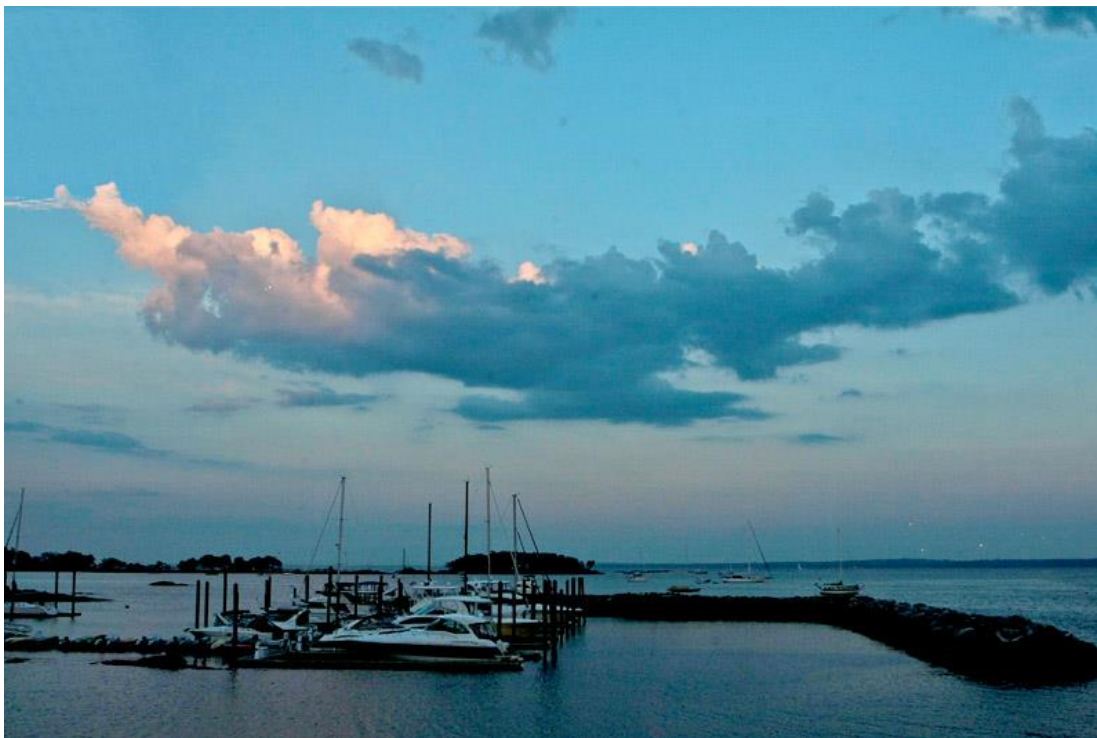




**MAMARONECK BEACH AND YACHT CLUB**  
**555 SOUTH BARRY AVENUE**  
**VILLAGE OF MAMARONECK, NEW YORK**

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**FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT**  
**SANITARY SEWER SYSTEM UPGRADE**



Photograph obtained from Mamaroneck Beach and Yacht Club website.

**VOLUME TWO**

February 14, 2018

## **APPENDICES**

Appendix A: Draft Supplemental Environmental Impact Statement (DSEIS) Scoping Outline as Adopted February 12, 2014

Appendix B: Technical Reports

Appendix B1: Draft Engineers Report for Onsite Sanitary Sewer Extension and Pump Station

Appendix B2: Draft Stormwater Pollution Preventions Plan Amendment (SPDES Permit No. NYR10T581)

Appendix B3: Surface Geotechnical Data

Appendix B4: Soils Map and Descriptions

Appendix C: Recorded Easements and other Legal Instruments (Empty)

Appendix D: Correspondence To & From Involved and Interested Agencies

Appendix E: Westchester County Sanitary Code Section 873 Article VIII: Sewerage, Sewage and Refuse

Appendix F: Federal Emergency Management Agency (FEMA)

Appendix G: Dye Test

Appendix H: Engineer Letter and Plans

Appendix I: Policies

Appendix J: Easement

Appendix K: Public Hearing Transcripts

Appendix L: DEIS Comments and Correspondence

**APPENDIX A**

**DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT (DSEIS) SCOPING  
OUTLINE AS ADOPTED FEBRUARY 12, 2014**

# VILLAGE OF



# MAMARONECK

OFFICE OF THE  
PLANNING DEPARTMENT

*Village Hall  
Mamaroneck, N.Y. 10543*

TELEPHONE  
914-777-7731

FAX  
914-777-7792

*Address Reply to:  
Planning Department  
169 Mt. Pleasant Avenue  
Mamaroneck, N.Y. 10543*

TO: ALL INVOLVED & INTERESTED AGENCIES  
  
FROM: MAMARONECK VILLAGE PLANNING BOARD

PROJECT TITLE: Mamaroneck Beach & Yacht Club  
555 South Barry Avenue  
Village of Mamaroneck  
County of Westchester  
Section 4, Block 77, Lot 31  
MR District

MAILING DATE: February 20, 2014

**Re: Mamaroneck Beach & Yacht Club - Notice of Approval of a Resolution Adopting the Final Scope for the Draft Supplemental Environmental Impact Statement for the Sewer System Construction for property located at 555 South Barry Avenue.**

Greetings:

On February 12, 2014, the Planning Board of the Village of Mamaroneck, acting as Lead Agency under the New York State Environmental Quality Review Act, approved the attached Resolution adopting the Final Scope for the Draft Supplemental Environmental Impact Statement (DSEIS) for a proposal to construct a new sewage pump station and sanitary force main ("Sanitary Sewer System Improvements") to serve the Mamaroneck Beach & Yacht Club ("Project Sponsor") property located at 555 South Barry Avenue. Pursuant to section 617.8 (f) of the SEQRA Regulations, the Resolution and Final Scope for the DSEIS are attached.

Thank you,

Robert James Galvin, AICP  
Village Planner

THE FRIENDLY VILLAGE

RESOLUTION  
VILLAGE OF MAMARONECK PLANNING BOARD  
(Adopted February 12, 2014)

**RE: Mamaroneck Beach & Yacht Club  
555 South Barry Avenue**

**Resolution Adopting Final Scope for Draft Supplemental Environmental Impact Statement**

After due discussion and deliberation, on motion by Mr. Sjunnesson, seconded by Mr. Wexler, and carried, the following resolution was adopted:

RESOLVED, that the Planning Board adopts the attached Final Scope dated February 12, 2014 for the ~~Mamaroneck Beach & Yacht Club Draft Supplemental Environmental Impact Statement for the Proposed Site Sanitary Sewer System Upgrade.~~

VOTE:        AYES: Ianniello, Wexler, Sjunnesson

NAYS: None

RECUSED:    Sterk

ABSENT:     Mendes

PLANNING BOARD  
Village of Mamaroneck

  
\_\_\_\_\_  
Michael Ianniello, Chairman

Date: February 12, 2014

FINAL SCOPE

**MAMARONECK BEACH AND YACHT CLUB**  
**555 SOUTH BARRY AVENUE**  
**MAMARONECK, NEW YORK**

**DRAFT SUPPLEMENTAL**  
**ENVIRONMENTAL IMPACT STATEMENT (DSEIS)**  
**February 12, 2014**

This Final Scope outlines the issues to be covered in the Draft Supplemental Environmental Impact Statement (DSEIS) for the Proposed Site Sanitary Sewer System Upgrade for the Mamaroneck Beach and Yacht Club ("Proposed Action"). The outline reflects the recommendations of The SEQRA Handbook published by the New York State Department of Environmental Conservation, knowledge of issues in the area and review of information available in existing studies related to the subject site and surrounding area.

Name of Project: Mamaroneck Beach and Yacht Club  
Site Sanitary Sewer System Upgrade

Project Location: 555 South Barry Avenue  
Mamaroneck, New York

Applicant/Project Sponsor: Mamaroneck Beach and Yacht Club  
555 South Barry Avenue  
Mamaroneck, NY 10543  
Contact: Lisa Rosenshein  
(914) 698-3600

SEQRA Classification: Unlisted Action

Lead Agency: Village of Mamaroneck  
Village Planning Board  
Mamaroneck, New York

Lead Agency Contact: Mr. Michael Ianniello  
Village Hall at the Regatta  
123 Mamaroneck Avenue  
Mamaroneck, New York 10543  
Telephone-(914) 777-7703

Scoping Distribution: See Attached List.

Scope Adoption by Lead Agency: February 12, 2014

## DESCRIPTION OF PROPOSED ACTION

The Proposed Action proposes a revision to the 2013 Amended Site Plan that had previously been submitted to the Village of Mamaroneck Planning Board on January 29, 2013 for Site Plan review and approval. Due to the age and condition of the existing sanitary pump station and force main, the Applicant proposes replacement of the referenced infrastructure. The proposed pump station and force main will be designed and constructed to current industry standards in accordance with permitting and approval requirements of all regulatory agencies having jurisdiction over the Proposed Action.

The location of the new pump station is proposed between the Great Lawn residence (2013 Site Plan) and the existing Manager's residence. From the new pump station, the force main is proposed in generally the same location as the existing force main, where it crosses under Otter Creek, traverses residential property at 519 Alda Road and connects to existing Village sanitary manhole #66449. The Proposed Action includes revising the onsite gravity sewer main and providing new sanitary service connections to existing buildings where appropriate. The work also includes minor modifications to proposed water service that may be impacted due to the realignment of the sanitary sewer system.

## POTENTIAL SIGNIFICANT ADVERSE IMPACTS

Potential significant adverse impacts relate to sanitary sewer, natural resources, visual and aesthetic impacts, construction impacts, soils and topography.

## GENERAL GUIDELINES

The primary goals of scoping are to focus the DSEIS on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant or insignificant. The DSEIS will address all components of the Proposed Action, including but not limited to the information needed to evaluate the various permits and approvals required to implement the Proposed Action.

The DSEIS will cover all items in this Final Scope and will conform to the format outlined in this document. Each impact issue (e.g., soils, etc.) will be identified and presented in a separate subsection which includes: (1) a discussion of existing conditions; (2) potential significant impacts associated with the Proposed Action; and (3) measures designed to mitigate the identified impacts, if any. The Existing Condition will be defined as the physical conditions as they currently exist on the Applicant's property, based on a current survey. The Potential Impacts of the Proposed Action will be compared to the "Existing Condition," the approved 2010 Site Plan and the proposed Amended 2013 Site Plan.

## ENVIRONMENTAL IMPACT STATEMENT CONTENT

### I. INTRODUCTION MATERIAL

#### A. Cover Sheet

The DSEIS will be preceded by a cover sheet that identifies the following:

1. Title of the document: Draft Supplemental Environmental Impact Statement.
2. Title of the Proposed Action.
3. Location: Street address; Village of Mamaroneck, Westchester County, New York, as well as the tax map designation of all properties that are part of the subject site.
4. Name, address and phone number of the lead agency, and name of contact person:

Lead Agency: Village Planning Board  
Village of Mamaroneck

Contact Person: Mr. Michael Ianniello, Chairman  
Mamaroneck Village Planning Board  
Village Hall at the Regatta  
123 Mamaroneck Avenue  
Mamaroneck, New York 10543  
Telephone (914) 777-7703

5. The name and address of the Project Sponsor (aka "the Applicant"), and the name and telephone number of a contact person representing the Applicant.
6. The name and address of the primary preparer(s) of the DSEIS, and the name and telephone number of a contact person representing the preparer(s).
7. Date of acceptance of the DSEIS:
8. Deadline by which comments on the DSEIS are due: [Note: Specific calendar date to be inserted later].

#### B. List of Consultants Involved With the Project

The names, addresses and project responsibilities of all consultants involved with the project will be listed.

#### C. Table of Contents

All headings which appear in the text will be presented in the Table of Contents, along with appropriate page numbers. In addition, the Table of Contents will include a list of figures, a list of tables, a list of appendices, and a list of additional DSEIS volumes, if any.

D. List of Involved and Interested Agencies and Permits and Approvals Required

II. EXECUTIVE SUMMARY

The DSEIS will include an executive summary. The executive summary will include information found elsewhere in the main body of the DSEIS and will be organized as follows:

- A. Brief description of the Proposed Action
- B. Summary of the anticipated impacts and proposed mitigation measures for each impact issue discussed in the DSEIS
- C. Summary description of the project alternatives in the DSEIS
- D. List of Involved and Interested Agencies and required approvals and/or permits, including any required legal instruments (i.e. easements)

III. DESCRIPTION OF THE PROPOSED ACTION

- A. Project Overview
- B. Regional, Village and Site Location
- C. Description of the proposed site development

A description of the proposed site sanitary sewer system including the gravity sewer, force main and pump station will be provided. This description will include components of the sewer system improvements designed to facilitate monitoring to prevent system failures and to mitigate the environmental impacts if repairs are required, including redundancies in the pump station to protect against system failure. Also any additional miscellaneous changes resulting from the sewer system revisions will be described. A description of the future ownership of the sewer system and all components, including the pump station, will be provided. A description of the ownership of the lands (including underwater lands) upon which the sewer line will be constructed, and the Applicant's property rights or entitlement to make use of such lands, shall be included. Impacts of the new sewer line on those publicly and privately owned lands shall be discussed. In addition, a description will be provided of the need for and status of the required easement to traverse the residential property at 519 Alda Road to connect to the existing Village sanitary manhole. A copy of all recorded easements or other legal instruments involving third parties required for the sewer line shall be attached as an Appendix to the DSEIS.

IV. PURPOSE AND NEED FOR THE PROPOSED ACTION

- A. Project Background and History
- B. Need for the Proposed Action
- C. Objectives of the Project Sponsor
- D. Public Benefits of the Proposed Action

## V. ENVIRONMENTAL ANALYSIS

The DSEIS will include a discussion of the Existing Conditions, Potential Impacts of the Proposed Action and Proposed Mitigation measures. The Existing Condition will be defined as the physical conditions as they currently exist on the MBYC property. The Potential Impacts of the Proposed Action will be compared to the "Existing Condition," the approved 2010 Site Plan and the proposed 2013 Amended site Plan. The following categories will be included in the analysis:

### A. Visual Character

#### 1. Existing Conditions

The visual character of the site as it pertains to the location of the proposed sanitary pump station will be described including its relationship to the adjacent community and uses.

#### 2. Potential Impacts

The visual impacts of the proposed pump station will be examined, utilizing photographic analyses and photo renderings to illustrate physical relationship to surrounding uses, streets and facilities. Potential impacts to public views will be analyzed including Otter Creek.

#### 3. Proposed Mitigation

Mitigation measures that mitigate impacts (e.g. screening) on surrounding uses would be described.

### B. Natural Features

#### 1. Existing Conditions

##### *Soils, Topography and Slopes*

Existing soils, topography and slopes in the vicinity of the proposed work will be described. Existing retaining walls will be described.

##### *Vegetation and Wildlife*

Vegetative communities in the vicinity of the proposed work will be described. Wildlife likely to inhabit the vicinity of the proposed work, based on field investigations and review of existing data sources, will be described. Wildlife likely to inhabit the tidal area adjacent to the proposed work will be described. A list of any rare, endangered, threatened or special concern species or significant habitats found or expected to be found on this site will be provided. The New York State Department of Environmental Conservation will be contacted to determine any known occurrences of rare, endangered, threatened or special concern species or significant habitats on or in the vicinity of the site.

##### *Wetlands & Streams*

All Federal, State and locally regulated wetlands in the vicinity of the proposed work will be field delineated according to the definitions appropriate

to each jurisdiction. Existing wetland vegetation, soils and hydrology will be described. The existing functions and values provided by the wetlands will be qualitatively assessed.

The Otter Creek Critical Environmental area will be described.

## 2. Potential Impacts

### *Soils, Topography and Slopes*

Proposed soil disturbance including cut and fill, trenching and potential sedimentation impacts would be discussed. Perform limited subsurface soil investigation to determine depth of rock. Impacts, if any, of soil disturbance and removal and addition of impervious surfaces would be discussed.

### *Wetlands & Streams*

All wetlands areas should be mapped and identified by category, and the adjacent area boundary shown. All disturbances other than subsurface portion of the directional bore should be shown outside the wetland areas or justification provided for the disturbance. Any potential impacts to wetlands or wetland buffers from the Proposed Action, including approximate acreage or square footage affected, will be described. Any potential changes in wetland functions as a result of the proposed action will be described. Any permits required for the proposed activities will be described.

### *Vegetation and Wildlife*

Potential impacts to vegetation and wildlife resulting from the Proposed Action will be described, including any potential impacts to the Otter Creek Critical Environmental Area. For Otter Creek an assessment of whether stream restoration is needed will be provided. Any potential restoration would be coordinated with the County.

## 3. Mitigation Measures

### *Soils, Topography and Slopes*

Measures designed to mitigate potential adverse impacts to soils and topography will be discussed including a general sedimentation and erosion control plan prepared in accordance with the *New York State Standards and Specifications for Erosion and Sediment Control*, Fourth Printing, dated August 2005. Construction phasing as it pertains to the Proposed Action will be described. Requirements of all appropriate agencies will be described.

### *Vegetation and Wildlife*

A conceptual landscape plan will be provided. Protection of significant vegetation and/or individual trees, if any, during construction and after completion of the Proposed Action will be provided.

### *Wetlands*

Impacts to wetlands and wetland buffers will be minimized to the maximum extent practicable. A conceptual wetlands mitigation plan to restore or replace

potentially impacted wetlands, if impacted, will be provided. A discussion on how wetlands will be protected during construction and after completion of the Proposed Action will be provided.

Any impacts to Otter Creek will be minimized to the maximum extent practicable and mitigation measures to be taken will be described.

### **C. Sanitary Sewer System**

#### **1. Existing Conditions**

A map and narrative describing the existing sanitary sewer system and the sanitary sewer systems shown on the 2010 Approved Site Plan and the 2013 Amended Site Plan will be provided. The plans will include locations and sizes of the sanitary sewers. The plans will establish the point of comparison for the proposed condition.

#### **2. Potential Impacts**

A map and narrative describing the revised sanitary sewers, the new force main and proposed pump station will be provided. Size and locations will be indicated. The proposed connection point to the Mamaroneck Sanitary Sewer District system will be shown and described. Schematic details of the pump station will be provided. Alternative locations of the pump station will be discussed, taking into consideration flood elevations on the site (as per the current LOMR for the property and FEMA ABFE map) and proximity to Otter Creek. A description will be provided of the capacity of the revised sewer system to handle the maximum usage under the 2010 Approved Site Plan and the 2013 Amended Site Plan will be provided (including the potential operation of all facilities and building occupancy, taking into account possible simultaneous multiple functions and events). Specifically, proposed average daily sanitary sewer flow (gpd) calculations shall be provided based on proposed land use. An appropriate peak factor (typically 4 in New York State) shall be applied to the proposed sanitary sewer calculations. The proposed sanitary sewer design (i.e. flow calculations, force main sizing and alignment and pump station shall be designed in accordance with Westchester County Department of Health (WCDOH) standards and coordinated with the Village Engineer. Potential impacts to other utilities (e.g. water pipe crossings) affected by the realignment of the sanitary sewer system will be discussed. Potential impacts related to the Otter Creek crossing, construction and noise will be discussed.

#### **3. Proposed Mitigation**

Protective measures to minimize impact to Otter Creek and adjacent wetlands will be discussed. Input and coordination with the Village Engineer and Westchester County DOH will be sought and incorporated into the design to minimize/avoid

impact to the municipal sewer system. Any information required by the DOH, an involved agency, to approve the proposed new sanitary sewer system, shall be provided.

#### **D. Noise (Qualitative Analysis)**

- I. Existing Conditions: An assessment of the existing noise conditions shall be summarized in the text.
2. Potential Impacts: Construction noise for the Proposed Action and compliance with Village ordinances will be discussed. Post-development noise levels associated with the pump station shall be estimated at sensitive locations to assess project impacts. The post-development noise levels shall be based upon measurements of additional noise produced by the sanitary pump station and construction related generators.

The combined noise levels shall be compared to published accepted noise sources and applicable industry standards for acceptable levels, specifically those identified in the New York State Department of Environmental Conservation policy statement, Assessing and Mitigating Noise Impacts.

3. Mitigation: Mitigation measures to reduce noise levels, both during construction and post-development, shall be analyzed.

#### **E. Construction**

The phase/sequence in which the sanitary sewer system will be constructed will be discussed, including conformance with all Village regulations. The proposed methods of construction to install the sanitary force main to minimize impact to Otter Creek will be discussed, including how the integrity of the sewer system improvements will be monitored both during and after construction.

### **VI. ALTERNATIVES**

For each alternative listed, the Applicant will analyze the potential impacts (adverse as well as beneficial) for each category listed above.

- A. No Action
- B. Alternate force main alignment along South Barry Avenue. This alternative should include two options: an alignment under Otter Creek at South Barry Avenue, and an alignment attached to the Barry Avenue Bridge.
- C. Alternate force main alignment along Taylors Lane.
- D. For Alternatives B and C, or any other alternative requiring the construction of a pump station, alternative locations for that pump station should be analyzed, taking into consideration flood elevations on the site and proximity to Otter Creek.
- E. Private on-site wastewater treatment facility.

### **VII. ADVERSE ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED**

VIII. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

IX. Use and Conservation of Energy

X. Growth-Inducing, Cumulative and Secondary Impacts

XI. APPENDICES including but not limited to the following items:

- Sanitary Sewer Design Report
- Geotechnical Investigation Report (limited to area of proposed stream crossing work)
- Copy of recorded easement or other legal instruments involving third parties required for the sewer line.

**Distribution List: Final Supplemental Environmental Impact Statement (SEIS) Scope**

**Re: Mamaroneck Beach and Yacht Club  
Sanitary Sewer Improvements**

**Harbor and Coastal Zone Management Commission  
Cindy Goldstein, Chair  
1066 Sea Haven Drive  
Mamaroneck, New York 105463**

**Board of Architectural Review  
Dennis Cucinella, Chair  
207 No. Barry Avenue  
Mamaroneck, New York 10543**

**Mayor and Board of Trustees  
Village of Mamaroneck  
123 Mamaroneck Avenue  
Mamaroneck, New York 10543**

**Richard Slingerland, Village Manager  
Village of Mamaroneck  
123 Mamaroneck Avenue  
Mamaroneck, New York 10543**

**Bill Gerety, Building Inspector  
Village of Mamaroneck  
123 Mamaroneck Avenue  
Mamaroneck, New York 10543**

**Anthony Carr, Village Engineer  
123 Mamaroneck Avenue  
Mamaroneck, New York 10543**

**Susan Favate, Planning Consultant  
Buckhurst Fish & Jacquemart, Inc.  
115 Fifth Avenue  
New York, New York 10003**

**Charles Goldberger, Esq., Village Attorney  
Village of Mamaroneck  
123 Mamaroneck Avenue  
Mamaroneck, New York 10543**

**Lester D. Steinman, Esq.**  
**Village Land Use Boards Counsel**  
**Wormser, Kiely, Galef & Jacobs LLP**  
**399 Knollwood Road**  
**White Plains, New York 10603**

**Agostino Fusco, Clerk-Treasurer**  
**Village of Mamaroneck**  
**123 Mamaroneck Avenue**  
**Mamaroneck, New York 10543**

**Joseph Russo, Harbor Master**  
**Village of Mamaroneck**  
**123 Mamaroneck Avenue**  
**Mamaroneck, New York 10543**

**Robert Pecchia, Fire Chief**  
**Village of Mamaroneck**  
**123 Mamaroneck Avenue**  
**Mamaroneck, New York 10543**

**Mamaroneck Public Library**  
**136 Prospect Avenue**  
**Mamaroneck, New York 10543**

**Westchester County Department of Health**  
**145 Huguenot Street, 8<sup>th</sup> Floor**  
**New Rochelle, New York 10801**  
**Contact: Peter DeLucia, Assistant Commissioner, Bureau of Public Health Protection**

**Westchester County Department of Planning**  
**148 Martine Avenue, Room 432**  
**White Plains, New York 10601**  
**Contact: Edward Burroughs, Commissioner**

**Westchester County Department of Environmental Facilities**  
**270 North Avenue 6<sup>th</sup> Floor**  
**New Rochelle, New York 10801**  
**Contact: Thomas Lauro, Commissioner**

**Westchester County Department of Public Works**  
**148 Martine Avenue**  
**White Plains, New York 10601**  
**Contact: Jay Pisco, Commissioner**

**Westchester County Department of Planning and Soil Conservation  
148 Martine Avenue, Room 432  
White Plains, New York 10601  
Contact: David Kvinge, Director of Environmental Planning**

**Town of Mamaroneck  
Town Clerk  
740 W. Boston Post Road  
Mamaroneck, New York 10543**

**Joseph Carvin, Supervisor  
Town of Rye  
10 Pearl Street  
Port Chester, New York 10573**

**New York State Department of State  
Office of Communities and Waterfronts  
99 Washington Avenue, Suite 1010  
Albany, New York 12231-0001  
Contact: George Stafford, Director**

**New York State Department of Environmental Conservation  
Region 3 Office  
21 South Putt Corners Road  
New Paltz, New York 12561-1696  
Contact: Margaret Duke**

**New York State Office of General Services  
41<sup>st</sup> Floor, Corning Tower Empire State Plaza  
Albany, New York 12242  
Contact: RoAnn Destito, Commissioner**

**United States Army Corps of Engineers, North Atlantic Division  
302 General Lee Avenue  
Brooklyn, New York 11252  
Contact: Donald Degidio, Colonel**

**Victor M. Tafur, Esq.  
490 Bleeker Avenue  
Mamaroneck, New York 10543**

**Shore Acres Property Owners Association (SAPOA)  
c/o Daniel S. Natchez  
916 East Boston Post Road  
Mamaroneck, New York 10543-4109**

**Mamaroneck Beach & Yacht Club  
555 South Barry Avenue  
Mamaroneck, New York 10543**

**Mamaroneck Beach & Yacht Club  
c/o Paul Noto Esq.  
650 Halstead Avenue  
Mamaroneck, New York 10543**

**NYSDES Headquarters  
625 Broadway  
Albany, New York 12233-0001  
Attn: Rebecca Crist**

**APPENDIX B**

TECHNICAL REPORTS

**APPENDIX B1**

**DRAFT ENGINEERS REPORT FOR ONSITE SANITARY SEWER AND PUMP STATION**



**DRAFT ENGINEERS REPORT**  
**ONSITE SANITARY SEWERS AND PUMP STATION**

**MAMARONECK BEACH AND YACHT CLUB**

555 South Barry Avenue  
Mamaroneck, NY 10543  
Tax Map Parcel: Section 4, Block 77, Lot 31

***Applicant/Project Sponsor:***

**Mamaroneck Beach and Yacht Club**

555 South Barry Avenue  
Mamaroneck, NY 10543  
Contact: Ms. Lisa Rosenshein  
Tel: (914) 698-3600

***Prepared by:***

**TRC Engineers, Inc.**

7 Skyline Drive  
Hawthorne, New York 10532  
Tel: (914) 592-4040  
TRC Project No.: 200001

***Municipal Sewer System Owner:***

Village of Mamaroneck  
Village Hall at the Regatta  
123 Mamaroneck Avenue  
Mamaroneck, NY 10543

Authorization to submit to the Westchester County Department of  
Health for Approval of Plans for a Wastewater Disposal System

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

Revision History		
Rev.	Date	Description
0		DSEIS Submission

### **Table of Contents**

1. Introduction
2. Project Description
3. Floodplain
4. Existing Sewer System
5. Sewage Flow Rate
6. Wastewater Collection System
7. Pump Station and Force Main Design
8. Ownership & Maintenance

### **Tables**

Table No. 1 – Floodplain Elevations  
Table No. 2 - Unit Flow Rates  
Table No. 3 – On Season Sewage Flow Rate  
Table No. 4 – Off Season Sewage Flow Rate  
Table No. 5 – Manhole Vacuum Test Requirements

### **Appendices**

- A. Figures/Exhibits
  - 1) Site Location Map
- B. Pump Station Calculations
  - On Season
  - Off Season
- C. Manufacturer Catalog Sheets

### **References:**

- Mamaroneck Village Code
- New York State Design Standards for Intermediate-Sized Wastewater Treatment Systems dated March 5, 2014
- Recommended Standards for Wastewater Facilities 2004 Edition

## 1. **Introduction**

The Mamaroneck Beach & Yacht Club (MBYC) Project is located at the southern end of South Barry Avenue in the Village of Mamaroneck, Westchester County, New York (Figure No. 1 - Site Location Map). The Project Sponsor/Applicant is proposing to upgrade the present club and will include demolition or reconstruction of several existing features including cabanas, pool, pedestrian paths and parking lots.

The Project will include alterations of the existing clubhouse and cabanas along with the construction of new amenities such as seasonal residences, recreation building, pedestrian paths, vehicle access roads and parking. Many of the existing features, including the existing gravel parking area adjacent to Otter Creek, existing buildings and tennis courts will remain in their present condition. The completed project is currently contemplated to be constructed in five (5) phases as further described below.

- Phase I – Yacht Club/Dockmaster Building;
- Phase II - Recreation Building, associated pool improvements, related utility and storm water improvements;
- Phase III - Great Lawn Seasonal Residence Building, adjacent paved parking, great lawn parking, related utility, sanitary and storm water improvements;
- Phase IV- Clubhouse and related utilities;
- Phase V – Beach Seasonal Residence Building, associated roadway, parking, utility and storm water improvements.

## 2. **Project Description**

The Project consists of the installation of a new 8" private sanitary sewer collection system and a sanitary sewer pump station to replace the existing systems within the Mamaroneck Beach and Yacht Club site. In accordance with the WCDOH rules and regulations an application will be filed for Approval of Plans for a Wastewater Disposal System for Sanitary Sewer Extension and Pump Station with a flow rate greater than 2,500 gallons per day.

## 3. **Floodplain**

The proposed pump station will be located in an area that has been defined as Flood Zone AE14 with BFEs of 14.0 (NAVD). Thus, the design of the pumping station was based upon the required protection within flood zone AE14.

The top elevation of the top slab of the proposed pump station has been designed to an elevation of 16.0 which is two (2) feet above the 100 year floodplain elevation to comply with the requirements of the Village Code and Design Standards, as follows:

- Chapter 186 Article I Flood Damage Prevention §186-5.B (3) (c) Utilities of the Village Code which states "New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters."
- New York State Design Standards for Intermediate-Sized Wastewater Treatment Systems dated March 5, 2014, Chapter B.5 recommends that lift stations and pump houses be watertight up to two (2) feet above the 100-year flood elevation.

#### **4. Existing Sewer System**

The project site is located in the Village of Mamaroneck and the Westchester County Mamaroneck Sewer Districts. Sewage from the site is collected in an onsite sewer system which drains to an existing onsite private submersible sewage pump station. The existing pump station is located in the lawn area south of the tennis courts and contains two (2) submersible pumps. Based on the available manufacturer's literature, provided by the owner, the two (2) pumps working together have an estimated pumping capacity of approximately 100 gallons per minute (gpm).

The existing pump station discharges through an existing 6-inch force main which traverses the site in a westerly direction. The existing force main crosses under Otter Creek where it discharges to the existing municipal gravity sewer system (Village manhole #66449) located in Alda Road.

The municipal sewer system to which the site discharges serves the residential neighborhood located immediately north of the site. The sewer system drains to a collector sewer located in South Barry Avenue, which drains to a County operated pump station located immediately south of Guion Creek. Sewage is pumped from the County pump station to a gravity sewer which drains to the Mamaroneck Wastewater Treatment Plant (WWTP). Department of Environmental Facilities (DEF) personnel have indicated that the pump station is presently operating at 1.38 MGD and has a design capacity of 2.88 MGD.

## 5. **Sewage Flow Rate**

Section B.6.b of the New York State Department of Environmental Conservation (NYSDEC) Design Standards for Intermediate-Sized Wastewater Treatment Systems (Design Standards) dated March 5, 2014 indicates that the design sewage flow rate is typically based on the flow rates determined using one (1) of the following three (3) methods:

1. Using the typical per unit hydraulic loading rates provided in Table B-3 of the NYSDEC Design Standards multiplied by the number of units;
2. Obtaining metered wastewater flow rates from existing or similar facilities; or
3. Obtaining metered daily water usage records from existing or similar facilities.

The unit flow rate was determined by calculating the average annual water usage rate and dividing by the total number of club members, resident staff members and non-resident staff members for a period of one (1) year from which an existing unit flow rate of 27 gallons per person per day was established. The determination of the unit flow rate based on metered water usage records is consistent with Method 3 of the Design Standards.

This unit flow rate is the average annual water usage rate or the average unit flow rate based on the entire year and does not consider the variations in the unit flow rates that will occur between on-season and off-season conditions. The design of the proposed pump station considers both of these conditions since it will operate on a year round basis. Based on the data utilized to determine the average annual unit flow rate, the unit flow rates for both the on-season and off-season conditions were determined. The calculated values, in gallons per person (gpd) per person for all conditions are presented in Table 2 below.

<b>Table 2</b>	
<b>Unit Flow Rates</b>	
Flow Condition	Unit Flow Rate (gpd)
Average Annual Unit Flow Rate	27
On-Season Unit Flow Rate	42
Off-Season Unit Flow Rate	77

Further, the typical unit hydraulic flow rate of 110 gallons per bedroom per day for apartments from Table B-3 of the Design Standards was utilized for the proposed seasonal residences. These unit flow rates were applied to the total number of resident staff members, nonresident members and number of seasonal residences to determine the flow rates to the proposed pump station for both on and off season conditions.

The total number of members to be utilized in the analysis is as described in Table 18 of the Environmental Narrative dated February 2013 which indicates a new total population for the 2013 amended site plan of 900 persons. The total on-season population includes 31 resident staff members, 828 nonresident members and 41 persons in the seasonal residences. The total off-season population includes 30 resident staff members and

between 27 and 37 nonresident staff members for a total of 57 to 67 persons. For the off season analysis, the higher population value of 67 person was utilized.

Table 3 and Table 4 set forth the calculations for the average daily flow and peak hourly flow rate for the on and off season flow conditions to the proposed pump station. The Design Peak Hour Factor is based on the Harmon Peaking Factor as defined in the Recommended Standards for Wastewater Facilities, 2004 Edition and the formula below:

$$PF = \frac{18 + P^{1/2}}{4 + P^{1/2}}, \text{ where } P \text{ equals design contributing population in thousands}$$

<b>Table 3</b>						
<b>On-Season Sewage Flow Rate</b>						
Type of Use	No. of Units	No. of Bedrooms	Population	Unit Flow Rate (gpd)	Flow Rate (gpd)	Flow Rate (gpm)
Non Resident Members			828	42	34,379	23.9
Resident Staff Members			31	42	1,724	1.2
New Seasonal Residences	18	1	41	110	1,980	1.4
Totals	18		900		38,083	26.4
Peaking Factor					3.8	
Peak Hourly Flow Rate					145,820	101.3
<b>Table 4</b>						
<b>Off-Season Sewage Flow Rate</b>						
Type of Use			Population	Unit Flow Rate (gpd)	Flow Rate (gpd)	Flow Rate (gpm)
Non Resident Members			37	77	2,865	2.0
Resident Staff Members			30	77	2,323	1.6
Totals			67		5,188	3.6
Peaking Factor					4.3	
Peak Hourly Flow Rate					22,244	15.4

## 6. Wastewater Collection System

### A. Proposed Sanitary Sewer

The proposed sanitary sewer system extension will entail the installation of 8" PVC pipe and precast concrete manholes. The proposed sanitary sewer system has been designed and will be constructed in accordance with the requirements of the "Recommended Standards for Wastewater Facilities, Chapter 30 - Design of Sewers", Latest Edition and the Westchester County Department of Health approved plans.

### B. Materials

- 1) Pipe material, as designated on the design drawings, shall be as follows:

- SDR-35, Type PSM polyvinyl chloride (PVC) sewer pipe and fittings in accordance with ASTM D-3034, "Standard Specification for Type PSM Poly (Vinyl Chloride) (PVC) Sewer Pipe and Fittings", latest revision.
  - Polyvinyl Chloride (PVC) Pressure Pipe (4-inch through 12-inch) Pressure class DR18 with CI pipe outside diameter conform to AWWA C900, latest revision; Joints shall employ an elastomeric seal (gasket) manufactured in conformance with ASTM F477.
  - Ductile iron gravity and pressure pipe shall conform to ASTM A746 - 09 Standard Specification for Ductile Iron Gravity Sewer Pipe and AWWA C111 and C151 (ANSI A21.51) standard. All pipe shall be new and shall have the AWWA or ASTM designation, pressure class and size of pipe stamped on the outside of each joint. Pipe shall be Special Thickness Class 52.
- 2) Precast Concrete Manholes
- Pre-cast concrete manholes shall be utilized with 4'-0" inside diameter and shall employ a flexible manhole pipe connection in accordance with "Resilient Connectors between Reinforced Concrete Manholes, Structures and Pipes", ASTM C 923.
  - Pre-cast concrete manholes shall be manufactured in accordance with ASTM C 478.
  - Manhole covers will be specified as watertight to minimize inflow and infiltration from flood waters.
  - Manhole vents will be provided as necessary.

C. Horizontal and Vertical Separation

Sewers shall be laid at least ten (10) feet horizontally from any existing or proposed water main. Sewers crossing water mains shall be laid to provide a minimum vertical distance of eighteen (18) inches between the outside of the water main and the outside of the sewer.

D. Low-Pressure Air Exfiltration Testing for Pipes

- 1) The air test shall conform to the test procedure described in ASTM F 1417 for plastic pipe. The test length shall not exceed one (1) interval of pipe between two (2) manholes.
- 2) After the pipe has been backfilled and cleaned, pneumatic plugs shall be placed in the line at each manhole and inflated to 25 psi. Low-pressure air shall be introduced into this sealed line until the internal air pressure reaches 4 psi greater than the average back pressure of any ground water that may be over the pipe. At least two (2) minutes shall be allowed for the air pressure to stabilize.
- 3) After the stabilization period (3.5 psi minimum pressure in the pipe), the portion of line being tested shall be acceptable if the time required in minutes for the pressure to decrease from 3.5 to 3.0 psi (greater than the average back

pressure of any ground water that may be over the pipe) is not less than five (5) minutes for an eight (8) inch diameter pipe.

E. Vacuum Testing of Manholes

- 1) ASTM C1244 Test Method for Concrete Sewer Manholes by the Negative Air Pressure (Vacuum) Test Prior to Backfill. This test method is only applicable to precast concrete manholes.
- 2) All lifting holes and exterior joints shall be filled and pointed with an approved non-shrinking mortar.
- 3) Manholes are to be tested prior to the placement of the pavement section.
- 4) All pipes and other openings into the manhole shall be suitably plugged in such a manner as to prevent displacement of the plugs while the vacuum is drawn.
- 5) Installation and operation of vacuum equipment and indicating devices shall be in accordance with equipment specifications and instructions provided by the manufacturer.
- 6) The test head may be placed in the cone section of the manhole. The rim-cone joint is not usually tested.
- 7) A vacuum of 10 inches of mercury shall be drawn. The time for the vacuum to drop to 9 inches of mercury shall be recorded.
- 8) Manhole shall pass if time required meets or exceeds values indicated in the following table.

Table No. 5 - Manhole Vacuum Test Requirements			
	Manhole Diameter		
Manhole Depth	48"	60	72
8	20 sec	26 sec	33 sec
10	25 sec	33 sec	41 sec
12	30 sec	39 sec	49 sec
14	35 sec	46 sec	57 sec
16	40 sec	52 sec	57 sec
18	45 sec	59 sec	67 sec

- 9) If the manhole fails the test, necessary repairs shall be made and the vacuum test repeated until the manhole passes the test. As an alternate method of acceptance, and only with the approval of the Engineer, the failed manhole may be tested in accordance with the standard infiltration/exfiltration test and rated accordingly.
- 10) If the manhole joint mastic or gasket is displaced during the vacuum test, the manhole shall be disassembled and the seal replaced.

7. Pump Station and Force Main Design

A. Submersible Pumps

Furnish and install two (2) Flygt NP 3085 SH3 Adaptive 256 submersible explosion proof non-clog wastewater pumps. Each pump shall be equipped with a 4.0 Hp submersible electric motor connected for operation on 208 volts, three (3) phase, 60 hertz with a minimum 50 feet of submersible cable (subcab) suitable for submersible pump applications.

B. Pump Station Calculations

Calculations for the Pump Station for both Peak Season and Off Season flow conditions are contained in Appendix B. The pumps station calculations have been summarized in Table No. 6 below.

Table No. 6 - Pump Station Data				
Description	Off Season		Peak Season	
Design Average Inflow (I) =	4	gpm	26	gpm
Design Peak Hourly Inflow (I) =	15	gpm	101	gpm
Pump Flow Rate, Pump A, Qdp =	113	gpm	115	gpm
Force Main Velocity, Pump A =	2.9	fps	2.9	fps
Static Head (Maximum)	33.0	ft.	32.0	ft.
Friction Loss, Hf =	16.2	ft.	16.8	ft.
TDH (Maximum) =	49.3	ft.	48.8	ft.
Design Average Cycle Time (Tavg) =	27.5	Min.	13.4	Min.

C. Precast Concrete

The proposed wet well and valve vault shall be constructed of reinforced precast concrete in accordance with the following minimum requirements.

- 1) Precast Reinforced Concrete Manhole Sections shall conform to the requirements of "Precast Reinforced Concrete Manhole Sections", ASTM C478 and AASHTO M199, latest revisions.
- 2) Reinforcing bars shall conform to the requirements of ASTM A767/A767M-09 Standard Specification for Zinc-Coated (Galvanized) Steel Bars for Concrete Reinforcement.
- 3) Joints between riser sections shall be rubber gasket joint sealer in accordance with the Specifications for Joints for Circular Concrete Sewer and Culvert Pipe Using Flexible Watertight Gaskets," AASHTO Designation M198 (ASTM C 990).
- 4) Gravity pipe to manholes connections shall include resilient connectors for connections between precast structures and pipes conforming to ASTM C923, "Resilient Connectors between Reinforced Concrete Manholes Structures, Pipes and Laterals".
- 5) Force main wall penetrations shall be sealed with Link-Seal® Model "S-316" Modular Seal or approved equal.
- 6) Precast concrete structures shall be designed for H20 traffic loading, where appropriate.

- 7) The minimum compressive strength of the concrete used for all precast structures shall be 4,000 psi. Where steps are required in structures, steps shall be installed during the casting of the structures, aligned as specified herein and on the Drawings.
- 8) Joints in the structures shall be tongue and groove joints, formed in such a manner so that a rubber seal can be applied.
- 9) Flat top slabs and base slabs shall be manufactured with two layers of steel reinforcement, one located near the bottom surface and one located near the top surface.

D. Level Control System

Liquid level measurement and control for the Pump Station will be controlled by a level transducer with settings at Low Level Alarm, Pump Off, Lead Pump On, Lag Pump On and High Level Alarm.

The Pump Controller will be set up with two (2) operational modes, one for the peak season and one for the off season which would allow for a change the level set points with a push of a button without going into the basin. The level transducer (see attached) will provide a wide range of available set points and (2) floats for back up.

One pumps will be furnished with a Flygt Mix-Flush valve. With the MultiSmart, a setting will be created for the off-season, so that the pump with the flush valve would start every five (5) minutes regardless of the level in the basin and run for a half minute to a minute to stir the basin.

E. Force Main Design

- 1) Design Parameters
  - a. The proposed force main diameter will be 4 inches;
  - b. The proposed force main will have a minimum cleansing velocity of 2 feet per second at the design pumping rate;
  - c. The proposed force main shall be installed with a 4'-0" depth of cover;
  - d. Friction loss calculations through the force main are based on the Hazen-Williams formula. A "C" value of 120 has been utilized in the design calculations.
  - e. The proposed force main will enter a receiving manhole located 15 feet from the Village sewer manhole. This will provide a smooth flow transition to the existing gravity sewer system;
  - f. The interior surface of the receiving manhole shall receive a coat of a crystalline waterproof coating.

2) Force Main Materials

- a. Polyethylene pipe shall be made from HDPE material having a material designation code of PE3608 or higher. The material shall meet the requirements of ASTM D 3350 and shall have a minimum cell classification of PE345464C. In addition, the material shall be listed as meeting NSF-61. The pipe and fittings shall meet the requirements of AWWA C906. HDPE pipe shall be rated for use at a pressure class of 125 psi. The outside diameter of the pipe shall be based upon the dips sizing system. Butt fusion: the pipe shall be joined by the butt fusion procedure outlined in ASTM F 2620 or PPI TR-33. All fusion joints shall be made in compliance with the pipe or fitting manufacturer's recommendations. Fusion joints shall be made by qualified fusion technicians per PPI TN-42.
- b. Polyvinyl Chloride (PVC) Pressure Pipe (4-inch through 12-inch) Pressure class DR18 with CI pipe outside diameter conform to AWWA C900, latest revision; Joints shall employ an elastomeric seal (gasket) manufactured in conformance with ASTM F477.
- c. Ductile iron pipe shall conform in all aspects to the requirements of AWWA Specifications C150 and C151, latest revisions. Pipe shall conform to the standard dimensions of push on joint pipe, Special Class 52. Rubber gasket joints for ductile iron pipe and fittings shall conform to AWWA Specification C111, latest edition.
- d. Fittings shall be ductile iron compact fittings (3 inch through 24 inch) rated for 350-psi in accordance with AWWA specification C153, latest revision. Fittings shall be furnished with push on joints in accordance with AWWA Specification C111, latest revision.
- e. Valves shall be mechanical joint, iron body, resilient seated gate valves in accordance with AWWA C509, latest edition. Valves shall have non rising stems, nut operated to open left. Valve boxes shall be cast iron, extension sleeve type, suitable for the depth of cover required by the drawings. Valve boxes shall be not less than 5 inches in inside diameter and shall be provided with suitable cast iron bases and lids marked "SEWER". All parts of valve boxes, bases, and covers shall be shop coated by dipping in an asphalt varnish.

3) Testing

- a. Hydrostatic leakage testing for polyethylene pipe shall comply with ASTM F 2164-02 Standard Practice for Field Leak Testing of Polyethylene (PE) Pressure Piping Systems Using Hydrostatic Pressure. Pneumatic (compressed air) leakage testing of HDPE pressure piping is not permitted.

- b. A hydrostatic pressure and leakage test for ductile iron pipe shall be conducted in accordance with AWWA specification C600, latest revision.
- c. The minimum hydrostatic test pressure shall be 50 psi.

F. Telemetry

The Pump Station Control Panel will be monitored by an alarm dialer system mounted adjacent to the Control Panel and wired to monitor any alarm signal generated by the Control Panel. In the event that an alarm signal is received from the control panel, the auto-dialer initiates the auto-dial sequence of owner supplied contact(s) telephone numbers. In the event that the phone number dialed does not answer, the auto-dialer shall default to the next priority telephone number. This process shall continue until the auto-dialer call is answered and the alarm has been acknowledged.

G. Control Panel Description

The control panel shall be provided with the following minimum features:

- Custom Three Phase Duplex Intrinsically Safe Control Panel
  - Alternating Pump Down Operation
- Three Phase Incoming Power
- 208/230/460:120 Vac, Transformer
  - For 120 Vac Control/Alarm Circuits
- NEMA Type 4X Rated Enclosure
  - Type 304 Stainless Steel Wall Mount
  - Pad-Lockable Handle
  - Deadfront w/ Inner Swing-Out Door
- Alarms (Activated By High Level Float)
  - Red Alarm Beacon
  - Alarm Horn
- Heavy Duty Oil Tight Indicator Lights (22mm LED Full Voltage Type)
  - 2 Green Pump Run Indicators (Inner Door Mount)
  - 2 Amber Seal Failure Indicators (Inner Door Mount)
  - 2 Red Thermal Cutout Indicators (Inner Door Mount)
- Heavy Duty Oil Tight Switches (22mm)
  - 2 Pump Hand-Off-Automatic Switches (Inner Door Mount)
  - Lead/Lag Selector Switch (Inner Door Mount)
  - Alarm Test Push Button Switch (Inner Door Mount)
  - Alarm Silence Push Button Switch (Enclosure Side Mount)
- 2 IEC Rated Contactors
  - 18 Amp
- 2 IEC Rated Motor Protective Switches (Short Circuit & Overload Protection)
  - Range, 13.0-18.0 Fla

- Non-Powered Auxiliary Contacts
  - Dry Contacts For High Level & Common Pump Fail (Seal Fail & Thermal Cutout)
- UL Listed (UL File 698a) For Control Panel Relating To Hazardous Locations with Intrinsically Safe Circuit Extensions
- Float control liquid level measurement and control set at Low Level Alarm, Pump Off, Lead Pump On, Lag Pump On and High Level Alarm.
- Elapsed time meter for each pump.

## **8. Ownership & Maintenance**

Upon completion of construction and receipt of a Competed Works Approval (CWA), the onsite private sanitary sewer system will be owned and maintained by the Property Owner. An Operations and Maintenance Manual (O&M Manual) will be prepared for the proposed pump station and force main and will contain ownership information, contractor and sub-contractor names and addresses, consultant names and addresses, approving agency names and addresses, applicable permits and approvals, copies of applicable easements and/or legal agreements, approved drawings, engineers design report, technical specifications, submittals log, approved submittals, as-built drawing(s), WC DOH completed works approval (CWA), and manufacturer operation and maintenance manuals for the proposed pumps and pump controller.

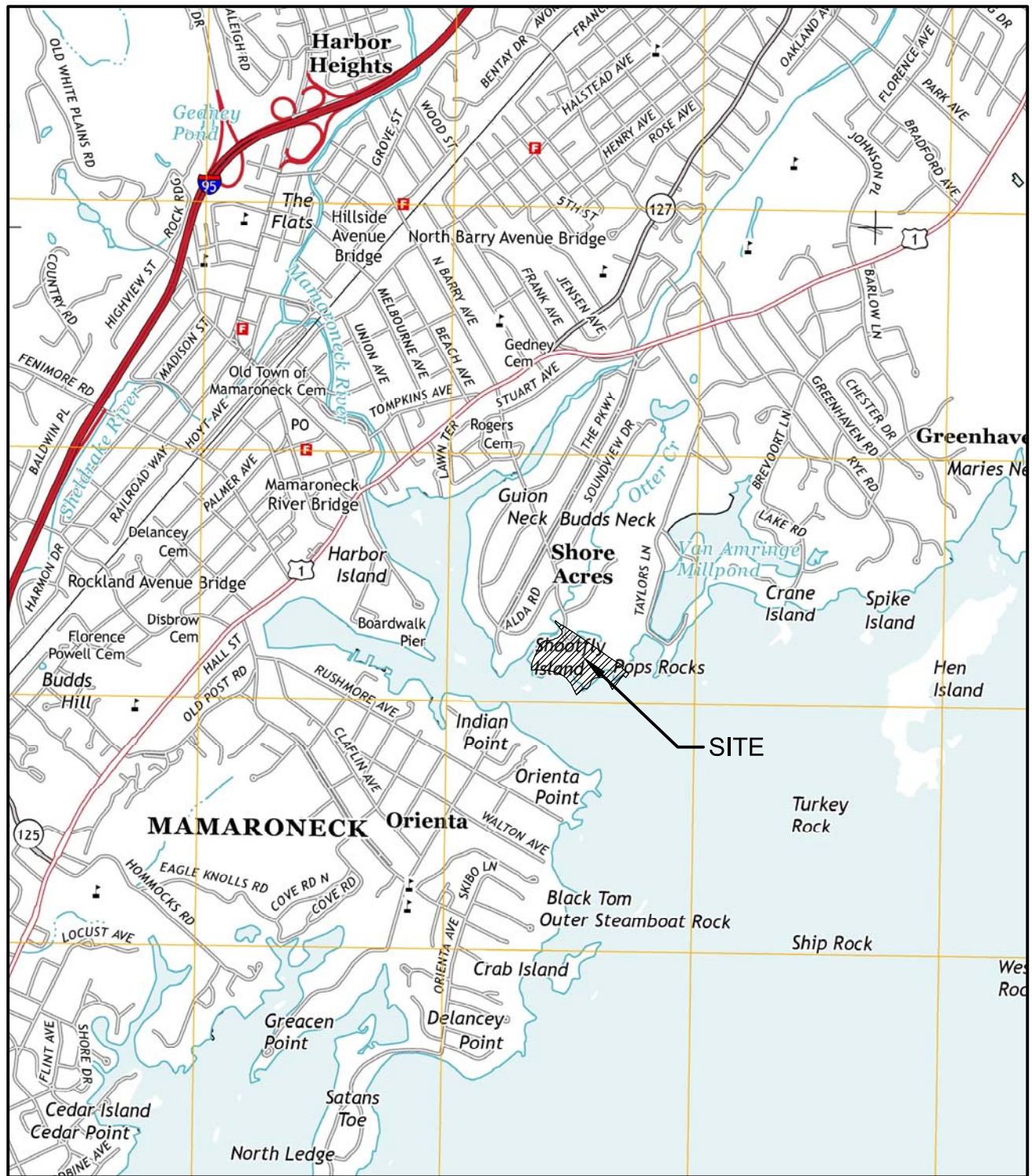
The O&M Manual will outline routine force main test procedures. Testing would be scheduled during the off-season so as not to impact club operations.

- Pressure and leakage test of the proposed force main will be conducted once every five (5) years along with the required test procedure and pressure.
- A dye test will be conducted once every five (5) years to determine visual evidence of leaks in conjunction with the pressure and leakage test.
- The test procedures will be performed under the supervision of a Consulting Engineer retained by the Club and/or the Village Engineer and Building Inspector.
- Any deficiencies which may be noted or observed during the test procedure will be repaired to the satisfaction of the Village Engineer.

Under New York State Education Law Article 145 (Engineering), Section 7209 (2), it is a violation of this law for any person, unless acting under the direction of a Licensed Professional Engineer, to alter this document.

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**APPENDIX A**  
**FIGURES/EXHIBITS**



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Project No. 200001  
Scale 1"=2000'

Site Location Map  
Mamaroneck Beach and Yacht Club  
Village of Mamaroneck, NY

**APPENDIX B**  
**PUMP STATION CALCULATIONS**

**TRC Engineers, Inc.**

Project: Mamaroneck Beach and Yacht Club  
South Barry Avenue Alternative  
Village of Mamaroneck, NY

Project No.: 200001  
Comp. By: RPP

Subject: Lift Station Equivalent Pipe Length

Chckd. By: TDH

Equivalent Pipe Length - Wet Well & Valve Vault					
	Coef., "C"	Pipe Size	Quantity	Eqv. Length	Length
Flanged Base Elbow	100	4	1	6	6
Flanged Elbow	100	4	1	6	6
Flanged Swing Check Valve	100	4	1	40	40
Flanged Plug Valve	100	4	1	3	3
Flanged Tee Branch, Tee	100	4	1	14	14
Flanged NRS Gate Valve	100	4	1	3	3
Flanged Tee Branch, Tee	100	4	1	14	14
Equivalent Pipe Length =					86
Force Main Equivalent Pipe Length - Valve Vault to SMH					
	Coef., "C"	Pipe Size	Quantity	Eqv. Length	Length
45 Bend - Hor.	100	4	6	4	24
45 Bend - Vert.	100	4	2	4	8
11.25 Bend - Hor.	100	4	3	2	6
Equivalent Pipe Length =					38
Total Equivalent Pipe Length					
Pump Station Piping (ft.) =					86
Force Main Piping (ft.) =					38
Sub-total Equivalent Pipe Length =					124
Coef., "C" =					120
Coef., "C" Adjustment =					0.714
Sub-total Equivalent Pipe Length =					174
Straight Pipe Lift Station					15
Straight Pipe Force Main					1300
Total Equivalent Pipe Length =					1489
Eqv. length values taken from Crane Pumps & Systems Engineering Information Manual					

**TRC Engineers, Inc.**

Project: Mamaroneck Beach and Yacht Club  
 South Barry Avenue Alternative  
 Village of Mamaroneck, NY

Subject: Duplex Submersible Lift Station  
 On Season Flow Conditions

Project No.: 200001

Comp. By: RPP

Chkd. By: TDH

PUMP STATION DATA	
Station Grade Elev.	16.00
Wet Well Floor Elev.	-4.00
Invert In	0.53
Discharge Pipe Size	4
Village MH 66476 Invert	30.53

FORCE MAIN DATA	
Equivalent Length (ft.)	1489
Size (in.)	4
Pipe Class	DIP CL52
Invert Elev. At Discharge MH	30.53
Peak Elev. In Force Main	30.53
Coef., "C"	120

SYSTEM HEAD DATA					
System Head Loss			Manufacturers Pump Head Curve	Total Dynamic Head (TDH)	
Pump Rate (gpm)	Friction Loss per 1000 ft.	Hf (ft.)		Lead Pump (feet)	Lag Pump (feet)
80.0	5.8	8.57	56.0	40.60	39.85
90.0	7.2	10.65	53.7	42.68	41.93
100.0	8.7	12.95	51.5	44.98	44.23
110.0	10.4	15.45	49.8	47.48	46.73
120.0	12.2	18.15	48.0	50.18	49.43
130.0	14.1	21.05	46.3	53.08	52.33
140.0	16.2	24.15	44.1	56.18	55.43

HEAD CALCULATION	
Pump Flow Rate, Pump A, Qdp =	115 gpm
Force Main Velocity, Pump A =	2.94 fps
Static Head (Maximum)	32.0 ft.
Friction / 1000 Ft. =	11.3
Friction Loss, Hf =	16.8 ft.
TDH (Maximum) =	48.8 ft.

