

OFFICE OF THE SUPERVISOR

Telephone
(914) 277-3637
Fax
(914) 276-0082

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

ROBERT SCORRANO
SUPERVISOR



**SOMERS TOWN BOARD
WORK SESSION 7:00PM
WEDNESDAY, DECEMBER 6, 2023
www.somersny.com**

6:00PM – Executive Session

A. PUBLIC HEARING:

2024 Preliminary Budget

PUBLIC COMMENT

Please limit your comments to no more than 3 minutes.

B. TOWN BOARD:

1. Town of Somers – Update
2. North Edge Realty Corp. – Formal Development Submission - Discussion
 - a. Accept the petition
 - b. Declare intent to act as Lead Agency under SEQR
 - c. Authorize circulation of a Notice of Intent with EAF and supporting documentation to Interested and Involved Agencies including the Town of Somers Planning Board and Westchester County.
3. Authorize the Supervisor to execute the Renewal Contract for the Town's 2024 Tax Map Maintenance with CAI Technologies, per email from Teresa Stegner, Assessor, dated November 6, 2023.

**SOMERS TOWN BOARD
WORK SESSION 7:00PM
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www.somersny.com**

4. Authorize the Supervisor to execute the Memorandum of Understanding (MOU) between the County of Westchester and the Town of Somers which provides Town personnel remote access to the County Clerk's Westchester Records Online (WRO) through December 31, 2024, with the County Clerk's option to extend the License for four additional one-year periods on the same terms and conditions.
5. Lincoln Hall Presentation – Vincent Madera, Assistant Executive Director and Dr. Coughlin, Chief Program Officer

C. PARKS & RECREATION: No additional business.

D. FINANCIAL: No additional business.

E. HIGHWAY: No additional business.

F. PERSONNEL:

1. **Current Vacancies:**
 - a. Affordable Housing Board (1- 2-year term ending 7/11/2024.)
 - b. Affordable Housing Board (1- 2-year term ending 7/11/2025.)
 - c. Partners in Prevention (1- 3-year term ending 12/31/2023.)
 - d. Partners in Prevention (1- 3-year term ending 12/31/2025.)
 - e. Veteran's Committee (1- 2-year term ending May 31, 2025.)
2. **Upcoming Vacancies - Terms Expiring in 2023:**
 - a. Library Board of Trustees (1- 5-year term ending 12/31/23.)
 - b. Partners in Prevention (4- 3-year terms ending 12/31/2023.)
 - c. Zoning Board of Appeals (1 – 5-year term ending 12/31/2023.)
3. Authorize 2023 out of title adjustment for Catherine DiSisto, Secretary to Superintendent of Highways, in the amount of \$4,000.00 per November 27, 2023 memo from Nicholas DeVito, Superintendent of Highways.
4. Request to pay out twenty-five (25) unused vacation days to Steven Ralston, Superintendent of Parks and Recreation per email dated November 30, 2023 from Steven Ralston, Superintendent of Parks and Recreation.

**SOMERS TOWN BOARD
WORK SESSION 7:00PM
WEDNESDAY, DECEMBER 6, 2023
www.somersny.com**

5. Request to pay out ten (10) unused vacation days to Thomas J. Tooma, Building Inspector per email dated November 30, 2023 from Thomas J. Tooma, Building Inspector.

G. PLANNING & ENGINEERING: No additional business.

H. POLICE: No additional business.

I. PROPOSED CONSENSUS AGENDA:

1. Authorize the following refunds per the November 30, 2023 and December 1, 2023 memos from Steven Woelfle, Engineering Department:
 - a. \$2,000.00 ARGH Corp. – Somers Professional Commons Site Plan
Release of Sidewalk Escrow Account
 - b. \$25,570.00 Andriano & Sons LTD Subdivision, Palma Road Extension
Release of Maintenance Bond
 - c. \$180.68 Steinberg Wetland and Watercourse Protection and
Stormwater Management and Erosion and Sediment Control
Permit #WSMESC2022-25
Refund of SEQRA/Professional Service Fee, TM: 47.16-1-23

**SOMERS TOWN BOARD
WORK SESSION 7:00PM
WEDNESDAY, DECEMBER 6, 2023
www.somersny.com**

2023 Calendar

(Wednesday)

December 6, 2023	7:00pm	Town Board Work Session Public Hearing: 2024 Preliminary Budget
December 14, 2023	7:00pm	Town Board Regular Meeting

2024 Calendar

January 4, 2024	7:00pm	Town Board Organization Meeting Town Board Work Session
January 11, 2024	7:00pm	Town Board Regular Meeting
February 1, 2024	7:00pm	Town Board Work Session
February 8, 2024	7:00pm	Town Board Regular Meeting

12/4/2023 3:23 PM

SomersNY-Supervisor/Shared Documents/kdelucia/TB Agendas/2023/Dec 6, 2023 Work Session.docx

The 2024 Preliminary
Budget is Available in
the Town Clerk's Office
and on the Town's
Website at
SOMERSNY.COM
under the News Section

■ **Main Office**
445 Hamilton Avenue
White Plains, NY 10601
Phone 914.946.4777
Fax 914.946.6868

■ **Mid-Hudson Office**
200 Westage Business Center
Fishkill, NY 12524
Phone 845.896.0120

■ **New York City Office**
99 Madison Avenue
New York, NY 10016
Phone 646.794.5747

November 30, 2023

VIA HAND DELIVERY

Supervisor Robert Scorrano and
Members of the Somers Town Board
Town of Somers
Town Hall
335 Route 202
Somers, New York 10589

RICHARD L. O'ROURKE
Senior Counsel
ro'rourke@kblaw.com

Re: North Edge Realty Corp. -
Implementation of Somers Town Code §117-13/
Establishment of Multi-Family Baldwin Place – MFR-BP
Zoning District on Property Designated on the Tax Map
of the Town of Somers as SBL's 4.19-2-2, 4.19-2-3 and
4.19-2-4 and a Portion of SBL 4.19-2-1

Dear Supervisor Scorrano and Town Board Members:

This letter and the enclosed materials are submitted, on behalf of North Edge Realty Corp. ("North Edge"), in the place and stead of those previously filed with the Town Board pertaining to the above-referenced matter. They are submitted in response to comments and discussions pertaining to the development of the property, and refining recreational and Affordable Housing Opportunities.

In recognition of these comments, I have enclosed a Second Amended Petition dated November 30, 2023, by which North Edge respectfully requests only the implementation of Somers Town Code §170-13 for premises situated in the Baldwin Place hamlet. This will entail a change to the Town Zoning Map.

As you know, an essential component of the development underlying this Second Amended Petition is North Edge's offer to provide substantial recreation opportunities and improvements to the environment by removal of the dilapidated Angle Fly condos and restoration of that area for use by future generations. This recreation and environmental enhancement is being offered as mitigation of impacts that may result from the development of the above-described property.

The Zoning Map amendment is consistent with the Comprehensive Plan and will provide benefits to the Town of Somers through development complementing the

Supervisor Robert Scorrano
and Members of the Somers Town Board
November 30, 2023
Page 2

Baldwin Place/NYS route 6 corridor and its environs and allow development of housing resources that align with local zoning objectives. Moreover, the enhancement of Angle Fly will inure to the benefit of the residents of the Town of Somers.

As the enclosures confirm, this application conforms specifically with the standards enunciated in Somers Town Code §170-13. Enclosed herein are the following documents:

- Second Amended Petition of North Edge Realty Corp. dated November 9, 2023;
- Authorization letter from North Edge Realty Corp. dated August 23, 2023;
- Agreement between Yorktown Assembly of God Church and Boniello Development Group dated November 28, 2023;
- Long Environmental Assessment Form prepared by Bibbo Associates;
- Layout Plan prepared by Bibbo Associates, LLP with revisions in response to Mr. Smith's comments; and
- Community Benefits offering Executive Summary dated October 3, 2023. (revised 10/17/2023)

We look forward to a discussion regarding the enclosed at the Town Board Meeting of December 6, 2023. I appreciate your consideration.

Respectfully submitted,



Richard L. O'Rourke
Senior Counsel

RLO/sb

Encls.

cc: North Edge Realty Corp.
Mr. Gus T. Boniello
Timothy S. Allen, P.E.
Roland Baroni, Esq. rbaroni@prodigy.net

Supervisor Robert Scorrano
and Members of the Somers Town Board
November 30, 2023
Page 3

David B. Smith, AICP, Town Planner directorofplanning@somersny.com
Steve Ralston, Superintendent, Parks and Recreation parks@somersny.com
Patricia Kalba, Town Clerk townclerk@somersny.com
Thomas A. Garrity, Jr. tgarrity@somersny.com
Anthony J. Ciriaco aciriaco@somersny.com
Richard G. Clinchy rclinchy@somersny.com
William Faulkner wfaulkner@somersny.com
Judson K. Siebert, Esq.

TOWN BOARD OF THE TOWN OF SOMERS
COUNTY OF WESTCHESTER: STATE OF NEW YORK
-----x

Petition of

NORTH EDGE REALTY CORP.

For an Amendment of: the Zoning Map of the
Town of Somers to Establish a Multifamily
Baldwin Place – MFR-BP Zoning District on
Property Designated on the Tax Map of the Town
of Somers at SBL's 4.19-2-2, 4.19-2-3, 4.19-2-4
and portion of the Tax Parcel currently designated
as SBL 4.19-2-1.
-----x

**SECOND AMENDED
PETITION**

TO: Honorable Robert Scorrano, Supervisor, and
Members of the Town Board of the Town of Somers

NORTH EDGE REALTY CORP., by its attorneys, Keane & Beane, P.C.,
respectfully petitions the Town Board of the Town of Somers, as follows:

1. North Edge Realty Corp. ("North Edge") is the owner of certain real property situated within the Town of Somers (the "Town") bearing the street addresses of 29, 43 and 45 NYS Route 6, which consists of three tax parcels designated on the Tax Map of the Town of Somers as Section 4.19, Block 2, Lot 2, Section 4.19, Block 2, Lot 3 and Section 4.19, Block 2, Lot 4 (the "North Edge Parcels"). The North Edge Parcels are shown on aerial/maps taken from the Westchester County GIS database, which are attached hereto as Exhibit "A."

