



**TOWN OF LEWISBORO
TOWN BOARD WORK SESSION
AGENDA
TOWN HOUSE
MONDAY, NOVEMBER 21, 2022
7:30 P.M.**

PUBLIC HEARING Designation of No Through Commercial Traffic on West Road

COMMUNICATIONS

CONSENT AGENDA

- **Approval of Minutes of November 7, 2022**

NEW BUSINESS

- **Resolution Accepting Interim MS4 and Authorizing Supervisor to Sign**
- **Discussion: 2023 Budget**

APPROVAL OF CLAIMS

POLLING OF THE BOARD

ANNOUNCEMENTS

- **Town Board Meeting – December 5, 2022, at 7:30 p.m., at the Town House, 11 Main Street, South Salem**

MOTION TO GO INTO EXECUTIVE SESSION

Town Board Meetings Accessibility: The Town of Lewisboro is committed to providing equal access to all its facilities, services, and activities to the fullest extent possible. The Town House, Cyrus Russell Community House, Onatru Farmhouse, and the Bouton Road Town Offices are accessible to persons with physical handicaps. If anyone who wishes to attend any meeting of the Town Board has special needs, please contact the Supervisor's Office (763-3151) at least one week before any scheduled in-person meeting, and we will try to accommodate whenever possible.

Join Zoom Meeting

<https://us06web.zoom.us/j/84900120369?pwd=VUVGT2lxV3dkOGtIWU4rS0k3U1NmUT09>

Meeting ID: 849 0012 0369

Passcode: 192775

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 849 0012 0369

Passcode: 192775

PROPOSED LOCAL LAW # OF THE YEAR 2022

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF LEWISBORO, COUNTY OF WESTCHESTER, STATE OF NEW YORK AS FOLLOWS:

SECTION 1 : AUTHORITY

This chapter is adopted pursuant to the authority, of Article 2, §10 of the New York State Municipal Home Rule Law.

SECTION 2 : AMENDMENT OF CHAPTER 212

Chapter 212 of the current Code of the Town of Lewisboro entitled "Vehicles & Traffic", specifically Subsection 212-27.1 entitled "Schedule VIA: Commercial Vehicles Excluded" is hereby amended to add the following to the existing list of streets/roads:

<u>NAME OF STREET</u>	<u>LOCATION</u>
WEST ROAD	ENTIRE LENGTH

SECTION 3 – HOME RULE

Nothing in this Local Law is intended, or shall be construed to limit the home rule authority of the Town under State Law or to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 4 – SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Lewisboro hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 5– EFFECTIVE DATE

This Local Law shall take effect *immediately* upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Progress Report for Part IX.A

Permit # NYR20A227 Watershed Name East of Hudson
 MS4 Name Town of Lewisboro Reporting Period Ending 09 / 09 / 2022
 (mm/dd/yyyy)

Watershed Improvement Strategy

Describe the strategy to reduce the discharge of phosphorous to this waterbody. Include new sources that may have been identified and any modifications to the strategy to better address new sources.

Through public education and participation, as well as maintaining compliance with Local and State stormwater regulations via permitting, approvals and implementation of BMP's, the Town of Lewisboro continues to make efforts to reduce phosphorus loading to the watershed. The Town also participates in a regional watershed improvement program through EOHWC and continues to actively pursue stormwater retrofit projects.

Public Education & Outreach**1. Description of the education program**

Through the use of the Town website and stormwater management webpage, printed materials and brochures, public notices, meetings, email listings and public TV service announcements and TV programs, the Town continues to provide and update the public with educational materials, notification of upcoming related events and distribution of stormwater management and educational materials.

2. Who is the target audience and what is the message delivered to each target audience?

The target audience includes public employees, homeowners, contractors and developers. Topics include construction site management, IDDE, green infrastructure, pesticide and fertilizer application and waste management.

3. Identify how many educational materials have been developed and distributed

2 Items, 7,401 copies total

4. Identify how many educational materials have been developed and distributed that focus on:**a. understanding the Phosphorous issues**

2 Items, 7,350 copies total

b. Septic systems as a source of Phosphorus

Non-Traditional MS4 ☐

2 Items, 7,350 copies total

c. Phosphorous concerns with fertilizer use

1 Item, 450 copies total

d. Phosphorous concerns with grass clippings and leaves entering the MS4

2 Items, 7,350 copies total

e. Construction sites as a source of Phosphorus

0

f. Phosphorous concerns with detergent use

0

PERMIT # NYR20A227

5. Education plan and goals for the next 6 months

Continue to utilize the Town website and stormwater management webpage, printed materials, brochures, public notices and meetings, email listings and public TV service announcements to reach the public to provide and update them with educational materials with regard to stormwater management and phosphorus reduction.

Illicit Discharge Detection and Elimination
☐ Non-Traditional MS4 (Skip Question 6-6e)

6. Number of On-Site Wastewater Treatment Systems (OWTS) with a design capacity of less than 1000 gpd that are located in sewersheds that drain to the listed waterbody

3,100

a. Number of OWTS inspected in this reporting

+/- 462

b. Number of OWTS in need of maintenance or rehabilitation

None Known

c. Number of OWTS where maintenance or rehabilitation has been performed in this reporting period.

None Known

d. State the plan for OWTS that have not been addressed in 6c this reporting period

Owners of OWTS's are required to perform an inspection of their system by a Licensed septage hauler once every 5 years. Any recorded failures or failures otherwise identified by IDDE are required to make repairs as directed by the Westchester County Department of Health (WCHD).

e. Describe the OWTS inspection program: Who is responsible for performing OWTS inspections? (eg: Septage Haulers, DOH, engineer, consultant); What methods are used? Are there trends in systems that need maintenance vs systems that need rehabilitation?

