



**AGENDA
TOWN OF LEWISBORO
TOWN BOARD MEETING
TOWN HOUSE
APRIL 20, 2015
7:30 P.M.**

- I. PUBLIC COMMENT PERIOD**
- II. CORRESPONDENCE**
- III. CONSENT AGENDA**
 - 1. Approval of Minutes April 6, 2015**
- IV. PUBLIC HEARING in Regard to Changes to the Zoning Laws Regarding Bed and Breakfasts**
- V. PUBLIC HEARING in Regard to Changes to the Zoning Laws Regarding Hotels and Inns**
- VI. NEW BUSINESS**
 - 1. Resolution to Approve Fundraiser for “Relay of Life” at Onatru Pavilion on Monday, May 18, 2015 by Resident Marisa Cioffi – Parks and Recreation Superintendent Dana Mayclim**
 - 2. Resolution to Approve Agreement with Katonah-Lewisboro School District for Town to Use Lewisboro Elementary as Summer Bus Camp Stop – Parks and Recreation Superintendent Dana Mayclim**
 - 3. Resolution to Set Public Hearing Regarding Restricting the Parking Motor of Vehicles on Town Roads During Winter Months**

4. **Resolution to Authorize Kristen Brown of Waste Zero Inc. to Contact Firms Providing Refuse Services in the Town**

VII. OLD BUSINESS

1. **Discussion with Bill Bright Regarding Infiltration-Inflow Smoke Testing at Wild Oaks Wastewater Facility**
2. **Discussion of Fees to Renew Building Permits for Multifamily Housing Units**

VIII. APPROVAL OF CLAIMS

IX. POLLING OF BOARD

X. ANNOUNCEMENTS

Town Board Meeting on Monday, May 4, 2015 at 7:30 p.m. at the Town House, 11 Main Street, South Salem.

XI. MOTION TO GO INTO EXECUTIVE SESSION

Items submitted for inclusion on the agenda for regular Town Board Meetings must be received by the Supervisor's Office by noon on the Thursday preceding the meeting. Items of significant importance may be added if deemed necessary by the Town Board or Supervisor.

Town Board Meetings Accessibility: The Town of Lewisboro is committed to providing equal access to all its facilities, services and activities to the fullest extent possible. The Town House, Cyrus Russell Community House, Onatru Farmhouse, and the Town Offices at Orchard Square are accessible to persons with physical handicaps. If anyone who wishes to attend any meeting of the Town Board has special needs, please contact the Supervisor's Office (763-3151) at least one week before any scheduled meeting, and we will try to accommodate whenever possible.

APRIL 2, 2015
So. Salem N.Y.

Peter Ripperger
Superintendent
HIGHWAY Dept.

Dear MR. Ripperger:

My compliments to you
and your staff for finally
paying attention to the
maintenance needs of the
roads in Lewisboro.

Pettit and Boway are
unfortunately always
in need of work but
you have done a wonderful
job! None of the prior
administrations have
exerted any effort to help out.
Please keep up the good work.

Thanks

Very Truly Yours
Arthur V. Vorse, Jr.

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on Monday, April 6, 2015, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

PRESENT: Supervisor - Peter H. Parsons
Councilmen - Frank Kelly, John Pappalardo, Daniel Welsh
Town Clerk - Janet Donohue
Absent - Peter DeLucia

Also attending was the Attorney for the Town Anthony Mole', Facilities Maintenance Manager Joel Smith, Comptroller Leo Masterson and Confidential Secretary/Benefits Coordinator Mary Hafter.

Mr. Parsons called the meeting to order at 7:33 p.m.

PLEDGE OF ALLEGIANCE

Supervisor Parsons led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD

There were no public comments.

CONSENT AGENDA

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 3-0 to approve meeting minutes and the Board voted 4-0 to receive and file departmental reports.

MINUTES - Approved

On the above motion and second, the minutes of the March 23, 2015, Town Board meeting were approved.

THE VOTE:	Yes	- Kelly, Pappalardo, Parsons, Welsh	(3)
	No	- None	(0)
	Absent	- DeLucia	(1)
	Abstain	- Pappalardo	(1)

REPORTS – Monthly Reports

On the above motion and second, the March reports from the Building, Planning and Police Departments were received and filed.

THE VOTE:	Yes	- Kelly, Pappalardo, Parsons, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

TOWN OFFICIALS AND EMPLOYEES – Resignation of Police Officer John Faye

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Kelly, Pappalardo, Parsons, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLVED, that the Town Board does accept the resignation of Police Officer John Faye and they thank him for his years of service.

HIGHWAY - Consolidated Local Street and Highway Improvement Program (CHIPs) Money and Basic Winter Damage Supplement

Mr. Parsons reported that the Town received a total of \$150,512 in Consolidated Local Street and Highway Improvement Program (CHIPs) money this year which is \$512 more than the previous year. He also reported that a winter damage supplement of \$20,908 was given to the Town (versus \$17,000 last year). Mr. Parsons thanked Senator Murphy and Assemblyman Buchwald for all their help.

FINANCE – Highway Transfers Authorized

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Kelly, Pappalardo, Parsons, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLUTION

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfers:

\$50,000 from Highway Reserve and \$173,900 D5112.401 Road Resurfacing and paving into the following lines:

- D5142.45 Meal Tickets \$2,500.00
- D5142.10 Snow Overtime \$100,000.00
- D5142.41 Outside Contractors \$11,000
- D5142.42 Salt \$102,000
- D5142.44 Magnesium Chloride \$3,400
- D5142.46 Plow Maintenance \$5,000

EAST OF HUDSON WATERSHED CORPORATION – Authorize Supervisor to Sign Agreement

On motion by Mr. Kelly, seconded by Mr. Pappalardo, the Board voted as follows:

THE VOTE:	Yes	- Kelly, Pappalardo, Parsons, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLUTION

RESOLVED, the Town Board does hereby authorize the Supervisor to sign the agreement with the East of Hudson Watershed Corporation for reimbursement of storm water retrofit expenses for the Mead Street project, as reviewed by counsel.

WESTCHESTER COUNTY – Submission to Town’s Efficiency and Shared Service Plan

The Supervisor reported that the town was required to and did make a submission to Westchester County for the Town’s Efficiency and Shared Service Plan. This is part of the tax freeze. The town was required to show a \$62,000 savings and the we did show approximately \$188,000 savings from personnel reductions. The Town has also included the shared service of East of Hudson Watershed calculation.

