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In the Matter of the Application of the CITY OF ROCHESTER, MONROE COUNTY, for Approval of Its Financial and Engineering Plans for the Improvement, Extension, Rehabilitation and Enlargement of Its Water Supply System. SIXTH APPLICATION

Water Supply Application No. 1609

(October 2, 1945)

Application approved as modified.

BY THE COMMISSION.—Louis B. Cartwright, City Manager of the city of Rochester, in Monroe county, acting in the name and on behalf of said city, on March 11, 1944, made application to the Water Power and Control Commission for approval of the plans of said city for the acquisition or taking of an additional water supply, the taking or condemnation of lands for such new and additional water supply and the construction proposed in connection therewith. This application was filed in the office of the Commission March 29, 1944. An amended petition, signed by City Manager Cartwright on July 25, 1945, requesting approval of a modified plan in connection with this application, was filed in the office of the Commission July 26, 1945.

After due notice, published in the *Livonia Gazette*, the *Honeoye Falls Times*, the *Rochester Times-Union*, the *Rochester Democrat and Chronicle*, the *Wayland Register* and the *Dansville Breeze*, the hearing on this application was held before Russell Suter, executive engineer of the Commission, in the common council chambers in the City Hall, in the city of Rochester, on April 25, 1944, at ten o'clock in the forenoon and was thereafter continued, pursuant to adjournments duly taken, at the same place on April 26 and May 8, 9 and 10, 1944, and on July 31, 1945, on which last-named date the taking of testimony finally was closed; but the parties in the case were permitted to file briefs on or before September 8, 1945.

At this hearing the Commission considered the petitions, maps, plans and other papers submitted, examined witnesses and heard arguments for and against the project, as shown by the minutes.

The applicant, the city of Rochester, was represented by the Hon. Charles B. Forsyth, corporation counsel, and by Glenn L. Buck, deputy corporation counsel. Objections were filed by the townships of Livonia, Canadice and Springwater, by the Cooperative G. L. F. Holding Corporation and others, by William W. Hopough, Hemlock Coal and Supply Company and others, and by Albert E. Ellinger, Mary E. Ellinger and others, all of whom were represented by John J. Carey, of Livonia. Other objections were

filed by the village of Honeoye Falls and by Alexander H. and Grace A. Von Plinsky, who were represented by Messrs. Chamberlain, Page and D'Amanda (Arthur V. D. Chamberlain, of counsel) and by Theodore F. Hooker, an owner of property on Canadice lake, who appeared in person. In addition, the village of Dansville likewise appeared at the hearing on April 25, 1945, through C. W. Knappenberg, village attorney (Andrew Gilman, of counsel) but this village had not filed objections as required by statute and did not at the hearing interpose any objection to the project then before the Commission.

On May 11, 1944, the Commission caused an engineering inspection to be made of the sites of the proposed works and of the sources of proposed additional water supply.

PROJECT

The project for which approval now is sought consists of four separate main parts, and upon completion of all the work now proposed it is expected that the total amount of water which will be made available to the city from the sources of supply then developed will be from 37,000,000 to 47,000,000 gallons daily. The city claims that it needs the larger quantity in order to meet its present and immediate future water supply requirements. These four main parts of the project are: the cleaning and relining of certain supply conduits to the city so as to bring about a restoration of the original combined capacity of these conduits to 40,000,000 gallons daily in order to handle the additional water to be made available by the proposed new construction; the construction of a new dam on Hemlock lake outlet near Hemlock village at a specific location not yet determined but at a point south of the junction of that outlet with Livonia creek and north of present Hemlock lake and, if practicable, also north of Canadice lake outlet; the reconstruction and raising of the existing dam at Canadice lake so as to make possible the raising of the high water level of that lake and the rebuilding of the outlet works at that lake so as to permit the withdrawal of greater quantities of water from it by providing facilities for even greater lowering of the lake level than now is possible with the existing works; and lastly, the construction of a new channel for Yohon creek, a small stream draining about 2.2 square miles which has for some years at least run southerly through the hamlet of Wayland into Mill creek, a tributary of Canaseraga creek, in such manner as to cause Yohon creek water to flow into Springwater creek which, in turn, flows into Hemlock lake.

