SOMERS TOWN BOARD
SPECIAL MEETING – 7:00pm
THURSDAY, SEPTEMBER 20, 2018
www.somersny.com

6:30PM – Executive Session

I. PLEDGE OF ALLEGIANCE:

7:00PM – Special Meeting

II. ROLL CALL:

III. BUSINESS OF THE BOARD:

A. TOWN BOARD:

1. Proposal and Discussion for the Reuse of the Former IBM Property

2. Tax Certiorari Settlement - Discussion

3. For Review and Comment:
   a. Manteau Wetland and Stormwater Management and Erosion and Sediment Application
   b. Odell Wetland Application

4. Request permission to go to bid for 2019 materials for the Highway Department, per memo dated September 11, 2018 from Thomas Chiaverini, Superintendent of Highways.

5. Authorize 2018 out of title / overtime pay for Efrem Citarella, Building Inspector, per email from Bob Kehoe, Director of Finance.
# 2018 Calendar

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 20, 2018</td>
<td>7:00pm</td>
<td>Town Board Special Meeting</td>
</tr>
<tr>
<td>October 4, 2018</td>
<td>7:00pm</td>
<td>Town Board Work Session Public Hearing - Proposed Local Law to amend Chapter 154 entitled Taxation of the Code of the Town of Somers.</td>
</tr>
<tr>
<td>October 11, 2018</td>
<td>7:00pm</td>
<td>Town Board Regular Meeting Meeting to be held at Crystal Hall/Somers Community Center</td>
</tr>
<tr>
<td>October 16 &amp; 17</td>
<td></td>
<td>Department Budget Hearings</td>
</tr>
<tr>
<td>November 1, 2018</td>
<td>7:00pm</td>
<td>Town Board Work Session</td>
</tr>
<tr>
<td>November 8, 2018</td>
<td>7:00pm</td>
<td>Town Board Regular Meeting</td>
</tr>
<tr>
<td>December 6, 2018</td>
<td>7:00pm</td>
<td>Town Board Work Session</td>
</tr>
<tr>
<td>December 13, 2018</td>
<td>7:00pm</td>
<td>Town Board Regular Meeting</td>
</tr>
</tbody>
</table>
CONFIDENTIAL

To: Supervisor Rick Morrissey & Town Board

From: Roland A. Baroni, Jr.

Re: Tax Certiorari Settlement

Subject to your authorization, Teresa Stegner and I have concluded settlement of the following case on the basis as outlined on the attached:

Joseph Lopane
Tax Map No: 38.13/1/6, 7; 38.05/2/1

[see attached]

Please consider authorization as follows:

“Authorize the Town’s Attorneys to execute a Consent Judgment in the following matter: Joseph Lopane vs. Town of Somers - Index Nos. 67794-12 et al.”

Roland A. Baroni, Jr.

RABjr/wf
Enc.
cc: Patricia Kalba, Town Clerk
Teresa Stegner, Assessor
## Tax Map Id. No.: Section 38.13, Block 1, Lot 6

<table>
<thead>
<tr>
<th>Year</th>
<th>Reduced From</th>
<th>Reduced To</th>
<th>Amount of Reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>$65,200</td>
<td>NO REDUCTION</td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td>$65,200</td>
<td>NO REDUCTION</td>
<td></td>
</tr>
<tr>
<td>2014</td>
<td>$65,200</td>
<td>NO REDUCTION</td>
<td></td>
</tr>
<tr>
<td>2015</td>
<td>$65,200</td>
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<td></td>
</tr>
<tr>
<td>2016</td>
<td>$65,200</td>
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<td></td>
</tr>
<tr>
<td>2017</td>
<td>$65,200</td>
<td>NO REDUCTION</td>
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</table>

## Tax Map Id. No.: Section 38.13, Block 1, Lot 7

<table>
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</thead>
<tbody>
<tr>
<td>2012</td>
<td>$37,300</td>
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<td></td>
</tr>
<tr>
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<td>$37,300</td>
<td>NO REDUCTION</td>
<td></td>
</tr>
<tr>
<td>2014</td>
<td>$37,300</td>
<td>NO REDUCTION</td>
<td></td>
</tr>
<tr>
<td>2015</td>
<td>$37,300</td>
<td>NO REDUCTION</td>
<td></td>
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<tr>
<td>2016</td>
<td>$37,300</td>
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<td></td>
</tr>
<tr>
<td>2017</td>
<td>$37,300</td>
<td>NO REDUCTION</td>
<td></td>
</tr>
</tbody>
</table>

