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**A P P E A R A N C E S:**

In Re:

TOWN OF NORTH SALEM

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WARREN J. LUCAS, SUPERVISOR

June 14, 2011

8:00 P.M.

STEPHEN J. BOBOLIA

MARY ELIZABETH REEVE

AMY ROSMARIN

PETER D. KAMENSTEIN, DEPUTY SUPERVISOR

ROLAND A. BARONI, TOWN ATTORNEY

VERONICA E. HOWLEY, TOWN CLERK

TOWN BOARD MEETING held at 266 Titicus Road, North Salem, New  
York before a Notary Public of the State of New York.

JEANNINE M. TARALLO  
105 Sunfish Landing  
Mohegan Lake, New York 10547  
(914) 393-0228

THE SUPERVISOR: We'll start off the meeting with comments from the public about the Environmental Impact Statement, DGEIS, Comprehensive Plan. It's been out on the website now for a month or so, I don't know exactly how long. And this is part of a process, SEQRA Quality Review Act. It's a process we go through before everything gets adopted. We have a lot more meetings after this evening that we're going to go through. The County just came back with some of their comments. I did not get the letter but at the presentation that they gave internally they were actually fairly supportive. I say fairly, when I get all of the words back in the letter we'll figure it out. It was noticed in the newspaper and I guess we can open the public hearing. So what I would ask --we have someone --we have Jeannine doing the stenography, the reason we do that is to capture everything. We usually don't do that, but if we need a transcript later on things people said she'll transcribe it. If I can open the public hearing and if you want to talk there is a microphone up here, the camera is in the back behind us, it does not move so feel free to face whatever direction you like. If you're loud enough you will be picked up by the microphone. We'll open the public hearing. John can I ask you to state your name. John was the head of Comprehensive Planning Committee, he's been working on this for the last couple of years.

MR. JOHN WHITE: Two years we worked on it and set a very, very aggressive schedule. And right now I think if I looked at the original schedule and where we are today, we are about 6 months behind which is amazing but it's also very helpful because if we stayed on the original schedule, what I am going to ask tonight could not be done. We actually put in the plan that we saw, a very strong need to include the 2010 census. And that data wasn't available last year so the timing of this is perfect. And usually we -this is a 25 year update and census is every 10 years so it really wouldn't have been useful to complete a plan, consider it polished and put to bed and really capture everything if we didn't include that census. I also want to introduce Vince Ferrandino, the planner, so Vince can interrupt me and question me. We went back and forth for many months between the planners and ourselves, and what was the growth. And how many houses did we need and many households are in town and the bottom line is we didn't have the answer until the census was done. So we left a postmark in 7.2.3 in the plan that said we wanted to update these numbers and now that we have it and we also made sure that Vince has it in his contract to do that piece of it. So I think we're circling around here very nicely. I also want to highlight --as you read

through the plan there is a lot of data and information that looks like it's from the census but the census as many of you have seen if you received it, there is very little data that they captured. If you live in town, how old are you and the race you are. All the rest of the data, on economics, on household size is done in the America Family Survey --Community Survey and that is a sampling of 1 in 300 people today. So the old data was included in the census so it was pretty accurate but as we go forward they only sample 1 in 300 and in a town of our size that is not statistically valid. So I caution when we jumping on other things that that is not the pieces we're going to update. But I do want to highlight that the population age is significant in what we do and how many seniors we have and how we plan facilities in the town and how many young people we have. That is important in the census. The diversity is very important. And as we know there are Suits down county that impact us on diversity. And what was very very significant in this last census is that we have changed our mix in town. We used to be 95.4 percent Caucasian or white. And this last census has us as 88.4 percent. This is a major shift and it's really unique to North Salem and a few other towns. But it moves us out of that very --we are

no longer in the bottom tier of the least diversity and that is a significant item that he want to make sure that we capture. I went through the plan and I certainly don't want to go through and spend the time on the record here today to go through all of details on the plan. But there are basically two sections that need to be updated one is the demographic section, 3.0, and there's tables in there on 3.1 on population, and 3.2 on age, and 3.3 and 3.5. And Vince and anybody that reads it will see that is the case. And it's easy to sought on because all you have to look for is the 2000 census and realize we now have 2010 census. And then the demographic section 3.0 has also has a backup, an appendix, appendix C. So in that case there is about 9 instances referring to 2000 data. Some of which will be updated and some of it wont, depending on the usefulness.

The second section which is housing. And in housing we go through the same kind of issue. Not so much in the housing data, because we did a very complete analysis of the housing data looking at every single sales price and stuff, but looking at growth projections, of what the growth was anticipated to be. And not to our total surprise but to the surprise of all of the other people that literally graph where

we go and where we're going, we had no growth in North Salem over the last 10 years. And this does impact when we start calculating affordable need because you look at what is the increase in the number of households in the town and what percent of those is income constrained. So if we aren't growing and in fact we're actually shrinking we have some capacity within our existing base that may be even smaller than what we forecasted. And I see Vince is agreeing.

The other item that I wanted to highlight is that section on housing also has an appendix which also has the detail behind, so we need to make sure we update that. But all in all this is a great story in that we kind of knew what the data was but to have the Federal Government complete the census and have us to utilize it and memorialize it will help us polish this diamond and make us hold our head high as we share our vision. That is it.

MS. AMY ROSMARIN: Thank you, John, for all of your work.

MR. ROLAND BARONI: Before you open it up to the public perhaps for the record you can just ask Ronnie where ever she is there to make sure you have the affidavit of publication, the

affidavit of posting and whether or not you have any comments that you received.

MS. VERONICA HOWLEY: I have no comments.

MR. ROLAND BARONI: You have comments from the County, do you not?

MS. VERONICA HOWLEY: Not yet they haven't come in yet.

THE SUPERVISOR: They had the meeting last week, they did not send the comments up yet.

MR. ROLAND BARONI: Just the power point they sent.

MR. JOHN WHITE: They shared the power point with me that they presented to the Westchester County Planning Board and at that meeting they then discussed our plan. And you saw on the last page of the power point they really supported the things we were doing on open space, they supported our zoning, they supported our County. Even on the Mountain Lake Camp wanting to work with us on the pool. Work with us on the traffic in

Croton Falls. All of the words in there were very, very supportive. So they know —

THE SUPERVISOR: Give Roland a copy of that. I did tell him the meeting was the 14th. And I told them if they needed more time to let me know. They did say they were meeting on the 7th. I have not gotten anything else from them. I expect I probably will.

MR. ROLAND BARONI: Well, even if you close the public hearing tonight you can keep the comment period open to give them time.

MS. VERONICA HOWLEY: That's what I told them when they asked me. I said it's normally 10 days after the hearing and they said that would be fine.