WET WELL VOLUME	
Wet Well Dimension	5.33 Square
Vol./ Ft. of Depth	212 gallons / foot
Lead Pump On Depth 18	1.50 Feet
Vww, Volume of Wet Well (Lead Pump)	319 gallons
Lag Pump On Depth 9	0.75 Feet
Vww, Volume of Wet Well (Lead plus Lag Pump)	478 gallons

**TRC Engineers, Inc.**

Project: Mamaroneck Beach and Yacht Club  
 South Barry Avenue Alternative  
 Village of Mamaroneck, NY

Subject: Duplex Submersible Lift Station  
 On Season Flow Conditions

Project No.: 200001

Comp. By: RPP

Chkd. By: TDH

PUMP CYCLE TIME		
Average Cycle Time (Tavg)	$\frac{V_{ww}}{Q(dp) - Q(l)}$	$+$ $\frac{V_{ww}}{Q(l)}$
Design Average Inflow (I) =	33 gpm	
Design Average Cycle Time (Tavg) =	13 minutes      10 < Tavg < 30	
Design Fill Time (Lead Pump) =	Wet Well Volume ÷ Design Average Inflow	
Design Fill Time (Lead Pump) =	10 < 30 Minutes	

STATION ELEVATION DATA		
Description		Elevation
Wet Well Floor Elev.		-4.00
Minimum Submerged Depth	12.0	1.00
Lead Pump Off Elev.		-3.00
Lead Pump On Elev.		-1.50
Lag Pump On Elev.		-0.75
Alarm On Elev.	6.0	-0.25
Invert In	9.4	0.53

PUMP DATA			
Duplex Submersible Pumps		PUMP A	PUMP B
Pump Manufacturer		FLYGT	
Pump Model No.		NP 3085 SH3 Adaptive 256	
Electrical Data	HP	4.0	4.0
	Volts	208	208
	Phase	3	3
	RPM	3430	3430
Discharge Pipe Size (inches)		4	4

DISPLACED AIR VOLUME		
V <sub>ww</sub> , Volume of Wet Well (Lead Pump) =	319	gallons
V <sub>ww</sub> , Volume of Wet Well (Lead Pump) =	43	Cubic Feet
Design Average Cycle Time (Tavg) =	13	Minutes
Displaced Air Volume =	3.2	CFM

**TRC Engineers, Inc.**

Project: Mamaroneck Beach and Yacht Club  
 South Barry Avenue Alternative  
 Village of Mamaroneck, NY

Subject: Duplex Submersible Lift Station  
 On Season Flow Conditions

Project No.: 200001

Comp. By: RPP

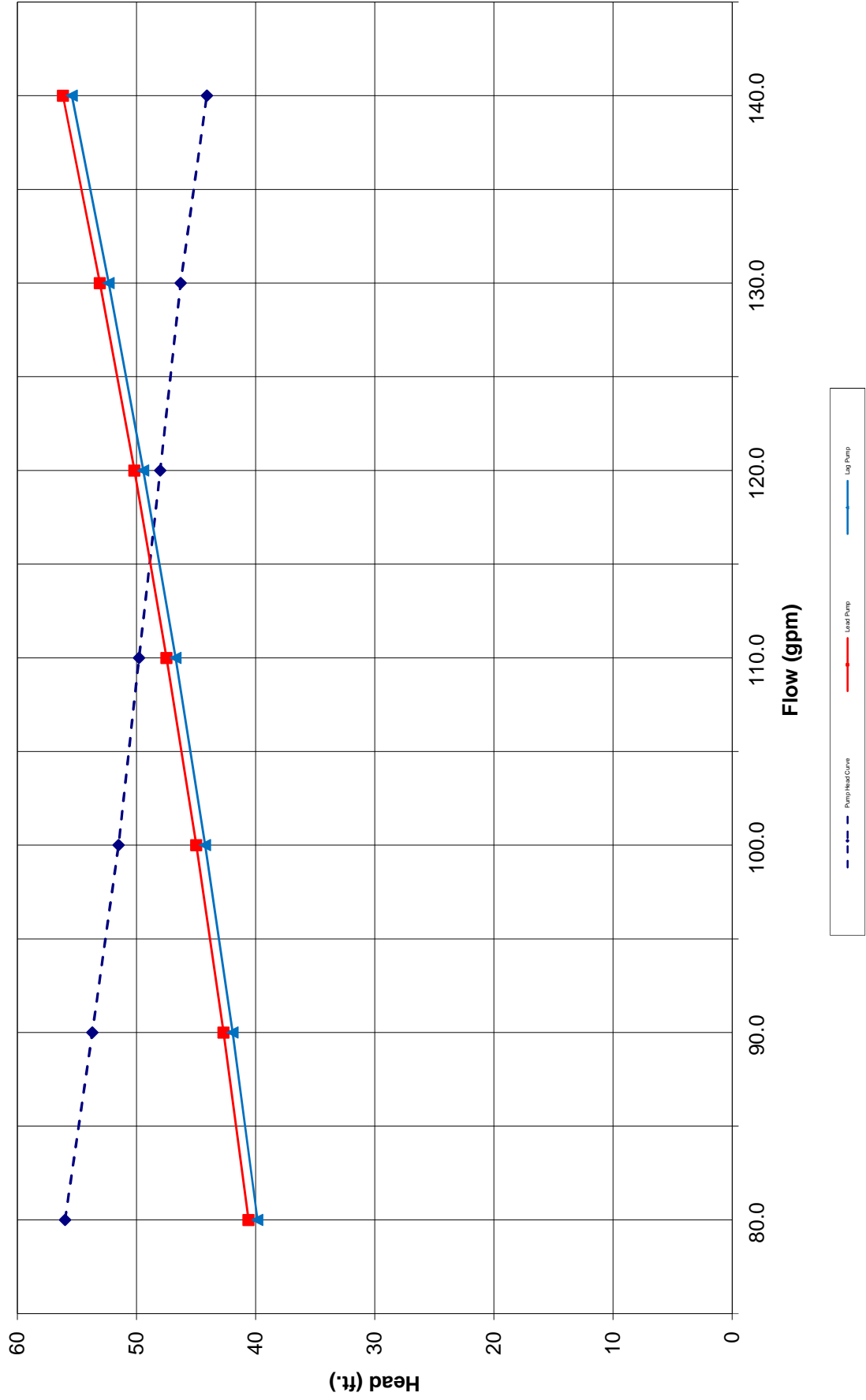
Chkd. By: TDH

<b>WET WELL STORAGE</b>		
Description		Elevation
Lead Pump Off Elev. =		-3.00
Invert In =		0.53
Wet Well Storage Depth =	Feet	3.53
Vol./ Ft. of Depth =	Gallons / foot	212
Wet Well Storage Volume =	Gallons	750
Design Average Inflow (I) =	gpm	33
Wet Well Storage Time =	minutes	22

<b>FORCE MAIN VOLUME</b>		
4-Inch pipe volume =	0.65	Gallons/foot
Force Main Length =	1300	Length
Total Force Main Volume =	849	Gallons
Design Average Pumped Volume per Cycle =	319	Gallons/cycle
No. of Pump Cycles to Purge Force Main =	2.7	No. Cycles
Design Average Cycle Time (Tavg) =	13	Minutes
Average Force Main Residence Time =	36	Minutes

<b>VENTILATION RATE</b>	
Station Grade =	16.00
Invert Elevation =	-4.00
Top Slab Thickness =	1.00
Wet Well Depth =	19.0
Wet Well Diameter =	5.3
Wet Well Volume (Cu. Ft.) =	424
No. of Air Changes per Hour =	30
Min. Air Change Rate (cfm) =	212

System Head Curve On Season Conditions  
Sanitary Lift Station



**TRC Engineers, Inc.**

Project: Mamaroneck Beach and Yacht Club  
 South Barry Avenue Alternative  
 Village of Mamaroneck, NY

Subject: Duplex Submersible Lift Station  
 Off Season Flow Conditions

Project No.: 200001

Comp. By: RPP

Chkd. By: TDH

PUMP STATION DATA	
Station Grade Elev.	16.00
Wet Well Floor Elev.	-4.00
Invert In	0.53
Discharge Pipe Size	4
Village MH 66476 Invert	30.53

FORCE MAIN DATA	
Equivalent Pipe Length (ft.)	1489
Size (in.)	4
Pipe Class	DIP CL52
Invert Elev. At Discharge MH	30.53
Peak Elev. In Force Main	30.53
Coef., "C"	120

SYSTEM HEAD DATA					
System Head Loss			Manufacturers Pump Head Curve	Total Dynamic Head (TDH)	
Pump Rate (gpm)	Friction Loss per 1000 ft.	Hf (ft.)		Lead Pump (feet)	Lag Pump (feet)
80.0	5.8	8.57	56.0	41.60	41.10
90.0	7.2	10.65	53.7	43.68	43.18
100.0	8.7	12.95	51.5	45.98	45.48
110.0	10.4	15.45	49.8	48.48	47.98
120.0	12.2	18.15	48.0	51.18	50.68
130.0	14.1	21.05	46.3	54.08	53.58
140.0	16.2	24.15	44.1	57.18	56.68

HEAD CALCULATION	
Pump Flow Rate, Pump A, Qdp =	113 gpm
Force Main Velocity, Pump A =	2.89 fps > 2 fps
Static Head (Maximum)	33.0 ft.
Friction / 1000 Ft. =	10.9
Friction Loss, Hf =	16.24 ft.
TDH (Maximum) =	49.3 ft.

WET WELL VOLUME	
Wet Well Dimension	5.33 Square
Vol./ Ft. of Depth	212 gallons / foot
Lead Pump On Depth 6	0.50 Feet
Vww, Volume of Wet Well (Lead Pump)	106 gallons
Lag Pump On Depth 6	0.50 Feet
Vww, Volume of Wet Well (Lead plus Lag Pump)	212 gallons

**TRC Engineers, Inc.**

Project: Mamaroneck Beach and Yacht Club  
 South Barry Avenue Alternative  
 Village of Mamaroneck, NY

Subject: Duplex Submersible Lift Station  
 Off Season Flow Conditions

Project No.: 200001

Comp. By: RPP

Chkd. By: TDH

CYCLE TIME		
Design Average Cycle Time (Tavg) =	$\frac{V_{ww}}{Q(dp) - Q(I)}$	+ $\frac{V_{ww}}{Q(I)}$
Design Average Inflow (I) =	4 gpm	
Design Average Cycle Time (Tavg) =	28 minutes	10 < Tavg < 30
Design Fill Time (Lead Pump) =	Wet Well Volume ÷ Design Average Inflow	
Design Fill Time (Lead Pump) =	27 < 30 Minutes	

STATION ELEVATION DATA		
Description		Elevation
Wet Well Floor Elev.		-4.00
Minimum Submerged Depth	12.0	1.00
Lead Pump Off Elev.		-3.00
Lead Pump On Elev.		-2.50
Lag Pump On Elev.		-2.00
Alarm On Elev.	6.0	-1.50
Invert In	24.4	0.53

PUMP DATA			
Duplex Submersible Pumps		PUMP A	PUMP B
Pump Manufacturer		FLYGT	
Pump Model No.		NP 3085 SH3 Adaptive 256	
Electrical Data	HP	4.0	4.0
	Volts	208	208
	Phase	3	3
	RPM	3430	3430
Discharge Pipe Size (inches)		4	4

DISPLACED AIR VOLUME		
V <sub>ww</sub> , Volume of Wet Well (Lead Pump) =	106	gallons
V <sub>ww</sub> , Volume of Wet Well (Lead Pump) =	14	Cubic Feet
Design Average Cycle Time (Tavg) =	28	Minutes
Displaced Air Volume =	0.5	CFM

**TRC Engineers, Inc.**

Project: Mamaroneck Beach and Yacht Club  
 South Barry Avenue Alternative  
 Village of Mamaroneck, NY

Subject: Duplex Submersible Lift Station  
 Off Season Flow Conditions

Project No.: 200001

Comp. By: RPP

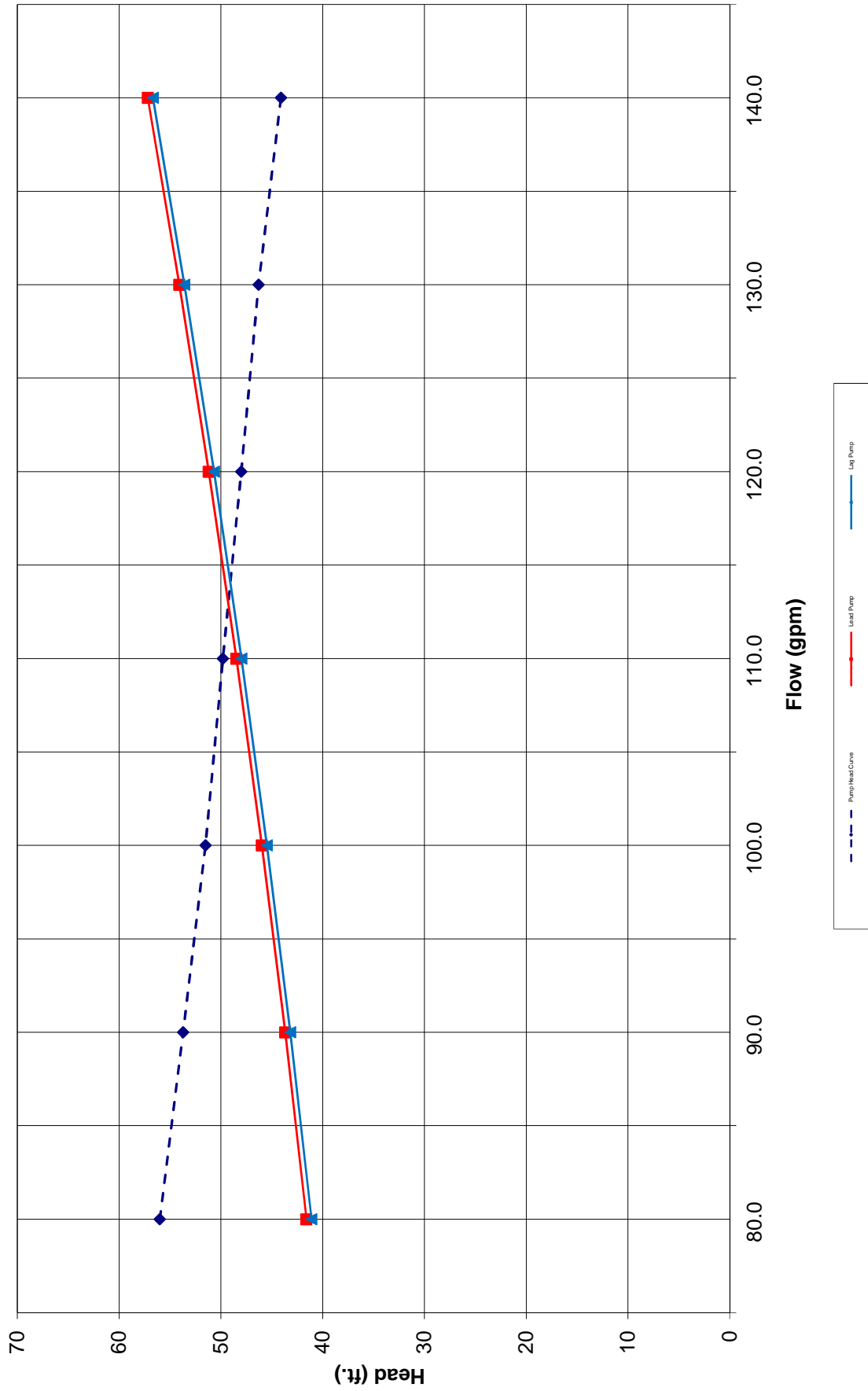
Chkd. By: TDH

<b>WET WELL STORAGE</b>	
Description	Elevation
Lead Pump Off Elev. =	-3.00
Invert In =	0.53
Wet Well Storage Depth = Feet	3.53
Vol./ Ft. of Depth = Gallons / foot	212
Wet Well Storage Volume = Gallons	750
Design Average Inflow (I) = gpm	4
Wet Well Storage Time = minutes	188

<b>FORCE MAIN VOLUME</b>		
4-Inch pipe volume =	0.65	Gallons/foot
Force Main Length =	1300	Length
Total Force Main Volume =	849	Gallons
Design Average Pumped Volume per Cycle =	106	Gallons/cycle
No. of Pump Cycles to Purge Force Main =	8.0	No. Cycles
Design Average Cycle Time (Tavg) =	28	Minutes
Average Force Main Residence Time =	220	Minutes

<b>VENTILATION RATE</b>	
Station Grade =	16.00
Invert Elevation =	-4.00
Top Slab Thickness =	1.00
Wet Well Depth =	19.0
Wet Well Diameter =	5.3
Wet Well Volume (Cu. Ft.) =	424
No. of Air Changes per Hour =	30
Min. Air Change Rate (cfm) =	212

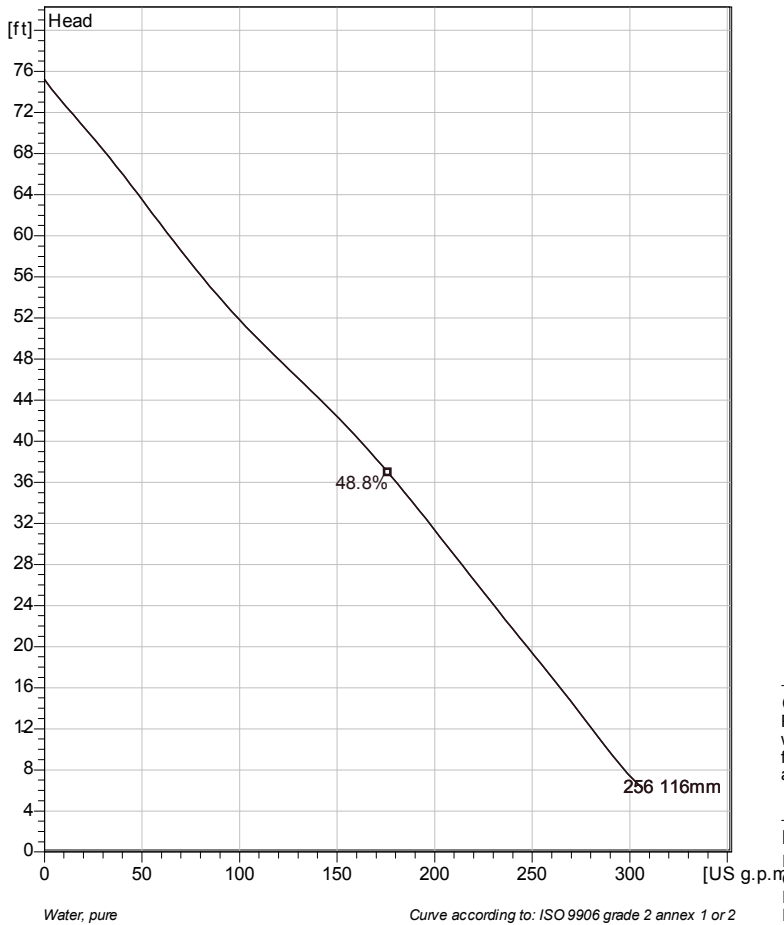
System Head Curve Off Season Conditions  
Sanitary Lift Station



**APPENDIX C**  
**MANUFACTURER CATALOG SHEETS**

## NP 3085 SH 3~ Adaptive 256

### Technical specification



Note: Picture might not correspond to the current configuration.

#### General

Patented self cleaning semi-open channel impeller, ideal for pumping in waste water applications. Possible to be upgraded with Guide-pin® for even better clogging resistance. Modular based design with high adaptation grade.

#### Impeller

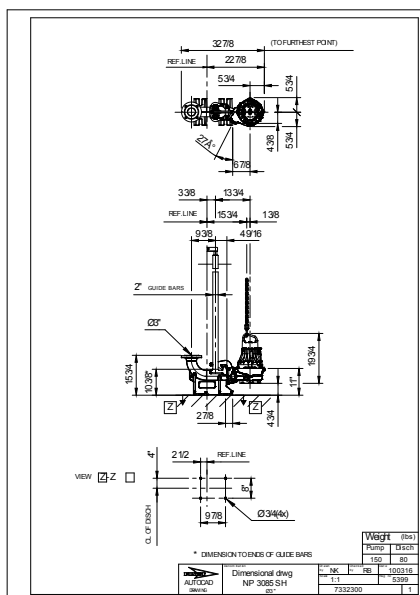
Impeller material	Grey cast iron
Outlet width	3 1/8 inch
Inlet diameter	80 mm
Impeller diameter	116 mm
Number of blades	2

#### Motor

Motor #	N3085.190 15-09-2AL-W 4hp
Stator variant	38
Frequency	60 Hz
Rated voltage	460 V
Number of poles	2
Phases	3~
Rated power	4 hp
Rated current	5 A
Starting current	30 A
Rated speed	3430 rpm
Power factor	
1/1 Load	0.92
3/4 Load	0.89
1/2 Load	0.83
Efficiency	
1/1 Load	81.0 %
3/4 Load	82.0 %
1/2 Load	81.0 %

#### Configuration

Installation: P - Semi permanent, Wet



Project	Project ID	Created by	Created on	Last update
			2014-02-24	

## NP 3085 SH 3~ Adaptive 256

### Performance curve



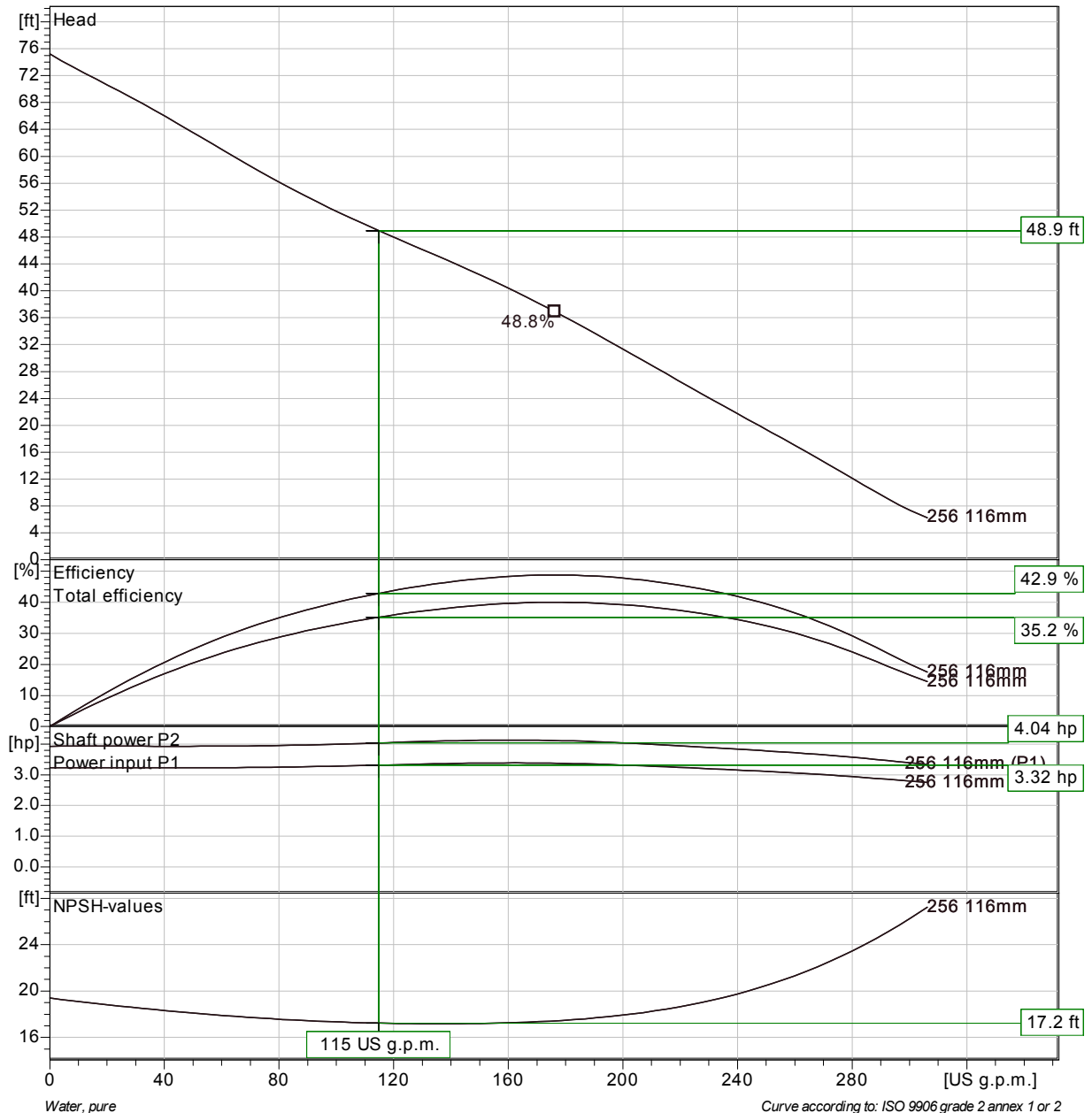
#### Pump

Outlet width 3 1/8 inch  
Inlet diameter 80 mm  
Impeller diameter 4<sup>9</sup>/<sub>16</sub>"  
Number of blades 2

#### Motor

Motor # N3085.190 15-09-2AL-W 4hp  
Stator variant 38  
Frequency 60 Hz  
Rated voltage 460 V  
Number of poles 2  
Phases 3~  
Rated power 4 hp  
Rated current 5 A  
Starting current 30 A  
Rated speed 3430 rpm

Power factor  
1/1 Load 0.92  
3/4 Load 0.89  
1/2 Load 0.83  
Efficiency  
1/1 Load 81.0 %  
3/4 Load 82.0 %  
1/2 Load 81.0 %



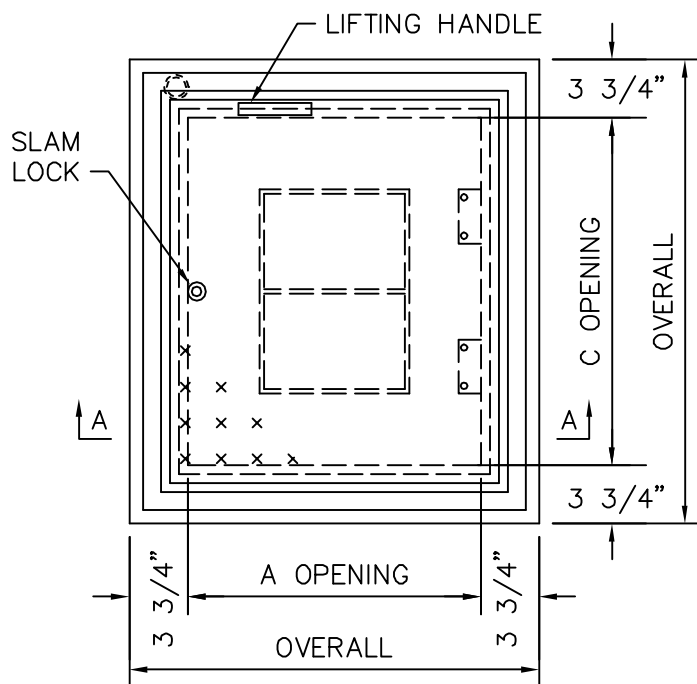
# SERIES W1S ACCESS DOOR

## STANDARD FEATURES:

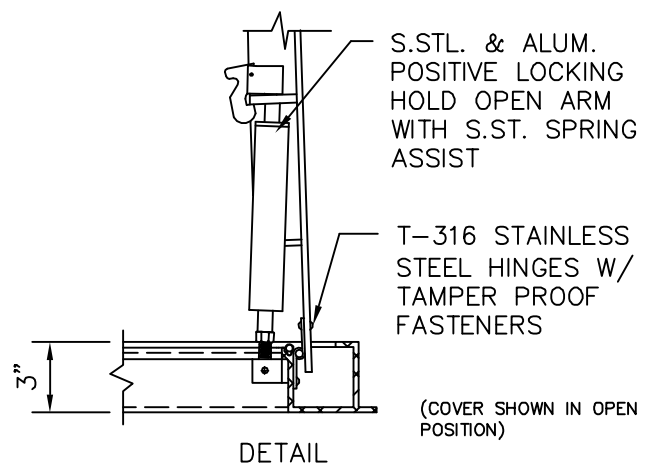
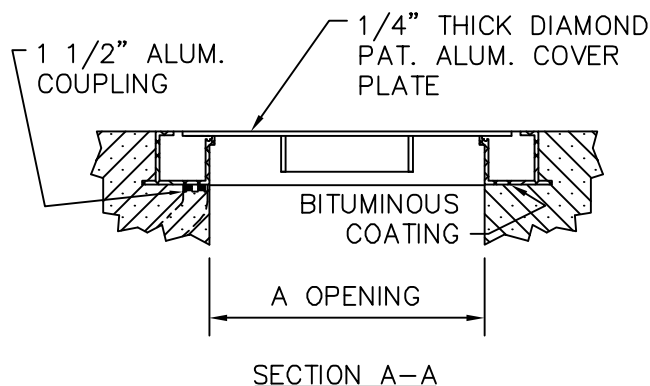
- AUTO-LOCK T-316 STAINLESS STEEL HOLD OPEN ARM WITH RELEASE HANDLE
- T-316 STAINLESS STEEL HINGES AND ATTACHING HARDWARE
- T-316 STAINLESS STEEL SLAM LOCK W/REMOVABLE KEY
- STAINLESS STEEL COMPRESSION SPRING ASSIST
- BUILT-IN NEOPRENE GASKET TO LIMIT THE TRANSMISSION OF ODORS
- NON-OZONE DEPLETING BITUMINOUS COATING
- SINGLE LEAF CONSTRUCTION
- 300 LBS. PER SQ. FT. LOAD RATING
- EXTRUDED ALUMINUM CHANNEL FRAME
- RECESSED LIFTING HANDLE
- LIFETIME GUARANTEE



www.HallidayProducts.com  
Phone 800-298-1027  
Fax 407-298-4534  
Sales@HallidayProducts.com



Q T Y.	MODEL NO.	DIMENSIONS		UNIT WT. (LBS.)
		A	C	
	W1S2424	24"	24"	46
	W1S2430	24"	30"	51
	W1S2436	24"	36"	61
	W1S2442	24"	42"	77
	W1S2448	24"	48"	85
	W1S3030	30"	30"	62
	W1S3036	30"	36"	69
	W1S3042	30"	42"	77
	W1S3048	30"	48"	85
	W1S3054	30"	54"	99
	W1S3060	30"	60"	102
	W1S3636	36"	36"	78
	W1S3642	36"	42"	89
	W1S3648	36"	48"	97
	W1S3654	36"	54"	107
	W1S3660	36"	60"	116
	W1S3666	36"	66"	126
	W1S3672	36"	72"	135
	W1S4242	42"	42"	108



# 9G-EF (Mercury Free) Direct Acting Float Switch (B100)

The 9G-EF is the most reliable non-mercury float switch. It is Teflon®-coated, non-differential float of Type 304 SS, measures 5.5" (13.97 cm) in diameter and is appropriate for a variety of applications, including sewage wet wells, storm water basins, water reservoirs, sludge tanks, irrigation canals and process sumps. The float operates reliably in even the most difficult environments. The 9G-EF can be used singly to sense an alarm level, but typically two or more switches are used in conjunction with our controllers to provide a float-based control system. The 9G-EF can be used as the redundant control sensor in larger automation installations.

## Typical Specifications

Float switch body shall be constructed of Teflon®-coated, 20 gauge, 304 stainless steel housing measuring not less than 5 1/2" (13.97 cm) in diameter. A long life, high reliability, potted SPST magnetic reed switch rated for not less than 100 VA at up to 250 Volts shall be mounted inside the float and connected to a multi-stranded, 2 conductor plus ground, 16 gauge, CPE jacketed cable. The cord shall have fine strand conductors (not more than 34 gauge) made especially for heavy flexing service. The cable connection point shall be potted in epoxy providing a strong bond to the float and reed switch forming a water/moisture tight connection. A flexible Neoprene sleeve, not less than 1/8" (0.457 cm) thick, shall be provided over the CPE jacketed cable extending not less than 5" (12.7 cm) from the top of the mounting bracket extending down through the cable mounting bracket hinge point to the top of the float switch body, providing cable stress point relief and extended operational life.

A 304 stainless steel flanged cable mounting clamp assembly shall be supplied allowing pipe or cable mounting as specified below. The float cable-mounting bracket shall be flared on both sides providing hinge point stress relief to both sides of the cable.

The float switch assembly shall provide a minimum of two pounds of buoyancy in solutions with a specific gravity of 1.0 (water) and shall have an operating temperature rating of -31 to 194 degrees F (-35 to +90 degrees C).

The float switches shall be Model 9G-EF floats as manufactured by Siemens Water Technologies, Control Systems Products.

## Features

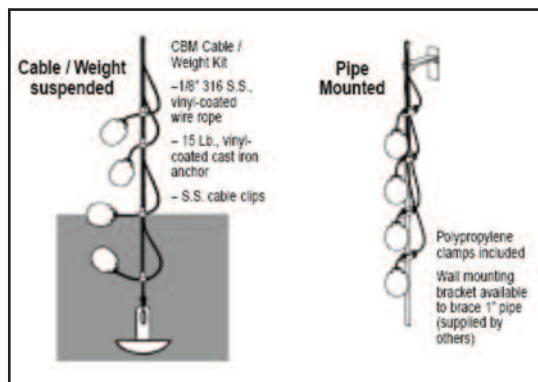
- Mercury Free – Magnetic Reed Switch
- Long life and reliable operation
- Non-oxidizing contacts allow low DC voltage signals for use with intrinsic safety devices
- Non-stick surface
- High buoyancy
- Pipe or suspension mounting
- 3 year factory warranty



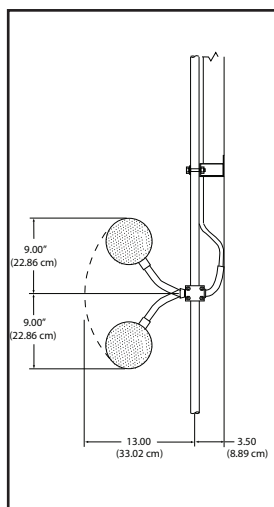
## 9G-EF (Mercury Free) Direct Acting Float Switch (B100)

Description	Part Number
<b>9G-EF (Mercury Free) NOTP Float Switch</b>	
Teflon coated 304 SS Float Switch w/1 N.O. Contact & 30' (9.144 m) Cable	W2T295692
Teflon coated 304 SS Float Switch w/1 N.O. Contact & 60' (18.288 m) Cable	W2T294202
<b>9G-EF (Mercury Free) NCTP Float Switch</b>	
Teflon coated 304 SS Float Switch w/1 N.C. Contact & 30' (9.144 m) Cable	W2T296235
Teflon coated 304 SS Float Switch w/1 N.C. Contact & 60' (18.288 m) Cable	W2T294168
<b>Mounting Hardware &amp; Accessories</b>	
9G Float Cable Clamp Assembly	W3T4758
9G Float 1" (2.54 cm) Pipe Clamp Assembly	W2T294057
304 SS cable suspension kit, 21' (6.4 m)	W3T4901
304 SS cable suspension kit, 31' (9.448 m)	W3T4902
304 SS cable suspension kit, 41' (12.496m)	W3T4903
304 SS cable suspension kit, 61' (18.592 m)	W3T4904
304 SS cable suspension kit, 81' (24.688 m)	W3T4905
304 SS cable suspension kit, 101' (30.784 m)	W3T4906
5 Float Suspension Mount, 2 piece bracket w/strain reliefs	W2T277359
9G CL3 1" (2.54 cm) stainless steel pipe mount clamps (transducer or float mount)	W3T4748
15# (6.8 kg) Anchor	W2T280921
Float Cable/Anchor kit 30' (w/15lb (6.8 kg) anchor, 30' (9.144 m) SS cable, wall bracket, 5 cable clamp)	W2T295021
Float Cable/Anchor kit 60' (w/15lb (6.8 kg) anchor, 60' (18.288 m) SS cable, wall bracket, 5 cable clamp)	W2T295022
IS6 Six Circuit Intrinsically Safe (Switch Circuit) Barrier: 12-24V DC powered	W2T294110
9G JCTF fiberglass junction box (supports up to XXXX floats)	W3T4742

### Typical Mounting



### Pipe Mounting Dimensions



### Complete Control Capabilities

Siemens Water Technologies offers a single, high-quality source for everything from simple level sensors to telemetry systems involving complex system control engineering and software. Based in Vadnais Heights, Minnesota, Control Systems is part of the Siemens Water Technologies leading global provider of industrial, municipal and residential water and wastewater treatment systems, products and services. As a major manufacturer/integrator with an extensive selection of specialized product lines in the areas of SCADA and telemetry, power equipment integration, automation and measurement, Control Systems is uniquely positioned to provide cost effective, comprehensive solutions for water, wastewater and process control and telemetry applications.

Siemens  
Water Technologies  
1239 Willow Lake Boulevard  
Vadnais Heights, MN 55110  
800.224.9474 phone  
651.766.2700 phone  
651.766.2701 fax

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CS-9GEFdr-DS-0710  
Subject to change without prior notice.

The information provided in this literature contains merely general descriptions or characteristics of performance which in actual case of use do not always apply as described or which may change as a result of further development of the products. An obligation to provide the respective characteristics shall only exist if expressly agreed in the terms of the contract.

# Model 575

## Submersible Level Transmitter



### Description

The Model 575 has a removable, nonclogging snub nose end to protect the sensing elements. The Model 575 is used in general water/wastewater applications.

The unit is specially designed to provide the convenience of direct submergence in many types of liquid, especially wastewater, for quick, accurate and reliable level measurement. The simple design and rugged construction of these solid state instruments provide long lasting service with virtually no maintenance.

The 575 Series Transmitters indicate the level of liquid by continuously measuring hydrostatic pressure via its

sensing element, an ion implanted silicon semiconductor chip with integral Wheatstone Bridge circuit. Once the sensor measures the pressure, the data is transmitted by a 4 to 20 mA output signal. This design provides for excellent linearity and repeatability, low hysteresis and long-term stability.

The transmitter is easy to install. Simply lower the transmitter into a tank. All the electronics are mounted in a submersible 316 stainless steel housing. A special cable support bracket is also available. This gives extra stability to the transmitter when used with longer lengths of cable or when used in an agitated liquid.\*

The transmitter is available calibrated for any span needed, from 0 to 3 psi or 0 to 0.2 bar (0 to 7 feet or 0 to 2.1 meters of water) to 0 to 300 psi or 0 to 20 bar (0 to 690 feet or 0 to 211 meters of water).

To complete your liquid level measurement and control system, use the AMETEK Model DMC Digital Meter/Controller with the 575 Series Transmitters.

\* A conduit adapter is also available.

### Features

- CSA approved for intrinsically safe operation
- Solid state semiconductor sensor for accuracy and reliability
- Rugged 316 stainless steel housing with excellent environmental protection
- Easy to install and use
- 2 wire 4 to 20 mA output
- Vented to the atmosphere through the surface end of the cable
- Reverse polarity and surge protected
- Lightning protectors available
- EMI protection available

# Model 575S Submersible Level Transmitters

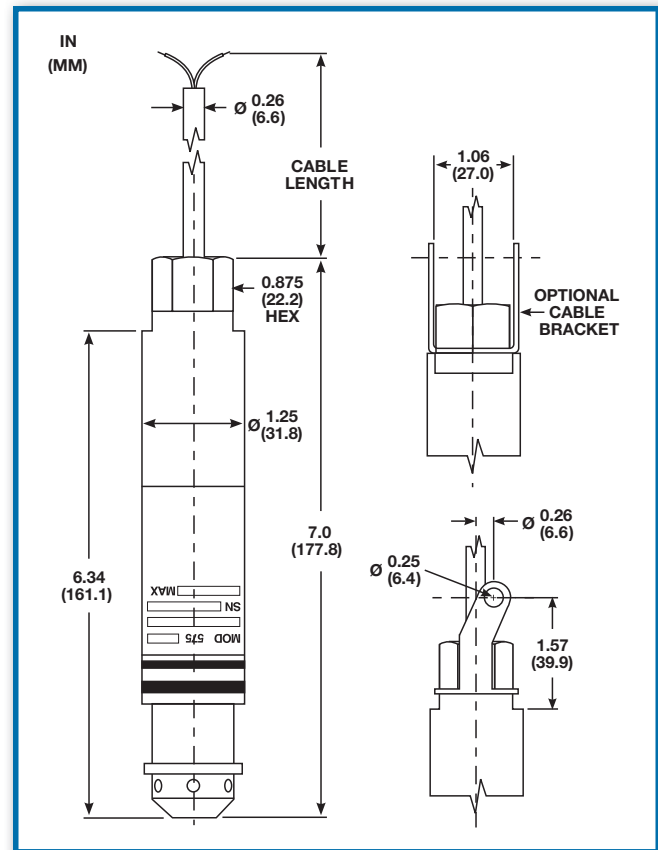
## Applications

- Tanks
- Water/wastewater treatment
- Ponds
- Lift stations
- Water wells
- Slurry/sludge
- Pump control
- Level control

## Specifications

- **Feet of Water:** 0/14, 0/35, 0/69, 0/138, 0/230, 0/345, 0/460, 0/690
- **Meters of Water:** 0/4, 0/10, 0/21, 0/42, 0/70, 0/105, 0/140, 0/210
- **Bar:** 0/0.4, 0/1, 0/2, 0/4, 0/7, 0/10, 0/14, 0/20
- **PSI:** 0/6, 0/15, 0/30, 0/60, 0/100, 0/150, 0/200, 0/300
- **Output:** 4 to 20 mA, 2 wire, current limited to 30 mA DC
- **Power Supply:** 12 to 40 VDC with reverse polarity surge protection; Limited to 28 VDC for CSA I.S.
- **Loop Resistance:** 1400 ohms maximum at 40 volts
- **Temperature Range\*\*:**  
Ambient Operating: CSA intrinsically safe T3C = -25° to 180°F (-32° to 82°C)  
Storage: -40° to 180°F (-40° to 82°C)  
\*\*If submerged in a liquid that has frozen, damage will result. Limit high temperature to 140°F (60°C) for intrinsically safe operation.
- **Overrange Effect:** ±0.15% full scale at 200% of maximum range
- **Overrange Limit:** 200% of maximum range
- **Accuracy:** ±0.25% full scale, BFS (including linearity, hysteresis and repeatability); ±0.50% full scale (6 psi range only)
- **Zero Offset:** ±0.50% full scale set at 77°F (25°C)
- **Span:** ±0.50% full scale set at 77°F (25°C)
- **Temperature Effects: (15 psi and above)**
- **Compensated:** 23° to 130°F (-5°C to 55°C); Maximum ±1% URL output change for ±25°C temperature change within compensated range when calibrated at 25°C. Consult factory for lower or alternate pressure ranges.
- **Power Supply Effect:** ±0.005% full scale per volt
- **Construction:**  
Diaphragm: 316L stainless steel

## Dimensions



Housing Type: 316 stainless steel

Nut/Washer Type: 316 stainless steel

Cable Grommet: Viton standard.

Please contact factory for other options.

Housing O Ring: Viton standard.

Please contact factory for other options.

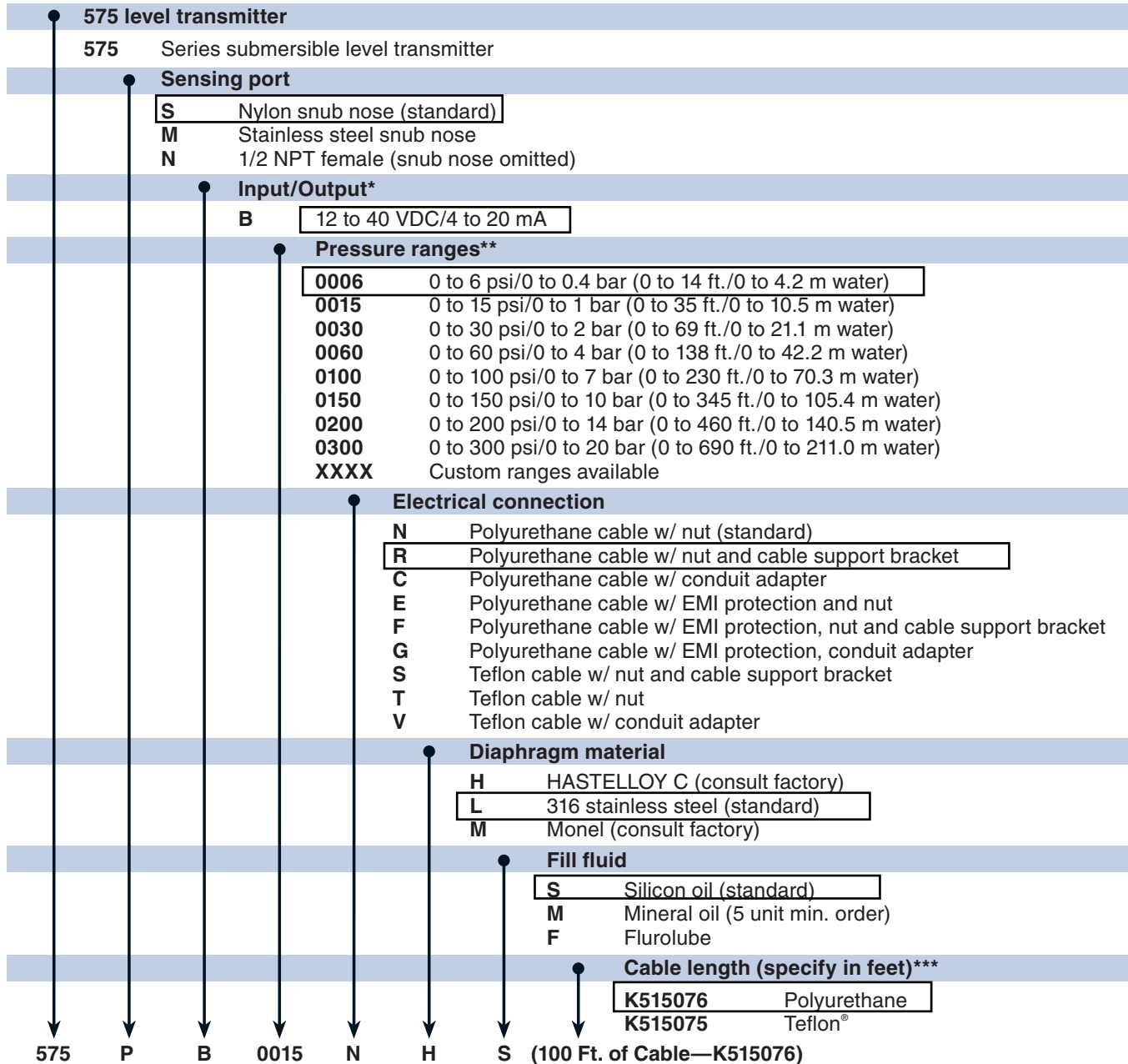
Cable Jacket: Polyurethane

- **Media Compatibility:** Reference materials of construction
- **Electrical Connection:** Attached 20 gauge polyurethane shielded cable. Unspliced lengths available up to 5000 ft. (1662 m)
- **Weight:** 1.0 lb. (454 g)
- **Approvals:** Meets CSA requirements for intrinsically safe operation in hazardous locations as designated by Class I, Div 1, Groups A, B, C & D and Class II, Groups E, F & G. Temperature Code T3C (when used with approved barrier).
- **Snub Nose:** Nylon 6/6, removable (1/2 inch NPT)
- **Option:** SJB-100 junction box with desiccant; DMC Meter Controller and Housing

Tel: 215-355-6900

www.ametekpmt.com

## Model Numbering:



\* Please contact the factory for availability of different input/output options.

\*\* Calibrated ranges can be specified after the model code; the specific range should be between the upper and lower ranges in the category selected.

\*\*\* Note: Unspliced lengths available up to 5000 ft. (1662m). Please contact factory for other options.

# PRODUCT BULLETIN FOR

## THE PURAFIL VENT SCRUBBERS

**PURAFIL**



**THE PURAFIL VENT SCRUBBERS (PVS)** are ideal for removal of odorous gases in commercial rooftop applications with a 99.5+% gas removal efficiency. These inexpensive passive vent scrubbers are perfect for small vent applications and come standard with Purafil media designed to remove a broad spectrum of odorous gases from kitchen and bathroom exhaust as well as other general odors. Purafil offers two different models (PV40 and PV150) with a variety of options to meet your unique clean air challenges.



PURAFIL VENT SCRUBBER  
MODEL PV40

### SYSTEM ADVANTAGES:

**CONSTRUCTION:** Purafil Vent Scrubbers are made from aluminum and feature a blue epoxy powder coated finish with additional colors available upon request.

**EASY MEDIA REPLACEMENT:** Purafil Vent Scrubbers utilize a media container that can be easily removed by releasing the security latches without any additional tools.

**LOW MAINTENANCE:** Other than routine checks for nuisance odors, there is no maintenance required.

**LOCAL SERVICE:** Purafil's network of local representatives offer convenient and timely service. These factory-trained representatives work in conjunction with Purafil's in-house laboratory to provide media life analysis and comprehensive technical service.

### PATENTED MEDIA ADVANTAGES:

Purafil® SP Blend media is provided with the Purafil Vent Scrubbers unless otherwise specified. Benefits of this media include:



- Landfill disposable in accordance with local, state and federal guidelines.
- UL Classified
- Medias are pre-mixed at Purafil's factory
- Substitutes for a two-pass media system
- New and spent media are non-toxic
- Removes broader spectrum of odorous gases

### PV40 PURAFIL VENT SCRUBBER

**STANDARD FEATURES:** The PV40 connects to a vent pipe in a vertical connection, allowing for ventilation in the open position. This unit can be easily disassembled for media replacement by releasing the lockable metal latches and removing the media canister.

- Aluminum with blue epoxy powder coat finish
- Available in 4" or 6" flanged connection, with or without rain shield
- Stainless steel tamper proof lockable hook and security latches
- Recyclable disposable canister with .25 cubic feet of Purafil® SP Blend Media

### OPTIONAL FEATURES:

- Metric Flange
- Rain shield and mounting kit available for 4" or 6" units
- Spare disposable media replacement canister
- Customer's choice of Purafil media



CUTAWAY VIEW  
OF THE PURAFIL  
VENT SCRUBBER  
PV40

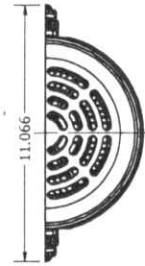
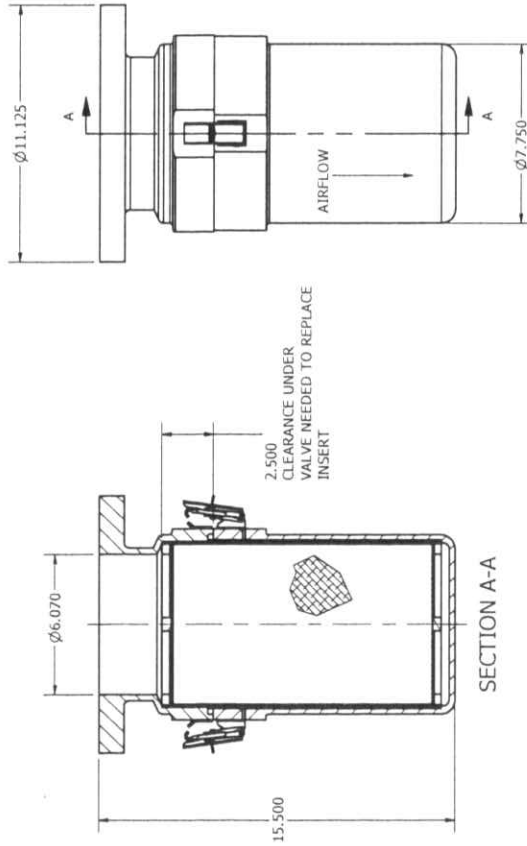
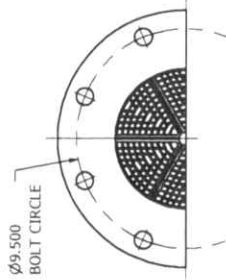
COLORS MAY VARY



OPTIONAL  
RAIN SHIELD  
FOR THE  
PURAFIL VENT  
SCRUBBER  
PV40

NOTES:

1. DIMENSIONS ARE IN INCHES.
2. METRIC EQUIVALENTS IN BRACKETS [ ] ARE IN MILLIMETERS.
3. JIMTS ARE SEALED WITH RTV SILICON RUBBER.
4. FINISH - POWDER PAINT
5. TOLERANCE -  $\pm 0.25$ , UNLESS OTHERWISE LISTED



<b>PURAFIL®</b> <b>FIRST IN CLEAN AIR™</b>											
JOB/UNIT IDENTIFICATION:											
MODEL NUMBER:	PV40-I06(R06)										
PURAFIL, INC. REP.:											
MAX RECOMMENDED AIRFLOW: 40 cfm @ 3.3 lwg. [68 m3/hr @ 825 Pa.]											
ELECTRICAL:	<table border="1"> <tr> <th>VOLTAGE</th> <th>PHASE</th> <th>HZ</th> <th>HP</th> <th>TYPE</th> </tr> <tr> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> </tr> </table>	VOLTAGE	PHASE	HZ	HP	TYPE	N/A	N/A	N/A	N/A	N/A
VOLTAGE	PHASE	HZ	HP	TYPE							
N/A	N/A	N/A	N/A	N/A							
PURAFIL® AIR PURIFICATION MEDIA(S) IN DIRECTION OF AIRFLOW:											
<table border="1"> <tr> <th>MEDIA TYPE</th> <th>TOTAL MEDIA WEIGHT</th> </tr> <tr> <td><input checked="" type="checkbox"/> ODORMIX SP</td> <td>12 LBS [4.5 KG]</td> </tr> <tr> <td><input type="checkbox"/> ODORCARB ULTRA</td> <td>12 LBS [4.5 KG]</td> </tr> <tr> <td><input type="checkbox"/></td> <td></td> </tr> </table>	MEDIA TYPE	TOTAL MEDIA WEIGHT	<input checked="" type="checkbox"/> ODORMIX SP	12 LBS [4.5 KG]	<input type="checkbox"/> ODORCARB ULTRA	12 LBS [4.5 KG]	<input type="checkbox"/>				
MEDIA TYPE	TOTAL MEDIA WEIGHT										
<input checked="" type="checkbox"/> ODORMIX SP	12 LBS [4.5 KG]										
<input type="checkbox"/> ODORCARB ULTRA	12 LBS [4.5 KG]										
<input type="checkbox"/>											
UNIT SELECTION											
<input checked="" type="checkbox"/> PV40-I06 - INVERTED <input type="checkbox"/> <del>PV40-R06 - RAIN SHIELD</del> <input type="checkbox"/>											
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<input type="checkbox"/> FOR CONSTRUCTION	<input type="checkbox"/> AS BUILT										
<input type="checkbox"/> FOR QUOTE											
DATE: 2/8/2011	REV. DATE:										
OPERATING WEIGHT: 30 LBS [14 KG]	APPR. BY: TB/AND										
DRAWING NUMBER: PV40-I06/R06											
REVISION: -											

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# PRODUCT SPECIFICATION FOR

## ODORMIX™ SP MEDIA




ODORMIX SP MEDIA demonstrate a higher working capacity for broad spectrum oxidation of contaminants in actual field conditions, where multiple gas challenges are present. The Purafil SP Series has been specially engineered to contain more permanganate (the active ingredient) for increased removal capacity, allowing the media to remain more available for removal of target gases. Purafil's Odormix™ SP (patent-pending) Media offers broad spectrum removal of odorous gases related to sewerage treatment operations.



ODORMIX SP MEDIA

### MEDIA SPECIFICATION

Purafil's Odormix™ SP Media shall consist of an equal mix (by volume) of Purafil's Odoroxidant™ SP Media and Odorkol™ Media.

Odoroxidant™ SP Media shall be manufactured of generally spherical, porous pellets formed from a combination of powdered activated alumina and other binders, suitably impregnated with sodium permanganate to provide optimum adsorption, absorption and oxidation of a wide variety of gaseous contaminants. The sodium permanganate shall be applied during pellet formation, such that the impregnant is uniformly distributed throughout the pellet volume and is totally available for reaction. The Odorkol™ Media shall be a premium grade, activated carbon with a high surface area available for adsorption.

### DISPOSAL REQUIREMENTS

Spent Odormix™ SP Media should be disposed of according to local, state and federal guidelines.

### ADVANTAGES

- Landfill disposable
- UL Classified
- Medias are pre-mixed at Purafil's factory
- Substitutes for a two-pass media system
- New and spent media is non-toxic

### PHYSICAL PROPERTIES

**ODORMIX™ SP MEDIA BULK DENSITY:** 40 lbs/ft<sup>3</sup> (0.64 g/cc) ±5%.

Odoroxidant™ SP Media shall have the following physical properties:

- **MOISTURE CONTENT:** 35% Maximum
- **CRUSH STRENGTH:** 35% - 70%
- **ABRASION:** 4.5% Maximum
- **BULK DENSITY:** 50 lbs/ft<sup>3</sup> (0.8 g/cc) ±5%
- **NOMINAL PELLET DIAMETER:** 1/16" - 1/8" (1.5 mm - 3.2 mm)
- **SODIUM PERMANGANATE CONTENT:** 12% Min.

Odorkol™ Media shall have the following physical properties:

- **MOISTURE CONTENT:** 2%
- **CTC:** 60% Minimum
- **BASE MATERIAL:** Activated Carbon
- **BULK DENSITY:** 30 lbs/ft<sup>3</sup> (0.48 g/cc) ±5%
- **PELLET DIAMETER:** 4mm

### APPLICATIONS

Purafil's Odormix™ SP Media is designed for broad spectrum removal of odorous gases, including mercaptans, hydrocarbons, hydrogen sulfide and sulfur dioxide. Odormix™ SP Media is recommended when space within Purafil's multi-stage scrubber is limited; in this application, Odormix™ SP substitutes for two media passes. Odormix™ SP is also recommended as a polishing media.

### APPLICATION GUIDELINES

Odormix™ SP Media shall perform effectively under the following conditions and guidelines:

- **TEMPERATURE:** -4°F to 125°F (-20°C to 51°C)
- **HUMIDITY:** 10 - 95% RH
- **AIRFLOW:** Odormix™ SP Media shall be effective in Purafil systems, including the Drum Scrubber with airflows from 100 to 1,000 CFM (170 to 1699 m<sup>3</sup>/hr), Tub Scrubber with airflows from 500 to 6,000 CFM (850 to 10,194 m<sup>3</sup>/hr) and Deep Bed Scrubber with airflows from 600 to 8,000 CFM (1,020 to 13,592 m<sup>3</sup>/hr). Odormix™ SP Media shall also be effective in Vessel Scrubbers with airflows from 8,000 to 20,000 cfm (13,592 to 33,980 m<sup>3</sup>/hr) and in passive Mole Manhole Scrubbers.

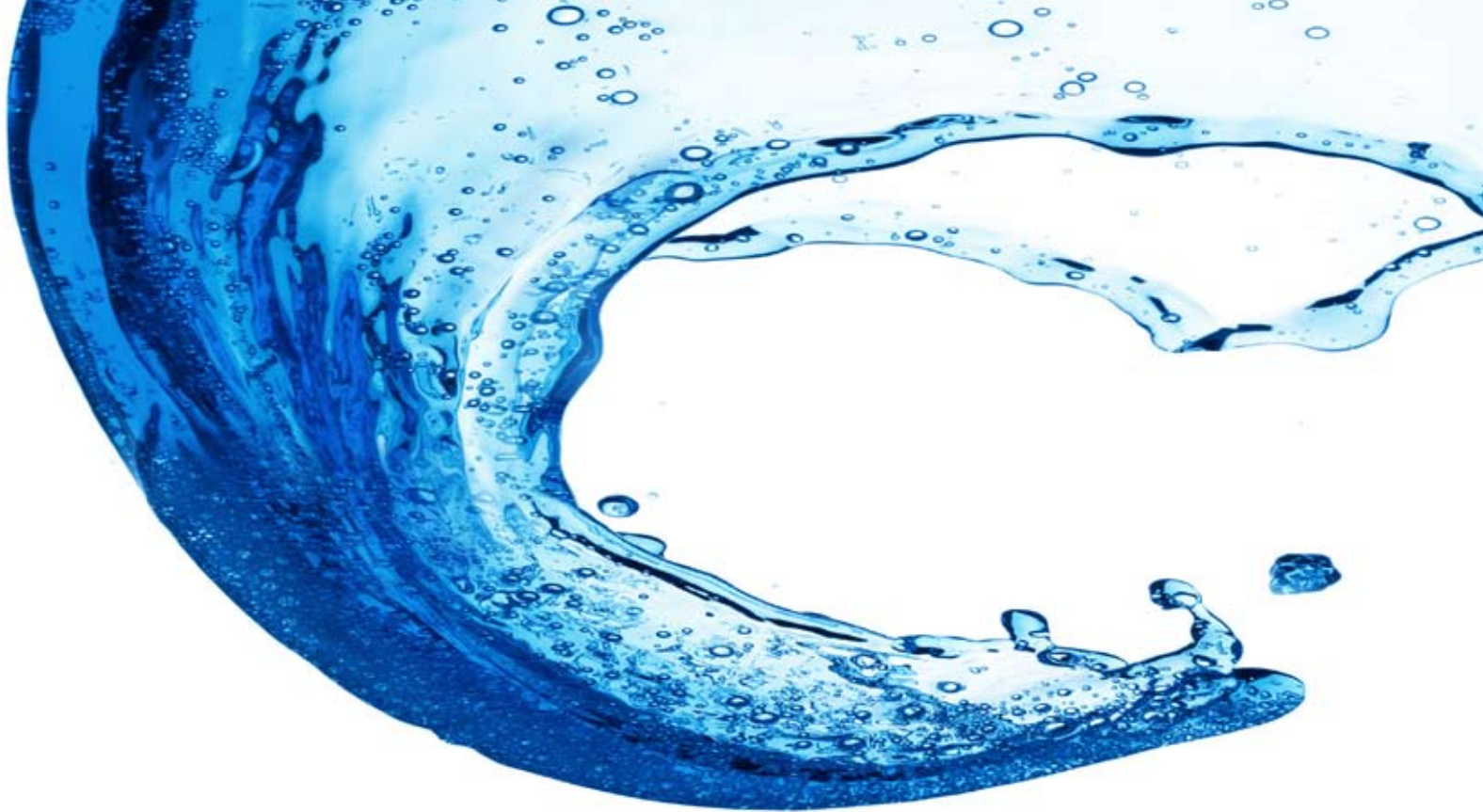


# MultiSmart Pump Station Manager.

The new face of technology.



