CONSERVATION ADVISORY COUNCIL
Meeting Minutes
Thursday, May 16, 2013
Delancey Hall

Members Present:	**Pam Pooley, Co-Chair** **Lori Tripoli, Co-Chair** **Nancy Welo** **Alan Towers**
Also Present:	**Patricia Butler, 201 June Road** **Simon Skolnik, Member,** **Bedford Conservation Advisory Board** **Janice Will, Secretary**

Lori Tripoli opened the meeting, welcoming Mrs. Butler and Mr. Skolnik. Ms. Tripoli asked if the group would approve the minutes of the April 25 meeting.

It was noted that one change/correction was needed, which the secretary noted.

Approval of April 25, 2013 meeting minutes.

Motion by: ***Nancy Welo***
Seconded by: ***Pam Pooley***
All in favor.

Status of Vacant CAC Position
Ms. Tripoli noted that there is a vacancy on the CAC, adding that the Town Board is working with one interested candidate. She said that if anyone on the CAC knew of someone who might be interested, they should recommend that person to the Town Board for consideration.

WP08-10 Monomoy Farm, 806 Peach Lake Road
There were no new submittals regarding WP08-10.

Ms. Welo said the Building Inspector can provide background information.

Ms. Pooley suggested the CAC watch upcoming Planning Board agendas.

Ms. Tripoli said she had attended the Planning Board meeting on May 15, but she will not always be able to go.

Ms. Pooley noted that Monomoy Farm was on the April public agenda, and she said it is good to have a presence at the meetings. She suggested the CAC members might alternate attending the meetings, adding that she is interested in this permit. She told the others she

had gone to the Miller/Butler property with Bruce Thompson and Joe Bridges, the Town wetlands consultant, and they also discussed the plantings to be done at Finch Farm. Ms. Pooley thought the CAC members should follow the applications/permits they are interested in.

Ms. Tripoli said she will be out of town on June 5 (date of next Planning Board meeting).

Ms. Welo stated that she has a class on Wednesday nights, but she can watch the video of the meeting on the Town website. She said she had an information packet regarding Finch Farm, and Ms. Tripoli said she would like to look at it.

Ms. Pooley suggested splitting up the projects.

Ms. Welo said that when she was in Somers, all the CAC members would go on the site walks but split up the projects otherwise.

WP10-02 Miler, 201 June Road
The CAC looked at an updated site plan for 201 June Road, noting that the storm-water filtration system has been relocated at the request of the DEP in order to move it farther away from the septic system.

Ms. Pooley said both Mr. Thompson and Dr. Bridges are satisfied with the application/site plan and, there being a lot of lawn, there is little to disturb. She added that nothing is likely to be endangered/the lawn will absorb rain. Ms. Pooley stated that it was her understanding that the Millers/Butlers are waiting for the DEP to respond to the revised site plan.

Patricia Butler said it seemed to her that the DEP has its own schedule; they inform property-owners of what must be done, and that's what is done/there is not a lot of discussion.

Ms. Pooley asked how much bigger than the existing house the new house will be.

Mrs. Butler said the existing house has 2000 sq. ft. and the new one will have approximately 4000 sq. ft.

Alan Towers arrived at this time.

Ms. Pooley brought Mr. Towers up to speed on what was discussed at the meeting so far. She stated that Joe Bridges was ready to recommend issuance of the Miller wetland permit, adding that family members are excavators/the project will be in good hands. She thought Bruce Thompson might try to get some information from the DEP.

Ms. Welo remarked that as the new house will be twice the size of the existing house, the septic will need to be expanded.

Mrs. Butler said that was not necessarily true, because septic requirements are based on bedroom counts/a larger house does not always mean more people will live there. She added that the septic has been taken care of with the Department of Health.

Ms. Welo said it is standard to consider both bedrooms and bathrooms re septic impact. She explained that the gradual change in Peach Lake communities from seasonal to year-round caused a lot of septic problems, pointing out that the DOH wants reserve areas and adequate fields.

