

Summary of Public Hearing Comments
Ballston Lake Sewer District
Town of Ballston
July 23, 2015

The meeting began at 6:45 PM with reading of the Public Hearing Notice and a brief presentation which concluded at 7:05 PM.

Five letters were read into the record. 24 speakers contributed comments with one additional speaker passing on his time and one speaker reading an additional letter to be added to the record. There were approximately 110 people in attendance.

Supportive Comments

The majority of speakers spoke in favor of sewers citing environmental and public health concerns. Many speakers cited the continuous decline in water quality of Ballston Lake and the threat not only to their personal situations but also the economic draw of boaters and fishermen to the local economy. A letter written by an engineer who lives in the proposed district cited sewers as the single most effective step that could be undertaken to resolve the public health and environmental concerns. The proprietor of Carney's Tavern described his personal investment in the community and the fact that sewers are needed for the ongoing viability of his business.

Comments concerning the scope of the project

A larger area should be sewerred, including other areas with density and/or areas targeted for commercial development. It was observed that water flows from a much larger area into the lake.

Response: Sewer service for large areas of the town including the Lake, Route 50 corridor and other developed areas has been evaluated on numerous occasions over the past 30 years. The observation that a larger area would better benefit the lake is actually completely correct! In order to maximize the resolution of the area's problems, in theory, the district should be expanded to include the entire watershed. This was seriously considered by the committee but there is a major concern with this. The currently planned area has been carefully designed to provide the absolute minimum cost per user. As soon as the area is enlarged, the cost per person escalates. It was felt that although a larger district would provide more benefit, increasing the cost would jeopardize the probability of getting the project approved. It was felt that reaching too far might end up achieving nothing. The project was planned to get the maximum bang for the minimum bucks.

Sewer service for additional areas of the Town to support existing and future development will be reviewed on a continuing basis.

Only the more densely populated southern portion of the west side of the Lake and the east side of the Lake should be sewerred.

Response: Failing septic systems are not limited to the dense southwestern and eastern portions of the lake's watershed. While concentrations of phosphorus and fecal coliform have been demonstrated to be in the Lake's tributaries, extensive water quality sampling in the northern and southern portions of the lake show water quality is equally degraded regardless of location. Regardless of density it is the proximity of all lake residences to the water that aids in the flow of nutrients directly into the lake.

A smaller, more focused effort could have been considered if there was a nearby sewer connection but the closest connection is the one that we plan to use. The effluent must be pumped from the denser areas to this connection so it is physically impossible to construct a project only at the south end of the lake.

A speaker who was just outside the planned boundary wanted to be included and asked how to submit that request.

Response: There are actually a significant number of situations where additional people would like to be included. An effort is being planned to evaluate all of these situations. The dilemma is that the current scope has been carefully planned to minimize the cost and adding users around the edges starts to increase cost. The committee will do its best to balance both sides of this issue.

Development and Strategic Planning Comments

Fear of Development

It was stated by one speaker that "sewers lead to rampant development".

Response: While the fear of rampant development is often cited, it needs to be noted that with sewers only a plan, with implementation 3 or 4 years out, we already have rampant residential development. Driven by the area's high demand for housing, it was mentioned at the last town board meeting that over a 1,000 new units have been approved in the last year! This is a huge percent increase for this town and increases the demand on the town's services. The town is discussing a temporary moratorium on certain types of development. The answer to the development issue is proper zoning. If the town develops a clear vision for what it wants to be and then adopts appropriate zoning to reflect that vision we should not fear overdevelopment or sewers.

Another important fact that residents who fear development need to know about this project is that there is only a modest excess capacity in the infrastructure to be installed. The pipe along the west side cannot be made larger or the hydraulics won't work. If the town wanted to plan for large scale future expansion a second unused, "dry" pipe could efficiently be installed at the same time for future use. However, the cost of this extra line is in the millions of dollars and

cannot be borne by the residents in the planned district and there is at this time no other known source of funds.

It was stated by another resident that the Town needs a plan to promote commercial development along Route 50.

Response: It was appropriately noted that focused development in the business area has significant potential to bring in tax dollars that can decrease the resident's tax burden. Addressing this issue is of significant interest to the town and the business community. However, addressing it as part of this project must remain out of scope for a very important reason. We are in good shape to get very favorable financing for the project. This funding is based on environmental funding sources. There are opportunities for both environmental and economic development funding but the agencies that award these funds value the objectives of their specific program but not others. We cannot co-mingle the environmental sewer project with an economic development project. Doing so could jeopardize our case for environmental funding. Both issues have lots of value but they must be approached separately.

