

DECEMBER 10, 2015 – PUBLIC HEARING

Minutes of a public hearing of the Town Board of the Town of Somers held on Thursday evening December 10, 2015 at 7:02 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT:	Supervisor	Rick Morrissey
	Councilman	Richard G. Clinchy
	Councilman	Anthony J. Cirieco
	Councilman	William G. Faulkner

ABSENT:	Councilman	Thomas A. Garrity, Jr.
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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 public hearing with regard to a proposed Local Law for a minor text amendment to MFR-BP District, Section 170-13, Multifamily Residence MFR District, needed due to change for Hidden Meadow. He explained that they made this amendment in one location and failed to that for in another part of the Code.

The Town Clerk presented affidavit of public notice of the public hearing that appeared in the Somers Record on November 26, 2015 and posted on the Town Clerk's bulletin board the same day.

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

There being no one to be heard on motion of Supervisor Morrissey, seconded by Councilman Cirieco the hearing was declared closed at 7:05 PM.

Town Clerk

DECEMBER 10, 2015 – PUBLIC HEARING

Minutes of a public hearing of the Town Board of the Town of Somers held on Thursday evening December 10, 2015 at 7:06 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT:	Supervisor	Rick Morrissey
	Councilman	Richard G. Clinchy
	Councilman	Anthony J. Ciriaco
	Councilman	William G. Faulkner

ABSENT:	Councilman	Thomas A. Garrity, Jr.
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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 public hearing with regard to a proposed amendment to the Town of Somers Zoning Map.

The Town Clerk presented affidavit of public notice of the public hearing that appeared in the Somers Record on November 26, 2015 and posted on the Town Clerk's bulletin board the same day.

The Supervisor explained that the changes that the Town made to the MFR-BP District were going to be reflected in the Zoning Map Amendment and the Map had not been revised since 2005.

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

There being no one to be heard on motion of Supervisor Morrissey, seconded by Councilman Ciriaco the hearing was declared closed at 7:08 PM.

Town Clerk

DECEMBER 10, 2015 – PUBLIC HEARING

Minutes of a public hearing of the Town Board of the Town of Somers held on Thursday evening December 10, 2015 at 7:10 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT: Supervisor Rick Morrissey
 Councilman Richard G. Clinchy
 Councilman Anthony J. Cirieco
 Councilman William G. Faulkner

ABSENT: Councilman Thomas A. Garrity, 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 public hearing with regard to the Draft Comprehensive Plan Update 2015.

The Town Clerk presented affidavit of public notice of the public hearing that appeared in the Somers Record on November 26, 2015 and posted on the Town Clerk's bulletin board the same day.

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

Mr. Frank Fish, BFJ, Planning, Consultant for the Town, said that last fall the Town Board asked if a draft document could be put together for the end of 2015. He explained that a Comprehensive Plan was supposed to be a vision for the overall Town for the next 10 years. He said that New York State suggested about 12 sections for the Plan and they generally followed their suggestions. Mr. Fish said that there was a draft available on the Town website and when the Board was ready to adopt the Plan there would be hard copies available. He said that the Future Land Use Map was hard to read when it was printed out especially if a color copier was not used therefore he printed several copies for the Board and the public. He read the Acknowledgement page and recognizing all the people who had worked on the Comprehensive Plan.

Mr. Fish said that it was their goal to make the Plan as user friendly as possible and make it so that anyone who picked it up could read and interpret the information. He said that this evening's public hearing was to hear from the public and then the Town Board would get together again to go over all of the comments and decided what to address. He said once that was completed that the Town Board would be in a position to act on the Plan.

Mr. Fish said that they also prepared an Environmental Assessment Form (EAF) for that action. He said that in the EAF there were sections not filled in and that was before the Master Plan was a generic Plan and the sections that were sight specific were not addressed.

Ms. Maureen Devine, Susan Drive, read a prepared letter to the Board with regard to inaccuracies she found in the Draft Plan that the Town Board needed to address.

Mr. Frank Mazzotta, Raemont Road, said that he had some observations with regard to the Comprehensive Plan. He said that first off the Plan was very thorough and they should be congratulated on the amount of hard work that went into it. He said that under the Objectives it stated "to preserve the character of existing neighborhoods and support traditional neighbors" and it also stated "to minimize potential negative impacts, minimize changes to natural slopes, preserve drainage and setbacks, etc.". Mr. Mazzotta said that these were all very noble and very important especially when they consider what had been going on in Somers over the last several years. He said that the Plan appeared to increase the density of housing in Somers. He said that may be to makeup the short fall in Tax

