

3.7 COMMUNITY FACILITIES AND SERVICES COMMENTS AND RESPONSES

Comment 3.7-1 (Letter #1 Ralph P. Peragine, P.E., Stephan A. Maffia, P.E., Jay Snyder, and Anthony Agresti, TRC Engineers, Inc., March 4, 2009 and Town of Haverstraw Public Hearing March 4, 2009): The statement has been made that the “WWTP must be improved and expanded to provide adequate treatment capacity”. How will this requirement affect the development of this project.

Response 3.7-1: The WWTP has been expanded in engineering design and details but not in footprint. The actual depicted area exceeds the New York State Department of Environmental Conservation code requirements.

Comment 3.7-2 (Letter #2 Kauker & Kauker, LLC - Planning Consultants, March 4, 2009): As there is no residential development within the Town of Haverstraw there will be no impact to the municipal services due to an increase in population or increase in the number of school children.

Response 3.7-2: Comment noted.

Comment 3.7-3 (Letter #2 Kauker & Kauker, LLC - Planning Consultants, March 4, 2009): The town should benefit by an increase in jobs and an increase in tax ratables due to the proposed commercial development.

Response 3.7-3: Comment noted.

Comment 3.7-4 (Letter #2 Kauker & Kauker, LLC - Planning Consultants, March 4, 2009): The SEIS indicates that Chief Miller of the Haverstraw Police Department did indicate that the development would result in a need for additional manpower on the police force as they are currently at capacity.

Response 3.7-4: Comment noted.

Comment 3.7-5 (Letter #3 County of Rockland Sewer District No. 1, March 9, 2009): The statement “Sewer lines would be owned and maintained by Rockland County Sewer District” appears on pages 1-20 and 3.7-13. However, since the new sewer lines would be constructed on private property for the sole benefit of the property owner, **the District will not own or maintain them.**

- a. The sewer contractor will have to obtain a hookup permit from the District in order to connect to the District’s existing eight-inch (8”) sewer main in the right-of-way on Route 202, as described on page 3.7-13.
- b. In addition, the sewer contractor will have to obtain permits from the Town of Ramapo Department of Public Works and the appropriate agency in the Town of Haverstraw for construction of the new sewer lines.

Response 3.7-5: The above statement that was provided in the SEIS stating that the sewer lines would be owned and maintained by the Rockland County Sewer District is incorrect. The lines will be privately owned and maintained on the property. The proper permits will be obtained to hookup to the sewer main within the right-of-way on Route 202 before a certificate of occupancy will be issued. Permits will be also be obtained

from the Town of Ramapo and Town of Haverstraws' Departments of Public Works for the construction of the new sewer lines.

Comment 3-7-6 (Letter #3 County of Rockland Sewer District No. 1, March 9, 2009): The sanitary sewers from this development would connect to the District's sewer system.

- a. Upon review of this application, the District has determined that an impact fee is required, in accordance with the Rockland County Sewer Use Law as last amended in 2006. Impact fees enable the District to invest in future sanitary sewer improvement projects.
- b. Approval of this application for two hundred nineteen (219) dwelling units, a 1,500-square-foot pastry shop (Building C), a 4,000-square-foot bank (Building D), and two (2) restaurants (Buildings E and F) with a total of three hundred fifteen (315) seats in the Town of Ramapo will result in one hundred thirty-nine (139) additional "in District" sewer units. **Therefore, the applicant must submit a check in the amount of two hundred fifty-seven thousand one hundred fifty dollars (\$257,150.00) payable to Rockland County Sewer District No. 1 prior to performing any sewer work for this project.**
- c. We request that payment for the impact fee to the District be made a condition of granting a Certificate of Occupancy.
- d. We request that the Planning Board notify the District upon approval of the project.
- e. The impact fee is in addition to and independent of the reimbursement for the sewer extension in Comment 2.

