



Croton Watershed Clean Water Coalition



Issue 28
SEPTEMBER
OCTOBER
2005

O
U
R
W
A
T
E
R
O
U
R
F
U
T
U
R
E

PUTNAM COUNTY SELF-DESTRUCTS

by Ann Fanizzi

Patterson Crossing and Hillcrest Commons, two developments in the Putnam County Towns of Kent/Patterson and Carmel/Kent, pose particular threats to the community and the watershed and top the list of the Coalition to Preserve Open Space's of developments to challenge. Since both of these proposed projects straddle towns, they present model case studies of the differential impact of developments on towns: benefiting the one and disadvantaging the other. In both of these cases, the Town of Kent bears the brunt of the impacts.

The Putnam County Coalition to Preserve Open Space is a not-for-profit, non-partisan, citizen-directed organization, committed to the preservation of environmentally sensitive, ecologically endangered lands, historic sites and structures and supports the principles of sustainable development as an antidote to development that threatens town character, the environment, the Croton Watershed and the quality of life of its residents. Instead of curtailing auto dependency, stormwater runoff from impervious surfaces and the problems of

Continue on next page

Politics and Pollution at Peach Lake:

The Pricing Out of Long-term Residents

By Suzannah Glidden and Oron Sandler, P.E.

NYC Department of Environmental Protection (DEP), Westchester/Putnam county and town governments of North Salem and Southeast have formed a coalition to sewer the five communities surrounding Peach Lake and build a new wastewater treatment plant (WWTP) in Putnam County, rumored to be sited between Vail's Grove and Starr Ridge Manor. The outflow of all sewage around Peach Lake (containing total household water use now released back to recharge) will be exported north to the East Branch Reservoir.

\$150,000 of East of Hudson (EOH) funds have been spent on an initial Stearns & Wheler (S&W) Engineering study that recommends sewerage. However, the study jointly supported by both counties failed to include storm water issues in the sanitary sewage study. Hahn Engineering was afterwards contracted to address storm water separately. Now an additional study is needed to determine where to site the plant, the plant's capacity under the

