

John Currie, *Chairman*
Vicky Gannon
Nancy Gerbino
Ken Kristensen
Jack Mattes
Bruce Prince
Christopher Zaberto

PLANNING BOARD
Town of Somers
WESTCHESTER COUNTY, N.Y.

TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589
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SOMERS PLANNING BOARD AGENDA

June 14, 2023, 7:30PM

MINUTES

Draft Minutes for consideration of approval: May 10, 2023.

PROJECT REVIEW

**1. DYNAMITE PROPERTIES, INC. PROPOSED SUBDIVISION OF
PARCEL ADJACENT TO GREEN TREE ROAD, TM: 15.12-2-1 and
15.12-2-5.**

Proposed Preliminary Subdivision and Open Development Area
Application for subdivision of two parcels into three residential lots
accessed off of Green Tree Road through Town Right of Way and NYS
DOT Easement areas. The property is in the R80 zoning district.

**2. PANNY PROPOSED 2 LOT SUBDIVISION AT 19 OLIVE DRIVE,
TM: 5.15-1-90.**

Application for Preliminary Subdivision, Tree Removal, Stormwater
Management and Erosion and Sediment Control Permit and Steep Slope
Permit for creation of two lots from one existing lot with a single family
house and where proposed access to new lot is only available from an
unimproved but mapped Town road in an R-10 District located at 19 Olive
Drive.

3. WINTJE ENVIRONMENTAL PERMITS FOR DEVELOPMENT AT 9 CAROLYN WAY, TM 18.09-1-54, 55 & 56.

Applications for Steep Slope, Tree Removal, Stormwater Management and Erosion and Sediment Control Permits for construction of a single-family house, driveway, septic system, and well. The 1.37 acre property is located in the R-10 zoning district.

4. ARSEC CORPORATION, SITE PLAN APPROVAL FOR PARKING LOT EXPANSION LOCATED AT 378 ROUTE 202, TM: 17.11-2-18&19.

Site plan review for parking lot expansion; installation of 12 new parking spaces, to be utilized for overflow parking and an area to plow snow. The 1.06-acre property is located in the B-HP district.

RESOLUTIONS FOR FORMAL ADOPTION

5. APPLICATION FOR SPECIAL PERMIT MODIFICATION FOR AMERICAN TOWER CORP. (VERIZON) AT 2580 ROUTE 35, TM 37.13-2-3

MEETING ADJOURNMENT

**The next Planning Board Meeting is scheduled for
Wednesday, July 12, 2023 at 7:30pm.**

Agenda Subject to Change

PLANNING BOARD

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SOMERS PLANNING BOARD MINUTES

May 10, 2023
7:30PM

ROLL

PLANNING BOARD Chairman John Currie, Vicky Gannon, Nancy Gerbino,
MEMBERS PRESENT: Jack Mattes, Christopher Zaberto, Bruce Prince; Ken Kristensen

PLANNING BOARD
BY ZOOM:

ABSENT:

ALSO PRESENT: David Smith, Consulting Town Planner, Planning & Development
Advisors; Planning Board Attorney Gerry Reilly; Steve Robbins,
Consulting Town Engineer, Woodard & Curran

MEETING COMMENCEMENT

The meeting commenced at 7:30 p.m.

Chairman John Currie requests participants say the Pledge of Allegiance.

Chairman John Currie introduces the new Planning Board Member Mr. Ken Kristensen.

Consulting Town Engineer Steve Robbins calls the Roll.

MINUTES

Regarding the meeting minutes for the April 12, 2023, Planning Board Meeting, Mr. Currie moves to accept the meeting minutes as they are presented in front of the Board. Ms. Vicky Gannon seconds. All in favor. Motion passes.

PROJECT REVIEW**1. ARSEC CORPORATION, SITE PLAN APPROVAL FOR PARKING LOT EXPANSION LOCATED AT 378 ROUTE 202 TM: 17.11-2-18&19.**

Site plan review for parking lot expansion; installation of 12 new parking spaces, to be utilized for overflow parking and an area to plow snow. The 1.06-acre property is located in the B-HP district.

Mr. Tim Allen from Bibbo Associates presents for the Applicant. Mr. Allen states that the previously held site visit was productive and proposed landscaping ideas were discussed. He states that outstanding comments from Woodard & Curran are still being addressed. He states that the Board will be sent updated plans before the public hearing is held.

Mr. Jack Mattes states that during the site visit, he believed that the proposed plans made sense.

Mr. Dave Smith, Consulting Town Planner, states he has no additional comments at this time.

Mr. Steve Robbins, Consulting Town Engineer, states he has no additional comments at this time.

Mr. Currie asks Mr. Robbins about setting up a public hearing while there are still outstanding comments.

Mr. Robbins states that it is Woodard & Curran's preference to have received a full submittal package before the public hearing is scheduled.

The Planning Board agrees.

Mr. Allen states he will return with the full submittal package at a later date.

2. LINCOLNLAND, LLC APPLICATION FOR AMENDED SITE PLAN APPROVAL FOR FACILITY LOCATED AT 154 NYS ROUTE 202. TM 16.16-1-14.

Project introduction and escrow establishment for Site Plan modification for improvements made since prior Approved Site Plan, including new concrete pads and removal of vegetated buffer. The 2-acre property is in the NS zoning district.

Mr. Peter Helmes from Helmes Group Architects and Engineers joined by Mr. Dan MacNamee, the Owner of the property. Mr. Helmes states that the start of the project includes locating existing concrete pads that have been added to the property. He states that after this task was completed, the scope of the project increased. Two additional plans have been developed. One plan is a new site plan that has topography that shows all of the utilities, concrete pads, and structures. Mr. Helmes states that he has received a recent

1 review from Woodard & Curran. He states that their Engineer has addressed comments
2 relating to stormwater management. He states that the next steps are to continue addressing
3 comments from Woodard & Curran, and to address remaining items from a previously
4 received memorandum.

5
6 Mr. Helmes states that Items 1 and 2 have been satisfactorily addressed. Mr. Helmes
7 addresses Item #3 in the memorandum stating that site modifications are included in the site
8 plan. He continues to explain that the information from the site visit has been added to the
9 updated site plan. He states that the original site plan indicated a 20-foot buffer.
10 Additionally, an adjacent property owner has constructed a shed on Mr. MacNamee's
11 property. Mr. MacNamee has no issue with this but would like to be awarded a revocable
12 easement in place so that the shed can be forcibly removed if necessary.

13
14 Addressing Item #4 Mr. Helmes states that he is in receipt of an email that asks for the
15 Applicant to provide details on how the stormwater from the existing site and the new
16 impervious areas are being managed. He will provide this to the Town's Consultants for
17 review.

18
19 Additionally, Item #5 in the memorandum request states that the Applicant shall provide a
20 summary of the site compliance with the notes on the approved site plan. He states that this
21 has been partially addressed since the site is not in compliance with the maintenance of
22 fencing and vegetated buffer along the southern property line.

23
24 Mr. Robbins states that Item #6 in the memorandum pertains to the West side near Route
25 202 where the shopping center parking lot crosses the property line. Mr. Helmes states that
26 Mr. Robbins is correct that a portion of the shopping center encroaches into the parcel in
27 question. Mr. MacNamee states that this has always been the case and that he currently does
28 not have a problem with the encroachment.

29
30 Mr. Helmes reads Item #7 stating that the Applicant shall provide information on the type,
31 and quantity of hazardous materials. He states that this has been addressed.

32
33 Mr. Helmes states that Item #8 has been addressed.

34
35 Mr. Helmes states there is a new comment that relates to Item #8 and the different structures
36 that are listed that have roof structures over them. The total permissible accessory coverage
37 if 1% per the zoning charts. Mr. Helmes states that without the listed roof structures the
38 Application would be compliant, but with them the Application is not compliant. A variance
39 would need to be obtained for exceeding the accessory coverage.

40
41 Mr. Robbins states he has had more clarification regarding the new comment. He states that
42 the shed roof structures do not count toward the accessory coverage.

43
44 Mr. Robbins explains that most of the comments are to ensure that the Board understands
45 what the changes have been so that the Board can approve an amended site plan if they so
46 choose. Regarding the Southern property line with the vegetative buffer and fencing being

1 removed, Mr. Robbins states that he wanted to make sure the Planning Board was aware of
2 the change in that area. Regarding the easements, Mr. Robbins states that it appears on the
3 plan that not only shed roof #8 but also a small portion of the corner of the shed crosses
4 property lines.

5
6 Mr. Helmes states that Mr. Robbins is correct.

7
8 Mr. Helmes and Mr. Robbins agree that this is concerning.

9
10 Mr. Helmes asks if a legal easement is required or do the encroaching structures need to be
11 removed.

12
13 Mr. Robbins states another option is to consider a lot line change.

14
15 Mr. MacNamee asks if a temporary easement is an option.

16
17 Mr. Zaberto states that a revocable easement does not solve the problem since once the
18 easement is revoked the site would still be out of compliance. Since the site plan hinges on
19 an approved easement between the two landowners, if there comes a point where the Board
20 must revoke the easement the same problem persists because there exists a building on a
21 property line that is not in compliance with Town Code.

22
23 Mr. Helmes responds stating that he believes that a revokable easement would allow for the
24 other owners to maintain their portions of structures on the parcel in question for as long as
25 Mr. MacNamee owns the parcel in question. If at some point, Mr. MacNamee wishes the
26 other property owners to take down the structures, he has the right to do so. Mr. Helmes
27 states he thinks that this would bring the site plan into compliance as it would eliminate the
28 encroachments.

29
30 Mr. Currie asks if the Planning Board can only approve a clean site plan.

31
32 Planning Board Attorney Mr. Gerry Reilly states that it should be a clean site plan and that
33 the one presented in front of the Board isn't.

34
35 Mr. Zaberto asks why the original 1992 site plan included a buffer zone. He asks if that was
36 part of some legislative requirement at the time.

37
38 Mr. Helmes responds that it is possible that the buffer zone may have been specified due to
39 a previous code because there was a previous note pointing to the section with the buffer
40 zone. He states that the ordinance today indicated that you do not need a buffer in this case.

41
42 Mr. Zaberto asks if there was different zoning in 1992.

43
44 Mr. Reilly reiterates that there needs to be a clean site plan, and it is the obligation of the
45 Applicant to present one. He states that in his opinion an easement which is revocable does
46 not entail a clean site plan.

1
2 Ms. Vicky Gannon clarifies that the Board's requirement is a clean site plan, and the Board
3 does not provide legal advice on how the Applicant achieves the clean site plan.
4

5 Mr. Reilly states that this is correct. He states that if there was an error ever made, the
6 Building Department and Municipal Board can correct any errors.
7

8 Mr. Helmes clarifies that then the only option is to have the two encroachments be removed
9 off the property.
10

11 Mr. Jack Mattes states that he heard the shopping center that has a portion of its parking lot
12 encroaching on Mr. MacNamee's property may be for sale.
13

14 Mr. MacNamee states that he has not heard anything about the shopping center being up for
15 sale.
16

17 Ms. Nancy Gerbino asks which properties are making the encroachments.
18

19 Mr. Helmes clarifies that the shopping center and a separate property owner each have
20 encroachment onto Mr. MacNamee's property.
21

22 Mr. MacNamee states that having the encroachments removed off the property will cut off
23 access to the shopping center.
24

25 Mr. Helmes suggests that the shopping center pay to have a lot line change to accommodate
26 their parking and driveway and then for the other property owner the structure needs to be
27 taken down or another lot line change would be necessary.
28

29 Mr. Currie reiterates that the Planning Board would like to see a clean site plan. How the
30 site plan becomes clean is up to the Applicant.
31

32 Mr. Helmes acknowledges there are a two options, lot line change or remove the
33 encroachments.
34

35 Mr. Robbins states that the stormwater needs to be managed onsite, as the reply referred to
36 stormwater treatment by a vegetative buffer strip that is offsite.
37

38 Mr. Zaberto asks what type of business does Mr. MacNamee do on the property.
39

40 Mr. MacNamee states he is in the construction business.
41

42 Mr. Zaberto asks what the concrete pads on the property are for.
43

44 Mr. MacNamee responds that the concrete pads were installed to store materials on as
45 opposed to in the dirt and or mud.
46

1 Mr. Ken Kristensen asks if the next submission will address the stormwater drainage issues
2 with a clean site plan.

3
4 Mr. Helmes confirms that the next submission will address the stormwater drainage issues
5 with a clean site plan.

6
7 Mr. Robbins asks the Board if they have any guidance on how the Applicant would remove
8 the vegetative buffer even if it's not currently code required, it was part of the approved site
9 plan.

10
11 Mr. Zaberto suggests that the Applicant includes some historical language, if possible, as to
12 why the buffer was included in the original plans.

13
14 Mr. Currie states that it's possible that it's not a requirement.

15
16 Mr. Smith states that it could also be that there is a residential community adjacent to one
17 corner of the parcel in question. The buffer may not have to extend the entire Southern
18 boundary but perhaps should only be in the corner close to the residential community.

19
20 **3. APPLICATION FOR SPECIAL PERMIT RENEWAL FOR NEW CINGULAR**
21 **WIRELESS PCS, LLC ("AT&T") AT 115 ROUTE 202 (87 ROUTE 202) – TM 16.15-**
22 **1-1.1**

23
24 Application for special permit renewal for existing wireless telecommunications facility as
25 per Resolution BZ01B/04.

26
27 Mr. Maximillian Mahalek presents for the Applicant. He explains items 3,4, and 5 on the
28 Planning Board's Agenda are requests for a five year special permit renewal for existing
29 infrastructure at the location's existing antennas utilized by AT&T. He states that he is in
30 receipt of a memorandum from Mr. Robbins and that the comments are straightforward. He
31 states he has a couple of requests for the Planning Board in the form of waivers and/or edits
32 to the draft resolution. He explains that as this is an existing facility and there are no
33 proposed changes, so he requests that the Public Hearing be waived. Regarding comments
34 from Mr. Robbins and requirements in the resolution, he states that line item 3 and 8 of the
35 draft resolution there is a denotation of submitting a building permit application. Because
36 there are no proposed changes, Mr. Mahalek believes that there would be no building permit
37 application filed. He asks that the Planning Board modify those line items as they see fit. He
38 states that in line item 8 there is a reference to items requested in the memorandum. He
39 focuses on the request for a structural analysis, and states there was a structural analysis
40 submitted with the package. He notes that AT&T is not the Owner of the tower but rather
41 one of multiple providers using the tower. The submitted structural analysis is the most
42 recent structural analysis that the tower Owner provided AT&T. He states that the comment
43 in the memorandum requests that the analysis be updated with an on-site inspection and
44 testing. AT&T cannot access equipment owned by other providers on the tower to carry out
45 the analysis. He believes the structural analysis would be in purview of the tower Owner. He
46 states that the tower Owner is Crown Castle, and they'll be able to provide the analysis. He

1 requests a waiver for this comment. He states there was a comment in the memorandum
2 regarding back-up power at the site, and he states that AT&T has confirmed that at this
3 facility the site has 6-8 hours of backup power. He states that the other sites on the Planning
4 Board's Agenda also have 6-8 hours of backup power.

5
6 Mr. Robbins states that in the Town Code, the special use permit is issued to the antenna
7 providers not the tower Owner. The Code requires that for the special permit renewal a
8 visual inspection of the tower and equipment is required. He states there is no issue with the
9 model or the calculations, but there must be someone that has inspected it. He states that Mr.
10 Mahalek is correct that there would be no building permit, and he suggests that be corrected
11 in the resolution.

12
13 Mr. Currie asks if the tower Owner inspects the tower every five years, then the providers
14 are compliant.

15
16 Mr. Robbins clarifies that, under the current Code, the special use permit is issued to each
17 provider separately. He states that often the providers do rely on the tower Owner for the
18 structural analysis.

19
20 Mr. Mahalek requests that the language in the resolution be changed to "a report by Crown
21 Castle, AT&T, or an appropriate designee" since Mr. Mahalek does not represent Crown
22 Castle.

23
24 Mr. Robbins states that this is acceptable.

25
26 Mr. Currie states that this request should be in all resolutions of this nature.

27
28 Ms. Gannon asks about the performance removal bond condition number 2. She states that
29 the amount and sufficiency made from time to time at the town's discretion be adjusted to
30 account for increased cost of maintenance and/or removal as the case may be. She asks
31 when the performance bonds are adjusted, and how does it happen.

32
33 Mr. Smith states that the performance bonds are adjusted on a case-by-case basis. He
34 responds that how that gets adjusted or reviewed over time is something that could be
35 discussed with the Town Clerk and Woodard & Curran.

36
37 Ms. Gannon states that it is important for the Planning Board to understand how the
38 performance bonds are adjusted.

39
40 Chairman John Currie makes a motion for staff to prepare a resolution as amended. All in
41 favor. The motion passes.

42
43 **4. APPLICATION FOR SPECIAL PERMIT RENEWAL FOR NEW CINGULAR**
44 **WIRELESS PCS, LLC ("AT&T") AT 121 ROUTE 100 – TM 8.17-1-5.**
45

1 Application for special permit review for existing wireless telecommunications facility as
2 per Resolution BZ10/18.

3
4 Mr. Mahalek states that everything addressed for the previous agenda item applies to this
5 agenda item. He states that the tower Owner in this case is American Tower and InSite and
6 requests the language be updated with these names regarding the structural analysis. He
7 states that the as-built drawings that were provided were the most recent drawings that the
8 tower Owner had available which were from 2013. While there was a permitted change by
9 DISH in 2018, there are no proposed changes in this Application.

10
11 Mr. Robbins clarifies that the submitted drawings and structural report don't align, and he
12 asks if this can be corrected.

13
14 Mr. Mahalek states that as part of the visual inspection a confirmation of height can be
15 added to the report.

16
17 Mr. Smith states that when the Application was submitted, the Application had the incorrect
18 lot number. It should read Section 38.17-5-1-5.

19
20 Mr. Currie makes a motion for staff to prepare a resolution as amended. All in favor. The
21 motion passes.

22
23 **5. APPLICATION FOR SPECIAL PERMIT RENEWAL FOR NEW CINGULAR**
24 **WIRELESS PCS, LLC ("AT&T") AT 243 ROUTE 100 (247 ROUTE 100) – TM 28.10-**
25 **1-6.1.**

26
27 Application for special permit renewal for existing wireless telecommunications facility as
28 per Resolution BZ11/18.

29
30 Mr. Mahalek states that everything addressed for the previous agenda item applies to this
31 agenda item. He states the tower Owner in this case is Crown Castle and requests the
32 language be updated with this name regarding the structural analysis. He states that there is
33 a generator on site for this facility.

34
35 Mr. Currie makes a motion for staff to prepare a resolution as amended. All in favor. The
36 motion passes.

37
38 **6. APPLICATION FOR SPECIAL PERMIT MODIFICATION FOR AMERICAN**
39 **TOWER CORP. (VERIZON) AT 2580 ROUTE 202 – TM 37.13-2-3.**

40
41 Application for special use permit for modification to existing wireless telecommunications
42 facility, including removing and replacing existing (6) antennas and (9) remote radio heads
43 (RRHs). The property is located in the R-80 zoning district.

44
45 Mr. Douglas Cowan presents for the Applicant.
46

1 Mr. Robbins states that the Board is used to seeing such Applications such as this one where
2 the model of antenna on the tower is proposed to change. There are no proposed changes to
3 ground equipment, and there is no new proposed equipment on the ground. The tower is not
4 getting taller. Equipment is only being replaced on the tower. He states that the Code
5 requires a structural analysis and inspection. He states that the Applicant has provided this,
6 but the stamp was not correctly applied. The radio frequency analysis was prepared, but
7 there was no professional engineering stamp which is required by Code. He states that there
8 are numerous code requirements for changes to equipment that apply as if it is a new
9 application. He states it is up to the Board whether to discuss these with the Applicant.

10
11 Mr. Currie asks Mr. Robbins what his recommendation is.

12
13 Mr. Robbins recommends that these code requirements be waived. He states in the Woodard
14 & Curran memorandum relevant items are 4a-4f and item 5 which is resubmittal of the site
15 plan. Since there are no proposed changes, he believes they are not germane to this
16 application.

17
18 Mr. Smith states that in the past, Applications such as this one are classified as a type 2
19 action under SEQR because of the limited activity. In the past, the Board has waived the
20 submission of an environmental assessment form.

21
22 Mr. Currie makes a motion to waive the code requirements as stated from the May 3rd, 2023
23 memorandum from Woodard & Curran. Mr. Mattes seconds. All in favor. The motion
24 passes.

25
26 Mr. Currie makes a motion for staff to prepare a resolution with the Engineering changes
27 and comments as provided by Woodard & Curran. Mr. Zaberto seconds. All in favor. The
28 motion passes.

29
30 Mr. Cowan asks when the resolution will become available.

31
32 Mr. Currie states that first the Applicant must respond to Mr. Robbins' request for additional
33 information. Once that is provided, the Board will have the resolution signed and will then
34 make it available to the Applicant.

35
36 Ms. Gannon states that the Board additionally must review the resolution and approve it.

37
38 Mr. Currie agrees and states that the resolution will most likely be reviewed and approved at
39 the next meeting.

40
41 Mr. Cowan states that he is in possession of the stamped structural analysis and the FCC
42 license and gives them to the Board. He also states that the Professional Engineer stamped
43 radio frequency analysis will be delivered to the Board in the coming days.

