

**TOWN OF SOMERS
CONSERVATION BOARD
MINUTES OF MEETING
SEPTEMBER 8, 2009**

The September 8, 2009 regular meeting of the Conservation Board was called to order by Chairman Gary Meixner.

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

Absent: Dr. Edward Merker

Guests: None

Announcements:

Board member Dr. Edward Merker emailed C.B. Secretary Ms. Davis to inform her that he would not be able to attend the meeting tonight.

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Announcements:

Board member Charles Friedberg asked C.B. Secretary Ms. Davis to find out when his term to be on the Conservation Board expires.

Board member Dr. Frank Lapetina informed C.B. Secretary Ms. Davis that he might not be able to attend the meeting on September 22. He said that he would email Ms. Davis to let her know.

Chairman Gary Meixner informed C.B. Secretary Ms. Davis that he might not be able to attend the meeting on September 22. He said that he would phone Ms. Davis and let her know.

Approval of Minutes:

A motion was made by Charles Friedberg and seconded by Dr. Frank Lapetina to approve the minutes of the August 25, 2009 regular meeting of the Conservation Board. All members present approved.

Old Business:

- A)** Dedication of Trailway or Area to former member John L. Behler/Board member Dr. Merker to contact Open Space Committee/Michael Barnhart
- Update: (EM)

The Conservation Board members discussed the proposed dedication of a Trailway or area in the Anglefly Preserve to former Board member John L. Behler at their meeting.

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Old Business:

A) Dedication/Trailway/JLB:

C.B. Secretary Ms. Davis informed the Board members that Dr. Merker was not able to make the meeting tonight and asked her to let the Board members know that he spoke to Michael Barnhart of the Open Space Committee. Mr. Barnhart assured him that he would look into the situation for him.

Discussion ensued among the Board members with reference to naming trails and the Open Space Committee and they decided that they would like to hear from Dr. Merker at the next meeting.

As the Board members had some questions with reference to who is in charge of handling the naming of the trails, etc. this item will be tabled until the next meeting of the Board.

C.B. Secretary Ms. Davis said that she would email Dr. Merker to let him know about the questions the Board has with reference to this endeavor.

Chairman Meixner tabled discussion of this matter until the next meeting.

The Board members took no further action at this time.

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Old Business:

- B)** Discussion Conservation Board/Letter from Town Planner/Hull to Deputy Commissioner Buroughs AICP dated July 14, 2009/re: Mahopac Branch Trailway & JFK High School Campus/Update: (EM)

The Conservation Board members discussed the above referenced memo from the Town Planner to Deputy Commissioner Buroughs at their meeting.

C.B. Secretary Ms. Davis informed the Board that Dr. Merker was able to speak with someone from the JFK High School, but the New York State DEC had not gotten back to him to date.

This item will be tabled until the next meeting of the Board.

The Board members took no further action at this time.

- C)** Conservation Board Budget 2010/Prepare for Finance Office/six copies; Chairman Meixner-signature/& submit to Finance Department:

C.B. Secretary Ms. Davis informed the Board members that the Conservation Board budget for 2010 was signed by Chairman Meixner and handed in to the Finance Department along with six copies as requested. She explained that the C.B. homework on that item has been completed.

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Old Business:

C) C.B. Budget/2010:

Board member Gloria Rosenzweig asked if the copy she received (in her packet) had been revised.

Ms. Davis responded that the revised copy was handed out tonight and she could provide Ms. Rosenzweig with a copy for her review.

The Board members took no further action at this time.

D) Omnipoint Communications @ Towne Centre/Site Plan/Planning Board, Cover letter dated 8-3/8-6-09, R. Gaudio of Snyder & Snyder & 7-10-09 letter On Air Engineering, Sheet Z-1 to Z-7 dated 8-21-08, revised 7-10-09, Prepared by On Air Engineering LL, (Rte. 100 Towne Centre): (GR)
The Conservation Board reviewed the above Planning Board application for Omnipoint Communications @ Towne Centre site plan at their meeting.

Board member Gloria Rosenzweig reviewed the materials submitted and gave a report to the Board.

