

**TOWN OF SOMERS
WESTCHESTER COUNTY, NEW YORK
APPLICATION FOR ENVIRONMENTAL PERMIT
CHAPTER 167 "WETLAND AND WATER COURSE PROTECTION"**

APPLICATION FEE:

Alteration of Wetlands: \$200 minimum fee plus \$100 per 5,000 S.F. of regulated area or proposed portions thereof to be disturbed.

Annual Maintenance Permit Renewal Fee: Administrative Permit: \$25.00, Planning Board Permit: \$75.00

Erosion and Sediment Control Application fee: \$100 for disturbances of at least one acre or for the placement or removal of 20 cubic yards of soil, plus \$500 for each additional acre of disturbance.

OWNER: _____ **Tel. #:** _____

Mailing Address: _____

APPLICANT: _____ **Tel. #:** _____

Mailing Address: _____

State authority: _____ **If other than owner, authorization must be submitted in writing.**

PREMISES: Sheet: _____ Block: _____ Lot: _____

Situated on the _____ **side of** _____ **(Street),** _____ **feet from the**
intersection of _____ **(Street)**

DESCRIPTION OF WORK AND PURPOSE: _____

The information listed below shall only relate to the impact within wetland and/or wetland buffer:

SIZE OF ACTIVITY AREA: _____

Is work proposed in Wetland: _____ **or Wetland Control Area:** _____

Is there an existing house located on the site: _____

Is pond, lake or detention basin proposed to be cleaned: _____

Functions provided by Wetland: _____

Wetland Expert delineating Wetland: _____

ESTIMATED QUANTITY OF EARTH WORK:

Excavated material placed as fill: _____ **C.Y.**

Imported Fill Type: _____ **C.Y.**

PROPOSED STARTING DATE: _____ **PROPOSED COMPLETION DATE:** _____

PLANS PREPARED BY: _____ **DATED:** _____

****Plans must be submitted with application. ****

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

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

NAME	ADDRESS	BLOCK	LOTS

APPLICANT'S SIGNATURE: _____ **DATE:** _____

OWNER'S SIGNATURE: _____ **DATE:** _____

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

.....**Office Use Only**.....

Administrative Permit: _____

Planning Board Permit: _____

APPLICANT ACKNOWLEDGEMENT

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

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

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

Signature of Applicant: _____ Date: _____

Signature of Property Owner: _____ Date: _____
(if different from applicant)

**TOWN OF SOMERS
WESTCHESTER COUNTY, NEW YORK
CHAPTER 67 "APPLICATION PROCESSING RESTRICTIVE LAW"**

CERTIFICATION

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

Section_____Block_____Lot_____

Property Address_____

Permit Applying For_____

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

Signed_____
(Owner of Record)

Signed_____
(Applicant for Permit)

(Print Name)

(Print Name)

Date_____

Date_____

CONFIRMATIONS

Engineering Department

Date:_____

Zoning Enforcement Officer

Date:_____

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 - Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES
			☐
			☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
			☐
			☐
3.a. Total acreage of the site of the proposed action? _____ acres			
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			
4. Check all land uses that occur on, adjoining and near the proposed action.			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____			
☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	☐	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☐	☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	☐	☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	☐	☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	☐	☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
b. Is the proposed action located in an archeological sensitive area?	☐	☐	
	☐	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☐	☐	
	☐	☐	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	☐	☐	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	☐	☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	NO	YES	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES _____ _____	☐	☐	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	☐	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	☐	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	☐	☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____		

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

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing:	☐	☐
a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Name of Lead Agency Date	
Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer	
Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer)	

PRINT

AFFIDAVIT TO BE COMPLETED BY OWNER OTHER THAN CORPORATION

STATE OF NEW YORK)

ss:

COUNTY OF _____)

_____, being duly sworn, deposes and says: that he is the owner in fee of all the property shown on plat entitled _____, application for approval of which is herein made. The deponent acquired title to the said premises by deed from _____ dated _____, and recorded in the Office of the Clerk of the County of Westchester on _____, in Liber _____ of Conveyances at Page _____. That the statements contained herein are true to the best of deponent's knowledge and belief, and are made for the purpose of obtaining the approval of the submitted application by the Planning Board of the Town of Somers.

(Signed) _____

Sworn to before me this _____
day of _____, 20____.

(Notary Public)

AFFIDAVIT TO BE COMPLETED BY CORPORATION OWNER

STATE OF NEW YORK)

ss:

COUNTY OF _____)

_____, being duly sworn, deposes and
says that he resides at _____
in the County of _____, State of _____
that he is the _____ of _____
(Title)

(Name of Corporation)

which is the owner in fee of all property shown on plat entitled _____
_____, application for approval of which is
herein made. That said _____

(Name of Corporation)

acquired title to the said premises by deed from _____
recorded in the Office of the Clerk of the County of _____
on _____ in Liber _____ of Conveyances at Page _____

That the statements contained herein are true to the best of deponent's
knowledge and belief, and are made for the purpose of obtaining the approval of
the submitted application by the Planning Board of the Town of Somers.