**multitrode**  
WATER • WASTEWATER • PUMP STATION • TECHNOLOGY



## What is a pump station manager?

It's the next generation of technology for water & wastewater pump stations – combining the best of PLCs, RTUs and pump controllers into a comprehensive and intuitive package.


The pump station manager also integrates up to 15 control panel components, reducing control panel cost and enabling energy cost/CO<sub>2</sub> reduction.

## Why choose MultiSmart?

MultiSmart was designed to make Utilities better managers of their assets.

Benefits include:

- Lower cost of control panel (over \$10,000 is often achievable).
- Reduces operational costs by up to 70%.
- Reduces energy costs & CO<sub>2</sub> footprint by up to 15%.
- Wealth of asset management data.



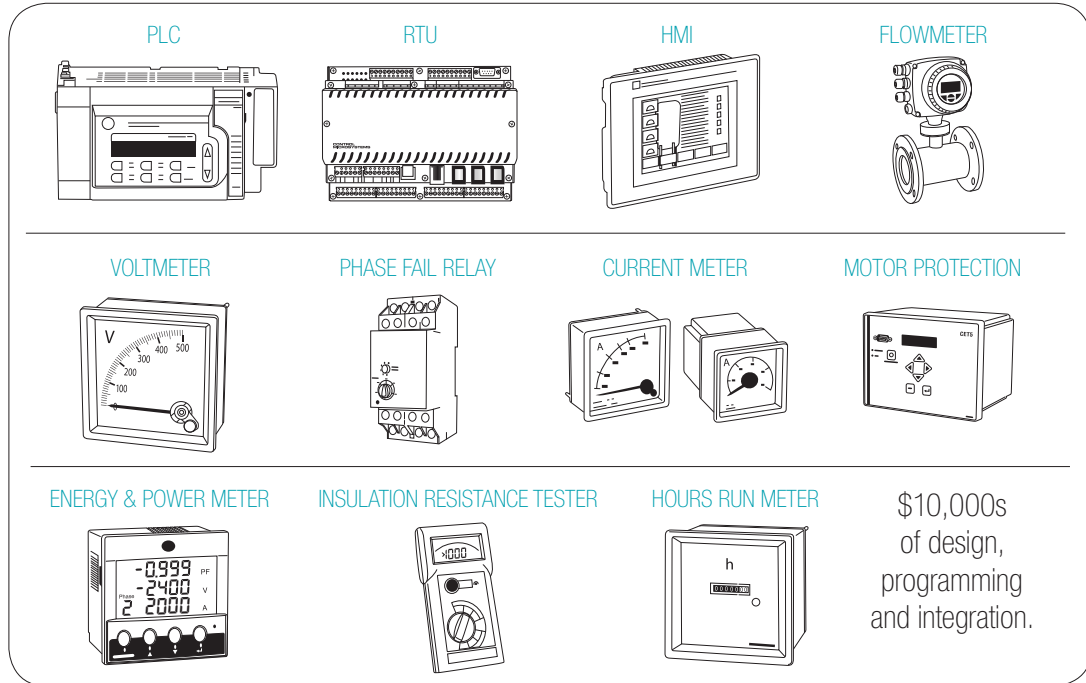
Someone has finally put all the versatility previously only available with a custom programmed PLC, into a user configurable platform. From simple to complex, this unit handles it all. The wealth of pump station operational information available to the end user is virtually limitless.

J.C. Van Harn, President, GrandTech Inc., Byron Centre, Michigan.

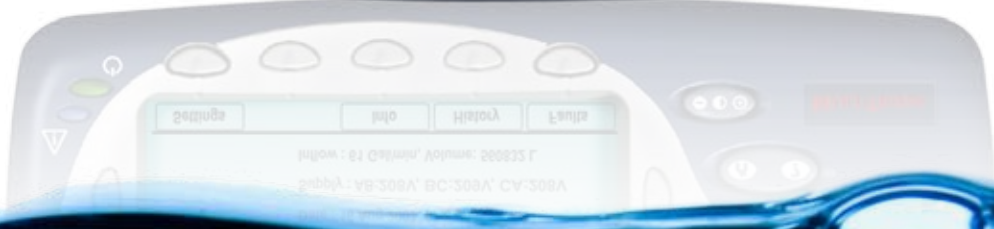
## MultiSmart at a glance.

- “Setup wizard” for commissioning of a new station
- Save/Copy configuration using compact flash card
- Advanced pump control functionality for up to 6 pumps
- Flow without a flow meter
- Data logger for 50,000 events (10,000,000 direct to CF card)
- History page with detailed fault & event data
- 3-phase supply voltage monitoring and protection
- Flexible RTU with Modbus & DNP3 protocol for SCADA & local connectivity
- Energy, power & pump efficiency monitoring
- Expandable I/O

# Why invest in PLCs, RTUs, pump controllers and \$1000s of programming...



when MultiSmart does it all.





# Easy to use.

If you're in operations you know how important it is to get the right information when you're on site. Instead of a few flashing lights – which don't tell you anything – MultiSmart gives you comprehensive information on past and current problems.

Correct use of the MultiSmart encourages better decision making, better use of staff and leads to reduced operational costs.

Fault Name	Status
Thermal Fault on Pump 1	Reset Required
Seal Fault on Pump 2	Present
Fault Triggered @ 06/06/2005 00:39:59 Fault Cleared @ 06/06/2005 00:40:48 Reset required to deactivate fault. Press 'Reset Fault' to deactivate. Devices Affected : Pump 1	
<div>Reset Fault</div>	
<div>Back</div> <div>History</div>	

Fault screen

Flow Statistics		
Rate	Value	Select
Station Inflow Rate	45 gals/min	
Pump 1 Outflow Rate	912 gals/min	
Pump 2 Outflow Rate	930 gals/min	
Volume Pumped Today	96328 gals	
Volume Pumped Yesterday	131359 gals	
Volume Pumped This Week	405743 gals	
Volume Pumped Last Week	646697 gals	
Total Volume Pumped	63052326 gals	
Number of Overflows	1	
Last Overflow Time	16:13:05 34 Mar 2006	
Total Overflow Volume	5407 gals	
<div>Back</div> <div>Pg Up</div> <div>Pg Dn</div> <div>Set</div> <div>Reset</div>		

Flow screen

Power and Efficiency		
	Pump 1	Pump 2
Power (kW)	11.3	0
Power Factor (%)	96%	0
Efficiency (L/W):		
Today	8838	4108
Yesterday	6548	6045
This Week	6635	6197
Last Week	6600	6133
This Month	6590	6064
Last Month	6821	6085
Benchmark	7021	6029
Energy (kWh):		
<div>Back</div> <div>Set</div> <div>Reset</div>		

Power and pump efficiency screen

Station Settings - P1 of 3	
<div>Set Points</div> <div>Level and alarm setpoints, enable/disable alarms, delays &amp; level simulation</div>	<div>IO, Faults &amp; Level</div> <div>Link faults to inputs, configure faults, primary and backup level source</div>
<div>Setup Wizard</div> <div>Commission a station - Fill/Empty mode, number of pumps, wells, level device</div>	<div>Station Optimization</div> <div>Order reduction, well clean-out, blocked pump detection, max run time, max station starts, max pumps to run, profiles, etc.</div>
<div>Alternation &amp; Grouping</div> <div>Alternation, fixed sequence and multiple groups of pumps</div>	<div>Commission/Decom</div> <div>Take pumps in and out of service</div>
<div>Main</div> <div>Advanced</div> <div>More</div>	

Easy setup – Settings Menu 1

The MultiSmart is easy to use, expands to accomplish practically any sequence of operation that is required and offers a degree of reliability and functionality that cannot be cost effectively reproduced with a traditional programmable logic controller.

Gregory Shofer, Project Manager, Stantec, Ann Arbor, Michigan.

# Easy to configure.

As soon as you start using the MultiSmart user interface you'll appreciate how easy it is to commission a new station – or to change the way an existing station operates to make it more efficient and cost effective.

The MultiSmart has hundreds of functions designed specifically to meet the needs of water & wastewater pump stations. From something as simple as changing setpoints or how a fault condition affects a pump, through to complex alternation schemes for large pump stations, you'll see how the MultiSmart puts the operational staff back in charge.

The beauty of the MultiSmart is that the defaults have been carefully thought out so that when a station is commissioned almost everything is working how you would like it. But nothing is fixed – so any parameter can be changed. Making it quick to set up but always adaptable.

And for challenging applications where a new feature is required – there's an IEC61131-3 compliant PLC extension to MultiSmart – so that any system integrator can extend the functionality further, giving you the flexibility of a PLC without the headaches.

## MultiSmart has hundreds of features. (Here are just a few).

**Max run time** for a pump (switch to next pump and raise an alarm).

**Odour reduction** via max off time (ensures wells do not become septic).

Run the **most efficient** pump (instead of alternation).

**Clean the well out** every Monday morning (to just above the snore point of the pump).

**Multiple setpoint profiles** – allows remote switching or on date/time for spill management, energy reduction.

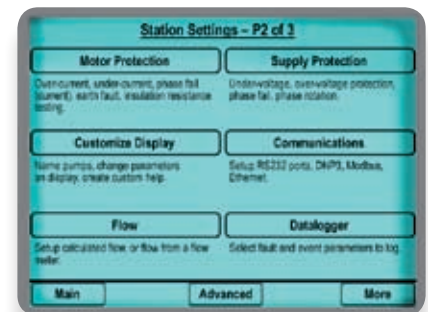
**Generator profile** – change setpoints and limit max pumps to run when generator operating.

**'Locked level'** – raise an alarm when the level has not changed enough in a given time period (suspect level device).

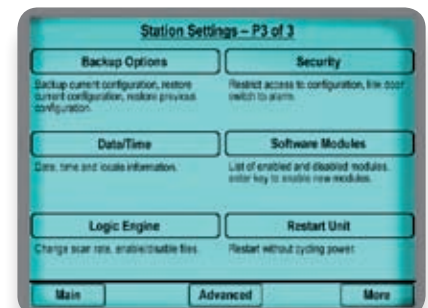
Each **fault configurable** as display only, hold out pump until fault clears, hold out pump until operator intervention, retry pump a set number of times after fault condition clears then finally lock out.

Optional **VFD module** to control one or more pumps, with easy setup.

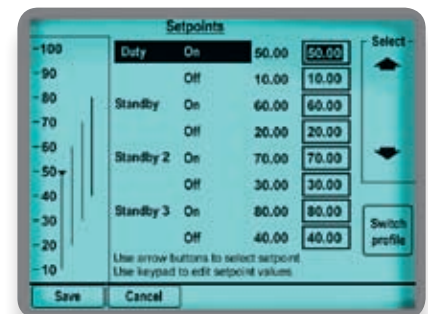
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WATER • WASTEWATER • PUMP STATION • TECHNOLOGY



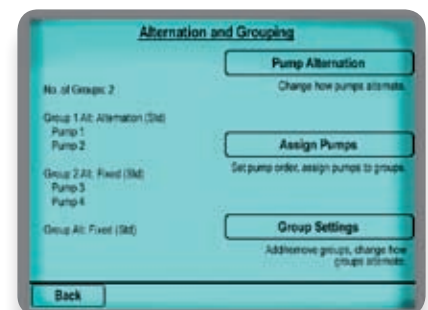
Easy setup – Settings Menu 2



Easy setup – Settings Menu 3



Changing Setpoints – intuitive



Complex pumping arrangements – made easy



# Saving Costs – Capital and Operational.

## Components that can usually be removed from a MultiSmart panel.

PLC/RTU or Pump Controller & RTU

HMI (display)

Flow meter

Voltmeter & selector switch

Phase fail relay

Current meter x3

Motor protection relay x2

Insulation resistance automatic tester

Energy & power meter x2

miniCAS (or other pump) relay x2

## Saving costs in a Control Panel.

The MultiSmart pump station manager includes a number of the components in a control panel, bringing some major benefits:

- Lower cost of the control panel – typically \$5,500 lower material and labor cost, but in many cases much higher.
- Smaller panel – less impact on the community.
- Lower deployment and commissioning cost – one UK water utility calculated up to \$7,000 saving in staff on site due to smaller panel.
- Predictive maintenance indicators.
- Fault-finding data to get to the root cause of problems.
- Remote control – reset of faults and pump auto/manual/off from the SCADA.
- Better asset management data to a SCADA system.

## Why Predictive Maintenance guarantees the best results.

Predictive Maintenance, also known as Condition Based Monitoring, is the ideal maintenance strategy because it identifies when assets need to be replaced – allowing the utility to plan cost-effective maintenance. However, most utilities are using Run to Fail or Preventive Maintenance Indicators as their maintenance strategy. This is because Predictive Maintenance has historically been considered too expensive to adopt. Critically, both Run to Fail and Preventive Maintenance have inherent flaws.

## What's wrong with Run to Fail?

Run to Fail often seems like a low cost solution, but it has two major problems:

- a) When a pump fails, what is the guarantee that the other pump is operational?  
Adopting a proactive approach to maintenance is far likelier to be viewed favorably by an EPA than adopting a 'hope for the best' approach.
- b) Without any visibility of the state of the assets prior to failure there is no guarantee that you are not running them into the ground. For example, one large utility found that a high proportion of its pumps failed after 7-8 years. The cause, identified by MultiTrode equipment, was that the 3-phase supply was too low, causing high running currents and reducing the life of the insulation on the motor windings. But at 5 years, the utility might have been feeling very confident that its low cost approach was working well.

Over the past six months, we have tested and installed six MultiSmart pump station managers and have been very pleased with the performance and ease of installation. The MultiSmart is reliable, easy to use and offers additional monitoring capabilities compared to other pump controllers we have used. Our field staff have all seen the benefits over float controls and in the future we will be looking to convert all our stations.

Frank McShane, Manager of Operations, East Gippsland Water Authority.

## What's wrong with Preventive Maintenance?

Preventive Maintenance, or regular planned maintenance based on time in the field or equipment usage, is not a bad strategy. It's just not the best strategy. Preventive Maintenance clearly identifies that assets need maintenance but the frequency can only ever be a guess and often the maintenance is too frequent on some assets and not frequent enough on others.

## How does Predictive Maintenance work?

To ensure that the hydraulic and electrical state of the pump and motor can be clearly monitored, the MultiSmart pump station manager measures the following:

Parameter	Benefit
Flow rates per pump, total volume per pump	Identifies impellor wear problems.
Energy used per pump	Identifies energy cost for each pump.
Pump efficiency in gals/KWHr or litres/KWHr	Allows 'Run most efficient' algorithm to automatically save energy. Provides a measure of the cost of inefficiency to allow an ROI on service or replacement.
Insulation resistance per pump	Breakdown of motor windings causes 50-80% of motor failures. Pulling a pump and revarnishing is much lower cost than rewinding and can be done at a convenient time.
Supply voltage (all 3-phases)	Under-voltage leads to the windings running too hot, reducing the life of the motor significantly - and frequent trips by operations staff to reset "Pump Trip". Accurate monitoring allows a utility to rectify the underlying problem.
Current monitoring (all 3-phases)	Small imbalances in supply lead to larger current imbalances, causing uneven wear in bearings and windings running too hot.
Detailed fault analysis for each pump	Provides clear indication of which aspects of the electrical or hydraulic system need attention.

# MultiSmart delivers a wealth of Asset Management Data.

SCADA systems for pump stations frequently only have a few points of data per site — pump running, pump fault, level, level alarm, mains fail and flow (if a flow meter is available on site). This doesn't provide a platform for asset management. Asset managers, capital works managers and utility directors need real data to plan for the future.

MultiSmart provides 400-500 tags (data points) per site.

This wealth of data includes Predictive Maintenance information, volumes through the station, energy usage, peak power requirements and detailed fault information — allowing the utility to find out where their real costs lie.

MultiSmart also simplifies remote control — turning pumps on and off, resetting faults and changing setpoints.



## Pre-designed SCADA

Any modern SCADA can connect to MultiSmart, but some vendors have already done the hard work, with screens and reports developed for the rich MultiSmart data as well as an "Add MultiSmart site" function.

Outpost2 from MultiTrove, visit [multitrode.com/outpost2-scada-software](http://multitrode.com/outpost2-scada-software) to learn more.

VTS from Trihedral, visit [trihedral.com](http://trihedral.com)

And PumpView is a secure on-line monitoring and control system, hosted by MultiTrove. Visit [multitrode.com/pumpview](http://multitrode.com/pumpview)

## Which SCADA does MultiSmart connect to?

MultiSmart has a sophisticated RTU with Modbus & DNP3. The MultiSmart DNP3 implementation has been independently audited and proven to comply with the standard. MultiSmart has capacity for multiple masters and slaves to be configured allowing connection to any other modern SCADA platforms.

MultiSmart also supports connection over serial radio, ethernet radio, cellular data, cellular voice and phone lines.



**Citect**

**RSView**  
from Rockwell  
Automation

**ClearSCADA**



**iFix and Cimplicity**  
from GE FANUC

**Genesis 32**  
from Iconics

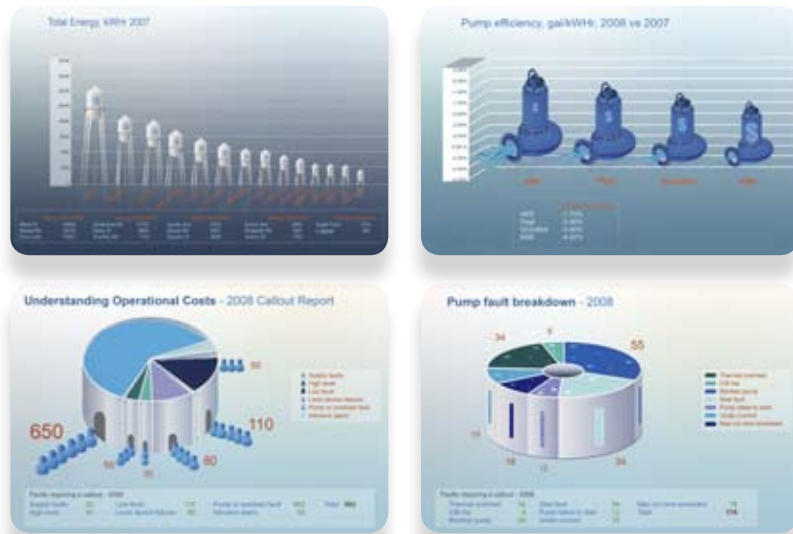
and any other modern SCADA platform.

# MultiSmart reduces your energy costs and CO<sub>2</sub> footprint.

With energy costs rising and water & wastewater utilities concerned about their social responsibility, reducing energy use is a high priority.

MultiSmart measures the energy used for each pump, calculates the flow (or uses the data from a flowmeter if available) and derives the efficiency (gals/kWhr or litres/KWhr) of each pump in your network.

MultiSmart also includes an algorithm for automatically running the most efficient pump. The data on the energy cost per pump allows you to do an ROI calculation on servicing or replacing an inefficient pump.



Examples of reports and graphics created using data from MultiSmart

## Pays for itself.

One UK water utility using MultiSmart found that one of their pumps in a 3-pump station was very inefficient and as a result the replacement cost of the impellor would be paid for within 95 days.

## Improves pump efficiency.

Many water & wastewater utilities are unaware of how much pump efficiency can degrade, even in clean water.

A drop of 10% in efficiency in the first 10 years of service in a clean water pump is not uncommon. And a drop of over 20% in wastewater pumps is often found. MultiSmart helps address these problems.

The City of Tavares has been using the Multismart products for just under a year. I can't imagine how we did it before; we can now monitor and control every station with speed and with the accuracy of information we require. We have also found the flow calculations invaluable for I&I studies during rain events. Our experience with the product and tech support to date has been excellent. We highly recommend Multitrode and its products. The City of Tavares have standardized on MultiTrode products and stand by them.

Brad Hayes, Utilities Director & Jerry Blair, Supervisor, City of Tavares, FL.



# MultiSmart gives you total control.

There are many remote sites within a water & wastewater network that don't contain any pumps – e.g. valve monitoring and control, flow meters, pressure and reservoirs. To help you get the most out of every aspect of your Utility, MultiSmart is also available in an RTU-only version and as a product called the Reservoir Monitor.

## RTU-only.

The MultiSmart can be purchased and used just as an RTU. The physical appearance is exactly the same – a unit which includes a host processor & communications board, a DSP board for processing IO at high speed and IO cards, and a display. Unlike a standard RTU, which has contact closure digital inputs (DINs), the MultiSmart RTU can be configured as either contact closures or high speed counters.

To help cut costs and complexity it can be configured to measure:

- Conductive level sensors.
- Seal sensors.
- PTC thermistors.
- Flygt FLS and CLS sensors.

The MultiSmart RTU I/O also measures 3-phase voltage (direct phase up to 600v) and 3-phase currents (direct from 5A CTs).

Because of the high speed DSP processor, the voltage and current measurements can be used to accurately calculate:

- Power, KW.
- Power factor.
- Apparent power, KVA.
- Energy, KWHr.
- Apparent energy, KVAH.

The MultiSmart RTU also includes standard 4-20mA AINs, 4-20mA AOUTs and DOUTs along with the configurable DINs.

## Reservoir Monitor.

The MultiSmart Reservoir Monitor was designed for reservoirs filled from remote pump stations. It includes functionality for communicating directly to the remote pump station as well as the SCADA system. The user interface works in exactly the same way, with the same menu structure, as the MultiSmart Pump Station Manager. So no extra training is required.



# Specifications.

Processor, Comms, I/O, Display, Power Supply, Environmental.

## Processor Unit

TYPE	Intel PXA255
SPEED	200MHz
FLASH MEMORY	32MByte
RAM	64MByte
REAL TIME CLOCK	Yes
SERIAL PORTS	RS232 x 3, 115kBit/s
ETHERNET PORT	10Mbit/s
COMPACT FLASH	For firmware upgrades, configuration save/load, datalogging

## RTU/communications

PROTOCOLS	DNP3 level 2, Modbus (RTU, ASCII, TCP)
MEDIA	TCP, UDP, RS232, 3G/GPRS/CDMA (1XRTT), PSTN/GSM/CDMA,
DATALOGGING	Change of state for digital, deadbanding for analog. Date/time and quality stamped

## PLC specification

PROGRAMMING CAPABILITY	IEC61131-3 (configured via IsaGRAF workbench)
REFERENCE TO EXISTING FUNCTIONAL BLOCKS	Via tag database

## Configuration & Firmware upgrade

LOCAL	Compact Flash card or Ethernet from PC
REMOTE	Via DNP3 file transfer, or via FTP

## I/O modules

<b>MULTISMART CARD: IO-3PC</b>	General I/O and Pump Control
DIN X 20	DINx 20 configurable as contact closure, counter, MultiTrobe probe input, seal, thermistor or FLS. Of these inputs: <ul style="list-style-type: none"><li>• 3 of the DINs have additional CLS capability</li><li>• 2 of the DINs have additional high speed digital input capability (1 kHz)</li><li>• 1 of the DINs has additional failsafe probe capability</li></ul>
DOUT x 7	DOUTx 4 isolated voltage free contacts DOUTx 3 common voltage free contacts All rated 240Vrms, 5A
AIN x 2	2x 4-20mA inputs, 10bits, 0.2% resolution
AOUT x 1	1x 4-20mA outputs, 10bits, 0.2% resolution
VIN x 3	3-phase mains voltage inputs, 0.5% resolution. Up to 630V phase to phase
<b>MULTISMART CARD: IO-3MP</b>	Energy/Power Monitoring & Motor Protection board
IIN x 9	3 sets x 3-phase current inputs, derived from CTs, 0.5% resolution
IRT 1000v x 3	1000v dc to measure 0-20Mohm impedance on motor windings
DOUT x 5	5x isolated voltage free contacts, rated 240Vrms, 5A
AOUT X 3	3x 4-20mA output, 10bits, 0.2% resolution
<b>ETHERNET IO MODULES:</b>	General Analog and Digital I/O (connected via Modbus TCP to MultiSmart)
MSM-AD-8A / Adam 6017	8x AIN, 16-bit, differential; 2x DO open collector to 30V (not UL listed)
MSM-AD-18D / Adam 6050	12x DI, dry contact, 6x DO open collector to 30V (not UL listed)
ACROMAG 961EN-4006	6x AIN, 16-bit, differential, UL listed
ACROMAG 983EN-4012	12x DI or DO (any mix); DO open-drain to 35V DC max; DI active-low, buffered inputs, with a common connection, UL listed

*Note: Any Modbus or DNP3 I/O module can be connected to MultiSmart – the above parts have been integrated into the user interface.*

# Specifications.

Continued

## User interface

320x240 backlit LCD screen with soft-keys

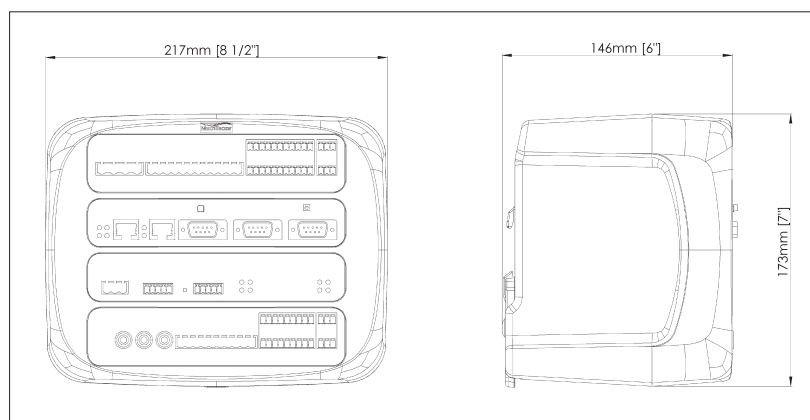
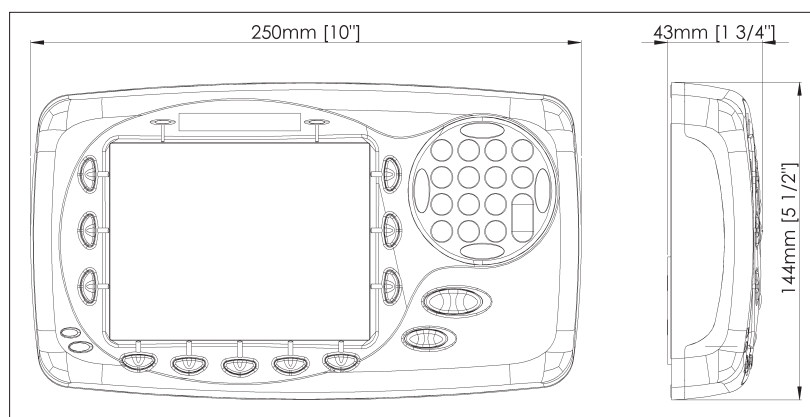
## Power supply & environmental

DC SUPPLY	11v-28v (DC supply voltage is monitored to 5% accuracy)
POWER	15W max. 11W max. (without IO-3MP board)
AMBIENT TEMPERATURE	-10°C to +60°C
STORAGE TEMPERATURE	-40°C to +80°C
HUMIDITY	5% to 95% non-condensing
Mains supply & battery backup	Option

## Physical Product

CONTROLLER DIMENSIONS	H 173 x W 217 x D 159 (mm) H 6 <sup>3</sup> / <sub>4</sub> x W 8 <sup>1</sup> / <sub>2</sub> x D 6 <sup>1</sup> / <sub>4</sub> (in) IP Rating IP20
FACEPLATE DIMENSIONS	H 144 x W 250 x D 42 (mm) H 5 <sup>5</sup> / <sub>8</sub> x W 9 <sup>7</sup> / <sub>8</sub> x D 1 <sup>5</sup> / <sub>8</sub> (in) IP/Nema IP55 / Nema 12

*Please note: I/O and software modules supplied depend on the configuration purchased.  
All specifications subject to change without notice.*



## Functionality.

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Subset provided below. For complete functionality, review the product manual or specification document, available at [multitrode.com](http://multitrode.com)

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## Supply Protection.

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Under-voltage fault, Over-voltage fault, Phase imbalance fault, Phase rotation fault.

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## Motor Protection.

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Over-current, Under-current, Ground/earth fault, Phase imbalance (current), I<sup>2</sup>T.

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## Flow.

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**Calculated flow for emptying wells (e.g. wastewater) of known volume:** Inflow, Individual Pump flow rates & volumes, Station Volumes.

---

**Flow from a flow meter:** Metered Flow & Volume – if only one value is available the other can be derived, inflow also available via volume of well. Flow alarms.

---

## Energy, Power and Pump Efficiency.

---

Power kW, power factor, Apparent power KVA (derived from 3-phase voltage and 3-phase current).

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Energy KWHr, Apparent energy KVAH.

---

Pump efficiency – litres/KWHr, litres/KVAH or gal/KWHr, gal/KVAH.

---

## Datalogger.

---

Configured by setup wizard, but any event/fault can be added/deleted. Analog & accumulators logged on deadband.

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50,000 events logged to internal memory – can be copied to Compact Flash.

---

10,000,000 events can be logged to external 2GB C.F. card.

---

## Pump Control.

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Level from 4-20mA device, conductive probe, ball floats, remote level, logic-derived value.

---

1-6 pumps, 7-9 pumps available dependant on number of s/w modules enabled in the unit.

---

1 or 2 wells, hydraulically connected or independent.

---

Alternation – fixed, lead/lag, N-1, by pump efficiency, by hours run, by starts.

---

**Alternation Groups** – pumps can be placed in groups and alternated by above scheme, with groups set to fixed or alternation.

---

**Setpoints** – adjustable in %, m, ft, or user-defined values.

---

**Multiple Setpoint profiles** – switchable via user-interface, DIN, logic, SCADA or internal date/time clocks. Setpoint profiles include parameters: max pumps to run, max run time, max off time.

---

**Alarm Setpoints** – 4 alarms: high, high-high, low, low-low; available to be enabled/disabled and adjusted if enabled.

---

**Level Simulation** – via user interface for station testing.

---

Max pumps to run (e.g. for duty/standby-duty/assist).

---

Max run time fault (switch to next pump to run).

---

Odour reduction via Max off time (stops wells becoming septic).

---

Well washer control.

---

Blocked pump detection.

---

Pulse start (pump or group).

---

Pulse stop (pump or group).

---

Remote auto/off/manual.

---

Remote fault reset.

---

## Fault Module.

---

All faults configurable as display only, auto-reset (allow pump to start after fault condition clears), manual reset (wait for operator intervention via user interface or SCADA), auto-reset configurable number of times, then go to manual reset.

---

Pump fault inputs from variety of sources: Thermal PTC thermistor, seal, FLS, CLS, voltage-free digital input.

---

General faults also available to configure.

---



#### **MultiTrobe Inc - USA**

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**APPENDIX B2**

**DRAFT STORMWATER POLLUTION PREVENTION PLAN AMENDMENT  
(SPDES PERMIT NO. NYR10T581)**



**DRAFT STORMWATER POLLUTION PREVENTION PLAN  
AMENDMENT  
(SPDES PERMIT NO. NYR10T581)**

**MAMARONECK BEACH AND YACHT CLUB**

555 South Barry Avenue  
Mamaroneck, NY 10543  
Tax Map Parcel: Section 4, Block 77, Lot 31

***Applicant/Project Sponsor:***

**Mamaroneck Beach and Yacht Club**

555 South Barry Avenue  
Mamaroneck, NY 10543  
Contact: Ms. Lisa Rosenshein  
Tel: (914) 698-3600

***Prepared by:***

**TRC Engineers, Inc.**

7 Skyline Drive  
Hawthorne, New York 10532  
Tel: (914) 592-4040  
TRC Project No.: 200001

***Municipality:***

Village Engineer  
Village of Mamaroneck  
Village Hall at the Regatta  
123 Mamaroneck Avenue  
Mamaroneck, NY 10543

<b>Revision History</b>		
Rev.	Date	Description
0		DSEIS Submission

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Section 2 - SWPPP Modifications/Amendments

Section 3 - Summary and Conclusions

### **List of Appendices**

Appendix A NYSDEC State Pollution Discharge Elimination System (SPDES) for Discharges from Construction Activity, General Permit No. GP-0-15-002

Appendix B Contractor/Sub-Contractor SPDES Permit Certification

## Section 1 - Scope of Report

### 1.1 Scope

This SWPPP Amendment has been prepared in accordance with the requirements of the New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) for Discharges from Construction Activity, General Permit No. GP-0-15-002 (General Permit) and shall become an Amendment to the Storm Water Pollution Prevention Plan.

In accordance with the provisions of the General Permit, this SWPPP Amendment addresses the changes in permit coverage and the construction of the pump station, force main and sanitary sewers. The SWPPP Amendment will be prepared and submitted to the Village of Mamaroneck Engineer for review and acceptance prior to the start of construction and addresses the net increase in impervious surface area needed to construct the proposed pump station; the method by which stormwater will be managed; and the required soil erosion and sediment control measures that will be utilized during the construction of the proposed force main.

## Section 2 – SWPPP Modifications/Amendments

### 2.1 SPDES Permit

The SWPPP for this project was determined to satisfy the plan submittal requirements of the State Pollution Discharge Elimination System (SPDES) for Discharges from Construction Activity, General Permit No. GP-02-01 (General Permit). The SPDES Permit No. for this project is NYR10T581.

### 2.2 General Permit Coverage

Since the submission and acceptance of the SWPPP, the NYSDEC has issued two (2) renewals to the SPDES General Permit as further described below.

#### A. General Permit GP-0-08-001

Effective May 1, 2008, the New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) for Discharges from Construction Activity, General Permit No. GP-02-01 (General Permit) was replaced by the New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) for Discharges from Construction Activity, General Permit No. GP-0-08-001 (General Permit).

In accordance with Part II.D.1 of the General Permit No. GP-0-08-001, “Upon renewal of SPDES General Permit for Stormwater Discharges from Construction Activity (Permit No. GP-02-01), *an owner or operator of a construction activity*

with coverage under GP-02-01, as of the effective date of GP-0-08-001, shall be permitted to discharge in accordance with GP-0-08-001 unless otherwise notified by the Department.”

B. General Permit GP-0-10-001

Effective January 29, 2010, the New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) for Discharges from Construction Activity, General Permit No. GP-0-08-001 (General Permit) was replaced by the New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) for Discharges from Construction Activity, General Permit No. GP-0-10-001 (General Permit).

In accordance with Part II.D.1 of the General Permit No. GP-0-10-001 “Upon renewal of SPDES General Permit for Stormwater Discharges from Construction Activity (Permit No. GP-0-08-001), *an owner or operator of construction activity* with coverage under GP-0-08-001, as of the effective date of GP-0-10-001, shall be authorized to *discharge* in accordance with GP-0-10-001 unless otherwise notified by the Department.”

C. General Permit GP-0-15-002

Effective January 29, 2015, the New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) for Discharges from Construction Activity, General Permit No. GP-0-10-001 (General Permit) was replaced by the New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) for Discharges from Construction Activity, General Permit No. GP-0-15-002 (General Permit). The General Permit will expire on January 28, 2020.

In accordance with Part II.D.1 of the General Permit No. GP-0-15-002 “Upon renewal of SPDES General Permit for Stormwater Discharges from Construction Activity (Permit No. GP-0-10-001), an owner or operator of a construction activity with coverage under GP-0-10-001, as of the effective date of GP-0-15-002, shall be authorized to discharge in accordance with GP-0-15-002, unless otherwise notified by the Department.” and “An owner or operator may continue to implement the technical/design components of the post-construction stormwater management controls provided that such design was done in conformance with the technical standards in place at the time of initial project authorization. However, they must comply with the other, non-design provisions of GP-0-15-002.”

## 2.3 Reporting

- A. Inspections - In accordance with Part IV.C.2.a “For construction sites where soil disturbance activities are on-going, the qualified inspector shall conduct a site inspection at least once every seven (7) calendar days.”
- B. Record Retention - The owner or operator shall retain a copy of the NOI, NOI Acknowledgment Letter, SWPPP and any inspection reports that were prepared in conjunction with this permit for a period of at least five (5) years from the date that the site achieves final stabilization.

## 2.4 Certification Forms

An updated version of the Contractor/Sub-Contractor SPDES Permit Certification (GP-0-15-002) is contained in Appendix B and should be substituted for the Certification Form contained in the SWPPP.

## 2.5 Water Quality

Construction of the proposed pump station will result in a net increase in impervious surface coverage of approximately 500 square feet (0.011 acres). Storm water quality from the pump station pad will be managed through the use of an infiltration trench. The infiltration trench will be sized to accommodate the required water quality volume as described in Chapter 4 of the DEC Design Manual. The required water quality volume is determined by the following equation.

$$WQ_v = \frac{(P) (R_v) (A)}{12}$$

Where:

- WQ<sub>v</sub> = water quality volume (in acre-feet)
- P = 90% Rainfall Event Number (see Figure 4.1, DEC Design Manual)
- R<sub>v</sub> = 0.05 + 0.009 (I), where I is the percent of impervious cover
- A = site area in acres (onsite)

The value of the 90% Rainfall Event (P) for the portion of Westchester County where the Project is located is 1.5 inches. Based on the net increase in impervious surface coverage, the required water quality volume for the pump station pad will be 57 cubic feet. One (1) infiltration trench will be constructed parallel to each of the long sides of the pump station pad. Each infiltration trench will have a length of 30 feet, a width of 1'-3", and a depth of 2'-0". The volume provided in each infiltration trench will be 30 cubic feet with a total volume provide of 60 cubic feet.

## 2.6 Soil Erosion and Sediment Control

During construction, the potential for soil erosion and sedimentation shall be designed and installed in accordance with New York State Standards and Specifications for Erosion

and Sediment Control dated August 2005 which has replaced the New York Guidelines for Urban Erosion and Sediment Control, Fourth Printing, dated April 1997.

The SWPPP Amendment will address the methods required to manage the potential for soil erosion and sedimentation through the use of temporary soil erosion and sediment control devices designed and installed in accordance with New York State Standards and Specifications for Erosion and Sediment Control dated August 2005. These temporary soil erosion and sediment control measures would include, but not limited to storm drain inlet protection; street sweeping; dust control; and soil stockpiling.

**Soil Stockpiling:** The stockpile has been located away from sensitive vegetation or specimen trees and on a dry level area and shall comply with the following:

- All stockpiles shall be protected using a perimeter dike of silt fence or straw bale sediment barriers to prevent sediment runoff. This applies to all stockpiles remaining in place for more than two weeks.
- Stockpile side slopes shall not exceed 2 horizontal to 1 vertical (2:1).
- Temporary seeding or covering of stockpiles shall be completed within two weeks of formation.

**Dust Control:** Dust control would be accomplished through the use of vegetative cover, mulch, spray adhesive, sprinkling or barriers. Water would be applied by sprinkler or water truck as necessary during grading operations to minimize sediment transport and maintain acceptable air quality conditions. Repetitive treatments will be done as needed until grades are paved or stabilized with vegetation.

**Inlet Protection (Catch Basin Filters):** Temporary catch basin filters will be utilized to prevent the deposition of sediment into the storm sewer system prior to the stabilization of exposed areas with vegetation or pavement.

- Filters will be placed around each catch basin inlet prior to paving or stabilization with vegetation.
- Sediment shall be removed from the filters when sediment has accumulated to 50 percent of the filter's original height.

**Excavation Dewatering:** Sump pits would be constructed to where water will collect in utility trenches during water may collect during the excavation phase of construction. The sump pit shall be constructed of a perforated vertical standpipe placed in the center of the pit to collect filtered water. The vertical standpipe shall be wrapped in a filter cloth (Mirafi 100X, Poly Filter GB, or a filter cloth with an equivalent sieve size between 40 and 80). It is recommended that ¼ to ½ inch hardware cloth be wrapped around and secured to the standpipe prior to attaching the filter cloth.

The vertical standpipe assembly shall be placed on a 12 inch layer of 2 inch aggregate. After installing the standpipe, the pit shall be backfilled with 2 inch aggregate. The

standpipe shall project 12 to 18 inches above grade. The number of sump pits and locations shall be determined by the contractor.

Water is then pumped from the center of the standpipe to a suitable designed sediment trap, sediment basin, or stabilized area, such as a filter strip. If a sediment trap or portable sediment tank is used, the tank or trap shall have a minimum volume of the 16 times the pump discharge rate.

***Street Sweeping:*** Street Sweeping is considered a good housekeeping technique. Dry street sweeping would be required during all trench excavations within paved roads and parking areas to remove sediments and other contaminants directly from the paved surfaces. Street sweeping will occur daily and before forecasted storm events. All materials collected during street sweeping will be disposed of at an off-site location.

### **Section 3 - Summary and Conclusions**

Based on the information presented in this SWPPP Amendment, the implementation of the proposed Storm Water Pollution Prevention Plan for the Project will meet the conditions of the NYSDEC State Pollution Discharge Elimination System (SPDES) for Discharges from Construction Activity General Permit.

Respectfully submitted,

**TRC Engineers, Inc.**

Ralph P. Peragine, P.E.  
New York PE 064262

Under New York State Education Law Article 145 (Engineering), Section 7209 (2), it is a violation of this law for any person, unless acting under the direction of a Licensed Professional Engineer, to alter this document.

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**APPENDIX A**

**CONTRACTOR/SUB-CONTRACTOR SPDES PERMIT CERTIFICATION**

**Project Name:** Mamaroneck Beach and Yacht Club

**Address:** 555 South Barry Avenue  
Mamaroneck, NY 10543

Pursuant to requirements of the NYSDEC SPDES General Permit for Construction Activities, GP-0-15-002, the Contractor and Subcontractor are required to certify that they understand the permit conditions and their responsibilities. Any Contractor or Sub-Contractor performing an activity that involves soil disturbance shall provide a signed copy of this certification to the Engineer prior to performing any Contract work.

"I hereby certify under penalty of law that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the qualified inspector during a site inspection. I also understand that the owner or operator must comply with the terms and conditions of the most current version of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Furthermore, I am aware that there are significant penalties for submitting false information that I do not believe to be true, including the possibility of fine and imprisonment for knowing violations"

**Company Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Tel.:** \_\_\_\_\_

**Fax:** \_\_\_\_\_

**Description of Specific SWPPP Elements Company is Responsible For:**

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Printed Name**

\_\_\_\_\_  
**Title**

**Name and Title of Trained Individual(s) Responsible for SWPPP Implementation:**

\_\_\_\_\_

**APPENDIX B**

**NYSDEC STATE POLLUTION DISCHARGE ELIMINATION SYSTEM (SPDES) FOR DISCHARGES  
FROM CONSTRUCTION ACTIVITY, GENERAL PERMIT NO. GP-0-15-002**

**APPENDIX B3**

**SUBSURFACE GEOTECHNICAL DATA**



Consulting, Municipal & Environmental Engineers  
Planners ■ Surveyors ■ Landscape Architects

777 Chestnut Ridge Road  
Suite 202  
Chestnut Ridge, NY 10977-6218  
Tel: 845.352.0411 ■ Fax: 845.352.2611

October 26, 2010

Rosenshein Associates  
555 South Barry Avenue  
Mamaroneck, New York 10543

Attn.: Aggie Rigos

Re: Geotechnical Engineering Report  
Proposed Improvements – Phase II  
Mamaroneck Beach and Yacht Club  
Mamaroneck, New York  
**MC Project No. 07000808A-G152A**

This report is submitted as per our agreement for Geotechnical Engineering Services and supplements our Phase I Report dated August 26, 2010. It includes our findings, conclusions and recommendations related to the design and construction of foundations and slabs-on-grade for the proposed buildings.

We understand that the project includes the phased construction of improvements to the Club facility. Phase II includes the construction of a multi-level residential structure at the western end of the site and a club activity related structure near the tennis court complex.

## **EXPLORATIONS**

---

Eight (8) test borings and three (3) percolation tests were completed by Soiltesting Inc. of Oxford, Connecticut between September 27 and 29, 2010. The boring location plan, a record sheet for each boring and the percolation test results are attached to this report. The percolation test results are provided for the use of others. Further, this report has been prepared based on the information provided on the record sheets. The borings were advanced using hollow stem auger method. Soil samples were recovered using a split spoon drive sampler driven with a 140-pound hammer free falling thirty (30) inches. Rock was core sampled in five (5) of the test borings using a core barrel with a diamond bit.

Borings B-1 to 3 were performed at the western end of the site hereafter referred to as the "West Site". Borings B-4 to 7 are in the area to be developed for Club activities just south of the tennis courts hereafter called the "South Site". The area considered by the Phase I Report is the eastern end of the site that includes the marina and referred to as the "East Site" in this report.



To: Aggie Rigos  
Re: Proposed Improvements – Phase II  
Mamaroneck Beach and Yacht Club  
Mamaroneck, New York  
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Based on our interpretation of the information on the boring sheets and the scope of the project, it was deemed unnecessary to perform laboratory soil tests to assist with the identification of the soil and evaluation of engineering properties.

## **SUBSURFACE CONDITIONS**

---

### **West Site** (Boring B-1 to 3)

Conditions beneath the West Site are variable where six (6) feet of sand and gravel soil fill with organics covers nine (9) feet of very soft organic clayey silt with organics (peat) at the Boring B-1 location. Decomposed a highly weathered rock continues the profile to the maximum depth explored, twenty-three (23) feet. The soil fill decreases in thickness to about three (3) feet and the organic clayey silt disappears in an easterly direction across the site. The rock is identified as highly weathered and fractured schist/gneiss in poor to very poor structural condition in terms of the Rock Quality Designation (RQD) system of classification.

Water levels, as observed in the boreholes, existed at about three (3) feet at the time the borings were completed.

### **South Site** (Boring B-4 to 7)

Soil fill also exists beneath this site with sand with gravel being mixed with organics and construction debris which in turn covers clayey silt and organics to depths that range from three (3) feet six (6) inches to eight (8) feet. Dense rock fragments continue the profile to hard rock at depths that range from three (3) foot six (6) inches to eleven (11) feet. Highly weathered and fractured rock then exists to the maximum depth of exploration, fifteen (15) feet.

Water levels, as observed in some of the boreholes, existed at a depth of four (4) feet at the time the borings were completed.

### **East Site** (Boring B-11)

Boring B-11 was performed in the eastern reach of the site in the area considered for Phase I of the project. It shows that the rock is shallow, two (2) feet six (6) inches below grade, and of very poor structural quality.

Rock outcropping has been reported between Borings B-2 and B-3 and near Boring B-11. Therefore, rock excavations may be required.



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## **ANALYSIS AND DESIGN CONSIDERATIONS**

The following were considered in developing the geotechnical conclusions and design recommendations:

1. The site features and proposed improvements are as shown on a Boring Location Plan by Gregg Cameron DeAngelis, AIA, Architects.
2. Two (2) buildings are proposed. One (1) is proposed for the West Site as a multi-storied residential structure. The first level will be on-grade as a parking and garage level. The second structure, to be located at the South Site, will be smaller, of similar construction, however, the ground level will be used for storage.
3. No basement levels are planned for the building footprints.
4. Differential settlement of the building components within a grid dimension of twenty (20) feet should not exceed one-half (0.5) inch.
5. The design and construction shall be completed in accordance with the Building Code of New York State (Code).

## **COMMENTS AND CONCLUSIONS**

The existing soil fill and soft organic clayey silt at the West Site are not suitable to support the foundations and slabs. The undisturbed soil and rock beneath the soil fill are suitable support for spread footing type foundations. The soil fill and soft clayey silt deepen rapidly across the western end of the "West Site". Replacement of this deep unsuitable condition with quality fill is not realistic considering a difficult excavation that needs to be dewatered and that the disposal of excavated material may present environmental issues. It may be prudent to further investigate the depth and boundaries of this deep unsuitable condition to realize shallow workable excavations. The proposed building design and location could be altered to economize the project. Where the building footprint cannot be moved east to better subsurface conditions, deep foundations would be considered in lieu of the costly and difficult excavation and backfilling scenario. The entire footprint would, however, have to be on deep foundation elements for a compatible structural system not subject to differential movement and cracking damage. This behavior is typical for structures that bear on foundations that transition from shallow spread footings to pile support.



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## **RECOMMENDATIONS**

---

The following recommendations are offered:

### **Building Foundations**

South and East Sites and Eastern Side of West Site:

1. Remove topsoil and soil fill from the entire building footprint.
2. Dewater the excavation and backfill with compacted Select Fill.
3. Use spread footing foundations bearing on undisturbed soil, entirely on rock or a minimum of twelve (12) inches of compacted Select Fill that replaces the soil fill at least three (3) feet below the final exterior grades (as frost heave protection) and two (2) feet below interior heated area slabs for bearing stability.
4. Where compacted Select Fill is placed beneath footings it should be limited to a depth of five (5) feet and should extend outboard of the footing a distance equal to the depth below the footing.
5. Use a design bearing capacity of four thousand (4,000) and eight thousand (8,000) pounds per square foot (psf) for footing dimensions of at least eighteen (18) inches for soil and rock respectively.
6. Footings should not transition from soil to rock bearing. Either footing levels should be adjusted so they bear totally on rock or the rock undercut at least one (1) foot and compacted Select Fill placed as a cushion.

Western Side of West Site:

We recommend further exploration in this area, as discussed above in the "Comments and Conclusion" section, to identify the boundary of the existing organic material. Once the boundary is known a decision should be made either to change location of building or support part of the building on piles and part on shallow foundations. In such case a construction joint should be provided by the Structural Engineer between the two parts of the building.

For pile supported building use the following recommendations:

1. Use pile foundations for support of the superstructure and ground floor level.



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2. Tabulated below are design recommendations for several typical pile sections. The capacities refer to the soil/pile interaction, not the structural capacity of the section performing as a column.

Pile Type	Design Capacity (tons)	Installed Capacity * (tons)
<u>Driven Pile Alternatives</u>		
Timber (ASTM D25, Table 2)	17	20
Concrete Cast-In-Place Concrete Filled Pipe: 10" diameter	35	40
<u>Drilled-In Pile Alternatives</u>		
Concreted Pipe with 4 foot rock socket: 10" diameter	55	60

*\* These values consider downdrag on the pile due to settlement of surrounding miscellaneous fill.*

- The driven piles should penetrate to the very dense soil and/or fractured rock but not less than eight (8) feet for lateral stability.
- The piles should be driven to the installed capacity using a dynamic pile formula, as the Engineering News Formula. Caution is advance as to not damage the piles after they encounter the rock.
- A minimum pile-driving hammer energy of 7,500 and 15,000 foot-pounds is suggested for the timber and cast-in-place pipe and piles, respectively.
- Two (2) piles should be driven as test piles at locations spread across the site. Two (2) test piles should be dynamic load tested in accordance with the ASTM D4945 Standard prior to installing production piles. The testing should be performed and, based on the results of the tests, the driving criteria developed under the direction of a licensed Professional Engineer specializing in this type work.
- One (1) drilled-in pile should be load-tested in accordance with the ASTM D1143 Standard prior to installing the production piles.
- Since drilled-in piles socketed into rock develop most of their capacity as side wall residence of the socket the load test could be a tension test as per ASTM D3689 as a cost saving procedure.



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9. Small diameter drilled-in piles known as micro-piles designed, tested and installed by and as directed by a licensed Professional Engineer specializing in this type of application, should be considered. These piles could develop capacities in the range of twenty (2) to sixty (60) tons.

#### Slabs

1. The slab-on-grade subgrades should be a minimum thickness of nine (9) inches of compacted Select Fill over the in-place materials.
2. Use a Modulus of Subgrade Reaction (k) of 200 pounds per square inch per inch (pci) for slab designs.
3. The slab should be a structural element for pile supported structures.

#### Earthquake (Seismic) Considerations

Use Site Class D as per the Code. The existing soil profile is deemed not susceptible to liquefaction.

#### Groundwater Management

The soil fill removal excavation should be dewatered to allow satisfactory placement and compaction of the Select Fill. Dewatering specifications shall be of the performance type requiring that the contractor lower water table to a minimum of two (2) feet below the excavation depth.

#### Select Fill

Select fill should be a well-graded sand and gravel, free of debris and organic material, with a maximum particle size of three (3) inches, between ten (10) and seventy (70) percent by weight passing the Standard No. 40 sieve size and less than twelve (12) percent passing the No. 200 sieve.

#### Compaction

Compaction of the select fill beneath footings and slabs should achieve a density of at least ninety-five (95) percent of the maximum density for the material as determined in the laboratory when tested in accordance with the most recent ASTM D1557 Standard.



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### Quality Control

The following construction tasks should be inspected by a Geotechnical Engineer using appropriate laboratory and field-testing support:

- Removal of topsoil and in-place soil fill;
- Confirmation of foundation bearing levels;
- Compaction of in-place soil prior to backfilling with Select Fill;
- Supply and compaction of Select Fill;
- Testing and Installation of Piles.

The Geotechnical Engineer should also review the removal excavation dewatering program to include design. If micro-piles are specified the Geotechnical Engineer should review the design as well as testing and installation.

### LIMITATIONS

---

1. The conclusions and recommendations submitted in this report are based in part upon the data obtained from subsurface explorations provided by Soiltesting, Inc. The nature and extent of variations between and apart from these explorations may not become evident until construction begins. If variations then appear evident, it will be necessary to reevaluate the recommendations of this report.
2. The generalized soil profile described in the text is intended to convey trends in subsurface conditions. The boundaries between strata are approximate and idealized and have been developed by interpretations of widely spaced explorations and samples; actual soil transitions are probably more erratic.
3. Water level readings have been made in the drill holes at times and under conditions stated on the boring logs. These data have been reviewed and interpretations have been made in the text of this report. However, it must be noted that fluctuations in the level of the groundwater may occur due to variations in rainfall, temperature, and other factors occurring since the time measurements were made. More precise determinations of groundwater levels would require the installation of groundwater observation wells and water level readings taken over an extended period of time. Ground water levels are expected to fluctuate with seasonal and climatic changes.



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4. In the event that any changes in the nature, design or location of the proposed building and/or site improvements are planned, the conclusions and recommendations contained in this report shall not be considered valid unless the changes are reviewed and conclusions of this report modified or verified in writing by Maser Consulting P.A. (Maser). Further, it is recommended that Maser be provided the opportunity for a general review of the final design and specifications in order that the geotechnical related recommendations may be properly interpreted and implemented in the design and specifications.
5. This report has been prepared for the exclusive use of Rosenshein Associates for specific application to construction at the Mamaroneck Beach and Yacht Club site in Mamaroneck, New York. Further, it has been prepared in accordance with generally accepted soil and foundation engineering practices. No other warranty, expressed or implied, is made.
6. This report is for design purposes only and is not sufficient to prepare construction cost estimates or bids.

We trust these recommendations will allow you to complete the design and construction of the new buildings.

Very truly yours,

MASER CONSULTING P.A.  

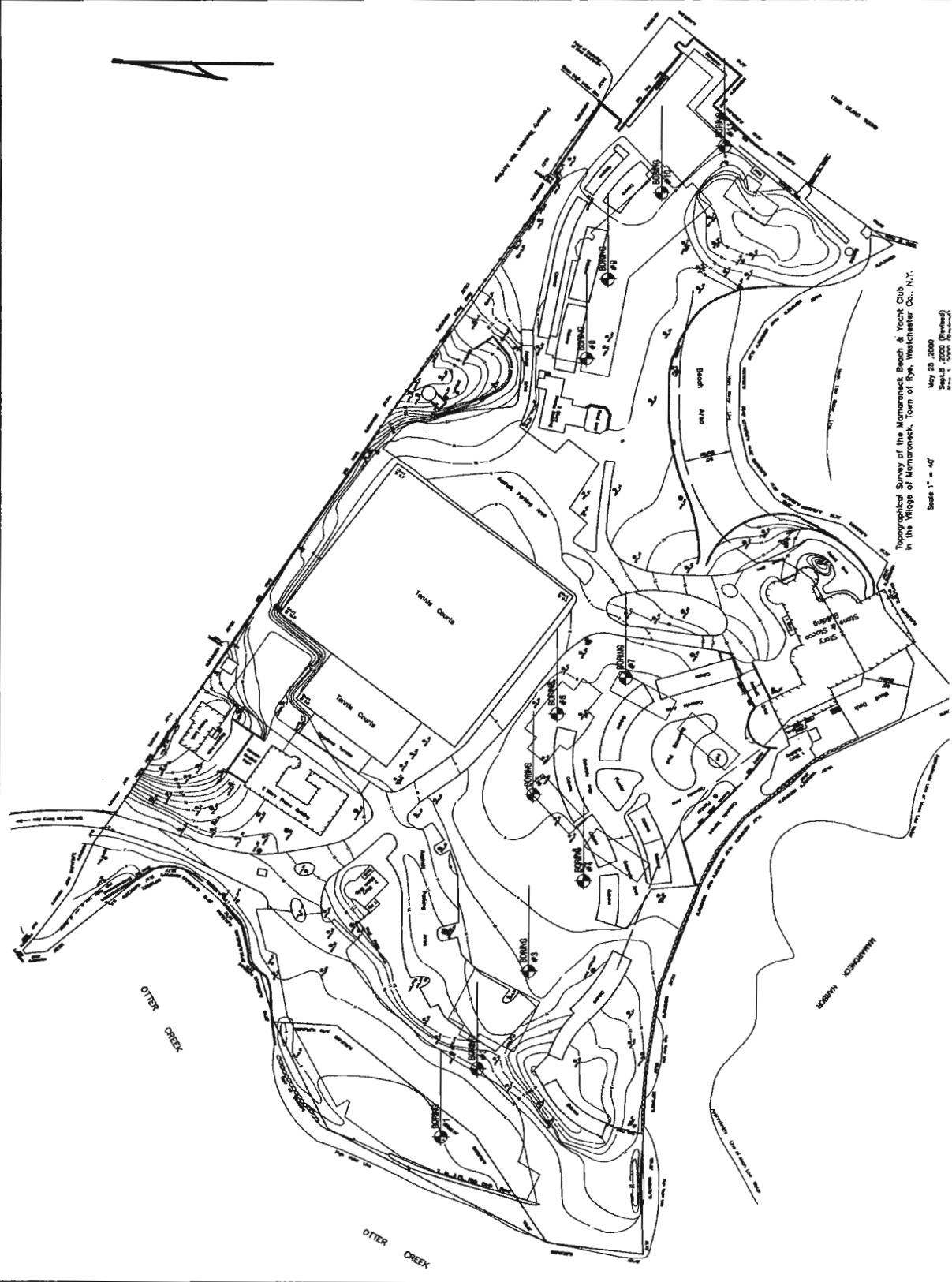

Thomas H. Otto, P.E.  
Department Manager, Geotechnical Services



Moustafa A. Gouda, P.E., D. GE, F.ASCE  
Principal, Director  
Geotechnical/Environmental Services

THO:ca  
Attachments: Boring Location Plan  
Boring Record Sheets

# Mamaroneck Beach & Yacht Club Phase I Plan



Topographical Survey of the Mamaroneck Beach & Yacht Club  
in the Village of Mamaroneck, Town of Rye, Westchester Co., N.Y.  
May 23, 2000  
Sept. 13, 2000 (Revised)  
Scale 1" = 40'

**MAMARONECK BEACH & YACHT CLUB**  
555 SOUTH MARY AVENUE  
MAMARONECK, NY

**GREGG CAMERON DEANGELIS, AIA**  
ARCHITECTS  
451 EAST EDITION POST ROAD  
MAMARONECK, NY 10543  
914-777-7272

**PLANNER**  
SACCARDI & SCHIFF, INC. Planner  
445 Hudson Avenue  
White Plains, NY 10601  
914-911-5152

**CIVIL & TRAFFIC**  
TIC RAYMOND EPPES ASSOC  
1000 Park Avenue  
New York, NY 10028  
212-512-4000

**M/E/P ENGINEER**  
WERNER E. TETEN, P.E.  
48 Purchase Street  
Purchase, NY 10577  
914-857-2921

**COASTAL CONSULTANTS**  
OCEAN & COASTAL CONSULTANTS  
35 Corporate Drive  
The Bronx, NY 10461  
(201) 284-5907

**SURVEYOR**  
RICHARD A. SPINELLI Land Surveyor  
1000 Park Avenue  
New York, NY 10028  
212-512-4000

**LANDSCAPE ARCHITECT**  
JC LOTTO Landscape Architect  
807 Quaker Ridge Road  
New York, NY 10584  
914-633-0515

DATE:  NO.  SHEET NO.