2. North Edge is also a contract vendee of land that is a portion of the Tax Parcel located at 5 County Line Road and currently designated as Section 4.19, Block 2, Lot 1 on the Tax Map of the Town of Somers, which is shown on the aerial/map taken from the Westchester County GIS database attached hereto as Exhibit "B." These lands are currently

owned by Albert Gojcaj & Ann Marie Vulaj-Gojcaj and consist of 4.024 acres (the "Gojcaj/North Edge premises").

3. The Gojcaj/North Edge premises and are shown as part of Lot 1 on the "Lot Line Change Map prepared for North Edge Realty Corp. & Albert Gojcaj & Ann Marie Vulaj-Gojcaj" dated September 9, 2023 and filed with the Office of the Westchester County Clerk, Division of Land Records as Map No. 29762. A copy of this map is annexed hereto as Exhibit "C."

4. North Edge is the contract vendee of the Gojcaj/North Edge premises, as confirmed by the Memorandum of Contract recorded with the Office of the Westchester County Clerk, Division of Land Records on December 9, 2021, a copy of which is annexed hereto as Exhibit "D."

5. By this Petition, North Edge seeks a change in the zoning status of the North Edge parcels and the Gojcaj/North Edge premises (collectively, the "Subject Property"). The total area of the Subject Property is 15.62 acres.

6. The Subject Property is currently designated on the Town of Somers Zoning Map ("Zoning Map") as located in the R-40 and R-80 Zoning Districts.

7. North Edge seeks to amend the Zoning Map pursuant to §170-13 of the Somers Town Code (Multifamily Residence MFR Districts). North Edge seeks this amendment for the purpose of placing the Subject Property within a Multifamily Residence Baldwin Place MFR-BP Zoning District, as specifically codified and authorized.

8. The purpose of the MFR-BP District is:

. . . to provide suitable opportunities within the Town for the development of housing designed to satisfy the needs of

households maintained by the young, the elderly and families earning less than 80% of the county's median income, and to permit a broad array of housing types, dwelling unit sizes and forms of ownership/occupancy. These districts are intended to provide for the construction of multifamily housing on sites determined to be appropriate based upon criteria established in the Town Development Plan and in conformance with the standards recommended therein, which standards are designed to promote the public health, safety and general welfare and to require the development of housing which is responsive to the variety of special size, design, locational and affordability needs of present and future residents of the Town. To help assure the achievement of this goal with proper protection for existing and future neighboring development and infrastructure, all multifamily residence districts shall be established subject to approval by the Town Board and in accordance with an approval preliminary development concept plan. (Town of Somers Code, Chapter 170, §170-13)

9. Upon designation of the Subject Property as MFR-BP, North Edge plans to develop seventy seven (77) housing units consistent with the housing types envisioned within §170-13 of the Somers Town Code, including 15% of the permitted basic density will be affordable dwelling units. Recreation amenities (including a Recreation Building and adjoining Recreation Area) also are components of the site plan.

10. The proposed units will be developed in an integrated fashion and provide residential stock that aligns with housing types suitable within the MFR-BP District. The proposed development will be an attractive feature of the area served by NYS Route 6 and Mahopac Avenue and specifically satisfy all requirements codified in §170-13 of the Somers Town Code.

11. The proposed Zoning Map amendment will yield significant benefits to the Town of Somers. Specifically, they will allow for the development of additional housing resources, of a type complementing the Subject Property's NYS Route 6 and Mahopac Avenue location, within the Town of Somers and County of Westchester. The development proposed by North Edge is consistent with the development pattern envisioned in §170-3 of the Town Code and with that prevailing along the Baldwin Place/NYS Route 6 corridor.

THE SUBJECT PROPERTY

12. The proposed development portion of the Subject Property will consist of approximately 15.62 acres and subject to the overlay sought. Approximately 0.81 acres contain wetlands/wetlands buffer, very steep slopes, (>25%) coinciding wetlands/wetlands buffer and steep slopes. Subtracting the 0.81 acres leaves a net development area of approximately 14.81 acres.

13. The Subject Property borders NYS Route 6 to the south. To the west are lands owned by the City of New York. Lands situated to the east are owned by the Yorktown Assembly of God, which property also partially borders the Subject Property to the north. The Subject Property is further bordered to the north by those premises that will remain within the ownership of Albert Gojcaj and Ann Marie Vielaj-Gojcaj. (*See*, Exhibits C, D).

14. The portion of the Subject Property fronting NYS Route 6 is currently zoned R-40 to a depth of 340 feet. The remainder of the Subject Property is currently zoned R-80.

VEHICULAR ACCESS

15. The Concept Plan for the Subject Property includes two vehicular accesses:
- Controlled egress and ingress with NYS Route 6, only right turn in and right turn out; and
 - Full movement egress and ingress to the property from the Assembly of God property to Mahopac Avenue via a private road.

PROPOSED IMPLEMENTATION OF ZONING

16. Chapter 173, Zoning, of the Town of Somers Town Code ("Zoning Code") currently provides four types of multifamily residence ("MFR") zoning districts subject to approval by the Town Board, consistent with an approved preliminary development concept plan. The existing MFR districts are described as the MFR-Baldwin Place ("MFR-BP") District, the MFR-Hamlet ("MFR-H") District, the MFR-Residence Downtown Hamlet ("MFR-DH") District and the Multifamily Residence Route 100 ("MFR-100") District. (*See*, Somers Town Code §170-13).

17. The Concept Plan meets each and every requirement of the MFR-BP District, (Section 170-13(A)1-17).

18. Importantly, the Concept Plan meets the requirement of "a tract shall have frontage on Route 6 and be located no further than 2,000 linear feet measured along Route 6, from the centerline of the intersection of Route 6 and Mahopac Avenue as measured to its property line closet to that intersection." (Somers Town Code § 170-13 (A)(3)).

TOWN OF SOMERS COMPREHENSIVE MASTER PLAN

19. The proposed implementation of the MFR-BP District and the related concept plan are consistent with Town of Somers planning objectives.

A. The 1994 Comprehensive Plan

20. The 1994 Comprehensive Master Plan, since revised, calls for the development of moderately high-density housing and the Town Plan Map specifically identifies land as potential multifamily housing sites. The 1994 Comprehensive Master Plan specifically states, “Moderately high density residential areas are appropriate in Baldwin Place, Whitehall Corners and Somers hamlet to increase housing opportunities in terms of type, cost and character as well as to provide a residential nucleus for these areas.” (1994 Comprehensive Master Plan, p. 2).

21. The seventy seven (77) housing units proposed meet the stated goals and objectives of the 1994 Comprehensive Master Plan. These goals have continued resonance in the current Comprehensive Plan, embodied in the Town of Somers Comprehensive Plan Update adopted February 11, 2016.

B. The 2016 Comprehensive Plan Update (Town Comprehensive Plan)

22. The Comprehensive Master Plan demonstrates that the proposed zoning amendments and the proposed development remain consistent with both Town planning objectives.

23. Goal #1 of the Comprehensive Plan recognizes the objective of the provision of a “range of housing types . . . , including affordable options” within the community. The proposed development, situated on the NYS Route 6 corridor, will expand housing resources

within the community. The need for housing, on a local and regional basis, is recognized. As observed by the Regional Plan Association, "New York State will need to build over 800,000 housing units during the next ten years to address current needs and meet expected population and job growth. <https://rpa.org/latest/lab/meeting-housing-need-and-the-pace-of-growth-in-new-york-state>.

24. These objectives are underscored in §5.3 of the Comprehensive Plan, and the proposed development of the Subject Property will expand housing opportunities (including affordable housing) within the Town of Somers.

25. The combination of the housing units proposed (of a density and type authorized in the MFR-BP District), coupled with a 15% affordable density, will expand market availability of housing as proposed in §5.3 of the Comprehensive Plan.

26. Likewise, the proposed development of the Subject Property is supported by objectives stated in §5.5 of the Comprehensive Plan addressed to the provision of multifamily dwellings in the Baldwin Place hamlet west of Mahopac Avenue and north of NYS Route 6. The seventy seven (77) units proposed are to be developed in an attached configuration and are in line with MFR-BP standards. These codified standards give actual expression to the Comprehensive Plan's goals and objectives, including those stated in §5.5.

CONCLUSION

27. The adoption of the proposed change to Zoning Map will serve to generate a positive tax base for the Town, increase employment opportunities and permit development of conveniently located residential housing.

WHEREFORE, North Edge Realty Corp. respectfully requests that, after due deliberation, the Town Board of the Town of Somers amend the Zoning Map and approve the proposed Concept Plan.

