

**Philipstown Conservation Advisory Committee  
Town Hall, 238 Main Street, Cold Spring, New York 10516  
May 12, 2009**

The CAC held its regular meeting on Tuesday, May 12, 2009 at the Town Hall. Mr. Lind opened the meeting at 7:30 p.m.

**Present:** David Klotzle (Wetland Inspector)  
Eric Lind (Acting Chairperson)  
Michael Leonard  
Andy Galler  
Lou Kingsley  
Mark Galezo

**Absent:** M.J Martin  
Bob Repetto

Mr. Lind told the members that he and Mr. Rhodes had met down at the marsh and discussed different options on how to construct the boardwalk.

Mr. Coleman went over the revised proposed plan. He discussed the removal of the invasive species. He said that after looking over everything he felt that it made more sense to remove the invasive plants by mechanical means and not the beetles that were discussed at the last meeting. He said that native plants would be added to the wetland. He said the same design would be used on the boardwalk as the one located at Constitution Marsh.

It was discussed how the helical piers would be placed.

Mr. Rhodes said that the tops of the helical anchors have a bracket that is three inches by seven inches. He said that they would be using ACQ (Alkaline Copper Quaternary) instead of the cumaru for the structure for the beams underneath. He said that the ACQ is better than the CCA (Copper Chronic arsenic).He said that it is non toxic.

Mr. Galezo said that they needed to be careful with the use of the ACQ and metal, because it is known to dissolve a lot of metals in less than a year. He said that they would need to separate it with a mechanical membrane such as rubber.

The members and Mr. Rhodes discussed the way that the boardwalk would be constructed. They also started to discuss the type of wood that would be used for the project.

Mr. Lind said that there are domestic certification programs that can be used. He told Mr. Rhodes and Mr. Coleman that he thought it was named Smart Wood.

Mr. Rhodes asked if it was FSC (Forrest Stewardship Council).

Mr. Lind said that it might not be FSC, but is a very similar program, but more for domestic products.

Mr. Galler asked why a plastic composite compound could not be used

Mr. Lind said that he thought the plastic could not bear the loads.

Mr. Galezo said that he did not think they could either.

Mr. Galler asked what size the cross beams were.

Mr. Coleman answered two by eights.

Mr. Galler said that they should be able to use locust. He said that it could bear the load and it was very environmentally friendly. He also said that the locust would not rot.

Mr. Lind said that he felt the key would be an objective third party certification.

Mr. Lind asked if Mr. Klotzle knew what the ACQ stuff was.

Mr. Klotzle said that he had heard of it and he believed that it was used on the Golf Course bridge.

The members and Mr. Rhodes discussed different ideas on what type of wood to use.

Mr. Lind said that he was not sure about using the ACQ, because he did not know enough about the chemical being used.

Mr. Rhodes said that he would look into using another type of wood. He asked if there were any objections to using the pressure treated woods.

Mr. Lind said that he would have no objection to that if information could be found that it was safe on the wetland.

Mr. Galler asked if the decking was going to be stained.

Mr. Rhodes said no.

Mr. Lind said that he wanted more information about the wood that would be used. He told Mr. Rhodes that he would be fine with a third party certified treated wood.

Mr. Klotzle asked about the railings.

Mr. Rhodes said that he did not need them, because it was no higher than eighteen inches above grade.

Ms. Andress said that she spoke with the Building Inspector and asked if Mr. Rhodes had been in to speak with him. She said that Mr. Monroe told her no.

Mr. Rhodes said he did not speak with him.

Ms. Andress reminded the members that they had not yet made a decision on how high they were going to require the boardwalk to be. She said that after that decision was made then it would be more clear what type of railing would be needed. She said that Mr. Monroe told her that even if it was under the twenty-four inches above grade, because of the length, the location being over a stream and wetland, and the fact that the walkway was going to be used for an elderly woman he would still require a handrail on at least one side. She told Mr. Rhodes that Mr. Monroe said that having no lighting was also an issue.

Mr. Rhodes said that he was going to have fiber optic lighting running under the boardwalk.

Mr. Klotzle instructed Mr. Rhodes to speak with Mr. Monroe, because the boardwalk goes over a stream that can be very active, and for safety reasons will want handrails put in place.

The CAC members discussed the height of the boardwalk. They all agreed that eighteen inches would be fine.

Mr. Lind asked if there were any flood issues.

Mr. Coleman said he did not think so.

It was discussed about putting the handrails in the more dangerous areas of the boardwalk, and not having to go the entire boardwalk.

Mr. Rhodes said he would go and speak with the Building Inspector.

Mr. Lind said that eighteen inches would be fine, and it would need to be noted in the permit that a third party certified wood be used on the boardwalk. Mr. Lind said that a winter maintenance plan and a construction narrative would need to be submitted as well.