Continue on page 5

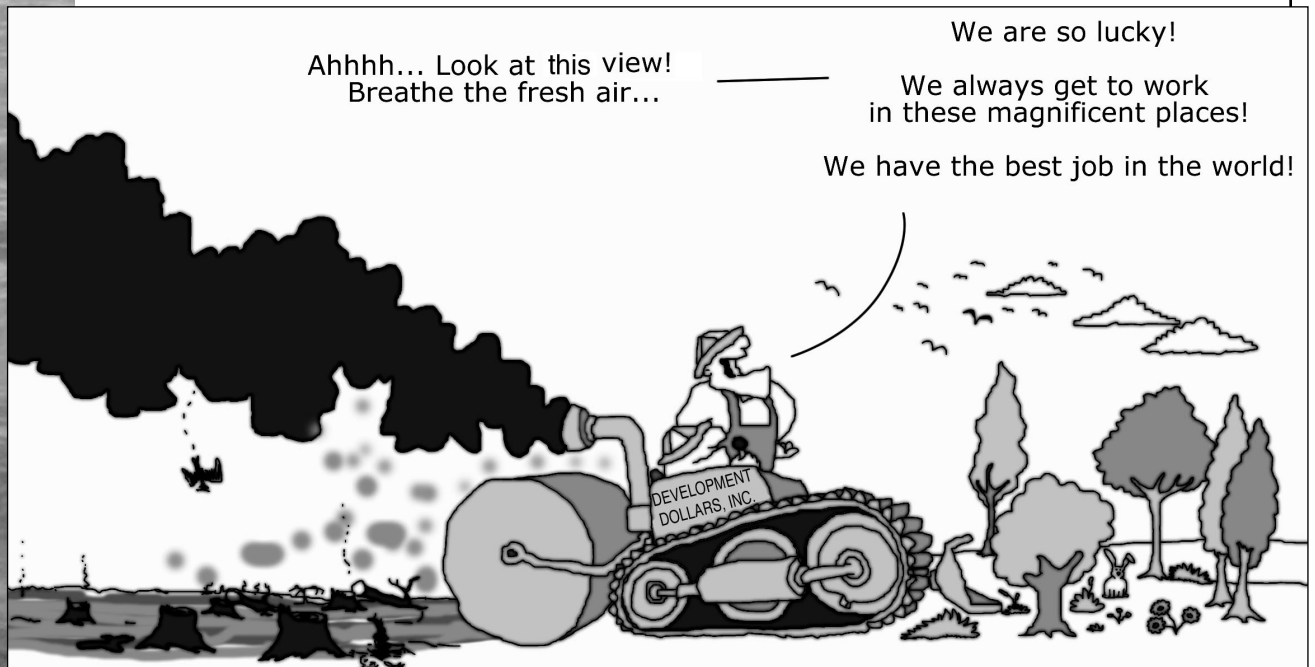


Illustration by Enrique Dura

congestion, the proposed Patterson Crossing (439,000 sq. ft Big Box Retail Center, with its 2,074 parking spaces) and Hillcrest Commons with its mixture of commercial, office and senior housing, exacerbate the very conditions that residents now find intolerable and threaten the Middle Branch Reservoir and Michael Brook, significantly impaired components of the Croton Watershed.

Below are the Coalition comments submitted to the respective Town of Patterson and Carmel Planning Boards.

1. PATTERSON CROSSING - Town of Kent/Patterson - Off Exit 18, Rte 311.

1a. SAFETY - EMERGENCY SERVICES

Patterson Crossing will be adjacent to residential properties and the applicant has stated that Echo Road will be used as an emergency ingress and egress point. Public safety is the primary consideration of public officials and Patterson Crossing has the potentiality to compromise such safety. With an estimated increase in vehicular traffic of over 1,200 per hour and with a parking capacity of over 2,000 cars, incidences whereby emergency services may be called upon pose a particular challenge to local units.

Therefore, the applicant must account for strains on emergency services not only in terms of staffing but also in terms of average response time to the site. Given the problematical nature of hilly, winding Echo Rd. and the projected increase in traffic on subsidiary roads such as Fair St. and Rte. 52, the applicant should be required to conduct a study setting target staffing levels and response times of emergency services to the site.

1b. SAFETY - COSTS OF POLICE

A February, 2005 article in the Times Herald-Record entitled "Is Common Worth Costs?" details the cost incurred by Woodbury citizens in funding police. "But the outlet center has long been more whipping boy than savior for residents who once courted its taxes. For them, hosting the jewel of Orange County tourism means coping with traffic jams on weekends and holidays and paying police to arrest a steady stream of shoplifters." And the article continues. "When comparing strictly what Woodbury

Common pays the town in property taxes to what it generates in police costs - is that the shopping center is pulling its weight ... Just barely."

"Town police visited Woodbury Commons 2,888 times in 2004 - just over a quarter of their total calls for service - and made 71% of their 365 arrests there." And lastly, "Chief Kwiatkowski estimates the department devoted roughly a third of its time to the outlet center last year."

Patterson Crossing like Woodbury Commons is located at an interstate exit but, unlike Woodbury, it is located adjacent to a residential, family community. Although smaller by half, Patterson Crossing has the potential of attracting undesirables into the community, cutting through neighborhoods and creating a grave safety issue for the families and their children.

The applicant must be required to develop a safety plan and fund any additional police officers required to provide protection to the community.

2. VISUAL IMPACT

Public safety is the primary consideration of public officials and Patterson Crossing has the potentiality to compromise such safety.

High visibility is a determining factor governing decisions of "Big Box" developers and hence the attractiveness of interstate exits, particularly those that are surrounded by slopes. Exit 18 Patterson Crossing mega- development on slopes, denuded of approximately 68% of its forest, will continue the visual and environmental devastation that was begun at Exit 19 with the Brewster Highlands Regional Retail Development. The scenic transformation of Putnam County's Highlands will be almost complete as a swath of "Big Boxes," with their lights and signage beckoning customers, will destroy the rural character of the "County where the Country Begins."

There can be no doubt that such visual impact will have a drastic effect on the entire Lake Carmel Community but particularly those property owners who are adjacent to the site. Numerous studies have confirmed that values increase by as much as 15-20% when property is located adjacent to forests and wildlife habitat and when property owners can enjoy the peace of their property without the interference of the usual ambient noises and lights from cars, trucks and trailers emanating from a 410,000+ mega-retail regional center.