LAKE KITCHAWAN – Authorize Supervisor to Accept Quote

On motion by Mr. Kelly, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Kelly, Pappalardo, Parsons, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLUTION

RESOLVED, the Town Board does hereby authorize the Supervisor to accept the quote of \$7,000 for Russell Reid to service and replace storm filters at Lake Kitchawan and this will be paid out of the BAN for East of Hudson grant matching funds, subject to review by counsel.

AUDITOR- Authorize Supervisor to Sign Agreement

On motion by Mr. Kelly, seconded by Mr. Pappalardo, the Board voted as follows:

THE VOTE:	Yes	- Kelly, Pappalardo, Parsons, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLUTION

RESOLVED, that the Town Board does authorize the Supervisor to sign an agreement with O'Connor, Davies LLP for audit services to the Town for 2014, 2015, 2016 with an option for 2017 and 2018, subject to review by counsel.

WEEK OF THE YOUNG CHILD – Proclamation

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Kelly, Pappalardo, Parsons, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLUTION

WHEREAS, the Town of Lewisboro and other local municipalities and organizations, in conjunction with the National Association for the Education of Young Children and the Country Children’s Center, with five child care sites in Bedford and Yorktown Heights, are celebrating the Week of the Young Child April 13 through 17; and

WHEREAS, by joining with The Country Children’s Center in calling attention to the need for high-quality early childhood services for all children and families within our community, these groups hope to improve the quality and availability of such services; and

WHEREAS, the purpose of the Week of the Young Child is also to focus on recognizing the early childhood programs and services that meet the needs of young children in our community;

WHEREAS, the future of our community depends on the quality of the early childhood experiences provided to young children today; and

WHEREAS, high-quality early childhood services represent a worthy commitment to our children’s future,

BE IT RESOLVED, that I, Peter Parsons, Supervisor of the Town of Lewisboro, do hereby proclaim April 13 through 17 as the Country Children’s Center Week of the Young Child in Lewisboro New York, and urge all citizens to recognize and support the needs of young children in our community, and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this April 6, 2015 Town Board Meeting for future generations to see.

FEES – Renewal of Building Permits and Certificate of Occupancy’s in Multi-Family Developments (7:59 p.m. – 8:09 p.m.)

Board members discussed setting new fees to renew building permits and certificates of occupancy in multifamily developments in town. The example that Supervisor Parsons stated was the Laurel Ridge condominium project in Vista. In 2013, the Town became concerned that residents were starting a projects on their homes, getting a building permit, and then extending the building permit for several months if not years. Severe penalties were put in place for this. However, the town did not consider the situation of a multi-family development where the developer builds the “shell” but does not complete the inside until the unit is sold. Mr. Parsons was wondering if the Building Inspector could use his discretion with these extensions.

The Town Attorney stated that in the code it states that the Building Inspector can grant a six month extension. It is not plural the way it is worded. It appears that he has the discretion of one extension, and then they would have to pay.

Since this is not an urgent matter, the Supervisor would like the Town Attorney to work with the Building Inspector on the wording.

LEWISBORO LIBRARY – Authorize Supervisor to Sign Letter of Comfort to Planning Board

On motion by Mr. Welsh, seconded by Mr. Parsons, the Board voted as follows:

THE VOTE:	Yes	- Kelly, Pappalardo, Parsons, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLUTION

WHEREAS, the Lewisboro Library is nearing completion of its renovation project with an official opening date set for April 18, 2015, and

WHEREAS, within the next two weeks the Library intends to obtain its Certificate of Occupancy, and

WHEREAS, in connection with the renovation project, the Library has obtained from the Lewisboro Planning Board a special use permit, wetland activity permit and Town stormwater permit (the “permits”), and

WHEREAS, as a condition of the Planning Board approvals, it is required that the Library install certain plantings in accordance with the plans related to the renovation, and

WHEREAS, the Library will not be able to obtain a certificate of occupancy until the plantings are completed, or until the Planning Board extends the time frame for such condition, or unless the Building Department has a representation from the Town Board that the plantings will be completed, and

WHEREAS, due to the weather, the Library will not be able to install the plantings until May, and the Library intends to complete the plantings by the end of May, and

WHEREAS, the Town Board has received from Insite Engineering, Surveying and Landscape Architecture, P.C. a cost estimate for the plantings, which provides that it is anticipated that the approximate cost of the proposed plantings would be \$25,000.00, and that the work would be completed by the end of May of this year, and

WHEREAS, the Town of Lewisboro designates certain funds each year to be paid to the Library to fund a portion of the Library’s budget, and such sum for the year 2015 exceeds \$25,000.00, and

WHEREAS, the Town Board of the Town of Lewisboro would like to commit the sum of \$25,000.00 of said funds designated for the Library for the completion of the plantings, so that the Library may obtain a certificate of occupancy and proceed with its intended opening date of April 18, 2015;

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lewisboro hereby commits for the purpose of completion of the Library plantings the sum of \$25,000.00 of the total amount designated for funding the Library budget for the year 2015, and

BE IT FURTHER RESOLVED, that the designation of the sum of \$25,000.00 for the purpose of completing the plantings, does not in any way relieve the Library from completing the plantings at its own cost and expense, but rather is intended to provide the Building Department with a guarantee that the plantings will be completed should the Library fail to do so, in order for a certificate of occupancy to be issued, and

BE IT FURTHER RESOLVED, that if the Planning Board amends its condition to extend the time frame within which the plantings may be completed, or after the plantings have been completed, and there is no longer a need to have said funds designated for the completion of the plantings, then the aforementioned sum would no longer be designated for such purpose, and

BE IT FURTHER RESOLVED, that the Supervisor of the Town of Lewisboro is hereby authorized to execute any and all documents to give effect to this resolution.

ALS TRI-STATE BICYCLE TOUR – Authorize the use of Town Park and Town Roads

On motion by Mr. Kelly, seconded by Mr. Pappalardo, the Board voted as follows:

THE VOTE:	Yes	- Kelly, Pappalardo, Parsons, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLUTION

RESOLVED, that the Town Board does hereby authorize the use of the Town Park to be used as a rest stop area, provided that the date is coordinated through the Parks & Recreations Department, for a Tri-State Trek bicycle ride to take place on Sunday, June 28, 2015, in the Town of Lewisboro and be it further

RESOLVED, that the Town Board does hereby authorize use of Town roads for a Tri-State Trek bicycle ride to take place on Sunday, June 28, 2015 through the Town of Lewisboro.

ZONING AMENDMENT – Discussion re Multi-Family Housing in all Non-Residential Areas
(8:14 p.m. – 8:18 p.m.)

