

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

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

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

Absent: None

Guests: None

Announcements:

Board member Dr. Edward Merker informed the Conservation Board that he would not be able to attend the next meeting (9-23-08), although he may arrive late.

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Approval of Minutes:

The Conservation Board members tabled approval of the minutes for the regular meeting on August 26, 2008 until the next meeting as requested by C.B. Secretary Ms. Davis. All members present approved.

Old Business:

- A)** Planning Board/Site Walk/September 20, 2008 (weather permitting): (CF)
9:10AM *Mitchell Prel. Subdvsn & Steep Slopes Permit
TM-16.09-1-9/Application of Gary Mitchell for property
located on West side of Tomahawk St. for proposed 4-lot
subdivision, three are new building lots, one existing lot.*

Board member Charles Friedberg volunteered to go on the Planning Board site walk for the Mitchell Preliminary Subdivision and Steep Slopes Permit on September 20th.

The C.B. Secretary noted that Board member James Moriarty had performed a site inspection of the Mitchell property for the C.B. and had given a report previously and the Board sent a memo to the Planning Board at that time.

Board member Charles Friedberg requested that a copy of the information concerning this application be emailed to him before the site inspection.

The Board took no further action on this application at this time.

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Old Business:

- B)** Stonewall Builders/Lot Line Change/Lot Line Adjustment Plan dated July 30, 2007, revised May 15, 2008, Prepared by Bibbo Associates, LLP; Wetland Buffer Planting Plan (requested by the CB) dated March 13, 2008 Prepared by Pouder Design Group, (South side Stonewall Drive, Intersection of Cottage Place): (FL)
Conservation Board member Dr. Frank Lapetina informed the Board members that he briefly reviewed the above materials on Stonewall Builders lot line change and adjustment plan since the last meeting.

Board member Friedberg asked if this application was reviewed at a previous meeting.

Dr. Lapetina responded that the Conservation Board had sent the plan back to the Planning Board and requested a copy of the planting plan because we had no information on what the applicant was going to plant.

Dr. Merker asked if they had looked at the plan last time.

Board member Lapetina responded in the negative.

Dr. Lapetina said that for informational purposes this is one of the better plans that the Conservation Board has reviewed with reference to trees and shrubs. He went on to explain that the hole that the tree is placed in should be three times the size of the root ball (that is the rule) and the trunk flare should never be below ground level, it should actually be a little bit above it.

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Old Business:

B) Stonewall Builders/Lot Line: (cont'd)

Board member Lapetina went on to say that the only thing that is a little questionable (although they might be taking it into consideration) is the fact that the fill area of amended soil should not be dramatically different than the native soil. This is due to the fact that when the roots grow if they run into a different soil they will have a hard time growing and that is when they begin to die. One of the important things that the applicant mentioned is that they will cut the burlap and cut the wire on the ball and burlap, which is very important.

Dr. Lapetina went on to say that the applicant listed all of the trees and shrubs that they propose to plant. He advised that the trees are good choices for the most part. There are only two things that I do not recommend planting, neither of which are trees, one is Forsythia and the other is the American Holly.

Board member Gloria Rosenzweig asked why?

Board member Lapetina responded that the Forsythia is an overused bush that blooms in the spring but beyond that point is not really adaptive for pruning. He continued his response saying that there are a lot of other Holly's that are better than this one. For the most part the applicant chose trees and shrubs that do well in moist soil and wetland areas, which is a good thing as this property abuts the wetland buffer.

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Old Business:

B) Stonewall Builders/Lot Line: (cont'd)

Dr. Lapetina said that this is a good plan. Some of the trees grow very large. The applicant is putting in Serviceberry trees (common name), which is a delightful tree. In general he said that it is a good landscape plan with appropriate choices for the site.

Does the C.B. have a comment on this one said Mr. Friedberg?

Board member Lapetina responded that the C.B. had asked to see a copy of the planting plan and that is why it was submitted to the Board.

Board member Rosenzweig asked for clarification on the information provided on the plans.

Board member Lapetina responded that the applicant is showing the size of the root ball on the trees and that they are all equal.

Ms. Rosenzweig questioned another feature on the plan.

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Old Business:

B) Stonewall Builders/Lot Line: (cont'd)

Dr. Lapetina specified that what she was looking at was the size of the hole for planting the tree. The size of the hole is supposed to be three times the size of the root ball and that is what the applicant depicts on the plans. He explained that that is the rule of thumb for any tree or shrub that you are trying to plant.

Board member Lapetina went on to say that any new soil should be thoroughly mixed with the original soil so that the roots will continue to grow otherwise the tree/shrub would have a hard time adapting to the soil.

The Board members took no further action at this time.