As supplementary structures to those discussed above, constituting the main features of the city's project, it is proposed: to provide, if necessary, pumping facilities at so-called *Overflow No. 1* of the city's conduit system so as to insure a full 40,000,000

gallons daily capacity in the conduits; to construct eventually on Canadice lake outlet a small impounding and regulating reservoir so as partly to control the flow in that stream; to raise the existing Hemlock lake dam so as to make this dam serve as a partition wall between present Hemlock lake and the new "lower basin" which will be created in the area to be flooded between the existing Hemlock lake dam and the new lower dam; to construct in existing Hemlock lake, at a location south of the present intake structure in that lake, a new intake and gate house to be known as *Gate House No. 3*; to connect these new intake works with present *Overflow No. 1*, by a new conduit with a capacity of at least 60,000,000 gallons daily and to construct, if and when necessary, certain small regulating dams and reservoirs on Yohon and Springwater creeks to control and regulate the flow of the former stream into Hemlock lake.

OBJECTIONS

The objections to the granting of approval of the application now before the Commission resolve themselves into four classes:

a. Objections of owners of individual properties on Hemlock and Canadice lakes or streams tributary to these lakes or of property within the limits of the proposed "lower basin", who fear curtailment of their privileges in the use of these waters, actual flooding of their properties or other types of damage to them. Many of these objectors apparently expect that the city will desire or be required to purchase their lands, and they are unwilling to give up such ownership.

b. Objections of owners of business establishments located in or adjacent to the new "lower basin", which allegedly might be damaged or interfered with by the proposed new construction. To a great extent the modification in the plans of the city as advanced this year has lessened or nullified completely certain of these objections and some of them actually have been withdrawn.

c. Objections of owners of land in the vicinity of Yohon and Springwater creeks, who are apprehensive lest the establishment of a new course for the former creek will result in damage to their properties. In some cases this fear is based on an assumption that the taking of water from Yohon creek will result in lower flows in that creek below the point of diversion with damages to property owners on the stream below this point, and in other instances it is predicated on possible flood conditions in Springwater creek into which Yohon creek water is to be diverted.

d. Objections of the village of Honeoye Falls, which claims it already has been damaged by alleged reductions in the flow of Honeoye creek through acts of the city of Rochester in taking water from Hemlock and Canadice lakes and that any further and additional diversion will even more seriously interfere with the operation of village facilities, particularly of its municipally-owned

sewage disposal plant, the effluent of which is discharged into Honeoye creek in the village. This village asks that the Commission require Rochester to maintain an adequate flow of water in this creek to meet village needs.

FINDINGS OF FACT

After due consideration of all the papers filed and the testimony introduced during the hearing, together with the briefs and arguments of counsel, the Commission finds as follows:

The city of Rochester is a municipality in Monroe county in the State of New York located on Lake Ontario near the mouth of Genesee river. It originally was incorporated under the provisions of Chapter 199 of the Laws of 1834 and has continued as such a municipal corporation under the provisions of section 1 of Chapter 755 of the Laws of 1907, which later law constitutes "the Charter of the City of Rochester".

According to the 1940 census, Rochester had a population of 324,975, and it is estimated that the population at the time of the making of this application was about 330,000. It has within its limits taxable real property with a total assessed valuation in excess of \$538,000,000. At the time of the making of the present application, the city had outstanding bonded indebtedness in the amount of \$55,389,500, of which about \$4,000,000 had been issued for water supply purposes.

A public water supply system first was installed in Rochester by municipal effort about 1876, and water for this system always has been obtained from Hemlock and Canadice lakes. In addition to the service rendered by the municipal plant, certain parts of the city are supplied by Rochester and Lake Ontario Water Company.

The safe dependable yield of Hemlock and Canadice lakes, as originally developed, was about 9,000,000 gallons daily, but by additional construction work carried out from time to time, particularly about 1894, 1909, 1917, 1919 and 1927, the system's dependable yield and facilities for handling this increased figure have been raised to between 28,000,000 and 31,000,000 gallons daily.

These previous undertakings of the city in each case were required by increases in demand on the city's system caused by population growths and by ever-increasing needs for water for industrial plants therein.