The Board members agreed to move forward with the section of the document that would change the zoning code to allow multifamily housing in all non-residential districts of the town. Mr. Parsons has a map of the precise areas that are being discussed. This map will be brought to the public hearing to be used as a visual.

The Board did agree to bring this portion of the amendment to a public hearing.

PUBLIC HEARING ANNOUNCED – Housing

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted as follows:

THE VOTE:	Yes	- Kelly, Pappalardo, Parsons, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLUTION

RESOLVED, that the Town Board of the Town of Lewisboro, will hold a public hearing on Monday, May 18, 2015 at 7:30 p.m., or shortly thereafter, at the Lewisboro Town House, 11 Main Street, South Salem, New York, for the purpose of hearing the public with regard to amendments to Chapter 220, Sections 220-2 “Definitions and word usage”, 220-24 “Schedule of regulations for nonresidential districts”, and 220-26 “R-MF Multifamily Residence District” of the Town Code of the Town of Lewisboro.

CLAIMS – Authorized for Payment

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 4-0 to authorize payment of the Town’s bills in the amount of \$177,720.21.

POLLING OF BOARD

GOLDENS BRIDGE WORKSHOP – Meeting

Mr. Welsh announced that there will be another Goldens Bridge workshop at the Goldens Bridge Community House on Saturday, April 11, 2015 at 9 a.m.

GARBAGE – Pay as You Throw

Mr. Welsh will have a meeting later this week regarding “Pay as You Throw”. He will give the Board feedback at the next meeting.

LIONS CLUB – Roadside Cleanup

Mr. Parsons noted that after this long winter there is a lot of litter on our roads. He noted that the Lions Club will be having their annual roadside cleanup the weekend of April 25th. He encouraged residents to participate.

HIGHWAY – Plan for Roadway Repairs

Mr. Pappalardo apologized for not being at the last meeting but would like to make sure that the Board does see a definitive plan for the roadway repairs from our Highway Superintendent prior to money being expended.

MEETINGS – Date Set

There will be a Town Board meeting on Monday, April 20, 2015 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, NY.

EXECUTIVE SESSION – To Discuss Real Estate and Other Contracts

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 4-0 to go into executive session at 8:23 p.m. to discuss personnel matters.

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 4-0 to come out of executive session at 8:40 p.m.

ADJOURNMENT

On motion by Mr. Parsons, seconded by Mr. Welsh, the Board voted 4-0 to adjourn at 8:41 p.m.

Janet L. Donohue
Town Clerk

Robert P. Astorino
County Executive

Westchester County Planning Board

April 9, 2015

Janet L. Donohue, Town Clerk
Town of Lewisboro
P.O. Box 500
Cross River, NY 10518

Subject: Referral File No. LEW 15-001 – Zoning Text Amendments: Hotels, Bed & Breakfasts

Dear Ms. Donohue:

The Westchester County Planning Board has received a copy of two proposed Local Laws to amend the text of the Town Zoning Ordinance to permit and regulate Hotels and Inns and Bed & Breakfasts in Lewisboro.

We have reviewed this matter under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code. As there are no County or intermunicipal planning issues of concern to the County Planning Board, this action is a matter for local determination in accordance with your community's planning and zoning policies.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:
By:



Edward Burroughs, AICP
Commissioner

EEB/LH

LOCAL LAW NUMBER __-2015 OF THE TOWN OF LEWISBORO

SECTION 1: TITLE

This Local Law shall be known as 2015 Amendment of Section 220-2(B), enactment of Section 220-23(A)(18), enactment of Sections 220-23(A)(18), 220-24(A)(1)(e), 220-24(B)(1)(c), 220-24(C)(1)(n), 220-24(D)(1)(h), and Section 220-43.3 of Chapter 220: Zoning.

SECTION 2: ADOPTION

Now therefore be it enacted by the Town Board of the Town of Lewisboro Local Law __-2015 that this law shall take effect immediately upon its passage:

SECTION 3:

Section 220-2(B) of Chapter 220: Zoning, is hereby amended to add "Inn" to the definition of "Hotel," to read as follows:

HOTEL / INN – A building or portion thereof containing rooms, without individual kitchen facilities, occupied by transient guests who are lodged with or without meals, which rooms have primary access from public halls, and in which building or portion thereof there are certain public rooms or halls for the service of food and drink, with or without entertainment, and other facilities intended to provide customary accessory conveniences or services normally incidental to and associated with such a use. For purposes of this chapter, the term "Hotel" shall also include "Inns."

SECTION 4:

Section 220-23(A)(18) of Chapter 220: Zoning, is hereby enacted to read as follows:

§220-23. Schedule of regulations for residential districts.

A. Permitted principal uses in R-4A, R-2A, R-1A, R-1/2A and R-1/4A Districts are as follows:

(18) *Hotels.

SECTION 5:

Section 220-24(A)(1)(e) of Chapter 220: Zoning, is hereby enacted to read as follows:

§220-24. Schedule of regulations for nonresidential districts.

A. Permitted uses in CC-20 Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:

- (e) Hotels in accordance with §220-43.3.

SECTION 6:

Section 220-24(B)(1)(c) of Chapter 220: Zoning, is hereby enacted to read as follows:

§220-24. Schedule of regulations for nonresidential districts.

B. Permitted uses in SU Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter or as may be approved by the Planning Board as part of site development plan review. Permitted principal uses are as follows:

- (c) Hotels in accordance with §220-43.3.

SECTION 7:

Section 220-24(C)(1)(n) of Chapter 220: Zoning, is hereby enacted to read as follows:

§220-24. Schedule of regulations for nonresidential districts.

C. Permitted uses in RB Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:

- (n) Hotels in accordance with §220-43.3.

SECTION 8:

Section 220-24(D)(1)(h) of Chapter 220: Zoning, is hereby enacted to read as follows:

§220-24. Schedule of regulations for nonresidential districts.

D. Permitted uses in GB Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:

(h) Hotels in accordance with §220-43.3.