Dated: White Plains, New York
November 30, 2023

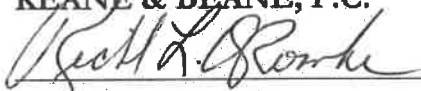
By: **KEANE & BEANE, P.C.**

Richard L. O'Rourke
Attorneys for North Edge Realty Corp.
445 Hamilton Avenue, 15th Floor
White Plains, New York 10601
(914) 946-4777

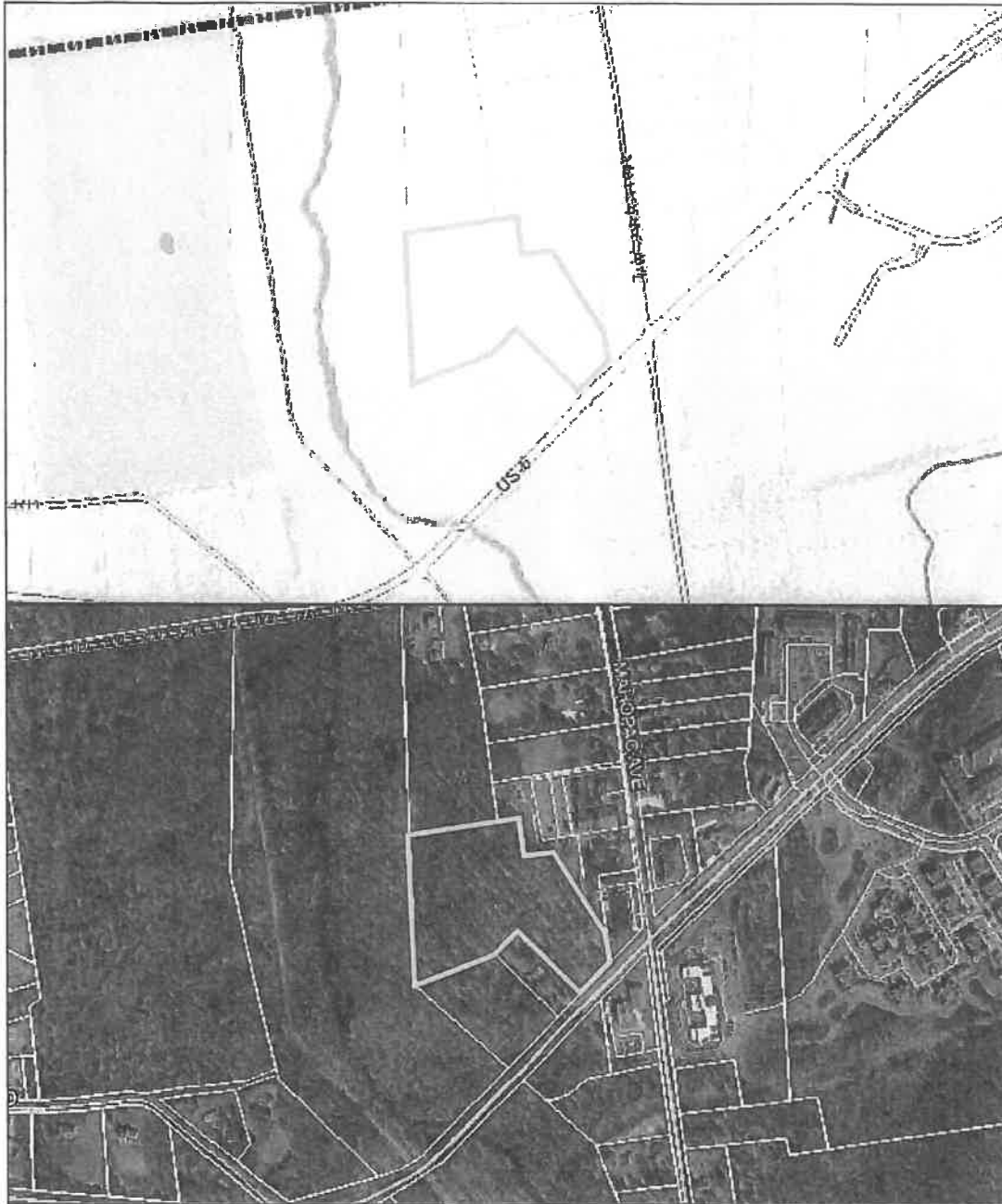
EXHIBIT A

Tax Parcel Maps

Address: 45 RTE 6

Print Key: 4.19-2-2

SBL: 00401900020020000000



Disclaimer:

This tax parcel map is provided as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should NOT be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact the assessor's office of the municipality.

Tax Parcel Maps

Address: 39 RTE 6

Print Key: 4.19-2-3

SBL: 00401900020030000000



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Tax Parcel Maps

Address: 43 RTE 6

Print Key: 4.19-2-4

SBL: 00401900020040000000



Disclaimer:

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EXHIBIT B

Tax Parcel Maps

Address: 5 COUNTY LINE DR

Print Key: 4.19-2-1

SBL: 00401900020010000000



Disclaimer:

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EXHIBIT C

EXHIBIT D

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



613084000CNT001M

Westchester County Recording & Endorsement Page

Submitter Information

Name: Keane & Beane, P.C. Phone: (914)946-4777
Address 1: 445 Hamilton Avenue Fax: (914)946-8868
Address 2: 15th Floor Email: Lamodeo@kblaw.com
City/State/Zip: White Plains NY 10601 Reference for Submitter: North Edge Realty

Document Details

Control Number: 613084000 Document Type: Contract (CNT)
Package ID: 2021110400421001001 Document Page Count: 5 Total Page Count: 6

Parties

☐ Additional Parties on Continuation page

1st PARTY

1: VULAJ-GOJCAJ ANN M
2: GOJCAJ ALBERT

- Individual
- Individual

1: NORTH EDGE REALTY CORP
2:

- Other

Property

☐ Additional Properties on Continuation page

Street Address: 5 COUNTY LINE DRIVE
City/Town: SOMERS

Tax Designation: 4.19-2-1
Village:

Cross-References

☐ Additional Cross-Refs on Continuation page

1: 2: 3: 4:

Supporting Documents

1: TP-584

Recording Fees

Statutory Recording Fee: \$40.00
Page Fee: \$30.00
Cross-Reference Fee: \$0.00
Mortgage Affidavit Filing Fee: \$0.00
RP-5217 Filing Fee: \$0.00
TP-584 Filing Fee: \$5.00
RPL 291 Notice Fee: \$0.00
Total Recording Fees Paid: \$75.00

Transfer Taxes

Consideration: \$0.00
Transfer Tax: \$0.00
Mansion Tax: \$0.00
Transfer Tax Number: 6873

Mortgage Taxes

Document Date:
Mortgage Amount:

Basic: \$0.00
Westchester: \$0.00
Additional: \$0.00
MTA: \$0.00
Special: \$0.00
Yonkers: \$0.00
Total Mortgage Tax: \$0.00

Dwelling Type: Exempt: ☐
Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 12/09/2021 at 02:46 PM
Control Number: 613084000
Witness my hand and official seal

Timothy C. Idoni

Timothy C. Idoni
Westchester County Clerk

Record and Return To

☐ Pick-up at County Clerk's office

Keane & Beane, P.C. (PJO)
445 Hamilton Avenue
15th Floor
White Plains, NY 10601
Attn: Patrick J. O'Sullivan, Esq.

MEMORANDUM OF CONTRACT

This is a Memorandum of that certain Contract of Sale, dated as of ^{November} ~~October~~ 12, 2021 (the "Agreement") by and between ANN MARIE VULAJ-GOJCAJ and ALBERT GOJCAJ, with an address at 5 County Line Drive, Mahopac, New York 10541 ("Seller"), and NORTH EDGE REALTY CORP., with an address at 48 Wood Street, Katonah, New York ("Purchaser").

For valuable consideration described in the Agreement, Seller has agreed to sell and Purchaser has agreed to purchase, under the terms and conditions set forth in the Agreement, approximately 4.024 Acres of unimproved land that is to be subdivided (the "Subdivided Parcel") from the 5.861 acres of the improved parcel having an address of 5 County Line Drive, Mahopac, New York 10541 and designated as Section 4.19, Block 2, Lot 1 in the Town of Somers, County of Westchester, New York, as more particularly described on Exhibit A attached hereto (the "Overall Parcel").

All moneys paid by Purchaser to Seller on the Agreement and the reasonable expenses of title and survey are a purchaser's lien on the Subdivided Parcel, but such lien shall not continue after a default by Purchaser under the Agreement.

The closing and transfer of title is to occur within 45 days from the filing of the subdivision plat subdividing the Overall Parcel and creating the Subdivided Parcel.

Dated this 12th day of ^{November} ~~October~~, 2021

SELLER:

Ann Marie Vulaj-Gojcay
Ann Marie Vulaj-Gojcay
Albert Gojcay
Albert Gojcay

PURCHASER:

North Edge Realty Corp.

By: Gus Boniello
Gus Boniello, President


Tared

STATE OF NEW YORK)

COUNTY OF Putnam)SS:

On the 19th day of October in the year 2021 before me, the undersigned, personally appeared ANN MARIE VULAJ-GOJCAJ, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the persons upon behalf of which the individual acted, executed the instrument.

CORY LEVINE
NOTARY PUBLIC, State of New York
No. 02LE5032826
Qualified in Putnam County
Term Expires Sept 6, 2022


Notary Public

CORY LEVINE
NOTARY PUBLIC, State of New York
No. 02LE5032826
Qualified in Putnam County
Term Expires Sept 6, 2022

STATE OF NEW YORK)
COUNTY OF Putnam)SS:

On the 19th day of October in the year 2021 before me, the undersigned, personally appeared ALBERT GOJCAJ, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the persons upon behalf of which the individual acted, executed the instrument.

CORY LEVINE
NOTARY PUBLIC, State of New York
No. 02LE5032826
Qualified in Putnam County
Term Expires Sept 6, 2022

CORY LEVINE
NOTARY PUBLIC, State of New York
No. 02LE5032826
Qualified in Putnam County
Term Expires Sept 6, 2022

STATE OF NEW YORK)
COUNTY OF WESTCHESTER)SS:

On the 5th day of November in the year 2021 before me, the undersigned, personally appeared GUS BONIELLO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the persons upon behalf of which the individual acted, executed the instrument.

