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Sunday, January 4, 2004

Groundwater model ran dry

Aquifer pact is praised, not used

By Dan Shapley

Poughkeepsie Journal

It has been nearly 10 years since the Harlem Valley started a much-heralded effort to protect its groundwater.

A proposal to fill an old mine with garbage in Dover in the early 1990s raised awareness about the region's water supply and spurred the town to study its own water.

Beginning in 1997, town, county and state taxpayers paid \$45,000 for a study and a related model ordinance to protect the valley's common aquifer in the Ten Mile River watershed -- the only source of drinking water for the area's four towns and two villages.

That model law, completed about two years ago, has been praised at conferences and held up as a great example of towns working together to protect the drinking water supply across boundaries.

The thing is, none of the six municipalities have adopted it.

The model ordinance calls for restricting development that could imperil the water supply. Lowlands associated with the aquifer would have the greatest restrictions, while existing hamlets, villages and uplands would be less restricted, said Russell Urban-Mead, a senior hydrologist at the Chazen Companies. Urban-Mead was the consultant who produced the study.

The plan has been useful to raise awareness and inform volunteer planning board members about how to protect groundwater, officials said. But it does not have the force of law.

"It needs to go farther," said Town of Dover Supervisor Jill Way, who was instrumental in starting the study.

"It's interconnected," she said of the aquifer. "We always are very mindful that we each have an impact on the others' quality of groundwater -- drinking water particularly."

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Dover adopted similar protections in 1999 before the model ordinance was complete, Way said.

Town of Pawling planners have used the study to guide development, planner Norm Benson said.

Developers with plans to build homes on a 200-acre piece of land over the aquifer on Route 22 south of the Village of Pawling recently gave up because they couldn't satisfy the town's demand for water protection, Benson said. And the town's stringent wetlands protection ordinance helps fill the void.

"(In) some other towns, it might be collecting dust somewhere. That's a big difference -- do you use it or don't you?" he said.

But he acknowledged Pawling is "probably losing something" because the aquifer protection plan does not have the force of law.

Future possibilities

Amenia has considered it as the town drafts an update to its master plan, planner Ted Fink said.

"Nothing's happened in Amenia, but I think that's going to change," Fink said. "I think that the administration that is coming in is going to take a look at planning issues in the coming year."

North East, Millerton and the Village of Pawling have not discussed it, at least not for some time, top elected officials from those communities said.

Out of the loop

North East Supervisor David Sherman said he wasn't aware the model ordinance had even been completed. North East was the only town in the valley not to contribute money toward the final phase of the study that produced the model ordinance. The villages did not contribute either.

"It would be appropriate to see what from that work has been done, and how that could be integrated for land-use planning in our town," Sherman said.

The Village of Millerton hasn't discussed it, Mayor Michael Cawley said. Neither has the Village of Pawling, at least not recently, Mayor Robert Liffland said.

Officials from the Water and Wastewater Authority, which contributed over \$20,000 to the project, could not be reached this week.

The Hudson River Valley Greenway contributed \$20,000 in state money to the Harlem Valley project in 1997.

Carmella Mantello, executive director of the Greenway Communities Council, said she plans this year to review grants the council has

doled out to see that communities are using grants "to the potential that we envisioned."

"Why have a plan," she said, "that is going to sit on a shelf and isn't going to materialize to the next step or next level?"

'It's interconnected. We always are very mindful that we each have an impact on the others' quality of groundwater -- drinking water particularly.'

Municipalities

The municipalities involved are Town of Amenia, Town of Dover, town and village of Millerton, Town of North East and town and village of Pawling.

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