



TOWN OF PUTNAM VALLEY

Pre-Work Session

July 7th 2021

Town Hall

6Pm

Pledge of Allegiance

Meeting called to Order

Supervisor's Comments

- 1. Public Hearing for the Putnam Valley Solar Law**
- 2. Immediately following the Solar Law Public Hearing for revisions to the Agricultural Code**
- 3. Immediately following the Agricultural Code Public Hearing, Public Hearing for revision of the Zoning Code**
- 4. Lindbergh Property Discussion**
- 5. Discussion Memorandum of Agreement with Hudson Highlands**
- 6. Discussion Boy Scout Camp Sale**
- 7. Discussion Herb Edelman's Property**
- 8. 90 Day Extension of senior Clerks Position**
- 9. Update Harvester**
- 10. Districts: Seasonal Personal**
 - A: Harvester Operator**
 - B. Seasonal Beach Monitor**
 - C. Laborer at Lookout Manor**
- 11. Parks and Recreation**
 - A. please approve the following additions/changes to Persona**
- 12. Move to have the Supervisor sign the 1year contract for the use of Geese control dogs at Carrara's, Singer's and North Beach as well as egg adding at the cost of \$10,400.**

The dogs will be utilized every day in the morning and evening at varying times to scare the geese away from the beach areas.
- 13. Budget & Transfers amendment**

Next Town Meeting: Wednesday, July 14th 2021, 5PM at Town Hall

Local Law ____ of the year 2021
Amending the Zoning Code of the Town of Putnam Valley

Be it Enacted that Chapter 165 of the Town Code be Amended to add a new Article XXIV
regulating solar energy systems

Solar Energy Systems

§ 165-111 Solar energy systems.

- A. Purpose. Because it is in the public interest to provide for and encourage renewable energy systems and a sustainable quality of life, the purpose of this section is to facilitate the development and operation of renewable energy systems based on sunlight. Solar energy systems are appropriate in certain zoning districts when measures are taken, as provided in this section, to minimize adverse impacts on neighboring properties and protect the public health, safety and welfare.
- B. Definitions. As used in this section, the following terms shall have the meanings indicated:

BUILDING-INTEGRATED PHOTOVOLTAIC PRODUCT (BIPV)

A building product that incorporates photovoltaic modules and functions as a component of the building envelope, which includes photovoltaic siding, photovoltaic canopies and awnings, photovoltaic shingles and other photovoltaic roof coverings.

BUILDING-INTEGRATED PHOTOVOLTAIC SYSTEM

A solar energy system that use building-integrated photovoltaic products.

COMMERCIAL SOLAR ENERGY SYSTEM

A solar energy system designed to produce electricity for off-site energy consumption, which is operated as a commercial or nonprofit activity. Commercial solar energy systems include net-metered systems that are designed to produce more than 110% of the average yearly energy requirements for the property on which the solar energy system is located.

GROUND-MOUNTED SYSTEM

A solar energy system that is anchored to the ground and attached to a pole or similar mounting system, detached from any other structure.

LEGALLY PERMITTED STRUCTURES

Principal and accessory structures permitted under the current Zoning Code for which a certificate of occupancy or a certificate of compliance has been issued or structures which do not require a certificate of occupancy or certificate of compliance because they were created before building permits were required or otherwise do not require the certificate.

The determination of whether a structure requires a certificate of occupancy or certificate of compliance shall be made by the Zoning Administrator.

SOLAR ENERGY SYSTEMS FOR PRIVATE/RESIDENTIAL

Any solar panel collection system or array utilized for the on-site consumption of a business or residence that does not generate more than 5KWh of electrical power in total.

ROOF-MOUNTED SYSTEM

A solar panel or panels located on a roof of a legally permitted principal use or accessory structure.

SOLAR ENERGY EQUIPMENT

Energy storage devices, material, hardware, or electrical equipment and conduit associated with the production of electrical energy, not including solar panels.

SOLAR ENERGY SYSTEM

An electrical generating system composed of a combination of both solar panels and solar energy equipment.

SOLAR PANEL

A device capable of collecting and converting solar energy into electrical energy.

§ 165-112. Safety Requirements.

1. All solar energy systems shall comply with the New York State Uniform Fire Prevention and Building Code and the New York State Energy Conservation Construction Code established pursuant to New York Executive Law § 381(2) (New York State Uniform Code).
2. In the event that the New York State Uniform Code contains more restrictive regulations covering solar energy systems than those noted in this subsection and the regulations conflict, then the New York State Uniform Code regulations shall prevail.

§ 165-114. Solar energy systems for private/residential use.