THE SUPERVISOR: I only mention this because if you go back to 1984 some of the folks worked on the last comprehensive plan, the master plan and the zoning in '87, we have we had some issues --I don't want to say with the County but there were some disagreements in some of the approaches and things and we started meeting last year. Peter and myself and John went down there for some meetings and



we went through 4 meetings with them on the plan to make sure they actually understood what we were doing. There were some minor changes that they had requested that we made. There were some things about affordable housing that they suggested and some of the things we argued and a couple of things we tweaked a little bit. But the good part about is we finally came to the point where we put the document out last year, there was some disagreement down in county and they --we actually got --John and I --and I want to thank John also for that, Westchester Housing, housing opportunity, we had some issues with some of the folks there also. So I have to tell you the relationship we have with the County right now and what they perceive as a master plan, the drafts and stuff, as far as I can see there is no down side to any specific things. They have some comments, but the words we got back on every item was support, support, support, support. So I want to thank John and everyone else that is involved in the work. We are ready right now with the DGEIS. It's a public hearing. We are going to keep the comment period open for 10 days. What I am going to try to do also as well as you I am going to type occasionally so I actually get the gist of some of the issues and comments so we can go back and take a 13 look at changes and things of that nature. I don't know how many people want to talk or ask questions. I guess the easiest

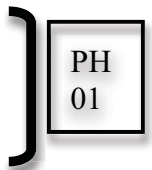
approach is just raise your hand, give us your name so we know who is talking even if we know you. Peter, you have to say Peter Bliss or whoever is out there. And just make sure you talk into the mike I guess is the best approach so we hear you on tape. This is on --it is on the --if you go to the town website [www.northsalemny.org](http://www.northsalemny.org) and you click on the current meeting and agenda you can see this, it's 15 second delayed on line. So with that I will ask for anybody's comments.

MR. TOMEI: Joe Tomei, and I just have a couple -

THE SUPERVISOR: Can you quickly spell that.

MR. TOMEI: T-O-M-E-I. The dark sky policy, how does that effect an average North Salem resident.

THE SUPERVISOR: Again, now this is -so what we have right now is a master plan which gives us some guidance. There is no zoning yet, the zoning is in the future. Let me just give you my comments and we can -unless Peter wants to jump in. What we have, we have --I get calls from a lot of people, not a lot, I probably got 3 or 4 phonecalls this year. Not a lot but, it's every couple of months



that people call me but it's usually lights that are shining in people's yards. I have people that have actually gone out and purchased halogen lights over their homes and they are on all night long and the neighbors have problems with some of those. And we really don't have any legislation or anything that allows us to go out and address that, you cannot have anything over this illumination, you cannot be shining lights directly into your neighbor's bedrooms. Those types of things apply to homes on typically much smaller lots. If I wanted to pick an area it would be the area next to Peach Lake so a lot of those types of comments. But the ones where I have the NICID lights that are renting for 20 bucks a month and that is in other areas of the town too. It's not going to be something that we're going to come back and say you can't have lights in your house that is not what this is about, this is really to try to protect people from --I don't want to say neighbors but people in the community that go completely overboard.

MS. AMY ROSMARIN: It's about being respectful to your neighbors.

MR. TOMEI: Like if I have a tennis court or I have a bocce

court and at night you wanted to play a game of tennis or a game of bocce is the town going to be able to send over the police officer and say you have to shut that light down.

MR. PETER KAMENSTEIN: This is really just an idea in principle, okay, that we would like to maintain a rural atmosphere of the town and not have lights which would be disruptive to your neighbors but --first of all, it has to not been formulated down to the degree that you're talking about. It has not been formulated at all. It's an idea in principle. No, the town is not going to come in and say you cannot have a lighted tennis court at night or bowling alley, that is not the objective. It's not --the objective is 16 not to take away your use of your property, it's just to try and maintain an atmosphere that conforms to the type of town that we are.

THE SUPERVISOR: We have not codified this. What is in the master plan is just kind of a vision, this has to go back into a zoning ordinance to get very specific. This section says this. I will give you an example, we are doing a subdivision and those types of lights were going in or street lights were going in and we may suggest shading on the lights, so they go down opposed to every one around the neighborhood can see

them. So those are the types of things that might end up in that section of the zoning ordinance, The Dark Sky. Obviously were are not telling you have to turn your lights off or you cannot use your property that is not the intent.

MR. TOMEI: I guess the same thing would hold true for the noise ordinance. I can see starting work at 8:00 or 9:00 on a Friday and ending at a certain time if you're the developer -

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THE SUPERVISOR: We have rules on that right now. Yes, we have people and I get the phone calls, 6 in the morning they are mowing the lawns and as I was just telling someone before they put the radio on the mower and they turn it up because they cannot hear it over the mower. They are oblivious. And it's not the neighbors, these are people that manage the property. It could be a large piece of people but when you're 200 feet away and that stuff is going on at 6 in the morning, it's not appropriate. We tried in the past many, many years ago, we tried to write a noise ordinance and it all starts with what a reasonable person would assume would be noise and that does not work cause whenever you get complaints it's not reasonable people. We started with decimal and we looked at

a bunch of ordinances in a bunch of different towns to come up with a decimal with meters, we actually tried that with motorcycles and that doesn't work. We actually bought some of the equipment to do that. So really what we're talking about is probably limiting things by what is in the ordinance now but we need to tighten it up a little bit. Primarily I think it's on weekends, they even talk about in the middle of the week. So none of these things in the ordinance right now are unusual. They are -none of the things in this new master plan are that unusual. The basis are already out there in the zoning ordinance we're just talking about tightening it up.

MR. PETER KAMENSTEIN: We are not talking about regulating your life or your lifestyle.

MR. TOMEI: That's what the average citizen

MR. PETER KAMENSTEIN: If I read it the first time I would be concerned about it. I can understand that, but I don't --If you have a neighborhood that is a little phone call happy. It's more to, as I say, not to regulate the life or create stepfordville in North Salem.

THE SUPERVISOR: This was probably 4 or 5 years ago and we had a problem with the neighbors mowing things very early in the morning on Saturday and the person was very well intended and said she should pay someone to do it during the week. That's nice to say and it would probably solve that problem but it's not reality and obviously we would not do something like that. First of all if we did somebody else would be sitting up here at the next election. So we try to do reasonable things that have a positive impact and not things that would ruin your quality of life.

MR. TOMEI: The last one, it's a short one. The community preservation fund, has that been established.

