

# Town of Somers

WESTCHESTER COUNTY, N.Y.

PATRICIA KALBA  
TOWN CLERK



## RESOLUTION

WHEREAS, on or about August 7, 2023, a formal petition for proposed zoning map and text amendments to allow for the construction of 76 Market Rate Townhomes along with an approximately 6,000 square foot community center (the “Proposed Project”) was submitted on behalf of Parkview B & G LLC (the “Applicant”) for property with an address of 0 Route 6 also known locally as Tax Map 4:20-1-2 and 15.08-1-4 (the “Subject Site”); and

WHEREAS, in support of the petition the Applicant also submitted a Full Environmental Assessment Form (EAF), conceptual layout plan and plan for the proposed recreation center; and

WHEREAS, the Applicant seeks to rezone the Subject Site from an Existing R-80 Residence District, R-40 Residence District and PH- Planned Hamlet District to Multifamily Residence Baldwin Place MFR-BP District along with proposed zoning text to Section 170-13.A. Multifamily Residence MFR District to Add 18(c) Affordable Housing Dwelling Unit Credits (the “Zoning Amendments” together with the Proposed Project, the “Proposed Action”); and

WHEREAS, on August 10, 2023 the Town Board did review and discuss the Proposed Action and did declare their intent to act as Lead Agency under the State Environmental Quality Review Act (“SEQRA”) and did cause to be circulated a Notice of Intent to Act as Lead Agency to a known list of Interested and Involved Agencies; and

WHEREAS, on or about August 14, 2023, the Applicant did submit a revised petition which provided additional clarity to the proposed zoning text change; and

WHEREAS, on September 6, 2023, the Applicant did submit an updated conceptual plan and petition revising the Proposed Action so as to include an additional five (5) units that are to be marketed as for-sale units at no more than 120 percent of Westchester County average median income; and

WHEREAS, the Town Board in review of the Proposed Action notes that per §92-6.A(5) of the Somers Town Code, the Proposed Action is classified as a Type 1 Action under SEQRA; and  
WHEREAS, the Town has received comments from the following regarding the Intent to Act as Lead Agency: NYC DEP, Town of Somers Planning Board and Town of Somers Bureau of Fire Prevention, none of whom objected to the Town Board assuming Lead Agency status to coordinate the environmental review process; and

WHEREAS, at its October 5, 2023 meeting, the Town Board did formally declare themselves as Lead Agency for the Proposed Action, and requested that the Applicant supplement the EAF with a series of technical reports related to traffic, natural resources, fiscal, utilities, cultural resources and stormwater management; and

WHEREAS, on November 29, 2023, the Applicant submitted to the Town an EAF that that included a series of technical reports which was reviewed by the Town Board and its technical staff and it was determined that the Applicant needed to provide additional information to assist the other Interested and Involved Agencies and the public with the better understanding the Proposed Actions, potential impacts and proposed mitigation; and

WHEREAS, on May 10, 2024, the Applicant submitted revised documents which were reviewed and additional comments and supplemental information was requested by the Lead Agency; and WHEREAS, on June 19, 2024 the Applicant met with the Town of Somers Bureau of Fire Prevention to discuss site access and the Applicant modified the plan to adequately respond to the concerns raised by the BFP which was provided in a memo from the BFP to the Town Board dated July 10, 2024; and

WHEREAS, on July 2, 2024 the Applicant submitted revised documents that were reviewed by the Lead Agency and were deemed to be acceptable for circulation to the other Interested and Involved Agencies and the public for their review and comment at the Town Board's August 8, 2024 meeting; and

WHEREAS, at the October 3, 2024 work session the Town Board did review the comments received on the Expanded EAF document from other Interested and Involved Agencies, including:

NYC DEP dated 9/24/24

NYS DEC dated 11/19/24

Westchester County Planning Board dated October 2, 2024 and December 16, 2024; and

WHEREAS, on October 17, 2024, the Applicant did provide responses to the comments raised on the EEAF along with an updated Fiscal Analysis dated October 14, 2024 for the Town Board's consideration; and

WHEREAS, the Town Board did cause to be scheduled a public hearing on the proposed Zoning Amendments for February 13, 2025, in which all members of the public were invited to be heard and were; and

WHEREAS, the Town Board is in receipt of a memo from the Town Planner dated October 29, 2024 which included EAF Parts 1 and drafts of EAF Parts 2 and 3 Narrative for their collective review and consideration including a detailed discussion of the environmental review process and the criteria for determining significance; and

WHEREAS, on February 13, 2025 the Town Board held a duly noticed public hearing on the Proposed Action in which all member of the public were invited to be heard and the public hearing was subsequently closed; and

WHEREAS, the Town Board has reviewed: the plans and materials submitted by the Applicant as listed in Attachment A to this Resolution and comments and correspondence received from the members of the public, Town Staff, Consultants and other related Boards and Committees responsible for the review of such applications; and

WHEREAS, the Town Board, as Lead Agency in the SEQRA review of the Proposed Action has evaluated the potential environmental impacts of the mater under Part 2 of the Full EAF and determined that the Proposed Action does not have the potential to cause any significant adverse impacts to the environment; and

NOW, THEREFOR BE IT RESOLVED, that the Town Board hereby adopts a Negative Declaration under SEQRA for the reasons stated in Parts 2 and 3 of the EAF, which are attached to this resolution as Exhibit A.

I hereby certify that the foregoing copy of the resolution was unanimously adopted by the Town Board of the Town of Somers at a Work Session/Regular Meeting held on February 13, 2025.

Dated: February 19, 2025

*Patricia Kalba*

Town Clerk

Ec: Supervisor  
Director of Finance  
Planning

**EXHIBIT A TO RESOLUTION**  
**FULL ENVIRONMENTAL ASSESSMENT FORM**

**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:  |        |            |
| Project Location (describe, and attach a general location map):     |        |            |
| Brief Description of Proposed Action (include purpose or need):     |        |            |
| Name of Applicant/Sponsor:  |        | Telephone: |
|   |        | E-Mail:    |
| Address:  |        |            |
| City/PO:  | State: | Zip Code:  |
| 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, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No |  |  |
| b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No     |  |  |
| c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No          |  |  |
| d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No                                   |  |  |
| e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No  |  |  |
| f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No                                      |  |  |
| g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No   |  |  |
| h. Federal agencies <input type="checkbox"/> Yes <input 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 type="checkbox"/> No |
| ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?           |  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| iii. Is the project site within a Coastal Erosion Hazard Area?   |  | <input type="checkbox"/> Yes <input 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? ☐ Yes ☐ No

- 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? ☐ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☐ 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?) ☐ Yes ☐ No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_ 

\_\_\_\_\_ **Baldwin Place Shopping Center (Now Somers Commons)** \_\_\_\_\_

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? ☐ Yes ☐ No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

|   |            |
|---|------------|
| <b>C.3. Zoning</b>  |            |
| a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.<br>If Yes, what is the zoning classification(s) including any applicable overlay district? | □ Yes □ No |
| <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div>                         |            |
| 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?<br>If Yes,  | □ Yes □ No |
| i. What is the proposed new zoning for the site? _____  |            |
| <b>C.4. Existing community services.</b>  |            |
| a. In what school district is the project site located? _____   |            |
| b. What police or other public protection forces serve the project site?<br>_____   |            |
| c. Which fire protection and emergency medical services serve the project site?<br>_____  |            |
| d. What parks serve the project site?<br>_____<br>_____   |            |

#### D. Project Details

|   |             |
|---|-------------|
| <b>D.1. Proposed and Potential Development</b>  |             |
| a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?<br>_____  |             |
| b. a. Total acreage of the site of the proposed action?   | _____ acres |
| b. b. Total acreage to be physically disturbed?   | _____ acres |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?  | _____ 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)<br>_____  |             |
| ii. Is a cluster/conservation layout proposed? □ Yes □ No   |             |
| iii. Number of lots proposed? _____   |             |
| iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____   |             |
| e. Will the proposed action be constructed in multiple phases? □ Yes □ No   |             |
| i. If No, anticipated period of construction: _____ months  |             |
| ii. If Yes:   |             |
| <ul style="list-style-type: none"> <li>• Total number of phases anticipated _____</li> <li>• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year</li> <li>• Anticipated completion date of final phase _____ month _____ year</li> <li>• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____<br/>_____<br/>_____</li> </ul> |             |

|  |                   |                   |                     |                                       |
|--|-------------------|-------------------|---------------------|---------------------------------------|
| f. Does the project include new residential uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br>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  | _____             | _____             | _____               | _____                                 |
| At completion  | _____             | _____             | _____               | _____                                 |
| of all phases  | _____             | _____             | _____               | _____                                 |

|   |  |
|---|--|
| g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br>If Yes,                               |  |
| i. Total number of structures _____<br>ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length<br>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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br>If Yes,  |  |
| i. Purpose of the impoundment: _____<br>ii. If a water impoundment, the principal source of the water: <span style="float: right;"><input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____</span><br>iii. If other than water, identify the type of impounded/contained liquids and their source. _____<br>iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres<br>v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length<br>vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____<br>_____ |  |

**D.2. Project Operations**

|   |  |
|---|--|
| a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br>(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)<br>If Yes:   |  |
| i. What is the purpose of the excavation or dredging? _____<br>ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?<br>• Volume (specify tons or cubic yards): _____<br>• Over what duration of time? _____<br>iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.<br>_____<br>_____<br>iv. Will there be onsite dewatering or processing of excavated materials? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br>If yes, describe. _____<br>_____<br>v. What is the total area to be dredged or excavated? _____ acres<br>vi. What is the maximum area to be worked at any one time? _____ acres<br>vii. What would be the maximum depth of excavation or dredging? _____ feet<br>viii. Will the excavation require blasting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br>ix. Summarize site reclamation goals and plan: _____<br>_____<br>_____ |  |

|   |  |
|---|--|
| 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br>If Yes: |  |
| i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____<br>_____  |  |

*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: \_\_\_\_\_

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*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: \_\_\_\_\_ 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: \_\_\_\_\_
- 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: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

*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.

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*d.* Will the proposed action generate liquid wastes? ☐ Yes ☐ No ☐  
 If Yes:

*i.* Total anticipated liquid waste generation per day: \_\_\_\_\_ 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): \_\_\_\_\_

\_\_\_\_\_

*iii.* Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No ☐  
 If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No ☐
- Is the project site in the existing district? \*County Boundary Modification, Town District Expansion ☐ Yes ☐ No ☐
- Is expansion of the district needed? \*County Boundary Modification, Town District Expansion ☐ Yes ☐ No ☐

|   |  |  |
|---|--|--|
| <ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will a line extension within an existing district be necessary to serve the project? _____</li> </ul> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____<br/>           _____<br/>           _____</li> </ul>   | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><input 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"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>   | <input type="checkbox"/> Yes <input type="checkbox"/> No   |  |
| <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): _____<br/>           _____<br/>           _____</p>  |  |  |
| <p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____<br/>           _____<br/>           _____</p>   |  |  |
| <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 style="padding-left: 40px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____</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)? _____<br/>           _____</p> <ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____<br/>             _____</li> <li>• Will stormwater runoff flow to adjacent properties? _____</li> </ul> | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> Yes <input type="checkbox"/> No<br><input 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 type="checkbox"/> No<br><input type="checkbox"/> Yes <input 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"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul>  |  | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> Yes <input type="checkbox"/> No |

|   |   |  |   |
|---|---|--|---|
| <p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Estimate methane generation in tons/year (metric): _____</p> <p style="margin-left: 20px;">ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>  |   |  |   |
| <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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>   |   |  |   |
| <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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="margin-left: 20px;">* Per EAF Workbook, less than 100 peak hour vehicle trips does not constitute as substantial increase in traffic. For townhomes, the Workbook states 190 units of townhomes equals 100 peak hour vehicle trips.</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend</p> <p style="margin-left: 20px;"><input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p style="margin-left: 20px;">ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p style="margin-left: 20px;">iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p style="margin-left: 20px;">iv. Does the proposed action include any shared use parking? <span style="float: right;">Yes No</span></p> <p style="margin-left: 20px;">v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p style="margin-left: 20px;">vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="margin-left: 20px;">vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="margin-left: 20px;">viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> |   |  |   |
| <p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p style="margin-left: 20px;">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 style="margin-left: 20px;">iii. Will the proposed action require a new, or an upgrade, to an existing substation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>  |   |  |   |
| <p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> </tr> </table>   |   | <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> | <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> |
| <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>  | <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> |  |   |

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|---|--|
| <p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>  |  |
| <p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>   |  |
| <p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></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>_____</p> <p>_____</p>  |  |
| <p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>   |  |
| <p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>  |  |
| <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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></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> <p>_____</p>   |  |
| <p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>  |  |
| <p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>   |  |
| <p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></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"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <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"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> |  |

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

| <b>E.1. Land uses on and surrounding the project site</b>   |                    |                                     |                       |
|---|--------------------|-------------------------------------|-----------------------|
| a. Existing land uses.<br>i. Check all uses that occur on, adjoining and near the project site.<br><input type="checkbox"/> Urban <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Rural (non-farm)<br><input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____<br>ii. If mix of uses, generally describe:<br>_____<br>_____ |                    |                                     |                       |
| b. Land uses and coverytypes on the project site.   |                    |                                     |                       |
| Land use or<br>Coverytype   | Current<br>Acreage | Acreage After<br>Project Completion | Change<br>(Acres +/-) |
| • Roads, buildings, and other paved or impervious surfaces  |                    |                                     |                       |
| • Forested  |                    |                                     |                       |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)  |                    |                                     |                       |
| • Agricultural<br>(includes active orchards, field, greenhouse etc.)  |                    |                                     |                       |
| • Surface water features<br>(lakes, ponds, streams, rivers, etc.)   |                    |                                     |                       |
| • Wetlands (freshwater or tidal)  |                    |                                     |                       |
| • Non-vegetated (bare rock, earth or fill)  |                    |                                     |                       |
| • Other<br>Describe: _____<br>_____   |                    |                                     |                       |

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| <p>c. Is the project site presently used by members of the community for public recreation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>i. If Yes: explain: _____</p>   |
| <p>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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes,</p> <p>i. Identify Facilities: _____</p> <p>_____</p>  |
| <p>e. Does the project site contain an existing dam? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> <li>• Dam height: _____ feet</li> <li>• Dam length: _____ feet</li> <li>• Surface area: _____ acres</li> <li>• Volume impounded: _____ gallons OR acre-feet</li> </ul> <p>ii. Dam's existing hazard classification: _____</p> <p>iii. Provide date and summarize results of last inspection: _____</p> <p>_____</p>  |
| <p>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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Has the facility been formally closed? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <ul style="list-style-type: none"> <li>• If yes, cite sources/documentation: _____</li> </ul> <p>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____</p> <p>_____</p> <p>iii. Describe any development constraints due to the prior solid waste activities: _____</p> <p>_____</p>  |
| <p>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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p> <p>_____</p>  |
| <p>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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Yes – Spills Incidents database<br/> <input type="checkbox"/> Yes – Environmental Site Remediation database<br/> <input type="checkbox"/> Neither database         </div> <div>           Provide DEC ID number(s): _____<br/>           Provide DEC ID number(s): _____         </div> </div> <p>ii. If site has been subject of RCRA corrective activities, describe control measures: _____</p> <p>_____</p> <p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, provide DEC ID number(s): _____</p> <p>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____</p> <p>_____</p> |

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| v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> <ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Explain: _____<br/> _____</li> </ul>   |  |
| <b>E.2. Natural Resources On or Near Project Site</b>   |  |
| a. What is the average depth to bedrock on the project site? _____ feet   |  |
| b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br>If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %   |  |
| c. Predominant soil type(s) present on project site: <div style="display: flex; justify-content: space-between;"> <div>_____</div> <div>_____ %</div> </div> <div style="display: flex; justify-content: space-between;"> <div>_____</div> <div>_____ %</div> </div> <div style="display: flex; justify-content: space-between;"> <div>_____</div> <div>_____ %</div> </div>  |  |
| d. What is the average depth to the water table on the project site? Average: _____ feet  |  |
| e. Drainage status of project site soils: <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> Well Drained:</div> <div>_____ % of site</div> </div> <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> Moderately Well Drained:</div> <div>_____ % of site</div> </div> <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> Poorly Drained</div> <div>_____ % of site</div> </div>  |  |
| f. Approximate proportion of proposed action site with slopes: <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> 0-10%:</div> <div>_____ % of site</div> </div> <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> 10-15%:</div> <div>_____ % of site</div> </div> <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> 15% or greater:</div> <div>_____ % of site</div> </div>  |  |
| g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br>If Yes, describe: _____<br>_____  |  |
| h. Surface water features. <div style="display: flex; justify-content: space-between;"> <div>i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?</div> <div><input type="checkbox"/> Yes <input type="checkbox"/> No</div> </div> <div style="display: flex; justify-content: space-between;"> <div>ii. Do any wetlands or other waterbodies adjoin the project site?</div> <div><input type="checkbox"/> Yes <input type="checkbox"/> No</div> </div> If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. <div style="display: flex; justify-content: space-between;"> <div>iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?</div> <div><input type="checkbox"/> Yes <input type="checkbox"/> No</div> </div> iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <div style="display: flex; justify-content: space-between;"> <div>• Streams: Name _____</div> <div>Classification _____</div> </div> <div style="display: flex; justify-content: space-between;"> <div>• Lakes or Ponds: Name _____</div> <div>Classification _____</div> </div> <div style="display: flex; justify-content: space-between;"> <div>• Wetlands: Name _____</div> <div>Approximate Size _____</div> </div> <div style="display: flex; justify-content: space-between;"> <div>• Wetland No. (if regulated by DEC) _____</div> <div></div> </div> |  |

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?

