



TOWN OF AMENIA

4988 Route 22, Amenia, NY 12501
(845) 373-8860 ameniany.gov

AMENIA WASTEWATER COMMITTEE

2022 SEWER FEASIBILITY STUDY Community Engagement Meeting #1 August 18, 2022

Questions Raised at the Meeting

1. Who will be responsible for fixing my yard after the pipe is installed?

The restoration of your yard, fencing, etc., after pipe is installed (horizontal directional drilling) will all be paid for by the project at no cost to you. Owners in the district will only pay the user fee. There are no hookup, installation, or upfront costs.

A 2-inch low-pressure pipe will be installed using horizontal directional drilling. This method utilizes exit and entry points and access for service connections. It does not disturb the ground surface over the entire pipe length.

2. What will happen to my septic tank and leach field / cesspool / seepage pit?

If you have a newer septic tank it may be incorporated into the system. If so, you will receive a credit on your bill for that capital cost amount. If the septic tank cannot be used, it will be pumped out and abandoned. Leach fields, cesspools and seepage pits will be abandoned.

3. Will Amenia hire people to pump out the septic tanks once the system is up and running?

The town will request bids from licensed vendors (like Floods, Savarese, Superior, etc) and will select a company based on qualifications, pricing, etc. to pump out the system's septic tanks. The all-inclusive user fee covers this maintenance.

4. I did the math but this doesn't seem like it saves me money, does it?

The savings for each user will be different depending on their circumstances. A Hamlet central sewer will provide, among other things:

- Insurance against the cost to maintain, repair or replace your system. Septic systems cost around \$400 to pump, \$3,000 to repair and up to \$30,000 to replace. Many small Hamlet parcels cannot replace their systems under current code.
- Increased use of your property (expand your house, add accessory dwelling, etc). You will no longer need restricted land for a leach field, cesspool or seepage pit.
- Increased ability to refinance or sell (many parcels have difficulty passing current home inspections if septic systems are not in compliance with current code).
- Thriving Main Street that supports you and the community (new apartments, new businesses, new jobs, expansion of underutilized lots, restaurants, stores, shops).
- Remove potential for NYS Department of Health violations and fines.

5. Can the cost of the project be spread to other people in the town outside of the sewer district?

Unfortunately, special districts (like a water or sewer district) are geographic areas within a town established to address specific needs of property owners within that district, utilizing user fees paid by taxpayers within the district to finance these services. We are exploring setting up a non-profit that would raise money from people outside the sewer district as a way of reducing homeowner user fees.

6. Where is the proposed treatment site?

15 potential locations were examined, 12 eliminated during the due diligence process and 3 sites were analyzed. A secluded 3.9-acre property behind the Dutchess County Sheriff Sub-Station (parcel ID 7067-20-917181) was selected. The treatment apparatus will be buried and will have a low visual impact. The clean water will return to Amenia stream.

7. If all goes according to plan, when would the project break ground and when would it be completed?

The project would break ground in the second quarter of 2025 and complete construction fourth quarter 2026.

8. Will there be other opportunities for people to engage in the process?

Yes. There will be a number of public forums in the coming months. All of them will be publicized on the Amenia website, on the Amenia Wastewater Committee's Facebook page (facebook.com/AmeniaWC) and through local newspapers.

For more information on the Amenia Hamlet Sewer Project please email
cleanwater@ameniany.gov.



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AMENIA WASTEWATER COMMITTEE

2022 SEWER FEASIBILITY STUDY
Community Engagement Meeting #2
Commercial Owners
September 12, 2022

Questions Raised at the Meeting

1. Can more parcels be included in the proposed district and how is that done?

Yes, boundary parcels can be added and removed during the map, plan and report phase. The parcels must be contiguous within the current outline of the district.

2. How often will the user fees be recalculated and what will make them go up or down?

User fees are typically recalculated annually. The fee includes two parts: (i) repayment of the capital cost of constructing the system, and (ii) ongoing operation and maintenance of the system (O&M). The capital cost portion doesn't really fluctuate. It is a set amount for construction of the system - less grant funding - that is repaid over 30 years. As more users come onto the system (for example a parcel is built out or expanded), this fixed cost is spread over more people thereby reducing the cost per user. The O&M costs are based on labor, equipment, utilities and materials. It will change as market conditions change. The majority of equipment has a 20-year useful life. The O&M costs used in the feasibility study assumes a 30% contingency.