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THE SUPERVISOR: I was talking to some folks today and we had some discussions early on, when I say discussions they were fairly short. The answer was from most of us was no we're not going to do that and that was the transfer tax. So there was a 2007 legislation, I may get the name wrong, but it was a rather long name, it was Community Preservation Act And Transfer Tax. We, when I say we, I know Steve has no interest, I have no interest, I don't know where Peter and Amy sit on it. The way the transfer tax is allowed

to work, it's not in here, is the median price of the house in town was about \$640,000. For every dollar over that it would be a cost of 2 percent that would go into a fund where we could use it for --up to 2 percent or we can set it at a half of percent. First of all, that is fairly onerous. There is no reason especially in this economic climate, there is absolutely no reason to do that. What we do have right now as a board and this was passed by resolution probably maybe 6 years ago or 4 years --10 years, we have a right to bond, there are actually two separate bonds, it's a bond up to \$4 million to buy open land which is in the tax report. We did some of that. Obviously I can do more of that but we are not doing that right now because the last thing you need is to put more taxes on the community. The community preservation Act, is all small letters, just means we are going to have a fund whether people want to donate to it whatever. The thing that concerns me if you are looking at it today is something with a capital C capital P capital A which this is not supposed to be --maybe we change the word community so everybody understands it has nothing to do with the transfer tax. We had the word transfer tax in here. We say it's a land preservation fund, something like that. So the people in North Salem have



been fairly vocal in the past about that wanting to do something like that. They past resolutions to allow the Town Board to borrow money which we are paying those off, but the intent in there --we should have a generic statement in there for different ways to come up with money and the transfer tax was specifically pulled out. We have people that really want it and people that hate it so it's just not worth it to put it in the document. We had discussions about it but there is no interest by the board to do. They have it down in Bedford. I don't know what percentage they are using. But at 2 percent on the larger homes it generates a large amount of money. And right now especially in this climate the last thing you need is another tax on the person that is buying your house that makes your house less attractive. Does that answer your question?

MR. TOMEI: Yes, it does.

THE SUPERVISOR: It may be one of the things --again, that the community preservation fund is not the name of the transfer tax act but it's close so we may just want to change that so everyone understands that.

MR. STEPHEN BOBOLIA: Just because it's not in here and the town promoting it does not mean that the future town boards can change it's mind and push for it.

MS. AMY ROSMARIN: The people found it goes to --if the people in town if they vote and it passes if they decide not to so we allow it to go to referendum.

THE SUPERVISOR: We did have a couple of years ago, we had people on the board that wanted that. We didn't --it was not in agreement. It didn't go out on a ballet to be voted on. Just because it's not in there does not mean 5 years down the road, 10 years down the road somebody cannot, up here, on the Board cannot decide to put a resolution on --item on the ballot on the vote machine to vote in the transfer tax. So if you don't like it you need to be vocal about it, not just here but down the road.

MR. TOMEI: Thank you.

THE SUPERVISOR: If your house is less than medium there is

no income.

MR. TOMEI: You get a refunded.

THE SUPERVISOR: You can be sure that is not the case. I got something today on digress on the Star program. I asked them specific questions because they gave stupid answers. If I had your e-mail I would send you the answer I got back. I didn't know what it meant. It was a good solid paragraph of just gibberish. If I read it you would start laughing. You need to be --you need to have people coming out to meetings to tell us what you want otherwise at some point in time regardless what is in here people can make decisions that you may not like. Elaine.

Elaine Sweeney. First I'd like to say thank you very much to John and the other people that work so hard to give their time and effort to --

THE SUPERVISOR: It saved us a lot of money.

MS. SWEENEY: You have to really say thank you and compliment

people that have done all that work. I have a couple of questions. One item would be on the transfer tax. I think that the assumption may be that when you use in here --I think it's in the comprehensive plan, additional tools, I think --with regard to the transfer tax, you're saying that this document is in essence even though the word transfer tax is not in there it would be --

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THE SUPERVISOR: Even if it was not in here, even if it was not mentioned, if it's not in there at all a board 2 years from now, 3 years, next week, can say you know what we want a resolution in this election and it's going to say authorize transfer tax in the Town of North Salem. You need to be vocal. It's not --I can tell you the majority of this board has no interest in a transfer tax. I can't say the whole board but the majority of the board has no interest in the transfer tax.

MS. SWEENEY: In another board 5, 10 years down the road, is the obligation there that it does have to go to referendum?

MR. PETER KAMENSTEIN: Yes.

MS. SWEENEY: That is fine. I just didn't know if the board somehow reserved a right to make a vote on that so I take what you're saying. I have a couple other questions. One was with this new town master plan, Comprehensive Plan, was there any consideration given at all to broadening the tax base in the town of North Salem?

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THE SUPERVISOR: There was --when you say broaden maybe I can ask John to make a comment. I would suggest it's probably minimal. When we talked to everyone and have meetings with everyone, those people that live in this town are concerned about open space. But a lot of the concern was around open space and taxes. We did some things and there are people on Fields Lane that changed the use of it, it's not going to generate really much more tax. We do have some buildings there that are not in the best of shape and it would not be a bad thing if in the discussions we had to maybe allow some slightly different uses. But John I don't know if you want to -

MR. JOHN WHITE: Yes. We looked extensively --first was the --the public that want the town to be rural and support the horse industry which has it's own --that is really our industry in this town more than anything, and agriculture. But we also looked at --focusing very much on Fields Lane because not only the areas where we had areas where people thought it would help the tax base it was becoming a black hole because they could not rent what they had and the rules on assessments on commercial properties, if they don't have tenants and their rates are going down they just walk right in and they automatically get their taxes lowered and lowered and lowered. We actually went out of our way trying to figure out how to make these units, acres that we have, and it makes very good sense to have along Fields Lane what would be the best use. You want everything to flourish in this town. And so we did focus on that to make more acres of doing it, didn't make any sense, we discussed expanding one way or another, we did actually expand to include the old Getty Station into the old RO district. So we tried to look at every single parcel and evaluate that kind of thing. But the opportunity really in this town if you look at the tax base, the mansions pay a huge percentage of the taxes and they become our warehouse instead.

MR. STEPHEN BABOLIA: I think a better way of looking at it, perhaps we don't want to discourage large estate homes. That has been our tax base for some time. You look at some of these estate homes and they pay taxes of \$100,000 and there is very little commercial buildings in town that pay similar kinds of taxes. That is the way I see it.

MR. PETER KAMENSTEIN: And don't require any services, including children in schools, whatever.

THE SUPERVISOR: One of the interesting things, I know Roland at one of the meetings --Roland is the town attorney. One of the meetings we had earlier maybe 6 or 9 months ago, he was making a comment that we -it was not always obvious to him what we were preaching here which is acre of field does not cost as much in police services. That when a lot of the other towns went to the down slide in their evaluations it did not really hit us here as much. We are dropping a percent or two a year where a lot of the other towns had big drops and that is because of the way their tax base was set up. If anybody has any suggestions you are welcome to look into them. Anytime

when we've gone out and looked at different areas there are always uses there and --do you have any --

MS. SWEENEY: I just wondered if that had any consideration. There is a good chance that this plan will and then the zoning that would accompany it would be in place for quite a few years and so I just asked that question was there any consideration.

MR. PETER KAMENSTEIN: Elaine, just keep one thing in mind and that is that 70 percent of the taxes you pay in this town, are school taxes, 15 percent are town taxes the other percent roughly are county taxes. So they are what they are.