44
45 **INFORMAL PRESENTATION**

1 **7. APPLICATION FOR STEEP SLOPE, STORMWATER MANAGEMENT, TREE**
2 **PRESERVATION, AND EROSION AND SEDIMENT CONTROL PERMIT FOR 9**
3 **CAROLYN WAY.**
4

5 Mr. John Karell presents for the Applicant. Mr. Karell states that the parcel in question is
6 1.5 acres on Carolyn Way. There is a stream in the back of the lot with a 100-foot setback.
7 He states that the wetlands have been located. He states that the project has the Department
8 of Health's approval. The lot has on it a relatively steep driveway and a few walls at the
9 bottom of the lot. The original submittal to the Health Department specified the 100-foot
10 WETLAND setback was five feet from the back of the house on the property. He states that
11 there is now an encroachment into the 100-foot wetland buffer that has an area of 1,700
12 square feet. The total area of disturbance is 23,000 square feet.
13

14 Mr. Robbins states that as an initial site plan Woodard & Curran is still reviewing and
15 preparing comments. He states a comment letter will be issued shortly.
16

17 Mr. Currie asks if a site walk should be scheduled before seeing the comment letter.
18

19 Mr. Robbins thinks that the site walk could be scheduled before the Board sees the comment
20 letter.
21

22 A site visit is scheduled for May 20th, 2023 at 8:00 a.m.
23

24 **REFERRAL TO THE PLANNING BOARD**
25

26 **8. ZONING PETITION FROM GLENEIDA REALTY, INC. FOR REZONING OF 259**
27 **ROUTE 100, TM 28.06-1-15, FROM MFR-100 TO OLI.**
28

29 Mr. Steven Wrabel presents for the Applicant. Mr. Rick DiNardo, the Owner, is present. He
30 states that they are here on a referral from the Town Board. He states that a few years back
31 the property in question was rezoned from R80 to MFR-100 to allow for multi-family
32 development on the site. The new zoning was applied to a site while the idea was that a two-
33 building multi-family development for 24 dwelling units, 46 parking spaces, and stormwater
34 management would be constructed. Since then, the proposed development has changed, and
35 the Applicant is now considering developing the site with a proposed self-storage facility.
36 Self-storage is not a permitted use in the MFR-100. The Applicant has petitioned the Town
37 Board for a zoning map amendment to remap this property to the OLI district as well as a
38 zoning text amendment. He explains that OLI allows for warehouses, but the traditional
39 definition of warehouse does not necessarily encompass self-storage facilities. The
40 Applicant has prepared a definition of the word self-storage as well as certain underlying
41 regulations related to the word. He states that the new proposal would be much less
42 impactful than the previously contemplated residential building. He explains that the
43 architecture is designed to match residential architecture. The proposed structure is a two-
44 story structure. He explains that there would be significantly less traffic than the original
45 residential proposal as well as overall impact. He states that the Town Board prefers the
46 self-storage use of the property over the multi-family residence. He states on May 4, 2023,

1 the Town Board declared their intent to act as lead agency. Therefore, the Town Board has
2 sent the proposal to the Planning Board for review and recommendations.

3
4 Mr. Currie states that the Planning Board is in receipt of a letter from the Town's Chief of
5 Police about this facility and his preference that includes multiple reasons.

6
7 Mr. Bruce Prince states that he heard that the original apartments couldn't be built because
8 of septic problems and the Health Department. He asks if this is true.

9
10 Mr. Wrabel states that it is true that the original apartments had water problems but has
11 since been engineered around. He states they could be built now.

12
13 Ms. Nancy Gerbino states that many years ago, a similar facility was proposed next door to
14 Mr. MacNamee. Ms. Gerbino remembers that, back then, one of the negatives of these
15 facilities is the opportunity for illegal storage of certain items such as drugs or explosives.
16 She asks how that would be handled for this project and suggests that this be brought up to
17 the Town Board.

18
19 Mr. Jack Mattes asks if this proposal will include the original stone wall that existed when
20 the property was being designed for residential use. He also asks if this proposal will include
21 less parking than the original.

22
23 Mr. Wrabel states that the current proposal includes the stone wall. He states the number of
24 parking spaces will go from the originally proposed 46 spaces to 15 spaces.

25
26 Mr. Prince asks if the second story is a façade or if there are upstairs and downstairs storage
27 areas.

28
29 Mr. Wrabel confirms that there are upstairs and downstairs storage areas with elevators in
30 the building.

31
32 Mr. Kristensen asks if the second-floor windows are functional or part of the façade.

33
34 Mr. Wrabel states they are non-functional windows and are part of the façade.

35
36 Mr. Prince brings up the issue of people looking into other people's garages, especially in
37 Heritage Hills. He states that seeing storage racks through windows may be unattractive to
38 the Public.

39
40 Mr. Wrabel states that since they are non-functional façade windows, you will not be able to
41 see through them and into the storage areas. He states that the non-functional windows will
42 be installed after the building is constructed.

43
44 Ms. Gannon states, regarding the text of the proposed local law, the maximum building
45 coverage is 25% but the maximum FAR shall not exceed 0.45. She states that you would
46 want a FAR of 0.5 if you are going to have a maximum coverage lot of 25% and if the

1 structure is entirely two stories. She asks if you don't have 0.5 FAR, then part of the
2 structure cannot have two stories.

3
4 Mr. Wrabel states that the property is roughly 2.28 acres, and the footprint is roughly 20,000
5 square feet. Since there are two stories, the total is 40,000 square feet. He states that 40,000
6 square feet comes out to be a little less than 0.45 FAR on the site.

7
8 Mr. Smith agrees, saying that the overall size of the lot is the variable that allows for 25%
9 building coverage and a 0.45 FAR.

10
11 Mr. Prince states that when the original apartment layout was presented before the Board,
12 the reception to the proposal was good. He asks what the basis is for changing the proposed
13 site development.

14
15 Mr. DiNardo states that the newly proposed development will have less of an impact on the
16 surrounding area.

17
18 Ms. Gerbino asks if there is a need for this type of storage facility. She states she thinks the
19 answer is yes based on anecdotal evidence in Heritage Hills.

20
21 Mr. Wrabel states that there is a customer base for this type of storage. He states people
22 downsizing from smaller homes need a place to store their belongings temporarily.

23
24 Mr. Currie asks if the Applicant anticipates that written into the rules and regulations that no
25 outside storage be specified such as boats or trailers.

26
27 Mr. Wrabel confirms that there will be no outside storage.

28
29 Mr. Zaberto asks who will manage this business.

30
31 Mr. DiNardo states that he will manage the business.

32
33 Mr. Zaberto asks about the signage that comes with the zoning change, or if signage is
34 permissible in it. He points out that there is no signage in the plan.

35
36 Mr. DiNardo states that there will be some sort of signage, but it is a destination location.

37
38 Ms. Gerbino states that the Architectural Review Board will manage the signage.

39
40 Mr. Zaberto states that he was worried about commercial signage emerging with the
41 proposed development.

42
43 Mr. Smith states the Board, at the moment, is only considering the zoning text and map
44 amendment. The Board will have to come back and have a second chance to review this if
45 the zoning is put in place.

1 Mr. Currie clarifies that currently, the Planning Board is only reviewing the zoning change.

2
3 Mr. Smith clarifies that the Planning Board is providing comments to the Town Board
4 which meets on May 11, 2023.

5
6 Mr. Zaberto asks for the proposed zoning change to be explained again and what that allows
7 in its entirety. In addition to a storage facility, what else could be built now and is this
8 zoning change only applicable to this lot or for additional lots in the area.

9
10 Mr. Smith explains that this Application is first going to add a definition of a self-storage
11 facility. He states that Mr. Wrabel has noted that there is an existing definition for a storage
12 warehouse which is close to a self-storage facility, but Mr. Smith believes the Applicant has
13 correctly identified that this is a more specific use than storage warehouse. There are
14 characteristics such as parking that are more associated with a self-storage facility than a
15 storage warehouse. Then the Applicant has included some parameters with respect to the
16 development program such as the lot coverage and FAR and indicated how that would be
17 applied to a self-storage facility. The Application then indicated that this use would be
18 allowed in an OLI zoning district, so it would not be applied to this specific lot but any OLI
19 zoned property. The Application also proposes rezoning the lot in question from an MFR-
20 100 to the OLI zoning district. He states that the OLI district is adjacent to this property.

21
22 Ms. Gerbino states that usually a proposal like this, the Applicant specifies other sites that
23 the proposal could be applied to. She asks if the Applicant has this list of sites.

24
25 Mr. Smith states that unlike the MFR 100 where there were specific locational requirements,
26 in this case the definition and use are being added in the OLI District Permitted Use and
27 therefore could be applied to any OLI District Zone within the Town of Somers.

28
29 Mr. Zaberto and Ms. Gerbino clarify that they would like to know where the other OLI
30 District Zones are located.

31
32 Ms. Gerbino states that this is important to ask for in the May 11 Town Board meeting.

33
34 Mr. Smith indicated that he believes this matter will not come up in said meeting but rather
35 as part of the required public hearing in June 2023. Ms. Gerbino's comment to the Town
36 Board can be provided before June 2023.

37
38 Mr. Zaberto asks if the Town Board is the lead agency for this zoning change.

39
40 Mr. Smith states that the Town Board has indicated their intent to act as lead agency, but
41 they're the only body that legislatively can approve the zoning text and zoning map
42 amendments. They are going through this process to allow for the Planning Board and other
43 interested parties in the Town of Somers to comment.

44
45 Mr. Prince asks why this use was not added to the multifamily zoning as opposed to
46 changing the OLI zoning.

1
2 Mr. Smith states that he believes it makes more sense to have this type of use as an office or
3 light industrial use as opposed to residential zoning.
4

5 Mr. Zaberto responds stating if the Planning Board changed the MFR language,
6 theoretically residential and storage building would be next to each other. He states it makes
7 more sense to keep it in the OLI language.
8

9 Mr. Smith states that he will summarize everything discussed by the Planning Board and
10 will put together a memo for the Board to review. He states he will then provide the Town
11 Board with the summary of the Planning Board's discussion.
12

13 Ms. Gannon states that the fact the new proposed development is a less intense use is
14 beneficial. She agrees with Ms. Gerbino that an exhaustive list of what the new language
15 could be applied to is necessary.
16

17 **MEETING ADJOURNMENT**

18

19 Mr. Currie asks for clarification regarding whether the Olive Drive Public Hearing should
20 have been kept open or not since there is going to be a resubmittal.
21

22 Mr. Robbins states that the resubmittal being asked for was an updated submittal with
23 responses to comments as individual pages to make sure a comprehensive package was
24 delivered to the Board. The Applicant was asked to compile individual submittals and send
25 them at one time. There is no new information being submitted. He states if there are any
26 changes to what is being submitted, then it would need to come back to the Planning Board
27 to reopen the Public Hearing.
28

29 Mr. Zaberto states that said caveat was put in specifically.
30

31 Mr. Gerbino asks about the time limit for approval.
32

33 Mr. Smith explains that when a Public Hearing is closed for a subdivision, the Planning
34 Board has 62 days to make a decision. At the next meeting in June, the Planning Board
35 meeting will be Day 63. The question is without having the confirmation that all the
36 information is provided what steps could be taken.
37

38 Mr. Reilly responds stating that the Applicant could extend the time period with mutual
39 agreement from the Planning Board.
40

41 Mr. Gerbino asks if the Planning Board must agree.
42

43 Mr. Currie states the Planning Board should agree to see the outcome of what else has been
44 provided.
45

46 Mr. Smith suggests reaching out to the Applicant with a formal request from the Planning

1 Board to mutually extend the time period.

2
3 Mr. Currie makes a motion that the Planning Board makes a formal request for the
4 Applicant to request a time extension of two months, which the Planning Board will accept.
5 Mr. Mattes seconds. All in favor. The motion passes.

6
7 Chairman Currie reminds the members that the next Planning Board Meeting is Wednesday,
8 June 14, 2023.

9
10 Chairman Currie makes a motion to adjourn the meeting. All in favor. Motion passes.

11
12 Respectfully submitted,

13
14
15
16
17
18
19

Kyle Nordquist, Transcriber
Woodard & Curran
800 Westchester Avenue, Suite N507
Rye Brook, New York 10573

PLANNING AND ENGINEERING DEPARTMENTS

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Town of Somers
WESTCHESTER COUNTY, N.Y.

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SOMERS, NY 10589
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Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



David B. Smith
Town Planner
directorofplanning@somersny.com

June 5, 2023

To Hon. John Currie, Chairman and Planning Board Members

From: David B. Smith

Re: Green Tree Subdivision Application

Cc: Steve Robbins
Gerry Reilly
Peder Scott

As a reminder to the Board as to where the Town is in the process with respect to this application, the Planning Board is currently reviewing the environmental impacts associated with the proposed three-lot subdivision accessing Green Tree Road via an easement across the North County Trailway (the "Proposed Action"). The application calls for the use of an existing easement across the Trailway to access the property. As the Board will recall at the March meeting, refer to page 8 of the adopted minutes, this office specifically requested that the Applicant provide the Planning Board with a detailed accounting of what their rights are with respect to the access easement. There have been members of the public that have questioned the rights the Applicant may or may not have with respect to access, specifically refer to correspondence submitted March 8th from Michael McBride. To date there does not appear to be a response from the Applicant on this issue.

With respect to other Trailway crossings within the Town of Somers, the Applicant provided photo-documentation of seven different locations. It was brought to this office's attention that there is another crossing located just south of the Mahopac Avenue location associated with the Jilco Window Corporation which has an active business with numerous trucks and other vehicles crossing over the Trailway during business hours.

In response to comments raised by the Town of Somers Open Space Committee, the Applicant prepared a Habitat Assessment Report (dated April 3, 2023) and submitted it to the Town for review. The Report indicated that there were no species of conservation concern found on the subject site.

Finally, with respect to the environmental review, please refer to our February 1, 2023, memorandum which includes: a cover memo outlining the review process; Section from the SEQR Handbook on "Reasonableness"; EAF parts 1, 2 and 3 the use of which will inform the eventual determination of significance under SEQR; and, an article on the use of Town Law Section 280-A, "permits for buildings not on improved maps and streets".

It would appear that the Applicant has responded to almost all areas of inquiry, with the exception of providing the requested information on the details of the access easement. The Planning Board should consider the responses prepared to date and whether there is adequate information and in enough detail to make a determination of significance under SEQR.

Should you need copies of any of the reference materials identified in this memo please do not hesitate to reach out to this office.



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Suite N507
Rye Brook, New York 10573
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RECEIVED

JUN -1 2023

**PLANNING-ENGINEERING
TOWN OF SOMERS**

MEMORANDUM

TO: Town of Somers Planning Board
CC: Wendy Getting, Town of Somers
David Smith, Consulting Town Planner
FROM: Steven C. Robbins, P.E., LEED AP
DATE: June 1, 2023
RE: Green Tree Road Subdivision
Green Tree Road, Somers, New York 10589
TM: 15.12-2-1

GENERAL

The purpose of this memorandum is to provide the Planning Board with a summary of our comments related to our review of the information submitted for to the subdivision and development of three residential homes off Green Tree Road in Somers, New York. The property is in an R-80 District.

The applicant proposes to subdivide a 9.75 acre parcel into three residential lots, including the construction of a common driveway through the Town's Right of Way for Green Tree Road. This project requires Town Board action as a 280-a project.

The total acreage to be physically disturbed is approximately 3.85 acres on the project site and additional lands in the Green Tree Right of Way. There will be disturbance to a wetland buffer for the common driveway construction.

The subject property is in the East of Hudson New York City watershed and within a listed Critical Environmental Area (Baldwin Place Area), designated due to difficulties with potable water sources.

This review focused on the engineering elements of the submitted plan and Environmental Assessment Form for completeness related to the assessment of environmental impacts. It does not include comments that are more appropriate for detailed subdivision plan. These comments also reflect personal observations during the Planning Board site walk on October 22, 2022 and review of wetland markings during a site walk on December 5, 2022.

DOCUMENTS RECEIVED

- Cover Letter, "Green Tree Rd Subdivision, TM#: 15.12-2-1" prepared by P.W. Scott Engineering & Architecture, P.C., dated September 13, 2022.
- Somers Planning Board Application for Preliminary Approval of Subdivision dated September 6, 2022.



- Full Environmental Assessment Form, revised February 9, 2023, page 13 revised March 24, 2023.
- Construction and 3-Lot Traffic Generation, undated.
- Stormwater Pollution Prevention Plan, dated December 21, 2022.
- NYS Rail Trail Crosswalk Guidelines, Reference: Empire State Trail Design Guide – 2017 (3 pages).
- Wetland Mitigation Plan and Specifications, dated February 16, 2023, Revised March 15, 2023.
- Offsite Buffer Impact Mitigation Report, dated March 23, 2023
- Common Driveway Wetland Buffer Table, undated
- Letter, Response to Open Space Committee Memo Date March 20, 2023, dated March 27, 2023
- Response to Woodard & Curran Review, dated April 13, 2023.

| Sheet Number | Sheet Name | Dated | Last Revised |
|--------------|------------------------------|----------|--------------|
| CS | Cover Sheet | 12/10/22 | 4/27/23 |
| ID | Index Plan | 12/10/22 | 12/10/22 |
| SY1 | Subdivision Preliminary Plat | 12/10/22 | 3/24/23 |
| SY2 | Construction Plan | 12/10/22 | 2/10/23 |
| SY2A | Driveway Profile Plan | 12/10/22 | 4/27/23 |
| SY3 | Erosion Control Plan | 12/10/22 | 2/10/23 |
| SY3A | Erosion Control Notes | 12/10/22 | 2/10/23 |
| SY4 | Erosion Control Details | 12/10/22 | 2/10/23 |
| SY5 | Construction Details | 12/10/22 | 3/24/23 |
| SY6 | Detention Basin Details | 12/10/22 | 2/10/23 |
| SY6A | Bio-Retention Details | 12/10/22 | 4/27/23 |
| SY6B | Bio-Retention Details | 12/10/22 | 4/27/23 |
| SY7 | Tree Preservation Plan | 12/10/22 | 2/10/23 |
| SY8A | Constraint Maps – Soils | 12/10/22 | 2/10/23 |
| SY8B | Constraint Maps – Slopes | 12/10/22 | 2/10/23 |
| D1 | Pre-Development Overlay | 12/10/22 | 2/10/23 |
| D2 | Post-Development Overlay | 12/10/22 | |
| SY9 | Rail Trail Crossing Plan | 12/10/22 | 2/10/23 |
| SY10 | Fire Truck Access Plan | 12/10/22 | 2/10/23 |

PERMITS AND APPROVALS REQUIRED

- SEQR Determination



- Referral to Town Board for 280A open space development approval
- Wetlands and Watercourse Permit
- Tree Removal Permit
- Erosion and Sediment Control Permit
- NYSDEC Stormwater Protection General Permit coverage
- NYCDEP Stormwater Permit

DISCUSSION

The following is a summary of our comments requesting additional information from the Applicant to assess the environmental impacts from the project and for completeness with Sketch Plan completeness. Prior comments and responses are identified in italics. New comments and updated responses to prior comments are in plain text.

Prior comments

1. *Provide testing data and preliminary design calculations for the proposed septic systems sufficient to confirm the size of site features shown on the sketch plan. **Addressed.** Plan will be reviewed in detail as part of subsequent reviews.*
2. *Provide a Stormwater Pollution Prevention Plan for the project, including the common driveway. **Addressed.** Plan will be reviewed in detail as part of subsequent reviews.*
3. *Identify intended overflow/discharge locations and directions from the stormwater features. **Addressed.** Plan will be reviewed in detail as part of site plan review.*
4. *Provide a construction phasing plan that includes any proposed limitations on activities during ecologically sensitive periods, a limit of disturbance, proposed material and equipment staging areas, proposed soil stockpile locations, and proposed concrete washout areas. **Addressed.***
5. *Quantify impacts to the wetland buffer on the plans and EAF from construction of the common driveway and provide additional detail on the proposed work in the wetland buffer, including materials and methods of construction. **Addressed.** The 4, 238 SF of disturbance for wetland mitigation along the stream corridor in the southeast corner of the site was added to the summary of Environmentally Sensitive Lands table on drawing sheet CS.*
6. *Present mitigation measures for disturbance of the wetland buffer consistent with Town Code Section 167-9. **Partially Addressed.** The April 13, 2023 comment response letter states that the rain garden is not required by code and that the Grasscrete does not require mitigation. This is contradicted by the Applicant's Stormwater Pollution Management Plan which includes the rain garden storage towards the WQv requirements. As such, the rain garden is part of the disturbance associated with the driveway and walking path installation, which by nature of its installation for the project, will disturb natural flora and fauna in the wetland buffer, requiring a wetland permit and associated mitigation.*



The added wetland buffer plantings outside of the rain garden would qualify as mitigation, but if plantings on the adjacent 14 Green Tree Lane have not been approved by that property owner, they cannot be counted as mitigation measures at this time.