1. Roof-mounted systems. Roof-mounted solar energy systems for private/residential (RMSES) are permitted as an accessory use in all zoning districts when attached to a legally permitted structure, as defined in Subsection 98-54.1 B above, subject to the requirements set forth in this section:
 - a. Height. RMSES shall not exceed maximum height restrictions within any zoning district and are provided the same height exemptions granted to building-mounted mechanical devices or equipment pursuant to the Zoning Code.
 - b. Setback. RMSES are subject to the setback requirements of the underlying zoning district. Any RMSES to be placed on principal or accessory structures

which do not meet the setback requirements, whether such structures are permitted pursuant to the grant of a variance from the setback requirements or are preexisting, nonconforming, shall apply to the Zoning Board of Appeals for a special use permit from this requirement to insure that there is no adverse impact to neighboring properties.

- c. Aesthetics. Solar installation shall incorporate the following design requirements:
 1. Solar energy equipment shall be installed inside walls and attic spaces, where practical, to reduce the visual impact. If solar energy equipment is visible from a public right-of-way, it shall match the color scheme of the underlying structure to the extent possible. Marking of electrical equipment shall be in accordance with the Uniform Code, the NEC or other applicable codes.
 2. Roof-mounted solar panels facing the front yard must be mounted at approximately the same angle as the roof's surface with a maximum distance of 18 inches between the roof and highest edge of any panel.
 3. Solar panels affixed to a flat roof shall be placed below the line of sight from a public right-of-way. If topography makes this requirement impractical, then the Zoning Administrator shall make the determination relating to the enforcement of this provision.
 4. Solar panels shall be constructed of a material designed to minimize glare and shall be roof mounted in a manner to minimize impact to any neighboring property. In no way will a rooftop solar installation be permitted where snow or rain runoff will adversely affect public safety or adjacent property.
 - d. The applicant shall complete the Putnam Valley unified solar permit application which shall be developed and approved by the Building Inspector. Applications for RMSES shall be submitted to and approved by the Building Inspector in accordance with the standards and conditions set forth in this Chapter and the NYS Building and Fire Prevention Code.
2. Ground-mounted systems. Ground mounted-solar energy systems for private/residential use (GMSES) are permitted as an accessory use, and the installations will be treated as accessory structures in all zoning districts, subject to the requirements set forth in this section, as well as all other requirements set forth in the Town Code applicable to such use:
 - a. All ground-mounted solar panels in residential districts shall be installed in the side yard or rear yard.

- b. Setback. Ground-mounted solar panels are subject to setback requirements of the underlying zoning district; provided, however, that in zoning districts which have a minimum lot size of 3 access or more, a minimum setback of 100 feet from any property line is required.
- c. Height Solar panels are restricted to a height of 12 feet from the ground under the solar panel to the highest point of the solar panel or racking structure, whichever is greater.
- d. Lot coverage. The total surface area of ground-mounted solar panels shall be included in lot coverage and impervious surface calculations. If the supporting structure of a ground-mounted solar energy system is solid or in any way blocks the ability for rain to reach the ground, then the entire structure shall be included in the impervious surface calculations. In no event shall the GMSP system have a lot coverage of more than 5,000 Sq. Ft.
- e. Planning Board review and approval. All GMSES shall be subject to site plan review and approvable by the Planning Board. The Planning Board shall consider the location, siting, screening, neighborhood or viewshed impacts, stormwater runoff and other environmental impacts. Applications shall include the location of residences on all adjoining properties. Negative environmental impacts, including clearing of existing trees, shall be avoided, to the extent possible, in the siting.
- f. Verification of utility notification. Each applicant shall submit a copy of their application to the public electrical utility. Foreseeable infrastructure upgrades shall be documented and submitted and shall be subject to approval by the Planning Board. No building permit will issue for a solar energy system designed for commercial power generation (e.g. power for wholesale or retail sales).
- g. The application shall set forth the name, address, and contact information of the applicant, property owner(s), and agent submitting the proposed project.
- h. All applications shall include plans, acceptable to the consulting engineer for the Planning Board, showing the layout of the solar energy system. All equipment specification sheets shall be documented and submitted for all photovoltaic panels, significant components, mounting systems and inverters that are to be installed.
- i. Screening. GMSES shall be screened with perimeter plantings, to consist of evergreen plantings having a minimum height of four feet at the time of installation, and shall be placed in a manner to alleviate any visual impact from the systems to either public roads or neighboring properties. The screening shall be maintained at all times and shall be replaced as soon as practicable if damaged or destroyed for any reason. The Planning Board has

the authority to take the physical characteristics of the site into consideration as it relates to viewshed and screening requirements.

