

**CONSERVATION BOARD
MINUTES OF MEETING
DECEMBER 9, 2008**

The December 9, 2008 regular meeting of the Conservation Board was called to order by Chairman Gary Meixner.

Attendance: Charles Friedberg, Shoshana Hantmann, Dr. Frank Lapetina,
Dr. Edward Merker, Gloria Rosenzweig, James Moriarty,
Gary Meixner

Absent: None

Guests: John Kellard, Engineer/**Wright Court**
Powers Taylor, Landscape Architect Rosedale Nursery

Announcements:

Mr. John Kellard, Engineer for Kellard Engineering representing Wright Court is scheduled to attend the Conservation Board meeting tonight to discuss the application with reference to the Board's concerns and recommendations. Mr. Powers Taylor Rosedale Nursery's Landscape Architect will also be in attendance.

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Approval of Minutes:

A motion was made by Dr. Edward Merker and seconded by Shoshana Hantman to approve the minutes of the November 25, 2008 regular meeting of the Conservation Board. All members present approved.

Old Business:

- A)** C.B. Goals for 2009/C.B. Discussion/Copy Report-Conservation Board, revised December 6, 2008: (CB)
The C.B. Secretary Ms. Davis copied the report to distribute to the Board members. It contained some of the goals discussed by the Board with reference to 2009, which was submitted to the Town Board and the Finance Office, a couple of months ago.

Ms. Davis also explained that she had made some notes on the subject of C.B. goals. She informed the Board that she had items that were discussed previously that they could incorporate into goals for 2009.

The Board members tabled discussion of this matter until the next meeting stating that they would like to take some time to think about the subject matter.

The Board members took no further action at this time.

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New Business:

A) PRESENTATION:

Wright Court Site Plan/C.B. recommendations/as presented by the applicant's Engineer John Kellard; also commenting will be Powers Taylor, Landscape Architect Rosedale Nursery:

The Conservation Board entertained a presentation by the Engineer Mr. John Kellard and Landscape Architect Mr. Powers Taylor for Wright Court at their meeting tonight.

Mr. John Kellard introduced himself and Mr. Powers Taylor to the members of the Board and they began their presentation.

Mr. Kellard explained that this project has been underway for about five years now. He referenced the fact that the project is getting close to the final stages of review by the Town agencies and they wanted to take the opportunity to meet with the Conservation Board in order to clarify the various points that were made in the C.B.'s latest memo. He noted that they wanted to have a discussion on the various topics and come to a conclusion on how these issues may be resolved.

Mr. Kellard advised the Board members that the Planning Board will be reopening the Public Hearing to address the changes to the plan that were developed from comments made during the initial Public Hearing stage.

One of the major changes that were made to Site 'B' was that the building was reduced 17% in size and there were also some Architectural features to the building which were modified by the Architect who met with the ARB and the Landmark Committee said Mr. Kellard.

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New Business:

A) Presentation/Wright Court:

Board member Dr. Lapetina inquired about the setback changes.

Mr. Kellard responded that they had moved it back 25-ft. on Site 'B' and less than 20-ft. (approximately 18-ft.) on Site 'A' due to maintaining the courtyard between the buildings. He explained that the parking arrangement is consistent with the location proposed for the last couple of years.

Board member Charles Friedberg asked if Mr. Kellard would like to go through the C.B. memo point by point and he agreed.

Mr. Kellard mentioned that the first issue that was raised was located in the sediment erosion control plan and the tree protection. He noted that on page 1 and 2 the C.B. comments were that the tree protection was not acceptable, i.e. 'add four more feet rather than cause root damage' (C.B. suggestion).

Board member James Moriarty explained that there is a lot of proposed construction around the trees and the point of saving them is noble, but if 30% of the roots are damaged they will be gone. He said that even excavation for the sidewalks on Site 'B' is minimal, but the applicant would be taking off the surface roots and then end up re-burying the roots with additional fill and suffocating a lot of the trees. There is not much that the applicant would be able to do about it, even though it shows an effort to save some of them, the trees in all likelihood would not survive.

