



**THREE LAKES COUNCIL
WACCABUC–OSCALETA–RIPPOWAM
P.O. BOX 241, SOUTH SALEM, NY 10590
www.threelakescouncil.org**

June 11, 2014

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

Re: Petruccelli Application on Oscaleta Road, South Salem, NY. Sheet 33B, Block 11157, Lot 46.

Dear Chair Kerner and Members of the Planning Board:

The Three Lakes Council (3LC) continues to urge you to deny the permit applications from Mr. Petruccelli. The lot is simply not suitable for building a house using today's standards and with current knowledge of wetland functions. In order to proceed with his development, Mr. Petruccelli needs extensive exceptions and exemptions, as well as actions that are unprecedented in our Town since wetland protections were enshrined in our Town's laws. While asking for these extraordinary provisions, the applicant is offering inadequate mitigation as measured by size and by environmental benefit.

The applicant has indicated that Lake Waccabuc is impacted by existing development. That's true. But we know better now. We can't ignore our improved scientific understanding. That improved knowledge is reflected in our current laws and ordinances. In order for Mr. Petruccelli to build in this location, the DOH will have to make exceptions to their current rules, and the Planning Board will have to go far beyond prior approvals. While the law allows some discretion and flexibility, there is simply no reason to grant the unparalleled exceptions required to approve this application.

The Three Lakes Council was formed in 1970 with the mission of environmental protection of the lakes and the surrounding watershed. Even at that time, which was twelve years before Mr. Petruccelli purchased his property, efforts were underway to improve the conditions of the lakes, and our outreach on stewardship and lake-friendly behavior had begun. In 2009, the Town Wide Lake Management Plan went beyond stewardship outreach to recommend no new on-site septic systems be allowed within 100 meters of any wetlands or streams that were tributaries to all the lakes in Town. Even more recently, the concerns of toxins from algal blooms have generated more research on a statewide and national basis. The Three Lakes Council was an early participant in sampling both water chemistry and algae to support the scientific investigation into the contributors and triggers of these algal toxins.

This organization is not suddenly calling upon environmental concerns to stop another home from accessing the lake. Environmental issues are at the heart of our organization, and scientific principles guide our recommendations, decisions, and actions.

We have documented a litany of the areas where this applicant has fallen short of compliance with current practices, regulatory requirements, and mitigation guidelines. The soils tests are inadequate and Mr. Petruccelli has refused to do additional tests for both the DOH and the Town, has not provided documentation to justify his wandering wetland flags, and has failed the burden of proof. Approval of the wetland application would not be consistent with the purposes of the Town of Lewisboro's wetland protection laws.

Once again, the Three Lakes Council strongly urges you to deny Mr. Petruccelli's wetland permit application and subdivision application.

Sincerely,

A handwritten signature in cursive script that reads "Janet Andersen".

Janet Andersen
President, Three Lakes Council