

NOTICE OF ADOPTION OF ORDER CALLING A PUBLIC HEARING
ON THE ESTABLISHMENT OF WATER DISTRICT NO. 4 IN THE
TOWN OF CHAUTAUQUA

PLEASE TAKE NOTICE that the Town Board of the Town of Chautauqua, Chautauqua County, New York on the 8th day of February, 2021, duly adopted the Order published herewith calling a Public Hearing.

Dated: February 19,2021
Mayville, NY

Rebecca L. Luba
Town Clerk

In The Matter Of The Establishment of Water District No. 4 in the Town of Chautauqua, Chautauqua County, New York	ORDER CALLING PUBLIC HEARING
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WHEREAS, the Town Board of the Town of Chautauqua is now considering the acceptance and dedication of certain water delivery improvements within a new water district that would be known as Town of Chautauqua Water District No. 4 (Mandolin Ridge Water District) in the Town of Chautauqua (hereinafter, the “Water District No. 4” or simply, the “District”); and WHEREAS, the improvements are to be located within a new residential housing subdivision known as the Mandolin Ridge Subdivision and to include some nearby commercial lots located at the intersection of Chautauqua-Stedman Road and Route 394, and all of the land the proposed would encompass is currently owned by the developer H&H Chautauqua Development, LLC, and

WHEREAS, the Town Board has duly caused to be prepared a map showing the boundaries of the proposed Water District, a general plan to serve said District, and a report of the proposed method of operation thereof; and

WHEREAS, said map, plan and report were prepared by EcoStrategies Engineering & Surveying, PLLC, competent engineers duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof, including estimate of cost; and

WHEREAS, the boundaries of said District shall be as described in Exhibit A attached hereto and hereby incorporated herein; and

WHEREAS, the improvements proposed for said District consist of the installation of approximately 4,147 linear feet of 8” water main, including original furnishings, equipment, machinery, apparatus, valves, hydrants, appurtenances, and incidental improvements and expenses in connection therewith, all as more fully described in the map, plan and report hereinbefore described; and

WHEREAS, the maximum estimated cost of said improvements is indeterminate at the time of the formation of the District but shall be borne entirely by the developer and completed before the improvements are delivered to the Town, and

WHEREAS, the estimated cost of hook-up fees to the typical property in said District is \$1,000.00 and \$1,000.00 to a one- or two-family home therein, and

WHEREAS, the estimated cost of said District to the typical property therein is \$600.00 in the first year in which operation, maintenance, debt service and other charges and any other expenses are to be paid and \$600.00 to a one or two family home, which includes usage fee of approximately \$405.50 and a \$191.00 annual meter charge; and

WHEREAS, a detailed explanation of the manner by which said estimated costs of hook-up fees and first-year costs to the typical property were computed has been filed in the office of the Town Clerk at 2 Academy Street in Mayville, New York where the same are available during regular office hours for examination by any person interested in the subject matter thereof; and WHEREAS, said capital project for said District and the establishment thereof has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined will not result in any significant environmental effects and a Short Environmental Assessment Form is available on file in the office of the Town Clerk where it may be inspected during normal office hours; and

WHEREAS, it is now desired to call a public hearing upon the question of the establishment of said District and the improvements proposed therefor, all pursuant to Section 209-d of the Town Law; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Chautauqua, Chautauqua County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Chautauqua, Chautauqua County, New York, shall be held at the Chautauqua Community Building, 2 Academy Street, in Mayville, New York, in said Town, on the 8th day of March, 2021, at 7:15 o'clock P.M., Prevailing Time, for the purpose of holding a public hearing to consider the increase and improvement of the Water District in said Town as described in the preambles hereof, to be known as to the Water District No. 4, and the improvements proposed therefor, and to consider the map, plan and report filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises.

Section 2. It is hereby determined that all expenses of the Water District No. 4, including all Districts heretofore or hereafter established, shall be a charge against the entire area of said Water District No. 4, as extended, including said District hereinbefore described.