The applicant should present a mitigation plan including lighting, signage, landscaping and redesign of cookie-cutter architecture that is superimposed on local communities without recognition of the unique characteristics of localities.

3. ECONOMIC IMPACT

Within 4 miles, we will have two mega-retail, category killers, one the 60-acre Brewster Highlands Retail Center at Exit 19 and the proposed 90-acre Patterson Crossing at Exit 18. Since Loew's and Bed Bath and Beyond are competitors of Home Depot and Linens n'Things and since the applicant has proposed another clothing store also in competition with Kohls and Marshalls, how will Patterson Crossing increase choice among Putnam County consumers. In "Cities Back from the Edge (1998), Grantz says that they acquired the nickname "category killers" because they don't mean to compete with existing businesses. They mean to kill them and monopolize the market." The existing businesses which will be impacted by Patterson Crossing are those that have been Carmel household names, such as Dill's Lumber. But this development seeks to do more; in shifting the balance of development from the center to the fringe on the interstate, it threatens established shopping areas such as ShopRite on Rte 52 and Putnam Plaza in Carmel. And what will be the effect on the A&P shopping center off Rte 311 and Rte 22?

Indeed since the opening of Brewster Highlands, Putnam County consumers have had less not more options as Putnam Plaza stores i.e. Independent bookstore, and Ben Franklin's hardware store have closed to be replaced by one food services/restaurant/nail salons after another.

The applicant should demonstrate that Patterson Crossing will have no net effect on the economic health of the Lake Carmel small businesses nor on the economic health of its neighbors in Carmel and in the Town of Southeast. Business plans, market analysis establishing need, wage rates, employment opportunities, should be among the documents submitted by the applicant.

4. CUMULATIVE IMPACT

In addition to Patterson Crossing, other large scale developments are proposed for Carmel - Gateway/Summit and Fairways on Rte 6 and Fair St. and Hillcrest Commons on Rte 52. The Planning Board is required by SEQRA to assess

all cumulative impacts in addition to that before the board.

5. ALTERNATIVES

Villages and small town retail centers have seen a resurgence and have become the choice of many residents. Indeed, planners such as John Nolon have encouraged this development by eschewing "Big Box" mega retail centers for walkable, pedestrian friendly and community enhancing centers. The Planning Board should scrap Patterson Crossing and look to strengthening the Town of Patterson's move toward developing Front St., and work with Town of Kent officials and the applicant in establishing a Village Center which recognizes the inherent small nature of the towns, meets the needs of the residents without compromising the environment or disadvantaging one group of residents in favor of the other.

2. HILLCREST COMMONS - Rte 52 Town of Carmel/Kent

On Saturday, August 6, a beautiful sunny day, a dozen enthusiastic stream monitors gathered at the shopping plaza off Rte. 52 in Putnam County to start their monitoring of Michael Brook. Why did we select Michael Brook? The answer is that Michael Brook will be threatened by a large development (office buildings and senior housing) on the thickly forested hill at the back of the plaza, namely, HILLCREST COMMONS. Michael Brook, that is fed from Palmer Lake just north of the plaza, runs parallel to the back of the hill. From there, it goes under Fair Street, then Carmel #2 WWTP, past another shopping mall off Rte. 6 and finally, into Croton Falls Reservoir, a few miles away.

In spite of all these impacts, the results of our measurements showed that Michael Brook regains its high quality by the time it flows into Croton Falls Reservoir.



Back row; left to right: Sam Masini, Alexander DeLuca
Middle row: Don Pachner, Rich Lauri, Ivanka Roberts, Suzannah Glidden, Oreon Sandler, Ann Fanizzi, Fay Muir
Front row: Arnold Frogel, Marian Rose, Richard Israel



In all respects, Hillcrest Commons poses innumerable and, we believe, insurmountable problems affecting the quality of life of residents; the landscape, steep slopes, ridges and vistas that make Putnam County the county where the country begins; Michael Brook, a water body so impacted by the cumulative assaults of past and proposed development that NRDC has placed it and the Croton Reservoir on its impaired list; an infrastructure, so limited by the constraints of terrain and development that congestion has become the norm and not the exception; with Rte. 52 as the sole north-south route for trucks, trailers and vehicular traffic becoming a major safety issue for all residents and for emergency services who must not only navigate 52 but the proposed road winding around steep slopes. Notwithstanding the optimistic appraisal of the traffic study (traffic studies have been notoriously inaccurate), this development will only exacerbate an already intolerable traffic situation no longer limited to a couple of hours but expanding throughout the entire day.