☐ Yes ☐ No

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| <p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p>   |
| <p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul> |
| <p>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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>  |
| <p>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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p> <p>_____</p>   |
| <p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> <p>_____</p>  |
| <p><b>E.3. Designated Public Resources On or Near Project Site</b></p>   |
| <p>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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>   |
| <p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>  |
| <p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <span style="margin-left: 20px;"><input type="checkbox"/> Biological Community</span> <span style="margin-left: 20px;"><input type="checkbox"/> Geological Feature</span></p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>              |
| <p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>  |

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| e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br>If Yes:<br>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District<br>ii. Name: _____<br>iii. Brief description of attributes on which listing is based: _____ |
| f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>   |
| g. Have additional archaeological or historic site(s) or resources been identified on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br>If Yes:<br>i. Describe possible resource(s): _____<br>ii. Basis for identification: _____  |
| h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br>If Yes:<br>i. Identify resource: _____<br>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____<br>iii. Distance between project and resource: _____ miles.   |
| i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br>If Yes:<br>i. Identify the name of the river and its designation: _____<br>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>  |

#### F. Additional Information

Attach any additional information which may be needed to clarify your project.

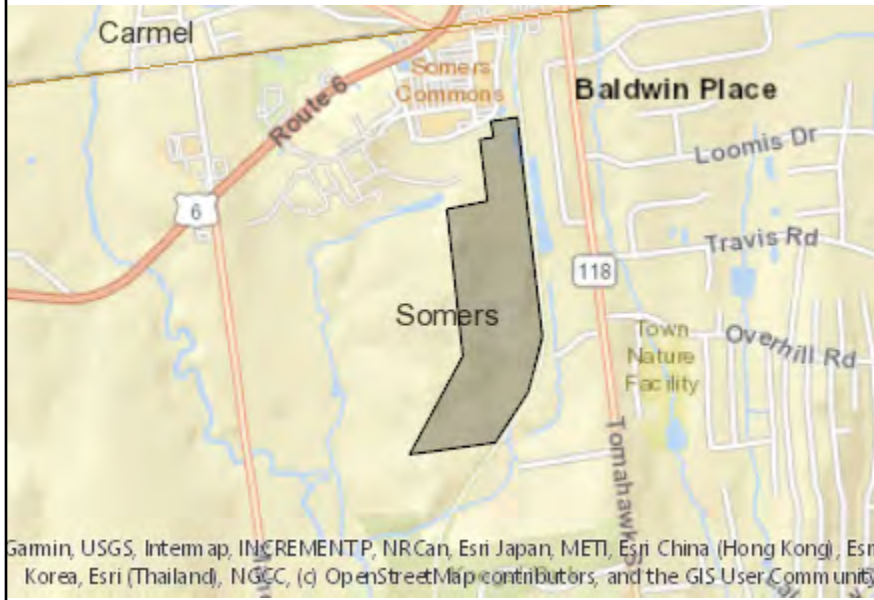
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

#### G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



|  |   |
|--|---|
| 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]  | Remediation Sites:360023, NYC Watershed Boundary  |
| E.1.h [DEC Spills or Remediation Site - Potential Contamination History]           | Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.                       |
| E.1.h.i [DEC Spills or Remediation Site - Listed]                                  | Yes   |
| E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database] | Yes   |
| E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]                           | 360023  |
| E.1.h.iii [Within 2,000' of DEC Remediation Site]                                  | Yes   |
| E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]                         | 360023  |
| 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]                                  | Federal Waters  |
| 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]   | No   |
| E.2.l. [Aquifers]  | No   |
| 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   |

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Project :

Date :

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

| <b>1. Impact on Land</b><br>Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)<br><i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i> |                                   |  |   | <input type="checkbox"/> NO | <input type="checkbox"/> YES |
|---|-----------------------------------|--|---|-----------------------------|------------------------------|
|   | Relevant<br>Part I<br>Question(s) | No, or<br>small<br>impact<br>may occur | Moderate<br>to large<br>impact may<br>occur |                             |                              |
| a. The proposed action may involve construction on land where depth to water table is less than 3 feet.   | E2d                               | <input type="checkbox"/>               | <input type="checkbox"/>                    |                             |                              |
| b. The proposed action may involve construction on slopes of 15% or greater.  | E2f                               | <input type="checkbox"/>               | <input type="checkbox"/>                    |                             |                              |
| c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.  | E2a                               | <input type="checkbox"/>               | <input type="checkbox"/>                    |                             |                              |
| d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.  | D2a                               | <input type="checkbox"/>               | <input type="checkbox"/>                    |                             |                              |
| e. The proposed action may involve construction that continues for more than one year or in multiple phases.  | D1e                               | <input type="checkbox"/>               | <input type="checkbox"/>                    |                             |                              |
| f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).   | D2e, D2q                          | <input type="checkbox"/>               | <input type="checkbox"/>                    |                             |                              |
| g. The proposed action is, or may be, located within a Coastal Erosion hazard area.   | B1i                               | <input type="checkbox"/>               | <input type="checkbox"/>                    |                             |                              |
| h. Other impacts: _____<br>_____  |                                   | <input type="checkbox"/>               | <input type="checkbox"/>                    |                             |                              |

|   |                                    |                                      |   |
|---|------------------------------------|--------------------------------------|---|
| <b>2. Impact on Geological Features</b><br>The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span><br><i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i> |                                    |                                      |   |
|   | <b>Relevant Part I Question(s)</b> | <b>No, or small impact may occur</b> | <b>Moderate to large impact may occur</b> |
| a. Identify the specific land form(s) attached: _____   | E2g                                | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark.<br>Specific feature: _____   | E3c                                | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| c. Other impacts: _____   |                                    | <input type="checkbox"/>             | <input type="checkbox"/>                  |

|  |                                    |                                      |   |
|--|------------------------------------|--------------------------------------|---|
| <b>3. Impacts on Surface Water</b><br>The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span><br><i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i> |                                    |                                      |   |
|  | <b>Relevant Part I Question(s)</b> | <b>No, or small impact may occur</b> | <b>Moderate to large impact may occur</b> |
| a. The proposed action may create a new water body.  | D2b, D1h                           | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.   | D2b                                | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.  | D2a                                | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.   | E2h                                | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.  | D2a, D2h                           | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.   | D2c                                | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).   | D2d                                | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.   | D2e                                | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.   | E2h                                | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| j. The proposed action may involve the application of pesticides or herbicides in or around any water body.  | D2q, E2h                           | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.   | D1a, D2d                           | <input type="checkbox"/>             | <input type="checkbox"/>                  |

|                                  |  |                          |                          |
|----------------------------------|--|--------------------------|--------------------------|
| I. Other impacts: _____<br>_____ |  | <input type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------|--|--------------------------|--------------------------|

| <b>4. Impact on groundwater</b><br>The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.<br>(See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)<br><i>If “Yes”, answer questions a - h. If “No”, move on to Section 5.</i> |                             |                               |                                    |
|---|-----------------------------|-------------------------------|------------------------------------|
|   | <input type="checkbox"/> NO | <input type="checkbox"/> YES  |                                    |
|   | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.  | D2c                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer.<br>Cite Source: _____  | D2c                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action may allow or result in residential uses in areas without water and sewer services.   | D1a, D2c                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action may include or require wastewater discharged to groundwater.   | D2d, E2l                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.   | D2c, E1f, E1g, E1h          | <input type="checkbox"/>      | <input type="checkbox"/>           |
| f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.  | D2p, E2l                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.  | E2h, D2q, E2l, D2c          | <input type="checkbox"/>      | <input type="checkbox"/>           |
| h. Other impacts: _____<br>_____  |                             | <input type="checkbox"/>      | <input type="checkbox"/>           |

| <b>5. Impact on Flooding</b><br>The proposed action may result in development on lands subject to flooding.<br>(See Part 1. E.2)<br><i>If “Yes”, answer questions a - g. If “No”, move on to Section 6.</i> |                             |                               |                                    |
|---|-----------------------------|-------------------------------|------------------------------------|
|   | <input type="checkbox"/> NO | <input type="checkbox"/> YES  |                                    |
|   | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may result in development in a designated floodway.  | E2i                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action may result in development within a 100 year floodplain.  | E2j                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action may result in development within a 500 year floodplain.  | E2k                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action may result in, or require, modification of existing drainage patterns.   | D2b, D2e                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| e. The proposed action may change flood water flows that contribute to flooding.  | D2b, E2i, E2j, E2k          | <input type="checkbox"/>      | <input type="checkbox"/>           |
| f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?  | E1e                         | <input type="checkbox"/>      | <input type="checkbox"/>           |

|                                  |  |                          |                          |
|----------------------------------|--|--------------------------|--------------------------|
| g. Other impacts: _____<br>_____ |  | <input type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------|--|--------------------------|--------------------------|

| <b>6. Impacts on Air</b><br>The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g)<br><i>If “Yes”, answer questions a - f. If “No”, move on to Section 7.</i>                            |                             |                               |                                    |
|---|-----------------------------|-------------------------------|------------------------------------|
|   |                             | <input type="checkbox"/> NO   | <input type="checkbox"/> YES       |
|   | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:   |                             |                               |                                    |
| i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> )  | D2g                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O)   | D2g                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)   | D2g                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> )  | D2g                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions   | D2g                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| vi. 43 tons/year or more of methane   | D2h                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.  | D2g                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour. | D2f, D2g                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action may reach 50% of any of the thresholds in “a” through “c”, above.  | D2g                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.   | D2s                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| f. Other impacts: _____<br>_____  |                             | <input type="checkbox"/>      | <input type="checkbox"/>           |

| <b>7. Impact on Plants and Animals</b><br>The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)<br><i>If “Yes”, answer questions a - j. If “No”, move on to Section 8.</i>  |                             |                               |                                    |
|--|-----------------------------|-------------------------------|------------------------------------|
|  |                             | <input type="checkbox"/> NO   | <input type="checkbox"/> YES       |
|  | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.                  | E2o                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.  | E2o                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site. | E2p                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.  | E2p                         | <input type="checkbox"/>      | <input type="checkbox"/>           |

|   |     |                          |                          |
|---|-----|--------------------------|--------------------------|
| e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.                               | E3c | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community.<br>Source: _____                                  | E2n | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.              | E2m | <input type="checkbox"/> | <input type="checkbox"/> |
| h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat.<br>Habitat type & information source: _____ | E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.  | D2q | <input type="checkbox"/> | <input type="checkbox"/> |
| j. Other impacts: _____   |     | <input type="checkbox"/> | <input type="checkbox"/> |

|   |                                    |                                      |   |
|---|------------------------------------|--------------------------------------|---|
| <b>8. Impact on Agricultural Resources</b><br>The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span><br><i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i> |                                    |                                      |   |
|   | <b>Relevant Part I Question(s)</b> | <b>No, or small impact may occur</b> | <b>Moderate to large impact may occur</b> |
| a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.  | E2c, E3b                           | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).   | E1a, E1b                           | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.  | E3b                                | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.  | E1b, E3a                           | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| e. The proposed action may disrupt or prevent installation of an agricultural land management system.   | E1 a, E1b                          | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.  | C2c, C3, D2c, D2d                  | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.  | C2c                                | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| h. Other impacts: _____   |                                    | <input type="checkbox"/>             | <input type="checkbox"/>                  |

|  |                                    |  |  |
|--|------------------------------------|--|--|
| <b>9. Impact on Aesthetic Resources</b><br>The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)<br><i>If "Yes", answer questions a - g. If "No", go to Section 10.</i> |                                    |  |  |
|  |                                    | <input type="checkbox"/> NO                          | <input type="checkbox"/> YES                         |
|  | <b>Relevant Part I Question(s)</b> | <b>No, or small impact may occur</b>                 | <b>Moderate to large impact may occur</b>            |
| a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.  | E3h                                | <input type="checkbox"/>                             | <input type="checkbox"/>                             |
| b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.  | E3h, C2b                           | <input type="checkbox"/>                             | <input type="checkbox"/>                             |
| c. The proposed action may be visible from publicly accessible vantage points:<br>i. Seasonally (e.g., screened by summer foliage, but visible during other seasons)<br>ii. Year round   | E3h                                | <input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/><br><input type="checkbox"/> |
| d. The situation or activity in which viewers are engaged while viewing the proposed action is:<br>i. Routine travel by residents, including travel to and from work<br>ii. Recreational or tourism based activities   | E3h<br>E2q,<br>E1c                 | <input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/><br><input type="checkbox"/> |
| e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.   | E3h                                | <input type="checkbox"/>                             | <input type="checkbox"/>                             |
| f. There are similar projects visible within the following distance of the proposed project:<br>0-1/2 mile<br>1/2 -3 mile<br>3-5 mile<br>5+ mile   | D1a, E1a,<br>D1f, D1g              | <input type="checkbox"/>                             | <input type="checkbox"/>                             |
| g. Other impacts: _____<br>_____   |                                    | <input type="checkbox"/>                             | <input type="checkbox"/>                             |

|  |                                    |                                      |   |
|--|------------------------------------|--------------------------------------|---|
| <b>10. Impact on Historic and Archeological Resources</b><br>The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)<br><i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>  |                                    |                                      |   |
|  |                                    | <input type="checkbox"/> NO          | <input type="checkbox"/> YES              |
|  | <b>Relevant Part I Question(s)</b> | <b>No, or small impact may occur</b> | <b>Moderate to large impact may occur</b> |
| a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places. | E3e                                | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.   | E3f                                | <input type="checkbox"/>             | <input type="checkbox"/>                  |
| c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory.<br>Source: _____  | E3g                                | <input type="checkbox"/>             | <input type="checkbox"/>                  |

|  |                            |                          |                          |
|--|----------------------------|--------------------------|--------------------------|
| d. Other impacts: _____<br>_____   |                            | <input type="checkbox"/> | <input type="checkbox"/> |
| e. If any of the above (a-d) are answered “Yes”, continue with the following questions to help support conclusions in Part 3:                              |                            |                          |                          |
| i. The proposed action may result in the destruction or alteration of all or part of the site or property.   | E3e, E3g, E3f              | <input type="checkbox"/> | <input type="checkbox"/> |
| ii. The proposed action may result in the alteration of the property’s setting or integrity.   | E3e, E3f, E3g, E1a, E1b    | <input type="checkbox"/> | <input type="checkbox"/> |
| iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting. | E3e, E3f, E3g, E3h, C2, C3 | <input type="checkbox"/> | <input type="checkbox"/> |

|   |  |  |   |
|---|--|--|---|
| <b>11. Impact on Open Space and Recreation</b><br>The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.<br>(See Part 1. C.2.c, E.1.c., E.2.q.)<br><i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i> <div style="text-align: right;"> <input type="checkbox"/> NO      <input type="checkbox"/> YES         </div> |  |  |   |
|   | <b>Relevant<br/>Part I<br/>Question(s)</b> | <b>No, or<br/>small<br/>impact<br/>may occur</b> | <b>Moderate<br/>to large<br/>impact may<br/>occur</b> |
| a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.   | D2e, E1b<br>E2h,<br>E2m, E2o,<br>E2n, E2p  | <input type="checkbox"/>                         | <input type="checkbox"/>                              |
| b. The proposed action may result in the loss of a current or future recreational resource.   | C2a, E1c,<br>C2c, E2q                      | <input type="checkbox"/>                         | <input type="checkbox"/>                              |
| c. The proposed action may eliminate open space or recreational resource in an area with few such resources.  | C2a, C2c<br>E1c, E2q                       | <input type="checkbox"/>                         | <input type="checkbox"/>                              |
| d. The proposed action may result in loss of an area now used informally by the community as an open space resource.  | C2c, E1c                                   | <input type="checkbox"/>                         | <input type="checkbox"/>                              |
| e. Other impacts: _____<br>_____  |  | <input type="checkbox"/>                         | <input type="checkbox"/>                              |