KATIE L. HAUGE
Notary Public-State
of New York
No. 01HA6295185
Qualified in Putnam County
My Commission Expires Dec 30, 2021

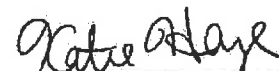

Notary Public

Exhibit A
(Legal Description of Overall Parcel Attached)

Schedule A Description

Revised: 09/04/2019

Page 1

Title Number BA-19-9859

ALL that certain plot, piece or parcel of land, situate lying and being in the Town of Somers, County of Westchester, State of New York, being bounded and describe as follows:

BEGINNING at a point on the southerly bounds of County Line Drive at the northwest corner of lands now or formerly Jear;

THENCE along the westerly bounds of said lands now or formerly Jear and also along the westerly bounds of lands now or formerly Nunes the two (2) following courses and distance:

- (1) South 01 degrees 09 minutes 59 seconds West a distance of 42.50 feet to a point;
- (2) South 01 degrees 09 minutes 59 seconds West a distance of 298.02 feet to a point to the north west corner of lands now or formerly Cahill;

THENCE along the westerly bounds of said lands now or formerly Cahill and also along the westerly bounds on lands now or formerly Yorktown Assembly of God the following three (3) courses and distances:

- (1) South 01 degrees 09 minutes 59 Seconds West a distance of 57.56 feet to a point;
- (2) South 03 degrees 31 minutes 49 Seconds West a distance of 112.24 feet to a point;
- (3) South 03 degrees 31 minutes 49 Seconds West a distance of 340.00 feet to a point at the northerly bounds of lands now or formerly St Agnes Hospital;

THENCE along the northerly bounds of said lands now or formerly St Agnes Hospital, North 86 degrees 28 minutes 11 seconds West a distance of 346.77 feet to a point at the easterly bounds of lands now or formerly City of New York;

THENCE along the easterly bounds of said lands now or formerly City of New York the following two (2) courses and distances:

- (1) North 09 degrees 57 minutes 17 seconds East a distance of 896.49 feet to a point;
- (2) North 17 degrees 45 minutes 57 seconds East a distance of 5.00 feet to a point;

THENCE South 86 degrees 02 minutes 43 seconds East a distance of 99.93 feet to a point to a point on the westerly bounds of County Line Drive;

THENCE along the said bounds of County Line Drive the following three (3) courses and distances:

- (1) South 18 degrees 55 minutes 34 seconds West a distance of 21.45 feet to a

Continued On Next Page

Schedule A Description - continued

Title Number BA-19-9859

Revised: 09/04/2019

Page 2

point;

(2) South 02 degrees 01 minutes 38 seconds West a distance of 24.32 feet to a point;

(3) South 86 degrees 28 minutes 11 seconds East a distance of 133.94 feet to a point which is the point or place of BEGINNING.

FOR INFORMATION ONLY:

Tax Designation:

County: Westchester, Town of Somers

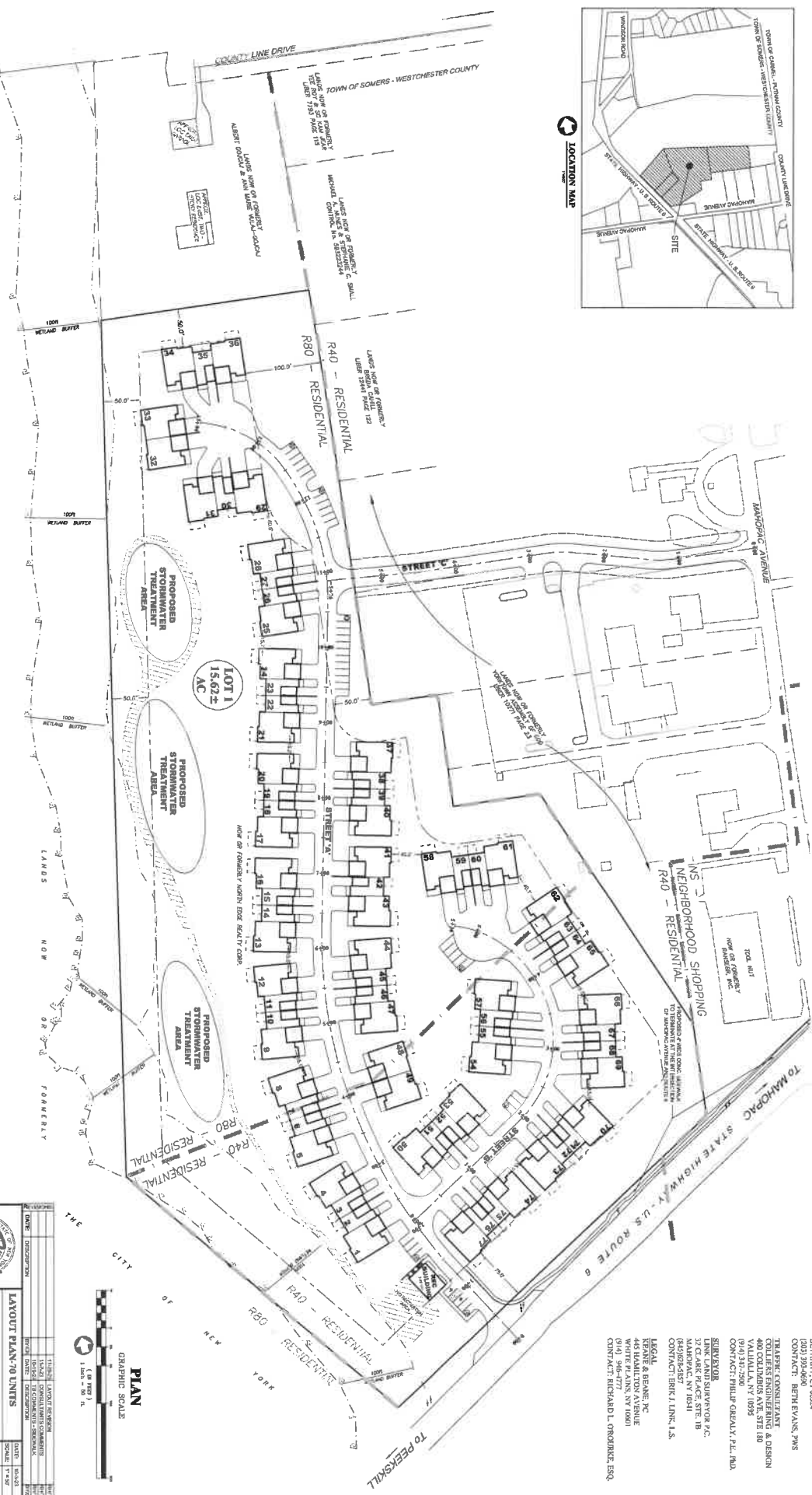
Tax Section: 4.19

Tax Block: 2

Tax Lot: 1

Address: 5 County Line Drive, Town of Somers

ZONING CONFORMANCE TABLE - (MFB&BP DISTRICT)											
LOT #	LOT AREA	NET LOT AREA	COVERAGES	BUILDING SETBACKS		BUILDING HEIGHT	REGULATORY MAX. A COVERAGES	PARKING	RECREATION FURNITURE	RECREATION FURNITURE 1 PER 10 VARIATIONS	
				REQUIRED							
10 ADJACENT	2006 BUILDING	40% IMPERVIOUS	STREET (15%)	LOT LINE (10%)	ADJACENT TO NEIGHBORING LOT LINE (10%)	5-12 (10)	STITCHES (12)	1.5% ENERGY USE REDUCTION IN 24 HOURS	MIN. 5% MAX. 5% 20% MAX. FOR VARIATIONS	8	
											PROVIDED
1560 ACRES	1487 ACRES	18.2% (277 AC)	33.1% (62.9 AC)	7%	60'	50.0' TYPICAL	2	1-1.5% (1.500 FT MIN. DRAIN + 2.500 FT MIN. DRAIN + 2.500 FT MIN. DRAIN + 2.500 FT MIN. DRAIN)	2-4%	112	8

[illegible]

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: The North Edge at Somers		
Project Location (describe, and attach a general location map): 45 Route 6 (Birdsall Road) Somers, NY		
Brief Description of Proposed Action (include purpose or need): The proposed project consists of 77 units of multi-family housing utilizing MFR-BP zoning designation. The project is proposed on 15.62 acres with access proposed from Route 6 and via a proposed 0.6 acre easement from Mahopac Avenue. The project proposes to utilize existing water and sewer along Route 6. Additionally, an essential component to this proposed action is the property owner's offer to provide substantial recreation opportunities and improvements to the environment by removal of the Angle Fly condos and restoration of that area for use by future generations. This recreation and environmental enhancement is being offered as mitigation of impacts that may result from the development of the above-described property. The enhancement of the Angle Fly area shall inure to the benefit of the residents of the Town of Somers.		
Name of Applicant/Sponsor: North Edge Realty Corp., Gus Boniello		Telephone: (914) 245-9000
		E-Mail: gtboniello@aolcom
Address: 165 Waccabuc Road		
City/PO: Goldens Bridge	State: NY	Zip Code: 10526
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Adoption /mapping of MFR-BP District, Concept Plan, Sewer District Expansion	August 2023
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Subdivision, Site plan, Tree removal and Steep Slopes	
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Realty Subdivision, water supply facilities, sewer main approval.	
f. Regional agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYCDEP - SWPPP and Sewer Works	
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC SPDES Permit, NYSDOT Highway work permit	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify the plan(s): NYC Watershed Boundary _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s): _____ _____ _____	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
R-40 Residential, R-80-Residential, MFR-BP Zoning Designation.

b. Is the use permitted or allowed by a special or conditional use permit? ☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☒ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? MFR-BP Designation.

C.4. Existing community services.

a. In what school district is the project site located? Somers Central School District

b. What police or other public protection forces serve the project site?

New York State Police and Town of Somers Police

c. Which fire protection and emergency medical services serve the project site?

Somers Fire Department provides fire protection and EMS services

d. What parks serve the project site?

