CONSERVATION ADVISORY COUNCIL
Meeting Minutes
Monday, September 15, 2014
Delancey Hall

Members Present: **Lori Tripoli, Co-Chair**
Pam Pooley, Co-Chair
Janine Selendy
Nancy Welo
Alan Towers

Also Present: **Janice Will, Secretary**

Lori Tripoli opened the meeting.

The minutes of the July 28 meeting (with requested changes implemented) were unanimously approved.

Meetings attended
Alan Towers said his plans changed at the last minute and he did not attend the climate-change summit.

Janine Selendy suggested sending an e-mail at such times to see if another CAC member could attend the meeting, but Mr. Towers said there had not been time to do this.

Ms. Tripoli said she has not attended any recent Planning Board meetings.

Mission review
Pam Pooley said a variety of issues have been raised recently, but the CAC needs to figure out what they really want to focus on, and the Mission Statement is rather vague. She said she had thought that wetlands and land disturbances were their main areas of concern and that the CAC is a citizen voice. Ms. Pooley remarked that when the Building Inspector, Bruce Thompson, and the wetlands consultant, Joe Bridges go out to a site, they have an agenda, but the CAC has done some good things as a citizen voice (submission of comments on Highgate/Woodlands for example).

Mr. Towers commented that the original submission for Highgate/Woodlands has been withdrawn, although they will probably re-submit.

Ms. Pooley said she thought the CAC's input on the Miller wetlands permit was valuable also. She noted that now they have been asked by the Town Supervisor to look into some things. She suggested that they work on their first agenda items, and if they do not have too much to do they can consider taking on additional projects that interest them. She commented that she feels electric car charging-stations are a tangential item because this is not something that was requested by the Town. Ms. Pooley said she felt the most

important issues for the CAC at present are garbage and stormwater, conservation easements and invasive species removal.

Other – WP14-02 7 Bloomer Road

Nancy Welo said there is a new wetlands permit application also (WP14-02, Papovitch, 7 Bloomer Road). She explained that the applicant plans to build a house on a flag-lot created to have Peach Lake access, and there are easements for a pedestrian right-of-way and one for 9 Bloomer Road. Ms. Welo stated that the applicant wants to build a pool as well. She said the DEP wanted a swale put in for water from the driveway, but this area, directly adjacent to Lakeside Field Club also has a well belonging to Lakeside Field Club on it/the Club has an easement to access it and the swale would interfere with the 9 Bloomer Road easement also; it is an area with 3 easements all together. Ms. Welo said she made a site inspection and spoke with Bruce Thompson about the permit, but she has not written a report yet. She remarked that permission from the owner of 9 Bloomer would be needed for the swale placement, and she didn't think they would want to grant that permission.

The group discussed the meaning of "pedestrian access" (whether it means general public or just residents of 9 Bloomer/members of the Club).

Ms. Pooley expressed concern about the wetlands, but Ms. Welo pointed out that despite the application, the proposal is just for the swale that the DEP wants/no work is proposed within the wetlands area).

It was noted that the subject property runs steeply uphill toward the area where the house is to be built/where the Club well is.

Ms. Welo commented that she would not want a driveway turn-around right at her well head.

Ms. Selendy asked where the septic and well are proposed for the subject property, and Ms. Welo indicated the well site *(septic site not included on site plan).*

Ms. Welo said the DEP wants the swale to take eventual run-off from the infiltration system.

Ms. Tripoli asked what the CAC's role is/she feels 9 Bloomer is responsible for protecting its own rights.

Ms. Welo said the CAC cannot make recommendations that impinge upon someone else's rights.

Ms. Tripoli asked what Ms. Welo thought should be recommended.

Ms. Welo thought the applicant should be made aware of the triple easements (and downhill well) in the area proposed for the swale, and the Town Engineer should review the situation. She said she did not know what the rights are for a pre-existing well when someone is proposing to build on land they own.