|   |  |  |   |
|---|--|--|---|
| <b>12. Impact on Critical Environmental Areas</b><br>The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)<br><i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i> <div style="text-align: right;"> <input type="checkbox"/> NO      <input type="checkbox"/> YES         </div> |  |  |   |
|   | <b>Relevant<br/>Part I<br/>Question(s)</b> | <b>No, or<br/>small<br/>impact<br/>may occur</b> | <b>Moderate<br/>to large<br/>impact may<br/>occur</b> |
| a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.  | E3d  | <input type="checkbox"/>                         | <input type="checkbox"/>                              |
| b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.   | E3d  | <input type="checkbox"/>                         | <input type="checkbox"/>                              |
| c. Other impacts: _____<br>_____  |  | <input type="checkbox"/>                         | <input type="checkbox"/>                              |

| <b>13. Impact on Transportation</b><br>The proposed action may result in a change to existing transportation systems. <input type="checkbox"/> NO <input type="checkbox"/> YES<br>(See Part 1. D.2.j)<br><i>If "Yes", answer questions a - g. If "No", go to Section 14.</i> |                             |                               |                                    |
|--|-----------------------------|-------------------------------|------------------------------------|
|  | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. Projected traffic increase may exceed capacity of existing road network.  | D2j                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.  | D2j                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action will degrade existing transit access.   | D2j                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action will degrade existing pedestrian or bicycle accommodations.   | D2j                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| e. The proposed action may alter the present pattern of movement of people or goods.   | D2j                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| f. Other impacts: _____<br>_____   |                             | <input type="checkbox"/>      | <input type="checkbox"/>           |

| <b>14. Impact on Energy</b><br>The proposed action may cause an increase in the use of any form of energy. <input type="checkbox"/> NO <input type="checkbox"/> YES<br>(See Part 1. D.2.k)<br><i>If "Yes", answer questions a - e. If "No", go to Section 15.</i> |                             |                               |                                    |
|---|-----------------------------|-------------------------------|------------------------------------|
|   | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action will require a new, or an upgrade to an existing, substation.  | D2k                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.  | D1f, D1q, D2k               | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.   | D2k                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.   | D1g                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| e. Other Impacts: _____<br>_____  |                             |                               |                                    |

| <b>15. Impact on Noise, Odor, and Light</b><br>The proposed action may result in an increase in noise, odors, or outdoor lighting. <input type="checkbox"/> NO <input type="checkbox"/> YES<br>(See Part 1. D.2.m., n., and o.)<br><i>If "Yes", answer questions a - f. If "No", go to Section 16.</i> |                             |                               |                                    |
|--|-----------------------------|-------------------------------|------------------------------------|
|  | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may produce sound above noise levels established by local regulation.   | D2m                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.   | D2m, E1d                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action may result in routine odors for more than one hour per day.   | D2o                         | <input type="checkbox"/>      | <input type="checkbox"/>           |

|   |          |                          |                          |
|---|----------|--------------------------|--------------------------|
| d. The proposed action may result in light shining onto adjoining properties.                           | D2n      | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions. | D2n, E1a | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Other impacts: _____<br>_____  |          | <input type="checkbox"/> | <input type="checkbox"/> |

#### 16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☐ NO

☐ YES

*If "Yes", answer questions a - m. If "No", go to Section 17.*

|   | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.   | E1d                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The site of the proposed action is currently undergoing remediation.   | E1g, E1h                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.   | E1g, E1h                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).   | E1g, E1h                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.                               | E1g, E1h                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health. | D2t                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| g. The proposed action involves construction or modification of a solid waste management facility.  | D2q, E1f                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| h. The proposed action may result in the unearthing of solid or hazardous waste.  | D2q, E1f                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.  | D2r, D2s                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.  | E1f, E1g<br>E1h             | <input type="checkbox"/>      | <input type="checkbox"/>           |
| k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.   | E1f, E1g                    | <input type="checkbox"/>      | <input type="checkbox"/>           |
| l. The proposed action may result in the release of contaminated leachate from the project site.  | D2s, E1f,<br>D2r            | <input type="checkbox"/>      | <input type="checkbox"/>           |
| m. Other impacts: _____<br>_____  |                             |                               |                                    |

| <b>17. Consistency with Community Plans</b><br>The proposed action is not consistent with adopted land use plans.<br>(See Part 1. C.1, C.2. and C.3.)<br><i>If "Yes", answer questions a - h. If "No", go to Section 18.</i> |                                   |                               |                                    |
|--|-----------------------------------|-------------------------------|------------------------------------|
|  |                                   | <input type="checkbox"/> NO   | <input type="checkbox"/> YES       |
|  | Relevant Part I Question(s)       | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).  | C2, C3, D1a<br>E1a, E1b           | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.   | C2                                | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action is inconsistent with local land use plans or zoning regulations.  | C2, C2, C3                        | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action is inconsistent with any County plans, or other regional land use plans.  | C2, C2                            | <input type="checkbox"/>      | <input type="checkbox"/>           |
| e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.   | C3, D1c,<br>D1d, D1f,<br>D1d, E1b | <input type="checkbox"/>      | <input type="checkbox"/>           |
| f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.   | C4, D2c, D2d<br>D2j               | <input type="checkbox"/>      | <input type="checkbox"/>           |
| g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)  | C2a                               | <input type="checkbox"/>      | <input type="checkbox"/>           |
| h. Other: _____<br>_____   |                                   | <input type="checkbox"/>      | <input type="checkbox"/>           |

| <b>18. Consistency with Community Character</b><br>The proposed project is inconsistent with the existing community character.<br>(See Part 1. C.2, C.3, D.2, E.3)<br><i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i> |                                |                               |                                    |
|--|--------------------------------|-------------------------------|------------------------------------|
|  |                                | <input type="checkbox"/> NO   | <input type="checkbox"/> YES       |
|  | Relevant Part I Question(s)    | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.   | E3e, E3f, E3g                  | <input type="checkbox"/>      | <input type="checkbox"/>           |
| b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)   | C4                             | <input type="checkbox"/>      | <input type="checkbox"/>           |
| c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.   | C2, C3, D1f<br>D1g, E1a        | <input type="checkbox"/>      | <input type="checkbox"/>           |
| d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.  | C2, E3                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| e. The proposed action is inconsistent with the predominant architectural scale and character.   | C2, C3                         | <input type="checkbox"/>      | <input type="checkbox"/>           |
| f. Proposed action is inconsistent with the character of the existing natural landscape.   | C2, C3<br>E1a, E1b<br>E2g, E2h | <input type="checkbox"/>      | <input type="checkbox"/>           |
| g. Other impacts: _____<br>_____   |                                | <input type="checkbox"/>      | <input type="checkbox"/>           |

Project :

Date :

***Full Environmental Assessment Form***  
***Part 3 - Evaluation of the Magnitude and Importance of Project Impacts***  
***and***  
***Determination of Significance***

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status: ☐ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☐ Part 1 ☐ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the \_\_\_\_\_ as lead agency that:

☐ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person:

Address:

Telephone Number:

E-mail:

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)  
Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

## PROPOSED ACTION

Parkview B & G, LLC (“Applicant”) is the owner of two existing tracts of land comprising in the aggregate 56.8 acres and shown and designated on the Town of Somers Tax Map as tax parcels 4.20-1-12 and 15.08-1-4 with a street address of 0 Route 6 Somers (collectively, the “Project Site”).

### Process Summary

The Applicant proposes to develop the Project Site with a total of 81 townhomes units to be sold in fee simple. Five of the total number of townhome units will be sponsored provided units marketed at or below 120% of the Westchester County average median income. In addition, the Applicant is proposing as a community benefit, the construction and dedication to the Town of a 6,000± s.f. community center and a dog park located on a proposed separate 7.5± -acre lot, and the creation of a conservation easement to preserve approximately 20 acres as open space (the “Proposed Project”). Further, the Applicant has petitioned the Town of Somers Town Board (the “Town Board”) to rezone the Project Site from existing R-40, R-80 and PH Planned Hamlet District to Multifamily Residence Baldwin Place (MFR-BP) and requested zoning text amendments to Section 170-13.A to add a new Section 18(c) Affordable Housing Dwelling Unit Credits (the “Proposed Zoning Amendments”). Further the Applicant has petitioned the Town Board along with other Involved Agencies to extend the Amawalk Heights Water District and an extension of the Somers Sewer District #1 and Peekskill Sanitary Sewer District to include the Project Site (together with the Proposed Zoning Amendments and Proposed Project constitutes the “Proposed Action” under the State Environmental Quality Review Act (“SEQRA”).

On October 5, 2023, the Town Board, pursuant to SEQRA, declared themselves Lead Agency for the environmental review of the Proposed Action after circulating a Notice of Intent to Act as Lead Agency to all known Interested and Involved Agencies. On or about November 29, 2023, the Applicant submitted a preliminary Expanded Environmental Assessment Form (“EEAF”) to the Lead Agency. The EEAF was prepared pursuant to SEQRA, to provide the Lead Agency, as well the public and other agencies, with information about the Proposed Action and to analyze the potential environmental impacts and the potential benefits of the Proposed Project. The preliminary EEAF was reviewed by Town staff with a request for additional information. A revised preliminary EEAF was submitted on or about May 10, 2024 which the Town did review in detail. The Applicant met with the Town of Somers Bureau of Fire Prevention (BFP) on June 19, 2024 and did update the proposed layout plan to enhance emergency access. On July 2, 2024 the Applicant did provide to the Town a revised EEAF and updated site plan drawings for review and consideration.

At its August 8, 2024 regular meeting, the Town Board accepted the EEAF with supporting documentation and plans as being adequate for public review and comment on the Proposed Action. The EEAF was circulated to all known Interested and Involved Agencies with a request to provide the Town Board with any comments. A copy of the EEAF materials was subsequently posted on the Town’s Web-site and provided the public with an opportunity to submit comments using the Town’s Web-site. Further, a newsletter detailing the Proposed Project with location of the EEAF on the Town Website was circulated Town-wide on September 27, 2024. The Applicant met with the Town of Somers Planning Board to review the contents of the EEAF and the Planning Board had no substantive comments understanding that the Proposed Action would be coming back to them for subdivision and site plan approval. The Town received written comments from

New York City DEP and Westchester County Planning Board which were reviewed at the Town Board's October 3, 2024 meeting. In addition, the Town Board had some specific questions regarding the information presented in the EEAF. On, October 17, 2024, the Applicant provided to the Town a technical memo which responded to the comments raised by the Town Board and other Interested and Involved Agencies.

## FINDING OF NO SIGNIFICANT ADVERSE IMPACT

Following a hard look, the Town Board, acting as Lead Agency, concludes that the Proposed Action will not result in a significant adverse impact to the environment. In reaching this determination, the Lead Agency has considered the relevant areas of environmental concern and the criteria identified in 6 NYCRR §617.7, and has reviewed and considered, *inter alia*, the Petition for Zoning Text and Map amendment and addenda thereto, the Expanded Environmental Assessment Form submitted by the Applicant, supporting studies submitted by the Applicant, review and analyses conducted by the Town Staff and the Town's independent consultants, and public comment. The Lead Agency's rationale with respect to particular areas of relevance for the elements of the Proposed Action follows.

## REASONS SUPPORTING THE NEGATIVE DECLARATION

The analysis of potential environmental impacts presented below is based on responses that were identified as potentially resulting in a "small impact" or a "moderate to large impact" in EAF Part 2. In certain cases, a brief explanation was provided despite the Proposed Action having "no impact" on the particular impact category.

### 1. IMPACT ON LAND

**Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site.**

*a. The proposed action may involve construction on land where depth to water table is less than 3 feet.*

**Not applicable**

*b. The proposed action may involve construction on slopes of 15% or greater.*

**Impact Level: Small impact.**

**Description:** It is anticipated that the Proposed Project would include construction on slopes greater than 15 percent. Approximately 25 percent of the Project Site is comprised of Town-regulated Steep Slopes, concentrated in the western portions of the Site. The Applicant has designed the Proposed Project to minimize impacts to Town-regulated Steep Slopes to the maximum extent practicable. The Proposed Project would implement a comprehensive Erosion and Sediment Control Plan ("ESCP"), the main components of which were reviewed by the Town Board and staff, to avoid and minimize potential adverse impacts to steep slopes. The Final ESCP would be subject to review and approval by the Planning Board and Town Engineer during Site Plan review.

The Proposed Project would not result in a significant impact on land with steep slopes, due to the limited disturbance (given the constraints of the Project Site), the anticipated construction techniques to limit erosion

(Erosion Sediment Control Plan), and slope stabilization plantings to protect slopes and limit erosion long-term.

*c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.*

**Not applicable**

*d. The proposed action may involve excavation and removal of more than 1,000 tons of natural material.*

**Impact Level: Small impact.**

**Description:** Based on preliminary calculations, it is anticipated that construction of the Proposed Project would result in a net import of approximately 4,700 cubic yards of material. The import of material would be spread out over the course of construction which is anticipated to last approximately 36 months. It is not anticipated that construction of the Proposed Project would have a significant adverse impact as a result of the import of natural materials.

*e. The proposed action may involve construction that continues for more than one year or in multiple phases.*

**Impact Level: Small impact.**

**Description:** Construction of the Proposed Project is anticipated to last approximately 36 months. Given the size of the Project Site, all construction activity (staging, storage, parking, etc.) would be contained to the Project Site. The Applicant would coordinate with the Town Engineer, Town of Somers Police Department, Fire Department, Highway Department, and Building Department regarding all aspects of construction. Deliveries to the Project Site, and import of earthen material, would be spread out over the course of construction, limiting temporary traffic impacts to the surrounding area. With these mitigation measures in place, the duration of construction of the Proposed Project would not result in significant adverse impacts. Further, a comprehensive ESCP, as discussed above will be implemented to address construction related impacts to the environment during the construction process.

*f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).*

**Impact Level: Small impact.**

**Description:** To address the removal of trees/vegetation and proposed physical disturbance of the ground, a comprehensive Stormwater Pollution Prevention Plan ("SWPPP") would be prepared in accordance with State and local regulations and would be reviewed during the Site Plan review. The primary components of the SWPPP were reviewed by Town staff and the Board during this SEQRA review. Temporary soil erosion and sediment control measures will be instituted and native plantings would be used to permanently restore disturbed areas. The SWPPP is in addition to the comprehensive Erosion and Sediment Control Plan ("ESCP") discussed above.

*g. The proposed action is, or may be, located within a Coastal Erosion hazard area.*

**Not applicable.**

## 2. IMPACT ON GEOLOGICAL FEATURES

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves).

**Not applicable.**

## 3. IMPACTS ON SURFACE WATER

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes).

*a. The proposed action may create a new water body.*

**Not applicable.**

*b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.*

**Not applicable.**

*c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.*

**Not applicable**

*d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.*

**Impact Level: Small impact.**

**Description:** The Project Site is an unimproved, 56.8-acre property with forested uplands and a small tributary that is classified as a wetland under the Town Code.

Construction of the Proposed Project would disturb approximately 500 square feet of the approximately 3.6-acre Town-regulated wetlands located on the Project Site. Wetland disturbance is limited to the creation of a fire access road. On-site wetland buffer area disturbance is limited  $\pm 22,790$  s.f. related to the grading associated with the fire access road, and a portion of the proposed stormwater management system which would be located within the 100-foot wetland buffer regulated by the Town of Somers and would require a wetland activity permit from the Town. A more detailed plan to mitigate the proposed  $0.53 \pm$  acre disturbance, such as additional plantings within or adjacent to the wetland buffer, has been discussed and would be provided during site plan review. The disturbance would be necessary to facilitate the construction of a fire access lane, which would be comprised of Item 4 crushed stone. Off-site wetland buffer disturbance of approximately 6,190 s.f. is associated with off-site sidewalk improvements along Reynolds Drive and the installation of the required water line to serve the Subject Site.

It is noted that the Applicant has prepared a preliminary Erosion and Sediment Control Plan which has been reviewed by the Town. Erosion and sediment control measures (e.g., silt fencing and hay bales) would be implemented during construction to prevent indirect impacts to wetlands and waterbodies. A comprehensive SWPPP would be prepared as well during the site plan approval process, which would be subject to review and approval by the Town. With these protections in place, the Proposed Project would not have a significant adverse impact on wetlands and surface waters, either during construction or operation of the Proposed Project.

*e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.*

**Not applicable.**

*f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.*

**Not applicable.**

*g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).*

**Not applicable.**

*h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.*

**Not applicable.**

*i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.*

**Not applicable.**

*j. The proposed action may involve the application of pesticides or herbicides in or around any water body.*

**Not applicable.**

*-k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.*

**Not applicable.**

#### **4. IMPACT ON GROUNDWATER**

**Not applicable.**

#### **5. IMPACT ON FLOODING**

**Not applicable.**

#### **6. IMPACTS ON AIR**

**Not applicable.**

#### **7. IMPACT ON PLANTS AND ANIMALS**

**The proposed action may result in a loss of flora or fauna.**

*a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.*

*b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.*

*c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the federal government, that use the site, or are found on, over, or near the site.*

*d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.*

The following analysis addresses sub-questions a, b, c, and d, cited above.

