

TOWN OF SOMERS
COUNTY OF WESTCHESTER: STATE OF NEW YORK

-----X

In the Matter of the Application of

THE TOWN OF SOMERS

PETITION

For the Extension of the
Peekskill Hollow Sewer District
to Include the Boundaries of the
Crossroads at Baldwin Place Extension
Area of Somers Sewer District No. 1

-----X

TO: THE BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER

The Petition of Rick Morrissey, as Supervisor of the Town of Somers, respectfully shows and demonstrates to the Board of Legislators of the County of Westchester:

1. That the Town of Somers is a municipal corporation duly organized and existing under the laws of the State of New York and is located in the County of Westchester, State of New York.
2. That the Town of Somers currently operates Sewer District No. 1 in the Town of Somers.
3. That a Petition, Map and Plan have been prepared by Kearney Realty and Development Group, Inc. (KRD) and others dated July 19, 2016, for the extension of the Somers Sewer District No. 1 of the Town of Somers and duly presented to this Town Board: and a duly conducted public hearing on said extension was held on August 4, 2016, at which time the public hearing was closed and the Town Board of the Town of Somers at that time duly adopted a resolution to extend the Somers Sewer District No. 1 to include the boundaries of the Crossroads at Baldwin Place extension area as set forth in its petition.

4. The SSD1 Expansion Area includes the KRD Project Property, which such property consists of approximately 10.54 acres which is proposed to be developed in accordance with plans submitted to the Planning Board of the Town of Somers which such plans contemplate the development of the KRD Project Property for a mixed commercial and residential use development with associated site appurtenances, consisting of 12,000 square feet of retail/professional service, 12,000 square feet of professional office, 52 senior affordable dwelling units, 10 non-age restricted affordable units (6 units at 60% of Westchester County AMI and 4 units at 90% of Westchester County AMI) and 2 market rate units. With the exception of one other parcel which is vacant and for which development plans are unknown, properties in the SSD1 Expansion are currently developed with existing uses.

5. That the Planning Board of the Town of Somers as Lead Agency under SEQRA adopted a Negative Declaration on June 22, 2016, having conducted a complete environmental review under SEQRA. The County of Westchester was an Involved Agency in this coordinated environmental review.

6. That the Town of Somers, therefore, deems it in the public interest that the Somers Crossroads at Baldwin Place extension area be connected to and serviced by the Peekskill Hollow Sewer District owned and operated by the County of Westchester.

7. That appropriate maps, property descriptions and plans have been prepared and submitted to the Town of Somers in connection with the petition of Kearney Realty and Development Group, Inc. and others, all of which are attached hereto as **Exhibit A** and incorporated herein.

8. The resolution of the Town Board of the Town of Somers to extend the Somers Sewer District No. 1 to include the Crossroads at Baldwin Place Extension Area dated August 4, 2016, is attached as **Exhibit B** hereto.

9. That the extension and enlargement of the Peekskill Hollow Sewer District, as proposed, is co-terminus with the boundaries of the Somers Crossroads at Baldwin Place Extension Area of Somers Sewer District No. 1.

10. That the establishment of the Somers Crossroads at Baldwin Place Extension Area of Somers Sewer District No. 1 will not result in any costs or expenses to the Town of Somers since it is proposed that all improvements to be designed, installed and constructed to service said extension area will be privately funded.

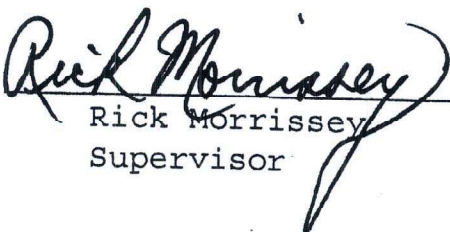
11. That a feasibility analysis has been performed which indicates that there is adequate capacity contained in the Peekskill Hollow Sewer District to service the Somers Crossroads at Baldwin Place Extension Area as currently proposed for development.

12. That on August 4, 2016, the Town Board of the Town of Somers adopted a resolution to petition the Board of Legislators of the County of Westchester to consider the extension and enlargement of the Peekskill Hollow Sewer District as set forth above pursuant to Article 5-A of the County Law. A copy of this resolution is attached as **Exhibit C** hereto.

WHEREFORE, the Town Board of the Town of Somers hereby petitions the County of Westchester for the enlargement and extension of the Peekskill Hollow Sewer District to encompass and include the Somers Crossroads at Baldwin Place Extension Area of Somers Sewer District No. 1 as established by the Town Board of the Town of Somers.

Dated: Somers, New York
August 22, 2016

TOWN OF SOMERS

By: 
Rick Morrissey
Supervisor

STATE OF NEW YORK)
) SS.:
COUNTY OF WESTCHESTER)

On the 22 day of August in the year 2016, before me, the undersigned personally appeared RICK MORRISSEY, Supervisor of the Town of Somers, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

PATRICIA KALBA
Notary Public, State of New York
No. 01KA6080158
Qualified in Westchester County
My Commission Expires Sept. 9, 2018

EXHIBIT "A"

Kearney - 11/20/16
3-0
2 ABSENT

TOWN BOARD OF THE TOWN OF SOMERS
COUNTY OF WESTCHESTER

In the Matter of

THE KEARNEY REALTY & DEVELOPMENT GROUP, INC., et al

Petitioners

Verified Petition

For an extension of the Somers Sewer District #1

TO THE SUPERVISOR AND MEMBERS OF THE TOWN BOARD OF THE TOWN OF SOMERS:

The Kearney Realty & Development Group Inc. (hereinafter "KRD") and the owners of the real property referenced below whose verifications are attached hereto and whose properties are identified below by the nomenclature "Petitioner" appearing opposite the identification of the properties owned by them (hereinafter collectively referred to as "Petitioners"), hereby petition the Town Board as follows:

1. Petitioners seek an extension of the Somers Sewer District #1 (hereinafter "SSD1") to enable the properties referenced below to be serviced with municipal sewer service.