C) Best Plumbing Supply/Application for Amended Special Exception Use Permit/Lead Agency Town Board, Amended Site Improvement Plan dated February 1, 2008, revised March 24, 2008, Site Improvements within the Residence R-80 District and Groundwater Protection Overlay District, Relocate 8 parking spaces; Remove 4239 sq.ft. asphalt paving; Install 3844 sq.ft. asphalt paving; Remove 10,000 gal. underground fuel tank; Install concrete curbing in parking lot; Install Geo-block pavers at truck turn around; Install landscape screening at generator and transformer area, (#49 Rte. 138/across from JFK High School): (JM)

The Conservation Board will review the above Planning Board application for Best Plumbing Supply, amended special exception use permit and amended site improvement plan at their next meeting.

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Old Business:

C) Best Plumbing Supply: (cont'd)

A discussion ensued among the Board members with reference to this project and the former concerns and comments made by the Conservation Board.

Board member James Moriarty noted that there were issues with the curbing for the dumpster especially relating to the stormwater runoff that would be exacerbated. He also mentioned that the C.B. wanted the applicant to pave the area where the Geo Blocks were proposed, but they had responded that there was no more room for pavement. Mr. Moriarty suggested that the applicant should do what they had done in the other similar areas.

Board member Moriarty explained that he spoke to the applicant's engineer and he said that the Town Engineer made mention to leave the area alone.

Originally, the Conservation Board was concerned about the use of the Geo Block with reference to leakage of the trucks and they wanted the Geo Blocks replaced with paving. However, Mr. Moriarty noted that he was told that it was a square foot issue and the applicant cannot install any more pavement on the site.

Board member Charles Friedberg noted that if the Town Engineer said no, then how should the C.B. proceed?

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Old Business:

C) Best Plumbing Supply: (cont'd)

Chairman Meixner opined that the C.B. could reiterate their concern over this situation again, if that is what they want to do and give the applicant the same recommendation.

Board member Moriarty explained that in the northwest portion of new construction in front of the showroom and pick up area (where the trucks park) near the showroom and pickup counter is where the problem exists.

Chairman Meixner said that he would call the Assistant Engineer Steve Woelfle and ask why the applicant does not want to change this feature based on the C.B. recommendations.

Chairman Meixner suggested an email to Town Engineer Gagne reiterating our former memo regarding Best Plumbing Supply and asking why the applicant's engineer said that he was advised to skip the C.B. recommendations. However, he stressed the fact that first he would call Mr. Woelfle and find out why the applicant is being told this information.

Chairman Meixner directed C.B. Secretary Ms. Davis to write a memo from the Board stating our concern and attaching a copy of our previous memo.

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Old Business:

C) Best Plumbing Supply: (cont'd)

After much discussion on the matter the Conservation Board members decided to send a memo reiterating their concerns regarding this application (memo #08-30 should be attached).

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A memo (#08-45) will be sent to the Town Engineer stating the Conservation Board reviewed the above Planning Board application for Best Plumbing Supply at their meeting on September 9, 2008.

The Board members were concerned over the recent discovery that the applicant's Engineer was advised to not replace the Geo Block with pavement in the area in front of the building near the showroom and pick-up area where trucks are being parked.

By copy of this letter, the Board requests clarification on this matter. Attached please find a copy of our memo #08-30 for your information.

Attachment (CB Memo #08-30):

The Conservation Board reviewed the above Planning Board application for Best Plumbing Supply site plan, amended site improvement plan at their meeting on June 10, 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:

C) Best Plumbing Supply: (cont'd)

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

- 1) The site contains a 20-yard Dumpster and the C.B. site inspection showed that there was no curbing located behind the Dumpster and it was sitting on a pitched area.
 - The applicant should correct these features.

- 2) At the proposed site for the geo-block pavement there were two 50-gallon trucks parked there upon site inspection.
 - If trucks are to be parked in this location in the future then the C.B. recommends that the applicant should consider paving the area.
 - There is always the possibility that these trucks could leak hydraulic fuel and this property is adjacent to the reservoir.

- 3) All areas on the site that will be used for trucks to turn around should be paved to prevent leakage to underground water supply and the reservoir.

- 4) The applicant should use extreme caution while removing the 10,000-gallon underground fuel tank located on the property.

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Old Business:

C) Best Plumbing Supply: (cont'd)

The Conservation Board will continue to review the Best Plumbing Supply site plan as revisions are submitted.

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Board member James Moriarty will review the materials submitted and give a report to the Board. He performed a site inspection of the property previously on June 2, 2008.

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

The Board members took no further action at this time.

