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OF THE

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OF THE

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ONE HUNDRED AND THIRTY-SIXTH SESSION

1913

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SECOND ANNUAL REPORT
OF THE
CONSERVATION COMMISSION

ALBANY, N. Y., *Jan. 15, 1913.*

HON. MARTIN H. GLYNN, *Lieutenant-Governor and President of
the Senate:*

Herewith in pursuance to law we transmit to you the annual
report of the Conservation Commission for the fiscal year ending
September 30, 1912.

Respectfully yours,
CONSERVATION COMMISSION,
By GEORGE E. VAN KENNEN,
Chairman.

damages a just and equitable plan to determine and provide payment therefor has been devised, said plan being to purchase required lands when practicable and otherwise to acquire them by condemnation proceedings in accordance with law.

11. No objections were filed and there were no adverse appearances at the hearing.

The Commission, therefore, finds and determines:

First. That the plans proposed for the Manhasset-Lakeville water district are justified by public necessity.

Second. That such plans are just and equitable to the other municipalities and civil divisions of the State affected thereby, and to the inhabitants thereof, particular consideration being given to their present and future necessities for sources of water supply.

Third. That said plans make fair and equitable provisions for the determination and payment of any and all damages to persons and property, both direct and indirect, which will result from the execution of said plans, or the acquiring of lands.

The Commission does, therefore, approve the plans submitted and grant the application of the petitioner.

IN WITNESS WHEREOF, the State Conservation Commission hath caused this determination and approval to be signed by the Commission and caused its official seal to be affixed hereto and the same, [L. S.] with all plans, maps and other documents relating thereto, filed in its office in the city of Albany, this 20th day of December, 1911.

CONSERVATION COMMISSION,

GEO. E. VAN KENNEN,

JAMES W. FLEMING,

JOHN D. MOORE,

Commissioners.

By the Commission:

ALBERT E. HOYT,

Secretary to Commission.

APPLICATION 104.

STATE OF NEW YORK — CONSERVATION COMMISSION.

<p>In the Matter of the Application of the VILLAGE OF ARGYLE for the approval of its plans for the construction of a Water Works System.</p>	} <i>Decision.</i>
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Application filed December 9, 1911.

Hearing at Argyle January 5, 1912.

Decision February 28, 1912.

Approved.

The petition of the village of Argyle by its Board of Trustees, together with the maps, plans and profiles and the proof produced at the hearing held in the village of Argyle on January 5, 1911, set forth the following facts:

The village of Argyle was incorporated under Chapter 27 of the Laws of 1838 and reincorporated under Chapter 271 of the Laws of 1870 at a special election held August 29, 1899. The village had, at the last census, 235 inhabitants and has about the same number at the present time. The present assessed valuation is \$90,837 and there is no bonded indebtedness whatever.

At present there is no public water supply system in the town, drinking water of poor quality being obtained from wells or cisterns. Fire protection is given only by an old hand fire engine, which takes water from these same wells or from the Moses Kill which is frequently dry in the summer months.

At a special election held November 16, 1911, a village bond issue, to the amount of \$12,500 for the purpose of installing and establishing a system of water supply for the village, the water to be taken from Summit Lake, was authorized by unanimous vote.

The Board of Trustees of said village employed E. H. Welles, a civil engineer, to prepare maps and plans and the maps and plans prepared by the said Welles were approved and adopted by the Trustees and submitted for approval with the application.

The proposed source of supply is Summit Lake, about two miles southeast of the village. It is proposed to draw off the water by means of a pipe line laid in a tunnel now being constructed for the Washington County Almshouse, delivering it by gravity to a small reservoir near the village and from thence, also by gravity, through the streets of the village by suitable pipes and mains. Suitable fire hydrants are provided and the pressure will be such that no pumping of fire engine streams will be required. It appears that Summit Lake may reasonably be expected to supply more than enough water for the needs of the village for some years to come.

Analyses of the waters of the lake show considerable quantities of undecomposed organic matter and fecal organisms were moderately prevalent. It was shown that this condition was, in part, due to the fact that the samples were taken at the time of the fall overturn when the condition of the lake was at its worst, and that any direct contamination of the lake that might now exist could be readily prevented by certain proposed changes in the location of existing buildings and by the enforcing of suitable regulations by the local health authorities.

Objection to the proposed diversion of water from Summit Lake was made by certain property owners along the lake and the outlet thereto, who claimed that no provision had been made for payment to them of damages caused by lowering of water level in lake and outlet by the proposed diversion. It appeared that the probable maximum lowering of the lake surface due to the anticipated consumption of the present population would be less than an inch and that the outlet was at present dry for some months out of each year. It, therefore, appears that the village will be financially able to pay for such damages as might be awarded to these claimants.

Summit Lake is to be used as a source of water supply for the Washington County Almshouse; no other water supply system has been shown to be supplied from this source. This lake appears to be the proper and logical source of water supply for this village.

The works which it is proposed to construct can be safely constructed along the general lines shown by the plans submitted.

The Commission, therefore, finds and determines:

First. That the plans proposed are justified by public necessity.

Second. That said plans provide for proper and safe construction of all work connected therewith.

Third. That said plans provide for proper protection of the supply from contamination and that filtration is at present unnecessary.

Fourth. That said plans are just and equitable to the other municipal corporations and civil divisions of the State affected thereby, and to the inhabitants thereof; particular consideration being given to their present and future necessities for sources of water supply.

Fifth. That said plans make fair and equitable provision for the determination and payment of any and all damages to persons and property, both direct and indirect, which will result from the execution of said plans.

IN WITNESS WHEREOF, the Conservation Commission has caused this determination and approval to be signed by the Commission and has caused its official seal to be affixed hereto, and has filed the [L. s.] same, with all maps, plans, surveys and other papers relating thereto in its office in the city of Albany, this 28th day of February, 1912.

CONSERVATION COMMISSION,
GEO. E. VAN KENNEN,
JAMES W. FLEMING,
JOHN D. MOORE,
Commissioners.

APPLICATION 105.

STATE OF NEW YORK — CONSERVATION COMMISSION.

<p style="text-align: center;">In the Matter of the Application of the STAATSBURG WATER COM- PANY for the approval of its maps, and plans for the extension of its mains in the towns of Hyde Park and Rhinebeck.</p>	}	Decision.
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Application filed December 11, 1911.

Application approved January 25, 1912.

This is a proceeding had upon the application of the Staatsburg Water Company, filed December 11, 1911, with the Conservation Commission, as required by Article 9 of the Conservation Law, for permission to extend its mains from the Village of Staatsburg in the Town of Hyde Park into the Town of Rhinecliff, all in Dutchess county.

The petition and accompanying papers show that the Staatsburg Water Company is a domestic corporation duly organized under the laws of the State of New York; that said corporation on March 6, 1908, filed with the State Water Supply Commission an application for approval of maps, plans, and profiles for a new and additional water supply for the Village of Staatsburg, which application was granted March 18, 1908; that said corporation