3. How does my user fee get impacted when new users come onto the system?

When new users come onto the system the capital repayment portion of the user fee is spread over more people and therefore decreases. The O&M portion does not change.

4. How much can the system expand and how will that expansion impact user fees?

Based on current water meter data and industry assumptions of parcels in the proposed district, the daily flow was calculated to be 54,900 gallons. The proposed system is designed with an average daily flow of 75,000 gallons, which assumes a 10% safety factor and a 25% factor for expansion above the 54,900 gpd. Therefore, a 25% increase over the base flow will not impact user fees or require system expansion.

The capital cost of a new or expanded user would be possible STEP tank install and lateral forcemain connection, depending on new flow requirements. Typically, the new or expanded user assumes the capital connection costs; which does not impact existing user fees.

The footprint of the treatment site (Moving Bed Biofilm Reactors “MBBR”) could at a minimum double in size on the proposed 3.9-acre site if future expansion is required. The system’s forcemains have significant capacity.

5. Does my cost go up if my flow rate goes up (I use more water)?

Fees will be based on usage. There are several different billing methodologies that can be applied. The feasibility study uses equivalent dwelling units (“EDU”). 1 EDU = 200 gallons per day. The number of EDUs assigned to your parcel is your base rate. A typical single-family home is 1 EDU. Like municipal water consumption, a user will be charged an amount per 1,000 gallons above their base rate. As an example, that could be \$5 per 1,000 above the base rate.

The base rate includes both the repayment of the capital cost of constructing the system and the O&M. The additional fee per 1,000 gallons is only O&M costs.

Billing will be quarterly in combination with your water bill.

For a handful of parcels that are not in the water district, flow meters will be added to the discharge side of the septic tank.

6. My property isn't in the water district so how was my flow data estimated?

The flow for each commercial parcel that did not have a flow meter was calculated using Table B-3 from the [NYS DEC 2014 Design Standards for Intermediate Sized Wastewater Treatment Systems](#) and publicly available information through the Dutchess County Real Property Tax Service Agency online parcel access website. If you feel the flow estimates are incorrect, please let us know so we can reevaluate.

7. Does the water meter / flow data used capture seasonal changes?

Yes. Flow data is based on the average of actual water meter data from Q1, Q2, and Q3 of 2021. Data before 2021 was not available due to meter software changes implemented at the end of 2020. Data for Q4 2021 and Q1 2022 was not accurate due to database issues. The maximum quarter’s water usage for each parcel was used as a conservative measure.

8. My parcel is mixed use (a ground floor retail business and apartments above). Why am I paying a commercial rate vs a blended commercial / residential rate?

Rates are based on property type and meter data. If your parcel has a separate meter for the commercial and residential portions, the rates will be specific to each meter.

9. Who pays for pumping the septic tanks?

The user fee covers septic tank pumping. It is a part of operating and maintenance of the system. The town will request bids from licensed vendors (like Floods, Savarese, Superior, etc) and will select a company based on qualifications, pricing, etc. to pump out the system’s septic tanks.

10. What are the next steps?

The immediate next step is assembling all community feedback and quantifying support. We will be holding three additional community forums over the next few months. If the project can be

modified to address consensus feedback from residential and commercial owners, the Wastewater Committee will recommend the Town Board proceed to the next phase: map, plan and report / environmental review. That phase is required to form the district and forming the district is necessary to apply for grants and interest-free loans. That report will detail the maximum acceptable user fee thereby insuring no construction occurs without the required grant funding.

11. How does the district actually get formed?

After the map, plan and report phase is done the district can be formed by one of two methods: (i) parcel owner petition or (ii) Town Board resolution subject to permissive referendum.

- (i) Petition Method (Article 12): petitions signed by (a) owners¹ of taxable real property in the proposed district that own, in the aggregate, at least 50% of the assessed valuation of all real property in the proposed district; and (b) signatures of resident owners owning taxable real property aggregating at least 50% of the assessed valuation of the taxable real property in the proposed district owned by residents (NY Town Law §191). The aggregate assessed value of all properties owned by the same person or corporation are included. This is the highest level of property owner control.
- (ii) Resolution Method (Article 12-A): the Town Board passes a resolution establishing the district which is subject to permissive referendum (Town Law § 209-e). To call for a referendum (vote), a petition requesting a referendum must be signed by at least 5% of taxable real property owners in the proposed district (Town Law §209-e).