The taxable real properties proposed to be included within such extension include properties situate in the Town of Somers, County of Westchester and State of New York, which such properties are identified on the Town Assessment Map as:

- | | | | |
|------|------------------------------|------------------|------------|
| i. | Tax Parcel Number 4.20-1-3.1 | 57 US Route 6 | Petitioner |
| ii. | Tax Parcel Number 4.19-2-20 | 250 Mahopac Ave. | Petitioner |
| iii. | Tax Parcel Number 4.19-2-19 | 51 US Route 6 | |
| iv. | Tax Parcel Number 4.20-1-1 | 55 US Route 6 | |
| v. | Tax Parcel Number 4.20-1-5 | 63 US Route 6 | Petitioner |

vi. Tax Parcel Number 4.20-1-6	71 US Route 6	Petitioner
vii. Tax Parcel Number 4.20-1-7	75 US Route 6	Petitioner
viii. Tax Parcel Number 4.20-1-8	Vacant	Petitioner
ix. Tax Parcel Number 4.20-1-9	77 US Route 6	Petitioner
x. Tax Parcel Number 4.20-1-10	81 US Route 6	Petitioner
xi. Tax Parcel Number 4.16-1-1	85 US Route 6	
xii. Tax Parcel Number 4.16-1-2	87 US Route 6	

Collectively Petitioners are the owners of taxable real property aggregating more than 50% of the assessed valuation of all the taxable real property of the proposed district extension as shown upon the latest completed assessment roll of the Town of Somers.

2. Petitioner KRD is the contract vendee of the property known as 57 US Route 6 and also identified as Somers Tax Parcel 4.20-1-3.1 (hereinafter referred to as "the KRD Project Property"). The current owner of the KRD Project Property has, as indicated above, verified this Petition. Petitioner KRD is also the applicant for approval of a mixed commercial and residential use development to be constructed on the KRD Project Property as described in paragraph 7 below (hereinafter "the Project"). Subject to the receipt of all municipal and regulatory approvals and financing necessary for the construction of the Project and in connection with the proposed extension of SSD1, Petitioner KRD will, at no cost or expense to SSD1 or the Town of Somers, provide the sewer infrastructure elements referenced below which such sewer infrastructure elements would enable future connection of the properties referenced above as depicted in the document attached as Exhibit A hereto, which such document is entitled

“Enlarged Somers Sewer #1 and Peekskill Sanitary Sewer Districts Expansion Map”. Following construction of the infrastructure elements referenced below, individual property owners, at their sole cost and expense, will be able to connect to the infrastructure elements constructed by Petitioner KRD as described below and in the exhibits annexed hereto.

3. Attached hereto and made part hereof as Exhibit B is a map of the proposed boundaries of the SSD1, including the SSD1 Expansion Area, said map entitled “Somers Sewer #1 and Peekskill Sanitary Sewer Districts Expansion Map”.

4. Petitioners propose, pursuant to Article 12 of the Town Law, that the Town Board of the Town of Somers extend SSD1 so that the boundaries of the SSD1 as extended will include the properties shown on Exhibit B. For purposes of this Petition, such extension of the SSD1 shall be referred to as “the SSD1 Expansion Area”.

5. Attached hereto and made part hereof as Exhibits C and D are two engineering drawings showing the preliminary general plan of proposed improvements within the SSD1 Expansion Area entitled “Onsite Utilities Plan, last revised July 11, 2016 (Drawing SP-3.1) and Schematic Offsite Sidewalk and Sewer Plan, last revised July 11, 2016 (Drawing SP-3.2)” as prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., an engineering firm duly licensed by the State of New York. The final design of the proposed improvements is subject to approval by Town of Somers and Westchester County authorities. As set forth on Exhibits C and D, the following sewer infrastructure elements are proposed to be constructed at no cost or expense to SSD1 or the Town of Somers, it being understood that the term “offsite”

shall refer to improvements located within the public right-of-way and off the site of the KRD Project Property and the term "onsite" shall refer to improvements located on the KRD Project Property:

Offsite Improvements:

1. Proposed Sewer Main along north side of US Route 6: approximately 950 linear feet.
2. Proposed sewer forcemain from onsite sewer pump station: approximately 100 feet.
3. Sewer manholes along north side of US Route 6: approximately 6

Onsite Improvements:

1. Sewer Manholes: approximately 5
2. Sewer Main: 1,050 feet
3. Sewer Forcemain: 460 feet
4. One sewer pump station and valve pit.

6. Attached hereto and made part hereof as Exhibit E is an Engineering Report entitled "Wastewater Engineering Report for Crossroads at Baldwin Place, Town of Somers, New York dated July 13, 2016" as prepared by Insite Engineering, Surveying & Landscape Architecture, P. C.

7. The SSD1 Expansion Area includes the KRD Project Property as described above, which such property consists of approximately 10.54 acres which is proposed to be developed in accordance with plans submitted to the Planning Board of the Town of Somers which such plans contemplate the development of the KRD Project Property for a mixed commercial and residential use development with associated site appurtenances, consisting of 12,000 square feet of retail / professional service, 12,000 square feet of professional office, 52 senior affordable

dwelling units, 10 non-age restricted affordable units (6 units at 60% of Westchester County AMI and 4 units at 90% of Westchester County AMI) and 2 market rate units. With the exception of one other parcel which is vacant and for which development plans are unknown, properties in the SSD1 Expansion Area are currently developed with existing uses.

8. As set forth above, no portion of the cost of the proposed infrastructure improvements as preliminarily shown on Exhibits C and D will be borne by SSD1 or the Town of Somers. No amounts are to be expended by the Town of Somers or the SSD1 for construction of proposed improvements necessary to provide sewer service to the properties as set forth in Exhibits C and D and the mixed use development to be constructed on the KRD Project Property. All costs associated with the review, approval, inspection and acceptance of the proposed facilities shall be the responsibility of Petitioner KRD.

9. Upon completion, the infrastructure improvements referenced above and approximately 580 linear feet of the existing sewer main along the south side of US Route 6 shall be turned over to the SSD1 and any private property in which such improvements shall be located shall be made accessible by the deeding of any necessary access easements on the KRD Project Property. Sewer service laterals to each of the proposed buildings on the KRD property will not be turned over to the SSDI.

10. Because the sewage from SSD1 discharges to the Peekskill Wastewater Treatment Plant, SSD1 is part of the Westchester County Peekskill Sanitary Sewer District. As a consequence of the foregoing, expansion of SSD1 as requested by this Petition requires

expansion of the Westchester County Peekskill Sanitary Sewer District. Expansion of the Westchester County Peekskill Sanitary Sewer District is required to be authorized by the Westchester County Board of Legislators upon petition being made therefor by the municipal agency having jurisdiction over SSD1, the Town Board of the Town of Somers. As expansion of the Westchester County Pckskill Sanitary Sewer District is a condition precedent to expansion of SSD1, Petitioners respectfully request that the Town Board petition the Westchester County Board of Legislators for an expansion of the Westchester County Peekskill Sanitary Sewer District to the same extent requested by this Petition, i.e., to include the properties which are the subject matter of this Petition.

