

**TOWN OF WASHINGTON**  
**TOWN BOARD**  
March 3, 2008

On Monday, March 3, 2008, the Town Board of the Town of Washington continued the Public Hearing on the proposed Wetlands and Watercourses Law. Supervisor Prisco called the meeting to order at 7:00 PM with the following present: Councilmen Stephen Turletes, Michael Murphy, Allan Rappleyea and Robert Audia, Town Clerk Mary Alex, Committee members Dan Weller, Brad Roeller, Matthew Rollins and Frank Genova.

Also present were Rebecca Valk, Neil Wilson, Adelaide Camillo, Dirk-Jan Rosse, Didi Barrett, Ilana Papale-Nilsen, Kate Farrell, Howard Schuman, Mr. and Mrs. Dirk Rosse, Julia Widdowson and John Askildsen.

Councilman Murphy reintroduced the committee members. He stated that there have not been any changes made to the proposed law. The committee felt that it would be best to get all the information from the public hearings before making any revisions.

Councilman Murphy said a letter was received from Gordon Anderson stating that when he purchased his property in 1940 it was without any restrictions. His land is mostly grown over with woods and wetlands. If this law is passed then his property would no longer be usable. The town should consider some type of tax abatement for people in his type of situation.

Hester Weeden also wrote about the proposed law. She was concerned with Section 4B giving the Town Board exclusive rights to change the maps. She believes alterations to the map should be made with input from the CAC, Planning Board and Town Board.

Anthony Sloan provided Habitat Assessment guidelines from the Town of Milan.

Adelaide Camillo put forth an offer made by Michael Klemens to meet with the committee to assist with the document.

John Gifford has provided written comments on how to incorporate the comments provided by David Clouser into the legislation.

Mr. Rosse said that there are plenty of restrictions already in place by the state and federal regulations. This is more infringements on property rights. He agrees with the comments made by Mr. Anderson. The town should offer to buy the property or offer some relief. No more restrictions are necessary.

Ms. Camillo said that she wanted to reiterate the offer made by Michael Klemens. She believes it is an amazing and valuable offer to the town. She feels it is very important to note again the importance of the report made by David Clouser, especially

pages 3 and 4. (See minutes of January 14, 2008) Councilman Murphy said that the administration process and penalty data is being incorporated and reviewed.

Ms. Valk commented that the wetland administrator would become an employee of the town. The town would want to have hired that person prior to the adoption of the regulation.

Mr. Wilson commented that the local law is set up assuming that a person knows they have to make the application. Perhaps a pre-screening analysis can be set up with the building department so residents are made aware of the procedure if they fall into an area that they need to comply.

Mrs. Barrett asked what the residents can expect next. Councilman Murphy said that the committee will meet and make changes to the proposal; it will be given to Van De Water for legal review and back to public hearings.

Ms. Valk advised that the Town of Milan's law is being challenged by two different parties and that the town might want to ensure that the issues are not ones we might encounter in Washington.

In reference to the maps that are being used, Michele West was instrumental in getting these maps brought forward. After discussions at the last meeting, Councilman Murphy spoke with Stacy Hoppen and she suggested that the Hudsonia maps be used as reference materials.

Councilman Murphy explained that what stimulated this committee was the DEC and Federal regulations, and issues that have come before the Planning Board and ZBA. The goal is to bundle this to a document that did not previously exist in Town.

Dirk-Jan Rosse said he agrees that water has to be protected. The DEC is more pro-active. This document is strict; therefore working with the applicant is important. This legislation can be very expensive, and cost an applicant upwards of \$30,000. just to sit at the table. Clear classifications of importance of wetlands should be noted, such as undisturbed wetlands vs. man made ponds. Mr. Rosse also expressed that the Village of Millbrook should be brought on board. He showed where a stream runs through the town, and would be protected, it enters the village by the golf course, and would not be protected, and then exits the west side of the village back into the town where protection begins again.

Mr. Askildsen said he served on a conservation board in a town in northern Westchester. The need to preserve the watershed is important. The biggest source of economic burden will be development. It's not the people currently here he is worried about; he is worried about the Toll Brothers coming in and developing. He has seen school taxes increase 7 – 18% in Westchester. He is impassioned about this; developers ruined the town he grew up in. The wholesale developers just want to make money and get out. They don't care about your town.

Ms. Papale-Nilsen of Union Vale and the Village of Millbrook said she would like to see something on the books. Dutchess County was able to dig wells up to 500 feet deep at the infirmary site without any oversight. She attended a CAC roundtable, which Frank Genova also attended and hopes that some of those ideas would be incorporated into the document.

Ms. Camillo encouraged the Board to use professionals. She said that these issues are very complex, and experts can help the town move forward quickly if they are able to cut through some of the more technical aspects.

Supervisor Prisco thanked the committee for the work they have done so far, as well as those that have come to the public hearings.

On a motion made by Councilman Rappleyea and seconded by Councilman Audia the Board moved to close the Public Hearing on the proposed Wetlands and Watercourses ordinance. All ayes were recorded.

Councilman Rappleyea suggested that the committee use a prototypical example to walk hypothetical scenarios through the process.

Mr. Askildsen said that in Bedford, people with the financial wherewithal have gone ahead and done what they wanted, and then told the town to sue them. The work and the damage were already done.

Mr. Genova said that people have to be conscious that what they do with their wells, which will affect their neighbors a half mile away.

Councilman Murphy said he will set up a meeting for the committee to meet and begin to make revisions.

In other business, Supervisor Prisco announced that the town had received four letters of interest for the data collector and three people were interviewed. Clayton Tyger was selected for the position at a rate of \$15.00 per hour.

The request by Jack Neubauer for building inspector software will be discussed again at the March meeting.

A meeting has been scheduled for March 31, at 7:00 PM, to discuss the ballpark expansion with a representative of Chazen Engineering.

On a motion made by Councilman Rappleyea and seconded by Councilman Turletes a resolution was offered to accept from the Dutchess County Youth Bureau \$1,342.00 for recreation programs and \$1,189.00 for the Youth Employment program. In submitting the application the town agrees that

1. the municipality will abide by OCFS as to the propriety of all expenditures upon which the state aid is requested;
2. this project will be operated in compliance with the laws, rules, regulations, resolutions and codes of the State of New York and pertinent political subdivisions;
3. no youth will be denied the services or facilities of this project because of race, creed, color or sex; and
4. no fee will be charged for the programs supported by State funds.

Supervisor Prisco was authorized to sign the application on behalf of the Town. All ayes were recorded.

Mr. Schuman asked if the park expansion plan will include walking trails at the park. That has been something that the town has discussed and will be included in review of the entire park.

There being no other business, on a motion made by Councilman Rappleyea and seconded by Councilman Audia the meeting was closed at 8:20 PM. All ayes were recorded.

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Mary Alex, Town Clerk