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Croton Watershed Clean Water Coalition



Looking Back Over 2006

This last issue of our newsletter for 2006 is devoted to an overview of CWCWC'S activities in the Croton Watershed. These are described by various of our directors, each representing a different member group.

A Memorable Year for CWCWC

by Marian H. Rose - Sierra Club

The outcome of our battle to preserve Van Cortlandt Park in the Bronx from the devastating impacts of a needless, \$1.5 billion chemical treatment/ filtration plant is now history. As described so poignantly by our board member, Fay Muir who was in the forefront of this battle, hundreds of centuries-old trees have been destroyed to be replaced by a hundred-foot deep hole, the size of two football fields; by expanses of mud and an army of construction vehicles. Requests for Proposals have now been sent out and we can expect construction of the plant inside its hole to start soon. Sadly, the digging and blasting have already polluted the air, resulting in a 17% increase in asthma cases amongst children and depriving the neighboring residents of much-needed fresh air and greenery.



The political forces prevailed over reasonableness.

Fortunately, in the Croton Watershed itself that provides the water for the Bronx treatment plant, the outlook is brighter. Admittedly, the pressures for development are enormous and, at times, seem overwhelming. But, apart from a major expansion of the existing Terravest industrial park, other major

projects have, so far, been kept at bay. This has been a year when CWCWC has stood shoulder to shoulder, or in the forefront, with dedicated watershed residents in opposition to major developments that would not only degrade water quality in the NYC reservoirs, but also their quality of life. A partial list for this past year should include Hillcrest Commons and Camarda Park in Carmel; Patterson Crossing in Patterson and Kent; Granite Pointe in Somers; Legionaries of Christ in New Castle. Special thanks go to Ann Fanizzi, our tireless board member who is our watchdog, our source of information on what goes on in Putnam County and a dedicated defender of Putnam County open

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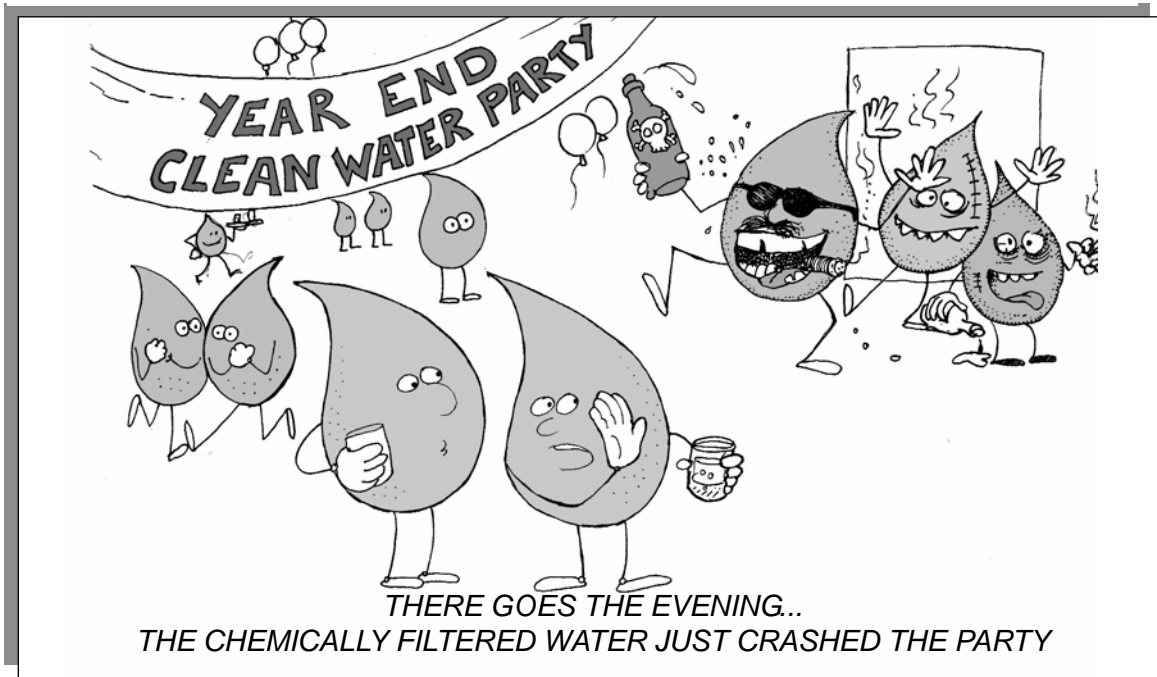


Illustration by Enrique Dura

A Memorable Year for CWCWC, *(cont'd from Page 1)*

space. And our special gratitude goes to Julia Rellou and Olga Shamraj, Somers residents, without whose heroic efforts Granite Pointe, today, would see 23 homes sitting on a site heavily contaminated with lead and arsenic.

