

## Federal stormwater regs may affect three projects

**By Jo E. Prout**  
NEW SCOTLAND — The costs of implementing new federal requirements for stormwater management are being passed down to the local level.

The new Environmental Protection Agency restrictions could

EPA or state Department of Environmental Conservation criteria, Dolin said.

Three proposed developments currently under discussion in the town that exceed the five-acre minimum are the Charles Carrow senior housing develop-

**"As usual, they've passed down the cost to the local governments and the local taxpayers."**

apply to three proposed developments in New Scotland.

"The idea is to keep stormwater from polluting streams and rivers," Supervisor Thomas Dolin said this week. "It has a good purpose. As usual, they've passed down the cost to the local governments and the local taxpayers."

Last week, the town board discussed the new requirements at its Wednesday meeting.

L. Michael Mackey, the town attorney, told the board that the restrictions were meant to keep sediment from new developments from getting into the Hudson River. Mackey called the requirements "expensive to maintain" and an "unfunded mandate."

The board discussed consolidating retention basins for multiple housing developments. Town engineer Keith Menia said that the new retention basins need more maintenance than previous designs.

The board is considering accepting the responsibility for the expenses as it would for street clearing, or requiring developers to create bank accounts from which the maintenance costs could be paid perpetually from interest. In some cases, homeowners' associations could be responsible for the costs, but, Dolin told *The Enterprise*, such associations can run out of funds.

"No matter what happens, we're going to end up owning them," he said of the basins at the meeting.

"Correct," Menia said.

The restrictions apply to any new development that exceeds five acres, if an engineer determines that the site meets the

ment, the Colonie Country Club Estates, and the Kensington Woods housing development.

At the meeting, Menia said that a \$10,000-per-lot fee in each development could be used to set up an account to pay for the estimated annual town maintenance cost of \$60,000.

"Ten thousand dollars is a couple of bucks a month" in a mortgage for people buying \$350,000 to \$1.2 million homes, said resident Saul Abrams.

Rather than applying a special assessment to the future residents of the homes, Dolin said, the town could decide to share the tax burden among all town residents. The town, he said, giving an example to explain the argument, will have to pay to update the roads in 30 years. The town pays for services for its residents, he said.

"We've been exploring what other municipalities are doing," Dolin said this week.

"The calculations we've seen could be as high as an annual increase of local taxes at \$20 per household. Some of the assumptions [for the calculations] have to be looked at," Dolin said. "That's where the discussions are right now."

He hopes to continue the discussion with the board in January, he said.

"We've been advised that we're not holding up the approval process" for the current proposed developments, he said. "It's more a question of who's going to bear the expense. Also, what's fair? And, what's legal? If you tax to individuals, you must show a special benefit. That's not always legally easy to define," Dolin said.



**Corridor intact:** The view from Voorheesville, stretching towards the Port of Albany nine miles away, may soon include cross-country skiers rather than abandoned track. Albany County Executive Michael Breslin signed a contract this month to purchase the rail trail from Canadian Pacific Railway for \$700,000.

## Breslin signs rail trail deal, linking Albany to V'ville

**By Jo E. Prout**  
ALBANY COUNTY — Albany County Executive Michael G. Breslin signed a contract this month to purchase the long-awaited Albany County Rail Trail from Canadian Pacific Railway.

The trail will run from the Port of Albany, partially through the town of Bethlehem, and end in the town of New Scotland in the village of Voorheesville.

The non-profit organization Scenic Hudson and the New York State Office of Parks, Recreation and Historic Preservation each contributed \$350,000, meeting the sale price of \$700,000.

Environmental assessments of the rail trail have already begun, according to Breslin's office. After a 300-day due diligence period, environmental liability for the trail will be assumed by the county, said Kerri Battle, the director of communications for the county executive, in August.

This week, Battle said that the assessments began Dec. 12. Bridges along the trail are being inspected now, she said, and the results could dictate how soon the trail would be open to the public.

"We are aiming for the end of 2010," she said.

Engineering firm Greenman-Pedersen, Inc., with headquarters on Long Island and an office in Albany, is doing the assessment, Battle said.

Patrick Kenneally, a vice-president with GPI, said that the firm has had an office in Albany for 30 years.

"All of our Capital District work is done in our Albany office," Kenneally said. "We're happy to be doing it."

Traffic signs and diversions for the eight bridges in the rail trail are in place, he said, and the inspectors are trying to dodge the wintry weather.

Albany County Legislator Herbert Reilly Jr. represents New Scotland and was a principal sponsor of the program five years ago, he said in August. Reilly said that the legislature has money set aside to do improvements like adding guide rails where the rail had run over a creek. Highway crossings already have guide rails, he said. The county will put in a 10-foot-wide strip of leveled and graded crushed stone N a surface that would be good for a runner's ankle, he said.

The county cost will be \$2.9 million, which will be used to

refurbish the trail, according to Albany County Legislator William Aylward, who represents Guilderland. Aylward and Reilly are members of the legislature's conservation and improvement committee. Of that, \$2.4 million will be federal funds and interested groups will raise the remaining \$500,000, Aylward said in August.

"We thought it would be a tremendous asset to the county and the town [of New Scotland], and now for Bethlehem, too," Reilly said then.

Since 1995, when Reilly was supervisor for the town of New Scotland, the project has been negotiated and altered several times. Originally, he said, the proposal included the rail from Albany to its end in Delanson. Now, Canadian Pacific Railway, which owns the line, will keep the spur from Voorheesville to Delanson, Reilly said.

Reilly told *The Enterprise* in August that he had ridden on the line.

"It's a very scenic route. Oh, my goodness, it's gorgeous," he said then. "You see a different perspective on the world. People will enjoy it."

The original Since 1974

**MARK LAWRENCE**  
Duanesburg, NY 12056  
(518) 895-2059

**LAWRENCE**  
**WATER WELLS, INC.**

ROTARY HAMMER DRILL & "OLD STYLE" POUNDER DRILLING  
WELL HYDROFRACTURING - DOWN THE HOLE CAMERA  
DEC CERTIFIED - FULLY INSURED - YEAR ROUND SERVICE  
COMPLETE PUMP INSTALLATION AND SERVICE  
YIELD TESTS & FREE ESTIMATES

Three Generations of Quality Service

**HELDERBERG OIL**

Quality Home Heating Oil

**768-8300**

Due to current market conditions, please call for price.

We accept HEAP

Quantity Discounts

Cash, check or credit card on delivery

**Colonial CAR WASH**

**GREAT GIFTS!**  
FREE SHIPPING!!

Shop with Us ONLINE at [www.colonialcw.com](http://www.colonialcw.com)  
ONLINE SPECIAL \$2 OFF Gift-Wrapped Coupon Books  
(Thanksgiving through Jan. 4th)

**EXPRESS Detailing Services - Gift Certificates from \$55**  
Service Available at 1587 State St., Schenectady location only\*\*

**Colonial Car Club Gift Memberships**

Unlimited Washes - One LOW Price - 3, 6 & 12 Month Plans starting at \$82.50  
Service Available at 1587 State St., 1769 Western Ave., & 1530 Altamont Ave. locations

Coupon books, gift certificates and car clubs can be purchased at any of our locations or to order by phone, CALL 382-0600, Ext. 10, M-F, 9 - 2.

We accept all major credit cards

\*\*\$2 OFF Coupon Books Available ONLY Online Not at Car Wash Locations\*\*