7. *Describe the intended post-construction landscaping plan for the site and for the common driveway off Green Tree Road. **Partially Addressed.*** The evergreen tree buffer to the north of the Common Driveway is not on property owned by the Applicant. If permission has not been granted for this planting, it should not be shown on the plans.
8. *Quantify tree impacts from the proposed project. **Addressed.** Note that additional application materials may be required for a Tree Removal Permit.*
9. *Develop traffic counts for the project, for both construction and post-construction periods. **Addressed.** Traffic impacts were not reviewed by Woodard & Curran.*
10. *Clarify the intended locations for mail/package delivery and refuse collection from the proposed development. **Addressed.***
11. *Provide correspondence from NYSDOT and/or Westchester County on required safety measures and signage to be placed along the railway. **Partially Addressed.** The Applicant has stated that the project is still under review by both Westchester County and NYSDOT for the proposed trail crossing signage and protection measures. This information is important for the assessment of environmental impacts associated with this project. In the April 13, 2023 comment response letter, the Applicant states that a permit will not be issued by NYSDOT until SEQRA is complete. Even if no permit is issued, concurrence from NYSDOT that the proposed safety measures are appropriate and that the proposed driveway is consistent with the easement through their property, are important in the assessment of environmental impacts associated with the proposed project.*
12. *Provide input from the Fire Protection Board on the suitability of the proposed common driveway for emergency access. **Addressed.***
13. *Clarify whether the proposed common driveway between Green Tree Road and the railway would be available for public and/or emergency vehicle access to the railway. **Addressed.***
14. *Environmental Assessment Form – Section C.4.d, add the North County Trailway to the list of parks. **Addressed.***
15. *Environmental Assessment Form – Section D.1.b, review answer to confirm disturbance area is correct for the updated site plans and for consistency with the SWPPP. **Partially Addressed.** Disturbance needs to be updated to account for wetland mitigation area – see Item 6. Only page 13 of the EAF was included with the most recent resubmittal of the EAF.*
16. *Environmental Assessment Form – Section D.2.l, confirm that the project intends to limit its contractors to 8:00 am to 4:30 pm, given that the Town's noise ordinance allows building construction noise between 7 am and 6 pm. **Addressed.** The EAF has been edited.*
17. *Environmental Assessment Form – Section D.2.m, review answer "no" since noise during construction would reasonably be expected to exceed existing ambient noise levels. **Addressed.***



18. *Environmental Assessment Form – Section E.3.h, there are several locally designated scenic resources in the Town which are within 5 miles of the project site. **Addressed.** Page 13 of the EAF has been revised.*
19. *Drawing Cover Sheet – Clarify the Summary of Environmentally Sensitive Lands table for disturbance to the wetland buffer, as there is disturbance to the wetland buffer for the common driveway. **Addressed.** See Item 6.*
20. *Drawing Cover Sheet – Correct the Westchester County Department of Health name in their sign-off block. **Addressed.***
21. *Sheet SY3 – Add Construction Entrances at the entrance to Green Tree Road and on both sides of the trail crossing. Include regular maintenance sweeping dirt and debris tracked onto both Green Tree Road and the trail to the maintenance schedule. **Addressed.***
22. *Clarify the proposed trail access cover material. The layout plans show a grass trail, while detail 4/SY5 shows mulch, and the SWPPP states "mulch over grass base". The detail also does not include the pressure treated boards that are stated to be provided in the SWPPP (page 12). **Addressed.***
23. *Sheet SY8A - How will construction traffic loads be managed in the Ce soils within the common driveway near the entrance to Green Tree Road? Is any additional stabilization needed to prevent rutting and excessive soil disturbance during construction? Is the road section adequate to prevent sinking and shifting of the grasscrete pavers? **Addressed.** Test holes along the driveway show that the subgrade was previously improved.*
24. *Sheet D2 – Correct the titleblock for this project. **Addressed.***
25. *Stormwater Pollution Prevention Plan – The submitted SWPPP appears generally complete and comprehensive. Detailed comments on the narrative and calculations will be provided with subsequent reviews.*
26. *Sheets SY6A and SY6B – Correct "Drawing SY7 Landscape Plan" to reference the correct sheet in details 1-SY6A, 2-SY6A, 1-SY6B. **Addressed.***
27. *The March 27, 2023 Response Letter to the Open Space Committee Memo dated March 20, 2023 proposes use of Cultec EZ24 units for amphibian crossings. These are not detailed or shown on the plans. **Addressed.***

New comments

28. The 1.58 acre parcel that the Applicant has proposed to be donated to the Town has not been considered, nor accepted, by the Town. For the purposes of this Planning Board review for environmental impacts it should not be listed as being conveyed to the Town.

To facilitate our review, please provide responses to these comments in an itemized letter.

Please feel free to contact our office with any questions or concerns.

Wendy Getting

From: David B. Smith
Sent: Monday, June 5, 2023 12:18 PM
To: Sai Patibandla
Cc: Wendy Getting; Kim DeLucia; Robert Scorrano
Subject: RE: green tree rd extension project

Dear Sai,

Thank you for taking the time to write to the Town of Somers re: the Green Tree application. Please note that both the Town Board and Planning Board play a role in the review of the application. Your comments will be forwarded to both for their review and consideration. Thank you for your attention to this matter.

Best,

Dave Smith
Town of Somers Planning Department

From: Sai Patibandla <patibs47@gmail.com>
Sent: Monday, June 5, 2023 8:05 AM
To: David B. Smith <directorofplanning@somersny.com>
Subject: green tree rd extension project

Hi,

I am a Baldwin place resident and writing to oppose the road being proposed crossing the bike path. this will be dangerous for the bikers as well as several walkers and dog walkers using this path. Please reconsider,

Sai Patibandla
8 Loomis Drive
Baldwin Place

Wendy Getting

From: David B. Smith
Sent: Monday, June 5, 2023 12:17 PM
To: Kim DeLucia; Wendy Getting; Robert Scorrano
Subject: FW: Stop development over the North County trail

Please see the below forgot to include you in the cc line.

Dave Smith
Town of Somers Planning Department

-----Original Message-----

From: David B. Smith
Sent: Monday, June 5, 2023 12:15 PM
To: Brenda Yates <byates399@gmail.com>
Subject: RE: Stop development over the North County trail

Dear Ms. Yates,
Thank you for taking the time to write to the Town of Somers. Please note that both the Planning Board and Town Board play a role in the review of the proposed subdivision. Your comments will be forwarded to both for their review and consideration. Thank you for your attention to this matter.
Best,

Dave Smith
Town of Somers Planning Department

-----Original Message-----

From: Brenda Yates <byates399@gmail.com>
Sent: Monday, June 5, 2023 6:43 AM
To: David B. Smith <directorofplanning@somersny.com>
Subject: Stop development over the North County trail

I'm writing to you to express my concern over the proposed development of a 3 home subdivision that will cross over the North County Trail.

This will pose a significant risk and danger to all who use this area to walk, run, cycle, with dogs, children and elderly. The traffic and disruption both during the building phase and once development is completed will create pollution from cars, trucks, new septic etc as well as significant noise pollution to an area that provides relief and serenity from those noises.

I strongly oppose this development and hope we can maintain one of the last undeveloped areas as a place for safe recreation.

Thank you-Brenda Yates

Brenda Yates
914-522-6607
byates399@gmail.com

www.beautycounter.com/brendayates

Sent from my iPhone

Wendy Getting

From: David B. Smith
Sent: Monday, June 5, 2023 12:10 PM
To: Diane Houslanger
Cc: Wendy Getting; Kim DeLucia; Robert Scorrano
Subject: RE: Green Tree Road Extension Project

Dear Ms. Houslanger,

Thank you for taking the time to provide your comments to the Town of Somers. Please note that both the Planning Board and the Town Board have a role to play in the review of the proposed subdivision. Your comments will be forwarded to both Boards for their review and consideration as part of the process. Thank you for your attention to this matter.

Best,

Dave Smith
Town of Somers Planning Department

From: Diane Houslanger <diane108@mail.com>
Sent: Sunday, June 4, 2023 5:16 PM
To: David B. Smith <directorofplanning@somersny.com>
Subject: Green Tree Road Extension Project

Dear Director of Planning-

I can only say about this ill-conceived project, really?!

Who could conceive of putting a road through the pedestrian/bike path in the middle of a beautiful, quiet wooded section for 3 houses?

I would like to impress upon you that that are no sidewalks in Somers and VERY few places where one can be safe from speeding, distracted drivers and now even the trailway is less safe.

This certainly is a strange time we are living in. Nothing is sacred, even safety of children.

We have had a lawsuit for Granite Pointe when they wanted to put houses on the Amawalk reservoir with all the septic runoff going into the

drinking water and all the lead in the ground from the past shooting range.

I'm pretty sure there is another access for these THREE HOUSES, aside from putting a road going accross the trailway.

I am willing to offer some of my life savings for a lawyer to fight this.

Please reconsider. For the safety of the community vs THREE HOUSES.

Thank you!

Respectfully-

Diane Houslanger

"Peculiar travel suggestions are dancing lessons from God." -Kurt Vonnegut

Wendy Getting

From: David B. Smith
Sent: Monday, June 5, 2023 12:08 PM
To: Sarena Diamond; Barbara Sherry
Cc: Wendy Getting; Kim DeLucia; Robert Scorrano
Subject: RE: Green Tree Rd Extension Project

Dear Ms. Diamond,

Thank you for providing the Town of Somers with your comments. Please note that both the Planning Board and the Town Board play a role in the review of the proposed subdivision. Your comments will be forwarded to both Boards for their review and consideration. Thank you for your attention to this matter.

Best,

Dave Smith
Town of Somers Planning Department

From: Sarena Diamond <sdiamond1009@gmail.com>
Sent: Sunday, June 4, 2023 3:35 PM
To: Barbara Sherry <bsherry@somersny.com>; David B. Smith <directorofplanning@somersny.com>
Subject: Green Tree Rd Extension Project

To the members of the Somers Planning Board,

With all due respect and sincere appreciation for your service to our town, this email is to implore you to reconsider progressing any portion of the Green Tree Rd Extension Project that would include approval of crossing of the North County/Empire State Trailway (aka the bike path).

As a 26 year resident of Moore Drive (which parallels Green Tree Rd to the north) and more importantly, a year-round, daily user of the bike path in the exact area that is being proposed as a crossing, allowing the extension of the Green Tree Rd cul de sac to cross the trailway is a dangerously bad idea for many reasons. I realize you have likely heard some, such as the potential for danger to trailway users. I hope you will review some additional concerns and consider these seriously.

1. Danger to trailway users: As has been noted in previous meetings and correspondents, there is significant danger to trailway users presented from newly crossing traffic, even with appropriate signage. Many families, including children on bicycles and tricycles who are too young to read warning signs, are on this section of the trailway all day long, all summer long. It must be seriously considered that **all four of the other Somers-based crossings** of the trailway (at Rt 118/Tomahawk St, Mahopac Ave, Granite Springs Rd and Rt 35) **existed before the North County Trailway was built.**

2. Creating a precedent for a housing development in currently landlocked green space in Somers. There are more than a dozen streets along this portion of Somers that "dead end" or cul de sac before the North County Trailway. Permitting this one development to cross the bike path will provide precedent for other owners (or future owners) of currently landlocked property to develop and destroy the nature of the active recreation space provided.

3. Traffic problems on Rt 118 along this stretch (between Rt 6 and Rt 202) are already numerous with dramatically increased usage since the Preserves development and nearby Avalon apartments, as well as frequent school bus stops in the morning and afternoon, and countless accidents (frequency data which I have requested and will provide). Furthermore, Green Tree Rd is a semi-blind intersection already, which makes the proposal even more dangerous, as increasing even a few resident autos, delivery trucks and postal or garbage service vehicles will create.

4. Quality of life for existing Green Tree Rd residents will DRAMATICALLY change once access to the bike path is open on their road. People absolutely will use this newly created bike path access point to come and go as they please. I know this personally, as my Moore Drive property abuts the bike path. For 26 years, my dogs alert me to trespassers who cross the corner of my property and descend the short, steep downhill grade to access the trailway on foot, bicycle and frequent ATV or dirt bike to ride on the land west of the bike path. Despite being less than 3/4 of a mile from the designated parking area and access point near Stop & Shop, people from Somers and beyond, park in the cul de sac of Moore Drive and access the bike path. Others have also entered onto my property from the bike path, bringing with them their picnic lunch from McDonalds or the shopping center restaurants and leaving the trash behind for me to clean up. Almost as often, I am left to clean up remnants of partying and sexual activity on that corner of my property, as the bike path access looks to be "hidden" from common view. This happens several times a week during the summer months and will become a regular occurrence for the residents of Green Tree Rd once a new access point is created... especially one this as well-marked as the proposed one will need to be, in order to keep bike path users safe.

5. Conservation and environmental impacts to wildlife must be considered, as displacing the dozens of species that currently inhabit the quiet land around the bike path will negatively impact Somers neighbors all along the bike path. These animals (deer, possum, raccoons, foxes, bats and many others) will be forcibly displaced from their ecosystems and onto neighboring driveways, yards, homes and roadways, causing increased road hazard, property damage, pest infestation and risk for zoonotic diseases transmitted by the displaced wildlife, such as Lyme disease, Rabies, Tularemia and others.

Please consider these concerns seriously and deny this project from proceeding any further.

Thank you very much
Sarena Diamond (Meyer)
2 Moore Drive
(914) 469-6882

Wendy Getting

From: David B. Smith
Sent: Wednesday, May 31, 2023 3:26 PM
To: happyvickers@optonline.net
Cc: parksinfo@westchestercountyny.gov; ce@westchestercountyny.gov; ESTProgram@parks.ny.gov; Wendy Getting; Kim DeLucia; Robert Scorrano
Subject: RE: Green Tree Road Extension Project

Dear Ms. Vickers,

Thank you for taking the time to provide the Town of Somers with your comments and concerns. Please note that both the Planning Board and Town Board have roles to play as part of this process and your comments will be forwarded to both for their review and consideration. Thank you for your attention to this matter.

Best,

Dave Smith
Town of Somers Planning Department

From: happyvickers@optonline.net <happyvickers@optonline.net>
Sent: Tuesday, May 30, 2023 4:26 PM
To: David B. Smith <directorofplanning@somersny.com>
Cc: parksinfo@westchestercountyny.gov; ce@westchestercountyny.gov; ESTProgram@parks.ny.gov
Subject: Green Tree Road Extension Project
Importance: High

Dear Mr. Smith,

I read the sign that is posted on the North County Trailway, near Green Tree Road yesterday. I was appalled to see that the town is considering cutting a road across the Trailway. This is a **public county park, paid for by Westchester County residents and is part of New York State's Empire State Trail**. It is not for the town of Somers and some developer to hack up. It should remain as it is, untouched. The idea that part of our beautiful **public park** would be destroyed and MORE TRAFFIC added to our lives (in a place where we all go precisely to escape traffic) is unthinkable. And when I think about what is behind this push to destroy that part of our trail it makes me truly angry. The only people who will benefit from this destruction will be the current land owner (who will get rich), the developer (who will get rich) and the three rich families who will move into what I am sure will be over-sized McMansions. Everyone else loses. Once those homes are built there will be a constant flow of traffic (the homeowners, their guests, cleaning services, Fedex trucks, UPS trucks, Amazon trucks, garbage trucks, school buses, landscaping trucks, snow plows, etc.). They will create a continuous flow of destructive, dangerous traffic that will spew exhaust into the faces of those who are trying to improve their health and find some much-needed peace. You would never consider running a road through a children's playground, right? Why would you consider this? It is a **PARK**.

And I haven't even touched on how the surrounding environment would be harmed... It's a horrendous idea. Please do the right thing and kill it.

Sincerely,

Mary Vickers

Wendy Getting

From: David B. Smith
Sent: Wednesday, May 31, 2023 3:22 PM
To: margaret brady
Cc: Wendy Getting; Kim DeLucia; Robert Scorrano
Subject: RE: Opposed to road Crossing the north county Trailway

Dear Ms. Brady,

Thank you for taking the time to provide the Town of Somers with your comments. Please note that both the Planning Board and the Town Board have roles to play as part of this process and your comments will be forwarded to both for their review and consideration. Thank you for your attention to this matter.

Best,

Dave Smith
Town of Somers Planning Department

From: margaret brady <ymargaret@aol.com>
Sent: Tuesday, May 30, 2023 7:12 PM
To: David B. Smith <directorofplanning@somersny.com>
Subject: Opposed to road Crossing the north county Trailway

Hi,

I am writing to tell you I strongly oppose a new road Crossing the Trailway at greentree Rd. The bike trail is beautiful green space enjoyed by many area residents for recreational use. Adding a road Crossing to allow developers to build new housing is dangerous to all who use the trail. Construction vehicles crossing it while the homes are being built will be hazardous to walkers and bikers. Please leave the Trailway undisturbed to be enjoyed by all.

Thank you,
Margaret Brady

Sent from AOL on Android

Wendy Getting

From: David B. Smith
Sent: Wednesday, May 31, 2023 3:17 PM
To: Amie Cunningham Smith
Cc: Wendy Getting; Kim DeLucia; Robert Scorrano
Subject: RE: Green tree rd extension project

Dear Ms. Smith,

Thank you for providing your comments to the Town of Somers. Please note that both the Planning Board and Town Board have roles to play in the review of this application. Your comments will be forwarded to each for their review and consideration. Thank you for your attention to this matter.

Best,

Dave Smith
Town of Somers Planning Department

From: Amie Cunningham Smith <amiecsmith@gmail.com>
Sent: Tuesday, May 30, 2023 10:35 PM
To: David B. Smith <directorofplanning@somersny.com>
Subject: Green tree rd extension project

Hello,

I am writing to convey my dismay regarding this project and the disappointment I have in it. The idea that a community path kept as "free" space will be disturbed is a sad state of affairs. I realize there are already interruptions on the trail, but to purposefully create more for the sake of profit is a catalyst for more to come. As a resident of Granite Springs Rd, who frequents the path with my daughter, I am worried that our traffic, safety and allowance for such projects will increase flooding all with such. Mahopac Ave as well as 118 are already accident magnets, Rt 6 cant handle the influx of people moving to the area and now we are building in the middle of a bike path? Please consider the peoples opinion in this matter.

Amie Smith

Sent from my phone. Please excuse brevity or typos.

Always with a smile,

Amie Cunningham-Smith
Lic. Real Estate Salesperson
Cell 845.489.0424
Office 914.962.4900 ext. 185
amiecunninghamsmith.houlihanlawrence.com



HOULIHAN LAWRENCE

PO Box 650/ 703 E Main St
Jefferson Valley NY 10535

Are you Military, a Police Officer, Fire Fighter, EMS worker or a family member? Know someone who is?

I donate a portion of my commission to www.heroeshope.org or a charity of choice for any referral received to a hero to help a hero.

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Wendy Getting

From: David B. Smith
Sent: Wednesday, May 31, 2023 2:40 PM
To: Virginia Sheridan
Cc: Wendy Getting; Kim DeLucia; Robert Scorrano
Subject: RE: Proposed Green Tree Boniello Development

Dear Ms. Sheridan,

Thank you for your interest and comments on the proposed Green Tree subdivision application. As part of this process both the Planning Board and Town Board are involved. Your comments will be forward to both for their review and consideration. Thank you for your attention to this matter.

Best,

Dave Smith
Town of Somers Planning Department

From: Virginia Sheridan <vgoodfriendsheridan@gmail.com>
Sent: Tuesday, May 30, 2023 3:17 PM
To: David B. Smith <directorofplanning@somersny.com>
Subject: Proposed Green Tree Boniello Development

Good Afternoon,

As a lifelong resident of Somers and user of the right of way/now paved bike path I want to express my extreme opposition to yet one more parcel of land being developed and disrupting one of the few FREE, safe, open spaces we have left to enjoy around town and in the County.

WHY would we be considering this NOW after voting this down for so many years? What has changed to make this in any way beneficial to the people of Somers and our surrounding towns.

We all know this pc. of property was purchased after the prior owners were not allowed to develop it. Why is it now an ok idea? The bike path is busier and busier every day; adding more auto crossings adds more danger to a recreational area and more disruption to wildlife. Please help me understand why this is moving ahead with so many people in opposition.

Has the town offered or suggested to accept this land as a donation?

I look forward to learning from you.

Thank you,

Virginia Goodfriend Sheridan

Wendy Getting

From: David B. Smith
Sent: Tuesday, May 30, 2023 1:40 PM
To: maria braham
Cc: Wendy Getting; Kim DeLucia; Robert Scorrano; Mariann Aakjar
Subject: RE: Road to cross over bikepath

Dear Ms. Braham,

Thank you for providing the Town of Somers with your comments and concerns. The matter is currently being reviewed by the Planning Board and will eventually be sent to the Town Board. In the meantime, your comments are being forwarded to both Boards for their review and consideration. Thank you for your attention to this matter.

Best,

Dave Smith
Town of Somers Planning Department

From: maria braham <meb547@yahoo.com>
Sent: Monday, May 29, 2023 8:43 PM
To: David B. Smith <directorofplanning@somersny.com>
Subject: Road to cross over bikepath

I have been walking on the bike path for around 25 years. It is one of the prettier paths and I appreciate that there are no places with cars to worry about. It is so nice to start at Baldwin Place and turn around after a spectacular view of the horse farms. Walking in the other direction towards Mahopac has several places where you have a road to cross and most cars do not stop for us walkers and bike riders. To make a road and destroy so many trees for 3 houses sounds crazy to me. Is there more to this story because I don't understand this and hope that you do not let a builder destroy the path and surrounding land. I am a seventh five year old grandmom who likes bringing the grandkids and their dog to walk the path when visiting. Yesterday we went to Reid Park and they had so much fun there. Please don't ruin the area. Maria Braham.

Sent from Yahoo Mail on Android

Wendy Getting

From: David B. Smith
Sent: Tuesday, May 30, 2023 1:12 PM
To: dtrepla
Cc: Wendy Getting; Kim DeLucia; Robert Scorrano; Mariann Aakjar
Subject: RE: Green Tree Road extension project

Dear Mr. Alpert,

Thank you for providing your comments to the Town of Somers. Procedurally, both the Planning Board and Town Board have roles to play in the process. Please note that your comments have been forwarded to both for their review and consideration. Thank you for your attention to this matter.