Mr. Towers also didn't see what the CAC's role would be.

Ms. Welo explained that because the DEP has recommended the swale, they are asked to review the application; the CAC wants to make sure the swale is in a safe area.

Ms. Pooley remarked that it was good that Ms. Welo had visited the site, and she guessed that the report should state that the CAC wants to be sure the swale doesn't interfere with the easements or the well.

Ms. Welo noted that there is already a diffuser present to slow water flow; if the swale is moved over it will be better than trying to make some kind of deal with 9 Bloomer Road.

Ms. Tripoli stated that it is not the business of the CAC to propose deals to be made with neighboring property owners; they should stick to environmental concerns.

Ms. Welo said she would state that the CAC has observed that the easements are pre-existing; putting the swale directly on the westerly property line would impact the easement for 9 Bloomer Road. She added that trees will have to be removed also.

Ms. Welo's report to be sent to the Building Department with a cc to the Planning Board.

Other - Pesticides

Ms. Selendy stated that education is an important aspect of all the issues being discussed. Returning to her interest in pesticides, she then said she has been told by Bobby Waltz that the Highway Department is using herbicides instead of weed-whackers; these products pollute everything and are very destructive. She showed the CAC photographs taken near Grants Corner and June Road cemetery.

Ms. Welo remarked that she thought the dead grass/plants were caused by road-salt spray.

Ms. Tripoli asked how anyone knows the Highway Department is using herbicides.

Ms. Selendy said the Waltzes are totally involved (they are landscapers) and have seen the canisters. She explained that herbicides were used on her neighbor's property, and she was worried about the stream and ducks.

Mr. Towers asked what the law states about pesticides.

Ms. Welo said use of pesticides is not permitted near the reservoir spurs (NYC watershed), and Ms. Tripoli added that these products may only be used by a licensed person.

Ms. Selendy said another member of the Waltz family/landscaping business would like to present a report about illegal pesticide/herbicide use in Town to the CAC.

Ms. Tripoli commented that it sounded as though the Waltzes were positioning themselves as some sort of watch-dogs, but in fact they have a landscaping business and are talking about the competition.

Ms. Selendy explained that the Waltzes talked to her about herbicide/pesticide use when she complained about its use in her neighborhood.

Ms. Pooley asked if anyone knows what companies have used these products, and Ms. Tripoli added that the neighbor may have been mistaken about what they said was being used.

Ms. Selendy said she spoke to the people working on the neighbor's property, and they said everything was non-toxic.

Mr. Towers said it is important to distinguish between illegal pesticide use and the apparent impact of what appears to be that.

Ms. Selendy said she asked the Waltzes to note specific details of their observations.

Mr. Tripoli thought it was also important not to empower a landscaping company to spy on other landscapers for pesticide use; obviously they have something to gain by reporting on pesticide use by other landscaping companies. She added that Ms. Selendy's friends and also Ms. Pooley may sometimes use pesticides.

Ms. Selendy said the Waltzes have used these products also under certain conditions.

Ms. Tripoli said her concern is that there may be a conflict of interest.

Ms. Pooley stated that there are many environmental issues the CAC could take up/all the members are interested in different things. Their meetings are an open forum; if someone wants to present something, the CAC should at least listen.

Mr. Towers said he would prefer to know in advance if someone wants to present something so the CAC can find out what the law is with regard to pesticide use; someone could tell them how terrible the use of something is which, in fact, is perfectly legal.

Ms. Welo stated that DEP laws regarding herbicide/pesticide use in the watershed would supersede any local law. She noted that the Town requires a 100 ft. buffer area from wetlands, whereas the DEP requires 300 to 500 ft. and explained other DEP limitations.

Ms. Tripoli suggested contacting the State.

Ms. Pooley commented that the CAC is not an enforcement agency but may be an education agency. She suggested that Ms. Selendy take on the project of finding out what the laws are regarding herbicide-/pesticide-use. She said she is a member of an ecological landscape group and showed the others some educational cards they produce.