SECTION 9:

§220-43.3. Hotels

Hotels shall be special uses as follows:

- A. Location. The special use listed in this section may be permitted in a residence district only in locations fronting on or having direct access to major or collector roads as determined by the Planning Board and shown on the Town Development Plan Map.
- B. Coverage. Building coverage, including accessory buildings, shall not exceed 20% of the lot area, nor shall the sum total of the land covered with buildings and parking, including driveways, exceed 50% of the lot area, within any residence district.
- C. Setbacks. All new buildings shall be set back from adjoining properties in residence districts and street lines directly opposite properties in residence districts a distance equal to at least twice the normally applicable front yard setback requirement for detached one-family dwellings in the zoning district in which they are located, but in no case less than 50 feet. Setback requirements may be modified by the Board of Appeals in case of conversions of existing buildings.
- D. Buffer area. A landscaped buffer area, meeting at least the minimum requirements of Section 220-15 of this chapter, shall be required along all lot lines adjoining properties in residence districts, except where determined by the approving agency that a lesser width or no buffer will meet the purpose of this requirement.
- E. Parking. Parking shall be in accordance with Section 220-56(D) of this chapter.
- F. Other requirements. In addition to the special standards described above, hotels shall comply with any other requirements of this chapter and any special requirements deemed appropriate by the approving agency in accordance with the requirements of Section 220-32 herein. Further, hotels shall be subject to review

and recommendation by the Architecture and Community Appearance Review Council.

SECTION 10: HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 11: SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town of Lewisboro hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 12: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Dated: _____, 2015

BY THE ORDER OF THE TOWN BOARD
OF THE TOWN OF LEWISBORO

JANET DONOHUE, TOWN CLERK

LOCAL LAW NUMBER __-2015 OF THE TOWN OF LEWISBORO

SECTION 1: TITLE

This Local Law shall be known as 2015 amendment of Section 220-2(B), enactment of Sections 220-23(A)(19), 220-24(A)(1)(f), 220-24(B)(1)(d), 220-24(C)(1)(o), 220-24(D)(1)(i), and enactment of Section 220-43.4 of Chapter 220: Zoning.

SECTION 2: ADOPTION

Now therefore be it enacted by the Town Board of the Town of Lewisboro Local Law __-2015 that this law shall take effect immediately upon its passage:

SECTION 3:

Section 220-2(B) of Chapter 220: Zoning, is hereby amended to add the definition of bed and breakfast establishments to read as follows:

§220-2. Definitions and word usage.

- B. For the purposes of this chapter only, certain words and terms used herein are defined as follows:

BED AND BREAKFAST ESTABLISHMENTS -- An owner occupied dwelling in which no more than three bedrooms are available as overnight accommodations for paying, transient guests to whom a morning meal may be served.

SECTION 4:

Section 220-23(A)(19) of Chapter 220: Zoning, is hereby enacted to read as follows:

§220-23. Schedule of regulations for residential districts.

- A. Permitted principal uses in R-4A, R-2A, R-1A, R-1/2A and R-1/4A Districts are as follows:

(19) *Bed and breakfast establishments.

SECTION 5:

Section 220-24(A)(1)(f) of Chapter 220: Zoning, is hereby enacted to read as follows:

§220-24. Schedule of regulations for nonresidential districts.

A. Permitted uses in CC-20 Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:

- (f) Bed and breakfast establishments in existing residential buildings used for residential purposes, in accordance with §220-43.4.

SECTION 6:

Section 220-24(B)(1)(d) of Chapter 220: Zoning, is hereby enacted to read as follows:

§220-24. Schedule of regulations for nonresidential districts.

B. Permitted uses in SU Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter or as may be approved by the Planning Board as part of site development plan review. Permitted principal uses are as follows:

- (d) Bed and breakfast establishments in existing residential buildings used for residential purposes, in accordance with §220-43.4.

SECTION 7:

Section 220-24(C)(1)(o) of Chapter 220: Zoning, is hereby enacted to read as follows:

§220-24. Schedule of regulations for nonresidential districts.

C. Permitted uses in RB Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:

- (o) Bed and breakfast establishments in existing residential buildings used for residential purposes, in accordance with §220-43.4.

SECTION 8:

Section 220-24(D)(1)(i) of Chapter 220: Zoning, is hereby enacted to read as follows:

§220-24. Schedule of regulations for nonresidential districts.

D. Permitted uses in GB Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:
 - (i) Bed and breakfast establishments in existing residential buildings used for residential purposes, in accordance with §220-43.4.

SECTION 9:

Section 220-43.4 of Chapter 220: Zoning, is hereby enacted to read as follows:

§220-43.4. Bed and Breakfast establishments.

- A. Purpose. It is the specific purpose and intent of this provision to address the need of residents to locate convenient accommodation for visitors, to provide local accommodation for short-term visitors to the community, to encourage preservation of large older dwellings by providing a cost-effective alternate or adaptive use that can relieve the maintenance burden on the owners of such buildings and to encourage the preservation of large residential lots and their open space character by permitting an alternative use consistent with the residential character of the community. Furthermore, it is the purpose and intent of this provision to provide economic support for present resident families, to protect and preserve property values, to ensure healthy and safe living conditions and to have more effective regulation and control of Town growth and development. In furtherance of these purposes, specific conditions are set forth herein for bed and breakfast establishments.
- B. Bed and breakfast establishments shall be special uses as follows:
 - (1) In addition to the specific requirements set forth herein, the property and the principal and accessory structures located thereon shall conform to the lot area, yard and other requirements for the zoning district in which the property and structures are located unless a variance therefor shall have been granted by the Board of Appeals.
 - (2) The building housing a bed and breakfast establishment shall be an existing, detached single-family dwelling and its use as a bed and breakfast establishment shall not conflict with its appearance or function as such.
 - (3) The minimum lot size on which a bed and breakfast establishment may be located is two (2) acres. A bed and breakfast establishment may be permitted

on a lot with a smaller area only if such lot is located in a nonresidential district, the Planning Board finds that a bed and breakfast establishment can be adequately accommodated within the existing principal dwelling building, that it will not overburden the property, and that it will be a use compatible with the surrounding properties.