THE SUPERVISOR: I throw this out only because people look at the school taxes. We have somewhere about 55 percent of the kids and we pay 71 percent of the school tax. The problem is people like to live in North Salem where the house prices are higher and consequently we pay a large portion of the school taxes. If you look at the town tax half of the town tax is the County tax. 40 percent of the County tax is Medicaid because the State pushes that down to the counties of Westchester, 25 percent of it. I've been there in meetings



with them when they talked to the senators and folks up in the State saying take Medicaid back and we will not increase our taxes, we will drop it to 40 percent. So there is lot of things in there and if you really look at the town tax and I take out the garbage and the ambulance and take those things out there is not a huge -obviously there is a bill there and we're cutting where we can but it's not huge. The biggest issue we have is school tax. So it's a problem that we are aware of. We don't know exactly how to fix it.

MS. SWEENEY: I have a couple of questions but I prefer someone else first before I ask another question.

THE SUPERVISOR: Did you mention your name.

MS. BATTISTA: Lori Battista. I am concerned about the child care center on Fields Lane and I'd like to discuss our zoning. Do we have information on the child care center. I didn't receive a letter in the mail I thought I would have it.

THE SUPERVISOR: I apologize. In any event. On Fields Lane which is the RO zone we had one or two of the business owners

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there, I think it's was one of them that contacted us a year ago, he was a little bit frustrated because he had buildings in Southeast and North Salem. The ones in North Salem he had a little problem in renting to the right tenants. I had asked John if he would go up and actually sit down and talk to the gentleman. And it turns out there were some minor things like, I can only --I may not be 100 percent correct but, I can only rent to 1 tenant and not 2 tenants, things of that nature. That he would like a little flexibility on. That he has --up the road in the next building that he owns, two feet up the road, that makes it easier for him to rent. The buildings look a lot better because he put money back into the buildings. We did have someone come in and talk to us about a month ago, maybe a little longer, and they said, look, what we would like to do is one of the properties in North Salem, one of businesses we would like to open is a day care center. We told them fine. This is a master plan, the master plan alludes to the fact that we would like to loosen up, but it's a separate process, the process there is a zoning change. So that person was told they had to put the paperwork together to request the zoning change and the town would look at it. So we are in the process of doing that right now.

UNIDENTIFIED SPEAKER: Is this a case by case basis. THE

SUPERVISOR: It's a case by case. They come in they have to put the forms together and pay I think the cost is \$750.00 and to say we like you to look at this and possibly change the zone. We told them we would do that, which we do for everyone.

UNIDENTIFIED SPEAKER: That would affect everyone.

MR. JOHN WHITE: Let me be clear. In the Comprehensive Plan we didn't want to add a whole list of uses by right, so that it's automatic that everyone in the whole district gets it. When we went and looked at the properties that Mr. Seker and stuff advertized there were mixed uses. And there might be a building or something came in and packaged it and resent it out. And in some cases the buildings looked wonderful and they were architecturally done nicely with setbacks and you say this would fit very nicely and then you would go down the block and you see the same use but in that use it was in a quanset hut and you say oh my good this is the last thing that

we want in North Salem. And it would not be taxed as much in the same way because the building is not worth as much. So what we said is we want to open it up to different uses, not heavy warehousing, not heavy manufacturing but some mix uses that would work be in the scale for North Salem but the process would not be an automatic zoning, it would be special permit by the Town Board —

UNIDENTIFIED SPEAKER: So it would be a case by case.

MR. JOHN WHITE: And they would have to come in and get a special permit, they would have to come in and say —

THE SUPERVISOR: The first step is the zoning has to be changed so that in that zone there is a use.

MR. JOHN WHITE: There is allowed a special permit.

THE SUPERVISOR: There is something that requires a special permit that they have to come to the Town Board. After the zoning change they look at it and say okay I can build a house there, they cannot do that, they have to come to us and get

permission build a house and submit plans do that. So that is the way this is --that's the concept of what we are doing right now.

MS. BATTISTA: So will you be taking everyone else and the people that live on Fields Lane into consideration if you put in a child care center and bring more traffic and more noise and more garbage that you have to pick up every day on your front lawn. We have sound problems there and it doesn't seem to me that anyone on your board is taking into consideration a child --it was not a day care center, I noticed you said day care when I read it said a child care center which is actually all day --

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THE SUPERVISOR: I apologize I don't know what the difference is.

MS. BATTISTA: It was all day and then after school. So you're looking into evening hours. I see no paperwork on this. I mean, what are the plans? I actually found out that there is other people looking that were interested in that building, so did you --are you just looking at the child care center.

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THE SUPERVISOR: The person came into us and asked about the building to do that, we told them they would need to come in and request a zoning change. If anyone else has use --if the use is allowed and someone else wants to do something we are more than happy to do that. If they want a zoning change they can come in and ask for one.

UNIDENTIFIED SPEAKER: That is a separate public --

THE SUPERVISOR: I apologize, was that Mr.--

MR. ISOP: J. Genhard Isop. I am a former resident of the town of North Salem I currently own 35 Fields Lane. And so this effects me.

THE SUPERVISOR: Is that a residence?

MR. ISOP: I go back to '59 there. That's where I first actually stayed in this country. It's a residence before the 684 corridor blew it apart. It's still a residence, it is used as such. It's viability is residential property. it's

viability as a residential property is pretty limited.

THE SUPERVISOR: 684 came through and disturbed –

MR. ISOP: That is no longer the country setting.

THE SUPERVISOR: There are great old pictures there with the farms and tractors.

MR. ISOP: With the nursery right there. But --so this is --I am concerned just interested in the day care. I would understand there would be a separate public hearing in regards to that but also the comprehensive plan as it relates to that.

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MR. PETER KAMENSTEIN: It may add flexibility for your benefit. You are no longer a resident there. You say your property has limited residential use. Perhaps some type of use that would be appropriate for the area, so that would only be to your benefit.

THE SUPERVISOR: Here is what --here is how it's worded if you

did not read it and it's repeated 2 or 3 times in the document. The plan recommends a modest expansion of the R0 zone on Fields Lane and to add flex-type mixed uses and service businesses under special permit to the list of permitted uses to allow flexibility in the types of businesses permitted. This R0 zone expansion may lead to new business development, however, it would be consistent with development patterns in the area and help address the Town's non-residential development needs for tax rateables. And it goes on to say other things.

MR. ISOP: I understand it could no longer be a residential type of property.

THE SUPERVISOR: There are homes there.

MR. ISOP: You are not going to throw people out.

MR. STEPHEN BOBOLIA: You could not build a residence there today, residences they are not allowed. The reason we are here tonight is to plan. So I have a problem with people coming in and zoning petitions and other petitions. The purposes of



the comprehensive plan is to allow for certain uses and some uses by special permit. would like to see if they are going to do something about it, I'd like to see it in the plan but I am certainly not saying that I am against the rezoning of the site. I think always the best way to do it is within the comprehensive plan.