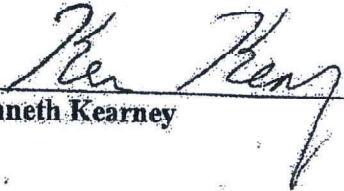
11. Petitioners agree to comply with the rules and regulations of the SSD1 as presently existing or as same may be amended in the future, including all rates and fee schedules.

WHEREFORE, Petitioners respectfully requests that (a) the Town Board of the Town of Somers extend the Somers Sewer District #1 as hereinabove proposed and described, and that a Public Hearing thereon be held according to law; and (b) the Town Board of the Town of Somers Petition the Westchester County Board of Legislators for a corresponding extension of the Westchester County Peekskill Sanitary Sewer District.

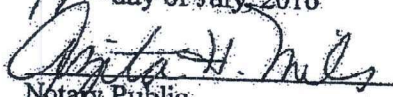
VERIFICATION

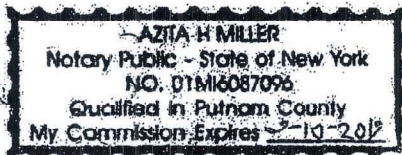
STATE OF NEW YORK)
 : ss.:
COUNTY OF WESTCHESTER)

Kenneth Kearney, being duly sworn, deposes and says that he is the president of Petitioner The Kearney Realty & Development Group, Inc., the contract vendee owner of property known as 57 US Route 6 (Somers Tax Parcel 4.20-1-3.1) as identified in the petition being submitted to the Town Board of the Town of Somers seeking an extension of the Somers Sewer District #1; that he has read the foregoing petition and knows the contents thereof; and that as the President and authorized representative of the corporation which undertakes to perform the obligations set forth in such petition pertaining to the extension of the Somers Sewer District #1, he joins in the petition.


Kenneth Kearney

Sworn to before me this
19th day of July, 2016


Notary Public



VERIFICATION

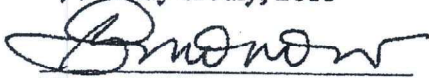
South Carolina
STATE OF ~~NEW YORK~~)
Beaufort : ss.:
COUNTY OF ~~WESTCHESTER~~)

Rick Van Benschoten , being duly sworn, deposes and says that he is the Manager of Petitioner National Golfworx New York Realty, LLC, owner of property known as 57 US Route 6 (Somers Tax Parcel 4.20-1-3.1) as identified in the petition being submitted to the Town Board of the Town of Somers seeking an extension of the Somers Sewer District #1; that he has read the foregoing petition and knows the contents thereof; and that as the Manager and authorized representative of the limited liability company owner of property which is the subject matter of the request set forth in such petition pertaining to the extension of the Somers Sewer District #1, he joins in the petition.



Rick Van Benschoten

Sworn to before me this
17th day of July, 2016



Notary Public

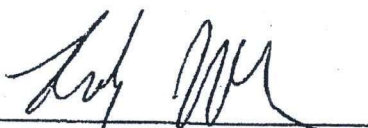


BARBARA E. MORROW
Notary Public
Beaufort County, South Carolina
My Comm. Expires July 7, 2019

VERIFICATION

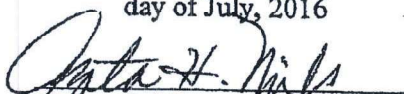
STATE OF NEW YORK)
 : ss.:
COUNTY OF WESTCHESTER)

Ralph Hurd , being duly sworn, deposes and says that he is the Manager of Petitioner Somers Group, LLC, owner of property known as 71 US Route 6 (Somers Tax Parcel 4.20-1-6) as identified in the petition being submitted to the Town Board of the Town of Somers seeking an extension of the Somers Sewer District #1; that he has read the foregoing petition and knows the contents thereof; and that as the Manager and authorized representative of the limited liability company owner of property which is the subject matter of the request set forth in such petition pertaining to the extension of the Somers Sewer District #1, he joins in the petition.



Ralph Hurd

Sworn to before me this
day of July, 2016




Notary Public

AZITA H MILLER
Notary Public - State of New York
NO. 01M6087096
Qualified in Putnam County
My Commission Expires ~~10-2019~~

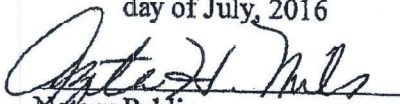
VERIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF WESTCHESTER)

Kevin Dwyer, being duly sworn, deposes and says that he is one of the owners of property known as 81 US Route 6 (Somers Tax Parcel 4.20-1-10) as identified in the petition being submitted to the Town Board of the Town of Somers seeking an extension of the Somers Sewer District #1; that he has read the foregoing petition and knows the contents thereof; and that as an owner and authorized representative of the property which is the subject matter of the request set forth in such petition pertaining to the extension of the Somers Sewer District #1, he joins in the petition.


Kevin Dwyer

Sworn to before me this
day of July, 2016



Notary Public

AZITA H MILLER
Notary Public - State of New York
NO. 01M16087096
Qualified in Putnam County
My Commission Expires 2-10-2019

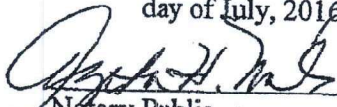
VERIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF WESTCHESTER)

Kevin Dwyer, being duly sworn, deposes and says that he is the Manager of Petitioner Redwood Group, LLC, owner of properties known as 77 US Route 6 (Somers Tax Parcel 4.20-1-9) and (Somers Tax Parcel 4.20-1-8) as identified in the petition being submitted to the Town Board of the Town of Somers seeking an extension of the Somers Sewer District #1; that he has read the foregoing petition and knows the contents thereof; and that as the Manager and authorized representative of the limited liability company owner of properties which are the subject matter of the request set forth in such petition pertaining to the extension of the Somers Sewer District #1, he joins in the petition.


Kevin Dwyer

Sworn to before me this
day of July, 2016


Notary Public

AZITA H MILLER
Notary Public - State of New York
NO. 01M16087096
Qualified in Putnam County
My Commission Expires 2-10-2019

VERIFICATION

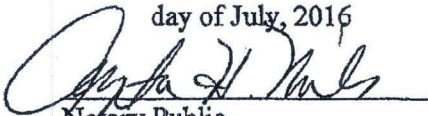
STATE OF NEW YORK)
 : ss.:
COUNTY OF WESTCHESTER)

Vincent Naclerio, being duly sworn, deposes and says that he is one of the owners of property known as 75 US Route 6 (Somers Tax Parcel 4.20-1-7) as identified in the petition being submitted to the Town Board of the Town of Somers seeking an extension of the Somers Sewer District #1; that he has read the foregoing petition and knows the contents thereof, and that as an owner and authorized representative of the property which is the subject matter of the request set forth in such petition pertaining to the extension of the Somers Sewer District #1, he joins in the petition.