Many of these developments, in order to be effectively opposed, require CWCWC to hire experts on stormwater management, traffic control, hydrogeology, noise and endangered species – a very expensive endeavor for which we shall need to allocate precious time to raise money. In other words, we are doing the job that the regulatory agencies - DEP and DEC - are supposed to be doing. We are being effective, however, as proved by an accolade awarded to us by none other than developer, Paul Camarda, who described us as “hired guns”.

Our attorney, Jim Bacon, won a significant victory on August 8, 2006, when the Appellate Department of the Supreme Court of New York State rendered an opinion requiring the Planning Board of Southeast, the lead agency, to prepare a Supplemental Environmental Impact Statement (SEIS) regarding the Meadows at Dean's Corners proposed development. The case had been before the Court for close to a year. This decision stated that the lead agency had not taken the requisite “hard look” at the project and had ignored how the project related to the new stormwater regulations by DEC, the designation of Croton wetlands as “Critical Resource Waters” and the more recent data on the export of pollutants during storm events, from different types of land-uses. Most importantly, the Court ruled, in only one of the few times in SEQRA's history, that the lead agency cannot delegate its responsibilities to other involved agencies (as it had done in this case). It is up to the lead agency to craft remedial measures with guidance from the other agencies. This decision will have repercussions, in our favor, for other developments. Already, one of the developers is seeking to overturn it.

Our campaign to prevent Yorktown from diverting 1.5 million gallons per day (mgd) of sewage to Peekskill's plant came to a successful conclusion. Our own board members, Suzannah Glidden, Steve Kaplan, Oreon Sandler, John

Raymond and Paul Moskowitz worked closely with County Legislator, George Oros, and Peekskill Councilwoman, Drew Claxton, together with NAACP and other groups representing minorities to achieve this stunning result. DEP has now ordered Yorktown to upgrade its old and neglected plant, Hallock's Mill – a long overdue measure. Yorktown would like to add another 1mgd to its permit for operating the plant.

CWCWC opposes this increase, or any increase prior to Yorktown making every effort to eliminate illegal hookups and groundwater infiltration into its aging sewage pipes. Why allow under-treated sewage to pollute the New Croton Reservoir? Our Advisory Board member, Ivanka Roberts, has written a cutting analysis of this problem (see our March/April 2006 newsletter available on www.newyorkwater.org).

We've always pulled together because we are all passionately dedicated to protecting our most vital need without which we cannot live – our drinking water.

We are not only opposing and preventing harmful developments.

More to our liking, we are promoting constructive enterprises in the watershed. One of these is to convince watershed towns to work together towards complying with the new Phase II stormwater regulations. Alone, most towns have neither the expertise nor the wherewithal to comply with these strict new regulations. Working together, they can comply. CWCWC, with Trout Unlimited and Federated Conservationists of Westchester County (FCWC), have been able to convince the Towns of Bedford, New Castle and Mount Kisco to sign an Intermunicipal Agreement (IMA) to work together towards cleaning up the Kisco River Watershed. The Kisco River receives pollution from many sources as it winds its way through highly-developed Mount Kisco and suburban lawns and septic. Identifying and eliminating those sources would go a long way towards removing a major source of pollution to the New Croton Reservoir.

Realizing the need to educate the public of the importance of safeguarding their most vital resource – their drinking water – CWCWC has initiated a vigorous outreach to our member groups and others. Due to the hard work of Oreon Sandler, and board members Carl Schwartz, David Ferguson, Suzannah Glidden, and Steve Kaplan, CWCWC has put together a

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hard-hitting, 20-minute powerpoint presentation that explains the dangers to our water supply and what can be done to protect it. Members of the audience are invited to take a tour of the watershed and these have proved to be very popular.

