

**CONSERVATION BOARD
MINUTES OF MEETING
JUNE 24, 2008**

The June 24, 2008 regular meeting of the Conservation Board was called to order by Chairman Gary Meixner.

Attendance: Charles Friedberg, Dr. Edward Merker,
James Moriarty, Gary Meixner

Absent: Frank Lapetina, Gloria Rosenzweig

Guests: None

Announcements:

Board member Dr. Frank Lapetina will call on Tuesday June 24th to inform of his attendance at the C.B. meeting tonight.

Dr. Lapetina phoned the C.B. Secretary and said that he would not be able to attend.

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Announcements:

Board member Gloria Rosenzweig phoned C.B. Secretary and said that she would not be able to attend the meeting tonight.

Approval of Minutes:

A motion was made by Dr. Edward Merker and seconded by James Moriarty to approve the minutes of the June 10, 2008 regular meeting of the Conservation Board. All members present approved.

Old Business:

- A)** Tamarack & Vine Subdivision/Final Subdivision Plat/Planning Board, dated September 1, 1998, revised March 31, 2005; Current Subdivision Plans dated February 11, 2003, revised December 11, 2007 Prepared by Zarecki & Associates, LLC, Encompasses 19.859 acres, Section 16.07, Block 1, Lot 1; Also – Draft Common Driveway Access & Utility Easement & Maintenance Agreement; Declaration of Drainage & Maintenance Agreement, (Lake Lincolndale/off Lakeshore Drive South/left Orange/left onto Tamarack & Vine): (GR/CF)

The Conservation Board reviewed the above Planning Board application for Tamarack and Vine Subdivision site plan at their meeting.

Board member Gloria Rosenzweig reviewed the materials submitted, performed a site inspection of the property and drafted a written report to the Board.

As Ms. Rosenzweig was not able to attend the meeting tonight she had the C.B. Secretary Ms. Davis send her report to the Board members in their packet for review. The report read as follows:

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Old Business:

A) Tamarack & Vine/Subdivision: (cont'd)

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Report:

- 1) Upon site inspection, it was noted that there are many old/large specimen trees located on the property.
- 2) Reviewing the plans submitted, they do not depict these old specimen trees.
- 3) Where the applicant proposes to build the homes on this site, there are numerous old and beautiful specimen trees. They should be made to save as many of those trees as possible.
- 4) The property is being divided into two sections, a conservation easement where there are very steep slopes and a stream, and the area where the homes are being proposed.
- 5) The proposed construction area does not contain steep slopes.
- 6) I have concern over a septic system that is near the steep slopes and stream. Where would the runoff from this feature go? Is it too close to the steep slopes and stream?
- 7) There appears to be enough footage between the proposed house sites and the wetland. All building appears to be outside the 100-ft. buffer.

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Old Business:

A) Tamarack & Vine/Subdivision: (cont'd)

- 8) The applicant is creating a wetland area on the property. What is the statistics on this feature functioning properly?
- 9) They appear to be violating a wetland buffer area to create the wetland feature on the property on lot # 5. Proposed is a wet pool; micro pool and low marsh area. They proposed to change the grade in this area. They should remain outside the wetland buffer area for all disturbances.
- 10) On lot # 2, they propose an infiltration system.
- 11) The applicant proposes individual septic and wells for this subdivision. I located these features on lots # 1 through # 4.
- 12) On lot # 5 where is the septic depicted? I could not find it.
- 13) The applicant revised the plans from a 7-lot subdivision to a 5-lot subdivision.

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The Board members discussed the plans and the report that was submitted by Ms. Rosenzweig.

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Old Business:

A) Tamarack & Vine/Subdivision: (cont'd)

Board member Charles Freidberg inquired about a tree survey showing the location of all of the trees on the property and said that as far as he can recollect there was no tree study enclosed with the materials that he saw when he was looking at the plans formerly. He went on to explain that the information submitted was very preliminary in content.

Mr. Friedberg said that he has a question about #5 which states that *the proposed construction area does not contain steep slopes* and #6 states that *there is concern over the septic system that is near the steep slopes and stream.*

Dr. Edward Merker explained that the steep slopes are in the part of the project where there is a conservation easement and the homes are being built on the other side of the property.

Chairman Meixner said that the Board could make some preliminary comments now and then follow up with a more detailed memo after we see the plans and speak to Board member Rosenzweig at the next meeting.

Board member Merker noted that on item #9 it looks like they are proposing some sort of runoff pools which is referring to the wetland feature in the wetland buffer. (i.e. they *appear to be violating a wetland buffer area to create the wetland feature on the property on lot # 5. Proposed is a wet pool; micro pool and low marsh area.*)

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Old Business:

A) Tamarack & Vine/Subdivision: (cont'd)

Board member Friedberg advised that according to Ms. Rosenzweig's report they are creating a wetland and they probably would be encroaching within the 100-ft. buffer.

Dr. Merker said that the proposed wetland feature (storm drains running into this pond) wet pool, micro pool, low marsh area to handle runoff is going to be located in the wetland buffer (according to the report by Ms. Rosenzweig).