Town of Somers and County Parks

D. Project Details**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Residential

b. a. Total acreage of the site of the proposed action? 16.2 (inc. area of Prop. Easement) acres
b. Total acreage to be physically disturbed? 12.5 (inc. area of Prop. Easement) acres
c. Total acreage (project site and any contiguous properties) owned
or controlled by the applicant or project sponsor? 16.2 (inc. area of Prop. Easement) acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☒ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
Residential

ii. Is a cluster/conservation layout proposed? ☐ Yes ☒ No

iii. Number of lots proposed? 78 (77 Residential / 1 open space)

iv. Minimum and maximum proposed lot sizes? Minimum 0.04 ac +/- Maximum 12.5 +/-

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: 24 months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	77			
At completion				
of all phases	77			

g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
<ul style="list-style-type: none"> • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ 	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water?

☒ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: 21,230 (app 193 bed's x 110 gpd) gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☒ Yes ☐ No

If Yes:

- Name of district or service area: Amawalk Heights Water District
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☐ Yes ☒ No

iii. Will line extension within an existing district be necessary to supply the project?

☒ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: Tap the existing main to extend into the project site
- Source(s) of supply for the district: Amawalk Reservoir and Catskill Aqueduct

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☒ No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes?

☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: 21,230 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): Sanitary Waste

iii. Will the proposed action use any existing public wastewater treatment facilities?

☒ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: Peekskill Wastewater Treatment Plant - Westchester County
- Name of district: Peekskill
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☒ No
- Is expansion of the district needed? ☒ Yes ☐ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ <p>Tap the existing main to extend into the project site _____</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ <p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____</p> <p>_____</p> <p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p>_____ Square feet or <u>5.2*</u> acres (impervious surface)</p> <p>_____ Square feet or <u>16.2*</u> acres (parcel size)</p> <p>ii. Describe types of new point sources. Runoff from proposed roofs, driveways and roads _____</p> <p>*Note: Includes proposed easement area and access driveway (4.9 acres imp onsite, 0.3 in easement area, Parcel Area 15.6 ac, easement area 0.6 ac)</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____</p> <p>All stormwater will be captured and treated in accordance with Town and State Standards. _____</p> <p>_____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ <li style="padding-left: 20px;">Offsite NYSDEC wetland / stream _____ <p>_____</p> <ul style="list-style-type: none"> • Will stormwater runoff flow to adjacent properties? _____ 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____</p> <p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No		
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7 am to 6 pm • Saturday: _____ 7 am to 6 pm • Sunday: _____ - • Holidays: _____ - </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7 am to 6 pm • Saturday: _____ 7 am to 6 pm • Sunday: _____ - • Holidays: _____ - 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7 am to 6 pm • Saturday: _____ 7 am to 6 pm • Sunday: _____ - • Holidays: _____ - 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?</p> <p>Describe: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>n. Will the proposed action have outdoor lighting?</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>Lighting consistence with typical residential developments _____</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?</p> <p>Describe: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day?</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>ii. Will the proposed action use Integrated Pest Management Practices?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☒ Urban ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☒ Rural (non-farm)
☒ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

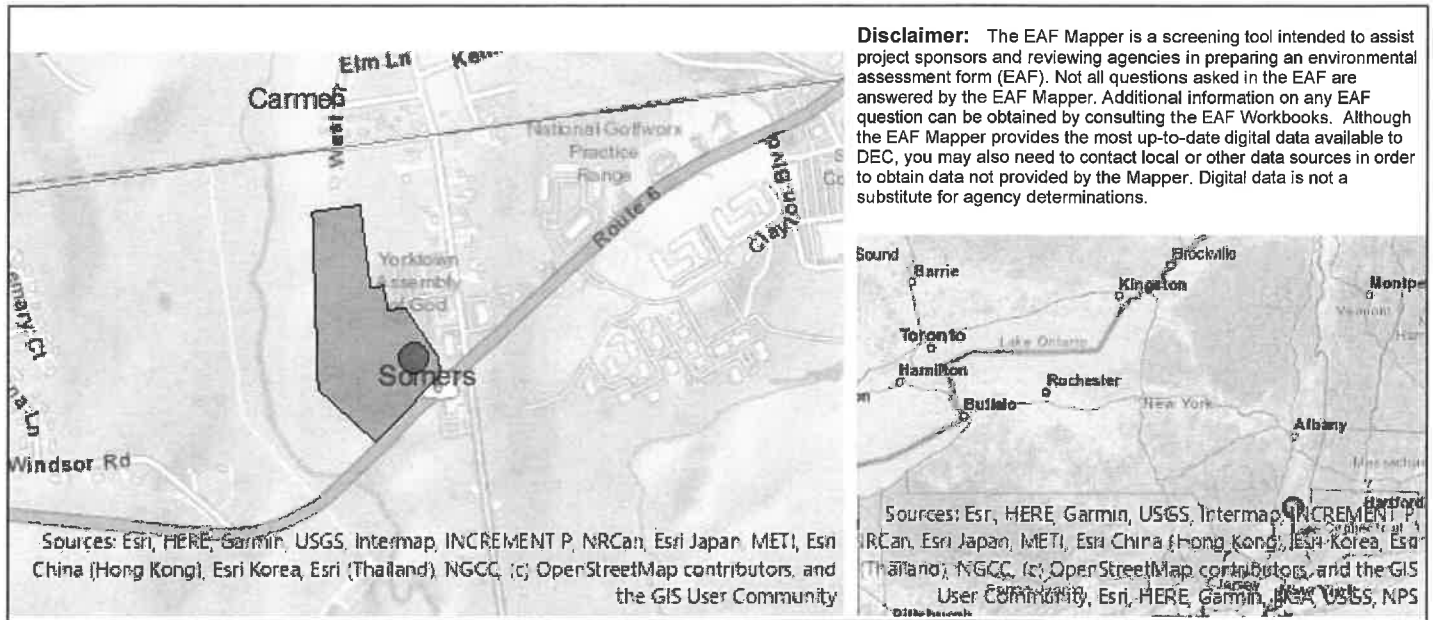
b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.1	5.2	5.1
• Forested	14.7	4.2	-10.5
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: Lawn	1.4	6.8	5.4

c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, i. Identify Facilities: Yorktown Assembly of God Private School adjacent to site, Senior Living Facility Northeast of site _____	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: i. Has the facility been formally closed? <ul style="list-style-type: none"> • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes – Spills Incidents database Provide DEC ID number(s): _____ <input type="checkbox"/> Yes – Environmental Site Remediation database Provide DEC ID number(s): _____ <input type="checkbox"/> Neither database	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____	
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____	

