

John Currie, *Chairman*
Jan Corning
Vicky Gannon
Nancy Gerbino
Eugene Goldenberg
Dennis McNamara
Bruce Prince

Town of Somers

WESTCHESTER COUNTY, N.Y.

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SOMERS PLANNING BOARD MINUTES- REVISED SEPTEMBER 26, 2018

ROLL:

PLANNING BOARD MEMBERS PRESENT: Chairman Currie, Ms. Corning, Mr. Prince,
Mr. Goldenberg, Ms. Gerbino, and Ms. Gannon

ALSO PRESENT: Director of Planning Syrette Dym
Assistant Consulting Town Engineer Steven
Robbins, P.E, LEED AP
Intermediate Clerk, Barbara J. Sherry

ABSENT: Mr. Dennis McNamara
Town Attorney Joseph Eriole and Consultant
Town Engineer Joseph Barbagallo

The meeting commenced at 7:30pm. Intermediate Clerk Barbara J. Sherry called the roll and noted that the required quorum of four members was present in order to conduct the business of the Board.

Chairman Currie asked if there were any comments or questions from the Board on the July 11, 2018 draft minutes, there were none.

On a motion by Ms. Gerbino, seconded by Ms. Corning and unanimously carried, the minutes of July 11, 2018 were approved.

Chairman Currie asked if there were any comments or questions from the Board on the August 8, 2018 draft minutes, there were none.

On a motion by Chairman Currie, seconded by Mr. Goldenberg and unanimously carried, the minutes of August 8, 2018 were approved.

40
41 **SCHEDULE SITE WALK: NORTH COUNTY HOMES – CARDINAL**
42 **WAY TM: 16.17-2-7&4**

43
44 Chairman Currie stated the first item on the agenda was to schedule a Site Walk for
45 the North County Homes site. After discussion the scheduled dates were set for
46 Saturday October 6, 2018 at 9:00am and October 13, 2018 at 9:00am.

47
48 **DISIENA CONDITIONAL FINAL CONSERVATION SUBDIVISION**
49 **(TM: 27.08-1-2.1)**

50 Chairman Currie stated this is the first 90-day time extension for the Conditional
51 Final Subdivision Approval, Tree Preservation, Steep Slopes, Wetlands and
52 Stormwater Management and Erosion and Sediment Control Permits from
53 September 11, 2018 up to and including December 10, 2018 in accordance with
54 Town Law Section 276 (7) (c) and Section 150-13.M of the Code of the Town of
55 Somers. The property is located at 126 & 128 Primrose Street and is in an R-80
56 Zone.

57 On a motion by Chairman Currie, seconded by Ms. Corning and unanimously
58 carried the Board moved to grant first 90-day time extension for the Conditional
59 Final Subdivision Approval, Tree Preservation, Steep Slopes, Wetlands and
60 Stormwater Management and Erosion and Sediment Control Permits from
61 September 11, 2018 up to and including December 10, 2018 in accordance with
62 Town Law Section 276 (7) (c) and Section 150-13.M of the Code of the Town of
63 Somers.

64 **XENIA STEPHENS SUBDIVISION: (TM: 28.07-1-1)**

65 Chairman Currie stated that this is the fourth 90-day time extension for the
66 Conditional Final Subdivision Approval, and Stormwater Management and
67 Erosion and Sediment Control Permits from September 11, 2018 up to and
68 including December 10, 2018 in accordance with Town Law Section 276 (7) (c)
69 and Section 150-13.M of the Code of the Town of Somers. The property is located
70 at the corner of Route 100 and Route 138 and is in the R-80 District.

71 On a motion by Chairman Currie, seconded by Ms. Gerbino and unanimously
72 carried, the Board moved to grant the fourth 90-day time extension for the
73 Conditional Final Subdivision Approval, and Stormwater Management and
74 Erosion and Sediment Control Permits from September 11, 2018 up to and
75 including December 10, 2018 in accordance with Town Law Section 276 (7)

76 (c) and Section 150-13.M of the Code of the Town of Somers.