Mr. Towers commented that a future-owner could have a much larger family than the Millers.

Ms. Pooley said the property is large and the septic seems not to be a problem. She said she advised Mrs. Miller that she or her engineer should check with the DEP to try and find out what the hold-up is, adding that she realizes the Millers are anxious to start the project.

Mr. Skolnik asked if the wetland permit application is before the Town or the DEP.

Mrs. Butler said they have a local building permit application and a wetland permit application.

Mr. Skolnik asked why Mrs. Butler had come to a CAC meeting if she is waiting for something from the DEP.

Ms. Butler said she was at the meeting just to hear what the CAC had to say about her daughter's application. She added that she didn't see what a Town committee could do if the approval of the DEP or DEC are required.

Ms. Pooley agreed that the CAC can't do anything about those approvals, especially as they are only advisory.

Mrs. Butler asked Mr. Skolnik if the Bedford CAB gets involved in building permit applications.

Mr. Skolnik said they do if the project will impact the environment/involve wetlands, steep slopes, tree-cutting, etc.

Ms. Pooley said the CAC will talk about what other areas they want to get involved in, but their main interest now is in wetlands.

Ms. Welo noted that North Salem has no steep-slopes legislation as yet.

Mr. Towers said the CAC is determining their mandate now.

Ms. Butler said she understood that but felt that in a situation like hers, where the DEP seems to be in control, others do not have much to say.

Mr. Skolnik asked if, in addition to being in the DEP watershed, North Salem doesn't have its own local wetlands. He also asked how close the Butler/Miller property is to the reservoir.

Ms. Welo said it is not near the reservoir, but there is a stream on the property.

Mr. Skolnik said he was surprised to hear that the DEP seemed to be holding the project up.

Ms. Welo said there are other projects in the vicinity/the DEP may be concerned about the area as a whole.

Mr. Towers asked if the DEP has been responsive, and Mrs. Butler answered that they have but they've been slow.

Ms. Pooley said it was interesting to learn of the different levels/types of wetland oversight. She noted that the DEC gets involved if the area is over 12 acres, the Army Corps of Engineers is not limited regarding size, and then there is the Town involvement.

Mr. Skolnik remarked that the existing maps are very inadequate, so it is best to have site-specific wetlands surveys.

Ms. Pooley asked if the DEP is talking a long time over the Butler/Miller application just because of the septic.

Ms. Welo stated that the DEP oversees the watershed, and the DOH approves septic plans, although this is a pre-existing system/will only be expanded. She added that they may check other things.

Ms. Tripoli asked if there was any action to be taken by the CAC; it was agreed there was not, and the item would be taken off their agenda.

Highgate/Woodlands, Reed Road

Ms. Tripoli moved on to discuss Highgate/Woodlands, noting that the secretary has the Environmental Impact Statement available on a CD for CAC members to borrow/look at.

Mr. Towers asked if there has been a site visit yet/what the status of the project is.

Ms. Welo explained that this is a new submission re an old project; the applicant was given a certain number of months to do something and they let it go by. Now that they are re-submitting, the plan needs to be reviewed again.

Ms. Tripoli asked the others if they wanted to schedule a site-visit.

Mr. Towers said he is interested but will be away for 10 days to 2 weeks. He asked if they could look at the CD and discuss the project again in June.

Mrs. Butler mentioned that there is a public hearing about Highgate/Woodlands to be held in Croton Falls at the end of June.

Ms. Tripoli stated that the Planning Board may discuss it at their June 5 meeting.

Ms. Welo suggested the CAC forward their comments to Ms. Tripoli, who may then present them to the Planning Board.

Ms. Tripoli would not be able to attend the June 5 meeting, but Ms. Pooley said she thought she could go.

Mr. Towers noted that the CAC will not meet again before June 5.