Vincent Naclerio

Sworn to before me this
day of July, 2016



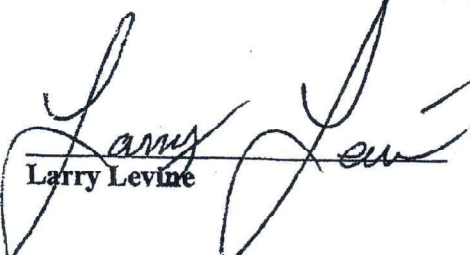
Notary Public

AZITA H MILLER
Notary Public - State of New York
NO. 01M16087096
Qualified in Putnam County
My Commission Expires 7-10-2017

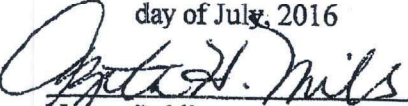
VERIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF WESTCHESTER)

Larry Levine, being duly sworn, deposes and says that he is the President of Petitioner Road Runner Realty Corp., owner of property known as 250 Mahopac Avenue (Somers Tax Parcel 4.19-2-20) as identified in the petition being submitted to the Town Board of the Town of Somers seeking an extension of the Somers Sewer District #1; that he has read the foregoing petition and knows the contents thereof; and that as the President and authorized representative of the corporate owner of property which is the subject matter of the request set forth in such petition pertaining to the extension of the Somers Sewer District #1, he joins in the petition.


Larry Levine

Sworn to before me this
day of July, 2016


Notary Public

AZITA H MILLER
Notary Public - State of New York
NO. 01M16087096
Qualified in Putnam County
My Commission Expires 2-10-2017

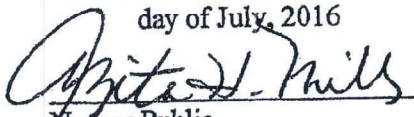
VERIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF WESTCHESTER)

Paul Iacune, being duly sworn, deposes and says that he is the Manager of Petitioner PR Iacuone, LLC, owner of property known as 63 US Route 6 (Somers Tax Parcel 4.20-1-5) as identified in the petition being submitted to the Town Board of the Town of Somers seeking an extension of the Somers Sewer District #1; that he has read the foregoing petition and knows the contents thereof; and that as the Manager and authorized representative of the limited liability company owner of property which is the subject matter of the request set forth in such petition pertaining to the extension of the Somers Sewer District #1, he joins in the petition.


Paul Iacune

Sworn to before me this
day of July, 2016


Notary Public

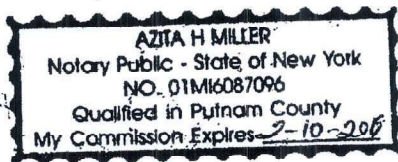


EXHIBIT A



General Notes:

1. Demographic information obtained from NYSOS DataLink.org.
2. Boundaries shown herein are approximate boundaries of the Somers Sewer District, Peekskill County, New York, and the Peekskill County, New York, Sanitary Sewer District (or it shall refer to the Town of Somers, New York, Sanitary Sewer District) for the purpose of the Sanitary Sewer District expansion project. Boundaries for the Peekskill County, New York, Sanitary Sewer District outside of the Town of Somers are not shown.

PROJECT: **CROSSROADS AT BALDWIN PLACE**
US ROUTE 9, TOWN OF SOMERS, WESTCHESTER COUNTY, NEW YORK

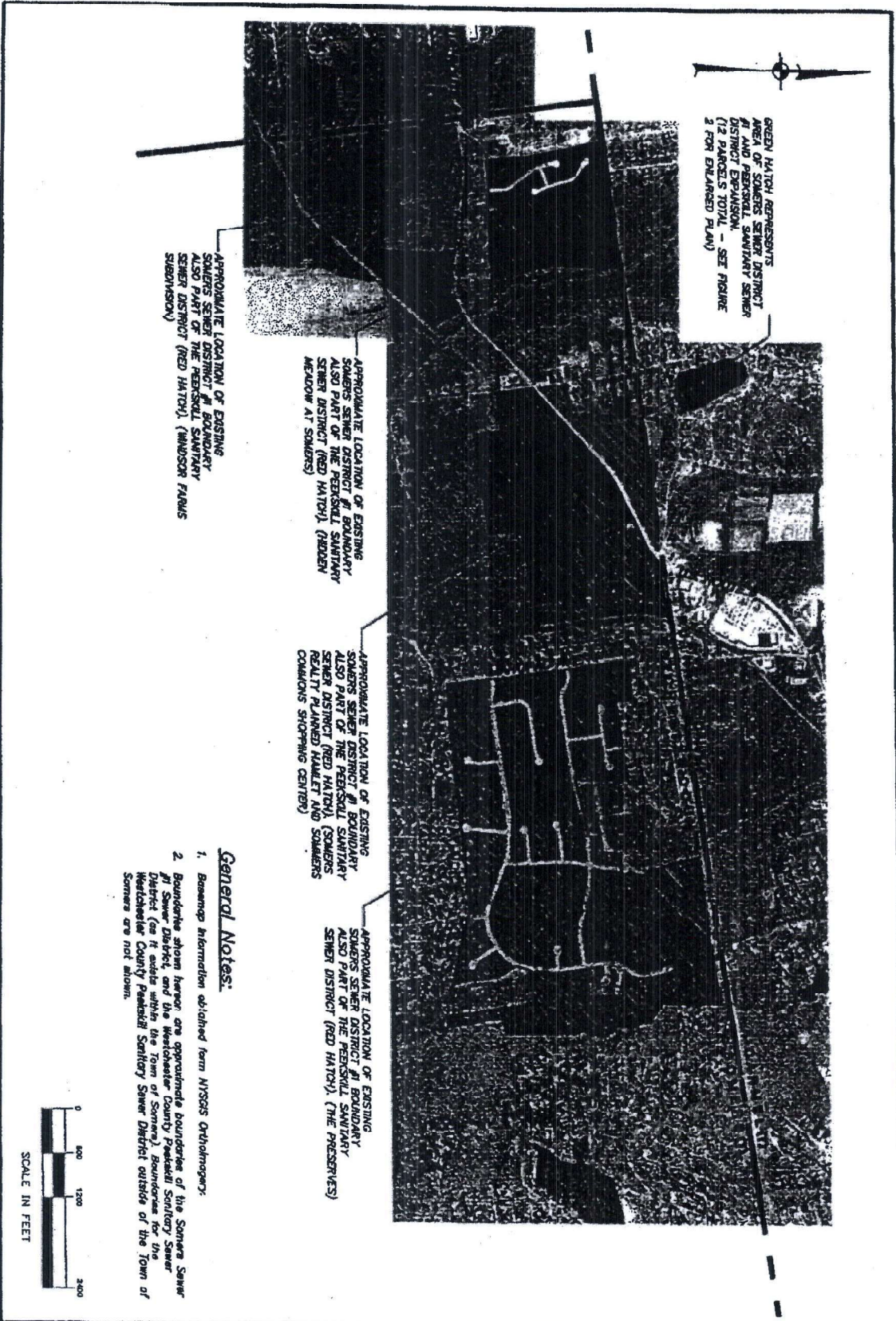
DRAWING: **ENLARGED SOMERS SEWER #1 AND PEEKSKILL
 SANITARY SEWER DISTRICTS EXPANSION MAP**