REVISED BORING  
LOCATION PLAN

<b>SOILTESTING, INC.</b> 140 OXFORD RD. OXFORD, CT 06478 CT (203) 888-4531 NY (914) 946-4850	CLIENT: <b>Rosenshein Associates</b>		SHEET <u>1</u> OF <u>1</u>		
	PROJECT NO. <b>G98-8702-10</b>		HOLE NO. <b>B - 1</b>		
	PROJECT NAME <b>Mamaroneck Beach &amp; Yacht Club</b>				
FOREMAN - DRILLER <b>MD/djd</b>	LOCATION <b>555 South Barry Avenue Mamaroneck, NY</b>		BORING LOCATIONS per Plan		
INSPECTOR					
GROUND WATER OBSERVATIONS AT <u>30"</u> FT AFTER <u>0</u> HOURS AT <u>  </u> FT AFTER <u>  </u> HOURS	TYPE	CASING	SAMPLER	CORE BAR	OFFSET
	SIZE I.D.	HSA	SS	NWD4	DATE START
	HAMMER WT.	4 1/4"	1 3/8"	2 1/2"	9/28/10
	HAMMER FALL		140#	BIT	DATE FINISH
			30"	dia	9/28/10
					SURFACE ELEV.
					GROUND WATER ELEV.

DEPTH	CASING BLOWS PER FOOT	SAMPLE					BLOWS PER 6 IN ON SAMPLER (FORCE ON TUBE) 0 - 6 - 12 12- 18			CORE TIME PER FT (MIN)	DENSITY OR CONSIST	STRATA CHANGE DEPTH	FIELD IDENTIFICATION OF SOIL REMARKS INCL. COLOR, LOSS OF WASH WATER, SEAMS IN ROCK, ETC.
		NO	Type	PEN	REC.	DEPTH @ BOT					MOIST	ELEV	
5		1	ss	24"	16"	2'0"	10	8			moist	6"	TOPSOIL
		2	ss	24"	16"	4'0"	11	8			compact		blk F-C SAND & F GRAVEL, tr silt
							21	18			moist		olv brn F SAND & SILT, lit M-C sand, F gravel, organics (fill)
		3	ss	24"	12"	6'0"	15	10			dense	4'0"	blk F SAND & ORGANIC SILT, lit F-C sand, & F gravel (fill)
							2	2			wet		gry/brn F-C SAND & F GRAVEL (poss fill)
10							48	12			dense	6'0"	
		4	ss	24"	24"	8'0"	2	1			wet		gry ORGANIC CLAYEY SILT
							1	2			v loose		
		5	ss	24"	24"	10'0"	1	1			wet		SAME; sm organics (PEAT)
							1	1			v loose		
15		6	ss	24"	21"	12'0"	1	WOH			wet		gry ORGANIC CLAYEY SILT
							2				loose		
		7	ss	19"	13"	16'7"	4	7			wet	15'0"	
							9	50/1"			compact	16'0"	brn F SAND & SILT
20												16'6"	partially weathered BEDROCK
												17'0"	AUGER REFUSAL
		1	cr	60"	52"	23'0"	RQD = 37%			1.50			BEDROCK (schist)
										1.50			(Fractured gneiss with iron staining on joints.
										1.00			Few partially weathered schist seams)
25										1.50			
										1.50			
30													
35													
40													

**NOTE: Subsoil conditions revealed by this investigation represent conditions at specific locations and may not represent conditions at other locations or times.**

GROUND SURFACE TO _____ FT.	USED _____ CASING	THEN _____ CASING TO _____ FT.	<b>HOLE NO. B - 1</b>
A = AUGER UP = UNDISTURBED PISTON      T = THINWALL      V = VANE TEST			
WOR = WEIGHT OF RODS      WOH = WEIGHT OF HAMMER & RODS		C = COARSE	
SS = SPLIT TUBE SAMPLER      H.S.A. = HOLLOW STEM AUGER		M = MEDIUM	
PROPORTIONS USED: TRACE = 0 - 10%    LITTLE = 10 - 20%    SOME = 20 - 35%    AND = 35 - 50%		F = FINE	

<b>SOILTESTING, INC.</b> 140 OXFORD RD. OXFORD, CT 06478 CT (203) 888-4531 NY (914) 946-4850				CLIENT: <b>Rosenshein Associates</b>				SHEET <u>1</u> OF <u>1</u> HOLE NO. <span style="float:right">B -2</span>			
				PROJECT NO. <b>G98-8702-10</b>							
FOREMAN - DRILLER <b>MD/djd</b>				PROJECT NAME <b>Mamaroneck Beach &amp; Yacht Club</b>				BORING LOCATIONS per Plan			
INSPECTOR				LOCATION <b>555 South Barry Avenue Mamaroneck, NY</b>							
GROUND WATER OBSERVATIONS AT <u>none</u> FT AFTER <u>0</u> HOURS AT <u>  </u> FT AFTER <u>  </u> HOURS				TYPE		CASING	SAMPLER	CORE BAR	OFFSET		
				SIZE I.D.		HSA	SS		DATE START <span style="float:right">9/27/10</span>		
				HAMMER WT.		4 1/4"	1 3/8"		DATE FINISH <span style="float:right">9/27/10</span>		
				HAMMER FALL			140#		SURFACE ELEV.		
							30"		GROUND WATER ELEV.		

DEPTH	CASING BLOWS PER FOOT	SAMPLE						BLOWS PER 6 IN ON SAMPLER (FORCE ON TUBE) 0 - 6 6 - 12 12- 18	CORE TIME PER FT (MIN)	DENSITY OR CONSIST	STRATA CHANGE DEPTH	FIELD IDENTIFICATION OF SOIL REMARKS INCL. COLOR, LOSS OF WASH WATER, SEAMS IN ROCK, ETC.	
		NO	Type	PEN	REC.	DEPTH @ BOT							
5		1	ss	24"	8"	2'0"	15	21		dry dense dry dense dry dense	4"	TOPSOIL	
						21	12		2'6"		brn FM SAND, sm silt, organics, lit F gravel (poss fill)		
		2	ss	9"	10"	2'9"	13	50/5"				BOULDER	
		3	ss	14"	12"	5'2"	11	32			5'0"	fractured BEDROCK or BOULDER	
						50/2"				6'0"	AUGER REFUSAL		
												E.O.B. 6'0"	
10													
15													
20													
25													
30													
35													
40													

**NOTE: Subsoil conditions revealed by this investigation represent conditions at specific locations and may not represent conditions at other locations or times.**

GROUND SURFACE TO _____ FT.	USED _____	CASING THEN _____	CASING TO _____ FT.	<b>HOLE NO. B -2</b>
A = AUGER    UP = UNDISTURBED PISTON    T = THINWALL    V = VANE TEST WOR = WEIGHT OF RODS    WOH = WEIGHT OF HAMMER & RODS SS = SPLIT TUBE SAMPLER    H.S.A. = HOLLOW STEM AUGER PROPORTIONS USED: TRACE = 0 - 10%    LITTLE = 10 - 20%    SOME = 20 - 35%    AND = 35 - 50%				
			C = COARSE	
			M = MEDIUM	
			F = FINE	

<b>SOILTESTING, INC.</b> <b>140 OXFORD RD.</b> <b>OXFORD, CT 06478</b> <b>CT (203) 888-4531</b> <b>NY (914) 946-4850</b>	CLIENT: <b>Rosenshein Associates</b>		SHEET <u>1</u> OF <u>1</u>	
	PROJECT NO. <b>G98-8702-10</b>		HOLE NO. <b>B -3</b>	
	PROJECT NAME <b>Mamaroneck Beach &amp; Yacht Club</b>		BORING LOCATIONS per Plan	
FOREMAN - DRILLER <b>MD/djd</b>	LOCATION <b>555 South Barry Avenue Mamaroneck, NY</b>			
INSPECTOR	TYPE	CASING HSA	SAMPLER SS	CORE BAR NWD4
GROUND WATER OBSERVATIONS AT <u>3'0"</u> FT AFTER <u>0</u> HOURS AT <u>  </u> FT AFTER <u>  </u> HOURS	SIZE I.D. HAMMER WT. HAMMER FALL	4 1/4" 140# 30"	1 3/8" BIT dia	2 1/8" DATE START 9/27/10 DATE FINISH 9/28/10 SURFACE ELEV. GROUND WATER ELEV.

DEPTH	CASING BLOWS PER FOOT	SAMPLE					BLOWS PER 6 IN ON SAMPLER (FORCE ON TUBE) 0 - 6 6 - 12 12- 18			CORE TIME PER FT (MIN)	DENSITY OR CONSIST	STRATA CHANGE DEPTH	FIELD IDENTIFICATION OF SOIL REMARKS INCL. COLOR, LOSS OF WASH WATER, SEAMS IN ROCK, ETC.
		NO	Type	PEN	REC	DEPTH @ BOT					MOIST	ELEV	
5		1	ss	24"	14"	2'0"	2	5			moist-dry	10"	TOPSOIL
		2	ss	17"	4"	3'5"	7	10			compact		It brn FMC SAND, sm F gravel, tr silt (fill)
							7	14			moist-wet	3'0"	SAME; tr organics, plastics (fill)
		3	ss	1"	1"	4'1"	75/5"				dense		partially decomposed BEDROCK
		4	ss	0"	0"	5'6"	50/4"				dry		SAME
10		1	cr	60"	25"	9'6"	RQD = 7%			1.50	dense	5'6"	AUGER REFUSAL
													fractured BEDROCK or BOULDERS
										1.50			
										1.00			
										1.50			
15										1.00			
20													
25													
30													
35													
40													

**NOTE: Subsoil conditions revealed by this investigation represent conditions at specific locations and may not represent conditions at other locations or times.**

GROUND SURFACE TO _____ FT. USED _____ CASING THEN _____ CASING TO _____ FT.		HOLE NO. <b>B -3</b>
A = AUGER UP = UNDISTURBED PISTON T = THINWALL V = VANE TEST WOR = WEIGHT OF RODS WOH = WEIGHT OF HAMMER & RODS C = COARSE SS = SPLIT TUBE SAMPLER H.S.A. = HOLLOW STEM AUGER M = MEDIUM PROPORTIONS USED: TRACE = 0 - 10% LITTLE = 10 - 20% SOME = 20 - 35% AND = 35 - 50% F = FINE		

<b>SOILTESTING, INC.</b> 140 OXFORD RD. OXFORD, CT 06478 CT (203) 888-4531 NY (914) 946-4850		CLIENT: <b>Rosenshein Associates</b>				SHEET <u>1</u> OF <u>1</u>			
		PROJECT NO. <b>G98-8702-10</b>				HOLE NO. <b>B - 4</b>			
FOREMAN - DRILLER <b>MD/djd</b>		PROJECT NAME <b>Mamaroneck Beach &amp; Yacht Club</b>				BORING LOCATIONS per Plan			
		LOCATION <b>555 South Barry Avenue Mamaroneck, NY</b>							
INSPECTOR		TYPE				CASING	SAMPLER	CORE BAR	OFFSET
		SIZE I.D.				HSA	SS	NWD4	DATE START 9/28/10
GROUND WATER OBSERVATIONS AT <u>none</u> FT AFTER <u>0</u> HOURS AT <u>  </u> FT AFTER <u>  </u> HOURS		HAMMER WT.				4 1/4"	1 3/8"	2 1/8"	DATE FINISH 9/28/10
		HAMMER FALL				140#	BIT		SURFACE ELEV.
						30"	dia		GROUND WATER ELEV.

DEPTH	CASING BLOWS PER FOOT	SAMPLE					BLOWS PER 6 IN ON SAMPLER (FORCE ON TUBE) 0 - 6 6 - 12 12 - 18			CORE TIME PER FT (MIN)	DENSITY OR CONSIST  MOIST	STRATA CHANGE DEPTH  ELEV	FIELD IDENTIFICATION OF SOIL REMARKS INCL. COLOR, LOSS OF WASH WATER, SEAMS IN ROCK, ETC.
		NO	Type	PEN	REC.	DEPTH @ BOT							
5		1	ss	24"	14"	2'0"	4	9		dry compact	6"	TOPSOIL	
						14	30				2'0"	brn FM SAND, sm silt, lit C sand, F gravel, tr cobble, brick (fill)	
		2	ss	10"	6"	2'10"	20	50/4"				brn SILT & F SAND, sm M-C sand, F gravel, tr small boulders	
												AUGER REFUSAL	
		1	cr	60"	23"	8'6"	RQD = 8%				1.00		fractured BEDROCK or BOULDERS
									1.50				
									1.50				
									1.00				
									1.50				
10													
15													
20													
25													
30													
35													
40													

**NOTE: Subsoil conditions revealed by this investigation represent conditions at specific locations and may not represent conditions at other locations or times.**

GROUND SURFACE TO <u>      </u> FT.		USED <u>      </u>	CASING THEN <u>      </u>	CASING TO <u>      </u> FT.	HOLE NO. <b>B - 4</b>
A = AUGER    UP = UNDISTURBED PISTON    T = THINWALL    V = VANE TEST					
WOR = WEIGHT OF RODS		WOH = WEIGHT OF HAMMER & RODS		C = COARSE	
SS = SPLIT TUBE SAMPLER		H.S.A. = HOLLOW STEM AUGER		M = MEDIUM	
PROPORTIONS USED: TRACE = 0 - 10%    LITTLE = 10 - 20%    SOME = 20 - 35%    AND = 35 - 50%				F = FINE	

<b>SOILTESTING, INC.</b> <b>140 OXFORD RD.</b> <b>OXFORD, CT 06478</b> <b>CT (203) 888-4531</b> <b>NY (914) 946-4850</b>	CLIENT: <b>Rosenshein Associates</b>		SHEET <u>1</u> OF <u>1</u>	
	PROJECT NO. <b>G98-8702-10</b>		HOLE NO. <b>B - 5</b>	
	PROJECT NAME <b>Mamaroneck Beach &amp; Yacht Club</b>		BORING LOCATIONS per Plan	
FOREMAN - DRILLER <b>MD/djd</b>	LOCATION <b>555 South Barry Avenue</b> <b>Mamaroneck, NY</b>			
INSPECTOR	TYPE	CASING HSA	SAMPLER SS	CORE BAR NWD4
GROUND WATER OBSERVATIONS AT <u>4'0"</u> FT AFTER <u>0</u> HOURS AT <u>  </u> FT AFTER <u>  </u> HOURS	SIZE I.D.	4 1/4"	1 3/8"	2 1/4"
	HAMMER WT.		140#	BIT
	HAMMER FALL		30"	dia
				OFFSET
				DATE START 9/28/10
				DATE FINISH 9/28/10
				SURFACE ELEV.
				GROUND WATER ELEV.

DEPTH	CASING BLOWS PER FOOT	SAMPLE					BLOWS PER 6 IN ON SAMPLER (FORCE ON TUBE) 0 - 6 6 - 12 12 - 18			CORE TIME PER FT (MIN)	DENSITY OR CONSIST	STRATA CHANGE DEPTH	FIELD IDENTIFICATION OF SOIL REMARKS INCL. COLOR, LOSS OF WASH WATER, SEAMS IN ROCK, ETC.
		NO	Type	PEN	REC	DEPTH @ BOT					MOIST	ELEV	
5		1	ss	24"	17"	2'0"	2	6			moist	6"	TOPSOIL
		2	ss	24"	13"	4'0"	5	4			compact		
		3	ss	24"	14"	6'0"	4	4			moist	4'0"	drk brn SILT, sm FM sand, lit C sand, F gravel, tr roots dkbrn/brn SILT & CLAY, lit FM sand, tr C sand, F gravel, brick (fill)
		4	ss	14"	14"	7'2"	5	11			loose		
							8	10			wet	7'0"	brn F SAND & CLAYEY SILT, sm organics (peat), lit C sand & F gravel
10							50/2"				loose		drk brn FM SAND, sm silt, C sand, lit F gravel
											wet		partially decomposed BEDROCK
											dense		
		1	cr	60"	50"	15'0"	RQD = 15%			1.50		10'0"	AUGER REFUSAL
										1.50			BEDROCK (schist)
15										1.00			(Fractured gneiss with iron staining on joints. Few partially weathered schist seams)
										1.00			
										1.00			
										1.00			
20													
25													
30													
35													
40													

**NOTE: Subsoil conditions revealed by this investigation represent conditions at specific locations and may not represent conditions at other locations or times.**

GROUND SURFACE TO <u>      </u> FT.	USED <u>      </u> CASING	THEN <u>      </u> CASING TO <u>      </u> FT.	HOLE NO. <b>B - 5</b>
A = AUGER    UP = UNDISTURBED PISTON    T = THINWALL    V = VANE TEST WOR = WEIGHT OF RODS    WOH = WEIGHT OF HAMMER & RODS    C = COARSE SS = SPLIT TUBE SAMPLER    H.S.A. = HOLLOW STEM AUGER    M = MEDIUM PROPORTIONS USED: TRACE = 0 - 10%    LITTLE = 10 - 20%    SOME = 20 - 35%    AND = 35 - 50%    F = FINE			

<b>SOILTESTING, INC.</b> <b>140 OXFORD RD.</b> <b>OXFORD, CT 06478</b> <b>CT (203) 888-4531</b> <b>NY (914) 946-4850</b>	CLIENT: <b>Rosenshein Associates</b>		SHEET <u>1</u> OF <u>1</u> HOLE NO. <b>B -6</b>
	PROJECT NO. <b>G98-8702-10</b>		BORING LOCATIONS per Plan
	PROJECT NAME <b>Mamaroneck Beach &amp; Yacht Club</b>		
FOREMAN - DRILLER <b>MD/djd</b>	LOCATION <b>555 South Barry Avenue</b> <b>Mamaroneck, NY</b>		
INSPECTOR	TYPE	CASING    HSA    SAMPLER   SS    CORE BAR	OFFSET
GROUND WATER OBSERVATIONS AT <u>none</u> FT   AFTER <u>0</u> HOURS AT <u>  </u> FT   AFTER <u>  </u> HOURS	SIZE I.D.	4 1/4"   1 3/8"	DATE START                   9/28/10
	HAMMER WT.	140#	DATE FINISH                 9/28/10
	HAMMER FALL	30"	SURFACE ELEV.
			GROUND WATER ELEV.

DEPTH	CASING BLOWS PER FOOT	SAMPLE					BLOWS PER 6 IN ON SAMPLER (FORCE ON TUBE) 0 - 6   6 - 12   12- 18			CORE TIME PER FT (MIN)	DENSITY OR CONSIST	STRATA CHANGE DEPTH	FIELD IDENTIFICATION OF SOIL REMARKS INCL. COLOR, LOSS OF WASH WATER, SEAMS IN ROCK, ETC.
		NO	Type	PEN	REC.	DEPTH @ BOT					MOIST	ELEV	
5		1	ss	24"	17"	2'0"	2	4			moist	11"	TOPSOIL
							6	6			loose		brn/drk brn SILT, sm FM sand, lit F gravel, tr asphalt,brick brn FM SAND & SILT, sm C sand, F gravel, lit organics, tr brick drk brn FM SAND & SILT, sm organics, C sand, lit F gravel, tr brick, cobble (fill)
		2	ss	24"	14"	4'0"	8	9			moist		
							6	4			compact		
		3	ss	24"	10"	6'0"	2	4			wet-moist		
							7	3			compact	6'0"	
10		4	ss	11"	10"	7'5"	2	4			wet-dry		drk gry/brn ORGANIC SILT & FM SAND, sm C sand, lit F gravel, tr wood
							50/5"				dense	7'5"	partially weathered BEDROCK
		5	ss	1"	1"	8'1"	50/1"				dry		SAME
		6	ss	0"	0"	50/0"	50/0"				dense	11'0"	AUGER REFUSAL
15													E.O.B. 11'0"
20													
25													
30													
35													
40													

**NOTE: Subsoil conditions revealed by this investigation represent conditions at specific locations and may not represent conditions at other locations or times.**

GROUND SURFACE TO _____ FT.		USED _____ CASING	THEN _____ CASING TO _____ FT.	<b>HOLE NO.    B -6</b>
A = AUGER   UP = UNDISTURBED PISTON       T = THINWALL       V = VANE TEST WOR = WEIGHT OF RODS       WOH = WEIGHT OF HAMMER & RODS SS = SPLIT TUBE SAMPLER       H.S.A. = HOLLOW STEM AUGER PROPORTIONS USED: TRACE = 0 - 10%   LITTLE = 10 - 20%   SOME = 20 - 35%   AND =35 - 50%				
			C = COARSE	
			M = MEDIUM	
			F = FINE	

<b>SOILTESTING, INC.</b> 140 OXFORD RD. OXFORD, CT 06478 CT (203) 888-4531 NY (914) 946-4850	CLIENT: <b>Rosenshein Associates</b>		SHEET <u>1</u> OF <u>1</u> HOLE NO. <span style="float: right;">B - 7</span>		
	PROJECT NO. <b>G98-8702-10</b>		BORING LOCATIONS per Plan		
	PROJECT NAME <b>Mamaroneck Beach &amp; Yacht Club</b>				
FOREMAN - DRILLER <b>MD/djd</b>	LOCATION <b>555 South Barry Avenue Mamaroneck, NY</b>				
INSPECTOR	TYPE	CASING HSA	SAMPLER SS	CORE BAR	OFFSET
	SIZE I.D.	4 1/4"	1 3/8"		DATE START 9/28/10
GROUND WATER OBSERVATIONS AT <u>4'0"</u> FT AFTER <u>0</u> HOURS AT <u>  </u> FT AFTER <u>  </u> HOURS	HAMMER WT.	140#			DATE FINISH 9/28/10
	HAMMER FALL	30"			SURFACE ELEV.
					GROUND WATER ELEV.

DEPTH	CASING BLOWS PER FOOT	SAMPLE					BLOWS PER 6 IN ON SAMPLER (FORCE ON TUBE) 0 - 6 6 - 12 12- 18			CORE TIME PER FT (MIN)	DENSITY OR CONSIST	STRATA CHANGE DEPTH	FIELD IDENTIFICATION OF SOIL REMARKS INCL. COLOR, LOSS OF WASH WATER, SEAMS IN ROCK, ETC.
		NO	Type	PEN	REC	DEPTH @ BOT							
5		1	ss	24"	9"	2'0"	2	2			moist	12"	TOPSOIL
							5	7			loose		brn SILT, lit FM sand, organics (poss fill)
		2	ss	24"	0"	4'0"	3	4			moist		
							3	5			loose		
		3	ss	24"	6"	6'0"	3	2			v moist		
10							3	4			loose	6'0"	
		4	ss	24"	17"	8'0"	6	5			wet		lt brn SILT, sm F sand, organics
							8	11			compact	8'0"	
		5	ss	21"	15"	9'9"	11	16			wet		brn F-M SAND, sm silt & C sand
							35	50/3"			v dense	9'9"	AUGER REFUSAL
15													poss BEDROCK E.O.B. 9'9"
20													
25													
30													
35													
40													

**NOTE: Subsoil conditions revealed by this investigation represent conditions at specific locations and may not represent conditions at other locations or times.**

GROUND SURFACE TO _____ FT. USED _____ CASING THEN _____ CASING TO _____ FT.		<b>HOLE NO. B - 7</b>
A = AUGER    UP = UNDISTURBED PISTON    T = THINWALL    V = VANE TEST WOR = WEIGHT OF RODS    WOH = WEIGHT OF HAMMER & RODS    C = COARSE SS = SPLIT TUBE SAMPLER    H.S.A. = HOLLOW STEM AUGER    M = MEDIUM PROPORTIONS USED: TRACE = 0 - 10%    LITTLE = 10 - 20%    SOME = 20 - 35%    AND = 35 - 50%    F = FINE		

<b>SOILTESTING, INC.</b> 140 OXFORD RD. OXFORD, CT 06478 CT (203) 888-4531 NY (914) 946-4850	CLIENT: <b>Rosenshein Associates</b>			SHEET <u>1</u> OF <u>1</u>	
	PROJECT NO. <b>G98-8702-10</b>			HOLE NO. <b>B -11</b>	
	PROJECT NAME <b>Mamaroneck Beach &amp; Yacht Club</b>			BORING LOCATIONS per Plan	
FOREMAN - DRILLER <b>MD/djd</b>	LOCATION <b>555 South Barry Avenue Mamaroneck, NY</b>				
INSPECTOR	TYPE	CASING HSA	SAMPLER SS	CORE BAR NWD4	OFFSET
GROUND WATER OBSERVATIONS AT <u>none</u> FT AFTER <u>0</u> HOURS AT <u>  </u> FT AFTER <u>  </u> HOURS	SIZE I.D.	4 1/4"	1 3/8"	2 1/2"	DATE START 9/27/10
	HAMMER WT.		140#	BIT	DATE FINISH 9/28/10
	HAMMER FALL		30"	dia	SURFACE ELEV.
					GROUND WATER ELEV.

DEPTH	CASING BLOWS PER FOOT	SAMPLE					BLOWS PER 6 IN ON SAMPLER (FORCE ON TUBE) 0 - 6 6 - 12 12- 18			CORE TIME PER FT (MIN)	DENSITY OR CONSIST	STRATA CHANGE DEPTH	FIELD IDENTIFICATION OF SOIL REMARKS INCL. COLOR, LOSS OF WASH WATER, SEAMS IN ROCK, ETC.
		NO	Type	PEN	REC	DEPTH @ BOT							
5		1	ss	23"	18"	1'11"	7	5			dry compact	1'9"	gry/brn SILTY CLAY, sm F sand, lit M-C sand, F gravel (poss fill) partially decomposed BEDROCK or BOULDER AUGER REFUSAL fractured BEDROCK or BOULDERS
							7	25/5"				2'6"	
		1	cr	60"	23"	7'6"	RQD = 9%			2.00			
										2.00			
										1.50			
10										1.50			E.O.B. 7'6"
15													E.O.B. 7'6"
20													E.O.B. 7'6"
25													E.O.B. 7'6"
30													E.O.B. 7'6"
35													E.O.B. 7'6"
40													E.O.B. 7'6"

**NOTE: Subsoil conditions revealed by this investigation represent conditions at specific locations and may not represent conditions at other locations or times.**

GROUND SURFACE TO _____ FT.	USED _____ CASING	THEN _____ CASING TO _____ FT.	<b>HOLE NO. B -11</b>
A = AUGER UP = UNDISTURBED PISTON      T = THINWALL      V = VANE TEST WOR = WEIGHT OF RODS      WOH = WEIGHT OF HAMMER & RODS      C = COARSE SS = SPLIT TUBE SAMPLER      H.S.A. = HOLLOW STEM AUGER      M = MEDIUM PROPORTIONS USED: TRACE = 0 - 10%    LITTLE = 10 - 20%    SOME = 20 - 35%    AND = 35 - 50%    F = FINE			

**APPENDIX B4**

**SOILS MAP AND DESCRIPTIONS**

# Soil Map—Westchester County, New York



Map Scale: 1:7,240 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84




**Natural Resources  
Conservation Service**

Web Soil Survey  
National Cooperative Soil Survey

4/29/2014  
Page 1 of 3


## MAP LEGEND

### Area of Interest (AOI)

 Area of Interest (AOI)

### Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

### Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

### Water Features



Streams and Canals

### Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

### Background



Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Westchester County, New York

Survey Area Data: Version 9, Dec 15, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 26, 2011—Apr 16, 2012

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Westchester County, New York (NY119)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
CrC	Charlton-Chatfield complex, rolling, very rocky	53.7	21.0%
Ip	Ipswich mucky peat	33.3	13.0%
Ub	Udorthents, smoothed	0.9	0.4%
Uc	Udorthents, wet substratum	18.4	7.2%
Uf	Urban land	0.3	0.1%
UhB	Urban land-Charlton complex, 2 to 8 percent slopes	15.5	6.1%
UIC	Urban land-Charlton-Chatfield complex, rolling, very rocky	79.6	31.1%
UID	Urban land-Charlton-Chatfield complex, hilly, very rocky	6.8	2.7%
W	Water	47.2	18.5%
<b>Totals for Area of Interest</b>		<b>255.7</b>	<b>100.0%</b>

## Westchester County, New York

### UIC—Urban land-Charlton-Chatfield complex, rolling, very rocky

#### Map Unit Setting

*Elevation:* 100 to 1,000 feet

*Mean annual precipitation:* 46 to 50 inches

*Mean annual air temperature:* 46 to 52 degrees F

*Frost-free period:* 115 to 215 days

#### Map Unit Composition

*Urban land:* 40 percent

*Charlton and similar soils:* 20 percent

*Chatfield and similar soils:* 15 percent

*Minor components:* 25 percent

#### Description of Charlton

##### Setting

*Landform:* Till plains, ridges, hills

*Landform position (two-dimensional):* Shoulder

*Landform position (three-dimensional):* Crest

*Down-slope shape:* Convex

*Across-slope shape:* Convex

*Parent material:* Acid loamy till derived mainly from schist, gneiss, or granite

##### Properties and qualities

*Slope:* 2 to 15 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Well drained

*Capacity of the most limiting layer to transmit water*

*(Ksat):* Moderately high to high (0.57 to 5.95 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Available water capacity:* Moderate (about 7.5 inches)

##### Typical profile

*0 to 8 inches:* Loam

*8 to 24 inches:* Sandy loam

*24 to 60 inches:* Sandy loam

#### Description of Chatfield

##### Setting

*Landform:* Ridges, hills

*Landform position (two-dimensional):* Shoulder

*Landform position (three-dimensional):* Crest

*Down-slope shape:* Convex

*Across-slope shape:* Convex

*Parent material:* Loamy till derived mainly from granite, gneiss, or schist

**Properties and qualities**

*Slope:* 2 to 15 percent

*Depth to restrictive feature:* 20 to 40 inches to lithic bedrock

*Drainage class:* Well drained

*Capacity of the most limiting layer to transmit water (Ksat):* Low to high (0.01 to 5.95 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 1 percent

*Available water capacity:* Low (about 3.2 inches)

**Typical profile**

*0 to 7 inches:* Loam

*7 to 24 inches:* Flaggy silt loam

*24 to 28 inches:* Unweathered bedrock

**Minor Components**

**Leicester**

*Percent of map unit:* 5 percent

*Landform:* Depressions

**Rock outcrop**

*Percent of map unit:* 5 percent

**Sutton**

*Percent of map unit:* 5 percent

**Udorthents**

*Percent of map unit:* 5 percent

**Hollis**

*Percent of map unit:* 2 percent

**Sun**

*Percent of map unit:* 2 percent

*Landform:* Depressions

**Palms**

*Percent of map unit:* 1 percent

*Landform:* Swamps, marshes

**Data Source Information**

Soil Survey Area: Westchester County, New York

Survey Area Data: Version 9, Dec 15, 2013

## Westchester County, New York

### CrC—Charlton-Chatfield complex, rolling, very rocky

#### Map Unit Setting

*Elevation:* 100 to 1,000 feet

*Mean annual precipitation:* 46 to 50 inches

*Mean annual air temperature:* 46 to 52 degrees F

*Frost-free period:* 115 to 215 days

#### Map Unit Composition

*Charlton and similar soils:* 50 percent

*Chatfield and similar soils:* 30 percent

*Minor components:* 20 percent

#### Description of Charlton

##### Setting

*Landform:* Till plains, ridges, hills

*Landform position (two-dimensional):* Shoulder

*Landform position (three-dimensional):* Crest

*Down-slope shape:* Convex

*Across-slope shape:* Convex

*Parent material:* Acid loamy till derived mainly from schist, gneiss, or granite

##### Properties and qualities

*Slope:* 2 to 15 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Well drained

*Capacity of the most limiting layer to transmit water*

*(Ksat):* Moderately high to high (0.57 to 5.95 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Available water capacity:* Moderate (about 7.5 inches)

##### Interpretive groups

*Farmland classification:* Not prime farmland

*Land capability (nonirrigated):* 6s

*Hydrologic Soil Group:* B

##### Typical profile

*0 to 8 inches:* Loam

*8 to 24 inches:* Sandy loam

*24 to 60 inches:* Sandy loam

#### Description of Chatfield

##### Setting

*Landform:* Ridges, hills

*Landform position (two-dimensional):* Shoulder

*Landform position (three-dimensional):* Crest

*Down-slope shape:* Convex

*Across-slope shape:* Convex

*Parent material:* Loamy till derived mainly from granite, gneiss, or schist

#### **Properties and qualities**

*Slope:* 2 to 15 percent

*Depth to restrictive feature:* 20 to 40 inches to lithic bedrock

*Drainage class:* Well drained

*Capacity of the most limiting layer to transmit water (Ksat):* Low to high (0.01 to 5.95 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 1 percent

*Available water capacity:* Low (about 3.2 inches)

#### **Interpretive groups**

*Farmland classification:* Not prime farmland

*Land capability (nonirrigated):* 6s

*Hydrologic Soil Group:* B

#### **Typical profile**

*0 to 7 inches:* Loam

*7 to 24 inches:* Flaggy silt loam

*24 to 28 inches:* Unweathered bedrock

#### **Minor Components**

##### **Hollis**

*Percent of map unit:* 5 percent

##### **Rock outcrop**

*Percent of map unit:* 5 percent

##### **Sutton**

*Percent of map unit:* 4 percent

##### **Sun**

*Percent of map unit:* 2 percent

*Landform:* Depressions

##### **Leicester**

*Percent of map unit:* 2 percent

##### **Palms**

*Percent of map unit:* 1 percent

*Landform:* Swamps, marshes

##### **Carlisle**

*Percent of map unit:* 1 percent

*Landform:* Swamps, marshes

## Data Source Information

Soil Survey Area: Westchester County, New York  
Survey Area Data: Version 9, Dec 15, 2013

## Westchester County, New York

### Ip—Ipswich mucky peat

#### Map Unit Setting

*Mean annual precipitation:* 46 to 50 inches

*Mean annual air temperature:* 46 to 52 degrees F

*Frost-free period:* 115 to 215 days

#### Map Unit Composition

*Ipswich and similar soils:* 85 percent

*Minor components:* 15 percent

#### Description of Ipswich

##### Setting

*Landform:* Tidal marshes

*Landform position (two-dimensional):* Toeslope

*Landform position (three-dimensional):* Talf

*Down-slope shape:* Concave

*Across-slope shape:* Concave

*Parent material:* Organic material in tidal marshes

##### Properties and qualities

*Slope:* 0 to 1 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Very poorly drained

*Capacity of the most limiting layer to transmit water*

*(Ksat):* Moderately high to very high (0.57 to 19.98 in/hr)

*Depth to water table:* About 0 inches

*Frequency of flooding:* Frequent

*Frequency of ponding:* Frequent

*Available water capacity:* Very high (about 16.2 inches)

##### Interpretive groups

*Farmland classification:* Not prime farmland

*Land capability (nonirrigated):* 8w

*Hydrologic Soil Group:* A/D

##### Typical profile

*0 to 8 inches:* Mucky peat

*8 to 20 inches:* Muck

*20 to 60 inches:* Mucky peat

#### Minor Components

##### Fluvaquents

*Percent of map unit:* 10 percent

*Landform:* Flood plains

##### Udifuvents

*Percent of map unit:* 3 percent

**Udorthents, wet substratum**

*Percent of map unit: 2 percent*

**Data Source Information**

Soil Survey Area: Westchester County, New York

Survey Area Data: Version 9, Dec 15, 2013

**APPENDIX C**

**RECORDED EASEMENTS AND OTHER LEGAL INSTRUMENTS**

(No Applicable Easements or Other Legal Instruments)

**APPENDIX D**

**CORRESPONDENCE TO & FROM INVOLVED AND INTERESTED AGENCIES**

# New York State Department of Environmental Conservation

## Division of Environmental Permits, Region 3

21 South Putt Corners Road, New Paltz, New York 12561-1620

Phone: (845) 256-3054 FAX: (845) 255-4659

Website: [www.dec.ny.gov](http://www.dec.ny.gov)



February 6, 2014

Michael Ianniello, Chairman  
Village Planning Board  
123 Mamaroneck Avenue  
Mamaroneck, NY 10543

Re: Mamaroneck Beach & Yacht Club – Club expansion and sewer main modification  
Village of Mamaroneck, Westchester County  
**Supplemental SEQR response and Determination of Jurisdiction**

Dear Chairman Ianniello:

The Department of Environmental Conservation (DEC) has reviewed the documents provided by the Village regarding the proposal by Mamaroneck Beach & Yacht Club for expansion of the Club by the introduction of new seasonal residences and additions or modifications to other recreational buildings. This project underwent State Environmental Quality Review (SEQR) in 2007 which included Draft and Final Environmental Impact Statements (EIS) by the Village.

There were several subsequent amended sites plans submitted to the Village. Issues with the existing sanitary sewer main were discovered in August 2013. The current amended site plan now includes replacement of the sewer main and construction of a new pumping station and sewer force main. The Village, as SEQR Lead Agency, has determined that preparation of a Supplemental EIS is required to consider the potential impacts of the sewer system improvements.

The DEC reviewed the following documents:

*Received from the Village May 1, 2013*

Mamaroneck Beach and Yacht Club, Environmental Narrative, revised October 2010

*Downloaded from the Village website January 9, 2014*

January 8, 2014 Planning Board Agenda with Attachments including the amended site plans revised November 25, 2013

*Received from the Village January 13, 2014*

Village of Mamaroneck Planning Board Resolution and Positive Declaration Re:  
Mamaroneck Beach and Yacht Club

Village of Mamaroneck Planning Board Draft Supplemental Environmental Impact  
Statement (DSEIS) draft Scope of Issues To Be Addressed, dated December 11, 2013

DEC jurisdiction over this project, with reference to the Environmental Conservation Law (ECL), is as follows:

### **Article 25 of the ECL, Tidal Wetlands**

The Mamaroneck Beach & Yacht Club, Otter Creek, and the location of the proposed sewer main

Re: Mamaroneck Beach & Yacht Club – Club expansion and sewer main modification  
Village of Mamaroneck, Westchester County  
Supplemental SEQR response and Determination of Jurisdiction

replacement at 519 Alda Road contain DEC-regulated tidal wetlands and associated adjacent area, disturbance to which generally requires a permit. The tidal wetland locations are mapped, as shown on the attached map with reference to the categories of the wetland areas.

The adjacent area of tidal wetlands is defined in the tidal wetland regulations 6 NYCRR Part 661. Per Section 661.4(b), the adjacent area will extend to the most landward limit of the following:

- 300 feet from the landward edge of the wetland boundary or
- to the seaward edge of the closest lawfully and presently existing (i.e., as of August 20, 1977), functional and substantial fabricated structure
- to the elevation contour of 10 feet above mean sea level, except when such contour crosses the seaward face of a bluff or cliff;

As there do not appear to be any bluffs or cliffs on the site, the adjacent area will be limited by the 300-foot distance, the presence of structures, and the 10-foot contour. Please see the second attached map which indicates what will be the limit for the adjacent area along that section of shoreline for the Mamaroneck Beach & Yacht Club site and the property at 519 Alda Road. This determination was based on staff review of the site and aerial photos associated with the official 1974 Tidal Wetland Maps.

Based on this determination, it appears that the following actions are subject to regulation:

- The proposed replacement sewer main will be located in the tidal wetland and adjacent area.
- Although the location of the 10-foot contour is not clear on the plans, it appears that portions of the pump station or associated grading maybe in the adjacent area.
- All modifications of existing retaining walls are regulated, including the installation of the new stormwater lines per Section 661.5(b)(25).
- Any new discharge of stormwater is also a regulated activity per Section 661.5(b)(44).
- Any grading, new filling, material stockpiling, etc in the “existing gravel parking” adjacent to Otter Creek would be a regulated activity requiring a permit.

It appears that most other aspects of the plan are outside the tidal wetland or adjacent area. A final determination on jurisdiction and compatibility of regulated activities with the preservation of tidal wetlands cannot be made until a plan with the location of all tidal wetland and adjacent area boundaries is provided. DEC requires that contours be expressed in National Vertical Datum 1988 (NAVD88) for the purposes of establishing the adjacent area. Tidal wetland boundaries must be based on the official maps and confirmed by DEC staff.

The DEC offers the following comments on the Draft Scoping Document:

### Section III

This section should include a description of the NYS Office of General Services property and the private land at 519 Alda Road which are part of the project work area. Any easement or right-of-way granting Mamaroneck Beach & Yacht Club access should be documented. If no grants are in existence, then the applicant should discuss the process for obtaining access. Proof of legal access or permission from all other property owners will be a requirement of the DEC tidal wetland permit.

Re: Mamaroneck Beach & Yacht Club – Club expansion and sewer main modification  
Village of Mamaroneck, Westchester County  
Supplemental SEQR response and Determination of Jurisdiction

Section V.B.1 & 2

The November 25, 2013 plans indicate that the applicant will be pursuing directional boring for installation of the sewer main under Otter Creek. The plans note the presence of tidal wetlands with categories of “SM”, Coastal Shoals, Bars and Flats, and “LZ”, Littoral Zone. However this area also contains “IM”, Intertidal Marsh, one of the highest quality wetlands. All wetland areas should be mapped and identified by category, and the adjacent area boundary shown. All disturbances other than subsurface portion of the directional bore should be shown outside the wetland areas or justification provided for the disturbance.

Both the directional boring and the alternative plan for a force main along South Barry Avenue must minimize impact to both the tidal wetlands and the adjacent area.

Section V.B.3 – Natural Features, Mitigation Measures

Please note that the correct title of the referenced DEC publication is “New York Standards and Specifications for Erosion and Sediment Controls (August, 2005)”.

**State Pollutant Discharge Elimination System (SPDES) - Stormwater**

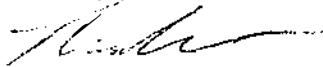
As this project will disturb more than one acre, it will require a SPDES permit for the discharge of stormwater from construction activities. Review and approval of the Stormwater Pollution Prevention Plan (SWPPP) is the responsibility of the Village as a Municipal Separate Storm Sewer System (MS4) community.

**Cultural/Historic Resources**

These sites are in an area of archeological sensitivity as define by NY State Historic Preservation Office (SHPO). A determination of impact by SHPO will be a requirement of DEC approvals pursuant to Uniform Procedures.

If you have any questions, please contact me at (845) 256-3014 or the above address.

Sincerely yours



Rebecca Crist  
Environmental Analyst

Enc: Map of Mamaroneck Beach & Yacht Club with DEC tidal wetlands categories  
Map of Mamaroneck Beach & Yacht Club with DEC determination on extent of adjacent area

Ecc: Lisa Rosenshein, Mamaroneck Beach & Yacht Club w/ enc  
NYS DOS Coastal Resources w/ enc  
Bethany Wieczorek, Thomas Pohl, and John Carstens, NYS OGS Land Management w/ enc

# Mamaroneck Beach & Yacht Club

## V. Mamaroneck, Westchester County



Adjacent area limit is  
10-foot contour or  
300-foot distance

519  
Alda  
Road

Adjacent area limit is  
the 10-foot contour

Adjacent area limit is the seawall -  
functional and substantial fabricated  
structure existing as of August 20, 1977

0 100 200 400  
Feet

Map by Rebecca Crist - ext 3014  
NYS DEC - Division of Environmental Permits  
For Reference Only



# Mamaroneck Beach & Yacht Club

## V. Mamaroneck, Westchester County



### Legend

- Coastal Shoals, Bars & Mud Flats
- Littoral Zone
- Intertidal Marsh
- Fresh Marsh
- High Marsh

0 100 200 400  
Feet

Map by Rebecca Crist - ext 3014  
NYS DEC - Division of Environmental Permits  
For Reference Only





7 Skyline Drive  
Hawthorne, NY 10532

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September 23, 2013

William Gerety, Building Inspector  
Village of Mamaroneck  
169 Mt. Pleasant Avenue  
Mamaroneck, NY 10543

RE: Mamaroneck Beach and Yacht Club  
Village of Mamaroneck, NY

Dear Mr. Gerety:

In response to the "Order to Remedy Violation" and "Failed Inspection" dated 8/12/2013 issued by the Village of Mamaroneck Building Inspector to the Mamaroneck Beach & Yacht Club (MBYC) relating to the condition of the existing pump station and force main, several test were performed on the existing force main including a dye test, pressure test and a video inspection (copies attached). Based on the results of the tests conducted, the existing force main was determined to be in a serviceable and operating condition and as of the date of the tests conducted does not to have any apparent leaks.

Very truly yours,

**TRC Engineers, Inc.**

A handwritten signature in blue ink, appearing to read "Ralph P. Peragine".

Ralph P. Peragine, P.E.  
Senior Project Manager

Encs.





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Report Date: September 19, 2013

**MAMARONECK BEACH & YACHT CLUB  
555 SOUTH BARRY AVENUE  
MAMARONECK, NY**

**REPORT OF TEST AND INSPECTION**  
**EXISTING SANITARY FORCE MAIN TV INSPECTION**

Date Performed: Tuesday, September 10, 2013  
Time Performed: Morning thru early afternoon  
Weather: Partly Cloudy, temperature in the 80's

**Purpose:**

An "Order to Remedy Violation" and "Failed Inspection" dated 8/12/2013 was issued by the Village of Mamaroneck Building Inspector to the Mamaroneck Beach & Yacht Club (MBYC) relating to the condition of the existing pump station and force main. The existing 6-inch force main extends from the pump station (centrally located at the MBYC site) across the site, under Otter Creek, through residential lot at 515 Alda Road and ending at a receiving manhole located in Alda Road for an approximate length of 800 feet. The video inspection was conducted to determine the condition of the existing sanitary force main.

**Test Performed by:**

- ACS Underground Solutions – TV Inspection Service
- Greenwich Drains - Jet cleaned the force main
- Frank Nask - Sewer Contractor
- Ken Abbott - Licensed Plumbing Contractor

**Procedure:**

The existing force main was accessed through the pump station and was jet cleaned and vacuumed in preparation for the TV inspection by Greenwich Drains. The force main video inspection was performed by ACS Underground Solutions. ACS utilized a manual camera for the video inspection of the force main. Due to the limitations of the manual camera, the video inspection was limited to a distance of approximately 150 feet into the force main from both the pump station end of the force main and the receiving manhole end of the force main in Alda Road. The use of the manual camera was limited due to the ability to push the camera cable through the pipe due to friction and pipe curvature/alignment. As a result, the section of the force main under Otter Creek could not be observed.

**Results:**

- A preliminary review conducted during the inspection revealed no breaks, intrusions or obstructions within the portions of the force main which was observed.
- A copy of the video and inspection report will be submitted upon its receipt from ACS Underground Solutions.



7 Skyline Drive  
Hawthorne, NY 10532

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www.TRCSolutions.com

Report Date: September 19, 2013

**MAMARONECK BEACH & YACHT CLUB  
555 SOUTH BARRY AVENUE  
MAMARONECK, NY**

**REPORT OF TEST AND INSPECTION**  
**EXISTING SANITARY FORCE MAIN PRESSURE TEST**

Date Performed: Tuesday, September 10, 2013  
Time Performed: 2:15 PM to 3:00 PM  
Weather: Partly Cloudy, temperature in the 80's

**Purpose:**

An "Order to Remedy Violation" and "Failed Inspection" dated 8/12/2013 was issued by the Village of Mamaroneck Building Inspector to the Mamaroneck Beach & Yacht Club (MBYC) relating to the condition of the existing pump station and force main. The existing 6-inch force main extends from the pump station (centrally located at the MBYC site) across the site, under Otter Creek, through residential lot at 515 Alda Road and ending at a receiving manhole located in Alda Road. The pressure test was conducted to determine if a leak from the existing sanitary force main could be detected.

**Performed by:**

- Sewer Contractor - Frank Nask
- Licensed Plumbing Contractor - Ken Abbott

**Observed by:**

- Bill Gerety - Village Building Inspector
- Thomas Holmes - TRC Engineers, Inc. (Owner representative)

**Procedure:**

A hydrostatic test of the existing force main was conducted as follows: The force main and air vent were plugged at the Alda Road receiving manhole with standard inflatable sewer plugs (rated at a maximum pressure of 15 psi); a pressure gauge was installed in the force main at the pump station; the force main was pumped full with water until the pressure gauge indicated a stable reading of 14 psi. The pump was shut down and the pressure gauge was observed for a period of 45 minutes. At the end of the test period, a pressure reading of 14 psi was observed indicating a zero pressure drop in the force main.

**Results:**

- Force Main: 800± linear feet 6-inch ductile iron and transite pipe.
- Test period: 2:15 PM to 3:00 PM
- Test Time: 45 minutes
- Initial test pressure: 14 psi
- Ending test pressure: 14 psi
- Pressure Drop: 0 psi (no leakage)



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Report Date: September 19, 2013

**MAMARONECK BEACH & YACHT CLUB  
555 SOUTH BARRY AVENUE  
MAMARONECK, NY**

**REPORT OF TEST AND INSPECTION  
EXISTING SANITARY FORCE MAIN DYE TEST**

Date Performed: Monday, September 9, 2013  
Time Performed: 11 PM to 12 noon  
Weather: Partly Cloudy, temperature in the 80's.

**Purpose:**

An "Order to Remedy Violation" and "Failed Inspection" dated 8/12/2013 was issued by the Village of Mamaroneck Building Inspector to the Mamaroneck Beach & Yacht Club (MBYC) relating to the condition of the existing pump station and force main. The existing 6-inch force main extends from the pump station (centrally located at the MBYC site) across the site, under Otter Creek, through residential lot at 515 Alda Road and ending at a receiving manhole located in Alda Road. The dye test was conducted to determine if a leak from the existing sanitary force main could be visually detected.

**Performed by:**

- Sewer Contractor - Frank Nask
- Licensed Plumbing Contractor - Ken Abbott

**Observed by:**

- Bill Gerety - Village Building Inspector
- Anthony Carr - Village Engineer
- Bill Ciraco - Village Fire Inspector
- Thomas Holmes - TRC Engineers, Inc. (Owner representative)
- Maintenance Supervisor - MBYC

**Procedure:**

Personnel were stationed at the pump station, adjacent to Otter Creek and at the force main receiving manhole in Alda Road. Green sewer dye was poured into the MBYC pump station; the pumps were manually operated through several pump cycles until dye was observed in the force main receiving manhole.

**Results:**

- No dye was observed in Otter Creek.
- No dye was observed at the ground surface along the alignment of the existing force main.



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September 23, 2013

### **SANITARY FORCE MAIN REMEDIATION**

TO: Anthony Carr  
Village of Mamaroneck Engineer

C: Village Building Inspector  
Village Fire Inspector

RE: Mamaroneck Beach and Yacht Club  
555 South Barry Avenue  
Mamaroneck, NY

The Mamaroneck Beach and Yacht Club (MBYC) was notified on Monday, August 12, 2013 that Officials of the Village of Mamaroneck discovered a sewage leak emanating from a force main located in Otter Creek adjacent to the Club. The leak was confirmed by a dye test performed by Village personnel. The Club immediately employed professional staff to investigate and remediate the sewage leak. In the meantime, the force main and pump station were taken offline and a third party contractor was employed to pump out the wet well and dispose the sewage off site. The force main leak was located and plugged on Tuesday, August 13, 2013. Repair was performed and completed by several contractors hired by the Club on Wednesday, August 14, 2013.

Subsequent investigation of the existing force main was performed by the MBYC in coordination with Village of Mamaroneck Officials. Investigation included a dye test, pressure test and TV inspection. Test results were submitted to the Village. Results of the investigation indicated that there are no apparent leaks in the existing force main.

As discussed with the Building Inspector and the Village Engineer, the Applicant acknowledges their intention to provide a more permanent rehabilitation to or replacement of the existing sanitary force main and pump station. Due to the environmental sensitivity of Otter Creek and its adjacent tidal wetlands, a method of rehabilitation or replacement must assure minimal impact to the Creek and its adjacent wetlands. The method of rehabilitation/replacement to be selected must employ trenchless excavation within the critical environmental area. With this in mind, several pipe rehabilitation/replacement options being considered include the following.

Methods of Trenchless Excavation to be Considered for Force Main Remediation:

- **Sliplining** is used to repair leaks or restore structural stability to an existing pipeline. Sliplining is completed by installing a smaller, "carrier pipe" into a larger "host pipe", grouting the annular space between the two pipes, and sealing the ends. The most common material used to slipline an existing pipe is high density polyethylene (HDPE). Sliplining can be used to stop infiltration and restore structural integrity to an existing pipe.

Restoration by sliplining will require further TV inspection and cleaning of the entire force main to determine potential limiting factors. Installation of the new pipe to be pulled/pushed through the existing pipe could be restricted by vertical and horizontal bends. There are known bends at the west side of the creek, where the emergency repair was made, and it is likely that additional bends exist along the east bank of the creek. Sliplining would be limited in these areas, thereby requiring excavation within the tidal wetlands to install the new pipe beyond the bends.

- **Pipe bursting** is a trenchless method of replacing buried pipelines (such as sewer) without the need for a traditional construction trench. "Launching and receiving pits" replace the trench needed by conventional pipe-laying. This method includes bursting the existing pipe and replacing it with a new pipe, generally the same size or larger.

Restoration by pipe bursting, similar to sliplining, is also limited by pipe bends. Pipe bursting would typically be used to thread a larger pipe within the existing pipe. The existing force main is 6 inches in diameter. The new force main would only be 4 inches in diameter. For the reasons stated, pipe bursting would not be appropriate for this proposed use.

- A **Cured-In-Place Pipe (CIPP)** is a trenchless rehabilitation methods used to repair existing pipelines. CIPP is a jointless, seamless, pipe-within-a-pipe with the capability to rehabilitate pipes. As one of the most widely used rehabilitation methods CIPP has application in water and sewer.

Restoration by CIPP will require further TV inspection and cleaning of the entire force main. It is likely that the new epoxy liner could be successfully blown through the existing pipe and could likely negotiate the bends. This can only be determined after completing TV inspection. In order to complete the TV inspection, it would be necessary to create access points in the existing pipe in several locations, so that the distances for the camera to travel and the bends it must negotiate, would be feasible. Since other options are available (e.g. directional boring), additional TV inspection is not recommended at the present time.

- **Directional Boring**, commonly called horizontal directional drilling or HDD, is a steerable trenchless method of installing underground pipes in a shallow arc along a prescribed bore path by using a surface-launched drilling rig, with minimal impact on the surrounding area. Directional boring is used when trenching or excavating is not practical.

It is suitable for a variety of soil conditions and jobs including road, landscape and river crossings.

Installation of a new sanitary force main could be performed within the environmentally sensitive area using this form of trenchless excavation without disturbing the Otter Creek and with minimal disturbance to the adjacent tidal wetlands. A boring pit would be established on the MBYC site and directional drilling would be performed under the creek extending to the Alda Road manhole. A receiving pit would be established near the manhole and connection to the manhole would be performed. Limited soil investigation must be explored to determine the potential presence of bedrock or boulders. Although directional boring can be performed successfully in bedrock it is not recommended where boulders or cobbles are plentiful. The relative absence of existing utilities along the proposed alignment is also advantageous to directional boring.

#### Alternate Sanitary Force Main Route

Consideration of an alternate route for the force main over Otter Creek was considered. The route would be aligned along the Club's entrance drive, along the South Barry Avenue right-of-way to discharge into an existing manhole in either Alda Road or South Barry Avenue. The alternate route would require hanging the force main under the bridge. TRC does not recommend this route for the following reasons:

- The force main would be exposed to potential freezing
- The force main would be exposed to potential flood damage
- The force main would be subject to potential vandalism
- If the bridge would be compromised, so would the force main
- The force main would be located over Otter Creek and any potential leakage would discharge directly to the Creek.

Therefore, TRC's opinion is that placing the force main under Otter Creek would be more environmentally protective than hanging it from the Otter Creek bridge.

#### **RECOMMENDATION**

All of the described methods of trenchless excavation remain viable options for replacement of the existing force main. Based on the results of the investigation thus far, TRC Engineers recommends installing a new force main utilizing Directional Boring under Otter Creek and its adjacent tidal wetlands to avoid disturbance of this Critical Environmental Area.

Based on the increase in sewage to be generated resulting from the proposed Site Plan, TRC recommends replacing the existing sanitary pump station. The new pump station and force main will assure a permanent solution to potential unwanted sewage discharges.

Design of all new sanitary sewer elements will be performed in accordance with the applicable standards including the Recommended Standards for Wastewater Facilities (10



State Standards). Approvals from all appropriate agencies will be sought including the Village of Mamaroneck, Westchester County Department of Health, NYSDEC, NYSDOS and USACE. The MBYC understands that it will not start construction prior to receiving the permits and approvals for the rehabilitation/replacement of the force main and new sewage pump station.