- j. If the Planning Board determines that a landscape buffer will not provide adequate screening, then the Planning Board may require a ground-mounted system to be fully screened from adjacent properties and roads by fencing or a combination of fencing and evergreen and deciduous plantings. Plantings used for screening shall be of such a height and width, at the time of planting, so as to obscure the ground-mounted system from adjacent properties. Said screening shall be subject to the prior review and approval of the Planning Board to ensure compliance with this requirement. The Planning Board has the authority to take the physical characteristics of the site into consideration as they relate to viewshed and screening requirements.
- k. Ground-mounted systems shall be placed in such a way to balance the benefit to the property owner with adverse impacts to neighboring properties. The Planning Board has authority to increase the setback requirements where there is an adverse impact to neighboring properties.

3. Installation requirements.

- a. All solar energy system installations must be performed in accordance with applicable electrical and building codes, the manufacturer's installation requirements, and industry standards. Prior to operation, the electrical connections must be inspected by the Town Building Department and by an appropriate electrical inspection person or agency, as approved by the Town. In addition, any connection to the public utility grid must be inspected by the appropriate public utility.
- b. Connection to the public utility grid system must be accomplished without additional infrastructure in the public right-of-way necessary to connect such system to the grid. Any new connecting lines on premises to connect the public right-of-way shall be placed underground. Infrastructure required, by the utility, for utility interconnection located in the utility right-of-way and upgrades to an existing overhead utility service drop is permitted.
- c. Whole solar storage batteries are included as part of the solar energy system, they must be placed in a secure container or enclosure meeting the requirements of the New York State Uniform Code when in use and, when no longer used, shall be disposed of in accordance with the laws and regulations of Putnam County and other applicable laws and regulations.
- d. Warning signs. All warning signs and equipment markings for the solar energy systems shall be in accordance with the New York State Uniform Code, the NEC and the NFPA.

C. Commercial solar energy systems. Due to the potential for negative impacts to neighborhood character and to other environmental resources from commercial activity related to energy generation, supply and transmission in residential zones, commercial solar energy systems are strictly prohibited in all residential and CD and PD zoning districts in the Town. Commercial solar energy systems shall be permitted only as a Special Permit Use in CC-1 and CC-2 zoning districts. Commercial solar energy systems shall be subject to the following requirements (in addition to the requirements for a special permit application and site plan review):

- (1) Height and setback requirements. Commercial solar energy systems shall adhere to the height and setback requirements of the underlying zoning district. Additional restrictions and setback requirements may be imposed during the Planning Board site plan permit process at the sole discretion of the Planning Board.
- (2) Lot coverage. Solar installations as a principal use shall be subject to lot coverage regulations in all districts where permitted. However, in no event shall the lot coverage of the Commercial Solar Energy System exceed 7 acres, the maximum building area permitted for a structure in the zoning district, or 10% of the Lot Area, whichever is less.
- (3) All commercial solar energy systems shall be enclosed by fencing to prevent unauthorized access. Warning signs with the owner's contact information shall be placed on the entrance and perimeter of the fencing. The height and type of fencing shall be determined by the Planning Board during the site plan process.
- (4) In addition to the above restrictions, the following requirements shall apply:
 - a. Verification of utility notification. The applicant shall submit a copy of the electrical utility's application with the initial Town application. Required utility infrastructure upgrades shall be documented and submitted and shall be deemed part of the site plan approval required by the Planning Board. No building permit will be issued until such time that the electrical utility has provided approval, preliminary or otherwise. Utility equipment in the right-of-way is exempt from this provision. A commercial solar energy system to be connected to the utility grid shall provide a proof of concept letter from the local utility company acknowledging the commercial solar energy system will be interconnected to the utility grid in order to sell electricity to the public utility entity.

- b. The applicant shall submit the name, address and contact information of the applicant, property owner(s), and agent submitting the proposed project.
- c. If the property of the proposed project is to be leased, legal consent between all parties, specifying the use(s) of the land for the duration of the projects, including easements and other agreements, shall be submitted.
- d. Site plan approvals required pursuant to Town Code Section 165-28.
- e. Plans of the solar installation showing the layout of the system which are acceptable to the engineering consultant to the Planning Board shall be submitted.
- f. The equipment specification sheets shall be documented and submitted for all photovoltaic panels, significant components, mounting systems, and inverters that are to be installed.
- g. Property operation and maintenance plan. A property operation and maintenance plan is required, describing continuing photovoltaic maintenance and property upkeep, such as mowing, trimming, fence inspection and any needed repairs, etc.
- h. Height restrictions. The maximum height for ground-mounted commercial solar energy systems shall not exceed 12 feet in height above the ground measured from the ground under the solar panel to the highest point of the solar panel or racking, whichever is greater.
- i. Design standards.
 - 1. Screening. A ground-mounted commercial solar energy system shall be screened with perimeter planting, to consist of evergreen plantings, having a minimum height of four feet at the time of installation, and shall be set back as determined by the Planning Board in a manner to minimize the visual impact of the commercial solar energy system upon neighboring properties, public roads and public areas.
 - 2. A landscape buffer shall be provided around all equipment and solar panels to provide screening from adjacent properties and roads. The Planning Board has the authority to take the physical characteristics of the site into consideration as they relate to viewshed and screening requirements.