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New Business:

A) Presentation/Wright Court:

Mr. Moriarty explained that the stockpile area is a little small and if it breaks open then it will be out on the main drive area and eventually the road.

Mr. Powers Taylor, Landscape Architect noted that the stockpile area could be moved around to better suit the site.

Mr. Moriarty said that normally you would have topsoil pile, fill pile and in this case a rock pile too. If it were all trucked out then you would just have to pull it away from the tracking pad.

Mr. Kellard responded that there is very little cut and fill occurring on the project. As there is no significant cut and fill he said, therefore, any excavation for the buildings themselves will be trucked off site. We will need a place to stage this activity as we are excavating it before we put the material into the trucks and take it off site. I will show you a location specific for the staging and the majority of the excavations are for the foundations of the buildings. The applicant wanted to try to keep it in the parking lot area, because we have to disturb that area in order to build the parking lot. He explained that they could show the staging area in the location back near the parking lot that would be beneficial. He noted that on site 'A' and 'B' there are areas that are intended for topsoil. On site 'A' we will be moving it away from the construction entrance.

Board member Friedberg asked if there was a recommendation for a change to the tree protection that we are looking for?

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New Business:

A) Presentation/Wright Court:

Mr. Moriarty responded that the tree in question would probably be dead in approximately three years due to root damage. It will look fine for one year and then within two years the tree will realize root damage and not be able to recover. The tree will either have to be cut down or it will die in response to the shock.

Mr. Friedberg asked if it was the C.B. recommendation that the applicant remove the tree and plant a new one?

Due to the fact that 30% of the tree's root system is going to be damaged, I would not recommend keeping it said Mr. Moriarty.

Mr. Powers Taylor, Landscape Architect for the project said that he would take a small area out with hand excavation tools to avoid injuring the tree roots. He explained that when a tree is transplanted they would take the root ball, which is totally cut around the outside when you have to move a tree to the new site. Then we take a much smaller amount than the spread of the canopy but start out further and then we fork it off by hand and those roots are in the ball. He went on to explain that they can do the same thing in just that small triangle and that would not impact the tree significantly.

Mr. Kellard added that they would like to make the effort to save the specimen trees located on the parcel if they could.

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New Business:

A) Presentation/Wright Court:

Board member Charles Friedberg asked if that was acceptable at this point.

Mr. Moriarty noted that it would be difficult to go back and take the tree down afterwards.

Landscape Architect Powers Taylor advised the Board that if it became necessary than it would not be too difficult to go back and take that tree down. But, he reiterated that he thought the tree would live.

Board member Charles Friedberg noted that the roots would be saved as explained by Mr. Powers Taylor (formerly) to the best of the applicant's ability.

Chairman Gary Meixner spoke about the trees on the property and how beautiful they could be if they were pruned properly.

Mr. Taylor agreed and said that none of the trees have been taken care of by the landowner. He went on to say that the information we are talking about is located on sheet 2 of the landscape plan.

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New Business:

A) Presentation/Wright Court:

Mr. Kellard said that any tree where we are excavating within the dripline of the tree, which we have designated to be saved, we will handle that excavation with hand labor. Correct?

Landscape Architect Powers Taylor agreed.

Chairman Meixner asked who owns the property.

Mr. Kellard responded that they are called Nordic Custom Home Builders and they build many homes in the Greenwich area.

Engineer Kellard agreed to respond to the C.B. memo in writing. The areas on the plan shown as 'A' and 'B' were intended for topsoil, they will be the longest material to be stored on site. We will move the piles shown on site 'A' at the entrance away from the entrance area.

Board member Moriarty said that the applicant should exhibit a much stronger silt fence. They should incorporate a heavy cloth fabric and wire mesh.

Mr. Kellard responded that they had displayed the wooden stakes on the plan submitted, but the C.B. wants the metal stakes?

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New Business:

A) Presentation/Wright Court:

Mr. Moriarty said that was recommended and would be satisfactory.