**TRC Engineers, Inc.**



Ralph Peragine, P.E.  
Senior Project Manager



Thomas Holmes  
Project Manager

C: MBYC Team members

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Nicola Colabella  
Anthony Vaccaro  
Plumbing & Heating  
15 Elmwood Avenue  
W. Harrison, NY 10604  
(914) 682-7047

September 23, 2013  
Fire Inspector  
Village of Mamaroneck  
169 Mt. Pleasant Avenue  
Mamaroneck, New York 10543

RE: Mamaroneck Beach & Yacht Club  
Visual Inspection

Per the request of MBYC, I visually inspected the existing sanitary waste lines contained within all of existing structures, such as the Clubhouse, Snack Bar and Boathouse on September 23, 2013. I did not witness any issues which would effect the correct operation of the Club's sanitary waste discharge system.

It is my opinion based upon what I could reasonably visually observe, that the sanitary waste system is operating in a satisfactory manner and appears to be in compliance with applicable plumbing codes.



Nicola Colabella &  
Anthony Vaccaro  
Plumbing & Heating  
Lic # 573



Mamaroneck Beach & Yacht Club  
555 South Barry Avenue  
Mamaroneck, NY

## Pump Station I&I Repairs

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## Pump Station I&I Repairs

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## Pump Station I&I Repairs

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**APPENDIX E**

WESTCHESTER COUNTY SANITARY CODE  
SECTION 873 ARTICLE VIII: SEWERAGE, SEWAGE AND REFUSE

(Added 6-22-1989, eff. 6-22-1989)

**Sec. 873.714. Water supplies; new houses and buildings, disinfection.**

1. Before occupancy of a house or building constructed after the effective date of this Code, the public water system thereof shall be effectively flushed with water from the water source provided to service the premises, after which a sample of water shall be collected from the water distribution system of such house or building, shall be submitted to a laboratory acceptable to the State Department of Health for bacterial analysis and the results of such tests shall be on file and available on the premises.
2. In the event that the laboratory analysis indicates that the microbiological quality does not meet the standards for microbiological quality for water for domestic use as set forth in the State Sanitary Code, the public water system shall be effectively disinfected and microbiological sampling and analysis repeated until the microbiological quality meets the standards.

(Added 6-22-1989, eff. 6-22-1989)

**Sec. 873.715. Water supplies; separability.**

If any provision of this article is held invalid, such invalidity shall not affect other provisions which shall be given effect without the invalid provision.

(Added 6-22-1989, eff. 6-22-1989)

**ARTICLE VIII. SEWERAGE, SEWAGE AND REFUSE\***

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**\*Editor's note:** An amendment adopted July 19, 2001, amended Art. VIII of the Sanitary Code in its entirety, in effect repealing and reenacting said article to read as herein set out. The former Art. VIII, §§ 873.701--873.811, pertained to similar subject matter and was derived from §§ 1--12 of Art. VII, effective Sept. 1, 1959.

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**Sec. 873.720. Purpose.**

The purpose of this article is two-fold.

- A. The first purpose is to ensure that the health and safety of the drinking water and other natural resources of the County of Westchester is preserved and that potential threats to such natural resources are monitored and reduced through the implementation of a system whereby providers of separate sewage disposal system services will be licensed by the Commissioner of Health and subject to reporting requirements which will enable the Department of Health to record and monitor all available data relating to separate sewage disposal systems located within Westchester County, and to establish database and public education systems pursuant thereto; and

- B. The second purpose is to ensure that the sewage and other wastewater generated from habitable buildings and properties in Westchester County is processed in the most environmentally appropriate manner possible by requiring all separate sewage disposal systems constructed or installed in Westchester County conform to the standards established in the New York State Public Health Law, by the Board of Health and/or the Commissioner of Health, and/or to require, where possible, the connection of such buildings or properties to public sewer systems.

(Added 7-19-2001, eff. 7-19-2001)

### **Sec. 873.721. Definitions.**

Whenever used in this article, the following terms shall have the meaning set forth below:

- A. *Construction* shall mean installation or replacement of sewage disposal system components, including soil, gravel, pipes, tankage, pits, junction boxes, and all associated appurtenances and/or distribution systems.
- B. *Septic system contractor* shall mean an individual who engages in the performance of any one (1) or more of the following services, or who offers to provide the following services for a fee, in Westchester County, with respect to separate sewage disposal systems: construction; installation; repair and/or rehabilitation; and servicing, except for evacuation of septage.
- C. *Licensed septic system contractor* and/or *licensee* means a septic system contractor who possesses a valid license issued by the Westchester County Commissioner of Health pursuant to the provisions outlined in section 873.722 herein.
- D. *Individual* means any person, firm, company, association, corporation, partnership, co-partnership, joint-stock company, trust, governmental entity, or any other legal business entity and/or the employees thereof.
- E. *Harmful or deleterious substance* shall mean one (1) or a combination of the following:
  - (1) Roof, cellar, foundation, footing, area, storm, surface or ground water.
  - (2) Discharge of domestic sewage in excess of one hundred fifty (150) gallons per day per capita or at a rate exceeding three hundred (300) gallons per capita per day within any one-hour period.
  - (3) Liquid, gaseous, solid or other trade or industrial waste for which a written approval has not been obtained from the official agency having by law responsible charge of the receiving sanitary sewer or sewer treatment works to which such sewer is tributary, when having one (1) or more of the following characteristics at point of discharge:
    - a. Volume exceeding the limits acceptable to the above

official agency.

- b. Solids in excess of one thousand (1,000) parts per million.
- c. Viscosity in excess of 1 10/100.
- d. Temperature lower than thirty-two (32) degrees Fahrenheit or above one hundred fifty (150) degrees Fahrenheit.
- e. Color in excess of five hundred (500) parts per million.
- f. Biochemical oxygen demand in excess of four hundred (400) parts per million.
- g. Chlorine demand in excess of twenty-five (25) parts per million measured after thirty (30) minutes holding at sixty-eight (68) F.
- h. Suspended solids in excess of three hundred (300) parts per million.
- i. Settleable solids measured by Imhoff cone in one (1) hour in excess of ten (10) milliliters per liter of discharge.
- j. Hydrogen ion concentration below four and one-half (4.5) or in excess of nine and one-half (9.5).
- k. Unshredded garbage, refuse, decayed wood, sawdust, shavings, bark, sand, lime, cinders, ashes, offal, oil, tar, dye stuffs, grit, abrasives, metal filings, trimmings or other offensive material exclusive of domestic waterborne sewage.
- l. Chemicals or chemical compounds which are toxic, inflammable or explosive by themselves or upon acidification, alkalization, oxidation or reduction, or are strong reducing agents, inflammable or explosive gases, liquids or solids.
- m. Viable pathogenic bacteria, other than normally discharged in raw domestic sewage.
- n. Radioactive material which is not readily soluble in water and in an amount such that the radioactivity shall not exceed one (1) microcurie of Strontium-90 or Polonium-210; or one hundred (100) microcurie of Iodine-131 or Potassium-32, or any other radioactive material having a half-life of more than thirty (30) days; or ten (10) microcuries of other radioactive material; for each one million (1,000,000) gallons of sewage in the receiving sewer. This limit shall not apply to any radioactive material which has been diluted and homogeneously mixed with stable isotopes of the same element in the same chemical form to the extent that the dose rate does not exceed three hundred (300) millirems per week.

F. *Offensive material* shall mean any sewage, fecal matter, manure, offal,

garbage, dead animals, meat wastes, blood, tankage, brine, urine or any putrescible organic matter or the contents of privies, cesspools, septic tanks or chemical toilets, either in liquid or solid state, or any other substance or liquid dangerous or prejudicial to health.

- G. *Privy* shall mean any facility or structure provided for the temporary storage or disposal of human excreta without water carriage.
- H. *Sanitary landfill* shall mean the controlled process of disposing of refuse or offensive material by depositing, compacting in layers and completely covering all such refuse and material.
- I. *Separate sewage disposal system* shall mean the whole or any part of a system or facilities or means for the treatment or modification or ultimate disposal of water-borne sewage or domestic wastes or trade wastes or offensive material, regardless of location with respect to any building or structure or premises thereby served. Such system shall include but shall not be limited to facilities for the treatment or modification or required control of harmful or deleterious substance before discharge to a sewage disposal system (individually and/or collectively referred to herein as "SSDS").

(Added 7-19-2001, eff. 7-19-2001)

#### **Sec. 873.722. Licensing requirements for septic system contractors.**

Notwithstanding any other provision of this chapter to the contrary:

- A. Beginning on April 1, 2002, each and every person who provides or offers to provide services as a septic system contractor in Westchester County shall have obtained a license from the Commissioner in accordance with the requirements of this section. No person may provide or offer to provide services as a septic system contractor after April 1, 2002, without first having obtained such a license, except as may be authorized by the commissioner pursuant to section 873.722 C.(12), below.
- B. Application requirements.
  - (1) Any individual who seeks to operate as a septic system contractor in Westchester County shall submit an application to the commissioner on a form to be provided by the commissioner, along with the initial non-refundable application fee in the amount set forth below.
  - (2) Any individual who seeks to operate as a septic system contractor in Westchester County shall also be required to participate in a licensing instruction program developed and implemented by the department, or its duly authorized designee, which program shall include both course work in the areas of septic system construction, installation and operation and standard examinations relating to the matters covered by such course work.
  - (3) As part of the licensing instruction program, the department shall hold courses and examinations periodically, at such time and in such locations as the commissioner shall specify. Any person who

has completed the application form and submitted the required application fee and licensing instruction program fee, shall be eligible to participate in the next regularly scheduled license instruction program. Pursuant to such licensing instruction program, the department shall conduct such examinations, which may take the form of written, oral and/or practical examinations, as it deems necessary to test the applicants' knowledge of SSDS construction, installation, repair, and rehabilitation.

C. Licensing.

- (1) Upon the successful completion of the licensing instruction program, including successful completion of the examination to the satisfaction of the commissioner, and the payment of the biennial licensing fee, the commissioner shall issue a license certificate to the individual, which license shall indicate that the holder thereof is entitled to engage in the work or occupation of a licensed septic system contractor. All licenses shall expire two years from the date of issuance.
- (2) The licensee shall carry the license certificate on his person at all times while engaging in or performing the work for which the license has been issued in Westchester County. Such license shall be shown to any properly interested person, including customers, upon request. The licensee shall also conspicuously post a sign, at the primary public street entrance to the work site, which sign shall contain the licensee's Department of Health license number in a form to be specified by the commissioner.
- (3) Licenses issued by the department pursuant to this section shall be utilized only by the person named on such license and shall be non-transferable. The license of one individual shall not be deemed to satisfy the separate licensing requirements applicable to employees, contractors and/or subcontractors of such individual where such employees, contractors and/or subcontractors are performing services which require a license pursuant to this section.
- (4) All such construction; installation; repair and/or rehabilitation; and servicing of SSDS in Westchester County, except for the evacuation of septage, shall be subject to the direct supervision of the licensee. For purposes of this subsection, "direct supervision" shall mean that the licensed individual shall be responsible for all activities on site, and shall, during the course of providing such services, be physically present at the work site.
- (5) Exceptions to licensing requirements. The provisions of this section shall not apply to individuals who are employees of any federal or state agencies, when such individuals are acting within the scope of that employment.
- (6) Fees. The non-refundable fees which shall be paid to the department in connection with the application and licensing procedures outlined herein shall be:

- a. Original application fee: \$200.00 per applicant.
  - b. License instruction program fee (including the cost of examination): \$100.00 per applicant for initial exam; \$25.00 for re-issuance of examinations and/or for renewal examinations.
  - c. Biennial license/renewal fee: \$200.00 per licensee.
- (7) The commissioner may require the participation of licensed septic system contractors at department-sponsored informational seminars at any time during any licensing term in order to ensure that all licensed septic system contractors are informed of developing issues, technologies, and laws which may impact the performance of services by the licensed septic system contractor in Westchester County.
- (8) A licensed septic system contractor shall comply, at its own expense, with the provisions of all applicable federal, state and municipal laws, rules, regulations or requirements including, but not limited to, all federal, state and municipal laws, rules, regulations or requirements applicable to the licensee as an employer of labor or otherwise. All licensees shall be required to comply with all rules, regulations and licensing requirements pertaining to its professional status and that of its employees, partners, associates, subcontractors and others employed to render the services hereunder.
- (9) Renewal. No person shall perform the services of a licensed septic system contractor after the expiration of the license issued by the department. The licensed septic system contractor may seek renewal of its license by submitting a renewal application, on the form provided by the department, to the department not less than 30 days in advance of the expiration date of the licensed septic system contractor's existing license. Prior to the approval of the renewal license, the licensed septic system contractor shall be required to submit a completed application and pay the biennial renewal fee of \$200.00, as referenced above, prior to the department's issuance of the renewal license, and may be required to successfully complete a renewal examination. The commissioner may, in his discretion, require any licensee who fails to submit the renewal application within the time frames specified above to submit an application and fees, in accordance with this section, as though the licensee had not previously been licensed by the commissioner.
- (10) The commissioner may refuse to issue or renew a license in the event that an individual fails to satisfactorily complete the licensing instruction program, examination, or renewal examination, or fails to comply with the licensing standards outlined herein.
- (11) Upon the issuance of a license by the commissioner, the names and contact information for each licensed septic system contractor shall be placed on a public registry to be maintained by the

commissioner and made available for consumer review and reference.

- (12) The commissioner, in his discretion, may issue a temporary license to a prospective licensed septic system contractor in the case of an emergency where, in the opinion of the commissioner, the condition of a SSDS poses a threat to public health and safety, provided however, that the duration of such temporary license shall not exceed six months. The commissioner may, in his discretion, refuse to issue a temporary license or suspend any existing temporary license where the commissioner deems the qualifications or work practices of the holder of the temporary license to be unsatisfactory, or where the threat to public health and safety has been eliminated to the satisfaction of the commissioner. The issuance of such a temporary license may be utilized by its holder only with respect to the emergency identified and which formed the basis for issuance of the temporary license, and shall not entitle the holder thereof to provide services as a licensed septic system contractor in Westchester County generally. The holder of such a temporary license shall be required to pay pro rata fees, in accordance with the fees established in subsection C.(6), above, on a month-to-month basis for the term of such temporary license.

(Added 7-19-2001, eff. 7-19-2001)

**Sec. 873.723. Standards applicable to licensed septic system contractors.**

- A. All licensed septic system contractors shall comply with all provisions set forth in this Article VIII to the extent that such provisions relate to licensed septic system contractors or SSDS, and to any other provision of this chapter which relates to license holders.
- B. All licensed septic system contractors shall comply with all standards of workmanship as may be established in the training programs to be provided by the department, or its designee, pursuant to such licensing program, or generally in the industry.
- C. No person shall knowingly engage in any fraud or material deception of the commissioner, the department, or any Westchester County consumer with respect to the qualifications or licensing status of the individual, its employees, or independent contractors, or the services which are offered or provided to any such consumer, in connection with the services regulated hereunder.
- D. No person shall knowingly cooperate with any individual engaged in any fraud or material deception of the commissioner, the department, or any Westchester County consumer with respect to the qualifications or licensing status of the individual, its employees, or independent contractors, or the professional services which are offered or provided by such individual to any such consumer, in connection with the services regulated hereunder.

(Added 7-19-2001, eff. 7-19-2001)

**Sec. 873.724. Reporting requirements for licensed septic system contractors.**

Notwithstanding any other provision of this chapter to the contrary:

- A. Each and every licensed septic system contractor shall be required to complete a septic system data form in the form provided by the commissioner upon the completion of any on-site services performed with respect to any SSDS in Westchester County, which form shall specify the service provided to the property owner and any other information which the commissioner, in his discretion, may deem appropriate. Each and every licensed septic system contractor shall be required to issue a copy of the septic system data form to both the commissioner and to the owner of the facility which is served by such SSDS within ten business days of the service date. Such septic system data forms shall include language which informs the property owner that all licensed septic system contractors shall be required to maintain their Westchester County license; shall be required to display such license and license number to the property owner upon request; and shall specify the contact information for the department.
- B. In the event that any service provided by the licensed septic system contractor indicates that the SSDS presents a significant threat to public health, safety and/or the environment, the licensed septic system contractor shall state the existence and nature of such emergency clearly on the face of such septic system data form, and shall issue a copy of the septic system data form to both the commissioner and to the owner of the facility which is served by the SSDS within three business days of the service date.
- C. To the extent that the condition of any given SSDS is such that the licensed septic system contractor cannot bring the SSDS into compliance with all applicable federal, state and municipal laws, rules, regulations or requirements, the licensed septic system contractor shall advise the consumer of such condition in advance of providing any services to the consumer with respect to such SSDS, and shall note on the face of any septic system data form prepared with respect to such SSDS both the existence of such condition and the subsequent efforts, if any, made by the licensed septic system contractor to bring the SSDS into conformance with such laws, rules and regulations, and the consumer's assent to same.
- D. Licensed septic system contractors shall be required to maintain a copy of each and every septic system data form for a period of not less than six years from the date of service.
- E. The commissioner shall maintain a database of the records for each SSDS, which records are to be provided by all licensed septic system contractors, and shall include, but not be limited to, the following information, where applicable:
  - (1) Residence address;
  - (2) Number of bedrooms;

- (3) Number of bathrooms;
- (4) Square footage of residence/commercial structure;
- (5) Type of sewage disposal system;
- (6) Grade/slope of disposal area;
- (7) Percolation rate at disposal area;
- (8) Distance from well, if applicable;
- (9) Well yield (gallons per minute), if applicable;
- (10) Depth of well (feet), and physical characteristics of well, if applicable;
- (11) Date of system installation;
- (12) Name of system installer;
- (13) A listing of current and previous owners; and
- (14) Maintenance history.

- F. The information contained in such database shall be made available for inspection by members of the public at reasonable times during the regular business hours of the department.

(Added 7-19-2001, eff. 7-19-2001)

#### **Sec. 873.725. Penalties and enforcement.**

Except as expressly stated in this Article VIII, any person who is deemed to have violated section 873.723 hereof, shall be subject to enforcement proceedings in accordance with the provisions of sections 209--215; 217--221; and 304--309 of this chapter. Each day of a continuing violation shall constitute a separate and distinct violation hereunder. This provision is not, however, intended to impose any liability or affirmative obligation upon the owner of any real property which is served by an SSDS regarding any such services which may be provided on such property by any unlicensed individual where that individual represented to such owner that he or she was a licensed septic system contractor.

(Added 7-19-2001, eff. 7-19-2001)

#### **Sec. 873.726. Permit required for separate sewage systems.**

- A. No person shall undertake to construct any new building or structure requiring a separate sewage disposal system or to construct such system to serve any existing building or structure without first having obtained the written approval for such system issued pursuant to the Public Health Law or by the commissioner.
- B. No such system for the subsurface disposal of sewage shall hereafter be approved on any building site not having in existence on the date of approval the required usable area. Such area thereafter shall be so isolated and protected as to effectively prevent removal, displacement, compaction or other adverse physical change in the characteristics of the soil or in the drainage of the area

designated for such usage.

- C. Such separate sewage disposal system shall be constructed, installed, repaired and/or rehabilitated in accordance with the standards, rules or regulations duly promulgated by the commissioner and with the terms or conditions of the permit issued therefor or approved amendments thereto.
- D. Whenever inspection indicates the construction to be otherwise than in accordance with the Public Health Law or this Code or the conditions of any permit or written approval issued pursuant thereto or the standards applicable to said construction, all work shall cease upon written notice served upon any person connected with or working in or about the said system or any part thereof, or by registered mail to the last recorded address of the person named in such permit or approval. Thereafter no further work shall be done other than to remedy such violation and to proceed with work in compliance with the aforementioned requirements, provided the inspector determines that the work may properly proceed. Otherwise, the written approval shall terminate and no further work shall be undertaken until a new written approval shall have been obtained.

Whenever considered necessary by the inspector, any covered work shall be promptly uncovered for inspection at any time before issuance of the certificate of completion. Any approval shall be subject to modification or change as may be directed in writing by a representative of the commissioner due to conditions found during construction, provided that such inspector may at his discretion require all or part of the construction to cease until approval of the necessary modification or change has been obtained in the same manner as the original approval.

- E. No new separate sewage disposal system shall be placed in operation nor shall any new building requiring such system be occupied until a certificate shall have been issued indicating that such disposal system has been constructed in compliance with the terms of the approval issued and the requirements of this code. Such certificate of completion may be issued by the commissioner or by any building or plumbing inspector of a local municipality within the Health District duly authorized by the commissioner so to do. Such certificate of completion may be issued upon receipt of written certification by a professional engineer, registered architect or land surveyor, licensed to practice in the State of New York, stating that the system has been installed under his supervision as shown on plans submitted with such certification in accordance with the terms of the approval and the requirements of this code.
- F. In the event of the failure of any separate sewage disposal system installed under the approval of the commissioner or otherwise, the owner of the building or structure served thereby shall forthwith cause an investigation to be made of the reason for such failure and shall place the system in a proper and sanitary operating condition by any legal means within such period of time as may be determined by the commissioner to be reasonable to perform such work. During such investigation any portion of the system may be left open for inspection provided it is protected so as to effectively prevent direct contact with the sewage contents. The findings of the commissioner shall be presumptive evidence of the cause of failure. In the event the owner is not subject to legal process, the occupant of the premises shall be responsible for the maintenance of the separate sewage disposal system in a satisfactory and sanitary condition during such occupancy.

- G. The issuance of any approval or certification pursuant to the provisions of this code shall not be construed as a guaranty by the commissioner or the Westchester County Department of Health or any employee or agent that the system has been properly constructed or will function satisfactorily, nor shall it in any way restrict the actions or powers of the commissioner in the enforcement of any law or regulation.

(Added 7-19-2001, eff. 7-19-2001)

#### **Sec. 873.727. Sewer connection required.**

The owner of any habitable building or property used for human occupancy, employment, recreation or other purpose abutting upon any street, alley or right-of-way in which there is located a public sanitary sewer may be required to install at the expense of such owner suitable toilet facilities therein and to connect such facilities directly with the public sanitary sewer, in accordance with any local regulations of the municipality owning such sewer, within 90 days after date of an order in writing issued by the commissioner to do so, provided that such sewer is within 100 feet of any property line of such premises and is otherwise accessible. Where a public sanitary sewer is available no new arrangement shall be made other than an individual connection to serve each building site.

(Added 7-19-2001, eff. 7-19-2001)

**Cross references:** Department of Environmental Facilities, Chs. 128 and 237; Environmental Coordinating Agency, Ch. 342; environmental facilities sewer ordinance, Ch. 824; sanitary sewer districts, Ch. 964.

#### **Sec. 873.728. Sewer connections in sewerred areas.**

Within the corporate limits of any city or village or within a town sewer district, no new habitable building shall be occupied unless served by a connection to the public sanitary sewer system, provided that a temporary system for the separate disposal of sewage or other wastes may be installed to serve an individual and isolated premises in accordance with the requirements of this code when the prior written consent of the municipal council or board or its duly authorized representative having jurisdiction over such sewer district is filed with the application. Such temporary facilities shall be approved only when a method of ultimately providing for a connection to a public sanitary sewer is indicated by the municipal governing council or board. This regulation shall not apply to a building site of 40,000 square feet or more in area which contains the usable area otherwise required.

(Added 7-19-2001, eff. 7-19-2001)

#### **Sec. 873.729. Building served by separate sewers.**

Where a public sanitary sewer is not available and accessible, every habitable building hereafter constructed shall be properly plumbed and the building sewer shall be connected to a separate sewage disposal system complying with the provisions of this code, and no other means for the disposal of water-borne sewage shall be employed. When a public sanitary sewer shall become available to the property so served, a direct connection shall be made to such public sanitary sewer and any separate sewerage

facilities shall be abandoned and every tank or pit in such system shall be opened, emptied of any sewage and completely filled in with inert material.

(Added 7-19-2001, eff. 7-19-2001)

#### **Sec. 873.730. Protection of public sewers.**

No person shall discharge or cause the discharge of any harmful or deleterious substance to any sanitary sewer or separate sewage disposal system so as to endanger the use of or the materials of construction of such sewer or system or so as to result in the stoppage or other failure of the sewerage system or subsequent sewage treatment, unless a permit for such discharge has been secured from the official agency having by law responsible charge of such sewerage system or sewage treatment works and such discharge conforms to the terms of such permit.

No unauthorized person shall break, damage, destroy, uncover, interfere with or commit any act which shall harm any structure, device, equipment or treatment process which is a part of a public sanitary sewerage system or sewage treatment works.

(Added 7-19-2001, eff. 7-19-2001)

#### **Sec. 873.731. Exposure of sewage.**

No person shall construct, or maintain any privy, cesspool, sewage disposal system, pipe or drain so as to expose or discharge the sewage contents or other deleterious liquid or matter therefrom to the atmosphere or on the surface of the ground or into any storm sewer or drain nor so as to endanger any source of supply of drinking water nor so as to discharge into any water course or body of water unless approval for such discharge shall have been issued therefor in accordance with the provisions of this code or the Public Health Law.

Complete daily records shall be kept of the operation of any sewage or waste treatment or chlorination as required under the provisions of any written approval for discharge issued therefor in accordance with the provisions of this code or the Public Health Law.

(Added 7-19-2001, eff. 7-19-2001)

#### **Sec. 873.732. Temporary facilities on construction.**

Any builder, contractor or other person employing men on the construction of any highway, building or structure shall provide or cause to be provided a temporary privy or privies or other satisfactory toilet facilities at a convenient place upon the premises, or readily accessible thereto and the same shall be properly enclosed and the contents thereof shall be completely covered with clean inert material or otherwise effectively treated or removed immediately by the end of each shift or working day.

(Added 7-19-2001, eff. 7-19-2001)

#### **Sec. 873.733. Disposal of offensive material.**

- A. *Storage.* No person shall permit, deposit, store or hold any offensive material on any premises or place or in any building or structure unless such material is so

treated, screened, covered or placed as not to create a nuisance detrimental to health. All containers for the storage of such material shall completely confine the material, shall be rodent and insect proof and shall be kept in an inoffensive and sanitary condition at all times.

- B. *Privies.* No person shall hereafter construct, or provide any privy unless it is constructed and maintained so that all human excreta is received in a water-tight vault or receptacle wherein the contents are continuously subjected to an effective disinfectant. The commissioner may require the use of any existing privy to be discontinued, the contents removed, and the pit filled with inert material, whenever the use of such privy is no longer necessary or whenever such privy is located, constructed or maintained otherwise than in conformity to the provisions of the State or County Sanitary Code, or creates a nuisance. All privies shall be properly enclosed and screened, ventilated, lighted, kept in repair and shall be maintained at all times in a clean and sanitary condition. No privy shall be located or maintained within ten feet of any property line, within 25 feet of any public street or way or within 25 feet of any door or window of any building used for human occupancy. No such facilities shall be constructed under or within any building or structure intended or used for human occupancy.
- C. *Protection of facilities.* No person shall dispose of any substance into any plumbing line, sewer, privy or separate sewage disposal system other than that which said facility is designed or is intended to receive.
- D. *Burial or discharge.* No person shall dispose of any offensive material by burial unless it shall be buried at least 250 feet from any source of water supply or so disposed of at such other place that no water supply will be polluted and where nuisance will not be created, subject to regulations for the protection of public water supplies adopted pursuant to the provisions of the Public Health Law.
- E. *Garbage fed to hogs.* No garbage shall be fed to hogs unless said garbage has first been heated to at least 212 degrees Fahrenheit continuously for 30 minutes in apparatus and by methods approved by the commissioner.

(Added 7-19-2001, eff. 7-19-2001)

#### **Sec. 873.734. Removal and transportation of offensive material.**

No person shall remove or transport or permit the removal or transportation of any offensive material except in such manner and in or by such conveyance as will prevent the creation of a nuisance or the loss or discharge of such material in any public place. All such material shall be so handled, covered or treated that it cannot escape or be accessible to rodents, flies or other insects or create a nuisance. All vehicles and implements used in connection therewith shall be kept in an inoffensive and sanitary condition and when not in use shall be so stored or kept as not to create a nuisance.

(Added 7-19-2001, eff. 7-19-2001)

#### **Sec. 873.735. Permit required for collection.**

No person, except a municipality, shall engage in the business of removing, collecting or transporting offensive material without first having obtained a permit therefor from the commissioner.

(Added 7-19-2001, eff. 7-19-2001)

**Sec. 873.736. Approval of disposal area.**

- (a) The operation or maintenance of a dump for the disposal of refuse or offensive material is hereby declared to constitute a public health nuisance. No offensive material or combustible refuse shall be disposed of other than through the use of a sanitary landfill established, operated and maintained in accordance with standards established by the Commissioner of Health, or by use of an incinerator constructed, operated and maintained so as to comply with other requirements of the Sanitary Code or of the Public Health Law.
- (b) Any person, including a municipal corporation, who uses or permits the use of any land or water as a public place of disposal of offensive material or combustible refuse by means of a sanitary landfill shall obtain a permit therefor from the commissioner.
- (c) At any disposal area all material of any type whatsoever shall be deposited, controlled, treated, covered or handled in such a manner as not to create offensive odors, a breeding place for insects, vermin or rodents, the dissemination or dust or fires or the exposure of any person to toxic, poisonous or hazardous substances.

(Added 7-19-2001, eff. 7-19-2001)

**ARTICLE IX. SANITATION OF HABITABLE BUILDINGS**

**Sec. 873.821. Definitions.**

- 1. "Dwelling unit" shall mean a room or group of rooms with facilities for regular preparation of meals and occupied or intended to be occupied by one household consisting of one (1) family as a home where its members live and sleep.
- 2. "Habitable building" shall mean any structure intended to be occupied in whole or in part by one (1) or more human beings.
- 3. Exception. Except where specifically defined elsewhere in this code, the definitions and standards contained in the Recommended Standard Plumbing Code promulgated by the State Department of Health and in the State Building Construction Code Applicable to One- and Two-Family Dwellings and the State Building Construction Code Applicable to Multiple Dwellings and any subsequent amendments thereto or revisions thereof shall apply.

(§ 1, Art. VIII, eff. 9-1-1959)

**Sec. 873.831. General provisions.**

- 1. *Scope.* Every existing habitable public or private building which is in whole or in part leased by the owner or his agent or which is permitted to be used by patrons or by the general public and every habitable building hereafter constructed shall comply with the following minimum requirements.
- 2. *Structure.* Every habitable building shall be constructed of durable material

## **APPENDIX F**

### **FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)**

- FEMA Letter of Map Revision Determination Document
- FEMA Advisory Base Flood Elevation Map
- FEMA FIRM Number 39119C0353F, Panel 353 of 426
- Figure 1 - FEMA Flood Zone Delineation (Effective 9/28/2007)
- Figure 2 – Approved FEMA Flood Zone Delineation (LOMR 2/20/2013)
- Figure 3 – Preliminary FEMA Flood Zone Delineation (12/8/2014)



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION DETERMINATION DOCUMENT

COMMUNITY AND REVISION INFORMATION		PROJECT DESCRIPTION	BASIS OF REQUEST
COMMUNITY	Village of Mamaroneck Westchester County New York	NO PROJECT	COASTAL ANALYSIS NEW TOPOGRAPHIC DATA
	COMMUNITY NO.: 360916		
IDENTIFIER	Mamaroneck Beach and Yacht Club	APPROXIMATE LATITUDE AND LONGITUDE: 40.942, -73.722 SOURCE: Precision Mapping Streets    DATUM: NAD 83	
ANNOTATED MAPPING ENCLOSURES		ANNOTATED STUDY ENCLOSURES	
TYPE: FIRM*    NO.: 36119C0353F    DATE: September 28, 2007		NO REVISION TO THE FLOOD INSURANCE STUDY REPORT	

Enclosures reflect changes to flooding sources affected by this revision.

\* FIRM - Flood Insurance Rate Map

### FLOODING SOURCE AND REVISED REACH

Long Island Sound - An area bounded by Otter Creek on the west and Long Island Sound on the east and south side and from approximately 400 feet south to approximately 1,430 feet southeast of the intersection of Alda Road and South Barry Avenue

### SUMMARY OF REVISIONS

Flooding Source	Effective Flooding	Revised Flooding	Increases	Decreases
Long Island Sound	Zone AE	Zone AE	YES	YES
	BFEs *	BFEs	YES	YES
	Zone VE	Zone AE	YES	YES
	Zone VE	Zone VE	YES	YES

\* BFEs - Base Flood Elevations

### DETERMINATION

This document provides the determination from the Department of Homeland Security's Federal Emergency Management Agency (FEMA) regarding a request for a Letter of Map Revision (LOMR) for the area described above. Using the information submitted, we have determined that a revision to the flood hazards depicted in the Flood Insurance Study (FIS) report and/or National Flood Insurance Program (NFIP) map is warranted. This document revises the effective NFIP map, as indicated in the attached documentation. Please use the enclosed annotated map panel revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals in your community.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the Engineering Library, 847 South Pickett Street, Alexandria, VA 22304-4605. Additional Information about the NFIP is available on our Web site at <http://www.fema.gov/business/nfip>.

Todd A. Steiner, Program Specialist  
Engineering Management Branch  
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

**OTHER FLOODING SOURCES AFFECTED BY THIS REVISION**

**FLOODING SOURCE AND REVISED REACH**

Long Island Sound - An area bounded by Otter Creek on the west and Long Island Sound on the east and south side and from approximately 400 feet south to approximately 1,430 feet southeast of the intersection of Alda Road and South Barry Avenue

**SUMMARY OF REVISIONS**

<b>Flooding Source</b>	<b>Effective Flooding</b>	<b>Revised Flooding</b>	<b>Increases</b>	<b>Decreases</b>
Long Island Sound	Zone AE	Zone X (unshaded)	YES	NONE
	Zone VE	Zone X (unshaded)	YES	NONE

\* BFEs - Base Flood Elevations

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the Engineering Library, 847 South Pickett Street, Alexandria, VA 22304-4605. Additional Information about the NFIP is available on our Web site at <http://www.fema.gov/business/nfip>.

Todd A. Steiner, Program Specialist  
Engineering Management Branch  
Federal Insurance and Mitigation Administration



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

### COMMUNITY INFORMATION

#### APPLICABLE NFIP REGULATIONS/COMMUNITY OBLIGATION

We have made this determination pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, communities participating in the NFIP are required to adopt and enforce floodplain management regulations that meet or exceed NFIP criteria. These criteria, including adoption of the FIS report and FIRM, and the modifications made by this LOMR, are the minimum requirements for continued NFIP participation and do not supersede more stringent State/Commonwealth or local requirements to which the regulations apply.

#### COMMUNITY REMINDERS

We based this determination on the 1-percent-annual-chance stillwater elevations computed in the FIS for your community. A comprehensive restudy of your community's flood hazards could establish greater flood hazards in this area.

Your community must regulate all proposed floodplain development and ensure that any permits required by Federal or State/Commonwealth law have been obtained. State/Commonwealth or community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction or may limit development in floodplain areas. If your State/Commonwealth or community has adopted more restrictive or comprehensive floodplain management criteria, those criteria take precedence over the minimum NFIP requirements.

Because the FIS report establishing the BFEs for your community has been completed, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter. Prior to the effective date of this revision your community is required, as a condition of continued eligibility in the NFIP, to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Paragraph **60.3(e)** of the enclosed NFIP regulations (44 CFR 59, etc.). These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all the standards specified in Paragraph **60.3(e)** of the NFIP regulations must be enacted in a legally enforceable document. This includes adoption of the current effective FIS report and FIRM to which the regulations apply and other modifications made by this map revision. Some of the standards should already have been enacted by your community in order to establish initial eligibility in the NFIP. Your community can meet any additional requirements by taking one of the following actions:

1. Amending existing regulations to incorporate any additional requirements of Paragraph **60.3(e)**
2. Adopting all the standards of Paragraph **60.3(e)** into one new, comprehensive set of regulations
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph **60.3(e)**

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the Engineering Library, 847 South Pickett Street, Alexandria, VA 22304-4605. Additional Information about the NFIP is available on our Web site at <http://www.fema.gov/business/nfip>.

Todd A. Steiner, Program Specialist  
Engineering Management Branch  
Federal Insurance and Mitigation Administration



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) as amended.

We will not print and distribute this LOMR to primary users, such as local insurance agents or mortgage lenders; instead, the community will serve as a repository for the new data. We encourage you to disseminate the information in this LOMR by preparing a news release for publication in your community's newspaper that describes the revision and explains how your community will provide the data and help interpret the NFIP maps. In that way, interested persons, such as property owners, insurance agents, and mortgage lenders, can benefit from the information.

We have designated a Consultation Coordination Officer (CCO) to assist your community. The CCO will be the primary liaison between your community and FEMA. For information regarding your CCO, please contact:

Mr. Timothy P. Crowley  
Director, Mitigation Division  
Federal Emergency Management Agency, Region II  
26 Federal Plaza, 13th floor  
New York, NY 10278-0002

### STATUS OF THE COMMUNITY NFIP MAPS

We will not physically revise and republish the FIRM for your community to reflect the modifications made by this LOMR at this time. When changes to the previously cited FIRM panel warrant physical revision and republication in the future, we will incorporate the modifications made by this LOMR at that time.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the Engineering Library, 847 South Pickett Street, Alexandria, VA 22304-4605. Additional Information about the NFIP is available on our Web site at <http://www.fema.gov/business/nfip>.

A handwritten signature in black ink, appearing to read "Todd A. Steiner".

Todd A. Steiner, Program Specialist  
Engineering Management Branch  
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

**PUBLIC NOTIFICATION OF REVISION**

**PUBLIC NOTIFICATION**

A notice of changes will be published in the *Federal Register*. This information also will be published in your local newspaper on or about the dates listed below and through FEMA's Flood Hazard Mapping Web site at [https://www.floodmaps.fema.gov/fhm/Scripts/bfe\\_main.asp](https://www.floodmaps.fema.gov/fhm/Scripts/bfe_main.asp).

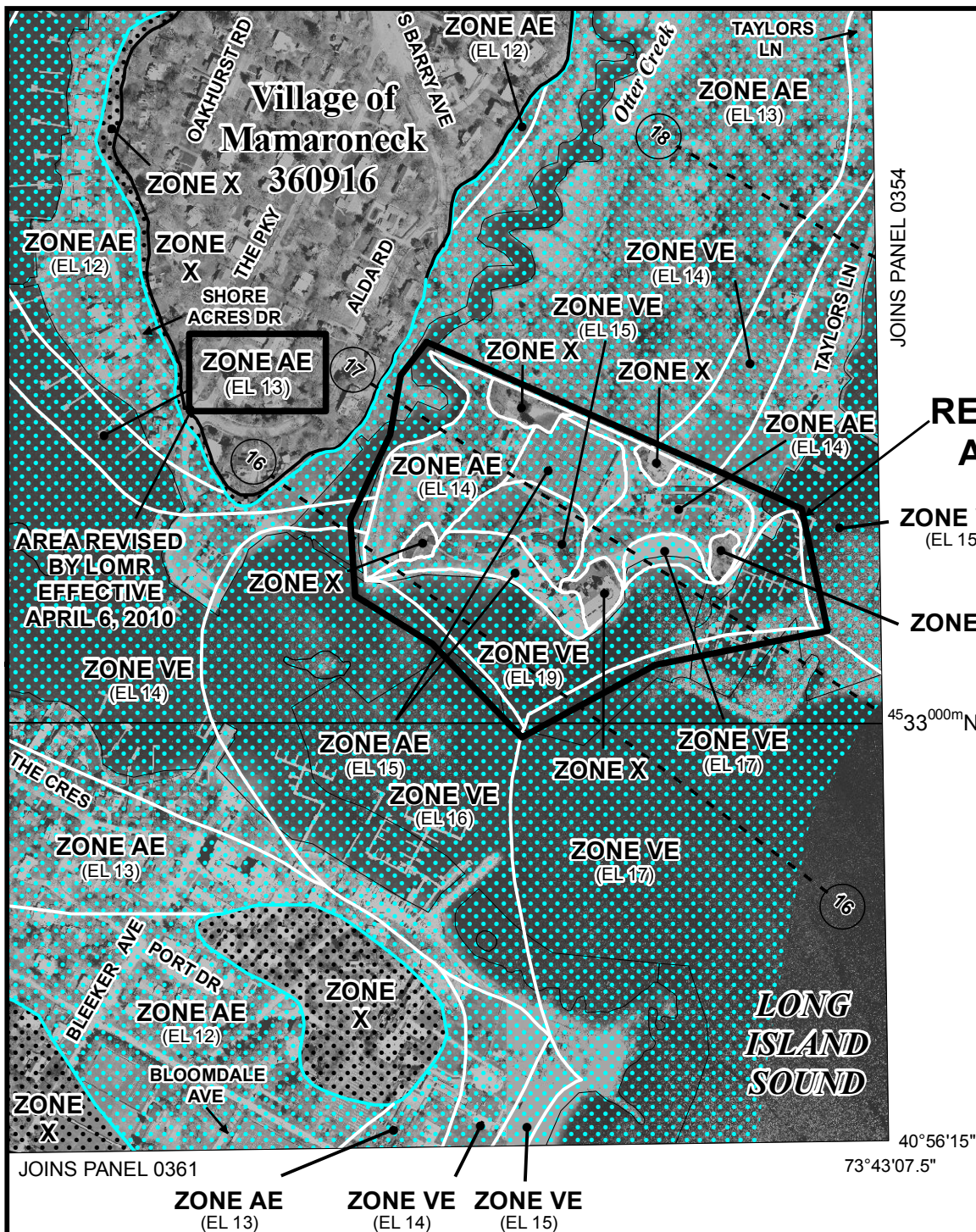
LOCAL NEWSPAPER      Name: *The Journal News*  
Dates: 8/27/2012 and 9/3/2012

Within 90 days of the second publication in the local newspaper, a citizen may request that we reconsider this determination. Any requests for reconsideration must be based on scientific or technical data. This revision will become effective 6 months from the date of this letter and after we have resolved any appeals that we have received during the 90-day appeal period. Until this LOMR is effective, the revised flood hazard determination information presented in this LOMR may be changed.




This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the Engineering Library, 847 South Pickett Street, Alexandria, VA 22304-4605. Additional Information about the NFIP is available on our Web site at <http://www.fema.gov/business/nfip>.

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Todd A. Steiner, Program Specialist  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

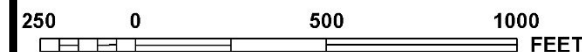


## MAP LEGEND

-  1% annual chance (100-Year) Floodplain
-  1% annual chance (100-Year) Floodway
-  0.2% annual chance (500-Year) Floodplain



MAP SCALE 1" = 500'



NFIP

PANEL 0353F

## FIRM

### FLOOD INSURANCE RATE MAP

for WESTCHESTER COUNTY, NEW YORK  
(ALL JURISDICTIONS)

CONTAINS: COMMUNITY	NUMBER
HARRISON, TOWN OF	360912
MAMARONECK, TOWN OF	360917
MAMARONECK, VILLAGE	360916
OF	

**REVISED TO  
REFLECT LOMR  
EFFECTIVE: February 20, 2013**

PANEL 353 OF 426

MAP SUFFIX: F

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

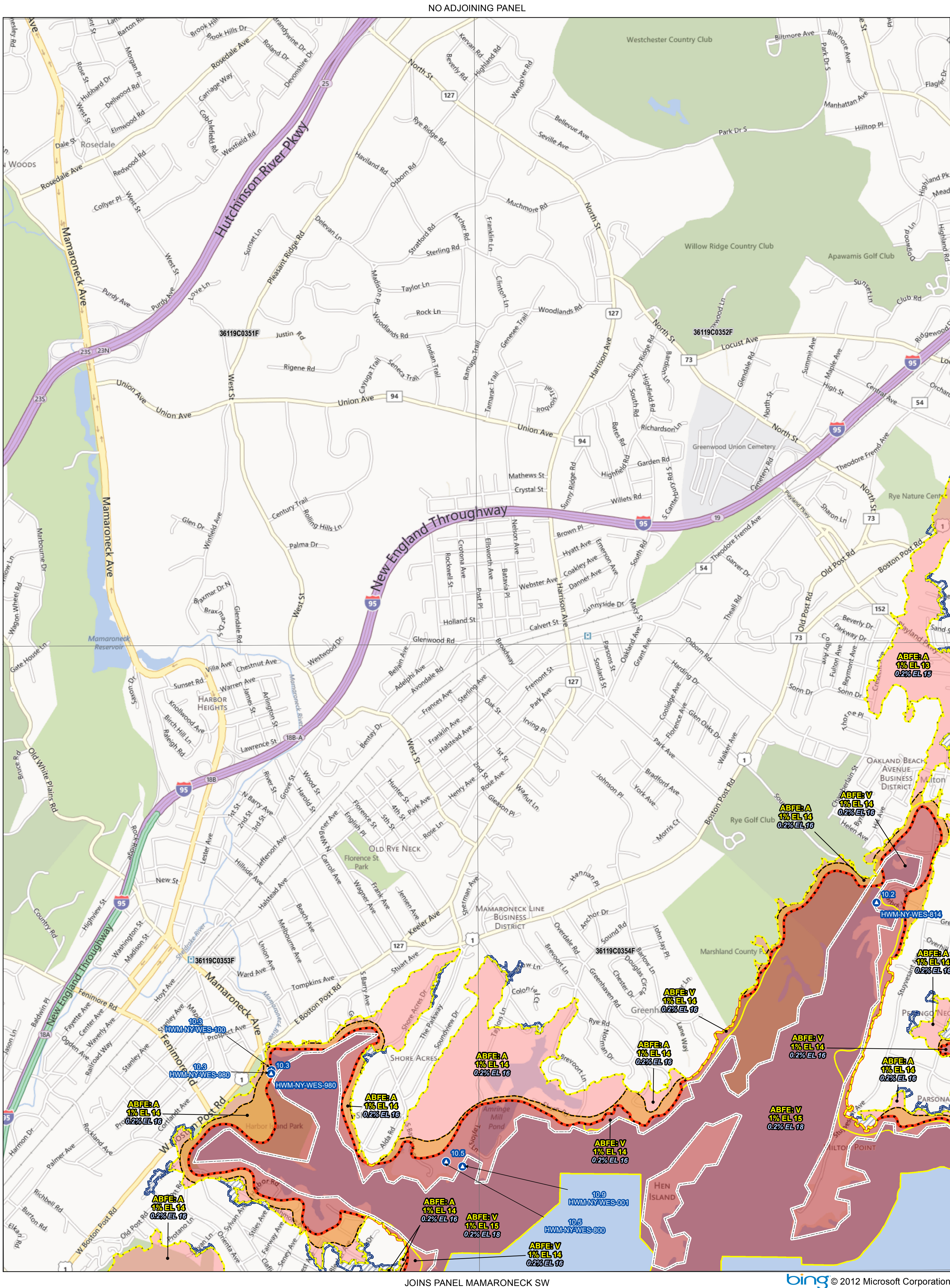
Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

**MAP NUMBER**  
36119C0353F

**EFFECTIVE DATE**  
SEPTEMBER 28, 2007



Federal Emergency Management Agency



ADVISORY BASE FLOOD ELEVATIONS

USAGE

LEGEND

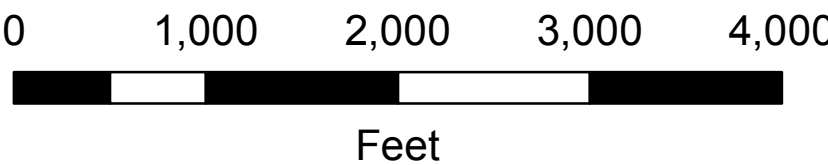
This map shows Advisory Base Flood Elevations (ABFEs) developed by FEMA. Use the QR code to the right, or navigate to <http://www.region2coastal.com/> for more information on how they were determined.

These ABFEs can serve as a guide to understanding current coastal flood hazard risk and the elevations that communities should build to in order to protect themselves from future flood events. As part of the long term recovery effort, the ABFEs are a tool for Federal, State, and local officials, building officials, builders and architects, insurance professionals, and property owners to make informed decisions during rebuilding and to mitigate losses from future flood events, safeguard lives, and protect the private and public investment in rebuilding.

The elevations shown on this map are considered best available data until issuance of updated Flood Insurance Rate Maps.

OBSERVED SANDY SURGE ELEVATIONS<sup>1,6</sup>

Approximately 10-11 ft on this Panel



Flood Advisory Related Data	
Advisory Base Flood Elevation Zone (ABFE) <sup>2</sup>	Advisory Limit of the 1% Annual Chance Flood Hazard Area <sup>2</sup>
1% Advisory Base Flood Elevation, feet <sup>1,2</sup>	Advisory Limit of the 0.2% Annual Chance Flood Hazard Area <sup>3</sup>
0.2% Advisory Base Flood Elevation, feet <sup>1,3</sup>	Advisory Shaded Zone X
Advisory Flood Hazard Zone V	Effective FIRM Panel Boundary
Area of Moderate Wave Action <sup>4</sup>	
Advisory Flood Hazard Zone A	

Hurricane Sandy Related Data	
Provisional Hurricane Sandy Surge Elevation <sup>1,6</sup>	

Geographic Boundaries	CBRA <sup>5</sup>	County	State
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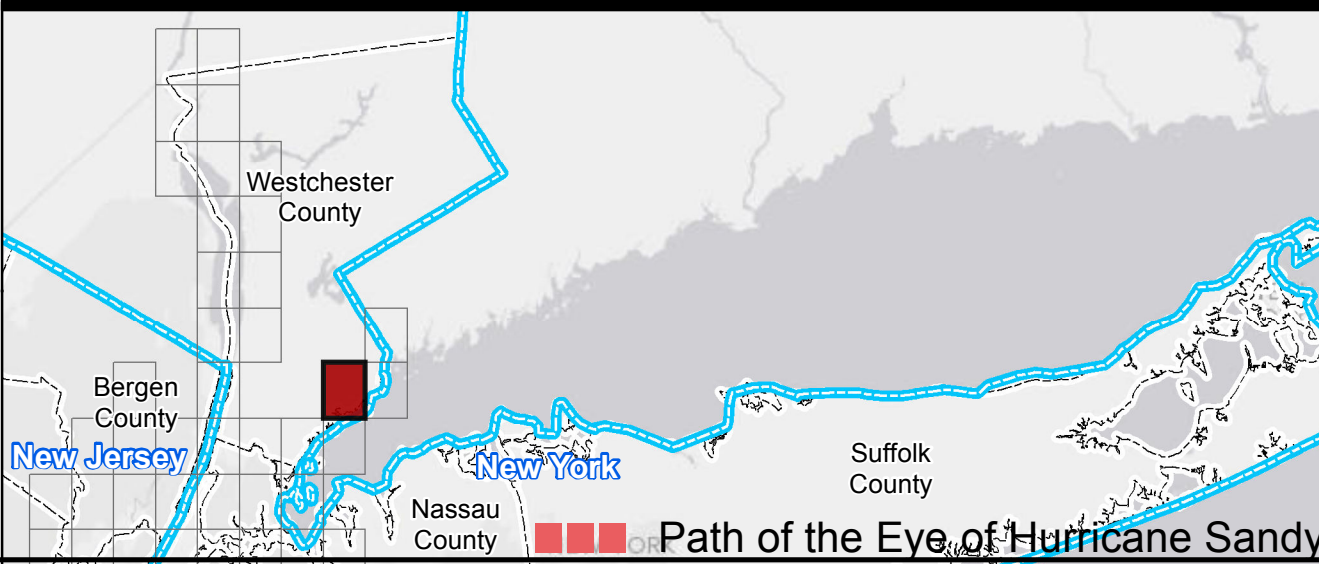
NOTES

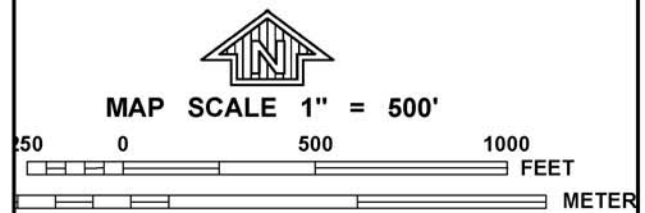
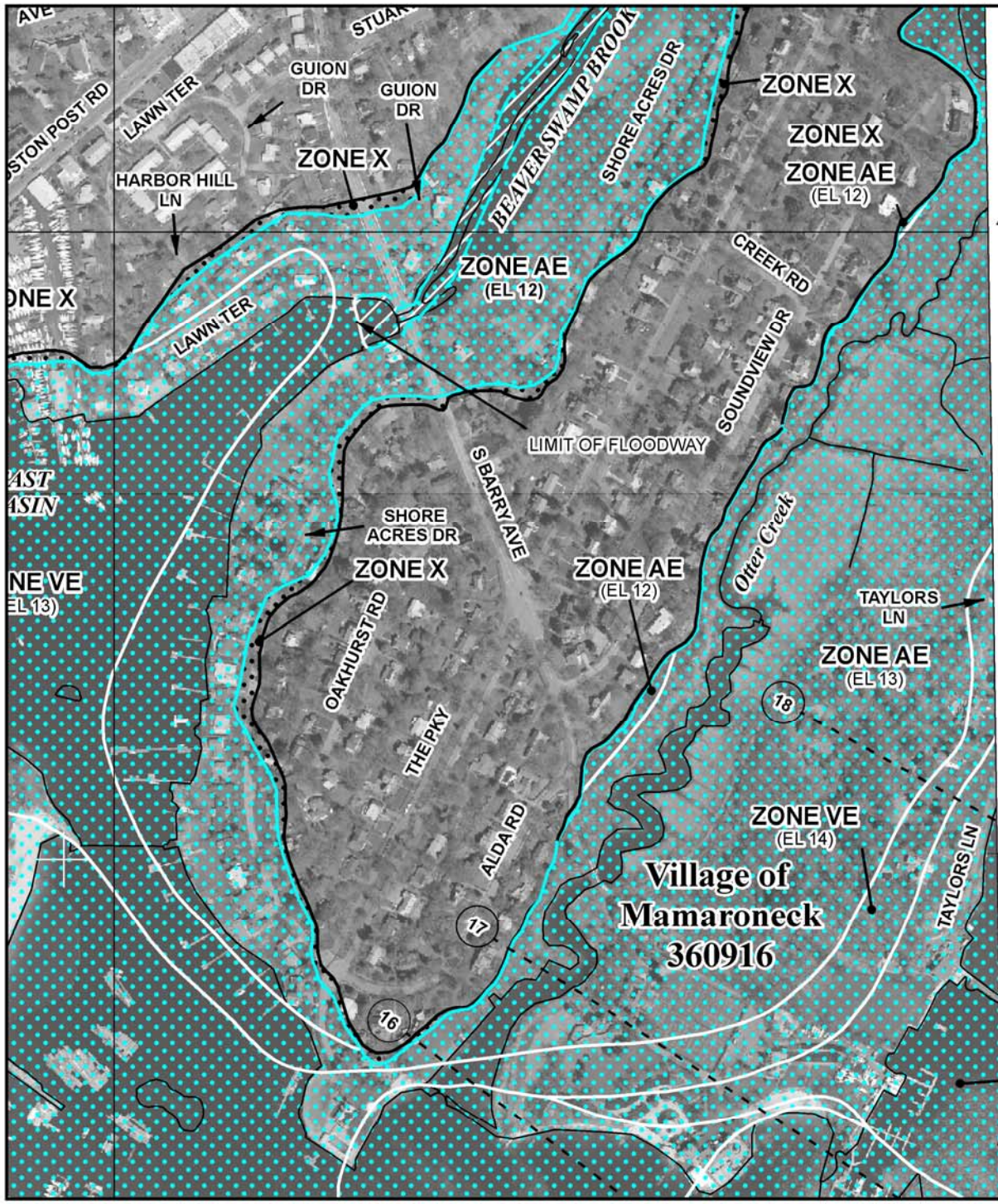
- <sup>1</sup> Measured in feet relative to the North American Vertical Datum of 1988 (NAVD88).
- <sup>2</sup> Each whole-foot 1% annual chance Advisory Base Flood Elevation shown applies to all properties located in the mapped zone, with zone boundaries outlined in yellow.
- <sup>3</sup> Each whole-foot 0.2% annual chance Advisory Base Flood Elevation shown applies to all properties located in the mapped zone, with zone boundaries outlined in yellow.
- <sup>4</sup> Depicts the extent of the "Coastal A Zone" or area of moderate wave action where wave heights are between 1.5 and 3 feet. The FEMA Coastal Construction Manual, American Society of Civil Engineers, and the 2012 International Residential Building Code recommend Zone VE construction practices in this area.
- <sup>5</sup> Depicts the approximate extent of the Coastal Barrier Resources System (CBRS). Most new Federal expenditures and financial assistance (including flood insurance) are prohibited within the CBRS, with some exceptions. For the best available CBRS boundary data, visit: <http://www.fws.gov/cbra/Maps/Mapper.html>
- Data Sources:**
- <sup>6</sup> Sandy Surge Elevations: U.S. Geological Survey Rapid Deployment Gauges and High Water Marks (Provisional data retrieved on 11/27/2012). Current data can be found at: <http://water.usgs.gov/floods/events/2012/sandy/>; Base Map: Bing Maps Road; Stillwater Elevations: Preliminary Coastal FEMA Flood Insurance Study Update for New York City and New Jersey, 2012; Storm Track: NOAA National Weather Service

MAPS FOR ADVISORY PURPOSES ONLY - NOT FOR INSURANCE RATING PURPOSES

For insurance rating purposes refer to the effective Flood Insurance Rate Map (FIRM), available from your local floodplain administrator or the FEMA Map Service Center (<http://msc.fema.gov>)

OVERVIEW MAP





NFIP  
NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0353F

## FIRM

FLOOD INSURANCE RATE MAP

for WESTCHESTER COUNTY, NEW YORK  
(ALL JURISDICTIONS)

### CONTAINS:

COMMUNITY	NUMBER
HARRISON, TOWN OF	360912
MAMARONECK, TOWN OF	360917
MAMARONECK, VILLAGE OF	360916

PANEL 353 OF 426

MAP SUFFIX: F

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

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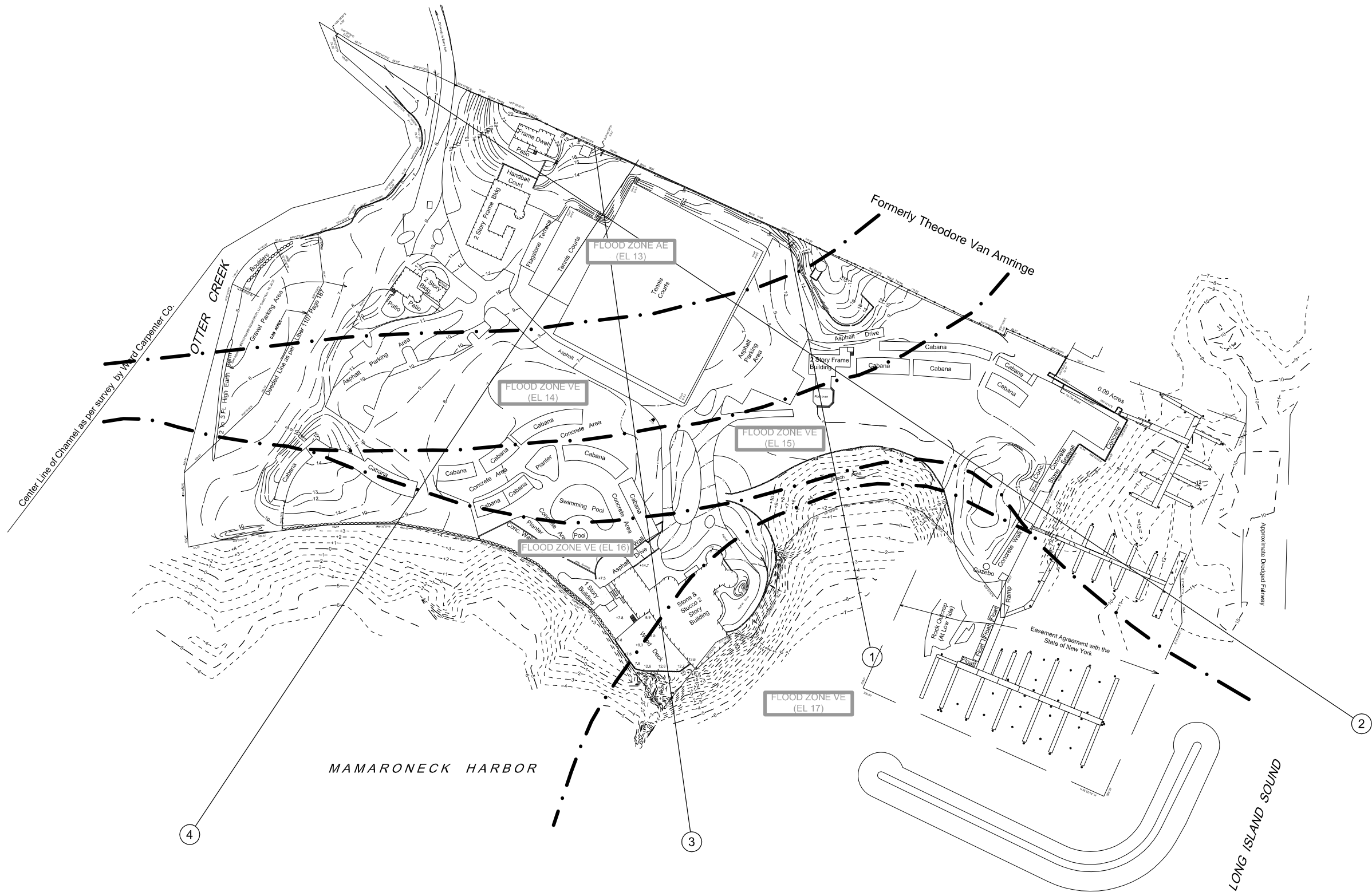
MAP NUMBER  
36119C0353F

EFFECTIVE DATE  
SEPTEMBER 28, 2007

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)





Source: Ocean & Coastal Consultants Engineering, P.C. A New York State Registered Company

#### GENERAL NOTES

- ALL TOPOGRAPHIC ELEVATIONS SHOWN REFER TO NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88). ALL CONTOURS ABOVE ELEVATION ZERO (0) ARE SHOWN WITH A PLUS (+).
- BASE MAP USED BY OCEAN AND COASTAL CONSULTANTS, INC. IS ADOPTED FROM A DRAWING PREPARED BY RICHARD A. SPINELLI LAND SURVEYOR OF MAMARONECK, N.Y., DATED MAY 25, 2000, REVISED NOVEMBER 17, 2010.
- AFOREMENTIONED BASE MAP OVERLAYED INTO COORDINATE SYSTEM BASED ON NEW YORK STATE EAST - NAD 83.
- LOCATION OF BREAKWATER WAS DETERMINED FROM AERIAL PHOTOGRAPH BY AERO GRAPHICS CORP. BOHEMIA, NY, DATED MARCH 27, 2000.
- DATA WATERWARD WAS COLLECTED BY OCEAN AND COASTAL CONSULTANTS, INC. ON JULY 28, 2000; AUGUST 4, 2000 AND SUPPLEMENTED WITH DATA FROM JUNE 7, 2011.
- FLOOD ZONE DATA OBTAINED FROM FEMA FLOOD INSURANCE RATE MAP 36119C353F, DATED SEPTEMBER 28, 2007. BASE FLOOD ELEVATIONS REFER TO NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).

