

Village of Croton-on-Hudson  
Water Control Commission Meeting of  
February 18, 2015

**PRESENT:** Charles Kane, Acting Chair  
Ian Arturo  
Mark Goldfarb  
Gail Sasso

**ABSENT:** Stuart Greenbaum, Chair

**ALSO PRESENT:** Daniel O'Connor, Village Engineer  
Brian Pugh, Village Board Liaison

**1. Call to Order.**

The Water Control Commission Meeting of February 18, 2015 was called to order at 7:30 P.M.

**2. Old Business:**

- a) **Susan Lunden – 118 Truesdale Drive (Sec. 79.10 Blk. 1 Lot 3) –**  
Referral from Planning Board to WCC for recommendation on issuance of Wetlands Activity Permit for proposed construction of new single-family dwelling.

The Board had conducted a site visit to the property on February 7, 2015.

Ms. Lunden's project consultant, Megan David, and architect, Ralph Mastromonaco, were present at tonight's meeting. Mr. Mastromonaco distributed a new site plan dated 12/10/14.

Acting Chairman Kane had provided the Board with information regarding the Croton River. He said the Board needed to review the application with regard to Section 227-8 of the Village Code and the 9 items of consideration. Mr. O'Connor pointed out that the Planning Board is the approving authority for this application with the Water Control Commission providing recommendations.

Acting Chairman Kane then commented that he thought the application was inconsistent with the legislative intent of the wetlands law (Village Code Sections 227.1 and 227.2). He explained that he felt the project would have an impact on the Croton River or shoreline, that there was no storm water plan, no protection plan for existing trees, and that he feared the proposed new sewage pump could leak during a power outage. With inadequate safeguards and a non-existent mitigation plan, he suggested the proposed house be moved more westward.

Mr. Goldfarb asked Mr. Mastromonaco if he had considered moving the footprint of the house closer to the road. Mr. Mastromonaco replied that there is an existing house there now and that he did not understand what the permanent environmental impacts to the Croton River would be if the existing house is replaced with a new one. He disputed Acting Chairman Kane's concerns. He said that putting in a new house would be an improvement to the area, five trees would need to come down but a planting plan had not been worked up yet, and that there was an appropriate storm water mitigation plan (barrier hay bales and a silt fence structure). The project meets the steep slopes threshold and does not need a steep slopes permit.

Ms. Sasso said that the site visit provided a thoughtful look at the environment and wanting to safeguard that environment, the WCC needs to share its thoughts with the Planning Board. She said the WCC would like to work with the Applicant to be as responsible as possible during the process.

Mr. Mastromonaco said that his client is being very sensitive to the environmental issues but would also like to take advantage of the view.

Acting Chairman Kane said again that he thought the storm mitigation plan was inadequate; that the gutters drain into the river and that the use of hay bales and silt fencing would only be a temporary measure.

Mr. Arturo suggested that something more robust than silt fencing might be used and then asked what is the geology of the property closer to the road. Mr. Mastromonaco said he was not sure but would guess that it was probably rock or rock outcrops.

Mr. Goldfarb asked what would be the change to impervious surface area with the new house. Mr. Mastromonaco replied that it is currently 900 sq. ft. and that would not change.

After Acting Chairman Kane suggested a possible second site visit, Mr. O'Connor reminded the Board that it needs to get its recommendation back to the Planning Board within 30 days. He offered his opinion saying that all the concerns expressed are real, but there needs to be some balance. There is a house there already and the site could be watched during the project. The erosion could be handled, new trees could be planted, a landscaping plan could be developed, a generator could address the concern about failure of the sewage pump station, and additional mitigation could be proposed.

Acting Chairman Kane said he would like to see the proposed house moved out (away from the river) as far as possible. Mr. Goldfarb added that then there might be a need to blast. Mr. Goldfarb asked Mr. Mastromonaco how the view would change as you move closer to the road, to which he replied it would place the house in front of the house at the right and would lose its aesthetic appeal.

Mr. Goldfarb followed with another question as to what would be the typical mitigation for demolition on a slope. Ms. David said they planned to use a chain link fence during demolition. Mr. O'Connor said demolition effects could be minimized and that a demolition permit would be needed after the Planning Board approval is obtained.

Mr. Goldfarb stated that he didn't know if he could recommend moving the house because moving the house would have its own impact with the removal of the old foundation and the possible need to blast. He said trees cut down would need to be replaced one for one. Mr. Mastromonaco said he had no problem with that and as far as Mr. Kane's concern with the sewage pump system in case of an outage, a state of the art sewage pump system will be installed with owner management control, an alarm system with backup batteries, and a backup generator.