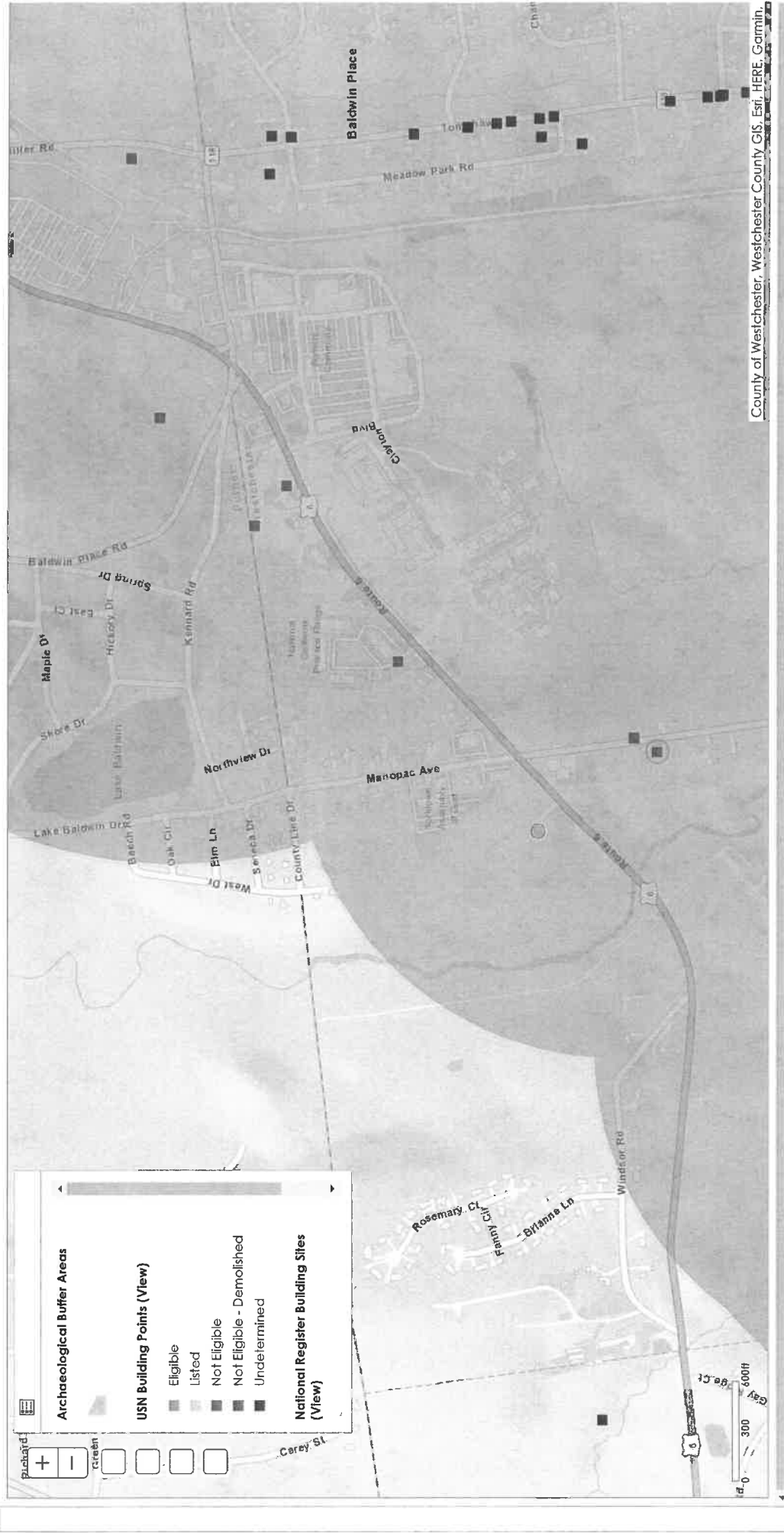
v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
<ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ 													
E.2. Natural Resources On or Near Project Site													
a. What is the average depth to bedrock on the project site? _____ >7' feet													
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %													
c. Predominant soil type(s) present on project site: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Paxton - C Soils</td> <td style="width: 40%; text-align: right;">98 %</td> </tr> <tr> <td>Ridgebury - D soils</td> <td style="text-align: right;">2 %</td> </tr> <tr> <td>_____</td> <td style="text-align: right;">%</td> </tr> </table>		Paxton - C Soils	98 %	Ridgebury - D soils	2 %	_____	%						
Paxton - C Soils	98 %												
Ridgebury - D soils	2 %												
_____	%												
d. What is the average depth to the water table on the project site? Average: _____ >7' feet													
e. Drainage status of project site soils: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;"><input type="checkbox"/> Well Drained:</td> <td style="width: 60%; text-align: right;">_____ % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Moderately Well Drained:</td> <td style="text-align: right;">98 % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Poorly Drained</td> <td style="text-align: right;">2 % of site</td> </tr> </table>		<input type="checkbox"/> Well Drained:	_____ % of site	<input checked="" type="checkbox"/> Moderately Well Drained:	98 % of site	<input checked="" type="checkbox"/> Poorly Drained	2 % of site						
<input type="checkbox"/> Well Drained:	_____ % of site												
<input checked="" type="checkbox"/> Moderately Well Drained:	98 % of site												
<input checked="" type="checkbox"/> Poorly Drained	2 % of site												
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;"><input checked="" type="checkbox"/> 0-10%:</td> <td style="width: 60%; text-align: right;">66 % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> 10-15%:</td> <td style="text-align: right;">13 % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> 15% or greater:</td> <td style="text-align: right;">21 % of site</td> </tr> </table>		<input checked="" type="checkbox"/> 0-10%:	66 % of site	<input checked="" type="checkbox"/> 10-15%:	13 % of site	<input checked="" type="checkbox"/> 15% or greater:	21 % of site						
<input checked="" type="checkbox"/> 0-10%:	66 % of site												
<input checked="" type="checkbox"/> 10-15%:	13 % of site												
<input checked="" type="checkbox"/> 15% or greater:	21 % of site												
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe: _____													
h. Surface water features. <ul style="list-style-type: none"> i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No ii. Do any wetlands or other waterbodies adjoin the project site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes to either i or ii, continue. If No, skip to E.2.i. <ul style="list-style-type: none"> iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name _____</td> <td style="width: 50%;">Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name NYS Wetland _____</td> <td>Approximate Size NYS Wetland (in a... _____</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">ML-10 _____</td> </tr> </table> 		• Streams:	Name _____	Classification _____	• Lakes or Ponds:	Name _____	Classification _____	• Wetlands:	Name NYS Wetland _____	Approximate Size NYS Wetland (in a... _____	• Wetland No. (if regulated by DEC)	ML-10 _____	
• Streams:	Name _____	Classification _____											
• Lakes or Ponds:	Name _____	Classification _____											
• Wetlands:	Name NYS Wetland _____	Approximate Size NYS Wetland (in a... _____											
• Wetland No. (if regulated by DEC)	ML-10 _____												
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____													
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
k. Is the project site in the 500-year Floodplain? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No													
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <ul style="list-style-type: none"> i. Name of aquifer: Principal Aquifer _____ 													

m. Identify the predominant wildlife species that occupy or use the project site: <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> RABBITS, FOX, MICE, BEARS COYOTES, SNAKES, OPUSSUM SKUNKS, RACCOONS, SQUIRRELS </div> <div style="width: 30%;"> DEER, TURKEYS, BIRDS BEAVER, PORCUPINE, MUSKRAT MOLE, DUCKS </div> <div style="width: 30%;"> BATS, SALAMANDERS _____ _____ </div> </div>		
n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres		
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Species and listing (endangered or threatened): _____ _____ _____		
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Species and listing: _____ _____ _____		
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____ _____		
E.3. Designated Public Resources On or Near Project Site		
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide county plus district name/number: _____		
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____		
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____		
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. CEA name: <u>Baldwin Place Area</u> ii. Basis for designation: <u>Difficulties w/ portable water source</u> iii. Designating agency and date: <u>Agency: Somers, Town of, Date: 9-26-90</u>		



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYC Watershed Boundary
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):32.9
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	ML-10
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No

E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	Yes
E.3.d [Critical Environmental Area - Name]	Baldwin Place Area
E.3.d.ii [Critical Environmental Area - Reason]	Difficulties w/ portable water source
E.3.d.iii [Critical Environmental Area – Date and Agency]	Agency:Somers, Town of, Date:9-26-90
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



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The EAF Mapper checks "Yes" for question E.3.f because the project site is within an area around sites that were inventoried and determined as not eligible for Historic Listing. The mapper indicates that there are no listed sites within several thousand feet of the project site.



November 28, 2023

To whom it may concern,

This letter is to confirm that we, Yorktown Assembly of God church, located at 253 Mahopac Avenue, Yorktown Heights, NY 10598, and the Boniello Development group have agreed to move an existing easement, that gives Boniello Development access to Mahopac Avenue through our property, to a location more prudent for the regular vehicle and pedestrian traffic patterns we experience.

Gus Boniello and his team met with myself, our Senior Pastor, Rev. Don Foster, and our church board several times over the course of the winter of 2023 to discuss the existing easement that runs across our property to their property. Gus and his team graciously offered us to continue with the existing easement, as well as offered us two other options for an easement to try to work with us on which would be best for our church and school's daily function. We agreed upon moving the easement to our existing property's exit as that would work best for us in efficiency of traffic flow, as well as the safety of our congregants and students when entering and exiting the building.

The Boniello Development group observed during their frequent visits to our property our dire need for new blacktop. In the spring of 2023, they graciously offered to blacktop our property and adjacent parsonage driveways at no cost to us. In September 2023, they did an incredible job blacktopping our entire property. We are so incredibly blessed by this generous donation and the quality and care they took in doing so.

We are happy to welcome Boniello Development to our neighborhood and we are so grateful for the care they have taken to care of God's house and their community.

If you need any other information on this agreement, please do not hesitate to contact me at (914) 628-7444 or lisawain@yorktownag.com.

Blessings,

A handwritten signature in dark ink, appearing to read "Lisa Wain", written over a horizontal line.

Lisa Wain
Executive Pastor
Yorktown Assembly of God

NORTH EDGE REALTY CORP.

August 23, 2023

Supervisor Robert Scorrano and
Members of the Somers Town Board
Town of Somers Town Hall
335 Route 202
Somers, NY 10589

Re: Zoning Petition
North Edge Realty Corp., SBL
4.19-2-2, 4.19-2-3, 4.19-2-4 and Contract
Vendee of Portion of SBL 4.19-2-1

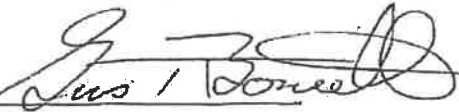
Dear Supervisor Scorrano and Town Board Members:

On behalf of North Edge Realty Corp., owner of property bearing Tax Assessment Map designation SBL 4.19-2-2, 4.19-2-3, 4.19-2-4 and contract vendee for a portion of 4.19-2-1, I hereby authorize Keane & Beane, P.C., or its designee, to file the attached Zoning Petition seeking the adoption of a Multifamily Residence zone district and its application to the above-referenced property. I am duly authorized by North Edge Realty Corp. to provide the consent granted herein to Keane & Beane, P.C..

Thank you for your consideration.

Very truly yours,

North Edge Realty Corp.

By: 

Name: Gus Boniello

Title: President

TAX MAP MAINTENANCE PROPOSAL FOR THE TOWN OF SOMERS, NY

For processing data recorded 01/01/2024 through 12/31/2024

October 2, 2023

Cartographic Associates, Inc., a New Hampshire corporation doing business as CAI Technologies, with its office located at 11 Pleasant Street, in Littleton, N.H. 03561, hereinafter called CAI, proposes to the Town of Somers, NY, hereinafter called the CLIENT, to provide professional mapping services according to the specifications, terms, and conditions below written:

SCOPE OF SERVICES

A. Compilation

1. CAI shall review and incorporate all subdivisions, boundary line adjustments and surveys and make any required property line, area, and/or frontage changes.
2. CAI shall review all title conveyance deeds and make any required changes. - N/A*
3. CAI shall calculate the area of any parcel that is changed as a result of the above Items 1 and 2, following professionally accepted roundoff rules.
4. If copies of the property record cards for parcels with new or changed buildings, including the building sketches, are provided, CAI shall use the most recent available orthoimagery to accurately place building footprints.
5. CAI shall review information from the previous tax year, regarding problem areas and shall attempt to resolve any discrepancies or problems in a fair and equitable manner for tax assessment purposes.
6. As all the above referenced data are compiled throughout the year, CAI shall mark each document confirming the intent stated therein. If the intent is not a direct conveyance, CAI shall label the document appropriately with the new parcel number and area.
7. All data shall be incorporated and formatted in a manner consistent with the existing map/GIS data.
8. All work shall be reviewed and checked for errors and preliminary PDFs shall be provided for review prior to finalizing the annual service.