Mr. Friedberg asked for clarification as to a wetland feature being located in the wetland buffer.

Board member Merker said that it is simple, you can have a house and you can drain it into the wetland buffer.

Ms. Rosenzweig is saying (in her report) that the house is within 100-ft. buffer said Mr. Friedberg.

Dr. Merker said, not the house; the drainage pond or pool will go into the wetland buffer; not the house but the infiltration system.

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Old Business:

A) Tamarack & Vine/Subdivision: (cont'd)

Mr. Friedberg read from the report, “*they appear to be violating a wetland buffer area to create the wetland feature on the property*”. He went on to say that maybe the Board would just need some clarification on this subject matter.

Chairman Meixner said that the Board members have reviewed the plans and we are continuing our review until the next meeting.

Board member Friedberg reiterated that there was no tree count or survey in the plans submitted. We need to clearly mark what trees are proposed to be removed and what trees are proposed to be protected.

Mr. Friedberg went on to say that lot #5 seems to be the one that has the most questions (in the report) on with the wetland buffer and the septic.

After much discussion by the Board on this application they decided to write a preliminary memo to the Planning Board stating their concerns.

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A memo (#08-34) will be sent to the Planning Board stating that the Conservation Board reviewed the above Planning Board application for Tamarack and Vine Subdivision final subdivision plat at their meeting on June 24, 2008.

The Board members reviewed the materials submitted, performed a site inspection of the property and discussed the application among them.

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Old Business:

A) Tamarack & Vine/Subdivision: (cont'd)

The C.B. has the following concerns and recommendations:

- 1) The applicant should prepare a tree survey for the property along with the topographic plan.
- 2) The Board requests identification on the proposed trees to be removed from the property.
- 3) The applicant should also identify which trees are proposed for preservation.
- 4) The Board requests that the plans clearly reflect the location of all septic systems and wells for each lot proposed for this parcel.
- 5) Clarification should be rendered for the proposed disturbance for the proposed wetland feature on the lots in question.
 - Is this feature located outside the wetland buffer, or inside?

The Conservation Board will be continuing their review of this application at their next meeting.

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The Board members took no further action at this time.

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Old Business:

- B)** Granite Springs Realty, LLC/Site Plan/Planning Board, Project Plan (5 Sheets) dated November 14, 2007, revised May 29, 2008, Revised Drainage Calculations, Prepared by Bibbo Associates, LLP (Tomahawk Street near Granite Grill): (GR)

The Conservation Board reviewed the above Planning Board application for Granite Springs Realty, LLC site plan at their meeting.

Board member Gloria Rosenzweig reviewed the materials submitted, performed a site inspection of the property formerly and drafted a written report to the Board.

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Report:

- 1) This is the site of the proposed Day Care Center.
- 2) It appears that the applicant has incorporated additional drainage features on the plan.
- 3) The applicant did not change the location of the building and parking area as was suggested by this Board.
- 4) The revision appears to be that the applicant added an additional page to depict stop signs, traffic control, silt management, etc.

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Chairman Meixner and Charles Friedberg discussed item #3 with reference to the suggestion made by the Board and safety issues for the children who would be traversing the parking area to get to the playground portion of the property.

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Old Business:

B) Granite Springs Realty, LLC/SP: (cont'd)

Dr. Edward Merker explained that it was not in the purview of the Conservation Board and therefore the issue should not be of major concern to the C.B.

After some discussion on Granite Springs Realty and the report forwarded by Board member Rosenzweig the Conservation Board members decided there was no comment at this time.

The Board members took no further action at this time.

C) Meichner Subdivision/Construction Plan/Planning Board, Integrated Plot Plan, Profiles & Details, Tree Plan and 30 Scale Construction Plan, Smith Road Improvement Plan dated August 23, 2007, revised April 24, 2008, Stormwater Pollution Prevention Plan Prepared by Bibbo Associates, LLP, Also – Declaration of Restrictive Covenant Smith Lane Maintenance Agreement, (Warren Street to Smith Lane): (JM)

The Conservation Board reviewed the above Planning Board application for Meichner Subdivision construction plan at their meeting.

Board member James Moriarty reviewed the materials submitted, and discussed the application with the Board members.

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Old Business:

C) Meichner Subdivision: (cont'd)

Mr. Moriarty explained that he was reviewing the plans for his own information and updating on the project. Chairman Meixner he noted had given his report at the last meeting.

The Board took no further action at this time.

D) Saint Luke's Church/Site Plan/Planning Board, Application for Site Plan Approval dated May 27, 2008, Architectural (A-1) thru (A-5) Electrical (E-1) dated April 20, 2008, Prepared by Sammel Architecture, PLLC, Renovate classrooms- three to five – landing and steps, request waiver of deed restrictions requirement due to limitations of site work, (Rte. 100/near the Elephant Hotel): (JM/EM/GM)

The Conservation Board reviewed the above Planning Board application for Saint Luke's Church site plan at their meeting.

Board member James Moriarty reviewed the materials submitted, performed a site inspection of the property and gave a verbal report to the Board.