Mr. Arturo asked how the exposed foundation would be remediated. Mr. Mastromonaco replied that it would be graded and vegetated with grass or pachysandra.

Acting Chairman Kane said he still was uncomfortable with the lack of storm water control and Mr. Mastromonaco again said he could see no physical degradation to the Croton River with the proposed project.

Mr. Arturo then suggested infiltration berms, and trench vegetation. At the plateau area, berm level spreaders could be built at the end of the gutters.

Mr. O'Connor then said a Board recommendation would be drafted and circulated to the Board. The draft would include the Board's recommendations on storm water management, measures to mitigate impact to the Croton River, backup power source for the proposed new sewage pump station, and the requirement of a landscaping plan.

Mr. Goldfarb made a motion to have the Engineering Department staff provide a recommendation (as discussed at tonight's meeting) to the Planning Board. Mr. Arturo seconded the motion. The motion passed with a vote of 4 to 0.

### **3. New Business:**

- a) Con Edison** – Application for Wetlands Activity Permit for electrical system upgrade work including electrical pole replacement within a watercourse buffer zone.

Representing Con Edison at tonight's meeting were Laura Ruggieri, Associate Scientist, Richard Perusse, Senior Specialist, Sylvester Gutierrez, Engineering Supervisor, and Allen Jean-Louis, Engineering Supervisor.

Mr. O'Connor explained that Con Edison is proposing to upgrade the electrical distribution system that is part of necessary storm hardening and system reinforcement. The project includes the replacement of 7 electrical distribution poles within 3 watercourse buffer areas. The project

work would take place at 3 areas: Albany Post Road just south of Arrowcrest Drive, Old Post Road North in the area of 175 Old Post Road North, and Old Post Road North between Brook Street and Terrace Place. Application materials included documents showing the location of the poles.

Mr. Perusse explained the process of how the pole actually gets replaced and then explained that Con Edison transfers its equipment first to the new pole, (it being the highest), then Cablevision and Verizon will transfer their equipment, followed by any other “outfit” with equipment on the pole. The last “outfit” transferring equipment pulls out the old pole and fills the hole.

Acting Chairman Kane asked about site restoration. Mr. Perusse said Con Edison uses a pole installation site restoration procedure but it would be on a case by case basis. Generally the site would be graded, mulched, and seeded.

Mr. Goldfarb asked what the time period is per pole. Mr. Perusse said it was a double pole process. Once Con Edison transfers its equipment, each facility such as Cablevision and Verizon has its own additional 30 days for its part of the work.

Acting Chairman Kane asked who keeps track of time and Mr. O’Connor said he helped out in the past and that Verizon took up most of the time.

Ms. Sasso asked why the poles are being replaced to which Mr. Perusse replied that they have run their life.

Mr. Goldfarb asked if there was any difference in material for the new poles. Ms. Ruggieri said they would be larger and made from natural wood. Mr. Perusse added that they would be greenish, woodish, poles and would be real tree poles. They would be sturdier and more resilient and a few feet higher.

The Con Edison representatives explained that the object was to harden the electrical distribution system and produce redundancy using new equipment and newer technology. This would all help with clearance issues. The poles would be wider at the base making for a stronger pole and thus less breakage. They explained the goal was a loop style of distribution with a target of less than 500 customers per segment. Should a tree/pole go down, there would be second and third feeds.

Ms. Ruggieri spoke about the best management practices that were included as Attachment “A” in tonight’s documentation.

Ms. Ruggieri stated that Con Edison is also requesting approval for future pole replacements in regulated areas, the next area being the Duck Pond which would encompass the replacement of 4 to 5 poles and is also part of the storm hardening project. She explained that Con Edison is trying to streamline the process. She then handed out the layout and project plan for that next phase.

Mr. Perusse added that Con Edison plans to replace poles every five years to reinforce the system.

Mr. Arturo made a motion to approve the draft resolution as amended. Ms. Sasso seconded the motion and the resolution passed with a vote of 4 to 0.

**4. Approval of Minutes:**

Ms. Sasso made a motion to approve the minutes of the January 21, 2015 Water Control Commission meeting. Mr. Arturo seconded the motion and the motion passed with a vote of 4 to 0.

**5. Adjournment:**

The meeting was adjourned at 9:30 P.M.

Respectfully submitted,

Toni Cruz  
Secretary, Water Control Commission