77

78 **GARY & ANN MITCHELL 4 LOT CONSERVATION SUBDIVISION**

79 **RE-GRANT**

80 **(TM 16.09-1-9)**

81

82 Chairman Currie stated this is the first request for a 90-day time extension to the
83 Re-Grant of a 4-lot Conservation Subdivision, three of which are new building lots
84 and one existing lot on a 7.1 acre parcel. Each lot is to be served by individual
85 wells and septic systems. The subject property is located on the west side of
86 Tomahawk Street, Route 118 in the residential R-40 Zoning District. This is the
87 first request for a time extension from September 21, 2018 up to and including
88 December 19, 2018 in accordance with §150-13.M of the Code of the Town of
89 Somers.

90

91 Chairman Currie stated that the Board is in receipt of a letter from Director of
92 Planning Dym, dated August 13 , 2018 and stated that Principal Engineering
93 Technician Steven Woelfle is making regular trips to this site and there has been
94 no work done up to this point.

95

96 Ms. Gerbino stated the private road is under construction and it began over Labor
97 Day Weekend and added that she was expecting to hear a report. It is a major road
98 cut with a lot of trucks on a dangerous road that are going in and out of the site.
99 There is an old house right next to this site and there were concerns by the
100 Engineer that correct things would be done so not to undermine the house.

101

102 Director of Planning Dym said she would speak with Principal Engineering
103 Technician Steven Woelfle.

104

105 The applicant's Engineer, Tim Allen stated he knew construction was under way
106 and unfortunately he is not the Engineer of record for the construction. Principal
107 Engineering Technician Steven Woelfle is aware of this. Engineer Allen added he
108 is here this evening for the 90-day time extension.

109

110 Chairman Currie asked for a memo from either Principal Engineering Technician
111 Steven Woelfle or Director of Planning Dym.

112

113 On a motion by Chairman Currie, seconded by Ms. Gannon and unanimously
114 carried, the Board moved to grant the first 90-day Time Extension for the
115 Conditional Final Subdivision Approval, and Stormwater Management and

116 Erosion and Sediment Control Permits from September 21, 2018 up to and
117 including December 19, 2018 in accordance with Town Law Section 276 (7) (c)
118 and Section 150-13.M of the Code of the Town of Somers.

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120 **TAMARACK & VINE FINAL SUBDIVISION RE-GRANT (TM 16.07-1-1)**

121

122 Chairman Currie stated that this is the first 90-day time extension for the
123 Conditional Final Subdivision Approval, and Steep Slopes, Tree Preservation and
124 Stormwater Management and Erosion and Sediment Control Permits from
125 September 20, 2018 up to and including December 19, 2018 in accordance with
126 Town Law Section 276 (7) (c) and Section 150-13.M of the Code of the Town of
127 Somers. The property is located at the end of Tamarack & Vine Roads and is in an
128 R-40 Zoning District.

129

130 Chairman Currie noted a letter from Director of Planning Dym and Mr. Barry
131 Perlow stating that all the Recreation Fees have been paid in full.

132

133 On a motion by Chairman Currie, seconded by Ms. Gannon and unanimously
134 carried, the Board moved to grant the first 90-day time extension for the
135 Conditional Final Subdivision Approval, and Steep Slopes, Tree Preservation and
136 Stormwater Management and Erosion and Sediment Control Permits from
137 September 20, 2018 up to and including December 19, 2018 in accordance with
138 Town Law Section 276 (7) (c) and Section 150-13.M of the Code of the Town of
139 Somers.

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141 **McKENNA FINAL SUBDIVISION APPROVAL (TM 37.15-1-22)**

142

143 Chairman Currie stated that this is the second 90-day time extension for the
144 Conditional Final Subdivision Approval, and Steep Slopes, Tree Preservation and
145 Stormwater Management and Erosion and Sediment Control Permits from
146 September 10, 2018 up to and including December 9, 2018 in accordance with
147 Town Law Section 276 (7) (c) and Section 150-13.M of the Code of the Town of
148 Somers. The property is located at 2652 NYS Route 35 and is in an R-80 Zone.