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Old Business:

D) Omnipoint Communications:

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Report:

- Board member Rosenzweig informed the Board that this application was for a cell tower to be constructed near the Somers Towne Centre utilizing the corner of the existing parking lot.
- Ms. Rosenzweig advised that there were a few things that have been changed by the applicant in the current revision of plans.
- She explained that the applicants have decided that they will not use the proposed location for the cell tower that is closer to Rte. 100. Instead, she informed the Board that the original location on the other side of the parking lot in the wetland buffer area was now the agreed upon site that they would be using to construct the cell tower.
- Board member Rosenzweig noted that this site on the edge of the parking area (original site) is located totally within the wetland buffer area (100%). It appears that the applicants may be attempting to minimize disturbance by using the parking lot.
- Ms. Rosenzweig explained that the applicant noted in their plans that they would not be removing any trees in the proposed location of the cell tower.

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Old Business:

D) Omnipoint Communications:

Chairman Meixner commented that he thought that the town allowed them to work in the wetland buffer area providing they use only hand tools and no heavy equipment.

Board member Rosenzweig advised the Board that the documentation does not mention the use of hand tools in the letter she reviewed.

- Ms. Rosenzweig continued her report and specified that the applicant is incorporating the addition of numerous plantings for the site.
- She also mentioned that the applicant has stated that the proposed cell tower location would be far enough away from the Church and School so as not to cause any impacts or problems.

Chairman Meixner inquired about the helicopter landing area and asked if that was noted in the paperwork.

Ms. Rosenzweig responded that it was not mentioned in the information she reviewed.

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Old Business:

D) Omnipoint Communications:

- Board member Rosenzweig informed the Board that the applicant would provide six antennas on the tower, thus enabling it to service six co-users, two of which are Omnipoint and AT & T/Cingular.

Board member Dr. Lapetina advised the members that Cingular is now AT & T and not Cingular anymore.

- Ms. Rosenzweig went on to say that the applicants are going to be removing four parking spots in the far corner of the existing lot.

Dr. Lapetina commented that he did not think that it was necessary to take out the parking areas (in the original application). He mentioned that when he looked at the application everything was going to be on the other side.

Chairman Meixner specified that the applicant probably moved it over due to the proximity of the wetland area.

- Ms. Rosenzweig read in the paperwork provided that the applicant was intending to give a one-time donation to the Town for offsite wetland mitigation measures in the amount of \$1045.00.

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Old Business:

D) Omnipoint Communications:

- The applicant gave a breakdown of what the proposed costs would be to construct an infiltration system for wetland mitigation. Ms. Rosenzweig advised that there is a cul-tech contract to C plus standard storage chamber for \$150.00; 5 cubic yards of crushed stone \$275.00; filter fabric \$20.00; labor \$600.00.

Board member Friedberg pointed out that the problem is concern for the damage to the environment (not the dollar figure).

Dr. Lapetina said that apparently this is a Planning Board revision because that is the notation.

Mr. Friedberg said that has nothing to do with the donation for the infiltration system as it pertains to us.

Ms. Rosenzweig specified that as it pertains to the C.B. the structure currently remains located in the wetland buffer zone.

Board member Shoshana Hantman asked for clarification from Board member Gloria Rosenzweig with reference to the conditions.

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Old Business:

D) Omnipoint Communications:

- Ms. Rosenzweig said that the document states, “*as discussed at the Planning Board meeting T-Mobile would not object to a condition of approval whereby T-Mobile made a one time \$1045.00 donation to the Town of Somers. This would be for the Town’s off-site wetland mitigation efforts in lieu of T-Mobiles installation of an infiltration system at the site.*”

Ms. Hantman mentioned that the C.B. does not know what the Planning Board said to the applicant.

Board member Friedberg advised that the applicant should clarify the location of the cell tower.

Dr. Lapetina referenced the fact that the revised plans show the existing parking lot to be utilized. He went on to say that the applicants have to provide a maintenance plan before they can obtain a permit.

Discussion ensued among the Board members with reference to the location of the cell tower and the off-site wetland mitigation methods.

- Board member Gloria Rosenzweig read from the document provided by the applicant, which states that the project is located within the Groundwater Protection Overlay District.

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Old Business:

D) Omnipoint Communications:

Board member Lapetina mentioned that the Board was cognizant of the fact that the tower would be located in the Groundwater Protection Overlay District. He commented that the facts have not changed.

- Ms. Rosenzweig went on to read from the documents provided stating that the visual impact would be to the areas south and west of the property.

Board member Friedberg noted that there should be some clarification from the applicant regarding the one time payment, especially in light of the proposed wetland mitigation being located somewhere off-site.

Chairman Meixner agreed with Mr. Friedberg. He felt that there should be clarification of the one time payment.

Mr. Friedberg asked what is the payment in lieu of?

