

**TOWN OF SOUTHEAST  
PLANNING BOARD MINUTES  
July 22, 2019**

Present: Chairman Thomas LaPerch; Boardmembers Dan Armstrong; Jack Gress; Jim King; Town Attorney Willis Stephens; Secretary Victoria Desidero. Absent & Excused: Vice Chairman David Rush; Boardmembers Eric Cyprus and Michael Hecht; Town Planner Ashley Ley.

**PUBLIC HEARINGS:**

- 1. BPOE BREWSTER ELKS LODGE, 1430 Route 22** – This was a Continued Public Hearing to review an application for Site Plan Amendment. (*Note: The hearing was continued due to a problem with the legal ad in the newspaper.*) Brewster Elks Officer Andrew Chastant appeared before the Board. The motion to Open the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed all in favor. Chairman LaPerch asked Mr. Chastant: is there anything new here or is there anyone from the public here would like a presentation: are you here for any of that? If so, he said, raise your hand and I will have the applicant do his presentation. He said if not, Andrew (Chastant), I see you cleaned up that right-hand side and added seed and everything? Mr. Chastant said yes, we cleaned it all up and are getting it ready for plantings that are to be presented to the Architectural Review Board next Wednesday. Chairman LaPerch said good, excellent. He polled the Board for questions and there were none. Boardmember Armstrong said I just wanted to say the place looks great. Chairman LaPerch said once again, this is a Public Hearing, if anyone in the public has a comment, please stand up, come forward with your name and address for the record. There were no questions from the public. The motion to Close the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember King and passed all in favor.

**REGULAR SESSION:**

- 1. NEW YORK AMERICAN WATER, 36 Mt. Ebo Road North** – This was a review of an application for a Wetland Permit to drill test wells. Mike Shortell of WSP USA and Richard Ruge of New York American Water appeared before the Board. Mr. Shortell said the purpose of us being here tonight, we're seeking a wetland permit to drill a new bedrock water supply well on the existing New York American well field. He said the well field is located in the general vicinity of the nursing home, if you are familiar with where that is, and we would be accessing the well field or actually the drilling site location through an existing trail and it is nothing more than a trail, it's a cart path. He said we would have to make some temporary modifications to access here. He said this ground is generally soft so we would be looking to put down concrete block with steel plates on top to support the drill rig which is about 75,000 pounds. Mr. Shortell said after we cross this area with the plates, we have a culvert to cross and we are going to do the same thing there. Steel plates, concrete blocks, he said, and coming back through the existing trail, we'll access one, two or three other wells depending on the results of the drilling. He said the wells themselves are located within the wetlands and they are located there specifically for that reason to try to get as close to these primary bedrock fractures. Ideally, he said, we want to put the well at the intersection of primary bedrock fractures but if we can't do that, we would have to cross a stream, so in this case we are trying to put it as close to the fractures as possible, which is in the wetlands. He said we are working with (Town Wetland Inspector) Steve Coleman and a landscape architect... Chairman LaPerch said I saw the consultant memos... once again, can you just refresh my memory, the reason for this is what? Mr. Shortell said the reason for this is to support the existing Mt. Ebo customer base. Chairman LaPerch said is there a problem you are solving or is this just preventative? He said surplus water; we are trying to find more water. Chairman LaPerch said did you run dry? He said no, they are not running dry. He asked: is it just a backup well? Mr. Ruge said we are short water... New York State DEC (Department of Environmental Conservation) says you have to have X amount of water available if you have one well out of service; we don't have

