

**TOWN OF SOMERS
PLANNING BOARD
APPLICATION FOR SITE PLAN APPROVAL**

I. IDENTIFICATION OF APPLICANT:

- A. Owner: _____ Applicant: _____
Address: _____ Address: _____
Tele #: _____ Tele #: _____
- B. Architect: _____ Engineer: _____
Address: _____ Address: _____
Tele #: _____ Tele #: _____
- C. Surveyor: _____ Tele #: _____
Address: _____

II. IDENTIFICATION OF PROPERTY:

- A. Identifying Title: _____
- B. Tax Map Design: Sheet: _____ Block: _____ Lot(s): _____
- C. Zoning District: _____
- D. Street which property abuts: _____
- E. Does property connect directly into State or County highway? _____
- F. Is site within 500 feet of Town Boundary? _____
- G. Total area of site: _____ Area of site activity: _____
- H. Site coverage: _____ % Building coverage: _____ %
- I. Affected Wetland Area: _____ Wetland Buffer Area _____
- J. Affected Steep Slope Area: 15%-25%: _____ Over 25% _____
- K. Existing building size: _____ New/additional building size: _____
- L. Existing parking spaces: _____ New parking spaces: _____

III. APPLICATION FEE:

Site Plan: \$500 base fee plus \$50 per 1,000 square feet or part thereof plus \$25 per parking space to be paid by certified check to the Town of Somers.

Wetland Permit Fee: \$200 min. fee + \$100 per 5,000 square feet of regulated area or proposed area to be disturbed.

Steep Slope Fee: \$150 min. fee + \$75 per 10,000 square feet of regulated area or proposed area to be disturbed.

Stormwater Management and Erosion and Sediment Control Application Fee: \$100 for disturbances of five thousand (5,000) square feet and/or for the placement or removal of 50 cubic yards of soil, plus \$500 for each additional acre of disturbance.

Total Fee _____ Date Paid: _____

IV. DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION:

Submit 14 copies of all correspondence and plans to the Planning Board.

- A. 14 copies of Site Plan with north arrow and location map drawn to scale of 1" = 1,000'.
- B. Survey Map defining precise boundaries of property.
- C. Copies of all existing and proposed deed restrictions or covenants applying to the property, including covenants and agreements restricting use, and establishing future ownership and maintenance responsibilities for all private roads, recreation and open space areas.
- D. Preliminary Architectural Drawings to be submitted to Planning Board prior to public hearing for referral to Building Inspector and Architectural Advisory Review Board.
- E. Environmental Assessment Form.
- F. Proof that taxes have been paid.

It is the responsibility of the applicant to be knowledgeable of the law. The following are available at the Town Clerks Office: Master Plan, Zoning Ordinance, Site Plan Regulations, State Environmental Quality Review (SEQR) and Environmental Quality Review, Wetland and Steep Slope Ordinances of the Town of Somers. All revised plans shall be accompanied by a letter indicating what changes were made. All costs incurred by the Town for professional services and SEQR review will be paid by the applicant.

By submission of this application, the property owner agrees to permit Town Officials and their designated representatives to conduct on-site inspections in connection with the review of the proposal. The property shall be identified on site as being proposed for site plan approval.

Signature of Applicant

Date: _____

Signature of Owner

Date: _____

**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:_____

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)

(Notary Public)

Affidavit:

I, _____ do hereby affirm that on _____ 200_, pursuant to Sections 170-114C(5) and 150-12E of the Code of the Town of Somers, I installed the required sign, informing the public that the public hearing will be held on _____ at the Town House, Route 202, Somers, N.Y. for the _____ project.

I, _____ a Notary Public for the State of New York, residing in Westchester County, do hereby certify that on this, the ____ day of _____, 200_, in the aforesaid county, the above named _____ subscribed the foregoing affidavit in my presence, and, being duly sworn or affirmed by me, did depose and solemnly swear and truly declare that the matters set forth in said affidavit are true, to the knowledge of said deponent.

IN WITNESS WHEREOF, I, have hereunto set my hand.

Notary Public
Commission expires:

DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

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The following Environmental Assessment Forms (Appendices A and B) should be used (as of October 7, 2013) for applications to be submitted to reviewing, funding or approving agencies. If you are new to filling out the EAFs or using the EAF Mapper, or have questions about how to use them, we recommend that you begin with the Environmental Assessment Form (EAF) Workbooks. EAF forms can be filled out and saved with Acrobat Reader.

- EAF Mapper (will generate partially filled-in EAFs) (*Coming soon; expected the week of 10/7*)
- Short Environmental Assessment Form (SEAF) (172 kb) (*Appendix B to 6 NYCRR 617.20*)
- Full Environmental Assessment Form (FEAF) (*Appendix A to 6 NYCRR 617.20*)
 - FEAF Part 1 (481 kb)
 - FEAF Part 2 (560 kb)
 - FEAF Part 3 (56 kb)
- Notice of Complete Draft EIS / Final EIS (24 kb)
- Notice of Completion of Draft EIS and Notice of SEQR Hearing (68 kb)
- SEQR Findings Form (82 kb)
- ENB SEQR Notice Publication Form (72 kb)

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Environmental Assessment Forms - Answers to questions
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Short Environmental Assessment Form

Part 1 - Project Information

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 government 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 _____ acres			
or controlled by the applicant or project sponsor?			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☐ 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?	NO	YES	
If Yes, identify: _____	☐	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☐	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☐	
12. a. 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?	NO	YES	
	☐	☐	
b. 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?	☐	☐	
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 plan?	NO	YES
	☐	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	☐	☐
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☐

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	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 CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		

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 Council, Town Board, ☐ Yes ☐ No or Village Board of Trustees		
b. City, Town or Village ☐ Yes ☐ No Planning Board or Commission		
c. City, Town or ☐ Yes ☐ No Village Zoning Board of Appeals		
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☐ Yes ☐ No		
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☐ Yes ☐ No		
h. Federal agencies ☐ Yes ☐ No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐ Yes ☐ No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐ Yes ☐ No iii. Is the project site within a Coastal Erosion Hazard Area? ☐ Yes ☐ 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):

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):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☐ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

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

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☐ No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? _____

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

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

d. What parks serve the project site?