Finally, I would like to thank my colleagues for their strong support during all these years that I've served as president

of CWCWC, and that will be coming to an end by mid-December. We've been through bad times and good times together. We've had discussions, arguments and, at times, disagreements. But, we've always respected each other's opinions and we've always pulled together because we are all passionately dedicated to protecting our most vital need without which we cannot live – our drinking water. Thank you so much – one and all.

Parks Are Becoming Expendable

by Fay Muir - *Clean Water for the Bronx*



As soon as ground was broken in Van Cortlandt Park in preparation for the water treatment plant, community opposition dwindled. A few stalwarts demanded and did receive an upgrade to low sulphur fuel for construction vehicles. The other demand was for filters that remove diesel particulate matter emitted by the trucks. This, however, materialized for only four trucks. Our community representative on the Facilities Monitoring Committee was removed in a sleight-of-hand way. So there is now, with few exceptions, nobody to champion the mitigation of the tragic effects of the construction.

I continue education and outreach to the public and support CWCWC on their various committees and other activities. The fight is not over because the Department of Environmental Protection (DEP) stated in the approval process that there would be protection of source waters as well as a water treatment plant. With the precedent set in Van Cortlandt Park for municipal projects followed closely by Macombs Dam Park being taken for a purely commercial project, Yankee Stadium, parkland is no longer a refuge. For the DEP to carry out its promise to *Clean Water for the Bronx* for watershed protection, they must purchase buffer land in the watershed. If \$1.5 billion can be spent on a water treatment plant which is minimum protection for, at best, 25 years, surely half that sum should be used to purchase land which is maximum protection forever. If the DEP balks at paying taxes, a comparison with the expensive annual maintenance of the water treatment plant would be in order. And maintenance for the treatment plant would become even more expensive without watershed protection.

It is important for the other party to the Memorandum of Agreement that created this "done deal" to step to the forefront. The Department of Health has been missing in action even though they have primacy over the Croton Watershed. The health issues affected are too numerous to list. They champion many health issues which relate to various segments of the population like smoking and obesity, so they should definitely develop expertise and a strategy to halt water pollution which encompasses much more. Otherwise they take on the aura of other departments of city and state that fail to live up to their responsibility.

The arguments for membrane filtration become even more valid with the passage of time. Adopting that method (membrane filtration - not chemical treatment) would save enough to purchase the needed land - there is still time for DEP to switch. We have sky high hopes that reason will prevail especially since cost estimates have doubled for the water treatment plant (As the song says: "ooooops there goesta da, ta da, ta da, ker plop")!



Fay at Van Cortlandt Park after the trees were destroyed.

Everybody Wants A Piece of the \$50M Pie

by *Oreon Sandler - Acting Executive Director CWCWC*



When NYC DEP agreed to give \$38M to Westchester County in the 1997 Memorandum of Agreement, I bet no one knew that it would take 10 years to spend that money. This is not supposed to be general revenue for Westchester. It was supposed to be funds to improve the NYC DEP watershed. Although the County has distributed some of it, the pot has grown from accumulated interest to over \$50M, and five towns are sparring to get their hands on this money to finance their individual needs. They are each saying their project is to improve the watershed in each of their domains.

The five towns have projects to improve sewage management, but unfortunately there are two voids that have become obvious. One is the pressing need in each of the northern towns to manage storm water, and these needs are to be addressed by April 2008, according to NYS DEC regulations. Secondly, even after these towns dig up and install new underground sewage collection pipes and

pumps to send sanitary sewage to various treatment plants, none of these towns are instituting an Onsite Wastewater Treatment System (OWTS) Maintenance program. OWTS are what we used to call septics. Extending and adding sanitary sewage collection is all they want to do. That allows and promotes Build Out and sprawl.

That is sad, as when they finish with all the programs to treat raw sanitary sewage, we will still have over 30,000 OWTSs remaining in the NYC Croton watershed in Westchester without the knowledge of their potential harm or a plan to correct problems of contamination to our high quality drinking water.

Putnam County initiated such a program with their EOH funds.

There is one outstanding positive being created by Bedford, New Castle and Mount Kisco. At the urging of CWCWC, Federated Conservationists, and Trout Unlimited, they recently signed an Intermunicipal Agreement (IMA) to clean up pollution in the Kisco River. Bravo to these towns.