**Impact Level:** No to Small Impact.

**Description:** The Applicant performed a natural resources reconnaissance investigation on October of 2023, which confirmed and provided greater specificity as to the types and relative locations of the ecological communities and vegetation on the Project Site that were identified based on desktop research. The survey found that there were no threatened, endangered, and special concern species occurring within the Project Site. The Applicant's on-site evaluation did note that the following species of special concern in New York State might utilize the property: Eastern box turtle, Eastern hognose snake and Worm snake. The Applicant is proposing to create a conservation easement for approximately 20 acres of the 56.8-acre Project Site which would include the wetland/stream corridor and surrounding buffer area and woodlands.

With these mitigation measures in place, the Proposed Project would not have the potential to result in significant adverse impacts to special concern species and would not adversely affect any significant natural communities.

*e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.*

**Not Applicable**

*f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community.*

**Not applicable**

*g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.*

**Not applicable**

*h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat.*

**Not applicable**

*i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.*

**Not applicable**

## **8. IMPACT ON AGRICULTURAL RESOURCES**

**The proposed action may impact agricultural resources.**

**Not applicable.**

## 9. IMPACT ON AESTHETIC RESOURCES

**The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource.**

*a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.*

**Not applicable**

*b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.*

**Not Applicable**

*c. The proposed action may be visible from publicly accessible vantage points:*

- i. Seasonally (e.g., screened by summer foliage, but visible during other seasons)*
- ii. Year round*

*d. The situation or activity in which viewers are engaged while viewing the proposed action is:*

- i. Routine travel by residents, including travel to and from work*
- ii. Recreational or tourism based activities*

The following analysis addresses sub-questions c, and d, cited above.

**Impact Level: No to Small Impact.**

**Description:** The Proposed Project is located adjacent to the North County Trailway. Portions of the Proposed Project such as visitor parking and the proposed community center may be seen seasonally during the winter with leaf off conditions. The proposed townhome units are located approximately 220 to 640 linear feet from the North County Trailway and are separated by the proposed conservation easement which is heavily vegetated. It is unlikely that the residential units would be visible from the Trailway. It is noted that all along the Trailway are examples of residential and commercial developments which are visible from the Trailway.

*e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.*

**No impact**

*f. There are similar projects visible within the following distance of the proposed project:*

- 0-1/2 mile*
- 1/2 -3 mile*
- 3-5 mile*
- 5+ mile*

**No impact**

## 10. IMPACT ON HISTORIC AND ARCHEOLOGICAL RESOURCES

**The proposed action may occur in or adjacent to a historic or archaeological**

*a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.*

*b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.*

**Impact level - No impact.** *While the initial EAF Part 1 identified that the Proposed Action may occur in or adjacent to a historic or archeological resource, the Applicant has prepared a Phase 1A/1B Archeological Survey and submitted it to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). OPRHP has provide correspondence dated March 13, 2024 which indicates that the Proposed Action no properties, including archeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by the Proposed Project.*

## 11. IMPACT ON OPEN SPACE AND RECREATION

**The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.**

The Lead Agency contends that the Proposed Action will have a positive impact on the preservation of open space by creating a conservation easement that will preserve approximately 20 acres of the Project Site adjacent to the North County Trailway. In addition, as a community benefit related to the Proposed Action, the Applicant has proposed to create a separate lot to be dedicated to the Town and to construct a 6,000± community center to made available to Town of Somers residents along with a dog park.

## 12. IMPACT ON CRITICAL ENVIRONMENTAL AREAS

**The proposed action may be located within or adjacent to a critical environmental area (CEA).**

*a.-b. Not applicable*

## 13. IMPACT ON TRANSPORTATION

**The proposed action may result in a change to existing transportation systems.**

*a. Projected traffic increase may exceed capacity of existing road network.*

**Impact Level: No impact.**

**Description:** A Traffic Impact Study was prepared to assess the potential traffic and transportation impacts of the Proposed Project, and was reviewed by the Town's independent traffic consultant and the Town Board. Potential impacts were analyzed using industry-standard data and methodology to calculate existing and future traffic operating conditions in the study area. Based on this analysis, and the criteria in the SEQRA EAF Workbooks for determining impacts, the Proposed Project is not anticipated to result in a significant adverse impact to traffic on the adjacent roadway network. Specifically, the Level of Service at each study area intersection would remain the same in the future with the Proposed Project, and no modifications to the roadway network are required. In addition, the Proposed Project will contribute to improving the pedestrian

environment by providing sidewalks along the roadway serving the Site and along Reynolds Drive which will enhance connectivity to the Somers Commons retail center.

*b – e. Not applicable.*

*f. Other impacts: beneficial impacts.*

Description: The Applicant proposes to construct a sidewalk along the Project's interior roadway and along Reynolds Drive. These community benefits would enhance pedestrian circulation, and align with the Town's 2016 Comprehensive Plan related to Complete Streets connectivity.

#### 14. IMPACT ON ENERGY

**The proposed action may cause an increase in the use of any form of energy.**

*a . The proposed action will require a new, or an upgrade to an existing, substation.*

**Not applicable**

*b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.*

**Impact level – small impact**

**Description –** The Proposed Action contemplates the extension of existing utility lines to the Project Site to serve the proposed 81 townhome units and the proposed Community Center. It is anticipated that the development would be using the latest appliances and fixtures.

*c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.*

**Not applicable**

*d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.*

**Not applicable.**

#### 15. IMPACT ON NOISE, ODOR, AND LIGHT

**The proposed action may result in an increase in noise, odors, or outdoor lighting.**

*a - e. Not applicable*

#### 16. IMPACT ON HUMAN HEALTH

**The proposed action may have an impact on human health from exposure to new or existing sources of contaminants.**

*a-l Not applicable.*

#### 17. CONSISTENCY WITH COMMUNITY PLANS

**The proposed action is not consistent with adopted land use plans.**

The Board finds that the Proposed Action is compatible with adopted land use plans. Nonetheless, the Board desires to discuss the relevant sub-questions in this part below.

*a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).*

**Not applicable.**

*b. The proposed action will cause the permanent population of the city, town or Town in which the project is located to grow by more than 5%.*

**Impact Level: No to small impact.**

**Description:** As detailed in the EEAF, the Proposed Project is conservatively estimated to have a population of approximately 212 residents, which is equal to approximately 1 percent of the Town's 2020 population of 21,541. This assumes that none of the prospective Project residents relocate from within the Town of Somers. The Applicant has indicated that the Proposed Action will help diversify the Town's existing housing stock, providing an opportunity for existing residents to downsize from single family homes. While the Proposed Project would cause the permanent population of the Town to grow by less than one percent, it is anticipated that would be a beneficial impact for the Town, by generating additional property tax revenue and economic benefits to the Town. Upon stabilization, the Proposed Project is anticipated to generate approximately \$1.37 million in property taxes annually, including approximately \$850,000 for the Somers School District and approximately \$100,000 for the Town.

An economic benefit study by the Applicant estimated that discretionary spending by new residents would generate approximately \$5.0 million annually, some portion of which will be spent in the greater Somers community on local goods and services. The residents' direct local spending would have ripple effects in the economy through increased business-to-business spending (indirect impacts) and increased household income (induced effects).

*c. The proposed action is inconsistent with local land use plans or zoning regulations.*

**Not applicable.**

*d. The proposed action is inconsistent with any County plans, or other regional land use plans.*

**Not applicable**

*e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.*

The following analysis addresses sub-questions c, d, and e, cited above.

**Impact Level: No/small impact.**

**Description:** The Town of Somers Comprehensive Master Plan ("Comprehensive Plan") was adopted February 2016. The Proposed Action, which would require proposed amendments to the Zoning Code, is consistent with, and will advance, many of the goals set out in the Comprehensive Plan. The Proposed Action contemplates the use of the Multifamily Residence Baldwin Place Zoning designation which is consistent with the surrounding development pattern. The Proposed Action speaks directly to the of diversifying the existing housing stock so that Somers aging population looking to sell their single family homes have an option to remain in the community in another form of housing<sup>1</sup>. The proposed zoning text amendments are

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<sup>1</sup> Town of Somers Comprehensive Plan, 2016, p. 34

a recognition of the efforts of a single development group to produce 226 affordable housing units where only 40 affordable dwelling units were required.

Pedestrian connections will be enhanced especially to nearby commercial uses providing an alternate means of access beside the automobile.

Further, the Town recognizes that the ability to create and foster affordable housing is dependent, in large measure, on the ability of the local infrastructure (water, sewer, roads) to support such development. The Town recognizes that the infrastructure exists in Baldwin Place to support a variety of land use types<sup>2</sup>.

The Proposed Project is also consistent with the Comprehensive Plan's objective that the Town "ensure that additional development occurs at a scale and in a manner that is appropriate to the area and that serves to preserve and enhance the character and diversity of Somers's neighborhoods and commercial areas." The Proposed Project would add necessary housing supply to the Town, diversify the types of housing available to Town residents, and would enhance the area around the Project Site, by improving connectivity to the Somers Commons retail center. The scale and manner of the Proposed Project is also consistent with the Town's design goals including the preservation of approximately 20 acres as open space. Further, the Proposed Project includes a nearly 6,000 square foot community center to be available for all of Somers residents. Landscaping will incorporate appropriate native species; all lighting would be designed to "provide safety and security" on the Project Site and would "prevent light pollution" through the use of LED lighting and directing lighting towards the ground.

For these reasons, the Board of Trustees finds that the Proposed Action is consistent with the Town's adopted land use plans and would therefore not result in a significant adverse impact.

*f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.*

**Not applicable**

*-g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)*

**Not applicable**

## 18. CONSISTENCY WITH COMMUNITY CHARACTER

**The proposed project is inconsistent with the existing community character.**

*a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.*

**Not applicable.**

*b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)*

**Impact Level: Small impact.**

**Description:** The Project Site is located within the Somers School District (the "District"). It is anticipated that between 16 and 19 new public school students could live within the Proposed Project. Applying the per pupil programmatic cost attributable to the property tax levy payments currently being made to the District

<sup>2</sup> Ibid. p. 46, 47, 63 158 and Figure 11

of \$18,599 to the number of new students results in a conservative potential annual cost to the District of \$297,584 (for 16 students) to \$353,381 (for 19 students) per year. These potential costs would be wholly covered by the estimated \$850,000 in annual tax revenue that the District would receive from the Proposed Project, resulting in an annual surplus of tax revenue to the District. Additionally, since 2013/2014, enrollment has generally declined, from a high of 3,315, to a low of 2,649 students enrolled during the 2023-2024 school year. Given the declining enrollment in the District, it is not anticipated that the 16 to 19 students would result in capacity issues at any District school. As such, the Proposed Project would not adversely impact the District.

During the review of the Proposed Action, the Applicant has met with the Somers Bureau of Fire Prevention on several occasions to review the design of the Proposed Project and to coordinate on-Site access by the Fire Department.

The design and construction of the Proposed Project would meet the most modern building and fire codes and allow for sufficient fire truck maneuverability around the Project Site.

Therefore, the Proposed Project would not adversely affect the provision of fire safety services.

*c-e. Not applicable.*

*f. Proposed action is inconsistent with the character of the existing natural landscape.*

**Impact Level: No/small impact.**

**Description:** The Proposed Action contemplates the preservation of approximately 20 acres as a conservation area to be preserved in perpetuity. The proposed development program is located, primarily in the western portion of the side away from the North County Trailway.

## **ATTACHMENT A**

### **Trailside Estates submission items to the Town Board**

#### **Application submission to the Town Board 8/14/24**

1. Cover letter from Charles Martabano on behalf of the Applicant dated 8/14/24 with petition for Zoning Map and Text Amendments
2. EAF dated 8/7/24

#### **Application submission to the Town Board 11/29/23**

1. Cover letter from Charles Martabano on behalf of the Applicant dated 11/29/23
2. Part 1 Full Environmental Assessment Form, dated 1/29/23
3. SWPPP prepared by Insite Engineering dated 11/20/23
4. Wastewater Engineering Report prepared by Insite Engineering dated 11/20/23
5. Water Engineering Report prepared by Insite Engineering dated 11/20/23
6. Transportation Study prepared by Tim Miller Associates, dated 11/29/23
7. Wildlife Habitat Assessment prepared by Tim Miller Associates, dated 11/29/23
8. Fiscal Analysis Report prepared by Tim Miller Associates, dated 11/29/23
9. Site plan drawing set prepared by Insite Engineering last revised 11/17/23
  - a. OP-1 Overall Plan
  - b. EX-1 Existing Conditions Plan
  - c. SP-1.1 Layout and Landscape Plan (3 sheets)
  - d. SP-2.1 Grading & Utilities Plan (3 sheets)
  - e. SP-3 Phasing Plan
  - f. SP-4.1 Erosion & Sediment Control Plan (3 sheets)
  - g. LP-1.1 Lighting Plan (3 sheets)
  - h. D-1 through 4 Details

#### **Application submission to the Town Board 5/10/24**

1. Cover letter from Insite Engineering dated 5/10/24 including responses to Town Engineering Consultant comments
2. SWPPP revised 5/10/24
3. Wastewater Engineering Report prepared by Insite Engineering dated 5/10/24
4. Water Engineering Report prepared by Insite Engineering dated 5/10/24
5. Draft Petition for Expansion of Somers Sewer District #1
6. Draft Petition for Expansion of Amawalk Heights Water District
7. Site plan drawing set prepared by Insite Engineering last revised 5/10/24
  - a. OP-1 Overall Plan
  - b. EX-1 Existing Conditions Plan
  - c. SP-1.1 Layout and Landscape Plan (3 sheets)

- d. SP-2.1 Grading & Utilities Plan (3 sheets)
- e. SP-2.4 Offsite Utilities Plan
- f. SP-3 Phasing Plan
- g. SP-4.1 Erosion & Sediment Control Plan (3 sheets)
- h. LP-1.1 Lighting Plan (3 sheets)
- i. D-1 through 5 Details
- j. EW-1 Earthwork Plan dated 5/10/24

**Application submission to the Bureau of Fire Prevention dated 6/21/24**

- 1. Cover letter from Insite Engineer dated 6/21/24 revised with response to comments
- 2. VM-1 Vehicle Maneuvering Plan dated 6/21/24 prepared by Insite Engineering
- 3. Site plan drawing set prepared by Insite Engineering last revised 5/10/24
  - a. OP-1 Overall Plan
  - b. EX-1 Existing Conditions Plan
  - c. SP-1.1 Layout and Landscape Plan (3 sheets)
  - d. SP-2.1 Grading & Utilities Plan (3 sheets)
  - e. SP-2.4 Offsite Utilities Plan
  - f. SP-3 Phasing Plan
  - g. SP-4.1 Erosion & Sediment Control Plan (3 sheets)
  - h. LP-1.1 Lighting Plan (3 sheets)
  - i. D-1 through 5 Details
  - j. EW-1 Earthwork Plan dated 5/10/24

**Application submission to the Town Board dated 7/2/24**

- 1. Cover letter from Insite Engineering dated 7/2/24
- 2. Expanded Environmental Assessment Form
  - a. Full EAF dated 1/9/24
  - b. Updated Traffic Study dated 5/28/24 prepared by Tim miller Associates
  - c. Ecological Assessment prepared by Tim miller Associates
  - d. Fiscal Analysis dated 1/8/24 prepared by Tim miller Associates
  - e. Stormwater and Utilities write up dated 6/11/24 prepared by Insite Engineering
  - f. SWPPP dated 5/10/24 prepared by Insite Engineering
  - g. Wastewater Engineering Report dated 5/10/24 prepared by Insite Engineering
  - h. Water Engineering Report dated 5/10/24 prepared by Insite Engineering
- 3. Site plan drawing set prepared by Insite Engineering last revised 6/21/24
  - a. OP-1 Overall Plan
  - b. EX-1 Existing Conditions Plan
  - c. SP-1.1 Layout and Landscape Plan (3 sheets)
  - d. SP-2.1 Grading & Utilities Plan (3 sheets)
  - e. SP-2.4 Offsite Utilities Plan

- f. SP-3 Phasing Plan
  - g. SP-4.1 Erosion & Sediment Control Plan (3 sheets)
  - h. LP-1.1 Lighting Plan (3 sheets)
  - i. D-1 through 5 Details
  - j. EW-1 Earthwork Plan dated 5/10/24
4. VM-1 Vehicle Maneuvering Plan dated 6/21/24 prepared by Insite Engineering

#### **Correspondence – Consultants and Other Town Affiliated Committees**

- 1. Memo dated 10/2/23 from the Town Planner
- 2. Memo from Hardesty & Hanover dated 12/21/23
- 3. Correspondence from the Town Planner dated 1/2/24
- 4. Memo dated 2/15/24 from Woodard & Curran
- 5. Memo from Hardesty & Hanover dated 3/4/24
- 6. Memo from the Bureau of Fire Prevention dated 7/10/24
- 7. Memo dated 8/28/24 from the Town Planner
- 8. Memo from Hardesty & Hanover dated 9/26/24
- 9. Memo from Hardesty & Hanover dated 10/16/24
- 10. Memo dated 10/29/24 from the Town Planner
- 11. Letters from the Supervisor to the Westchester County Planning Board dated 11/5/24 and 12/31/24

#### **SEQRA NOI & Lead Agency Documentation**

- 1. Letter from NYSDOT dated 10/3/23
- 2. Letter from NYS OPRHP dated 3/13/24
- 3. Letter from NYS DEP dated 9/24/24
- 4. Letters from Westchester County Planning Board dated 10/2/24 and 12/16/24
- 5. Letter from NYS DEC dated 11/19/24

#### **Correspondence – Residents**

Richard and Carol Egloff 2/15/22

# Town of Somers

WESTCHESTER COUNTY, N.Y.