(Signed) _____

Sworn to before me this _____
day of _____, 20____.

(Notary Public)

See 167-6A for Planning Board Wetland Application
See 167-6B for Administrative Wetland Application

§ 167-6. Application for permit.

- A. Required data for a Planning Board application. An application for a wetland activity permit shall be filed with the Engineering Department and shall contain the following information:
- (1) Name and address of the owner and applicant if different.
 - (2) Street address and Tax Map designation of the property.
 - (3) A statement of authority from the owner for any agent making application.
 - (4) Statement of proposed work and purpose thereof and an explanation why the proposed activity cannot be located at another site, including an explanation of how the proposed activity is dependent on wetlands or water-related resources.
 - (5) A list of the names of the owners of record of lands adjacent to the wetland or wetland buffer in which the project is to be undertaken and the names of known claimants of water rights of whom the applicant has notice, which relate to any land within or within 100 feet of the boundary of the property on which the proposed regulated activity will be located.
 - (6) A description of all functions currently provided by the wetland under review.
 - (7) A completed environmental assessment form.
 - (8) Copies of all applicable permits or permit applications that are required for such work or, if application has not yet been made, a list of all permits that will ultimately be required.
 - (9) Complete plans for the proposed site improvements, which shall be certified by an engineer, architect, land surveyor or landscape architect licensed in the State of New York, drawn to a scale no less detailed than one inch equals 50 feet. Plans shall be submitted in 14 sets. The plans shall show:
 - (a) The location of all wetlands, as determined by a qualified individual identified on the plans (i.e., ecologist, botanist, soil scientist), no earlier than 12 months prior to the date of filing the application.
 - (b) The location of the construction area or area proposed to be disturbed and its relation to property lines, roads, buildings and watercourses within 250 feet.
 - (c) The exact locations, specifications and amount of all proposed draining, cut and fill, grading, dredging and vegetation removal or displacement and procedures to be used to do the work.

- (d) Existing and adjusted contours at two-foot intervals in the proposed disturbed area and to a distance of 50 feet beyond.
- (e) Elevations of the site and adjacent lands within 200 feet of the site at a contour intervals of no greater than five feet.
- (f) A description of the vegetative cover of the regulated area, including dominant species.
- (g) A description of the soil types on site.
- (h) Location of any wells and depths thereof and any disposal system within 50 feet of areas to be disturbed.
- (i) Details of any temporary or permanent drainage system proposed both for the conduct of work and after completion thereof, including locations at any point discharges, artificial inlets or other human-made conveyances which would discharge into the wetland or wetland buffer and measures proposed to control erosion both during and after the work.
- (j) Where creation of a lake or pond is proposed, details of the construction of any dams, embankments, outlets or other water control devices and analysis of the wetland hydrologic system, including seasonal water fluctuation, inflow/outflow calculations (using Westchester County Soil Conservation Service method), subsurface soil, geology and groundwater conditions.
- (k) Where creation of a detention basin is proposed, with or without excavation, details of the construction of any dams, berms, embankments, outlets or other water control devices and analysis of the wetland hydrologic system, including seasonal water fluctuation, inflow/outflow calculations (using Westchester County Soil Conservation Service method), subsurface soil, geology and groundwater conditions.

B. Required data for the administrative application. An application for a wetland activity permit shall be filed with the Engineering Department and shall contain the following information:

- (1) Name and address of the owner and applicant if different.
- (2) Street address and Tax Map designation of the property.
- (3) Statement of authority from the owner for any agent making application.
- (4) Statement of proposed work and purpose thereof.
- (5) A completed environmental assessment form.
- (6) Copies of all applicable permits or permit applications that are required for such work or, if application has not yet been made, a list of all permits that will ultimately be required.
- (7) Complete plans for the proposed lot improvements, which may be certified by an engineer, architect, land surveyor or landscape

architect licensed in the State of New York, drawn at the scale one inch equals 50 feet. Ten sets of such plans shall be submitted with each application and show:

- (a) The location of the wetlands as they exist in the field or as shown on the Town of Somers environmental maps and field-verified by the Engineering Department.
- (b) Location of the construction area or area proposed to be disturbed and its relation to property lines, roads, buildings and watercourses and wetlands.
- (c) Existing and proposed contours at two-foot intervals in the proposed disturbed area as may be required at the sole discretion and request of the Town Engineer.
- (d) Location of any existing structures, well(s) and septic system(s), other improvements, easements or encumbrances as required by the Town Engineer.

C. Application fee. An application fee, permit renewal fee and engineering inspection fee shall be paid by the applicant in amounts set forth in a fee schedule established by resolution of the Town Board.

D. Additional data. The approval authority may require additional information deemed necessary to evaluate the proposed activity in terms of the goals and standards of this chapter, such as the study of flood, erosion or other hazards at the site and the effect of any protective measures that might be taken to reduce such hazards.