3. Ground cover under and between the rows of solar panels shall be low-maintenance, drought-resistant natural fauna, or pervious pavers when approved by the Planning Board.
4. Any new roadways within the site shall be constructed of pervious materials and shall be designed to minimize the extent of roadways constructed and soil compaction.
5. All on-site utility and transmission lines shall, to the extent feasible, be placed underground.
6. All commercial solar energy system facilities shall be designed and located in order to prevent reflective glare toward any inhabited building and adjacent properties as well as public roads.
7. All mechanical equipment of a commercial system, including any structure for batteries or storage cells, shall be completely enclosed by a minimum six-foot high fence with a self-locking gate and provided with landscape screening in accordance with the landscaping provisions of this chapter.
8. Commercial solar energy systems must meet the safety regulations as set forth in Subsection C above; and must be kept in good repair and condition.

(5) Signs.

- a. A sign not to exceed eight square feet shall be attached to the fence adjacent to the main access gate and shall list the facility name, owner and phone number.
- b. A clearly visible warning sign must be placed at the base of all pad-mounted transformers and substations, clearly marked "Danger", and list all voltages present.

(6) Abandonment.

- a. All applications for commercial solar energy systems shall be accompanied by a decommissioning plan to be implemented upon abandonment, or cessation of activity, or in conjunction with removal of the structure. Prior to issuance of a building permit, the owner or operator of the facility or structure shall post a performance bond or other suitable guarantee in a face amount of not less than 150% of the estimated cost, or other approved method of addressing the solar energy system's end of life, as determined by the Town Engineer, to

ensure removal of the solar energy system or facility or structure in accordance with the decommissioning plan described below. The form of the guarantee must be reviewed and approved by the Town Engineer and Town Attorney, and the guarantee must remain in effect until the system is removed. Review of the guarantee by the Town Engineer and Town Attorney shall be paid from an escrow established by the applicant. Prior to removal of a solar energy system production facility or structure, a demolition permit for removal activities shall be obtained from the Town.

- b. If the applicant ceases operation of the solar energy system or structure for a period of 18 months or begins but does not complete construction of the project within 18 months after receiving final site plan approval, the applicant will submit a decommissioning plan that ensures that the site will be restored to a useful, nonhazardous condition without delay, including but not limited to the following:
 1. Removal of aboveground and below-ground equipment structures and foundations.
 2. Restoration of the surface grade and soil after removal of equipment.
 3. Revegetation of restored soil areas with native seed mixes, excluding any invasive species.
 4. The plan shall include a time frame for a completion of site restoration work.
- c. In the event that construction of the solar energy system or structure has been started but is not completed and functioning within 18 months of the issuance of the final site plan, the Town may notify the operator and /or the owner to complete construction and installation of the facility within 180 days. If the owner and/or operator fails to perform, the Town may notify the owner and/or operator to implement the decommissioning plan. The decommissioning plan must be completed within 180 days of notification by the Town.
- d. Upon cessation of activity of a fully constructed solar energy system or structure for a period of one year, the Town may notify the owner and/or operator of the facility to implement the decommissioning. Within 180 days of notice being served, the owner and/or operator can either restore the system to equal to 80% of approved capacity or implement the decommissioning plan or provide a restoration plan for the unused portion of the solar energy system.

- e. If the owner and/or operator fails to fully implement the decommissioning plan within the one-hundred-eighty-day time period, and restore the site as required, the Town may, at its own expense, provide for the restoration of the site in accordance with the decommissioning plan and may, in accordance with the law, recover all expenses incurred for such activities from the defaulted owner and/or operator. The cost incurred by the Town shall be assessed against the property, shall become a lien and tax upon said property, shall be added to and become a part of the taxes to be levied and assessed thereon, and shall be enforced and collected with interest by the same officer and in the same manner as other taxes.