Ms. Selendy thought the cards were very good and suggested requesting permission to reproduce them on the CAC Facebook page.

Mr. Towers said he spoke to a golf-course superintendent (from Connecticut) about lawn products and was told that superintendents are trying to be environmentally-friendly in

treating golf courses, but the safer products do not work as well and need to be used more often or more heavily and take longer which is more expensive.

Ms. Pooley said she is working on a property where horses are kept, and the owners do not want pesticides, etc. used for that reason. Ms. Pooley said a newly-popular soil-enricher is corn gluten, and compost is also recommended for fertilizing.

Ms. Welo added that corn gluten also tamps down weeds.

Ms. Pooley stated that a group in Pound Ridge is trying the use of corn gluten after pulling out invasive species, and she added that lawn-care and landscaping companies are using more and more organic products, because people are requesting them. She said it may take longer for new grass to "take".

Ms. Pooley commented that some projects will just have to be undertaken individually and brought to the table to share with the rest of the CAC. She asked Ms. Selendy to look into the topic and bring the information from Mr. Waltz to a meeting.

Mr. Towers added that the CAC needs to know that any changes they're recommending to people are practices/products that are safe and effective.

Ms. Selendy said she was very impressed with the information cards, and Ms. Welo asked if Ms. Pooley could scan them to use on the webpage/crediting the source.

Ms. Tripoli asked Ms. Pooley to call her ecological landscaping group and ask for permission to use the cards on the CAC Facebook page.

Ms. Welo said that when she went for a site-walk at 7 Bloomer Road (parking at Lakeside Field Club), she made herself an ID tag to wear and also put a sign in her car window explaining that she was on the property as a CAC member doing a site inspection. She explained that she had done something similar for herself and other members of the Environmental Management Council, of which she is still the chairperson, although they are currently inactive.

The others were interested in having identification like this, and Ms. Welo said she will make the ID tags for them.

<u>Storm-water regulation education/outreach</u>
Ms. Tripoli displayed some of the educational materials provided to the CAC by Cynthia Curtis of the Planning Board (produced by Westchester County for the DEC), including small posters, sticker-pages for children, book-marks, etc. She said the County should be contacted about using copies of the posters on the CAC Facebook page.

Ms. Pooley said she would take some of the posters to the Post Offices to put up and asked what else the CAC could do.

Ms. Welo suggested that the County probably has more materials, and also jpegs of the posters that they would make available, and Ms. Tripoli said she will look into that.

Ms. Selendy asked if local delis might display the posters in their windows, and Ms. Pooley wondered if a bigger store like DeCicco's might take some for their bulletin board.

Ms. Welo offered to ask around the shops in Croton Falls.

Ms. Selendy suggested that the Library might be happy to take the sticker-pages for the Children's section.

Mr. Towers thought the CAC should have a table at the annual book/plant sale at the Library/they could offer information that way, changing the day into a book, plant and protect-the-environment event.

Ms. Welo said other groups were present at the last event, the North Salem Open Land Foundation and Made in North Salem among them.

Mr. Towers suggested the CAC could offer a real program; people could be asked to sign up to hear about invasive plant species, storm-water, etc. and the CAC could arrange to have speakers.

Ms. Tripoli agreed that this kind of friendly environment would be a desirable way to try and interest people in environmental issues.

Mr. Towers said he would be willing to try and locate experts to talk on some of these environmental topics.

Ms. Pooley thought this was a good idea, and she will speak to the Librarian about having a table next spring. She added that perhaps the CAC could create take-way samples of some kind to offer. Noting that they could have information about storm-water too, Ms. Pooley suggested letting the Town Supervisor know that the CAC plans to have a table at the Library sale to offer information about environmental topics.

