

# **Southeast Conservation Commission**

## **APPROVED MINUTES FOR JANUARY 25, 2005**

### **Organizational Meeting**

With unanimous consent the meeting was called to order and the pledge of allegiance was recited.

Chairman Fasano asked Mr. Hauser to serve as Acting Chair during the Chair's absence. Mr. Hauser agreed to serve in that capacity. Angela Morelli will continue to serve as recording and corresponding secretary upon her return from maternity leave.

Chairman Fasano was reappointed member of the Putnam County Environmental Council representing the Town of Southeast.

Without objection the SCC members approved the 2005 meeting schedule. SCC regular meetings will be held every fourth Tuesday of the month.

### **Regular Meeting**

**Approval of Past Meeting Minutes:** Unanimous consent to approve the minutes for September, October and November.

**High Meadows Farm:** The applicant is represented by Harry Nichols P.E. This is a 13 acre parcel on the west side of Welfare Road near the Patterson town line. The plan before us has been modified from past applications that were submitted over the years. Specifically, three lots are being proposed instead of four lots and the roadway to access the property has been relocated further north than the previous plans. The new roadway will cross over a stream and wetland at the narrowest place reducing wetland and stream disturbance. The amount of wetland disturbance is presently about 4000 square feet or a little under a tenth of an acre. This does not include disturbance in the surrounding buffer areas and the applicant when questioned did not know the total amount of controlled area disturbance. Chairman Fasano asked that he submit this information. It was stated by the applicant's representative that the Army Corps of Engineers (ACOE) has reviewed the proposed activities and determined that an ACOE permit is not required. A verbal confirmation of this was obtained from ACOE by the Town Planner.

Soil testing was conducted by the applicant supervised by NYCDEP and PCBOH. There are four acceptable sites for the septic systems but the applicant will only use three areas. A comprehensive storm water pollution prevention plan has not been fully completed. A number of leeching pits (12) will be constructed to handle surface water flow. A detention pond or basin will not be used because the area is too confined and it would be placed in the wetland. The pit design needs to be approved by the Town and NYCDEP. Brush will be cleared from the side of the property to allow for the required site distance and allow for better visibility. Each house will be serviced by its own well and septic

system and testing was completed and supervised by NYCDEP and PCBOH. There is a spring on the west side of the property. Previous plans placed the septic systems too close to the spring. The present plan shows the septic areas far from the spring. The maps reflect soil types, grade and the new 133 foot buffer area.

Member Tringali asked about the access road. The applicant responded stating that originally as a 4 lot sub division the road would have been a town road to provide the legal frontage for 4 lots. The present plan of 3 lots will make the road private. It will serve as a common driveway with adequate frontage for the 3 lots.

Member Tringali asked about grading in the controlled area. Since the driveways will be in the buffer there will be minor grading. The runoff will be collected from impervious surfaces and directed by the curve of the road to 12 leeching pits, which are underground. These pits will be designed according to prescribed standards and depending upon the surface area and volume from the first flush will be placed at different depths. After the first flush (2 year storm event), the excess will be dissipated by means of a level spreader before entering the wetland.

Chairman Fasano inquired about SEQRA and the applicant's status with the planning board. Although the applicant stated that this project received a negative declaration in 1999, the Chairman expressed concern that since this was a new site plan with major changes made to it that perhaps SEQRA needed to be invoked. The Chairman will inquire into this with the Chairman of the Planning Board and Town attorney. The site needs to be flagged again according to Local Law #9. The access road will traverse a small (18 inches wide) unclassified stream. The SCC members questioned the nature of disturbances to the stream (watercourse), wetland and buffer. A standard 36" pipe will be used sized for the upstream watershed area. Granular fill will be used for the roadbeds. Rip rap will be installed. The watercourse will not be altered. The pipe will be placed using the streams present alignment at the narrowest part at about 18 inches wide.

Mr. Tringali inquired as to whether the part of one house situated in the buffer could be removed and the applicant said that it could be done. There will be some clearing for one of the houses, the septic areas and along the road.

Chairman Fasano asked if it was possible to leave the entrance road and common driveways unpaved. Mr. Nichols said that the access road would need to remain paved but parts of the driveways could be left unpaved. Mr. Cuomo asked for clarification on this matter requesting that surfaces that did not need to be paved remain unpaved. Mr. Nichols said he would ask the Planning Board about the surface of the roads.

