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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

VIA FACSIMILE



December 7, 2005

Linda B. Whitehead, Esq.
McCullough, Goldberger & Staudt, LLP
1311 Mamaroneck Avenue, Suite 340
White Plains NY 10605

**Re: The Preserve at Somers
Sections I & II Dedication**

Dear Ms. Whitehead:

I am in receipt of your letter dated December 2, 2005, with the revised As Built drawing for section number I, dated November 21, 2005 showing the required volume for the water quality basin along with copies of the transfer documents for section I and II; your contractor's estimate in the amount of \$8,400 for the installation of curtain drains should it become necessary to address the related icing condition; and you have offered to post a cash bond in the amount of \$15,000 to cover that work.

Therefore, this office has no objection to recommending the Town Board accept the public improvements in section I & II, provided the two cash bonds (\$10,000 and \$15,000) are posted to cover the pipe under the Harris Court cul-de-sac and the potential icing enumerated in my last check list letter to you. However, the recently completed basin work must be re-planted and stabilized. Therefore, an additional \$5,000 cash bond will be needed bringing the full cash bond required to \$30,000. In addition, the field office trailer must be removed from the site. The trailer may not be transferred to other areas of the Preserve; and any other required dedication documents must be submitted to the Town Attorney.

If you have any questions, please do not hesitate to call me.


Guy L. Gagné P.E.
Town Engineer

GLG/wg

cc: Town Board, Town Clerk, Town Attorney, Highway Superintendent,
Nicholas Ward Willis, Ron York, Cosmo D. Marfione

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November 23, 2005

Linda Whitehead, Esq.
McCullough, Goldberger & Staudt
1311 Mamaroneck Avenue
3rd Floor, Suite 340
White Plains, NY 10605

**Re: The Preserve at Somers
Phase III, IV and V**

Dear Ms. Whitehead:

This office has made several attempts to contact Mr. Cosmo Marfione to provide paved aprons at the catch basins to properly direct stormwater as designed. However, to date nothing has been addressed and phone messages go unanswered.

As a result of the lack of maintenance, the secondary pump station via the driveway has been the recipient of large volumes of stormwater runoff intended for the detention basins. The pump station and sewer manhole have been inundated with water causing high level alarms and erosive conditions. Your client's failure to maintain the site will leave this office with no alternative except to issue the project owner a Notice of Violation of the stormwater permits.

The road dedication process will continue after the scheduled maintenance issues are addressed.

If you have any questions or concerns, please do not hesitate to contact this office.


Guy L. Gagné, P.E.
Town Engineer

GLG/wg

cc: Penny Kelly, NYCDEP
Nicholas Ward Willis, HOA
Howard Blitman, P.E.
Adam Smith, ASWD

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