Dr. Lapetina said that he does not know the particulars of why they are proposing the one time payment or why they felt it was better to have the erosion mitigation done on an alternate site.

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Old Business:

D) Omnipoint Communications:

Ms. Rosenzweig wanted to know if this action would allow the applicant to not have to maintain the property.

The Board members discussed the application and they were wondering why the Planning Board decided that mitigation of this site was not required. They also were wondering if the Planning Board would be obtaining a second cost estimate other than the one provided to them by the applicant.

- Board member Rosenzweig noted that the applicant did a good job with the new plantings, however she commented that they are still located in the wetland buffer zone.

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Ms. Davis inquired about one of the comments found in a C.B. memo, which references the spacing of the Douglas firs around the base of the tower (they seem crowded).

Board member Lapetina replied that the applicant did revise the plans to show more spacing between the trees to be planted. He went on to say that they even changed the selection of trees for the site and made them more amenable than previous plans.

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Old Business:

D) Omnipoint Communications:

Board member Friedberg read from the Planning Board Minutes dated June 10, 2009 page 16, line 22 to 26.

“Town Engineer Gagne agreed (with Mr. Keane) that the impervious surfaces have not been replaced but are small in relation to the scope of the project. He opined that with plantings, trees and wood mulch there is adequate mitigation but that determination is up to the Board. He said that he does not see an impact from the concrete slab in the wetland buffer.”

Board member Dr. Frank Lapetina read from the Planning Board Minutes dated June 24, 2009 page 11, line 23 to 30 (the Chair asked him to summarize his memo).

“Town Engineer Gagne said he asked that landscaping be provided to screen the pole, say 20 to 25-ft. high trees and that has been partially addressed. He requested that screening be provided for the east view and depicted on the Wetland Buffer Mitigation Plan and Detail Z-6 and add the words “Landscape Plan”. Town Engineer Gagne said that additional mitigation could be offered to further reduce the potential impact of impervious surfaces by the installation of an infiltration system incorporated in the gravel compound area.”

Dr. Lapetina continued to read from the Planning Board Minutes dated June 24, 2009 page 11, line 32 to 36.

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Old Business:

D) Omnipoint Communications:

“Attorney Gaudioso said that there is approximately 150-square feet of impervious surface in the wetland buffer pertaining to a stormwater detention pond. He indicated that a mitigation plan was submitted based on comments of the Town’s consultants. He asked if the Board wants revised plans to show an infiltration system.”

Dr. Lapetina resumed reading from the Planning Board Minutes of June 24, 2009 page 11 and 12, line 38 to 40, 1 to 5 and 7 to 9.

“Mr. Keane suggested that mitigation be performed at another site. He noted that there is a 112 sq.ft. pad, the monopole pad and disturbance to 300 sq.ft. of grassed area. He noted that rather than infiltration mitigation, implement off-site mitigation. Mr. Keane explained that a donation to do the work would be provided by the applicant. He noted that the Town has certain MS4 requirements that it has to meet. Mr. Keane proposed a site at 6 Van Rensselaer Road that has a significant erosion gully.”

“Attorney Gaudioso said that the applicant can provide a donation to the town in lieu of mitigation on site and the Town Highway Department will do the work.”

Discussion ensued among the Board members with reference to the pending cell tower application and the off-site wetland mitigation proposed by Mr. Keane.

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Old Business:

D) Omnipoint Communications:

Mr. Friedberg noted that the Planning Board did not go along with Mr. Gagne's original suggestions and he was wondering why.

Dr. Lapetina remarked that the applicant is merely following the direction of the Planning Board members and the Town Engineer.

Board member Friedberg said that is where the number \$1045.00 came from for the 'donation' to the town.

Discussion ensued among the Board members with reference to this application and the contents of a memo to be sent to the Planning Board.

Board member Gloria Rosenzweig discussed the Town Engineers statement in the Planning Board Minutes of June 24, 2009 page 11, lines 23 to 30 as stated formerly (in this document) by Board member Lapetina regarding the *"screening of the pole, say 20 to 25-ft. high trees . . . additional mitigation could be offered to further reduce the potential impact of impervious surfaces by the installation of an infiltration system incorporated in the gravel compound area."*

Board member Friedberg noted that the applicant is not going to be able to screen above 25-ft. high trees and the infiltration system proposed for this property was proposed to be changed by Planning Board member Mr. Keane after Town Engineer Gagne said that it was not needed on this site.