Mr. Rhodes asked when the CAC thought the best time to do the work would be.

Mr. Klotzle said he did not think it was going to harden.

Mr. Lind did not think that work in this wetland would disrupt wildlife.

Mr. Kingsley said that there might be some yellows nesting in the shrubs.

Mr. Coleman suggested doing the work after July 15, 2009.

The members agreed that was a good idea.

Mr. Coleman asked if the CAC would want a performance bond.

Mr. Klotzle said yes.

Mr. Rhodes asked if a letter could be written to the BOH saying that the permit was going to be granted.

Mr. Lind said that he saw no problem writing a letter to the BOH saying that the CAC did not see any problems with the property.

Mr. Klotzle said that the BOH will not move forward if they do not receive anything solid, such as a permit.

The members discussed granting a permit with all the conditions in place.

Mr. Klotzle said that he could issue the permit before the next meeting only if the information was given to him needed to complete the permit.

Mr. Rhodes said that they would stake the wetland buffer as well.

Mr. Klotzle said that the wetland would need to remain flagged for the entire project.

Mr. Snyder asked Mr. Klotzle the type of seed mix that the CAC would like to see placed in the buffer of the septic area.

Mr. Klotzle said that standard North East Meadow mix would be fine.

Mr. Lind if there was a plan for that.

Mr. Snyder said yes, and he would need to specify the meadow mix on the plan, because it showed a generic seed mix being used.

Mr. Rhodes asked if eight copies needed to be submitted.

Mr. Klotzle said that only two would be needed.

Mr. Klotzle said he would write up the permit and send it to the other members for their approval when all the information is in front of him.

**Rossouw, H.J.  
15 Ox Yoke Rd.**

**TM#90.8-2-6**

**WL-**

Mr. Lind explained to Mr. Rossouw that they met with the Town Engineer. He told Mr. Rossouw that a report had been issued by him. Mr. Lind said that he felt the recommendations were good ones.

Mr. Klotzle said that if he were to follow the recommendations of the Town Engineer, then the plans would need to change. He told Mr. Rossouw that he called Mr. Bellusico and spoke to him about the changes. He told Mr. Rossouw that he sent everything off in the mail to Mr. Bellusico. Mr. Klotzle said that one of the things that would need to be changed would be that the diverted stream would have to come along the side of Ox Yoke Rd. He said that the plan that had been submitted showed the stream being put in a pipe. He said that the engineer recommended that it be kept open. He said that the reason for that would be because it is more natural and another reason would be that it picks up over the surface drainage and protects the road. He said that Mr. Bellusico mentioned that since it is still a stream and if not placed in a pipe as it comes down along the road it becomes one hundred feet from the septic field, and that would put Mr. Rossouw at square one again.

Mr. Rossouw said that what would be most sufficient would be to take a twenty-four inch pipe and slice it in half with a saw and put several links so that it would be an open drain and not go along the road. He said that if it goes along the road it would open him to all sorts of litigation according to his lawyer. He then explained the best way he felt that the stream should be ran.

Mr. Klotzle explained the BOH rules that needed to be followed pertaining to septic and streams. He told Mr. Rossouw that the engineer also suggested that the pipe along his neighbors' driveway where the hemlock trees are located needed to be left open or enlarged to two feet.

Mr. Lind said that it would have to be closed because of the septic.

Mr. Rossouw said that not much water runs from that area.

Mr. Klotzle said that every time he has been on the property he has seen water coming from that location. He said that it is now probably the dry season now.

Mr. Rossouw said that he dug a three foot deep trench. He said that he found subterranean water and put a pipe in, because he wanted Mr. Bellusico and the BOH to see it.

Mr. Klotzle said that the town engineer suggested that the pipe be larger.

Mr. Rossouw said that it was unnecessary to do that. He said that there was not a sufficient amount of water to require that.

Mr. Klotzle told Mr. Rossouw that he could not debate that, because this is what the Towns Engineer has suggested be done. He told Mr. Rossouw that he would send him the report as well.

Mr. Rossouw said that the problem putting in a larger pipe would be that there would not be enough water running through it to keep the pipe clean.

Mr. Klotzle said that he is going to let this be between the two engineers.

Mr. Lind agreed and said that the engineers will need to come up with a decision and get back to the CAC with their conclusion.

Mr. Rossouw said that he would talk to Mr. Bellusico.

Mr. Klotzle said that they would get in contact again when Mr. Bellusico had a chance to review the things that he sent.

**Garrison Station Plaza**

**TM# 60.17-1-7**

**PBR**

Mr. Snyder said that he was not sure why this got put on the agenda.