149 On a motion by Chairman Currie, seconded by Ms. Corning, and unanimously
150 carried, the Board moved to grant the second 90-day time extension for the
151 Conditional Final Subdivision Approval, and Steep Slopes, Tree Preservation and
152 Stormwater Management and Erosion and Sediment Control Permits from
153 September 10, 2018 up to and including December 9, 2018 in accordance with
154 Town Law Section 276 (7) (c) and Section 150-13.M of the Code of the Town of
155 Somers.

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MANTEAU WETLAND PERMIT: (TM 48.13-1-27)

Chairman Currie stated this is an application for a Wetland Permit, Erosion Control Permit and Stormwater Management and Erosion and Sediment Control Permit by Peter J. Gregory, P.E. for owner Phillippe Manteau for the installation of an 18' x 40' in ground pool in the wetland buffer. The property is located at 76 Moseman Avenue and is in an R-80 Zone.

Chairman Currie stated the Board was in receipt of two letters; one from the Open Space Committee and another from Woodard & Curran.

Mr. Ken Thompson, of Bedford Poolscales Inc., Bedford NY approached the Board and introduced Mr. Peter J. Gregory, of Keane Copleman, Engineers, Mt. Kisco, NY.

Mr. Thompson stated the property contains a great deal of wetlands and a pond. There are wetlands on the left side of the property and also on the right side from the pond. There is not a lot of property that is not affected by the wetlands.

Mr. Thompson added, some years ago the septic system had to be rebuilt and was re-located on the top side of the pond. Mr. Thompson stated with the severe restrictions on this property what they are hoping to do is to place a pool behind the existing barn, create a bolder retaining wall on the left side and at the end of the pool that will form a natural barrier to the wetlands.

Mr. Thompson stated they brought the pool as close to the garage as possible while still allotting patio space. He went through a series of photographs outlining the proposed pool location and a Town maintained drainage easement that exists on the property. Mr. Thompson added that ongoing discussions are being held with Mr. Steven Woelfle, Principal Engineering Technician and the homeowner to attempt to create an access way to be able to examine, clean and maintain the drainage easement if and when necessary.

Ms. Gerbino stated that currently the Town has this easement, and the Town has the responsibility to keep this clean, so they have the right to access the property for that purpose. She asked if what you are describing is an alternative manner for the Town to gain access to clean the storm drain.

Mr. Thompson stated normally a mitigation plan would be proposed immediately around the pool. Although not necessary, but just a suggestion is to create a better

196 access for the Town's use, because it has become so overgrown and dense that you
197 cannot get into anything. The original septic that was in this area was abandoned in
198 favor of using it for house drainage and the new system is pumped through a long
199 line up to the new fields.

200

201 Mr. Prince asked if the elevation of the pool is 81 feet, adding there is a 1 to 3 foot
202 high wall that surrounds the pool and asked if there is any problem with the water
203 table there.

204 Mr. Thompson stated yes, the elevation and wall is correct. Although, he does not
205 believe there would be any problem with the water table. However if it is
206 necessary during the course of construction they will prepare the proper
207 mechanism and filter for pumping the excavation site of any excess water.

208

209 Mr. Prince stated he is more concerned with the water table pushing the pool up.

210

211 Mr. Thompson stated in the wetlands, they take the proper hydrostatic situation
212 into consideration. Every pool they build has a hydrostatic plug underneath the
213 bottom which will cause water to come into the pool should the pressure under the
214 pool become too great. In this situation we will probably put in 3 hydrostatic plugs
215 just for extra insurance.

216

217 Ms. Corning asked to see the easement shown on the plan and the second wetland
218 buffer line. She also asked if the pool is proposed to be in the wetland buffer along
219 with the water treatment and is it a chlorine system, or a salt system and where the
220 backwash is.