Correct

(2)

LOCAL LAW __ OF THE YEAR 2021 OF THE TOWN OF PUTNAM VALLEY

BE IT ENACTED THAT Town Code Chapter 165-26 through 165-26.6 be amended in its entirety to state as follows:

Town of Putnam Valley, NY / Part III, Land Use Legislation / Zoning

Article VIIA Special Provisions for County Agricultural District Properties

§ 165-26.1 Purpose.

§ 165-26.2 Definitions

§ 165-26.3 Regulations

§ 165-26.4 Exemptions

§ 165-26.5 Future Subdivisions

165-26.6 Withdrawal or Removal from County Agricultural District

§ 165-26.1: Purpose

The purpose of this Article VIIA is to provide special regulations with respect to the approval of farm operations and Agricultural Buildings on properties located in agricultural districts created under Article 25-AA of the New York

State Agriculture and Markets Law and § 283-a of the New York State Town Law, in recognition of § 305-a(1) of the Agriculture and Markets Law.

§ 165-26.2: Definitions

A. County Agricultural District Properties: shall be those properties designated by the County of Putnam as included within the Putnam County Agricultural District under Article 25-AA of the New York State Agriculture and Markets Law for so long as such properties remain within the Agricultural District.

B. Farm Operations: shall be farm operations (including farm buildings and structures) as defined in NYS Agriculture and Markets Law Section 301 (11) as same may be amended from time to time.

§ 165-26.3 Regulations.

A. Farm Operations on County Agricultural District Properties located in the Town of Putnam Valley shall comply with the following setback and bulk requirements:

(1) All farm buildings other than fences and walls shall be no closer than 50 feet to any lot line; all structures designed for the housing, care and/or feeding of livestock shall be no closer than 100 feet to any lot line; and no structure (except for silos) shall exceed 35 feet in height. The applicant may appeal to the Zoning Board of Appeals from the above setback and bulk requirements. If the appeal is denied, the applicant may seek an AML 305a review from the Department of Agriculture.

B.

Site development plan review: Farm Operations on County Agricultural District Properties located in the

Town of Putnam Valley shall be subject to the site development plan approval procedures outlined in this Subsections **C and D**, rather than § **165-16** or **165-21** of this Code. A proposal for a new structure with a footprint of less than 800 square feet or for an addition that expands the existing footprint

by no more than 800 square feet and is used for farm operations shall be exempt from this section in its entirety.

C.

Site development plan submission requirements:

[1]

Application form with required reasonable fees and escrow.

[2]

A sketch plan drawing of the site and location map showing boundaries and dimensions and identifying contiguous properties and any recorded easements and roadways.

[3]

Existing contours showing elevations at ten-foot intervals; a United States Geologic Survey (USGS) topographic quadrangle map is acceptable.

[4] Illustration of regulated wetlands, wetland buffers, water bodies and/or watercourses and buffers associated with the water bodies and/or watercourses.

[5]

A description and illustration of existing and proposed water supply and sewage disposal systems and their location on the property.

[6]

Existing and proposed location and arrangement of buildings and structures on site, including means of ingress and egress, parking, circulation of traffic, and signage, exterior dimensions of buildings and structures along with any available blueprints, plans or drawings.

[7]

A description of the farm operation and its location on the property, including the particular crops, livestock and livestock products to be produced on the property, the intended use of the land and proposed buildings, structures, signs and any anticipated changes in the existing topography and natural features of the site to accommodate the changes.

[8]

A soil erosion and sediment control plan shall be prepared in conformance with state permit thresholds and requirements.

[9]

A stormwater pollution prevention plan and wetlands plan shall be prepared in conformance with state permit thresholds and requirements.

[10]

Additional information as required by the Planning Board.

(D)

Procedure:

[1]

Application shall be submitted to the Planning Board and shall be placed on the next available agenda.

[2]

An application will be deemed complete when all the information and documentation required under Subsection C above has been received and reviewed by the Planning Board.

[3]

The Planning Board may require a public hearing for applications in which there is substantial public interest. The public hearing shall be conducted at the Planning Board's next regular meeting following the day it deems the application complete. The Planning Board shall mail a notice of said hearing to the applicant, all abutting property owners, and those property owners within 200 feet of the subject site at least 10 days prior to said hearing and shall give public notice of said hearing in a newspaper of general circulation in the Town at least five days prior to the date thereof.

[4]

The Planning Board shall approve the proposed farm operation and/or farm buildings and structures upon the applicant's demonstrating that:

[a]

The property and proposed farming operation has been admitted into the Putnam County Agricultural District, which shall be substantiated by producing a copy of the application for admission into the Agricultural District and the County Approval for same.

