

**MAINTENANCE PLAN FOR STORMWATER FACILITIES
For 94 Somerstown Road Subdivision**

Prepared by ALP Engineering & Landscape Architecture, PLLC
June 30, 2025 (updated)

Introduction:

The maintenance of the stormwater management practices shall be performed as follows.

Table 1. Maintenance Responsibilities for Stormwater Management and Erosion Control

Maintenance Item	Entity Responsible for Maintenance Following Construction and Sale of Lots
Rain Garden on Lot 1	Lot 1 Homeowner
Rain Garden on Lot 2	Lot 2 Homeowner
Rain Garden on Lot 3	Lot 3 Homeowner
Stormwater Detention Basin	All three homeowners as per Stormwater Management Facility Maintenance and Access Agreement.
Stormwater drainage piping and catch basins located within the common driveway easement	All three homeowners as per Stormwater Management Facility Maintenance and Access Agreement.
Erosion in the area within the common driveway easement	All three homeowners as per Stormwater Control Facility Maintenance and Access Agreement.
Erosion on the individual lots	Individual homeowner on his or her lot.

For the first two years following construction, Jennifer and Pascal Smith Couti, and following the two year period, subsequent owner or owners of the property, shall provide for the periodic inspection of the Stormwater Management Facilities to determine the condition and integrity of said measures.

Such inspections shall be conducted by a professional engineer who is duly licensed by the State of New York. These inspections shall be conducted at no less than once every five (5) years. The inspecting engineer shall prepare and submit a written report to the appropriate lot owner and to the Town's Stormwater Management Officer ("SMO") within 30 days following the completion of the inspection.

The Engineer shall prepare and submit a written report to the Town's Stormwater Management Officer ("SMO") within 30 days following the completion of the inspection. Any such report of the findings shall include, if appropriate, recommendations for maintenance, repair and/or

replacement of the Stormwater Management Facilities in order to ensure the continuing effectiveness of the Facilities.

No lot Owner shall authorize, undertake or permit alteration, abandonment, modification or discontinuation of the use of the Stormwater Management Facilities except in accordance with written approval of the Planning Board of the Town, which approval shall not be unreasonably withheld.

Any lot Owner shall undertake on his lot any necessary repairs and replacement of the Stormwater Management Facilities (i.e., the rain gardens) at the reasonable direction of the Town or in accordance with the recommendations of the inspecting engineer. In the event that the SMO determines that a lot owner has failed to construct or maintain the Stormwater Management Facilities located on his lot in accordance with the SWPPP or has failed to undertake corrective action specified by the Town or by the engineer pursuant to this Paragraph, the SMO shall notify such lot owner to perform or cause to be performed any such maintenance or corrective action. Any such notice shall be sent to such lot owner by certified mail, return receipt requested, to the address for such lot owner maintained by the Tax Assessor's Office for the Town. Any such lot owner shall have thirty-five (35) days from the mailing of such notice to (a) complete or timely commence such corrective action; or (b) appeal any such determination of the SMO to the Town Board. The decision of the Town Board may be appealed pursuant to the provisions of Article 78 of the New York State Civil Practice Law and Rules.