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

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

b. 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

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)

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:

- Total number of phases anticipated _____

- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year

- Anticipated completion date of final phase _____ month _____ year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

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

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

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

D.2. Project Operations

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

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

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

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

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

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

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ 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.

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? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	☐ Yes ☐ No ☐ Yes ☐ No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	
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): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
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? _____	
If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources. _____	
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)? _____	
• If to surface waters, identify receiving water bodies or wetlands: _____	
• Will stormwater runoff flow to adjacent properties? _____	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
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? _____	
If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	
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? _____	
If Yes: 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) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
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? ☐ Yes ☐ No If Yes: i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____		

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: _____	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No Describe: _____	
n. Will the proposed action have outdoor lighting? ☐ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No Describe: _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☐ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____ _____	
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? ☐ Yes ☐ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐ No If Yes: i. Describe proposed treatment(s): _____ _____	
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ • Operation: _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ • Operation: _____	

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

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

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☐ No
i. If Yes: explain: _____

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? ☐ Yes ☐ No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☐ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

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? ☐ Yes ☐ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

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? ☐ Yes ☐ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

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? ☐ Yes ☐ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

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m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? ☐ Yes ☐ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☐ No If Yes: i. Species and listing (endangered or threatened): _____ _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☐ No If Yes: i. Species and listing: _____ _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No If yes, give a brief description of how the proposed action may affect that use: _____ _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☐ No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☐ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☐ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☐ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

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? ☐ Yes ☐ No	
If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: _____ 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? ☐ Yes ☐ No	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No	
If Yes: i. Describe possible resource(s): _____ 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? ☐ Yes ☐ No	
If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ 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? ☐ Yes ☐ No	
If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No	

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 _____

PRINT FORM

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

Agency Use Only [If applicable]

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.

1. Impact on Land

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)

☐ NO

☐ YES

If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: _____		☐	☐

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). (See Part 1. E.2.g)

☐ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

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). (See Part 1. D.2, E.2.h)

☐ NO☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
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	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
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	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
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	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

1. Other impacts: _____ _____		☐	☐
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4. Impact on groundwater

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. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

☐ NO

☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	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	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
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	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
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	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

☐ NO

☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	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	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐
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6. Impacts on Air

The proposed action may include a state regulated air emission source.
(See Part 1. D.2.f., D.2.h, D.2.g)

☐ NO

☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	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 ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐
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	☐	☐
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	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)
If "Yes", answer questions a - j. If "No", move on to Section 8.

☐ NO

☐ 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	☐	☐
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	☐	☐
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	☐	☐
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	☐	☐

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	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
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	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)

☐ NO

☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
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	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

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. (Part 1. E.1.a, E.1.b, E.3.h.) ☐ NO ☐ YES <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
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	E3h	☐ ☐	☐ ☐
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	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
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	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) ☐ NO ☐ YES <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical 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.	E3e	☐	☐
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	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

d. Other impacts: _____		☐	☐
If any of the above (a-d) are answered "Moderate to large impact may occur", 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	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
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	☐	☐

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. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		☐ NO	☐ 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 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 E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		☐ NO	☐ 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 a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
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	☐	☐
c. Other impacts: _____		☐	☐

13. Impact on Transportation

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

☐ NO☐ YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	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	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____ _____		☐	☐

14. Impact on Energy

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

☐ NO☐ YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	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	☐	☐
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	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____ _____		☐	☐

15. Impact on Noise, Odor, and Light

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

☐ NO☐ YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	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	☐	☐
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	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

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 I.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	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
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	☐	☐
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	☐	☐
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	☐	☐
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	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
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 E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____		☐	☐

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2. and C.3.)

☐ NO☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	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 E1a, E1b	☐	☐
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	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
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, D1d, D1f, D1d, E1b	☐	☐
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 D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

☐ NO☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	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	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
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 D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

PRINT FULL FORM

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>

PRINT FULL FORM

PLANNING AND ENGINEERING DEPARTMENTS

Telephone
(914) 277-5366
Fax
(914) 277-4093

Town of Somers
WESTCHESTER COUNTY, N.Y.

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

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



Syrette Dym, AICP
Director of Planning
sdym@somersny.com

MEMORANDUM

TO: Town of Somers Planning Board
FROM: Syrette Dym, Director of Planning
DATE: May 17, 2016
RE: Procedures for Numbers of Plan Sets for Submission

At its meeting of May 11, 2016, the Planning Board developed and agreed to follow the following procedures regarding submission of plans, plats and plan sets by applicants for items before the Board.

Plans, Plan Sets and Plats

1. Initial Submission – One Full Plan/Plat set for each Board member and other required receivers.

Subsequent Plans, Plan Sets and Plats

1. Only new plan/plat pages or previously submitted pages with changes. Each change should be identified with a note and bubble on the plan to identify reason for change, and where and what the change was from the previous submittal. This would apply to significant changes, not corrections such as typos or footnote changes.

Final Plan/Plat Sets

1. Final Site Plan Set should include all revised plans and final set for Chairman's signature and/or Final Plat. All previous inserted explanatory bubbles should be removed. Three full final plan sets should be submitted to the Planning Office.

Only plan/plat pages with final changes not previously seen by the Planning Board should be submitted for final review by Board members.

Applicant's Other Submitted Materials

1. All memorandums and reports should be double sided
2. Provide comments only on those items which are now advancing, not a cumulative listing of prior items already addressed.

Town /Town Consultant Submitted Documents

1. Town submitted comment letters should not be cumulative but should only be focus on those items that still need to be addressed.

Z:\PE\Planning Board meetings\Procedures\Plan Procedures\Procedures for Number of Plan Sets.docx

Guy L. Gagné, P.E.
Town Engineer
townengineer@somersny.com

Sabrina D. Charney Hull
Town Planner
townplanner@somersny.com

PLANNING AND ENGINEERING DEPARTMENTS

Town of Somers

WESTCHESTER COUNTY, N.Y.

Town House
335 Route 202
Somers, N.Y. 10589
Tele #: 914-277-5366
FAX #: 914-277-4093



Date: July 14, 2005

To: Planning Board Applicants

From: Department of Planning and Engineering

Please take note of **the revised Somers Planning Board Application Policy – Drawing Guidelines, adopted July 13, 2005.**

As of July 13, 2005, items #5 and #7 have been revised – (#5) septic fields must be included, notes and standard details must be eliminated, and (#7) requires 10 of the maps to be 17"x 22".