Ms. Tripoli said she will check to see if the Planning Board does put Highgate/Woodlands on their June 5 agenda.

Mr. Towers commented that he would like to visit the site before then if possible.

Ms. Welo said it would be especially useful if they could go at the same time as the Building Inspector.

The secretary said it was unlikely that the Building Inspector would be going out to the site so soon/the project is a long way from wetland or building permits being issued.

It seemed there would be no hurry to report to the Planning Board/the project can be discussed at the CAC's June meeting.

Ms. Pooley said they could ask the Planning Board secretary who to contact about visiting the site.

Ms. Welo asked if the secretary has a map of the site, and the secretary replied that she will check.

Mr. Skolnik suggested that if the applicant is working with a consultant, the consultant is the person to approach about a site visit.

Ms. Pooley said she will speak to the Planning Board secretary and also attend the June 5 meeting.

There was general agreement to try for a site inspection date of Saturday, June 1.

Ms. Welo said there will be old perk-test pits. She said she will be interested to see the planned road; an initially-proposed road cut was very steep. She offered to look at the CD and the map.

Other-Finch Farm

Ms. Tripoli asked Ms. Welo about some paperwork she had given to her regarding this project, and Ms. Welo said she just thought that Ms. Tripoli would be interested in it.

Ms. Pooley said the meadow-planting will begin at Finch Farm soon, and Joe Bridges has cautioned the applicants against putting in endangered plants because they may propagate on other properties.

Ms. Welo said she was aware that people could be told not to employ non-native plants, but she felt the CAC could not stop people from using native endangered plants.

Ms. Pooley said a very well-know landscaper will plant the meadow at Finch Farm, and she is interested to see what is planted.

Mr. Towers thought telling people not to plant endangered plants sounded oxymoronic.

Ms. Welo explained that if endangered plants are put in and thrive, property-owners may find themselves responsible for a protective zone which would prevent some activities in order to protect the endangered plants.

Ms. Pooley said it is a particular problem if the plants blow from one property to another; it is a property-protection issue.

Mr. Towers said it is a controversial issue, as some people think something alive is more important than property-rights and others feel the opposite way.

Ms. Pooley said that was the kind of thing the CAC could take a stand on/make recommendations about.

Mr. Towers thought it would be arbitrary for the CAC to make a decision that plants are secondary to property-rights. He said that if such a decision is technically sound it is a good thing, but if it is a personal opinion it isn't good.

Ms. Welo said that if endangered plants are legally-acquired and already exist in the state/are appropriate for the area, no one can really prevent a property-owner from having/planting them.

Mr. Towers had not realized they were discussing a list of future plants/he thought Finch Farm was being told to remove plants already in existence. He said he was not against advising a property-owner not to put in endangered plants, because a person's choice could affect neighboring properties. Mr. Towers asked what the law has to say about endangered plants.

Ms. Welo explained that a locally-grown plant, properly propagated from legally-acquired plants, may be allowed. If a desired plant is thought not to be native, it may be a matter of locating it locally. If there is evidence that plants were present historically but are not present now, no one has the right to say you may not plant it again.

Mr. Towers was not sure Finch Farm should be prevented from planting anything they want to have.

Ms. Pooley said it being a wetland area is the reason some plants may be prohibited.

Ms. Welo said the State has laws about what may be planted in wetlands areas. She explained as an example that phragmites are a fast-spreading and invasive problem plant that is very undesirable.

<u>Role of the Conservation Advisory Council</u>
<u>Reports on neighboring CAC's/CAB's</u>
Ms. Tripoli noted that it was decided at the last CAC meeting to look into other CAC's and CAB's and said she attended a meeting in Bedford where Mr. Skolnik works with the CAB. Ms. Tripoli asked what Ms. Welo and Mr. Towers had learned.