Mr. Tringali stated that he thought paved surfaces in this case might be less problematic in handling and directing surface flow to the pits. There could be less surface run off although the Commission would prefer a pervious surface. Where applicable, Mr. Nichols will abide by the Town engineer and Planning Board.

Mr. Cuomo wanted to know if there was a plan to reduce or eliminate buffer disturbance around the driveways. Mr. Nichols said moving the access road further north would incur more disturbance since it would require steeper grading – keeping it level allows it to capture and disperse surface water flow.

Mr. Cuomo inquired into the Army Corp permit process and wanted clarification on the notification and approval process. Mr. Nichols explained that the ACOE does not issue a written approval but that the Town planner has discussed the project with Mr. Brian Orzell of the ACOE and that they are satisfied with the plan.

Chairman Fasano reviewed the necessary documentation required by the SCC for a complete application:

- the storm water pollution prevention plan which includes an approved drainage report
- soils report
- total amount and nature of controlled area disturbance
- SEQRA status from the Planning Board
- Approval of the design and function of the leeching pits
- modified plan showing the removal of part of one house and parts of the common driveway from the buffer area
- increasing the percentage of pervious driveway surface
- Flagging of both the wetland line and the buffer line.

**Bucaj Lot** - This item was scheduled because the comment period for the complete application ended on January 22<sup>nd</sup>. No public comment was received. Mailings were not submitted because the applicant and representative were not present, therefore no action was taken.

**Terravest 3** – The applicant’s representative will submit a comprehensive response package based on the public comments during the extended public hearing and SCC recommendations to further reduce buffer disturbance at the next meeting on February 22<sup>nd</sup>.

Terri Hahn presented modifications to the present plan that would in effect reduce disturbance to various controlled areas by 2.12 acres. Four tenths of an acre associated with the maze for T2 has been removed from the application. On the lower terrace of the east wetland, we reconfigured the housing units, removing them from the buffer and adding walls made of unilock or a similar substance and including planter shelves. This will reduce disturbance by 1 acre. One unit from the upper terrace was reconfigured as well and removed from the buffer, however there will be the same amount of grading and therefore there is no change to the amount of the disturbed area. We moved the access service road out of the buffer reducing disturbance by ¼ acre. The road is now closer to the property line of the adjoining owner. Mr. Cuomo inquired if there is something that exists in this area now – an existing roadway. There is sought of a road surface there that we had not planned on using. Regarding the area designated for a Town park, the

parking area was redesigned to reduce space and the bathroom facility moved out of the controlled area reduces disturbance by another 4/10 acre.

The bulk of disturbance remaining for the project is 5.95 acres consisting of detention basins, berms, and grading activities associated with the entrance to the property and areas within the proposed park area.

Mr. Cuomo inquired into the issue of the dynamics of the basin system within the context of the SPPP. Ms. Hahn explained that first there is a water quality basin which captures and treats the first flush (2 year storm event), where it is contained for 48 hours. From there the water enters a detention basin designed according to NYSDEC standards to handle the effects of a 100 year storm event. Here the water is again treated before discharge. Mr. Cuomo brought up his observations of how the basins were working or not working near the Zimmer Road location. He was concerned with the waters turbidity and felt that the basins may not be functioning properly. He indicated that if the system were working correctly then by the time the flow hit the T2 maze the water should be pristine. Photographs which he took indicate flooding and cloudy discharge. Ms. Hahn iterated that the project is still in construction and NYCDEP inspectors have been on site to monitor the storm water system and said it met their standards. Further discussion ensued about the lower basin at T2 and the basins at the Stonecrest complex.

Chairman Fasano asked for the name and telephone number of the NYCDEP inspector assigned to both projects to confirm their findings on the water quality and volume of discharge.

Mr. Tringali asked for more details on the retaining walls and whether the material and compaction of materials were being routinely inspected. The applicant acknowledged that the Town engineer was made aware of this.

**Wetland Inspectors Report** – George Hauser reported that due to an emergency with their septic system, the Red Rooster establishment was ordered by NYCDEP to remedy the problem. They started remediation work without notifying the Town or the Wetland Inspector. As such, the issue is not exempt and an application is necessary. Paul Lynchs' engineering firm is handling the paperwork for the applicant.

Motion to adjourn

Respectfully submitted,

Stephen V. Fasano  
Chairman  
Southeast Conservation Commission