Single-stream recycling education/outreach

Ms. Pooley said the North Salem Improvement Society recently sent out a Town-wide e-mail regarding recycling that includes a very useful chart about types of recyclables. She suggested the NSIS or Bria could be the CAC speakers on recycling at the Library event.

Mr. Towers asked what is supposed to be done with meat/bones, chicken, fish, etc.

Ms. Selendy remarked that Supervisor Lucas has said he throws these kinds of things into the woods for animals to eat.

Ms. Welo said food garbage can be incinerated in barbecue grills.

Ms. Pooley said Bridgewater, CT offers composting scrap buckets to residents.

Mr. Towers said this is not really convenient.

Ms. Tripoli agreed and asked what becomes of the filled scrap buckets.

Mr. Towers said residents are supposed to deliver their filled scrap buckets somewhere/no one comes to get them.

Electric car charging-stations

Ms. Tripoli said she spoke to Vincent Salvatore of Sustainable Westchester and found that their emphasis is on use of solar energy, including solar-powered carports with power hook-ups. She added that Mr. Salvatore is very knowledgeable about financing for environmental projects, but he also said there are legal issues of liability for public charging stations. Ms. Tripoli said Mr. Salvatore asked her how many electric cars there are in North Salem, and she does not know. She suggested Ms. Pooley speak to Mr. Salvatore if she wants to learn more.

Ms. Pooley offered to speak further with Mr. Salvatore, but she also said she doesn't think this is really a CAC issue.

Ms. Tripoli said Mr. Salvatore suspects there are too few electric cars in Town for Sustainable Westchester to take much of an interest in North Salem. Mr. Salvatore told her the only way to get anywhere would be to try and come up with an inventory of electric cars in Town; grant money will go to cities/towns with the highest number of electric cars.

Most people didn't think dealers would probably not divulge that information.

Ms. Tripoli stated that there is also the Solar Initiative for which there is State grant money available to municipalities to encourage Towns to use solar energy.

Mr. Towers said Amy Rosmarin, Town Board member, is involved in this.

Ms. Pooley asked if Mr. Salvatore asked the CAC to see if the Town is interested in acquiring a Request for Proposal in order to be considered to host a Solarize program.

Ms. Tripoli suggested the CAC could endorse solar energy in an e-mail to Supervisor Lucas and Cynthia Curtis with a cc to Amy Rosmarin, telling them she was approached by Mr. Salvatore about the solar energy program.

Mr. Towers asked if solar energy panels work in this area of the Country, adding that people might be interested if the cost can be justified.

Ms. Tripoli said solar panels do work.

Conservation easements

Ms. Pooley said she spoke to Cynthia Curtis about this subject; there are several Town conservation easements and a baseline study of them was done by David Birney, although no one has looked at the sites since then. All the study information, including maps and photographs, was compiled in notebooks that are currently missing, although the information is available electronically. Ms. Pooley stated that Ms. Curtis told her that the Town Code includes only the Zoning Enforcement Officer (Building Inspector) and the Wetlands Inspector as parties who are to inspect the Town's conservation easements, although this could be changed to include the CAC.

Ms. Welo said she would be happy to see the CAC added to the list of potential inspectors but not made the sole responsible group. She added that she wants to see people's privacy preserved/would not want these easements listed on-line, giving people the mistaken impression that they may go and walk on/explore them; they are still private property.

Ms. Pooley said Ms. Curtis sent her a list of the Town conservation easements and will e-mail the individual files if the CAC wants them.

Mr. Towers remarked that it is hard to figure out where property lines are, and he added that he would not want to have to study a file for hours before going out to inspect the easement.

Ms. Pooley will send the list and one complete conservation easement file to the other CAC members.

Ms. Selendy stated that, a few years ago, someone with the Westchester Land Trust talked about how some towns are connecting easements in order to preserve natural/biotic corridors.

Ms. Pooley said there is an initiative under way now, called Hudson to Housatonic, to help people preserve their own land in a best-practices way. She is going to represent North Salem through the North Salem Open Land Foundation at a training session. She said she would be interested to see the Town's conservation easements.

