

Telephone 1
(914) 277-5366₂

FAX
(914) 277-4093

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
Dennis McNamara

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**SOMERS PLANNING BOARD MINUTES
MAY 27, 2015**

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6

7 **ROLL:**

8

9 **PLANNING BOARD**

10 **MEMBERS PRESENT:**

Chairman Currie, Mrs. DeLucia, Ms. Gerbino,
Mr. Goldenberg, Ms. Gannon and
Ms. Corning

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14 **ALSO PRESENT:**

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

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19 **ABSENT:**

Mr. McNamara

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

25

26 **APPROVAL OF DRAFT MINUTES FOR MEETING HELD ON**
27 **APRIL 8, 2015**

28

29 Chairman Currie noted that Planning Board Secretary Marilyn Murphy
30 prepared and submitted for the Board's consideration approval of the draft
31 minutes of the Planning Board meeting held on April 8, 2015.

1 The Chair asked if there were any comments or corrections from the Board
2 on the April 8, 2015 Planning Board minutes and no one replied.

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4 On motion by Chair Currie, seconded by Mr. Goldenberg and unanimously
5 carried, the draft minutes of April 8, 2015 were approved.

6
7 Chairman Currie noted that the DVD of the April 8, 2015 Planning Board
8 meeting is made a part of the approved minutes and is available for public
9 viewing at the Somers Public Library and the text of the approved minutes
10 is also on the Town's website www.somersny.com and is available for
11 public review at the Planning & Engineering office at the Town House.

12
13 **SEQRA**

14
15 **SOMERS REALTY PLANNED HAMLET SUBDIVISION PHASE 3**
16 **[TM: 4.20-1-15]**

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18 Chairman Currie said that the Board will be considering the Conditional
19 Draft Resolution for Somers Realty Planned Hamlet Subdivision Phase 3.
20 He asked the applicant's representative to update the Board on the project.

21
22 Linda Whitehead, the applicant's Attorney, said that she reviewed the draft
23 resolution and provided her input and comments to Director of Planning
24 Dym. She said that she is happy to answer any questions the Board may
25 have.

26
27 Chair Currie asked Director of Planning Dym to review the draft resolution
28 with the Board.

29
30 Director of Planning Dym explained that during the late afternoon today she
31 received additional comments to the Resolution that she sent to the Board.
32 She asked the Board to focus on the new changes. She mentioned that on
33 page 6 of the new change pages the Master Plan disturbed 0.47 acres and
34 that has been changed to 0.43 acres of disturbance and as project review
35 has progressed the words *have been further modified*.

36
37 Attorney Whitehead said that the imbalance of cut and fill on the site did not
38 result from Phase 2 construction but resulted from the 45,000 cubic yards
39 of excess. She said that she has no objection to the wording in the

1 resolution *an imbalance of cut and fill resulting in 70,000 cubic yards of soil*
 2 *stockpile as opposed to a formerly understood to be a balanced site.*

3
 4 Chair Currie said that he is concerned with the amount of conditions in the
 5 Resolution.

6
 7 Mrs. DeLucia agreed that there are too many conditions in the Resolution.

8
 9 Attorney Whitehead explained that there are five or six conditions that
 10 relate to the Department of Transportation (DOT) Permit and the
 11 Department of Environmental Protection Approvals Permit (DEP).

12
 13 Richard Williams, the applicant's engineer, said that there are quite a few
 14 conditions that overlap. He said that there should be one comment in the
 15 Resolution in reference to the Consulting Town Engineer's comments
 16 instead of listing them individually.

17
 18 Consultant Town Engineer Barbagallo said that he is comfortable with the
 19 amount of conditions in the Resolution as they are generally minor details.
 20 He explained that the Board is just giving the applicant the right to the
 21 subdivision but if there are changes from the involved agencies that risk is
 22 on the applicant.

23
 24 Ms. Gerbino said that the risk taker is the applicant and they are willing to
 25 take the risk.

26
 27 Ms. Corning asked about the wording on Page 16, line 37 and felt that it
 28 should read *Maintenance agreements for the roadways, sidewalks and*
 29 *stormwater infrastructure shall be provided.* She mentioned that another
 30 condition should be *The plans indicate that blasting will occur and that such*
 31 *blasting shall be conducted*

32
 33 Ms. DeLucia asked for a correction on the Certification on the last page of
 34 the Resolution to read *Resolution 2015-04* instead of *Resolution 2012-08.*

35
 36 On motion by Chair Currie, seconded by Ms. Gannon, and unanimously
 37 carried, the Board moved to accept Resolution 2015-04 Granting of
 38 Conditional Preliminary Subdivision Plat Approval, Modification of Somers
 39 Realty Planned Hamlet Master Plan, Wetland and Watercourse Protection
 40 Permit, Steep Slopes Permit, Tree Removal Permit and Stormwater

1 Management and Erosion and Sediment Control Permits to Somers Realty
2 Corp. for the Somers Realty Planned Hamlet Master Plan Phase 3
3 Subdivision and Master Plan Modification, as amended.

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5 There being no further business, on motion by Ms. Gannon, seconded by
6 Mr. Goldenberg, and unanimously carried, the meeting adjourned at 8:00
7 P.M. The Chair announced that the next Planning Board meeting will be
8 held on Wednesday, June 10, 2015 at the Somers Town House.

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Respectfully submitted,

Marilyn Murphy
Planning Board Secretary