B. Computer Map Index Services - N/A*

1. CAI shall maintain an index of property records that corresponds to the the property maps.
2. All index changes shall be coded in the change field as follows:

M1 - Name/Book and Page	A - Add New Lot
M2 - Area	D - Delete Lot
M3 - Parcel Id Number (i.e. Map and/or Lot number	
M4 - Multiple of M1, M2, M3	
M5 - Other (such as plan name or plan lot number)	
3. CAI shall provide computer index printouts to the CLIENT sorted as follows:
 - a. Numerical by map and lot number
 - b. Alphabetical by owner's name
 - c. Change list by change code with secondary sorting by map and lot
 - d. Other index printouts will be available upon request, at current CAI prices

C. GIS

1. All digital files will be processed using Esri GIS software.
2. All data will be checked for topology errors and corrected.
3. GIS data will be delivered in Esri's shape file, geodatabase, or other format, depending on the format of the existing data.

D. Responsibilities of the CLIENT

1. The CLIENT shall provide a copy of each deed, keyed to the correct map and lot. - N/A*
2. The CLIENT shall provide a print of each subdivision plan, boundary adjustment plan, and map to be incorporated, keyed to the correct map & lot.
3. The CLIENT shall acquire as much information as possible about any questions and/or problems.
4. If buildings are to be added or changed, the CLIENT shall provide a copy of the appropriate Property Record Card, including the building sketch.
5. The CLIENT shall notify CAI of approval of preliminary PDFs or edits to be made within thirty days of receipt of said preliminary PDFs.

ADMINISTRATIVE

A. Documenting Progress

1. An officer of CAI shall be responsible for monitoring and documenting the progress of the maintenance process.
2. Flow charts shall be maintained, monitoring the progress of the maintenance procedure; the purpose of which is to be able to inform the CLIENT of exactly where the project stands at any given time. The charts shall include the following:

a. receipt date of data to be processed	e. completion date of second draft
b. completion date of compilation	f. date printed
c. completion date of first draft	g. date shipped
d. completion date of checking	

TIMING

CAI shall complete and deliver the work described within 45 days of the receipt of the final information to be incorporated as defined in this proposal.

COST

Map/GIS Maintenance Service	\$4,300.00
Building Footprints (if building sketches are provided as described above)	\$20.00/building added or changed

DELIVERABLES

Deliverables shall include two (2) complete sets reduced size tax map prints and GIS data, all current to June 1st, PDFs

PAYMENT

Payment shall be made to CAI within thirty (30) days of invoicing, per terms of the invoice. Said invoicing shall be done on a quarterly basis throughout the project cycle, unless other payment arrangements have been made.

GUARANTEE

CAI shall guarantee all data generated against any errors or omissions for one (1) full year from the date of delivery. This guarantee does not include any changes due to data not made available under the terms of this proposal or any new information that is made available subsequent to the delivery date.

TAX MAP MAINTENANCE CONTRACT FOR THE TOWN OF SOMERS, NY

For processing data recorded 01/01/2024 through 12/31/2024

This is a contract made this 2 day of October, 2023, between Cartographic Associates, Inc., a New Hampshire corporation doing business as CAI Technologies, with its office located at 11 Pleasant Street, Littleton, NH 03561, hereinafter called CAI, and the Town of Somers, NY, hereinafter called the CLIENT, to provide professional mapping services according to the specifications, terms, and conditions below written.

Witnesseth, the above parties agree as follows:

1. All work shall be done according to the Tax Map Maintenance Proposal, dated October 2, 2023, hereto annexed. It is the intent of the parties that the above referenced proposal be considered a part of this contract, the same as if fully incorporated into this contract.
2. The CLIENT shall pay \$4,300.00 for the map/GIS maintenance services under this contract. If Property Record cards, including building sketches are provided, the CLIENT shall pay an additional \$20.00/building added or changed. There will be no additional charge if Property Record cards are not provided.
3. CAI agrees that this contract shall not be assigned, transferred, conveyed, or otherwise disposed of without the previous express written consent of the CLIENT and neither shall said CAI's right, title, interest, or power to execute such contract be assigned, transferred, conveyed or otherwise disposed of without written consent of the CLIENT.
4. The Parties executing this contract agree that the above recitals constitute the entire agreement between the parties for the requested mapping services.

This contract shall be construed under the laws of the State of New York.

The parties hereto have executed this agreement by their duly authorized officers.

Town of Somers, NY

CAI Technologies

BY: _____
TITLE: _____



Franco D. Rossi
President

BY: _____
TITLE: _____

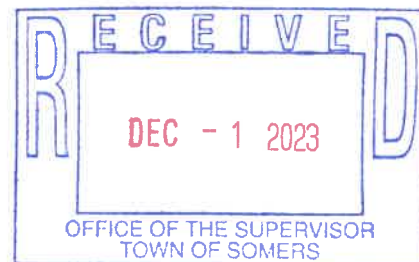
BY: _____
TITLE: _____

BY: _____
TITLE: _____

Sent to (email version)
TB, TA, TC
11/30/23
KD



WESTCHESTER COUNTY CLERK



Timothy C. Idoni
County Clerk

November 21, 2023

**Revised Agreement*

Robert Scorrano, Supervisor
Town of Somers
Town House
335 Route 202
Somers, NY 10589

Dear Supervisor Scorrano,

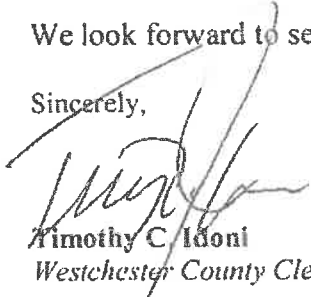
The Office of the Westchester County Clerk is very pleased to be able to continue to provide your municipality with access to Westchester Records Online (wro.WestchesterClerk.com) which allows your staff to access millions of records on file free of charge, including foreclosure reports. In addition, municipalities are given exclusive access to essential abstracts of real estate transactions to assist tax assessors.

Enclosed is the Memorandum of Understanding (MOU) that will allow your staff remote access to the County Clerk's Westchester Records Online (WRO) through December 31, 2024, provided that our office receives the signed document and attachments.

Please return the signed MOU and the updated subscriber fact sheet before December 10, 2023 to the attention of Ms. Larena Robertson, Office of the Westchester County Clerk, 110 Dr. Martin Luther King Jr. Blvd., White Plains, New York 10601. If you have any questions or concerns about the enclosed, please contact Ms. Robertson at (914) 995-3085 or via email at LMJ1@westchestercountyny.gov.

We look forward to serving your municipality.

Sincerely,


Timothy C. Idoni
Westchester County Clerk

2. **Confidentiality:** The Licensee agrees that, except in accordance with proper judicial order or as otherwise provided by law, the Licensee and any person employed, or otherwise engaged, by such Licensee who by virtue of such employment or engagement is given access to the County Clerk's Office land and legal records pursuant to this License, shall not divulge or make known in any manner any confidential information, such as social security numbers, contained in such records.

3. **Conduct of Operations:** The Licensee assumes all risk of operation and shall provide, at its sole cost and expense, all equipment and hardware, as determined by the County, necessary to gain access to the County Clerk's records. The County shall not be responsible as a bailee or otherwise for any equipment or hardware or other personal property of the Licensee, or its employees, used to gain remote access. The Licensee hereby waives any claim for loss or damages sustained to any personal property, including, without limitation, theft or other casualty.

The Licensee further agrees:

(a) that except for the amount, if any, of damage contributed to, caused by or resulting from the sole negligence of the County, the Licensee shall indemnify and hold harmless the County, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorneys' fees, or loss arising directly or indirectly out of the acts or omissions hereunder by the Licensee and third parties under the direction or control of the Licensee; and

(b) to provide defense for and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly arising out of this License and to bear all other costs and expenses related thereto.

(c) that in the event the Licensee does not provide the above defense and indemnification to the County, and such refusal or denial to provide the above defense and indemnification is found to be in breach of this provision, then the Licensee shall reimburse the County's reasonable attorney's fees incurred in connection with the defense of any action, and in connection with enforcing this provision of the License.

4. **Term and Termination:** The term of this License shall be for a period of one year commencing on January 1, 2024 and terminating on December 31, 2024, with the County Clerk's option to extend the License for four additional one-year periods on the same terms and conditions. This License shall be extended for an additional one-year period automatically upon Licensee's receipt of a letter notice from the County Clerk advising Licensee of the County Clerk's decision to exercise its option and extend this License for an additional one year period.

In addition, this License may be terminated by the County upon thirty (30) days written notice to the Licensee when, in its sole discretion, the County deems it in its best interest to do so. Licensee shall have the right to terminate this License upon thirty (30) days written notice to the County when, in its sole discretion, Licensee deems it in its best interest to do so.

5. **No Lease**: It is expressly understood and agreed that no equipment or space is leased to the Licensee. No exclusive rights for remote access (other than the licensed user IDs granted herein) are granted by this License.

6. **Notices**: All notices of any nature referred to in this License shall be in writing and either sent by regular mail or overnight courier, or sent by facsimile (with acknowledgement received and a copy of the notice sent by overnight courier), to the respective addresses set forth below or to such other addresses as the respective parties hereto may designate in writing. Notice shall be effective on the date of receipt, or in the case of notices sent by regular mail, notice shall be effective three business days after the date of mailing.

To the County:

Hon. Timothy C. Idoni
Westchester County Clerk
110 Dr. Martin Luther King, Jr. Blvd.
White Plains, New York 10601

And a copy to:

County Attorney
Michaelian Office Building, Room 600
148 Martine Avenue
White Plains, New York 10601

To the Licensee:

With a copy to:

Such addresses shall be subject to change from time to time as may be specified in writing.

7. **Assignment**: It is understood and agreed that this License and the privileges granted hereunder are exclusively personal in nature and the Licensee may not assign, convey, sell, transfer (including, but not limited to, an attempt to transfer this License pursuant to a sale or transfer of all or part of this Licensee's assets), or otherwise dispose of this License. Any attempted or purported assignment, subletting, or transfer of this License or any rights granted hereunder without the express written consent of the County is void.

