

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on Monday, June 1, 2015, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

PRESENT: Supervisor - Peter H. Parsons
Councilmen - Peter DeLucia, Frank Kelly, *John Pappalardo, Daniel Welsh
Town Clerk - Janet Donohue
Absent - None

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 7:32 p.m.

PLEDGE OF ALLEGIANCE

Supervisor Parsons led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD

There were no public comments.

CORRESPONDENCE

There was no correspondence.

CONSENT AGENDA

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

MINUTES - Approved

On the above motion and second, the minutes of the May 18, 2015, Town Board meeting were approved.

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

REPORTS – Monthly Report

On the above motion and second, the May report from the Police Department was received and filed.

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

SLUDGE BIDS – Award Bid

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby accept the bid of Residuals Management Services, LLD, dba Earthcare of .125 per gallon for the removal of sewer sludge from the Oakridge and Wild Oaks Sewer Districts and authorizes the Supervisor to sign said contract.

*John Pappalardo arrives at 7:38 p.m.

PROPOSED MOTEL ZONING – Discussion of Planning Board Recommendations (7:36 – 7:38p.m.)

The Planning Board made no comment regarding the removal of the word motel from the Town Code and recommends the adoption of the amendment contained in the proposed Local Law (see attached). This Local Law will be passed at a future meeting.

PROPOSED BED AND BREAKFAST ZONING - Discussion of Planning Board Recommendations (7:38 – 7:58 p.m.)

The Planning Board made several comments regarding the amendments to the proposed Local Law specific to Bed and Breakfast establishments (see attached). These recommendations are not binding.

Mr. Parsons went in order of the bullet points. The first was that a Bed and Breakfast should be low profile and the Town Board agreed.

The second bullet point was that a Bed and Breakfast should be limited to three bedrooms on an individual building lot and the Town Board agreed. Attorney Anthony Mole´ also stated that this bullet point should read §220-43.B5.

The third bullet point refers to prohibiting the utilization of any dwelling unit contained in a structure detached from the principal residence on a building lot for a bed and breakfast establishment use. The Town Board feels that if someone has a garage with a room above it or a carriage house on the property, this should be able to be used as a bed and breakfast room.

The fourth bullet point prohibited any signage on the lot which advertised the Bed and Breakfast. The Town Board did not agree and feels that signage should be allowed as a form of advertisement as long as it goes through the proper approval process.

The fifth bullet point refers to a landscape buffer. The Town Board feels that this will be part of the planning review process.

The Town Board feels that the sixth bullet point which pertains to renewals is onerous. The Planning Board would like to provide a special use permit for a bed and breakfast establishment for a period of one year and thereafter subject to renewal for additional periods of up to three years and that all renewals must be approved by the Planning Board as opposed to the Building Department. The Town Board agreed that their original proposal was a good one.

The seventh bullet point pertains to whether the Westchester County Department of Health will treat the creation of a bed and breakfast establishment within a residence as an expansion of use subject to additional septic disposal requirements or approvals. The town attorney stated that if they have a WCDOH violation and they don't comply, that is not our purview. It is part of the application of the Building Department permit process.

The eighth bullet point refers to the adjustment to the property tax assessment. This is something that will be communicated from the Building Department to the Assessor. This will automatically happen.

The ninth bullet point refers to the word "existing" and the Planning Board feels it has no purpose and they feel it is unnecessary and ambiguous and should be removed. The Town Board wants to leave the word "existing" in as it pertains to transforming "existing" buildings and not necessarily building new buildings.

The tenth bullet point refers to an asterisk which appears to be omitted and it pertains to a special use permit. The asterisk will be added.

The final bullet point refers to the renting of rooms to not more than two persons who are not members of the resident's family. The Board looked at the Town Code. Mr. DeLucia feels that the town should strike §220-23(D)(9) which pertains to the renting of rooms. The board decided to include this topic into a future discussion regarding accessory apartments. They want to find out what the historical reason was for having this in the code.

The next step in finalizing this ordinance will be for the Town Board to work together with the town attorney and the town planner to iron out some of the issues and bring this back to the next meeting.

PROPOSED HOTEL ZONING - Discussion of Planning Board Recommendations (7:59 – 8:11 p.m.)