If a referendum (vote) is required, each tenant by the entirety, tenant in common and joint tenant owning taxable real property within the proposed district is entitled to vote¹. Partnerships and corporations owning taxable real property are only entitled to a single vote regardless of the number of parcels they own². Any person(s) owning more than one parcel in the same name within the proposed district is entitled only to a single vote³. It is not required that you are registered to vote in the Town of Amenia⁴. Only owners not rental tenants are entitled to vote on the referendum.

- VOTING EXAMPLES -

| Owner(s) listed on Deed | Taxable Real Property Owned | Total Votes |
|--------------------------------|------------------------------------|--------------------|
| John & Jane Smith | 123 Broadway | 2 |
| Julie Minor | 345 Main Street & 400 Back Street | 1 |
| ABC Corporation, Inc. | 444 Street & 600 Main Street | 1 |
| XYX Bagel, LLC | 757 Down Street | 1 |

¹ Churches, schools and nonprofits that are subject to sewer district benefit assessments are authorized to sign a petition or to vote to create a sewer district. See NYS Comptroller Opinion No. 73-1086.

² See NYS Comptroller Opinion No. 86-17.

³ See NYS Comptroller Opinion No. 86-17.

⁴ See 1958 NYS Attorney General Opinion No 78; NYS Comptroller Opinion No. 63-295; and Lane v. Town of Oyster Bay, 197 A.D.2d 690 (2d Dept 1993).

12. I own several properties in the proposed district but I'm registered to vote in Millerton. If a referendum is called to form the district, can I vote?

Yes, however you will only have a single vote if you own each property in your name. If properties are owned in different corporate names, an authorized agent of each corporation may sign a petition and may vote in a referendum.

13. I wholeheartedly agree and support a central sewer which will make building workforce housing and new businesses in the Hamlet possible. Can you guarantee that the Planning Board will not hinder building that is in-line with current zoning and supported by the Comprehensive Plan?

Our zoning is based on the [Amenia Comprehensive Plan](#) which specifically calls for density in the Hamlet and workforce housing. There is overwhelming community support for workforce housing and the Wastewater Committee is actively working with the Planning Board.

14. Can the cost of the project be spread to other people in the town outside of the sewer district?

No. Special districts (like a water or sewer district) are geographic areas within a town established to address specific needs of property owners within that district, utilizing user fees paid by taxpayers within the district to finance these services. We are exploring setting up a non-profit that would raise money from people outside the sewer district as a way of reducing homeowner user fees.

There is an exceedingly rarely used option of forming a sewer district under NYS Town Law Article 12-C, referred to as "special assessment." The procedures and restrictions on the town's ability to extend services and/or replace capital improvements are not clear under the law. Due process questions have been raised regarding the ability of the Town Board to impose an improvement and costs against properties without a process for approval by the impacted property owners.

15. When would the project break ground and when would it be completed?

The project would break ground in the second quarter of 2025 and complete construction fourth quarter 2026.

For more information on the Amenia Hamlet Sewer Project please email:
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AMENIA WASTEWATER COMMITTEE

2022 SEWER FEASIBILITY STUDY

Community Engagement Meeting #4

October 12, 2022

Questions Raised at the Meeting

1. How deep will the pipe coming from the septic tank be buried?

Once out of the septic tank, the pipes will be buried below the frost line, typically 4 – 5 feet deep.

2. How far from where the pipe drilling machine sits can the pipe be installed?

Horizontal directional drilling machines can install pipe up to 6,000 feet; however most of the runs for this project will likely be few hundred feet.

3. I have old, mature trees in my yard, will the pipe installation kill them?

No. Pipe installation will be done using horizontal directional drilling (HDD), a minimal impact trenchless method of installing underground pipe in a relatively shallow arc or radius along a prescribed underground path using a surface-launched drilling rig. This type of directional boring offers significant environmental advantages over traditional cut and cover pipe installations. This method utilizes exit and entry points. It does not disturb the ground surface over the entire pipe length. Pipe can be installed beneath roads, driveways, sidewalks, sensitive landscaping, and other surface obstacles.

4. Will you run the sewer main pipes along the road and then have branches going to backyards where the septic tanks are?

Likely not. A benefit of the effluent sewer systems being proposed (using septic tanks for the solids and pumping the effluent to a treatment site) is that it can be constructed within an easement instead of directly in roadways or under road surfaces, avoiding expensive surface restorations.