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Revenues or simply because people no longer like open spaces. Mr. Mazzotta said that Route 6 had been turned into the Scarsdale of Northern Westchester. He said that the traffic in that area was unbelievable during peak hours and weekends. He said that the Town was making a big mistake putting high density housing in that area. Mr. Mazzotta said that it had changed the character on Northern Somers. He said that the Town had approved some subdivisions that made no logical sense such as Granite Pointe. He said with regard to West Somers Park there were 4.1 acres of land that was deeded to the Town by the Boniello Family to be a passive space. Mr. Mazzotta said that a couple of years ago a Boy Scout petitioned the Board to improve the park area near the pond because many of the residents use the pond for fishing and ice skating in the winter. He said that Scout wanted to place park benches there and he was denied by the Town Board. He said that now this Comprehensive Plan discusses paving the area and putting in Basketball Courts and parking. Mr. Mazzotta said to do that to a neighborhood was a travesty and he pointed out all of the reasons that was so. He said that many of the residents had restrictive covenants on their deeds. He said that those covenants limit what could be done to their properties even though the Town had done little to enforce those covenants. Mr. Mazzotta asked the Town Board to respect those covenants just as they had. He said that he was also worried about the resale value of the homes in West Somers Park and placing a Basketball Court and parking in that area would have an effect on the values. He pointed out other locations within the Town where additional Basketball Courts could be placed. Mr. Mazzotta said that the health of the Pond also needed to be addressed, over the last few years it had become a marsh. He explained that there were dead trees in it and it was overgrown with silt. He said that it was no longer a viable pond, it was a mosquito trap.

The Supervisor said that this was a draft of a Master Plan and this was why they were having the public hearings. He said that he commended them all for coming out and speaking about their concerns. He said with regard to the pond which indeed was to be passive and a suggestion was made by the Parks and Recreation Department. The Supervisor said that it will not be reflected as a future park for Basketball Courts. He said that it was going to be reflected in the Comprehensive Plan as a Passive Park. He said that the concern had been brought to the Board's attention and they had looked into that and it was not a location that was going into the Master Plan.

Mr. William Macreery, Granite Springs Road, said that he had been a lifetime resident of Somers and explained the history of West Somers Park. He said that he had his Restrictive Covenant that was in his Deed for his home. He said that he would like to see the pond cleaned up for the residents to continue to use for fishing and ice skating.

The Supervisor said to be clear, the reference of a parking lot and Basketball Court in West Somers Park was going to be stricken from the Master Plan. He said that the Board also hired a Grant Writing Consultant. He said that over the last couple of days the Consultant had met with Department Heads and toured the Town. He said that they were going to try to receive grants to do projects within the Town and cleaning up the pond in that area was one of the projects.

Ms. Lori Ensinger, Orchard Hill Road, member of the Westchester Land Trust, said that she wanted to commend the Master Plan Committee for their work on the Plan. She said that her comment was with regard to the Stuart Property. She said that as the Board was aware Westchester Land Trust was very close to submitting a grant application for the preservation of Stuart's Farm. Ms. Ensinger said that it was very important and she was very encouraged to see that in the Draft Comprehensive Plan there were specific references to that property which was different from the 1994 Plan. She said that it was important that those specific references remained in the document that was adopted. She explained that the reason for that was because funding partners look specifically for evidence of local support. Councilman Clinchy asked Ms. Ensinger to explain why they were after a grant to preserve Stuart's Farm. Ms. Ensinger explained the process and why it was important to Westchester Land Trust.

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Mr. Michael Blum, Chairman of Energy Environment Committee, said that he would like to thank both the Town Board and the people who worked on the Plan for the inclusion of Section 8, Environment and Sustainability. He said that two years ago they developed a Sustainability Plan for the Town of Somers and it addressed Sustainability for the Town. He said that also Section 11 was important because there would hopefully be instructions and Zoning requirements.

Dr. Henry Olsen, Heritage Hills, said that he moved to Peach Lake in 1973 and became the Water Commissioner in 1975 and they did everything they could to have Peach Lake redone and they ran into problems because it was in two Towns in two Counties. He suggested that they reach out to the other Towns to address the issue with the pond at West Somers Park.

Ms. Alice Molodec, Raemont Road, asked if any of the Board members had been over to look at the pond. She said that the Town took the property as a gift to be taken care of and they were not taking care of the property.

The Supervisor said with regard to the Future Land Use Map, the Somers Fire District had planned to purchase 12 acres of IBM property to build a Public Safety Complex. He said that part of the negotiations included a Developer who was looking at the other IBM parcel. He said the 1994 Master Plan had a road that ran from the end of a development to the Mill Pond area. The Town Planner explained that the 1994 Plan showed a conceptual connection between Route 202 to Route 100 and a portion of that was incorporated as part of the Chase Subdivision and ended as a stub road. She said that showed up on the current Future Land Use Map. The Supervisor said that the conceptual connection needed to be added back to the Future Land Use Map.

The Supervisor said that it was in order for the Board to close the public hearing at that time with a 10 day written comment period.

There being no one else to be heard on motion of Supervisor Morrissey, seconded by Councilman Faulkner, the public hearing was declared closed at 8:05 PM with a 10 day written comment period.

Town Clerk