

Valley Views: Wetlands law would protect homeowners

Rich Perkins • March 8, 2011

The sun is shining and the winter's heavy snow is beginning to melt. Most of us are happy that water is absorbed, replenishing the aquifers that provide drinking water for two-thirds of our town. But other Hyde Park residents do not look forward to experiencing flooded yards and basements. Some worry about the road salt and toxins. Most everyone damns the faster runoff undermining driveways and roads, requiring expensive repairs. Did you know that many of these problems are the result of past construction practices that did not consider or protect our water resources?

Today, we know how to preserve the quantity and the quality of our drinking water. We can reduce the risks of flooding and protect wells. That's why in 2009, I was proud to vote for the Water Resources Protection Law (Water RPL). Some thought it merely a "wetlands law," but more accurately it was a "neighborhood protection law" because that was its purpose.

We put considerable effort into crafting a law that suited our diverse topography by listening to residents at multiple public hearings, having many personal discussions and adjusting the law to accommodate concerns. The law protected current homeowners and residents. A lengthy list of exemptions as well as a broad "existing uses" statement prevented impacts on current residents.

No law can cure the diverse current problems (quantity or quality) for owners of individual wells or well-base systems, nor could it end flooding in areas already prone to it. But the Water RPL did put a stake in the ground — to prevent those problems from getting worse and to halt incremental declines in property values.

Drinking water

Many residents (including my family) have struggled with drinking water issues. Two-thirds of us are dependent on the quantity and quality of our aquifers. Well owners and well-dependent systems may have levels of sulfur, ferrous compounds, manganese and salt that require expensive filter systems and impact future resale. Some neighborhoods don't have enough supply. Many

protected areas included in the Water RPL have important filtration functions. I believe we want our children and grandchildren to have plentiful potable water.

Flood protection

Every spring you see predictable flooding problems in Hyde Park's neighborhoods. It may not be your imagination that they get a little worse yearly. We cannot control or reduce the amount of precipitation, but we can carefully manage the resources that precipitation ends up in. If not, we will all pay privately from home damage to replacing septic systems, as taxpayers for road repair expense or drainage upgrades. The remaining areas that hold water in Hyde Park hold huge volumes. They prevent current runoff volumes from being much worse.

Stream and wetland buffers also help to filter runoff and keep our streams clean for fishing, wading and other recreational activities.

Repeal

Immediately upon taking office, our current Town Board repealed the Water RPL. They misrepresented it as taking away property owners' rights and only benefiting salamanders. Nothing could be further from the truth. The board failed to acknowledge that the law clearly exempted current (legal) uses, even specific changes included at their request. In a January 2010 press release, Supervisor Tom Martino

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stated, "This town board will draft a new wetlands law that will protect the interests of property owners, protect the town's water resources and protect the town's budget." More than a year has gone by, and nothing has been done.

The Water RPL was crafted to allow construction, just with consideration for current town residents.

Moving forward

People in towns like Wappinger, Fishkill and Poughkeepsie realized that certain lands absorb or hold water that would otherwise flood streets and homes, and that protecting this natural infrastructure is common sense to consider your downstream neighbor. Water resource ordinances don't stop development; they protect the neighbors that exist today and make the process more predictable for investors by allowing for better-designed projects that are an asset to the community in the long term.

If you have municipal water or your property does not flood, you may think you are unaffected. You are wrong! Our property values are dependent on those of our neighbors. So we need to lay the ground work now to stop the incremental increase in flooding and decline of your wells. Town Board ... we're still waiting.

Rich Perkins is a lifelong Hyde Park resident and a member of the Hyde Park Chamber of Commerce and the Hyde Park Democratic Committee.

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