

DRAFT FILED: 3/24/09
FINAL APPROVAL: 5/20/09

VILLAGE OF CROTON-ON-HUDSON, WATER CONTROL COMMISSION
MEETING MINUTES OF MARCH 18, 2009

MEMBERS PRESENT: Stuart Greenbaum, Chairman
Vita Rhodes
Al Mazza

MEMBERS ABSENT: Mark Goldfarb

Meeting came to order at 7:30 PM

APPROVAL OF MINUTES:

2/18/09 - Greenbaum – Made Motion to accept the minutes as submitted.
Rhodes – Second the Motion
Vote: 3-0 – In Favor, Greenbaum, Rhodes, Mazza

HEARINGS:

Consolidated Edison Company of New York Inc. Property located at Hessian Hills Road. Located in a RA-40 district and designated on the Tax Maps of the Village as Section 68.09 Block 4 Lot 1. The applicant is requesting the Board to grant a Wetlands Activity Permit with respect to the proposed routine vegetation maintenance on overhead electric transmission F-Line right-of-way., (Adj. on 12/17/09 until further notice. Meeting re-scheduled for March 18, 2009).

Michael Amato – Represented Con Edison Company of New York, Inc. – Since our last meeting we discussed routine management plans. We have marked the property lines and have submitted a survey of the area that was submitted to the Village Engineer and the WCC. Topographical maps were also submitted as an overlay. Also marked are the trees that will be removed. Information has also been supplied with respect to the access road improvements and repair as well as swale improvements, etc. Also, noted on the survey are the boundary lines of neighboring properties, village property, and the arboretum property.

Greenbaum – Anyone else like to speak?

Karen Jescavage Bernard – Stated that she was present on behalf of the Arboretum. Ms. Bernard wanted to know if the map that was prepared shows the wetlands and watercourses in the area, is there a vegetation plan and is the neighboring property boundaries shown?

Mr. Amato – Stated that there were no topographical maps of the wetlands, but there is a survey and vegetation plan of which a list of the native species and seed mix they will be using has been submitted.

Karen – Is it a mixture of shrubs and grasses?

Amato – We will be reseeding the areas that we work in. We find more often than not that it is not required. We do not disturb soil or pull tree trunks out of the ground. We do not do that. We will have erosion control measures in place and we will use quarter logs and biodegradable logs that can be seeded. They are more esthetically pleasing. We will probably be using it in areas where it will be more esthetically pleasing such as the swale restoration and for any other recommendations from the field.

Ms. Bernard – Expressed her concern over a drying affect that can be caused by the removal of the trees, especially in the area of the feeder streams and the drying affect can also create an undesirable habitat for wetland plants, etc., that do not support wetland species. Ms. Bernard also expressed that her main concern with respect to phragmites and how it will affect the main streams that provides more than thirty five percent of the water to the core water supply in that area.

Amato – I know there is phragmites on the site and it is a primary concern. We will be using native plants and if they are not taking hold our accepted practice is to

Bernard – I just want to know if there is any plan for phragmites.

Amato – There may be a big volume of phragmites. Herbicides would be the best way of treating it, but we are not planning on applying any herbicides on this project.

Bernard – What about cutting and mowing to prevent trees, etc. from going into the arboretum during this project?

Amato – The only mowing that we would be doing would be in the access road area to our towers.

O'Connor – The smaller trees are not necessarily part of the management plan. Just the removal of trees.

Bernard – The tree saplings grow large. But, to keep the towers clear and to maintain the roadway is your basic concern.

Amato – We are looking to create an early ecosystem that will be compatible with overhead transmission lines.

Bernard – How long is the right-of-way going to be at the end of the day when you have two power corridors?

Amato – It is as wide as necessary at this point. The overall depth of the tree line is minimal.

Bernard – How do you define what your ultimate right-of-way will be?

Amato – We do not look to manage beyond 130 ft.

Bernard – What if there is Con Ed versus the property owner's rights with respect to a tree that is in the way of a power line?

Amato – If we had a neighboring tree that was over the line we would trim vertical from the property line.

DeAngelis – 218 Hessian Hills Road - I thought we the neighbors were supposed to get another notification of this meeting with Con Ed. It was in the minutes. Who determines the rights to the trees?

Amato – Con Edison's policy is to notify the neighbors one to two weeks prior to the work being performed.

O'Connor – The neighbors were notified for the initial meeting, not for the additional meeting. This is an application before the Board and the Board can open it for citizen's comments. Con Ed has surveyed and monumented the trees which was above and beyond the surveying that had been done.

DeAngelis – I have been watching Con Ed tag the trees.....

O'Connor – I think Con Ed did some additional work in the area.

Amato – We had an arborist go out to the site and mark the trees and we had someone else mark the monument installations and those markings were then transferred onto the Badey & Watson Map.

DeAngelis – Who spray painted the trees? I thought they were not supposed to do that?
Amato – In December we spray painted the trees. That is done only when the number tag has been removed, as it had been on this site.

Rhodes – It says on the plans that you will be installing the roadway. When will you be doing that?

Greenbaum – What kind of notification will there be to the neighbors?

Amato – We will start from the date we are issued the permit. We will secure a contractor to do the work and we will be notifying the neighbors two weeks prior to construction.

Greenbaum – Any other questions?

There was no reply.

Hearing Closed.

Greenbaum – Made Motion to Grant the Wetlands Activity Permit according to the following drawings and conditions:

Drawing Titled: Con Edison Transmission Line
Vegetation Management Program Plan
Dated 3/4/09 and last Revised on 3/13/09
And
Con Edison Transmission Line
Access Road and Drainage
Swale Improvement Plan
Dated 3/4/09 and last Revised 3/13/09.

(The above drawings were prepared by Con Edison Construction Management Surveying Services and were based upon an initial survey and property line demarcation that was performed by Badey & Watson on 2/10/09.

Rhodes – Second the Motion
Vote: 3-0 – In Favor – Greenbaum, Rhodes, Mazza

Respectfully submitted,
Janice Fuentes
WCC Secretary
3/18/09

RESOLUTION

Con Edison Company of New York Inc., has applied to the Water Control Commission in the Village of Croton-on-Hudson, requesting a Wetlands Activity Permit with respect to the proposed routine vegetation maintenance on overhead electric transmission F-Line right-of-way.

The property is located along the area of Hessian Hills Rd. and identified as Section 68.09 Block 4 Lot 1.

A public hearing having been held after due notice;

NOW, THEREFORE, BE IT RESOLVED, that the application is hereby **GRANTED** as follows:

Greenbaum – Made Motion to Grant the Wetlands Activity permit according to the following drawings and conditions.

Drawings Titled: Con Edison Transmission Line
Vegetation Management Program Plan
Dated 3/4/09 and last Revised on 3/13/09.
And
Con Edison Transmission Line
Access Road and Drainage
Swale Improvement Plan
Dated 3/4/9 and last Revised on 3/13/09.

(The above drawings were prepared by Con Edison Construction Management Surveying Services and were based upon an initial survey and property line demarcation that was performed by Badey & Watson on 2/10/09).

Conditions: The Wetlands Activity Permit will be subject to the mitigation measures outlined in the Standard FAC-003-1 – Transmission Vegetation Management Program that was submitted with the application and according to the conditions outlined in the Memo from Daniel O'Connor, dated December 18, 2008.

Rhodes – Second the Motion

Vote: 3-0 – In Favor – Greenbaum, Rhodes, Mazza

3/18/09