

MINUTES  
MEETING OF BOARD OF DIRECTORS  
THREE LAKES COUNCIL  
DATE: October 28, 2014

A meeting of the Board of Directors of the Three Lakes Council was held on October 28, 2014 at 7:30 PM at the home of Jean and Paul Lewis.

Present were:

Jan Andersen, President and Two Lake Club representative;  
John Lemke, Treasurer and Lake Waccabuc Association representative;  
Jean Lewis, Secretary; Joe Tansey, Lake Oscaleta Assoc.; Ron Tetelman, Lakeside Assoc.; Ellen Bailey, Perch Bay Assoc.; Alayne Vlachos, South Shore Assoc.; Peter Bysshe, Waccabuc Country Club; and Paul Lewis, Lake Preservation Committee chair.

Oscaleta Development - Jan Andersen reviewed the status of Rudolph Petruccelli's efforts to build a three bedroom home in a wetland on Oscaleta Road. She thanked the community for their support and opposition to the proposal. On October 21<sup>st</sup>, the Planning Board approved the subdivision application, but denied the Wetland Permit application. Following the Planning Board's decision, the Three Lakes Council (3LC) authorized our lawyer, David Wright, to contact Mr. Petruccelli's lawyer and repeat our offer to purchase the property.

Board members supported maintaining our offer of \$10,000 and agreed David should also suggest that Mr. Petruccelli consider donating the parcel to a land preservation organization.

Lakeside Cabana Proposal - The McCaffrey family has an application before the Planning Board to build an 896 square foot cabana 20 feet from Lake Waccabuc on their property at 22 Perch Bay Road. The cabana includes a bathroom, and the plan is to pump waste up to the main septic system.

Jean Lewis advised that the 3LC's long-standing practice has been to communicate environmental concerns to the applicant and thus avoid the need to bring our concerns to the Planning Board. After reviewing the plans, the executive committee agreed to send a letter to the McCaffrey family. In response, the architect offered to take Jan Andersen on a site walk, during which she was able to further discuss our concerns. At this point, we await updated plans from the applicant.

Membership - Joe Tansey asked about membership growth, and why his requests for welcome packets to distribute to new residents haven't been answered. Ellen Bailey repeated her offer to help compile and distribute welcome packets, and Jan will communicate this to Doug Housman, the new

Membership Chair. The Board representative from each lake association is reminded to forward names and contact information of new residents to Paul Lewis so our mailing list remains current, and to contact Doug directly for welcome packets.

Long Pond Preserve - Jan Andersen opened discussion of this agenda item with a review of the Preserve and our relationship with it.

Long Pond Preserve is approximately 37 acres of wet meadow and upland forest at the western end of Lake Waccabuc. The preserve has trails that are open to the public from dawn to dusk for hiking and nature walks. It is currently owned by The Nature Conservancy (TNC).

In 2010, TNC approached the 3LC about our interest in taking over ownership of the preserve. At that time, Westchester Land Trust (WLT) was also interested in owning the land. We deferred to WLT. In early 2012, WLT decided not to accept the transfer of the preserve from TNC, so TNC again approached 3LC.

Terms.

- Limits: The Preserve would come with deed restrictions - the land must continue to be managed as a nature preserve. A deed reverter clause would take effect if 3LC dissolves or is no longer able to manage the property.
- Temporary preserve closures would be permitted.
- Monitoring: TNC will conduct annual monitoring to ensure compliance with the terms of the transfer. The 3LC's role will be to host visits and respond to monitoring activity reports.

On August 14, 2014, the 3LC Board approved entering into negotiations with TNC on the transfer and, approved spending up to \$10,000 for this purpose. A Long Pond Preserve Committee, headed by co-chairs Ellen Bailey and John Lemke, was appointed, and has been leading the work done to date:

- A lawyer has been hired.
- Ellen and John met with WLT and obtained a copy of their title search.
- There will be no transfer tax since there is no selling price.
- Pricing for title insurance was obtained.
- A property appraisal would cost about \$1,500.
- Surveyors provided cost estimates from \$13,000 to \$20,000. TNC said they may have some information that could reduce the survey cost and may be able to share the costs.

Ongoing costs

- Added liability insurance is estimated at \$0 if we post No Swimming signs. We may want some added D&O insurance – approx. \$400 more.

- Property taxes: The property is exempted from taxes if public access is provided for free.
- Annual mowing costs are approximately \$1200/year.
- Trail maintenance will be done by volunteers, but some supplies may be needed.
- New signs will be needed for the main entrance and for posting around perimeter.

#### Ongoing workload

- The Preserve will need to be patrolled during summers, as we are doing now.
- Trail maintenance and sign posting will need to be done annually or semi-annually. Kevin Karl volunteered to lead a work crew for this.
- Tree tube maintenance will need to be done semi-annually as we are doing now.
- Annual reapplication for tax-exempt status will be necessary.
- The 3LC must make an Annual Report to TNC and host their visits to monitor the preserve.
- We will communicate with the Town, police, and public as needed.
- We will work with the Town on an easement agreement for the Town stormwater facility.

#### Board discussion and action

After reviewing the discussion of the anticipated work and costs, the Board unanimously reaffirmed its agreement to continue transfer negotiations with the objective of receiving Long Pond Preserve from TNC.

Ellen Bailey and Jan Andersen discussed cost vs. risks regarding a survey; both felt it is prudent to know what we are accepting. In particular, we should know if the parcel includes part of Tarry-a-Bit Road, where it extends beyond that road, and also where the Preserve/Mead Chapel boundary is. The Board suggested asking the surveyor for permanent monuments or markers.

The Preserve Committee recommended budgeting up to \$13,000 in additional funds for the survey, and also recommended obtaining Title Insurance, but not to have a property appraisal done. Upon a motion by Jean Lewis, the Board approved the Committee's recommendations.

At this point, it is estimated that the transfer of Long Pond Preserve from TNC to the 3LC will occur sometime in the first quarter of 2015.

Trees for Tribs – Jan Andersen reported vandalism on Long Pond Preserve. Someone removed the tubes supporting the trees the 3LC planted there in cooperation with the NYS DEC Trees for Tribs program. Jan replaced them,

and subsequently met with a representative of the Watershed Agricultural Council to review the trees and the situation.

Waccabuc Outlet Structure (Dam) – Joe Tansey and Ellen Bailey examined the dam and advised the Board of the risk posed by trees growing on it. Adjacent property owners of the dam are Curt and Lynne Brockelman, and Lynn Saidenberg & Arthur Rauch.

Ron Tetelman asked if a Town Wetland Permit would be required to remove the trees. Jan Andersen replied that Joe Tansey had investigated and said it would not be required as long as no motorized vehicles enter the wetland during the removal process. Ron also asked if the structure is a NYS Regulated Dam. Jan explained that NYS DEC lists it as a regulated dam, but with a hazard level of 0, and that the Brockelmans are listed as the official owners of the dam.

The Board authorized payment of \$3,000 for the removal of the trees, at the direction and with the agreement of the landowners where the trees are located. Joe Tansey offered to work with the landowners to get this done.

Budget – John Lemke presented a proposed 2015 Budget. Upon a motion by Ron Tetelman, the Budget was approved as amended with the additional items approved at this meeting. The approved Budget is attached.

New Board member – The Board approved appointing Fred Cowles as an At-Large delegate to the Board, effective January 1, 2015, interim to member approval at the annual meeting.

NOTE: Our easy-to-navigate Website - [threelakescouncil.org](http://threelakescouncil.org) - is a valuable archive of all past minutes, letters, reports, newsletters, etc.

Respectfully submitted,  
Jean Lewis, Secretary