Best,

Dave Smith
Town of Somers Planning Department

From: dtrepla <dadalpert@gmail.com>
Sent: Tuesday, May 30, 2023 8:35 AM
To: David B. Smith <directorofplanning@somersny.com>
Subject: Green Tree Road extension project

I sincerely hope you will **vote against** the development project that is proposed along and through your communities historic bike and walking trail. Thank you, David Alpert

Wendy Getting

From: PWScott <pwscott@pwscott.com>
Sent: Monday, April 17, 2023 2:03 PM
To: David B. Smith
Cc: Wendy Getting
Subject: Green Tree Rd Subdivision
Attachments: 3 Battista Dr.docx; #4 Private Crossing.docx; #5 Union Valley Rd.docx; #6 Miller Rd.docx; 7 Tomahawk St.docx; 8 Mahopac Ave.docx; 9 Granite Springs Rd.docx

Per your request, attached are the rail trail crossing photos.
Paula

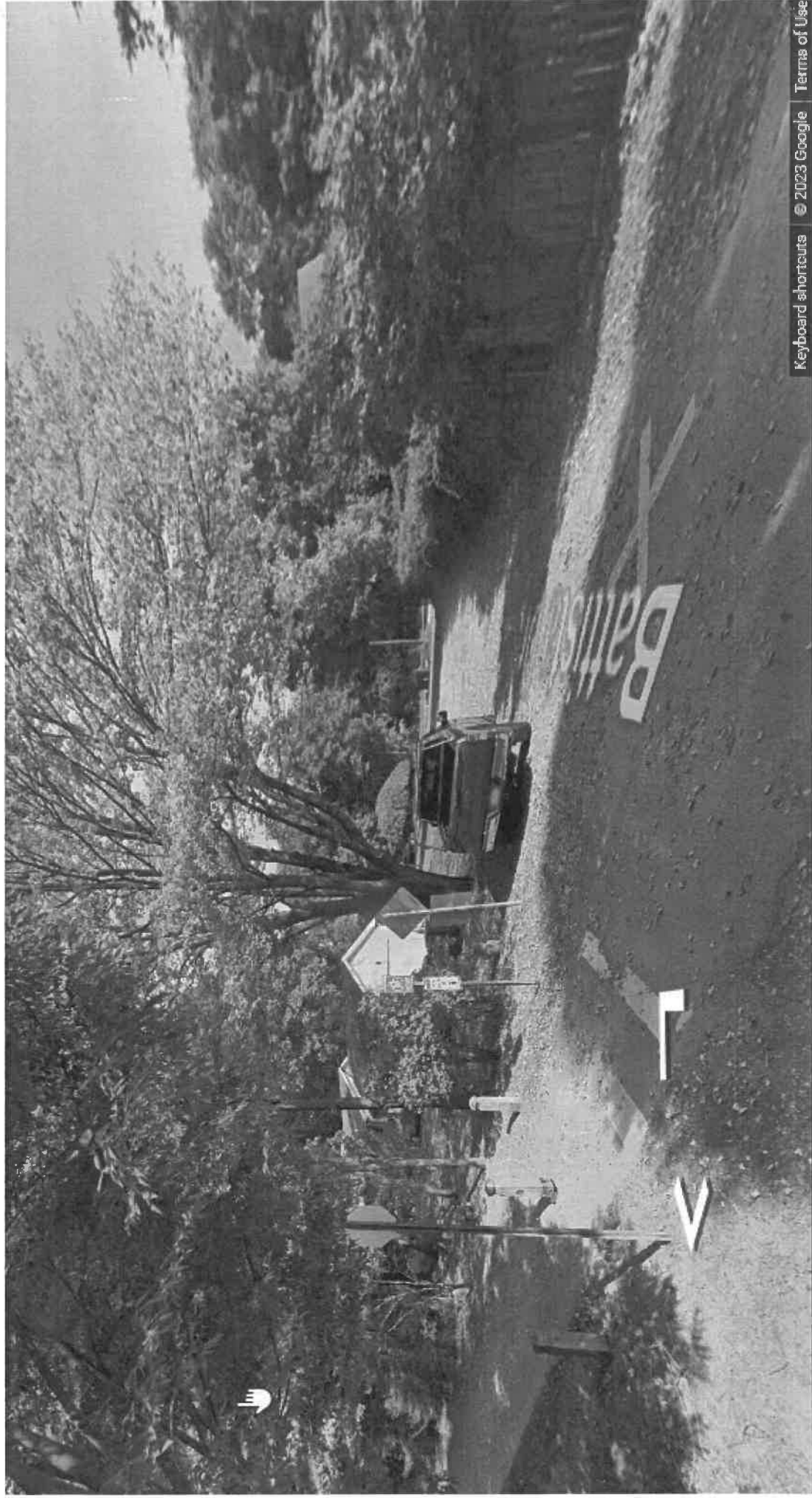
| | | |
|--|----------------------------------|---------------------|
| | P.W. Scott | pwscott@pwscott.com |
| | Engineering & Architecture, P.C. | www.pwscott.com |
| | 3871 Danbury Road | (845) 278-2110 |
| | Brewster, NY 10509 | |

PLEASE NOTE OUR NEW EMAIL ADDRESS: pwscott@pwscott.com

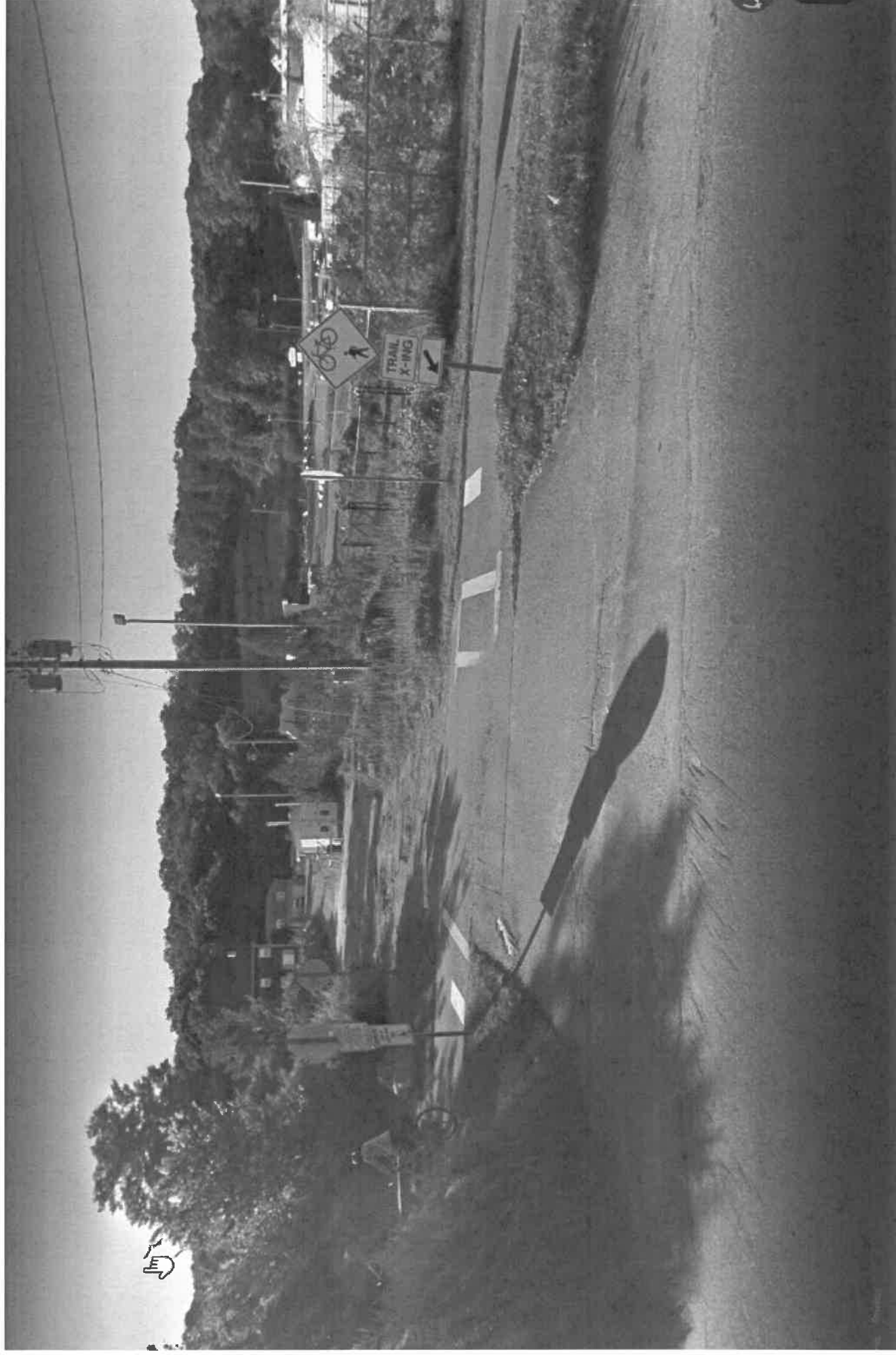
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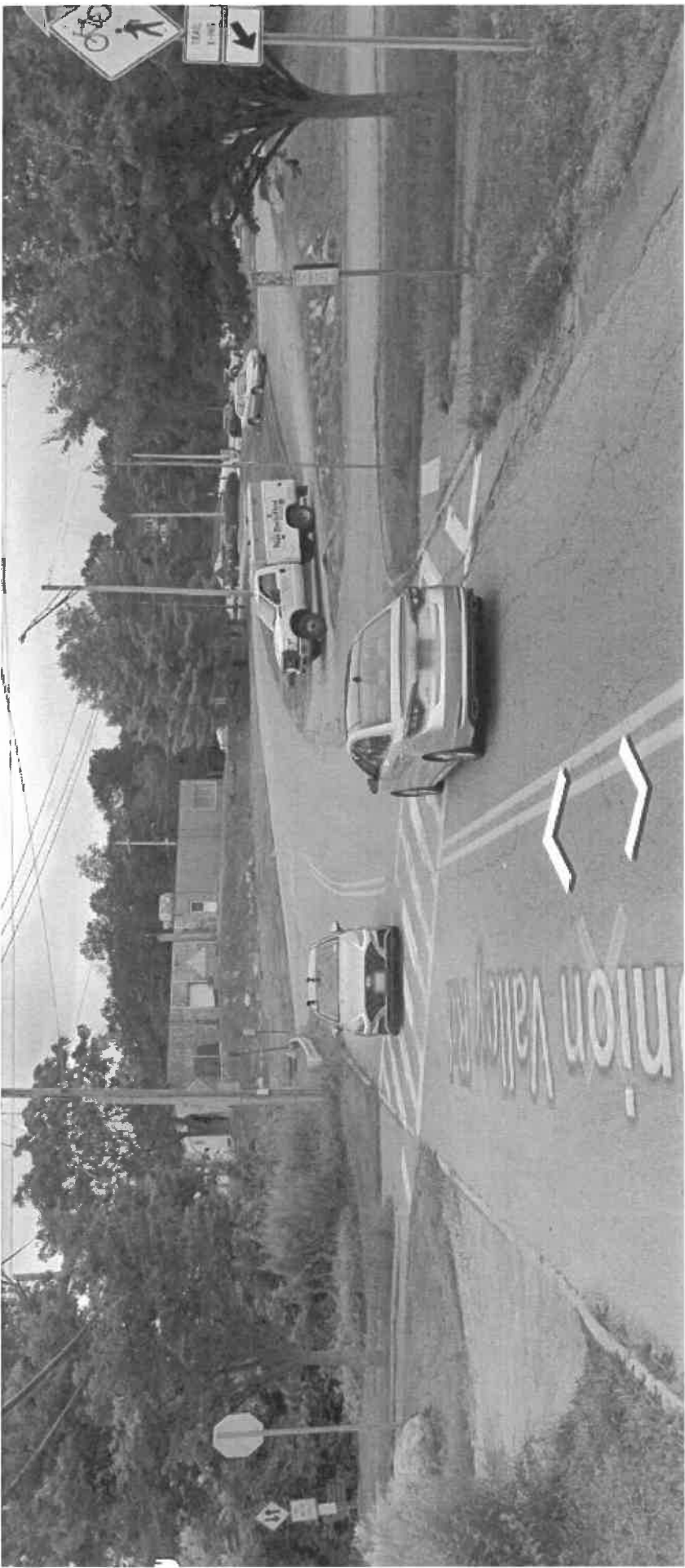
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#3 Battista Dr



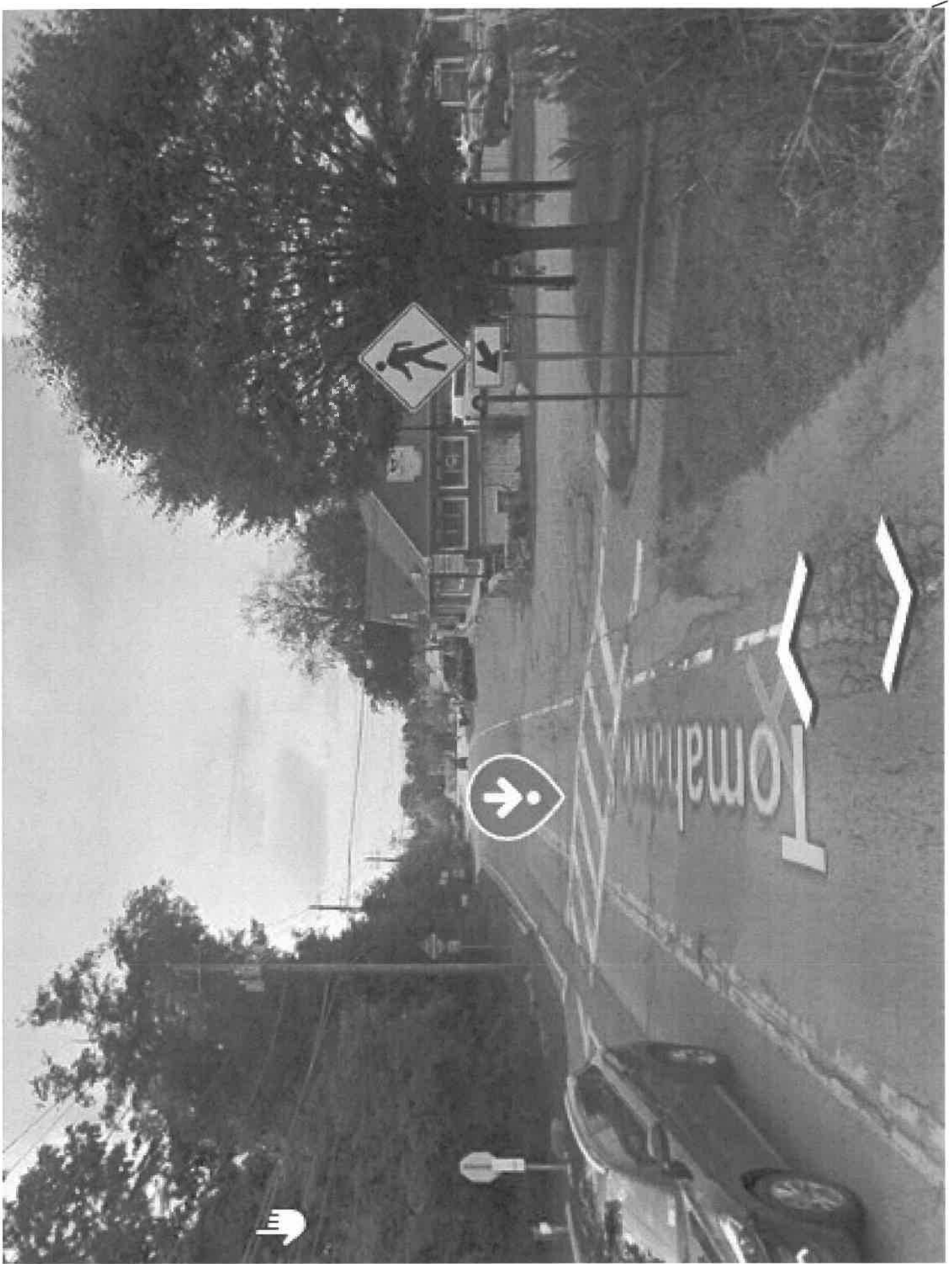
#4 Private Crossing @ UHaul off Buck Hollow Rd



#5 Union Valley Rd



#6 Miller Rd



#7 Tomahawk St



#8 Mahopac Ave.



#9 Granite Springs Rd



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RECEIVED

JUN - 8 2023

**PLANNING-ENGINEERING
TOWN OF SOMERS**

MEMORANDUM

TO: David Smith, Director of Planning
FROM: Steven Robbins, P.E., LEED AP
DATE: June 7, 2023
RE: Panny Two Lot Realty Subdivision (Olive Drive)
Preliminary Subdivision Plat Approval, Stormwater Management and Erosion & Sediment Control Permit, Steep Slopes Protection Permit, and Tree Removal Permit.
TM: 5.15-1-90, R-10 District

GENERAL

The purpose of this memorandum is to provide the Planning Board with a summary of our comments related to our review of the Subdivision Plat Approval Application that was submitted for the Panny Two Lot Realty Subdivision located at 19 Olive Drive in Somers, New York.

The application is proposing a two-lot subdivision. Lot 1 has already been modified with the demolition of an existing single-family residence and construction of a new residence. This application is for the development of Lot 2. The project will also involve an extension of Olive Drive for access to Lot 2.

The project site is located within the East of Hudson watershed.

This review focused on the engineering design and the associated Town Code requirements in accordance with the following:

- Town of Somers Code, Chapter 93: *Stormwater Management and Erosion and Sediment Control*, and other sections, as applicable.
- Town of Somers Code, Chapter 148: *Steep Slopes Protection*
- Town of Somers Code, Chapter 156: *Tree Preservation*
- *New York State Standards and Specifications for Erosion and Sediment Control*, dated November 2016.
- *New York State Department of Environmental Conservation's (NYSDEC's) Stormwater Management Design Manual (SMDM)*, dated January 2015.
- *Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and its Sources*, Chapter 18.

DOCUMENTS REVIEWED

- Stormwater Pollution Prevention Plan & Infiltration Study, dated April 7, 2020, Revised March 25, 2023, prepared by John Karell, Jr., P.E.
- Comment Response Memo dated May 5, 2023, prepared by John Karell, Jr., P.E.



- Stormwater Pollution Prevention Plan Sequence of Construction, prepared by John Karell, Jr., P.E.
- Drawings prepared by John Karell, Jr., P.E., including:

| Sheet Number | Sheet Name | Dated | Revised |
|--------------|--|------------|------------|
| S-1 | Site Plan | 01/20/2020 | 05/16/2023 |
| S-2 | Integrated Plot Plan | 01/20/2022 | 05/16/2023 |
| S-3 | Steep Slope Plan | 07/17/2018 | 05/16/2023 |
| S-4 | Existing Conditions Plan | 07/17/2018 | 05/16/2023 |
| P-1 | Profiles | 01/20/2020 | 05/16/2023 |
| D-1 | Details | 01/20/2020 | 05/16/2023 |
| D-2 | Details | 01/20/2020 | 05/16/2023 |
| T-1 | Tree Location, Removal & Protection Plan | 01/20/2022 | 05/16/2023 |
| W-1 | Well Locations | 07/17/2018 | 05/16/2023 |

PERMITS AND APPROVALS REQUIRED

- Town of Somers Planning Board: Preliminary Subdivision Plat Approval
- Town of Somers Planning Board: Final Subdivision Plat Approval
- Town of Somers Planning Board: Stormwater Management and Erosion and Sediment Control Permit
- Town of Somers Planning Board: Tree Removal Permit
- Town of Somers Planning Board: Steep Slopes Protection Permit
- NYCDEP: Approval of Proposed Septic System
- NYSDEC: State Environmental Quality Review
- NYSDEC: SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001)
- Westchester County Department of Health (WCDOH): Approval of Sanitary Sewer Systems
- Westchester County Department of Health (WCDOH): Realty Subdivision Approval

DISCUSSION

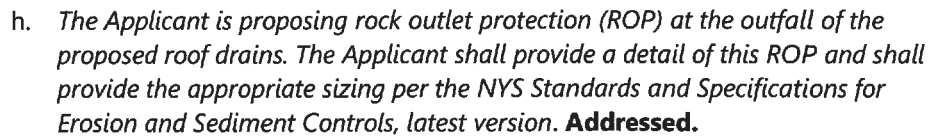
The following is a summary of our comments. New comments are based on our review of the latest submittal. Previously issued comments are noted in *italics* and the corresponding status and response is shown below in **bold**. It should be noted that further comments may be provided upon review of additional information.

1. *The Applicant indicated on the plans that the proposed limits of disturbance are approximately 39,740 square feet. However, the limits of disturbance shall be revised to*



only include the proposed work to Olive Drive to provide access to the western lot (i.e., full depth pavement for "existing travelway") and the proposed development to Lot #2 since a Lot #1 was approved by the Town. The limits of disturbance shall also include disturbance associated with erosion and sediment control installation. **Addressed. Limits of disturbance have been revised.**

2. *The Applicant shall prepare an acceptable Stormwater Pollution Prevention Plan (SWPPP) that includes erosion and sediment controls consistent with the requirements of Section 93-6(A)(1) of the Town Code. The project will also be required to obtain construction coverage under the NYSDEC SPDES General Permit since the project is in the East of Hudson watershed and will disturb more than 5,000 SF. The SWPPP must address supplementary criteria specified by the SPDES General Permit. **Addressed.***
 - a. *The Applicant shall provide an application for a Stormwater Management and Erosion and Sediment Control Permit from the Town and shall provide the appropriate fees. **Addressed.***
3. *The Applicant shall provide a draft Notice of Intent and MS4 SWPPP Acceptance Form to obtain coverage under NYSDEC General SPDES Permit based upon the SWPPP for review and acceptance by the Consulting Town Engineer. **Addressed.***
4. *The Applicant provided a Site Plan which shows the erosion and sediment controls (E&SC) proposed for the site. The following comments are related to the E&SC plan:*
 - a. *The Applicant shall provide a typical construction detail for orange construction fencing to be used on-site. **Addressed.***
 - b. *The Applicant shall provide the proposed locations for drain inlets on the plans, if any. The Applicant shall also provide a standard detail for proposed inlet protection on the plans. **Addressed.***
 - c. *The Applicant is proposing disturbance to steep slope areas. The Applicant shall indicate how these areas will be stabilized during construction (i.e. erosion control matting). The Applicant shall submit a steep slopes permit application to the Town with the appropriate fee to obtain Town approval for disturbance to steep slopes. **Addressed.***
 - d. *The Applicant shall revise the Site Plan to depict the stabilized construction entrance proposed at the driveway. **Addressed.***
 - e. *The Applicant provided a Tree Location, Removal & Protection Plan indicating the trees to be removed or protected during construction. The Applicant shall submit a Tree Removal Permit application and the associated fee to the Town. **Addressed.***
 - f. *As previously stated, the Applicant shall provide inspection and maintenance requirements for all proposed erosion and sediment controls. **Addressed.***
 - g. *The Applicant shall revise the Soil Erosion and Sediment Control Notes on the detail sheet to be consistent with the requirements in the SPDES General Permit. **Addressed.***



