



**THREE LAKES COUNCIL  
WACCABUC–OSCALETA–RIPPOWAM  
P.O. BOX 241, SOUTH SALEM, NY 10590  
[www.threelakescouncil.org](http://www.threelakescouncil.org)**

February 9, 2013

Town of Lewisboro Planning Board  
P. O. Box 725  
Cross River, NY 10518

Re: Petruccelli Project on Oscaleta Road, South Salem, NY.

Dear Chair Kerner and Members of the Planning Board:

The Three Lakes Council is a community organization that promotes the stewardship of the watershed and waters of lakes Waccabuc, Oscaleta, and Rippowam. Since 1970, we have been active in environmental protection, education, and research for these lakes. The association is comprised of members of the various associations around the three lakes with approximately 330 families with access rights to the lakes. In our role as watershed stewards, we are writing based on our knowledge of the lakes and the environment to express our concerns with and opposition to the project as currently proposed by Mr. Petruccelli for his Oscaleta Road property.

The Three Lakes Council has two categories of concern. First, we feel that developing this property as currently proposed will have an adverse environmental impact upon Lake Waccabuc, the Three Lakes community, and upon Lewisboro as a whole. Second, we own the property directly to the south of the proposed development, and we remain concerned about the deleterious effects of the proposed activities upon our property.

In the recent plan submissions dated December 2012, Mr. Petruccelli has provided three different options for placement of the house. He shows one option, option 3, that moves the footprint of the house outside of the wetland, but obviously the house still remains within the wetland buffer. However, in all of the options, Mr. Petruccelli continues to propose to cover most of the 8650 square foot Town wetland with fill over four feet deep. The portion of the wetland that isn't filled is graded and made into a bioretention basin or pond. In other words, all development options alter the entire local wetland topology and hydrology. The local wetland is within 400 feet of Lake Waccabuc, and holds water most of the year. While the bioretention basin is stated to be a wetland enhancement, it is a totally reconstructed wetland area. The Three Lakes Council would appreciate information about the proposed monitoring and maintenance of the wetland enhancement area, and some visual monument to reduce the chances that a future homeowner will convert it to turf grass.

The Three Lakes Council is also concerned that the proposed septic system may be located at an elevation that could be affected by high lake levels. Mr. Petruccelli's plans show the elevation at the top of the septic system berm to be about 482'. The septic plans show a need for a minimum of 18" of cover and 5' from the septic system to groundwater. The Three Lakes Council has lake gauges and tracks the heights of the lakes. In recent years, we have seen Lake Waccabuc's elevation increase by about 33" after a significant storm. The USGS plans show that the typical lake level is about 473'. We are

concerned that the septic system plans require a minimum of 6.5' from its 482' level as a gap to groundwater (or 475.5'), and the lake levels have fluctuated by almost 3', or to approximately 476'. We would appreciate confirmation by the Town that the vertical separation of the proposed development is sufficient to avoid an increase in septic pollutant or nutrient groundwater flow to the wetland and thence to the lakes. As the applicant notes, the septic system is less than 50 feet from the wetland that communicates directly with Lake Waccabuc. A reduction in house size to two bedrooms might allow the septic expansion area to be contained entirely within the run of bank material, and would reduce the septic load. We suggest that test wells be installed between the septic area and the DEC wetland to monitor for phosphorus, nitrogen, and coliform bacteria. Since a typical household produces 0.5 g of phosphorus per day per person, and since each gram of phosphorus can enable approximately 500 grams of algae growth, we encourage the installation of a phosphorus reduction unit in the proposed septic system.

As to the harm to the entire Lewisboro community, we note that the current Lewisboro wetland ordinance states "Considerable acreage of these important natural resources has been lost or impaired by draining, dredging, filling, excavating, building, polluting, and other acts inconsistent with the natural uses of such areas.... It is therefore the policy of the Town of Lewisboro to protect its citizens, including generations yet unborn, by preventing the despoliation and destruction of wetlands...." We do not believe that the Petruccelli proposal is in keeping with the policy and intent of the wetland law, and that Planning Board actions on this site may set a poor precedent for Town wetland protection.

Furthermore, we own the property that is immediately to the south of Mr. Petruccelli's property. That gives the Three Lakes Council an additional reason for concern about the proposed activities. We note the elimination of the overflow into the DEC wetland, which may help to lessen the impact of this proposal on the DEC wetland. Without any overflow, we fear that the water in this basin will encroach on to the northern border of our property. We would appreciate an assessment of the size and anticipated frequency of the storm design point for this wetland enhancement area, and assurance that the water that previously filled the wetland will not flow onto our property, changing its hydrology and limiting potential future uses.

Again, we understand that our property is linked to the applicant's property, and that he is proposing a formal subdivision of the properties. We have not been contacted by the applicant about this proposed subdivision and we have no clear understanding of the ramifications of this proposal upon our property, if any. We intend to devote our limited resources to our environmental activities and do not want to have to engage legal counsel, planning consultants, engineering, or other experts to help us evaluate the implications of this proposal. Without that understanding, we cannot give our support to opening the status of our property in this manner.

Thank you for your attention to our concerns.

Sincerely,



Janet Andersen  
President, Three Lakes Council