- (4) The owner of the lot upon which the bed and breakfast establishment is to operate shall occupy and maintain the bed and breakfast establishment as his/her primary legal residence. The owner of the lot must reside in the premises at the time rooms are being used by guests.
- (5) The maximum number of bedrooms that may be available to overnight guests shall be three (3) bedrooms. The Planning Board shall be responsible for determining and limiting the number of bedrooms in each dwelling in connection with its review of the special use permit application.
- (6) Guests in such bed and breakfast establishment may reside in such establishment for a maximum of three (3) nights. The maximum occupancy of each guest room in the bed and breakfast establishment shall be two (2) adults and their minor children, as long as such occupancy is in compliance with the New York State Uniform Fire Prevention and Building Code.
- (7) Meal service shall be limited to a morning meal served to overnight guests of the bed and breakfast establishment only.
- (8) There shall be one price per night for overnight guests of the bed and breakfast establishment, which price shall include the morning meal.
- (9) No less than one (1) off-street parking space shall be provided per bedroom designated as available for overnight guests. Said parking shall be in addition to the parking required by this chapter for the single-family dwelling use. The Planning Board shall be responsible in connection with its review of the special use permit application for determining that the required number of parking spaces can be provided in a safe manner on the subject lot so as to not establish a nuisance or burden for adjacent and surrounding lots.
- (10) Evidence of the approval of the proposed method and adequacy of water supply and sewage disposal shall be obtained from the Westchester County Department of Health.
- (11) The special use permit shall be granted for a period of three (3) years and may be renewed for additional three (3) year periods. An application, and a renewal, of the special use permit shall be made to the Building Department on a form provided by the Building Department for such purpose, and by payment of a fee in an amount set forth in a Fee Schedule as adopted and as may be amended from time to time by resolution of the Town Board. The

Building Department, after receiving the completed application and fee, shall reissue the special use permit if inspection of the premises finds it to be in compliance with all applicable codes including the New York State Uniform Fire Prevention and Building Code, the requirements of this section and the provisions of the original special use permit approval. If the Building Department finds that the property is not in compliance with all applicable codes including the New York State Uniform Fire Prevention and Building Code, the requirements of this section and the provisions of the original special use permit approval, then the Building Department shall refer the application to the Planning Board for action.

- (12) Each property for which a special permit has been issued for use as a bed and breakfast establishment is subject to periodic inspections by the Building Department and Fire Inspector to ensure continued compliance with all applicable codes including the New York State Uniform Fire Prevention and Building Code, the requirements of this section and the provisions of the original special use permit approval. Such inspections shall be conducted at least annually, and may be conducted more frequently if the Building Department or Fire Inspector reasonably suspects that more frequent inspections are necessary to ensure the safety of the bed and breakfast establishment.
- (13) If any inspection of the property and dwelling by the Building Department or Fire Inspector for the purpose of ensuring compliance with the provisions of this section is refused by the owner, when said inspection occurs at any reasonable time during daylight hours, or if the continuing conditions of the special use permit are violated, the special permit shall be subject to revocation after a hearing by the Planning Board at which the permit holder is provided an opportunity to be heard.
- (14) When during the review of an application the Planning Board finds that significant site work will be required to increase parking areas, to enlarge subsurface sewage disposal areas or to otherwise alter the physical site conditions, the Planning Board shall require the submission of a site plan which shall be processed concurrently with the application for a special use permit. In all other situations, site plan approval by the Planning Board shall not be required.
- (15) In addition to the special standards described above, bed and breakfast establishments shall comply with any other requirements of this chapter and any special requirements deemed appropriate by the approving agency in accordance with the requirements of Section 220-32 herein.

SECTION 10: HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 11: SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town of Lewisboro hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 12: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Dated: _____, 2015

BY THE ORDER OF THE TOWN BOARD
OF THE TOWN OF LEWISBORO

JANET DONOHUE, TOWN CLERK

LOCAL LAW NUMBER __-2015 OF THE TOWN OF LEWISBORO

SECTION 1: TITLE

This Local Law shall be known as 2015 amendment of Section 220-2(B) of Chapter 220: Zoning.

SECTION 2: ADOPTION

Now therefore be it enacted by the Town Board of the Town of Lewisboro Local Law __-2015 that this law shall take effect immediately upon its passage:

SECTION 3:

Section 220-2(B) of Chapter 220: Zoning, is hereby amended to delete the definition of motel as follows:

The Definition of "MOTEL" is hereby deleted from Section 220-2(B) of chapter 220: Zoning, of the Town Code of the Town of Lewisboro.

SECTION 4: HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 5: SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town of Lewisboro hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 6: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Dated: _____, 2015

BY THE ORDER OF THE TOWN BOARD
OF THE TOWN OF LEWISBORO

JANET DONOHUE, TOWN CLERK

**AGREEMENT BETWEEN THE TOWN OF LEWISBORO AND THE BOARD OF
EDUCATION OF THE KATONAH-LEWISBORO SCHOOL DISTRICT FOR USE OF
SCHOOL GROUNDS FOR BUS PICK UP AND DROP OFF**

THIS AGREEMENT is entered into this __ day of _____, 2015 by and between the TOWN OF LEWISBORO (hereinafter the "Town"), and the BOARD OF EDUCATION OF THE KATONAH-LEWISBORO SCHOOL (hereinafter the School).

WHEREAS, the Parks and Recreation Department of the Town of Lewisboro will operate a camp program from June 30, 2015 through August 7, 2015, and

WHEREAS, the Parks and Recreation Department provides for bus transportation as part of the camp program, and

WHEREAS, the Town wishes to use the parking lot area of the Lewisboro Elementary School, located on Bouton Road in the Town of Lewisboro, for the purposes of bus pick-up and bus drop-off of campers;

NOW THEREFORE, in consideration of the mutual covenants set forth herein, the parties hereto agree as follows:

1. The Town is hereby permitted to use the parking lot areas of the Lewisboro Elementary School (hereinafter "LES"), located on Bouton Road in the Town of Lewisboro, for the purpose of picking up and dropping off campers in the camp program operated by the Parks and Recreation Department of the Town of Lewisboro under the following conditions:
 - a) There may be a maximum of seven (7) buses at LES for this purpose at any one time.
 - b) The vehicles of the campers may be driven into and out of the LES parking lot for the purposes of meeting the buses to drop off campers, and fro picking up campers from the buses.
 - c) No vehicles, including those belonging to campers, shall be left parked in the LES parking lot during the day between the times the campers are picked up and dropped off.
 - d) The buses may pick up campers at LES after dawn, and may drop-off campers at LES before dusk.

2. The Town's use of the LES parking lot for the purpose stated herein shall not interfere with the School's use of the LES facilities, it being understood that if any portion of the LES building is leased, then this Agreement may have to be revisited by the parties to accommodate the tenant(s).
3. The Town shall provide to the School a certificate of insurance naming the School as an additional insured regarding the Town's use of the LES parking lot for the purpose stated herein.
4. The term of the use of the LES parking lot pursuant to this Agreement shall be from June 30, 2015 through August 7, 2015.
5. No understandings or agreements purporting to modify or vary the terms of this document shall be binding, unless hereinafter made in writing and signed by the party to be charged.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed by their duly authorized officers on the date written above.