#### LEGEND

- ① — LONG ISLAND SOUND TRANSECT TO DETERMINE FLOOD ZONE DESIGNATION

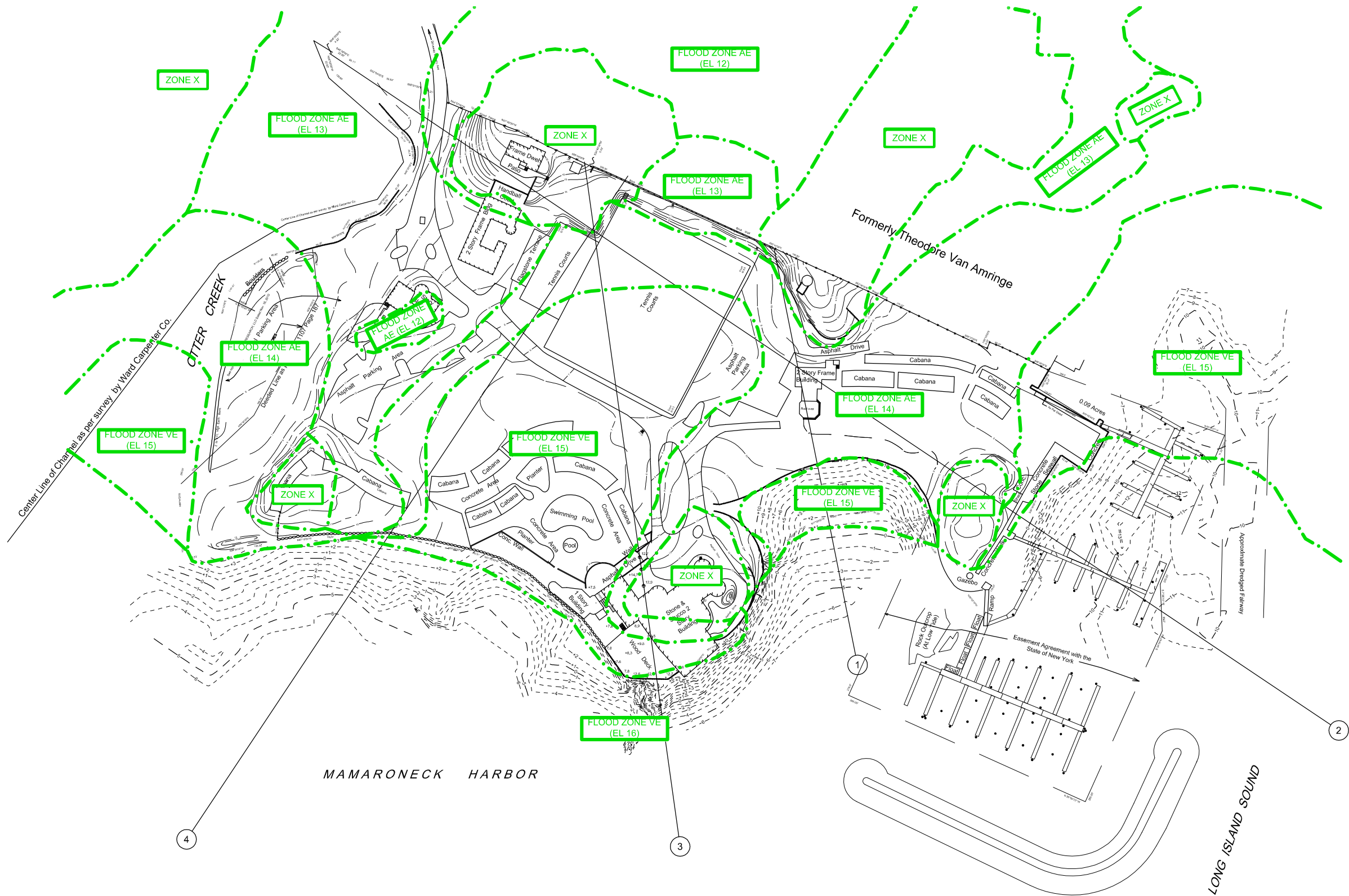
Scale: 1"=150'-0"

Figure 01 - FEMA Flood Zone Delineation  
Effective September 28, 2007

**MAMARONECK BEACH & YACHT CLUB**  
Clubhouse Alterations and New Seasonal Residences  
Village of Mamaroneck, New York

© TRC Engineers, Inc.





Source: Ocean & Coastal Consultants Engineering, P.C. A New York State Registered Company

GENERAL NOTES

- ALL TOPOGRAPHIC ELEVATIONS SHOWN REFER TO NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88). ALL CONTOURS ABOVE ELEVATION ZERO (0) ARE SHOWN WITH A PLUS (+).
- BASE MAP USED BY OCEAN AND COASTAL CONSULTANTS, INC. IS ADOPTED FROM A DRAWING PREPARED BY RICHARD A. SPINELLI LAND SURVEYOR OF MAMARONECK, N.Y., DATED MAY 25, 2000, REVISED NOVEMBER 17, 2010.
- AFOREMENTIONED BASE MAP OVERLAYED INTO COORDINATE SYSTEM BASED ON NEW YORK STATE EAST - NAD 83.
- LOCATION OF BREAKWATER WAS DETERMINED FROM AERIAL PHOTOGRAPH BY AERO GRAPHICS CORP. BOHEMIA, NY, DATED MARCH 27, 2000.
- DATA WATERWARD WAS COLLECTED BY OCEAN AND COASTAL CONSULTANTS, INC. ON JULY 28, 2000; AUGUST 4, 2000 AND SUPPLEMENTED WITH DATA FROM JUNE 7, 2011.
- FLOOD ZONE DATA OBTAINED FROM PRELIMINARY FEMA FLOOD INSURANCE RATE MAP 36119C0353G, DATED DECEMBER 2014. BASE FLOOD ELEVATIONS REFER TO NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).

LEGEND

- 1 LONG ISLAND SOUND TRANSECT TO DETERMINE FLOOD ZONE DESIGNATION
- +8.3 SPOT GRADE
- 8.3 INTERPOLATED SPOT GRADE

Figure 03 - Preliminary FEMA Flood Zone Delineation December 8, 2014

MAMARONECK BEACH & YACHT CLUB  
Clubhouse Alterations and New Seasonal Residences  
Village of Mamaroneck, New York

© TRC Engineers, Inc.

Scale: 1"=150'-0"

## **APPENDIX G**

### **DYE TEST**



7 Skyline Drive  
Hawthorne, NY 10532

914.592.4040 PHONE  
914.592.5046 FAX

www.TRCsolutions.com

Report Date: July 25, 2016

**MAMARONECK BEACH & YACHT CLUB (MBYC)  
555 SOUTH BARRY AVENUE  
MAMARONECK, NY**

**REPORT OF TEST AND OBSERVATION  
EXISTING SANITARY FORCE MAIN DYE TEST**

Date Performed: Thursday, July 7, 2016  
Time Performed: 8:30 AM to 9:45 AM  
Weather: Mostly Sunny, temperature in the 80's.

**Purpose:**

Mamaroneck Beach & Yacht Club (MBYC or Club) operates an existing 6-inch sanitary force main that extends from the pump station (centrally located at the MBYC site) across the site, under Otter Creek, through residential lot at 519 Alda Road and ends at a receiving Village manhole #66449 located in Alda Road. Subsequent to a leak and repair to the existing force main at the westerly bank of Otter Creek in August 2013, the Club has performed testing of the force main to assure that it continues to operate without leaks. On July 7<sup>th</sup>, 2016, as part of the ongoing test protocol, a dye test was conducted to evaluate the existing sanitary force main.

**Performed and observed by:**

- Testing Contractor - Frank Nask

**Observed by:**

- Thomas Holmes - TRC Engineers, Inc. (TRC)

**Procedure:**

Personnel were stationed at the pump station, adjacent to Otter Creek and at the force main receiving manhole in Alda Road. Sewer dye was poured into the MBYC pump station at around 8:30 AM; several pump cycles occurred and dye was observed in the force main receiving manhole at around 8:50 AM. Once dye was observed in the manhole, TRC and the Testing Contractor observed Otter Creek (at low tide) and the ground surface along the force main alignment for the appearance of sewer dye until around 9:45 AM after the dye had diminished in the receiving manhole.

**Results:**

- No dye was observed in Otter Creek.
- No dye was observed at the ground surface along the alignment of the existing force main.

**Further Testing:**

A pressure test shall be conducted in the fall, when the Club is not in full operation, to complete the required testing. Results will be forwarded to the Village.

**TRC Engineers, Inc.**



Ralph P. Peragine, P.E.  
Senior Project Manager

Under New York State Education Law Article 145 (Engineering), Section 7209 (2), it is a violation of this law for any person, unless acting under the direction of a Licensed Professional Engineer, to alter this document.



Report Date: May 1, 2017

**MAMARONECK BEACH & YACHT CLUB (MBYC)  
555 SOUTH BARRY AVENUE  
MAMARONECK, NY**

**REPORT OF TEST AND OBSERVATION  
EXISTING SANITARY FORCE MAIN DYE TEST**

Date Performed:        Monday, May 1, 2017  
Time Performed:        10:15 AM to 11:45 AM  
Weather:                Overcast, temperature in the 60's.

**Purpose:**

Mamaroneck Beach & Yacht Club (MBYC or Club) operates a sanitary pump station and 6-inch sanitary force main that extends from the pump station (centrally located at the MBYC site) across the site, under Otter Creek, through a residential lot at 519 Alda Road and discharges to a receiving Village manhole #66449 located in Alda Road. Subsequent to a sewage leak and repair to the existing force main at the westerly bank of Otter Creek in August 2013, the Club has performed tests on the force main to assure that it continues to operate without leaks. On May 1, 2017, as part of the ongoing test protocol, a dye test was conducted to evaluate the existing sanitary force main.

**Performed and observed by:**

- Testing Contractor    -    Frank Nask

**Observed by:**

- Thomas Holmes    -    Provident Design Engineering (PDE), (formerly the Hawthorne business unit of TRC Engineers)

**Procedure:**

The dye test was conducted and observed as follows: Green dye was poured into the onsite pump station at 10:15 A.M. turning the sewage in the chamber to a bright iridescent green color. As the pump chamber filled, the pumps engaged and sewage was pumped through the force main to the receiving manhole in Alda Road. The alignment of the force main between the pump station and the receiving manhole was observed with the main area of focus being the Otter Creek bed and banks. The creek bed was easily observable, since the test was performed during low tide and the bed was virtually dry. After several pump cycles, the dyed effluent

reached the receiving manhole. Observation of the pipe alignment and creek bed continued for an additional 45 minutes (11:45), until the remaining dye had been flushed from the system.

**Results:**

- No dye was observed in Otter Creek (bed and banks).
- No dye was observed at the ground surface along the alignment of the existing force main.

**Provident Design Engineering,**



Ralph P. Peragine, P.E.  
Senior Project Manager

Under New York State Education Law Article 145 (Engineering), Section 7209 (2), it is a violation of this law for any person, unless acting under the direction of a Licensed Professional Engineer, to alter this document.



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**APPENDIX H**

**ENGINEER LETTER AND PLANS**

# Wexler Associates

## Structural Engineers

12 West 32nd Street, 8th Floor | New York, NY 10001 | t: 212.643.1500 f: 212.643.2277

Web Address: [www.nwexler.com](http://www.nwexler.com), Email: [nwexler@nwexler.com](mailto:nwexler@nwexler.com)

October 11, 2016

**Rosenshein Associates**  
**555 South Barry Avenue**  
**Mamaroneck, NY 10543**

**Reference:** South Barry Avenue Bridge Mamaroneck, NY

**Attention:** Lisa Rosenshein

Mrs. Rosenshein,

An engineering study was conducted for the above referenced project to analyze how to attach a 4 inch force main that is condensed in a 12 inch insulated pipe onto the South Barry Avenue Bridge.

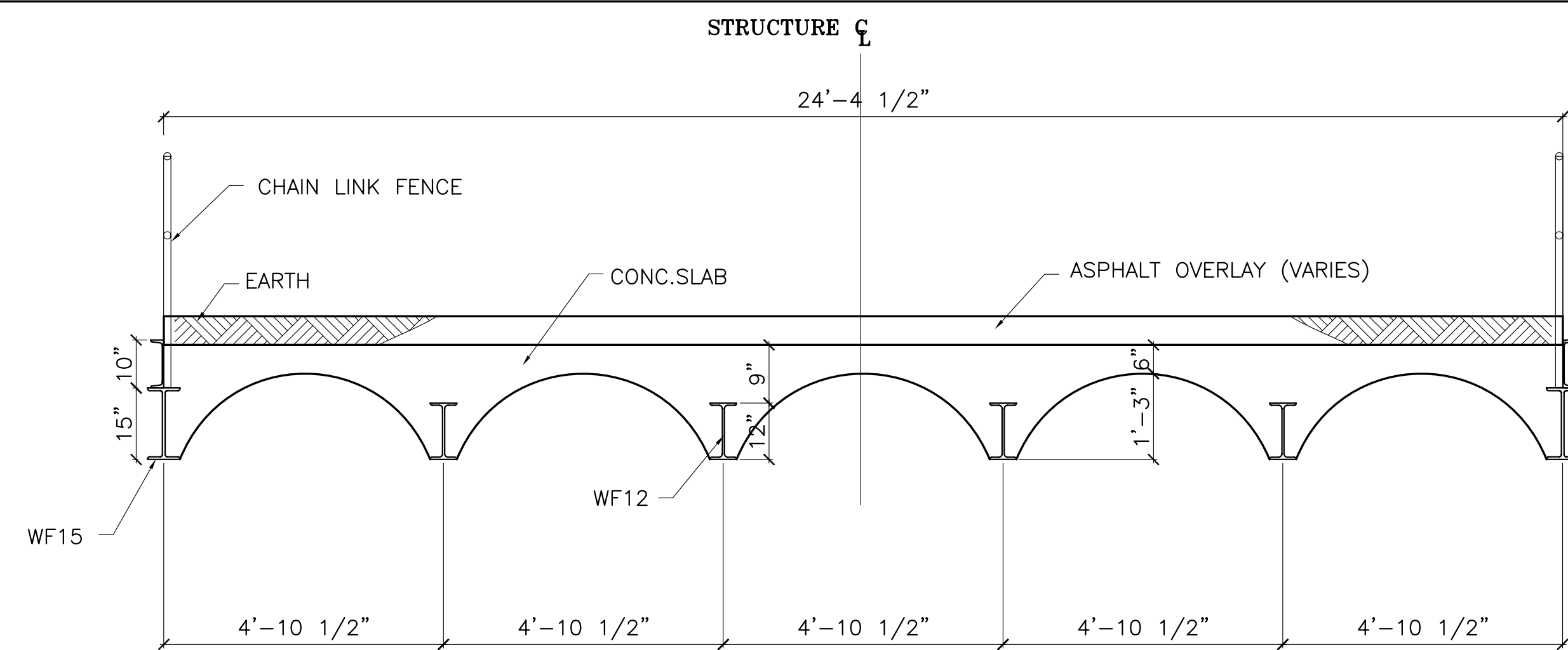
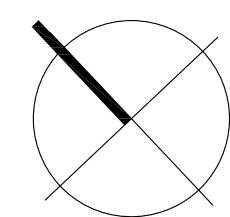
It is the writer's opinion that you may design a similar detail in structural drawing S-3 which shows a water main support for the bridge. Alternatively, supporting the pipe with flange clams from each beam is also adequate.

Very truly yours,



**Neil Wexler, PhD, P.E.**  
**President**

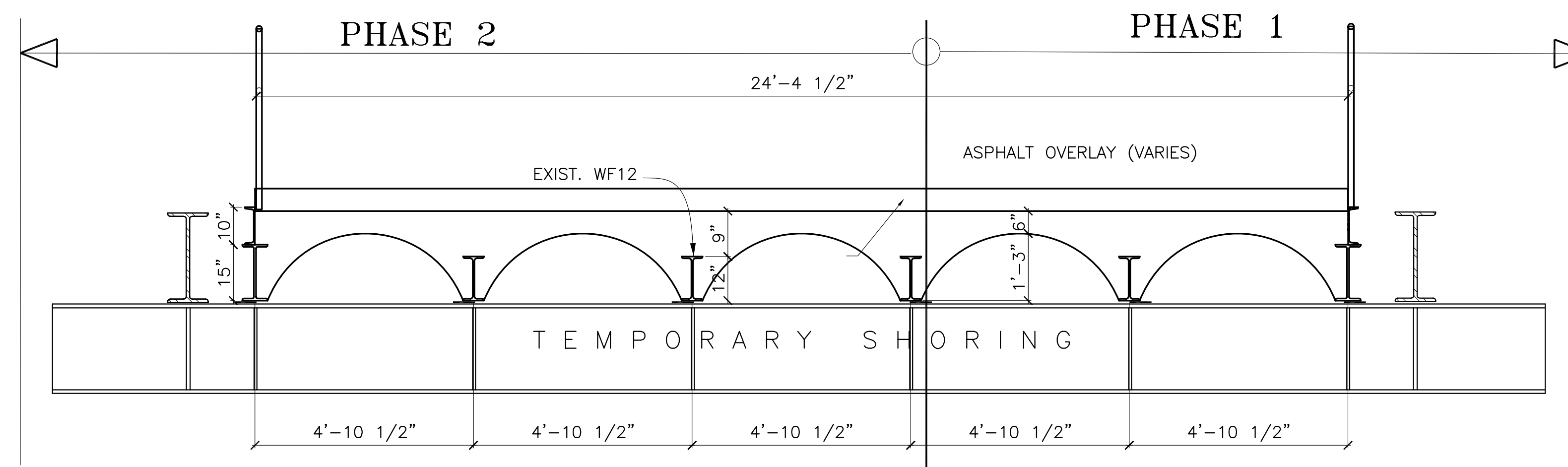




EXISTING BRIDGE SECTION

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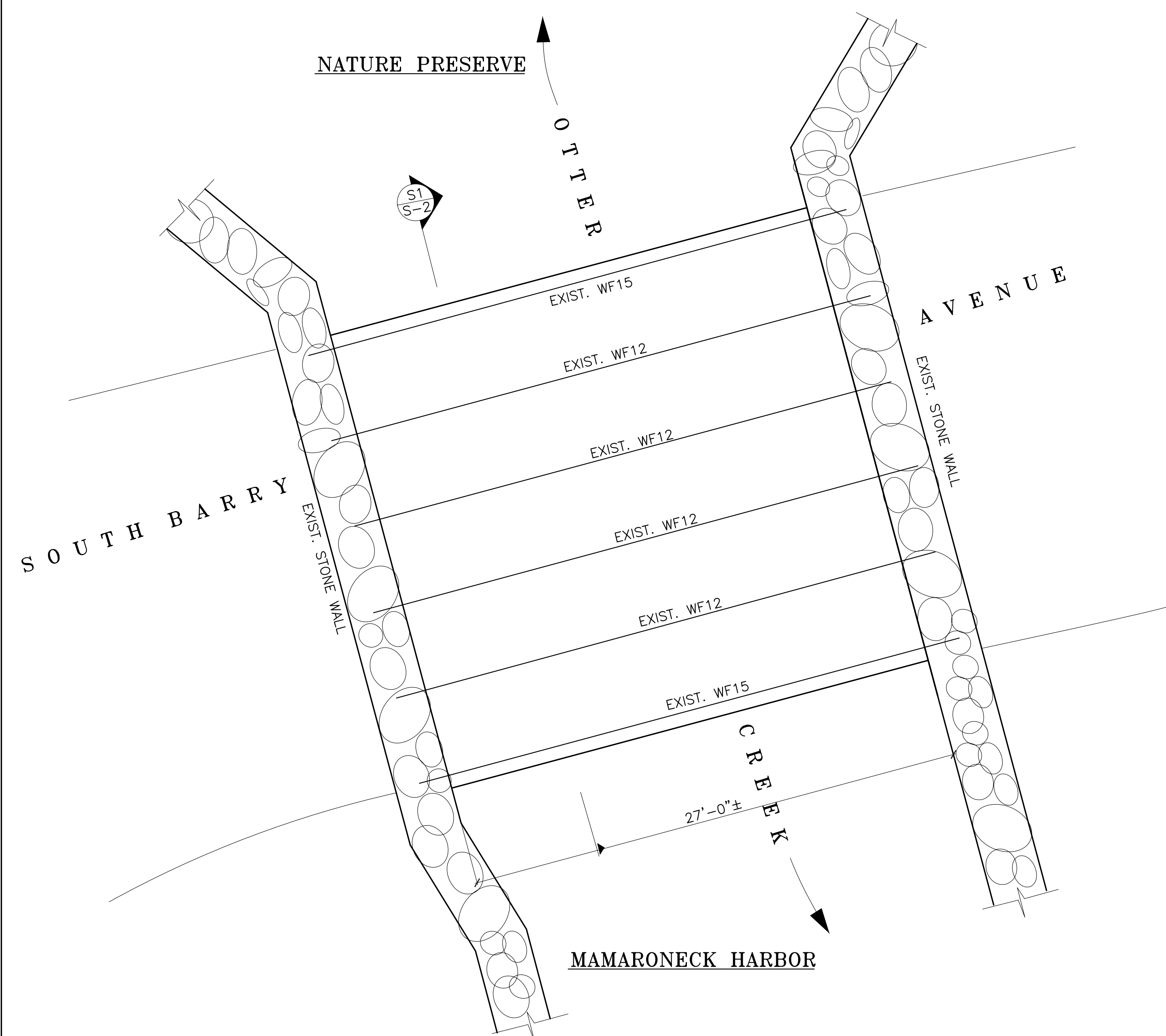
S1



SECTION S2

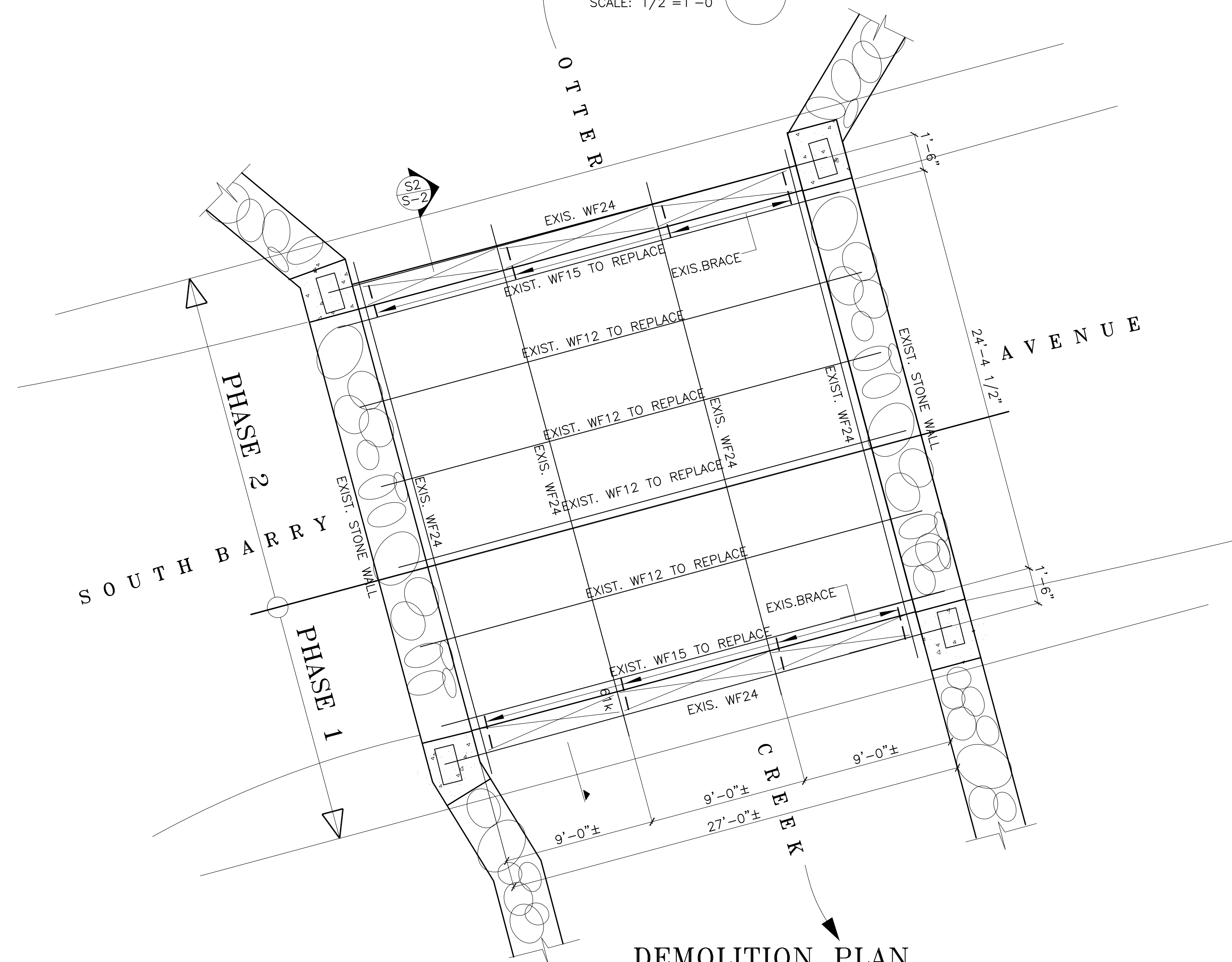
SCALE: 1/2"=1'-0"

S2



EXISTING FRAMING PLAN

SCALE: 1/4"=1'-0"



DEMOLITION PLAN

SCALE: 1/4"=1'-0"

N. WEXLER, P.E., P.C.

Consulting Engineers

225 East 47th St., Suite 1D, New York, N.Y. 10017  
T.(212) 486-7355 F.(212) 752-8327

EXISTING FRAMING & DEMOLITION PLAN  
OTTER CREEK BRIDGE  
TOWN OF RYE

SOUTH BARRY AVENUE BRIDGE REPLACEMENT  
BIN 2265790  
TOWN OF RYE, NEW YORK

PROJECT  
NUMBER

CONTRACT  
NUMBER

SHEET No.

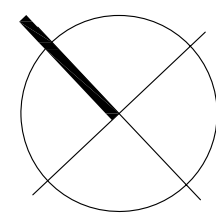
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DATE : 10/11/02

DRAWING No.

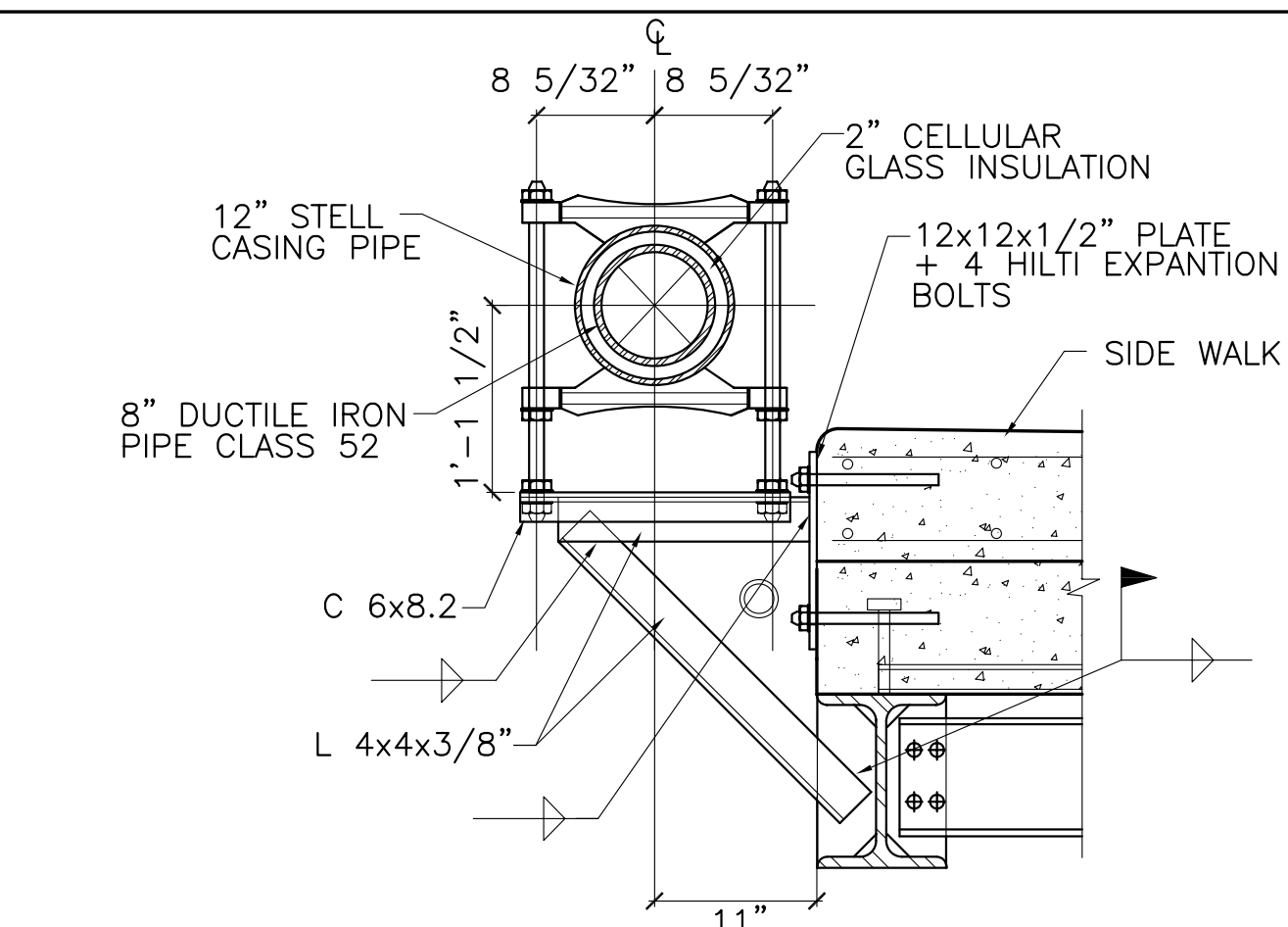
REV.  
No.

S-2



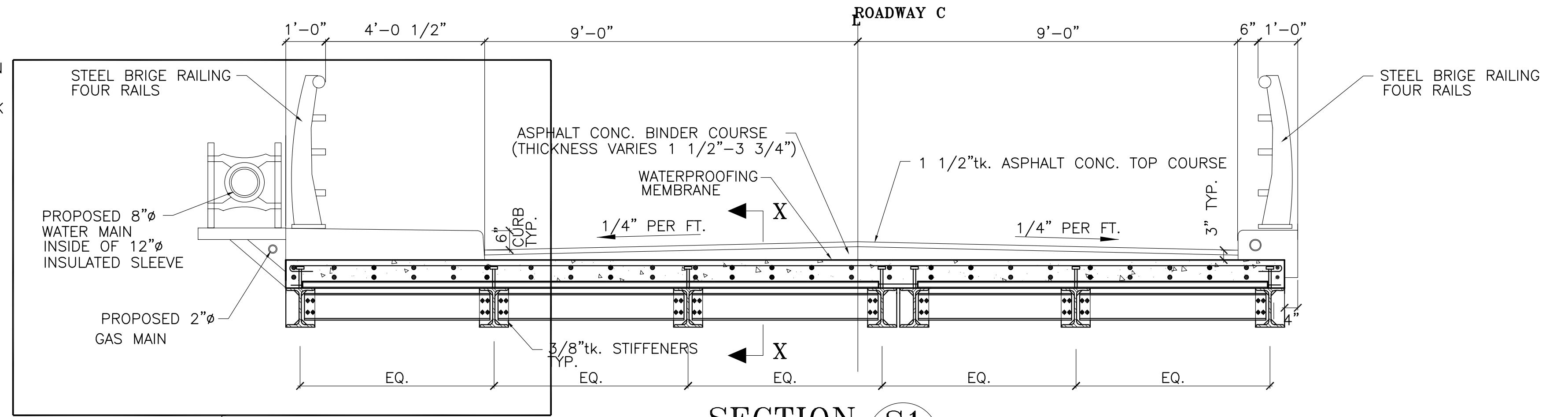
LOADING SCHEDULE (DEAD LOADS)		
2" DEEP GALV.,COMP.,16GA MD+		
7" STONE,CONC.	100	PSF
STRUCTURAL STEEL	80	PSF
ASPHALT	30	PSF
TOTAL DEAD LOADS		210 PSF

CURB - AS SHOWN  
LIVE LOAD - PER AASHTO



WATER MAIN SUPPORT DETAIL

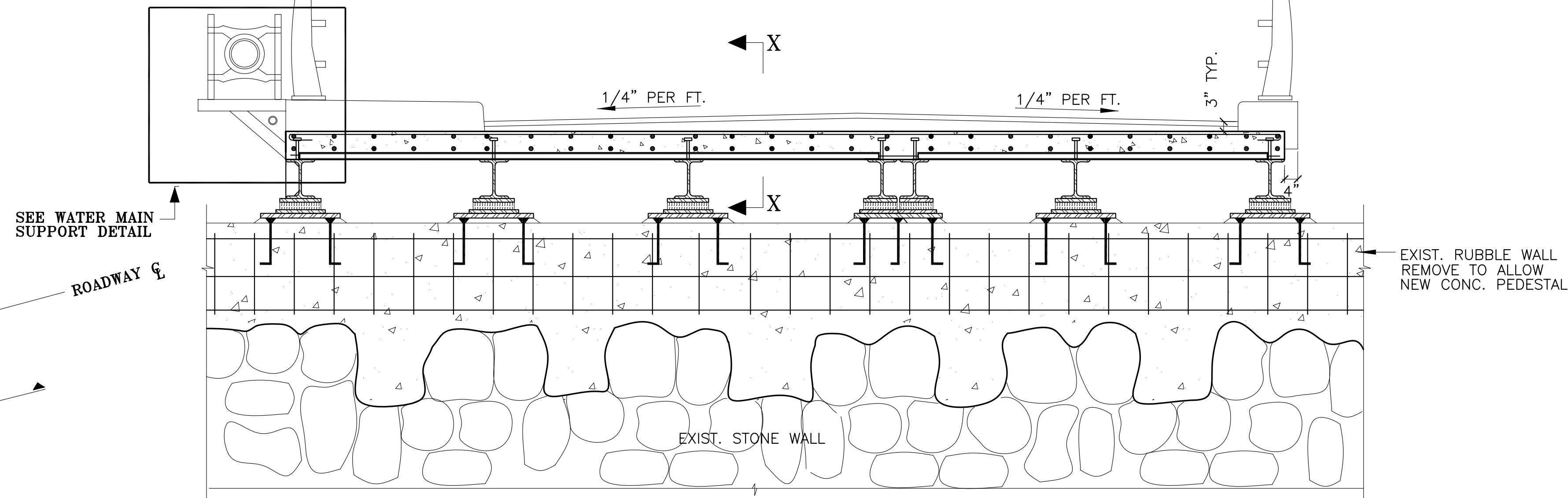
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SECTION S1

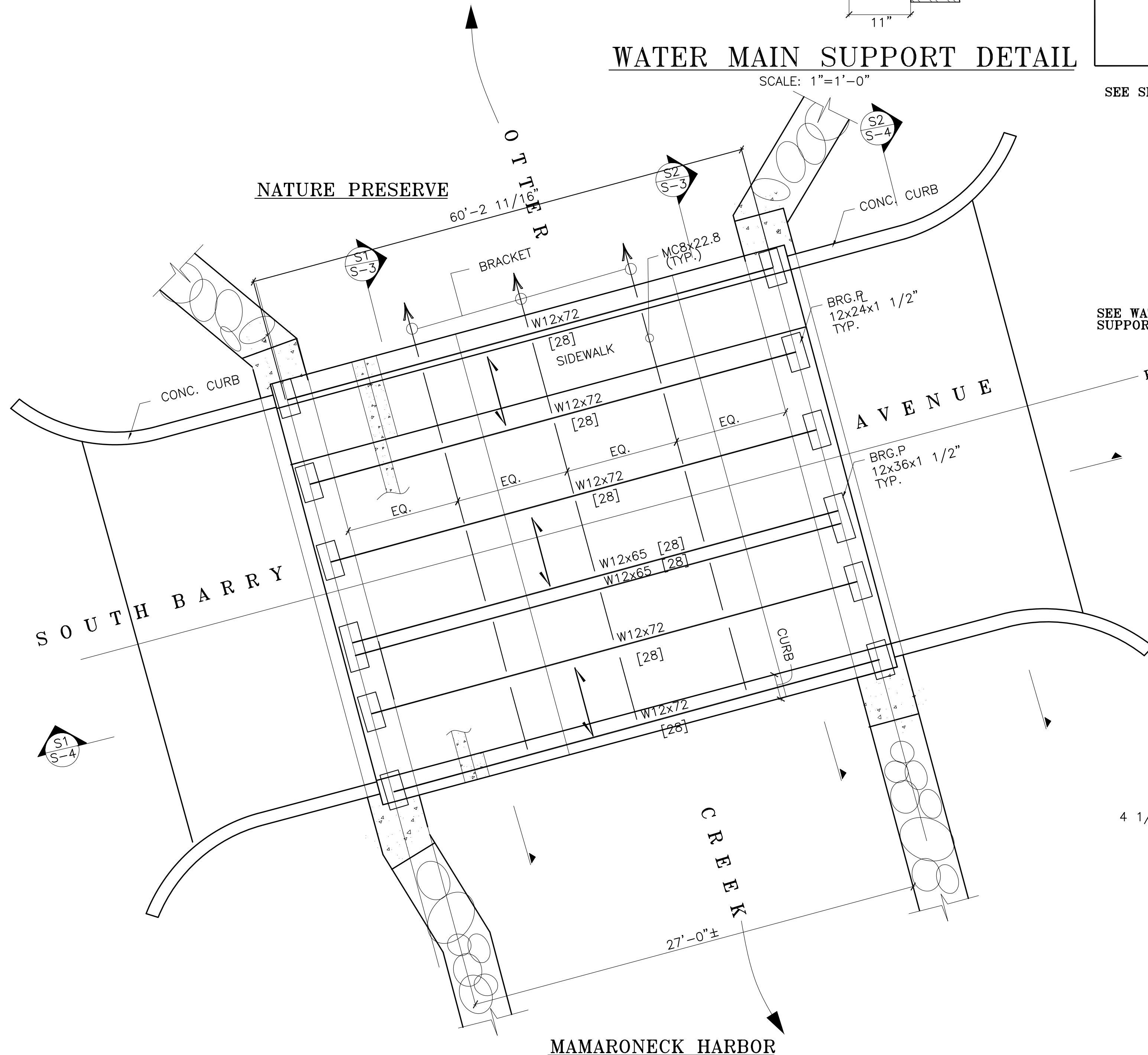
SCALE: 1/2"=1'-0"

SEE SIDEWALK DETAIL



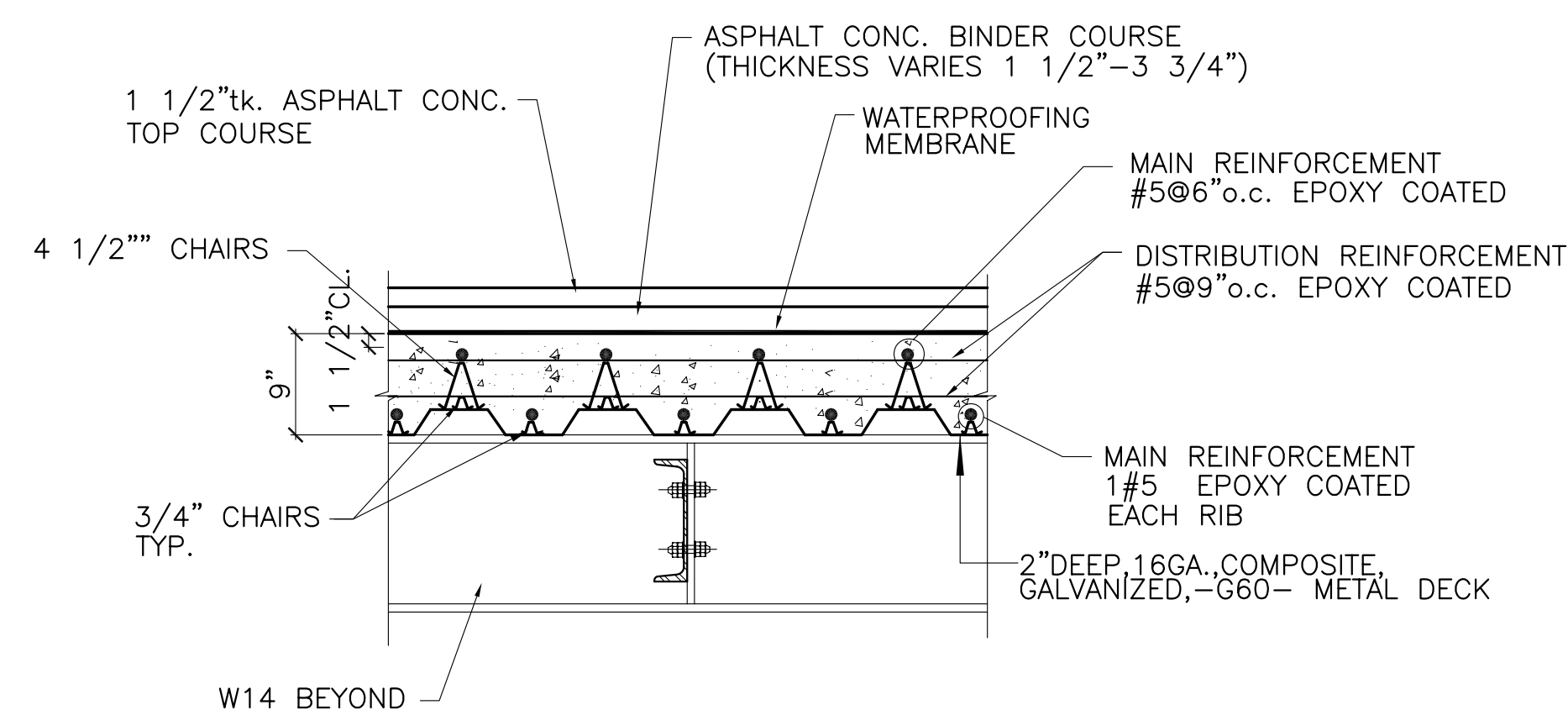
SECTION AT ABUTMENT S2

SCALE: 1/2"=1'-0"



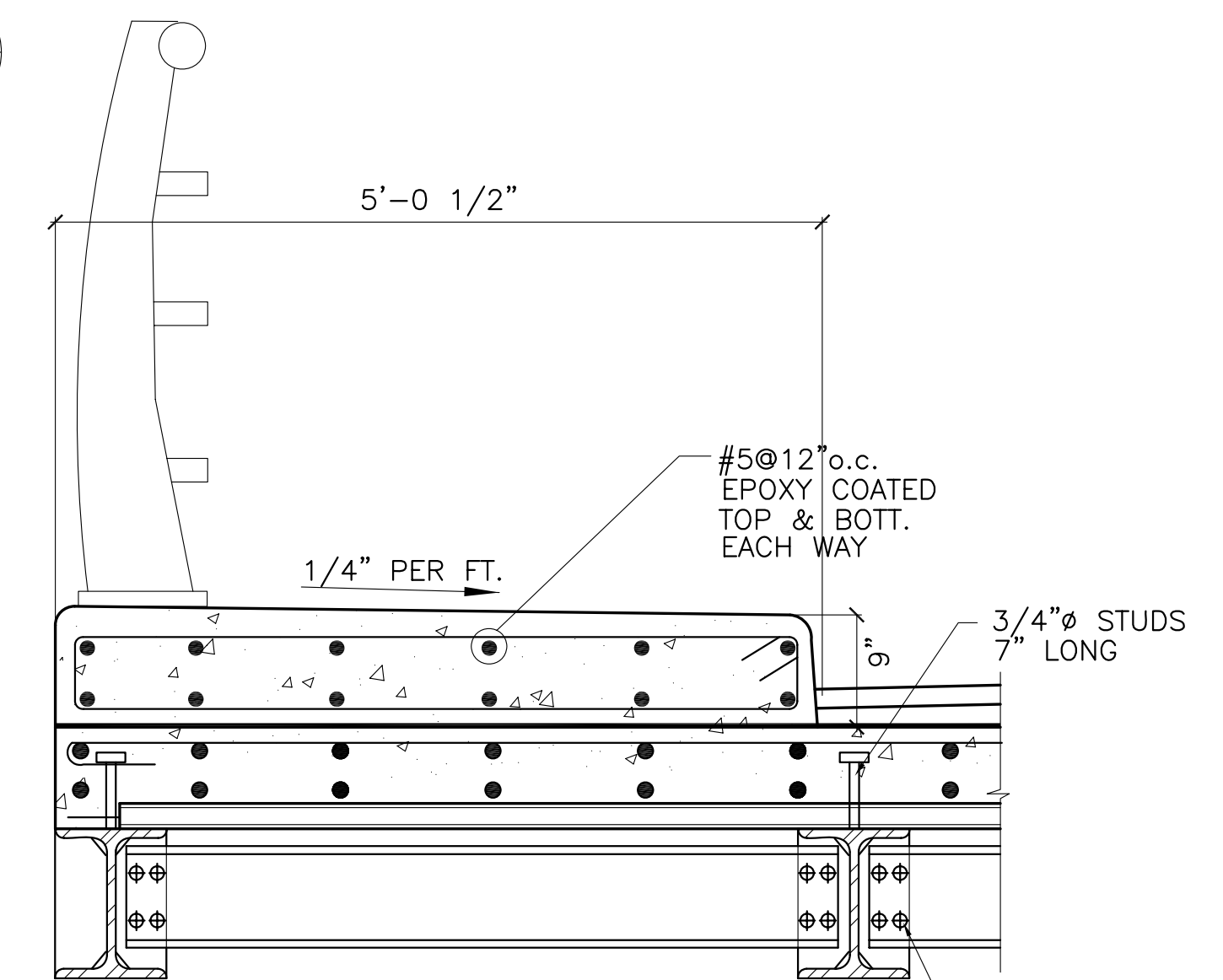
NEW FRAMING PLAN - FINAL

SCALE: 1/4"=1'-0"



X-X

SCALE: 1"=1'-0"



SIDEWALK DETAIL

SCALE: 1"=1'-0"

N. WEXLER, P.E., P.C.

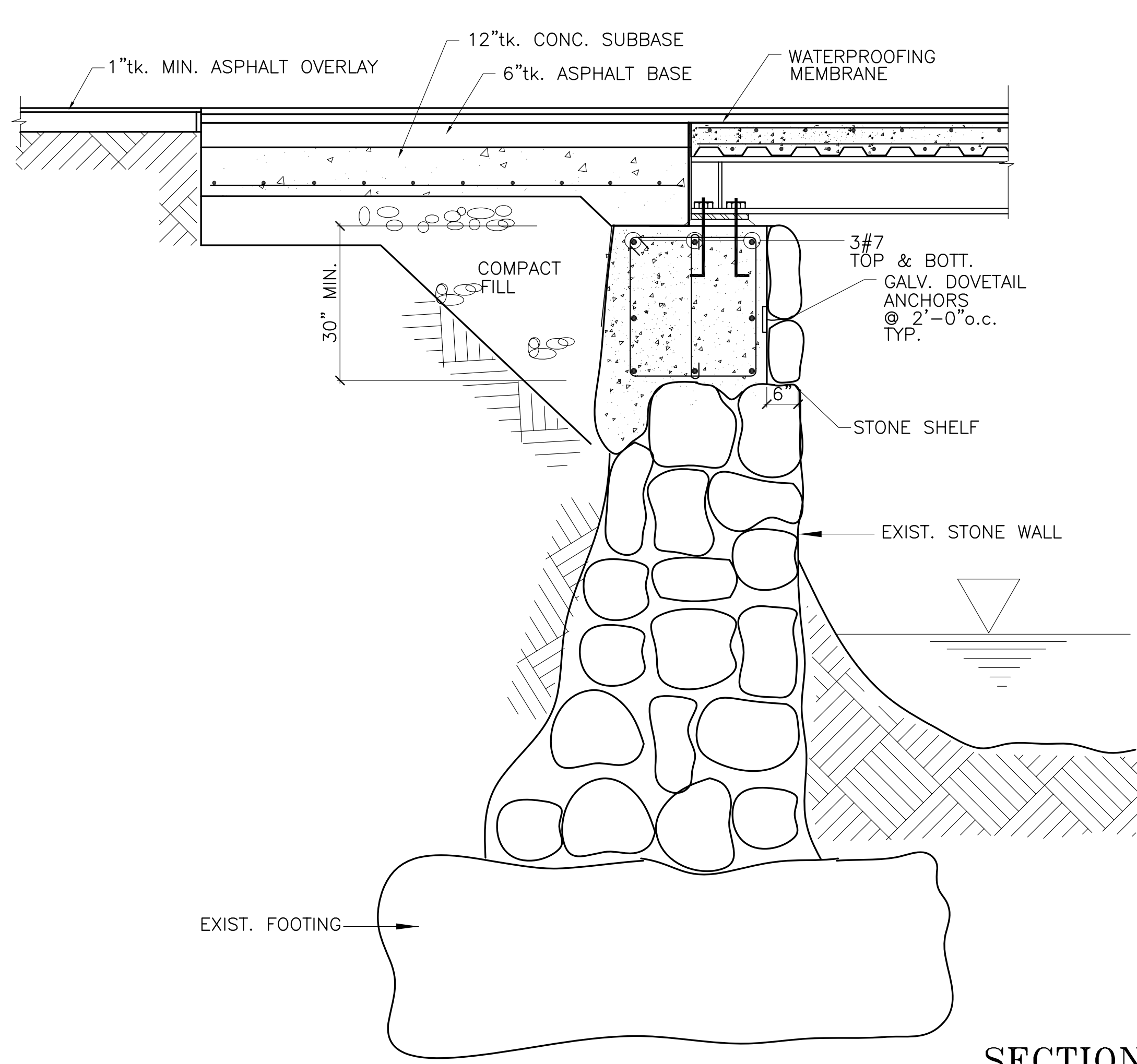
Consulting Engineers  
225 East 47th St., Suite 1D . New York, N.Y. 10017  
T.(212) 486-7355 F.(212) 752-8327

NEW FRAMING PLAN  
OTTER CREEK BRIDGE  
TOWN OF RYE

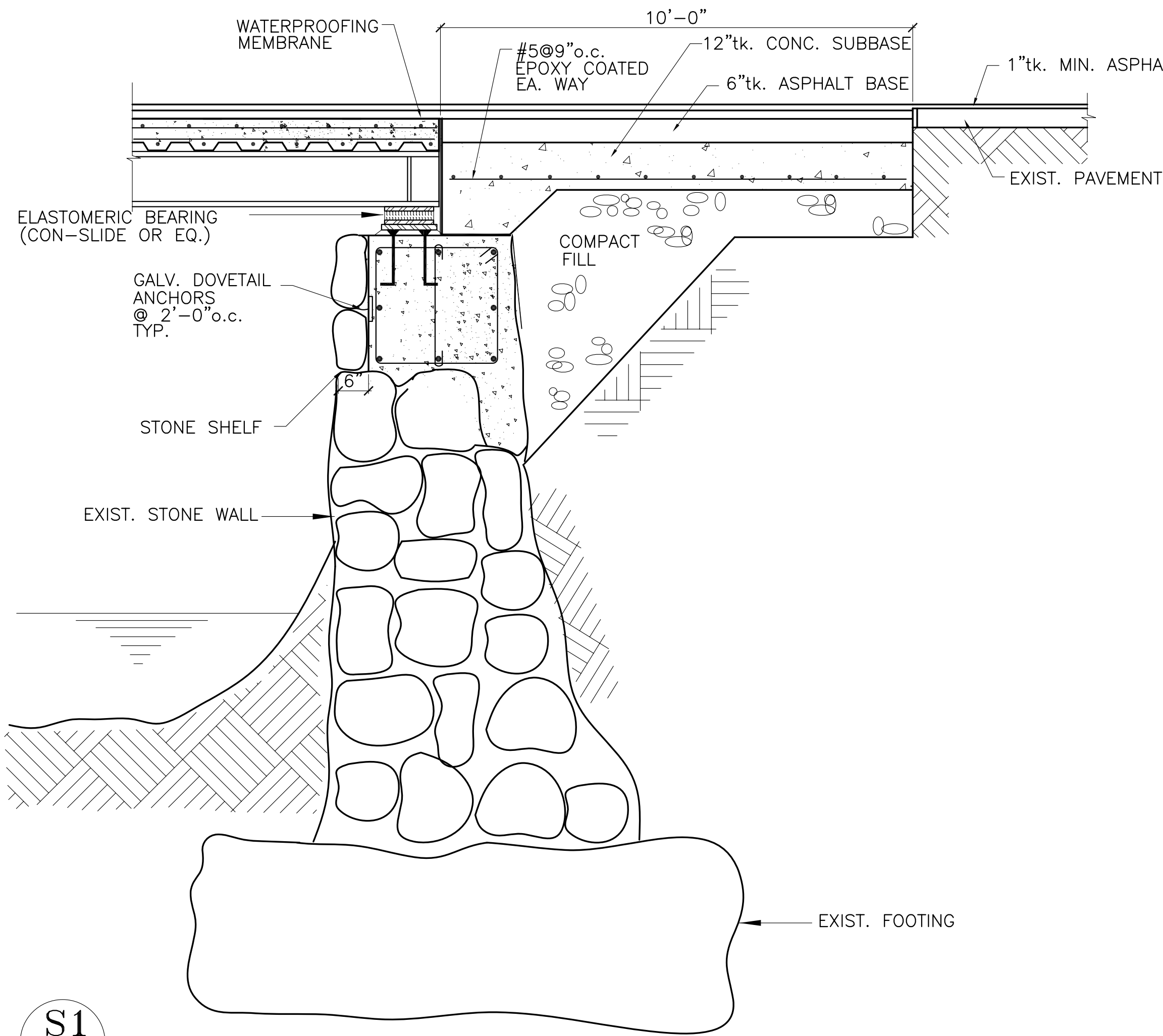
SOUTH BARRY AVENUE BRIDGE REPLACEMENT  
BIN 2265790  
TOWN OF RYE, NEW YORK

PROJECT NUMBER	CONTRACT NUMBER
SHEET No.	
SCALE :	
DATE : 10/11/02	
DRAWING No.	REV. No.