[b]

The proposed project use and structures that shall constitute farm operation(s) as authorized by the Agricultural District;

[c] The proposed project does not pose a threat to public health or safety, or unnecessary degradation to streams, wetlands, water bodies, and/or groundwater, or other environmental impacts in violation of applicable State standards.

[d] The requirements set forth above have been met to the satisfaction of the Planning Board.

[e] The Planning Board shall issue its decision at its next meeting after it deems an application complete. If the Planning Board requires a public hearing under this section, it shall issue its decision no later than 30 days after such public hearing.

[f]

The Planning Board may impose reasonable conditions upon the approval specified in Subsection C above.

E All other uses and structures located in the Putnam County Agricultural District, that do not constitute Farm Operations, shall comply with the requirements of the Zoning District in which such properties are located, and approval process otherwise applicable to the proposed use .

§ 165-26.4 Exemptions.

This article shall not apply to excavation or removal of material in connection with farm operations on County Agricultural District Properties located in the Town of Putnam Valley to the extent that the excavation and/or removal of material is exempt from permitting requirements of the New York State Department of Environmental Conservation ("DEC") under 6 NYCRR § 420.1(K).

§ 165-26.5 Future subdivisions.

Future subdivisions of all lots now or hereafter included within the Putnam County Agricultural District shall be subject to the following criteria and shall require Planning Board approval under the procedures applicable to lots not located in the Putnam County Agricultural District:

A.

The maximum number of lots into which any property, located or formerly located in the Putnam County Agricultural District, may not be subdivided in a manner that exceeds that number of lots into which the lot could have been subdivided prior to that lot's inclusion in the Putnam County Agricultural District.

165-26.6: Withdrawal or Removal from County Agricultural District

A: Properties that have withdrawn or been removed from the Putnam County Agricultural District are required to comply with the zoning uses, and town code requirements in which the parcel is located at the time of withdrawal/removal.

Correct

(3)



LOCAL LAW __ OF THE YEAR 2021 REIMBURSEMENT OF PROFESSIONAL FEES INCURRED BY THE TOWN IN CONNECTION WITH LAND USE APPLICATIONS

BE IT ENACTED THAT THE TOWN CODE BE AMENDED TO ADD AN ARTICLE XIX-A which shall state as follows:

ARTICLE XIX-A

Section 165-96-A Payment of expenses of professional review services for all land use applications before all Boards in the Town.

Section 165-96-A.1 Payment of expenses of professional review services.

(a)

As used in this article, the following terms shall have the following meanings:

LAND USE PERMIT

Any governmental permit or approval required by this Code or other applicable law, rule or regulation concerning the use of real property, including but not limited to site plan approval, site development plan approval, subdivision approval, zoning amendment, other local law change, special permit, use variance, area variance, interpretation, change of use permit, certificate of legal nonconformity, building permit, SEQRA review, or other land use permit application or appeal.

REVIEWER

Any governmental Board, or other body or any official which has the jurisdiction, authority, or duty to make a determination as to the approval or disapproval of an application for a land use permit.

(b)

This article shall apply to all land use permit applications pending before any reviewer at the time that this article is filed with the Secretary of State and all applications submitted thereafter. All professional review fees incurred by the Town after such date shall be paid as provided herein.

(c)

An applicant for a land use permit may be required by the Reviewer to bear the expenses incurred in obtaining the services of professional consultants required by the reviewer during the consideration of such land use permit application.

(d)

The review expenses provided for herein are in addition to application or administrative fees required pursuant to any other provisions of this chapter or Code or any other law, rule or regulation, including SEQRA fees imposed pursuant to 6 NYCRR 617.13 (except that the professional fees imposed hereunder in connection with SEQRA review shall be credited against the fees imposed under 6 NYCRR 617.13). Money deposited by applicants pursuant to this section shall not be used to offset the Town's general expenses of

professional services for the several boards of the Town or its general administrative expenses.

Section 165-96-A.2 When and how deposit required.

(a)

In connection with any land use permit application, the Reviewer to whom such application is made may, at any time during the pendency of such application, require an applicant to deposit an initial sum of money into an escrow account in advance of the review or continuation of the review of the application. No application shall be deemed to be complete unless and until such deposit is made.

(b)

The applicant shall be required to deliver such amount as is determined appropriate by the Reviewer, as provided herein, to the Town for deposit by the Zoning and Planning Board Clerk in a non-interest-bearing escrow account maintained by the Town of Putnam Valley for custody of funds collected pursuant to this section. Said escrow deposit must be paid prior to the consideration of the application by the Reviewer, or prior to the continuation of such consideration.