Mr. Kellard said that he would show a staging area on each of the sites for the excavation of the building. Some of it would be loaded into trucks while the activity is going on, however usually they cannot keep up, so we will need an area to temporarily store the material and we will show these areas and where the soil will be stored on site.

Mr. Powers Taylor mentioned that on the landscape plan it was noted to save the rocks from this existing fieldstone dry wall. There is a section that has to be taken out for access and saved to use to repair the wall.

Mr. Kellard explained that other than that one area of wall they would not be taking additional stones out of their excavation.

Powers Taylor noted that the stones coming out of the excavation process are not adapted for landscape use, however there are a few that match the rest of the wall and they will be using them to rebuild the wall in that area.

Board member Moriarty asked about the geo-blocks and whether or not they are still shown on the plan (3 of 8).

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New Business:

A) Presentation/Wright Court:

Mr. Kellard remarked that they are still shown on the plans. In the main drawing set (3 of 8) the plan still indicates the grass paving blocks that were requested by the Planning Board. It did not enhance phosphorus removal designated area by the DEC, which is the Muscote Watershed. Traditionally we try to enhance phosphorus removal in the basins to reduce the amount of impervious surface. We understand your concern as this is in a aquifer area and there will always be cars in the parking lots and their drippings will go into the soil without the pretreatment usually prescribed for a regular parking lot. We are in favor of paving it, we have no issue with paving it and we have sufficient stormwater facilities in place to treat it, if it is paved. We would agree to pave it, however the Planning Board has to hear your concerns and consider them and allow us to pave that area of the parking lot.

Mr. Moriarty said that the geo-blocks were just a response to too much lot coverage otherwise it would be impervious surface.

Mr. Kellard responded that the applicant did not need additional parking, there was sufficient parking without the extra spaces. However, the applicant felt that the worst thing that could happen is to build this site out and not have enough parking area. So he put this in because it could be fit on the site, but it probably would not be used very much because it was additional. We decided to put pavers in to cause the least amount of disturbance, according to the Planning Board's recommendations.

Board member Moriarty pointed out that the dumpster is located on the other side of these pavers and therefore the truck would have to cross the grassy area in order to pick up the garbage two times a week.

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New Business:

A) Presentation/Wright Court:

Mr. Kellard responded that the applicant could pave the area in question rather than put geo-block pavers. It would be easier to treat the stormwater that way and then there would be no problems. However, the Planning Board would have to make that decision.

Mr. Moriarty informed the Board members that the Town needs to realize that there will be heavy trucks traveling across this area every couple of days. He went on to explain that trucks are usually the worst offenders of leaking fluids. Also, he added that the preparation of a geo-block parking area is very different than that of an impervious surface. In this case, he advised that eventually the geo-block area would probably be inundated with ruts.

Chairman Meixner agreed and said that when the trucker's turn their wheel it will only dig in deeper and exacerbate the situation.

Mr. Moriarty said that if there were a hydraulic line failure we would be looking at 50-gallons of fluid on the ground with no way of catching it or keeping the spill from leaching into the aquifer below.

Chairman Meixner advised the Board and applicant that a large truck would want to come into the parking lot straight and the driver would not want to have to turn in order to get to the dumpster (as would be the case with the present configuration).

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New Business:

A) Presentation/Wright Court:

Mr. Kellard advised that the parking lot was aligned in such a manner as to be connected to the Town parking area, which is what the applicant was instructed to do.

Board member Friedberg noted that there might be a more prudent place to put the dumpster if the Planning Board continues to suggest that the applicant should not pave the overflow lot.

Dr. Lapetina asked the applicant whether or not the Planning Board wanted to pave the geo-block area originally.

Mr. Kellard said that they were trying to reduce the impervious surface. However, looking back over the course of five years it is difficult to remember exactly how the dumpster ended up adjacent to the geo-block pavers. He concluded that maybe that would be the way to present the situation; i.e. if the dumpster is there than the area should get paved. Otherwise, if the Planning Board feels strongly about keeping it as a grass lot than the dumpster should be moved.