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Old Business:

D) Omnipoint Communications:

After much discussion on the matter the Board members decided to write a memo to the Planning Board stating their concerns.

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A memo (#09-33) will be sent to the Planning Board stating that the Conservation Board reviewed the above Planning Board application for Omnipoint Communications @ Towne Centre, site plan at their meeting on September 8, 2009.

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 are requesting clarification on the Planning Board's recommendation for off-site mitigation by the applicant.
 - Why is mitigation being recommended on an alternate site when this site is located in a wetland buffer area?

- 2) The Board would also like clarification on the recommended cost of this proposed mitigation.
 - Perhaps there should there be a second estimate obtained by an outside agency.

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Old Business:

D) Omnipoint Communications:

- 3) The Board members request clarification on the proposed location of this cell tower as it appears both locations are being considered at this time.
 - Has the Planning Board determined a definite location for the proposed cell tower?
 - Is that location the preference of the Planning Board? Why?

The Conservation Board looks forward to a response, which will help us to clarify exactly what is proposed for this site by the applicant and more importantly what the Planning Board recommends and the reasons why.

The Board members will continue to review the site plans for Omnipoint Communications @ Towne Centre as revisions are submitted.

The Board members took no further action at this time.

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Old Business:

- E)** Nash-Cohn/Lot Line Change/Preliminary Subdivision Plat/Planning Board, dated February 10, 2009, revised June 4, 2009, TM-27.10-1-20.1 & 20.3, Prepared by Badey & Watson Surveying & Engineering, PC, (#5 Two Penny Lane/#82 Lake Road): (GM)

The Conservation Board reviewed the above Planning Board application for Nash-Cohn lot line change, preliminary subdivision plat at their meeting.

Chairman Gary Meixner reviewed the materials submitted and gave a report to the Board.

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Report:

- Chairman Meixner informed the Board that this application involves a lot line change that is proposed by the applicants.
- Mr. Meixner explained that there are two existing sheds located on the property that are closer than they should be for the 200-ft. frontage requirement for this property; noting that the sheds are non-conforming with the lot line.

Board member Dr. Lapetina added non-conforming from the property line.

- Chairman Meixner informed the Board members that the applicants had to go before the Zoning Board of Appeals to get approval for their proposed application.

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Old Business:

E) Nash/Cohn/lot line:

- Mr. Meixner advised that the Zoning Board approved this application and now and it is back before the Planning Board for their approval.

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The Board members took no further action at this time.

F) St. Joseph's Church/JFK High School/Site Plan/Planning Board dated August 13, 2009, TS-Title Sheet dated 8-13-09; SP & Zoning table dated 8-11-09; Church & Parking layout plan; Sport Field 1 & 2; Fire Access road plan & profile; Steep Slopes 25% & greater, tree plan 1-4; Church garage driveway profile, wall elevations & sections; Details 1-3; Onsite wastewater treatment, SP, Layout plan, Details; Steep Slopes, wetlands & wetlands buffer map; Steel hydrologic map; Site distance analysis; Proposed Stormwater management C/1-3; Sediment & erosion control plan C/4-6; Stormwater management details C/7-10; Watershed map-existing condition, pre/post; Church parking lot, planting plan/planting details & notes; Stormwater pollution prevention plan & drainage analysis; Other-Letter from D. Cackovic to PB, 8-13-09, (Rte. 138/across from Best Plumbing): (EM)

The Conservation Board will review the above Planning Board application for St. Joseph's Church/JFK High School, site plan at their next meeting.

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Old Business:

F) St. Joseph's Church/JFK High School:

Board member Dr. Edward Merker will review the materials submitted and give a report to the Board.

Chairman Meixner and the Board members tabled this item.

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

The Board took no further action at this time.

- G) Wright's Court/formerly Barlow Ct./Hallic Pl./Site Plan Planning Board dated August 17, 2009, Landscape Plan 8-14-09; Redesign exterior façade 8-24-09/added mech. Room 7-24-07, Building A-1, A-2 & B; Existing conditions plan; Aerial Neighborhood Plan, Site Layout Plan; Site grading & utilities plan; Sediment & Erosion Control Plan; Driveway Profiles & Sediment & erosion control details; Construction Details, drainage & sight line profiles; Construction details; Sediment, Erosion & Construction sequencing notes, Prepared by Kellard Sessions Consulting PC, (Scott Drive/off Rte.100): (CF)**
The Conservation Board will review the above Planning Board application for Wright's Court site plan at their next meeting.