## Tax Map Id. No.: Section 38.05, Block 2, Lot 1

<table>
<thead>
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<th>Year</th>
<th>Reduced From</th>
<th>Reduced To</th>
<th>Amount of Reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>$89,000</td>
<td>$71,500</td>
<td>$17,500</td>
</tr>
<tr>
<td>2013</td>
<td>$89,000</td>
<td>$75,900</td>
<td>$13,100</td>
</tr>
<tr>
<td>2014</td>
<td>$89,000</td>
<td>$71,900</td>
<td>$17,100</td>
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<tr>
<td>2015</td>
<td>$89,000</td>
<td>$71,200</td>
<td>$17,800</td>
</tr>
<tr>
<td>2016</td>
<td>$89,000</td>
<td>$72,900</td>
<td>$16,100</td>
</tr>
<tr>
<td>2017</td>
<td>$89,000</td>
<td>$69,700</td>
<td>$19,300</td>
</tr>
</tbody>
</table>
Application Processing Affidavit must also be completed. Click here for form.

**PLICATION FEE:** $100 for disturbances of five thousand (5,000) square feet and/or for the placement or
noval of 50 cubic yards of soil, plus $500 for each additional acre of disturbance.

**PLICANT:** Bedford Poolscape, Inc. Tel.: 914-234-3732

**iling Address:** P.O. Box 793, Bedford, New York 10506

**te authority:** If other than owner, authorization must be submitted in writing

**EMISSES:** Sheet: 48 13 Block: 1 Lot: 27

**RIPTION OF WORK AND PURPOSE:** The project involves the construction of a new 18' x 40'
inground swimming pool with installation of associated equipment and
terrace. 

60' x 65' feet 

**E OF ACTIVITY AREA:** (include all construction activity area)

**LUME OF EXCAVATED MATERIAL:** 200 cubic yards

(leave blank if not known)

**ONJUNCTION WITH:**

etland Permit: X Steep Slopes Permit: Tree Preservation Permit: Subdivision:

**POSED STARTING DATE:** 11-1-18 **POSED COMPLETION DATE:** 3-1-19

ANS PREPARED BY: DATED:

Peter J. Gregory, P.E. Keane Coppelman Gregory Engineers, P.C. dated 8-10-18

Plans and copy of Stormwater Pollution Prevention Plan must be submitted with application.

**T OF APPLICABLE COUNTY, STATE, OR FEDERAL PERMITS:**

- NA -

**T OF PROPERTY OWNERS OF RECORD OF LANDS AND CLAIMANTS OF WATER RIGHTS
ITHIN 100 FEET OF SUBJECT PROPERTY**

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>BLOCK/LOT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

See Attached

**PLICANT’S SIGNATURE:**

**VER’S SIGNATURE:**

**PLICATION MUST BE ACCOMPANIED WITH A COMPLETED ENVIRONMENTAL
SESSIONMENT FORM, A VICINITY MAP, A DEVELOPMENT PLAN, EROSION AND SEDIMENT
CONTROL PLAN, AND THE PROPOSED PHASING OF DEVELOPMENT OF THE SITE.
Date: August 30, 2018

To: Town Board
   Planning Board
   Open Space Committee

From: Engineering Department

Re: The following is submitted for your review and comment:

Project Name: Manetteau Wetland and Stormwater Management and Erosion and Sediment Control Application

Plan: Site Plan

Dated: August 10, 2018

Prepared by: Keane Coppelman Gregory

Referral is made under the provisions of the following regulations:

1. Informal Discussion:

2. Final Subdivision Approval:

3. Preliminary Subdivision:

4. Site Plan:

5. Wetland Activity Permit:
   Administrative Planning Board

   X

6. Steep Slope Permit:
   Administrative Planning Board

7. Other
   SMESC Application to follow
August 28, 2018

Steven Woodley
Principal Engineer Technician
Town of Somers
335 Route 202
Somers, New York 10589

RE: Manteau Residence Pool

Somers (T)

Dear Mr. Woodley:

This office has prepared the necessary plans and paperwork to submit an application to construct a swimming pool at the above referenced property. Attached please find 14 copies of a plan set to be submitted to the Planning Board for review. A complete application including Wetland Permit Application, Site Plan, Short EAF form, and additional required paperwork is provided.

