

## **NOTICE OF A SPECIAL PREBLE TOWN BOARD MEETING**

TO: TOWN OF PREBLE BOARD MEMBERS

A special meeting of the Town Board of the Town of Preble will be held at the Preble Town Hall on Preble Road, Preble, New York, on the 26<sup>th</sup> day of July, 2011, at 7:00 p.m. The purpose of the meeting is to review the Aquifer Protection District special permit application submitted by Song Lake View, Inc. pursuant to Sections 568-572 of the Town of Preble Zoning Ordinance. The property location under review is tax map #7.00-03-07.000 located on Song Lake Road in the Town of Preble.

Dated: July 18, 2011

Jane Davenport, Clerk  
Town of Preble

# Special meeting to review the Town of Preble Aquifer Protection Zone Special Permit requested by Song Lake View for a proposed major sub-division, July 26, 2011

The Special Meeting for reviewing the Aquifer Zone special permit requested by Song Lake View, Inc for a proposed major sub-division was opened at 7:15 p.m.

Board members present: Supervisor Doring, Debra Brock, Peter Knapp and Dave Morse

Others attending: Don Armstrong, Paul Sheneman, Tony George, Tarki Heath, Joe Heath, Ken Brock, Rose Ann Socha, Al Socha, John Goddard, Rhea Jezer, Daniel Jezer

Supervisor Doring reviewed the agenda for the work meeting.

Paul Sheneman explained the proposed Song Lake View sub-division maps for the board members, illustrating the sites for required items for each lot and adding the following details:

Item	Agency	Oversight	Comments
Wells	DEC <i>licenses well</i> drillers, requires reports on all wells drilled	Preble code enforcement officer must confirm that locations and depths are as shown on site plan	Site plan is not arbitrary. Wells must be drilled in the locations shown on the site plan & cased to a minimum of 50'.
Septic systems	Cortland County Health Department reviews and approves plans for disposal systems	Preble code enforcement officer must confirm that locations are as shown on site plan	Site plan is not arbitrary. Disposal systems must be built in the locations shown on the site plan
Infiltration areas	DEC	Preble code enforcement officer and DEC	Collect water from roofs and driveways to allow slow absorption. Could be tract restriction. DEC can be informed by neighbors if areas are disturbed.
Storm water holding area	DEC	Preble code enforcement officer	Permanent conservation easement for area shared by two lots. DEC can be informed by neighbors if area is disturbed.
Storm water and erosion control during construction	DEC - SWPPP	Preble code enforcement officer and DEC	County may inspect for stabilized construction entrance

Discussion:

Locations of building placements, wells, septic systems, driveways and storm water retention areas are fixed, and can not be changed unless a request is made by the lot owner. Debra Brock asked who would hear the requests. Paul stated that depends on the change and which agency made the requirement. A plan for the management of the requests would include the code enforcement officer. Don Armstrong and Paul Sheneman answered the question of informing buyers of the various requirements. The approved sub-division has to be filed with Cortland County. Deed restrictions can be placed on lots. Buyers have the responsibility to be aware of the requirements prior to the purchase of the lot.

Peter Knapp stated that the DOT permits must be issued prior to the application review. Don stated that the county is responsible for giving approval for curb cuts on the road., and is not sure that has happened. Peter asked if the driveways would need to have culverts and ditches. Mr. Sheneman did not know for certain but believes that this would be up to the County highway dept. Peter wanted the applicant to be informed that the 60 ft road access attached to lot 3 cannot be a town road as it doesn't meet minimum town specifications.

The section of the Town of Preble Zoning Code Section 560 Aquifer Protection Zone was read aloud by Jim Doring, Debra Brock and Peter Knapp.

See [http://preble-ny.org/zoning/Preble\\_Zoning\\_Ordinance.pdf](http://preble-ny.org/zoning/Preble_Zoning_Ordinance.pdf) or view copy at Town Hall.

The Aquifer Special Permit application submitted by Song Lake View, Inc. president Nathan Shirley was read aloud by Jim Doring, with each point cross referenced to the Aquifer Protection Zone code. (copy at the Town Hall attached to the sub-division map)

Discussion:

Debra Brock stated that the Town Board should require the permits listed in the application be completed and submitted to the Town Board prior to a review for the special aquifer permit for the Song Lake View. Inc sub-division, and that the Board should hire a hydrogeologist to give opinion on the impact the sub-division could have on the aquifer. She voiced concern that the various requirements would need to have a plan for oversight in order to insure that all are met as the lots are developed. The plan must remain in place for the long term due to the storm water plan, which is based on holding areas that can never be altered.

Don stated that there is no procedure in place that sets the order of approvals between the Town Planning Board approval of the sub-division application and the Town Board review of the request for special permit for the sub-division in the aquifer protection zone. Debra Brock suggested that the request by Town Board members to review the Aquifer Special Permit application after the sub-division application is approved by the Town Planning Board be the precedent that will be followed now and in future cases.

After Jim asked for final comments from the board, he opened the meeting to public comment.

Ken Brock stated:

All of the requests for information on the sub-division be should be available prior to an Aquifer Protection Zone Special Permit being considered.

Daniel Jezer stated:

The set back requirements are different between the current housing and the proposed lots on the west side of the lake.

Tarki Heath thanked the board for their work and stated:

The board should wait for all of the sub-division information prior to a decision on the Aquifer Protection Zone Special Permit.

The water flow from the side of Song Mountain that floods the sub-division area requires an expert opinion to determine the impact on the building lots.

Due to the precise placement of wells and septic, there should be deed restrictions and comments on the sub-division map.

Al Socha thanked the board for allowing comments and stated:

Restrictions should be noted on the sub-division map.

Information on septic system size requirements should be based on home size.

The impact if lots are merged should be considered.

A point person to give buyers the lot requirements should be provided.

Rhea Jezer thanked the board for the opportunity to comment stated:

There is a great risk factor that the sub-division may pollute the aquifer, noting the use of pesticides in residential areas, and she asked for an expert opinion from a hydrogeologist. Song Lake residents had water tests done recently. There has been further logging on the hill above the sub-division which changes the topography and may put more burden on the septic leach fields and the storm water run off holding areas, requiring updated studies of storm water impact on the aquifer.

Joe Heath thanked the board for their work and allowing public comments and stated:

The Aquifer Protection overlay is meant to clean up all other work done prior to approval of development over the aquifer and the Town Board should wait for all other permits before considering an Aquifer Protection Zone Special Permit,

The Town of Preble should consider asking the USGS Hydrogeologist, Bill Kappel, who co-authored the hydrology study of the Tully Lakes area, including Song Lake, to share his findings with the Town Board. If that is acceptable to the board, Joe can contact Mr. Kappel.

The application guidelines for the Aquifer Protection Zone Special Permit requires that the business entity list all officers. The application submitted by Song Lake View lists the company president only and needs to be updated to name all of the company's officers.

Jim Harris stated that the application is still preliminary and that the planning board does not have a finished plat. He recommended that Rick Fritz attend the next meeting.

David Morse made a motion to close the meeting, seconded by Debra Brock; meeting closed at 8:58.

Respectfully submitted Debra S. Brock, Town Council member

Unofficial 07/26/2010

Official 08/08/2011