

NOVEMBER 5, 2009 – PUBLIC HEARING

Minutes of a public hearing of the Town Board of the Town of Somers held on Thursday evening November 5, 2009 at 8:00 PM at the Town House 335 Route 202, Somers New York.

ROLL CALL:

PRESENT:       Supervisor       Mary Beth Murphy  
                  Councilman       George R. Dieter  
                  Councilman       Richard G. Clinchy  
                  Councilman       Thomas A. Garrity, Jr.

ABSENT:        Councilman       Paul Z. Meyer, Jr.

Also present were Kathleen R. Pacella, Town Clerk, Patricia Kalba, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The Supervisor said that this was a continuation of a public hearing with regard to the petition to extend the Amawalk-Shenorock Water District to include the Planned Hamlet Subdivision.

Mr. Guy Gagné, PE, Town Engineer, and Ms. Linda Whitehead of McCullough, Goldberger & Staudt, LLP joined the Board.

The Supervisor declared the hearing open and asked for comments from the public.

Ms. Linda Whitehead of McCullough, Goldberger & Staudt, LLP on behalf of Somers Realty Corp. owner of the Somers Realty Planned Hamlet project said that they had been working with the Town Engineer to find a solution to provide an emergency water source. She said that his memo reflected that they had reached an agreement and she explained the Town Engineer was concerned with putting the additional residences without any backup if the waterline was to break. She said that they looked into a number of different options and a storage tank was agreed upon. Councilman Clinchy asked if the tank was going to be below ground. The Town Engineer said that placement of the tank would be decided as part of the review process by the Planning Board. He said that it was not going to be a large water tower, it was a storage tank and if they decided that the below ground tank was not appropriate it would have to be above ground. He said that he recommended that there be an agreement in place before the Board approves the extension. Ms. Whitehead said that she discussed that with the Town Attorney and they had no problem with it and they could get something done quickly. The Town Attorney said that it would be in the form of a declaration against the property. Councilman Garrity asked if the storage tank was going to be placed where the water tower was proposed. The Town Engineer said that it would be adjacent to the site. Ms. Whitehead said that a water tower could still be built if needed in the future. The Supervisor asked what the supply size was of the water tank. The Town Engineer said that it was a 24 hour supply, about 100,000 gallons. The Supervisor asked how big that was. The Town Engineer explained it was about 30 feet in height. Ms. Whitehead said that if the number of units reduced than the size of the tank would reduce as well. The Supervisor said that went the Planning Board was reviewing the application there was a large concern among the residents about the water tower and the height. The Town Engineer said that there were options that were going to have to be looked at. Ms. Whitehead said that the impact would be studied by the Planning Board. She said that they were hopeful that it could be at least partially underground.

The Supervisor asked if the water in the storage tank was going to be used. The Town Engineer explained the system and how the water was circulated through the system. The Supervisor asked if the Superintendent of Water has been involved in the discussions. The Town Engineer said that he had in the earlier meetings.

The Supervisor asked the Town Attorney to draft something for the Board's consideration.

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The Supervisor asked if the water system was still going to be a gravity feed system. The Town Engineer said that it would be a practically a gravity feed system and explained how it worked.

The Supervisor said that the Town Attorney would draft something and she would place this on the agenda for the next meeting.

Ms. Whitehead said with regard to the escrow account a check would be delivered to the Town before next week's meeting. She said that they would appreciate if things were forwarded to her more efficiently.

There being no one else to be heard on motion of Supervisor Murphy, seconded by Councilman Garrity, the public hearing was adjourned to the November 12, 2009 regular meeting at 8:15 PM.

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Town Clerk