The owner is interested in obtaining a building permit and requests to be included on the September Planning Board agenda for a determination.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

Peter J. Gregory, P.E.
Aurelia and Philippe Manteau

Sincerely,

[Signature]

Aurelia and Philippe Manteau
APPLICATION FEE:
Alteration of Wetlands: $200 minimum fee plus $100 per 5,000 S.F. of regulated area or proposed portions thereof to be disturbed.
Annual Maintenance Permit Renewal Fee: Administrative Permit: $25.00, Planning Board Permit: $75.00
Erosion and Sediment Control Application fee: $100 for disturbances of at least one acre or for the placement or removal of 20 cubic yards of soil, plus $500 for each additional acre of disturbance.

OWNER: ___________________________ Tel#: ___________________________
Mailing Address: ___________________________
APPLICANT: Bedford Poolscape Tel: # 914-234-3732
Mailing Address: P.O. Box 793
State authority: If other than owner, authorization must be submitted in writing.

PREMISES: Sheet: 46 Block: 1 Lot: 27
Situated on the south side of maspero (Street), 150 feet from the intersection of north lane (Street)

DESCRIPTION OF WORK AND PURPOSE: Construction of 18' x 40' inground pool with equipment & terrace.

The information listed below shall only relate to the impact within wetland and/or wetland buffer:
SIZE OF ACTIVITY AREA: 4,800 S.F.
Is work proposed in Wetland: No or Wetland Control Area: Yes
Is there an existing house located on the site: Yes
Is pond, lake or detention basin proposed to be cleaned: No
Functions provided by Wetland: Wetland Expert delineating Wetland: Roy Shook, P.E., Soil Scientist

ESTIMATED QUANTITY OF EARTH WORK:
Excavated material placed as fill: 100 C.Y.
Imported Fill Type: 100 C.Y.

PROPOSED STARTING DATE: PROPOSED COMPLETION DATE:
PLANS PREPARED BY: DATED: Peter J. Gregory, P.E.

**Plans must be submitted with application**

LIST OF APPLICABLE COUNTY, STATE, OR FEDERAL PERMITS: NA

LIST OF PROPERTY OWNERS OF RECORD OF LANDS AND CLAIMANTS OF WATER RIGHTS WITHIN 100 FEET OF SUBJECT PROPERTY
NAME: ___________________________ ADDRESS: ___________________________
BLOCK: _______ LOTS: _______

APPLICANT'S SIGNATURE: ___________________________ DATE: ___________________________
OWNER'S SIGNATURE: ___________________________ DATE: ___________________________

*APPLICATION MUST BE ACCOMPANIED WITH A COMPLETED ENVIRONMENTAL ASSESSMENT FORM, COMPLETE PLANS FOR LOT IMPROVEMENTS, AND LOCATION MAP OF WETLANDS AS THEY EXIT IN THE FIELD OR AS SHOWN ON SOMERS ENVIRONMENTAL MAPS.

Office Use Only

Administrative Permit:

Planning Board Permit:

7/06
APPLICANT ACKNOWLEDGEMENT

By making this application, the undersigned Applicant agrees to permit Town officials and their representatives to conduct on-site inspections in connection with the review of this application.

The applicant also agrees to pay all expenses for the cost of professional review services required for this application, as referred to in §133-1 of the Code of the Town of Somers. As such, an Escrow Account, according to §133-2 of the Code of the Town of Somers, may be required.

It is further acknowledged by the Applicant that all bills for the professional review services shall be mailed to the Applicant, unless the Town is notified in writing by the Applicant at the time of initial submission of the application that such mailings should be sent to a designated representative instead.

Signature of Applicant: [Signature] Date: 8/27/13

Signature of Property Owner: [Signature] Date: [Signature]
(if different from applicant)
STATE OF NEW YORK

) ss.

COUNTY OF New York

__________________________ a__________, being duly sworn, deposes
and says: that he is the owner in fee of all the property shown on plat entitled

K mosert et al v. 14 15 1 7

application for approval of which is herein made. The deponent acquired title to
the said premises by deed from ____________________________ dated 1/24/2018
and recorded in the Office of the Clerk of the County
of Westchester on ____________, in Liber __________, of Conveyances at Page ___________. That the statements contained herein
are true to the best of deponent's knowledge and belief, and are made for the
purpose of obtaining the approval of the submitted application by the Planning
Board of the Town of Somers.

Tilt Electric
Land Service
ELS 14-1053
8 Mayhew

(Signed)

Sworn to before me this 25
day of June, 2018.