TOWN OF LEWISBORO

BOARD OF EDUCATION OF THE KATONAH-
LEWISBORO SCHOOL

By: _____

By: _____

Peter Parsons, Supervisor

LOCAL LAW NUMBER __-2015 OF THE TOWN OF LEWISBORO

SECTION 1 -- TITLE

This Local Law shall be known as 2015 Enactment of Section 212-13 of Chapter 212: VEHICLES AND TRAFFIC.

SECTION 2 -- ADOPTION

Now therefore be it enacted by the Town Board of the Town of Lewisboro Local Law __-2015 that this law shall take effect immediately upon its passage:

SECTION 3 – VEHICLES AND TRAFFIC

Section 212-13 of Chapter 212, Vehicles and Traffic, is hereby enacted to read as follows::

§212-13. Parking prohibited at certain times.

The parking of motor vehicles on Town roads is prohibited between the hours of 11:00 p.m. to 7:00 a.m. from November 15 to April 1. Signs shall be posted on all entry roads to the Town of Lewisboro, and at other appropriate places, giving notice of this provision. Vehicles parked in violation of this section shall be subject to being towed at the vehicle owner's expense.

SECTION 4 – HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 5 -- SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town of Lewisboro hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 6 – EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Dated: _____, 2015

BY THE ORDER OF THE TOWN BOARD
OF THE TOWN OF LEWISBORO

JANET DONOHUE, TOWN CLERK

New York Rural Water Association

75 Bender Blvd. P.O. Box 487: Claverack, NY 12534
(518) 828-3155 www.nyruralwater.org

To help NYRWA provide your system with smoke testing, there are a few things that should be done before the actual smoke testing begins:

1. Do you have maps of the collection system and other information that will help in defining what needs to be done?
2. Try to determine the age or ages (if system was installed at different times) and start with the oldest areas first.
3. Divide the system into workable areas: (Do not try to do too much at one time).
4. Using the Manhole Inspection Report supplied with your info packet try to do a dry weather and wet weather flow comparison.
5. Please have a copy of the consent schedule available and any other information that may be helpful (i.e. engineering studies).

NYRWA will work with you if you are not sure what is needed to start a collection system inflow and infiltration (I & I) evaluation.

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BENEFITS of Smoke Testing a Collection System

Smoke Testing is one of the most efficient and cost effective ways to locate and identify the source of an overflow or infiltration problem! It is important to find and identify these sources because they may seriously affect the efficiency of the wastewater treatment facility and increase operating expenses.

Some examples of the impact that ***Inflow*** and ***Infiltration*** may cause are as follows:

- Pump Stations handling large volumes of unnecessary water.
- Hydraulic Overloads that will greatly reduce system efficiency.
- Increased operating expenses due in the processing of ground water and storm water that does not require treatment.
- Unnecessary equipment wear.
- Increased collection system maintenance and cleaning.

There are a few factors to consider when deciding if implementing a smoke testing program will be beneficial to your system. What are the age and type of materials used in the collection system? Many sanitary systems are 50–100 years old and are constructed of out-dated materials. Over time joints weaken and roots break in the lines that will permit excessive infiltration during wet periods.

The presence of undesired connections such as basement and yard drains, catch basins, cross connections from storm sewers, foundation drains and roof down spouts will cause elevated flows every time it rains. The easiest ways to tell if this exists in your collection system is to have a look at the plant's flow meter.

Smoke testing is a very quick and easy way to determine if buildings are properly connected to your system. Smoke should exit vent stacks of the surrounding properties within the testing area. If traces of the smoke or if odor enter the building, it is an

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indication that gases from the sewer system may also be entering. Smoke that enters a building can cause panic and stress to an unsuspecting individual. This will require some good public relations skills and allow for an opportunity to stress the importance of correcting the problem. Remind them that the smoke entering the building is their friend. If smoke is entering their home or business, DANGEROUS GASES could be entering as well. The smoke that is manufactured specifically for testing is not dangerous or toxic, leaves no residuals or stains, and has no effect on animals or plants. It has a distinctive, but not unpleasant, odor. The visible smoke and odor will only last for a few minutes where there is adequate ventilation. Sewer gases are dangerous! A few of these gasses have no odor and present the most serious problem because they can enter a building undetected. These gasses can cause anything from minor illness to death. Identifying and correcting of any source of any smoke entering a building is urgently advised.

Possible causes for smoke entering the building are:

The vents connected to the building's sewer lateral are inadequate, defective, or improperly installed.

The traps under sinks, tubs, basins, showers, floor drains, etc. are dry, defective improperly installed, or missing.

The pipes, connections, and seals of the building's sewer system are damaged, defective, have plugs missing, or are improperly installed.

In the end, if the situation is handled properly, the property owner is usually grateful for the assistance and information that you provide.

Smoke testing can also be very useful in locating "lost" manholes. Although collection systems can cost millions of dollars they are often the first thing to be neglected when there is a decrease in funding and staffing levels because they are out of sight and out of mind until a problem occurs. The biggest benefit of conducting a smoke testing program is the high visibility and learning opportunities of the staff by being out in the collection system for a few days.

The public, in general, has a preconceived notion that the wastewater treatment plant operators don't do much. Make sure to seize the opportunities that will arise while conducting this testing to explain what you are doing. You will be surprised how grateful they are! Staff will also be provided a great chance to familiarize themselves with the design, function, location and condition of the collection system that they seldom have a chance to get out and work in.

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How does smoke testing work?

Smoke testing is conducted by placing a blower over a centrally located manhole and forcing non-toxic smoke-filled air through a sewer line. Depending on the equipment being used the smoke will be generated by lighting a smoke bomb or utilizing liquid smoke. Using liquid smoke will generally cut your labor costs. The smoke under pressure will fill the main lines plus any connections, and then follows the path of the leak to the ground surface quickly revealing the source of the inflow and infiltration. Only enough force to overcome atmospheric pressure is required.

After placing the blower and filling the lines with smoke, staff will have to perform a visual inspection of the area being tested. When using liquid smoke, you control the time you want to run it. Typically, you will let the smoke run until the crew has ample time to do a thorough inspection. A field crew should consist of a minimum of two people.

You should check all connected lines, including abandoned and supposedly disconnected service lines. Don't rush because minor leaks can easily be overlooked. It is important to carefully check around houses with close attention given to cleanouts and roof drains. It is not uncommon to see smoke coming out of the grass, wooded areas, or cracks in the pavement. If smoke is found during the inspection it must be carefully recorded so that it can be corrected after the testing. Cameras make the job easier because a picture will help you to relocate the problem after testing so that you can take corrective measures. It is also proof of the leak found.

