

GREENS AT CHESTER - CONSTRUCTION GAME PLAN

TOWN TO CONFIRM THAT NO ADDITIONAL PLANNING BOARD APPROVAL IS REQUIRED.

BUILDING PERMITS

20 building permits will be issued simultaneously with the Court's approval of the Consent Decree. The permit application documents shall constitute approved examples of compliant submissions and approved plans. Henceforth, applications shall consist of the following:

- **Building Permit Application Form** (Signed & Notarized by Developer)
- **Building Plan** (Signed & Stamped by Architect – 2 Hard Copies)
- **Plat Plan** (Signed & Stamped by Engineer – 2 Hard Copies)
- **Liability Insurance Certificate** (Amount to be confirmed by the BD)
- **Workman's Comp Certificate** (Amount to be confirmed by the BD)
- **Permit Fee.** As set forth in the Consent Decree to which this Construction Game Plan is annexed.
- **Driveway Permit** (Not required)

INSPECTIONS

Scope and schedule and related communications to follow Building Department proposal.

CERTIFICATE OF OCCUPANCY

A certificate of occupancy shall be granted for any house constructed in accordance with the building plans that has water, sewer, electric and gas service as well as road access for sanitation and emergency vehicles. No common area requirement or other circumstance or dispute with the Town shall hold up inspections or the issuance of a certificate of occupancy. The following steps are involved in obtaining a certificate of occupancy:

- **Application Form** (Not required)
- **Fee** (Not required; covered under original permit fee)
- **Affidavit of Final Cost of Construction** (If necessary)
- **As-Built Survey of Building Lot** (Signed & Stamped by Surveyor)
- **Final Electrical Inspection** (Greens to provide certification prepared by NYS licensed inspector)
- **Final Building Inspection** (To be done by building inspector upon request of Greens)
- **Acceptance of Sewer and Water Connection** (Town Engineer inspector to be done upon request of Greens at Chester LLC ("Plaintiff" or "Greens"))
- **Water Meter certificate** (To be issued by the Town Water Department; Town standard model to be utilized)
- **Driveway Certificate** (Not required)
- **Septic Certificate** (Not required)
- **911 Address** (already accepted by the Highway Department for all 431 lots and community center)
- **Electric & Gas** (O&R to Connect service and activate meters)

INFRASTRUCTURE

The Town acknowledges that inspected work to date has been performed in an acceptable manner fully compliant with all applicable standards and code provisions and SEQRA Findings and the subdivision plan, and no stricter standards shall apply to subsequent work. The Town acknowledges that the work to date has included on-site modifications to the approved subdivision plan, often mandated by the Town, including without limitation the relocation of manholes, drainage lines, sections of road, water lines, and sewer lines, as well as changes to the road subgrade material, curb elevations, road crown measurements, etc. None of these changes constitutes a violation of the subdivision plan, and the Town will not deny reasonable change requests by Greens to final grade or locations.

- **Performance Bond** (Appended cost estimates, phasing, and surety bond instruments are approved by Town for all infrastructure. The bond may be rolled over from phase to phase.)
- **Reduction of bond amounts** (Project Engineer to request from Town Engineer any reductions based on work performed or the rollover of the bond from phase to phase. Town Engineer to approve reductions or rollover upon request. If town board approval required, it shall be given at next town board meeting after TE recommendation)
- **Maintenance Bond** (To be tendered in cash in the amount of 10% of cost of public infrastructure consisting of the right of way, sewer, and water. To be released after one year. Before drawing down on the bond, the Town will notify Greens of any necessary repairs and give Greens the opportunity to perform the repairs.)
- **Retaining Walls** (Greens may build retaining walls in right of way to be approved by BI and TE in accordance with regular standards for retaining walls and regular procedures. Issuance of retaining wall building permits shall not be unreasonably withheld upon submission of applications on an as needed basis.)
- **Stormwater Treatment Modifications** (To be based on PE working with TE making best efforts to allow for expeditious execution.)

WATER SYSTEM

Greens will submit a separate Water Game Plan with details on when and how testing will occur. – The status of the water system shall have no bearing upon issuance of building permits.

- **Town Well Testing Permit** (To be issued in conjunction with the approval of the Consent Decree)
- **Road Opening Permits for waterline crossings, if necessary** (Greens to contact Highway Department and obtain telephone or email authorization)
- **OCHD amended water main extension approval, if necessary** (Need to get from the County)
- **Acceptance of Greens at Chester water system** (Upon project completion, Town Board to accept Greens Water System)
- **Water District Formation** (Town Board-Upon Petition, Map, Plan and Report submitted by Greens pursuant to Town Law Article 12)
- **Water Treatment Plant (Building)** Approved by Town Engineer and Building Inspector prior to settlement. No objections to reasonable modifications based upon DEC or Health Department requirements)

SEWER SYSTEM

Town to reaffirm guaranty for entire project in 2010 Settlement Agreement.

- **Pump station & force main modifications** (Town of Chester to approve and support dealings with Moodna sewer basin)
- **Flow monitoring measures** (Town and Moodna to approve flow meter, and DEC to affirm)
- **Sewer Collection System** (The work to date has been found acceptable by TE and PE)
- **Acceptance of sewer system offer of dedication** (Formal offer of dedication, transfer from transportation corporation to Town. Town Board shall accept upon final certification from TE and PE)

ROADS

- **Road work permit from Chester for Conklington Rd re-alignment** (Town to secure approval from DOT and from Army Corps of Engineers for wetlands if they elect to have Greens perform this work. Otherwise there is no obligation on the part of Greens with respect to the Conklington Rd. realignment.)
- **Road work permit from Chester for Conklington Rd re-surfacing** (Bond already posted. No denial of any building permits based on performance of resurfacing or. Once complete, Town to return \$50K bond.)
- **Road work permit from Chester to construct widening and turn lane in West Avenue** (Bond already posted. No denial of any building permits based on performance of this condition. Once complete, Town to return \$50K bond.)
- **NYSDOT permit for crossing under Rt. 94** (For directional drilling under road. Nothing needed from Town.)
- **Acceptance of Chester Greens Road** (Town Board to approve standard dedication documents after consulting with Highway Department and Town Engineer. Greens will utilize sample standardized dedication documents to be provided by Town Attorney for other Town subdivisions.)

LANDSCAPING

- **Right of Way & Common Areas** (Town engineer to approve reasonable changes and deviations from landscaping design in subdivision plan.)
- **House Lots** (Plat plans submitted with building permit applications to include landscaping area. Assuming minimum surface coverage is met, Greens to have flexibility to customize landscaping plans for customers.)
- **Acceptance of Landscaping** (Building Inspector to approve pursuant to typical details shown on final map plans, with flexibility for comparable plantings and landscaping)

RECREATION AREA

Town, via TE and BI, to approve modified site plan for Recreation area, Community Center, Parking Lot, play area, Swimming Facility, and all other changes specified on the plans.

- **Community Center Plans** (Previously approved by Town Engineer and Building Inspector on behalf of Town and building permit issued)
- **Swimming Facility** (OCHD Approval. Separate OCHD certification of construction completion)
- **Play area** (Permits as needed)

HOMEOWNERS' ASSOCIATION (HOA)

The Homeowners Association offering plan is designed to welcome persons of all backgrounds and faiths and to accommodate the civic, religious, and social practices of the residents. The HOA will be independent of Greens, and no issues the Town may have with the HOA shall have any bearing on its conduct toward Greens.