

Our Water, Our Future

Croton Watershed Clean Water Coalition Newsletter



Issue #4, July/August 2001

Our Water, Our Future is the newsletter that keeps you, our valuable members, on the leading edge of watershed protection activities. Through the generosity of the Noyes Foundation, both this newsletter and our website, www.newyorkwater.org, have been made possible.

THE TILLY FOSTER THOROUGHBRED FARM

The Last of a Breed in Putnam County?

*By Ann Fanizzi, co-chairman, Putnam County Coalition to
Preserve Open Space*

It was a real-estate advertisement, not a part of the throng of notices that usually crowd Sunday's *New York Times*, but held apart, like a possible gem, as befits "Hudson Valley Luxury Country Properties." That glittering, sleek announcement has since become for me, and for so many other residents of our rural county, emblematic of what Putnam County was fast becoming, no longer where the country begins but where the country used to begin. The county's historic agrarian property, the thoroughbred horse farm known as Tilly Foster was for sale. Monetary value: \$4.35 million, representing 240 acres, five buildings, including main house and caretaker homes, a lodge, an office, a barn, and stalls. Zoning codes: R-60, OP-1, OP-2, and HC-1. Translation: detached one-family dwellings, office parks, hotel, conference centers, storage and light manufacturing, retail centers, and research facilities. Easy to describe these concrete representations of man's prideful handiwork, but where are the dollar values and the zoning codes to describe adequately God's, the supreme designer of a landscape, gently rolling and sloping upward, with a necklace of woods to the rear and meadows for deer, hares, and pheasants and a fast moving stream at its edges as it courses its way to the shimmering Middle Branch reservoir to the south? Or the small pond, the home of playful Canada Geese and goslings, straddling the opposing side of Route 312? And, lastly, the peaceful mares and their lively foals, five this year, (*cont., page 2*)

DIVERSION OR SMOKE AND MIRRORS?

*By Drew A. Claxton, co-
chairman, CEEP*

Public works projects tend to follow the path of least resistance. They don't end up in just anybody's back yard, not even necessarily the back yard of the community, which they service. Undesirable public works projects, like regional sewage treatment plants or sewage diversions, end up being built in or directed to low income, predominantly minority communities where residents are not organized or funded to do battle. The Westchester and Putnam sewage diversion plans are no different.

What is diversion? Diversion is a proposed method of removing effluent from homes (*cont., page 3*)

TILLY FOSTER'S FUTURE, cont.

nourished on the fields, who by year's end may see other inhabitants: the giant earth movers, now churning the hillsides of Brewster Highlands, not half a mile away, so the new idol of the 21st century, Home Depot, may be enthroned.

On that fateful Sunday, a small group of people who, for more than a year, had lobbied the county and their towns to support a bond issue for the preservation of open space, now coalesced into an active coalition, to preserve this symbol of values that proclaim that humankind's deepest needs are not those calculated on a balance sheet but in stewardship of the earth and its resources. And so, Martin Brech, co-chair of this new group, committed members of the Concerned Residents of Carmel/Mahopac, and Vincent Tamagna, Philipstown legislator, met to fashion a response. Suggestions were elicited to counter the present zoning. Some of the responses included rendering the property as a working farm and educational facility, similar to Westchester's Muscot Farm; making the property like the town of Brewster's Green Chimneys, which serves as a home for challenged young people; having it be the county's nature education center; or leave it as a thoroughbred farm or horse rescue facility have been among the suggestions. The group then determined that its first priority was to raise citizen awareness. Unknown to the general public, the property had been foreclosed, purchased more than a year previous by Merrill Lynch Asset Recovery Corporation for \$3.1 million and now actively publicized in the real estate market, as evidenced by the Robert McCaffrey ad in the *Times*. A cadre of residents spread throughout the county, distributing flyers, urging that telephone calls be made and letters written to the county and town officials. Newspapers, principally *The Journal News*, picked up the story, and articles appeared during the months of April and May. The Open Space Institute was contacted for their support, and liaison was established with the Trust for Public Lands (TPL). Limited tours of the property were initiated and members of influential Putnam County environmental organizations, such as Friends of the Great Swamp (FrOGS), the Putnam County Land Trust, as well as CWCWC, were invited.

One of the group's final steps has been taken with the Department of Environmental Protection (DEP). As stated previously, the stream leading to the Middle Branch reservoir coursed at the rear of the property, and its protection became a particular concern for the coalition. Although the wastewater capacities of the site were limited, as described in the real-estate brochure, the coalition felt that in light of the present zoning and proximity of the stream to the reservoir, even with this mitigating restriction, that efforts should be made to influence a re-assessment of its status and to gain some protection for the stream corridor. A meeting was held on April 26 between Gerald Sciabbarrasi, DEP Land Acquisition representative; Don Smith, Deputy County Executive; Martin Brech and myself. As a result, it is hoped that a letter of intent or understanding between the DEP and the county will be drafted based on a thorough inspection of the property and of the stream.

For the past several weeks, signs have sprung up throughout the county, further publicizing the need for action in preserving the farm.

More than 100 phone calls have been received since, one caller phoning from as far away as Florida, by the Coalition. Each of the callers has consented to participating in the flyer campaign, and many have further enlisted their friends in the effort. Subsequently, as part of the campaign, so many telephone calls and letters have been received by county and town officials that the beleaguered Chairman of the Legislature has twice pleaded for "no more, please!"