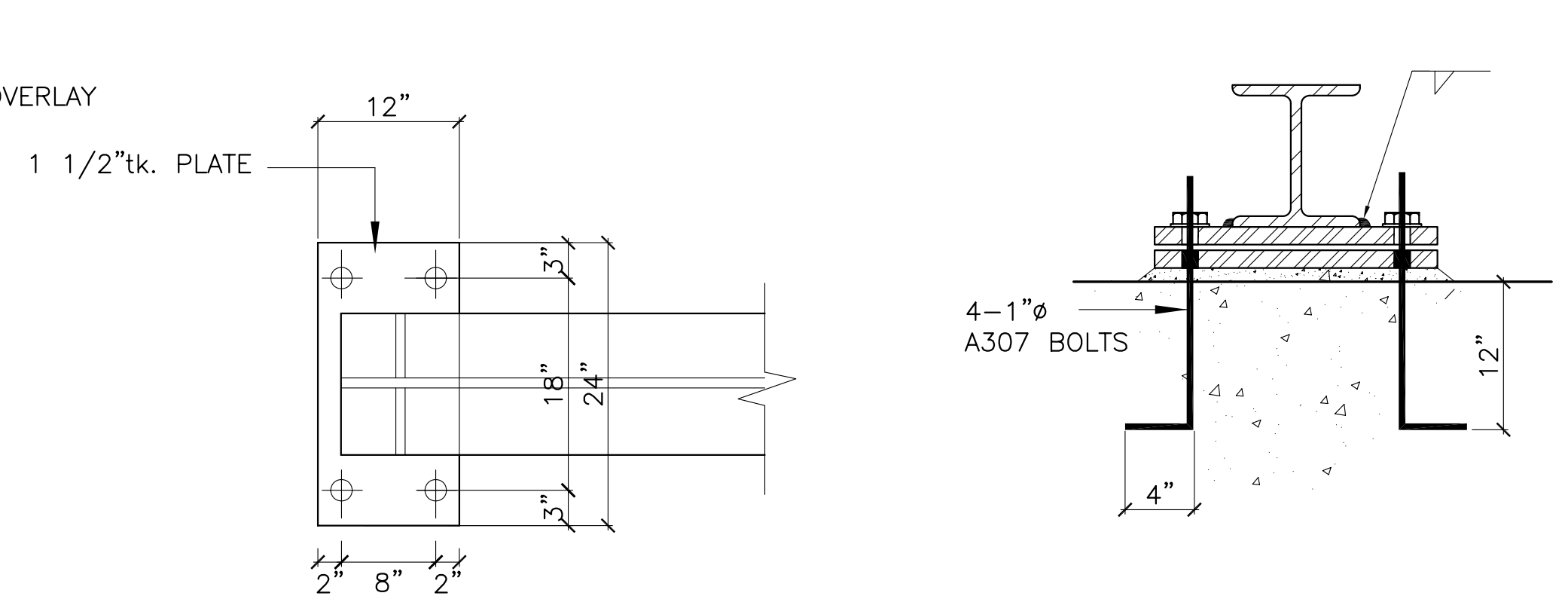
S-3



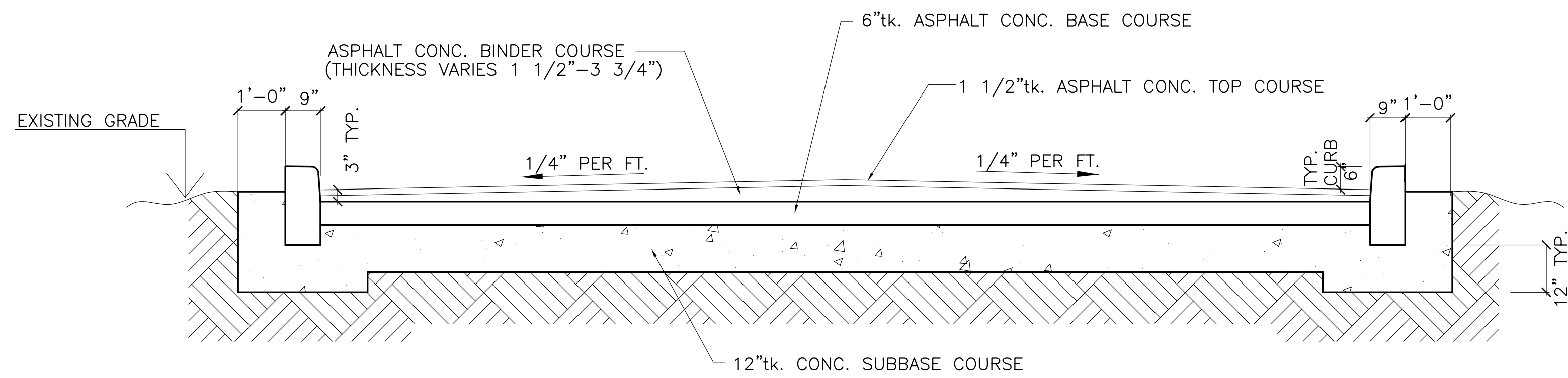
SECTION S1  
SCALE: 1/2"=1'-0"



SECTION S2  
SCALE: 1"=1'-0"



DETAIL @ B'RG. PLATE  
SCALE: 2"=1'-0"



SECTION S3  
SCALE: 1"=1'-0"

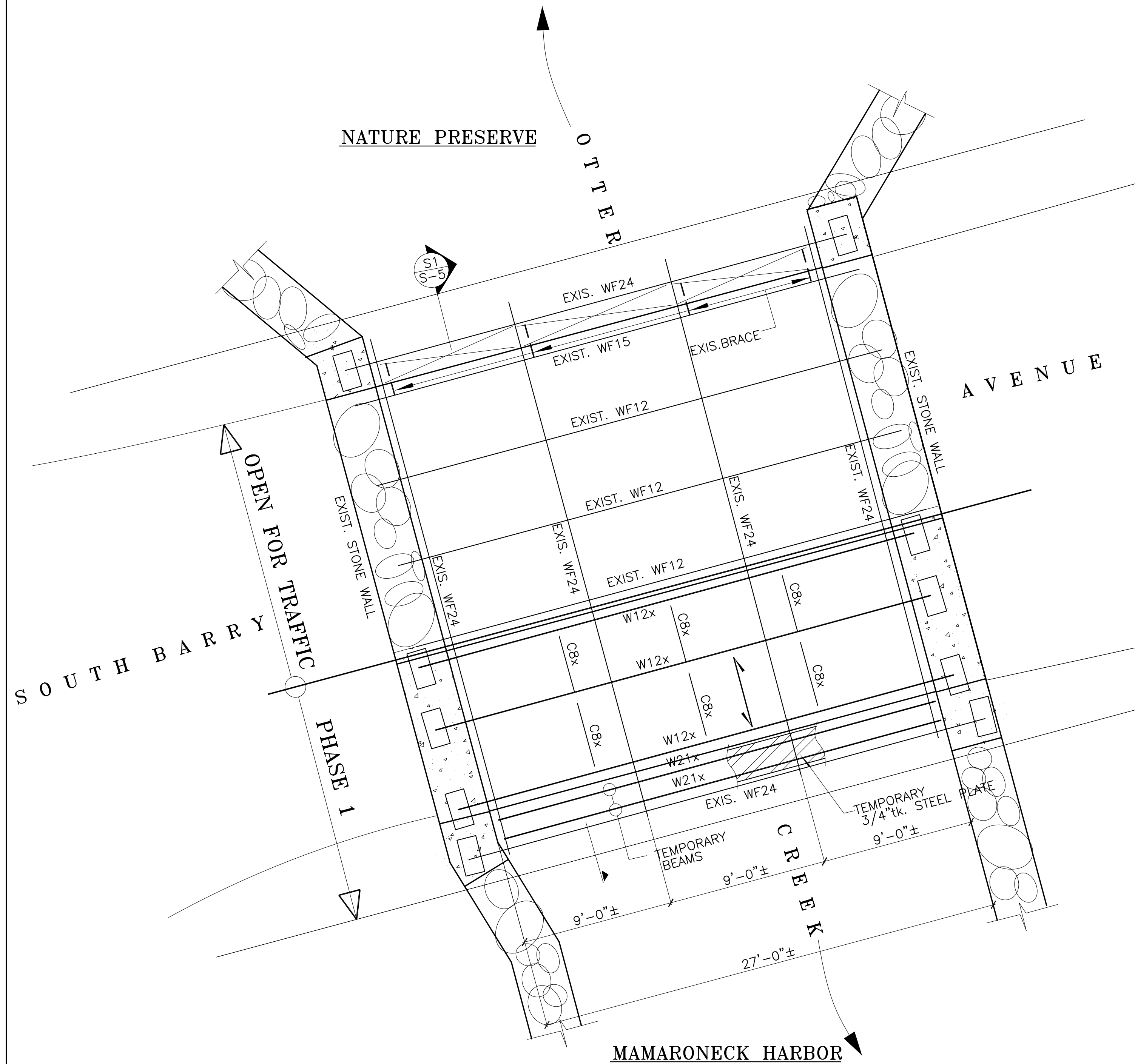
**N. WEXLER, P.E., P.C.**  
Consulting Engineers  
225 East 47th St., Suite 1D . New York, N.Y. 10017  
T. (212) 486-7355 F. (212) 752-8327

SECTIONS  
OTTER CREEK BRIDGE  
TOWN OF RYE

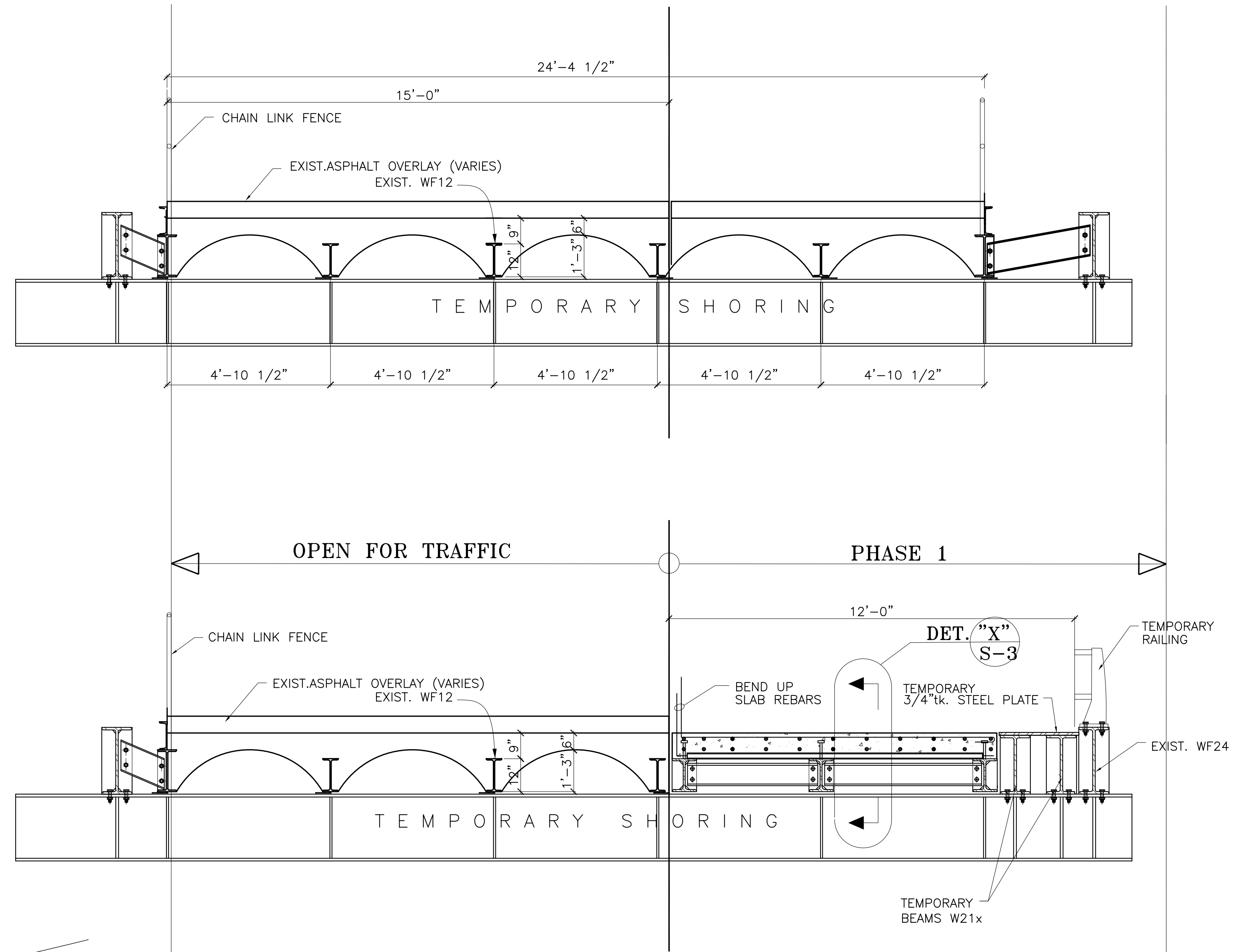
SOUTH BARRY AVENUE BRIDGE REPLACEMENT  
BIN 2265790  
TOWN OF RYE, NEW YORK

PROJECT NUMBER	CONTRACT NUMBER
SHEET No.	
SCALE : DATE : 10/11/02	
DRAWING No.	REV. No.

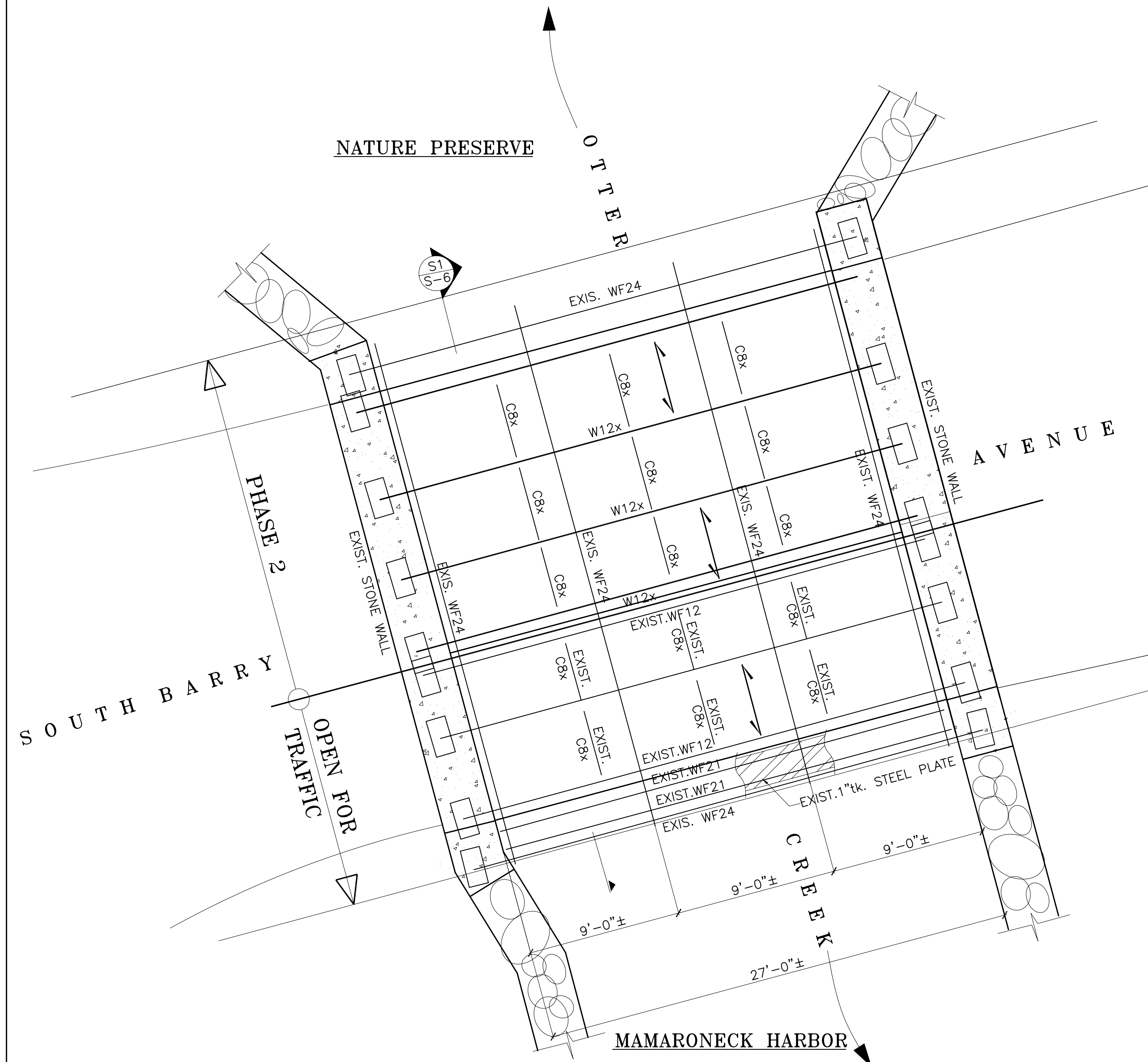
S-4



<div style="border: 1px solid black; padding: 5px; text-align: center;"> <p><i>N. WEXLER, P.E., P.C.</i></p> <p><i>Consulting Engineers</i></p> <p>225 East 47th St., Suite 1D . New York, N.Y. 10017  T.(212) 486-7355 F.(212) 752-8327</p> </div>	PLAN — PHASE 1 OTTER CREEK BRIDGE TOWN OF RYE		PROJECT NUMBER	CONTRACT NUMBER
	SOUTH BARRY AVENUE BRIDGE REPLACEMENT BIN 2265790 TOWN OF RYE, NEW YORK		SHEET No.	
			SCALE : DATE : 10/11/02	
			DRAWING No. <div style="font-size: 2em; font-weight: bold; text-align: center;">S-5</div>	REV. No.



SECTION S1  
SCALE: 1/2"=1'-0"



Technical drawing showing a cross-section of a bridge structure during construction. The drawing is divided into two main sections: PHASE 2 and OPEN FOR TRAFFIC.

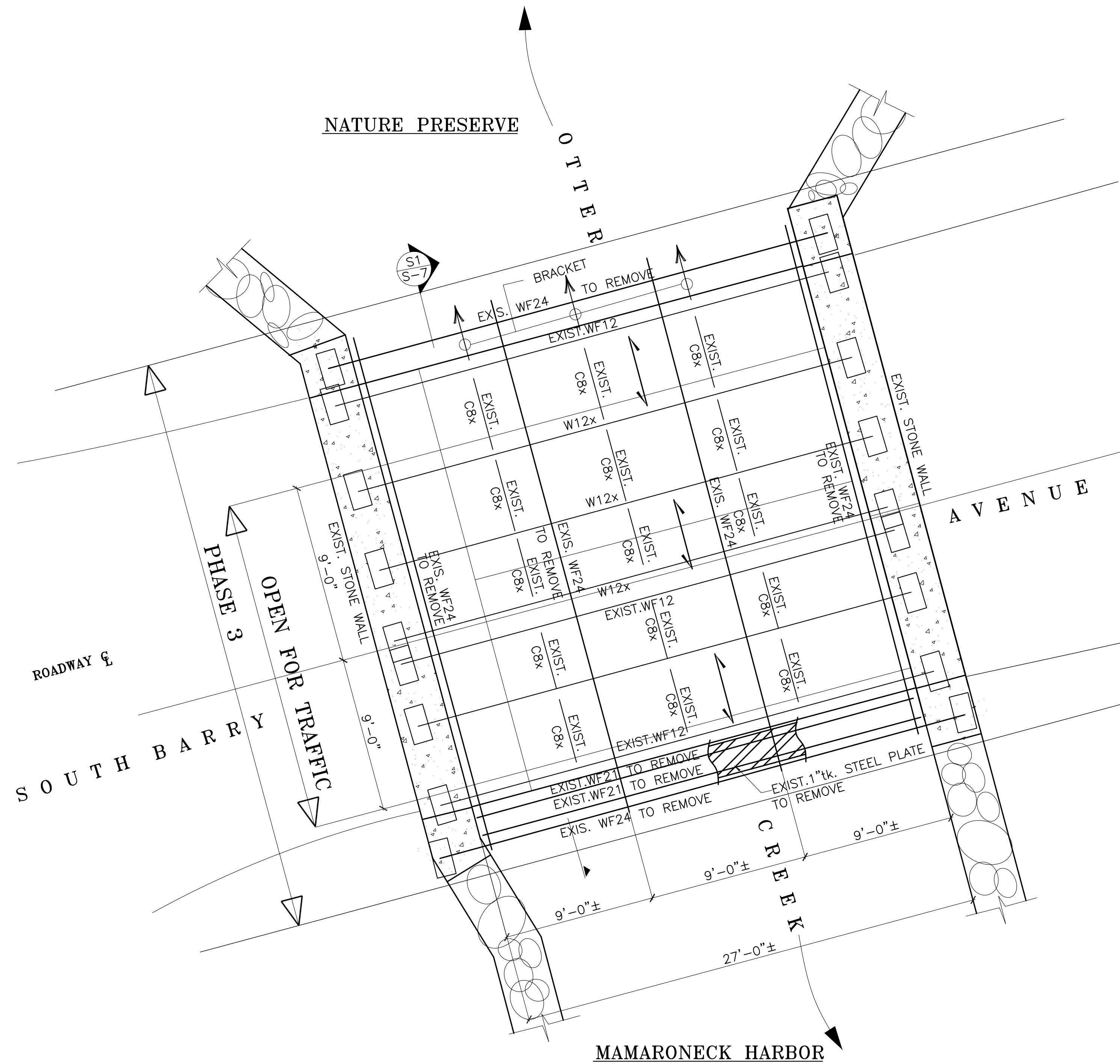
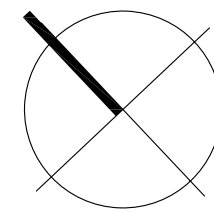
**PHASE 2:** This section shows the bridge structure with temporary shoring. The shoring is labeled "TEMPORARY SHORING". The structure is supported by a series of vertical posts. The top of the structure is labeled "BEND UP SLAB REBARS". The shoring is supported by a "TEMPORARY 3/4\"tk. STEEL PLATE". The shoring is also supported by "EXIST. WF24" (existing wide flange 24 inch) beams. The shoring is labeled "DET. 'X' S-3".

**OPEN FOR TRAFFIC:** This section shows the bridge structure after the shoring has been removed. The structure is labeled "BEND INTO FRESH CONCRETE". The shoring is labeled "TEMPORARY 3/4\"tk. STEEL PLATE". The shoring is also supported by "EXIST. WF24" (existing wide flange 24 inch) beams. The shoring is labeled "TEMPORARY RAILING".

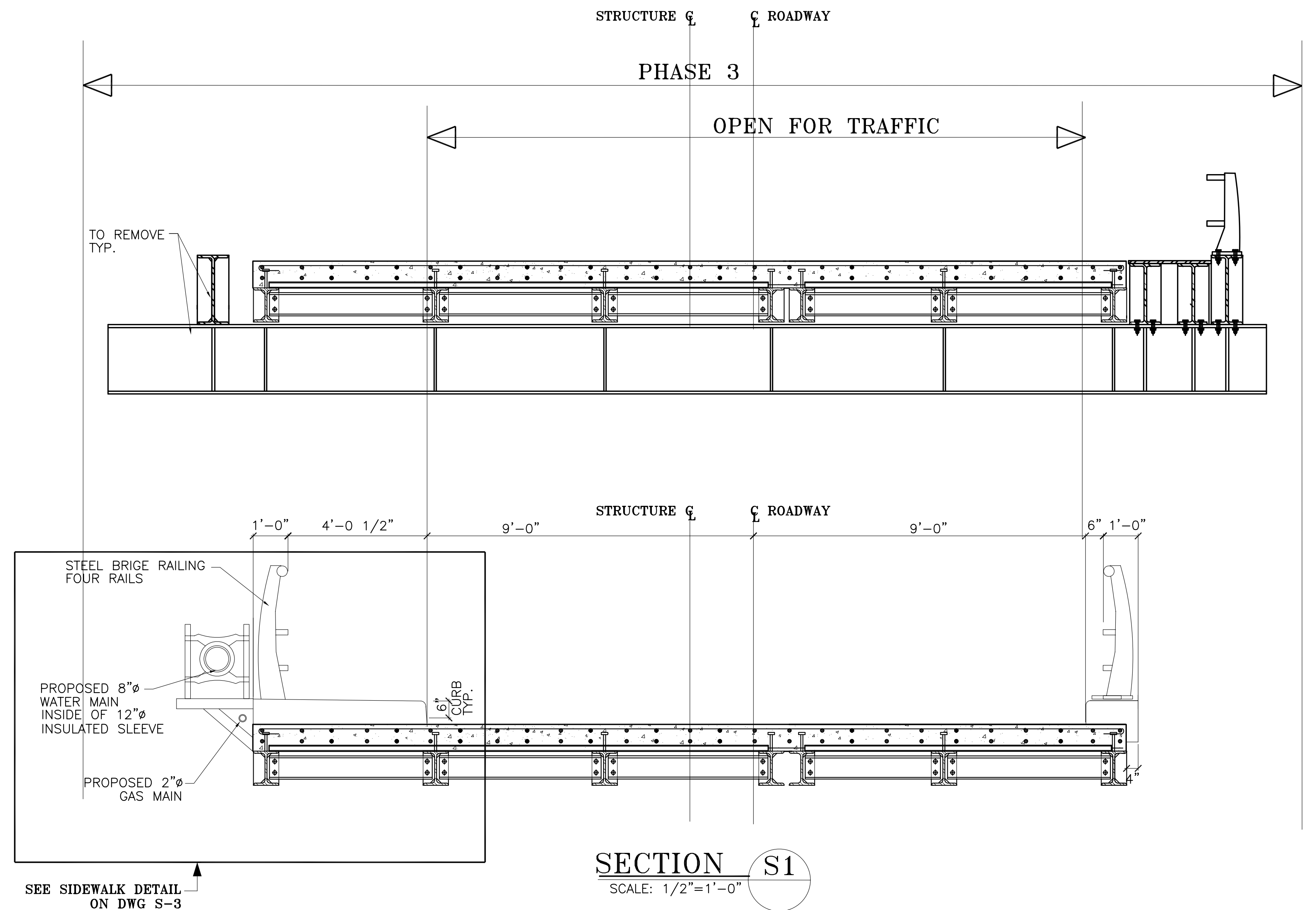
**SECTION S1**

**SCALE: 1/2"=1'-0"**

PROJECT NUMBER	CONTRACT NUMBER
SHEET No.	
SCALE : DATE : 10/11/02	
DRAWING No.  S-6	REV. No.



PLAN - PHASE 3  
SCALE: 1/4"=1'-0"



SECTION S1  
SCALE: 1/2"=1'-0"

N. WEXLER, P.E., P.C.  
Consulting Engineers  
225 East 47th St., Suite 1D, New York, N.Y. 10017  
T.(212) 486-7355 F.(212) 752-8327

PLAN - PHASE 3  
OTTER CREEK BRIDGE  
TOWN OF RYE

SOUTH BARRY AVENUE BRIDGE REPLACEMENT  
BIN 2265790  
TOWN OF RYE, NEW YORK

PROJECT NUMBER	CONTRACT NUMBER
SHEET No.	
SCALE : DATE : 10/11/02	
DRAWING No.	REV. No.

S-7

**APPENDIX I**

**POLICIES**

Mamaroneck Beach and Yacht Club  
555 South Barry Avenue  
Mamaroneck, New York



Ocean and Coastal  
Consultants Engineering, P.C.  
35 Corporate Drive  
Ste 1200  
Trumbull, CT 06611  
Tel 203 268 5007  
Fax 203 268 8821  
[www.ocean-coastal.com](http://www.ocean-coastal.com)

**MAMARONECK BEACH & YACHT CLUB**  
**555 South Barry Avenue**  
**Village of Mamaroneck, Town of Rye**  
**County of Westchester**  
**State of New York**

Date  
June 5, 2013  
Your ref.  
MBYC / HCZMC

Our ref.  
Project No. 200021.4

**CONSISTENCY WITH VILLAGE OF MAMARONECK  
LOCAL WATERFRONT REVITALIZATION PROGRAM**

**RENOVATIONS and SEASONAL RESIDENTIAL UNITS**

**Dated: June 5, 2013**

The MAMARONECK BEACH & YACHT CLUB ("MBYC") is requesting an amendment to the consistency approval that was obtained from the Village of Mamaroneck HCZM on December 2, 2010, with respect to the Club's Amended Site Plan currently under consideration by the Village of Mamaroneck Planning Board. The Amended Site Plan proposes the following modifications to the Site Plan considered by the HCZM in 2010:

- Reduction in the height of the beach side seasonal residence and elimination of five seasonal residence units in that building;
- Elimination of a .59 acre portion of the Club's property adjacent to Otter Creek from the proposed site plan resulting in the realignment of the proposed parking plan and a reduction in overall floor area of the proposed buildings;
- Revisions to the design of the previously approved Yacht Club/Dockmaster's Building;
- Revisions to the design of the previously approved Recreation Building and the addition of a bathroom adjacent to the Recreation Building.

In making this request the MBYC notes that the Amended Site Plan reduces the activity area to become more consistent with the LWRP than the originally approved

Site Plan. This reduction results from fewer assigned parking spaces immediately adjacent to Otter Creek, fewer seasonal residences and the enhancement of water-dependent recreational activities.

Until 1985, the MBYC was located in an R-20 Zoning District within the Village. The R-20 Zoning District allowed residential development, as well as other uses. On November 13 1984, the Village Board adopted the LWRP, which, was subsequently approved by the New York State Secretary of State and United States Department of Commerce Office of Ocean and Coastal Resource Management.

The “Waterfront Revitalization Program Policies” adopted in the LWRP included **promotion of “water-dependent” uses and facilities, including “beach and/or yacht clubs’** (LWRP, p. 52-53), which are to be **“encouraged and facilitated”** (LWRP, p. 61) and **“encouraged to expand and upgrade.”** (LWRP., p. 53). The LWRP further recognized that under the then-existing R-20 zoning, “clubs ... are a use which is subject to sometimes prohibitive additional standards and requirements beyond those required for other uses permitted in those districts.... It is proposed that these additional [sic] standards and requirements are an undesirable constraint which should be lifted.” (LWRP, p. 73).

To carry out these policies, the HCZMC recommended adoption of a new zoning district for the LWRP and Village that would allow, *inter alia*, a variety of permitted accessory uses on property occupied by beach and yacht clubs, including “[r]esidences for caretakers and staff, seasonal residences for club members and guests.” (LWRP, p. 86-87). The document further recommended that in taking “action on the approval of a site development plan for a club ... the Planning Board shall balance the objectives set forth in Section 515.5 with the overriding considerations of encouraging, preserving and protecting club ... uses in the Village’s Marine Zone.” (LWRP, p. 91).

In or about 1985, to implement the LWRP, the Village Board modified the zoning classification of the waterfront Club's within the Village, including MBYC from R-20 to a new, hitherto unused and unique single use zone known as the Marine Recreation Zone (or “MR Zone”). All the waterfront clubs within the Village were included within the proposed MR Zone. These included the Beach Point Yacht Club, Orienta Beach Club and Hampshire Country Club, and the MBYC. The Village Board, represented that, consistent with the statements in the LWRP, the new MR Zone regulations would be applied so as to facilitate development proposals that were consistent with the terms of the proposed MR Zone.

Thus, It was the Club’s understanding that clubs in the MR Zone would be able to enhance their facilities is in accord with the following polices set forth in the Village’s LWRP:

Policy 1. Restore, revitalize, and redevelop deteriorated and under-utilized waterfront areas

- Policy 4. Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their unique maritime identity
- Policy 6. Expedite permit procedures in order to facilitate the siting of development activities at suitable locations
- Policy 21. Water-dependent and water-enhanced recreation shall be encouraged and facilitated and shall be given priority over nonwater-related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development. In addition, water-dependent recreation uses shall have a higher priority over water-enhanced recreation uses.
- Policy 22. Development, when located adjacent to the shore, shall provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light of reasonably anticipated demand for such activities and the primary purpose of the development. In the Village of Mamaroneck, this also applies to redevelopment of waterfront property.
- Policy 23. Protect, enhance and restore structures, districts, areas, or sites that are of significance in the history, architecture, or archeology or culture of the Village of Mamaroneck.

The modifications to the Site Plan, found consistent with LWRP and approved in 2010, include further enhancement on water dependent accessory uses of the Club. The enhanced design and minor increase in size of the Yacht Club/Dockmaster's Building and Recreation Building are proposed to restore, revitalize, and redevelop the MBYC, improve the water-dependent nature of the overall Club use and ensure the economic viability of the Club's traditional uses and activities which provide the Club with a unique maritime identity. The Club wishes to strengthen its boating programs by providing its boating membership, consisting of 57 dock slips (per its approved Perimeter Permit) and launch service to the mooring field in of the docks, by providing an enhanced building to provide such services as bathrooms, laundry facilities, meeting room and bar area for education and socialization purposes for its

members, dockmaster's office and storage. Similarly, the redesign of the Recreation Building, allows for more lockers, a slightly larger area for exercise facilities and a gracious welcoming area to sit and enjoy all the Club has to offer.

As previously, demonstrated to the HCZM in 2010, the construction of seasonal residences for MBYC members is permitted under the LWRP. The Club, however, understood that there were certain concerns about the number of seasonal residences previously proposed and has eliminated five seasonal residence units from its Amended Site Plan. Therefore, as the seasonal residence units were previously determined to be consistent with the LWRP, the Amended Site Plan, which includes fewer seasonal residences, is also consistent with the LWRP policies.

Moreover, it is evident that the proposed seasonal residences will provide numerous benefits to the MBYC and Village. A club with seasonal residences located near Long Island Sound would provide additional services to current and new club members by allowing individuals who are "snowbirds" living in Florida for most of the year to spend their summers in their community. The seasonal residences would also allow New York City MBYC members to reduce their travel time and increase use of the MBYC. The prospect of residing in a seasonal residence on the water with no travel hassles and no gasoline consumption in a waterside environment would greatly enhance a club's membership pool and attract new members. The income from new members, who would join a club with seasonal residences, would improve economic viability and enhance the overall Club "experience". Also, the increase in club membership generated by the seasonal housing would bring additional revenues to the Village without the normal municipal tax burdens and issues such as additional school enrollment. The legal proceedings with respect to the original MBYC Site Plan Application also provide additional support for the determination that the Amended Site Plan Application, including the seasonal residences, is consistent with the LWRP. Justice Jonathan Lippman, in his April 20, 2006 Order provided insight regarding the purpose and intent of the LWRP:

In January, 2005, respondent Planning Board's Chairperson stressed that any limitation on the ability of petitioner to construct seasonal housing directly contradicts the intent behind the Village's adoption of the Local Waterfront Revitalization Program ("LWRP") and that the moratorium was contrary to the purposes of the LWRP to "the nth degree" since its purpose was to encourage clubs like petitioner's to flourish (see Transcript of Planning Board Meeting 1-27-55 ("Transcript") at 16, 17, 19, 22, Complaint, J). The Village's Planning Consultant and the Planning Board Chairperson have stated that the LWRP is designed to ensure that the clubs in the MR Zone remain financially viable by encouraging, preserving and protecting club uses.

(A copy of Judge Lippman's April 20, 2006 Order is attached). This finding establishes that the proposed developments, including seasonal residences, are consistent with the policies of the LWRP.

Any contention that the proposed seasonal residences are not consistent with the LWRP's policies was also expressly rejected by Justice Lippman, in his January 24, 2007 Decision and Order, which specifically found that an even greater number of seasonal residences then proposed in the current Amended Site Plan were customarily incidental and subordinate to the principal "club" use. (A copy of Judge Lippman's January 24, 2007 Decision is attached). In its decision affirming Judge Lippman's January 24, 2007 Decision and Order, the Second Department determined that:

The primary use of the Petitioner's property is as a membership yacht club, which is not confined to a building. Other permitted uses include outdoor recreational uses such as docks, swimming pools, beaches, and tennis courts, as well as building providing club facilities (Zoning Code Farmer § 342-35 [B][2], [3]). The ZBA, in engrafting defining a permissive accessory use; based upon the square footage of other building structures on the property was irrational and unreasonable.

(*Mamaroneck Beach and Yacht Club, LLC v. Galvin*, 53 A.D.3d 494, 498 (2d Dept' 2008) (A copy of this Court Decision is attached). Therefore, the seasonal residence units proposed are consistent with the concept of a balanced and mixed use of the Villages' waterfront as outlined in the policies and implementing laws of the LWRP.

Within this historical and legal context, the following policies are applicable to find that the pending Application is consistent with the purpose of the LWRP:

#### **Responses to the Coastal Assessment Form**

**Section A: Will the proposed action be located in, or contiguous to, or have a significant effect upon any of the resource areas identified in the Local Waterfront Revitalization Program (numbers following each item refer to the LWRP policy which may be affected by the proposed activity):**

Policy #1    Restore, revitalize and redevelop deteriorated and underutilized waterfront areas...:

*The proposed amendments will allow MBYC to renovate and upgrade its existing physical plant. The current MBYC facilities*

*are in need of upgrade and renovation and the alterations to the existing plant will be a significant improvement with minimal environmental impact.*

*The renovation of the cabana structures, the potential construction of a new swimming pool, children's areas, pool deck, new cabana structures and a new Recreation Building near the pool will provide for improved facilities for members. A replacement of the existing Dockmaster's Offices will provide better service for the MBYC members. The construction of the 18 seasonal units, four (4) of which will be in the existing MBYC house building, will enhance membership opportunities and make the MBYC more viable in a challenging economic environment. All of the proposed renovations, revisions and construction are zoning compliant and consistent with the Marine Recreation Zone.*

**Policy # 2** Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.

*The MBYC is a water dependent use, the facilities proposed in the Amended Site Plan are adjacent to coastal waters and these renovations will allow the MBYC greater flexibility to improve its physical plant, maintain viability and attract new membership in order to continue its water dependent use in Mamaroneck Harbor.*

**Policy # 4** Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their unique maritime identity.

*MBYC is a yacht club that limits its land use to provide only club related activities. These improvements will enhance and improve those club related functions in order for it to continue its traditional activities which are to provide waterfront recreation and water dependent use of the Mamaroneck Harbor.*

**Policy # 6** Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.

*The current request before the HCZMC reflects a reduction in footprint and visual presence of the proposed Club rehabilitation program as compared to previous applications that were found to meet the LWRP Policies and objectives.*

**Policy # 7 and # 7A**

Significant coastal fish and wildlife habitats shall be protected, preserved, and where practical, restored so as to maintain their viability as habitats.

The project is adjacent to areas designated as significant fish/wildlife habitat (Kirkstein Cove/Buttenweiser Island/Pops Rocks, Otter Creek) in the Village of Mamaroneck LWRP. However, the proposed activities incorporate steps and measures that will address storm water runoff and the discharge of pollutants from the upland. As a result of those actions the requested rehabilitation will not adversely impact those habitats or diminish the protection and preservation of their ecological functions and values.

There are five criteria conditions discussed on page 54 and 55 of the Village of Mamaroneck LWRP regarding this policy. None of the criteria conditions are present at the MBYC rehabilitation sites. The area is not or does not; a) essential to survival of a large portion of a particular fish or wildlife population; b) support populations of rare, endangered, and threatened species; c) are found at a very low frequency within a coastal region or are on a migratory path; d) support fish and wildlife populations having significant commercial and/or recreational and/or educational value; and e) would be difficult or impossible to replace. The proposed site activities include measures that are likely to improve conditions at the site.

Policy 7A also identifies the Kirkstein Cove/Buttenweiser Is/Pops Rock area as a significant fish and wildlife habitat. However, the requested Coastal Consistency would not significantly reduce a vital resource (*e.g.*, temperature, substrate, or salinity) beyond the tolerance range of an organism as discussed in this LWRP Policy. The MBYC has been in operation for more than fifty (50) years without apparent degradation of the waters of the Village or the adjacent, Long Island Sound. During that period the area has been well flushed by water circulating through the area by a tidal prism that can reach a predicted size of 9.4 feet. Turbidity may be temporally increased by vessel movements at lower tidal stands. However, turbidity impacts are localized and of short duration because tidal flushing quickly disperses the resuspended sediments. When the Marina area was last dredged, in the 1990s, the necessary permits were obtained. The sediment morphology was established as being migration from the non-dredged areas. There will be no change in sediment geology. The site lacks submerged aquatic vegetation. The Club is located on and adjacent to bedrock outcrops that provide little sediment as the result of erosion.

The consistency permit application requests the authority to maintain the existing Club and construct seasonal residences and recreation

related facilities. The Club is not now nor will it adversely impact the three Policy criteria of maintenance of physical, biological and chemical parameters beyond the tolerance range of the organisms occupying the habitat, or the viability of that habitat. And, the available evidence indicates that the habitat has not been significantly impaired or destroyed.

- Policy # 8: Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bioaccumulate in the food chain or which cause significant sublethal or lethal effect on those resources.

*The policy recognizes that hazardous materials are adequately regulated by state Law. These hazardous materials are not an issue, typically, at the MBYC which does not provide fuel service. The MBYC does not condone intentional discharges of pollutants. And, the Club is not within the areas of concern discussed in the policy (a river, catch basins or a new development that might possess runoff).*

- Policy # 11 Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

*The proposed project has been assessed by the Federal Emergency Management Agency (FEMA), the Village Engineering Department and the Village has accepted that the Club will continue to minimize damage to property and endangering human lives caused by flooding and erosion. The proposed renovations will be compliant with all FEMA regulations and will be constructed in a manner to minimize any potential damage to property.*

- Policy # 12 Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting naturally protective features.

*The renovations being proposed in the Amended Site Plan were designed and rely on the presence or natural and added protective structures to minimize the adverse impacts of storms. The structures are designed to meet FEMA standards that protect the MBYC from failure, damage to natural resources and property in the area. The present MBYC was designed to be compatible with the natural resources at the site. It has been a fixture of the area for almost 100 years. During that period the Club has experienced a number of storm events without causing apparent permanent damage to natural resources or property.*

- Policy # 17 Wherever possible, use non-structural measures to minimize damage to natural resources and property from flooding.

*The Policy has been complied with as guided by FEMA, State and local building codes.*

- Policy # 18 To safeguard the vital economic, social and environmental interests of the State and the Village of Mamaroneck, proposed major actions in the coastal area must give full consideration to those interests and to the safeguards which the State and this Village have established to protect valuable coastal resource areas.

*Previous (and larger) project designs have been afforded a thorough review under the requirements of SEQRA. Each assessment has found that those activities do not pose a significant adverse environmental impact that would preclude authorization. As a result of those previous assessments it is not believed that the current modifications are a major action and are compliant with all Village rules and regulations. As the property is already serving the Community as a desired facility in accordance with the current LWRP, permitting these renovations and improvements continue to meet the objectives of the LWRP and maintain and enhance the economic, social and environmental interests of the Village and State.*

- Policy # 19 Protect, maintain and increase the levels and types of access to public water-[re]lated recreation resources and facilities so that these resources and facilities may be fully utilized by all the public in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority shall be given to public beaches, boating facilities, fishing areas, and waterfront parks.

*Based on the available information, the Club fully meets this policy. The issuance of an approval will facilitate the continued operation of the Club. The Club is willing to provide public access by allowing members of the public on the property for a limited number of scheduled events.*

- Policy # 20 Access to the publically owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publically owned shall be provided, and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.

*As noted in the LWRP "...this policy has limited applicability." The Club is adjacent to residential properties that limit public access and much of the shoreline at the Club is rocky making it difficult to traverse.*

- Policy # 21 Water-dependent and water-enhanced recreation shall be encouraged and facilitated and shall be given priority over non-water-related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development. In addition, water-dependent recreation uses shall have a higher priority over water-enhanced recreation uses.

*The MBYC is a water-dependent facility. The authorization being requested appears to meet the criteria for being encouraged and facilitated.*

- Policy # 22 Development, when located adjacent to the shore, shall provide for water related recreation, as a multiple use, where ever such recreational use is appropriate in light of anticipated demand for such activities and the primary purpose of the development. In the Village of Mamaroneck, this also applies to redevelopment of waterfront property.

*The proposed renovations are consistent with Policy # 22 in that the Club is utilized for water dependent and related recreation as defined in the LWRP. These proposed recreational uses are recognized in the LWRP as being appropriate for activities within the MR zoning.*

- Policy # 23 Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture or archeology of culture of the Village of Mamaroneck.

*The proposed renovations will be consistent with and maintain the architectural design and character which was originally used by the noted architect Sanford White. Some of the structures will be restored and all will be maintained to insure the MBYC's unique maritime character which is important to the coastline in the Village of Mamaroneck.*

- Policy # 33 Best Management Practices will be used to insure the control of storm water runoff and combined sewer overflows draining into coastal waters.

*The project will not increase the volume of storm water entering the property. However, in keeping with current guidance on managing storm water, the proposed activities are designed to manage much of the precipitation that strikes the property and preclude it from directly entering Long Island Sound or Otter Creek. Directed flow infiltration,*

*landscaping and use of Best Management Practices will reduce the current volume of storm water discharged from the property. Instead of uncontrolled sheetflow the proposed Club rehabilitation will interrupt water movement and direct it into water management systems that have been previously approved by the appropriate Village Boards, Commissions and the Village Engineer. The designs utilize the current NYS DEC Stormwater Pollution Prevention Plan (SWPPP) Best Management Practices to address stormwater flows on the MBYC property.*

Policy # 37 Best Management Practices will be utilized to minimize the nonpoint discharge of excess nutrients, organics and eroded soils into coastal waters.

*See response to Policy # 33.*

Policy # 39 The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural land and scenic resources.

*No transport, storage, treatment or disposal of solid wastes, particularly hazardous wastes are involved in this project.*

Policy # 44 Preserve and protect tidal and fresh water wetlands and preserve the benefits derived from these areas.

*The proposed renovations and improvements will not impact tidal and fresh water wetlands and will preserve same. This project will utilize all appropriate Best Management Practices in order to ensure the protection of adjacent harbor waters and tidal wetlands.*

All other remaining policies are not applicable to this project.

#### **Section C: Will the proposed activity require any of the following:**

##### **1. Waterfront site.**

*The Club is a water dependent facility. It depends on that location for many of the services it affords its members and guests.*

There has also been some misunderstanding regarding the Yacht Club/Dockmaster's building and how it is situated and regulated with regard to the tidal wetlands of the State of New York and the Village of Mamaroneck. This building is designed to provide necessary support to the boating membership at the

MBYC. The building allows for Dockmaster and staff operations, a refuge from inclement weather, area for laydown and handling of boating gear (sails, tarps and other covers), a meeting and instruction location and bathroom facilities. Because of the desire to limit the structure's size and the availability of showers at other locations the Club elected to not include them at the Dockmaster building.

As reported in a previous submission regarding this matter, the proposed Yacht Club/Dockmaster's building is not within the regulatory jurisdiction of the US Army corps of Engineers (USACE) as the structure is above the high tide line and landward of regulated vegetated wetlands.

NYSDEC criteria are slightly different than the USACE but their staff has drawn the same regulatory jurisdiction conclusion that the structure is not regulated. That determination was arrived at as the result of more than ten site visits over the last four (4) years.

Similarly, the Village of Mamaroneck Freshwater Wetlands regulation (Chapter 192 of Village Code) deviates from NYSDEC's Freshwater and Tidal Wetland Regulations (Articles 24 and 25) from which it is drawn. The mingling of wetland regulations within the Village program can cause confusion regarding their application. Of particular note are the NYSDEC regulations managing activities within "adjacent areas" (300 feet of a designated tidal wetland) as they relate to the Yacht Club/Dockmaster's Building using the 1974 mapping as the initial guide. That 1974 guide was established to set the baseline condition for regulating tidal wetlands. It has been used during every site inspection by NYSDEC representatives. They concluded that it accurately depicts the currently regulated tidal wetlands on the property.

The MBYCs waterfront is adjacent to tidal wetlands as defined by the NYSDEC and are best described under that description. NYSDEC define "adjacent areas" as having a lesser role than tidal wetlands (*Part 661: Tidal Wetlands-Land Use Regulations*; §661.2 - Findings:

(j) Adjacent areas make insignificant contributions to marine food production. Tidal wetland values for cleansing ecosystems, flood and hurricane and storm control, and absorbing silt and organic material may be served to varying degrees by these areas, but these values are not as critically served in adjacent areas as in the tidal wetland zones. The most important function of adjacent areas is to serve as buffers to protect the character, quality and values of tidal wetlands that adjoin or lie near these areas. Consequently, a wide variety of uses may be compatible with these areas, provided such uses do not adversely affect adjacent and nearby tidal wetlands.

The determination of adjacent lands limitations by the NYSDEC merits a discussion as well due to the stipulations in the characterization of those areas. The NYSDEC con-

clusion is found in *NYSDEC Part 661: Tidal Wetlands-Land Use Regulations* (Statutory authority: *Environmental Conservation Law*, §§ 1-0101, 3-0301, 25-0302). The description of "adjacent area" is found within §661.4 - Definitions within the regulations:

The following terms when used in this Part shall have the following meanings:

(a) Act shall mean the Tidal Wetlands Act (article 25 of the Environmental Conservation Law as from time to time amended).

(b)

(1) Adjacent area shall mean any land immediately adjacent to a tidal wetland within whichever of the following limits is closest to the most landward tidal wetland boundary, as such most landward tidal wetlands boundary is shown on an inventory map {in their explanatory figure 1-6}:

(i) 300 feet landward of said most landward boundary of a tidal wetland, provided, however, that within the boundaries of the City of New York this distance shall be 150 feet (see figure 1); or

(ii) to the seaward edge of the closest lawfully and presently existing (i.e., as of August 20, 1977), functional and substantial fabricated structure (including, but not limited to, paved streets and highways, railroads, bulkheads and sea walls, and rip-rap walls) which lies generally parallel to said most tidal wetland landward boundary and which is a minimum of 100 feet in length as measured generally parallel to such most landward boundary, but not including individual buildings (see figure 2);

The Club's southern shoreline from the common property line with the abutting eastern neighbor (N/F Golub) to the point where the upland jogs northward is armored with a seawall that extends more than one hundred feet in length and is founded upon a bedrock outcrop located well above the high tide elevation. The seawall structure meets, fully, the definition of a "substantial structure" provided in (b)(1) II above. It is behind (landward of that seawall) that the new Dockmaster's building will be constructed. Thus, it is not located in an "adjacent area" as defined by the NYSDEC.

As noted above, the Village of Mamaroneck Freshwater Wetland Regulations (Chapter 192) although termed "Freshwater Wetlands" is a mingling of regulations using NYSDEC Article 24 and 25 Regulations. This can be confusing as the Legislative Intent discussion lists NYSDEC Article 24 (Freshwater Wetlands) as the objective of the legislation but invokes Article 25 (Tidal Wetlands) to the exclusion of Article 24 (Freshwater Wetlands) in subsequent sections. We have provided the specific citations from the NYSDEC (above) and Village of Mamaroneck regulations (below) to illustrate the discrepancies. Chapter 192 of the Village Regulations define "wetlands" as:

## **WETLANDS**

Any area which meets one or more of the following criteria:

A. Lands and waters of the state that meet the definition provided in § 25-0103, Subdivision 1, of the New York State Tidal Wetlands Act (Article 25 of the Environmental Conservation Law). The approximate boundaries of such lands and waters are indicated on the official tidal wetlands inventory promulgated by the Commissioner pursuant to § 25-0201 of the Act or such an inventory that has been amended or adjusted pursuant to § 25-0201, Subdivision 6, of said Act.

B. All other areas, 2,500 square feet or larger, that comprise hydric soils or are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of hydrophytic vegetation, as defined by the technical publication, Federal Manual for Identifying and Delineating Jurisdictional Wetlands (1989).

It appears that invoking Article 25 as the reference for the Chapter 192 regulations the Village embraces the more thorough descriptions used by NYSDEC in their Regulations. As "adjacent areas" are reported to possess limited functions and values (primarily needed to provide a buffer for wetlands) it appears that meeting the NYSDEC objectives of avoiding wetland impacts by locating the Yacht Club/Dockmaster's Building behind the "substantial structure" seawall, the adjacent wetlands have been protected. It was with this understanding, the desire to limit the structure's presence in the viewshed and the associated use of Best Management Practices for stormwater control that the structure was designed for this location. It is worth noting that the definition of "adjacent areas" in the Village Regulations (§ 192.2 - Definitions) is reduced by two-thirds (100 feet) from the NYS Article 25 discussion (300feet):

## **ADJACENT AREA**

Any land in the Village of Mamaroneck immediately adjacent to a wetland or lying within 100 feet, measured horizontally, of the boundary of a wetland

For all the reasons listed above, including but not limited to: (i) the reduction in the overall scope and size of the project; (ii) the reduction of height and number of seasonal residence units in the Beach Seasonal Residence Building; (iii) the enhancement of the Yacht Club/Dockmaster's Building; (iv) the enhancement of the Recreation Building; and (v) realignment of proposed parking areas, the modifications proposed under the Amended Site Plan should be found to consistent with the policies of the LWRP.

Very truly yours,

**OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.**

**Michael Ludwig**

Digitally signed by Michael Ludwig  
DN: C=US, E=fmlu@Ocean-Coastal.com, CN=Michael Ludwig  
Date: 2013.08.05 12:29:57-04'00'

Michael Ludwig  
Lead Regulatory Specialist  
Title

**APPENDIX J**

EASEMENT

## **EASEMENT AGREEMENT**

THIS AGREEMENT made as of the 27th day of February, 2017 by and between WESTCHESTER LAND TRUST, INCORPORATED with offices located at 403 Harris Road, Bedford Hills, New York 10507 (together with its successors and assigns, hereinafter referred to as the "GRANTOR") and MAMARONECK BEACH & YACHT LLC, with offices located at 555 South Barry Avenue, Mamaroneck, New York 10543 (together with its successors and assigns owning property at 555 South Barry Avenue, Mamaroneck, New York, hereinafter referred to as the "GRANTEE").

### **WITNESSETH:**

WHEREAS, the Grantor is the owner of certain land situated, lying and being in the Town of Rye, Village of Mamaroneck, County of Westchester and State of New York known as Section 154.68, Block 1, Lots 19, 20, 25 and 53 which property is commonly known as "The Otter Creek Preserve" and more particularly described on Schedule "A" attached hereto (the "Grantor's Property");

WHEREAS, the Grantee is the owner of certain land situated, lying and being in the Town of Rye, Village of Mamaroneck, County of Westchester and State of New York known as Mamaroneck Beach & Yacht Club and further identified as Section 4, Block 77, Lot 31;

WHEREAS, the Grantee desires to install a sanitary sewer line to connect the Grantee's property to the Village sewer line on South Barry Avenue (the "Sewer Line Connection");

WHEREAS, in order to effect this installation and connection, the Grantee desires that the Grantor grant an easement over a portion of the Grantor's land; and

WHEREAS, pursuant to an agreement between the Grantor and the Grantee, the Grantor has agreed to grant to the Grantee a permanent easement over a portion of the Grantor's land in order for the Grantee and/or the Grantee's agents to effect the Sewer Line Connection to the Village sewer line on South Barry Avenue, subject to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the foregoing, for the covenants made herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed as follows:

1. Grant of Easement.

- (a) The Grantor does hereby grant to Grantee, its successors and assigns to the extent set forth herein, a permanent easement over, under and across the portion of the Grantor's premises more fully described in Schedule "B" annexed hereto and made a part hereof (the "Easement Area") in order for the Grantee to construct, install, operate, maintain and when required, inspect, repair, or replace underground pipes, equipment and apparatus utilized in connection with the installation of a sanitary sewer system. Notwithstanding the foregoing, once commenced pursuant to the terms hereof, the construction permitted on the Easement Area hereunder shall terminate six (6) months thereafter unless otherwise agreed in writing by the parties hereto.
- (b) Any and all of the Grantee's construction work and related sewer line maintenance described herein in connection with the Sewer Line Connection (the "Work") and access of the Easement Area shall be performed by the Grantee and its agents in accordance with all applicable legal requirements and with permits granted by the Village of Mamaroneck and any other required municipal approvals.
- (c) The easement granted herein shall be perpetual so long as the Sewer Line Connection is completed within the term set forth above and remains active thereafter (and not abandoned) and shall include both vehicular and pedestrian access upon, over, under, and across only the Easement Area and the right to bring equipment on the Easement Area in agreed areas and only as necessary for the installation of the Sewer Line Connection, provided, however, that when construction is completed and the Sewer Line Connection is in place, all construction equipment shall be removed from the Easement Area.
- (d) Further, the Grantor does hereby grant to the Grantee, its successors and assigns to the extent set forth herein, a permanent easement over, under and across the Easement Area in order for the Grantee to operate, maintain and when required, inspect, repair, or replace underground pipes, equipment and apparatus in

connection with the water and gas line easements currently recorded against the Grantor's Property.

2. Costs. All costs and expenses associated with installing the sanitary sewer line and maintaining the Easement Area shall be borne by the Grantee.
3. Conditions. Prior to entering into the Easement Area:
  - (a) The Grantee shall deliver to the Grantor a copy of all plans and specifications for the Work, including the proposed time-line for the Work. The aforementioned plans and specification shall be subject to Grantor review and reasonable approval as to the Work, and shall otherwise be used for informational purposes in order to assist the Grantor and its agents in monitoring the condition of the Easement Area and the Grantor's property adjacent thereto during the Work. The Grantor acknowledges and agrees that location of the placement of the sewer line in the Easement Area shall be subject to the approval of the applicable authorities of the Town of Rye, Village of Mamaroneck and County of Westchester;
  - (b) The Grantee shall deliver all permits and licenses required under applicable law for the commencement and continuation of the Work;
  - (c) The Grantee shall deliver written notice (which may be electronically delivered) to advise the Grantor not less than ten (10) business days prior to the commencement of construction; and
  - (d) The Grantee shall deliver to the Grantor insurance certificates not less than five (5) business days prior to the commencement of construction, in such form and with such endorsements as are reasonably satisfactory to the Grantor evidencing commercial general liability insurance having combined single limit for bodily injury and property damage liability in any one occurrence of not less than \$100,000 and umbrella coverage of not less than \$1,000,000 or such other amounts and coverages as are commercially reasonable and which the Grantor shall communicate in writing, each such policy to be issued by insurance companies approved by the Grantor, and all insurance certificates shall name the

Grantor as an additional insured. Further, all such policies shall contain a provision that such policies shall not be canceled, terminated or expire without at least thirty (30) days' prior written notice to the Grantor in each instance. The Grantee represents and warrants that the Grantee, and its successors and assigns, shall maintain such insurance (and continue to name the Grantor as an additional insured) throughout the term of this Agreement.

4. Compliance with Laws. In connection with the Grantee's use of the easement granted herein, the Grantee shall comply with the requirements of every present or future statute, law, ordinance, regulation or order of any Federal, State, municipal or other public body, department, bureau or authority, including, without limitation, all environmental, building and zoning laws, ordinances and regulations (collectively, "Legal Requirements") and of any other body or board concurrently or successively exercising similar functions and of any other lawful authority having jurisdiction, relating to the maintenance or use of the Easement Area. The Grantee shall maintain in full force and effect all necessary permits and licenses with respect to the Grantee's use of the easements granted herein and the activities conducted by the Grantee in connection therewith.

5. Completion of Construction; Liens; Damage to Property.

- (a) At the completion of the Work, the Grantee shall deliver to the Grantor as-built plans of the Sewer Line Connection together with any certificates issued by the municipality in connection with the Sewer Line Connection;
- (b) The Grantor shall not be permitted to create, permit to be created or to remain, and hereby covenants to discharge, any lien, encumbrance or charge upon the Easement Area or otherwise on the Grantor's Property or any part thereof. If any mechanic's, laborer's or materialmen's lien relating to the Work or otherwise shall at any time be filed against any part of the Grantor's Parcel, the Grantee shall, within sixty (60) days after the earlier of (x) receipt of written notice of the filing thereof, or (y) upon receipt of written notice of such lien to the Grantee by the Grantor, cause the same to be discharged of record or bonded against. The Grantee shall defend, on behalf of the Grantor, at the Grantee's own cost and

expense, any action which may be brought for the enforcement of any such liens, and the Grantee agrees to pay any damages (including, without limitation, reasonable attorneys' fees and disbursements) and discharge any judgment entered thereon and defend, indemnify and save the Grantor harmless from and against any claim for damages (including, without limitation, reasonable attorneys' fees and disbursements) resulting therefrom. The provisions of this Section 5(b) shall not apply to liens, charges or encumbrances hereafter created by the Grantor against the Grantor Property.