On May 2, 1927, the city filed two separate applications with this Commission, one covering the development of Carney Hollow and Quanz brooks as sources of supply, and the other concerned with the development of Honeoye and Mud creeks for such purposes. With the consent of the city the former of these two applications was dismissed on August 18, 1932 (*Water Supply Application No. 438*, 42 State Dept. Rep. 258). The latter application in a modified form was approved by the Commission on June 22, 1928, but no approval was given for the use of Mud creek (*Water Supply Appli-*

cation No. 439, 37 State Dept. Rep. 434; 38 State Dept. Rep. 66; 40 State Dept. Rep. 65). The project authorized by that decision was not carried out and, under the terms of the decision, all authority to build it has lapsed for non-use.

On June 28, 1934, Rochester made a third application to the Commission involving its purchase of water from the private water supply system of Eastman Kodak Company. This application was approved by the Commission on July 24, 1934, but such sale of water by the Kodak Company to the city was, at the city's request, limited to a period of five years from the date of that approval (*Water Supply Application No. 857*, 49 State Dept. Rep. 445).

On December 27, 1934, the city again filed an application with the Commission, asking for the approval of the use of Lake Ontario as an auxiliary source of water supply to supplement during dry periods the water supply obtained from Hemlock and Canadice lakes. This application was rejected by the Commission on December 18, 1935 (*Water Supply Application No. 913*, 53 State Dept. Rep. 230).

The city sources of supply still are unable to provide the water required by the city and its industries, and on February 3, 1942, Rochester again applied for approval of the purchase of water from Eastman Kodak Company as a supplemental and auxiliary supply. Such approval again was granted by the Commission and in this latest decision no time limit on such use was imposed as a condition of the approval (*Water Supply Application No. 1525*, approved March 31, 1942, 64 State Dept. Rep. 883). Eastman Kodak Company has since been used by the city as a source of additional supply to supplement the inadequate quantity of water now obtained from the lakes.

The actual quantity of water required by the city is quite variable, depending much on the time or season of the year and the operation of its industries, but it has been mounting for many years. It is estimated that its present and immediate future requirements necessitate the development of water supply resources with a dependable yield of from 37,000,000 to 40,000,000 gallons daily, as compared to the present safe yield of the lakes of from 28,000,000 to 31,000,000 gallons daily.

The Commission has heretofore found and again finds that there is necessity for increase in the water supply resources of applicant.

The water now used by the city from Hemlock and Canadice lakes is subjected to only a minimum amount of treatment through sterilization alone. Such treatment is effective in producing a satisfactory water, and a great part of this effectiveness can be traced not only to the treatment itself but to the city's control of the tributary watershed. The city owns only a minor portion of this watershed but has had enacted by the State Department of Health sanitary rules and regulations for the protection of the entire watershed and rigidly enforces these rules.

In August, 1942, the city engaged Robert E. Horton, a consulting hydraulic engineer of Voorheesville, N. Y., to investigate and report on various matters concerned with the development of additional water for the city. This engineer's report to the city was filed with the city engineer on January 5, 1944, and with the common council on January 11, 1944.

On February 23, 1944, the common council authorized the carrying out of so-called *Stage 1* of the recommendations contained in that report, which *Stage 1* embraces substantially the work proposed under the original application of March 29, 1944. This action was taken by the common council after a public hearing held on January 25, 1944, and was contained in a common council resolution designated as Ordinance No. 44-64. The amended petition was filed pursuant to Common Council Ordinance 45-218.

The modified project, which is the only one now before us, will make available to the city a dependable supply of about 37,000,000 gallons of water daily, an amount which, although below the 40,000,000 gallons daily estimated by the city as its maximum requirement to meet its present needs, still will provide a substantial increase in the city's supply. The project also provides for the taking of water in an amount probably not to exceed 40,000,000 gallons daily in years when such a quantity can be obtained without dangerously overdrawing from stored surplus.

The project as now proposed will have little or no effect on the sanitary quality of the water used in Rochester, and after completion of it the water will be satisfactory provided it is afforded treatment at least equivalent to that now used in connection with the delivery of water to the city. The Commission must, therefore, require chlorination of the water from this supply and also must reserve the right to require the taking of additional sanitary precautions or the further treatment or purification of all water derived from either of these two lakes, should future analyses or inspections indicate a need for such action. Furthermore, the city should be required to own all of the land within at least 200 feet of the proposed new high-flow line of both Hemlock and Canadice lakes, remove all buildings from such an area and thereafter use this land for water supply purposes only.

