

'Green' overdevelopment poses a new challenge in Ulster County

by Tim Trompeter

What does it mean when a self-proclaimed "green" developer — without a completed project to its credit — steps forward and declares, "We believe the best way to preserve is to develop"? The Town of Rosendale in Ulster County is finding out the hard way, as plans for a gated resort community threaten water, wildlife and community character.

It is an unfolding story driven by the dynamic interplay of opposites — investment interests vs. the public good, overdevelopment vs. open space, rhetoric vs. reality — taking place in a town struggling to get it right.

Rosendale is blessed with an extraordinary setting. The 819-acre Williams Lake property — the site of the proposed development — lies at the northern terminus of the Shawangunk Mountains, deemed by The Nature Conservancy one of Earth's "Last Great Places." The many thousands of eco-tourists that visit the region testify to its appeal.

Williams Lake is a glacially sculpted basin situated in the Binnewater Lakes, a geologically complex karst aquifer not only cited in the New York State Open Space Plan as a priority area for conservation/acquisition, but identified for protection by both the Ulster County Open Space Plan and the Rosendale Comprehensive Plan of 2007.

Once the historic center of the Rosendale Cement industry, the land



Paul Rubin/HydroQuest

The area around Ulster County's Williams Lake teems with wildlife, including the endangered Indiana bat. Development of a gated resort threatens them and fellow creatures.

was purchased in 1929 by Gustav Williams, who built a modest lakeside resort. The surroundings teem with wildlife, including the endangered Indiana bat, whose hibernacula caves dot the rugged terrain. Sensitive wetland habitats shelter the endangered Northern Cricket Frog. The lakes, wetlands, rock outcroppings, trails and caves are of inestimable value not only geologically and as wildlife habitat, but as recreational open space — a role they filled in local life for generations as private property open to the paying public. Unfortunately, if the developer wins out, security gates will put an end to that.

Plans include a 130-room, high-end, spa hotel (for which there is currently no operator), 160 for-sale homes and estates, including 101 attached townhouses and 59 detached single-family homes — all in a gated community boasting internal

roads and "suitable screening and landscape buffers from public roads;" entry gate; security, valet and concierge stations; a skating rink; yoga-meditation studio; boathouse; teahouse; a wellness center; a welcoming facility; restaurant; bar; gift shop and other varied services catering to guests and residents.

The proposed development would consume and process as wastewater an estimated 158,775 gallons per day, a 933% increase in water consumption and processing compared to the old resort. Critical water reserves would be tapped. Treated effluent would flow into a state protected wetland. Blasting would occur in the near vicinity of the bat hibernacula caves. A rail-trail link between New Paltz and Kingston would be compromised. Fortunately, a conservation easement protects 416 acres from development.

Still, the project defies common

sense, and calling it "green" is astonishing.

Save the Lakes, a grassroots group affiliated with Friends of the Shawangunks and supported by the Sierra Club and the Shawangunk Ridge Coalition, has been calling for transparency and a sober assessment of the project's potential impacts since first grasping the scale of the plan nearly two years ago. It is clear that the project would endanger wildlife and threaten the aquifer, while creating a closed, private enclave of wealth — itself a threat to the long-established social fabric of the region, one in which families of different income levels live as neighbors in mutual trust. Through film screenings and symposiums, Save the Lakes has encouraged long-term vision while pressing to make the public and local officials aware of what is at stake.

A familiar set of circumstances repeats itself in small towns across the country: economic hardship tied to limited employment opportunity leads to fiscal desperation on the part of individuals and their town government. Outside investment interests arrive promising development, jobs and tax revenue. Too often, the town succumbs to wishful thinking and supports development that irrevocably changes both the landscape and the community character that residents hope to maintain. In the end the town loses out, the environment suffers, and profit is siphoned away from the local economy.

Over the years, residents of Ulster County have worked, with the support of state and national environmental groups, to assure that the region's natural scenic treasures do not fall victim to overdevelopment. These dedicated efforts — including Save the Mountain and Save the Ridge — have produced a record of success that Save the Lakes is working hard to continue.

