

P.B.
file

TOWN of NEW HARTFORD

ONEIDA COUNTY

ENGINEERING DEPARTMENT

111 NEW HARTFORD STREET, NEW HARTFORD, NEW YORK 13413

PHONE: (315) 724-4414

TOWN ENGINEER
Roger A. Cleveland

January 16, 1997

Mr. John Sandwick, Jr.
% NYSDEC, Region 6
207 Genesee Street
Utica, NY 13501-2885

RE: Applewood Mobile Home
Community Phase II,
Contracts 2 - 6

Dear Mr. Sandwick;

Following up on our recent conversation and in response to your November 27, 1996 and January 3, 1997 correspondence, we respond as follows:

I.

A.

2. The Town concurs that no additional phases are to be processed until arrangements for rerouting the sewer are complete. In this regard, we anticipate the execution of a permanent easement to house a new sewer connection Sewer 8 on the south side of Route 5 to the Town owned 12" diameter line in the Cherrywood Community.

The Agreement to reroute the sewer flows has been drafted and we anticipate execution of same within the next couple of weeks. Once the Agreement is executed between the Town and the applicant, installation of improvements will become a function of plan submittal/approval by your office, with construction anticipated to follow immediately. Additionally, notification will be provided to your office as regards commencement and completion of construction.



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I.

A.

14. The Town has met with the applicant and understands the approach and the financial constraints associated with developing additional phases of this project. The approach of delaying the installation of permanent stormwater facilities until commencing the 2nd of 5 remaining phased contracts provides benefits for both the applicant and the Town. The applicant can move forward with his project, obtaining a financial return on the next contract (Phase II, Contract 2), which will assist in financing permanent stormwater facilities mandated to be installed concurrent with opening of Phase II, Contract 3. Permanent stormwater facilities will then be in place for the following Contracts 4 and 5 and the last Contract, No. 6.

The Town supports this approach. Installation of permanent stormwater facilities will be a condition of Contract 2-6 approval by the Planning Board; to commence construction of each successive Contract will require written authorization by the Town. The Town could also consider requiring fiscal surety in the event of owner bankruptcy along with a stated outside time frame for the permanent installation if Contract 3 were not to proceed in a timely fashion. Again, we believe this arrangement can be beneficial for both the Town and the applicant; the Town will view the schedule of improvements as a requirement of final approval of the remaining contracts with enforcement as noted above. As this project is Planned Development, the Planning Board has absolute control over approvals and conditions.

I.

A.

18. We hereby certify that the design conforms to Town of New Hartford standards.

I.

B.

23. Again, to follow up our conversation with yourself and John Pronko on December 2, 1996, the writer has met with Commissioner Devan of Oneida County Water Pollution Control and with he and Whitestown Town Supervisor Barry and Paris Town Supervisor Fadel to discuss a collective effort between the represented Towns and the County to address the issue of excess I/I. Out of this second meeting came a commitment by the

Commissioner to correspond with your office (correspondence enclosed) on the substance of these meetings and to identify some initial steps that the County Sewer District and its member communities could take to begin addressing this issue.

Specifically, as pertains to the Town of New Hartford, monies have been budgeted for fiscal year 1997 to commence investigation and remediation efforts on our own. An additional commitment of \$10,000. has been made by the private sector to assist the Town in this matter. We look forward to the spring of '97 to begin.

II

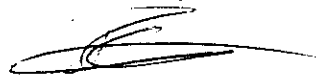
1. Please find enclosed a certification letter for Phase II - Contract 1. Certifications for Phase I have previously been forwarded under separate cover by Donald D. Ehre, P.E. on December 20, 1996.

To be provided by the developers engineer.

2. To be provided by developers engineer.
3. Understood
4. Responded to by developers engineer.

Thank you for your attention to this matter. If you have any questions, please feel free to call me at 724-4414.

Sincerely,



Roger A. Cleveland
Town Engineer

Enc. Commissioner Letter
Certification OCWPC letter

RAC/mmk

cc: Planning Board
File
John Barkett
Donald D. Ehre, P.E.