A Full Moon Rises Over The New Croton Reservoir

by *Carl Schwartz - NYC Friends of Clearwater*



We couldn't believe our eyes! There we were at the end of an incredible day, standing on a bridge, listening to the rush of water from the Croton Falls Dam overlooking that awesome sight of the reservoir and feeling very tired, but fulfilled. We had gained new knowledge from a day's "first hand" experience. The experience was overwhelming and the new knowledge gained had not yet been completely sorted out nor completely integrated.

On Nov. 5th, members of NYC Friends of Clearwater (NYFCF) Peter Pasco, Jonathan Rubin, Jeanne Stork and "yours truly," along with others, had been given a guided tour of some of the Reservoirs, streams and wetlands that make up the intricate and miraculous system called the Croton Watershed. Courtesy of the Croton Watershed Clean Water Coalition (CWCWC), led by Executive Director Oreon Sandler, we drove through parts of Westchester & Putnam Counties sampling some of what makes up this incredible drinking water system which has been providing clean and healthy drinking water to parts of NYC for over 150 years. We also saw some of the "disasters of development" in these counties, either completed or in the "works," which threaten the health of this reservoir system and therefore our drinking water!

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Picture by Oreon Sandler

Now, back to the bridge overlooking the Croton Falls Dam and Reservoir. All of a sudden it happened. A sight to behold! The timing could not have been better. The sun was setting in the west. We looked to the east and there it was. It felt like something out of a Twentieth Century Fox film. The full moon in all its glory and size began to peak out over the mountain ridges on the horizon and began its ascent to the skies, bringing a night light to the reservoir. We were awestruck as we should be from nature's display. We were thrilled by the beauty and power of nature "over all" and felt the hope. There is hope!

Putting Out Brush Fires

By Steve Kaplan - Clearwater

It sometimes seems that the work we do at CWCWC is similar to putting out brush fires in dry weather – once one fire is put out, there is another, and then another. Our CWCWC website (<http://www.newyorkwater.org>) contains a list of developments that, if completed, could threaten the quality of our drinking water.

Let's consider the names of some of these potential disasters for our water: Eagle River, Meadows at Deans' Corners, High Meadow, Highgate/The Woodlands, Falcon Ridge, and the list goes on. You've seen gated communities around town with similar names that remind one of our natural environment, but these projects result in more impervious surface, soil erosion, runoff, oil, gasoline and road salt in our reservoirs. If developers had their way, there would **be** no **meadows** at Deans' Corners or High Meadow, no **woodlands** at Highgate, and no **habitat for falcons** at Falcon Ridge.

Then there are projects whose names suggest

opportunity at the crossroads: Patterson Crossing, Whitehall Corners, and one of our present brush fires, the Stateline Retail Center. These names suggest, where you have cars, you can have more cars, more air and water pollution, and certainly, more profits for developers.



If the reader of this article might detect a bit of pique in my tone, that would be a correct apprehension. We need a bioregional approach to sustainable development with a focus on reservoir water quality. Without such an approach, it is a very difficult task to keep up with all the new schemes of developers to "adjust" our environment in favor of their bank accounts.

Why don't we just give up?

- Because we can't go to sleep without telling ourselves we did the right thing.
- Because we understand how such

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Putting Out Brush Fires, (cont'd from Page 5)

development has large effects on our watershed.

- Because we have learned how to fight those who are willing to turn a buck without thought of the real stakeholders – we the public, the fish, the salamanders, etc.

- Because CWCWC is a group of warm and giving souls that work pretty well together despite their strong individuality. We have fun doing this stuff!

This article discusses two of the many fronts in our war against inappropriate development projects.

Granite Pointe sounds like the place where I should place my first mansion after I make my first billion. Wouldn't it be nice to have a house on a peninsula in the Amawalk surrounded on three sides by thrilling views? I'd love it. Can't do it. Why, you ask? BECAUSE IT'S NEAR A RESERVOIR FOR DRINKING WATER! Sorry I'm yelling, but I just don't understand why such a project could even get past stage 1. The head of the Somers Planning Board told activist Julia Rellou that it was (to paraphrase his comments) a done deal, don't even bother pushing it, be happy we saved Eagle River on the Amawalk. Well, it turns out that Granite Pointe is arguably the most polluted dumping ground within the watershed, with lead, arsenic and other toxics at levels of magnitude larger than regulations allow. The reason is that for decades the site was used as a shooting range. Ironically, the high levels of toxic heavy metals on the site is the only reason the Somers Planning Board might not allow the proposed 23 luxury homes to be built. The developer's plan for remediating the site would expose the public and the Amawalk to airborne and waterborne pollution. Until now, DEP had not even tested its land on Granite Pointe, but they are planning to do so in mid-November.