Blocking off a sewer line should not be necessary except when isolation is important. As long as openings exist for the smoke to follow, smoke tests are effective, regardless of surface type, soil type and depth of lines.

Best results are obtained when the water tables are low and on dry days because water is an excellent vapor barrier. Smoke testing should be avoided on windy days because even a very light breeze can disperse a wisp of smoke before it is visible at the source of a leak.

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Preparing to Smoke Test

Smoke test may involve many hours of labor, has the potential to affect the occupants of all buildings connected to the collection system, disrupt traffic, and cause people to summon Emergency Personnel. Therefore, advance preparation is essential to a successful smoke-testing program.

You must determine what areas of the collection system you would like to test and choose a reasonable period of time that you can truly devote enough staff to perform this work correctly.

You should obtain a comprehensive map with street names, addresses and the overall picture of the area to be tested. This map will show where the manholes are and which direction the lines flow. It will also show you where there are force mains, storm drains and any other items of importance. This is an excellent map to include your notes on. Good notes will prevent delays on the job. Manholes to be used for the blower placement should be predetermined and accessed prior to commencing the test. This will save a tremendous amount of time. When choosing the manholes to use always try to avoid busy intersections because creating a detour or closing an intersection will upset some drivers, thus causing dangerous situations.

Notification Procedures

Get a list of all property owners that are in the surrounding area of the vicinity that you have chosen to test. The people that do the billing are usually very helpful. Approximately two weeks in advance of the starting date, you must send the owners notification letters that include all pertinent information to the homeowner. This letter should be similar to the following sample:

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(Sample letter)

Dear Resident,

The Water Pollution Control Facility (WPCF) anticipates conducting ___ days of leak tests in the sanitary sewer system beginning DATE. A non-toxic smoke will be blown into the system to reveal leaks that allow storm water and other surface waters to enter. Locating and correcting these leaks will conserve expensive capacity at the treatment facility. A record of leaks will be made.

The smoke is manufactured specifically for this purpose, leaves no residual or stains, and has no effects on plants or animals. It has a distinctive, but not unpleasant odor. The visible smoke and odor only last a few minutes where there is adequate ventilation.

The smoke should not enter your home. However, if smoke does enter your home any of the following items are the probable cause:

The vents connected to the building's sewer lateral are inadequate, defective, or improperly installed.

The traps under sinks, tubs, basins, showers, floor drains, etc. are dry, defective improperly installed, or missing.

The pipes, connections, and seals of the building's sewer system are damaged, defective, have plugs missing, or are improperly installed.

During the week prior to DATE pour water down ALL drains in your home or building to ensure that all traps are full.

If traces of the smoke or its odor enter your house or building, it is an indication that odor from the sewer system may also be entering. This can be unpleasant, dangerous and a potential health hazard. The location, identification and correction of the source of any smoke entering your house is urgently advised.

The WPCF can provide assistance in locating the source of smoke entering your house. However, correction of any defects in the pipes and sewer on private property is the responsibility of the owner. If smoke is observed in your home and the source is not readily identified or you have questions, please call PHONE NUMBER.

Sincerely,

Superintendent

New York Rural Water Association

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A news release and smoke testing CAUTION letter is sent out to the media and other officials to let them know your plans. This is usually done one week in advance. The news release should include the days and exact location, why you are doing the test and where they can expect to see smoke. List your phone number for questions. Remember that this is just a reminder. Your notification letter should have covered all the necessary details.

The reminder should be similar to the enclosed sample:

Smoke Testing of the Sanitary Sewer System

The Water Pollution Control Facility inspection crew will be conducting a survey of the sanitary sewer system. The survey will involve opening manhole to the streets and easements. A non-toxic smoke will be blown into the sewer mains to locate breaks and defects on the sewer system. The smoke that may be seen coming from vent stacks on buildings or holes in the ground is non-toxic, harmless, and creates no fire hazard. The smoke should NOT enter your home unless the plumbing is defective or drains have dried up. If you have any seldom used drains, pour water into the drain to fill the trap.

If smoke should enter your home or building, correction of defects on private property are the responsibility of the owner. A licensed plumber should be consulted to ensure the corrections are properly made. If smoke is observed, you may contact a member of the survey crew working in your area. They will be pleased to assist you in identifying the source of the smoke.

Some sewer mains and manholes may cross property easements or other rights of way. Whenever these lines require investigation, the crew will need access to sewer mains and manholes. Clearing of some easements to facilitate access may be performed prior to the survey.

Photographs and or written records are to be made of the leaks that are found. The survey should begin on DATE and require ___ days for fieldwork. If you have any questions or observe smoke in your home, please call PHONE NUMBER.

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Advance notification allows anybody with special requirements, such as health concerns, enough time to inform you of their situation so that necessary arrangements can be made. Don't forget to include any concerns with your notes.

Commencing the Smoke Test

Before commencing work each and every day of the smoke testing be sure to call /or dispatch and/or the Fire Department to inform them. They also need to be informed when you are done for the day. Even with all your preparation, you will undoubtedly get a panic call sooner or later. The emergency personnel in your area need to be aware of this so they can sort out a panic call from a real emergency.

A truck that has been stocked with all the necessary equipment and materials prior to the morning of the project will once again save lots of valuable time in the field.

Concluding a Smoke Test

All of the notes, pictures and findings that are accumulated in the field should be put into a comprehensive report summarizing the smoke test work.

Send a letter to all property owners who need to do repair work. Be sure to cite and include the rule or sewer use ordinance that they are in violation of. Give them all the information they need to do the repairs, such as permits required, repair methods and a phone number that they may use to obtain further information. Be sure to set a time limit and always do a follow up inspection.

The New York Rural Water Association owns all the necessary equipment and will gladly assist you with any or all of the requirements involved with a smoke-testing project.

Please call **Steve Grimm, NYRWA Wastewater Technician at 518-828-3155 ext. 18** for details and information.

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USA BlueBook Stock#
48271
Call 1-800-548-1234
To Reorder

JSA BlueBook*

USA BlueBook Stock#
48273
Call 1-800-548-1234
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MATERIAL SAFETY DATA SHEET

Rev. Date: 02/20/98, UN Number: N/A

SECTION 1: PRODUCT IDENTIFICATION

Company Address: 3995 Commercial Ave., Northbrook IL 60062
Telephone Number: (847) 291-7000
Chemical Family: Petroleum Hydrocarbon Oil
Trade Name: PlantPro® Smoke Fluid
CAS Registry Number & Name: 64741-77-1, Light Hydrocracked Distillate

2. Composition / Information on ingredients

Component/CAS No.	LC%	HP%	TWA	STEL	TWA	STEL	TWA	STEL	UNIT
Limits for the Product: No Specific Limit									
Light Hydrocracked Distillate									
64741-77-1	00	100.0	5						mg/m ³

3. Hazards Identification

Emergency Overview

Danger: Harmful or Fatal if swallowed. Swallowing fluid can cause it to enter lungs and cause damage. pulmonary aspiration hazard.