PREPARED BY: **INSITE**
 ENGINEERING, SURVEYING &
 LANDSCAPE ARCHITECTURE, P.C.

3 Garrett Place • Carmel, New York 10512
 Phone (845) 225-0890 • Fax (845) 225-0717
 www.insite-eng.com

DATE: 7-11-16
 SCALE: 1" = 200'
 PROJECT NO.: 15335.100
 EXHIBIT: A

EXHIBIT B



GREEN HATCH REPRESENTS AREA OF SOMERS SEWER DISTRICT #1 AND PEEKSKILL SANITARY DISTRICT EXPANSION. (12 PARCELS TOTAL - SEE FIGURE 2 FOR ENLARGED PLAN)

APPROXIMATE LOCATION OF EXISTING SOMERS SEWER DISTRICT #1 BOUNDARY ALSO PART OF THE PEEKSKILL SANITARY SEWER DISTRICT (RED HATCH) (WINDSOR FARMS SUBDIVISION)

APPROXIMATE LOCATION OF EXISTING SOMERS SEWER DISTRICT #1 BOUNDARY ALSO PART OF THE PEEKSKILL SANITARY SEWER DISTRICT (RED HATCH) (BIDDEN MEADOW AT SOMERS)

APPROXIMATE LOCATION OF EXISTING SOMERS SEWER DISTRICT #1 BOUNDARY ALSO PART OF THE PEEKSKILL SANITARY SEWER DISTRICT (RED HATCH) (SOMERS REALTY PLANNED HAZLET AND SOMERS COMMONS SHOPPING CENTER)

APPROXIMATE LOCATION OF EXISTING SOMERS SEWER DISTRICT #1 BOUNDARY ALSO PART OF THE PEEKSKILL SANITARY SEWER DISTRICT (RED HATCH) (THE PRESERVES)

- General Notes:**
1. Base map information obtained from NYSDCS Orthophotographs.
 2. Boundaries shown herein are approximate boundaries of the Somers Sewer #1 Sewer District, and the Westchester County Peekskill Sanitary Sewer District (as it exists within the Town of Somers). Boundaries for the Westchester County Peekskill Sanitary Sewer District outside of the Town of Somers are not shown.



PROJECT: **CROSSROADS AT BALDWIN PLACE**
 1ST FLOOR 6, TOWN OF SOMERS, WESTCHESTER COUNTY, NEW YORK

DRAWING: **SOMERS SEWER #1 AND PEEKSKILL SANITARY SEWER DISTRICTS EXPANSION MAP**

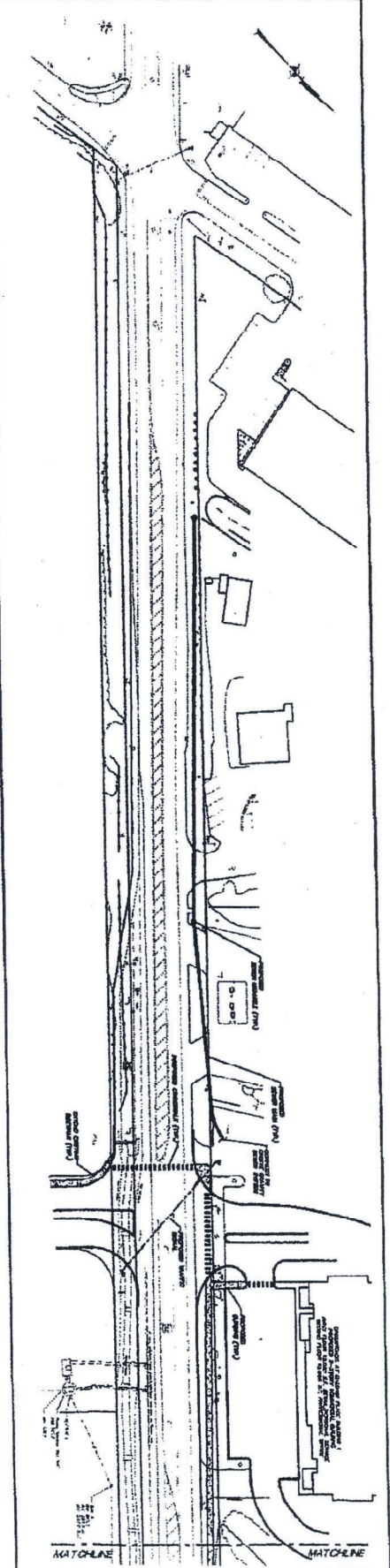
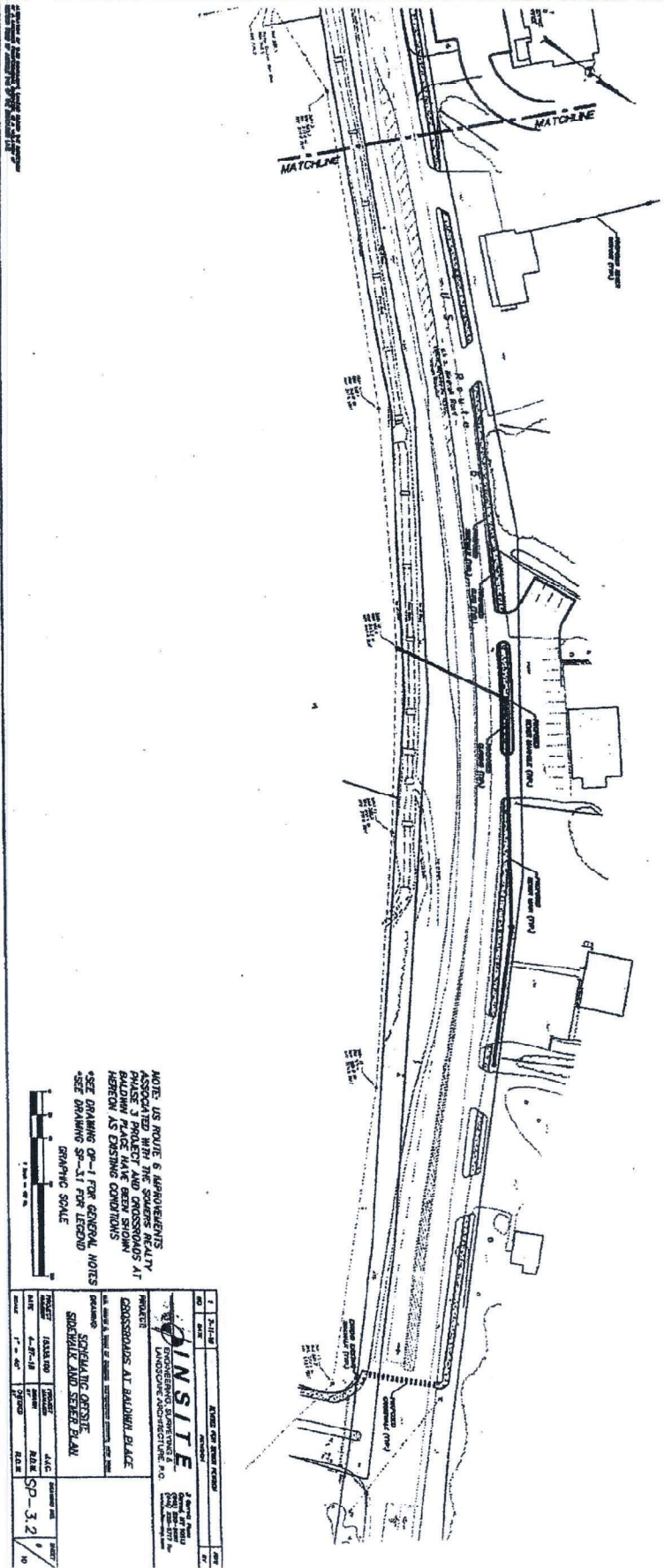
PREPARED BY: **INSITE**
 ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.
 3 Garrett Place • Carmel, New York 10512
 Phone (845) 225-0000 • Fax (845) 226-9717
 www.insite-eng.com