(c)

Upon completion of the review of an application or upon the withdrawal of an application, and after all fees already incurred by the Town have been paid and deducted from the escrow account, any balance remaining in the escrow account shall be refunded within 30 days after the applicant's request.

Section 165-96-A.3 Amount of deposit.

The escrow fund amount shall be based on the estimated cost to the Town of professional review of the particular type of application before it. The Reviewer may consider the professional review expenses incurred by neighboring municipalities in reviewing similar applications. The Reviewer may also consider available surveys of professional review expenses in determining the initial sum of money to be deposited in an escrow account by the applicant. For the purpose of this article, professional review services shall be defined as, but not limited to, those services provided by stenographers, engineers, lawyers, architects, landscape designers, certified surveyors, property appraisers, planners and related professionals.

Section 165-96-A.4 **Replenishment of escrow.**

If at any time during the processing of a land use permit application there shall be insufficient funds on hand to the credit of an applicant to pay the professional review expenses in full, or if it shall reasonably appear to the Reviewer that such funds will be insufficient to meet professional review expenses yet to be incurred, the Reviewer shall require the applicant to deposit such additional sums as the Reviewer deems necessary or advisable in order to meet such expenses or anticipated expenses. Until such payment is made by the applicant, the Reviewer shall not continue to consider or review said application. No application shall be deemed to be complete unless and until such additional deposit is made.

Section 165-96-A.5 **Payment of expenses.**

(a)

Said escrow fund shall be used to pay the reasonable and necessary costs of a proper and thorough professional review of the application.

(b)

The Chairman or director of the Reviewer having jurisdiction over the Reviewer shall review and audit all such vouchers and shall approve payment of only such consultant charges as are reasonable in amount and necessarily incurred in connection with the review and consideration of applications. A charge or part thereof is reasonable in amount if it bears a reasonable relationship to the average charge by consultants to the Town for services performed in connection with the review of a similar application. In auditing the vouchers, the Town may take into consideration the size, type and number of buildings to be constructed, the topography of the site at issue, environmental conditions at such site, the infrastructure proposed in the application and any special conditions the Town may deem relevant. A charge or part thereof is necessarily incurred if it was charged by the consultant for services rendered in order to protect or promote the health, safety, or other vital interests of the residents of the Town, and protect public or private property from damage. In no event shall any applicant make direct payment to any Town consultant.

(c)

Upon review and approval as provided herein of itemized vouchers from professional consultants for services rendered on behalf of the Town regarding a particular application, the Town shall cause such vouchers to be paid out of the monies so deposited, and shall debit the separate record of such account accordingly. The professional consultant shall make copies of such vouchers available on request to the applicant at the same time the vouchers are submitted to the Town.

(d)

The Applicant may appeal the determination of the Reviewer with respect to the review and audit or expenses charged to the applicant hereunder to the Town Board within 20 days of receipt of any statement of expenses received from the Reviewer by written notice to the Town Board delivered within the said 20 day period.

Section 165-96-A.6 Failure to make deposit or replenishment.

(a)

In the event the applicant fails to deposit the required sum into an escrow account or to replenish said escrow as required, any land use permit application or approval shall be withheld or suspended by the Reviewer until such sum is deposited. No Reviewer shall give any approval conditioned on future payments to be made. Any costs incurred by the Town for professional services in processing a certificate of occupancy shall be recovered as a fee before said certificate shall be issued. No future application to any Town board, body or official shall be accepted, nor shall any Town permit or certificate be issued, if said applicant has outstanding any fees due the Town from any previous land use permit applications.

(b)

Any expenses for professional review fees incurred by the Town in connection with a land use permit application shall be a charge against the real property which was the subject of the application and shall be a lien against such real property and shall be collected in the same manner as real property taxes in accordance with the provisions the Real Property Tax Law

(c)

In the event of either a site plan, site development plan, special use permit, subdivision plat, or other application approved by the Planning Board pursuant to the NYS Town Law, or the Town of Putnam Valley Code, the Planning Board Chairman shall not affix his or her signature to such site plan, special use permit or subdivision plan until all outstanding professional review expenses have been paid by the applicant.




July 06, 2021

To: Town Board

Resolved that the Town Board reappoint Karen Kroboth to the position of District Clerk on another 90 day provisional basis, as the 2nd reappointment of 90 days are up. She passed the Clerk Test but needs to pass the Senior Clerk Test when it is given. Salary will be at Step 2 of the CSEA Clerk Salary Schedule which is \$42,623.00

**TOWN OF PUTNAM VALLEY
DISTRICTS**

Memo

To: Putnam Valley Town Board
From: Karen Kroboth, District Clerk 
Date: 7/2/2021
Re: Lake Oscawana Harvester Personnel Appointment

I formally request that the Town Board appoint Brendan O'Brien to the Lake Oscawana Weed Control Harvester Crew. Brendan will receive \$23.25 per hour, with no benefits when assigned as the Assistant Harvester Operator, or \$20.00 per hour, with no benefits when assigned as the Harvester Truck Driver. The appointment is effective July 1st, 2021 to October 1st, 2021.