PATRICIA KALBA  
TOWN CLERK



## RESOLUTION

WHEREAS, on or about September 6, 2023, a formal petition for proposed zoning map and text amendments to allow for the construction of 76 Market Rate Townhomes and five (5) units to be sold at below market rates, with sales process of such below market rate units determined to as to be affordable to families with income equals to 120 percent of AMI, along with an approximately 6,000 square foot community center and dog park (the “Proposed Project”) was submitted on behalf of Parkview B & G LLC (the “Applicant”) for property with an address of 0 Route 6 also known locally as Tax Map 4:20-1-2 and 15.08-1-4 (the “Subject Site”); and

WHEREAS, the Applicant seeks to rezone the Subject Site from an Existing R-80 Residence District, R-40 Residence District and PH- Planned Hamlet District to Multifamily Residence Baldwin Place MFR-BP District along with proposed zoning text to Section 170-13.A. Multifamily Residence MFR District to Add 18(c) Affordable Housing Dwelling Unit Credits described as Local Law No. 1 of 2025; and

WHEREAS, the Town Board has reviewed the proposed zoning amendments and finds that they are consistent with, and will advance, many of the goals set out in the Comprehensive Plan, including: diversifying the existing housing stock; ensure that additional development occurs at a scale and in a manner that is appropriate to the area and that serves to preserve and enhance the character and diversity of Somers’s neighborhoods and commercial areas; and, by improving connectivity to the Somers Commons retail center; and

WHEREAS, the Town Board conducted an environmental review and held a duly noticed public hearing; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board does hereby adopt Local Law No. 2 of 2025 and amendments to the Town of Somers Zoning Map to rezone 56.8 acres from R/80/R/40 and PH-Planned Hamlet to MFR-BP Multifamily Residence Baldwin Place. The Properties are as follows:

| Property Address | Tax Lot Designation | Current Zoning               | Proposed Rezoning                              |
|------------------|---------------------|------------------------------|--|
| 0 Route 6        | 4.20-1-12           | R80/R40/PH<br>Planned Hamlet | MFR-BP Multi-family Residence<br>Baldwin Place |

|            |           |      |  |
|------------|-----------|------|--|
| Landlocked | 15.08-1-4 | R-80 | MFR-BP      Multi-<br>family      Residence<br>Baldwin Place |
|------------|-----------|------|--|

I hereby certify that the foregoing copy of the resolution was unanimously adopted by the Town Board of the Town of Somers at a Work Session/Regular Meeting held on February 13, 2025.

Dated: February 19, 2025

*Patricia Kalba*

Town Clerk

Ec:    Supervisor  
       Director of Finance  
       Planning

## ***Local Law Filing***

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(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town  
of Somers

Local Law No. 1 of the year 20 25

A local law                      See below

Be it enacted by the Town Board  
of the                      (Name of Legislative Body)

Town  
of Somers

A local law to amend Chapter 170 entitled Zoning, § 170-13 entitled Multifamily Residence MFR Districts of the Code of the Town of Somers.

Be it enacted by the Town Board of the Town of Somers as follows:

1. § 170-13 of Chapter 170 of the Code of the Town of Somers entitled “Multifamily Residence MFR Districts” is hereby amended by adding a new subsection (c) to § 170-13 A (18) entitled "Affordable dwelling units", such new subsection reading as follows:  
Affordable Housing Dwelling Unit Credits

In those instances where an applicant can demonstrate to the satisfaction of the Town Board that such applicant, or an affiliate or affiliates of such applicant, has previously constructed residential housing communities in the Town of Somers which contain affordable housing dwelling units as defined by the Somers Town Code in an amount which exceeds the minimum requirements specified by the Somers Town Code in the zoning districts in which such residential housing communities are constructed, such applicant shall be entitled to an affordable housing dwelling unit credit to be applied to the development of future residential housing communities. The credit shall be equal to 50% of the number of affordable dwelling units previously constructed by the applicant or an affiliate or affiliates of the applicant, in excess of the minimum requirements specified by the Somers Town

Code in the zoning districts in which such residential housing communities are constructed.

For purposes of the foregoing, the term “affiliate” shall be deemed to mean an entity in which one or more of the principals of the applicant owns or owned a majority interest in such entity.

2. This Local Law shall be effective upon filing of same with the Secretary of State of the State of New York.

(Complete the certification in the paragraph that applies to the filing of this local law and strikeout that which is not applicable).

1. (Final adoption by local legislative body only).

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2025 of the ~~(County)~~ (City) (Town) ~~(Village)~~ of Somers was duly passed by the Town Board on February 13, 2025, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2025 of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2025, and was (approved) (not approved) (repassed after  
(Name of Legislative Body)  
disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 2025,  
(Elective Chief Executive Officer\*)  
in accordance with the applicable provisions of law.

3. (Final adoption by referendum).

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2025 of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2025, and was (approved) (not approved) (repassed after  
(Name of Legislative Body)  
disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 2025. Such local law was submitted  
(Elective Chief Executive Officer\*)  
to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on \_\_\_\_\_ 2025, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum).

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2025 of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2025, and was (approved) (not approved) (repassed after  
(Name of Legislative Body)  
disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 2025. Such local law was subject to  
(Elective Chief Executive Officer\*)  
permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 2025, in accordance with the applicable provisions of law.

\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition).

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2025 of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 2025, became operative.

6. (County local law concerning adoption of Charter).

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2025 of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 2025, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

If any other authorized form of final adoption has been followed, please provide an appropriate certification).

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ 1 \_\_\_\_\_, above.

\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

(Seal)

Date: \_\_\_\_\_

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality).

STATE OF NEW YORK  
COUNTY OF WESTCHESTER

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Town Attorney  
Title

~~County~~  
~~City~~ of Somers  
~~Town~~  
~~Village~~  
Date: \_\_\_\_\_

## ***Local Law Filing***

---

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town  
of Somers

Local Law No. 2 of the year 2025

A local law                      See below

Be it enacted by the Town Board  
of the                      (Name of Legislative Body)

Town  
of Somers

A LOCAL LAW to approve the establishment of the Multifamily Residence Baldwin Place MFR-BP District on the properties as hereinafter described and to amend Chapter 170 entitled Zoning §170-5 entitled Zoning Map to reflect the establishment of such district with respect to such properties.

Be it enacted by the Town Board of the Town of Somers as follows:

1. In accordance with the provisions of § 170-13 of Chapter 170 of the Code of the Town of Somers entitled “Multifamily Residence MFR Districts”, the Town Board hereby approves the establishment of the Multifamily Residence Baldwin Place MFR-BP District on the properties hereinafter described:

Tax parcels 4.20-1-12 and 15.08-1-4, consisting in the aggregate of approximately 56.8 acres, shall be rezoned from their current zoning designations to Multifamily Residence Baldwin Place MFR-BP District.

2. The Zoning Map of the Town of Somers shall be amended accordingly.

3. This Local Law shall be effective upon filing of same with the Secretary of State of the State of New York.

(Complete the certification in the paragraph that applies to the filing of this local law and strikeout that which is not applicable).

1. (Final adoption by local legislative body only).

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2025 of the ~~(County)~~ (City) (Town) ~~(Village)~~ of Somers was duly passed by the Town Board on February 13, 2025, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2025 of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2025, and was (approved) (not approved) (repassed after  
(Name of Legislative Body)  
disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 2025,  
(Elective Chief Executive Officer\*)  
in accordance with the applicable provisions of law.

3. (Final adoption by referendum).

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2025 of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2025, and was (approved) (not approved) (repassed after  
(Name of Legislative Body)  
disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 2025. Such local law was submitted  
(Elective Chief Executive Officer\*)  
to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on \_\_\_\_\_ 2025, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum).

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2025 of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2025, and was (approved) (not approved) (repassed after  
(Name of Legislative Body)  
disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 2025. Such local law was subject to  
(Elective Chief Executive Officer\*)  
permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 2025, in accordance with the applicable provisions of law.

\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition).

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2025 of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 2025, became operative.

6. (County local law concerning adoption of Charter).

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2025 of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 2025, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

If any other authorized form of final adoption has been followed, please provide an appropriate certification).

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ 1 \_\_\_\_\_, above.

\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

(Seal)

Date: \_\_\_\_\_

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality).

STATE OF NEW YORK  
COUNTY OF WESTCHESTER

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Town Attorney  
Title

~~County~~  
~~City~~ of Somers  
~~Town~~  
~~Village~~  
Date: \_\_\_\_\_

TOWN OF SOMERS  
COUNTY OF WESTCHESTER: STATE OF NEW YORK

-----) (

In the Matter of the Application of

THE TOWN OF SOMERS

**PETITION**

For the Extension of the Peekskill Hollow Sewer District  
to Include the Boundaries of the Parkview Extension  
Area of Somers Sewer District No. 1

-----) (

**TO: THE BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER**

The Petition of Robert Scorrano, as Supervisor of the Town of Somers, respectfully shows and demonstrates to the Board of Legislators of the County of Westchester:

1. That the Town of Somers is a municipal corporation duly organized and existing under the laws of the State of New York and is located in the County of Westchester, State of New York.

2. That the Town of Somers currently operates Sewer District No. 1 in the Town of Somers.

3. That a Petition, Map and Plan have been prepared by Parkview B & G, LLC (Parkview) dated April 12, 2024, for the extension of the Somers Sewer District No. 1 of the Town of Somers and duly presented to this Town Board: and a duly conducted public hearing on said extension was held on November 14, 2024, at which time the public hearing was closed and the Town Board of the Town of Somers at that time duly adopted a resolution to extend the Somers Sewer District No. 1 to include the boundaries of the Parkview extension area as set forth in its petition.

4. Petitioner is a limited liability company formed and existing under the laws of the State of New York and is in good standing. Petitioner is the owner of two existing parcels of land comprising in the aggregate 56.8 acres. The parcels are shown and designated on the Town of Somers Tax Map as tax parcels 4.20-1-12 and 15.08-1-4. Tax parcel 4.20-1-12 consists of approximately 19.8 acres. With respect to such parcel, 8.9 acres is presently zoned Residence R80; 8.6 acres is presently zoned Residence R40 and 2.3 acres is presently zoned Planned HamletPH. Tax parcel 15.08-1-4 consists of approximately 37 acres and is presently zoned Residence R80. Where the context requires, the two tax parcels shall hereinafter be collectively referred to as the "Property." Access to the Property is through the Somers Realty Planned Hamlet via Reynolds Drive. Petitioner has previously submitted to this Board a petition to rezone the Property to permit the construction of the improvements referenced below in accordance with the provisions of the Multifamily Residence Baldwin Place MFR-BP District. Petitioner proposes to construct an 81 unit townhouse community with associated asphalt road and parking, utility infrastructure,

stormwater management areas, landscaping, lighting, and a walking trail on approximately 49.3 acres of the Property. Five of the 81 units will be sponsor provided (at their cost without any county, state, or federal funding), and target households at or below the 120% AMI. A total of 58 units (including the 5 sponsor provided units at or below 120% AMI) will be three bedroom units and the remaining 23 units will be two bedroom. Additionally, on the remaining 7.5 acres of the Property, Petitioner proposes to construct, as a community benefit for the Town of Somers, a Community Center of approximately 6000 square feet which will include meeting rooms, bathrooms, storage and locker space and recreational areas. The Community Center lot will also include a proposed dog park as an additional community benefit. Upon completion of the construction of the Community Center, solely at the Petitioner's cost, Petitioner will dedicate the Community Center and the lot upon which it is constructed to the Town of Somers. A conservation area will be provided along the eastern portion of the property that will remain undeveloped preserving the land adjacent to the North County Trailway.

5. That the Town Board of the Town of Somers as Lead Agency under SEQRA adopted a Negative Declaration on February 13, 2025, having conducted a complete environmental review under SEQRA. The County of Westchester was an Involved Agency in this coordinated environmental review.

6. That the Town of Somers, therefore, deems it in the public interest that the Parkview extension area be connected to and serviced by the Peekskill Hollow Sewer District owned and operated by the County of Westchester.

7. That appropriate maps, property descriptions and plans have been prepared and submitted to the Town of Somers in connection with the petition of Parkview, all of which are attached hereto as **Exhibit A** and incorporated herein.

8. The resolution of the Town Board of the Town of Somers to extend the Somers Sewer District No. 1 to include the Parkview Extension Area dated February 13, 2025, is attached as **Exhibit B** hereto.

9. That the extension and enlargement of the Peekskill Hollow Sewer District, as proposed, is co-terminus with the boundaries of the Parkview Extension Area of Somers Sewer District No. 1.

10. That the establishment of the Parkview Extension Area of Somers Sewer District No. 1 will not result in any costs or expenses to the Town of Somers since it is proposed that all improvements to be designed, installed and constructed to service said extension area will be privately funded.

11. That a feasibility analysis has been performed which indicates that there is adequate capacity contained in the Peekskill Hollow Sewer District to service the Parkview Extension Area as currently proposed for development.

12. That on February 13, 2025, the Town Board of the Town of Somers adopted a resolution to petition the Board of Legislators of the County of Westchester to consider the

extension and enlargement of the Peekskill Hollow Sewer District as set forth above pursuant to Article 5-A of the County Law. A copy of this resolution is attached as **Exhibit C** hereto.

WHEREFORE, the Town Board of the Town of Somers hereby petitions the County of Westchester for the enlargement and extension of the Peekskill Hollow Sewer District to encompass and include the Parkview Extension Area of Somers Sewer District No. 1 as established by the Town Board of the Town of Somers.

Dated: Somers, New York  
February 21, 2025

TOWN OF SOMERS

By:   
Robert Scorrano  
Supervisor

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

On the 21<sup>st</sup> day of February, in the year 2025, before me, the undersigned personally appeared ROBERT SCORRANO, Supervisor of the Town of Somers, 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 person upon behalf of which the individual acted, executed the instrument.

  
Notary Public

PATRICIA KALBA  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01KA6080158  
Qualified in Westchester County  
Commission Expires SEPTEMBER 09, 2026

**EXHIBIT "A"**

TOWN BOARD OF THE TOWN OF SOMERS  
COUNTY OF WESTCHESTER

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IN THE MATTER OF THE PETITION OF

PARKVIEW B & G LLC

PETITION

FOR AN EXTENSION OF SOMERS SEWER DISTRICT #1

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TO THE SUPERVISOR AND MEMBERS OF THE TOWN BOARD OF THE TOWN OF  
SOMERS:

PETITIONER, PARKVIEW B & G LLC (hereinafter "Petitioner"), having a principal place of business at 57 Route 6, Suite 207, Baldwin Place, New York 10505, hereby petitions the Town Board of the Town of Somers for an extension of Somers Sewer District #1 and, in connection therewith, states as follows:

1. Petitioner is a limited liability company formed and existing under the laws of the State of New York and is in good standing. Petitioner is the owner of two existing parcels of land comprising in the aggregate 56.8 acres. The parcels are shown and designated on the Town of Somers Tax Map as tax parcels 4.20-1-12 and 15.08-1-4. Tax parcel 4.20-1-12 consists of approximately 19.8 acres. With respect to such parcel, 8.9 acres is presently zoned Residence R80; 8.6 acres is presently zoned Residence R40 and 2.3 acres is presently zoned Planned Hamlet PH. Tax parcel 15.08-1-4 consists of approximately 37 acres and is presently zoned Residence R80. Where the context requires, the two tax parcels shall hereinafter be collectively referred to as the "Property". Access to the Property is through the Somers Realty Planned Hamlet via Reynolds Drive. Petitioner has previously submitted to this Board a petition to rezone the Property to permit the construction of the improvements referenced below in accordance with

the provisions of the Multifamily Residence Baldwin Place MFR-BP District. Petitioner proposes to construct an 81 unit townhouse community on approximately 49.3 acres of the Property. Additionally, on the remaining 7.5 acres of the Property, Petitioner proposes to construct, as a community benefit for the Town of Somers, a Community Center of approximately 6000 square feet which will include meeting rooms, bathrooms, storage and locker space and recreational areas. The Community Center lot will also include a proposed dog park as an additional community benefit. Upon completion of the construction of the Community Center, solely at Petitioner's cost, Petitioner will dedicate the Community Center and the lot upon which it is constructed to the Town of Somers.