Watershed planning, review of the comprehensive plan and other measures should be implemented to support water quality and control/direct growth in the Town.

Response: A separate Watershed Committee has been formed by the Town of Ballston. Legislation has been enacted to designate the lake as an "Inland Water Body". This sets the stage for requesting grants to undertake projects to address watershed issues. The committee is working with the Town Highway Department to address sediment concerns.

Project effectiveness concern

A speaker stated, "Installing a sewer system on the Lake will not improve water quality."

Response: Rigorous scientific study conducted throughout the State and the country has demonstrated that water quality in lakes impacted by high concentrations of Phosphorus and Fecal Coliform improves with the installation of public sewers. Saratoga Lake is a local example of this fact.

Cost Issues

Two speakers spoke about whether only residents within the district or the entire town should pay for the project. One feared that people outside the district would be charged. The other argued that the entire town should pay since anyone can use the lake to fish or boat.

Response: Town Law of the State of New York requires that only benefitted properties are charged for sewer improvements. Moreover, Town Law requires that the Sewer District incorporate all benefitted properties and properties that are not benefitted may not be included within the District and may not be charged for the improvements. Benefit is derived from the ability to access a public sewer. No properties outside the District will be charged for the sewer improvements.

The manner in which connection of users outside the District will be allowed to connect, in particular relative to costs, is requested.

Response: After final authorization of the Sewer District, the Town Board will devise and adopt a "Sewer Use Law" which will govern issues such as future connections and the costs, connection waivers for new/functioning septic systems, etc.

A speaker stated "Don't trust the numbers these people are telling you, look at Mariaville Lake. The costs were much higher than people were told.

Response: It's difficult to respond to the non-specific allegations about that project. We can responsibly advise that there is one difference of which we are aware. The funding for that project was constructed so there were low initial costs and the costs escalated over time. The funding for our project is planned to be evenly divided over the lifetime of the bond. Therefore, when we tell you a debt service number of \$ 685/year that is what it will be, nothing more, but it can be less. From a legal perspective the numbers documented in the Map Plan and Report are maximum case numbers. As the project progresses the costs can be lower, but they cannot be higher. If a major issue arises negatively impacting cost above the stated numbers the entire legal process must start back at the beginning. Because of this, the numbers in the Plan are intentionally conservative. It should be noted that the construction costs contain a 15% reserve margin. Several people have expressed concerns because of the town's experience with installing water and encountering the need for blasting. The factors used to estimate costs in the plan are based on using a "hoe ram" which is in fact a more expensive method. If we encounter rock and need to blast we will actually save money. Detail engineering and actual construction efforts will be bid out and we hope to beat the estimated costs.

Public Water

Properties on Lake Road near East Line Road are not benefitted by the sewer project. Public water is needed on Lake Road. If the sewer system also included a water system, Lake Road properties near East Line Road would be benefitted.

Response: Properties on Lake Road near East Line Road are benefitted by the sewer project as a public sewer main will be accessible to those properties. Requests for public water are noted and may be explored in the future, but are not part of the sewer project. This concern was also noted at the Clifton Park information meeting. The need for water actually includes the entire east side of the lake and the entire west side except West Side Drive. Councilman Goslin has expressed interest in pursuing options for water as a separate effort. Although it sounds logical to do both at the same time it should be noted that state regulations require a 10' horizontal separation distance between water and sewer lines; therefore, water and sewer lines cannot be installed in a common trench. It is also recommended by engineers that sewers be installed first. In these situations if water is installed before sewers residents often rapidly increase their water usage and this quickly causes expensive septic problems.

Miscellaneous Concerns

The impact of sewers on property value was addressed by one speaker and one submitted letter.

Response: There is no clear, definitive answer on this subject. From its research, the committee believes that the scales clearly tip in favor of property benefit from sewers. More buyers prefer

sewers because they don't want the hassle of dealing with septic systems and fear the unknown potential cost problems they could inherit. On the other hand there is a subset of buyers who want the lowest cost solution and are happy with septic systems. There are certainly numerous situations the committee has documented where sellers were forced to spend \$ 20,000 to install a septic system before the buyer's bank would approve a mortgage.

Farmland in the Town of Ballston requires protection from development.

Response: This project is carefully targeted to address a major public health and environmental concern. To the knowledge of the committee there are NO farms in the area targeted.

Connelly Road requires easements and widening which has not yet occurred. The timing of the sewer project relative to those improvements is questioned.

Response: Progress appears to be happening in this situation. Attorneys have resolved the last title issues and a meeting to initiate the easement signing process has been scheduled.