Earl Smith, will receive the same pay scale of \$23.25 per hour as the Assistant Harvester Operator, or \$20.00 per hour when assigned as the Harvester Truck Driver. No benefits.

**TOWN OF PUTNAM VALLEY
DISTRICTS**

Memo


To: Putnam Valley Town Board
From: Karen Kroboth, District Clerk (KK)
Date: 7/6/2021
Re: Seasonal Help – Beach Monitors

I formally request the Town Board appoint the following Beach Monitors for the 2021 season at the rate of \$10.25 per hour with no benefits. The appointments will begin on July 8th, and end on September 6th, 2021.

- Sonya Garcia
- Christian Mendez
- Alexandra Drinovac

**TOWN OF PUTNAM VALLEY
DISTRICTS**

Memo

To: Putnam Valley Town Board
From: Karen Kroboth, District Clerk 
Date: 7/2/2021
Re: Lookout Manor Laborer

I formally request that the Town Board appoint Joe Aviles as a Laborer at Lookout Manor, at a rate of \$20/hour, no benefits. This appointment will be effective July 3rd to September 6th, 2021. It is expected that Joe will work 1-2 hours per week as needed.

To: Town Board
From: Frank DiMarco, Parks and Recreation
Subject: Personnel
Date: June 24, 2021

Please approve the following additions/changes to personnel.

1. Leland Petrash, PT Seasonal Lifeguard, @ \$13.00 hr.

Greenwich CT 06830



Geese Relief LLC
PMB 213
15 East Putnam Avenue
Greenwich, CT 06830-5424
Phone: (203) 847-4939
Cell: (203) 943-4734

PROPOSAL:

Putnam Valley HD

June 30, 2021

**Submitted by:
Christopher Santopietro
Geese Relief LLC**

Site Location:

3 Beaches on Lake Peekskill

DESCRIPTION OF SERVICE PROVIDED:

Geese Relief provides environmentally safe and humane Canada goose control with the use of trained working border collies. *Geese Relief will visit your property twice a day, six days a week and once on Sundays.* (At the start of service we may have to come more often at no additional charge unless discussed previously). The times we visit will change according to the habits of the geese. The dogs will work both quickly and quietly on land as well as in the water. If needed, Geese Relief will be happy to educate anyone that may have questions about our service. We have found by educating individuals it has alleviated a lot of misunderstandings and put them at ease about what we are doing.

INTRODUCTION:

Geese Relief, and its employees, is fully aware that the Canada goose is considered a protected species by the Federal Government. We are aware that it is illegal to harm, catch or transport geese. We are also aware that it is illegal to touch, destroy or move a nest. We follow all Federal and local Fish and Wildlife Service guidelines regarding Canada Geese. Because of these laws set forth by our government Geese Relief uses only fully trained working border collies that are bred specifically for herding and disposition. The dogs are trained on sheep, cattle, ducks and geese using traditional sheep herding commands. The herding instincts bred for generations in these dogs are to bring the herd or flock to its handler, alive and well. They use their wolf like glance called "eye" to influence the flock, not their teeth. The dogs work with their handler and can be called off the geese at any time.

RECOMMENDATIONS:

It is our recommendation to use the service year round. Geese are known to return yearly to the same nesting spots and their goslings are known to come back to the same place they were born to do their nesting. We will addle all eggs found on property in accordance to Federal Fish and Wildlife guidelines.

CLIENT RESPONSIBILITIES:

You must agree to notify Geese Relief 24 Hours in advance of the application of any chemicals applied to the properties under patrol (i.e., fertilizers, pesticides, herbicides, insecticides, fungicides). These products may be harmful to the dogs. Geese Relief will suspend its visit for the full 24 hours required by law after the application of the above-mentioned products.

FEES:

Geese Relief will provide the services as outlined above to you for:

\$325.00 per week for a month to month service agreement (minimum of 2 Months)

Egg Addling Service: \$650.00 per season

TERMS AND CONDITIONS:

Payment is due upon receipt of invoice.

30 days advanced notice is required to suspend month to month service

Thank you for your interest in Geese Relief and we look forward to speaking with you soon.

Chris Santopietro

Date: June 30, 2021

Geese Relief LLC
PMB 213
15 East Putnam Ave.