Mr. Towers said he looked into the Red Hook CAC, whose mandate is, "a unified step in fostering unified action on environmental problems" and was established in1976. Their areas

of interest/involvement include sustainability and energy-efficiency. Mr. Towers said the Red Hook CAC has done some interesting things. He viewed a link to a DEC summer camp to which the Red Hook VFW sponsors scholarships, enabling 2 young area residents to go and learn about the environment. There is also a connection with Bard College.

Mr. Towers went on to say that the CAC or the Town hired consultants to produce a comprehensive energy and climate action plan in 2012 which aims to reduce carbon emissions by 20% by 2020. The Town has installed solar panels and programmable thermostats and retro-fitted lights. They established a Community Preservation Fund and have a bond issue for sustainable land-use. A local conservation group arranged the purchase of 139 acres for $400,000 which the town funded. Red Hook amended its building code for Energy Star rating for new construction, and a solar panel was installed on the town hall.

Ms. Pooley said it was interesting; North Salem has an energy advisory group who are working on a climate action plan, which is a reason she does not feel climate is something the CAC needs to go into. She added that the Improvement Society is also active re Town initiatives for sustainability.

Mr. Towers commented that the Red Hook CAC is quite ambitious; they are activists and have accomplished a lot. He said Red Hook (in upper Dutchess County) seems to have a lot of local people and also a fair number of weekend people and is somewhat more rural/less densely populated than North Salem.

Ms. Pooley asked if he had spotted anything he thought the North Salem CAC should do, but Mr. Towers said he has not so far.

Mr. Towers said he also looked into the Scarsdale CAC, which has 9 members who serve 2-year terms. They advise on development management and natural resource protection; their duty is to conduct research into the land area of the Village and coordinate with other advisory and official bodies of the municipality. The Scarsdale CAC advertises and distributes documents for their work, subject to budget; keeps an inventory and maps of open areas of the Village to obtain information pertinent to the proper use of land; keeps maps of open wetlands and swamps and may recommend programs suitable for such areas; maintains records of meetings and files an annual report with the Town Board.

Mr. Towers stated that the Scarsdale CAC issued an open space report in 2011, the stated purpose of which is to give adequate consideration to ensure both preservation of community character and protection of residents from adverse environmental consequences their laws are designed to prevent. On their website, the CAC states that it is advisory to the Village Board and studies issues of local environment and maintains the Village's natural character.

Mr. Towers commented that the Scarsdale CAC doesn't stick strictly to a tight definition of natural resources; they believe their mission is conservation and sustainability. The Scarsdale CAC states that their accomplishments are an open space map/report of preservation of open space; review of a tree ordinance; research into single-use plastic bags; local energy generation and resident education. Mr. Towers said he wasn't sure what they were doing re single-use plastic bags.

Mr. Skolnik said Bedford has a campaign to BYOB (Bring Your Own Bag) in an attempt to outlaw use of plastic bags by local businesses.

Mr. Towers remarked that in Ireland a shopper must pay for a bag which he thought was a good idea.

Ms. Pooley said it was interesting to hear the different mandates. She noted that North Salem has the Open Land Foundation which does its own cataloging.

Ms. Welo pointed out that the NSOLF is a private organization.

Mr. Towers asked if the State doesn't require certain things of the CAC.

Ms. Welo said that if they want to become a board, they would have to create an inventory list and map. She added that those are good things to do any way, but they are requirements if the CAC were to seek to become a board.

Mr. Towers said he and Cynthia Curtis once did an informal inventory of areas of 10 acres or more for the Comprehensive Plan Committee, and she should have the map. He remarked that, looking at a map of the entire Town with shaded areas of 10 acres or more of undeveloped land, about 40 or 60% of the land in Town (not including water) is not developed.

Ms. Welo stated that the reservoir is the cause for some restrictions/some land cannot support septic systems.

Mrs. Butler said farms are usually large parcels also.

Mr. Towers agreed that farms keep the land open.