Mr. Moriarty noted that most of the proposed activity would be going on inside the structure of the Church and there would be steps built on the outside.

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Old Business:

D) St. Luke's Church/SP: (cont'd)

Board member Moriarty informed the Board members that it was generally a flat area with no clearing or drainage issues visible. He also mentioned that there were no environmental concerns that he noticed during his review.

After a brief discussion the Board members decided to write a memo to the Planning Board stating that they have no comment at this time.

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A memo (#08-35) will be sent to the Planning Board stating that the Conservation Board reviewed the above Planning Board application for Saint Luke's Church at their meeting on June 24, 2008.

The Board members reviewed the materials submitted, performed a site inspection of the property and discussed the application among them.

The C.B. has the following concerns and recommendations:

- 1) The Board members have no environmental concerns regarding the proposed alterations in the plans submitted and dated as noted above.
- 2) The proposed activity is taking place in a flat area with no clearing or drainage issues.

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Old Business:

D) St. Luke's Church/SP: (cont'd)

The Board members took no further action at this time.

E) Memo from PB Secretary/Marilyn Murphy dated June 2, 2008 to the Conservation Board/re: Site Walk for June 21, 2008, weather permitting. Walkers to leave Somers Town House at 9:00 AM: (GR/CF)

9:10 AM *Tamarack & Vine* *Final Conservation Subdivision and Wetland Permit (TM-16.07-1-1) Application of Michael Gyory for Property located on the westerly side Of Lovell Street for a 7-lot Conservation Subdivision.*

The Conservation Board members were not able to attend the Planning Board site walk scheduled for June 21st. They have performed their own site inspection of the property.

New Business:

A) Granite Springs Realty, LLC/Site Plan/Planning Board, Project Plan (5-Sheets) dated November 14, 2007, revised June 18, 2008 Prepared by Bibbo Associates, LLP (Tomahawk Street/near Granite Grill Rte. 118):
(GM)

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New Business:

A) Granite Springs Realty, LLC/SP: (cont'd)

The Conservation Board will review the above Planning Board application for Granite Springs Realty, LLC site plan at their next meeting.

Chairman Gary Meixner will review the materials submitted, perform a site inspection of the property and give a report to the Board.

The Conservation Board members took a minute to review the site plans to see where the revisions took place.

Board member Dr. Edward Merker mentioned that the application includes a speed bump and a bus stop as well as concrete/Belgian block curbing as suggested by the Town Engineer.

Chairman Meixner commented that there should not be Belgian block curbing at these commercial sites due to the environmental concerns regarding the migrating turtles/reptiles in our area. He explained that this feature is noted in the state codes.

Mr. Meixner went on to say that former member John Behler was an advocate for turtles and reptiles and he always had the C.B. stay on top of this situation so that Somers would be reptile-friendly.

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New Business:

A) Granite Springs Realty, LLC/SP: (cont'd)

Chairman Meixner noted that there was also Belgian block curbing at Best Plumbing and they said that they were asked to install it. However, he opined that it should not be there.

Chairman Meixner said that he would speak to the Town Engineer about this application.

The Board took no further action at this time.

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

B) Granite Springs Realty, LLC/Site Plan/Planning Board, Response to Comments from the June 11, 2008 Planning Board meeting; i.e. Board and Public, Town Engineer, Town Planner (Tomahawk Street/near Granite Grill Rte. 118): (GM)

The Conservation Board will review the above Planning Board application for Granite Springs Realty, LLC site plan at their next meeting.

Chairman Gary Meixner will review the materials submitted, discuss the application with the Town Engineer and give a report to the Board.

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

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New Business:

- C)** Papasidero/Steep Slope Alteration Permit Application/Planning Board, Site Plan for New Driveway S-1; Stormwater System Details & Retaining Wall Details S-2, dated March 11, 2008, Prepared by Marchetti Consulting Engineers; Section 17.13, Block 2, Lot 2 (#28 Wilner Road/North side of Wilner Road/220-ft. from intersection David Road):
(CF)

The Conservation Board will review the above Planning Board application for Papasidero steep slope alteration permit site plan at their meeting.

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

Discussion ensued among the Board members with reference to the above application and what was necessary for the review.

Mr. Friedberg asked how he would get to this parcel if he wanted to go there and visit the site tonight.

Chairman Meixner said that he should follow Rte. 202 towards Lincolnale and Wilner would be on his right near Brick Hill Road on his left.

Board member Friedberg discussed preparing the report, speaking to the Town Engineer and dropping off the application in the mailbox for pickup. He explained that he would email the report to the C.B. secretary before July 6, 2008 and leave the plan in his mailbox on that date also.

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New Business:

C) Papasidero/SSAP: (cont'd)

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

There being no further business to discuss, a motion to adjourn was made at 8:45 PM by Board member Dr. Edward Merker and seconded by Board member James Moriarty. All members present approved.

The next regular meeting of the Conservation Board will be held at the Town House on July 8, 2008 at 7:30 PM.

Subsequent Conservation Board meetings are tentatively scheduled to be held at the Town House on July 22, 2008 and August 12, 2008 respectively.

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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