Drawings, as requested in these guidelines, must be submitted two weeks prior to the Planning Board meeting date, in order for an applicant to appear.

If you have any questions concerning this matter, please contact the Department of Planning and Engineering at (914) 277-5366.

Guy L. Gagné, P.E.
Town Engineer
townengineer@somersny.com

Sabrina D. Charney Hull
Town Planner
townplanner@somersny.com

PLANNING AND ENGINEERING DEPARTMENTS

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**Planning Board Application Policy
Drawing Guidelines
Adopted at the Planning Board Meeting of July 13, 2005**

The following minimum drawing requirements must be provided when submitting a Sketch Plan, Subdivision, Site Plan and /or Environmental Permit application:

1. Survey of the property, signed by licensed surveyor.
2. As-built drawing when site improvements exist.
3. Constraints map showing wetland, wetland buffers, steep slopes 15 % to 25% & 25% and greater. Vivid color drawings using light blue for wetland, yellow for wetland buffer, tan for 15% to 25% slopes, and brown for greater than 25%. For overlapping categories use red for steep slopes and wetland, and pink for steep slopes and wetland buffers.
4. Soils data shall be provided using the soil hydrological group designations: "A" soil group use yellow, "B" use light brown, "C" use brown, "D" use blue.
5. The constraints, soils, and hydrological group maps must show the proposed roads and lot lines with proposed **house location, driveways, and septic fields. Do not include notes and standard details on the reduced drawing.** Alternatively the proposed features may be shown on a transparent overlay.
6. The applicants preparing a DEIS shall follow the same policy for using colored plates. For instance, all plates must include the proposed layout with buildings and roads, lot lines must be depicted as a single black line over the maps area of interest.
7. Fourteen (14) copies of the maps as described above shall be provided with the application. Ten (10) of the maps shall be **17"x 22"** in size (must focus on the area of interest) and four (4) shall be full scale drawings.

The Planning Board may waive these requirements should they believe wetlands and steep slopes are negligible.

Town of Somers, NY
Tuesday, October 8, 2013

Chapter 170. ZONING

Article XX. Powers of Planning Board

§ 170-114. Site plan approval.

[Amended 9-11-1974; 2-9-1978; 5-13-1993 by L.L. No. 3-1993; 1-18-1996 by L.L. No. 3-1996]

A. Approval required.

- (1) Where any provision of this chapter requires site plan approval, and subject to the limitations contained therein, the Planning Board is hereby authorized to review and approve, approve with modifications or disapprove site plans. No building permit shall be issued, no structure or use shall be established, no use shall be changed to another use and no existing grades shall be altered nor impervious surface placed without prior conformity with the site plan approval procedures set forth in this section and with the technical requirements set forth in Chapter **144**, Site Plan Review, of the Code of the Town of Somers.
- (2) The continued validity of a certificate of occupancy shall be subject to continued conformance with an approved site plan and conditions of approval.
- (3) Revisions of approved site plans shall be subject to the same approval procedure.
- (4) The following structures and uses are excluded from the requirements of this section:
 - (a) One single-family detached dwelling.
 - (b) A farm.
 - (c) Permitted accessory uses as set forth in § **170-11B**.
 - (d) An improvement or change of nonconforming use or structure approved in accordance with the procedure specified in § **170-97** of this chapter, except when the review and approval of a site plan is required by the approving Town of Somers agency.

B. Sketch plan submission and review.

(1) Prior to preparation of proposals.

- (a) Before preparing a site plan proposal, an applicant should become familiar with the regulations, standards and requirements contained in Chapter **170**, Zoning; Chapter **167**, Wetlands Protection; and Chapter **148**, Steep Slopes Protection, of the Code of the Town of Somers and other Town ordinances that relate to the use and development of land and natural resources.
- (b) An applicant should review the Town of Somers Town Comprehensive Master Plan to determine what recommendations have been suggested for the subject property and to develop an understanding of the planning goals, objectives and policies of the Town. Discussions may be held with the Planning Board's professional staff.
- (c) All applicants should be aware that review and action on a proposed site plan requires that a comprehensive description of a site's physical features be made available as part of the application process. The sooner an applicant has a complete technical presentation of physical features and constraints, the sooner an understanding of the site's development opportunities and limitations will be achieved.
- (d) A purpose of the sketch plan review procedure set forth in this section is promotion of efficient use of time at Board meetings by providing opportunities for informed discussion focused on items of importance and disagreement.

(2) Application for sketch plan review. Submission of an application for sketch plan review is recommended to permit Planning Board consideration of a site plan proposal prior to investment in the detailed plan preparation required as part of applications for approval. A new sketch application is required for each submission of plans to the Planning Board. The following application materials are required:

- (a) One completed sketch plan review application form.
- (b) Fourteen copies of the sketch plan or plans (seven of the 14 copies may be reduced prints).
- (c) Sketch plan review fee in accordance with a fee schedule adopted by the Town Board.
- (d) Affidavit from the Town Receiver of Taxes that all taxes due on the subject property have been paid.

(3) Scheduling of review.

- (a) The application will be scheduled to be considered at the first available opening on the Planning Board's work session calendar. Except when specifically authorized by the Chairman, an application shall not be considered by the Planning Board less

- than 31 days after the date of receipt by the Planning Board's professional staff of all required materials.
- (b) The purpose of the interval between application submission and Planning Board review is to allow time for distribution of the application materials to the Planning Board's professional staff and other Town agencies and staff for their review and submission of advisory reports to the Planning Board. Said review reports shall be made available to the applicant upon submission of such reports to the Planning Board.
- (c) The applicant may prepare a written response to these reports which, if submitted to the Planning Board Secretary no later than six days in advance of the date of the scheduled meeting, shall be distributed to Board members. The response shall not include revised or amended plans; if the applicant elects to prepare revised plans and to forego discussion at a Planning Board meeting of the initial submission, the applicant shall so notify the Planning Board Secretary and then submit a new application and revised plans for sketch plan review.
- (4) Planning Board review. The applicant or his duly authorized representative shall be present at the Planning Board meeting to present the sketch plan and to discuss the proposed site plan concept with the Board. The Planning Board's professional staff and other Town agencies and staff shall be provided an opportunity to present comments and recommendations. At the discretion of the Chairman, comments from the public may be entertained.
- (5) Field review.
 - (a) As a result of the Planning Board meeting discussion, the Board may schedule a field trip to the proposed development site.
 - (b) The Board may direct the applicant to place stakes or flags at the approximate locations of proposed building corners and at other locations, in a manner consistent with § 170-14C(4) so as to facilitate review.
- (6) Planning Board recommendation. The Planning Board shall advise the applicant of changes, additions or modifications that should be made in the site plan concept shown on the sketch plan. The Board shall advise the applicant of subjects requiring more study or information. The Board shall also advise the applicant to proceed to the site plan review stage, when appropriate.
- (7) Revised sketch plan review. When the Planning Board recommendation calls for substantial changes to be made in the sketch plan proposal or identifies a need for submission of additional information so as to allow for responsible review of the proposal, the Board shall encourage the applicant to prepare a revised sketch plan and to submit a new application.