Mr. Towers said his wife has offered to go along also.

Ms. Selendy said she has been trying to get to know the NSOLF parcels by going along on walks when they are offered. She said the walks are very good; small groups are led by a NSOLF member who is knowledgeable about the properties.

Other: NSOLF 40th annual fund-raiser

Ms. Pooley said she has been asked to submit an advertisement for her company, and she asked the others if they would be interested in placing a page or half-page ad in the NSOLF booklet from the CAC.

Ms. Selendy showed the others a black-and-white photograph of a great blue heron on her pond and suggested it for a CAC ad with white text.

Some of the others said they thought the photo was too dark and would not reproduce well.

Mr. Towers said it was important to submit something that will look good and suggested asking the NSOLF what they think of using the photo/how good the quality of the booklet will be. He also said they should make sure it is clear that the ad is from the members of the CAC/not paid for by the Town.

Ms. Pooley read, "Happy 40th anniversary North Salem Open Land Foundation", and Mr. Towers suggested adding, "... from the members of the North Salem Conservation Advisory Council."

Everyone agreed to contribute $30 for a full-page ad.

Ms. Pooley said she will send Cindy McKean the checks, and she asked the others for their opinion of the paragraph she wrote up for inclusion in the CAC ad.

Ms. Selendy thought something should be included about CAC meetings being open to the public and a mention of the Facebook page.

Ms. Pooley read, "Meetings open to the public. Share your ideas with us. Follow us on Facebook."

Best management practices/removing invasive species from wetlands
Ms. Tripoli said the CAC needs to decide whether to do anything or not; Cynthia Curtis shared some ideas with the CAC at the last meeting, but there was not time to talk about what they will/won't do and do they have time.

Ms. Pooley said a lot has already been done on the Open Land trails, and the write-ups by Jim Nordgren are very interesting. She remarked that the CAC doesn't want to recreate the wheel, but they can add some things that are specific to wetlands.

Ms. Tripoli explained to Ms. Selendy that the Town Supervisor asked the CAC to see if they can find a way to let people remove invasive species from wetlands without requiring a wetland permit.

Ms. Pooley proposed that the CAC read the NSOLF best practices, and she will come to the October meeting with an idea.

Ms. Tripoli pointed out that they also have the Bridle Trails Association best management practices to use as a model.

Ms. Pooley said she would like to have a document that could be handed out by May, and she asked when the CAC will meet with Dr. Joe Bridges (Town wetlands consultant).

Ms. Tripoli said they need to try and be available when Dr. Bridges will already be coming to North Salem/the vicinity so the CAC will not incur the expense of his travel time. Ms. Tripoli said she will e-mail Dr. Bridges to see if he has any plans to come to North Salem in the near future.

Other - no idling
Mr. Towers asked if there is any more information on this subject.

Ms. Tripoli said the Town Ordinance bans idling of more than 5 minutes' duration (with exceptions), and Ms. Welo added that the County cut-off is 3 minutes.

Ms. Tripoli said the penalties can be quite severe.

Mr. Towers said the Town should get some signs, but Ms. Tripoli said signs may require permits.

The members talked about the feasibility of putting signs on private property.

Ms. Pooley stated that she will speak to the owner of 60 June Road (Post Office location).

Other - reaction to CAC memo re noise
Mr. Towers said he has not heard anything since submitting the letter. He commented that many suggestions have been made and never heard about again.

Ms. Tripoli said they should pay attention to this; if they put time and effort into things and there is no reaction/nothing changes, they may not want to bother making recommendations.

Next meeting: Monday, October 20

It was noted that Ms. Welo has another commitment at 7 pm on Mondays and also agreed that 90 minutes is long enough for the CAC's meetings.

Ms. Welo moved to adjourn at approximately 6:35 pm.

Respectfully submitted,

Janice Will, Recording Secretary