CWCWC has joined forces with fellow activists Rellou and Olga Shamraj in this fight. CWCWC has engaged hydrogeologist John Conrad to prepare expert comments, and Rellou, Shamraj and I are excited to have just gotten word that Dr. Joel Forman and his large pediatric health group at Mount Sinai Medical Center will prepare comments on lead exposure in children. We will keep up the pressure until this project is rejected by the planning board.

Another set of possible developments never came about because the sewage pipe they would have connected to will never exist. During the last few years I worked with CWCWC and its coalition partners to fight sewage diversion from Yorktown to the county waste treatment plant in Peekskill. Did you say Yorktown all the way to Peekskill? That's a long pipe!

That Peekskill plant only has secondary treatment, and then they dump that \$#@%& into the Hudson. That's my river!!! Despite the fact that the Watershed Inspector General said that dilution would solve that problem, the waters don't look very healthy, as I observed when I kayaked the area near the sewage outlet at Annsville Creek. This is because the tide brings the effluent back into the creek. CWCWC joined a coalition of neighboring groups that enriched our souls, and provided energy to fight the formidable array of politicians allied against us. One minute we were going to be on a subcommittee to fairly study the problem with

our opposition, and the next minute, the stilts holding up the subcommittee were cut, letting the structure that was meant to empower us float downstream. Nevertheless, our arguments were heard:

We need a bioregional approach to sustainable development with a focus on reservoir water quality.

- A sewer pipe to Peekskill would enable every new development project to hook up
- The Peekskill plant is nearing capacity and doesn't completely treat the sewage
- The major phosphorus

problem with the New Croton is not sewage, but from stormwater runoff, which development would exacerbate

- The dumping of Yorktown sewage on the people of Peekskill is environmentally unjust, and would result in a lawsuit by NAACP, and

- Upgrading the Hallocks Mill plant to ***tertiary treatment with microfiltration*** would not remove as much water from the watershed, would remove ammonia and phosphorus from the reservoir, and would give Yorktown the opportunity to remove stormwater from the sanitary sewer system.

Now we must hold Yorktown to be diligent in dealing with stormwater, but that is a subject for a subsequent column in this newsletter.



Report from Yorktown

By Paul Moskowitz



For the past year, Paul Moskowitz has continued to work as a member off the Yorktown Advisory Committee on Open Space: to devise a rating system to inspect and rate undeveloped parcels in the Town of Yorktown to preserve as open space. Yorktown is the keystone of the Croton system, the home of the Croton Reservoir and the starting point of the Croton Aqueduct. It is critical to limit the encroachment on the watershed within the town.

Putnam County: A Case Study in Big Development Swindle

by Ann Fanizzi - Putnam County Coalition to Preserve Open Space



Whether senior housing, retail or commercial or recreational development, let me enumerate the ways in which residents are being duped and the watershed potentially degraded beyond repair.

1. Senior Housing - Without benefit of a credible and valid survey, one which truly measures the likelihood of Putnam County residents laterally moving from their homes into senior housing units, over 1,300 such units have been proposed for the Hamlet of Carmel. The study commissioned by developers, Camarda and Wilder Balter, in support of their projects - "The Retreat"

(formerly Carmel Senior Housing), Stoneleigh Woods; The Fairways; Hillcrest Commons - rely on Claritas, Inc. whose survey area included Westchester, Fairfield and Putnam Counties. And the study on affordable senior housing that had been commissioned by Putnam County Housing Corporation has been quietly interred in the office circular files.