C. Site plan submission, review and action.

(1) Preparation of site plan application.

- (a) The preparation and review of a site plan shall be undertaken in accordance with the procedures in this section. The proposed site plan shall reflect thorough consideration and response to the recommendations made by the Planning Board during the sketch plan review procedure, if undertaken.
- (b) All materials and plans shall comply in all respects with Article **IV** of Chapter **144** (Site Plan Review) and Chapter **170** (Zoning) of the Code of the Town of Somers, § 274-a of the Town Law and all other applicable regulations, except where a modification may be specifically authorized by the Planning Board or the Zoning Board of Appeals pursuant to applicable law or regulation or where otherwise provided by law.
- (c) The applicant shall be responsible for ensuring that the survey of property to be developed has been cross-checked with property deed descriptions and Town of Somers Tax Map data. Discrepancies are to be resolved prior to submitting an application for site plan approval.

(2) Application for site plan approval. The following application materials are required:

- (a) One completed site plan application form and supporting documentation as set forth in the application packet, including an affidavit of ownership or written authorization of the property owner for the application to be made.
- (b) Affidavit from the Town Receiver of Taxes that all taxes due on the subject property have been paid.
- (c) Site plan application fee in accordance with a fee schedule adopted by the Town Board.
- (d) Fourteen copies of a completed full environmental assessment form (or 14 copies of a draft environmental impact statement), except when a completed short environmental assessment form is accepted by the Planning Board's professional staff.
- (e) The required number of copies of a site plan prepared in accordance with Article **IV** of Chapter **144** (Site Plan Review) of the Code of the Town of Somers.
- (f) The Planning Board shall review the application so as to consider the standards for site plan approval in Article **IV** of Chapter **144**, Site Plan Review, of the Code of the Town of Somers and may require the submission of other pertinent information as may be necessary to provide for the proper enforcement of those standards.

(3) Scheduling of review.

- (a) Following review by the Planning Board's professional staff, the application will be scheduled to be considered at the first available opening on the Planning Board's

meeting calendar. Except when approved by the Chairman, an application shall not be considered by the Planning Board less than 31 days after the date of receipt by the Planning Board's professional staff of all required materials.

- (b) The purpose of the interval between application submission and Planning Board review is to allow time for distribution of the application materials to the Planning Board's professional staff and other Town agencies and staff for their review and submission of advisory reports to the Planning Board. Said review reports shall be made available to the applicant upon submission of such reports to the Planning Board.
 - (c) The applicant may prepare a written response to these reports which, if submitted to the Planning Board Secretary no later than six days in advance of the date of the scheduled meeting, shall be distributed to Board members. The response shall not include revised or amended plans; if the applicant elects to prepare revised plans and to forego discussion at a Planning Board meeting of the initial submission, the applicant shall so notify the Planning Board Secretary and then submit an amended application and revised plans for site plan approval. The Planning Board may schedule a field trip to the site of the proposed development.
- (4) Temporary staking. When determined necessary by the Planning Board to facilitate inspection and review of the site of a proposed development, temporary staking at the approximate corners of all proposed buildings and/or at other appropriate locations will be required. The applicant shall provide stakes as follows, or to a lesser standard when approved by the Board:
- (a) Each stake shall be identified by station marking to conform to the plans as presented and shall be placed so as to extend at least 30 inches above the ground surface. Inasmuch as these stakes are not permanent, a tolerance of up to one foot from the exact position will be allowed.
 - (b) All stakes referred to in this section shall be in position at a time to be determined by the Planning Board. The Planning Board will not conduct its field inspection of the property until such stakes have been positioned.
 - (c) All stakes removed or destroyed prior to the approval of the site plan shall be replaced by the applicant, if required by the Planning Board or its authorized representatives.
- (5) Notification sign.
- (a) With respect to any application for site plan approval, the applicant shall post a sign on the subject property at least 10 days prior to the date of the first Planning Board meeting for which the application is on the agenda.
 - (b) Such sign shall be at least 30 inches in length by 20 inches in width, consist of sturdy and serviceable material containing a white background with black legible

letters of at least two inches in height, and shall be placed in a location plainly visible from the most commonly travelled street or highway upon which the property fronts, but in no case more than 20 feet back from the front lot line. Such sign shall be at least six feet above the ground and shall read as follows:

A PROPOSED SITE PLAN FOR (describe proposed action) ON THIS PROPERTY WILL BE DISCUSSED AT A PLANNING BOARD MEETING ON (fill in date) AT (fill in time) AT THE SOMERS TOWN HOUSE. FOR INFORMATION, CALL (914) 277-5366.

