



Croton Watershed Clean Water Coalition



WATER, TAXES AND THE CROTON WATERSHED

By Fay Muir, President CWCWC

Issue 40
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In the Croton Watershed, impact fees should be an integral part of the development approval process to ensure water quality and to provide adequate public facilities. Impact fees are a "one time" charge assessed against new development for facilities needed to serve that development and should be included as part of the permitting process, just as this process now is to meet site planning and zoning requirements. In evaluating the fee amount to be assessed, there must be a proportional connection between the additional facilities and new development.

Environmental Impact

New development of open space results in an incremental effect on biological resources, including loss of habitat and reduction in total numbers of flora and fauna on a regional



Fay Muir

basis. Recognizing the regional nature of such impacts and the need for regional mitigation of them, a fee to mitigate the long-term incremental impact of additional and new development needs to be imposed on developers. In addition to the statutory authority over biological resources granted by various federal

and state agencies by law, impact fees need to be instituted for the purpose of acquiring land for the permanent conservation of habitat or species. Fees would be for the purpose of restoring habitat within identified permanent conservation areas and funding environmental education. Such fees would be used for long-term environment conservation and increased public awareness of the biological resources of the region. Funds may be assigned to a group with the authority to administer a regional conservation plan.

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WATER, TAXES *(cont'd from page 1)*

Economic Benefit

Money is needed to cope with the infrastructure and other impacts that are inevitably required because of new development. The economic prosperity anticipated has resulted instead in resident taxpayers paying more for schools, roads, and public services. CWCWC believes an impact fee is necessary to help pay for maintenance, administrative, and other services

needed to keep pace with development projects in the Croton Watershed.

Impact fees are a practical, efficient, flexible and equitable tool to shift the burden of financing new public facilities to those who create the demand for those facilities. This would benefit the water quality by ensuring infrastructure

needs are maintained efficiently. This would benefit the developer in the reduction of the timeline for permit approvals. This would also benefit the public officials who balance the budget and this would benefit local citizens who are relieved of the burden of additional taxes.

Tax Impact

New York State residents are paying the highest property taxes in the country according to a 2006 report by the State Comptroller. Westchester and Putnam Counties, among others, have tax burdens per household that are more than double the statewide average. Property taxes are insufficient to finance local service increases caused by growth and, unfairly apportion the tax burden. Of special note in the Croton Watershed is the huge tax burden that has been imposed for schools. School districts account for 61 percent of the property tax burden in the area.

Impact fees should cover the cost of new or expanded public capital facilities that benefit the new development projects. They should serve to compensate the local government for expanding the capacity to handle associated increases in traffic, utility demand, schools, and other services. The burdens of financing capital improvements and operational services would be borne by the development projects, not the general public.

Fee Administration

Development impact fees should be levied as a condition to the issuance of a building permit by the regulatory agency. The property owner or land developer would be required to pay these fees imposed based upon the gross square footage, number of acres, number of traffic lane miles, number of residential dwelling units, etc., on a fair and reasonable basis to finance

required capital improvements to keep the level of existing services.

Some other considerations for impact fees in the Croton Watershed could include a drainage/flood control improvements fee, costs of traffic signalization, mitigation of the increased demand for

providing administrative facilities needed to serve the new development and to support the well-being and general welfare of residents. Also an administrative offices fee to provide adequate personnel for public services, e.g. sanitation, parks and library facilities as well as a service and maintenance operations fee to finance the annual costs for providing these services to additional facilities. Impact fees should enable the towns to establish a permanent committee to provide ongoing evaluation of the implementation of these fee ordinances. Criteria for a fee system that delineates standards for equity should be instituted and there should be ongoing review at specific, predetermined intervals. Regulations for land use, growth, and development should be strictly adhered to by any new development especially in an area where there is the overriding concern for water protection. The zoning laws need to achieve balanced, orderly and sustainable growth, and environmental, historical and cultural protections.

Financial Impact

Impact fees may cause a slight increase in prices as the builder shifts the cost forward to the consumer. However, the additional marketing cost is offset by the health and quality of life benefits that will not need to be borne by builders, residents and county taxes.

Landowners, on the other hand, will see a shift in

(cont'd on page 3)



WATER, TAXES *(cont'd from page 2)*

the form of higher prices that may be bid for undeveloped, bucolic landscape. A similar fee is now being imposed on new developments called an "excise tax" and is earmarked for capital improvements. The imposition of impact fees would ensure an ordinance would be adopted that provides credit against the effects for developer-constructed impacts and would expedite development approvals by reducing citizen opposition to new projects.

As easily buildable land becomes scarcer, developers are encroaching on land that should not be built on such as steep slopes, and thin and erodible soils. They increasingly encroach on wetlands and destroy valuable forest lands that enhance water quality. Mitigation measures such as artificial wetlands, retention ponds and other devices are needed to try and restore what the natural land previously provided. The cost of proper maintenance of these infrastructure devices is expensive and should be proportionally borne by the developer by means of an impact fee.

In the Croton Watershed, the open space value must include its irreplaceable function as part of the drinking water supply for half the population of New York State. Land conservation is the most effective way to protect this vital resource and is a sound investment. Studies locally and nationally show that development projects demand more in services than they pay in taxes. Clean, safe, and affordable water has an inestimable value. A conscious decision should be made to preserve the important and unique characteristics of the area. Land stewardship by choosing which areas can be developed to ensure that important natural systems remain intact, reaps long-term benefits.

The magnitude of the differences between the costs of serving undeveloped and developed land has been studied throughout the country. Findings are similar and show as much as a 34% higher cost for services on developed land. Mismanaged growth can damage a community's fiscal health, while land conservation and sound planning can sustain it. In addition, open space management is essential for the Croton Watershed because of its role as part of the water supply for half the population of the entire state.