The total estimated cost of the project, including an estimate of the cost of lands, water rights and damages under the project now proposed, is \$2,400,000.

No complete detailed plans and specifications for the structures proposed to be built have yet been filed, but they may now be approved in general terms, subject to the condition that before the construction of any of these structures is started, such plans and specifications must have been submitted to and approved by the Commission, and thereafter all of the construction work must be carried out in strict accordance with approved plans and specifications.

The city has submitted certain maps showing in general the lands which it proposes to acquire, but it must be required that detailed maps of such lands, including the land needed to comply with the conditions herein, be submitted to the Commission as soon as is practicable and at least before any construction work under this project actually is commenced. In order that there may be no misunderstanding on this point, it will be required that such maps be filed on or before January 1, 1947.

To protect the interests of the owners of such lands, the Commission further must require that these lands actually be acquired or that the proceedings for such acquisition be started prior to January 1, 1949; otherwise this decision is to have no further force and effect.

None of the objections relating to possible damages to properties surrounding either of the lakes or located on Yohon or Spring-water creeks present problems of an unusual nature, the determination and payment of which are not now adequately provided for by existing law. Applicant is financially able to pay such awards for damages as may reasonably be anticipated.

The objector, the incorporated village of Honeoye Falls, asks the Commission to require the city of Rochester to provide a compensating flow in Honeoye creek sufficient to properly dilute the effluent from its sewage disposal plant. It urges that such flow be at least as great as that provided for in the decision of the Commission of June 22, 1928, in the application of the city of Rochester for the use of Honeoye lake as a source of water supply (*Water Supply Application No. 439*, 38 State Dept. Rep. 66).

In that earlier case, Rochester proposed to construct a reservoir to which ninety-five percent of the entire drainage basin of Honeoye creek above the village of Honeoye Falls, including Canadice and Hemlock lakes, would be tributary. Canadice and Hemlock lakes constitute about one-third of the drainage basin above the village.

The city intended to take from the proposed Honeoye creek reservoir as much water as it could, and the decision required the city to release from the reservoir enough water to maintain a flow in Honeoye creek, at the village of Honeoye Falls, of seven cubic feet a second per 1,000 population of the village. This figure was the amount then deemed necessary and sufficient, by the State Department of Health, for suitable dilution of the effluent from a sewage treatment plant, providing sedimentation and final sterilization with chlorine (primary treatment). (The State Department of Health recently has found that about four cubic feet per second per 1,000 population, rather than seven, is sufficient.)

The decision, of course, did not specify what proportion, if any, of the prescribed amount of flow was to come from the waters of Canadice and Hemlock lakes. Relying upon the decision of the Commission, the village of Honeoye Falls proceeded to construct a sewage disposal plant providing primary treatment of sewage only. The plant is now operating.

The city of Rochester, however, did not carry out the project authorized by the decision of June 22, 1928, and the authority so granted has lapsed for non-use. The city could not be compelled to perform the work so authorized.

In the present application, the city of Rochester proposes to take waters of Canadice and Hemlock lakes. Honeoye lake or other sources contemplated by the prior decision, above referred to, are not sought. It has proved that, in 1890, the city acquired, and now has, the title to, and the right to the use of, all the waters of Canadice and Hemlock lakes which are incident or pertinent to the lands and premises at the point where the Honeoye Falls village sewer outlet empties into Honeoye creek. This title to, and the right to use, all the waters of the two lakes at the place in question are not dependent upon, nor restricted by, the amount of water the city has been or may be authorized to take from either or both of the lakes for its water supply.

With this uncontroverted proof of legal title and right, in the city of Rochester, before it, the Commission has no authority to disturb or lessen such title or right by requiring a release of any of the waters of Canadice and Hemlock lakes to provide or to maintain a flow in Honeoye creek at the point where the sewer outlet empties into the creek. Any challenge to the city's title and right, as so acquired, is a legal matter for the courts or for solution by agreement among the interested municipalities.

The objections of the village of Honeoye Falls, on all points, must be overruled and its request for a release of water to maintain a flow in Honeoye creek at its sewage disposal plant denied.