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THE SUPERVISOR: Anymore comments, questions. There are a lot of people here.

MS. SWEENEY: I have more. Regarding the up-zoning, what brought up the up-zoning from 2 to 4 acres over Turkey Hill Road East to Catridge Road how many acres does it count and were all of the parties notified the, parties that are effected by that.

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MR. JOHN WHITE: The last couple subdivisions what happened along June Road all were being built even though they were in the 2 acre zone, they were all 4 acres or very close to it so we started to have a 2 acre limit that was developing as a 4 acre area and on each side of it was 4 acres. So it made logical sense to protect and continuance to make that

change. At the same time we looked at the water study to see --when we looked at how many acres do you need if you have a well and septic in order to have a good assurance that you would have good water and depending on soil type it looked like it arraigned around 3, 3 and-a-half acres per --to be assured when it was fully built out that the septic water when it ended up in the wells would be diluted enough to not be a problem. That area as --when you're one house there and it's 2 acres it's not an issue but when it gets fully developed then the density can be a problem. So with that overlay of the hydrology it made sense to fill it in. As far as notifying people they would be notified at the time of the zoning change. In the master plan you just lay the foundation. This town board can decide or not decide to make the change, but from every person we talked to down in that area they were very pleased and we had some people even on the board that were in that zone that they felt more protected if it was 4 acres.

THE SUPERVISOR: Can I ask you what your concern specifically is?

MS. SWEENEY: My concern would be with regard to up-zoning. First of all I don't know how many acres this is this may

be a small piece of land. My concern if a person is living

THE SUPERVISOR: It looks like it's 3 or 400 acres.

MS. SWEENEY: If there is a single person living within those acres that has 6 acres and they purchased this place having in mind that I plan on cutting 2 acres off someday for my child or I may run into financial difficulties and therefore I'd like to cut off 2 acres and this zoning would preclude them from doing that —

THE SUPERVISOR: If you can make a comment. Everyone that is down to a couple of acres has a house on it all the others are rather large lots.

MS. SWEENEY: If they are large lots, what if --all I wanted to know is if everyone has been consulted or will be consulted from the point of view even if someone had ten acres. He came in and bought 10 acres in a 2 acre zone and said you know what I can put my house on 5 acres and later on I may want to sell a 2 acre lot.

MR. PETER KAMENSTEIN: At the time the Town Board decided they wanted this to happen everyone in that area would be notified and have the opportunity to comment.

MS. SWEENEY: That was my major concern.

MR. PETER KAMENSTEIN: But you're right if the zoning was changed and there was a 4 acre parcel and the person thought about developing it into 2, 2 acres parcel –

MS. SWEENEY: Or save 2 acres for a child.

MR. PETER KAMENSTEIN: It would be an issue but they would have the opportunity to comment before everything was done.

THE SUPERVISOR: One of the other things we were talking about earlier also and I don't know if it's reflected, in the Peach Lake Area, it's very onerous on everyone especially now with the board of health requirements. There are no Board of Health requirements anymore for septic distances and such and the next code that comes into effect are the fire code, buildings cannot be more than 4 feet apart. Right now the lot lines

over there may be 15 or 20 feet, that is an R1 zone. None of the homes are on 1 acre. What happened there is you cannot possibly meet any of the setbacks so everything they do is in front of the zoning board. So it may make sense in certain areas such as Peach Lake to drop the zoning law. So the zoning actually applies somewhat to the lots so every time they want to do anything to the house they don't want to come in and get a area variance. So that may actually be zoned down instead of up. So all of those things --this is just a master plan. All of those things, we'll sit down with the folks that live in the areas. In looking at it, this is the R2 zone right here.

MS. SWEENEY: That extends from Turkey Hill Road all the way going across to Catridge Road along Mills Road.

AMY ROSMARIN: It's not the whole section.

MR. JOHN WHITE: Some of it is two acres already.

MS. SWEENEY: 4 acres is —

MR. JOHN WHITE: The 2 acres are not being touched.

MS. SWEENEY: They would be –

MR. JOHN WHITE: There was no 2 acres that was developed that was being up-zoned.

THE SUPERVISOR: Elaine, obviously things like that we have to sit down and go over with everyone.

MS. SWEENEY: Does anybody else have a question?

MS. BUTLER: Patie Butler. The Comprehensive Plan is presented here, you can close the public hearing and then –

THE SUPERVISOR: We are keeping it open for comments.

MS. BUTLER: Then you make a decision like whether or not to adopt it and then from there you start having the public hearings on the different things that you are talking about.

THE SUPERVISOR: A lot of things we are talking about have to

do with zoning, which is --I don't want to say it's 2 years out, it's a completely different process. So this sets a vision and then we have to go back down to the zoning ordinance to change the zoning ordinance to match the master plan. So it's important that we get this right because it sets a vision. We don't want to do this and get 3 years down the road changing the ordinance and someone say why you doing this we don't want to do this and it's already been through the comprehensive plan. Roland you are better at the SEQRA process in terms of what the process is for this.

MR. ROLAND BARONI: Well, the questions that have been asked tonight, this is a draft DEIS, there will be a final product put together, a final EIS, we don't have a public hearing on that. You're answering the questions, you answered some of them tonight but it would be embodied in a document and then you will issue findings at the appropriate time. And then once you are all fairly familiar and happy with the product then you will adopt the Comprehensive Plan and that would be, as you say, the vision going forward for the town. Although it's of course capable of amendment as you go forward. It's not a stayed document that just stays in place for 25 years. You can amend your Comprehensive Plan as the need arises,

2 years from now, 5 years from now so on and so forth. So it's a moving document that is meant to fit changing needs of the town.

THE SUPERVISOR: I think the problem with the last one when we got in the Court situations and ballots no one was going to change anything, the only thing that got changed is when the Court ordered us to do affordable housing and stuff. I don't know if that answers the question.

If you remember back in '94 when this was done the last time, I think the zoning ordinance was '87, so this was a 2 or 3 year separation in between those. That is where we get into the issues like what does it mean when we are saying you cannot have lights shining in neighbors eyes or if you have a business what types of lights shine down, that's where we get into those issues and codify them so they make sense to somebody in the building department or on the zoning board or planning board. Right now we are talking hypothetical, this is just a vision, we like to do this, we like to do this.

MR. TOWERS: Alan Towers. When you coded them is there a public process involved in that?



THE SUPERVISOR: Yes. As you can imagine it gets to very specific things and it's usually a livelier discussion. People are --the words --they start getting into shall, must, may. Shall and may don't mean the same thing. That's where we get into those types of processes. This is a public hearing where everyone is supposed to talk and we have been answering only because there is not a huge number of people here and I thought it would be helpful. We've been through this as everyone knows, we kind of had --we looked at this process once when I was on the Town Board, I think Chris you were with us. And when Paul came on there were things he didn't like about the plans, specifically it had to do with the golf course on Hardscrabble Road. So that was taken out and we went back to the process again and we had a lot of meetings with everyone. It's always an open process at least we think it's open. But it's amazing how many people no matter how many times we invite them to the meetings they don't find out it's going on for a couple of years. John, how many people did you have on the committee 10 or 12?