- Town of Somers Planning Board
Review Memo – Panny Olive Drive Subdivision



- b. *The Applicant shall revise the construction sequence notes to describe the work proposed for Lot #2 since Lot #1 was already previously approved by the Town of Somers. **Addressed.***
 - c. *The Applicant indicated that the plans were developed using topographic survey data prepared by Link Land Surveyors, P.C. dated June 29, 2019. The Applicant shall provide that survey as an existing conditions map. **Addressed.***
 - d. *The Applicant shall include a note on the plans for Dig Safely NY 811 which states the following: "Prior to Construction, Contractor shall locate all buried utilities to ensure that no interference exists during construction activities". **Addressed.***
 - e. *The Applicant shall update the expected project start and end dates accordingly. **Addressed.***
 - f. *The Applicant provided a maintenance schedule on the Site Plan. The Applicant shall indicate where rain gardens are proposed to be installed. **Addressed.***
9. *The Applicant shall provide a contractor certification statement. **Addressed.***
10. *The Applicant shall furnish a copy of the Westchester County Department of Health (WCDOH) approval of the new septic systems and dedicated wells for the lots. **Not Addressed. The Applicant has indicated the plans have been submitted to WCDOH for approval, and shall furnish a copy of the approval upon receipt.***
11. *The provided drawings do not illustrate the installation of exterior site lighting. The Applicant shall update the plans to include detail of proposed exterior lighting fixtures, if proposed to be installed. The Applicant shall provide lighting plans and specifications for consideration of the Planning Board. **Addressed.***
12. *Based on the Integrated Plot Plan, it appears that proposed expansion SSDS areas are shown on both lots. If the proposed expansion areas are proposed to be disturbed/prepared during construction, the Applicant shall revise the limits of disturbance to include the expansion areas. If the expansion areas are proposed to be disturbed/prepared only if the expansion is needed, the Applicant shall include a note on the plans to clarify this condition. **Addressed.***
13. *The Applicant shall provide a construction detail for the proposed Olive Drive road extension. **Addressed.***
14. *The Applicant shall revise the plans to show protective markers or construction fence surrounding the proposed septic absorption field limits to prevent over-compaction by equipment tracking during construction. **Addressed.***
15. *The Applicant proposes two rain gardens in the Site Plan.*
- a. *The Applicant shall provide signed and sealed deep tests and infiltration tests to ensure that at least 3 feet of separation exists between the bottom of the rain garden and seasonally high groundwater or bedrock, as well as to confirm an infiltration practice is feasible at the location. The deep tests and infiltration tests shall be completed per Appendix D in the NYSDEC SMDM. **Addressed.***



- b. *The Applicant shall revise the rain gardens to be in a parallel configuration, and provide a distribution box or flow splitter to equally distribute the drainage conveyed from the driveway runoff to the two rain gardens. **Addressed.***
 - c. *The Applicant shall provide a construction detail of the proposed rain garden with a vertical cross-section including elevations. **Addressed.***
 - d. *The Applicant shall demonstrate that flows entering the rain gardens will be at non-erosive velocities. **Addressed. Per the Applicant, the rain gardens have been eliminated.***
- 16. *The Applicant shall revise the footprint of the proposed Stormtech infiltrator systems to reflect overall dimensions based on the configuration and quantity of chambers. **Addressed.***
- 17. *The Applicant shall provide the finished grade, system invert, and bottom of stone elevations for the proposed infiltrator system located on Olive Drive. **Addressed.***
- 18. *The Applicant shall reference the contaminant source (per WCDOH Section 5-B.7 Table 1) identified for the required minimum separation distance from water wells for the proposed infiltrator system located west of the driveway area. **Addressed.***
- 19. *The Applicant shall revise the following items on the SWPPP:*
 - a. *The Applicant shall provide the design calculations for the proposed rain gardens in the SWPPP. **Addressed. Per the Applicant, the rain gardens have been eliminated.***
 - b. *The Applicant shall revise Section I.C. (Proposed future (Developed) Conditions) to include the proposed rain gardens. **Addressed.***
 - c. *The Applicant shall revise Section II. (Stormwater Management, Treatment and Conveyance) to include the proposed rain gardens, and confirm the pipe material for stormwater conveyance. The site plan currently indicates PVC piping. **Addressed.***
 - d. *The Applicant shall revise Section V.C. (Infiltration Practices) to include the inspection and maintenance procedures for the proposed rain gardens. **Addressed.***
- 20. *The proposed rip rap swale must not exceed a longitudinal slope of 4%, per Section 6.5.1 of the NYSDEC SMDM. **Addressed.***
- 21. *The Applicant shall revise the storm profile for Lot 2 SSTs on Sheet P-1 to update the elevations of the rain gardens and berm. **Addressed. Per the Applicant, the rain gardens have been eliminated.***
- 22. *The Applicant proposes two rain gardens:*
 - a. *The Applicant shall relocate the rain gardens to be outside of the required 100' minimum separation distance from any existing and proposed water supply wells. **Addressed. Per the Applicant, the rain gardens have been eliminated.***



- b. *The Applicant shall revise the elevations on the cross section for the proposed rain gardens RG-1 and RG-2 on Sheet D-1. The Bottom Elevation shall indicate the elevation at the bed of the rain garden, above the 8" layer of planting soil, per the construction detail for the rain garden. **Addressed. Per the Applicant, the rain gardens have been eliminated.***
 - c. *The Applicant proposes a berm that is 1' above the elevation of the planting soil layer (bed of rain garden). The Applicant shall revise the berm and overflow weir to ensure the maximum ponding depth over the soil layer does not exceed 6". **Addressed. Per the Applicant, the rain gardens have been eliminated.***
 - d. *The Applicant shall revise the pipe information of the roof drain leader as shown on the Roof Leader Connection to Infiltration System construction detail on Sheet D-2. **Addressed.***
- 23. *The Applicant shall specify the pipe connecting the yard drain from the rip rap swale to the proposed infiltration system. **Addressed.***
- 24. *The Applicant shall specify the drain inlet structure that serves as the pretreatment to the infiltration system on the Site Plan sheet. **Addressed.***
- 25. *The Applicant shall remove the minimum separation distance for the proposed wet well from the existing conditions plan sheet. **Addressed.***
- 26. *The Applicant proposes an infiltrator system that receives driveway drainage at the northwestern area of the property:*
 - a. *The Applicant shall confirm that minimum cover requirements for the proposed infiltrator. Per the construction detail, 18" of minimum cover is required over the top of the infiltrator chamber. **Addressed. The Applicant has confirmed with the manufacturer that 12" is allowable.***
 - b. *The Applicant shall revise the bottom of infiltrator elevation. **Addressed.***
 - c. *The Applicant shall specify a construction fence for the proposed infiltrator. **Addressed.***
- 27. *The Applicant shall confirm the outlet invert of the proposed yard drain from the rip rap swale and the inlet invert entering the proposed infiltrator system downstream, as it does not appear to have positive conveyance. **Not Addressed. The Applicant shall confirm the proposed pipe inlet invert elevation for the 15" HDPE entering the Storm Tech system.***
- 28. *The Applicant shall provide the sizing calculations for the proposed CDS hydrodynamics separator. **Addressed.***
- 29. *The Applicant shall specify both inlet and outlet inverts for the proposed drain inlet and pre-treatment device. **Addressed.***
- 30. *The Applicant shall confirm there is adequate vertical separation at the crossing point of the 4" PVC footing drain and the 4" PVC leader drain (outlet from the proposed pre-treatment device). **Addressed.***
- 31. *The Applicant shall confirm the rim elevation of the proposed 18"x8" drain inlet that receives roof drainage from the proposed house. **Addressed.***



32. *The Applicant shall provide a construction detail of the proposed pre-treatment device.*
Addressed.
33. *The Applicant shall revise the proposed limit of disturbance in the Stormwater Pollution Prevention Plan (SWPPP).* **Not Addressed. The Applicant proposes on the Site Plan of a Limit of Disturbance of 23,500 square feet for the house construction, however disturbance is noted as 16,750 square feet in the SWPPP, Section (I)(A)(4).**
34. *The Applicant shall revise the profile for Lot 2 SSTS on sheet P-1 of the drawing set, and confirm the linear footage of the primary and expansion SSTS areas, and remove the rain gardens.* **Addressed.**
35. *The Applicant shall provide a stormwater profile for the driveway drainage area.*
Addressed.
36. *The Applicant shall confirm the applicability of the NDS square catch basin as shown on detail sheet D-2 of the drawing set.* **Addressed.**
37. *The Applicant shall provide a compiled SWPPP with all supporting calculations, test reports, etc.* **Not Addressed. The SWPPP shall include the supporting calculations for the sizing of the proposed infiltration systems.**

Please find enclosed the following additional comments from the latest submittal:

38. The Applicant shall sign and seal every page of the drawing set.

Please feel free to contact our office with any questions. Please provide a response memo identifying where responses to these comments can be located on revised submittals.

MAY 19 2023

PLANNING-ENGINEERING
TOWN OF SOMERS

JOHN KARELL, JR., P.E.
121 CUSHMAN ROAD
PATTERSON, NEW YORK, 12563
845-878-7894 FAX 845 878 4939
jack4911@yahoo.com

May 5, 2023

Olive Response to memo dated April 5, 2023
Two Lot Realty Subdivision, TM # 5.15-1-90

Attached please find plans revised as follows. The comments in the captioned memo that have been addressed were not included in this response. The responses use your numbering in the captioned memo.

- 8e. The construction sequence has been revised relative to the construction start date on S-1.
- 10. Plans have been submitted to the HD for approval of the septic and well.
- 13. A detail of the road extension is provided on the plans.
- 15a. Deep and perc test hole data is attached.
- 18. All HD restrictive distance have been addressed. The HD review and approval will confirm compliance with Table 1.
- 22d. The pipe information on sheet D_2 on the Roof leader connection to the infiltration system has been revised.
- 23. The slope of the proposed pipe to the yard drain on sheet S-1 has been provided.
- 26a. Contact was made with Justin Piccilo at ADS, who informed that Stormm Tech 740s can be installed with 12 inches of cover as long as no heavy machinery is being driven over the system. The detail has been revised to reflect 12 inches of cover not 18 inches.
- b. Based upon 12 inches of cover, no inverts were revised.
- c. Construction fencing is shown as requested along with a detail.
- 27. The 15" pipe invert (in) at the chambers were revised from invert = 80.00 to inv = 78.00
- 28. The sizing calculation for the CDS unit were included within the HydroCAD file as well as within the Product Calculator from Contech. PDF's are attached.
- 29. The inverts in and out of each structure are the same and the information added to the plans.
- 30. There is enough elevation difference in the field to provide adequate separation at all crossings.
- 31. The slope downhill from the driveway is at a +/- 3:1 slope. The rim is approximately 73.0 as shown on the plans.
- 32. The detail of the proposed pre treatment device is shown on the plans.
- 33. SWPPP revised to update the limit of disturbance.
- 34. The profile on Sheet P-1 has been revised relative to the linear footage of the primary and expansion SSTS areas and the rain gardens have been removed.
- 35. A stormwater profile for the driveway drainage area has been provided.
- 36. The NDS catch basin was originally for the rain garden design. It has been removed from the plans.
- 37. The SWPPP has included all supporting calcs, test reports and docs.

STORM WATER

20F2

WESTCHESTER COUNTY DEPARTMENT OF HEALTH Bureau of Environmental Quality 25 Moore Ave Mount Kisco, NY 10549

DESIGN DATA SHEET - SEPARATE SEWAGE SYSTEM

FILE NO. _____

Owner PANNY Address 361 ROUTE 6, MATTOPAT, NY 10541
Located at (Street) 19 Olive Drive Sec. 5.15 Block 1 Lot 90
(Indicate nearest cross street)
Municipality Somers (T) Watershed Amanwalk - NYC

SOIL PERCOLATION TEST DATA REQUIRED TO BE SUBMITTED WITH APPLICATION

Presoak Date: 12/4/22 AM

Run Date: 12/4/22 300

| Hole # | | CLOCK TIME | | | PERCOLATION | | | |
|----------------------------------|------------|------------|------|------------------------|---------------------------------------|----------------|--|----------------|
| Perc test done by: <u>Karell</u> | | | | | Depth to Water From Ground Surface | | Water Level Drop In Inches | Soil Rate |
| Hole Number | Run No. | Start | Stop | Elapse Time Min. | Start Inches | Stop Inches | | Min/in Drop |
| PC | 1 | 300 | 309 | 9 | 40 | 43 | 3 | 3 |
| | 2 | 311 | 319 | 8 | 40 | 42.5 | 2.5 | 3.2 |
| | 3 | 321 | 330 | 9 | 44 | 41 | 3 | 3 |
| | 4 | | | | | | | |
| | 5 | | | | | | | |
| | 1 | | | | | | | |
| | 2 | | | | | | | |
| | 3 | | | | | | | |
| | 4 | | | | | | | |
| | 5 | | | | | | | |

RAIN GARDEN AREA

DESCRIPTION OF SOILS ENCOUNTERED IN TEST HOLES

| DEPTH | HOLE NO. <u>DC</u> | HOLE NO. _____ | HOLE NO. _____ | HOLE NO. _____ |
|-------|------------------------|----------------|----------------|----------------|
| G.L. | <u>6" Topsoil</u> | | | |
| 6" | <u>6" - 90"</u> | | | |
| 12" | <u>Fine sandy loam</u> | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |



WAS GROUNDWATER ENCOUNTERED? YES/NO NO

INDICATE LEVEL AT WHICH GROUND WATER IS ENCOUNTERED _____ Ft/In

INDICATED LEVEL FOR WHICH WATER LEVEL RISES AFTER BEING ENCOUNTERED _____ Ft/In

DEEP TEST MADE BY Karell

DATE OF DEEP TESTS 5/15/21

8.5 FT 90"

STORM WATER

1052

WESTCHESTER COUNTY DEPARTMENT OF HEALTH
Bureau of Environmental Quality
25 Moore Ave
Mount Kisco, NY 10549

DESIGN DATA SHEET - SEPARATE SEWAGE SYSTEM

FILE NO. _____

Owner PANTRY Address 361 ROUTE 6, MATHOPAC, NY 10541

Located at (Street) 19 Olive Drive Sec. 5.15 Block 1 Lot 90
(Indicate nearest cross street)

Municipality Somers (T) Watershed Amawalk - NYC

SOIL PERCOLATION TEST DATA REQUIRED TO BE SUBMITTED WITH APPLICATION

Presoak Date: MAY 14, 2021

Run Date: MAY 15, 2021

| Hole # | | CLOCK TIME | | | PERCOLATION | | | |
|--------------------|---------|------------|------|------------------|------------------------------------|-------------|----------------------------|-----------------------|
| Perc test done by: | | | | | Depth to Water From Ground Surface | | Water Level Drop In Inches | Soil Rate Min/in Drop |
| Hole Number | Run No. | Start | Stop | Elaste Time Min. | Start Inches | Stop Inches | | |
| PA | 1 | 130 | 136 | 6 | 42 | 45 | 3 | 2 |
| | 2 | 138 | 141 | 9 | 42 | 45 | 1 | 3 |
| | 3 | 148 | 157 | 9 | 42 | 45 | 1 | 3 |
| | 4 | | | | | | | |
| | 5 | | | | | | | |
| PB | 1 | 210 | 219 | 9 | 43 | 46 | 3 | 3 |
| | 2 | 220 | 229 | 9 | 43 | 46 | 1 | 3 |
| | 3 | 231 | 240 | 9 | 43 | 46 | 1 | 3 |
| | 4 | | | | | | | |
| | 5 | | | | | | | |

DESCRIPTION OF SOILS ENCOUNTERED IN TEST HOLES

DEPTH G.L. HOLE NO. DA HOLE NO. DB HOLE NO. _____ HOLE NO. _____

6" 6" TOP SOIL
12" 6" - 7 FT

Similar to DA



WAS GROUNDWATER ENCOUNTERED? YES/NO NO

INDICATE LEVEL AT WHICH GROUND WATER IS ENCOUNTERED _____ Ft/In

INDICATED LEVEL FOR WHICH WATER LEVEL RISES AFTER BEING ENCOUNTERED _____ Ft/In

DEEP TEST MADE BY KABELL

DATE OF DEEP TESTS 5/15/21

84"

PANBAR REALTY, LLC, 19 OLIVE DRIVE, SOMERS (T) STORMWATER POLLUTION PREVENTION PLAN SEQUENCES OF CONSTRUCTION

The following are sequence and methods of construction for a two lot subdivision. The property presently consists of an existing single family house. The subdivision will result in the construction of a second single family house the property owned by Panbar Realty, LLC, 19 Olive Drive, Somers, Westchester County, New York. Erosion and sediment control measures are incorporated into the construction program. Construction of this project will be in one phase.

Proposed erosion and sediment control methods are found on the Site Plan. The erosion controls are designed in accordance with the latest version of the State of New York, "Guidelines for Urban Erosion and Sediment Control".

The project is expected to start in the Summer of 2023 and continue over a one year period.

A. General Construction Notes

1. The site shall be disturbed only when and where necessary. Only the smallest practical area of land shall be exposed at any one time during development. When land is exposed, the exposure shall be kept to the shortest practical period of time by immediate stabilization per the stabilization notes, unless specified otherwise. All disturbed areas that are seeded with appropriate seed mixture and procedure are considered stabilized when 80% of the vegetation is achieved.
2. Where ever feasible, natural vegetation shall be retained and protected.
3. The contractor shall inspect all erosion and sediment control devices during all storm events, prior to weekends and prior to all forecasted storm events.
4. The Contractor shall grade and provide stabilization of newly graded and disturbed areas per item 9 of this sequence.

B. Construction Sequence

1. Install erosion control measures, including but not limited to silt and construction fencing prior to start of construction activities.
2. Extend Olive Drive.
3. Rough grade for the house, driveway and septic system.
4. Begin house and driveway construction.
5. Install septic system and well and infiltration measures.
6. Topsoil, seed and mulch all disturbed areas in accordance with the stabilization notes.
7. Temporary erosion control devices shall be maintained and removed after establishment of final site stabilization and Town signature on the project Notice of Termination (NOT). Stabilization shall be considered 80% uniform density of permanent vegetation or permanent mulch/stone.
8. Contractor to perform final site clean up and dispose of all debris properly.

9. STABILIZATION NOTES

- A. Grade to finished slopes
 - B. Soils shall be scarified.
 - C. Topsoil with not less than four inches of suitable topsoil material
 - D. Seed as follows and in accordance with Chapter 5 of the NYSDEC SMDM

| | |
|-----------------------------------|-----|
| Spring/Fall Planting: Tall fescue | 100 |
| Kobe Gespedza | 10 |
| Bahi Grass | 25 |
| Rye Grass | 40 |
| Temporary Summer Planting | |
| German Millet | 40 |
- All above units in lbs/sc

prints@avpbusiness.com

From: john karell <jack4911@yahoo.com>
Sent: Wednesday, May 17, 2023 11:56 AM
To: teresa 2
Subject: Re: Panny Olive
Attachments: panny Olive subd stormwater construction sequence..do.doc; Panny Olive, second +cul
tec++, 25 year, doc.doc; Olive subd stormwater title page .doc; subd SPPP full
report.doc; Panny Olive HD comment May.pdf

more hold off until i bring over a few docs

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HOLD OFF ON MAKING THE COPIES. I HAVE SOME DOCS TO ADD

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HERE IS THE COPIES , MAKE ONE SET FOR ME

----- Forwarded Message -----

From: Wendy Getting <wgetting@somersny.com>
To: john karell <jack4911@yahoo.com>
Sent: Wednesday, May 17, 2023 at 11:37:35 AM EDT
Subject: RE: Panny Olive

Hi Jack.

Please submit a complete package, as follows:

- 7 hard copies
- 3 flash drives
- Electronic copy via email to wgetting@somersny.com; srobbins@woodardcurran.com; directorofplanning@somersny.com

Thank you.

Wendy

Wendy Getting

I. Background Information

A. Project Description

1. The project site contains a single family house on proposed lot # 1, 19 Olive Drive located in the Town of Somers, Westchester County, New York.
2. The site is 1.37 acres, 56,621 square feet in size.
3. It is proposed to subdivide the property and construct a house on lot # 2 and extend Olive Drive for a distance of 220 feet. The purpose of this report is to address Storm Water Pollution Prevention and Management for the proposed improvements.
4. The proposed development will result in an increase in impervious area of 8,400 square feet due to the construction of the new house and extension of Olive Drive. Disturbance for the house construction is 16,750 square feet and 9,500 square feet for the extension of Olive Drive, totaling 23,000 square feet.
5. Construction will begin immediately after receiving approval from the Town of Somers of a SPPP in accordance with the provisions of the Town Code.

B. Existing (Pre Development) Conditions

1. Topography and existing conditions are shown on the site plan. Soils on the property are classified by the Web Soil Survey as Hydrologic Soil Group B, Charlton Fine Sandy Loam (CrC).
2. The pre developed site consists of good lawn, forest and residential development.

C. Proposed future (Developed) Conditions

1. The site plan shows all proposed utilities, drainage improvements and grading.
2. The storm water from the proposed roof will be directed to infiltration practice at the rear of the house. . Stormwater off the 220 foot extension of Olive Drive will be directed to infiltration practices at the end of the road. Driveway drainage will be directed to infiltrators as shown on the plan.
3. Construction sequences are contained in the appendix to this report and as noted on the plans.
4. The proposed house will be served by a septic system and a drilled well..

II. Stormwater Management, Treatment and Conveyance

A. The storm water from the roof, driveway and road extension will be treated in infiltration practices.

B. Stormwater conveyance for this project consists of 4,6 and 15 inch High Density Polyethylene Pipe (HDPE).

III. Stormwater Management

Stormwater treatment not required but will be provided to protect downgradient properties.

IV. Erosion and Sediment Control

A. Temporary Erosion and Sediment Control Measures

1. Temporary erosion and sediment control measures in the design of this project are silt fence and stabilized construction entrance. The contractor will be responsible for daily sediment cleanup on the roadway, if any. Silt fence are proposed to be installed along the downslope of all areas of disturbance as shown on the site plan, or as determined to be necessary during construction.

2. Runoff will be controlled within the project area. Bare soil areas, disturbed areas, will be seeded and mulched to control possible erosion and slow the velocity of runoff, within 7 days after ceasing activities.

3. Initial grading shall take place to install the sediment control measures. Soil stockpiles shall be stabilized away from any drainage structures or natural drainage paths. Once final grading has been achieved in any area that area shall be seeded and mulched and not redisturbed again.

4. Soil stockpiles must be protect with seeding and/or mulching as soon as possible but no longer than 7 days after ceasing activity.

5. Measures must be in place prior to disturbance of a particular area in order to prevent sediment from traveling off site. This is accomplished on this site by the proper installation of silt fence.

6. Dust shall be controlled to deep the amount of particles/sediment generation by construction activity to a minimum. This will be accomplished by seeding and mulching of disturbed areas and wetting areas prone to airborne dust.