- (c) The applicant shall update the sign and post it at least 10 days prior to the date of each public hearing (including site plan and State Environmental Quality Review hearings), if any are held. The word "meeting" shall be similarly updated to "public hearing."
 - (d) At least seven days prior to the date of the meeting or hearing(s) for which the sign is posted, the applicant shall submit to the Planning Board Secretary an affidavit stating the fact and date of the posting.
 - (e) The applicant shall remove the sign within seven days after the date of the meeting or hearing for which the sign is posted.
- (6) Lead agency and determination of significance.
- (a) In accordance with the New York State Environmental Quality Review Act (SEQRA); *Editor's Note: See Article 8 of the Environmental Conservation Law, 6 NYCRR Part 617; Chapter 92, Environmental Quality Review, of the Code of the Town of Somers; and § 274-a of the Town Law,* the Planning Board shall follow the procedures for choosing a lead agency for each site plan application and for determining whether the proposed action may have a significant impact on the environment.
 - (b) If it is determined that the action will not have a significant adverse impact on the environment and a Negative Declaration has been filed by the lead agency, the application shall be considered complete.
 - (c) If it is determined that the action may have a significant impact on the environment and a Positive Declaration is made, the application shall not be considered complete until a notice of completion of the draft environmental impact statement has been filed by the lead agency.
- (7) Planning Board review. The applicant or his duly authorized representative shall be present at the Planning Board meeting to present the site plan and to discuss the proposal with the Board. The Planning Board's professional staff and other Town agencies and staff shall be provided an opportunity to present comments and recommendations. At the discretion of the Chairman, comments from the public may be entertained.
- (a) When the application is found to be incomplete. If an application is found by the Planning Board to be incomplete, the Planning Board shall advise the applicant of

deficiencies that must be corrected. The applicant shall address the deficiencies and submit revised application materials, as necessary. Upon resubmission, the process set forth in § 114-C(3) shall be repeated.

- (b) When the application is found to be complete. When an application is found to be complete, the Planning Board may call a public hearing to be held as set forth in § 114-C(8).
- (8) Scheduling of public hearing. A public hearing shall be held as set forth below on all applications for site plan approval, unless the requirement for such public hearing is waived by the Planning Board in accordance with Subsection **C(8)(e)** herein.
 - (a) The Planning Board shall call a public hearing to be held within 62 days after the date of receipt by the Planning Board's professional staff of a complete application for site plan approval, but not sooner than 31 days after the date of receipt so as to allow adequate time for the giving of official notice and for public and agency review.
 - (b) Any public hearing to be held on a draft environmental impact statement for a proposed site plan should, if practicable, be held concurrently.
 - (c) The issuance of a notice of completion of the draft environmental impact statement by the lead agency commences a thirty-day public comment period. A public hearing may be scheduled on the draft environmental impact statement by the lead agency by filing a notice of hearing. Such hearing shall be scheduled not sooner than 15 days nor more than 60 days after the date of filing of the notice of completion of the draft environmental impact statement. In the event that a public hearing is scheduled, the public comment period shall end not sooner than 10 days after the date of the close of the public hearing.
 - (d) In the event that concurrent hearings are held for both the draft environmental impact statement and the application for site plan approval, it is contemplated that the public hearing on the draft environmental impact statement may be closed, and the SEQR review brought to a conclusion, prior to the closing of the public hearing on the application for site plan approval.
 - (e) The Planning Board may waive the requirement for a public hearing on the application for site plan approval if it determines that the scale of the improvements or the record of prior review(s) and public hearing(s) on the development and use of the site does not warrant a public hearing.
- (9) Public hearing notice.
 - (a) Notice of a public hearing shall be submitted by the Planning Board Secretary to the official Town newspaper for publication so as to appear at least five days prior to the public hearing date if no hearing is held on the draft environmental impact

statement, or at least 14 days prior to the public hearing date if held concurrently on the draft environmental impact statement and the site plan.

- (b) Copies of the notice of a public hearing shall be mailed by the Planning Board Secretary at least 10 days prior to the public hearing date to each owner of property abutting or directly across a street or right-of-way from the land included within the site plan, and to the applicant.
 - (c) A copy of the notice of a public hearing shall be mailed by the Planning Board Secretary at least 10 days prior to the public hearing date to the Clerk of any municipality where the land included within the site plan is within 500 feet of such municipality.
 - (d) One copy of all application materials including forms, plans and environmental reports shall be on file in the office of the Planning Board at least 10 days prior to the public hearing date and be available for public inspection.
- (10) Westchester County referral. In accordance with the applicable provisions of the New York State General Municipal Law and the Westchester County Administrative Code, certain site plan proposals shall be referred to the Westchester County Planning Board by the Town Planning Board as part of the formal application review process, as required.
- (11) Public hearing.
- (a) The applicant or his duly authorized representative shall be present at the public hearing to present the proposed site plan as set forth in the application materials. At the hearing, the Planning Board shall provide an opportunity for any interested person to comment on the site plan and supporting application materials.
 - (b) For good cause, the Planning Board may adjourn the public hearing until a later stated date and time.
- (12) Planning Board action.
- (a) Within 62 days after the date of the close of the public hearing or within 62 days after the date of receipt of a complete application if a public hearing is not held, and after adoption of an SEQR findings statement when required, the Planning Board shall approve, with or without modification, or disapprove the site plan application by resolution which shall set forth the grounds for disapproval. When so approving a site plan, the Planning Board shall state, in writing, any modifications and conditions it deems necessary.
 - (b) The filing of written approval by other agencies having approval jurisdiction over aspects of the proposed site plan shall be required as a condition of site plan approval.

- (c) The decision of the Planning Board shall be filed in the office of the Town Clerk within five business days after the date such decision is rendered and a copy thereof mailed to the applicant.
- (13) Performance bond or other security. When a performance bond or other security is offered or required to ensure completion of all required improvements, the amount of such security shall be set by the Planning Board in the resolution of site plan approval. Such security shall:
- (a) Be provided pursuant to a written security agreement with the Town, approved by the Town Attorney and the Town Board as to form, sufficiency and manner of execution.
 - (b) Be limited to:
 - [1] A performance bond issued by a bonding or surety company;
 - [2] The deposit of funds in or a certificate of deposit issued by a bank or trust company located and authorized to do business in New York State;
 - [3] An irrevocable letter of credit from a bank located and authorized to do business in New York State;
 - [4] Obligations of the United States of America; or
 - [5] Any obligations fully guaranteed as to interest and principal by the United States of America, having a market value at least equal to the full cost of such improvements.
 - (c) Be delivered to the Town or held in a Town account at a bank or trust company.
 - (d) Run for a term to be fixed by the Planning Board, but in no case for a term longer than three years; provided, however, that the term of such performance bond or security agreement may be extended by the Planning Board with the consent of the parties thereto.
- (14) Engineering and inspection fee. In addition to the application fee, an engineering and inspection fee shall be paid by the applicant to cover the costs of engineering review of the application and inspection of the site construction. The fee shall be in accordance with a fee schedule adopted by the Town Board.
- D. Reservation of parkland on site plans containing residential units. Before the Planning Board may approve a site plan containing residential units, such site plan shall also show, when required by the Planning Board in accordance with § 274-a(6) of the Town Law, a park or parks suitably located for playground or other recreational purposes.
- (1) Land for park, playground or other recreational purposes may not be required until the Planning Board has made a finding that a proper case exists for requiring that a park or

parks be suitably located for playgrounds or other recreational purposes within the Town. Such findings shall include an evaluation of the present and anticipated future needs for park and recreational facilities in the Town based on projected population growth to which the particular site plan will contribute.