MR. JOHN WHITE: I think it was 13 at the end.

THE SUPERVISOR: They did a great job. So again this is not supposed to be that specific so you can look at it and say what are you doing

here. Anybody that has any interest can be involved. There is nothing special here that I want to see or don't want to see. My major goal in this is to preserve the town the way everybody would like to see it preserved and make sure we don't run into any of the issues that we had before with lawsuits and the County. When the County is testifying against you upon the stand it's not a good thing. It's running a that you don't need to run. This is a smooth process but again if people have comments that's what we are here to hear.

MS. SWEENEY: You know there is a fine line --I am for preservation, environmental preservation, and there is fine line between environmental preservation and people's property rights and because of that I have other questions here. Under the land, use and zoning it refers to the --

THE SUPERVISOR: That page is that?

MS. SWEENEY: I don't have the page, lands, use and zoning.

THE SUPERVISOR: That's section.

MS. SWEENEY: The land, use and zoning. There was a discussion of implementation of performance zoning regulations in regard to soil, topography additional land for resources and so forth, rather than traditional zoning. Can someone explain that to me?

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THE SUPERVISOR: I am sure that Bernie knows this, he's on the Planning Board. Let me make a quick comment. One of my other jobs and I have to thank this guy here, it's East Hudson Coalition which is the stormwater regulation in which the EPA is pushing down on the DEC. DEC is pushing down on New York City DEP. They are coming up here and regulating a lot of things and a lot of that has to do with runoffs, disturbances, slopes, reservoirs and such. We are getting that dumped on so whether we want it or not, there is a lot of special regulations in there. We are trying to get money to run a lot of those projects. If anyone lives off of Sunset we just had a serious drainage problem. The pipe was damaged for years and had a huge gullies and if you want to go over there and actually look at it now I think the final inspection was today. We spent about \$300,000 on fixing that drainage problem. Luckily none of the money was from the town. We got it from

a variety of places. Those stormwaters are forcing a lot of issues around the type of soils you have and things of that nature now. Maybe a little offer --maybe, John, can you expand on it.

MR. JOHN WHITE: I'd like to continue on is, one of the main focuses of 50 this master plan was to preserve the quality of water. We think we have the problem with the uranium and the health department with salt.

THE SUPERVISOR: They may not know, the water in this town and it's every town is one of my biggest problems in the town. If you have a well in the granite, in the granite, you have some level of radioactivity just because it was there when this stuff was built. Sunset Water District, we were high in uranium when I walked into office a couple of years ago. They failed all the MCL requirements for the Board of Health. Croton Falls, there is radium in their water, they failed that for 10 or 12 years. My first meeting with the Board of Health was if you don't fix it we're going to fine you. It took me a year to get everything resolved. We're still --we turned off one of the bad wells on Sunset. I had some people there

this week working on some stuff. I have lead problems in the wells. These are the public systems that we support. I guarantee it they will be tested, their own private wells. I am to scared to test my own. The problems that we have are a lot of chemicals, pesticides and everything else that is getting in the well water. So I leave you with that thought as John talks about --the building inspector is telling you the water is fine and it's not so fine when you start look at things.

MR. JOHN WHITE: The question you had before about the 4 acre zoning. When we did the hydrologist report, when we looked at what we felt would be the safe way to build if you had both septic and wells 4 acres was a safe way to do it. If you go to performance zoning you don't use a broad brush, you say this lot has good drainage this could be done on 2 acres. This other one has wetlands, it has washout from the hills, it has different soil characteristics, that is more dangerous. The septic is going to flow down the stream so that should be a bigger parcel so it would not be specific to a 4 acre lot. That may be a good place to apply it rather than a cookie cutter 4 acre, you could say okay let's break it out and, leave it as a 2 acre performance zone and then they have to a make

another lot that is 1 acre they have a lot that is 6 acres.

THE SUPERVISOR: It happens right now and Bernie can probably talk to you about the woman on Hawley Road, I don't know how many acres it is. It was originally 9 homes and because of the percolation issues, the soil issues, the slope issues, the drainage issues they are down to less than have the number of homes because the ground would not support it. So we are doing it anyway and we usually find out about it in the subdivision process. This may be a slightly different way of doing it so someone does not spend that money to find out the same thing.

MR. STEPHEN BOBOLIA: It was in the 1985 plan.

MS. SWEENEY: That is the performance lot.

THE SUPERVISOR: If you take a 40 acre lot in this 4 acre zone you don't have 10 homes, I guarantee you, you cut driveways out, you cut wetlands out, you cut slopes out you have all these distances between septic tanks and wells and all the other requirements you end up with substantially fewer homes

so I guess to your point I should have said it's in there already.

MS. SWEENEY: Does anyone have a question?

THE SUPERVISOR: You're going good Elaine.

MS. SWEENEY: I happened to read an article in the Wall Street Journal today regarding a lizard, a 3 or 4 inch lizard that I guess the government wanted to put that in an endangered species list and the governor of New Mexico and everyone is upset because if they do that then these fellows cannot get oil. The reason I mention that is because is my next question is, preserve ecology. This is a quote taken out of the Comprehensive Plan, preserve ecologically significant lands. Who makes those decision. For instance, I think this country is going a little bit too far when you say there is a little salamander on that piece of land and say you know what I don't think that you build house even though you bought the land and you have a right to build the house you no longer have the right to build the house because there is a little salamander on the land. So I wanted to know when you have that

in this plan, preserve ecologically significant land. One, who makes those decisions? And, two, whoever does make those decisions you will directly impact a person's private property rights. So I think we have not just here in North Salem but throughout the land that these environmental people have gone a little too far I think to the left and my concern is here in North Salem I would not like to see some environmentally --people who are over zealous about the environment that they would make a decision that would directly or negatively impact the private property rights of people.

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MR. STEPHEN BOBOLIA: Elaine, we can also preserve it by purchasing an open space. I don't want to exclude that. If we feel it's that significant the town can make a decision as we have in the past to buy certain parcels that we find of significance.

THE SUPERVISOR: That is almost like motherhood and apple pie. There are pieces of property out there that are very sensitive and we have the open land foundation has come up to us a few times and said this is a town interest and they will work with



us on this. If it's a subdivision quite frankly it's the Planning Board that would say you have to stay away from the wetlands area, it's a sensitive area. It may not reduce the amount of buildings that they can put on the property. There are development rights you can move around and purchase. You don't want people putting stuff in wetlands.

UNIDENTIFIED SPEAKER: We do it now. You cannot build a house on wetlands, it protects the wetlands. You can built it on the property somewhere else.