Mr. Parsons stated that the Planning Board did not like the proposed hotel zoning ordinance in large part because the proposed local law, in its current form, is not consistent with the Town

Master Plan and the section of the Zoning Code that includes the beneficial and convenient relationship among residential and commercial areas within the Town of Lewisboro. Mr. Parsons explained that the Planning Board is worried about the residential district component. They also feel that what the Town Board proposed was too vague and that they needed stronger guidance in the code. Otherwise the Planning Board feels that rejections could lead to law suits (see attached).

Mr. Parsons will get together with Jan Johnsson, the Town Planning Board Consultant, and try to redraft the Hotel Zoning ordinance which addresses the Planning Board's concern about the vagueness but at the same time achieve what the Town Board was looking to achieve.

The next step in finalizing this ordinance will be for the Town Board to work together with the town attorney and the town planner to iron out some of the issues.

REFUSE - Pay As You Throw Program from Waste Zero (8:45 p.m. – 9:14 p.m.)

Mr. Welsh has been working with Kristen Brown of Waste Zero, Inc., a Raleigh, N.C. company, about the possibility of a refuse collection system called Pay-As-You-Throw (PAYT). He said that getting into Westchester County is important to Waste Zero, Inc., so they are willing to do the consulting agreement which includes the Request for Proposal (RFP) at no charge.

Mr. DeLucia asked for clarification. If a homeowner does not want to participate and continue with their own carter, they are able to do so. Mr. Welsh said yes, that is the case.

Mr. Welsh said that there would be payment flow schemes. The first type would be payment entirely through the cost of the bags and the second would be partially through the bags and part through taxes. Mr. Parsons stated that there was a clear sense of the Board to go the non-tax route.

Mr. DeLucia was wondering if Waste Zero could let us know when towns don't put this through the taxes, what would motivate residents to do this.

Mr. DeLucia feels that people are creatures of habit and he doesn't feel that many people will want to change how they are currently handling their refuse needs.

Mr. Welsh stated that the advantage of putting this into the taxes would ensure the highest participation which in turn ensures the highest benefit and that includes driving costs down.

Surveys will be sent out in the near future.

STORMWATER – Stormwater Pollution Prevention Plan (SWPPP) (8:19 – 8:27 p.m.)

Joe Cermele from Kellard Sessions presented the Town Stormwater Pollution Prevention Plan (SWPPP) to the Town Board at the May 18th, 2015 Town Board meeting. Further additions need to be made, for example, adding the Cyrus Russell Community House, the Goldens Bridge Community House and other town properties. As Mr. Cermele stated, this is a work in progress and they will continue to work on this plan moving forward.

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

THE VOTE:	Yes	- DeLucia, Kelly, Pappalardo, Parsons, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board accepts the Stormwater Pollution Prevention Plan (SWPPP) as submitted by Joe Cermele from Kellard Sessions.

CLAIMS – Authorized for Payment

On motion by Mr. Parson, seconded by Mr. DeLucia, the Board voted 5-0 to authorize payment of the Town’s bills in the amount of \$306,309.53.

TOWN BOARD REPORTS

PARKS AND RECREATION – Conference

Mr. Parsons noted that Dana Mayclim won a scholarship through the Westchester Parks and Recreation Society (WRAPS) to attend the 2015 National Parks and Recreation Association (NRPA) 50th annual conference in Nevada, September 15 – 17, 2015.

PARKS AND RECREATION - Westchester Parks and Recreation Society (WRAPS) Award

Mr. Parsons informed the Board that local resident Ron Tetelman will be receiving the 2015 E. Mario Cribari Voluntary Service Award for an Individual. Mr. Tetelman has served on Lewisboro’s Parks and Recreation Advisory Council (PRAC) for sixteen years from 1995 to 2011, and is now serving on the Lewisboro Planning Board for the past four years. The award luncheon will be held on June 12, 2015. The Board congratulated Mr. Tetelman.

WESTCHESTER LAND TRUST – Congratulations

Mr. Parsons congratulated the Lewisboro Land Trust on holding a very successful celebration for their 20th Anniversary.

MEETINGS – Date Set

There will be a Town Board meeting on Monday, June 15, 2015 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, NY.

EXECUTIVE SESSION – To Discuss Personnel Issues

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 to go into executive session at 8:24 p.m. to discuss personnel issues.

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 to come out of executive session at 9:29 p.m.

OPEN SPACE AND PRESERVES ADVISORY COMMITTEE – Appointment of Member

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

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that Michael Surdej is hereby appointed Member of the Open Space and Preserves Advisory Committee for a term expiring December 31, 2016.

ADJOURNMENT

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 to adjourn at 9:30 p.m.

Janet L. Donohue
Town Clerk