(Notary Public)

JENNIFER L. RUSSO
Notary Public, State of New York
No. 01RUS069538
Qualified in New York County
Commission Expires July 24, 2019
CERTIFICATION

I hereby certify that to the best of my knowledge no outstanding fees are due and owing to the Town of Somers for the following property:

Section 48.13 Block 1 Lot 27

Property Address ________________________________

Permit Applying For WETLAND PERMIT TO CONSTRUCT POOL
and SMES Permit

Furthermore, I hereby certify that to the best of my knowledge no outstanding violation (as that term is defined for the purposes of the Application Processing Restrictive Law, Paragraph 4D) of local laws or ordinances of the Town of Somers exist with respect to the above cited property or any structure or use existing thereon.

Signed ___________________________ (Owner of Record)

Signed ___________________________ (Applicant for Permit)

_________________________ (Print Name)

_________________________ (Print Name)

CONFIRMATIONS

Dat:

Dat:

Director of Finance for Fees

Date:

Engineering Department

Date:

Receiver of Taxes

Date: ____________________________

7/2014
Westchester County Recording & Endorsement Page

**Submitter Information**
- **Name:** Thoroughbred Title Services, LLC
- **Address 1:** 800 Westchester Avenue
- **Address 2:** Suite S434
- **City/State/Zip:** Rye Brook NY 10573
- **Phone:** 914-644-6100
- **Fax:** 914-644-6159
- **Email:** recording@thoroughbredtitleservices.co
- **Reference for Submitter:** ELS14-10539 Manteau

**Document Details**
- **Control Number:** 540873287
- **Document Type:** Deed (DED)
- **Package ID:** 2014032800171001001
- **Document Page Count:** 3
- **Total Page Count:** 4

**Parties**
- **1st PARTY**
  - Individual 1: Manteau Philippe
- **2nd PARTY**
  - Individual 2: Ritzcovian

**Property**
- **Street Address:** 76 MOSEMAN AVENUE
- **City/Town:** SOMERS
- **Tax Designation:** 48.13-1-27

**Cross-References**

**Supporting Documents**

<table>
<thead>
<tr>
<th>1. RP-5217</th>
<th>2. TP-584</th>
</tr>
</thead>
</table>

**Recording Fees**
- **Statutory Recording Fee:** $40.00
- **Page Fee:** $20.00
- **Cross-Reference Fee:** $0.00
- **Mortgage Affidavit Filing Fee:** $0.00
- **RP-5217 Filing Fee:** $125.00
- **TP-584 Filing Fee:** $5.00
- **Total Recording Fees Paid:** $190.00

**Transfer Taxes**
- **Consideration:** $1,180,000.00
- **Transfer Tax:** $4,720.00
- **Mansion Tax:** $11,600.00
- **Transfer Tax Number:** 9887

**Mortgage Taxes**
- **Mortgage Date:**
- **Mortgage Amount:**
  - **Basic:** $0.00
  - **Westchester:** $0.00
  - **Additional:** $0.00
  - **MTA:** $0.00
  - **Special:** $0.00
  - **Yonkers:** $0.00
  - **Total Mortgage Tax:** $20.00
  - **Exempt:**

**Record and Return To**
- **Pick-up at County Clerk's office**
- **Thoroughbred Title Services**
  - 800 Westchester Avenue
  - S-434
  - Rye Brook, NY 10573

*Recorded in the Office of the Westchester County Clerk*
- **Recorded:** 04/09/2014 at 04:32 PM
- **Control Number:** 540873287
- **Witness my hand and official seal**

Timothy G. Scordi
Westchester County Clerk
Mr. Kenneth N. Thomsen  
Bedford Poolscares, Inc.  
P.O. Box 793  
Bedford, NY 10506-0793

June 13, 2018

Job No. 15D092(A)

Dear Mr. Thomsen:

RE: WETLAND DELINEATION  
AREA OF A PROPOSED POOL  
AURELIA MANTEAU PALUEL MARMONT POOL PROJECT  
76 MOSEMAN AVENUE, KATONAH, NEW YORK

At your request, I made an on-site investigation of the above referenced tract. The purpose of my visit was to review previously delineated wetlands in the area of a proposed pool site. The fieldwork was done on April 9, 2015. The site was revisited on June 13, 2018. The field visit confirmed the April 9, 2015 site investigation.