Chairman Meixner inquired about oil and grease separators in the parking area.

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New Business:

A) Presentation/Wright Court:

Mr. Kellard responded that in site 'A' they have 20,000-gallons of pretreatment tanks; they're four five thousand-gallon tanks buried below grade, which would be a pretreatment before water is filtered into the ground. On site 'B' is 9,000-gallon tanks. The new stormwater regulations by DEC now allow us to replace those tanks with a storm device, which would have to be designed to handle a one-year storm.

Mr. Kellard went on to explain that 95% of pollutants run off during the initial part of a storm. We try to capture the initial flow in the tanks, the sediment, sands, etc. settle out in the tanks and can be sucked out with a vacuum truck. They separate the sediments and the oil goes to a different chamber.

Chairman Meixner inquired as to how often they should be cleaned out.

Mr. Kellard responded that they should be cleaned out every three months, and then if it is not needed in three months we would go to six months and if not needed we would continue once year.

Chairman Meixner asked if that recommendation could be made before the Planning Board at a meeting.

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New Business:

A) Presentation/Wright Court:

Mr. Kellard said that once the Planning Board knows the plan that they like then we have to submit a stormwater pollution prevention plan. This document has to be submitted to the Town, New York State DEC and New York City DEP for their approval and has to spell out the complete maintenance and responsibility of the owner and how the stormwater system is going to be maintained throughout its life. We will probably be going through one year with the stormwater issues, so we do not want to go through it two times as it will probably cost the applicant \$30,000.00. So, rather than go through it twice we conceptualize the drainage system, but have not given all of the details with reference to the maintenance program.

Board member Charles Friedberg asked the applicant's Engineer if he is going to go before the Planning Board tomorrow night and ask them if the dumpster can be moved to a location where it would not impact an impervious surface. If they are against the movement of the dumpster would you strongly recommend that it should be a paved area?

Mr. Kellard said that he probably would not bring up the conversation that is taking place tonight with the Conservation Board as the Planning Board Chairperson does not want new issues brought up before the Board unless they have been submitted a week before the meeting.

Mr. Kellard explained that he would address the memo of explanation to the Conservation Board and send off a copy to the Planning Board. He added that he did not think that the Planning Board was going to approve their application tomorrow night. There would probably be much more discussion on this application.

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New Business:

A) Presentation/Wright Court:

The next item on the list is the tree survey said Mr. Friedberg.

Board member Edward Merker said yes, we spoke about the wire mesh already.

Mr. Kellard informed the Board that in the construction entrance detail they will remove the reference to recycled concrete and do it in stone.

Chairman Meixner advised the applicant's Engineer that the wheel-washers coming off the site will need to be maintained.

Mr. Kellard explained that today with the new DEC regulations they require inspection of the site every two weeks now and that would be spelled out in the stormwater plan. An independent Engineer or a certified inspector will have to inspect and have reports on site of all of the erosion control measures, usually twice a month throughout construction phase. He went on to say that if that becomes a problem then the inspector has to get the contractor to fix that problem.

Chairman Meixner inquired about the trees at the north and rear side of lot A and B.

Dr. Merker volunteered the name sugar maples.

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New Business:

A) Presentation/Wright Court:

Powers Taylor, Landscape Architect responded that there are sugar maples, red maples and also a considerable amount of evergreens. He went on to say that basically there are all three of those.

Board member Charles Friedberg agreed with Mr. Taylor.

Dr. Lapetina asked about the trees in the paved areas.

Mr. Taylor responded that it is an island and it was suppose to be a back up parking area not having a fully paved treatment. He went on to explain that it does enhance a parking area if we can break it up and have some vegetation.

Dr. Lapetina stated that he has noticed that most of the time the trees located in a concrete area do not survive. We wrote you about the Board's suggestions that the proposed trees (acer rubrum/red maple) are salt sensitive and putting them in the middle of the parking lot in a confined space like that is not the best choice.

Powers Taylor said that as he remembered the island in question is about 8-ft.

