

Draft copy of July 9th, 2012 Minutes of Water Mill CAC
Minutes are not official until reviewed by WMCAC members and
approved at next scheduled meeting
Web site-www.ourwatermill.org

Members present: Barry Levy, Gloria Rabinowitz, Steve Abramson, Steve Lerner, Marlene Haresign, June Morris, Joseph Krajewski, Rik Kristiansson and Rachel Verno

Guests: Marjorie Goldberg from the Dark Skies Committee, Lyn Kraszewski, Nicholas Rutherford, Susan and Frank Keenan

The minutes of June were approved.

Dark Skies:

-Marjorie Goldberg asked to meet with our CAC. We are familiar with the Dark Skies laws so we asked if we could tailor our discussion to nuisance complaints, specifically the amount of time it takes to get a business to become Dark Sky compliant, and the flaws in the current law

-Frank and Susan Keenan have been working tirelessly with Dave Betts and Clare Vail to try to rectify non-compliant lighting at a number of car dealerships on the South side of CR39. It has taken far too long and there are not many members of the community who are going to be as tenacious in getting this resolved. There has to be a better system.

-Marjorie suggested the Keenans retain legal counsel. This is not an acceptable answer. It should not be the responsibility of a resident to resolve these issues, let alone spend money to hire an attorney to sue a business.

-Discussed nuisance complaints among neighbors and Marjorie admitted that this is a flawed system in that it is highly unlikely that a resident is going to file a formal complaint against a neighbor. The CAC feels it would be far more effective to educate residents about the law. Marjorie indicated that a flyer was to be included in the next tax bill.

-Re businesses, the only way to do anything is when the business comes in for site plan review and even then, it can be difficult. There is a specific issue with one of the BMW sites, and even though one dealership is up for site review, the other dealership can't be forced into compliance because of ownership issues. The CAC asked Marjorie to raise this issue with the Dark Skies Committee

-The CAC was asked to have one member act as a liaison to the Committee. We suggested that if and when there is an issue, to send an e-mail to Rachel and Gloria and we will get the information to the members. The CAC was also requested to distribute pamphlets at local businesses.

HANKS FARMSTAND:

-Discussed the application for an ag building on the Pumpkintown location. The application calls for a 5,000 sq ft Morton building with porches similar in color to the barn across the street.

-Lynn Kraszewski attended the meetings and described the project. She explained that ags and markets were requiring them to build a permanent structure with bathroom facilities and running water. She also explained that with the expansion of the additional lane on CR39, they might at some point have to move all of their operations to this location. There were no issues from members of the CAC

CORWITH NORTH LOT:

-The CAC discussed this application that calls for subdividing the property located at Seven Ponds Road. There are two versions of this application. One has the proposed homes all along the perimeter of the property while the other clusters the homes at the north end behind the tree line, leaving all the property along Seven Ponds Road preserved. The CAC supports this second version

in that this property is considered a scenic vista for our hamlet and it would be unfortunate if it were built out.

-The idea of scenic vistas was discussed and while unofficially the Planning Board acknowledges certain areas falling into that category, there is no real system in place for officially protecting this type of area. Rachel discussed that at a recent LWRP meeting re an attempt to put a system in place that specifically spells out scenic vistas and then puts into law a way of protecting those areas from future development. The Town can't continue to rely on the Planning Board and without a law; an applicant can easily challenge these types of decisions.

-In addition, Water Mill has seen a number of ag reserve properties turned into horse farms where barns, stables and indoor rings are all permitted. There is currently no way to protect a "scenic vista" or preserved ag land from being built out with ag buildings, without a covenant.

-Discussion followed regarding the need to change the law for horse farms, but also for whether or not a covenant could be put on this property so that no structures could be built on the land fronting Seven Ponds Road, in front of the tree line.

-The CAC will submit a letter to the Planning Board asking them to consider this.

-A resident who lives adjacent to this proposal, pointed out the flooding issue at this location and we should also ask the Planning Board, as a requirement, to have all of the new homes contain storm water run off.

CR39 LETTER:

-The Group for the East End has asked our CAC to support a letter they will be writing to the Town Board requesting that the CR39 study resume and be completed in a timely fashion. Too many projects are being submitted along this corridor and without the final study, it is a free for all.

-One of the explanations for allowing the King Kullen Shopping Mall proposal to be submitted was the fact that this study had not been completed.

-The Carpetman application is another example of the ZBA granting a variance allowing the building to be nearly 20,000 sq ft. The CAC voted unanimously to support this letter.

CARPETMAN:

-The ZBA granted a variance that allows the building to be nearly 20,000 sq ft, reduces the number of required parking spots, and reduces the setback for a sign. The hearing was held over the winter and no one from the CAC attended or submitted a letter. We will address a better system of trying to stay on top of these applications.

-The Keenans attended the ZBA hearing and asked for substantial screening in the rear of the property that is adjacent to their home. The Planning Board has supported this request.

-The CAC will submit a letter to the Planning Board reinforcing this and will also request that the design of this building be reviewed.

WATER MITIGATION FUND:

-A new version of this resolution will be presented.

-The CAC continues to support the idea of a water mitigation fund but does not want it tied to PDD applications as a community benefit.

-Additionally, the CAC questions how much money can be generated when limited to PDDs.

-The CAC had suggested that all applications for subdivisions be included.

-We had also suggested that a similar system to CPF funds be created and that with every real estate transaction, a small percentage go into this fund. It is the only way to generate the millions of dollars that will be needed to address the Town's water issues. The seemed to be perceived of as a tax and is not being considered.

BOOT CAMP AT 14 FLYING POINT ROAD:

- There is a boot camp business being conducted out of a residential property at 14 Flying Point Road. It is connected to a New York City gym. There is a website and ads have been put in local papers.
- It is the CAC's understanding that running this type of business out of a residence is illegal.
- Rachel will contact the Town Attorney and Dave Betts.
- Since our meeting, Rachel has sent e-mails to Dave and Tiffany, but has not heard back. Will follow up.

OTHER BUSINESS:

- Steve reported that we are at a standstill with getting anything done with Mill Pond. There continues to be an issue with the company and the Town's legal department in terms of getting all the necessary guarantees. Steve continues to follow up, but another season has gone by and if anything is going to happen, it has to be in the next few months.

- Steve also gave an update on the drainage plan for Deerfield Road.

- Discussion about Solar Garbage cans and why the Town can't install these at the bus stops where people continue to illegally dump their household trash. This is an ongoing issue especially in the summer season. The units are quite expensive so there would be a need to get businesses to purchase them, or some means of raising funds.

Minutes taken by Rachel Verno