

Conservation Commission
Town of Southeast
One Main Street
Brewster, NY 10509

**Minutes from the meeting of
August 23, 2005**

Approval of July 2005 Minutes – The minutes are unanimously approved.

Turk Hill East - Mr. John Watson is representing this project tonight. A small portion of the common driveway, a small portion of a swale, and a third of a stormwater basin and the outlet of the basin are in the 133-foot buffer. The stormwater basin will be a deterrent, preventing the future homeowner from encroaching on the wetland area. The driveway was moved into the buffer based on a Planing Board Request to use the existing bar-way. Mr. Hauser notes that even though the driveway has been moved into the buffer, there will be less disturbance than if there was grading and fill to accommodate a driveway outside the buffer. There will be 740 CY of fill and 240 CY of excavated material. The total amount of disturbance in the buffer is 4/10 of an acre.

All necessary submissions have been made. Ms. Anthony makes a motion to notice the application complete. Mr. Hauser seconds the motion. All are in favor.

Quinn Subdivision – This is a 43.5 acre parcel. A portion of the common driveway, a portion of an individual driveway, and an infiltration area for stormwater will be within the extended buffer. Beth Evans has delineated the local wetlands and it has extended slightly in one area that may cause a slight increase of disturbance at the common driveway. The remaining disturbance is the same. All information has been received and a new map reflecting the local wetlands will be submitted.

Ms. Tiernan makes a motion to notice the application complete. Ms. Anthony seconds the motion. All are in favor.

High Meadow Farm – Mr. Harry Nichols Jr., P.E. is present. Chairman Fasano has two issues he would like to have addressed. One is the road crossing. The other is the proposed leaching pits. An access road and driveways will be constructed across the watercourse and wetland as well as some construction in the buffer area. There is less than a tenth of an acre of wetland disturbance where the actual crossing takes place. There are 1.67 acres of buffer disturbance. The crossing has been made at the wetlands narrowest point. From the previous application the disturbance has been reduced significantly.

Subject to receipt of the stormwater management report, including the leach pit designs the application will be noticed complete. Ms. Anthony makes a motion to notice the application complete subject to the receipt of the information. Mr. Langley seconds the motion. All are in favor.

Baker Subdivision – This 5 lot subdivision has been referred by the planning board due to an outlet pipe that was proposed to be placed in the buffer. The outlet pipe has been removed from the buffer, so no permit is needed from this board. There is absolutely no disturbance in the wetland or the buffer. A letter will be sent to the Planning Board reflecting the Board's determination.

Baroody – A letter was submitted to this Board from the Shelbourne's stating that this property is located in a flood plain. Mr. Nichols states that this is in direct reference to the Shelbourne property. The Board and Mr. Nichols review the Town of Southeast's flood maps and find that the Baroody property is not in the flood plain.

Mr. Nichols has submitted a new application and map depicting the single lot layout. The summary of disturbed areas is listed. A comparison of the disturbance between a 2 lot development and a one lot development was done. There is about a 35% decrease in disturbance in combining the lots.

Mr. Fasano wants a letter from Cynthia Garcia of the New York DEP stating that they will approve this project based on the fact that the absorption field is not within 100 feet of a watercourse or state wetland.

Gair/Welles Outdoor Riding Arena at 100 Nelson Blvd. - Chairman Fasano reads, to the board, a letter from the applicant's attorney regarding the Agricultural District. **SEE ATTACHED LETTER.**

Town Attorney Stephens has received a copy of this letter and in preliminary conversation with Chairman Fasano concurs with the letter.

The Boardmembers are not in agreement with this letter. There will be followup on this regarding the wording of the law and a letter will be addressed to Town Counsel. Mr. Hauser states that the only way that this is not a violation is if there is a specific clause stating that fill can be brought in.