Chapter 183: Sewers & Sewage Disposal of the Town Code requires that all owners of OWTS's cause an inspection a minimum of once every 5 years by a Licensed hauler with reporting to WCHD. Those individuals that do not comply are subject to notice of violation and fines. Further, any reported septic failures, repairs to same and corrective action and enforcement is under the purview of the WCHD.

7. Number of Illicit Discharges detected within sewershed of listed waterbody in this 1 reporting period.

a. Number reported in 7 that have been eliminated

1

b. List of Illicit Discharge locations that have not been eliminated in this reporting period and the target date for elimination

Location

Target Date (mmddyyyy)

 / / / / / / / /

PERMIT #

Location

Target Date (mmddyyyy)

/ /
/ /
/ /
/ /
/ /
Construction Site Stormwater Runoff Control☐ Non-Traditional MS4 (Skip Question 8)

8. Number of SWPPPs reviewed and approved during this reporting period 9, . . .
9. Number of active construction sites within sewersheds of impaired waterbody during this reporting period: 37, . . .
- a. Number of sites reported in 9 that are between 5000 sqft and 1 acre 29, . . .
- b. Number of sites inspected in this reporting period 37, . . .
- c. Number of sites in need of corrective action 0, . . .
- d. Number of sites where corrective action was completed in this reporting period 0, . . .
- e. Discuss inspections. Discuss trends that may have been observed in this reporting period. State reasoning for not inspecting all active construction sites. (if applicable)

The Town Consulting Engineer, as part of the plan review process, requires Erosion & Sediment Control plans for all projects, as well as post-construction stormwater management as appropriate. All construction projects are inspected by the Town Consulting Engineer in addition to inspections required by the trained contractor or qualified inspector as part of a SWPPP.

10. Construction Site Stormwater Runoff Control plan and goals for the next 6 months

The Town will continue to educate developers and owners through plan review and approval of the importance of proper stormwater mitigation. The Town Consulting Engineer will continue to review the design of these systems and inspect their construction.

Post Construction Stormwater Management

11. Number of Stormwater Management Practices (SMPs) located in sewersheds that drain to the listed waterbody 8, . . .
- a. Number reported in 11 that have been inspected in this reporting period 8, . . .
- b. Number of SMPs in need of maintenance or rehabilitation 0, . . .
- c. Number of SMPs where maintenance or rehabilitation has been performed in this reporting period. 0, . . .
- d. Number of SMPs where phosphorous pollutant problems have been identified. 0, . . .
- e. Number reported in 11d where the pollutant problem has been addressed.
- f. Who is responsible for performing SMP inspections?

Owner, Developer or Contractor, as appropriate. The responsibility to maintain SMP's carries with the property owner via deed covenants.

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- g. Is the criteria in Ch 5, 6, and 10 of the NYS Stormwater Management Design Manual being applied? (If no, please describe deviations) Y N
☒ ☐

- h. State procedures to identify sites with post construction controls that are not functioning as designed (ie, rill erosion, pollutant bypass)?

The Town identifies failed systems via IDDE, as well as Town-wide outfall reconnaissance inspections.

12. Describe the retrofit program. Include the funding sources and design description of retrofits. Identify all retrofits that have been constructed and maintained during this reporting period.

The Town is a partner in EOHWC and actively pursues stormwater retrofit projects. the Town completed the Schoolhouse Road Stormwater Retrofit.

13. Post-Construction Stormwater Management plan and goals for the next 6 months

The Town will continue to review, approve and inspect SMP's as part of proposed developments. The Town will continue its partnership with EOHWC and seek viable stormwater retrofit projects.

Municipal Operations Pollution Prevention/Good Housekeeping

- ☐ Non-Traditional MS4 (Skip Question 14)

14. Number of catch basin and manhole sumps within sewersheds discharging to listed waterbody 1636
 a. Number reported in 14 that have been inspected in this reporting period 460
460
 b. Number reported in 14a cleaned in this reporting period _____
 15. Number of conveyance system outfalls within sewersheds discharging to listed waterbody 568
 a. Number reported in 15 that have been inspected in this reporting period. 137

 b. Number reported in 15a maintained in this reporting period. 137

 c. Number reported in 15a repaired in this reporting period. 1

 16. Amount by weight in pounds of turf fertilizer containing phosphorous that was applied on municipally owned lands in this reporting period. 0

 17. Describe turf management practices implemented during this reporting period. Include strategies implemented to introduce native plants to reduce fertilization and mowing

The Town of Lewisboro has adopted a Stormwater Pollution Prevention Plan to establish protocol for turf management. The use of herbicides and insecticides is banned on Town properties. Phosphorus-free fertilizers are used sparingly on ball fields and clippings are mulched. Aeration and re-seeding is done annually.

MS4 Semi Annual Report Form Certification

Semi Annual Report form for period ending (MMDDYYYY)

Name of MS4	Town of Lewisboro
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SPDES ID

N	Y	R	2	0	A	2	2	7
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Certification Statement - MS4 Official (Principal Executive Officer or Ranking Elected Official) or a Duly Authorized Representative of the MS4 Official

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

This form must be signed by either a principal executive officer or ranking elected official, or duly authorized representative of that person as described in GP-0-15-003 Part VI.J.

First Name

[illegible]

MI

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Last Name

G	O	N	C	A	L	V	E	S						
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Title (Clearly print title of individual signing report)

[illegible]

Signature

Date

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Send completed form and any attachments to the DEC Central Office at:

MS4 Permit Coordinator
Division of Water
4th Floor
625 Broadway
Albany, New York 12233-3505