will be a
2 Special Meeting held on Wednesday, December 19, 2012 at 7:30 P. M. at
3 the Somers Town House.

4

5

6

Respectfully submitted,

7

8

9

10

Marilyn Murphy
Planning Board Secretary

11

12

13