2. Petitioner seeks an extension of the Somers Sewer District #1 (hereinafter "SSD1") to enable the Property as referenced above to be serviced with municipal sewer service. In connection therewith, Petitioner will, at no cost or expense to SSD1 or the Town of Somers, provide the sewer infrastructure elements referenced below, which such sewer infrastructure elements would enable future connection of the improvements to be constructed upon the Property as referenced above as depicted in the document attached as Exhibit A hereto, which such document is entitled "Enlarged Somers Sewer #1 and Peekskill Sanitary Sewer Districts Expansion Map".

3. Petitioner proposes, pursuant to Article 12 of the Town Law, that the Town Board of the Town of Somers extend SSD1 so that the boundaries of the SSD1 as extended will include the Property shown on Exhibit A. For purposes of this Petition, such extension of the SSD1 shall be referred to as "the SSD1 Expansion Area".

4. Attached hereto and made part hereof as Exhibits A & B are maps of the existing and proposed boundaries of the SSD1, including an enlarged plan, illustrating the individual properties already located within the existing boundaries of the SSD1 and the Peekskill Sanitary Sewer District and the expansion of such districts as requested by this Petition. Said Exhibits are entitled “Exhibit A - Enlarged Somers Sewer #1 and Peekskill Sanitary Sewer Districts Expansion Map” and “Exhibit B - Somers Sewer #1 and Peekskill Sanitary Sewer Districts Expansion Map”.

5. Attached hereto and made part hereof as Exhibits C and D are engineering drawings showing the preliminary general plan of proposed improvements within the SSD1 Expansion Area. Exhibit C is entitled “Grading & Utilities Plan” consisting of three total sheets, last revised January 31, 2024 (Drawing SP-2.1, SP-2.2, and SP-2.3) and Exhibit D is entitled “Offsite Utilities Plan”, dated January 31, 2024 (Drawing SP-2.4)” as prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., an engineering firm duly licensed by the State of New York. The final design of the proposed improvements is subject to approval by Town of Somers and Westchester County authorities. As set forth thereon, the following sewer infrastructure elements are proposed to be constructed at no cost or expense to SSD1 or the Town of Somers, it being understood that the term “offsite” shall refer to improvements located within the public right-of-way and off the site of the Property and the term “onsite” shall refer to improvements located on the Property:

A. Offsite Improvements:

- a. Proposed Sewer Manholes along Reynolds Drive, Columbus Street, and Hoyt Street (approximately 8);
- b. Proposed Sewer Main along Reynolds Drive, Columbus Street, and Hoyt Street (approximately 1,210 feet in length);
- c. Proposed Sewer Forcemain from onsite sewer pump station (approximately 340 feet in length)

B. Onsite Improvements:

- i. Sewer Manholes (approximately 26);
- ii. Sewer Main (approximately 4,140 length feet);
- iii. Sewer Forcemain (approximately 2,650 feet in length);
- iv. Two sewer pump stations and two valve pits.

6. Attached hereto and made part hereof as Exhibit E is an Engineering Report entitled “Wastewater Engineering Report for Trailside Estates at Somers, Town of Somers, New York dated January 31, 2024” as prepared by Insite Engineering, Surveying & Landscape Architecture, P. C.

7. The SSD1 Expansion Area includes the Property as described above, which such property consists of approximately 56.8 acres which is proposed to be developed in accordance with plans submitted to the Planning Board of the Town of Somers. As set forth above, such plans contemplate the development of the Property for a residential townhouse community of 81 units with associated site appurtenances together with a 6000 square foot Community Center described above.

8. As set forth above, no portion of the cost of the proposed infrastructure improvements as preliminarily shown on Exhibits C and D will be borne by SSD1 or the Town of Somers. No amounts are to be expended by the Town of Somers or SSD1 for construction of proposed improvements necessary to provide sewer service to the Property as set forth in Exhibits C and D and the residential townhouse community and the Community Center to be constructed on the Property. All costs associated with the review, approval, inspection and acceptance of the proposed facilities shall be the responsibility of Petitioner.

9. Upon completion, the infrastructure improvements, both onsite and offsite referenced above shall be turned over to the SSD1 and any private property in which such improvements shall be located shall be made accessible by the deeding of any necessary access easements on the Property. Sewer service laterals to each of the proposed 81 townhouse unit buildings on the Property will not be turned over to the SSDI. Sewer service lateral for the proposed Community Center will be turned over to the Town of Somers as part of the 7.5 acre lot upon which it is constructed that the Petitioner will dedicate to the Town of Somers.

10. Because the sewage from SSD1 discharges to the Peekskill Wastewater Treatment Plant, SSD1 is part of the Westchester County Peekskill Sanitary Sewer District. As a consequence of the foregoing, expansion of SSD1 as requested by this Petition requires expansion of the Westchester County Peekskill Sanitary Sewer District. It should be noted in this regard that Tax parcel 4.20-1-12 is already in the Westchester County Peekskill Sanitary Sewer District<sup>1</sup>. This Petition therefore also seeks to expand the Westchester County Peekskill

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<sup>1</sup> The confirming boundary of the Westchester County Sewer District was obtained from Westchester County GIS mapping ([giswww.westchestergov.com/gismap/](http://giswww.westchestergov.com/gismap/)). In accordance with the website's description of layer, "The data

Sanitary Sewer District to include the entirety of the Property. Expansion of the Westchester County Peekskill Sanitary Sewer District is required to be authorized by the Westchester County Board of Legislators upon petition being made therefor by the municipal agency having jurisdiction over SSD1, the Town Board of the Town of Somers. As expansion of the Westchester County Peekskill Sanitary Sewer District is a condition precedent to expansion of SSD1, Petitioner respectfully requests that the Town Board petition the Westchester County Board of Legislators for an expansion of the Westchester County Peekskill Sanitary Sewer District to the same extent requested by this Petition, i.e., to include the Property which is the subject matter of this Petition.

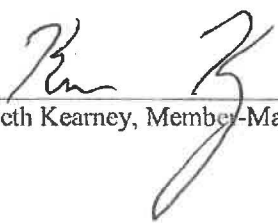
11. Petitioner agrees to comply with the rules and regulations of the SSD1 as presently existing or as same may be amended in the future, including all rates and fee schedules.

WHEREFORE, Petitioner respectfully requests that (a) the Town Board of the Town of Somers extend the Somers Sewer District #1 as hereinabove proposed and described, and that a Public Hearing thereon be held according to law; and (b) the Town Board of the Town of Somers Petition the Westchester County Board of Legislators for a corresponding extension of the Westchester County Peekskill Sanitary Sewer District.

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layer was derived from sewer districts mapped by the Department of Planning in 1997. Data was updated in 2020 to reflect all available Board of Legislators (BOL) approved additions and take-outs to the year 2019. Updates also include district boundaries updates in June 2015 by GUIS to conform to new Westchester County Municipal Boundaries data layer updated in 2014.”

PARKVIEW B & G LLC.

  
By: Kenneth Kearney, Member-Manager

State of New York  
County of Westchester

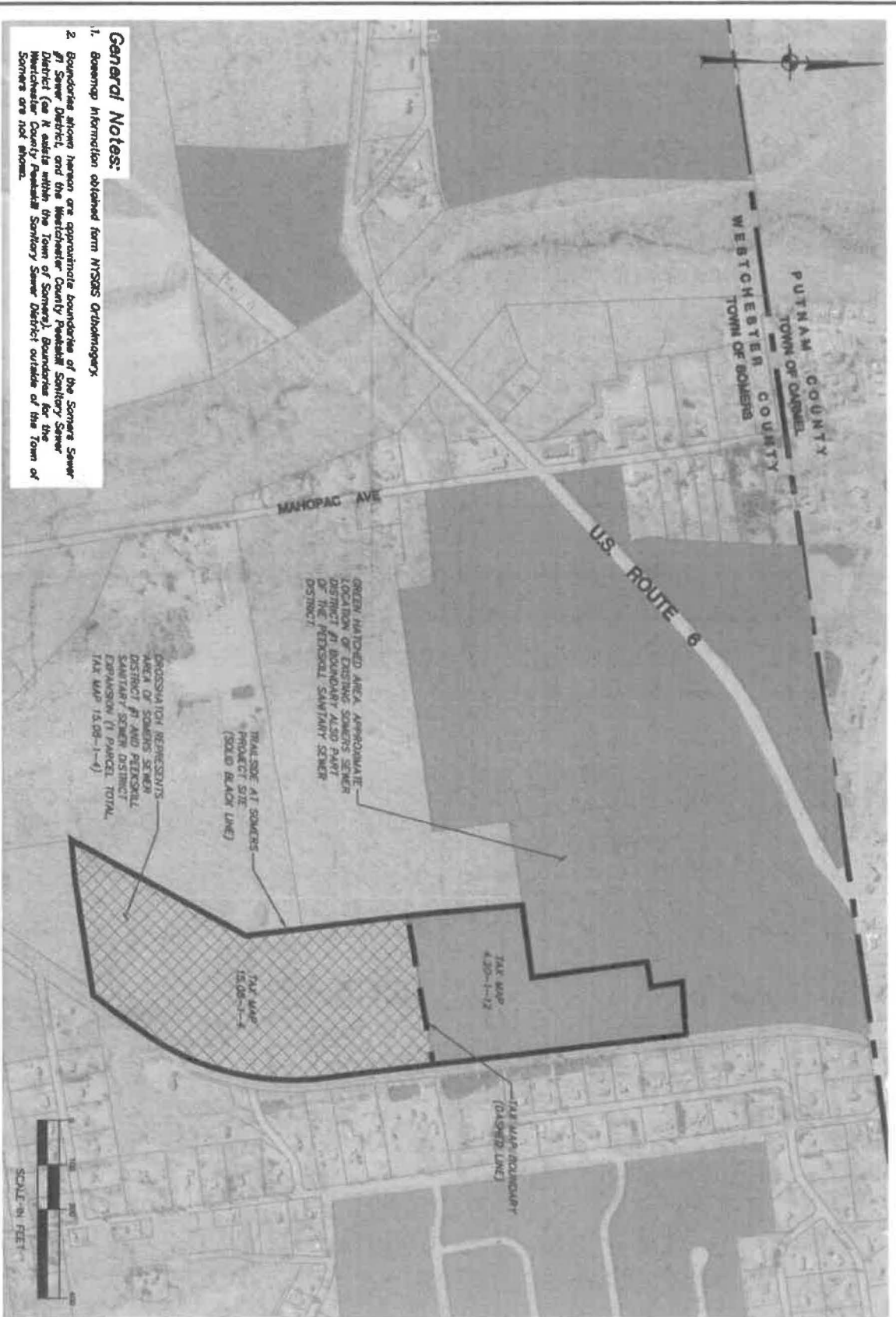
On the <sup>April</sup> 12 day of ~~February~~, 2024 before me, the undersigned, a Notary Public in and for said State, personally appeared Kenneth Kearney, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public



## **EXHIBIT A**

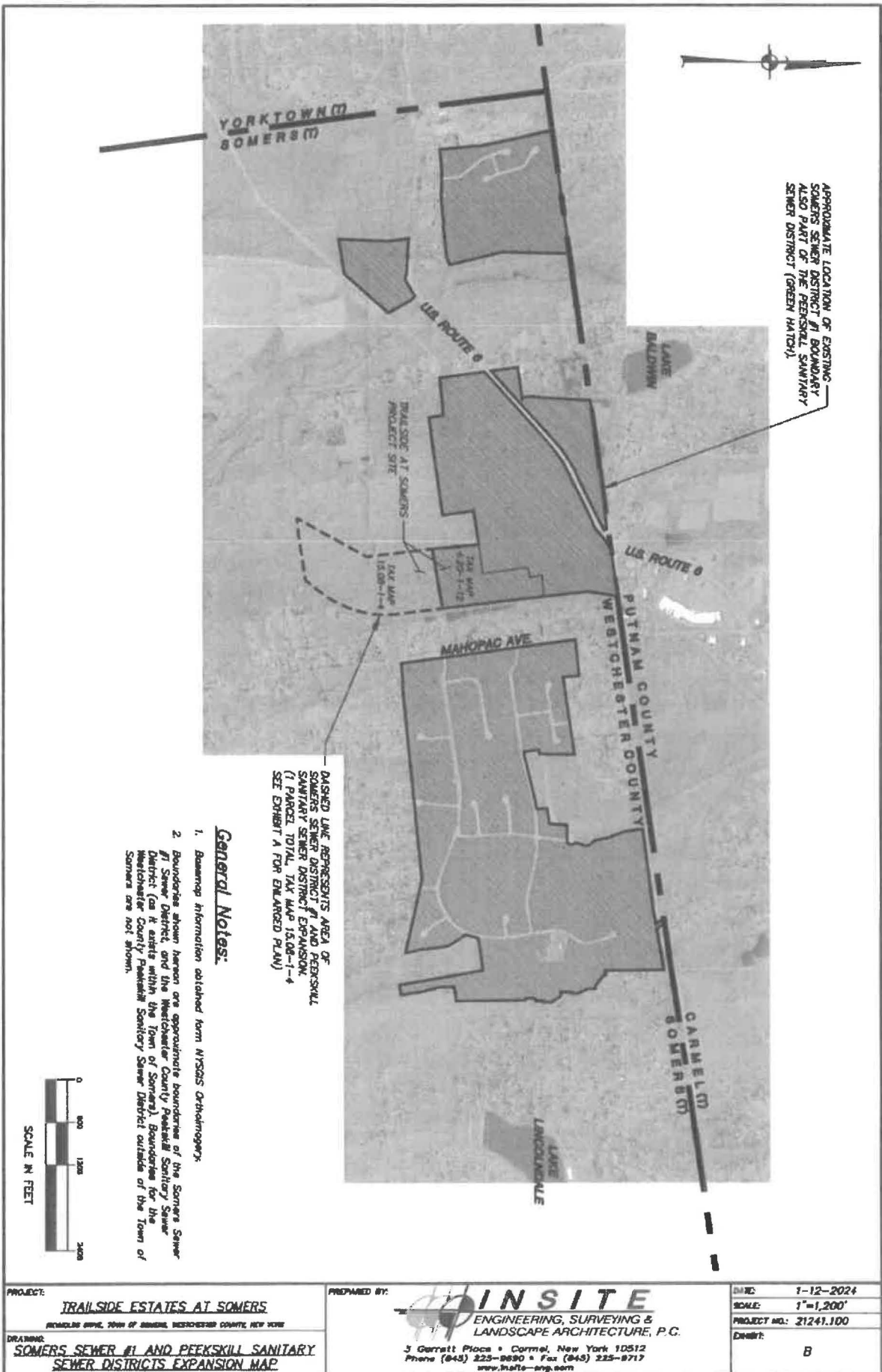
## REDUCED SCALE PLAN



|  |   |   |
|--|---|---|
| <b>PROJECT:</b><br><b>TRAILSIDE ESTATES AT SOMERS</b><br><small>REYNOLDS DR., TOWN OF SOMERS, WESTCHESTER COUNTY, NEW YORK</small> | <b>PREPARED BY:</b><br> <b>INSITE</b><br>ENGINEERING, SURVEYING &<br>LANDSCAPE ARCHITECTURE, P.C.<br>3 Garrett Place • Carmel, New York 10512<br>Phone (845) 225-9650 • Fax (845) 225-9717<br><a href="http://www.insite-eng.com">www.insite-eng.com</a> | <b>DATE:</b> 1-12-2024<br><b>SCALE:</b> 1" = 500'<br><b>PROJECT NO.:</b> 21241.100<br><b>EXHIBIT:</b> A |
| <b>DRAWING:</b><br><b>ENLARGED SOMERS SEWER #1 AND PEEKSKILL<br/>SANITARY SEWER DISTRICTS EXPANSION MAP</b>                        |   |   |

## **EXHIBIT B**

## REDUCED SCALE PLAN



## **EXHIBIT C**

Grading & Utilities Plan consisting of three total sheets, last revised January 31, 2024 (Drawing  
SP-2.1, SP-2.2, and SP-2.3), separately submitted

## **EXHIBIT D**

Offsite Utilities Plan, dated January 31, 2024 (Drawing SP-2.4), separately submitted

## **EXHIBIT E**



## **WASTEWATER ENGINEERING REPORT**

**For**

**Trailside Estates at Somers  
Town of Somers, New York**

**January 31, 2024**

Prepared By

Insite Engineering, Surveying & Landscape Architecture, P.C.  
3 Garrett Place  
Carmel, New York 10512

## 1.0 INTRODUCTION

The applicant, Parkview B & G, LLC is proposing to construct an 81-unit townhouse community and community center on two parcels totaling 56.8± acres in the Town of Somers. The townhouse units will consist of (58) three-bedroom units and (23) two-bedroom units. The community center will be dedicated to the Town of Somers. The tax parcels are identified as 4.20-1-12 and 15.08-1-4, located in the PH, R40 and R80 zoning districts. Access to the property is proposed through the Somers Realty Planned Hamlet via Reynolds Drive. The site is located on the south side of US Route 6 and between the Somers Realty Planned Hamlet and the North County Trailway.

