



Town of East Fishkill

Sewer and Water Department

330 Route 376, Hopewell Junction, New York 12533
Telephone 845-223-5114

Subject: Four Corners Water District 2022 Irrigation Restriction Update

Date: August 2, 2022

Attention Four Corner Water District Residents:

This notice is being provided on August 2, 2022. Please be aware that the severe drought that we are experiencing has placed a great amount of stress on the water system. Therefore, we are temporarily suspending all water irrigation until further notice. We ask that automated systems be turned off and that any water usage for irrigation, house washing and/or pool filling is ceased until further notice. We will contact the Home Owners Association of any change or updates to this temporary irrigation suspension.

Please note that the Town recently passed Local Law No. 5 of 2022 in May 2022 that allows the Town more ability to regulate water districts and usage. A copy of the new local law can be found on the Town website/water and sewer page. See eastfishkillny.gov.

We thank you for your continued patience and adherence to the irrigation restrictions. We remain available for additional questions and can be reached at (845) 223-5114 or emailed at watersewer@eastfishkillny.gov. We will respond to messages as we are able to do so.

Local Law No. 5 of 2022

(A Local Law Providing Rules and Regulations for Water Districts)

Section 1: Legislative Intent

The Town has seen the development of largescale subdivisions that require substantial amounts of water for both potable and non-potable demands. Typically, these projects develop on-site water sources to meet demands. The New York State Department of Environmental Conservation and the Dutchess County Department of Health require that system demands can be met with the best well out of service.

The Town has encountered situations where the best well has failed followed by diminished capacity of the remaining wells. It can be very difficult and costly to locate and develop new wells that will replace those that have fallen out of service or have diminished yields. This has resulted in the declaration of water emergencies and usage restrictions for prolonged periods of time.

Non-potable demands such as irrigation may also place a great demand on these water systems. Supplying irrigation from potable systems may lead to over usage of wells and exceedance of storage capacities when combined with the potable water system.

It is the intent of this local law to ensure that proposed subdivisions and other development projects have adequate potable water supply even in the event of multiple well failures and to safeguard the potable water system from irrigation demands. The Town intends to provide an added level of protection to allow for the resolution of interruptions in source capacity.

Section 2: Addition of Water Regulations in the Town Code

A new provision shall be added to Chapter 194 of the Town Code (Zoning) and include the following language added in **bold**:

To ensure all current and future development projects in the Town have the necessary access to water, the following provisions shall apply to all applications pursuant Chapter 194 (Zoning) and Chapter 163 (Subdivision of Land) of the Town Code:

- 1. All proposed subdivisions shall demonstrate that they can meet their potable water demands with the best two (2) wells out of service or provide an alternative redundant source with sufficient excess capacity.**
- 2. Irrigation systems shall be supplied through a waterline and well supply that is separate and apart from the potable system. Prior to approval of any application, an applicant must demonstrate that this separate non-potable supply shall not negatively impact the potable supply under any conditions.**
- 3. New subdivisions that request to connect to an existing municipal water system will only be approved if the existing system has enough excess capacity, as determined by the Town Engineer or a designee, to meet double the maximum day demand of the proposed development.**
- 4. New subdivisions connecting to an existing municipal system will be prohibited from drawing water for irrigation from that system unless approved in writing by the Town**

Engineer or a designee. Such approval can be suspended at any time in the event of a system wide water shortage as determined by the Town Engineer or a designee.

5. Existing subdivisions that draw irrigation water from municipal systems are also subject to suspension of irrigation usage in the event of system wide water shortage as determined by the Town Engineer.
6. Failure to comply with enacted suspensions of irrigation usage may result in fines in an amount of \$1,500 per day and/or suspension of water service.
7. Requests from parcels located within an existing water district for a water service connection that will also include irrigation usage will be granted if the existing water district has enough excess capacity, as determined by the Town Engineer or a designee. Each parcel will need to provide a buy-in fee to support the irrigation demand. Such approval can be suspended at any time in the event of a system wide water shortage as determined by the Town Engineer or a designee.

Section 3. Severability

If any section or subdivision, paragraph, clause, or phrase of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 4. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF EAST
FISHKILL PETER CASSIDY,
TOWN CLERK**

**Adopted on the 26th day
of May, 2022**

VOTING	VOTE
Councilman Franco	AYE
Councilman Marinaro	AYE
Councilman Beephan	AYE
Supervisor D'Alessandro	AYE