

APPENDIX B

Additional Water Supply Information

Residential Well Mitigation Program
Raleigh and Heiden Properties
Fallsburg, NY

Background

The Raleigh and Heiden Properties project consists of the development of 236 single and duplex homes and maintains the Raleigh Hotel. The hotel and 55 of the single family and duplex units will be serviced by the existing town water district. However, 181 single family and duplex units will be served by an on site public water system. This system will consist of five bedrock wells providing water for storage and distribution to these homes.

In conducting NYS Department of Health well yield tests it was discovered that one of two area wells had been impacted. The two residential wells monitored were both in the Fallsburg Fishing and Boating Club community on Pleasure Lake, north of the well field. While the impact to the well was not considered significant, it was determined by the Fallsburg Planning Board that a mechanism should be put in place in the event there were significant impacts on other area residential wells as the project is developed. This Residential Well Mitigation Program was developed to provide for mitigation of residential well impacts in the future, if necessary.

Administration

The administration of the Residential Well Mitigation Program will be provided by the Code Enforcement office of the Town of Fallsburg. All inquiries will be directed to the Code Enforcement Officer who will investigate, or cause to be investigated, any alleged residential well impact resulting from operation of the Raleigh and Heiden Properties public water supply system.

Escrow Account

An renewable escrow account will be established and funded by the applicant, in the amount of \$15,000. This escrow account will be initially funded by the applicant. As units are sold and members are added to the association new members will contribute based on a percentage of ownership interest.

Any homeowner in the Pleasure Lake Homeowners Association, or within 1,000 feet of any operational Raleigh and Heiden Properties well(s), will be covered by the Residential Well Mitigation Program. The applicant will notify potential participants prior to the issuance of the first building permit and will subsequently prepare a database of off-site, private wells with basic well information provided by homeowners. This information will include the driller's name and address, date the well was drilled, type of well (bedrock or sand and gravel), depth of the well, standing water level, yield, pump size and any work done on the well since being drilled. Once the initial database has been formed, the Code Enforcement office will maintain it.

Well Impact Claims

Any participating well owner who believes he/she is experiencing a loss of water supply or other problems believed to be related to operation of the Raleigh and Heiden Property water supply system should contact the Town Code Enforcement office. The Code

Enforcement office will take site specific information and, if necessary, schedule an investigation by the Town's hydrogeologic consultant. If a well owner needs interim drinking water, bottled water will be provided by the applicant during the investigation and any required remedial action if necessary. Costs for the Town's consulting hydrogeologist to investigate well impairment claims will be paid from the renewable escrow account.

Investigation of a well-supply problem will involve reviewing the well construction information on file with the Town and the current well condition. A determination of whether any well impacts were caused by operation of the Raleigh and Heiden Properties wells will be made by the Town's consultant, who would then recommend appropriate remedial action if necessary. Remedial actions, if required, may include one or more of the following:

1. lowering a pump to a deeper level;
2. replacing a shallow-well pump with a submersible pump;
3. replacing a shallow-lift submersible pump with one of adequate supply capacity;
4. conducting airlift well development to clean a well that produces colored or sediment-laden water;
5. hydrofracturing a well;
6. deepening a well; or
7. drilling a replacement well.

The Raleigh and Heiden Properties developer and/or homeowner association will not be responsible for correcting pre-existing conditions; conditions caused by an increase in water consumption by the homeowner; conditions resulting from equipment failure; or any condition not directly related to operation of the Raleigh and Heiden Properties community water supply wells. The applicant would prefer that no remedial action be taken by a well owner until an investigation is completed, but no well owner is restricted from taking such action at his own risk.

If it is determined that a well problem is unrelated to the use of the wells at the Raleigh and Heiden Properties development, the well owner will be advised to contact a competent well or pump contractor at their own cost.

The time-period for making well impairment claims against the Raleigh and Heiden Properties will be up to one year following the full build-out of the project.