

**TOWN OF NORTH HARMONY  
PUBLIC HEARING  
SEQRA CLMC PROJECTS CHENEY'S POINT AND STOW COMMERCIAL AREA  
TUESDAY, FEBRUARY 24, 2009 7:00 PM**

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<b>SALLY P. CARLSON, SUPERVISOR</b>	<b>PRESENT</b>
<b>RALPH WHITNEY, COUNCILMAN</b>	<b>PRESENT</b>
<b>ART THOMAS, COUNCILMAN</b>	<b>PRESENT</b>
<b>FRANK STOWN, COUNCILMAN</b>	<b>PRESENT</b>
<b>DICK SENA, COUNCILMAN</b>	<b>PRESENT</b>

**OTHERS PRESENT:** Rex Tolman, Tolman Engineering; Dave Stapleton, Attorney; Dave Lloyd, Stormwater Planner; Nancy Thomas, Town Clerk

**Mrs. Carlson brought the hearing to order at 7:00 PM.**

**Mr. Tolman** provided Short Environmental Assessment Forms for Unlisted Actions Only on both the Cheney's Point and Stow Area projects. He said they are minor projects and can be included under a short form SEQRA as unlisted actions.

**STOW AREA WATER QUALITY TREATMENT PROJECT SEQRA**

**Mr. Tolman** said funding has been made available in the amount of \$38,175.00 from bed tax monies by the CLMC for this project. He said the initial request has been cut by \$10,000.00 and perhaps the water quality module that was initially purchased for Ferry Park could be used to help offset the shortfall. The intent of the project is to divert contaminated runoff (solids, sediments, hydrocarbons) from Stow area parking lots (Hogan's Hut, Post Office, Chaut. Veterinary and Town Building) to filtration receptors before it reaches the watershed and goes into the lake.

**Mr. Lloyd** said the water from Hogan's Hut flows west toward DEC property and they may try to place a receptor across the road to collect hydrocarbons and debris before it gets to DEC land instead of trying to divert it elsewhere. He said from the Post Office, Veterinary and town parking lot the flow comes toward Ball Creek and they would place a receptor on town property close to the creek to filter runoff and collect the contaminants.

**Mr. Tolman** said the unit that had been purchased for Ferry Park did not work there because of the ground water there. He said that is about half of what is needed flow wise. He said they had \$20,000 to do a control module here and they might be able to put a flow splitter in and buy another \$10,000 unit they could use in addition to the one we already have for a \$10,000 savings to offset the grant shortfall. Mr. Tolman said he did not feel the CLMC would have any objections to that. He said there is no pipe from Hogan's Hut toward the intersection and new pipe would be needed. He said we would need to replace the existing pipe that comes down toward the creek because there is not enough fall depth. He stated that Ball Creek is a Class C unregulated stream so no permitting other than the town's is required. He said all of these factors would be considered in the design process taking into consideration the funds available.

**Mr. Sena** expressed concern for the maintenance costs to the town and asked how much it would cost to keep these units clear and who will do it.

**Mr. Tolman** said the units are made with a bypass so that if they plug there is a fail safe so the water goes around. He said they do have to be maintained and particularly during the first flush. He said the units have to be cleared of sediment and hydrocarbons about twice a year.

**Mrs. Carlson** said previously the Village of Falconer Highway Superintendent had brought a vacuum truck in to do the cleaning, but depending on the number of times it needed to be done some compensation might be in order.

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**Mr. Tolman** said that was a really efficient way to do it and it could be a part of shared services. He said perhaps the municipalities should apply for a shared service grant for a vacuum truck that all could use. He said in his opinion a grant of that type would have a good chance of being funded. He said they could also use it for cleanup of culverts, etc.

**Mr. Stow** asked how the separation of water, oil, sediment, hydrocarbons, etc. is handled in the receptor. He said the ones used at BOCES are pumped by a truck which has a separator inside which pumps the water out and back into the interceptor but holds the contaminants.

**Mr. Tolman** said the unit has separate chambers to catch the different elements. He said the unit drains the water out, it does not stay wet. He said any environmental impacts of this project will only occur temporarily during construction and the project is actually geared toward reducing impacts.

**Mr. Sena** asked if the Highway Department would do the work or would the town contract it out.

**Mr. Tolman** said the Highway Department would do the work.

**Mr. Thomas** asked what the visual impact of the project would be at completion.

**Mr. Lloyd** said you would see the lid with the access hole to it and a manhole cover toward the end of the town parking lot. He said drain pipe will have to be brought from the ditch side of Old Bridge Road across to the town property.

There was further general discussion of the project by the board and the effects of contaminants on the water and entire ecosystem.

