

Meeting Notes

Rensselaer County MS4 Communities Meeting
Conference Room C, Rensselaer County Office Building
September 15, 2020
10:00 a.m.

After the attendees greeted each other, Mr. Koziol discussed gabion basket use to create forebays in stormwater detention ponds. Mr. Koziol stated that the separating element that creates forebays doesn't need to be ugly. In some places, gabion baskets may not be appropriate depending on the setting. Planning Boards need to know what they should look for. An earthen dike could easily take the place of the gabion baskets. The design review process should have more control over what gets approved. Developers will try to push more into a site. This is a planning consideration and boards need training to know what they're looking at and what to ask for. Developers can use more green infrastructure to reduce the need for ponds. Recessed parking lot islands can act as bioretention green space. Communities should tighten restrictions.

The next topic was Local BMPs. Funding MS4 programs was the next topic reviewed. The Town of Poestenkill uses stormwater districts to help pay for maintenance and upkeep of subdivision stormwater practices. The City of Ithaca has a stormwater tax based on impervious surfaces. Impervious surfaces were mapped out and the City determined the amount of impervious infrastructure per standard residential unit to create the equivalent residential unit. Cost of the entire stormwater utility program was calculated and split by the number of equivalent residential units. This converted a tax burden to a fee structure and encourages residents and businesses to reduce their stormwater impacts. The City's budget was reduced by the same amount as was collected by the stormwater utility fee. The City also created a bank for stormwater credits. One development can create greater stormwater reduction than needed and then could trade their excess capacity to another development that has trouble meeting their stormwater reduction goal.

East Greenbush has a scenario where a development is in Phase 2 of a Planned Development District. The Planned Development District was approved and adopted, the roadway extended and buildings built under Phase 1. The SWPPP was closed. Trees were felled in the Phase 2 section with the intent to keep the area as a field until the area is ready to be developed. The developer wants to grub out the stumps. The Town was wondering if they should make them go through site plan approval so that they can review and approve a SWPPP. Ms. von der Heide stated that the Local Law that was required to be adopted in the first phase of the MS4 program has a section that allows the review of an otherwise not-permitted action that would require a SWPPP. The Town also has development/grading laws that may also apply to this case.

In discussion of the local law, a new local law will probably be required to be adopted when the new permit comes out.

Solar farms are the new hot development. With the new state law taking over permitting of large farms, local solar review laws are necessary. There may be stormwater issues in places.

Grading permits are good to make sure that small developments that don't meet SWPPPs do erosion control and stormwater management.

There is a permit requirement for an annual review of the MS4 program. The question was whether the annual report can be considered an annual review. Yes, as long as the community actually takes a look at their program and writes up what changes are needed. The new draft permit may be coming out at the end of the year.

Schodack had a mini-audit/inspection. The EPA did a mini-audit of North Greenbush, just looking at MCM 4 & 5, taking one day. DEC is now following the trend and doing an audit of construction sites, post-construction practices and getting materials pre-audit. The visit would be outdoors.

The next meeting will be on November 17, 2020 on Zoom.

This year's meetings:

November 17, 2020

Participants:

Linda von der Heide	Rensselaer County
Adam Yagelski	East Greenbush
Eric Westfall	North Greenbush
Mark Hendricks	Rensselaer\
Phil Koziol	Schodack/Laberge Group
Mary Barrie	DEC Region 4
Martin Daley	CDRPC