Dr. Merker inquired about the scale on the plans.

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New Business:

A) Presentation/Wright Court:

Mr. Taylor said that it should be 20 and the drawing is on 20 scale.

Chairman Meixner read from the document and said that 'one inch equals 20 feet'.

Mr. Taylor said that they are 4-ft. off the trunk.

Dr. Lapetina said that he has seen instances that they get plowed on and the people end up putting down salt, etc.

Mr. Taylor responded that they are proposing to not use salt in this parking lot.

Board member Friedberg commented that it would be a financial cost to the applicant if the tree dies as it would have to be replaced. He went on to say that he is sure that the applicant would rather do it right once without having to replace it.

Board member Lapetina stated for the record that we corresponded to the applicant at one point and mentioned that the Board would probably not disapprove the plans because of that. It is just that I don't think it is a good choice of tree for the site.

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New Business:

A) Presentation/Wright Court:

Mr. Kellard stressed the fact that the applicant is bound by the zoning ordinance, which states that every so many spaces there has to be an island and a tree in the island. Now if there is a different location to put those trees then maybe we can move them.

Dr. Lapetina asked if it would make sense not to put a salt-sensitive tree there.

Powers Taylor responded that he might be over estimating the trees sensitivity to salt as this is a parking area and not a traffic or grade area that is going to want the kind of treatment to melt everything. It is basically stated in other documents that sand is going to be used. The only reservation for salt is where there are danger spots where you come up on a stop sign.

Board member Friedberg asked Mr. Taylor why from a landscape perspective do you want that tree in particular? Is there any tree of similar esthetic beauty that you could plant that would not be as sensitive to salt?

Mr. Taylor mentioned pin oaks. He said that you wouldn't want sugar maples because they are much more sensitive to salt.

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New Business:

A) Presentation/Wright Court:

Dr. Lapetina said that his only point about this situation (he mentioned that he had cited his source and that it is very well known) accordingly the C.B. preference on this planting would be that they would not put that tree in that spot.

Board member Friedberg inquired about the Board's recommendations.

Dr. Lapetina responded that he would have to give it some thought, there are a lot of Maples and some of them are less sensitive to that kind of thing than others and some are more as Mr. Taylor mentioned.

Mr. Taylor remarked that some that are less sensitive are also more invasive. He went on to say that FP Clark & Associates, consultants for the Town raised some questions about plantings that personally he did not think are at all invasive.

Board member Lapetina said that the point is that the Board would not recommend disapproval of the plan for that reason, but he thinks that there are other trees that might be better suited for the site in that spot.

Mr. Kellard explained that they would respond to the Conservation Board's concerns and look into other plantings.

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New Business:

A) Presentation/Wright Court:

Board member Shoshana Hantman noted that there would be probably be salt applied as needed depending on the weather conditions.

Mr. Kellard said that it is still being discussed with the Planning Board especially with reference to the aquifer protection area but regardless they are going to be very careful.

Board member Charles Friedberg inquired about #2, bullet #1.

Board member James Moriarty responded that it is a little difficult to apply that to a site like this because they are trying to save some of the larger specimen trees. Usually the site would be cleared and they would have to start fresh. We really cannot apply this part if the trees will not be removed. So therefore dense evergreens would be appropriate.

Mr. Taylor noted that it is not a site that lends itself to trying to design the planting primarily for energy reduction. We are faced with issues of neighbors wanting visual protection, which means that evergreens would be planted up in that area. Otherwise there would probably be nothing planted in that area. We are preserving a large Beech and Maple that are already there and they shade building 'B' location.

Board member Dr. Lapetina asked if they are going to take out the large alliantus trees?

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New Business:

A) Presentation/Wright Court:

Mr. Taylor advised that his goal is to take out the large and small alliantus trees on the entire site. Now there will be some coming into the site from neighboring sites (including Town property), but alliantus is probably one of the most invasive trees. I think that sizable trees are the best things to reduce the energy factor, and everything that we can do to save trees of real scale does a lot to help with the efficiency of the building.