The advocates of this orgy of senior housing, foremost among which is Ridgefield, Ct. resident, Paul Camarda, point to the fact that seniors, lacking young children, do not contribute to school population and ergo taxes, but in fact, do contribute to the tax rolls sustaining school budgets. What they fail to admit publicly is that were their hypothesis that seniors move laterally confirmed, then families with children would inherit the homes vacated and ergo, the community as a whole would not only have to bear increased medical and service costs but also increased costs due to a rising school population.

But the deception has been aided and abetted by enablers on the Carmel Town Board. Succumbing to Coalition and resident outcry, the Board finally came to grips with a flawed senior housing law that gave developers carte blanche on the number of units. However, the whole effort was aborted when it came to light that a section of the new law would hamper Camarda's development plans for a hotel. The new law would have compelled a relocation of the senior housing units closer to the main road and the hotel toward the rear of the property. Yes, location, location, location became the overriding concern and the law retained all the loopholes of the first, with more added that would protect developers' rights and profits to build at least 150 units.

The consequences to quality of life, traffic, pressures on medical expenditures and facilities, strain on emergency services and tax implications of a 20% swelling of the senior population added to the current 5,500 population, have been ignored or dismissed as the ravings of "no build," tree hugging extremists. However, what has surfaced has been the increasing vocal concern expressed by residents that the Water District #2 supplying the Hamlet, may run dry not only from the explosion of senior housing but from grandiose commercial and retail projects proposed in the Hamlet.

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Putnam County, *(cont'd from Page 7)*

Not to be outdone by developer out-of town upstarts, Senator Leibell's not-for-profit Putnam Community Foundation, has entered the senior housing sweepstakes - 120 units located on a heavily forested peninsula in the Croton Falls Reservoir. Never mind that this reservoir has been targeted by the DEP as one of the most phosphorous-impaired, or that in times of drought, it is a significant replacement for the Catskill/Delaware's supply of 90% of water to 9 million New York residents; or that in an effort to build the 120 units and to provide access, that a 2,500 linear ft road would have to be carved out of 22 acres, slated for deforestation and "converted to impervious surfaces and landscaped acres."

This travesty is being compounded by plans by Putnam Hospital - its next-door neighbor - to build an additional 110,000 sq. ft wing with more parking spaces and ergo impervious surfaces. And where is the DEP? A sharply-worded letter on the senior housing project has been entered into the record. What the DEP needs to do is to protect the watershed and outright deny the application.

But it has been left to Croton Watershed Clean Water Coalition and the Coalition to Preserve Open Space and their attorney, Jim Bacon, to take the ultimate step and challenge the lead agencies' lack of due diligence in regard to Hillcrest Commons and the Fairways, and to bring awareness that short-term profits at the expense of water quality, is a steep and irreversible price to pay.

2. Retail/Commercial Development - The deception continues as the county and some Putnam County towns have embraced "Big Box" retail development as the elixir to alleviate the ever-increasing gap between revenue and expenditures, principally fueled by retiree medical and retirement benefit payments; increases in medicaid disbursements and the expenses of government doing business for an expanding population base - Putnam County remains one of the fastest growing counties in the state.

With "Stateline in Southeast" - a 46-acre, 183,000 sq ft projected development on the East Croton Reservoir; "Patterson Crossing", 90

acres, 439,000 sq ft straddling the towns of Kent and Patterson; "Gateway/Fairways", a mixed-use project comprising a hotel, conference center, restaurants, offices, retail, senior housing and assisted living in Carmel, affecting the Middle Branch Reservoir, Mr. Camarda waves a wand and promises tax relief, jobs, convenience and "shopping till you drop" experience.

However, if Brewster Highlands - Home Depot, Kohls, Linen n'Things, etc. the first of the magic rabbits to be introduced into Putnam County, with its 60 acres of "Big and Small Boxes," - has fallen short of revenue expectations, then the solution is not to examine the underlying

...a massive deception is being perpetrated upon the residents of the Croton Watershed in Putnam County.