The carrying out of this project will in no way adversely affect the interests of any other existing municipality or civil division of the State. Provision must be made, however, for caring for the water supply needs of all the other areas which, because of their location, logically might look to these lakes for sources of public water supply should those areas in the future establish water supply systems. Generally, such areas probably would be located along the outlets of these lakes probably at least as far downstream as the junction of Hemlock lake outlet with Honeoye creek. Rochester should be required to serve such areas with water, should such service be desired in the future.

The applicant, city of Rochester, in its brief submitted after the close of the hearing, has urged that Article XI of the Conservation Law is limited in its application to public waters of the State and in cases where the State owns the bed of a lake or river and that, as a legal proposition, the Commission has no power or jurisdiction over Canadice and Hemlock lakes, which are not State-owned. The Commission rejects this argument and finds that it has jurisdiction over the modified application of the city.

The legal damages which may be caused by the execution of the plans of the petitioner are not such as to require any special con-

sideration or legislative enactment in order that they equitably may be determined and paid.

CONDITIONS

The Commission finds it to be necessary, to protect the water supply and the interests of the applicant and of the inhabitants of the territory supplied by it with water, to protect the water supply and interests of any other municipal corporation or other civil division of the State and the inhabitants thereof, to bring into cooperation all municipal corporations or other civil divisions of the State which may be affected thereby, and to make safe all dams, reservoirs or other structures to be constructed by said plans, that the application, maps and plans submitted should be modified to conform to the following:

1. Under this decision and approval, the city of Rochester may, by the development now proposed, take from Hemlock and Canadice lakes and the outlets thereof an average quantity of water not in excess of 37,000,000 gallons daily for use in its public water supply system. In order to make such water available, approval is given to the city's plan to construct a new dam on Hemlock lake outlet below existing Hemlock lake dam and above the junction of that outlet and Livonia creek with a spillway elevation at 911.3 United States Geological Survey datum equivalent to *Elevation* 403 Hemlock lake datum and to make provision, by the construction of a new intake and gatehouse south of the existing Hemlock lake dam, for the drawing of water in this lake down to *Elevation* 889.30 U.S.G.S. datum (381 Hemlock lake datum) as required. Further and for the same purposes, the city is authorized to raise the spillway crest of the dam at Canadice lake to *Elevation* 1099 U.S.G.S. datum and to reconstruct the existing outlet works at this lake so as to enable the lake to be drawn down to *Elevation* 1080.5 U.S.G.S. datum whenever the water stored therein is needed in the city. In addition to the above, Rochester is permitted to divert the flow of Yohon creek as proposed in this application into Springwater creek, a tributary of Hemlock lake, so as to make the water of this creek available to the city. The city also is permitted to construct on Canadice lake outlet and on Yohon and Springwater creeks such small regulating dams and reservoirs as may be necessary properly to control the use of these streams. Finally, such authority as may be required is granted to the city to reconstruct, repair or reline the existing water supply conduits to the city, to construct such new conduits as may be necessary and to provide at *Overflow No. 1*, so-called, such pumping equipment as may be needed to maintain flow to the city of the maximum amount of diverted water allowed herein.

2. The city of Rochester must acquire by purchase or otherwise all land above the proposed new Hemlock lake dam and within at least 200 feet of the proposed new normal high-flow line of that lake at *Elevation* 911.3 U.S.G.S. datum and above the existing dam

at Canadice lake within a similar distance of the proposed new normal high-flow line of that lake at *Elevation 1099, U.S.G.S. datum* and use the land thus acquired for water supply purposes only. Any existing buildings within the area so acquired shall be removed and no buildings shall be permitted to be built within that distance.

3. On or before January 1, 1947, the city must submit to this Commission for its approval, maps showing the actual boundaries of the land to be acquired by it in connection with this project and thereafter and prior to January 1, 1949, it must have submitted to the Commission evidence that such lands already actually have been acquired or that the proceedings necessary to bring about such acquisition have been started.

4. Nothing in this decision and approval contained shall be held to authorize the city of Rochester to supply, sell or distribute water from Hemlock or Canadice lakes or the outlets thereof unless all such water shall first have been treated by sterilization in a manner satisfactory to this Commission.

5. The Commission reserves the right to require the taking of further sanitary precautions or the further treatment or purification of the water from these sources should future analyses or inspections show a need for so doing.