- (2) In the event that the Planning Board makes a finding pursuant to Subsection **D(1)** above but determines that a suitable park or parks of adequate size to meet the requirement cannot be properly located on such site plan, the Planning Board may require the applicant to pay a sum of money in lieu thereof in accordance with a fee schedule adopted by the Town Board. Any moneys required by the Planning Board shall be deposited into a trust fund to be used by the Town exclusively for park, playground and other recreational purposes, including the acquisition of property.
- (3) Notwithstanding the foregoing provisions, if the land included in a site plan under review is a portion of a subdivision plat which has been reviewed and approved pursuant to § 276 of the Town Law, the Planning Board shall credit the applicant for any land set aside or money donated in lieu thereof under such subdivision plat approval.

E. Application for area variance.

- (1) Notwithstanding any provisions of law to the contrary, where a proposed site plan contains one or more features which do not comply with the regulations of this chapter, application may be made to the Zoning Board of Appeals for an area variance pursuant to § 267-b(3) of the Town Law, without the necessity of a decision or determination of an administrative official charged with the enforcement of Chapter **170**, Zoning, of the Code of the Town of Somers.
- (2) Upon receipt of any such application, the Board of Appeals shall refer it to the Planning Board for review and comment. The Planning Board shall review the application and, within 31 days after the date of transmittal, shall file a written report with the Board of Appeals with its recommendations concerning the planning aspects of the application.
- (3) The Board of Appeals shall not take action on such application until 31 days after the date of transmittal of the application to the Planning Board, or receipt of the Planning Board's recommendations, whichever date shall first occur.

F. Waiver of application procedures.

- (1) Applicability. A property owner or tenant with the consent of the property owner may apply to the Planning Board for a waiver of the site plan application procedures specified in § **170-114B** and above when the proposal is for one of the following activities:
 - (a) A change from one use to another that does not affect the characteristics of the site in terms of traffic, access, parking, loading, circulation, hours of operation, drainage, utilities, lighting, security or other Town services.

- (b) Revision of an approved site plan that does not increase floor area or extent of site disturbance.
 - (c) Placement of a sign when it is the only improvement or where it replaces an existing sign.
 - (d) Amendment of an approved special exception use permit that does not affect the characteristics of the site in terms of traffic access, parking, loading, circulation, hours of operation, drainage, utilities, lighting, security or other Town services.
- (2) Procedure. The property owner or tenant seeking a waiver of application procedures shall submit a written description of the proposed action to the Planning Board. The description shall include a statement of how the proposed action falls within the specific standards of § **170-114F(1)**. To further describe the proposed action, annotated site plans, maps, sketches and drawings may be submitted in addition to the written description.
- (3) Planning Board action. The Planning Board shall act on a request for a waiver within 31 days after the date of receipt of the required description. If the waiver is not approved, the Board shall specify the reasons for the denial. To approve a waiver of the application procedures, the Planning Board shall make determinations that:
- (a) The proposed action will not conflict with the site plan standards of Article **IV** of Chapter **144**, Site Plan Review, of the Code of the Town of Somers.
 - (b) The proposed action will not require physical site work that is subject to Planning Board review or, in the case of a revision to an approved but not fully constructed site plan, will not require physical site work with a scope significantly greater than that shown on the originally approved site plan.
- G. Initiation of work. No proposed improvements or change of use may be implemented, no construction shall commence and no permits shall be issued by applicable enforcement agents or officers of the Town until after Planning Board approval for said improvements or change of use is granted by resolution and all modifications and conditions set forth by the Planning Board in said resolution are certified to have been met, as evidenced by the signature of the Planning Board Chairman on the site plan, except as may be otherwise specifically provided for in the resolution of site plan approval.
- H. Time for signature of site plan. The approval of a site plan by the Planning Board, including approval with modifications, shall expire one year after the date of adoption of the resolution of the Planning Board granting approval, unless all conditions of such approval have been met and a plan has been submitted to and signed by the Planning Board Chairman.
- I. Time to obtain permit and complete construction. The approval of a site plan signed by the Planning Board Chairman shall expire in the event that:

- (1) An application has not been made for a building permit or a certificate of occupancy within one year after the date the site plan was signed by the Planning Board Chairman;
- (2) All construction under the site plan is not completed within three years after the date the site plan was signed by the Planning Board Chairman; or
- (3) The construction under the site plan substantially ceases prior to completion for a period of one year or more after the date of commencement of construction.

J. Staging of development. The Planning Board may, in its discretion, provide for a staging of development over a longer period of time than set forth in § **170-114I** by making specific provision therefor in its resolution of site plan approval. In the event that a staging of development is set forth in said resolution, site plan approval shall expire unless the provisions of said resolution, providing for such staging, are satisfied.

K. Extension. The Planning Board may extend the time to obtain signature of site plan, the time to obtain permit and the time to complete construction if the Planning Board deems such extension warranted under the circumstances. The application for extension shall be made prior to the expiration of the specific time period, unless good cause is shown. Only one extension of one year may be made for each of the following three stages: the time to obtain signature of site plan, the time to obtain permit and the time to complete construction. In no event shall an extension allow construction to extend under a site plan not approved for staging of development for more than four years after the date the site plan was signed by the Planning Board Chairman, absent extraordinary circumstances.

L. Approved site plans. The provisions of § **170-114I** and **K** shall apply to site plans approved by resolution of the Planning Board prior to the effective date of this amendment insofar as for such site plans the references in § **170-114I** and **K** and to "the date the site plan was signed by the Planning Board Chairman" shall be replaced with "the effective date of this amendment."