221

222 Mr. Thompson stated it would be a cartridge filter so there is no backwash. They
223 examined the abandon system to find out if any draw down had to take place and if
224 the system could handle it. If not, they would have to construct a system and it
225 would have to be designed with coltex and the size of the system is based on the
226 absorption rate of the ground.

227

228 Ms. Corning asked if the coltex will also be within the wetland buffer.

229 Mr. Thompson stated probably as it is almost impossible to get outside of the
230 wetland buffer.

231

232 Ms. Gannon asked in terms of the easement what exactly is the over growth.

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234 Mr. Thompson said it is a combination of aged trees and heavily foliated areas that
235 do not allow access.

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Mr. Prince asked if there are trees with a caliper width of 4” or above or are you just speaking about bushes.

Mr. Thompson stated he believes there are mostly bushes up to items that are a couple of inches in caliper. A more thorough investigation of this would need to be completed if they go forward with this project.

Mr. Prince stated there is a well-marked on the plan and asked if it was in the middle of the easement and if it is an existing active well and do the homeowners get water from it.

Both Mr. Thompson and Mr. Gregory stated yes.

Ms. Gerbino stated it is an artesian well and asked to have the pond pointed out, adding that in looking at aerials that are circa 1950 there appeared to be two ponds.

Mr. Thompson said that the area of the draw down, depending on when you looked at it, could appear to have been a pond. Right now it is heavily foliated and you cannot see too much of the pond from the house.

Assistant Consulting Town Engineer Steven Robbins, stated he had a number of comments: make certain the limits of disturbance are correctly identified for Stormwater permitting purposes, especially as it relates to any additional work that may be needed to accommodate the backwash.

Engineer Gregory stated the limits of disturbance does not include any of the work that we are discussing in terms of going back in and cleaning out the Town’s basin. The limits of the terms associated with the work around the pool are re-grading the walls and the pool itself.

Assistant Consulting Town Engineer Steven Robbins stated it is obviously less than the 5,000 square foot limit, if additional site work is necessary for backwash that may impact that. When it is this close to the limit, they do try to highlight that.

Mr. Thomson stated regarding the area of disturbance, the intent would be to come in from one side of the garage and do all of the work from there, the boulders would be placed first and then the excavation would begin. No fill would be introduced to the wetland area.

276 Ms. Gerbino stated that this property is directly opposite North Lane, and it is on a
277 hill with a lot of history and below this property is Wood Street, where the Town
278 has infrastructure. Her concern is with the Highway system. Upon learning that
279 there is Stormwater being dealt with and the Town has an easement here, she
280 expressed grave concerns in terms of mitigation. She asked if the applicant could
281 be held responsible to clean out that basin. Thinking of the Town roadway, this is a
282 hill, there is house after house, other applicants that have come before the Board
283 with pools and ponds, and you are talking about putting a boulder to protect your
284 pool. What are you protecting your pool from?
285

286 Mr. Thompson stated that you cannot walk from where the pool is into the
287 wetlands. The purpose of the boulder wall is to fill the grade that drops down
288 slightly. By creating this boulder wall we can level the area for the pool. It is not
289 to keep anything out, it is just being used to adjust the grade of the land.
290

291 Ms. Gerbino stated her concern is for the roadway infrastructure.
292

293 Mr. Thompson stated this project will add nothing to the roadway or the access
294 way and they are always very cognizant of using natural drainage and pitches.
295

296 Assistant Consulting Town Engineer Steven Robbins stated he has questions about
297 mitigation measures. From their prospective they were concerned about the
298 wetland water quality. Looking at the existing Town Code and the mitigation
299 measures that are included in the Code for disturbance of the wetland buffer, they
300 were proposing a rain garden or some other kind of water quality mitigation or
301 treatment measure to handle the new impervious surface being proposed, so that
302 they can mitigate the water quality impacts to the wetland.
303