Response 3.7-6: *The applicant is aware of the impact fee. According to an agreement between Rockland County and the Joint Regional Sewer Board, the impact fee will be paid to the Joint Regional Sewer Board for the entire property (including sewer usage in both the Town of Haverstraw and the Town of Ramapo).*

Comment 3.7-7 (Letter #3 County of Rockland Sewer District No. 1, March 9, 2009): Part of the above referenced development is located in the Town of Haverstraw and outside of Rockland County Sewer District No. 1 boundaries. Therefore, the developer must submit an application for the out-of-District sewer connections to the Executive Director of Rockland County Sewer District No. 1, which must be supplemented by any plans, specifications, insurance, indemnification, or other information considered pertinent in the judgment of the Executive Director. The application for the out-of-District connections includes:

- a. A resolution from the Haverstraw Joint Regional Sewerage Board (JRSB) approving the hookup of the sewers from the buildings in Haverstraw to the District's sewer system.
- b. A resolution from the District's Board of Commissioners approving the hookup of the sewers from the buildings in Haverstraw to the District's sewer system.
- c. An out-of-District connection fee of three thousand seven hundred dollars (\$3,700.00) per connected unit. For the proposed two (2) residential buildings in Haverstraw with a total floor area of 254,000 square feet, the out-of-district fee is two hundred thirty-six thousand eight hundred dollars (\$236,800.00).

- d. The area benefit fee for each lot, which commences on the date of the Board of Sewer Commissioners' approval of the project. Area benefit is calculated by an annual tax rate of one hundred dollars (\$100.00) of assessed value.
- e. For each lot, an executed copy of a covenant agreeing to abide by the rules, laws and regulations of the District and its Law, as it may be amended, including the payment of annual sewer use fees and annual area benefit fees. This covenant must be:
 - i. In recordable form, including all prior mortgages or other encumbrances,
 - ii. Accompanied by requisite fees for recording as set forth by the County Clerk,
 - iii. Accompanied by an up-to-date Title Report and paid policy of Title Insurance,
 - iv. Acknowledged by owner of the land, and
 - v. Accompanied by a complete site survey and property description.

Response 3.7-7: *Wastewater from the Haverstraw portion of the development will be treated by Rockland County Sewer District No. 1 facilities. The Applicant will also submit the application for the out-of-district sewer connections, and any/all requested documentation and will submit covenants with the detail required by (e) for each lot, and will obtain the approval resolutions referenced in (a) and (b). All applicable fees will be paid by the Applicant.*

Comment 3.7-8 (Letter #3 Rockland County Sewer District No. 1, March 9, 2009): The sanitary sewers in this development will connect to the District's Mount Ivy Interceptor, which flows into the Mount Ivy Pump Station. From the pump station, the Mount Ivy Force Main discharges into the JRSB collection system on Thiells-Mount Ivy Road. The design engineer must perform a flow and capacity analysis of the impact of this development on the District's interceptor, pump station and force main.

Response 3.7-8: *The applicant is prepared to pay for the upgrade in its entirety, including upgrade of the pump along with any other associated upgrade necessary to maintain a proper flow capacity.*

The project engineer will perform a flow and capacity analysis of the impact of this development on the District's interceptor, pump station and force main during the site plan approval process.

Comment 3.7-9 (Letter #3 Rockland County Sewer District No. 1, March 9, 2009): For each non-residential building, Rockland County Sewer District No. 1's "Commercial/Non-Residential Wastewater Questionnaire" must be submitted to and approved by this office before any sewage is discharged into the District's sewage system. **The developer, owner, or a project principal must sign the wastewater questionnaires.**

Response 3.7-9: *Comment noted. The applicant will comply with this requirement.*

Comment 3.7-10 (Letter #3 Rockland County Sewer District No. 1, March 9, 2009): Details for sanitary sewer construction must comply with the District's construction standards and should be shown on the plans.

Response 3.7-10: *Details for sanitary sewer construction will comply with the District's construction standards and will be shown on plans during the site plan approval process.*

Comment 3.7-11 (Town of Haverstraw Public Hearing March 4, 2009): MR. HEVNER: My name is Gary Hevner, H-E-V-N-E-R. I'm at 287 Quaker Road. I'm about three properties over. Couple of questions. I have a couple concerns.

I would note first, that it's interesting that elsewhere in the county, tonight the East Ramapo Central School Board is discussing closing what would be the closest elementary school. So any residential buildings put up in this site -- is the entire site in East Ramapo School District?

Response 3.7-11: *The entire residential portion of the Minisceongo Park development is within the East Ramapo School District.*

Comment 3.7-12 (Letter #5 Town of Ramapo Department of Public Works, March 2, 2009): If the sanitary sewers within the site are to be owned by the RCSD#1 an easement is needed. If not, there needs to be a transportation corporation set for the sewer system.

Response 3.7-12: *Comment noted. It is proposed that the sewer lines will be municipally owned. An easement will be created by the Applicant.*