The site investigation showed that the wetlands as delineated near the pool project area are substantially correct. The wetland south of the pool site is a narrow band of shrub-emergent wetland along the edge of an excavated pond. An isolated mostly tree and shrub wetland is east of a garage and the proposed pool site. This wetland is within low area were the earthy soil material is old man placed or disturbed wet fill material. Within the wetland are a few slightly elevated spots of non-wetland. The wetland is isolated and is not directly connected to nearby wetlands. Its location and size compromise its ecological wetland values and attributes.

Please contact me if you have any questions or if I can be of further assistance.

Respectfully yours,

[Signature]
Roy A. Shook, Jr.  
Soil Scientist
**Instructions for Completing**

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

### Part 1 - Project and Sponsor Information

<table>
<thead>
<tr>
<th>Name of Action or Project</th>
<th>Manteau Residence Pool</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Location (describe, and attach a location map):</td>
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<tr>
<td>Brief Description of Proposed Action:</td>
<td>The project involves the construction of a new 18' x 40' in-ground swimming pool with installation of associated equipment and terrace.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Applicant or Sponsor</th>
<th>Bedford Poolscape Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephone:</td>
<td>914-234-3732</td>
</tr>
<tr>
<td>E-Mail:</td>
<td><a href="mailto:thomsenken@aol.com">thomsenken@aol.com</a></td>
</tr>
<tr>
<td>Address:</td>
<td>P.O.Box 793</td>
</tr>
<tr>
<td>City/PO:</td>
<td>Bedford</td>
</tr>
<tr>
<td>State:</td>
<td>NY</td>
</tr>
<tr>
<td>Zip Code:</td>
<td>10506</td>
</tr>
</tbody>
</table>

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?
   - If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.
   - NO [X] YES [ ]

2. Does the proposed action require a permit, approval or funding from any other governmental Agency?
   - If Yes, list agency(s) name and permit or approval:
   - NO [ ] YES [X]

<table>
<thead>
<tr>
<th>3a. Total acreage of the site of the proposed action?</th>
<th>5.656 acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>3b. Total acreage to be physically disturbed?</td>
<td>0.110 acres</td>
</tr>
<tr>
<td>3c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</td>
<td>5.656 acres</td>
</tr>
</tbody>
</table>

4. Check all land uses that occur on, adjoining and near the proposed action.
   - [X] Rural (non-agriculture)
   - [ ] Industrial
   - [ ] Commercial
   - [X] Residential (suburban)
   - [ ] Forest
   - [ ] Agriculture
   - [ ] Aquatic
   - [ ] Other (specify):
   - [ ] Parkland
5. Is the proposed action,  
   a. A permitted use under the zoning regulations?  
       NO □ YES □ N/A □
   b. Consistent with the adopted comprehensive plan?  
       NO □ YES □ N/A □

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  
       NO □ YES □ N/A □

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  
   If Yes, identify: ________________________________
       NO □ YES □ N/A □

8. a. Will the proposed action result in a substantial increase in traffic above present levels?  
       NO □ YES □ N/A □
   b. Are public transportation service(s) available at or near the site of the proposed action?  
       NO □ YES □ N/A □
   c. Are any pedestrian accommodations or bicycle routes available at or near site of the proposed action?  
       NO □ YES □ N/A □

9. Does the proposed action meet or exceed the state energy code requirements?  
   If the proposed action will exceed requirements, describe design features and technologies: ________________________________
       NO □ YES □ N/A □

10. Will the proposed action connect to an existing public/private water supply?  
    If No, describe method for providing potable water: ________________________________
       NO □ YES □ N/A □

11. Will the proposed action connect to existing wastewater utilities?  
    If No, describe method for providing wastewater treatment: ________________________________
       NO □ YES □ N/A □

12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  
       NO □ YES □ N/A □  
    b. Is the proposed action located in an archeological sensitive area?  
       NO □ YES □ N/A □

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  
       NO □ YES □ N/A □  
    b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?  
       If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: ________________________________
       NO □ YES □ N/A □

14. Identify the typical habitat types that occur on, or are likely to be found on, the project site. Check all that apply:  
    □ Shoreline □ Forest □ Agricultural/grasslands □ Early mid-successional  
    □ Wetland □ Urban □ Suburban □