304 Assistant Consulting Town Engineer Steven Robbins added he is not aware of any
305 other mitigation measures that might be needed to be considered.
306

307 Mr. Thompson stated he is not opposed to a rain garden but there is potential for
308 further discussion.
309

310 Mr. Prince stated that you are concerned about the impervious surface, but right
311 now water is flowing down the hill into a pond.
312

313 Assistant Consulting Town Engineer Steven Robbins stated the water is flowing
314 across a vegetative surface.
315

316 Mr. Prince stated into a pond.
317

318 Assistant Consulting Town Engineer Steven Robbins added, this is downhill from
319 the vegetative surface and we want to make certain that the water quality that goes
320 down into the pond and then subsequently downstream into the rest of the system
321 is maintained.
322

323 Assistant Consulting Town Engineer Steven Robbins continued with the need of
324 the applicant to provide confirmation from the New York City Department of
325 Environmental Protection (NYC DEP) that they do not feel they have any
326 jurisdiction here. We have talked about the mitigation measures regarding water
327 quality volume consistent with wetland buffer disturbance in the Town Code.
328 There was also a comment about backwash and dewatering procedures to
329 understand potential impacts there. There was a note about the wetland boundary
330 drawings, a couple of details for construction just to confirm the limits of
331 disturbance.
332

333 Chairman Currie asked if there was some mitigation for cleaning and would that be
334 on a regular basis. He stated he never heard of that being done before, asking an
335 applicant to clean something on a regular basis especially if it was set up originally
336 for the Town.
337

338 Assistant Consulting Town Engineer Steven Robbins stated it would certainly be
339 an unusual situation and asked if the proposal is a one-time versus continuous.
340

341 Ms. Gerbino stated this was a one-time shot, because evidentially it is not in good
342 shape at the moment.
343

344 Chairman Currie asked would that be accessed by a backhoe.
345

346 Assistant Consulting Town Engineer Steven Robbins stated you would want to be
347 sensitive to the environment that it is in. A closer look would be in order to see
348 what type of work would be necessary to make certain that it is functioning as
349 originally intended as a Stormwater mitigation.
350

351 Mr. Thomson stated he believes that is the intent in bringing this up, but as this is
352 at an exploratory point, he just approached this with the homeowner asking if they
353 would be willing to clear some kind of access to the basins. He believes that
354 Principal Engineering Technician Steven Woelfle's issue is, at this juncture that
355 the undergrowth has done so well because of the nature of what it is, he was

356 reluctant to have people from the town go in and clear an access way on someone
357 else's property. The thought might be to make an acceptable way to get into those
358 areas that should be maintained, such that the Town can easily walk onto the
359 property, notify the homeowner that they are there and gain access to whatever it is
360 they need to examine to make certain that everything is functioning properly.
361 Ms. Gerbino stated the easement is in place, adding there is one in my
362 neighborhood where they periodically drive down to clean it out.

363
364 Mr. Thompson added, again this is unusual because it is so far back and all the
365 vegetation has gotten so dense, that it might be easier to pull up to the driveway
366 and send the men up a path to get to the locations that are important to the
367 overflow and outlet.

368
369 Mr. Prince asked if he has seen the Open Space Committee wherein they are
370 disinclined to favor the application because of the lack of information, i.e. septic
371 and "who established the wetland boundaries?"

372
373 Mr. Thompson responded they have two letters, the wetland boundary line that was
374 established when the septic system was designed and then they had a second
375 wetland engineer go in and establish the fact that the wetland boundary had not
376 changed.

377
378 Ms. Gannon suggested that the easement be staked out for a site walk.

379
380 Chairman Currie stated that the Board has two site walks scheduled for October 6
381 and 13 and asked Mr. Thompson if that is enough time for him to stake out the
382 easements. Mr. Thompson stated he would stake the corners.