And into this environment, the applicants for Hillcrest Commons propose 150 units of senior housing with an alternative additional 150 substituting for the 60,000 sq. ft office space. Their proposal is based on the recycled senior housing study on demographic data, employed for justifying the 275 units of market-rate senior housing, The Fairways, not two miles distant off Fair St. Nowhere does the study connect the dots between demographics and actual polling data that would lend credence to their assertion that a majority of Putnam County/Carmel residents would move laterally from their homes into this development, braving high taxes and maintenance charges. As a matter of fact, a June 3rd Journal News article suggests otherwise, noting that in all age categories beginning with 60 until 79, Putnam County experienced a net loss in population; the only increase (38) was in the frailest of age populations (80-84), requiring the most care and health services.

The Coalition has written and has had an ad campaign urging a moratorium on all senior housing development in the Hamlet of Carmel, amounting to 1000 units. And we have litigated another senior housing development of 375 units. We have done so because I commented during the Carmel Public Hearing that a tipping point - a saturation point - is on the horizon where additional development will neither provide the quality of life expected by present residents nor



Alexander DeLuca, Rich Lauri and Don Pachner collecting material for sampling. Richard Israel in back.

that hoped for by prospective purchasers of these units.

The Coalition has been joined in its concern by Town officials who have raised grave reservations concerning the present Multi-Family "Affordable" Senior Housing law and most importantly, the tax implications of a population requiring emergency and intensive medical services on all residents, seniors and family.

The assertion that this population may have significant additional assets and excellent credit to cover medical costs has been examined and debunked in a recent NYTimes article wherein middle-class seniors confronted with unanticipated illness and attendant exorbitant costs, have sought ways to attain Medicaid eligibility, funded by tax payer dollars. An added ingredient has been the recent phenomenon of parents having to subsidize adult children and their families. Again the assertion that seniors have all this disposable income simply to spend on moving expenses either



Careful scrutiny by Arnold Froegel

from one side of the county or town to the other or from different counties, must be vigorously examined and the senior housing study neglects to include these very significant cultural variables.

The Coalition supports a diversity of housing options for all of its citizens - housing options which are truly affordable - and which recognize that development must meet the criteria of sustainability - infrastructure, wildlife and historical resources, town character, landscape and water quality. Hillcrest Commons as presently proposed, is the very antithesis of sustainability and must be drastically modified.

###

Politics and Pollution at Peach Lake...

Continued from front page

State Pollutant Discharge Elimination System (SPDES) permit, as well as the boundaries of the new sewer district. The cost for this study will not be paid for by EOH funds or by grants, as residents were led to believe, but borne by lake residents if and when a sewer district is formed.

The towns will pay for it if a district is not formed. No notice was sent to residents about this cost before town boards recently approved it compounding the impression that residents are being misled as well as left in the dark until deals are done.

Unfortunately, alternatives like decentralized sewage management systems or upgrading failing septic systems were not given the hard look by Sterns & Wheler that Hands Across the Border (HAB) and Croton Watershed Clean Water Coalition (CWCWC) had proposed. Studying and remediating storm water pollution first, followed by assessing onsite wastewater treatment systems (septic control) is the preferred method in watersheds, yet this method was not followed.

HAB had asked the engineering firm, Horsley & Witten, well-known for watershed storm water and wastewater control, to submit a proposal. This was ignored. The desire to build another centralized sewer treatment system was such that the S&W study skipped more cost-effective, commercially available, decentralized concepts. Moreover, by ignoring the storm water issue, the septic problems have been exacerbated, thereby making the case stronger for sewerage and for building an underground infrastructure that might have been unnecessary.