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?  
       NO □ YES □ N/A □

16. Is the project site located in the 100 year flood plain?  
       NO □ YES □ N/A □

17. Will the proposed action create storm water discharge, either from point or non-point sources?  
   If Yes,  
   a. Will storm water discharges flow to adjacent properties?  
      NO □ YES □
   b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?  
      If Yes, briefly describe: ________________________________
      NO □ YES □
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?
   If Yes, explain purpose and size:
   X

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?
   If Yes, describe:
   X

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?
   If Yes, describe:
   X

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: PETER GREGORY, PE
Signature: [Signature]
Date: 01/28/10

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

<table>
<thead>
<tr>
<th></th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Will the proposed action result in a change in the use or intensity of use of land?</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Will the proposed action impair the character or quality of the existing community?</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td></td>
</tr>
<tr>
<td>5.</td>
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<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td>☐</td>
<td>☐</td>
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**Part 3 - Determination of significance.** The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

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<td>Signature of Preparer (if different from Responsible Officer)</td>
</tr>
</tbody>
</table>
EXCAVATED MATERIAL TO BE REMOVED OFF SITE NO SOIL TO BE STOCKPILED ON SITE DURING CONSTRUCTION
Date: September 12, 2018

To: Town Board
   Planning Board
   Open Space Committee

From: Engineering Department

Re: The following is submitted for your review and comment:

Project Name: Odell Wetland Application
Plan: Overall Site Plan/Details/Notes
Dated: July, 2018
Prepared by: Watershed Agricultural Council

Referral is made under the provisions of the following regulations:

1. Informal Discussion: 

2. Final Subdivision Approval: 

3. Preliminary Subdivision: 

4. Site Plan: 

5. Wetland Activity Permit: 
   Administrative Planning Board
   48.13-1-27
   X

6. Steep Slope Permit: 
   Administrative Planning Board

7. Other: 

APPLICATION FEE:
Alteration of Wetlands: $200 minimum fee plus $100 per 5,000 S.F. of regulated area or proposed portions thereof to be disturbed.
Annual Maintenance Permit Renewal Fee: Administrative Permit: $25.00, Planning Board Permit: $75.00
Erosion and Sediment Control Application fee: $100 for disturbances of at least one acre or for the placement or removal of 20 cubic yards of soil, plus $500 for each additional acre of disturbance.

OWNER: ___________________________ Tel.: ____________________________
Mailing Address: ___________________________ Somers, N.Y. ____________________________
APPLICANT: ___________________________ Tel.: ____________________________
Mailing Address: ____________________________ ____________________________
State/authority: ____________________________ If other than owner, authorization must be submitted in writing.

PREMISES: Sheet: 16 Lot: 6
Situated on the W. side of ROUTE 118 (Tomabharn) Street, 550 feet from the intersection of US 202.

DESCRIPTION OF WORK AND PURPOSE: STORMWATER IMPROVEMENTS, CONSTRUCTION OF DUMPSTER PAD WITH SEPTIC, FENCING, GRAVEL PAVED EXTEND WATER AND ELECTRIC LINE.
The information listed below shall only relate to the impact within wetland BUFFER:
SIZE OF ACTIVITY AREA: 10,000 SF
Is work proposed in Wetland Buffer? Yes. Description:__________________________
Is there an existing house located on the site? YES
Is pond, lake or detention basin proposed to be cleared? No
Functions provided by Wetland:
Wetland Expert delineating Wetland:
ESTIMATED QUANTITY OF EARTH WORK:
Excavated material placed as fill: 650 C.Y.
Imported Fill Type: 100 C.Y.
PROPOSED STARTING DATE: 1/1/18 PROPOSED COMPLETION DATE: 12/1/18
PLANS PREPARED BY: WATERSHED PA, DATED: 7/2014
**Plans must be submitted with application.**

LIST OF APPLICABLE COUNTY, STATE, OR FEDERAL PERMITS:

LIST OF PROPERTY OWNERS OF RECORD OF LANDS AND CLAIMANTS OF WATER RIGHTS
WITHIN 100 FEET OF SUBJECT PROPERTY

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
</tr>
</thead>
</table>

APPLICANT'S SIGNATURE: ___________________________ DATE: 8/10/15
OWNER'S SIGNATURE: ___________________________ DATE: 8/10/15

*APPLICATION MUST BE ACCOMPANIED WITH A COMPLETED ENVIRONMENTAL ASSESSMENT FORM, COMPLETE PLANS FOR LOT IMPROVEMENTS, AND LOCATION MAP OF WETLANDS AS THEY EXIST IN THE FIELD OR AS SHOWN ON SOMERS ENVIRONMENTAL MAPS.

