

Westchester County Board Of Legislators
Committee on Environment
Septic Subcommittee
Meeting Minutes, March 18, 2010

In attendance:

Committee Members:

Subcommittee Chair: Hon. Peter B. Harckham

Hon. John G. Testa

Ed Delaney, Bibbo Associates

Ed Barnett, Putnam County Watershed Information Coordinator; Administrator, Putnam County Septic Repair Program

William Harding, NYS Department of State: Executive Director, Watershed Protection and Partnership Council

Michael Meyer, Bureau of Water Supply NYCDEP

Paul Kutzy, P.E. Assistant Commissioner, Westchester County Department of Health

Bureau of Environmental Quality

Westchester County Department of Health

Hon. Richard Lyman, Board Member, Town of Pound Ridge

Hon. Dan Welsh, Board Member, Town of Lewisboro

Hon. Mary Beth Murphy, Supervisor, Town of Somers

Guests & Visitors:

Katherine Delgado, Representing George Oros, Chief of Staff, Office of the County Executive

Vincent Giorgio, Bureau of Water Supply NYCDEP

Supt. DPW Rich Fon, Superintendent DPW, & Building Inspector, Town of North Castle

Jeffrey Osterman, Director of Planning, Town of Bedford

Jerry Faiella, Administrator, Town of New Castle

Bruce Thompson, Building Inspector, Town of North Salem

BOL Staff: Chris Crane, Wendy Wild

Chair Peter Harckham called the meeting to order at 3:35 P.M., and welcomed all to the first meeting of the Septic Subcommittee for the 2010-2012 Legislative session

Chair Harckham gave a quick report to the committee on the recent Legislative conference of the National Association of Counties (NACO) and shared that an anticipated permit on pesticides regarding water, may impact municipalities and the County. New York issues such permits through the State DEC, and DEC will be invited to a meeting of the Board's environment Committee to bring legislators and stakeholders up to date on this issue.

Chair Harckham informed the members that the shared services grant application submitted last year to the NYS Department of State was not funded. This grant was intended to cover some costs for document scanning in the next phase of the County's Septic Data Base project. Possible alternative sources of funding, such as the East of Hudson monies, will be explored, in addition to the possibility of resubmitting the grant requests. To further clarify the parameters and potential of the East of Hudson Water Quality Fund, it was suggested that the Assistant Commissioner for the Bureau of Environmental quality (NYCDEP) be invited to a future subcommittee meeting. Bill Harding encouraged the County to re-apply for the DEC Safe Water Drinking Grant, and he will check on the deadlines etc for the committee.

Paul Kutzy gave an overview of the recently revised NYS Department of Health's Appendix 75-A Wastewater Treatment Standards - Individual Household Systems, (effective Feb 3, 2010). The considerations include both land use and engineering aspect related to septic systems, and Mr. Kutzy noted that outside of Westchester, municipalities may not have the soil requirements to support new septic systems, thus limiting new construction land use. Discussion followed about effluent soil interface and options such as graveless chambers, and implications – and that in some instances, the County may now be allowed to reduce required absorption area for remediation, but that the NYCDEP regulations governing the NYC Watershed area, which covers most County areas with septics, may preclude this option.

Chair Harckham, brought up the issue of the County's Housing Settlement which will require building in areas challenged by issues such as septic and water protection, and whether the potential reduction in absorption area might aid opportunities to build more dense housing, but clarification is needed regarding towns within the watershed.

Chair Harckham noted that since NYCDEP's concern about alternate technologies stems in part from requisite maintenance to care for systems, perhaps some sort of requirement in the County Septic Program could ensure system maintenance to manufacturer's standards thus helping to protect the watershed and its residents. Perhaps the Board could consider this issue for future legislation.

Ed Barnett discussed various Putnam initiatives, and noted that Lake Carmel, which faces similar water quality concerns and is made of small home parcels close to the water, on bedrock, etc., and a plan was developed that was acceptable to NYCDEP.

More discussion followed on the issues of density, and the issue of land disturbance versus public health concerns.

In summary, Chair Harckham said that future subcommittee work could focus on the housing settlement and septic requirements, and it was noted for example that to keep the Hamlets of Bedford, viable, we must address the concern about the cost of sewers systems, versus possible workable septic systems which meet water quality requirements as well.

It was agreed that the next meeting would be a work session to discuss possible suggested reasons and ways the County Health Department could change the new code in relation to the revisions in 75 A.

The date for the next meeting will be April 22nd.

The meeting adjourned at 450pm.

Respectfully submitted by Wendy Wild