

CWC POLICY COMMITTEE
JULY 7, 2015
MINUTES

Present: Mike Brandow, James Eisel, Tina Molé, Robert Pelham, Michael Triolo, Alan Rosa, Michael Meyer (NYCDEP), Berndt Leifeld

Excused: Mark McCarthy, Thomas Snow (NYSDEC)

Others Present: Tim Cox (CWC), Jim Martin (CWC), Jeff Graf (NYCDEP)

- I. Call to Order at 10:05 am
- II. James Eisel was unanimously reelected chair upon motion of Tina Mole and seconded by Mike Brandow.
- III. April, 2015 Minutes unanimously approved by Committee upon motion of Berndt Leifeld and Second by Tina Mole.
- IV. Personnel Matter – upon motion of Tina Mole and second by Michael Triolo, Committee entered executive session to discussion hiring of a particular person.
- V. Other

Alan Rosa stated that it's come to his attention that NYCDEP is going outside of the Watershed Regulations on septic matters. In particular, NYCDEP staff are enforcing against small businesses even though the regulations require a substantial alteration or modification to the septic for DEP to be involved. Alan continued that he asked Tim Cox to review and he found three specific instances, backed up by letters and paperwork, where NYCDEP staff were overreaching on enforcement for changes of use. Alan stated that because of NYCDEP interpretation, he could not recommend any community accept a septic maintenance district because there would not be allowed any growth. Alan asked Tim to explain his findings. Tim Cox explained that in the Hotel Dylan, Onteora Farms, and Full Moon resort businesses in Ulster County DEP staff required or are requiring upgrades to septic systems on the basis that a business use on the property was substantially altered or modified. For Hotel Dylan, their engineer certified that the proposed change from a house to a dry spa would use equal or less wastewater than the previous home use, same for Onteora Farms converting a bank to a farm stand. For Full moon Resort in Shandaken, the owner of the resort requested Ulster County to correct the number of bedrooms available. Both the property owner and Ulster County agree that the physical number of rooms did not change, but tow suites with two rooms were only counted once. In spite of that, NYCDEP issued a notice of violation based upon the change of bedrooms. Tim noted that NYCDEP only issued an NOV to Full Moon Resort after they applied to CWC for a loan. Alan stated that he had to pull that loan resolution because of the notice of violation. Jeff Graf stated that Dave Warne at DEP was

working on these matters and DEP was working on a resolution. He suggested that Alan speak to Dave. Robert Pelham explained that in Windham a property owner was facing similar issues. Alan suggested and Committee resolved that a letter be sent to Paul Rush, with copies to CWC Board and CWT Board regarding these matters.

- VI. Next Meeting scheduled for August 4, 2015
- VII. Adjourned at 11:00 am