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Message 891 of 891 | [Previous](#) | [Next](#) [[Up Thread](#)] | [Message Index](#)

From: "Lynne Eckardt" <midfarm@bestweb.net>
Date: Wed Sep 29, 2004 6:30 pm
Subject: SE Conservation Commission Recap 9/28/04

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Msg #

Hi All,

As I was unable to attend the Conservation Commission meeting last night Cathy Croft went in my stead. Below are her notes and comments. I have added some of my own as well which are based on previous meetings and, besides, I always have to throw in my two cents.

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If you read nothing else please read the Twin Brook portions of this posting. They're timely, important and, yeah, acerbic.

Thanks and thanks to Cathy, Lynne Eckardt

C. Croft:

Below is a recap of last night's Conservation Board Meeting. Official draft minutes will be available from the town in two weeks.

Regular Meeting

1. Review and approve minutes July 27, 2004 and August 24, 2004.

2. Sarkas - Review for determination. Deferred-Applicant not present.

3. Baroody Lots 1 & 2 -Review for determination. There was quite a long discussion on this project. Chairman Fasano had been in contact with Cynthia Garcia of the NYDEP and found that there has been no movement on this property since July 15. NYDEP has withdrawn approval. Additional testing needs to be done. Harry Nichols the applicant's engineer said he will contact the DEP within the next week. Deferred until next meeting.

4.Vigliotti-Review Continued This project involves a sensitive wooded site that would need a number (?) of trees removed to create a pasture for three horses. No site plan has been submitted. There is a stream that runs through this project that the horses would need to cross to get to the pasture. Much talk ensued concerning the manure that would be generated by these horses. A motion was made to waive the

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hearing and was passed

5. Ross Allen-Deferred-Applicant not present

6. Tarlton Property-Continued Review. There was a lot of discussion on this project, situated on 21 acres. The plans include an accessory apartment being built before the primary residence. Both the accessory building and a portion of the septic, fall within the buffer. Applicant's Engineer was asked if there SEQRA had been done and if Planning Board had given approval for this project. No conclusive answer for the former and a yes for the latter question. One Board Member made mention that there was no communication between Conservation Board and the Planning Board. Another Board Member's response was "There shouldn't be". Applicant's Engineer did insist that an accessory apartment (50' x 30' footprint) was better than lawn up to the stonewall.

A motion was made to move forward with recommendation to the Town Board, as long as applicant mitigated certain items and kept the existing road a non impervious surface. Motion was passed 4 in favor, 3 against.

7. Northwater Group-Deferred-Applicant not present

NEW BUSINESS

1. Twin Brook Manor-Septic System has failed and the applicant wants to build a pump station that will send the waste to Hunter's Glen Sewage Treatment Plant. The applicant has already received a DEC permit. This project wouldn't disturb the wetlands, as the boring will take place outside the buffer area and go underneath the wetlands.

REPORTS AND ANNOUNCEMENTS

Wetland Inspector's Report -concerning the George Ryan Pond on Milltown Road that was dredged without diverting the flow of the watercourse. DEC involved with this violation.

COMMENTS:

Baroody:

Ah Baroody. I don't even understand why this was on the agenda as the ever affable, Mr. Nichols, was asked not to return without DEP approvals. I guess it's always worth a shot but why the Commission doesn't get annoyed by this time waster is beyond me.

Vigliotti: Ice Pond Road.

This has gone from a benign little project to one causing quite a bit of concern. Hopefully the Commission will, at the very least, insist on heavy wetlands plantings by the streamside.

Tarleton Property: Joes Hill Road:

Apparently this went in front of the Planning Board before my time. So I don't know the complete history. But what I really don't get here (aside from all the wetland buffer encroachment: an entire building and part of the septic. Yikes!) is why the Town Building Department is allowing a 3000 sq. ft. accessory building to be built and lived in before the main residence is constructed. I mean, what's up with that? And is this a wise change in policy?

I also beg to differ with the Commission member who felt that there shouldn't be communications between the Planning and Conservation Board. This is a large part of the ongoing problem knowing what has and hasn't been approved and where the applicant stands in the process. I was encouraged to see a 4 to 3 vote (although not in the right direction).

Twin Brook: Fair Street

Now, here is where the fun really begins.

A brief history: Twin Brook, a 41 unit condominium, was built in 1987. The septic began failing soon thereafter and a new one was installed in '92-'93. The new plans were approved by the Putnam County Board of Health and the DEP.

This septic has failed as well. The soils don't perc. In fact, one resident told me that since 1987 she has spent over \$10,000 on separate sewer charges because of these failures. And that's just one resident. The tank is being pumped twice a month right now and the only recourse left open is to pump the sludge to a new and improved system at Hunter's Glen (a nearby condo complex). I don't even know who gets to pick up this check.

So when the various Town Boards tell us 'not to worry about it' that the DEP, BOH etc. has signed off on a project why is this of small comfort? And why is it so important to stay out of wetlands and their buffers? I've got two words for all you guys: Twin Brook.

When you circumvent the 'strictest in the universe' wetland regs these are the chances you take. Every time. And sure some of the time it works out. But when it doesn't retirees, young families and other residents pick up the tab. All because you feel sorry for an applicant who 'can't' or 'won't' stay out of the wetlands. Or because you claim you don't 'really have the power' to enforce the regs. and, besides, you're allowed by law **not** to follow them.

So, next time you take a vote on any proposed encroachments, maybe think of Twin Brook... just a little.

As always feel free to e-mail me with any questions or comments that you might have. Again, many thanks to Cathy Croft for standing in.

With Best Regards,
Lynne Eckardt

Message 891 of 891 | [Previous](#) | [Next](#) [Up Thread] | [Message Index](#)

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Msg #

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