DATE: 7-11-2016
 SCALE: 1"=1,200'
 PROJECT NO.: 15335.100
 EXHIBIT: B

EXHIBIT C

EXHIBIT D

2025 Release under Executive Order 14176



NOTE: US ROUTE & IMPROVEMENTS ASSOCIATED WITH THE SOKERS REALTY PHASE 3 PROJECT AND CROSSROADS AT FAULKNER BLVD ARE SHOWN AS EXISTING CONDITIONS HEREIN AS EXISTING CONDITIONS.

*SEE DRAWING SP-1 FOR GENERAL NOTES

*SEE DRAWING SP-31 FOR LEGEND

GRAPHIC SCALE

<p>INSITE</p> <p>INSITE ARCHITECTURE, INC.</p> <p>10000 FAULKNER BLVD, SUITE 100</p> <p>HOUSTON, TEXAS 77036</p> <p>PH: 281-410-1111</p> <p>WWW.INSITEARCHITECTURE.COM</p>		<p>DATE: 11-18-18</p> <p>SCALE: 1" = 40'</p> <p>PROJECT: 180800</p> <p>PHASE: 3</p> <p>DATE: 11-18-18</p> <p>SCALE: 1" = 40'</p> <p>PROJECT: 180800</p> <p>PHASE: 3</p>
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EXHIBIT E



WASTEWATER ENGINEERING REPORT

For

**Crossroads at Baldwin Place
Town of Somers, New York**

July 13, 2016

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1.0 INTRODUCTION

The Crossroads at Baldwin Place is proposing to redevelop the existing golf driving range at 57 US Route 6 into a mixed use development. The total property is 11.1 acres with 10.54 acres in the Town of Somers and 0.53 acres in the Town of Carmel. Located in the Town of Somers NS Zone the property is identified as Town of Somers Tax Map # 4.20-1-3.1 and Town of Carmel Tax Map #86.14-1-6. No development is proposed within the Town of Carmel.

The proposed redevelopment program consists of:

1. A 2 ½ story, 24,000 square foot building consisting of 12,000 square feet of retail/professional service and 12,000 square feet of professional office.
2. 52 Senior Affordable Housing rental apartments located in two, 2 ½ story buildings.
3. 12 non-age restricted rental apartments located in one, 2 ½ story building.

Fifty-eight of the sixty-four proposed residential units will meet either the Town of Somers or Westchester County affirmatively furthering fair and affordable housing (AFFH) requirements.

The project is located in the Amawalk-Shenorock Water District, and is proposed to be included in the Somers Sewer District 1, and the Westchester County Peekskill Sanitary Sewer District. Onsite sewer infrastructure is proposed to consist of SDR 35 gravity sewer main, sewer force main, four sewer service connections and a pump station. In addition to the onsite sewer infrastructure it is proposed to construct 950 linear feet of sewer main along US Route 6. The wastewater design flows and the design of the onsite and offsite sewer improvements include the flows from properties on the north side of US Route 6 between Mahopac Ave and the county line.

2.0 PROJECT DESIGN FLOWS AND ANTICIPATED FLOWS TO BE INCLUDED IN THE DISTRICT

Design maximum daily wastewater flows for the proposed project, Crossroads at Baldwin Place, are based on the hydraulic loading rates given in the New York State Department of Environmental Conservation (NYSDEC) publication *Design Standards for Intermediate Sized Wastewater Treatment Works – 2014* (DEC 2014). The design maximum daily wastewater flow is a conservative design flow on which the sewer infrastructure will be designed. This value does not represent the average daily flow which is expected to be substantially less.

The design maximum daily wastewater flows for the properties between Mahopac Ave and the county line are based upon flow data provided by the Town of Somers Water Department with a factor of safety applied. The data was provided in the form of water meter readings for the subject properties. It is assumed that water usage rates are equivalent to wastewater flow rates.

The following table calculates the hydraulic loading rates and the design flow rates (gallons per day or gpd) for the proposed project.