M. Certification of completion. No certificate of occupancy for a structure or use subject to the site plan approval procedures of this section shall be issued until certification has been made by the Planning Board, or the Town Engineer as its designated agent, that the site work has been completed in accordance with the approved plans, specifications and applicable regulations.

- (1) In lieu of full completion of site improvements, the Planning Board may allow the issuance of a certificate of occupancy by requiring the posting of financial surety with the Town Board, in form and content acceptable to the Town Attorney, to cover the full cost of uncompleted site work, consistent with § **170-114C(13)**. Only uncompleted site work which is determined by the Planning Board to be not detrimental to the public safety and welfare may be included, and all such work shall be completed within a period not to exceed one year.

- (2) Certification of full completion of site improvements by the Planning Board shall not be made until an as-built plan, prepared and certified by a licensed engineer or surveyor, is submitted to the Planning Board. Said plan shall be based on a field survey and show the location of all site improvements as constructed. The as-built plan shall be reviewed by the Planning Board, or the Town Engineer as its designated agent, and be found to be in compliance with the approved site plan. An as-built plan found not to be in compliance with the approved site plan shall be subject to review and approval in accordance with the same procedures required for the initial application. The requirement for an as-built plan may be waived by the Planning Board upon recommendation by the Town Engineer.

§ 170-115. Approval of special exception use permits.

[Added 8-12-1982] Where any provision of this chapter establishes that special exception use permits may be granted by the Planning Board, subject to any limitations therein contained, the Planning Board is hereby authorized to review and grant, in whole or in part and with or without conditions, said special exception use permits. In considering and acting on such applications, the Planning Board shall follow all procedures, standards and guides established in Article **XVIII**. For the purpose of this section, the words "Board of Appeals" in Article **XVIII** shall be considered to be replaced by "Planning Board."

Town of Somers Planning Department

HIGHLIGHTS OF NEW REGULATIONS AFFECTING
SUBDIVISION AND SITE PLAN APPLICANTS BEFORE THE PLANNING BOARD
Effective November 12, 1990

All applications to the Planning Board:

All applicants for approval of subdivisions, site plans and special exception uses must submit plans that identify (as defined and regulated by the Town of Somers):

- o wetlands,
- o wetland buffer areas,
- o flood plains and
- o steeply sloped lands (in two categories - 15% to 25% and 25% and steeper).

Identification of such areas is to be made by a qualified professional who shall also certify the areas as shown on the submitted plans.

Disturbance of all steep slopes of 15 and more percent is subject to regulation. Only slopes of 25 and more percent are considered to determine zoning compliance.

Steeply sloped land is defined as a geographical area, whether on a single lot or not, consisting of at least 10,000 square feet, having a topographical gradient of either 15% to 25% for moderately steeped slopes or 25 or more percent for extremely and very steep slopes and a minimum horizontal distance of 10 feet, whether man-made or not and whether created by a retaining structure or not.

F. Subdivision applications:

Each application for subdivision approval must show that each proposed single-family lot can meet the following minimum requirement of buildable area in square feet:

District	With On-Lot Sewage Disposal or Well	With Community Sewer and Community Water
R-80	30,000	15,000
R-40	20,000	10,000
R-10	10,000	5,000

This minimum buildable area must -

- o be contiguous,
- o have a minimum dimension in all directions of 50 feet,

- o not contain any environmentally sensitive lands (wetlands, flood plains and steeply sloped lands of 25 or more percent) and
- o not be more than one third (1/3) wetland buffer area (land within 100 feet of wetland).

3. Whenever the preparation of a conventional subdivision plan is required so as to establish a unit lot count (e.g. conservation subdivision under provisions of Town Law Section 281), such conventional plan shall be prepared in accordance with the above requirements.

4. The LOT AREA definition has been amended as follows --

The total horizontal area included within reasonably regular lot lines, excluding all area contained in any street or right-of-way and excluding any part with width less than one-third (1/3) of the required minimum lot width for the district in which the lot is located.

5. The LOT WIDTH definition has been amended as follows --

As required by Column 5 of the "Schedule", shall be measured along the front lot line and shall be maintained at all points between the front lot line and a line parallel thereto, tangent to the nearest part of the front of the principal building.

III. Site plan and special exception use permit applications:

When specified in sections of the "Zoning Ordinance", calculation of lot area shall exclude the following proportions of environmentally sensitive lands:

(1) wetlands	75%
(2) 100-year floodplain	75%
(3) very steep slopes (25 or more per cent)	75%

When any one area has more than one of these characteristics, the proportion excluded remains at 75%.)

Multifamily districts. The maximum permitted number of dwelling units or density units, as appropriate, permitted in a multifamily development in a Multifamily Residence District (MFR) shall be based on the acreage of the lot(s) exclusive of the proportions of environmentally sensitive lands, as described in above, in addition to all other applicable regulations.

Nonresidence districts. The maximum floor area ratio and maximum building coverage permitted in nonresidence districts shall be based on the acreage of the lot(s) exclusive of the proportions of environmentally sensitive lands, as described in above, in addition to all other applicable regulations.

4. Special exception uses. Where a minimum lot area is required for a special exception use, such lot area shall be based on the acreage of the lot(s) exclusive of the proportions of environmentally sensitive lands, as described in 170-58.3. above, in addition to all other applicable regulations.

Summarized from Chapter 170. Schedule:
DIMENSIONAL REQUIREMENTS/in feet (no changes)

<u>District</u>	<u>Lot Width (1/3)</u>		<u>Front Yard</u>	<u>Side Yard (two)</u>		<u>Rear Yard</u>
R80	200	(66.6)	40	40	(95)	50
R40	150	(50)	40	30	(60)	50
R10	75	(25)	25	15	(30)	25
BHP	100	(33.3)	20	25	(80)	50
NS	150	(50)	20	40	(80)	50
GB	150	(50)	20	40	(80)	50

<u>District</u>	<u>Maximum Building Coverage</u>	<u>Maximum Height (stories)</u>
BHP	15%	30 (2 1/2)
NS	15%	25 (2)
GB	20%	25 (2)

Town of Somers, NY
Tuesday, October 8, 2013

Chapter 133. PROFESSIONAL FEES

[HISTORY: Adopted by the Town Board of the Town of Somers 7-18-1991 by L.L. No. 2-1991. Amendments noted where applicable.]

GENERAL REFERENCES

Fees — See Ch. 95.