Most of the buildings within the proposed sewer district are located at the front of the parcel and their existing septic tanks are generally located in the rear of the parcel. Since many of these parcels would have minimal room on the side or in front of the building for a new septic tank, it would present construction challenges for installing new service laterals from the rear of the building to the street. Therefore, the project assumes that septic tanks are located in the back of parcels and that sewer mains run along the back parcel boundaries. The location of each septic tank and other underground utilities will be surveyed as part of the final effluent collection system design. At that time, it may be determined that it would be more beneficial and cost

effective to run the sewer mains under the roads and have the service laterals go from the septic tanks to the sewer main in the street rather than to a sewer main on the backside of the parcels.

5. Can you opt out of the sewer district?

If your parcel is included in the final map, plan and report used to form the special district you cannot opt out of it. Special districts must be contiguous and cannot skip parcels.

6. Will the project cover the cost of replacing my cesspool and septic tank?

The septic tank your houses uses will be paid for by the project. Your cesspool will no longer be needed and will be appropriately abandoned. Homeowners and business owners will no longer be responsible for maintenance, upkeep or replacement of their wastewater needs. All costs will be covered by the sewer system.

7. What is the environmental impact of the treated water going into Amenia Stream?

The key to limiting environmental impact of surface waters is high quality treatment. The proposed system is intended to remove nutrients, provide disinfection and return effluent with a dissolved oxygen content of at least 7 mg/l. These are the most critical factors that can impact aquatic health.

The most widely used method of a conventional community water resource recovery system is to return to a surface water body, which has historically been accomplished by piping the treated wastewater to a concrete headwall, where it flows by gravity into the surface water.

Return to a surface water body requires disinfection, which can be accomplished two ways, by chemical means, or by UV light. Chemical disinfection requires multiple sets of pumps for chlorination and dechlorination chemicals and onsite storage of these chemicals. UV disinfection is accomplished by exposing the treated wastewater to very high doses of ultraviolet light. No chemicals are used but has higher energy usage impacts and higher capital costs. Our preliminary design assumes using a UV system.

Subsurface return (absorption / leach fields) is considered by regulators as having lower environmental impacts because it allows recharge of the water table rather than return to a surface water body where it is removed from the watershed. However, there is some debate about the environmental impact of absorption fields on ground water. In times of drought and low stream flow conditions, there is potential for surface return to serve as an asset for aquatic connectivity and habitat preservation.

There were no parcels large enough and close enough to Amenia Hamlet to accommodate an absorption field.

8. If I expand my single-story, commercial building that has a small shop in it now to a three story mixed use building with a ground floor restaurant and apartments above, will the septic tank need to be replaced / capacity increased and who pays for that?

We have not determined who will be responsible for additional sewer infrastructure costs related to parcel that significantly changes its use after the sewer project is completed. That will be detailed in the map, plan and report phase. The feasibility study assumes the project will cover all connection costs to parcel as they are now. It is typical for new installation costs to be borne by the property owner.

9. The last time a sewer project was discussed and Silo Ridge was involved, there were very high hookup fees. Does this project have hookup fees?

No. There is no hookup, installation, or upfront costs. The system will pay for all septic tank replacements, pumps, and lateral connections to your home at no cost to you.

In 2009 a map, plan and report was prepared by Morris Associates that proposed Silo Ridge designing and building a treatment facility on their resort property that would accept sludge and effluent (vs. the STEP system being proposed now) at no capital cost to the then proposed Amenia sewer district of 255 parcels (the current 2022 study contains 233 parcels for comparison).

The 2009 report had three homeowner paid upfront connection costs totaling approximately \$2,850 (\$3,795 inflation adjusted). Those included (i) \$50 per linear foot lateral connection to system (assume a minimum of 40 linear feet = \$2,000), (ii) \$500 to abandon existing septic tank, and (iii) a \$350 inspection fee.

The annual single-family user fee under the 2009 plan was \$1,239 (\$1,677 inflation adjusted). Under the 2022 feasibility study the annual single-family user fee is \$750 and we are working to reduce that amount through additional grant funding.

10. Will storm water impact the system and require more capacity?

No. storm water does not flow into the proposed sewer system.

For more information on the Amenia Hamlet Sewer Project please email cleanwater@ameniany.gov.