Table 1: Crossroads at Baldwin Place Project Design Maximum Daily Flow Rate

Proposed Use	Hydraulic Loading Rate	Design Maximum Daily Flow (gpd)
48 – One Bedroom Apartments	110 gpd/dwelling	5,280
16 – Two Bedroom Town Homes	220 gpd/dwelling	3,520
24,000 Square feet of Commercial Space (retail, professional service, professional office)	.08 gpd/sf	1,920
Total		10,720

The anticipated design average daily flows for the project are expected to be significantly less than the design maximum daily design flow. The design maximum daily flows represent conservative flows to ensure that the proposed sewer infrastructure is designed with an ample factor of safety. The anticipated average daily flows are based on occupancy rates and measured data for water use. Statistical data (obtained from *Rutgers University, Center for Urban Policy Research, Residential Demographic Multipliers*, June 2006) for the average number of occupants in rental units (based on number of bedrooms) was used to calculate the expected number of residents anticipated for the project as shown in the table below. Data from the American Water Works Association (AWWA) shows that the average in home water use is 69 gpd per person. This number is reduced to 45 gpd per person when water saving fixtures are used, which is the case for this project.

Table 2: Design Average Daily Flow

Proposed Use	Occupancy Rate	Total Anticipated Residents	Water Use Per Resident (gpd)	Water Use (gpd)
48 – One Bedroom Apartments	1.99 people/unit	96	45	4,320
16 – Two Bedroom Townhomes	1.88 people/unit	30	45	1,350
Commercial Use ¹	N/A	N/A	N/A	1,920
Total Anticipated Water Use (gpd)				7,590

¹ For the Commercial use the Design Maximum Daily Flow was conservatively used in the Design Average Daily Flow calculation as final tenants are not yet know.

As demonstrated above, through the use of water saving fixtures as required by current building code, a design maximum flow of 10,720 gpd is proposed for the project, while the design average daily flows are anticipated to be substantially less 7,590 gpd.

The project is proposing to construct offsite improvements to allow for the connection of offsite properties into the sewer system. The improvements consist of installing gravity sewer main along US Route 6 and will include the appropriate design flows from the 9 properties along US Route 6 between Mahopac Avenue and the county line. For the properties west of the project site, a gravity sewer main will be run along US Route 6 which will connect into the onsite gravity sewer main. For the property directly to the east of the project site, provisions for a sewer service line will be made allowing a direct connection into the onsite system. For the remaining properties east of the project site a gravity sewer line will be run along US Route 6, and then directionally drilled under US Route 6 where it will connect with the gravity sewer main constructed as part of Somers Realty Phase 2 project (currently servicing Somers Commons Shopping Center).

Table 3: Offsite Design Maximum Daily Flow Rates

Address	Tax Map ID #	Use	Average Daily Flow (gpd)*	Factor of Safety	Design Maximum Daily Flow**
51 US Route 6	4.19-2-19	Farmer Stand / Nursery	530**	1.5	800
55 US Route 6	4-20-1-1	Gas Station / Dunkin Donuts	309		500
63 US Route 6	4-20-1-5	Vacant Restaurant	1,023		1,500
71 US Route 6	4-20-1-6	Deli	560		800
75 US Route 6	4-20-1-7	Vacant house / vacant commercial	288		400
77 US Route 6	4-20-1-9, 4-20-1-10, 4-20-1-8	Existing Commercial Building	269		400
85 US Route 6	4-16-1-1	Bar / Restaurant	864		1,300
86 US Route 6	4-16-1-2	Gas Station / Convenience Store	628		900
250 Mahopac Ave	4-9-2-20	Commercial Building	793		1,200
Total					

* Average daily flow obtained from actual water use data provided by the Town of Somers Water Department. See Appendix A for calculation. The largest quarterly average daily flow was conservatively selected for calculating the design maximum daily flow.

** Design maximum daily flows have been rounded to the nearest 100 GPD.

Although the anticipated flows (design average daily flow) for the project are lower than the design maximum daily flows, the design maximum daily flows are used for the design of the system. This provides an additional factor of safety in the proposed design.

3.0 PROPOSED CONNECTION TO SOMERS SEWER DISTRICT #1 AND THE WESTCHESTER COUNTY PEEKSKILL SANITARY SEWER DISTRICT

Existing 6 inch and 8 inch ductile iron pipe (DIP) forcemains run along US Route 6 across the street from the site. These sewer forcemains originate in The Preserves development, and run along US Route 6 ultimately discharging into a sewer pump station recently completed as part of the Somers Realty Planned Hamlet (Somers Realty Pump Station). From the Somers Realty Pump Station the existing 6 inch and 8 inch DIP forcemains run west along US Route 6 to a manhole located at the intersection of Hill and Lee Boulevards in the Town of Yorktown. Sewage then flows by gravity into the Peekskill Wastewater Treatment Plant. The sewer forcemains in front of the project site are owned by the Town of Somers and are part of Somers Sewer District #1.

There are also two gravity sewer lines that enter the Somers Realty Pump Station. One line comes from the Somers Realty Planned Hamlet, and the other comes from the Somers Commons Shopping Center.

Since the sewage from Somers Sewage District #1 discharges to the Peekskill Wastewater Treatment Plant, Somers Sewer District #1 is also part of the Westchester County Peekskill Sanitary Sewer District. The Crossroads at Baldwin Place is proposing to connect to the Somers Realty Pump Station. Expansion of Somers Sewer District #1 by the Town of Somers Town Board and the Peekskill Sanitary Sewer District, by the Westchester County Board of Legislators, will be required.

Data obtained from Westchester County at the time the Peekskill Sanitary Sewer District was last expanded indicated the average daily flow for the Peekskill Wastewater Treatment Plant (WWTP) was approximately 6.7 mgd (million gallons per day). The plant is designed to accommodate up to 10 mgd. The additional flow from the proposed project and surrounding properties is 0.0185 MGD (based on design maximum daily flow), and 0.015 MGD (based on design average daily flow) which will create a total average daily flow of approximately 6.7 mgd. Therefore there is sufficient capacity in the Peekskill WWTP to accommodate the proposed project.

4.0 PROPOSED SYSTEM COMPONENTS

An onsite gravity sewage collection and conveyance system consisting of 8 inch diameter PVC SDR 35 sewer mains and precast concrete manholes will be installed. The sewage collection and conveyance system will flow by gravity to an onsite pump station. A duplex pump station is proposed to be installed and will connect to the Somers Realty Pump Station. A backup generator will be provided to power the pumps in the event of power failure.

Based on elevations of US Route 6 and the Somers Realty Pump Station, the properties located to the west of the project site, and the adjacent property to the east, will need to flow into the Crossroads at Baldwin Place sewage Collection System. The remaining properties to the east will flow via gravity into the 8" gravity sewer line currently servicing Somers Commons.