A portion of the project is shown as being located in the Westchester County Peekskill Sanitary Sewer District. As part of this application, it is proposed to place the entire property in Somers Sewer District 1 and expand the county sewer district to the entirety of the property. A sanitary sewer conveyance system extension down Reynolds Drive consisting of gravity sewer main and sewer manholes was reviewed and approved by the Town and WCDOH as part of the Somers Realty Phase 3 subdivision but was not constructed. The onsite sewer service will be provided by a sewer collection and conveyance system which will connect to the terminal manhole in Reynolds Drive which was reviewed and approved by the Town and WCDOH as part of the Somers Realty Phase 3 subdivision. The sanitary sewer system will consist of an onsite gravity sewer collection and conveyance system which will discharge to one of two proposed pump stations. From the pump stations, a sewer forcemain will convey the sewage to the terminal manhole in Reynolds Drive.

## 2.0 PROJECT DESIGN FLOWS AND ANTICIPATED FLOWS

Design maximum daily wastewater flows for the proposed project are based on the hydraulic loading rates given in the New York State Department of Environmental Conservation (NYSDEC) publication *Design Standards for Intermediate Sized Wastewater Treatment Works – 2014* (Dec 14). The following table calculates the hydraulic loading rates and the design flow rates (gallons per day or gpd) for the proposed project.

**Table 1: Project Design Maximum Daily Flow Rate**

| <b>Proposed Use</b>          | <b>Hydraulic Loading Rate</b> | <b>Design Maximum Daily Domestic Flow (gpd)</b> |
|------------------------------|-------------------------------|---|
| 58 – Three Bedroom Townhomes | 330 gpd/dwelling              | 19,140  |
| 23 – Two Bedroom Townhomes   | 220 gpd/dwelling              | 5,060   |
| Town Community Center        | -                             | 1,000   |
| <b>Total</b>                 |                               | <b>25,200</b>                                   |

For preliminary purposes, an estimate of 1,000 gpd is assumed for the proposed community center to be dedicated to the Town of Somers.. As the project advances an actual maximum daily flow for the community center will be established based on discussions with the Town on anticipated use.

The anticipated design average daily flows for the project is expected to be significantly less than the design maximum daily design flow. The design maximum daily flows represent conservative flows to ensure that the proposed water works are designed with an ample factor of safety. The anticipated actual flows are based on occupancy rates and measured data for water use. Statistical data (obtained from *Rutgers University, Center for Urban Policy Research, Residential Demographic Multipliers*, June 2006) for the average number of occupants in a single-family attached dwelling which are owner-occupied (based on number of bedrooms) was used to calculate the expected number of residents anticipated for

the project as shown in the table below. Data from the American Water Works Association (AWWA) shows that the average in home water use is 69 gpd per person. This number is reduced to 45 gpd per person when water saving fixtures are used, which is the case for this project.

**Table 2: Design Average Daily Flow**

| Proposed Use                             | Occupancy Rate   | Total Anticipated Residents | Water Use Per Resident (gpd) | Water Use (gpd) |
|--|------------------|-----------------------------|------------------------------|-----------------|
| Town Community Center                    | -                | -                           | -                            | 1,000           |
| 58 –Three Bedroom Townhomes              | 3.08 people/unit | 179                         | 45                           | 8,055           |
| 23 – Two Bedroom Townhomes               | 2.16 people/unit | 50                          | 45                           | 2,250           |
| <b>Total Anticipated Water Use (gpd)</b> |                  |                             |                              | <b>11,305</b>   |

As demonstrated above, through the use of water saving fixtures as required by current building code, a design maximum flow of 25,200 gpd is proposed for the project, while the actual anticipated flows are 11,305 gpd.

Although the anticipated average daily flow for the project is lower than the design maximum daily flows, the design maximum daily flows are used for the design of the system. This provides an additional factor of safety in the proposed design.

The peak hourly flow for the domestic and park is calculated using a peaking factor that is based on the population of the subject project. *Recommended Standards for Wastewater Facilities - 2004* was used to determine a peaking factor of four.

#### Peak Hourly Flow

$$25,200 \text{ gpd} \div (24 \text{ hr/day}) \div (60 \text{ min/hr}) = 17.5 \text{ gallons per minute (gpm)}$$

$$\text{Peak Hourly Flow} = 17.5 \text{ gpm} \times 4 = \mathbf{70.0 \text{ gpm}}$$

### **3.0 PROPOSED CONNECTION TO SOMERS SEWER DISTRICT #1 AND THE WESTCHESTER COUNTY PEEKSKILL SANITARY SEWER DISTRICT**

Existing 6 inch and 8-inch ductile iron pipe (DIP) forcemains run along US Route 6. These sewer forcemains originate in The Preserves development, and run along US Route 6 ultimately discharging into a manhole located at the intersection of Hill and Lee Boulevards in the Town of Yorktown. Sewage then flows by gravity into the Peekskill Wastewater Treatment Plant. The sewer forcemains north of the project site are owned by the Town of Somers and are part of Somers Sewer District #1. Since the sewage from Somers Sewer District #1 discharges to the Peekskill Wastewater Treatment Plant, Somers Sewer District #1 is also part of the Westchester County Peekskill Sanitary Sewer District. The Trailside Estates at Somers Project is proposing to connect to the conveyance system constructed as part of the Somers Realty Planned Hamlet which ultimately discharges to the existing 6 inch and 8-inch diameter forcemains.

The Peekskill Wastewater Treatment Plant (WWTP) is approved for a monthly average flow of 10 mgd (million gallons per day). Based on review of the discharge monitoring reports from the United States Environmental Protection Agency (EPA), the Peekskill WWTP has averaged between 5.15 to 8.11 mgd over the past 24 months. The proposed project would create an additional 0.03 mgd. Therefore, there is sufficient capacity in the Peekskill WWTP to accommodate the proposed project.

### **4.0 PROPOSED COLLECTION SYSTEM COMPONENTS**

A gravity sewage collection and conveyance system consisting of 8-inch diameter PVC SDR 35 sewer mains and precast concrete manholes will be installed onsite. The sewage collection and conveyance system will flow by gravity to one of two onsite pump stations. Two duplex pump stations are proposed to be installed and will connect to the approved terminal sewer manhole and gravity sewer system along Reynolds Drive. A backup generator will be provided for each pump station to power the pumps in the event of power failure. The proposed sewer collection and conveyance system will consist of

both onsite improvements and offsite improvements along Reynolds Drive, Columbus Street and Hoyt Street. The onsite and offsite improvements are proposed to consist of the following:

- A. Offsite Improvements:
  - a. Proposed Sewer Manholes: 8 Total
  - b. Proposed 8" Diameter Sewer Main: 1,210 length feet
  - c. Proposed Sewer Forcemain: 340 length feet
- B. Onsite Improvements:
  - a. Proposed Sewer Manholes: 26 Total
  - b. Proposed 8" Diameter Sewer Main: 4,140 length feet
  - c. Proposed Sewer Forcemain: 2,650 length feet
  - d. Two Sewer Pump Stations and Two Valve Pits

Wastewater flow from each townhome will be conveyed by individual 4" diameter PVC SDR 35 sewer service connection. The service connections will be installed with a minimum slope of  $\frac{1}{4}$ " per foot meeting the requirements of DEC 14. Each sewer service connection will connect to an 8" PVC SDR 35 gravity sewer main. The 8" gravity sewer mains will flow the proposed onsite pump stations to be conveyed to the sewer conveyance system along Reynolds Drive which was previously approved and proposed to be constructed as part of this project. As part of the proposed connection the Somers Realty Planned Hamlet Pump Station will be analyzed to determine if any modifications are necessary.

All PVC SDR 35 pipe will contain rubber push on gaskets at pipe connections. Sewer manholes will be installed at all bends for access and maintenance. All sewer manholes will have exterior asphalt coating and contain water tight connections at all pipe connections. Cleanouts will be provided on each sewer service connection just outside of the townhomes. All sewer mains will be pressure tested, and all manholes vacuum tested in accordance with the *Recommended Standards for Wastewater Treatment Works*.

## 5.0 PUMP STATION DESIGN

Wastewater flow from each townhome and the proposed community center will be conveyed by gravity to one of two onsite sewer pump stations. Sewer pump station #1 is located at the southern end of the project site. Wastewater from the southern most 60 townhome units are conveyed by gravity to sewer pump station #1. From pump station #1, a sewer forcemain conveys the wastewater across the project site and discharges to an onsite sewer manhole where it is then conveyed by gravity to sewer pump station #2. Sewer pump station #2 is located in the northeast corner of the project site. The wastewater from the remaining 21 townhome units and community center are conveyed by gravity to sewer pump station #2. The sewer forcemain from pump station #2 conveys all of the onsite wastewater to the terminal sewer manhole along Reynolds Drive.

The pump stations will be sized to convey at a minimum the peak hourly flow from the subject project and the community center. The pumps will need to achieve this flow rate while pumping against the static and friction heads in the system. The static head the pumps will need to overcome will be from the liquid level in the pump station wet well the elevation of the terminal sewer manhole along Reynolds Drive. Duplex grinder pumps are proposed for each pump station. The grinder pumps allows a smaller diameter forcemain, which will help to achieve a minimum velocity of 2.0 ft/s in the proposed forcemains in accordance with DEC 14. A 3-inch diameter forcemain is envisioned. Headloss calculations and pump sizing will be provided in future reports.

### 5.1 Pumps and Pump Controls

Duplex submersible grinder pumps are proposed to convey the sewage flow contributing to each pump station generated from the proposed development. The pumps will be housed in a six-foot diameter wet well. The submersible pumps will be controlled via a liquid level probe in the wet well that will turn the pumps on or off depending on the water level within the wet well. The pump

controller will also alternate the lead/lag designation of the pumps. Additionally, a backup float system will be provided to operate the pumps independent of the probe controls in the event of a probe control system failure.

## 5.2 Pump Design Criteria

As discussed above, the pump design is based on the average design flow reaching the pump station and a peaking factor of 4.0. The static head and losses associated with bends, entrance and exit losses and valves to calculate a total dynamic head (TDH) at the peak flow using a Hazen-Williams "C" value of 120. The specific flows and TDHs for the pump station are discussed below.

Based upon an average daily flow rate of 25,200 gallons per day (gpd) and a peaking factor of 4.0, a peak design sewage inflow rate of 70 gallons per minute (gpm) was calculated for the entire project. Separate peak design sewage inflow rates will be calculated for each pump station based on the number of townhomes conveyed to each station.

## 5.3 Pump Controls

A submersible level control system is proposed for each of the pump stations. This system is composed of a submersible level transducer to control and monitor the operation of the duplex pump station and provide lead-lag automatic alternation, high and low level alarms (Visual and Audible).

Both submersible grinder pumps within each pump station will shut off at the "both pumps off" set point. When the level in the wet well rises to the second set point, "lead pump on", a signal will be sent to the control panel to turn the lead pump on. The "lead pump on" set point will be 1 foot above the "both pumps off" set point. The lead pump shall operate until the liquid level reaches both pumps off level (pump(s) shut off). If the liquid level in the wet well continues to rise to the "lag pump on" set point, 6 inches above the "lead pump on" set point, the control panel will, in addition to the lead pump, turn on the lag pump. The further rise of the liquid level within the wet well 6 inches to "High Level Alarm" set point will result in an alarm condition being transmitted to operating personnel via an auto-dialer to the sewer system operator.

In the event that the primary control system fails to operate the pumps, and the wet well level rises above the high-level alarm set point, a back-up float pump control system will override the primary pump controller and take over control of the pumps. Upon the liquid level reaching 6 inches above the "high level alarm", the back-up float will turn on both the lead and lag (after 45 second delay for lag) pumps. Upon the liquid level reaching 6 inches below the low alarm, a backup float will simultaneously turn both pumps off. The station will continue to operate in this mode until the alarm condition is corrected and the primary pump control system has been placed back into operation.

## 5.4 Wet Well

The pump station wet well has been designed based on the average daily flow reaching the pump station. The pump dose volume for each pump station is set to provide less than 30-minute detention time, at the average daily flow as recommended by *Recommended Standards for Wastewater Facilities*.

Guidrails for the lifting and lowering of the proposed submersible grinder pumps will be provided. A portable hoist socket has been provided at the top of the wet well. This socket will be compatible with a portable hoist currently used by the Somers Sewer Department in order to lift and lower the submersible pumps.

## 5.5 Valve Pit

A precast concrete valve pit will be provided for the pump station to house gate valves, check valves, plug valves and a bypass piping system. The valve pit will also house discharge pressure

gauges on the forcemain. The valve pit will be provided with a floor drain to the wet well for removal of accumulated water. A gate valve will be provided on the drain line.

#### 5.6 Check Valves

Check valves will be provided on both pump discharge headers. The proposed check valves will be swing type with a weight and lever. The check valves will have a pressure rating of 150 psi.

#### 5.7 Control Panel

The controls for the pump station will be post mounted inside the pump station fence. Controls will include power panels, a transfer switch for auxiliary power, pump control panel, and an autodialer. The controls will be house in a weather proof NEMA enclosure. Access to the pump pit area will be provided via a 10-foot wide gate.

#### 5.8 Auto-dialer and Alarm Communication

In order to transmit pump station alarm conditions, an autodialer with telephone will be provided. Alarm conditions will include pump station "Wet Well High Level" alarm, "Wet Well Low Level" alarm, "Power Failure" alarm and "Pump Failure" alarm. The auto-dialer will be capable of transmitting the four alarms separately. The power and pump failure systems will also have contacts connected to the autodialer. The autodialer shall call a designated representative of the owner and Adam Smith at the Town of Somers Sewer Department. Dial out numbers will be coordinated at startup.

#### 5.9 Forcemains

The proposed sewer forcemains will be used to convey raw sewage from the sewer pump stations to the terminal sewer manhole along Reynolds Drive. Two (2) 3" diameter PVC SDR 21 forcemains are envisioned. The PVC SDR 21 will have bell and spigot joints and factory installed gaskets. The fittings and elbows will be glued SCH 80 fittings. Any horizontal or vertical bends will be provided with concrete thrust blocks. The forcemain shall be provided with 3'-6" minimum cover.

#### 5.10 Emergency Backup Power

The controls, autodialer and telephone modem will be connected to an uninterrupted power supply (UPS) to maintain control and communications while the backup generator starts.

A natural gas generator will supply backup power. The generator will be able to run both the lead and lag pump, controls and communications. An automatic transfer switch will provide automatic startup of the backup generator and automatic transfer between primary and backup power as required.

" EXHIBIT "B"

Record & Return to:  
Roland A. Baroni, Jr.  
ABRAMSFENSTERMAN,LLP  
81 Main Street, Suite 400  
White Plains, NY 10601

At a meeting of the Town Board of the Town of Somers at Town Hall located at 335 Route 202, Somers, Westchester County, New York on the 13<sup>th</sup> day of February, 2025 at 7:00 P.M.

