

ROCKLAND COUNTY SEWER DISTRICT NO. 1

4 Route 340
Orangeburg, New York 10962
Phone: (845) 365-6111 Fax: (845) 365-6686
RCSD@co.rockland.ny.us

Michael Specht
Chairman

Michael R. Saber, P.E.
Executive Director

May 28, 2024

Ms. Allison Weinraub
Village Clerk-Treasurer
Village of New Hempstead
108 Old Schoolhouse Road
New City, NY 10956

Dear Ms. Weinraub:

Re: 870 Route 45
Old Schoolhouse Road & Route 45
Tax Lot 13/42.15-1-1 (10./8B2A)

Dear Ms. Weinraub:

Our office has received and reviewed a General Municipal Law (GML) review application that was last revised on April 2, 2024 for the above referenced project. We thank you for the opportunity to comment on this application. Our comments are as follows:

1. Rockland County Sewer District No. 1 does not object to the Board of Trustees of the Village of New Hempstead serving as lead agency for this review.
2. Pursuant to the Rockland County *Sewer Use Law* as last amended in 2010, please be advised of the following:
 - a. The zone changes proposed would result in sewer units above that in which development by right under the original zoning regulations would result. An impact fee will be required in accordance with Sections 502A and 1317 of the Rockland County *Sewer Use Law* as last amended in 2010.
 - b. If a land use approval [i.e., by the Village Board, Planning Board, or Zoning Board of Appeals (ZBA)] or building permit will result in additional sewer units because of the zone changes, the applicant will have to submit a check in the amount of one thousand eight hundred fifty dollars (\$1,850.00) per additional unit payable to Rockland County Sewer District No. 1 within thirty (30) days of approval.
 - c. If the use or occupancy of a property exceeds the number of units for which a project sponsor applied, or in which development by right under the original zoning regulations would result, the owner will have to pay an impact fee.

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- d. We request that payment of impact fees be made to the District before structures are connected to the sewerage system.
 - e. We request that the Village Board, Planning Board, ZBA or Building Department notify the District upon approval of applications that require payment of impact fees.
3. This project lies wholly or partly within Tax Lot 42.15-1-1 (formerly 10./8B2A), which the United States Environmental Protection Agency (EPA) has designated as an Environmentally Sensitive Area (ESA).
- a. Prior to connecting any building to sanitary sewers, the developer must obtain a waiver of the EPA's grant condition, which restricts sewer connections from ESA lots. Any sewer application for these parcels cannot be approved until the EPA and New York State Department of Environmental Conservation (DEC) approve the waivers.
 - b. An ESA waiver request must be submitted to this office **along with the correct number of plans and narratives** as indicated below. The District cannot forward an ESA waiver request to the EPA and DEC until **seven (7)** copies of the information outlined below are submitted to this office:
 - i. **PROJECT PLANS:** Please provide a detailed site plan of the existing and proposed topography, drainage, soils, etc., and other features of the site.
 - ii. **ESA BOUNDARY DELINEATION:** Please provide a precise delineation of the ESA boundary on the same scale as the aforementioned site plan. Also, provide a brief written report that delineates the boundaries of both the wetland and the 100-year flood plain boundaries.
 - iii. **EROSION AND SEDIMENTATION CONTROL (E&SC) PLANS:** Please provide a complete erosion and sediment control plan for the entire site to protect the ESA wetland and floodplain both during and after construction (include standard notes and details).
 - iv. **ESA CHARACTERIZATION AND EVALUATION:** Please describe the current wetland features of the ESA wetland areas on the site in terms of the following parameters: acreage, flora, fauna, wildlife habitat, soils, rock, flood control, and the surrounding setting. Please also evaluate the wetland values in accordance with the latest available U.S. Army Corps of Engineers Wetland Evaluation Manual. Also, please quantify the floodplain characteristics and evaluate the effects of your project on it.
 - v. **EFFECTS OF MODIFICATIONS:** Please explain how the proposed site disturbances would affect the site features and values discussed in response to Item 4 above.
 - vi. **ESA MITIGATION:** Please provide a detailed narrative discussion of your proposed mitigation plan in order to comply with the standards for waiver approval listed below. As necessary, the plan should include the creation of new wetland acreage of, at a minimum, equal size and value to that which would be lost.
 - vii. **STANDARDS FOR WAIVER APPROVAL:** The standards applied by the EPA and DEC for ESA Waiver Approval are similar to the DEC standards for a Freshwater Wetland Permit. There will be a sufficient demonstration of:

- (1) no net loss of wetland acreage or wetland values;
 - (2) no reasonable non-wetland alternate locations existing on the site for this development;
 - (3) minimization of loss of wetland and wetland values;
 - (4) mitigation of any loss of wetland acreage or wetland values;
 - (5) no appreciable increase in turbidity or sedimentation in the wetland or any watercourses above background levels; and
 - (6) no net increase in downstream flooding during storm events.
- c. The *Procedural Rules for Working on Rockland County Sewer District No. 1 Sewers* impose a fee of two hundred dollars (\$200.00) to process an application for an ESA waiver.
- d. Once the above requirements have been met, our office will forward the required information to the EPA and DEC. It should be noted that six (6) of the seven (7) sets as requested above are required for EPA and DEC purposes.
4. Details for sanitary sewer construction must comply with the District's construction standards and should be shown on the plans.
5. Details for the sanitary sewer connections are subject to approval by the Town of Ramapo.

Please inform us of all developments in this project. If you have any questions, please contact this office at 845-365-6111.

Very truly yours,



Lorelei Greene Tinston
Engineer II

Attachment

cc: M. Saber M. Dolphin D. Gregory
Michael Kezner – Rockland County Department of Planning
Elizabeth Mello, P.E. – Rockland County Department of Health
Christopher Kear – Rockland County Department of Fire & Emergency Services
Shajan Thottakara, P.E. – Rockland County Drainage Agency
Favish Langsam – 4 Ribier Court, Monsey, NY 10952

File: TOR 42.15-1-1 – Denton Acres Subdivision
ESA
Reader

ROCKLAND COUNTY SEWER DISTRICT NO. 1
ENVIRONMENTALLY SENSITIVE AREAS (ESA)

WAIVER REQUEST

Town Of: _____

Tax/Lot/Block No.: _____

Owners' Name: _____

Telephone No.: _____

Owner's Address: _____

EXISTING CONDITIONS

Lot Size (in acres): _____

Approximate Area of ESA (in acres) _____

Approximate Area of ESA which is (in acres)

A. Floodplain _____ B. Wetland _____

Structure(s) on property _____

Structure(s) connected to Sewers _____

THE WAIVER REQUESTED IS BASED ON THE FOLLOWING:

(Please Check if Applicable and attach all Pertinent Details in QUADRUPPLICATE)

1. The Infrastructure is already in place which is intended to service undeveloped lots:

Roads Water Mains Gas Mains Electrical Service Sewers Other

2. Area of Vacant Parcel(s) is less then or Equal to 1.5 Hectares (3.7 ± Acres)

3. Vacant Parcel(s) are totally surrounded by developed parcels

4. Vacant Parcel(s) are totally surrounded by developed parcels

5. Location within the Floodplain (e.g. areas at lower elevations are more susceptible to flood losses)

6. Other (Please list):

SIGNATURE (OWNER) DATE

Village of DATE

Approved

Approved Subject to

Disapproved

Town of DATE

Approved

Approved Subject to

Disapproved

Rockland County Sewer District No 1 DATE

Approved

Approved Subject to

Disapproved

N.Y.S. Department of Environmental Conservation DATE

Approved

Approved Subject to

Disapproved

U.S. Environmental Protection Agency DATE

Approved

Approved Subject to

Disapproved