Appearance—Light Fluid Odor—Little Odor

Potential Health Effects

Primary Routes of Entry - Inhalation (X) Skin (X) Eye (X) Ingestion (X)

Inhalation

Excessive exposure to mists or vapors generated by heat may cause irritation to eyes, nose, throat and lungs. Respiratory tract;

Skin

Practically non-toxic if absorbed (LD₅₀ greater than 2000 mg/kg). May cause mild irritation with prolonged or repeated contact.

Eye

Contact with the eye may cause minimal irritation.

Ingestion

Estimated oral LD₅₀ in rats is: > 15 g/kg. Harmful or fatal if swallowed. Pulmonary aspiration hazard if swallowed and/or vomiting occurs - it can enter lungs and cause damage.

Carcinogen listed by IARC (NO) NTP (NO) OSHA (NO) OTHER (NO)

Pre-Existing medical conditions aggravated by exposure

Skin disorders, respiratory, pulmonary and lung disorders (e.g. asthma-like conditions).

4. First Aid Measures

Inhalation

Move person to fresh air. If not breathing, give artificial respiration. obtain medical assistance.

N/A = Not Applicable

N.D. = No Data / Not Determined

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Skin-----
Wash with soap and water until no odor remains. If redness or swelling develops, consult medical assistance. Immediately remove soaked clothing. Wash clothing before reuse.

Eyes-----
Flush with water for at least 15 minutes. If irritation persists, obtain medical assistance.

Ingestion-----
Do not induce vomiting! Do not give liquids! Obtain emergency medical attention. Small amounts which accidentally enter mouth should be rinsed out until taste of it is gone.

5. Fire Fighting Measures

Flash point: 250 (Deg. F) minimum COC, 120 (Deg. C) minimum COC
Autoignition temp.: Not determined

-----Flammable Limits in air-----

Lower explosive limit (LEL): Not determined % volume
Upper explosive limit (UEL): Not determined % volume

Fire and Explosion Hazards-----

Can be made to burn (Flash point greater than 200F)

Extinguishing-Media-----

Water spray, Regular foam, Dry chemical, Carbon dioxide.

Special Fire Fighting Instructions-----

Wear self-contained breathing apparatus. Wear structural firefighters protective clothing.

"NFPA-Haz." Classification

Health - 0 / 0

Fire - 1 / 1

Reactivity - 0 / 0

Personal Protection Index - X

Hazard Rating

0 = Least 1 = Slight

2 = Moderate 3 = High

4 = Extreme

Specific Hazard: None Listed

6. Accidental Release Measures

Contain spill. Use personal protective equipment stated in section 8. Advise EPA; State Agency if required. Absorb on inert material. Shovel, sweep or vacuum spill.

7. Handling and Storage

NFPA class III storage. Avoid prolonged breathing of mist or vapor. Avoid prolonged or repeated contact with skin. Avoid contact with eyes. Wash thoroughly after handling.

8. Exposure Control / Personal Protection

Consult with a Health/Safety Professional for specific selection.

Ventilation-----

None normally needed.

N/A = Not Applicable N.D. = No Data / Not Determined

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Personal Protective Equipment-----

Eye-----

Splash proof chemical goggles or full face shield recommended to protect against splash of product.

Gloves-----

Protective gloves recommended when prolonged skin contact cannot be avoided. The following glove materials are acceptable: Polyethylene; polyvinyl chloride (PVC); Neoprene; Nitrile; Polyvinyl Alcohol, Viton.

Respirator-----

Concentration-in-air determines protection needed. Use only NIOSH certified respiratory protection. Respiratory protection usually not needed unless product is heated or misted. Half-Mask air purifying respirator with dust/mist filters or HEPA filter cartridges is acceptable to 50 mg/m³. Full-Face air purifying respirator with dust/mist filters or HEPA filter cartridges is acceptable to 250 mg/m³ exposure limit. Protection by air purifying respirators is limited. Use a positive pressure-demand full-face supplied air respirator or SCBA for exposures above 250 mg/m³.

Other-----

If contact is unavoidable, wear chemical resistant clothing. The following materials are acceptable as protective clothing materials: Polyvinyl Alcohol (PVA); Polyvinyl Chloride (PVC); Neoprene; Nitrile; Viton; Polyurethane; Safety shower and eye wash availability recommended. Launder soiled clothes. For non-fire emergencies, respiratory protection may be necessary, wear appropriate protective clothing to avoid contact.

9. Physical and Chemical Properties

Boiling Point	:	Wide Range 485F to 565F
Melting Point	:	N/A
Specific Gravity	:	0.86 (Water = 1)
Packing Density	:	N/A
Vapor Pressure	:	<0.08 (mm Hg @ 20 Deg. C)
Vapor Density	:	5+ (Air = 1)
Solubility in Water	:	NIL
pH Information	:	N/A
% Volatiles by Vol	:	NIL
Evaporation Rate	:	1000x slower (Ethyl Ether = 1)
Octanol/Water Coeff.	:	N.D.
Appearance	:	Light Fluid
Odor	:	Little Odor
Odor Threshold	:	N.D.
Viscosity	:	38.0 SUS @ 100 Deg. F .. 3.45 CST @ 40 Deg C.
Molecular Weight	:	204 (average)

10. Stability and Reactivity

Stability-----	
Stable-----	
Incompatible Materials-----	
Strong Oxidizers-----	
Hazardous Decomposition-----	
Carbon Monoxide and Asphyxiants-----	

N/A = Not Applicable N.D. = No Data / Not Determined

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15. Regulatory Information

SARA 302 Threshold planning quantity..... N/A
SARA 304 Reportable quantity..... N/A
SARA 311 Categories..... Immediate (Acute) health effects..... Y
Delayed (Chronic) health effects..... N
Fire Hazard..... N
Sudden release of pressure hazard... N
Reactivity Hazard..... N

This product or all components of this product are listed on the U.S. TSCA inventory.

16. Other information

WHMIS Classification: Not controlled

N/A = Not Applicable N.D. = No Data / Not Determined