6. Prior to starting work on any construction authorized by this decision and approval, detailed plans of the structures proposed to be built and specifications for such work must have been submitted to and approved by this Commission. Thereafter such construction work must be entirely completed in full accordance with the plans and specifications which have been so submitted and approved.

7. If, in carrying out this project, any highway or part of a highway will be flooded and is to be relocated on higher ground, such relocation must be completed before water may be impounded in the lakes to a height such as to submerge the existing road.

8. Hemlock and Canadice lakes and the tributaries and outlets thereof are hereby declared to be the natural and proper source of water supply for all parts of the drainage basins thereof lying above the junction of Hemlock lake outlet and Honeoye creek and of the inhabitants of these basins. These inhabitants are hereby declared to have the right to be supplied with water from these lakes superior to the rights of Rochester, and applicant may draw from these lakes only water which is in excess of the reasonable needs of these inhabitants and in default of service rendered, shall have no claim for compensation or for damage by reason thereof. Any municipality, water district or similar political subdivision of the State situated in or including any part of the drainage basin so defined may apply to this Commission for permission to take the water needed for the

supply of such area and the inhabitants thereof from the water supply system of the city of Rochester. On approval of such application the said city shall permit the necessary connections to be made to its conduits and shall furnish such water subject to such terms, rates and conditions as may be agreed upon between the city and the taker of water, or if such parties cannot agree shall upon application of either party be fixed by this Commission. All taps and connections shall be made and the necessary meters installed and maintained at the expense of the taker or takers of the water, but such connections shall be made in conformity with the reasonable requirements of the proper authorities of the city of Rochester.

9. Unless the works authorized by this decision shall have been fully completed by September 1, 1953, or within such extended time as may have been applied for and granted by the Commission, then and on that date this decision shall be deemed to have lapsed and to be of no further force and effect.

10. Nothing in this decision and approval contained shall be held to abrogate the provisions of section 524 of the Conservation Law, which forbid the operation of any of these works until as constructed they have been approved by the Commission. Such final approval will be given only on due petition therefor. In general, such approval will not be given except for a fully completed system, and it never will be given until all provisions affecting quality of the water and safety of the works fully have been complied with.

STATUTORY DETERMINATIONS

The Water Power and Control Commission, having given due consideration to the said petition and its exhibits and the proofs and arguments submitted at the hearing, determines and decides as follows:

First. That the application, maps and plans submitted are modified as set forth above and, as so modified, are the plans hereinafter mentioned.

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

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

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

Fifth. That said 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.

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

ORDER

Wherefore, the Water Power and Control Commission does hereby approve the said application, maps and plans of the city of Rochester as thus modified.

In the Matter of the Application of the LONG MEADOW WATER DISTRICT for Approval of an Extension Thereof

Water Supply Application No. 1677

(October 2, 1945)

Application approved as modified.

BY THE COMMISSION.—Edgar R. Crofts, chairman of the board of water commissioners of Long Meadow Water District in the town of Pittsford, Monroe county, acting in the name and on behalf of said district, on August 9, 1945, made application to the Water Power and Control Commission for approval of the plans of said district for the extension of its supply and distribution mains into a recently created extension of that district, for the supply of water therein and of the construction proposed in connection therewith. This application was filed in the office of the Commission August 10, 1945.

After due notice, published in *The Brighton-Pittsford Post*, the hearing on this application was held before John C. Thompson, senior engineer of the Commission, in the town hall of the town of Pittsford, in the village of Pittsford, on September 6, 1945 at ten o'clock in the forenoon. At this hearing the Commission considered the petition, maps and plans submitted, examined witnesses and heard arguments in favor of the project. The petitioner was represented by Messrs. Block and Smith, its attorneys (Wilton A. Block, of counsel). No objections were filed and no one appeared in opposition.

On September 6, 1945, the Commission caused an engineering inspection to be made of the sites of the proposed work.

Long Meadow Water District now asks approval of this Commission for its proposed extension of its water supply mains into and for the sale of water in the so-called recently created Forest Park extension of that district. Water for this new extension is to be supplied from the mains of the original district through connections to be made to existing mains in Woodland road and at the intersection of Brook road and Monroe avenue. This water is