Board member Friedberg noted that for the purpose of potential alternatives and not having to do this activity more than once you would give consideration to the red maple (acer rubrum).

Dr. Lapetina asked if the Bradford pears had been taken out.

Mr. Taylor responded that they had been taken off the site plan because of potential invasive matters. The consultants raised questions about spirorea.

Dr. Lapetina inquired as to who might have raised that question.

Mr. Taylor said that FP Clark & Associates consultant, someone from their organization. There were several items that they did not agree with so we took them out and used native plantings.

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New Business:

A) Presentation/Wright Court:

Ms. Hantman asked if it was possible to build a wall around the tree island so that the salt does not drain into the soil as much.

Mr. Taylor responded that there is a curb so the area is raised from the pavement. He went on to say that he really thinks that the management of this company will be very careful to use sand and the only use of the salt would be in an emergency situation.

Mr. Kellard said that it is not a big company and they are very careful about management of property.

Dr. Lapetina mentioned that owner's can change.

Mr. Kellard noted that they would be sending a memo to the Conservation Board and copying the Planning Board with reference to this meeting and what was discussed. He thanked the Board for their time and consideration.

The Board members took no further action at this time.

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New Business:

- B)** Joint Board Meeting/Discussion-Correspondence-Town Planner, Conservation Board & Planning Board/to discuss the Trailway at JFK High School with reference to the pending application before the PB for St. Joseph's Church relocation: (RD)

The Conservation Board discussed the possibility of a joint board meeting with the Planning Board with reference to the Trailway at JFK High School and the construction of the proposed St. Joseph's Church.

C.B. Secretary Ms. Davis explained to the Board that she phoned Chris Foley on Sunday and he returned the call on Monday morning. He said that he would be able to come to one of our meetings provided that the Planning Board Chair and Planning Board would have no problem with the meeting. He phoned back later in the day and said that he did not have a chance to speak to the Planning Board, but he would be able to do that in the near future.

Ms. DeLucia called back and explained that Mr. Foley could not come to our meeting on behalf of the Planning Board, but only as someone who lives in the Town. She said that she was still thinking about a joint meeting or 3 and 3 whatever works. However, she explained that if the Planning Board decides to appoint Chris as a liaison to the Conservation Board then they might allow him to attend.

Board member Dr. Edward Merker asked if Mr. Foley was going to bring it up to the Planning Board at their meeting and they would have a discussion, etc.

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New Business:

B) Joint Board Meeting/Discussion:

Ms. Davis explained that she was not told that it would be brought up at the formal meeting, but she was told that it would be discussed and they would decide whether Chris is coming by himself as a liaison to the C.B. or if there was be a meeting which would include Ms. Delucia, the Town Planner and Mr. Foley. It could be either before our meeting or a Saturday morning, etc. whatever could be arranged. Ms. Davis said that she would continue to follow-up on this situation.

Ms. Davis noted that Chris asked about the ultimate goal of the Board. She explained that it was to connect all of the various Trails in Town and use them as a resource for children and adults to bike or walk to the train, schools or the various shopping areas in town. She reiterated to the Board members that Mr. Foley said that the idea was very laudable.

A brief discussion ensued among the Board members with reference to this subject matter.

Ms. Davis noted that both Chris and Fedora asked her why the Conservation Board did not write a specific memo noting all of the important ideas relating to this endeavor. The memo sent by the Board did not go into all of the details relating to this project. However, she explained to both of them that the Board wanted to have a meeting in order to discuss the details with the Planning Board directly.

Discussion ensued among the Board members with reference to the C.B. memo, its contents, and the direction the Board would like to take on this matter.

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New Business:

B) Joint Board Meeting/Discussion:

Board member Friedberg asked in short if the Board is waiting for the Planning Board to get back to them.

Ms. Davis responded that she would stay on top of this matter until it is brought to fruition.

The Board members took no further action at this time.