Artist Tim Trompeter is a founding member of Save the Lakes.

DEC staff cuts creating a 'perfect storm'?

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ions of chemically-treated water into the earth to extract the gas. DEC needs more staff, not less, to improve its regulatory program and prevent contamination. If DEC can't put the proper protections in place, monitor compliance, and crack down on violators, we could end up poisoning the drinking water supplies for millions of New Yorkers all over the state.

We don't want to end up like Pennsylvania, where drilling-related groundwater contamination caused water wells to explode and waste water from gas drilling polluted the Monongahela River, a drinking water source for 350,000 people. We should learn from the mistakes next door, not repeat them.

DEC cannot afford to lose trained staff at this crucial time. With fewer people on board, there is no way that DEC will be able to provide a thorough review of every drilling permit application, visit each well site repeatedly to ensure that required procedures are followed, follow up on inevitable accidents, or bring enforcement actions when industry violates the rules. Allowing drilling to proceed without that staff is a recipe for disaster. The department needs all hands on deck right now.

Unfortunately, the department already is strapped. As we speak, it is having trouble enforcing even some laws that are not very demanding of personnel time. For example, staffing cuts from prior years are making

it difficult for DEC to implement a state law requiring cleaning product manufacturers to disclose the chemicals in their products. If managing that program is a struggle now, just imagine what cutting 225 more employees will mean for DEC's ability to protect us from millions of gallons of contaminated wastewater from tens of thousands of new gas wells.

Cutting DEC staff to the bone may be penny wise, but it is pound foolish. The salaries saved today will be dwarfed in the long term by the costs of inadequate protection for public health and the environment. Moreover, even the short-term budget impact could be substantially reduced if we asked industries seeking to make a profit from our natural resources to internalize the full costs of their business. Gas drilling permit fees could be raised, for example, to ensure adequate staffing for processing applications, monitoring compliance, cleaning up messes, and enforcing the law. If the polluters don't pay, we will.

In other words, fiscal responsibility is not achieved with these cuts to DEC. Money can be saved by preventing costly public health and environmental problems. The fossil fuel energy industry can pay its own way, instead of expecting gifts from the taxpayers.

Deborah Goldberg is the managing attorney for the Northeast office of Earthjustice, a non-profit environmental law firm.

What you can do

Visit www.savethelakes.us to learn more about the proposed Williams Lake development and to support Save the Lakes with a tax-deductible contribution. Donations will be applied to expert opinion in science and law as the SEQR process proceeds.

Unmonitored water extraction

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bill that may produce weak protections. A groundswell of grassroots activism in Westchester, Putnam, Lewis, Herkimer and Schenectady counties is investigating how to put some teeth into any state legislation.

"New York's water treasure was key to our nation's founding and the development of our young America's westward expansion, as well as the birthplace of essential and globally significant wilderness preservation in the Adirondack and Catskill parks," says Dan Plumley of the Association for the Protection of the Adirondacks.

"These parks alone comprise critical watershed wild lands, countless thousands of lakes and ponds key to outdoor recreation and tourism value and the vast majority of our state's wetland and designated wild, scenic and recreational rivers system (1,400 miles). How shortsighted would our heirs label us if we were

to leave that legacy to the destruction wrought by multi-national corporations like Nestle, Coca-Cola and others if we were to mindlessly allow them to rob us of this critical groundwater resource literally from beneath our feet?"

New York desperately needs to enact a comprehensive resource management plan to protect our threatened assets. A commercial water extraction moratorium from the governor (as Michigan implemented on bottling permits) would be a good step in that direction.

Please keep abreast of background and new developments in water protection at our website, www.newyorkwater.org. Join us to research the state constitution and explore hosting a Democracy School to learn how to proceed with local protection in your town.

Suzannab Glidden is director of the Croton Watershed Clean Water Coalition.