Administrative Permit: ________________
Planning Board Permit: ____________________
ZAP08General PlanPermit Application FormSomers_P&Z_Wetlands_2003-07.DOCZ; VPGeneral PlanPermit Application FormSummer_P&Z_Wetlands_X_3-92.DOC
**Appendix B**  
**Short Environmental Assessment Form**

**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

### Part 1 - Project and Sponsor Information

<table>
<thead>
<tr>
<th>Name of Action or Project:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>WATER QUALITY IMPROVEMENTS</strong></td>
</tr>
<tr>
<td>Project Location (describe, and attach a location map):</td>
</tr>
<tr>
<td><strong>TOMAHAWK FARM - 157 ROUTE 108 SOMERS, NY</strong></td>
</tr>
<tr>
<td>Brief Description of Proposed Action:</td>
</tr>
<tr>
<td><strong>STORMWATER IMPROVEMENTS RELATED TO IMPROVING WATER QUALITY. NEW COVERED DUMPSTER PAD FOR NEW HORSE MANURE DUMPSTER. GRAVEL LANEWAY FOR DUMPSTER PAD, NEW FENCING, EXTEND WATERLINE + ELECTRIC FOR NEW HYDRANT AND WATERERS</strong></td>
</tr>
<tr>
<td>Name of Applicant or Sponsor:</td>
</tr>
<tr>
<td>Telephone:</td>
</tr>
<tr>
<td>E-Mail:</td>
</tr>
<tr>
<td>Address:</td>
</tr>
<tr>
<td>City/PO: SOMERS</td>
</tr>
<tr>
<td>State: NY</td>
</tr>
<tr>
<td>Zip Code: 10589</td>
</tr>
</tbody>
</table>

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?  
   - [ ] NO  
   - [ ] YES

   If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.

2. Does the proposed action require a permit, approval or funding from any other governmental Agency?  
   - [ ] NO  
   - [ ] YES

   If Yes, list agency(s) name and permit or approval:

3. a. Total acreage of the site of the proposed action?  
   - 6 acres

d. Total acreage to be physically disturbed?  
   - 0.82 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?  
   - 6 acres

4. Check all land uses that occur on, adjoining and near the proposed action.  
   - [ ] Urban  
   - [ ] Rural (non-agriculture)  
   - [ ] Commercial  
   - [ ] Residential (suburban)  
   - [ ] Forest  
   - [ ] Agriculture  
   - [ ] Aquatic  
   - [ ] Other (specify):  
   - [ ] Parkland

Page 1 of 4
5. Is the proposed action,  
a. A permitted use under the zoning regulations?  
\[\text{NO} \quad \text{YES} \quad \text{N/A}\]
b. Consistent with the adopted comprehensive plan?  
\[\text{NO} \quad \text{YES} \quad \text{N/A}\]

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  
\[\text{NO} \quad \text{YES} \quad \text{N/A}\]

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  
If Yes, identify:  
\[\text{NO} \quad \text{YES}\]

8. a. Will the proposed action result in a substantial increase in traffic above present levels?  
\[\text{NO} \quad \text{YES}\]
b. Are public transportation service(s) available at or near the site of the proposed action?  
\[\text{NO} \quad \text{YES}\]
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?  
\[\text{NO} \quad \text{YES}\]

9. Does the proposed action meet or exceed the state energy code requirements?  
If the proposed action will exceed requirements, describe design features and technologies:  
\[\text{NO} \quad \text{YES}\]

10. Will the proposed action connect to an existing public/private water supply?  
If No, describe method for providing potable water:  
\[\text{NO} \quad \text{YES}\]

11. Will the proposed action connect to existing wastewater utilities?  
If No, describe method for providing wastewater treatment:  
\[\text{NO} \quad \text{YES}\]

12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  
\[\text{NO} \quad \text{YES}\]
b. Is the proposed action located in an archeological sensitive area?  
\[\text{NO} \quad \text{YES}\]

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  
\[\text{NO} \quad \text{YES}\]
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?  
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:  
\[\text{NO} \quad \text{YES}\]

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:  
- Shoreline  
- Forest  
- Agricultural/Grasslands  
- Urban  
- Suburban  
\[\text{NO} \quad \text{YES}\]

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?  
\[\text{NO} \quad \text{YES}\]

16. Is the project site located in the 100 year flood plain?  
\[\text{NO} \quad \text{YES}\]

17. Will the proposed action create storm water discharge, either from point or non-point sources?  
If Yes,  
- Will storm water discharges flow to adjacent properties?  
\[\text{NO} \quad \text{YES}\]
- Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?  
If Yes, briefly describe:  
\[\text{NO} \quad \text{YES}\]

Page 2 of 4
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g., retention pond, lagoon, dam)?
   If Yes, explain purpose and size: ❑ ☐

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?
   If Yes, describe: ❑ ☐

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?
   If Yes, describe: ❑ ☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: [Signature] Date: [Signature]

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “If my response has been reasonable considering the scale and context of the proposed action?”