assumptions that a county's or town's economic health can be propelled solely by consumerism, but to do more of the same and lobby for architectural refinements to formula store design, and "innovative stormwater controls." And under intense community pressure some "Big Boxes" have responded and have altered design and color schemes so as to be consistent with

town taste in decor and have even joined the "Green Revolution" bandwagon introducing "green roofs" and "forested sidewalks." "Smart Growth" they say. Yes, very smart for developers and corporate CEO's but very dumb for the economic health of the county and towns. Regardless of how "Big Boxes" are prettified, what remains is their devastating impact on the local economy - local businesses are at the mercy of their predatory pricing policies, and at the flexing of their corporate muscles at the first signs of local officials attempting to protect their towns through restrictive zoning codes, architecturally and through signage requirements. Such was the case when the Town of Southeast sought to restrict retail development along the Rte 6 Corridor to Connecticut, by limiting store size to 25,000 sq ft. Recognizing that limitation of store size was the most potent weapon in putting a brake on "Big Box" development, the applicant sought to abort the effort, hired a high-profile firm known for their developer bias and threatened litigation and finally used the power of the law to compel a super-majority vote to pass the Local Law. It had a majority but not a super-majority and so the effort of the Town Board failed.

And all the while profits will leave the local economy for distant headquarters, propelling

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corporate directors' skyrocketing salaries, stock portfolios and options, and leaving locals with \$10 an hour jobs, insufficient to maintain Putnam County's standard of living - 70% of residents must commute out of county for jobs; tax relief nowhere in sight as school budgets increase by a far greater percentage - from 5% to 9% - than the amount contributed by store property taxes. And what of convenience? Neither Brewster Highlands, planned for maximum auto use - no area of the



Trout fishing in the clean, cold waters of the Croton.

development may be traversed without reliance on the auto; nor the proposed Stateline - again auto dependency is a must to traverse the site, or Patterson Crossing, in and of themselves, provide Putnam shoppers with the diversity, one-stop shopping convenience or scope of the envied 200-store Danbury Mall. That is the Putnam Paradox.

3. Recreation Development - The last and most recent chapter in this sorry tale of deception has been Camarda Park. Donated by Paul Camarda, some 7 years ago, in a deal that included his 71-unit Willow Ridge development, this 37 acres of pristine woods, laced with 4 wetlands, is situated off a narrow road, on the West Branch of the Croton River, home to the only natural trout spawning stream in the area and as such, prized by local and visitor fishermen alike. Although considered unbuildable, it caught the eye of the local sports associations and of course, Carmel Town Board members who sought to turn the area into a "REC PLEX." Fierce resident opposition, CWCWC, Trout Unlimited, Coalition to Preserve Open Space and finally, the DEP who sued the Town for contravening the SEQRA process, appeared to reduce the grandiose plans to three ballfields. However, although touted as sharply reduced, another deception is in the making. The stormwater plans, traffic, construction phases etc. all assume a "build-out scenario." We are back to the "REC PLEX."

Local sports associations have become powerful stakeholders, influencing Town Recreation Master Plans decisions and most importantly, holding the key to election turnout. Sports have become the "baby sitters" for hard-pressed and working parents. Due to the scourge of residential development, land was not set aside in subdivisions for recreation, so even the most environmentally fragile land became ripe for ballfields. The Town of Carmel, responsible for 85% of the phosphorous loading to the Croton Falls reservoir, spent over \$250,000 until they got an engineering firm that would provide the DEP with the technological fixes that would assure some measure of protection to this pristine, endangered area and to the reservoir.

The protection of the watershed and the future of water quality have taken second place to ballfields; in fact, they are in the bleachers when they come up against parents who see ballfields as "fields of dreams" for their children.

What has been the result of this massive deception? Devastated gateways to communities - Exits 18, 19, 20 on I.84 - forever changed in landscape, deforested and paved over with enormous amounts of parking surfaces, exacerbating the problem of stormwater runoff and threatening the Croton Watershed, its watercourses and the East Branch, Middle Branch and Croton Falls Reservoirs. This is the price of reckless development.

I wish to acknowledge the contribution to this article of Stacey Mitchell's "The Big Box Swindle."

We Have Three Problems at Peach Lake

By Suzannah Glidden - Hands Across the Border



Sewage management is the big issue, our lake level is too high flooding our barriers, and storm water management is required by state and federal law by April 2008. It would be so nice to solve all three problems. Each problem requires different solutions and we must pay for all these solutions. We need to know the cost of solving each of these problems, and develop a long-range plan to get them financed and completed. Sewage management seems to be the only item on the agenda. The total tab is the issue for each Peach Lake resident.