7. All temporary and permanent sediment and erosion control measures must be checked on a weekly basis for functionality and stability. This includes the silt fencing and the stabilized construction entrance. Any bare spots in areas previously seeded will be reseeded and remulched as soon as necessary. In areas where soil erosion and sedimentation is found to be a problem and measures are not in place, appropriate measures must be installed as required by the supervising engineer.

8. Final grading shall match approximately the cut and fill lines as shown on the plans. This must be accomplished within 7 days of the end of the construction activity unless otherwise specified under the Town or DEC permits.

9. Temporary measures shall not be removed until all disturbed areas protected by such measures are fully and properly stabilized.

10. Post construction controls that must remain in place are the infiltrators and associated piping and structures. . Permanent non structural measures to remain in place are re-established areas of grass and landscaping within the non pavement areas.

B. Permanent Erosion Control Measures

1. Permanent erosion control measures employed in the design of the project include stabilization of all disturbed areas with grass and the direction of storm water off impervious surfaces to the silt fencing and the infiltrators. .

V. Maintenance of Stormwater and Erosion Control Measures

Temporary measures will be maintained by the project developer during the entire construction period. Permanent measures will be maintained by the owner of the property.

Weekly inspections shall be performed by a “qualified inspector” as required by the SPDES General Permit.

Developer:

n/a

Owner/ Applicant

Louis Panny

19 Olive Drive

Somers, NY, 10589

Contractor/Subcontractor

To be determined

Trained Contractor

To be determined

Contractor Certification

Each contractor or subcontractor working on this site will be required to sign the below certification:

"I hereby certify that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the qualified inspector during a site inspection. I also

understand that the owner or operator must comply with the terms and conditions of the most current version of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings. "

Contractor signature
Printed name
Name of Company
Address
Date

Trained Contractor signature
Printed name
Name of Company
Address
Date

2. Inspections

The Town of Somers SMO may require such inspections as necessary to determine compliance with this chapter at various stages in construction to examine erosion and sediment controls and SMPs. Inspections may be conducted by the Building Department or the Town's Consulting Engineer. The person conducting inspections may either approve that portion of the work completed or notify the applicant wherein the work fails to comply with the requirements of this chapter and the stormwater pollution prevention plan (SWPPP) as approved.

(1) To obtain inspections, the applicant shall notify the Town of Somers enforcement official in writing at least 48 hours before any of the following as required by the SMO:

- (a) Start of construction;
- (b) Installation of sediment and erosion control measures;
- (c) Completion of site clearing;
- (d) Completion of rough grading;
- (e) Installation of SMPs;
- (f) Completion of final grading and stabilization of disturbed areas;
- (g) Closure of construction;
- (h) Completion of final landscaping; and
- (i) Successful establishment of landscaping in public areas.

(2) If any violations are found, the applicant and developer shall be notified in writing of the nature of the violation and the required corrective actions. No further work shall be conducted except for site stabilization until any violations are corrected and all work previously completed has received approval by the SMO.

3. Pollution Prevention Measures for Construction Related Activities

Pollution prevention practices for preventing litter, construction chemicals (if applicable) and construction debris from becoming a pollutant source in storm water discharge include daily pickup of construction debris, inspection, designated storage areas, and physical controls such as silt fencing and inlet protection. Inspections will also be conducted to insure that dust control measures are utilized as necessary. All maintenance work on equipment will be conducted in the staging area. This area shall be as designated by the contractor and approved by the engineer.

During construction maintenance, fuels, construction and waste materials will be stored within suitable areas/dumpsters or containers as appropriate and as approved by the engineer. This will minimize the exposure of the materials to stormwater and prevent spills. All maintenance and construction waste will be disposed of in a safe manner in accordance with all applicable regulations.

A. Temporary Measures

1. Construction Entrance

The construction entrance shall be the existing driveway. It will be maintained in a condition which will prevent tracking or flowing of sediment onto the public right of way. This will require periodic sweeping and washing down as conditions demand based on daily inspections. All sediment spilled, dropped, washed or tracked onto public rights of way must be immediately removed.

2. Silt Fence

Silt fence is proposed down gradient from all disturbed areas proposed on the site. Silt fence is used to collect the transported sediment load due to runoff and to slow said runoff, in an effort to prevent erosion. The silt fence is a temporary barrier of geotextile fabric supported by fence posts at a 10 foot maximum interval.

Sediments shall be removed from behind the fence when it becomes 0.5 feet deep at the fence. It should also be inspected regularly, at least once a week and repaired as needed to maintain a barrier.

3. Concrete Washout area.

The concrete washout area shall be constructed prior to the delivery and use of any concrete products. The area shall be inspected at least once per week and the spent concrete removed off site when the depth of concrete is one half the depth of the basin area.

B. Permanent Measures

1. PVC Pipe

Maintenance need is fairly low for PVC pipe. Inspection shall be carried out after major storm

events or once every year. If pipe is clogged or damage, repair must be made immediately.

2. Permanent vegetation

All grassed areas shall be maintained to provide a vegetative cover to hold soils in place. Seeding must comply with the requirements in Chapter 5 of the NYSDEC SMDM.

C. Infiltration Practices

In accordance with the manufacturers recommended inspection and maintenance procedures, the Storm Tech infiltration chambers shall be inspected annually to determine the depth of solids accumulated therein. When the depth of solids exceeds 3 inches in the chambers the solids shall be removed.

The yard drain settling practices shall be inspected twice annually to determine the depth of settled solids. Settled solids shall be removed as necessary.

VI. Conclusions

In conclusion, the proposed project shall not result in any negative impact to existing hydrologic condition at the vicinity of the property and proposed storm water management practices conforms to NYSDEC Storm Water Management Design Manual. In addition, the design of all storm water management practices meets the requirements of the Town of Somers.

prints@avpbusiness.com

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Sent: Wednesday, May 17, 2023 11:56 AM
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Attachments: panny Olive subd stormwater construction sequence..do.doc; Panny Olive, second + cul
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Please submit a complete package, as follows:

- 7 hard copies
- 3 flash drives
- Electronic copy via email to wgetting@somersny.com; srobbins@woodardcurran.com; directorofplanning@somersny.com

Thank you.

Wendy

Wendy Getting



Gorge Latimer
County Executive

Sherlita Amler, M.D.
Commissioner of Health

May 11, 2023

John Karell, Jr., P.E.
121 Cushman Road
Patterson, NY 12563

Re; Application for Realty Subdivision
Panbar Realty
Olive Drive
Somers (T)

Dear Mr. Karell:

The Department has reviewed the revised application for Realty Subdivision for the above referenced property and the following comments need to be addressed before further consideration can be given to this application.

1. A review of the copy of the Mylar Plat needs to include in the OWTS Design Schedule that Lot 2 will be a 3 Bedroom Max. Length of Fields and the comment box for Lot 1 needs to include the permit number for the Lot. A completed Mylar Plat with all required signatures and one (1) paper copy is required. The name of the Subdivision and Improvement plan are different, please clarify.
2. Please provide a copy of the SEQRA determination from the Town of Somers
3. Approval of the road and drainage for the extension of Olive Drive is required from the Town of Somers.
4. A Sewage Disposal System Improvement Chart for both lots is required to be placed on the Improvement Plan Plat.

Upon receipt of the above revised plans and supportive documents, the Department will continue the review of this application.

Should there be any questions, please contact this writer at 914-864-7349 or by email at ajk2@WestchesterCountyNY.gov.

Very truly yours,

Anthony J. Kunny
Assistant Engineer
Bureau of Environmental Quality

Cc: Panbar Realty – owner
File

Department of Health
25 Moore Avenue
Mt. Kisco, New York 10549

Telephone: (914) 861-7333

Fax: (914) 861-7311



**WATER QUALITY CALCULATION
WATERHSED DRIVEWAY**

P= 90% Rainfall 1.5 -inches

A_i= Impervious Area = 1,984 -square feet
A_i= 0.0455 -acres

A_t= Tributary Area = 1,984 -square feet
A_t= 0.0455 -acres

I = % Impervious = 100.00%

R_v= 0.05+0.009(I); where I = Percent Impervious written as a percent

R_v= 0.950 (0.20 minimum)

R_v= 0.950

WQ_v= $\frac{(P \times R_v \times A_t)}{12}$ = 0.00541 acre-feet = 235.60 cubic feet

Hydrodynamic Separation Product Calculator

Olive Road
Olive Drive
CDS CDS1515-3-C

| Project Information | | | | | |
|---------------------|---------------|-------|----------|----------|--------|
| Project Name | Olive Road | | | Option # | A |
| Country | UNITED_STATES | State | New York | City | Somers |

| Contact Information | | | |
|---------------------|---|-----------|--------------|
| First Name | Daniel | Last Name | Collins |
| Company | Hudson Engineering and Consulting, P.C. | Phone # | 914-909-0420 |
| Email | daniel@hudsonec.com | | |

| Design Criteria | | | | | |
|--------------------------------------|-------------|-------------------------|-------|--------------------|---------------------|
| Site Designation | Olive Drive | | | Sizing Method | Treatment Flow Rate |
| Screening Required? | Yes | Treatment Flow Rate | 0.08 | Peak Flow (cfs) | 0.32 |
| Groundwater Depth (ft) | >15 | Pipe Invert Depth (ft) | 0 - 5 | Bedrock Depth (ft) | >15 |
| Multiple Inlets? | No | Grate Inlet Required? | No | Pipe Size (in) | 6.00 |
| Required Particle Size Distribution? | No | 90" between two inlets? | N/A | | |

| Treatment Selection | | | | |
|---------------------|-----|----------------------------------|-----------------------|--|
| Treatment Unit | CDS | System Model | CDS1515-3-C | |
| Target Removal | 80% | Particle Size Distribution (PSD) | New York Pretreatment | |

Hydrodynamic Separation Product Calculator

Olive Road

Olive Drive

CDS CDS1515-3-C

| CDS ESTIMATED NET ANNUAL SOLIDS LOAD REDUCTION BASED ON THE RATIONAL RAINFALL METHOD | | | | | | | | |
|--|--------------------------------|----------------------------|-------------------------|----------------------|------------------------|--------------------|------------------------|-------------------------|
| Rainfall Intensity ¹ (in/hr) | % Rainfall Volume ¹ | Cumulative Rainfall Volume | Rainfall Volume Treated | Total Flowrate (cfs) | Treated Flowrate (cfs) | Operating Rate (%) | Removal Efficiency (%) | Incremental Removal (%) |
| Removal Efficiency Adjustment ² = | | | | | | | | |
| Predicted % Annual Rainfall Treated = | | | | | | | | |
| Predicted Net Annual Load Removal Efficiency = | | | | | | | | |
| 1 - | | | | | | | | |
| 2 - Reduction due to use of 60-minute data for a site that has a time of concentration less than 30-minutes. | | | | | | | | |

SECTION ()
STORM WATER TREATMENT DEVICE

1.0 GENERAL

- 1.1 This item shall govern the furnishing and installation of the CDS® by Contech Engineered Solutions LLC, complete and operable as shown and as specified herein, in accordance with the requirements of the plans and contract documents.
- 1.2 The Contractor shall furnish all labor, equipment and materials necessary to install the storm water treatment device(s) (SWTD) and appurtenances specified in the Drawings and these specifications.
- 1.3 The manufacturer of the SWTD shall be one that is regularly engaged in the engineering design and production of systems deployed for the treatment of storm water runoff for at least five (5) years and which have a history of successful production, acceptable to the Engineer. In accordance with the Drawings, the SWTD(s) shall be a CDS® device manufactured by:

Contech Engineered Solutions LLC
9025 Centre Pointe Drive
West Chester, OH, 45069
Tel: 1 800 338 1122

1.4 Related Sections

- 1.4.1 Section 02240: Dewatering
 - 1.4.2 Section 02260: Excavation Support and Protection
 - 1.4.3 Section 02315: Excavation and Fill
 - 1.4.4 Section 02340: Soil Stabilization
- 1.5 All components shall be subject to inspection by the engineer at the place of manufacture and/or installation. All components are subject to being rejected or identified for repair if the quality of materials and manufacturing do not comply with the requirements of this specification. Components which have been identified as defective may be subject for repair where final acceptance of the component is contingent on the discretion of the Engineer.
 - 1.6 The manufacturer shall guarantee the SWTD components against all manufacturer originated defects in materials or workmanship for a period of twelve (12) months from the date the components are delivered to the owner for installation. The manufacturer shall upon its determination repair, correct or replace any manufacturer originated defects advised in writing to the manufacturer within the referenced warranty period. The use of SWTD components shall be limited to the application for which it was specifically designed.
 - 1.7 The SWTD manufacturer shall submit to the Engineer of Record a "Manufacturer's Performance Certification" certifying that each SWTD is capable of achieving the specified removal efficiencies listed in these specifications. The certification shall be supported by independent third-party research

- 1.8 No product substitutions shall be accepted unless submitted 10 days prior to project bid date, or as directed by the Engineer of Record. Submissions for substitutions require review and approval by the Engineer of Record, for hydraulic performance, impact to project designs, equivalent treatment performance, and any required project plan and report (hydrology/hydraulic, water quality, stormwater pollution) modifications that would be required by the approving jurisdictions/agencies. Contractor to coordinate with the Engineer of Record any applicable modifications to the project estimates of cost, bonding amount determinations, plan check fees for changes to approved documents, and/or any other regulatory requirements resulting from the product substitution.

2.0 MATERIALS

- 2.1 Housing unit of stormwater treatment device shall be constructed of pre-cast or cast-in-place concrete, no exceptions. Precast concrete components shall conform to applicable sections of ASTM C 478, ASTM C 857 and ASTM C 858 and the following:
- 2.1.1 Concrete shall achieve a minimum 28-day compressive strength of 4,000 pounds per square-inch (psi);
 - 2.1.2 Unless otherwise noted, the precast concrete sections shall be designed to withstand lateral earth and AASHTO H-20 traffic loads;
 - 2.1.3 Cement shall be Type III Portland Cement conforming to ASTM C 150;
 - 2.1.4 Aggregates shall conform to ASTM C 33;
 - 2.1.5 Reinforcing steel shall be deformed billet-steel bars, welded steel wire or deformed welded steel wire conforming to ASTM A 615, A 185, or A 497.
 - 2.1.6 Joints shall be sealed with preformed joint sealing compound conforming to ASTM C 990.
 - 2.1.7 Shipping of components shall not be initiated until a minimum compressive strength of 4,000 psi is attained or five (5) calendar days after fabrication has expired, whichever occurs first.
- 2.2 Internal Components and appurtenances shall conform to the following:
- 2.2.1 Screen and support structure shall be manufactured of Type 316 and 316L stainless steel conforming to ASTM F 1267-01;
 - 2.2.2 Hardware shall be manufactured of Type 316 stainless steel conforming to ASTM A 320;
 - 2.2.3 Fiberglass components shall conform to applicable sections of ASTM D-4097
 - 2.2.4 Access system(s) conform to the following:
 - 2.2.5 Manhole castings shall be designed to withstand AASHTO H-20 loadings and manufactured of cast-iron conforming to ASTM A 48 Class 30.

3.0 PERFORMANCE

- 3.1 The SWTD shall be sized to either achieve an 80 percent average annual reduction in the total suspended solid load with a particle size distribution having a mean particle size (d_{50}) of 125 microns unless otherwise stated.
- 3.2 The SWTD shall be capable of capturing and retaining 100 percent of pollutants greater than or equal to 2.4 millimeters (mm) regardless of the pollutant's specific gravity (i.e.: floatable and neutrally buoyant materials) for flows up to the device's rated-treatment capacity. The SWTD shall be designed to retain all previously captured pollutants addressed by this

subsection under all flow conditions. The SWTD shall be capable of capturing and retaining total petroleum hydrocarbons. The SWTD shall be capable of achieving a removal efficiency of 92 and 78 percent when the device is operating at 25 and 50 percent of its rated-treatment capacity. These removal efficiencies shall be based on independent third-party research for influent oil concentrations representative of storm water runoff (20 ± 5 mg/L). The SWTD shall be greater than 99 percent effective in controlling dry-weather accidental oil spills.

- 3.3 The SWTD shall be designed with a sump chamber for the storage of captured sediments and other negatively buoyant pollutants in between maintenance cycles. The minimum storage capacity provided by the sump chamber shall be in accordance with the volume listed in Table 1. The boundaries of the sump chamber shall be limited to that which do not degrade the SWTD's treatment efficiency as captured pollutants accumulate. The sump chamber shall be separate from the treatment processing portion(s) of the SWTD to minimize the probability of fine particle re-suspension. In order to not restrict the Owner's ability to maintain the SWTD, the minimum dimension providing access from the ground surface to the sump chamber shall be 16 inches in diameter.
- 3.4 The SWTD shall be designed to capture and retain Total Petroleum Hydrocarbons generated by wet-weather flow and dry-weather gross spills and have a capacity listed in Table 1 of the required unit.
- 3.5 The SWTD shall convey the flow from the peak storm event of the drainage network, in accordance with required hydraulic upstream conditions as defined by the Engineer. If a substitute SWTD is proposed, supporting documentation shall be submitted that demonstrates equal or better upstream hydraulic conditions compared to that specified herein. This documentation shall be signed and sealed by a Professional Engineer registered in the State of the work. All costs associated with preparing and certifying this documentation shall be born solely by the Contractor.
- 3.6 The SWTD shall have completed field tested following TARP Tier II protocol requirements

4.0 EXECUTION

- 4.1 The contractor shall exercise care in the storage and handling of the SWTD components prior to and during installation. Any repair or replacement costs associated with events occurring after delivery is accepted and unloading has commenced shall be borne by the contractor.
- 4.2 The SWTD shall be installed in accordance with the manufacturer's recommendations and related sections of the contract documents. The manufacturer shall provide the contractor installation instructions and offer on-site guidance during the important stages of the installation as identified by the manufacturer at no additional expense. A minimum of 72 hours notice shall be provided to the manufacturer prior to their performance of the services included under this subsection.
- 4.3 The contractor shall fill all voids associated with lifting provisions provided by the manufacturer. These voids shall be filled with non-shrinking grout providing a finished surface consistent with adjacent surfaces. The contractor shall trim all protruding lifting provisions flush with the adjacent concrete surface in a manner, which leaves no sharp points or edges.

4.4 The contractor shall removal all loose material and pooling water from the SWTD prior to the transfer of operational responsibility to the Owner.

TABLE 1
Storm Water Treatment Device
Storage Capacities

| CDS Model | Minimum Sump Storage Capacity (yd ³)/(m ³) | Minimum Oil Storage Capacity (gal)/(L) |
|--------------|--|---|
| CDS2015-4 | 0.9(0.7) | 61(232) |
| CDS2015-5 | 1.5(1.1) | 83(313) |
| CDS2020-5 | 1.5(1.1) | 99(376) |
| CDS2025-5 | 1.5(1.1) | 116(439) |
| CDS3020-6 | 2.1 (1.6) | 184(696) |
| CDS3025-6 | 2.1(1.6) | 210(795) |
| CDS3030-6 | 2.1 (1.6) | 236(895) |
| CDS3035-6 | 2.1 (1.6) | 263(994) |
| CDS3535-7 | 2.9(2.2) | 377(1426) |
| CDS4030-8 | 5.6(4.3) | 426(1612) |
| CDS4040-8 | 5.6 (4.3) | 520(1970) |
| CDS4045-8 | 5.6 (4.3) | 568(2149) |
| CDS5640-10 | 8.7(6.7) | 758(2869) |
| CDS5653-10 | 8.7(6.7) | 965(3652) |
| CDS5668-10 | 8.7(6.7) | 1172(4435) |
| CDS5678-10 | 8.7(6.7) | 1309(4956) |
| | | |
| CDS7070-DV | 3.6(2.8) | 914 (3459) |
| CDS10060-DV | 5.0 (3.8) | 792 (2997) |
| CDS10080-DV | 5.0 (3.8) | 1057 (4000) |
| CDS100100-DV | 5.0 (3.8) | 1320 (4996) |

END OF SECTION

THE STANDARD CDS1515-4-C CONFIGURATION IS SHOWN. ALTERNATE CONFIGURATIONS ARE AVAILABLE AND ARE LISTED BELOW. SOME CONFIGURATIONS MAY BE COMBINED TO SUIT SITE REQUIREMENTS.



SITE SPECIFIC DATA REQUIREMENTS

[illegible]

GENERAL NOTES

- GENERAL NOTES**
1. CONTRACTOR TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
 2. FOR SITE SPECIFIC DRAWINGS WITH DETAILED STRUCTURE DIMENSIONS AND WEIGHT, PLEASE CONTACT YOUR CONTECH ENGINEER SOLUTIONS LLC REPRESENTATIVE: www.contechusa.com
 3. CONTRACTOR TO MEET ALL STRUCTURE WEIGHT REQUIREMENTS OF PROJECT.
 4. STRUCTURE SHALL MEET ASHTO H-20 LOAD RATING, ASSUMING EARTH COVER OF 8'-0" AND GROUNDWATER ELEVATION AT, OR BELOW, THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION. CASTINGS SHALL MEET ASHTO H-20 AND BE CAST WITH THE CONTECH LOGO.
 5. CASTINGS SHALL BE PLACED ON SHELVE AT BOTTOM OF SCREEN CYLINDER. REMOVE AND REPLACE AS NECESSARY DURING MAINTENANCE CLEANING.
 6. CBS STRUCTURE SHALL BE PRECAST CONCRETE CONFORMING TO ASTM C-478 AND ASHTO LOAD FACTOR DESIGN METHOD-02.