Sewer service connections from each onsite proposed building will be conveyed by individual 6" diameter PVC SDR 35 sewer service connections. The service connections will be installed with a minimum slope of 1/4" per foot meeting the requirements of DEC 2014. Each sewer service connection will connect to an 8" PVC SDR 35 gravity sewer main. As part of the offsite gravity sewer main, the laterals for neighboring properties will be installed and capped for future connection.

All PVC SDR 35 pipe will contain rubber push on gaskets at the pipe connections. Sewer manholes will be installed at all bends for access and maintenance. All sewer manholes will have exterior asphalt coating and contain water tight connections at all pipe connections. Cleanouts will be provided on each sewer service connection just outside of the townhomes. All sewer mains will be pressure tested, and all manholes vacuum tested in accordance with the *Recommended Standards for Wastewater Treatment Works*.

5.0 PUMP STATION DESIGN

The pump station will be sized to convey at a minimum the peak hourly flow from the subject project and offsite contributing properties. The peak hourly flow is calculated using a peaking factor that is based on the population of the contributing area. The Crossroads at Baldwin Place Pump Station will be designed to accommodate the following properties and maximum daily design flows:

1. Crossroads at Baldwin Place – 10,720 gpd
2. 250 Mahopac Avenue – 1,200 gpd
3. 51 US Route 6 – 800 gpd
4. 55 US Route 6 – 500 gpd
5. 63 US Route 6 – 1,500 gpd
6. Total Flow = 14,720 gpd

Recommended Standards for Wastewater Facilities - 2004 was used to determine a peaking factor of four.

Peak Hourly Flow

$$14,720 \text{ gpd} \div (24 \text{ hr/day}) \div (60 \text{ min/hr}) = 10 \text{ gallons per minute (gpm)}$$

$$\text{Peak Hourly Flow} = 10 \text{ gpm} \times 4 = 40 \text{ gpm}$$

The pumps will need to achieve this flow rate while pumping against the static and friction heads in the system. The static head the pumps will need to overcome will be from the liquid level in the pump station wet well to the high point in the proposed forcemain. A grinder pump will be used in the subject pump station. The grinder pump also allows a smaller diameter forcemain, which will help to achieve a minimum scour velocity of 2.0 ft/s in the forcemain from the pump station to the Somers Realty Pump Station.

The Final Wastewater Engineering Report will contain the necessary pump design. It is envisioned Flygt pumps will be used to remain consistent with the other pumps being used in Somers Sewer District #1.

5.1 Pumps and Pump Controls

Duplex submersible grinder pumps will convey the sewage flow contributing to the Crossroads at Baldwin Place Pump Station. The pumps will be housed in a six-foot diameter wet well. The submersible pumps will be controlled via a liquid level probe in the wet well that will turn the pumps on or off depending on the water level within the wet well. The pump controller will also alternate the lead/lag designation of the pumps. Additionally, a backup float system will be provided to operate the pumps independent of the probe controls in the event of a probe control system failure.

5.2 Pump Controls

A submersible level control system is proposed for each of the pump stations. This system is composed of a multi-sensored liquid detection probe to control and monitor the operation of the duplex pump station and provide lead-lag automatic alternation, high and low level alarms (Visual and Audible).

Both submersible grinder pumps will shut off at the "both pumps off" set point. When the level in the wet well rises to the second set point, "lead pump on", a signal will be sent to the control panel to turn the lead pump on. The "lead pump on" set point will be 1 foot above the "both pumps off" set point. If the liquid level in the wet well continues to rise to the "lag pump on" set point, the control panel will, in addition to the lead pump, turn on the lag pump. An additional 6" rise of the liquid level within the wet well, to the "High Level Alarm" set point, will result in an alarm condition being transmitted to operating personnel via an auto-dialer.

In the event that the primary control system fails to operate the pumps, and the wet well level rises above the high-level alarm set point, a back-up float pump control system will override the primary pump controller and take over control of the pumps. Upon the liquid level reaching 6 inches above the "high level alarm", the back-up float will turn on both the lead and lag (after a 45 second delay) pumps. Upon the liquid level reaching 6 inches below the low alarm, a backup float will simultaneously turn both pumps off. The station will continue to operate in this mode until the alarm condition is corrected and the primary pump control system has been placed back into operation.

5.3 Wet Well

The pump station wet well design is based on the average daily flow reaching the pump station. The pump dose volume for each pump station is set to provide less than 30-minute detention time, at the average daily flow as recommended by *Recommended Standards for Wastewater Facilities*. The maximum pump dose volume is determined by multiplying the average daily flow by 30 minutes.

Guidrails for the lifting and lowering of the proposed submersible grinder pumps will be provided. A portable hoist socket has been provided at the top of the wet well. This socket will be

compatible with a portable hoist currently used by the Somers Sewer Department in order to lift and lower the submersible pumps or trash basket.

5.4 Valve Pit

A precast concrete valve pit will be provided for each pump station to house gate valves, check valves, plug valves and a bypass piping system. The valve pit will also house discharge pressure gauges on the forcemain. The valve pit will be provided with a floor drain to the wet well for removal of accumulated water. A check valve will be provided on the drain line.

5.5 Check Valves

Check valves will be provided on both pump discharge headers. The proposed check valves will be swing type with a weight and lever. The check valves will have a pressure rating of 150 psi.

5.6 Control Panel

The controls for the pump station will be post mounted inside the pump station fence. Controls will include power panels, a transfer switch for auxiliary power, pump control panel, and an autodialer. The controls will be housed in a weather proof NEMA enclosure. Access to the pump pit area will be provided via a 10-foot wide gate.

5.7 Auto-dialer and Alarm Communication

In order to transmit pump station alarm conditions, an autodialer with telephone will be provided. Alarm conditions will include pump station "Wet Well High Level" alarm, "Wet Well Low Level" alarm, "Power Failure" alarm and "Pump Failure" alarm. The auto-dialer will be capable of transmitting the four alarms separately. The power and pump failure systems will also have contacts connected to the autodialer. Alarm conditions will be transmitted to operations personnel.

5.8 Forcemains

The proposed sewer forcemain will be used to convey raw sewage from the Crossroads at Baldwin Place Pump Station to the Somers Realty Pump Station. A PVC SDR 21 forcemain is proposed. The PVC SDR 21 pipe will have bell and spigot joints and factory installed gaskets. The fittings and elbows will be glued SCH 80 fittings. Any horizontal or vertical bends will be provided with concrete thrust blocks. The forcemain shall be provided with 3'-6" minimum cover.