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<td>☐</td>
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<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>☐</td>
<td>☐</td>
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<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>☐</td>
<td>☐</td>
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Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)
STATE OF NEW YORK  

COUNTY OF ________________

______________________________, being duly sworn, deposes and says: that he is the owner in fee of all the property shown on plat entitled ___________________________________________________________________________.

application for approval of which is herein made. The deponent acquired title to the said premises by deed from ___________________________ dated _______________ and recorded in the Office of the Clerk of the County of Westchester on ______________, in Liber __________ of Conveyances at Page ___________. That the statements contained herein are true to the best of deponent's knowledge and belief, and are made for the purpose of obtaining the approval of the submitted application by the Planning Board of the Town of Somers.

(Signed) _______________________

Sworn to before me this ______________ day of ______________, 20___.

(Notary Public) _________________________
APPLICANT ACKNOWLEDGEMENT

By making this application, the undersigned Applicant agrees to permit Town officials and their representatives to conduct on-site inspections in connection with the review of this application.

The applicant also agrees to pay all expenses for the cost of professional review services required for this application, as referred to in §133-1 of the Code of the Town of Somers. As such, an Escrow Account, according to §133-2 of the Code of the Town of Somers, may be required.

It is further acknowledged by the Applicant that all bills for the professional review services shall be mailed to the Applicant, unless the Town is notified in writing by the Applicant at the time of initial submission of the application that such mailings should be sent to a designated representative instead.

Signature of Applicant

Signature of Proper
(if different from applicant)
CERTIFICATION

I hereby certify that to the best of my knowledge no outstanding fees are due and owing to the Town of Somers for the following property:

Section   1601  Block   1  Lot   6

Property Address

 Permit Applying For   MYKRA word - WETLAND PERMIT

Furthermore, I hereby certify that to the best of my knowledge no outstanding violation (as that term is defined for the purposes of the Application Processing Restrictive Law, Paragraph 4D) of local laws or ordinances of the Town of Somers exist with respect to the above cited property or any structure or use existing thereon.

Signed   (Owner of Record)

   Karen O'Neil

(Print Name)

Date    7/16/16

Signed   (Applicant for Permit)

   Kristin Hell

(Print Name)

Date    7/16/16

CONFIRMATIONS

Zoning Enforcement Officer

Date:

Director of Finance for Fees

Date:

Engineering Department

Date:  7/11/15

Receiver of Taxes

Date:

7/2014
Date: September 11, 2018

To: Robert Kehoe
   Director of Finance

Efrem Citarella
   Building Inspector

Steven Woelfle
   Principal Engineering Technician

Michele McKearney
   Receiver of Taxes

From: Wendy Getting
   Senior Office Assistant

RE: Odell Application Processing Certification
   Wetland Permit Application
   TM: 16.17-1-6

Pursuant to Somers Town Code Chapter 67 entitled "Application Processing Restrictive Law" please review your files and, if appropriate, sign the attached copy of the Certification confirming that the noted property does not have any outstanding fees or violations. The copy you return will become the original certification.

SW/wg

Enc.

cc: Town Board
    Town Clerk
    Town Attorney

Z:\PE\Environmental files\Certification\2018\Odell Wetland 16.17-1-6.doc
MEMO TO: SUPERVISOR
TOWN BOARD

FROM: THOMAS E. CHIAVERINI
SUPT. OF HIGHWAYS

RE: MATERIAL BIDS FOR 2019

DATE: SEPTEMBER 11, 2018

The Superintendent of Highways requests permission to go to bid for 2019 materials for the Highway Department:

[Signature]
Thomas E. Chiaverini
Supt. of Highways

cc: Town Clerk
Per discussion with Rick, we would like the Town Board to authorize out of title pay of $5,000 for the Building Inspector for 2018 at the September 20, 2018 Town Board meeting.