D) Oskow-Schoenbrod/Wetland Activity Permit Application/Site Plan & Noted, dated October 29, 2007, revised July 18, 2008, Stone retaining wall (18" tall) for fill holdback at extended driveway), Prepared by Lennon & Witt Architects, Section 26.19, Block 1, Lot 4, (#2552 Quaker Church Road): (FL)

The Conservation Board reviewed the above Planning Board application for Oskow-Schoenbrod wetland activity permit, site plan at their meeting.

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Old Business:

D) Oskow-Schoenbrod/WAP: (cont'd)

Board member Dr. Frank Lapetina informed the members that he reviewed the information provided and did not find any additional information or revisions that needed to be addressed.

The Board member took no further action at this time.

New Business:

- A) BVS Acquisition Co., LLC/(aka Bank of America: fka Commerce Bank); Site Plan/Planning Board, Preliminary Drawings Sheets C1-C13 dated March 12, 2008, revised July 30, 2008 Prepared by Bohler Engineering; Boundary & Topographic Survey dated April 6, 2007, revised May 1, 2008 Prepared by Control Point Associates, Inc.; Exterior Elevation/Finish Plan dated August 26, 2008 Prepared by Whidden Silver, Inc.; Sign Drawing dated July 18, 2008 Prepared by East Coast Sign Advertising, (#80/Rte. 6, Baldwin Place Mall): (JM)**
The Conservation Board will review the above Planning Board application for BVS Acquisition Co., LLC at their next meeting.

Discussion ensued among the Board members with reference to this application and any possible revisions to the plan submitted.

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New Business:

A) BVS Acquisition Co. LLC: (cont'd)

Dr. Lapetina mentioned that after some discussion regarding the subject application with the administrative review them it appears that there was nothing different concerning the purview of the C.B. save the change in the buildings exterior brick.

Board member Dr. Merker noted that there seemed to be a change in the footprint of the building.

Board member James Moriarty said that he 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.

B) Alexan Somers Woods/Conceptual Site Plan & EAF/Planning Board, Sheet 17.15, Block 1, Lots 15.1, Applicant is seeking a petition to a Zoning Map Amendment for the expansion of the existing NS District to encompass a portion of the site; Approval of a Preliminary Development Concept Plan under the MFR-H District; Expansion of the Heritage Hills Sewer and Water Districts, Subject Site is 26.68 acres in size, undeveloped and located in the R-40 & R-80 Districts, (Rtes. 100 (west side) & 202 (south side),in Hamlet): (JM/GR/GM)

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New Business:

B) Alexan Somers Woods/Conceptual SP: (cont'd)

The Conservation Board will review the above Planning Board application for Alexan Somers Woods conceptual site plan and EAF at their next meeting.

A discussion ensued among the Board members with reference to the proposed application. They spoke about the plan with reference to the proposed cell tower in the Somerstown Shopping Centre and the proposed hook-up to Heritage Hills sewer and water as well as wetland buffer issues and the proposed change to the entranceway for the shopping center.

Chairman Meixner commented that he thought that the Town was going to eliminate the existing entrance to the Shopping Center and place a new one where this application is proposed which will be across from the entrance to Heritage Hills. He explained that this change would enable the traffic (from the Shopping Center) to be controlled by a traffic light instead of the way that it is right now, which is dangerous.

The Board members discussed the plans submitted and noted that there was a proposed Grocery Store on the plan.

Board member Merker inquired about the ownership of Heritage Hills Sewer and Water (which is proposed to be used by this development).

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New Business:

B) Alexan Somers Woods/Conceptual SP: (cont'd)

Dr. Lapetina noted that Heritage Hills owns the facility, however he mentioned that they would like the Town to take over the ownership.

Dr. Merker noted that affordable housing is proposed and asked for a definition of affordable.

Board member Moriarty said that 'affordable' is 80% of the median income level of the County.

Board member Charles Friedberg advised that it looked like there was a steep slope on the plan right in the middle of the proposed construction activity.

Chairman Meixner said that he recalls last project that was proposed for that site and there were a lot of wetlands in the area now proposed for construction.

Board member Merker noted that the application said that water could be provided on site or from Heritage Hills.

Chairman Meixner responded that we know there is enough water (the aquifer is below the property), it is the septic that would be a problem.

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New Business:

B) Alexan Somers Woods/Conceptual SP: (cont'd)

Dr. Merker said, so this property is located over the main aquifer for the Town.

Board member Lapetina asked about the zoning for the area is it R-40 or R-80?

Chairman Meixner responded that they want it rezoned to NS (Neighborhood Shopping) with some Residential.

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

Board member Gloria Rosenzweig and Chairman Meixner will also review this application at the same time, if it is at all possible.

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

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There being no further business to discuss, a motion to adjourn was made at 9:30 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 September 23, 2008 at 7:30 PM.

Subsequent Conservation Board meetings are tentatively scheduled to be held at the Town House on October 14, 2008 and October 28, 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