Conclusion

The measure of the economic value of open space can be assessed in its use and non-use functions. In areas where highest and best use of land is as open space, it affects the surrounding land market, creating an enhancement value. Enhancement value is important to the local property tax base because it offsets the effects of open space, which is usually tax-exempt or taxed at a low rate.

Open space possesses natural system value when it provides direct benefits to human society through such processes as ground water storage and recharge, climate moderation, flood control, storm damage prevention, air and water pollution abatement as well as fish and wildlife habitat, species preservation, recreation and aesthetic qualities. It is possible to assign a monetary value to such benefits by calculating the cost of the damages that would result if the benefits were not provided, or if public expenditures were required to build infrastructure to replace the functions of the natural systems. To the extent this particular region is perceived as unique or irreplaceable, the nonuse value is substantial.

Assessing impact fees on these irreplaceable resources will help promote more careful development that respects the region's natural features - its wetlands, forests, streams, aquifers and biodiversity - in other words, our life support systems.





IN MEMORIAM

With the passing of Ivanka Beck Roberts, CWCWC has lost an irreplaceable member of our group and a true friend. We are in grief over her loss. Ivanka was a unique person and personality. Her fragile appearance belied a strong, determined character and a sharp intellect. Ivanka spoke her mind in terms that were memorable. To this day, her public speeches berating lead agencies and town board members for not doing their job for the residents are still remembered and talked about. The image of such pointed words coming from such a small person is unforgettable. Ivanka's ability to speak truth to power with unflinching straightforwardness and follow through serves as a beacon for the rest of us attempting to do the same. No doubt, Ivanka was

Ivanka Beck Roberts

innately strong-willed and determined, but these qualities were strengthened by a remarkable childhood and upbringing.

Both her mother and her father were underground fighters against the Nazis, in Czechoslovakia. Her father was killed four months before Ivanka was born. Fortunately, her mother remarried and both her mother and stepfather were loving parents and Ivanka fully returned their love and admired them greatly. The family eventually escaped to England where they endured great hardships as refugees and trying to make ends meet. In the midst of these struggles, Ivanka managed to gain admission to Britain's top three universities, an unheard of feat in those days. Ivanka chose the University of Edinburgh. Just prior to entering university, Ivanka spent a vacation in a small German town where she met Jim Roberts. This was a turning point in both their lives.

Jim had just been discharged from three years in the US Army. He had volunteered straight out of high school. From the first instant, both knew that they had met their true love. They also knew that they would eventually get married. But fate decided otherwise. Misunderstandings and the coincidence of some letters being lost in the mail resulted in another fifteen years passing before they finally got married. Ivanka and Jim's loving partnership was truly unique. As Ivanka often said -- they were One. Each helped the other in their particular line of work. Ivanka became a highly successful translator from Czech, Slovak, German and French into English. Jim was hired as Staff Engineer in charge of Project Review by the NYC Department of Environmental Protection (DEP), the first environmentally-trained engineer to be hired by NYC. Until that time, the engineers had simply operated the systems that delivered the water, but none were trained to protect the water. Jim's goal was to design a plan that would serve as a model for watershed protection for NYC water and worldwide. Jim foresaw the importance of protecting water sources and that it would become a problem in the future.

Today, we are the grateful beneficiaries of that plan and the ideas that Jim poured into it and of Jim and Ivanka's unstinting generosity with which they shared their knowledge with those of us who are still struggling to protect our precious water resources. Jim realized that he could not have achieved his important work without Ivanka's help and encouragement. After Jim died, Ivanka wrote a book to celebrate Jim's life and their life together. In it, Jim is quoted as saying: "You saved my life...it was you and your parents - the faith the three of you had in me that let me be myself and make the best of my abilities." Jim compared Ivanka to a butterfly: "You look small, delicate and fragile. Yet you have the same incredible inner strength of the Monarch butterflies which fly thousands of miles south in winter - and then back again in spring." Ivanka and Jim never stopped trying to help people. They taught us the true meaning of integrity. Their memory and guidance inspire us to continue our fight to protect the Croton Watershed and all the life for which it provides its valuable supply of clean, drinkable water. But, more than anything else, Ivanka and Jim gave us an unforgettable example of true love. As Ivanka said: "He and I are One, we always have been." Now, they are truly One - forever.

If you'd prefer receiving an electronic version of the bi-monthly newsletter, please send your email address to crotonwshed@aol.com.

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NEW FEATURES, USER FRIENDLY

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Packed with information on our resilient and beautiful watershed
CWCWC Inc- The Croton Watershed's last line of defense
stay tuned and give us feedback by Email at

crotonwshed@aol.com

or Fax: 914-234-6139

or write to
CWCWC, Inc
9 Old Corner Road,
Bedford, NY 10506

The Croton Watershed Clean Water Coalition strives to protect and improve the waters of New York City's Croton Watershed, a critical component of the water supply for over half the population of New York State. We are an alliance of individuals and groups who believe that safe, clean and affordable drinking water is a basic human right.

Send in your membership and receive membership mailings and a subscription to CWCWC newsletter "Our Water, Our Future." 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: _____

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|---|-----------|--|-----------|
| <input type="checkbox"/> Group/Coalition Membership | \$50/year | <input type="checkbox"/> Students/Seniors | \$10/year |
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Is this a Renewal or a New Membership? (Circle one)

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

Treasurer, CWCWC, Inc., PO Box 484, Bedford NY 10506



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SEPTEMBER OCTOBER 2007