HAB repeatedly urged the counties and towns to establish a septic maintenance management district to annually monitor individual unit performances and to enforce proper maintenance of septic and holding tanks. Some residents are diligently conscientious while others (a great many) are not. HAB tried to convince the counties and towns to organize a septic maintenance district database for Peach Lake and to create a pilot program with EOH funds allocated for a lake community. HAB wanted it to include a system-wide septic pump-out hauler to

contract with the 550 homes and grant a discount for the large amount of business it would create. The intent to sewer has led to S&W results which HAB considers are basically incomplete. If storm water and decentralized solutions had been

investigated, recommended and implemented, the lake would already be cleaner. Instead, it continues to be polluted, the lake level control (weir) is inoperative because silt covers it and there is no control over the lake's water level

HAB also wanted to study remediating onsite wastewater treatment units by considering clustered systems with aerobic, microbial enhancement under the nearby golf courses east and west of the lake. Cost-effective commercial equipment exists for serious focus points

like the outflow of Peitsch Canal. A single cluster system could have been considered for those homeowners whose sewage now goes into holding tanks. Moreover, this Canal location has the highest bacterial level in the lake due to the manure runoff from the horse farm east of Route 121.

For several years, the lake's level has been abnormally high, flooding several lakefront properties. The lake's north end is choked with water lilies and its egress from there, Peach Brook, is clogged with silt and vegetation. Dredging these two areas was suggested by HAB years ago, but was not included in the study. S&W recommended the use of Alum or other chemicals to encapsulate phosphorus accumulated on the lake bed. Besides the cost for that procedure, NYS DEC had already denied that process in other lakes and reservoirs in the Croton Watershed. Adding carp

has been tried at Peach Lake. What procedures will be used in the future and at what additional costs to the homeowner?

Storm water control has finally been studied by Hahn Engineering but residents still await those results. They should include facts on when the remediations are to be made, how much they will cost, and whether grants or state funding will be available or whether residents will be paying for these solutions. EOH funds (\$325,000) have been allocated to each of the Westchester Croton Watershed towns for storm water remediation,

***Brewster
had their
new NYCDEP
WWTP 98%
funded. Why
can't Peach
Lake receive
the same?***

***... if more
residents don't
go to public
meetings and if
they don't
protest the
costs, the State
Comptroller's
Office will
rubber stamp
whatever is
presented.***



North Salem being one. Will any of these North Salem funds be used at Peach Lake? And exactly how much will come from federal, state and other county grants for total Peach Lake costs such as Safe Drinking Water Act, DEC Aquatic Habitat funds and Community Development Block grants that have been promoted by Supervisor Sy Globerman and County Legislator Ursula LaMotte?

Concern mounts that these expensive proposed project costs are not only creating very large assessments to property owners, but without actual grants in place, are also being announced in a piecemeal fashion so that residents are not able to get the full financial picture of the future for Peach Lake cleanup.

Some, if not many, median-income residents will likely be forced out by cost if not enough grant money is found. Brewster had their new NYCDEP WWTP 98% funded. Why can't Peach Lake receive the same?

The price tag affixed to Peach Lake's proposed WWTP and sewerage has risen by millions each time it is discussed. Brewster's cost started at \$16 million in 1999 and concluded at \$31 million. We suspect a lowball figure for Peach Lake is being bandied about at \$22 million. We have no specifics of easements that may or may not have been granted to route expensive piping to the plant or how far away the plant eventually may be sited due to resident complaint about close proximity.

Many questions remain unanswered and basic facts are missing. Full disclosure of total projects costs, full disclosure of all grant allocations for Peach Lake and full disclosure of the homeowner tax burden should be publicized before any petitions are circulated for forming a sewer district. Will the State Comptroller know all the issues and will SEQRA address them? The fear of some at Peach Lake is that if more residents don't go to public meetings and if they don't protest the costs, the State Comptroller's Office will rubber stamp whatever is presented.