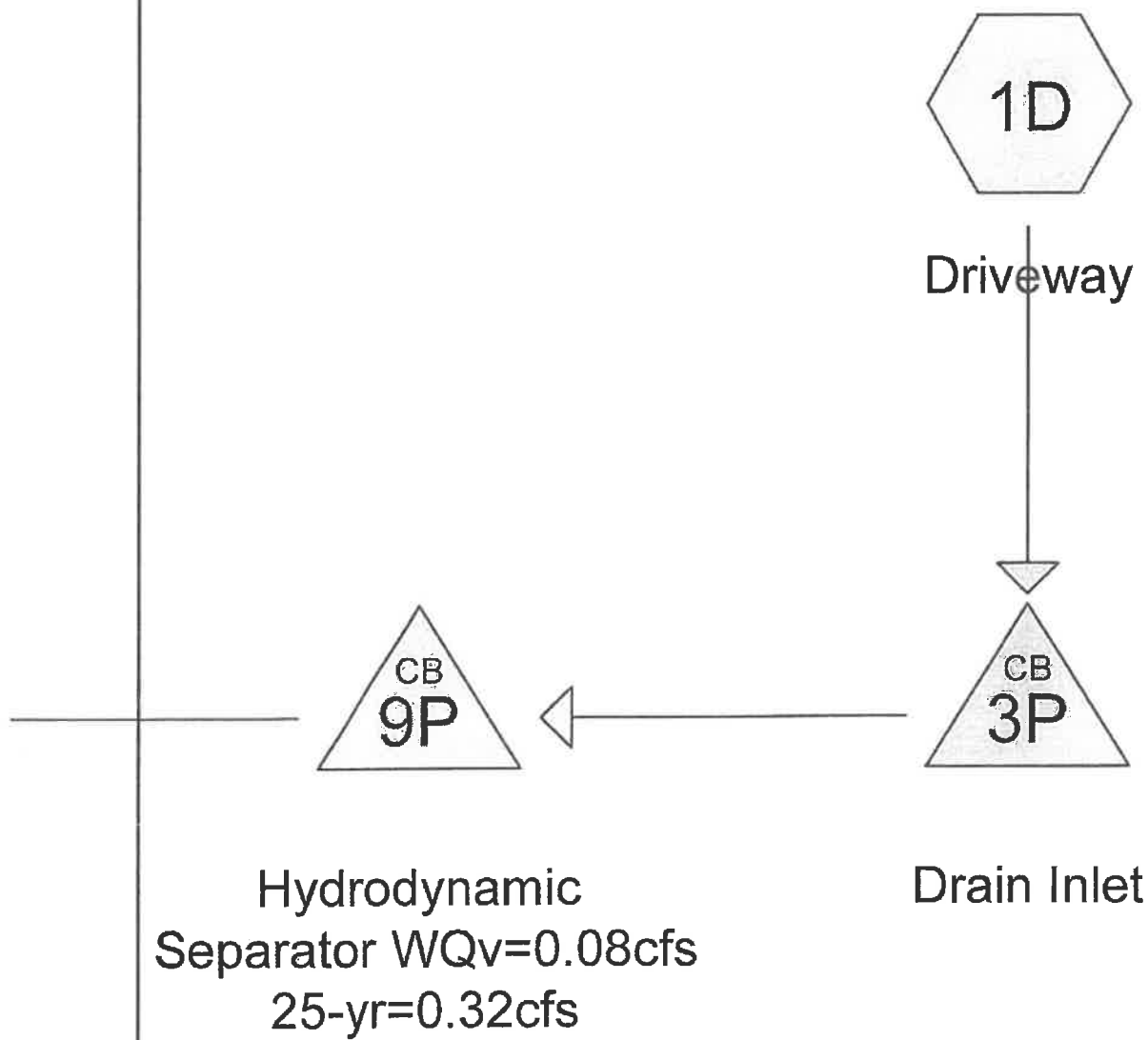
INSTALLATION NOTES.

- INSTALLATION NOTES.
1. ANY SUB-BASE, BACKFILL, DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
2. CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE CDS MANHOLE STRUCTURE.
3. CONTRACTOR TO INSTALL ONLY SEAM BETWEEN ALL STRUCTURE SECTIONS AND ASSEMBLE STRUCTURE.
4. CONTRACTOR TO MATCH PIPE OPENING CENTERLINES TO MATCH PIPE OPENING CENTERLINES.
5. CONTRACTOR TO TAKE APPROPRIATE MEASURES TO ASSURE UNIT IS WATER TIGHT, HOLDING WATER TO FLOWLINE INVERT MINIMUM. IT IS SUGGESTED THAT ALL JOINTS BELOW PIPE INVERTS ARE GROUTED.

CONTECH
ENGINEERED SOLUTIONS LLC

www.conftechES.com
3025 Centre Pointe Dr., Suite 400, West Chester, OH 45389
800-338-1123 610-645-7000 \$13-845-7903 FAX

CDS1515-3-C
ONLINE CDS
STANDARD DETAIL



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Rainfall Events Listing (selected events)

| Event# | Event Name | Storm Type | Curve | Mode | Duration (hours) | B/B | Depth (inches) | AMC |
|--------|------------|----------------|-------|---------|------------------|-----|----------------|-----|
| 1 | 25-Year | Type III 24-hr | | Default | 24.00 | 1 | 6.34 | 2 |
| 2 | WQv | Type III 24-hr | | Default | 24.00 | 1 | 1.65 | 2 |

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Area Listing (selected nodes)

| Area (sq-ft) | CN | Description (subcatchment-numbers) |
|-----------------|----|---------------------------------------|
| 1,984 | 98 | Impervious Cover (1D) |
| 1,984 | 98 | TOTAL AREA |

Swale Calculations (2023-03-14)

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Soil Listing (selected nodes)

| Area (sq-ft) | Soil Group | Subcatchment Numbers |
|-----------------|---------------|-------------------------|
| 0 | HSG A | |
| 0 | HSG B | |
| 0 | HSG C | |
| 0 | HSG D | |
| 1,984 | Other | 1D |
| 1,984 | | TOTAL AREA |

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Ground Covers (selected nodes)

| HSG-A (sq-ft) | HSG-B (sq-ft) | HSG-C (sq-ft) | HSG-D (sq-ft) | Other (sq-ft) | Total (sq-ft) | Ground Cover | Subcatchment Numbers |
|------------------|------------------|------------------|------------------|------------------|------------------|-------------------|-------------------------|
| 0 | 0 | 0 | 0 | 1,984 | 1,984 | Impervious Cover | |
| 0 | 0 | 0 | 0 | 1,984 | 1,984 | TOTAL AREA | |

Swale Calculations (2023-03-14)*Type III 24-hr 25-Year Rainfall=6.34"*

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Time span=0.00-60.00 hrs, dt=0.05 hrs, 1201 points x 2

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1D: Driveway

Runoff Area=1,984 sf 100.00% Impervious Runoff Depth=6.10"

Tc=1.0 min CN=98 Runoff=0.32 cfs 1,009 cf

Pond 3P: Drain Inlet

Peak Elev=71.93' Inflow=0.32 cfs 1,009 cf

6.0" Round Culvert n=0.010 L=6.0' S=0.7500 ' / ' Outflow=0.32 cfs 1,009 cf

Pond 9P: Hydrodynamic Separator WQv=0.08cfs 25-yr=0.32cfsPeak Elev=67.43' Inflow=0.32 cfs 1,009 cf
6.0" Round Culvert n=0.010 L=172.0' S=0.0262 ' / ' Outflow=0.32 cfs 1,009 cf**Total Runoff Area = 1,984 sf Runoff Volume = 1,009 cf Average Runoff Depth = 6.10"****0.00% Pervious = 0 sf 100.00% Impervious = 1,984 sf**

Swale Calculations (2023-03-14)

Type III 24-hr 25-Year Rainfall=6.34"

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Summary for Subcatchment 1D: Driveway

Runoff = 0.32 cfs @ 12.01 hrs, Volume= 1,009 cf, Depth= 6.10"
Routed to Pond 3P : Drain Inlet

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-Year Rainfall=6.34"

| | Area (sf) | CN | Description |
|---|-----------|----|-------------------------|
| * | 1,984 | 98 | Impervious Cover |
| | 1,984 | | 100.00% Impervious Area |

| Tc | Length | Slope | Velocity | Capacity | Description |
|-------|--------|---------|----------|----------|---------------|
| (min) | (feet) | (ft/ft) | (ft/sec) | (cfs) | |
| 1.0 | | | | | Direct Entry, |

Swale Calculations (2023-03-14)

Type III 24-hr 25-Year Rainfall=6.34"

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Summary for Pond 3P: Drain Inlet

Inflow Area = 1,984 sf, 100.00% Impervious, Inflow Depth = 6.10" for 25-Year event
Inflow = 0.32 cfs @ 12.01 hrs, Volume= 1,009 cf
Outflow = 0.32 cfs @ 12.01 hrs, Volume= 1,009 cf, Atten= 0%, Lag= 0.0 min
Primary = 0.32 cfs @ 12.01 hrs, Volume= 1,009 cf
Routed to Pond 9P : Hydrodynamic Separator WQv=0.08cfs 25-yr=0.32cfs

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.05 hrs / 2

Peak Elev= 71.93' @ 12.01 hrs

Flood Elev= 73.00'

| Device | Routing | Invert | Outlet Devices |
|--------|---------|--------|--|
| #1 | Primary | 71.50' | 6.0" Round 6" PVC L= 6.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 71.50' / 67.00' S= 0.7500 ' / Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.20 sf |

Primary OutFlow Max=0.30 cfs @ 12.01 hrs HW=71.92' TW=67.42' (Dynamic Tailwater)

↑1=6" PVC (Inlet Controls 0.30 cfs @ 1.73 fps)

Swale Calculations (2023-03-14)

Type III 24-hr 25-Year Rainfall=6.34"

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Summary for Pond 9P: Hydrodynamic Separator WQv=0.08cfs 25-yr=0.32cfs

Inflow Area = 1,984 sf, 100.00% Impervious, Inflow Depth = 6.10" for 25-Year event
Inflow = 0.32 cfs @ 12.01 hrs, Volume= 1,009 cf
Outflow = 0.32 cfs @ 12.01 hrs, Volume= 1,009 cf, Atten= 0%, Lag= 0.0 min
Primary = 0.32 cfs @ 12.01 hrs, Volume= 1,009 cf
Routed to Pond 5P : Stormtech 740

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.05 hrs / 2

Peak Elev= 67.43' @ 12.01 hrs

Flood Elev= 70.00'

| Device | Routing | Invert | Outlet Devices |
|--------|---------|--------|--|
| #1 | Primary | 67.00' | 6.0" Round 6" PVC L= 172.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 67.00' / 62.50' S= 0.0262 ' / ' Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.20 sf |

Primary OutFlow Max=0.30 cfs @ 12.01 hrs HW=67.42' TW=63.02' (Dynamic Tailwater)

1=6" PVC (Inlet Controls 0.30 cfs @ 1.73 fps)

Swale Calculations (2023-03-14)*Type III 24-hr WQv Rainfall=1.65"*

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Time span=0.00-60.00 hrs, dt=0.05 hrs, 1201 points x 2

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1D: Driveway

Runoff Area=1,984 sf 100.00% Impervious Runoff Depth=1.43"

Tc=1.0 min CN=98 Runoff=0.08 cfs 236 cf

Pond 3P: Drain Inlet

Peak Elev=71.69' Inflow=0.08 cfs 236 cf

6.0" Round Culvert n=0.010 L=6.0' S=0.7500 ' Outflow=0.08 cfs 236 cf

Pond 9P: Hydrodynamic Separator WQv=0.08cfs 25-yr=0.32cfs

Peak Elev=67.19' Inflow=0.08 cfs 236 cf

6.0" Round Culvert n=0.010 L=172.0' S=0.0262 ' Outflow=0.08 cfs 236 cf

Total Runoff Area = 1,984 sf Runoff Volume = 236 cf Average Runoff Depth = 1.43"**0.00% Pervious = 0 sf 100.00% Impervious = 1,984 sf**

Swale Calculations (2023-03-14)*Type III 24-hr WQv Rainfall=1.65"*

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Summary for Subcatchment 1D: Driveway

Runoff = 0.08 cfs @ 12.01 hrs, Volume= 236 cf, Depth= 1.43"
Routed to Pond 3P : Drain Inlet

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.05 hrs
Type III 24-hr WQv Rainfall=1.65"

| | Area (sf) | CN | Description |
|---|-----------|----|-------------------------|
| * | 1,984 | 98 | Impervious Cover |
| | 1,984 | | 100.00% Impervious Area |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|-------------|------------------|------------------|----------------------|-------------------|---------------|
| 1.0 | | | | | Direct Entry, |

Swale Calculations (2023-03-14)

Type III 24-hr WQv Rainfall=1.65"

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Summary for Pond 3P: Drain Inlet

Inflow Area = 1,984 sf, 100.00% Impervious, Inflow Depth = 1.43" for WQv event
 Inflow = 0.08 cfs @ 12.01 hrs, Volume= 236 cf
 Outflow = 0.08 cfs @ 12.01 hrs, Volume= 236 cf, Atten= 0%, Lag= 0.0 min
 Primary = 0.08 cfs @ 12.01 hrs, Volume= 236 cf
 Routed to Pond 9P : Hydrodynamic Separator WQv=0.08cfs 25-yr=0.32cfs

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.05 hrs / 2

Peak Elev= 71.69' @ 12.01 hrs

Flood Elev= 73.00'

| Device | Routing | Invert | Outlet Devices |
|--------|---------|--------|--|
| #1 | Primary | 71.50' | 6.0" Round 6" PVC L= 6.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 71.50' / 67.00' S= 0.7500 '/' Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.20 sf |

Primary OutFlow Max=0.08 cfs @ 12.01 hrs HW=71.68' TW=67.18' (Dynamic Tailwater)

↑ 1=6" PVC (Inlet Controls 0.08 cfs @ 1.15 fps)

Swale Calculations (2023-03-14)

Type III 24-hr WQv Rainfall=1.65"

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Summary for Pond 9P: Hydrodynamic Separator WQv=0.08cfs 25-yr=0.32cfs

Inflow Area = 1,984 sf, 100.00% Impervious, Inflow Depth = 1.43" for WQv event
Inflow = 0.08 cfs @ 12.01 hrs, Volume= 236 cf
Outflow = 0.08 cfs @ 12.01 hrs, Volume= 236 cf, Atten= 0%, Lag= 0.0 min
Primary = 0.08 cfs @ 12.01 hrs, Volume= 236 cf
Routed to Pond 5P : Stormtech 740

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.05 hrs / 2

Peak Elev= 67.19' @ 12.01 hrs

Flood Elev= 70.00'

| Device | Routing | Invert | Outlet Devices |
|--------|---------|--------|---|
| #1 | Primary | 67.00' | 6.0" Round 6" PVC L= 172.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 67.00' / 62.50' S= 0.0262 '/ Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.20 sf |

Primary OutFlow Max=0.08 cfs @ 12.01 hrs HW=67.18' TW=62.01' (Dynamic Tailwater)

1=6" PVC (Inlet Controls 0.08 cfs @ 1.15 fps)

Swale Calculations (2023-03-14)

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Multi-Event Tables

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Events for Subcatchment 1D: Driveway

| Event | Rainfall (inches) | Runoff (cfs) | Volume (cubic-feet) | Depth (inches) |
|---------|----------------------|-----------------|------------------------|-------------------|
| 25-Year | 6.34 | 0.32 | 1,009 | 6.10 |
| WQv | 1.65 | 0.08 | 236 | 1.43 |

Swale Calculations (2023-03-14)

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Multi-Event Tables

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Events for Pond 3P: Drain Inlet

| Event | Inflow (cfs) | Primary (cfs) | Elevation (feet) | Storage (cubic-feet) |
|---------|-----------------|------------------|---------------------|-------------------------|
| 25-Year | 0.32 | 0.32 | 71.93 | 0 |
| WQv | 0.08 | 0.08 | 71.69 | 0 |

Swale Calculations (2023-03-14)

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Multi-Event Tables

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Events for Pond 9P: Hydrodynamic Separator WQv=0.08cfs 25-yr=0.32cfs

| Event | Inflow (cfs) | Primary (cfs) | Elevation (feet) | Storage (cubic-feet) |
|---------|-----------------|------------------|---------------------|-------------------------|
| 25-Year | 0.32 | 0.32 | 67.43 | 0 |
| WQv | 0.08 | 0.08 | 67.19 | 0 |



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MEMORANDUM

JUN - 8 2023

**PLANNING-ENGINEERING
TOWN OF SOMERS**

TO: David Smith, Director of Planning
FROM: Steven Robbins, P.E., LEED AP
DATE: June 7, 2023
RE: 9 Carolyn Way
Stormwater Management and Erosion & Sediment Control Permit, Steep Slopes
Protection Permit, and Tree Removal Permit.
TM: 18.09-1-54,55,56, R-10 District

GENERAL

The purpose of this memorandum is to provide the Planning Board with a summary of our comments related to our review of the environmental permit applications that were submitted for 9 Carolyn Way.

The applicant is proposing the construction of a single family house, driveway areas, a septic system and well. The project site is located within the East of Hudson watershed.

This review focused on the engineering design and the associated Town Code requirements in accordance with the following:

- Town of Somers Code, Chapter 93: Stormwater Management and Erosion and Sediment Control, and other sections, as applicable.
- Town of Somers Code, Chapter 148: Steep Slopes Protection
- Town of Somers Code, Chapter 156: Tree Preservation
- New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016.
- New York State Department of Environmental Conservation's (NYSDEC's) Stormwater Management Design Manual (SMDM), dated January 2015.
- Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and its Sources, Chapter 18.

DOCUMENTS REVIEWED

- Town of Somers Stormwater Management and Erosion and Sediment Control Permit Application
- Town of Somers Tree Removal Permit Application
- Town of Somers Steep Slope Protection Permit Application
- Town of Somers Application Processing Restrictive Law Certification



- Stormwater Pollution Prevention Plan & Infiltration Study, dated April 7, 2020, Revised March 25, 2023, prepared by John Karell, Jr., P.E.
- Comment Response Memo dated May 5, 2023, prepared by John Karell, Jr., P.E.
- Stormwater Pollution Prevention Plan Sequence of Construction, prepared by John Karell, Jr., P.E.
- Drawings prepared by John Karell, Jr., P.E., including:

| Sheet Number | Sheet Name | Dated | Revised |
|--------------|---------------------|------------|------------|
| S-1 | Site Plan | 06/17/2020 | 05/01/2023 |
| EC-1 | Slope Map | 06/17/2020 | 05/01/2023 |
| EC-1 | Existing Conditions | 06/17/2020 | 05/01/2023 |
| D-1 | Details | 01/20/2020 | 05/16/2023 |

PERMITS AND APPROVALS REQUIRED

- Town of Somers Planning Board: Stormwater Management and Erosion and Sediment Control Permit
- Town of Somers Planning Board: Tree Removal Permit
- Town of Somers Planning Board: Steep Slopes Protection Permit
- NYCDEP: Approval of Proposed Septic System
- NYSDEC: State Environmental Quality Review
- NYSDEC: SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001)
- Westchester County Department of Health (WCDOH): Approval of Sanitary Sewer Systems



DISCUSSION

The following is a summary of our comments based on our review of the latest submittal. It should be noted that further comments may be provided upon review of additional information.

1. The project is in the East of Hudson watershed and will disturb more than 5,000 SF.
 - a. The Applicant shall obtain construction coverage under the NYSDEC SPDES General Permit.
 - b. The Applicant shall provide a draft Notice of Intent and MS4 SWPPP Acceptance Form to obtain coverage under NYSDEC General SPDES Permit based upon the SWPPP for review and acceptance by the Consulting Town Engineer.
2. The Applicant provided a Site Plan which shows the erosion and sediment controls (E&SC) proposed for the site. The following comments are related to the Site Plan:
 - a. The Applicant shall provide a standard detail for proposed inlet protection on the plans.
 - b. The Applicant is proposing disturbance to steep slope areas. The Applicant shall indicate how these areas will be stabilized during construction.
 - c. The Applicant shall provide a Tree Location, Removal & Protection Plan indicating the trees to be removed or protected during construction.
 - d. The Applicant shall provide inspection and maintenance requirements for all proposed erosion and sediment controls.
 - e. The Applicant shall provide the Soil and Erosion and Sediment Control Notes on the Site Plan sheet, and be consistent with the requirements in the SPDES General Permit.
 - f. The Applicant is proposing stone rip rap at the outfall of the proposed PVC footing drains. The Applicant shall provide a detail of this stone rip rap and shall provide the appropriate sizing per the NYS Standards and Specifications for Erosion and Sediment Controls, latest version.
5. Since this site naturally drains towards the eastern boundary line (and therefore towards adjacent property owners), the Applicant shall demonstrate how stormwater will be managed at the site to maintain or improve from pre-development conditions.
6. The Applicant shall obtain a determination from the NYCDEP on whether SWPPP approval is required for this project.
7. The following comments correspond to the drawing sheets:
 - a. The Applicant shall provide a legend on the Existing Conditions and Site Plan sheets.
 - b. The Applicant shall revise the construction sequence notes to describe the erosion controls are designed in accordance with the New York State



Standards and Specifications for Erosion and Sediment Control (Blue Book), dated November 2016.

- c. The Applicant shall include a note on the plans for Dig Safely NY 811 which states the following: "Prior to Construction, Contractor shall locate all buried utilities to ensure that no interference exists during construction activities".
 - d. The Applicant shall update the expected project start and end dates accordingly.
8. The Applicant shall add the installation of the proposed infiltration systems to the sequence of construction.
9. The provided plans depict that a new groundwater supply well and on-site subsurface sewage treatment area (septic field) will be constructed to provide wastewater disposal for the proposed lot. The following comments relate to the proposed septic fields:
 - a. The Applicant shall furnish a copy of the Westchester County Department of Health (WCDOH) approval of the new septic system and dedicated well for the lots.
 - b. Show the installation of construction fence or an alternative barrier surrounding the footprint of proposed septic field absorption area during construction.
10. The provided drawings do not illustrate the installation of exterior site lighting. The Applicant shall update the plans to include detail of proposed exterior lighting fixtures, if proposed to be installed.
11. If the proposed expansion areas are proposed to be disturbed/prepared during construction, the Applicant shall revise the limits of disturbance to include the expansion areas. If the expansion areas are proposed to be disturbed/prepared only if the expansion is needed, the Applicant shall include a note on the plans to clarify this condition.
12. The Applicant shall revise the plans to show protective markers or construction fence surrounding the proposed septic absorption field limits to prevent over-compaction by equipment tracking during construction.
13. The Applicant shall reference the contaminant source (per WCDOH Section 5-B.7 Table 1) identified for the required minimum separation distance from water wells for the proposed infiltrator system located west of the driveway area.
14. The Applicant shall confirm and indicate any existing wells on adjacent properties within 200ft, if present.
15. The Applicant proposes two infiltration systems – one system to capture the stormwater runoff from the proposed house and one system for the driveway runoff.
 - a. The Applicant shall indicate the proposed pretreatment to the infiltration system.
 - b. The Applicant shall provide signed and sealed deep tests to ensure that at least 3 feet of separation exists between the bottom of the infiltration system



and seasonally high groundwater or bedrock. The deep tests shall be completed per Appendix D in the NYSDEC SMDM.