383
384
385
386 **ODELL WETLAND PERMIT: (TM: 16.17-1-6)**

387
388 Mr. Andrew Cheung, PE, approached the Board and stated he is with the
389 Watershed Agricultural Council (WAC), a sister organization to the East of
390 Hudson Watershed Corp. What they do is to design and install pollution
391 prevention BMP's (Best Management Practices) on agricultural properties.

392
393 The property has historically had horses; they do training, boarding and equine
394 activities and as such there is manure and waste products. Engineer Cheung stated
395 they want to separate the waste water from the clean water. We want to keep all

396 the waste water away so it does not end up in the reservoir which causes the green
397 blue algae that you see in some of the reservoirs. That is caused by the nitrogen
398 and phosphorus in fertilizer and manure.
399

400 Engineer Cheung indicated in designing this project a number of BMP's were
401 created to prevent waste water from entering the reservoir. A couple of the BMP's
402 include, but are not limited to: heavy use area protection, fencing an access road
403 and run off structures. Collectively they will prevent waste water from being
404 generated at the site and leaving the site to go into the reservoir. As the design
405 goes, they use the Natural Resource Conservation Service (NRSC), New York City
406 Department of Environmental Protection (NYC DEP) and New York State
407 Department of Environmental Conservation (NYS DEC) standards. They do all
408 the procurement, selection of the contractor and construction inspections. To sum
409 the process up they do everything from survey and design all the way to project
410 completion and close out. Then NYC DEP then signs off on a completed project
411 and they get credit for that particular farm.
412

413 Engineer Cheung stated there is an existing pond on the south side of the property
414 and everything flows down from the north and collects into this pond. Therefore
415 the pond is typically always full of algae from the waste ending up in the pond.
416

417 The structure for the water control on the adjacent property to the north has a
418 sizeable drainage area flowing down. Over the years a stream has developed that
419 goes into the pond. The stream is right in the middle of a horse paddock with
420 approximately 11 horses that drink from the stream and their waste matter ends up
421 in the stream. The goal here is to keep the waste away from the stream.
422

423 For the water control, Engineer Cheung stated there is an existing sediment basin
424 that was dug. He has designed a basin for a 25 year 24 hour storm event, the
425 overflow from the basin comes out through a riser pipe to a 15inch culvert which
426 flows into the existing pond. The design eliminates the surface water accumulation
427 and waste stream going into the pond.
428

429 Engineer Cheung spoke about rotational grazing, which is a farming type of BPM.
430 The plan is to bi-sect the existing fields so the horses will stay in one area over the
431 course of a year and the other paddock will rest and revegetate, then the following
432 year the horses will be swapped to another field so the first field can be reseeded
433 and mulched and allowed to revegetate.
434

435 During this time the water will come from existing water and electric lines from
436 the house and an existing well house and installing a couple of nelson waterers for
437 drinking water for the horses.

438
439 In addition, manure has been stock piled in an uncontrolled area; when it rains the
440 manure will drain into the water. To combat this a covered dumpster pad will be
441 installed. On the pad there will always be a 30 yard dumpster at any given time.
442 When the barns are cleaned and the fields are raked of manure, it will be placed
443 into the dumpster and approximately once or twice a month the dumpster is taken
444 off site and a new dumpster will be replaced. An access road has been created that
445 will allow for a truck to enter the property as needed for pick up and drop off of
446 dumpsters.

447
448 Mr. Prince asked who will be paying for all of this.

449
450 Engineer Cheung stated NYC DEP will be paying for all of it. He explained to the
451 Board that the WAC is a non-regulatory agency and their history is to now give
452 something back to the farmers and pay for everything with the stipulation that all
453 pollution prevention devices, plans and designs have to meet NRCS specifications,
454 as well as NYCDEP and NYSDEC regulations.

455
456 Mr. Prince opined that for the last few years all of this has been flowing into the
457 reservoir.

458
459 Discussion ensued with the Board about the history of the farm, in that it predates
460 any rules and regulations. What is being doing here is to change the standard
461 practice that has been ongoing for a very long time.

