

Town of Amenia
Comprehensive Plan Implementation Committee
January 17, 2006

Present: Mark Doyle, Rudy Eschbach, George Fenn, Dolores Holland,
Darlene Riemer, Tony Robustelli, Joel Russell.
Guest: Scott Chase, D.C. Water and Wastewater Authority.

M. Doyle opened the meeting by introducing Scott Chase who had agreed to answer any remaining questions about the aquifer overlay.
S. Chase presented a brief outline of a watershed investigation which had been conducted by him and Russell Urban-Mead (a hydrogeologist) in 1998/99 which identified potential threats to the aquifer as well as ways to countermand them.

The committee then went over the latest draft of the zoning ordinance by J. Russell which incorporates clarifications of questions which had been raised by the earlier draft. J. Russell explained the division of the town into four areas (Valley Bottom Aquifer, Upland Aquifer, Buffered Valley Bottom Aquifer, Upland Wellhead Protection Area) and the degree to which those areas are vulnerable to contamination by current and future developments. (See page 24, section D)

S. Chase stressed the importance of evaluating development on the basis of sustainability: are sufficient quantities of water available and can the quality of the water be maintained.

The question of why only underground fuel tanks with a capacity below 1,100 are prohibited was answered by S. Chase: tanks of that size are usually residential, single-wall , are not monitored or regulated by the government, have a life expectancy of about 12 to 20 years and many have been in use longer than that.

J. Russell will find out whether a town has the authority to request that such tanks be removed.

Page 24/25 Section E deals with and itemizes all uses and permit requirements in the Aquifer Overlay District. J. Russell pointed out that these potential uses are not guaranteed and are determined and ruled by the zoning ordinances.

Page 27, Section F: S. Chase explained the concept of 'natural recharge rate' : it is determined by the ability of water to percolate through the soil and into the aquifer.

Denominations "A" through "D" are hydrogeological determinations based on soil classification but not on slopes as indicated on the map and they refer to historical records of rainfall.

Page 29, Section G: S. Chase explained the 'Dilution Factor' : the

first contaminate to exceed health levels would be the nitrate/nitrogen coming from a septic system. The biological activity which takes place does not break it down to acceptable levels so it has to be diluted. In order to reach acceptable dilution in residential usage, six times the amount of usage in the form of rainfall has to be attained. This formula refers to conventional septic systems only. In modern treatment systems it does not apply to the same degree.

G. Fenn asked how the personal use of water is regulated. S. Chase said that water which is consumed falls significantly below the 20% mark. J. Russell added that most of the water in a household is used in washing and flushing.

He also pointed out that the entire section regarding water consumption is a review threshold - not a standard.

Tonia Shoumatoff asked about water use in a hotel. J. Russell said that anyone wishing to build a hotel has to submit, along with the application, a projection of what the actual water use is expected to be based on the characteristics of the proposal.

A sophisticated water treatment system, which is to be encouraged, will significantly reduce the impact.

Page 27, Section H: This section is specific for the purpose of making certain that map changes are not made in an arbitrary manner. They have to be based on new hydrological information and review.

Page 28, Section I: R. Eschbach asked whether there was a regulation as to the amount of discharge which has to be reported. J. Russell said that State regulations are in place but that he needs to look into the question of 'amounts'. Public health concerns must be the determining factor but the decision should not be left to the individual responsible.

M. Doyle asked about record-keeping and reporting. J. Russell said that those are matters of municipal management. D. Riemer asked whether there should be a reporting protocol. J. Russell asked S. Chase to design language to cover emergency public health threats resulting from either accidental discharges or deliberate disregard of regulations. Supervisor Reagon suggested calling 911 until the new protocol is in place.

RE: Page 21, B - 'Upland Wellhead Protection Area' -D. Riemer asked whose responsibility it will be to pay for a hydrogeologist to map that section in case of a planned development. J. Russell said that the cost would probably not be high and should be paid by the applicant and approved by the Town.

When a parcel destined for development lies partly inside and partly

outside a restricted area the more restrictive regulations apply.

T. Robustelli expressed concern about the general language of the aquifer section - believing it might be too complex and technical for the average resident to understand. J. Russell said that it has to be made very clear that the only people affected by the regulations are developers and small business owners who may be dealing with damaging/hazardous materials. The people who have to be thoroughly familiar with the section and able to answer questions are the zoning administrator, members of the Planning Board and Town Board, building and zoning inspectors, engineers and surveyors in order to enable residents to get information without having to pay an attorney.

D. Riemer said that, starting this year all existing wells have to be tested according to a change in the sanitary code by the Board of Health. S. Chase added that the issue of sufficient resources for the mandatory testing has not yet been worked out. Instructions will be published in the papers.

J. Russell next suggested the establishment of a time frame for introducing the latest draft of the zoning ordinances to the public. Supervisor Reagon would like clean draft copies to be circulated to all involved board members (Zoning, Planning, CAC, etc.). J. Russell said that this might create misinterpretations that it might be better to introduce the work during a meeting, so that questions can be asked and answered.

He suggested one or two meetings for the Committee to go over the latest draft.

M. Doyle expressed the need for base zoning for the ten Mile River Development Center area. J. Russell said that John Clarke has developed a design and is ready to show it to the Committee. It should be part of the the first presentation to the public as it is a property which is on the market and ready for development. M. Doyle has been working with Dutchess County Planning on maps of the area which should also be included.

J. Russell wants the Committee to go through the entire draft on January 23rd and present any question to him on the 30th.

R. Eschbach offered to show the committee members a view from his field and to discuss their impressions of recent changes in Connecticut as they relate to the Scenic Overlay District in Amenia.

The meeting schedule as per Mark Doyle is as follows:

Monday Jan. 23rd to review the new draft
Monday Jan. 30th to ask Joel questions and review
John Clarke's design for Ten Mile River- Developmental Center.
Monday of February 6 and 13 in
preparation for the public workshop on the 18th.

Public Workshop on Saturday the 18th of February starting at 10 am.

Submitted by Monique Montaigne
January 22, 2006