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Old Business:

G) Wright's Court/SP:

Board member Charles Friedberg will review the materials submitted and give a report to the Board.

Mr. Friedberg asked that this item be tabled while he prepares a report.

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

The Board members took no further action at this time.

New Business:

A) Chefalas/Steep Slope Alteration Permit/Administrative/Site Plan dated August 18, 2009, Sheet 6.11, Block 1, Lot 13, Applicants propose to construct a retaining wall, Prepared by OPS Associates, LLC, (#214 Briarwood Drive): (FL)

The Conservation Board reviewed the above administrative application for Chefalas steep slope alteration permit, site plan at their meeting.

Board member Dr. Frank Lapetina reviewed the materials submitted, attended an administrative application meeting and gave a report to the Board.

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New Business:

A) Chefalas/SSAP:

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Report:

- Dr. Lapetina informed the Board that the application is located in Greenbriar and that the applicants had the approval for an addition to the house granted previously.
- At this time the applicants are applying for a steep slope alteration permit he said. They are proposing to rebuild the retaining wall, which is located in the steep slope area of their property (in back).
- He advised the Board that the old retaining wall happens to be too close to the house and the new addition, which has been built. They want to move the wall back.
- Dr. Lapetina informed the Board that as it appears in the Code if the steep slope area is less than 10,000 sq.ft. than the application is administrative. This application is for approximately 8,000 ft.

Chairman Meixner asked how high the retaining wall is going to be and whether or not these buildings are Condos.

Board member Rosenzweig responded that they are not Condos.

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New Business:

A) Chefalas/SSAP:

Dr. Lapetina agreed with Ms. Rosenzweig and said that the proposed retaining wall is not going to be very high. The adjoining areas are not nearly as steep as this area he said.

- Board member Lapetina explained that the applicants are not disturbing the entire area, they are cutting into a small piece of the steep slope and he showed the area on the map. He noted that the entire area of steep slope is 8,650 ft.

C.B. Secretary Ms. Davis asked for some clarification on the matter.

Board member Friedberg said that it is not the disturbed area that is greater than 10,000 sq.ft., it is the steep slope itself that is not greater than 10,000 sq.ft.

- Dr. Lapetina agreed with Mr. Friedberg's explanation and went on to say that the applicant is removing a very small portion of the hillside in order to construct this retaining wall.

Ms. Rosenzweig inquired as to which house on the plan is the applicant's home.

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New Business:

A) Chefalas/SSAP:

- Board member Lapetina showed her on the plans provided. He explained that the existing railroad tie wall is very close to the new addition (that is already approved and constructed).

Board member Hantman asked Dr. Lapetina how the applicant got approval for the addition with the wall being so close to the new structure.

C.B. Secretary Ms. Davis responded that the applicant should have done an application to move the retaining wall at the same time, it would have been all one application, but he neglected to do that at the same time.

- Dr. Lapetina agreed. He went on to say that the applicant would install a unilock wall and he showed the Board members a picture of the wall. He explained that the wall itself is not going to be very high.

Chairman Meixner added that it would be 50" high (as per the notation on the plans submitted).

- Board member Lapetina agreed and said 4-ft. (for the benefit of the C.B. Secretary's question).

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New Business:

A) Chefalas/SSAP:

Chairman Meixner suggested that there should probably be a fence along the topside of the wall so that no one goes up there.

Dr. Lapetina commented that it would be difficult to go on the hillside there.

Chairman Meixner clarified his statement by saying on top of the wall so that no one would fall from the wall.

Board member Lapetina responded that the steep slopes are too high and no one would be able to come from the other side.

- Dr. Lapetina continued his report stating that his comment at the administrative application meeting was that the applicant should plant ground cover above the wall area on the steep slopes.

Board member Lapetina mentioned that he was not initially aware of that feature in the Town Code (regarding 10,000 sq.ft. of steep slopes) and he thought it was interesting.

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New Business:

A) Chefalas/SSAP:

Chairman Meixner said that he does not understand how the applicant can come in after the fact and do an addition. He mentioned that Heritage Hills could not do that.

Dr. Lapetina said that Greenbriar is different from Heritage Hills.

Board member Rosenzweig added that it is not a Condo, Greenbriar has a Homeowners Association.

Chairman Meixner asked if there were any comments from any of the other homeowners in the area.

- Dr. Lapetina responded no there were no comments from the neighbors. He went on to explain that the addition is already there, if we said no, the wall would stay the way it is, but now it is a done deal.