Section 3. The Town Clerk is hereby authorized and directed to cause a copy of this order to be published once in the Jamestown Post-Journal, the official newspaper of said Town, the first publication thereof to be not less than ten nor more than twenty days before the day set herein for the hearing as aforesaid, and said Town Clerk shall also cause a copy thereof to be posted on the sign-board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law not less than ten nor more than twenty days before the day set for the hearing as aforesaid.

Section 4. This Order shall take effect immediately.

Exhibit A

Boundaries of Proposed
Water District No. 4 in the
Town of Chautauqua, Chautauqua County, New York

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Chautauqua, County of Chautauqua, State of New York, being part of Lot 29, Town 3, Range 13 of the Holland Land Company's Survey (H.L.C.S.) and being further bounded and described as follows:

BEGINNING at a found stone monument at the southwest corner of said H.L.C.S. Lot 29;

THENCE N 00°40'22" E, along the westerly line of said H.L.C.S. Lot 29, a distance of 1,214.59 feet to a found iron stake at the southwesterly corner of lands heretofore deeded to Terry by Prendergast as described in a deed dated December 30, 1912 and recorded in the Chautauqua County Clerk's Office in Liber 388 of Deeds at Page 107;

THENCE N 74°35'15" E, along said lands conveyed to Terry, a distance of 1,900.80 feet to a point on the centerline of New York State Route No. 394 (a.k.a. West Lake Road) and passing through a found iron stake 38.23 feet distant southwesterly as measured along the last described line from said centerline;

THENCE S 26°47'13" E, along the centerline tangent of said New York State Route No. 394, as extended southeasterly, a distance of 133.75 feet to a point on the centerline of the Chautauqua-Stedman Road (a.k.a. County Route No. 33);

THENCE S 05°30'00" W, along said centerline of the Chautauqua-Stedman Road, a distance of 717.66 feet to a point at the northeasterly corner of lands conveyed by Muchell Gibbs Vahl and Patricia Kay Gibbs Wellejus to Mazza Chautauqua Cellars, Inc. as described in a deed dated July 7, 2004 and recorded in said Clerk's Office in Liber 2549 of Deeds at Page 500;

THENCE S 05°30'00" W, continuing along said centerline of the Chautauqua-Stedman Road, a distance of 350.00 feet to a point at the northeasterly corner of lands conveyed by Muchell Gibbs Vahl, Patricia Gibbs Wellejus, and Thomas Erlyn Gibbs to Thomas Erlyn Gibbs as described in a deed dated December 4, 1998 and recorded in said Clerk's Office on December 29, 1998 in Liber 2404 of Deeds at Page 280;

THENCE N 89°40'30" W, along the northerly line of said lands conveyed to Thomas Erlyn Gibbs, a distance of 30.06 feet to a found rebar with cap;

THENCE continuing N 89°40'30" W, along said northerly line, a distance of 494.94 feet to a found rebar and cap at the northwesterly corner of said Gibbs property; THENCE S 05°30'00" W, along the westerly line of said Gibbs property, a distance of 550.00 feet to a point on the southerly line of said H.L.C.S. Lot 29 and passing through a found rebar 0.2 feet distant northerly, as measured along the last described line, from said H.L.C.S. lot line;

THENCE N 89°40'30" W, along said southerly line of H.L.C.S. Lot 29, a distance of 1,226.97 feet to the point and place of beginning, containing 54.98 acres of land to be the same more or less.

BEING and intending to describe those lands conveyed by The White Carrot Gardens, LLC to H&H Chautauqua Development, LLC by deed dated May 21, 2019 and recorded in the Chautauqua County Clerk's Office on June 4, 2019 as Instrument Number DE2019003603 and those lands conveyed by Chautauqua Inns, Ltd. To H&H Chautauqua Development, LLC by deed dated May 22, 2019 and recorded in the Chautauqua County Clerk's Office on June 5, 2019 as Instrument Number DE2019003607.