**RESOLUTION TO EXTEND THE  
SOMERS SEWER DISTRICT #1**

WHEREAS, a Petition, Map, Plan and Report have been prepared by PARK.VIEW B & G, LLC dated April 12, 2024, for the extension of the Somers Sewer District #1 of the Town of Somers, New York, and duly presented to this Town Board; and

WHEREAS, an Order was duly adopted by the Town Board on October 10, 2024, reciting the filing of said petition, the improvements proposed, the boundaries of the proposed extension, and the estimated expenses thereof and specifying November 14, 2024 at 7:00 p.m. as the time and the Town Hall in said Town as the place where the said Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, such Order was duly posted, published and served as required by law; and

WHEREAS, a hearing in the matter was duly held by the Board on the 14<sup>th</sup> day of November, 2024 commencing at 7:00 p.m. o'clock at the Town Hall in said Town and considerable discussion upon the matter having been had, and all persons desiring to be heard having been duly heard and thereupon the hearing being duly closed; and

WHEREAS, the Town Board as Lead Agency under SEQRA adopted a Negative Declaration February 13, 2025 having conducted a complete environmental review under SEQRA; and

WHEREAS, the Town Board has reviewed the submissions for the Proposed Action and, in particular, the Map, Plan and Report dated April 12, 2024, pertaining to the proposed extension of the Somers Sewer District #1; and

WHEREAS, based upon its review of the submitted petition and the environmental record for the Proposed Action, the Town Board makes the following environmental findings pursuant to SEQRA:

1. As discussed in the Map, Plan and Report, there is adequate capacity in the existing system to service the project.

2. The Town Board has weighed and balanced relevant environmental impacts with social, economic and other considerations.
3. The Town Board hereby certifies that the requirements of Part 617 of Title 6 NYCRR have been met.
4. The Town Board hereby certifies that consistent with the social, economic and other essential considerations, from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

NOW, upon the evidence given at such hearing and on motion of Supervisor Scorrano seconded by Councilman Ciriaco, it is

RESOLVED AND DETERMINED, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed district extension as herein approved and it is otherwise sufficient; (b) all property and property owners within the proposed district extension are benefitted thereby; (c) all the property and property owners benefitted are included within the limits of the proposed district expansion; and (d) that it is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND DETERMINED, that the extension of the Somers Sewer District #1 as proposed in said petition be approved; that such extension be designated as "Parkview Water Extension"; that the improvements to be constructed by the Petitioner or its successors be constructed at the sole cost and expense of the Petitioner, and such extension be bounded and described as set forth in **Schedule A** attached hereto; and it is further

RESOLVED, that the Town Clerk shall file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control in Albany, New York and record same with the County Clerk, County of Westchester, Division of Land Records within ten (10) days hereof.

Roll Call:

Vote:

Hon. Robert Scorrano  
Councilman Anthony Ciriaco  
Councilman William Faulkner  
Councilman Richard G. Clinchy  
Councilman Thomas A. Garrity

AYE  
AYE  
AYE  
AYE  
AYE

STATE OF NEW YORK  
COUNTY OF WESTCHESTER  
TOWN OF SOMERS

I, PATRICIA KALBA, Town Clerk of the Town of Somers, do hereby certify that I have compared the preceding Resolution with the original thereof filed in my office at Town Hall, 335 Route 202, Somers, Westchester County, New York, that the same is a true and correct copy of said original and the whole thereof.

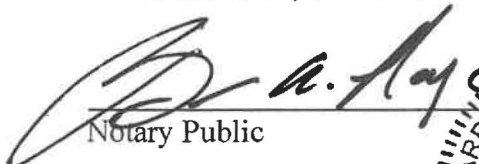
I further certify that all members of the Town Board had due notice of the meeting at which said resolution was adopted.

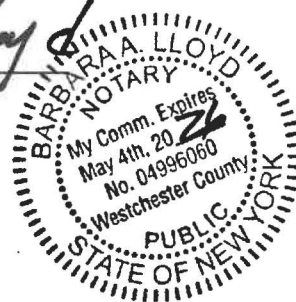
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 19<sup>th</sup> day of February, 2025.

  
PATRICIA KALBA  
Town Clerk

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

On the 19<sup>th</sup> day of February in the year 2025 before me, the undersigned personally appeared PATRICIA KALBA, Town Clerk of the Town of Somers, 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 person upon behalf of which the individual acted, executed the instrument.

  
Notary Public



## SCHEDULE A

Tax Parcels

1. 4.20-1-12

2. 15.08-1-4

## EXHIBIT "C"

Record & Return to:  
Roland A. Baroni, Jr.  
ABRAMSFENSTERMAN,LLP  
81 Main Street, Suite 400  
White Plains, NY 10601

At a meeting of the Town Board of the Town of Somers at Town Hall located at 335 Route 202, Somers, Westchester County, New York on the 13<sup>th</sup> day of February, 2025 at 7:00 P.M.

**RESOLUTION TO EXTEND THE  
SOMERS CONSOLIDATED WATER DISTRICT No.1**

WHEREAS, a Petition, Map, Plan and Report have been prepared by PARK.VIEW B & G, LLC dated April 12, 2024, for the extension of the Somers Consolidated Water District No. 1 of the Town of Somers, New York, and duly presented to this Town Board; and

WHEREAS, an Order was duly adopted by the Town Board on October 10, 2024, reciting the filing of said petition, the improvements proposed, the boundaries of the proposed extension, and the estimated expenses thereof and specifying November 14, 2024 at 7:00 p.m. as the time and the Town Hall in said Town as the place where the said Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, such Order was duly posted, published and served as required by law; and

WHEREAS, a hearing in the matter was duly held by the Board on the 14<sup>th</sup> day of November, 2024 commencing at 7:00 p.m. o'clock at the Town Hall in said Town and considerable discussion upon the matter having been had, and all persons desiring to be heard having been duly heard and thereupon the hearing being duly closed; and

WHEREAS, the Town Board as Lead Agency under SEQRA adopted a Negative Declaration February 13, 2025 having conducted a complete environmental review under SEQRA; and

WHEREAS, the Town Board has reviewed the submissions for the Proposed Action and, in particular, the Map, Plan and Report dated April 12, 2024, pertaining to the proposed extension of the Somers Consolidated Water District No. 1; and

WHEREAS, based upon its review of the submitted petition and the environmental record for the Proposed Action, the Town Board makes the following environmental findings pursuant to SEQRA:

1. As discussed in the Map, Plan and Report, there is adequate capacity in the existing system to service the project.

2. The Town Board has weighed and balanced relevant environmental impacts with social, economic and other considerations.
3. The Town Board hereby certifies that the requirements of Part 617 of Title 6 NYCRR have been met.
4. The Town Board hereby certifies that consistent with the social, economic and other essential considerations, from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

NOW, upon the evidence given at such hearing and on motion of Supervisor Scorrano seconded by Councilman Faulkner, it is

RESOLVED AND DETERMINED, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed district extension as herein approved and it is otherwise sufficient; (b) all property and property owners within the proposed district extension are benefitted thereby; (c) all the property and property owners benefitted are included within the limits of the proposed district expansion; and (d) that it is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND DETERMINED, that the extension of the Somers Consolidated Water District No. 1 as proposed in said petition be approved; that such extension be designated as "Parkview Water Extension"; that the improvements to be constructed by the Petitioner or its successors be constructed at the sole cost and expense of the Petitioner, and such extension be bounded and described as set forth in **Schedule A** attached hereto; and it is further

RESOLVED, that the Town Clerk shall file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control in Albany, New York and record same with the County Clerk, County of Westchester, Division of Land Records within ten (10) days hereof.

Roll Call:

Vote:

|                               |     |
|-------------------------------|-----|
| Hon. Robert Scorrano          | AYE |
| Councilman Anthony Ciriaco    | AYE |
| Councilman William Faulkner   | AYE |
| Councilman Richard G. Clinchy | AYE |
| Councilman Thomas A. Garrity  | AYE |

STATE OF NEW YORK

COUNTY OF WESTCHESTER  
TOWN OF SOMERS

I, PATRICIA KALBA, Town Clerk of the Town of Somers, do hereby certify that I have compared the preceding Resolution with the original thereof filed in my office at Town Hall, 335 Route 202, Somers, Westchester County, New York, that the same is a true and correct copy of said original and the whole thereof.

I further certify that all members of the Town Board had due notice of the meeting at which said resolution was adopted.

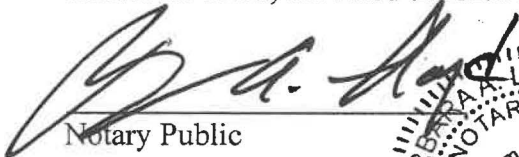
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 19<sup>th</sup> day of February, 2025.



PATRICIA KALBA  
Town Clerk

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

On the 19<sup>th</sup> day of February in the year 2025 before me, the undersigned personally appeared PATRICIA KALBA, Town Clerk of the Town of Somers, 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 person upon behalf of which the individual acted, executed the instrument.

  
Notary Public

**SCHEDULE A**

## Tax Parcels

1. 4.20-1-12

2. 15.08-1-4

Record & Return to:  
Roland A. Baroni, Jr.  
ABRAMSFENSTERMAN,LLP  
81 Main Street, Suite 400  
White Plains, NY 10601

At a meeting of the Town Board of the Town of Somers at Town Hall located at 335 Route 202, Somers, Westchester County, New York on the 13<sup>th</sup> day of February, 2025 at 7:00 P.M.

**RESOLUTION TO EXTEND THE  
SOMERS CONSOLIDATED WATER DISTRICT No.1**

WHEREAS, a Petition, Map, Plan and Report have been prepared by PARK.VIEW B & G, LLC dated April 12, 2024, for the extension of the Somers Consolidated Water District No. 1 of the Town of Somers, New York, and duly presented to this Town Board; and

WHEREAS, an Order was duly adopted by the Town Board on October 10, 2024, reciting the filing of said petition, the improvements proposed, the boundaries of the proposed extension, and the estimated expenses thereof and specifying November 14, 2024 at 7:00 p.m. as the time and the Town Hall in said Town as the place where the said Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, such Order was duly posted, published and served as required by law; and

WHEREAS, a hearing in the matter was duly held by the Board on the 14<sup>th</sup> day of November, 2024 commencing at 7:00 p.m. o'clock at the Town Hall in said Town and considerable discussion upon the matter having been had, and all persons desiring to be heard having been duly heard and thereupon the hearing being duly closed; and

WHEREAS, the Town Board as Lead Agency under SEQRA adopted a Negative Declaration February 13, 2025 having conducted a complete environmental review under SEQRA; and

WHEREAS, the Town Board has reviewed the submissions for the Proposed Action and, in particular, the Map, Plan and Report dated April 12, 2024, pertaining to the proposed extension of the Somers Consolidated Water District No. 1; and

WHEREAS, based upon its review of the submitted petition and the environmental record for the Proposed Action, the Town Board makes the following environmental findings pursuant to SEQRA:

1. As discussed in the Map, Plan and Report, there is adequate capacity in the existing system to service the project.

2. The Town Board has weighed and balanced relevant environmental impacts with social, economic and other considerations.
3. The Town Board hereby certifies that the requirements of Part 617 of Title 6 NYCRR have been met.
4. The Town Board hereby certifies that consistent with the social, economic and other essential considerations, from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

NOW, upon the evidence given at such hearing and on motion of Supervisor Scorrano seconded by Councilman Faulkner, it is

RESOLVED AND DETERMINED, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed district extension as herein approved and it is otherwise sufficient; (b) all property and property owners within the proposed district extension are benefitted thereby; (c) all the property and property owners benefitted are included within the limits of the proposed district expansion; and (d) that it is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND DETERMINED, that the extension of the Somers Consolidated Water District No. 1 as proposed in said petition be approved; that such extension be designated as "Parkview Water Extension"; that the improvements to be constructed by the Petitioner or its successors be constructed at the sole cost and expense of the Petitioner, and such extension be bounded and described as set forth in **Schedule A** attached hereto; and it is further

RESOLVED, that the Town Clerk shall file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control in Albany, New York and record same with the County Clerk, County of Westchester, Division of Land Records within ten (10) days hereof.

Roll Call:

Vote:

Hon. Robert Scorrano  
Councilman Anthony Ciriaco  
Councilman William Faulkner  
Councilman Richard G. Clinchy  
Councilman Thomas A. Garrity

AYE  
AYE  
AYE  
AYE  
AYE

STATE OF NEW YORK

COUNTY OF WESTCHESTER  
TOWN OF SOMERS

I, PATRICIA KALBA, Town Clerk of the Town of Somers, do hereby certify that I have compared the preceding Resolution with the original thereof filed in my office at Town Hall, 335 Route 202, Somers, Westchester County, New York, that the same is a true and correct copy of said original and the whole thereof.

I further certify that all members of the Town Board had due notice of the meeting at which said resolution was adopted.

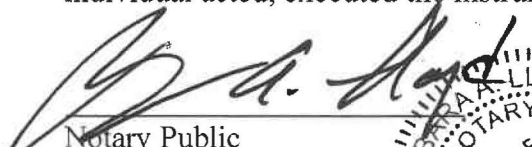
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 19<sup>th</sup> day of February, 2025.




PATRICIA KALBA  
Town Clerk

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

On the 19<sup>th</sup> day of February in the year 2025 before me, the undersigned personally appeared PATRICIA KALBA, Town Clerk of the Town of Somers, 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 person upon behalf of which the individual acted, executed the instrument.



Notary Public



**SCHEDULE A**

## Tax Parcels

1. 4.20-1-12

2. 15.08-1-4

Record & Return to:  
Roland A. Baroni, Jr.  
ABRAMSFENSTERMAN,LLP  
81 Main Street, Suite 400  
White Plains, NY 10601

At a meeting of the Town Board of the Town of Somers at Town Hall located at 335 Route 202, Somers, Westchester County, New York on the 13<sup>th</sup> day of February, 2025 at 7:00 P.M.

**RESOLUTION TO EXTEND THE  
SOMERS SEWER DISTRICT #1**

WHEREAS, a Petition, Map, Plan and Report have been prepared by PARK.VIEW B & G, LLC dated April 12, 2024, for the extension of the Somers Sewer District #1 of the Town of Somers, New York, and duly presented to this Town Board; and

WHEREAS, an Order was duly adopted by the Town Board on October 10, 2024, reciting the filing of said petition, the improvements proposed, the boundaries of the proposed extension, and the estimated expenses thereof and specifying November 14, 2024 at 7:00 p.m. as the time and the Town Hall in said Town as the place where the said Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, such Order was duly posted, published and served as required by law; and

WHEREAS, a hearing in the matter was duly held by the Board on the 14<sup>th</sup> day of November, 2024 commencing at 7:00 p.m. o'clock at the Town Hall in said Town and considerable discussion upon the matter having been had, and all persons desiring to be heard having been duly heard and thereupon the hearing being duly closed; and

WHEREAS, the Town Board as Lead Agency under SEQRA adopted a Negative Declaration February 13, 2025 having conducted a complete environmental review under SEQRA; and

WHEREAS, the Town Board has reviewed the submissions for the Proposed Action and, in particular, the Map, Plan and Report dated April 12, 2024, pertaining to the proposed extension of the Somers Sewer District #1; and

WHEREAS, based upon its review of the submitted petition and the environmental record for the Proposed Action, the Town Board makes the following environmental findings pursuant to SEQRA:

1. As discussed in the Map, Plan and Report, there is adequate capacity in the existing system to service the project.

2. The Town Board has weighed and balanced relevant environmental impacts with social, economic and other considerations.
3. The Town Board hereby certifies that the requirements of Part 617 of Title 6 NYCRR have been met.
4. The Town Board hereby certifies that consistent with the social, economic and other essential considerations, from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

NOW, upon the evidence given at such hearing and on motion of Supervisor Scorrano seconded by Councilman Ciriaco, it is

RESOLVED AND DETERMINED, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed district extension as herein approved and it is otherwise sufficient; (b) all property and property owners within the proposed district extension are benefitted thereby; (c) all the property and property owners benefitted are included within the limits of the proposed district expansion; and (d) that it is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND DETERMINED, that the extension of the Somers Sewer District #1 as proposed in said petition be approved; that such extension be designated as "Parkview Water Extension"; that the improvements to be constructed by the Petitioner or its successors be constructed at the sole cost and expense of the Petitioner, and such extension be bounded and described as set forth in **Schedule A** attached hereto; and it is further

RESOLVED, that the Town Clerk shall file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control in Albany, New York and record same with the County Clerk, County of Westchester, Division of Land Records within ten (10) days hereof.

Roll Call:

Vote:

Hon. Robert Scorrano  
Councilman Anthony Ciriaco  
Councilman William Faulkner  
Councilman Richard G. Clinchy  
Councilman Thomas A. Garrity

AYE  
AYE  
AYE  
AYE  
AYE

STATE OF NEW YORK  
COUNTY OF WESTCHESTER  
TOWN OF SOMERS

I, PATRICIA KALBA, Town Clerk of the Town of Somers, do hereby certify that I have compared the preceding Resolution with the original thereof filed in my office at Town Hall, 335 Route 202, Somers, Westchester County, New York, that the same is a true and correct copy of said original and the whole thereof.

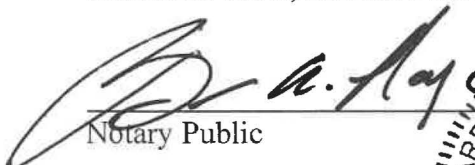
I further certify that all members of the Town Board had due notice of the meeting at which said resolution was adopted.


IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 19<sup>th</sup> day of February, 2025.

  
PATRICIA KALBA  
Town Clerk

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

On the 19<sup>th</sup> day of February in the year 2025 before me, the undersigned personally appeared PATRICIA KALBA, Town Clerk of the Town of Somers, 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 person upon behalf of which the individual acted, executed the instrument.

  
Notary Public



## **SCHEDULE A**

Tax Parcels

1. 4.20-1-12

2. 15.08-1-4