As testament to the Coalition's campaign, presumption has given way to active concern. Residents are realizing that contrary to statements by some officials that there is more than enough, thanks to DEP purchases, much of our open space is indeed threatened and much of our patrimony and heritage may be up for sale to the highest bidder. Land use and zoning decisions are now being scrutinized

The coalition works each day to ensure that Tilly Foster and other properties within Putnam County are preserved and valued. Much remains to be accomplished, but the Coalition to Preserve Open Space is looking forward to the challenge of ensuring that the county's heritage is part of its future. *For more information, call the Coalition at (845) 228-4265.*

DIVERSION OR ? ... cont.

and industries through individual pipe hook-ups and transporting the waste to a single, final outsource. In this case, the effluent would be dumped into the Hudson River, and, as currently proposed, the outsource is slated to be in Peekskill, N.Y. The plan would also provide hook-up for some towns in northern Westchester County.

The Citizens for Equal Environmental Protection (CEEP) is an organization of citizens dedicated to securing equal environmental protections for all residents in the Lower Hudson River Valley region. We recognize and appreciate the need to protect the New York City Croton watershed, but the need to keep the watershed clean must not be used as an excuse to ignore the explicit disparities in the Westchester and Putnam sewage diversion proposals. Let's look at the facts.

1) Diversion is not the only alternative. The Department of Environmental Protection (DEP) entered into an agreement with 18 watershed communities in Westchester and Putnam Counties and specified several steps the communities could take to maintain water quality. These steps included fixing leaking septic systems and upgrading their sewage treatment plants.

Despite the numerous alternatives, both Counties hired engineers to investigate only that of diversion, involving communities outside of the watershed. DEP funds, provided to defer the costs of maintaining water quality, come nowhere near covering the cost of these diversions.

2) The proposed diversion projects will send raw and treated sewage from high-income, predominantly non-minority communities to low-income, high-minority communities. The Peekskill Waste Water Treatment Plant (PWWTP) is currently the target outsource for Putnam's 9.26 million gallons-per-day diversion of effluent and northern Westchester's 4 million gallons-per-day diversion of untreated sewage from Yorktown. The percentage of Peekskill's minority population is more than 265% that of Yorktown or Putnam County.

3) Riverfront access does not determine whether a municipality is selected as the outsource for sewage diversion; income and minority status do. Seventeen municipalities in Westchester and Putnam have Hudson River shorelines, yet only three - Peekskill, Ossining and Yonkers - have been considered as outfalls for the Counties' sewage diversion plans. These municipalities have significantly greater low-income and minority populations than the other riverfront communities.

4) Putnam County is able but does not want to outsource its own sewage. Putnam County's own engineering study (O'Brien and Gere Engineering Watershed Diversion Feasibility Study, June 1999) concludes diversion to Garrison is the cheapest diversion route to construct and maintain. The study, however, recommends against such diversion due to "local opposition." The Putnam Study gave no indication at all that Peekskill residents would oppose diversion.

5) The residents of Peekskill have been excluded from the planning process. The City of Peekskill is not a "watershed" community, and so not a participant in the 1997 Memorandum of Agreement addressing watershed communities. Residents have not been included in ongoing discussions.

6) Peekskill already shoulders more than its fair share of environmental facilities with adverse impacts on the community.

The City is home to or the immediate neighbor of two nuclear power generators that service a broad region, a garbage incinerator that services Westchester County, an ash pit/landfill that also services the entire county, and the PWWTP that services the Town of Cortlandt and a portion of the Town of Yorktown. Any expansion to the PWWTP or outsourcing of additional effluent to the Hudson River at Annsville Creek will add to the disproportionate and adverse burdens already present in Peekskill.

7) Diversion does not protect the long-term integrity of the watershed. The upgrade of Westchester and Putnam Counties' existing facilities to tertiary treatment with microfiltration is the remedy that best provides for the long-term health of the watershed and is considered the remedy of choice by numerous environmental groups.

8) Diversion is not required by the DEP. Westchester and Putnam Counties have ignored the 1997 Memorandum of Agreement in which the DEP states that if tertiary treatments were applied and septic systems repaired, discharge into the Croton Watershed would be permitted and no diversion would be required.

CEEP's fight against sewage diversion is a fight for environmental justice. Peekskill fulfills all the criteria to be identified as an Environmental Justice Community as defined by the Environmental Protection Agency. It must be afforded the same rights to a clean environment as Yorktown, as Garrison, and the rest of Putnam County. For more information, call CEEP at (877) 252-6453.

PLEASE JOIN US, the Croton Watershed Clean Water Coalition, which, through regional action, is dedicated 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 free copy of the multi-award winning video, *The Fight for the Croton Watershed*, and most importantly, a chance to preserve one of our most precious resources, our water.

Croton Watershed Clean Water Coalition Membership Application

Name _____

Address/City/State/ZIP _____

Phone _____ E-mail _____

Voting Group Membership \$25/year

Non-voting individual membership \$10/year

Make checks payable to Croton Watershed Clean Water Coalition and mail, along with your membership form, to Ms. Fay Muir, 286 Reservoir Place, Bronx, NY 10467. Thank you for joining CWCWC!

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Please send articles for submission to editor David Ferguson, 411 W. 22nd Street, #4-F, New York, N.Y. 10011; (212) 989-0519. Deadlines for materials are 9/1 and 11/1.

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July / August 2001