Board member Lapetina commented that he thinks that what is being proposed will be an improvement over what is there now. He noted that he did a site inspection of the property and that was his first thought.

Board member Shoshana asked what is unilock?

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New Business:

A) Chefalas/SSAP:

Dr. Lapetina responded that they are stones that lock into each other and they make a nice looking wall.

- Dr. Lapetina in summation advised the Board members that the applicants are removing the retaining wall and improving the retaining wall. He reiterated that the comment he made is that the applicant should plant ground cover in the steep slope area.

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The Board members took no further action at this time.

**B) Homeland Towers, LLC & New Cingular Wireless PCS LLC (AT&T)/Notice of SEQRA Action/Zoning Board of Appeals-Notice of Intent to act as Lead Agency; Site Location-Photo Log-Viewshed Composite Map; Applicant seeking special exception use permit and area variances application to construct a Public Utility Wireless Telecommunications Facility, 140-ft. monopole with 12 small panel antennas together with related equipment at base thereof in R-80 Residential District; EAF, (# 121 Rte. 100 Somers):
(JM)**

The Conservation Board will review the above Zoning Board application for Homeland Towers, LLC & New Cingular Wireless PCS LLC (AT&T) Notice of SEQRA Action at their next meeting.

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New Business:

B) Homeland Towers/ZBA:

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

Discussion ensued between Chairman Meixner and Board member Gloria Rosenzweig with reference to the location of the tower and visual impact to the neighbors.

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

C) Memo from Town Engineer/Gagne to Town Board dated August 27, 2009/re: Proposed Amendment to Town Code for Erosion Control Measures & Site Plan Submittals:

The Conservation Board acknowledges receipt of the above memo sent to the Town Board from Town Engineer Gagne regarding the C.B. proposed amendment to the Town Code for erosion control measures and site plan submittals.

Ms. Davis pointed out that Town Engineer Gagne is not in agreement with the memo sent by the Conservation Board to the Town Board. Therefore it is up to the C.B. to further explain themselves to the Town Board in order to convince them of the necessity of the recommended action.

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New Business:

C) Code changes/TE Memo:

Discussion ensued among the Board members with reference to the Town Engineer's memo of August 27 in which he states that he is not in agreement with the Conservation Board request to amend the Town Code.

Board member Moriarty commented that one merely has to drive around Somers to see that the current standards are not holding up and it appears that it is difficult to keep up on the enforcement of this continuing problem. Therefore, if the town adopted stronger erosion control measures then in all likelihood the town would not be experiencing such problems.

After much review and discussion of the subject matter the Conservation Board decided to write a memo to the Town Board explaining their point of view and why they recommended changes to the Code.

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A memo (#09-34) will be sent to the Town Board stating that the Conservation Board reviewed the above memo from Town Engineer Gagne dated August 27, 2009 to the Town Board at their meeting on July 14, 2009.

The Board members discussed their request for a change in the Town Code and they decided after reading the Town Engineers memo that explanations were in order.

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New Business:

C) Code changes/TE Memo:

The Conservation Board members unanimously agree with their memo #09-25 dated June 17, 2009 and continues to recommend the changes to the Code as explained in this memo.

The C.B. has the following recommendations/reasons for changes to the Code:

EROSION CONTROL:

- 1) All applications should have **silt fencing made from steel posts with welded wire mesh backing and heavy fabric materials for overlay** (in place of standard black plastic with wood stakes).
 - This is due to the fact that sites in town are having erosion control failure, as they are not able to provide adequate erosion control.
 - One site in particular is located at Rte. 116 and Deans Bridge Road.

SITE PLAN SUBMITTALS:

- 1) All applications should have **grade change marking that are noted in red lines for clarity** (as opposed to standard matching colors).

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New Business:

D) Code changes/TE Memo:

- This addition would make the review process easier for the volunteer Boards, at present it can be very confusing.
- There are too many lines on an application and they are all the same color-black. There is no distinction whatsoever.
- As an example, one Town that currently requires this red marking is Greenburgh.

The Conservation Board members are tenacious in their request to have these two inclusions made part of the Town Code.

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 9:00 PM by Board member Charles Friedberg and seconded by Board member Shoshana Hantman. All members present approved.

The next regular meeting of the Conservation Board will be held at the Town House on September 22, 2009 at 7:30 PM.

Subsequent Conservation Board meetings are tentatively scheduled to be held at the Town House on October 13, 2009 and October 27, 2009 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