

**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. Lindsey Mascia  
Village Clerk-Treasurer  
Village of New Hempstead  
108 Old Schoolhouse Road  
New City, NY 10956

Dear Ms. Mascia:

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

Our office has received and reviewed a site plan that was last revised on September 25, 2023, which Brooker Engineering PLLC prepared for the above referenced project. We thank you for the opportunity to comment on this application. Our comments are as follows:

1. The sanitary sewer from this project would connect to the District's sewer system.
  - a. Approval of the application for the construction of an 10,000 square foot office building on a 369,305 square foot lot in the NCD District will not result in additional sewer units. **If the use or occupancy of the property exceeds fifty-two (52) units (e.g., with increased occupancy or additions), the District will require further review and the owner may have to pay an additional impact fee.**
  - b. We request that the Board notify the District upon approval of the project.
2. Rockland County Sewer District No. 1's "Commercial/Non-residential Wastewater Questionnaire" and the County Planning Information Certification must be submitted at <https://www.rocklandcountyny.gov/departments/sewer-district-1/permits-forms> and approved by this office. **The owner must sign the wastewater questionnaire.**
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.

**Rocklandgov.com**

- 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 as shown on the plans comply with the District's construction standards.
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 I

Attachment

cc: M. Saber                      M. Dolphin                      D. Gregory  
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  
Brian A Brooker, P.E. – Brooker Engineering PLLC, 74 Lafayette Avenue, Suite 501,  
Suffern, NY 10901-5565  
Favish Langsam – 21 North Madison Avenue, Spring Valley, NY 10977

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 QUADRUPLICATE)

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

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Town of DATE

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Approved

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Approved Subject to

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Disapproved

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Rockland County Sewer District No 1 DATE

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Approved

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Approved Subject to

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Disapproved

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N.Y.S. Department of Environmental Conservation DATE

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Approved

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Approved Subject to

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Disapproved

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U.S. Environmental Protection Agency DATE

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Approved

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Approved Subject to

\_\_\_\_\_  
Disapproved