MS. SWEENEY: Steve just mentioned open space. That's another question I would like to ask. We had an Open Space Committee here in North Salem, I was a member of it and there was no open space meetings called in a year and-a-half. Because we finished the report and we submitted it.

THE SUPERVISOR: So what we —

MS. SWEENEY: I think you established a preservation community.

MS. AMY ROSMARIN: What we were supposed to do was, set up a plan, do the work and that was what we did. We completed the job that was handed to us for the Open Space Committee.

MS. SWEENEY: So it was dissolved?

THE SUPERVISOR: It was not dissolved. Elaine, here is --one of the problems, right, with many of these things that you are saying --when you say --you know, we had this discussion before. Give us a list of the top 15 places in North Salem that you want to preserve. Quite frankly you don't need to preserve anything until someone comes in and says they want to put a bunch of homes on there, I want to put roads in there and now everyone is focused on that piece of property and that is number five out of fifty, so that is part of the issue. Right now quite frankly we don't have a lot of pressure on the town in terms builders and people coming in to do a lot of things so because of that I have not been out there even though I borrowed 2 million to buy land. Someone came to us not to long ago and they wanted 13 acres of property built here and it was a good price and I said we're not interested. They come to me multiple times and said is the town interested

in buying this and I said no go ahead and build on it. I was not going to spend the tax money on something like this and they didn't, they were not interest in building on it. It really doesn't answer the question.

MS. SWEENEY: What you're saying is the Planning Board would make --for the ecologically significant lands.

THE SUPERVISOR: You wouldn't say I don't want to protect ecologically sensitive lands. It says we do want do.

MS. SWEENEY: It says preserve ecologically significant lands.

MS. AMY ROSMARIN: It protects the water.

MR. PETER KAMENSTEIN: Even if it did not go in front of planning board and you wanted to build a house on a piece of property and it has wetlands on it you cannot build a house in the middle of wetlands.

MS. SWEENEY: Does ecologically only refer to the wetlands

only?

THE SUPERVISOR: It could be steep slopes. Something else like that. Even now with the MS4 stormwater rights, there is certain amounts of disturbance that can you do on a piece of property before you have to cover it up and protect it before you go someplace else. I know we have people in town they call me up and they got stuck in the storm water regulations and they spent huge amounts money to enhance their own home trying to deal with the stormwater rights. One person it cost someone \$80,000 in extra things because of the stormwater drains and it's not a large house. It's not 3,000 square feet.

MS. SWEENEY: This was an imposition on the property owner. This is what is happening in the country.

THE SUPERVISOR: It's not enclosed by the town. It's the EPA, Federal Government, up to the State and back down to the City telling the City you have to protect your drinking water.

MS. SWEENEY: Michelle Bocman made a very good comment last night, she said she would get rid of the EPA. I am going to

sit back and let someone else ask a question, if not I have to ask one more question.

MR. GRESS: John Gress. First I want to thank the committee for organizing the comprehensive plan and I had opportunity to read it and it's been well thought out and I have no questions at all. I do have two comments. First comment, is I have been to plenty of public hearings and public hearings are usually public comment and the board replies at a later date and I appreciate the answering of the questions because it saved a lot of time. It's nice to have the back and forth.

THE SUPERVISOR: We don't have a lot of people. How many people were at the last one in '84. There were 3 or 400 people there, I know I stood up and was yelling too.

MR. GRESS: I think the importance of the Comprehensive Plan is what people are missing. The importance of the Comprehensive Plan is giving us a guideline in moving forward. Any local laws that are adopted in the future will certainly have public hearing and input. But this is the guideline that is going to set forth what is going to be done. And the way

that the Comprehensive Plan is written has given support to the board for any future endeavors that they have been doing so and I think that is the importance of this meeting, not so much questions about what may or may not happen to the zoning. The fact is you are setting the guidelines of what can happen to zoning. It does not necessarily mean it's going to be fixed in stone. I hear things on 2, 4 acre on 300 acre zoning, those kinds of things can be worked out with the planning and zoning. You may have 150 acres that you need 25 acres to build one house. And you may be able to build another house on 3 or 4. So I think these kinds of things can be worked out. But I think the plan is in place and I like what I have been reading. Thank you.

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THE SUPERVISOR: That was a good one Jack you can go again.

MR. TOWERS: Allen Towers. I just wanted to say there is clearly a lot of concern about the rights of property owners. But I think it's important to realize that the rights of property owners doesn't just accrue to unlimited ability to do anything you want because you own property. The right of property owners is also a right that the property owner who

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is the recipient of another property owner's disrespectful behavior has to have and that is the balance that gets overlooked.

THE SUPERVISOR: It's a balancing act between the two. And I been supervisor for the last 2 years, 3 months and I been on the Town Board for a long time since 1989. I am long in tooth here. But we tried noise ordinances many times, two or three time, we tried fence ordinances multiple times. When you start describing what you allow and you get to the point where you get almost all the way through and you have 5 copies and no one can agree. It all comes down to reasonable people. And biggest problems I have in town after my water problems which cost me money are neighbor to neighbor disputes, where somebody did something and they don't like it and it escalates. It doesn't matter what happens, the lights in my eyes, mowing the lawn and you hear about all of those problems in those types of situations. So you know the trick is to be nice, to be reasonable and when all else fails we have an ordinance that tries to put everything back in the middle of the track again. And quite frankly it's almost impossible to do that properly without coming down and being onerous. Pete, if I tell you he is Republican, he's a Libertarian. We sat down, to your

comment before, about the environmental sensitive area and the wetlands. We actually redid the Wetlands Ordinance, the town. The state controls everything over 12 acres and the Town is everything under. If you have a long stream it is more than 12 acres. We redid the wetlands and tried to make it easier on people until we realized it was the town. What you had to do to actually go through the Town's wetlands ordinance was onerous. You were paying too much money and were not getting good results. We tried to peel back some of that stuff. We're not here because we are trying to come up with things that people don't want. If you have an interest in certain areas or you think things need to be changed then come and tell us. If you are just want one person and no one agrees with you, you may not get to much traction but we'll deal with it. I tried to run this up front. There is no one pushing anything down anyone's throat.

MS. SWEENEY: This is under the draft Environmental Impact Statement 2.3.1, existing conditions, testing wells. It has to do with testing wells. Now in there this is in quote, these words, I want to try to understand. Here is the Pope, a narrow majority believes family should remain a personal responsibility, who is the narrow majority, a narrow majority of the people in town or

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a narrow of the people that worked on the Comprehensive Plan.

THE SUPERVISOR: What paragraph?