Concern also exists about additional development in the contiguous areas of already densely-populated Peach Lake which could come as a result of the new WWTP. Although told the plant will be sized for only Peach Lake residents and the few businesses rimming the lake, Supervisor Globerman said at a town board meeting that if there's the ability to expand the plant and if someone wants to join the district and they want to

pay for the expansion, he doesn't think there's anything that can be done legally to stop them. This is another flaw with centralized systems once approved and built – they are easily expanded, since most engineering firms plan and design for such contingencies. New legislation for voting to form a sewer district needed to be written and enacted in Albany to allow the 4 co-operatives out of the 5 Peach Lake communities more than a single vote. However, this didn't happen. Instead, we were told that new research and re-reading of the standing state law has been re-interpreted by attorneys so that the co-operative communities will have not the usual single vote but each homeowner in those communities will have a

vote. All the more reason why each individual homeowner needs to know and understand the full picture and costs of all the Peach Lake proposed improvements – sewer, drainage, lake management, etc. and not receive information or costs piecemeal. Some residents feel the re-interpretation of law will make it easier for the proposed sewer district to be passed by a petition carrying 51% of homeowners at Peach Lake.

Durkin Oil and Water has been allowed to privatize our common aquifer water and has stepped up their water trucking business in the

last few years drawing water from wells on Fields Lane near Peach Lake. How will the combination of water drawdown by Durkin and the proposed exportation of water from Peach Lake affect the local aquifer and individual and community wells? If the proposed nearby Orchard Hill golf course and conference center is also allowed to proceed, how much greater will be the impact and with possible pesticides contamination? Will deeper new water wells need to be drilled at homeowner expense, and will water be found? Water supply without the current recharge could become a problem. A town-wide aquifer study was recommended by many North Salem residents for years but ignored by Supervisor Globerman who refused to deal with such water statistics.

Decentralized sewage management techniques are being installed in neighboring states in many similar watershed communities. It is, at the very least, disappointing if not irresponsible and negligent of the public welfare to have omitted a hard look at these new technologies that are less costly, proven effective and easily available commercially.

#

A town-wide aquifer study was recommended by many North Salem residents for years but ignored by Supervisor Globerman who refused to deal with such water statistics.

**YOU CAN ACCESS EDUCATIONAL MATERIALS
THROUGH CWCWC'S WEBSITE!**



Multi-media educational tools are accessible through our Website, or you can request the same materials to be sent to you from our office!

AVAILABLE PRINTED MATTER:

Can be downloaded from our Website or ordered from our office.

The Real Price of Filtration: Is it Worth it?

By Anthony J. Blackburn

NOTE: Available only from our office.

**A Management Plan for the Croton
Watershed**

Presented by CWCWC

**The CWCWC Position Paper
On the Need for Examination of the Use
of Membrane Technology
to Treat the Waters of the Croton System**

By Michael Cole, Esq.

Membrane Water Filtration

By Professor Audrey D. Levine, PhD, PE

NOTE: Available only from our office.

AVAILABLE VIDEOTAPES

Can be viewed on our Website or ordered from our office.

**The Fight for the Croton Watershed:
Protection Vs. Filtration**

Produced by Rose Films, Inc. for CWCWC

Unfiltered Facts

Produced by David Ferguson for CWCWC

VISIT: WWW.NEWYORKWATER.ORG

EMAIL: CROTONWSHED@AOL.COM

CALL: (914) 234-6470

SEPTEMBER · OCTOBER 2005

PLEASE JOIN US

Through regional action, CWCWC is dedicated to providing alternatives to chemical treatment/filtration, and to protecting and improving the naturally-filtered, high-quality waters of the Croton Watershed for today and for generations to come.

Send in your membership and receive membership mailings, a subscription to CWCWC's newsletter, "Our Water, Our Future" and (at your request) a free copy of the multi-award-winning video, "The Fight for the Croton Watershed."

Most importantly, your membership will help you get involved with the preservation of one of our most precious resources, our water.

Croton Watershed Clean Water Coalition Membership Application

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Email: _____

- Group/Coalition Membership (Voting) \$25/year [For Groups/Assoc. only]
- Individual Membership (Non-Voting) \$10/year [For Individuals only]

Is this a Renewal or a New Membership? (Circle one)

Make checks payable to Croton Watershed Clean Water Coalition and mail, along with your membership form, to:

FAY MUIR, Secretary, CWCWC, INC., 9 OLD CORNER ROAD, BEDFORD, NY 10506



Our Water, Our Future
Croton Watershed Clean
Water Coalition
9 Old Corner Road
Bedford, N.Y. 10506

NONPROFIT ORG
U.S. POSTAGE
PAID
WHITE PLAINS, NY
PERMIT NO. 395