- c. The Applicant shall provide signed and sealed infiltration tests to ensure that an infiltration practice is feasible at the location. The infiltration tests shall be completed per Appendix D in the NYSDEC SMDM.
 - d. The Applicant shall indicate the test pit and deep hole test locations for the proposed infiltration system for the driveway.
 - e. The Applicant shall provide a construction detail for the proposed 'Cul Tech' infiltration system proposed to capture the driveway runoff.
 - f. The Applicant shall provide orange construction fencing around the extents of the infiltration systems to limit compaction by equipment tracking during construction.
16. The Applicant shall provide the finished grade, system, and pipe invert elevations for the proposed infiltration systems.
17. The Applicant shall revise the following items on the SWPPP:
- a. The Applicant shall provide design calculations for the proposed infiltration system. The Applicant shall refer to the NYSDEC SMDM for design considerations for an infiltration basin.
 - b. The Applicant shall clarify if rain gardens are proposed as noted under Section (IV)(A)(10) of the SWPPP.
 - c. The Applicant shall add the infiltration system under the permanent erosion control measures under Section (IV)(B).
18. The Applicant shall provide a profile detail for the proposed SSTS.
19. The Applicant shall provide a construction detail for the roof leader connection to the proposed infiltration system.
20. The Applicant shall provide a location for staging area of construction equipment on the Site Plan.
21. The Applicant shall include a note on the plans which states: "Any imported topsoil shall comply with all federal, state, and local requirements for quality and use."
22. The Applicant shall include a note on the plans which states: "Off-site disposal of excess cut shall be in accordance with all federal, state and local requirements."

Please feel free to contact our office with any questions. Please provide a response memo identifying where responses to these comments can be located on revised submittals.

John Currie, *Chairman*
Vicky Gannon
Nancy Gerbino
Ken Kristensen
Jack Mattes
Bruce A. Prince
Christopher Zaberto

PLANNING BOARD
Town of Somers
WESTCHESTER COUNTY, N.Y.

TOWN HOUSE
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SOMERS, NY 10589
TEL (914) 277-5366
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EMAIL:
PLANNINGBOARD@SOMERSNY.COM



DATE: May 15, 2023
TO: Planning Board
FROM: Wendy Getting
Senior Office Assistant
RE: ***SITE WALK***
Saturday, May 20, 2023
Weather Permitting

A site walk has been scheduled for Saturday, May 20, 2023 for the following project:

- **8:00 A.M.**

**WINTJE Steep Slope, Wetland and Watercourse Protection,
Stormwater Management and Erosion and Sediment Control
and Tree Preservation Permit
TM: 18.09-1-54, 55, 56**

Property located at 9 CAROLYN WAY

It is the applicant's responsibility to stake out all major improvements for the project and to provide clear access to the project area.

*Walkers to meet at the site.

Copy: Jack Karell, P.E.
Ricky Mancini
Taylor and Michelle Wintje



Woodard & Curran Engineering
and Geological Services P.A. P.C.
800 Westchester Avenue
Suite N507
Rye Brook, New York 10573
www.woodardcurran.com

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MEMORANDUM

RECEIVED

JUN - 8 2023

PLANNING-ENGINEERING
TOWN OF SOMERS

TO: David Smith, Director of Planning
FROM: Steven Robbins, P.E., LEED AP
DATE: June 7, 2023
RE: ARSEC Corp.
Site Plan Application
TM: 17.11-2-18, B-HP District

GENERAL

The purpose of this memorandum is to provide the Planning Board with a summary of our comments related to our review of the Site Plan Application that was submitted for the ARSEC CORP. located at 380 Rte 202 in Somers, New York.

The application is proposing a parking lot expansion of 12 total parking spaces to the Applicant's property, to be utilized for overflow parking as well as an area for snow removal, with a total site disturbance of 0.103 acres. Upon the approval of a lot line adjustment at the subject property, the Applicant initiated site improvements prior to obtaining Town approvals, and subsequently a stop work order was issued by the Building Department. The Applicant has submitted a site plan application for the Planning Board's review for the proposed improvements for the parking lot expansion. Per the Applicant, the landscape plan has not been completed, and is currently in process.

The project site is located within the East of Hudson watershed, the Business Historic Preservation zoning district, and appears to be within the Groundwater Protection Overlay District within the Town of Somers.

This review focused on the engineering design and the associated Town Code requirements in accordance with the following:

- Town of Somers Code, Chapter 93: *Stormwater Management and Erosion and Sediment Control*, and other sections, as applicable.
- *New York State Standards and Specifications for Erosion and Sediment Control*, dated November 2016.
- *New York State Department of Environmental Conservation's (NYSDEC's) Stormwater Management Design Manual (SMDM)*, dated January 2015.
- *Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and its Sources*, Chapter 18.

DOCUMENTS REVIEWED

- Cover Letter, "Site Plan Application, ARSEC Corp., 380 Route 202, T.M. #17.11-2-18 & 19" prepared by Bibbo Associates, L.L.P., dated May 26, 2023



- Stormwater Pollution Prevention Plan prepared by Bibbo Associates, L.L.P., dated May 25, 2023
- Drawing Set, "ARSEC CORP. Route 116 Town of Somers, Westchester County, NY" prepared by Bibbo Associates, LLP, dated February 17, 2023, including:

| Sheet Number | Sheet Name | Dated | Revised |
|--------------|--------------------------|------------|------------|
| EX-1 | Existing Condition Plan | 02/17/2023 | 05/25/2023 |
| SP-1 | Site Plan | 02/17/2023 | 05/25/2023 |
| D-1 | Landscape Plan & Details | 02/17/2023 | 05/25/2023 |

PERMITS AND APPROVALS REQUIRED

- Town of Somers Planning Board: Stormwater Management and Erosion and Sediment Control Permit
- Town of Somers Application for Special Exception Use Permit for Activity Within A Groundwater Protection Overlay District

DISCUSSION

The following is a summary of our initial comments. It should be noted that further comments may be provided upon review of additional information.

1. *The proposed development activity is located within the Town of Somers Groundwater Protection Overlay District and requires the issuance of a special exception use permit. Consistent with the Town Code requirements listed in §170.32, the Applicant shall be required to comply with the criteria necessary for issuance of Special Exception Use Permit including the potential preparation of a Groundwater Protection Plan. **Partially Addressed. The Applicant has submitted this plan and it is under review.***
2. *The Applicant shall confirm the total amount of soil material that has been moved based on the construction activities of the existing pad area, as well as the proposed improvements for the parking lot on the site plan.*
 - a. *If the construction activities yield greater than 50 cubic yards of soil material to be moved, the Applicant shall prepare a Stormwater Pollution Prevention Plan (SWPPP) that includes erosion and sediment controls consistent with the requirements of Section 93-6(A)(1) of the Town Code. **Addressed. Comments specific to the SWPPP are addressed as new comments within this review memo.***
3. *The Applicant shall indicate any removal of trees for the subject property.*
 - a. *If removal of trees are required or has already been completed, the Applicant shall prepare a Tree Removal Permit Application per Town Code 156-4(A)(4). **Partially Addressed. The project site is located in a Business Historic Preservation District, therefore requiring a Tree Removal Permit per***



Town Code 156-4(A)(4). The Applicant shall confirm with the Town Engineering Technician that the proposed removal of the hemlocks are unregulated, and therefore will not require a Tree Removal Permit.

4. *The Applicant shall provide an Erosion and Sediment Control (E&SC) plan which includes all proposed temporary E&SC practices and includes maintenance and inspection procedures of all proposed E&SC measures per the requirements of the NYS Standards and Specifications for Erosion and Sediment Control dated November 2016. The following comments are related to the E&SC plan:*
 - a. *The Applicant shall show the intended location of the equipment staging area on the plans. **Not Addressed. The Applicant shall display the location(s) where they plan to store equipment and materials overnight for the duration of construction.***
 - b. *The Applicant shall provide inspection and maintenance requirements for all proposed erosion and sediment controls. **Addressed.***
 - c. *The Applicant shall provide a typical construction detail for construction safety fencing to be used on-site. **Addressed. The Applicant has stated that construction safety fencing will not be used.***
 - d. *The Applicant shall indicate whether any existing trees are to be removed as a part of the proposed work and shall secure a tree removal permit, if necessary. The Applicant shall also indicate which existing trees are proposed to be protected during development. The Applicant shall furnish a typical tree protection detail on the plans. **Addressed.***
 - e. *The Applicant shall include a note on the plans which states "All E&SC measures shall be installed and maintained per New York State Standards and Specification for Erosion and Sediment Control, dated November 2016." **Addressed.***
5. *The Applicant shall clarify the intent of the stormwater recharge & wooded filter area north of the proposed parking lot area, and specify on the plans if conveyance of on-site runoff from the proposed parking lot is directed to this area for stormwater management purposes. **Partially Addressed. The Applicant shall confirm and demonstrate the conveyance of on-site runoff from the proposed parking lot to the stormwater filter and recharge area on the site plans.***
6. *The Applicant shall provide drainage arrows on the site plan to indicate the direction of runoff from the proposed parking lot. **Addressed.***
7. *Per the comments of the Business Historic Preservation District (B-HP) Technical Committee, the Applicant shall consider the implementation of a rain garden or other stormwater management practice (SMP) (e.g., rain garden) to mitigate potential hydrologic impacts from the proposed site improvements compared to the pre-development conditions. The stormwater management feature shall be designed in accordance with the NYSDEC SMDM. **Partially Addressed. The Applicant shall provide calculations to demonstrate the natural wooded and recharge area is capable of mitigating post-development hydrologic impacts to the pre-development conditions.***



8. *The Applicant shall confirm if any off-site drainage is expected to run on to the proposed parking area, and establish any perimeter controls as required. **Addressed.***
9. *The Applicant shall provide proposed contours for the proposed parking area on the site plan. **Addressed.***
10. *The Applicant indicates an area of site activity of 4,500 sf in the Site Plan Application. The Applicant shall add a limit of work line in the site per the proposed limit of disturbance as indicated in the Site Plan Application. **Partially Addressed. The Applicant has acknowledged this comment. The Applicant shall update their site plan with a limit of work line in the site plan for the next submittal.***
11. *The Applicant shall provide the cut and fill volumes on the site plan. **Addressed.***
12. *The provided drawings do not illustrate the installation of exterior site lighting. The Applicant shall provide lighting plans and specifications for consideration of the Planning Board. **Partially Addressed. The Applicant shall provide an updated site plan consistent with the Town Code requirements listed in §144-7(7).***
13. *The Applicant shall include a note on the plans for Dig Safely NY 811 which states the following: "Prior to Construction, Contractor shall locate all buried utilities to ensure that no interference exists during construction activities". **Addressed.***
14. *The Applicant shall include a note on the plans which states: "Off-site disposal of excess cut shall be in accordance with all federal, state, and local requirements". **Addressed.***

Please find enclosed the following additional comments from the latest submittal:

15. The Applicant has proposed the natural wooded filter area will provide stormwater recharge for the increase in stormwater runoff, therefore infiltration is proposed to occur. The Applicant shall demonstrate that the existing soil conditions of the stormwater recharge area meets the requirements for stormwater infiltration systems under the NYSDEC SMDM Chapter 6.
16. The Applicant shall confirm how the stormwater runoff from the proposed parking lot will be conveyed to the wooded filter area.
17. The Applicant shall include a note on the plans which states: "Any imported topsoil shall comply with all federal, state, and local requirements for quality and use".

Please feel free to contact our office with any questions. Please provide a response memo identifying where responses to these comments can be located on revised submittals.



Timothy S. Allen, P.E.
Nicholas Gaboury, P.E.
Matthew J. Gironda, P.E.

May 26, 2023

Somers Planning Board
335 Route 202
Somers, NY 10589-3206

Attn: Mr. John Currie, Chairman

Re: Site Plan Application
ARSEC Corp.
380 Route 202
T.M. #17.11-2-18 & 19

RECEIVED

MAY 26 2023

**PLANNING-ENGINEERING
TOWN OF SOMERS**

Dear Chairman and Members of the Board:

On behalf of our client please find the following enclosed in support of your continued review:

- 5 copies - Site Plans, 3 sheets, dated last revised 5-25-23
- 3 copies - Stormwater Pollution Prevention Plan, dated May 25, 2023
- Aquifer Impact Assessment Report, prepared by HydroEnvironmental Services, Inc. *(To be submitted under separate cover)*
- 5 Flash Drives, containing all plans/documents

In response to Woodard & Curran's memorandum dated April 7, 2023, we offer the following responses:

1. In support of Special Exception Use Permit as it related to the Groundwater Protection Overlay District, HydroEnvironmental Services, Inc. is preparing an Aquifer Impact Assessment Report which will be forwarded immediately upon completion.
- 2.a. The amount of soil material moved is approximately 110 CY. A Stormwater Pollution Prevention Plan (SWPPP) is enclosed in accordance with Section 93 of the Town Code.
- 3.a. A few unregulated hemlocks will be removed as indicated on the plan.
- 4.a. There are no staging areas intended.
- 4.b. Erosion control inspection and maintenance notes have been added to Sheet 3 of 3.
- 4.c. Construction safety fencing is not proposed.

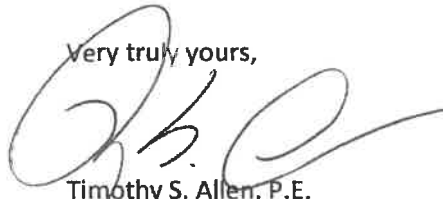
Site Design ♦ Environmental

Mill Pond Offices • 293 Route 100 • Suite 203 • Somers, New York 10589
Phone: 914.277.5805 • Fax: 914.277.8210
Website: www.bibboassociates.com • E-mail: bibbo@bibboassociates.com

- 4.d. See response to Item 3.c. above. Since the majority of the work has already been performed, tree protection is not proposed.
- 4.e. The note has been added. (Sh.3 of 3)
- 5. The wooded area downhill of the parking area is a natural depression with very well drained soils. This area will remain as a natural stormwater filter and recharge area.
- 6. A drainage arrow has been added to the Site Plan. (Sh. 2 of 3)
- 7. The intent of the plan is to rely on the natural wooded and recharge area for stormwater mitigation. A rain garden could be considered, however we feel it does not justify the increased disturbance and maintenance required of the installation.
- 8. The drainage area is confined to the natural wooded depression. There is no off-site drainage through this area.
- 9. There are no appreciable grade changes through the parking area. Spot grades have been provided.
- 10. Comment noted. No further work is proposed from that which is already disturbed.
- 11. The proposed cut/fill has been added to the Site Plan. (Sh. 2 of 3)
- 12. Proposed light poles are shown on the plans and are proposed to match existing lights.
- 13. The "Call Before You Dig" note has been added to the Site Plan, (Sh. 2 of 3) as well as the requested note.
- 14. There will be no removal of material from the site, but the note has been added.

We request this matter be placed on your next available agenda for consideration of scheduling a Public Hearing.

Very truly yours,



Timothy S. Allen, P.E.
Senior Partner

TSA/mme
Enclosures

cc: Dr. Ranani (via email)
File

PLANNING AND ENGINEERING DEPARTMENTS

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Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



David B. Smith
Town Planner
directorofplanning@somersny.com

Planning Board Meeting

Date of June 14, 2023

PLANNING BOARD
TOWN OF SOMERS, WESTCHESTER COUNTY, NEW YORK

Resolution No. 2023-7
*Granting of Conditional Amended Special Permit Approval and Amended Site
Plan Approval to*

Verizon
for
MODIFICATION AND UPGRADE OF EXISTING VERIZON
WIRELESS FACILITY

At 2580 Route 35
Town Tax Number: Section 37.13, Block 2, Lot 3

WHEREAS, a formal application by Verizon (the "Applicant"), dated April 17, 2023, for Eligible Facilities Request Application, Amended Special Permit and Amended Site Plan Approval pursuant to Sections 170-129 and 170-114, was received on or about April 17, 2023 in connection with a modification to its existing wireless telecommunication facility at 2580 Route 35 (which is shown on the Town Tax Maps as Section 37.13, Block 2, Lot 3) consisting of the following plans and supporting materials:

- Cover Letters from NB+C dated April 17, 2023
- Special Use Permit Application signed by the Applicant and Tower Owner dated April 15, 2023
- Structural Evaluation Letter, prepared by American Tower Corporation dated September 19, 2022, authorized by Esha Modi, on May 8, 2023 Licensed Professional Engineer
- Visual Inspection Form prepared by American Tower Corporation, dated March 4, 2021

- Radio frequency compliance evaluation prepared by Verizon dated April 3, 2023.
- Verizon Communications Industrial/Business Pool, Conventional License #WQSV438
- Plans prepared by MB+C, dated January 18, 2023 consisting of:
 - G-001 Title Sheet
 - G-002 General Notes
 - C-101 Detailed Site Plan
 - C-201 Tower Elevation
 - C-401 Antenna Information & Schedule
 - C-501 Construction Details
 - E-501 Grounding Details
 - R-601 Supplemental
- Special Permit Application Fee - \$1,000
- Escrow SEQR review- \$2,500
- Review memos prepared by Woodard & Curran Engineering and Geological Services P.A. P.C. dated April 10, 2023 and May 3, 2023

WHEREAS, the subject application is for the implementation by the Applicant of modifications and upgrades including:

- Removal of three antennas and nine remote radio heads and replacing with six new antennas and nine remote radio heads, cables and related ancillary equipment on the existing ± 129 -foot monopine at 2580 Route 35 which is shown on the Town Tax Maps as Section 37.13 Block 2 Lot 3; and

WHEREAS, this application involves an existing wireless telecommunications facility; and

WHEREAS, the subject lands are owned by Umberto Santaroni; and

WHEREAS, such telecommunications facility has been constructed and is operating in accordance with approved building permits; and

WHEREAS, the Applicant made a presentation to the Planning Board for Special Permit that is the subject of this resolution on May 10, 2023 and June 14, 2023; and

WHEREAS, the Planning Board has determined that the proposed application constitutes as an eligible facilities request in accordance with the Section 6409 Middle Class Tax Relief and Job Creation Act of 2012 and it does not substantially change the physical dimensions of the subject Tower, does not increase protrusion from tower by more than twenty (20) feet, does not involve excavation or placement of new equipment outside the existing Tower site, new equipment cabinets to be installed do not exceed four, and there will be no adverse effect on exiting concealment elements of the monopine; and

WHEREAS, the Somers Planning Board at their regular meeting of May 10, 2023 determined that this action was a Type II Action and is, therefore, exempt pursuant to the New York State Environmental Quality Review Act (SEQRA) Section 617.5(c)(7) which states that construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls is a Type II action under SEQRA and that the proposed project involved less than 4,000 square feet, and, therefore, no further action under SEQRA would be required as directed by a motion and second unanimously carried by the Board; and

WHEREAS, the special use permit application and associated plans, were circulated to the Town of Somers to Open Space Committee, the Telecommunications Task Force and the Building Inspector and no comments were received by the Planning Board; and

WHEREAS, the Somers Planning Board at their May 10, 2023 meeting determined to waive the site plan review and site plan and special use permit public hearings in accordance with §170-129.9 B and §170-129.6F, respectively; and

WHEREAS, the Planning Board has reviewed and is familiar with the project and its surroundings; and

NOW, THEREFORE, BE IT RESOLVED, that the foregoing **WHEREAS** clauses are incorporated herein by reference and are fully adopted as part of this approval; and

BE IT FURTHER RESOLVED, that the application for Special Permit Approval to Verizon as shown and described by the materials enumerated herein, is **HEREBY CONDITIONALLY GRANTED** in accordance with §170-129.4, 129.5, 129.6 and 129.9 of the *Code of the Town of Somers, New York*, **SUBJECT TO** the following conditions set forth below:

Conditions Associated with Special Use Permit:

1. **Compliance with Town Code:** The Applicant shall comply with all applicable provisions of the Zoning Code of the Town of Somers as set forth in Section 170-129.1-9 and such other laws as may be applicable to wireless telecommunications facilities.
2. **Operations (future):** Operations shall be maintained in accordance with the Town's Wireless Telecommunications Facilities Ordinance and all other relevant Town codes.

3. **Permit Term:** Pursuant to Section 170.129.6(D)(F) and (G) of the *Code of the Town of Somers*, the Special Use Permit term has an onset starting at five years from the date of this approval. This Special Use Permit may be renewed on application for additional five-year terms, provided the applicant shall demonstrate that the wireless telecommunications facility is and has been in compliance with the requirements of the *Code of the Town of Somers* per §170-129.6G. As such, the special use permit for Verizon Wireless at this property, on an existing monopole that is the subject of this Resolution, shall run from June 14, 2023 up to and including June 14, 2028.
4. **Prior to the Submission for a building permit:** The Applicant shall address the Items 1 and 3b from the Town Consulting Engineer's memorandum, dated 5/3/23, the other conditions having already been waived by the Planning Board.
5. **Review and Escrow Fees:** All review and escrow fees associated with this application shall be paid by the Applicant. The Applicant is to be responsible for the costs of all consulting services and reviews required hereunder.
6. **Certificate of Occupancy:** A certificate of occupancy issued by the Building Inspector must be issued for the modified facility prior to use or operation of such modified facilities, its issuance subject to Condition #4 above.

BE IT FURTHER RESOLVED, that upon determination of compliance with the foregoing conditions, the Planning Board Chairman is hereby authorized to endorse the Site Plan and Special Use Permit Approval by signing of this Resolution. The validity of any Certificate of Occupancy shall be subject to continued conformance with the approved Renewal Amended Special Use Permit.

This resolution shall have an effective date of June 14, 2023.

**BY ORDER OF THE PLANNING BOARD
OF THE TOWN OF SOMERS**

John Currie, Chairman

Date