MR. JOHN WHITE: This was the Town survey that we did, we asked the question specifically about water and wells and what private wells tests and we know that --we been to the Westchester County Health Department and they say we don't help, we don't want to know, we are not even going to give you guidelines, they wash their lands. We sit here --I sit here in this town knowing that our water district where I live, the Sunset Ridge, has 5 wells that was uranium enough to cook you. And you drink it or shower with it for thirty years you are going to end up with a higher percent of people getting cancer. We have 2 or 3 wells that are good wells because of testing. Yet I know in our area, guess what, there is still a lot of old homes that have their own wells. I say --the town board is charged with health, welfare and safety of the citizens of the town and I think if we can provide some service, whether it be people that come into the building inspector and say what should I test my well for. The real estate agent will

say test it for bacteria and e-coli. We know there are nitrates –

THE SUPERVISOR: That is a health threat you can get in your water.

MR. JOHN WHITE: We know there is uranium. That should be a help aid in the water department. I have in my garage bottles all set up to go test some neighbors just as service, I am trying to help people get --instead of testing Part 5 which is a \$600 test, get it down to \$300. I am trying to work with the lab to get volume discounted so people know. I am looking at neighbors within eyesight of my house if they have a problem all they have to say is I want to hookup to the water system.

MS. SWEENEY: You are talking about the specific community, I am talking about individual private homes.

THE SUPERVISOR: I got a call two weeks ago this person they wanted to do a test on the well is \$120, they were not about to spend \$120. They called me up for me to do the test it was

26 bucks test. I said, yes, bring the water down. I did the test,

66 yes, it was way high. At least they know. I want to say we do it in volume, I probably spend on the 3 water systems 50, 60,000 a year in tests.

MS. SWEENEY: Who pays for that.

THE SUPERVISOR: The water district.

MS. SWEENEY: I am not talking about —

THE SUPERVISOR: I am talking about someone that has a well that they are questioning. We have a lot of wells in town, the town has sodium levels in the well, those types of things. You need to do testing on the wells.

MS. SWEENEY: I think that should be up to the individual property owner.

MR. JOHN WHITE: I am just saying we are offering to help, whether it is discount prices, offer to give them guidelines

of what other tests work we are testing for, but it's optional. The person can say I don't want to be involved and that is fine.

MS. SWEENEY: Seems to me the narrow majority of it should be a personal responsibility which leaves me to believe

67 that the majority thought it should be an imposition on the Town.

THE SUPERVISOR: I will take the word narrow out. The majority believes it should be personal responsibility. All it means is greater than 50% thinks you're responsible for it.

MR. JOHN WHITE: I am sorry, and maybe it wasn't written clearly. I know the question and I know the answer and I think Allen and his wife in the back know. It was clear that a very small percentage said the town should not have any involvement. Others thought that the town should be supportive.

THE SUPERVISOR: The majority believes it should be a personal responsibility. So maybe we will look at that.

BRUCE BUCHHOLTZ: Warren and John to speak to that. My personal experience is that it's not left up to me. I have actually been contacted by Westchester County to test my well and it's mandatory.

MR. JOHN WHITE: A private well.

BRUCE BUCHHOLTZ: A private well. And they insist I will be fined drastically unless I test my well.

THE SUPERVISOR: I never had that request.

BRUCE BUCHHOLTZ: The well was put in 10 years ago by the last owner.

MR. JOHN WHITE: Does it serve more than 4 people?

MR. PETER KAMENSTEIN: I had the same thing.

UNIDENTIFIED SPEAKER: It's an enormous fine.

MR. STEPHEN BOBOLIA: Why would they pick on you.

UNIDENTIFIED SPEAKER: I think they have a lot of times on their hands in White Plains. That's my personal experience. That is my personal experience.

MR. PETER KAMENSTEIN: It's not the town it's in the county.

THE SUPERVISOR: I don't think the need is going to be able to keep up with this.

BRUCE BUCHHOLTZ: If you have a private office --

THE SUPERVISOR: If you have a well and you have a concern you can give me a call rather than paying \$1,000 --we're not doing it, the lady gave me the \$26 and she was happy to do that instead of spending \$120. But I can tell you I just --another example again of the water quality. Croton Falls has no lead in the water. There is no radiologicals, the radiologicals are less than what you get in bottle water at this point so that is pretty good shape. We just had to have the test done the Board of health test. We had 10 home sites that we test at, they turned the high one out and if the next one is above

the NCL you fail. I have no lead in the water and I failed. Well, that is because I have lead pipes in homes. Anything before 1983 or '86 have lead solder, you have a problem with the water. Is it nice to know, is it nice to know don't drink out of this sink in the bathroom because you have lead risers. So those are the types of things --I will tell you, it was a shocker to me when I started running these 3 systems and all I had was severe water problems and water quality problems. Over the years replaced town wells. We have other people that have water softeners just dumping it out into their septic. And you cannot drink it if you have any possibility of high blood pressure. There are a lot of things that people are unaware of. If you have good water in my opinion you are going to live a long time. There is a lot of water out there that's not of great quality. We have to test all of the time in my house. We had discussions about it, it came up as an issue with a lot of people and it maybe something that we may want to look at. So if you are having an issue in having your water tested the town can provide services for a reasonable good price. I just called the guy up he was trying to buy bottles because he does the test all the time.

BRUCE BUCHHOLTZ: Thanks a lot because it's 500 bucks.

THE SUPERVISOR: To do what test?

BRIUCE BUCHHOLTZ: The test that the County mandated that I do.

MS. SWEENEY: It's alarming that County has the right to come into someone's home —

THE SUPERVISOR: They never came to my house.

MR. PETER KAMENSTEIN: You are going to have to test your septic.

THE SUPERVISOR: One radiological test is \$750.

MS. SWEENEY: Why do the County have the right to tell him he has to have the test.

THE SUPERVISOR: We did talk about it, we had some good discussions about it. Chris.



MR. BROCKMEYER: It's been said already a couple of times but a couple of quick comments. John and the committee and the community that has come together to create this plan. The amount of research. The amount of research that has been done by the committee, outreach that was conducted was astonishing in the 3 and-a-half short years, all things considered --you and your team can be commended. Thank you.

MR. JOHN WHITE: Allen Towers and his wife who was not an official member, she put more hours in –

THE SUPERVISOR: I saw her one time she said he got all of the work but I did all of the typing. But someone put a lot of data in and we have charts and graphs and John just loves that, he loves doing presentations. There is no hidden agenda here, if you see anything and you want things changed if you need things tweaked please let us know. We're more than happy to look at it.

MR. STEPHEN BOBOLIA: We can submit written comments.

THE SUPERVISOR: You can look me up on-line if you want, send me copies of comments and things. So we have a regular meeting I am just going to close the public hearing. We close the hearing with a comments —

MR. ROLAND BARONI: With a comment period open for 10 days.

THE SUPERVISOR: So we're going to close the public hearing just keep the comment period open for 10 days. (Whereupon, the public hearing ended.)

I, Jeannine M. Tarallo, Court Reporter, do hereby certify that the  
foregoing  
true and accurate  
me on this 14th day of June, 2011.

**CERTIFICATE**

transcript is a  
transcript taken by

Jeannine M. Tarallo  
Court Reporter