8. **Entire Agreement:** This License and its attachments constitute the entire agreement between the parties hereto with respect to the subject matter hereof and shall not be enforceable until signed by both parties and approved by the Office of the County Attorney.

Signed this _____ day of _____, 20____

THE COUNTY OF WESTCHESTER

By: _____
Timothy C. Idoni, County Clerk

LICENSEE

By: _____

Print Name: _____

Title: _____

Date: _____

Approved as to form and manner of execution

Assistant County Attorney
The County of Westchester

MUNICIPALITY'S ACKNOWLEDGMENT

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

On this _____ day of _____ 20__, before me, the undersigned,
personally appeared _____, personally known to me or proved to me on the
basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within
instrument and acknowledged to me that he/she is the _____
of _____, the municipal corporation
described in and which executed the within instrument, who being by me duly sworn did depose and
say that he/she executed the same in his/her capacity, and that by his/her signature(s) on the
instrument, the municipal corporation executed the instrument.

Notary Public

**CERTIFICATE OF AUTHORITY
(Municipality)**

I, _____,
(Officer other than officer signing contract)
certify that I am the _____ of the
(Title)

(Name of Municipality)

(the "Municipality"), a corporation duly organized and in good standing under the

(Law under which organized, e.g., the New York Village Law, Town Law, General Municipal Law)
named in the foregoing agreement; that _____,
(Person executing agreement)

who signed said agreement on behalf of the Municipality was, at the time of execution
_____ of the Municipality, and that said
(Title of such person),

agreement was duly signed for and on behalf of said Municipality by authority of its
_____, thereunto duly authorized and
(Town Board, Village Board, City Council)

that such authority is in full force and effect at the date hereof.

(Signature)

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

On this _____ day of _____, 20____, before me, the undersigned, personally appeared
_____, personally known to me or proved to me on the basis of
satisfactory evidence to be the individual whose name is subscribed to the above certificate and
acknowledged to me that he/she executed the above certificate in his/her capacity
as _____ of _____,
(Title) (Municipality)
the municipal corporation described in and which executed the within instrument.

Notary Public



Office of Westchester County Clerk
Timothy C. Idoni

Municipal Subscriber Fact Sheet Town of Somers 2024

**Please correct any incorrect information*

Contact Name and Address: Teresa A. Stegner, Assessor
Town of Somers
Town House
335 Route 202
Somers, NY 10589

Contact Phone Number: 914-277-3504

Contact Fax Number: 914-277-3790

Contact e-mail address: tstegner@somersny.com

Current User IDs:

SOM01 - Teresa Stegner - tstegner@somersny.com
SOM02 - Barbara Brandt - bbrandt@somersny.com
SOM03 - Steven Woelfle - swoelfle@somersny.com
SOM04 - David Smith - directorofplanning@somersny.com
SOM05 - Patricia Kalba - pkalba@somersny.com

Please note that email addresses are now required for each User ID. If additional User IDs are requested, please advise of the name and title of the employee for whom you are requesting a User ID, along with a brief description of why that employee will need to access our records:

Sent to:
TB, TA, TC
11/29/23
KO

Highway Department

Town of Somers

WESTCHESTER COUNTY, N.Y.

250 RT. 100
P.O. BOX 281

TELEPHONE
(914) 232-4848
FAX
(914) 232-0150

NICHOLAS DEVITO
Superintendent of Highways

PAUL WESTHOFF
Deputy Supt. of Highways



MEMO TO: SUPERVISOR
TOWN BOARD

FROM: NICHOLAS DEVITO
SUPT. OF HIGHWAYS

DATE: November 27, 2023

RE: AUTHORIZE - OUT OF TITLE ADJUSTMENT

The Superintendent of Highways requests the Town Board to authorize Out of Title Adjustment to Catherine DiSisto Secretary to Superintendent of Highways, in the amount of \$4,000.00 for 2023 calendar year.

If you have any questions, please feel free to contact me at any time.

Yours truly,

Nicholas DeVito
Supt. of Highways

Cc: Town Clerk
Cc: Finance

Sent to:
TBAITC 11/30/23
KB

Kim DeLucia

From: Steve Ralston
Sent: Thursday, November 30, 2023 1:40 PM
To: Kim DeLucia
Cc: Bob Kehoe; Robert Scorrano
Subject: FW: Vacation payout

Kim

Per input from Rob and Bob please amend to twenty five.

Thank you

Steve Ralston
Superintendent
Parks and Recreation
Town of Somers
Phone (914) 232-8441
Fax (914) 232-8548

From: Steve Ralston
Sent: Wednesday, November 29, 2023 8:25 AM
To: Kim DeLucia <kdelucia@somersny.com>
Subject: FW: Vacation payout

Kim

Please add to the agenda. Request to be paid 15 days of 2023 unused vacation time.

Thank you

Steve Ralston
Superintendent
Parks and Recreation
Town of Somers
Phone (914) 232-8441
Fax (914) 232-8548

From: Bob Kehoe <rkehoe@somersny.com>
Sent: Monday, November 27, 2023 11:37 AM
To: Steve Ralston <sralston@somersny.com>
Subject: RE: Vacation payout

I would ask for the same payout.

From: Steve Ralston <sralston@somersny.com>
Sent: Monday, November 27, 2023 11:35 AM
To: Bob Kehoe <rkehoe@somersny.com>
Subject: FW: Vacation payout

Last year

Steve Ralston

Superintendent
Parks and Recreation
Town of Somers
Phone (914) 232-8441
Fax (914) 232-8548

From: Steve Ralston
Sent: Monday, December 12, 2022 12:56 PM
To: Bob Kehoe <rkehoe@somersny.com>
Subject: RE: Vacation payout

Yes, please , thank you

Steve Ralston

Superintendent
Parks and Recreation
Town of Somers
Phone (914) 232-8441
Fax (914) 232-8548

From: Bob Kehoe <rkehoe@somersny.com>
Sent: Monday, December 12, 2022 12:22 PM
To: Steve Ralston <sralston@somersny.com>
Cc: Kim DeLucia <kdelucia@somersny.com>; Robert Scorrano <rscorrano@somersny.com>
Subject: Vacation payout

Steve,

Please confirm your request to be paid 15 days of vacation for 2022 by responding to all on this email.

Bob

Sent to: YB, TA, TC
12/1/23
KD

Kim DeLucia

From: Tom Tooma
Sent: Thursday, November 30, 2023 12:11 PM
To: Kim DeLucia
Cc: Bob Kehoe
Subject: 2023 unused vacation day pay out request

Follow Up Flag: Follow up
Flag Status: Completed

Hi Kim,

I am requesting to be paid 10 days of unused vacation time. Please place on the December Town Boards agenda for their consideration.

Thank you,

Thomas J. Tooma, Jr.
Building Inspector, Town of Somers
Building Department
337 Route 202
Somers, NY 10589
Tel: (914) 277-3539
Fax: (914) 277-3790
ttooma@somersny.com

Sent to:
JB, TA, TC
11/30/23
KD

PLANNING AND ENGINEERING DEPARTMENTS

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
385 ROUTE 202
SOMERS, NY 10589
www.somersny.com

Telephone
(914) 277-5866
Fax
(914) 277-4098

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



David B. Smith
Town Planner
directorofplanning@somersny.com

Date: November 30, 2023

To: Town Board

From: Steven Woelfle SW
Engineering Department

**RE: ARGH Corp. - Somers Professional Commons Site Plan
Sidewalk Escrow Account**

Pursuant to Planning Board Resolution No. 2001-17 for ARGH Corp. (Somers Professional Commons Site Plan) the applicant posted a \$2,000 check to establish a sidewalk escrow account in 2003. The escrow deposit was to be held for a minimum of 5 years and to be used for the sidewalk construction, if and when grants were obtained.

The Town has held the escrow for over 20 years. This office would have no objection to returning the escrow.

SW/wg

cc: Town Clerk
Director of Finance
Dr. Ami Ranani, ARGH Corp.

SomersNY-PE/Shared Documents/Site plan files/Somers Prof Commons.Dr.Ranani/Sidewalk Escrow Return
Request.docx

Sent to:
TB, TA, TC
11/30/23
KO

PLANNING AND ENGINEERING DEPARTMENTS

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589
www.somersny.com

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



David B. Smith
Town Planner
directorofplanning@somersny.com

Date: November 30, 2023
To: Town Board
From: Steven Woelfle *SW*
Engineering Department
RE: **Andriano & Sons LTD Subdivision
Palma Road Extension
Release of Maintenance Bond**

It has been more than one year since the dedication and satisfactory completion of the improvements for Andriano & Sons LTD Subdivision, Palma Road Extension. Therefore, this office has no objection to the release of the Maintenance Bond, deposited November 2, 2022, in the amount of \$25,570.

SW/wg
cc: Town Clerk
Director of Finance
Highway Superintendent
Vito Andriano

Sent to:
TB, TA, TC
12/1/23
KD

PLANNING AND ENGINEERING DEPARTMENTS

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589
www.somersny.com

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



David B. Smith
Town Planner
directorofplanning@somersny.com

DATE: December 1, 2023

TO: Town Board
Director of Finance

FROM: Steven Woelfle SW
Engineering Department

RE: **Steinberg Wetland and Watercourse Protection and Stormwater
Management and Erosion and Sediment Control Permit #WSMESC2022-25
Refund of SEQRA/Professional Service Fee
TM: 47.16-1-23**

The above-mentioned project has been completed. Please refund the remaining
SEQRA/Professional Service Fee in the amount of \$180.68, as follows:

Craig Steinberg

SW/wg

cc: Town Clerk
Craig Steinberg