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that right now. Chairman LaPerch said do you have a water tank... a holding tank? Mr. Ruge said we do but the DEC says if you have so many wells and you produce X amount of gallons per minute, you have to take your biggest well out of service and still meet the needs of the customers and because of that we can't do it. Right now, we don't have enough wells to take our best producer off line, he continued, we are running short. Chairman LaPerch said is this also in anticipation of the Barrett Hill project? Mr. Ruge said no, not right now. Chairman LaPerch said what do you mean not right now? He said if we have excess water then it might come into play but we don't know what the yield is going to be out of this. Chairman LaPerch said this is just for the Mt. Ebo and Barrett Hill is on their own? Mr. Ruge said it could, if this is a good producer, if it gives us excess water then we have excess water to use to support Barrett Hill. They discussed this at length with Chairman LaPerch trying to determine if this well will service Barrett Hill or not and Mr. Ruge saying they don't know yet but it could be Wells One, Two and Three or a combination of any of those. Mr. Shortell said there are other well sites we are considering up in this area if we have to get to a second phase of drilling. Chairman LaPerch said I am not a scientist but is this a guessing game? Mr. Shortell said it is a complete guessing game; we have no idea what you are going to get with a bedrock well until you drill it. Chairman LaPerch said so the Barrett Hill project cannot come online until we find a water supply? Mr. Shortell said if we were able to establish that we meet the DEC requirements, Rich (Ruge) is correct, if this is the best well, we would have to evaluate based on additional pumping. He said we are doing additional hydro-fracking and additional 72-hour pumping tests out there. They discussed the wells they have and the actions they are taking to try and increase their yields with existing and new wells. Chairman LaPerch said we are going to have to hold a Public Hearing for this and I guess I am a little confused about how we hold a Public Hearing when you don't know if you have enough water... Mr. Shortell said a Public Hearing for the Wetland Permit or for something else? Chairman LaPerch said for the Wetland Permit. Mr. Shortell said we still need that permit in order to drill the locations so it is still warranted. Chairman LaPerch said I guess I am still a little confused. He polled the Board for questions. Boardmember King said my question is if you have X amount of water now, why would you target... Mr. Shortell said it is not a specific target... They discussed how the pumping tests will be conducted and the number of wells they will actually need which depends on how much yield they get. Boardmember Gress said I have no questions; I just hope you get the increase in gallons you need. Boardmember Armstrong said so these are three independent sources of water? Mr. Shortell said no, these are three potential drilling locations; we are identifying multiple locations because, say we start at number one and number one is a dud, we will move to number two. If two is a dud, then three, he said, but if one turns out to be a gusher, then we are done. Boardmember Armstrong said but these three will provide water for whatever is there now and whatever gets built in the future? Chairman LaPerch said in theory. Mr. Shortell said well, what is built is right there and it will provide water to the existing Mt. Ebo system. They discussed why they need to do this which is the DEC requirement. Secretary Desidero said may I just ask this in my simple terminology? Chairman LaPerch said sure. She said so the way I understand it you have to potentially do three but if you find enough water to supply the existing Mt. Ebo development on the first try, you will only drill one? Mr. Shortell said yes. She said and if you drill one, two or three doesn't matter, when you find the amount of water you need for the existing Mt. Ebo development, you may or may not have excess capacity for later development? Mr. Shortell said we won't know until we drill. She said but you are not doing it to supply what is there now and what's coming later, you are doing it to satisfy the DEC? Mr. Shortell said correct but we wouldn't be able to develop three wells there because if you pump one, it will have an influence on two and so on. Chairman LaPerch said thank you for the clarification. He said this is not a Public Hearing so we have some actions. Boardmember Armstrong said may I finish my questions? He said so whatever capacity... or whatever production you get out of whatever wells you drill, do you have a goal, a number of gallons per minute that you want to have... Mr. Shortell said well this is kind of

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the target but I am not able to provide that tonight but we would be looking for... I don't know what... if we found something like a 50 gallon per minute well, then we would probably come in and zone frack that to try to improve the yield and if we get something like 50 to 70 gallons per minute, we are not going to location two or three. He said that is what we are hoping for is that 50 to 70 gpm ration. Chairman LaPerch said we have to try to get them to the point that they start drilling. Boardmember Armstrong said so are you plugging in a surplus so that if you decide to do something more there with the site that you have capacity? Mr. Ruge said we don't plug in surplus but if we have surplus... we have to meet our existing customer base and that's so many gallons per minute. He said we will have that information for the Public Hearing so... we will have how many gallons per minute we need and then we know how much our wells are going to produce we will know what we are looking for. Boardmember Armstrong said what I am saying is are you also preparing for the expansion of future uses there or the needs so you go beyond the minimum? Chairman LaPerch said their first goal is just to satisfy the DEC and then they will go from there but we've got to get them drilling. He said the goals is to get them drilling and then they will figure out what the yield is and then the capacity issues they have from there moving forward. Mr. Shortell said exactly and ideally, we would like to be drilling during the dry season, in September, that's when we want to start. Boardmember Gress said what size tank are you putting in and Mr. Ruse said the existing tank is half a million gallons. He asked about the DEC requirements for the tanks and Mr. Ruse said the DEC doesn't look at the tank storage; that's a DOH (Department of Health) issue. Boardmember Armstrong said what I am trying to figure out is do you need more water now and that's why you are drilling the wells or is this for future need? Chairman LaPerch said it's now, Dan (Armstrong). Boardmember Armstrong said it is right now; you need it now? Mr. Shortell said it is now but it is going take considerable amount of time to get a new well online. They said we understand that. The motion to Declare Intent to be Lead Agency under SEQRA was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed by a roll call vote of 4 to 0 with 3 absent. The motion to Refer the application to County Planning under GML-239m was introduced by Chairman LaPerch, seconded by Boardmember Gress and passed all in favor. The motion to Refer the application to the Town of Patterson because it is within 500 ft. of the Town line was introduced by Chairman LaPerch, seconded by Boardmember King and passed all in favor. The motion to Set a Public Hearing for August 26, 2019 was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed all in favor.

2. **SEVEN STARR SCHOOL, 509 Rte. 312** – This was a review of an Application for Final Approval of a Site Plan. Architect James Sanok appeared before the Board. Chairman LaPerch said there is not much here because all of our consultants said you did a good job with the turning lane and the buses and everything so I have no questions. He polled the Board for questions and there were none. The motion to Grant Final Site Plan Approval for Seven Star School was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed by a roll call vote of 4 to 0 with 3 absent.

Ms. Desidero said I don't think we can do Minutes. It was determined that there was not a quorum of members present who were at the last meeting. Chairman LaPerch said we cannot do Minutes so we will hold them over to the next meeting.

Chairman LaPerch asked Ms. Desidero for the next meeting agenda and she said it is August 12<sup>th</sup> and we have the Maffei Wetland Permit coming back for their continued Public Hearing, which is actually a Public Hearing that is required as opposed to the one we had tonight which was just because of the legal ad. She said and then we have a new Public Hearing for the Root Avenue Subdivision Wetland Permit that we set last time and that is it so far.

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The motion to close the meeting was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed all in favor.

**August 9, 2019/VAD**