Mr. Klotzle said that he put it on the agenda to remind the CAC to talk about it. He said that since that time he learned that they may be changing the use, but still felt it was worth talking about.

Mr. Klotzle said that the Planning Board was considering new information.

Mr. Snyder said that as far as he knew it was still two floors of office space and an apartment.

Mr. Klotzle said that they inspected the site and had opinions about the septic, and said that was the only reason it was on.

Mr. Snyder said that he would go over the septic information that he had.

Mr. Lind said that the CAC would only be looking at the septic and thought that it would be very helpful if Mr. Snyder would give any information he had about it.

Mr. Snyder said that an alternative septic system was going to be proposed. He said that it was called Enviroguard. He said that this system was used in the Putnam County Septic Repair Program. He said that this system would be used for surface discharge to the Hudson River. He told the members that they had done some testing with the BOH, and it was suggested the surface discharge because the soils are not good. He said the existing septic system is only a tank with no fields. He said that they have submitted applications to the BOH and the DEC. He said that a flow confirmation letter had been received from the BOH that verified the proposed design. He said that is all the information he had, and was not sure what the projects status was with the Planning Board, because Mr. Watson had been handling things.

Mr. Lind asked if there were any further comments.

Mr. Snyder said that the unit that was going to be placed could handle more than what would be required of it. He said that it would have a seasonal disinfection requirement, and for the ease of maintenance would be disinfected all year with a UV filter. He explained how the UV filter worked.

The members agreed that it was a very good system.

Mr. Galezo asked who was going to be putting the system in.

Mr. Snyder said Mr. Polhemus. He told them that the installation of the system would be overseen by the company Consolidated Treatment Systems. He said that once a contractor has installed three of them, then they become certified to install the system.

The CAC thanked Mr. Snyder for the information.

**Therapeutic Equestrian Center  
Stone Crop Corp Route 301**

**TM#**

**PBR**

Mr. Snyder showed a Post Development Drainage Map. He explained how the project was going to drain.

The members looked over the plan.

Mr. Lind said that if they get a referral from the Planning Board, then they could take a further look and give advice.

**Wassil  
64 Crest Rd.**

**TM# 17.-2-40**

**WL-**

Mr. Klotzle said that this application was put on as a reminder. He said that they have been trying to get a permit for years. He explained to the members that the Planning Board was going to require them to improve the road to build their house. He said that when the CAC was the WAC that they had been granted a permit for entrance into the far distant side of the lot over some old farm earth dams. He said that they neglected to renew it, and they are now before the CAC. He said that he thought that they should build on the west side of the property towards Esselbourne Rd. He said that he felt that would cause less damage. He said a new set of plans were drawn up and everything was all set, but now the BOH has asked to have the septic placed in a different area. He explained that in order to do the new test holes for the septic that they would need to cross the wetland. He said that he spoke to Mr. Bellusico about the project. He said that Mr. Bellusico sent a letter saying that he was going to propose going in with a mini rubber tracked excavator. He explained to the members where the excavator would need to go in order to do the test holes.

The members discussed the best way to cross the streams. They discussed the proposed plan more.

Mr. Klotzle said that he had asked Mr. Wassil why he did not call by November 1, 2008. He told the members that Mr. Wassil said because he was just given this information a month ago. He said that it is a state wetland, and that there is a tremendous amount of neighbor pressure opposing this piece of property, and is causing the BOH to be very scrupulous about the project.

Mr. Galler asked if the deep holes should be dug by hand.

Mr. Kingsley said that deep holes could not be dug by hand.

Mr. Lind said that the driveway has been approved and did not think that this was a big issue.



Mr. Klotzle said that they could issue a letter of permission.

Mr. Galler asked if the area of the stream they want to cross were located on the southern end of the property.

Mr. Klotzle said yes.

Mr. Galler asked if it was suggested that they use a blasting mat.

The members discussed how the stream would need to be crossed.

Mr. Lind said that he did not think a permit was needed, but would get a letter of permission if a comfortable plan was in place.

It was asked if Mr. Klotzle would be on site during the project.

Mr. Klotzle said that he would be out there on the day they would be crossing.

Mr. Klotzle said that he would contact Mr. Bellusico to get more information, and then get the information out to the members.

**Approve December 2008 Minutes.**

Mr. Lind made a motion to approve the minutes. Mr. Galezo seconded. All were in favor.

**Adjournment:**

Mr. Lind made a motion to adjourn. Mr. Galezo seconded. All were in favor. The meeting closed at 9:35 p.m.

Respectfully Yours,

Tina Andress- Landolfi

Note: These minutes were prepared for the Town Of Philipstown Conservation Advisory Committee and are subject to review, comment, and approval thereupon.