### MOTION #32 OF 2009:

MR. THOMAS MOTIONED TO ADOPT A NEGATIVE DECLARATION ON THE SEQRA APPLICATION OF THE TOWN OF NORTH HARMONY TO INSTALL A HYDRODYNAMIC WATER QUALITY TREATMENT UNIT TO CAPTURE AND TREAT STORMWATER RUNOFF FROM A COMMERCIAL DEVELOPMENT, AND THE PORTIONS OF STOW ROAD AND OLD BRIDGE ROAD SURROUNDING IT, PRIOR TO RELEASE INTO BALL CREEK. MR. SENA SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

### CHENEY'S POINT DEBRIS TRAP/CONSTRUCTED WETLAND SEQRA

**Mr. Tolman** said this \$40,000 grant funded project involves a debris trap located upstream to catch materials before they get to the lake. He said this would involve a barrier across the creek that would back up the water and allow materials to be caught and collected before they get to the lake. Mr. Tolman said this area is a designated flood zone based on historic records but it does not have elevation designated. He said hydraulics will be studied based on the hundred year flood information and current elevation for a starting point to the project.

He said the creek would be opened up on town property located there to create about a 1-1 ½' depth of pond to trap the heavy material which will settle there and be cleaned out periodically. He said the concept would be to have a gravel road that you could drive up to and use a backhoe to clean out.

**Mrs. Carlson** asked how wide the barrier would be and if there would be anything above the barrier to catch brush, etc. coming down the creek.

**Mr. Tolman** said it depends on the configuration and how much room is available. He said he does not think the town owns enough property to do that. He said it will have to be studied.

**Mr. Lloyd** said if there is room it would be good to catch any of the trees that fall upstream that can clog the bridge and undermine its foundation.

**Mr. Stapleton** asked for an historic description of the problems at the location to be addressed.

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**Mr. Tolman** said if you view the Arial topography of the lake every creek coming into the lake is building up a delta of sediment which contains the nutrients that contributes to the aquatic plant problem. He said they are trying to trap that sediment and remove it before it gets to the lake.

**Mr. Stapleton** said he thought there were efforts to try to get the DEC to allow the towns to go in and take out the gravel spread out in this delta area. He asked about the problem of spawning fish going up into the creek area at Cheney's Point.

**Mr. Lloyd** said that problem does not occur any longer. He said before the DEC existed the town could go out into the lake all the way to the end of the property line and clean the channel out. He said if you look at the stream below the bridge you can determine the velocity of the water at certain times based on the size of the rocks there. He said a gabion wall had been built along the fire lane there to keep that from eroding completely. He said that when the DEC took over they wanted to charge the town for the gravel taken out of the creek and then as they progressed and became more aggressive they would not allow any action in the creek. He said now if we stay 25' back from the edge of the lake we can work there because it is not a designated spawning stream. He said the bridge which used to have 5-6' clearance under it now has only about 3' or less and if that clearance continues to decrease and debris of any size gets caught on the bridge we will either loose both sides of the road or possibly the whole bridge. He said the plan is to dredge the channel and use the gravel removed to build the road to get in and perform maintenance. He said if the channel is cleaned it might reintroduce natural spawning.

**Mr. Sena** asked if the construction would be a concrete dam or gabion basket style.

**Mr. Tolman** said the goal was to make sure that water does not get under the dam and many times they will use sheet piling and perhaps the town could get some reject sheets which they might use. He said they have also used "dead men" (2x2x6 concrete blocks) stacked up down about 6' or so. He said the area where it would come in would be stabilized by two sets at the head and where the dam itself is. Mr. Tolman said the wetland as part of the treatment would be created by natural plants that filter and stabilize. He said part of the grant included \$5,200 in public outreach that includes signage describing the project and how it works that could be used by other towns and perhaps in the schools for environmental education.

**Mr. Sena** said his company had constructed a similar project at Maple Springs that had worked unbelievably and had done everything that it was supposed to do. He asked if this project could be completed with the money available.

**Mr. Tolman** said we would be using town employees to do the work and he feels there is enough money to make it work.

**Mr. Thomas** asked if the project affects any private property.

**Mr. Tolman** said no, because of flood considerations. He said Dave Wilson had done a rough topographical survey. He said the existing creek is about 6' wide and when they are done it will be about 20-25' wide.

**Mr. Stow** said the excavator shouldn't have any problem reaching that distance. He asked about the construction on the bridge.

**Mr. Lloyd** said old railroad track pilings had been used. He said he would like to find out from the county what their last inspection results of that bridge and the Ramsey Road bridge had come up with as far as condition so the board would have an idea as to future plans for the bridges.

**Mr. Tolman** said they would get that information as part of the process.

There was further general discussion by the board about the location and other aspects of the project.

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MOTION #33 OF 2009:

MR. STOW MOTIONED TO ADOPT A NEGATIVE DECLARATION ON THE SEQRA APPLICATION OF THE TOWN OF NORTH HARMONY TO CONSTRUCT A DEBRIS TRAP/CONTROL STRUCTURE AT CHENEY'S POINT CREEK TO CREATE A WETLAND AREA AND TRAP SEDIMENT. MR. WHITNEY SECONDED **AND THE MOTION WAS CARRIED UNANIMOUSLY.**

MOTION #34 OF 2009:

ON A MOTION MADE BY MR. WHITNEY AND SECONDED BY MR. STOW, THE HEARING WAS ADJOURNED AT 8:15 PM.

*Nancy Thomas  
Town Clerk*