462
463 Engineer Cheung stated he has worked on every farm in Somers including Stuart's
464 Farm where they built an agrochemical facility, Tomahawk Farm, Heritage Farm
465 and Stonewall Farm.

466 Engineer Cheung added he was here at the request of Steven Woelfle, Principal
467 Engineering Technician to inform the Board what is happening at this location, in
468 case the Board had any questions. He continued that Town approval is not needed
469 as approvals are already in place with NYC DEP & NYS DEC.

470
471 Ms. Gerbino asked why then was Engineer Cheung here, was it just for our
472 information only.

473

474 Engineer Cheung stated Mr. Woelfle was also speaking about an administrative
475 permit.

476
477 Ms. Corning asked where the wetland was.

478
479 Engineer Cheung pointed out on the map where the wetlands and the stream are
480 adding according to the NYS DEC mapping this is not in the wetlands.

481
482 Assistant Consulting Town Engineer Steven Robbins stated because this is in the
483 East of Hudson Watershed that is why NYS DEC is paying for these
484 improvements.

485
486 Ms. Gannon asked if the water flowing across from the property above as shown
487 on the map is regulated.

488
489 Engineer Cheung stated no, it is Stormwater runoff from roof water. He explained
490 that he did a site inspection during a rain storm and found the water flowing
491 follows a stone wall. The water will be collected and piped directly so that it does
492 not get contaminated with waste before it reaches the pond.

493
494 Ms. Gannon stated as you have divided the field in half the horses have basically
495 half the amount of room and asked if there are any welfare issues with the
496 available room.

497
498 Engineer Cheung stated no there is still plenty of room.

499
500 Discussion ensued about the wetland and if a permit is needed.

501
502 Engineer Cheung stated that in his discussion with Principal Engineering
503 Technician Steven Woelfle there was discussion of a Wetland Permit. Engineer
504 Cheung stated that he has the NYSDEC & NYCDEP wetland and maps and they
505 do not show this as part of the 100 foot check zone.

506 Assistant Consulting Town Engineer Steven Robbins stated it needs to be
507 confirmed if there is a Town Wetlands on or adjacent to the property which would
508 require a permit. If not they are done.

509
510 A memo with this decision will be sent to Assistant Consulting Town Engineer
511 Steven Robbins and the Odell's.

512
513 **ZONING TEXT AMENDMENT DISCUSSION:**

514
515 Chairman Currie stated that this is discussion about invasive plants that are
516 prohibited plants by the State of New York.

517
518 Ms. Corning opined that it is a matter of enforcement.

519
520 Ms. Gerbino stated the Board already has the power to enforce this when we swear
521 to uphold the State Constitution and asked why would we repeat this by making a
522 Town Code.

523
524 Assistant Consulting Town Engineer Steven Robbins stated at a recent Town
525 Board meeting discussion was held about Bamboo and that may have been what
526 drove this issue.

527
528 The Board discussed the Town of Brookhaven's ruling to control any Bamboo.

529
530 Director of Planning Dym stated what the Town Board appears to be asking, is, do
531 you think the Town should enact any legislation or a piece of legislation that some
532 other Towns have enacted.

533
534 Ms. Corning stated if a recommendation is made it should be inclusive of more
535 than just bamboo, it should include all the invasive species now and as more
536 species' are added to the list, that they be included as well.

537
538 There being no further business, on a motion by Chairman Currie, seconded by
539 Ms. Gerbino and unanimously carried, the meeting was adjourned at 8:50pm. The
540 Chairman announced that the next Planning Board meeting will be held on
541 Wednesday, October 10, 2018 and reminded the Board of the scheduled site walks
542 for October 6, 2018 and October 13, 2018.

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544
545 Respectfully submitted,
546 *Barbara J Sherry*
547 Barbara J. Sherry
548 Intermediate Clerk
549 Somers Planning Board

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551 Z:\PE\Planning Board meetings\Minutes\2018\September 26, 2018 Minutes REVISED FEB , 1, 2019.docx
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