C) Crecco/Correspondence-Town Engineer//Crecco Wetland Permit Application/Response to the Conservation Board//Closed Public Hearings with conditions/TM-28.17-2-16; TM-28.18-1-20; TM-28.18-1-21:

The Conservation Board reviewed the above application for Crecco wetland permit with respect to the response sent to the Conservation Board from Town Engineer Gagne. He noted in his memo that the Public Hearing had been closed and the project approved with conditions. He further stated that a copy of the Resolution would be forwarded to the Conservation Board.

C.B. Secretary Ms. Davis specified that she wanted to call the Board's attention to the fact that there was a response to the Conservation Board and open the subject matter up for discussion, if that is what the Board would like.

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New Business:

C) Crecco/WAP/Correspondence/TE:

The Board members took no further action at this time.

D) Omnipoint Communication/@ Towne Centre at Somers/Site Plan/Planning Board/Application for Environmental Permit; Wetlands Delineation Report, prepared by Vanasse Hangen Brustlin, Inc. dated November 18, 2008; A Wetlands Evaluation Letter, dated November 18, 2008, prepared by Vanasse Hangen Brustlin, Inc., describing all functions currently provided by the wetlands under review; A Hydrogeological Analysis Report with Groundwater Protection Plan, prepared by EBI Consulting dated May 22, 2007; A Site Plan prepared by On Air Engineering, LLC dated November 25, 2008, revised in accordance with the comments of the Town Planner and Town Engineer, issued June 22, 2007, and in accordance with Section 167-6A of the Town Zoning Code, titled "Planning Board Wetland Application"; the EAF was previously circulated by the ZBA as lead agency pursuant to the NYSEQRA, (#325 Rte. 100, Somers): (JM)

The Conservation Board will review the above application for Omnipoint Communication site plan, wetland delineation report, wetlands evaluation letter and hydrogeological analysis report at their next meeting.

C.B. Secretary explained to the Board members that this application involves the construction of a cell tower in the nearby shopping center (Towne Centre at Somers).

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New Business:

D) Omnipoint Communications/Site Plan:

Board member Charles Friedberg inquired about the nature of the application and was wondering if the applicants are requesting a wetland permit.

Ms. Davis responded that this application involves a site plan review and the Conservation Board is involved because the application effects the nearby wetlands and the applicant is submitting a hydrogeological report and a wetland delineation report as well as a wetland evaluation letter for our review.

Discussion ensued among the Board members with reference to the wetland activity permit that is mentioned in the subject matter forwarded to the Conservation Board.

Ms. Davis noted that there was no wetland activity permit enclosed with the application.

Board member James Moriarty will review the materials submitted, perform a site inspection of the property and give a report to the Board.

A report will be forthcoming at the next Conservation Board meeting.

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New Business:

- E)** Town Requirements for submitting an application/what documents are found in the Town Code that are required in order to constitute a proper submission: (RD/CF)

Board member Charles Friedberg inquired about the above criteria and documentation that is part of the application process and necessary for submission on every application that comes before the Boards. He asked the C.B. Secretary to get back to him at the next meeting with regards to his request.

The Board members took no further action at this time.

- F)** Conservation Board Discussion on Cell Towers that have flagpoles:
The Conservation Board members had a brief discussion on the cell towers that they have seen in the area and whether or not they look like flagpoles. The Board members agreed that if the cell tower looks like a flagpole then it should exhibit an American Flag.

The Board members took no further action at this time.

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There being no further business to discuss, a motion to adjourn was made at 9:45 PM by Board member Charles Friedberg and seconded by Board member Dr. Edward Merker. All members present approved.

The next regular meeting of the Conservation Board will be held at the Town House on December 23, 2008 at 7:30 PM.

Subsequent Conservation Board meetings are tentatively scheduled to be held at the Town House on January 13, 2008 and January 27, 2008 respectively.

Respectfully submitted,

Rosetta Davis
Secretary
Conservation Board

Cc: Town Board
Town Clerk
Town Engineer
Town Planner
Planning Board
Zoning Board
Open Space Committee
Architectural Review Advisory Board
Landmark Committee