Ms. Welo said she looked into the North Castle CAC, who produced a Town handbook with a homeowners guide to water and the environment. She thought this was important because many people don't know about these things. She offered to make copies for the other members. Ms. Welo suggested the North Salem CAC could do something like that and perhaps put it on the Town website. She said the North Castle booklet also contains information about composting, shrubs, etc.

Ms. Welo also shared a booklet that provides guidelines and establishes the rules for CAC's.

Ms. Tripoli stated that Mr. Skolnik put her in touch with the NYS Association of Conservation Commissions, and she offered to forward the link to the others. Ms. Tripoli said they offer a lot of helpful information, and a first year's membership is free.

Mr. Skolnik said he is Vice President of that organization, and it is a reason he likes to visit other CAC's to see how they are doing. He said the ACC is a good organization to get involved with because they represent boards and commissions throughout the State.

Mr. Towers asked how Bedford residents feel about being activist in things like banning plastic bags. He commented that the Red Hook CAC is very aggressive.

Next Steps

Mr. Skolnik said one thing he derived from this discussion was that commissions' goals are based on members' interests. He said he would never want to do what they did in Red Hook, but if a group did/had the interest and could make it work, that is a good thing. He reiterated that the CAC's goals will be driven by their own interests/his interests might not have meaning for them.

Ms. Welo thought starting small and seeing what emerges/what is most crucial would be good.

Ms. Tripoli said she would like to work up a form to take along on site visits, and Mr. Skolnik offered to send her a copy of the one used in Bedford.

Ms. Pooley said she thinks structure/protocol are good (particularly as guidance for future/new CAC members), and she also likes the idea of coming up with brochures, etc., that have useful tips, that the CAC could produce and hand out. She thought it would be good for the CAC to be known in Town.

Ms. Welo suggested that they should establish themselves as doing something productive first.

Mr. Towers said he thought it would be hard to figure out what kind of CAC role would be welcomed by North Salem residents.

Ms. Pooley remarked that North Salem is in an important watershed, so the CAC's mandate so far has been wetland issues.

Ms. Welo commented that there are some large projects coming up; the CAC will learn what they need and want to do.

Mr. Towers wondered whether they should be a shadow element or an innovative group.

Mrs. Butler noted that the affordable housing project on June Road is already going forward, so she didn't see what the CAC could do at this point.

Ms. Welo mentioned traffic studies, saying other Town could object to increased traffic caused by development here.

Ms. Tripoli asked Mr. Skolnik about the Bedford Green Seal awards.

Mr. Skolnik said he likes the award program. He explained that the CAB nominates individuals, businesses, non-profits and schools for the Green Seal award. He said there is a half-hour presentation about 6 nominees, the press likes it, and he thinks it is good for the Town. Mr. Skolnik said the CAB looks for candidates themselves, and there is no expense but the certificates presented.

Mr. Towers said things other than natural resources may be conserved, for example a town's cultural character. He said limiting the size of a new house to a certain percentage of the lot

would address this, if the CAC wants to do something different. Mr. Towers offered "night sky" as another possible issue to take up.

Mr. Skolnik said Bedford has an ordinance about this; viewed from a plane at night, there is actually very little light in residential areas/most emanates from parking lots, so the Code was assigned to commercial properties.

Mr. Towers said he is interested in noise pollution. He noted that North Salem has a dog-noise ordinance, but it is also the only Town in the area that permits construction noise every day of the week including Sunday.

Ms. Tripoli suggested they ask Cynthia Curtis to ask the Town Attorney what the CAC may do.

Next Meeting
The secretary had asked the CAC if they could pick a day of the week when they would be available to meet at 7:30 instead of at 8 pm.

It was agreed to change the meeting day/time to third Mondays at 7:30 pm. The next meeting will be on Monday June 17.

Ms. Tripoli said she would like to apply for membership in the NYSACC, and everyone was agreeable.

To adjourn at 9:35 pm
Motion by: Lori Tripoli
All in favor.

Respectfully submitted,

Janice Will, Recording Secretary