§ 133-1. Reference of applications to professionals; charges; reports; procedure.

[Amended 9-10-1992 by L.L. No. 13-1992; 12-9-2010 by L.L. No. 9-2010]

A. The Town Board, the Planning Board, the Open Space Committee or the Zoning Board of Appeals, in the review of any application, may refer any such application presented to it to such engineering, planning, legal, technical or environmental consultants or professionals employed by the Town, as such Board or Committee shall deem reasonably necessary to enable it to review such application as required by law. Charges made by such consultants shall be in accord with charges usually made for such services in the metropolitan New York region or pursuant to an existing contractual agreement between the Town and such consultants. Charges made by the town shall be in accord with the hourly rates upon which the employee's actual salary is based and fringe benefits and reasonable overhead. All such charges shall be paid on submission of a town voucher. In the event that an application is required to be reviewed by more than one Board, then, in such event and to the extent practicable, both Boards shall use the same consultants, who shall, in such case, to the extent practicable, prepare one report providing the data, information and recommendations requested. In all instances, duplications of consultants' reports or services shall be avoided wherever possible in order to minimize the cost of such consultants' reports or services to the applicant. The above fees are in addition to any and all other fees required by any other section of this chapter or any other town ordinance or regulation of the Town Code. **[Amended 5-17-2012 by L.L. No. 3-2012]**

B. Procedure.

- (1) At the time a referring Board requests the services of a professional employed or retained by the Town in the review of an application presented to it, the referring Board shall adopt a scope of services to be performed and request a maximum fee proposal from the professional to whom the referral is made.

- (2) At the time the maximum fee proposal is received by the Board, it shall be placed on the Board's next available agenda for review with the applicant. In the event the Board and the applicant agree with the maximum fee proposal, the Board may approve same. In the event the Board and the applicant disagree with the maximum fee proposal, the Board may adjourn the matter until such time as the professional is available to attend a Board meeting to further review its fee proposal with the applicant or some other arrangement is agreed upon among all parties.
- (3) Until such time as the Board and the applicant are in agreement with the scope of services and fee proposal, an application shall not be deemed complete, and all relevant time periods shall be tolled pending resolution of same.
- (4) In the event the professional submits a request to the Board to amend the scope of services or otherwise increase the maximum fee proposal, the procedure described above shall be utilized for its approval.
- (5) An applicant may waive the above procedure and deposit funds to the escrow account pursuant to § 133-2 here following.

§ 133-2. Escrow accounts.

At the time of submission of any application, or thereafter, the reviewing Board may require the establishment of an escrow account, from which withdrawals shall be made to reimburse the town for the costs of professional review services. The applicant shall then provide funds to the town for deposit into such account in an amount to be determined by the reviewing Board based on its evaluation of the nature and complexity of the application. The applicant shall be provided with copies of any town voucher for such services as they are submitted to the town. When the balance in such escrow account is reduced to 1/3 of its initial amount, the applicant shall deposit additional funds into such account to bring its balance up to the amount of the initial deposit. If such account is not replenished within 30 days after the applicant is notified, in writing, of the requirement for such additional deposit, the reviewing Board may suspend its review of the application. A building permit or certificate of occupancy or use shall not be issued unless all professional review fees charged in connection with the applicant's project have been reimbursed to the town. After all pertinent charges have been paid, the town shall refund to the applicant any funds remaining on deposit.

§ 133-3. Collection of fees.

All fees required pursuant to this chapter shall be collected by the Clerk of the Board having jurisdiction over the application.

§ 133-4. Applicability.

This chapter shall be applicable to applications pending at the time it shall become effective, unless the reviewing Board shall determine that its application would be impracticable, unfair or unjust in the particular circumstances. Where this chapter shall be applicable to a pending application, it shall, in such event, require an applicant only to pay for professional fees for services rendered after it shall have become effective.

PLANNING AND ENGINEERING DEPARTMENT

Town of Somers

WESTCHESTER COUNTY, N.Y.

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N*O*T*I*C*E

REGARDING NEW & PENDING APPLICATIONS
BEFORE THE TOWN OF SOMERS PLANNING BOARD

Date of Issuance: June 14, 1996

Accordant with Sections 150-12E & 170-114C(5) of the Code of the Town of Somers, it is required that notification sign(s) be posted as prescribed [by the aforementioned sections of the Town Code] in order to inform potentially interested members of the community that formal proceedings shall take place before the Town Planning Board.

Notification sign(s) are required to be posted prior to the initial discussion with the Planning Board as well as prior to each Planning Board meeting where a public hearing will be conducted (or continued). Please refer to the above mentioned sections of the Town Code for the exact specifications for such signage.

DISTRIBUTION: CURRENT SUBDIVISION AND/OR SITE PLAN APPLICANTS;
NEW SUBDIVISION AND/OR SITE PLAN APPLICANTS;
PLANNING BOARD;
TOWN BOARD;
TOWN ENGINEER;
CODE ENFORCEMENT OFFICER;

CKL/ckl

c:\notice.1.01-96

Town of Somers

ARCHITECTURAL REVIEW ADVISORY BOARD

CHECK LIST FOR SUBMISSIONS

The Somers Architectural Review Advisory Board, in an effort to assist applicants, for proposed development within the Town, has devised the following list of items to be addressed on any plans submitted for review. Please make sure that your submission complies with the following since a recommendation, to the Planning Board, cannot be made until all of the items are submitted.

1. SITE PLANS

- A. Set backs including property lines, easements, and on, encumbrances.
- B. Parking space layout including ingress and egress.
- C. Signage and location
- D. Outside light fixtures, placement and timing
- E. HVAC placement and screening
- F. Dumpsters - placement and screening
- G. Colors
- H. Materials to be used

2. LANDSCAPE PLAN (maybe included on site plan)

- A. Must show existing, or proposed, walls, fences, trees, shrubs, pedestrian walkways, bodies of water, lighting, signage as they relate to the proposed building and pertinent details thereof.

3. ARCHITECTURAL STYLE

- A. Four (4) elevations required
- B. Full description and samples, including colors of all exterior materials including roofing, trim, siding, windows, doors, lighting fixtures, sidewalk, and paving materials, to be used.
- C. Any other pertinent details
- D. Gross building volume: Height, Width, and Depth.