For just sewage management, the initial estimated homeowner annual cost of \$1,200 was for installing underground sewer collection pipes and diversion pipes to a new waste water treatment plant (WWTP), contracting to build this WWTP, and that cost estimate was to include the annual costs for operating and maintaining that plant. \$1,200 per year seemed reasonable for centralized treatment. It enhances the value of property. Surveys and decisions were made with that estimate on the table.

More recently, the cost estimate last month was increased to \$2,150 per year and this month the cost estimate went up to \$2,700 per year. It may go higher. Still outstanding are costs of buying property for the WWTP, engineering and legal costs for a sewage district formation, mapping, plan and report, and administrative district costs. We also need to confirm that the annual cost includes repaving rather than merely repairing the streets after all the digging is done. Finally, each homeowner will be faced with additional costs for connecting to the underground lines. Some estimate that one-time added burden at \$4,500 to \$8,000 depending on the distance from house to underground pipes.

These are not the only factors we need to know: we need to know what the total project costs for all three solutions mean to each homeowner and to what extent this total burden can be spread over how many years. For many, mortgages will be required and some may be forced from their homes if the burden is too high.

Most major construction projects result in final costs being far in excess of original estimates. Centralized sewage treatment costs are apt to start low and then rise to much greater-than-anticipated levels.

North Salem and Southeast town boards and engineers push ahead for centralized sewage treatments but without knowing the full picture of all additional costs to lower the lake to a controllable level, or the costs for watershed storm water management.

In North Salem, a town-wide storm water district is being formed with a separate taxing mechanism to enforce new MS4 storm water regulations in 2008. Additionally, when the Hahn Peach Lake Storm Water Study is finished, residents will be responsible for additional engineering programs and controls on lake community private roads. County and state departments of transportation must be held accountable for their contribution to pollution of Peach Lake. They will no longer be allowed to direct their road runoff directly into the lake unless they install silt and nutrient interceptors, detention basins, filtration devices, and plan on maintaining this new equipment.

Once the source of storm water runoff silt that loads the lake's north end and clogs its egress is identified and prevented from continuing to happen, there must be a way to control the elevated level of the lake. The costs to pump out and dredge the lake's north end and brook to lower the level of the lake must be identified. This requires an engineered plan and New York State DEC permits. Then it must be financed and executed.

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SEQRA requires that all these related issues be in one project. Segmentation of projects is not allowed. Peach Lake homeowners must know these total costs. Officials say that because storm water abatement was not included in the waste water project, SEQRA will apply only to the waste water project. Residents disagree. When confronted with the impact of storm water issues on sewage management issues, Stearns and Wheler simply stated that that was not in their scope of work, but it should have been according to New York State DEC regulations and the poor condition of the lake.

If three community co-op boards and association residents were to sign a petition to whatever all these costs accrue, the approval will be sent to State Comptroller that the cost is acceptable for the lake residents to pay. All of the costs for these three solutions must be included.

A draft Inter Municipal Agreement between North Salem and Southeast that will set costs and terms of taxation for residents is prepared and we need to see it. Terms of this agreement must be fairly based. It will not contain how residents can finance individual hook-up charges.

Confusion exists whether a new WWTP will accommodate new development in this high-density lake community area. North Salem Supervisor Sy Globerman said in May 2005 that legally there would be nothing to prevent a developer from gaining access to the plant if he were willing to pay for the expansion required for the increased flow of sewage. Yet NYC DEP says the plant's flow will be sized to only accommodate existing failing septic tanks and future attempts for an increase SPDES variance will be denied for new development. Nearby on June Road, 75 units of Salem Hunt condo housing are proposed, increasing traffic on Peach Lake roads and school taxes with Salem Hunt children. (And North Salem property taxes will increase by 6.2%.) The real issue is whether we are committed to avoid sprawl, malls, and additional high density residential units. Professional planners suggest it is naïve to believe build-out will not come to pass if a WWTP is installed.

If NYC DEP were concerned about Peach Lake posing a NYC water quality issue to the East Branch Reservoir, wouldn't they be funding more of its solution and banning powerboats? Build-out is the only way the actual final cost of centralized treatment is going to be affordable. Otherwise, higher-than-anticipated costs will be borne by residents if we are to solve all three problems.



A view of the Croton Dam from Turkey Mountain.



NOVEMBER DECEMBER 2006

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