- (c) The Grantee shall restore the Easement Area in all respects to the condition of such property prior to the Work which restoration shall be subject to the reasonable approval of the Grantor.
- (d) The Grantee shall notify the Grantor in writing of any damage to the Grantor's Property immediately upon the Grantee's knowledge of same, and within five (5) days thereafter the Grantee shall deliver a restoration plan to the Grantor for the Grantor's review and approval which shall not be unreasonably withheld, which, together with the plans and specifications for the work, shall include the proposed contractor and estimated time and cost of the restoration, which restoration shall be at the Grantee's sole cost and expense. The Grantor shall deliver any comments or objections to such plan in writing to the Grantee within five (5) days after the Grantor's receipt thereof. The Grantee shall commence restoration of the Easement Area or other damaged area promptly upon agreement of the restoration plans.
- (e) The Grantee shall not store construction materials on or about the Easement Area without prior written approval of the Grantor. The Grantee further covenants that neither the Grantee nor its agents shall store fuel or hazardous materials on or about the Easement Area nor shall the Grantee or its agents fuel equipment within or otherwise bring fuel to the Easement Area.

6. Exclusive Ownership.

(a) It is agreed that the sanitary sewer line shall at all times remain the property of and subject to the sole control of the Grantee, its successors and assigns unless the Village of Mamaroneck requires that the sanitary sewer line be made the property of and subject to the sole control of the Village of Mamaroneck.

(b) The Easement Area shall at all times remain the property of the Grantor.

7. Running with the Land. Subject to the provisions herein, Grantor agrees that in the event of any change in ownership or the dedication of any of the land in which the sanitary sewer line of the Grantee is installed, said transfer or change in title shall be made subject to the rights of the Grantee under this Easement Agreement.

8. Indemnity. The Grantee shall indemnify and hold harmless the Grantor and all members, directors, officers, agents, employees, partners of the Grantor from all actions, causes of action, suits, damages of any type, debts, dues, sums of money, accounts, reckonings, bills, bond, specialties, contracts, covenants, controversies, agreements, promises, variances, trespasses, judgments, damages, executions, claims, expenses and demands whatsoever (including, without limitation, reasonable attorneys' fees and disbursements and court costs), penalties and fines (including, without limitation, any liability of the Grantee to third parties using or visiting the Grantor Parcel) , in law or equity arising from this Easement Agreement and the Grantee's use of the Easement Area, and/or any actions of the Grantee's agents, employees, representatives, contractors and/or workers in connection with the work described herein, the Easement Agreement and/or Easement Area, including, without limitation, any costs and expenses (including, without limitation, reasonable attorneys' fees and disbursements and court costs) incurred in enforcing this indemnity.

9. Notices. Except as may be otherwise expressly provided in this Agreement, any bills, statements, notices, demands, requests, approvals, consents or other communications given or required to be given under or in connection with this Agreement ("Notices") shall be effective only if (a) in writing, (b) (i) sent by United States registered or certified

mail, return receipt requested, postage prepaid; or (ii) delivered by hand; or (iii) sent by nationally recognized overnight courier services; or (iv) sent by facsimile transmission, with a confirmation copy sent by mail or in the manner hereinabove provided, and (c) addressed as follows:

To the Grantor: Westchester Land Trust, Incorporated  
403 Harris Road  
Bedford Hills, New York 10507  
Attention: President  
Telephone: (914) 234-6992  
Telecopy: (914) 234-6673

With a copy to: Skadden Arps Slate Meagher & Flom LLP  
4 Times Square  
New York, New York 10036-6518  
Attention: Benjamin F. Needell, Esq.  
Telephone: (212) 735-2600  
Telecopy: (917) 777-2600

To the Grantee: Mamaroneck Beach & Yacht LLC  
555 South Barry Avenue  
Mamaroneck, New York 10543  
Attention: Lisa Rosenshein  
Telephone: (914) 698-3400  
Telecopy: (914) 698-3939

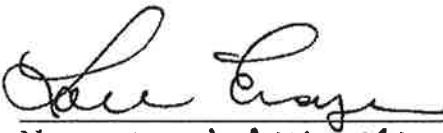
with copy to: Eric L. Gordon, Esq.  
Keane & Beane PC  
445 Hamilton Avenue, Suite 1500  
White Plains, New York 10601  
Telephone: (914) 946-4777 Ext: 335  
Telecopy: (914) 946-6868

Each Notice shall be deemed to have been rendered or given (i) on the date delivered, if delivered by hand or facsimile transmission, (ii) on the next Business Day, if sent by nationally recognized overnight courier, or (iii) on the date which is three (3) Business Days after mailing, if mailed as provided in this Section 9. Either party may at any time change the address for Notices to such party by giving a Notice as aforesaid. A Notice may be given by either party or such party's attorney. Any Notice delivered after 5:00 P.M. Eastern Standard Time shall be deemed delivered on the next Business Day.

10. Entire Agreement; Amendments. This Agreement constitutes the entire agreement between the parties pertaining to the subject matter hereof and supersedes all prior agreements and understandings of the parties in connection herewith, other than with respect to any agreement between the parties hereto either (i) executed and delivered simultaneously with this Agreement, and/or (ii) which, implicitly or explicitly, by its terms survives the execution' of this Agreement and/or the closing thereof. This Agreement may not be modified, amended or terminated except by an instrument in writing signed by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first above written.

WESTCHESTER LAND TRUST, INCORPORATED

By   
Name: LORI ENSINGER  
Title: PRESIDENT

MAMARONECK BEACH & YACHT LLC

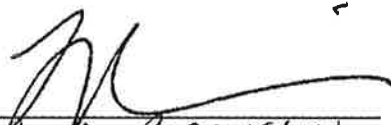
By \_\_\_\_\_  
Name:  
Title:

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first above written.

WESTCHESTER LAND TRUST, INCORPORATED

By \_\_\_\_\_  
Name:  
Title:

MAMARONECK BEACH & YACHT LLC

By   
Name: LISA ROSENSTERN  
Title: Authorized Signatory

County of Westchester)

On January 20, 2017, before me, Beatrice Mezei-Rhodes, a Notary Public, personally appeared, Lori S. Ensinger, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of New York that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Justice Muzi Chacha

(seal)

**Notary Public**

My Commission Expires October 31, 2018

State of New York

County of Westchester

On February 23, 2017, before me, Aglaire Rigos, a Notary Public, personally appeared, LISA ROSENHEIM, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of New York that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Aglaire Rigos

(seal)

**AGLAIRE RIGOS**  
Notary Public, State of New York  
No. 03-4527731  
Qualified in Westchester County  
Commission Expires  
November 30, 20 18

**Schedule A**

**Grantor Property Legal Description**

**(See attached)**

## Schedule "A"

### Parcel "A"

All that certain lot, piece or parcel of land, situate, lying and being in the Village of Mamaroneck, Town of Rye, County of Westchester and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point on the southerly boundary line of South Barry Avenue, said point being the south westerly corner of Parcel A as shown on a certain map entitled "Map of South Barry Avenue South of Otter Creek, etc." said map filed in the Westchester County Clerk's Office Division of Land Records October 13, 1934, as map number 4074, running thence in a northerly direction along the westerly boundary line of Parcel A, North 18°43'48" West 64.80 feet to a point thence in a southwesterly direction along the southerly shore of Otter Creek as referred to in Liber 7147 Page 486, South 69°52'02" West 8.95 feet, South 55°11'02" West 80.48 feet, South 49°28'02" West 35.53 feet and South 80°32'02" West 7.95 feet to a point, thence in an easterly direction along the northerly boundary line of property now or formerly belonging to Mamaroneck Beach and Yacht LLC, South 49°51'58" East 22.00 feet, South 54°19'58" East 60.11 feet, South 66°26'58" East 55.64 feet and South 56°22'58" East 39.07 feet to a point, thence in a northerly direction along the westerly boundary line of property now or formerly belonging to 520 South Barry LLC and Lisa Rosenhein, North 3°51'52" East 23.59 feet, North 1°04'58" West 42.84 feet and North 5°48'48" West 44.34 feet to a point on the southerly boundary line of Parcel A on the filed map referred to above, thence in a westerly direction along the same South 71°16'12" West 16.23 feet to the point or place of beginning, containing 0.291 Acres.

Subject to the rights of others over a driveway connecting the South boundary line of South Barry Avenue to the northerly boundary line of lands now or formerly Mamaroneck Beach and Yacht LLC.

The above described Parcel "A" being a portion of the premises conveyed by Samuel E. Magid to The Nature Conservancy by deed dated August 9, 1973 and recorded in the Westchester County Clerk's Office on August 17, 1973 in Liber 7147, page 486.

### Parcel "B"

All that certain lot, piece or parcel of land, with improvements thereon, situate, lying and being in the Village of Mamaroneck, Town of Rye, County of Westchester and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point on the westerly boundary line of Taylor's Lane, said point being the division line between Lot 8 and Lot 9 as shown on a certain map entitled "Stone Mill Properties, etc." said map filed in the Westchester County Clerk's Office Division of Land Records July 22, 1952, as map number 7773, running thence in a westerly direction through Lot 9, North 46°35'17" West 86.34 feet, North 66°00'30" West 132.05

feet and North 86°18'47" West 82.71 feet to a point, thence in a southerly direction along the westerly boundary line of lots 8,7,6,5 and 4, South 23°59'30" West 793.55 feet to a point, thence in a westerly, southerly, westerly and southerly direction, along the northerly boundary line of property now or formerly belonging to Ludvipol, LLC and Bennett W. Golub, North 47°20'30" West 133.98 feet, South 41°41'10" West 295.67 feet, North 52°56'10" West 170.38 feet, and South 32°48'40" West 20.04 feet to a point, thence in a northwesterly, northerly and northwesterly direction along the northerly boundary line of property now or formerly belonging to Bennett W. Golub, North 52°56'22" West 158.54 feet, North 37°03'50" East 50.01 feet, and North 52°56'10" West 252.07 feet to a point on the easterly boundary line of South Barry Avenue as shown on a certain map entitled "Map of South Barry Avenue South of Otter Creek, etc." said map filed in the Westchester County Clerk's Office Division of Land Records October 13, 1934, as map number 4074, thence in a northerly direction along the easterly boundary line of South Barry Avenue North 17°21'30" West 45.12 feet more or less to the centerline of Otter Creek as it currently exists, thence South 79°39'27" West 5.66 feet to a point as shown on a certain map entitled "Subdivision Map of Property – As Amended belonging to Laura Lauer, etc." said map filed in the Westchester County Clerk's Office Division of Land Records November 23, 1987 as map number 23027, thence in a northerly direction continuing along the easterly boundary line of South Barry Ave. North 17°24'28" West 45.88 feet and on a curve to the right having a radius of 440.00 feet a central angle of 25°46'16" for a length of 197.87 feet to a point, thence in an easterly direction along the division line between Parcel 2 and Parcel 3 as shown on filed map number 23027 referred to above, South 81°38'54" East 141 feet more or less to the centerline of Otter Creek as it currently exists, thence upstream following the centerline of Otter Creek as the same winds and turns to the point of intersection with the centerline of a ditch dividing the premises conveyed to The Nature Conservancy by deed recorded in the Westchester County Clerk's Office in Liber 7147 Page 486 from a salt meadow formerly of David Hains and others, thence southeasterly along the centerline of said ditch South 71°00'40" East 707.46 feet more or less to the westerly side of Taylors Lane, thence in a southerly direction along the same South 26°19'00" West 184.69 feet to a point, thence on a curve to the right having a radius of 37.11 feet, a central angle of 82°56'00" for a length of 53.72 feet, connecting the westerly boundary line of Taylor's Lane with the northerly boundary line of Stone Mill Road (Unimproved), thence in a westerly, southerly and easterly direction along the northerly, westerly and southerly boundary line of Stone Mill Road (Unimproved), North 70°45'00" West 188.40 feet, South 19°15'00" West 40.00 feet and South 70°45'00" East 161.22 feet to a point, thence on a curve to the right having a radius of 25.00 feet, a central angle of 104°25'01" for a length of 45.56 feet connecting the southerly boundary line of Stone Mill Road (Unimproved) with the westerly boundary line of Taylor's Lane, thence along the westerly boundary of Taylor's Lane on a reverse curve to the left having a radius of 240.00 feet a central angle of 50°36'11" for a length of 211.97 feet, South 16°56'10" East 110.00 feet and on a curve to the right having a radius of 253.37 feet, a central angle of 30°48'37" for a length of 136.25 feet to the point or place of beginning, containing 26 ACRES, more or less.

EXCEPTING from the above described premises all that tract or parcel of land situate in the Village of Mamaroneck, Town of Rye, County of Westchester, State of New York conveyed to John P. Crosby by deed dated August 23, 2008 and filed in the Westchester County Clerk's Office on September 14, 2010 under Control Number 502353183, and more particularly described as follows:

Beginning at a monument on the southerly terminus of Taylor's Lane where the same is intersected by the division line between Lot 4 on filed map number 7773 and property now or formerly belonging to Rosina Eising, running thence in a northerly direction, North 22°17'20" East, 213.09 feet, North 23°59'30" East 167.57 feet and North 66°00'30" West 510.80 feet to the Point or place of Beginning, running thence, North 23°59'30" East 155.00 feet and on a curve to the left having a radius of 240.00 feet a central angle of 3°35'00" for a length of 15.01 feet, North 66°00'30" West 294.53 feet, South 23°59'30" West 170.00 feet, and South 66°00'30" East 295.00 feet to the Point or place of beginning. Containing 1.151 Acres.

Subject to a 20 Foot Wide Right-Of-Way over Sheet 105 Block 44 Lot 30A4 of the Village of Mamaroneck Tax Maps.

The above described Parcel "B" being the same premises conveyed to The Nature Conservancy by Laura Lauer by deed dated November 12, 1987 and recorded in the Westchester County Clerk's Office on November 13, 1987 in Liber 9026, page 261, and a portion of the premises conveyed by Samuel E. Magid by deed dated August 9, 1973 and recorded in the Westchester County Clerk's Office on August 17, 1973 in Liber 7147, page 486.

TOGETHER with and subject to the easements, covenants and conditions set forth in a certain agreement between The Nature Conservancy and Richard J. Blumberg and Jeanne Blumberg dated September 14, 1976 and recorded in the Westchester County Clerk's Office in Liber 7373, page 186.

SUBJECT to a Grant of Utility Easement from The Nature Conservancy, Inc. to the Estate of Janis Leventhal, dated June 17, 2005 and recorded in the Westchester County Clerk's Office under Control Number 453190271.

#### Parcel "C"

All that certain lot, piece or parcel of land, situate, lying and being in the Village of Mamaroneck, Town of Rye, County of Westchester and State of New York, being more particularly bounded and described as follows:

Beginning at a point at the southerly corner of Lot 1 in Block 515 as shown on a certain map entitled "Plan of Lots Called Shore Acres, etc." said map filed in the Westchester County Clerk's Office Division of Land Records June 25, 1914 as map number 2064, running thence in a northerly direction along the southerly boundary line of Lots 1, 2, 3, and part of 4, North 39°01'57" East 169.46 feet to a point, thence in an easterly direction

along the southerly boundary line of property now or formerly belonging to Richard S. Alter and Caroline C. Alter, South 61°13'12" East 317.85 feet to a point on the westerly boundary line of Taylor's Lane, thence in a southerly direction along the same, South 28°46'48" West 299.26 feet and South 26°16'58" West 206.04 feet to a point, thence in a westerly direction along the northerly line of land conveyed to The Nature Conservancy by deed recorded in the Westchester County Clerk's Office in liber 7147, page 486 North 71°00'40" West 643.83 feet, thence North 37°39'07" West 12.43 feet, North 19°16'48" East 16.29 feet and North 21°01'32" West 28.04 feet more or less to the southerly side of Otter Creek, thence in a northeasterly direction along the southerly side of Otter Creek to the westerly side of Lot 1 in Block 515 on said filed map number 2064, thence in an easterly direction along the southerly boundary line of Lot 1, South 62°46'23" East 128.50 feet more or less to the point or place of beginning, containing 7 acres more or less.

The above described Parcel "C" being the same premises conveyed by Samuel E. Magid to The Nature Conservancy by deed dated December 29, 1981 and recorded in the Westchester County Clerk's Office on December 31, 1981 in Liber 7745, page 1.

Parcels "A", "B" and "C" being shown on a map attached hereto as Exhibit "A" and made a part hereof. Said map is comprised of four (4) pages copied from a survey prepared by H. Stanley Johnson and Company Land Surveyors, P.C., dated April 7, 2015.

NAMARONECK BEACH & YACHT LLC

NVF 520 SOUTH BARRY LLC  
GOLIAD

N/F BENNETT W. GOLUB

M/F BENNETT W. GOLUB

**SOUTH BARRY AVENUE**

STEDIVISION MAP OF PROPERTY  
AS AVERSED BELONGING  
TO LAURA LALIER ETC.  
F.M. 23027  
NOVEMBER 23 1987

WHEELS AND ROLLERS ELEMENT AS PER  
LINE 702 WIDE 64"  
18"

N/F JOHN P. CROSBY

NOT PART OF THIS SLAVEY

**SALT**

4002

## Schedule B

### Easement Area

All that certain lot, piece or parcel of land, situate, lying and being in the Village of Mamaroneck, Town of Rye, County of Westchester and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point on the southerly terminus of South Barry Avenue where the same is intersected by the division line between property now or formerly belonging to 520 South Barry LLC, on the east, and property now or formerly belonging to Westchester Land Trust, on the west, running thence in a southerly direction along said division line South 5°48'48" East 44.34 feet, South 1°04'58" East 42.84 feet and South 3°51'52" West 23.59 feet to the northerly boundary line of property now or formerly belonging to Mamaroneck Beach & Yacht LLC, thence in a northwesterly direction along the same North 56°22'58" west 28.80 feet, thence in a northerly direction through property now or formerly belonging to Westchester Land Trust North 3°51'52" East 8.22 feet, North 1°04'58" West 40.73 feet, North 5°48'48" West 53.07 feet and North 18°43'48" West 49.44 feet to the northerly line of property now or formerly belonging to Westchester Land Trust, Thence in an easterly direction along the same North 69°52'02" East 5.93 feet to the westerly boundary line of South Barry Avenue, thence in a southwesterly and northeasterly direction along the same South 18°43'48" East 64.80 feet and North 71°16'12" East 16.23 feet to the point or place of beginning.

Prepared and drafted by  
and after recording, return to:  
Benjamin F. Needell, Esq.  
Skadden, Arps, Slate, Meagher & Flom LLP  
Four Times Square  
New York, New York 10022

## EASEMENT AGREEMENT

Dated February 27, 2017

**APPENDIX K**

**PUBLIC HEARING TRANSCRIPTS**

VILLAGE OF MAMARONECK  
MAMARONECK PLANNING BOARD

-----X

PUBLIC HEARING  
FOR THE MAMARONECK BEACH & YACHT CLUB  
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

-----X

May 25, 2016  
Village Hall of Mamaroneck  
169 Mt. Pleasant Avenue  
Mamaroneck, New York  
7:06 p.m.

B E F O R E:

LEE WEXLER, CHAIRMAN  
HUGH GREECHAN, ENGINEER  
JOHN VERNI  
LOUIS MENDES

SUSAN FAVATE, PLANNING CONSULTANT  
LESTER STEINMAN, ESQ., BOARD ATTORNEY

A P P E A R A N C E S:

FOR THE APPLICANT:  
PAUL J. NOTO, ESQ.  
PAUL J. NOTO LAW OFFICES  
650 Halstead Avenue, Suite 105  
Mamaroneck, New York 10543

Ilana Michael Nathanson, Court Reporter

1 MAMARONECK BEACH & YACHT CLUB - PUBLIC HEARING

2 THE CHAIRMAN: We have a public hearing on  
3 Mamaroneck Beach & Yacht. I'm going to be  
4 acting chair tonight. So I think we have to  
5 start by opening the public hearing.

6 So can I have a motion to open a public  
7 hearing on the draft supplemental environmental  
8 impact statement for Mamaroneck Beach & Yacht?  
9 All in favor?

10 MR. VERNI: Yes.

11 MR. MENDES: Yes.

12 THE CHAIRMAN: And I vote yes.

13 Okay. So I think we should start with a  
14 review of the history of the application, where  
15 we are right now. So Les --

16 MR. STEINMAN: Well, I'm going to try to  
17 condense 13 years into about, maybe, three  
18 minutes, but we will try.

19 Going back to 2004, the Mamaroneck Beach &  
20 Yacht Club submitted an application to the  
21 planning board to improve its existing club  
22 facility, including alterations to the main  
23 clubhouse, the introduction of new seasonal  
24 residences within the renovated clubhouse, and  
25 then two new seasonal residence buildings, a

1 MAMARONECK BEACH & YACHT CLUB - PUBLIC HEARING

2 new yacht club, dockmaster's building, a new  
3 recreation building and pool complex and  
4 associated parking and infrastructure  
5 modifications on its property.

6 And, thereafter, a period of six years  
7 followed, culminating in December 2010, when  
8 the planning board approved a resolution  
9 granting final site plan approval and a  
10 wetlands permit for the development proposed by  
11 Mamaroneck Beach & Yacht. Thereafter, the next  
12 few years, a number of litigations were  
13 commenced. Zoning board proceedings commenced.  
14 And as a result or as an outgrowth of certain  
15 of those proceedings and the settlement  
16 discontinuance of certain of them, in February  
17 of 2013, the Mamaroneck Beach & Yacht Club  
18 submitted an environmental narrative and an  
19 amended site plan and wetland permit  
20 application for the proposed development to  
21 reflect changes in conditions of the 2010  
22 approvals and accomplish changes to the 2010  
23 amended site plan, including the elimination of  
24 five units and one story from the beach  
25 seasonal residence building, provisions to the

1 MAMARONECK BEACH & YACHT CLUB - PUBLIC HEARING

2 proposed recreation building, and a larger  
3 yacht club dockmaster's building.

4 Public hearings were held on the 2013  
5 amended site plan for several months, and  
6 ultimately the public hearing was closed. And  
7 then, in August of 2013, various issues arose  
8 regarding the existing sanitary sewer system on  
9 the property. As a result of those sewer  
10 issues, the matter returned to the planning  
11 board. And, ultimately, a determination of  
12 positive declaration was made by the planning  
13 board to require a supplemental draft  
14 environmental impact statement in connection  
15 with the club's proposal to construct a new  
16 pumping station and sewer force main on the  
17 property.

18 Scope was adopted in 2000 -- in February  
19 of 2014 for the draft supplemental  
20 environmental impact statement. There were a  
21 number of iterations of that statement were  
22 submitted to the planning board for review  
23 before it was accepted finally in April of  
24 2016. The planning board accepted as complete  
25 for purposes of public review a supplemental

1 MAMARONECK BEACH & YACHT CLUB - PUBLIC HEARING

2 draft environmental impact statement for the  
3 sewer improvements and set tonight for the  
4 public hearing on the draft supplemental  
5 environmental impact statement. So that is a  
6 quick background.

7 THE CHAIRMAN: Okay. So, tonight, we're  
8 here to hear comments from the public about  
9 the -- about the document. And I guess these  
10 comments then all get recorded, and the  
11 applicant has to respond to each one in detail  
12 to the board's satisfaction for the final  
13 environmental impact statement. So -- and  
14 then, at that point -- so I guess we'll -- we  
15 can close the public hearing tonight or, if  
16 necessary --

17 MR. STEINMAN: Continue it. You'll  
18 determine by the end of the evening.

19 THE CHAIRMAN: Okay. So I think -- we  
20 should have a presentation by the applicant  
21 before --

22 MR. STEINMAN: I think, first --

23 THE CHAIRMAN: Okay.

24 MR. STEINMAN: -- to start it off, and  
25 then people can then come up and speak. And

1 MAMARONECK BEACH & YACHT CLUB - PUBLIC HEARING

2 then provide -- when the people do speak, ask  
3 them, you know, please provide your name and  
4 address for the record so the stenographer can  
5 record it.

6 THE CHAIRMAN: Okay. Thank you.

7 MR. NOTO: Good evening. Paul Noto; 650  
8 Halstead Avenue, Mamaroneck, for the applicant,  
9 Mamaroneck Beach & Yacht.

10 Les gave you a condensed history of the --  
11 of the overall project. This evening, you have  
12 a -- we have a public hearing on the DSEIS on  
13 the proposed sanitary sewer system upgrade  
14 only. That is all we are addressing tonight.

15 So what we'd like to do is have Mr.  
16 Holmes, Tom Holmes from TRC, who drafted the  
17 DSEIS, do a brief presentation on the project,  
18 the proposed project, and then open it up for  
19 comment.

20 We have a stenographer present this  
21 evening, so I would ask that anyone commenting,  
22 please make sure your comments are verbal.  
23 Anything in writing will be made part of the  
24 record, and then they will be submitted to us  
25 for response purposes. We are obligated to

## 1 MAMARONECK BEACH &amp; YACHT CLUB - PUBLIC HEARING

2 respond to substantive comments, and we will do  
3 so. Then we will present that statement. The  
4 ultimate document will be yours. The SEIS will  
5 be your document, not ours. So we will respond  
6 to those comments in a timely manner, and then  
7 you will draft and approve a final document.

8 So our only request this evening,  
9 Mr. Chairman, is that the comments be limited  
10 to the document. You know, we've had a pretty  
11 robust public record over the years, you know,  
12 on the underlying site plan application. I  
13 think we're very much aware of some of those  
14 comments, so we would just not want to rehash a  
15 lot of the ones that are not necessarily  
16 relevant to the DSEIS, because we really want  
17 to focus on this document, any comments  
18 pertaining to the document, so that we can  
19 respond to those comments.

20 So with that, I'll turn it over to  
21 Mr. Holmes, who will do -- I think it's about  
22 15, 20 minutes, and then we'll listen. I  
23 should add that we're not going to respond to  
24 anything this evening. So there will be no  
25 further comment from us on any comments. And

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2 at the end of the night, you decide if you wish  
3 to close the hearing or continue it. It's up  
4 to you.

5 THE CHAIRMAN: Okay. Thank you.

6 Also, before you begin, just for the  
7 public, there are copies. There are a few  
8 extra copies here, if you want to see the  
9 document we're discussing.

10 MR. HOLMES: Tom Holmes with TRC  
11 Engineers, Hawthorne, New York. What I'd like  
12 to do is just, kind of, fill in some -- with  
13 some pictures and drawings that fill in to  
14 compliment the chronology that Les presented to  
15 us. So I'm going to go over by my computer.

16 MR. VERNI: Take the microphone.

17 MR. HOLMES: Okay. Are we on? Hello?  
18 Power. Power. Are we on?

19 MR. GREECHAN: There's two switches.

20 MR. HOLMES: I see. Okay. I'll take just  
21 a moment. Thank you. Okay. Okay.

22 So I will show some drawings that we have  
23 that compliment the chronology. This plan is  
24 the 2010 amended site plan. And I will keep my  
25 comments essentially to the sanitary sewer.

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2 So this plan, in -- prior to this plan, in  
3 2007, a plan was reviewed and -- with the SEQRA  
4 process, and the DEIS, FEIS were approved, and  
5 findings were issued. There was a delay after  
6 approval of that, so construction was delayed.  
7 When that delay was resolved in 2010, we  
8 submitted a modified plan, very similar, but  
9 modified.

10 Now, what I'd like to call your attention  
11 to is essentially the subject at hand, which is  
12 the sanitary sewer. This right here in the  
13 central location is the existing sanitary pump  
14 station. What was proposed was a sewer  
15 collection system coming from the development  
16 on the east and a collection coming from the  
17 development of the west, concentrating and  
18 draining into the pump station. The pump  
19 station, from there, pumped through a force  
20 main that shows going across the -- the great  
21 lawn through the gravel parking area and under  
22 Otter Creek and then coming up through the  
23 property at 519 Alda -- Alda Road.

24 The location of the force main is shown  
25 here, which is, at the time, where we

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2 understood it to be, based on the survey. So  
3 that was in 2010. That plan was approved.  
4 There was some delay, a delay between that and  
5 2013, based on some disputes among neighbors,  
6 neighboring properties, and also this half-acre  
7 parcel of property.

8 So in 2013, after that was -- what was  
9 presented is a plan that would essentially  
10 resolve those issues. The plan was submitted  
11 and excluded this portion, this half-acre, and  
12 also the -- this building at top level was  
13 taken -- was eliminated. So this plan was  
14 before the board and was being reviewed. And  
15 late in the review, in August of 2013, it --  
16 a -- a leak in the force main was discovered  
17 over on the -- the far bank. Within a couple  
18 of days, it was -- well, immediately, it was --  
19 the leak was stopped and repaired and replaced.

20 Further testing was performed, and we did  
21 some TV inspection. And the TV inspection  
22 turns out -- this is the 2013 November plan.  
23 And what was revealed with the TV inspection  
24 was that the actual location of the force main  
25 was right along this alignment. And then,

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2 under Otter Creek, and through 519 Alda Road.

3 So as we know, the -- the leak was  
4 attended to, and the plan was modified.  
5 Essentially, some upgrades were done. The  
6 sewer system here was -- the sewer system --  
7 well, what -- as part of the improvements --  
8 excuse me -- is relocating the -- or, actually,  
9 constructing a new force main over in this  
10 location. TRC performed testing, dye testing,  
11 pressure testing, et cetera, on the system, and  
12 found it -- that -- after the repairs, it found  
13 there was no evidence of leaks. However, with  
14 working through the process with the village,  
15 along with village staff, it was proposed -- we  
16 came to a resolution to propose what we were --  
17 came to be known as a permanent solution. That  
18 permanent solution was a new pump station  
19 located over here, between the existing  
20 manager's house and adjacent to the -- to the  
21 west lawn seasonal residence.

22 The force main we looked at various wet  
23 methods of replacing the force main. We looked  
24 at slip lining and other methods to repair it  
25 in place, but that was not viable due to these

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2 vertical bends going down the banks and up the  
3 bends. So what we recommended was replacement  
4 of the pipe with a new one through the process  
5 of horizontal drilling. We would actually --  
6 there would be a station over here where we  
7 would actually launch it and drill under the  
8 creek and come up in 519 Alda Road.

9 Now, at the time of the -- of the scoping  
10 document, this -- this solution was the  
11 recommended solution. As we began the F -- the  
12 EIS process, there was -- it turned out that we  
13 were not able to or we didn't readily have  
14 available an easement through the Alda --  
15 through the 519 Alda Road property. So in  
16 light of that, as we proceeded with our  
17 investigations for the EIS, we -- let's see if  
18 I can get that. We selected an alternate route  
19 as the -- what we called the preferred action.  
20 This was the proposed action that the -- the  
21 EIS would be based on. This is the proposed --  
22 I mean the preferred alternative. And this  
23 alignment the force main was in the same  
24 location as we had proposed earlier in the site  
25 plan, but the force main would run along the

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2 alignment along the existing gravel parking  
3 area, through the entrance drive the -- the  
4 club's entrance drive and then through --  
5 beyond the club property, over South Barry  
6 Avenue bridge or along the South Barry Avenue  
7 bridge. This is a continuation over here.  
8 This is a match line. This is a continuation.  
9 It shows where it goes up north on South Barry  
10 Avenue to an existing manhole at the  
11 intersection of Soundview.

12 So that is the -- became the subject of  
13 the supplemental EIS. The investigation -- the  
14 environmental investigation would be along --  
15 circled around that alignment. Now, this plan  
16 just shows there was some concern about flood  
17 elevations and when we design the pump station,  
18 and the force main flood elevations have to be  
19 considered, and this is the approved flood  
20 elevations from the FEMA flood maps, and the  
21 pump station is in the flood -- in the flood --  
22 at Flood Elevation 14. So to be sure that we  
23 were beyond the flood elevation, this is the  
24 pump station in horizontal view, looking  
25 from -- from above looking down on it. It's

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2 less than 30 feet by around 16 people, so  
3 that's the size of the pump station.

4 Without getting into details, there's two  
5 chambers, but this is a sectional view as if  
6 you were looking at it from the side but able  
7 to see what's below grade. This is existing  
8 grade at about 11. We would fill this up.  
9 This is the hundred-year flood elevation at 14.

10 So the deck of the pump station would be  
11 at elevation 14. The access point to the pump  
12 station would be up here, and that's raised  
13 two feet above the flood elevation. So it's  
14 protected from the hundred-year flood, plus we  
15 have two feet extra.

16 This is the location. This is the  
17 existing view if we were looking from the creek  
18 into the site. What you see here is the  
19 manager's house, and here is a fence along  
20 their property. And in this opening right over  
21 here is the proposed seasonal residence --  
22 seasonal residence, manager's property,  
23 existing fence, and right in here is where the  
24 pump station would be situated. It will be  
25 screened with a fence similar to the existing

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2 fence over here, and it is a six-foot fence.  
3 So, essentially, I'll go back. Right here,  
4 this is the fence. The pump station will not  
5 be visible at all. It will be behind the  
6 fence. And then we have landscaping, proposed  
7 landscaping.

8 This is the landscape plan. So in front  
9 of the pump station, the fencing, and then  
10 there's proposed landscaping, and these are the  
11 varieties of trees that are -- are being  
12 proposed for the visual mitigation.

13 Okay. Now, there was -- we -- we looked  
14 at several locations for the pump station to be  
15 sure that we had selected what was most  
16 reasonable, most logical. Two other locations.  
17 We looked at this location right adjacent to  
18 the tennis courts, and the reason being is that  
19 it's central -- centrally located. It also has  
20 vegetation around it, which could be a visual  
21 break. However, the vegetation would really  
22 have to be removed in order to put the pump  
23 station there. The other thing is that the  
24 existing grade is low here, lower than this,  
25 and the pump station would end up -- the deck

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2 would be, like, eight feet in the air, and then  
3 the -- and then the access would be above that,  
4 and it just -- for that reason, it didn't make  
5 sense. It would be very visible. It's  
6 adjacent to the tennis courts. It's not really  
7 contiguous with -- with the intended purpose  
8 there.

9 Another location is right up here, which  
10 happens to be the -- about the highest point of  
11 the site, maybe not highest, but it's high, and  
12 it's out of the flood plain. However, the  
13 reason this is high is because it's bedrock, so  
14 there's rock all visible from the surface along  
15 here, and there's rock, and it would require  
16 probably, like, you know, I'm going to say,  
17 20 feet that it would be down into the rock.  
18 So this location makes sense, and we  
19 recommended and we proposed this location for  
20 the pump station.

21 Now, this is a plan view. Remember the  
22 alignment of the force main goes down here  
23 through the club, right through the club  
24 entrance drive and here to the South Barry  
25 Avenue bridge. Now, this is a plan view

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2 looking down as if -- from an aerial looking  
3 down. And what we have here is South Barry  
4 Avenue bridge. This is essentially northbound,  
5 and this is the preserve, Otter Creek, and this  
6 is the preserve -- this is Otter Creek coming  
7 in from the sound. So we -- we proposed in --  
8 in several things we looked at, one was hanging  
9 the -- hanging the proposed force main from the  
10 bridge, and we -- we elected not to do that,  
11 but let me just briefly tell you that we looked  
12 at hanging it under the bridge. That would  
13 have implications with interference with the --  
14 the walls. We looked at attaching it to the  
15 bridge, and I don't think I have a slide of it.  
16 Well, this is the side. This is what it would  
17 look like. But the governing regulations  
18 require that the force main be above the  
19 50-year flood elevation. This is a sectional  
20 view sideways looking at the bridge, and we can  
21 see that the hundred year -- the -- the bridge  
22 is below the hundred-year flood elevation.  
23 It's also below the 50-year flood elevation.

24 So the regulations require that the force  
25 main be above the 50-year -- 50-year flood

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2 elevation, and you'll notice on here in this  
3 section, the 50-year flood elevation is right  
4 here, and I'm not sure I can read the  
5 elevation, but it is above -- yeah, it's up  
6 here. I'm sorry. It's above the deck. The  
7 deck -- this is the deck elevation. This is  
8 the 50-year ele -- flood elevation. And then  
9 going across the -- the bridge, there's a guide  
10 rail and a handrail that extends across the  
11 bridge. The elevation of the 50-year flood is  
12 above the deck, but it's within the -- the  
13 railing. So the force main would come in from  
14 the access road below the surface, would come  
15 up. We're proposing to go over the Otter Creek  
16 and then come back down on the other side where  
17 it would resume going north on South Barry  
18 Avenue below grade.

19 So this alignment is -- let's see what  
20 we -- this is from the -- the creek, you know,  
21 from the sound looking toward the bridge, you  
22 can see the railing, and the next view, it may  
23 be difficult to see, but in a way that's good.  
24 We have the -- drawn in there the -- the  
25 pipe -- I mean, we call it a pipeline bridge.

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2 The pipeline bridge is on a couple on each side  
3 foundations that would support the force main.  
4 The -- and you see that it would be in the  
5 railing, so visibility, you know, painted gray,  
6 similar to the -- the guide rail -- I mean the  
7 railing. It would be not very visible.

8 Here's a couple of other views. And you'd  
9 be looking through this guide, through the  
10 railing, to see the force main. These  
11 exhibits, by the way, are all in the FE -- are  
12 all in the draft supplemental EIS.

13 So -- okay. This view -- what we have  
14 here, we can see the -- and I'm kind of coming  
15 to a close here, so I'm trying to recap, take  
16 you through the process. But what we have here  
17 is the -- in red, the force main coming out of  
18 the club site, the bridge, and then running  
19 along South Barry Avenue right of way. So it  
20 was our intention that the -- the force main be  
21 completely located within club property and  
22 right of way. And that was -- that was what we  
23 understood the -- the public right of way for  
24 South Barry Avenue to be. The force main would  
25 go down the right of way or go up the right of

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2 way to the north where it would connect to  
3 existing municipal manhole at Soundview Avenue.

4 We also looked at alternatives. This  
5 alternative, it was suggested to connect to  
6 Taylors Lane. There's an existing gravity  
7 sewer down here on Taylors Lane. The proposed  
8 alignment would be from the club going to  
9 the -- essentially to our northerly boundary  
10 and then crossing into the nature preserve. It  
11 would run along the edge of the nature preserve  
12 and adjacent to private properties, and then it  
13 would drop down to Taylors Lane. This force  
14 main would be a four-inch force main. The  
15 force main would extend then down Taylors Lane  
16 to the gravity sewer, where it would connect,  
17 and that would be about 4600 feet, nearly a  
18 mile.

19 This alignment, the proposed alignment  
20 done on South Barry Avenue bridge -- South  
21 Barry Avenue right of way is about 1300 feet.  
22 So it's, you know, one quarter of the length,  
23 and it's reasonable to put it in the public  
24 right of way where the other utilities are.  
25 There's other utilities that come across the

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2 bridge that access to the site. There's gas;  
3 there's water. So it's reasonable that the  
4 sanitary sewer, the force main, would follow  
5 that path.

6 Just to mention, the force main that would  
7 be extending over the creek would be  
8 structurally supported by these foundations.  
9 It's a four-inch force main, but it would be  
10 placed within 12-inch pipe. The 12-inch pipe  
11 would be insulated. It would -- it makes it  
12 for easy access, you know, to pipe within a  
13 pipe access that's for, you know, any kind of  
14 maintenance. It's insulated, so it would be  
15 protected from the cold and from freezing.  
16 It's above the 50-year flood elevation, so it's  
17 protected even more than the existing bridge  
18 would be from flooding.

19 Let's see what else. The -- the piers  
20 that would be placed or -- on two sides, two on  
21 each side. These two piers and the south side  
22 would be in uplands. These two piers would be  
23 in tidal waters. They -- you know, we estimate  
24 a disturbance of about 25 square feet for each  
25 of the piers for temporary disturbance to

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2 construct those, and maybe permanent would be  
3 maybe five feet -- square feet each.

4 The force main would then cross over to  
5 the other side of South Barry Avenue and then  
6 up. And that -- I think I've covered the  
7 highlights. All of that is in the EIS. All of  
8 these figures and maps are in the EIS. I just  
9 wanted to put a little bit of flesh on the  
10 bones so we can understand the chronology and  
11 the process of where we've gotten to. And I  
12 think that -- I think that all would agree that  
13 this alignment is reasonable alignment, and  
14 what we want to do is secure that it has  
15 minimal environmental impacts.

16 So in the process, as Mr. Noto had  
17 mentioned, that your comments will be  
18 considered. They will be written comments, and  
19 they will be responded to. And frank -- quite  
20 frankly, where comments are good and helpful,  
21 it go -- they oftentimes help improve the  
22 process and changes are made.

23 The next step is the -- would be the final  
24 EIS, and that's the -- that's the time when  
25 these comments are considered and changes will

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2 be made where they, you know, make sense. So,  
3 essentially, that's -- that's a summary of your  
4 supplemental EIS. Oh, there you are. Thought  
5 you had left. Okay. So I guess I hand it back  
6 over to you.

7 THE CHAIRMAN: Okay. Thank you.

8 MR. HOLMES: I can leave that slide up.

9 THE CHAIRMAN: So at this point, we'll  
10 entertain public comment. Before you speak --  
11 well, first of all, come to the microphone.  
12 But, also, on your way to the microphone, sign  
13 in with your full name and -- and address as  
14 well.

15 MS. FAVATE: And please state your name  
16 and address.

17 MR. RADULOVIC: Hi. Mark Radulovic, 1015  
18 Shore Acres Drive. I can't -- oh, there he is,  
19 in the back.

20 I heard about drilling underneath Otter  
21 Creek, horizontal drilling, but I didn't see  
22 anything in your plan here about doing  
23 horizontal drilling, you know, underneath where  
24 you're proposing to do the pipe up and next to  
25 the bridge. And I'm sort of curious why that

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2 was completely left out in this, sort of,  
3 proposal to, you know, move forward. That's  
4 it.

5 MR. NATCHEZ: Good evening. For the  
6 record, my name Dan Natchez. I'm president of  
7 Daniel S. Natchez and Associates, an  
8 environmental waterfront design company. I am  
9 also president of SAPOA, the Shore Acres  
10 Property Owners Association. I'm also a  
11 resident, and I represent all three, and we all  
12 talk to each other, including the latter.

13 We appreciate that this has finally gotten  
14 to public comment, because we've been trying to  
15 do this for almost two years. There are a  
16 couple of things before I get into my remarks  
17 and if -- I would hope that we could ask you  
18 maybe to go back to a couple of slides in a  
19 minute if you don't mind. Otherwise, I'll just  
20 pull up what I have, but it's easier, I think,  
21 for everybody to see since you've done that.

22 Just a couple of corrections for the  
23 record, in the information that was just  
24 provided, which, I think, is very helpful as an  
25 overview. There was a comment that it is along

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2 the South Barry Avenue bridge as the proposed  
3 for an alternative; that's actually not  
4 correct. It is -- well, it's eight feet away  
5 from the bridge, so it's not along the bridge.  
6 It may be -- if you want to say parallel, but  
7 it's not along. It was a comment made that  
8 there were -- the disturbance might be 25  
9 square feet. Actually, the SE -- I'm sorry --  
10 the SEIS says 50. And I believe that in the  
11 discussion at the --

12 (Indiscernible.)

13 It was also, I think, very pertinent that  
14 in the presentation we had, it was stated very  
15 clearly that there are other utility lines that  
16 are going across the subject bridge.

17 So, first, let me start off by saying that  
18 the Shore Acres property owners association is  
19 very much in favor of a replacement line, and  
20 we are very much in favor of a line going along  
21 the South Barry -- South Barry Avenue. And we  
22 are very much in favor of believing that it  
23 must be done immediately. Immediately is as  
24 quickly as feasible and reasonable. There's  
25 some things that have been said in the DEIS

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2 that we believe are not quite forthcoming. We  
3 did submit a -- a detailed letter dated may  
4 11th to the village. We actually did it two  
5 weeks early rather than just bringing it to  
6 this meeting, because we believe that we have  
7 raised substantive points that need to be  
8 answered before you close the hearing. We  
9 believe that the answers which we have been  
10 asking for for months need to be vetted in the  
11 public, not done outside of the public, i.e.  
12 this document now becomes your document. You  
13 can't say that it's what we were told by the  
14 applicant. We were told by somebody one way or  
15 the other. It becomes your document, and the  
16 issues become your issues.

17 What I did appreciate in the presentation  
18 is the inference that if they're constructive  
19 and meaningful suggestions, it might help make  
20 a better project. We want to make it very  
21 clear that the object of our May 11th filing  
22 was specifically for that. It wasn't in -- we  
23 don't like something, it was how to make it  
24 better and what the issues were. But I'd like  
25 to quickly run through several of the things,

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2 and there was reference that in the last  
3 presentation that the regulations say that the  
4 line has to be at or above the 50-year FEMA  
5 elevation. That is actually a very incorrect  
6 statement. There is no regulation that says  
7 that. There is a guidance document that was  
8 submitted as part of the EIS, which is  
9 guidance.

10 However, in our letter, we talked to the  
11 DEC, and we talked to the gentleman that is  
12 responsible for it and that -- and the DEC's  
13 position is very simple. If you're putting in  
14 a new aerial crossing, it needs to be at the  
15 hundred-year flood elevation, or if it is -- if  
16 there is a horizontal obstruction, within the  
17 hour -- within the confines of the horizontal  
18 obstruction. So if we could go back to the  
19 cross-section, would that be possible? I don't  
20 want to touch your computer. But, Paul, unless  
21 you have an objection --

22 MR. NOTO: Yeah. I don't -- we don't want  
23 to be difficult, but, you know, this is a  
24 public comment on a document for which it's a  
25 public record, and I didn't want Mr. Holmes to

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2 be part of a presentation that Mr. Natchez is  
3 making. Not to be difficult, but I just think  
4 for the integrity of the process, it's best if  
5 Mr. Holmes not do that. But if there's a page  
6 you want to refer to, you know, which is --  
7 would be easier. Is that helpful? Because I  
8 don't want him to be part of a --

9 MR. NATCHEZ: I'm not asking him to be  
10 part of it. Just for the public and the people  
11 at home who are listening, it's easier to see.

12 MR. NOTO: Maybe Ms. McCrory has a  
13 solution.

14 (Indiscernible.)

15 MR. NOTO: It would be easier if you just  
16 referred to a page, and then we can keep the  
17 record. Because if he's flipping that, that's  
18 not going to help us.

19 MR. NATCHEZ: I understand. If you go to  
20 your Exhibit 8B, as in boy, which is a  
21 cross-section, which it would have been nice if  
22 everybody could see this. Which page is that?

23 MS. FAVATE: It's 20.

24 MR. NATCHEZ: The top rail of the existing  
25 bridge is at 13.5. The hundred-year flood

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2 elevation is at 13. Assuming that the building  
3 department would agree that we did not have to  
4 be two feet above that, you would have at least  
5 six inches above the top rail. At the 50-foot  
6 flood elevation, the inference was, from the  
7 last presentation, that there will be no visual  
8 blockage. In actuality, there will be a  
9 tremendous visual blockage because the railings  
10 are approximately four -- they're actually  
11 squares, and they're approximately four to  
12 five inches. I did not measure them, but that  
13 seems to be what they are. But even if they're  
14 six inches, it wouldn't make any difference  
15 because the line is a minimum of 12 inches, as  
16 was presented by Mamaroneck Beach & Yacht and  
17 as is shown in the plan.

18 In talking to the Mr. Nechman[ph.] of the  
19 DEC, you have a -- within our filing, we have  
20 an email from him indicating that the -- that  
21 our interpretation of our telephone  
22 conversation was correct, where he basically  
23 said, if you have a horizontal interruption,  
24 that the border is blocked -- excuse me -- that  
25 the -- that you can put a new line there, at

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2 that elevation. You can't do it eight feet  
3 away because it's creating its own obstruction,  
4 if you will, within the FEMA elevation, because  
5 the water can come up and around, so you would  
6 either have to put it attached to the bridge or  
7 hung -- they call it hanging from the bridge,  
8 but it's not -- but it's attached to the bridge  
9 or immediately adjacent to the bridge. You  
10 have a waterline on South Barry Avenue bridge  
11 on the east side, not the harbor side, which is  
12 the preferred alternative area that is being  
13 talked about. That is approximately 12 inches  
14 in diameter. And it is basically within the  
15 obstruction range, the horizontal obstruction  
16 range. There is no reason you couldn't do  
17 that, and if you did that, you would not have  
18 to have anything in the wetlands. You would  
19 not interfere with a potentially with the  
20 garage that is in the northwest corner of the  
21 bridge, which is not shown in any of their  
22 plans. It is referred to if you read the  
23 appendices, but it's not shown on the plans,  
24 and it's not -- nor is -- and there is a  
25 reference to a street drain that drains there,

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2 which if you're eight feet away, as you go  
3 through that, that's going to interfere. Well,  
4 we believe it will interfere. So all of these  
5 things need to be, in our opinion, reexamined.  
6 We believe that putting the line adjacent to or  
7 attached to the South Barry Avenue bridge is  
8 the proper and prudent thing to do.

9 What disturbs us really significantly is  
10 we sat through the long scoping meetings, and  
11 your consultant, Susan, was very clear in those  
12 meetings that -- I can't -- I can't remember  
13 the words. I listened to it just before I  
14 came, so forgive me if I paraphrase it, but the  
15 consultant has to do more to amplify why -- you  
16 know, where the town -- you know, what  
17 conversations they've had, what the condition  
18 of the bridge is. And there's nothing in here  
19 to that effect.

20 We foiled all the records of the Town of  
21 Rye, and we've had discussions with their --  
22 with the town clerk and the superintendent of  
23 highways, as well as contact with their  
24 consulting engineer. And we are told there's  
25 really been nothing requested of them about the

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2 bridge. The bridge appears to be structurally  
3 sound. They are undertaking certain --  
4 originally told that there was construction  
5 work that had to be done, and that's why they  
6 wanted to stay away. That goes back to the  
7 early draft. And the current draft seems to  
8 have just glossed over it a little bit.

9 Basically, all they're doing now is  
10 painting -- sanding and painting, more, as they  
11 have put it, cosmetic work. There's no  
12 structural work being done, and there's nothing  
13 cited or flagged, as we understand it, from the  
14 state, that makes it a structural problem. So  
15 there's no reason you could not attach it or  
16 put it directly adjacent to it. And, as I  
17 said, environmentally, we would not have  
18 anything in the wetlands, and one of the issues  
19 is that there -- for consistency is there has  
20 to be no reasonable alternative in order to get  
21 approval within this village to disturb the  
22 wetlands, and there may be reasons to, but in  
23 this case, there doesn't appear to be any.

24 So the other question -- another real  
25 major question is the -- throughout the

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2 document, it says that we do not need to -- we  
3 don't need to change the line as a no-action  
4 alternative. We can keep it and keep using the  
5 existing sewer line. And it was a  
6 representation that it was tested, and it was  
7 cambered. And I heard that, and I assumed I go  
8 for tests, we do tests. Somebody says we did  
9 the test, and it was fine. You assume that  
10 it's correct. I assume that. I assume that  
11 for, you know, 18 months. I had the occasion  
12 to talk to Bill Geregthy[ph.], who was the  
13 building inspector at the time that the line  
14 had a leak in it, and he was the one who issued  
15 the notice of violation and the remedy to  
16 repair.

17 In the -- in our filing is a  
18 representation of my conversations with  
19 Mr. Geregthy, who was very clear that he  
20 refused to remove that because the line was  
21 only tested at 14 pounds PSI for 43 minutes,  
22 and the New York State building code requires  
23 50 pounds for over an hour. It's actually  
24 minimum --

25 (Indiscernible.)

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2 The actual language of the code is in what  
3 has been represented -- presented in our may  
4 11th letter.

5 Our big concern is, I believe, the  
6 village, for whatever the reason, has  
7 potentially been mislead. Gereghty is no  
8 longer with the village. The notice -- the  
9 order to remedy was removed. And in talking to  
10 the person who removed it, who is no longer  
11 with the village, he was unaware of the  
12 difference in what the code said and what the  
13 test was. Again, all that was in the record is  
14 that it was tested and found to be okay. It  
15 was a dye test, and nobody could see anything  
16 leaking. The cambering couldn't go through was  
17 explained underneath Otter Creek, and this  
18 became a big issue. So we really don't know  
19 the total condition. The leak was accidentally  
20 found. You know, it's below ground. So if  
21 it's bubbling up and if it was -- if the people  
22 walking down were doing it at high tide, they  
23 would have never found it. It has to be low  
24 tide weather to go and do testing of the river.  
25 And somebody happened to slip, and they

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2 happened to look around, and, you know, there's  
3 something bubbling next to them. And that's  
4 how they found it; purely by accident.

5 The big concern is the line is well over  
6 its useful life, depending on which document  
7 you want to go to that were originally  
8 submitted by Mamaroneck Beach & Yacht. It's,  
9 you know, 20 to 40 years beyond its useful  
10 life. 60 to a hundred years old. It needs to  
11 be replaced. And the applicant actually says,  
12 which is also in their -- the applicant  
13 acknowledges their intention to provide a more  
14 permanent rehabilitation or the replacement of  
15 the existing sanitary force main and pump  
16 station. That's not -- that's in the  
17 appendices. But the body of the SDEIS -- I'm  
18 sorry -- the DSEIS, which now will become your  
19 document unless changed, indicates that the  
20 line is in great condition and can continue to  
21 be used without anything. And I don't believe  
22 that that is the case. I don't believe until  
23 such time the line is proven to be up to New  
24 York State standards. We have a major issue of  
25 potential problems, and if it does get made New

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2 York State standards, it still needs to be  
3 replaced but maybe has a little bit more  
4 flexibility in terms of time, because you're 20  
5 to 40 years beyond its useful life.

6 The other issue, which I know others in  
7 the audience will talk to, has to do with  
8 easements, which we've been raising for some  
9 time. There is -- Mamaroneck Beach & Yacht  
10 does not have the necessary easements either  
11 from private or the parties or the village to  
12 put the line in where they are proposing it.  
13 That doesn't mean either party might not be  
14 willing to do it, but the only reference in the  
15 document is we'll put the line in, and as per  
16 the village engineer, whatever the village  
17 engineer wants, we'll do. Sounds like somebody  
18 else saying, Just trust me. I'll take care of  
19 it. Don't worry about it. We hear a lot of  
20 that in the news these days. I'm not sure that  
21 that should be applicable in a DSEIS.

22 The other thing that is really disturbing  
23 which was raised throughout the scoping session  
24 is the line going all the way up Barry Avenue,  
25 whether it goes all the way up to Soundview or

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2 Alda at the time, which was a discussion during  
3 the scope of the meeting, was not relevant.

4 The relevancy is there's nothing in it -- all  
5 of South Barry Avenue is rock. Okay. There's  
6 nothing in there about what the impacts are  
7 about how the rock is going to be removed, how  
8 much rock has to be removed, if they're going  
9 further off the side of the road, and it's  
10 unclear from the drawings exactly where the  
11 line is going to be. There's a scale. The  
12 drawing doesn't allow you to really decipher  
13 it. It says in the right of way. The right of  
14 way is the entire road and maybe some  
15 additional apron. But that's all rock. It's  
16 known as all rock. There are some mature trees  
17 that have been aligning that area. Part of  
18 that area is part of the Westchester Land Trust  
19 Preserve. It's a very -- you know, it's all  
20 part of the CEA. These are all things --  
21 that's what an SEIS, you know, is supposed to  
22 do. When you do an environmental impact  
23 statement, it's to examine all of the impacts,  
24 and none of this seems to have been addressed  
25 and should be.

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2           The last statement I'll make, because I  
3 know other people want to speak, and you have  
4 the filing, is that -- and there was a comment  
5 made that neighbors have objected, and that's  
6 why things have been slowed down. We take --  
7 SAPOA takes tremendous umbrage at that  
8 statement. SAPOA has always been constructive  
9 in the suggestions that have been made. We are  
10 looking to have this line done quickly, and for  
11 two years on numerous occasions we have been  
12 before this board asking for it to be speeded  
13 up. There is -- it's fascinating that the --  
14 the EIS for the 2010 document -- well,  
15 actually, 2004 document, 2010 document, and the  
16 environmental narrative of the 2013 document  
17 did not take two years to do, but a quote  
18 simple sewer line, which everybody says this  
19 is -- you know, it's a simple project, took two  
20 years to get a DEIS. I believe the questions  
21 need to be answered. They need to be answered  
22 quickly, and they need to be answered with a  
23 time frame set by this board. And we ask you  
24 to keep the hearing open so that the answers  
25 can be fully vetted. We are acting in the most

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2 constructive manner possible. We will continue  
3 to do so.

4 We're happy to meet with anybody at any  
5 point in time. We were -- we took the step of  
6 making sure what we were doing was given to the  
7 applicant as quickly as possible at the same  
8 time we filed with the village. For the  
9 village, I didn't have the email addresses for  
10 transmitting it, so we did it all. And, you  
11 know, we stand ready in a constructive manner  
12 to move forward on it in a meaningful manner.

13 Thank you.

14 MS. CARPENTER: Good evening. My name is  
15 Susan Carpenter, and I am the land preservation  
16 director for the Westchester Land Trust. Our  
17 office is at 403 Harris Road in Bedford Hills,  
18 and we are the owners of the Otter Creek  
19 preserve. What you know of as the Otter Creek  
20 preserve, obviously, runs all the way up the  
21 marsh along the creek. It also does include  
22 several lots along South Barry Avenue adjacent  
23 to the bridge, but it also includes -- and I  
24 have given you copies of surveys that show you  
25 a lot directly beyond South Barry Avenue

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2 between South Barry Avenue -- the end of South  
3 Barry Avenue and the beginning of the  
4 Mamaroneck Beach & Yacht Club. That macadam  
5 driveway that runs across that area is not a  
6 public right of way. It is not part of South  
7 Barry Avenue. It is a macadam drive that has  
8 been there for many years, but it runs across  
9 land that belongs to the Westchester Land  
10 Trust. It runs across Lot 30-A1.

11 Lot 30-A, at some point, was subdivided  
12 into a lot of little pieces. Some of them  
13 became that extension of South Barry Avenue,  
14 but that extension of South Barry Avenue does  
15 not go all the way across to the Mamaroneck  
16 Beach & Yacht club. Consequently, where the  
17 applicant is showing their sewer line to run is  
18 across land that belongs to the Westchester  
19 Land Trust, and just as there weren't easements  
20 for it to run -- be replaced under -- under the  
21 river and through the lot that it's currently  
22 in, there is not an easement in place for it to  
23 run across Lot 30-A1 to South Barry Avenue.

24 Now, I'd like to back up for a minute.  
25 The Westchester Land Trust is the owner of

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2 Otter Creek preserve, is primarily concerned  
3 with the ecological integrity of the preserve.  
4 We're very concerned about the water quality in  
5 Otter Creek. We don't have any interest in  
6 forcing this applicant to put his sewer line  
7 back underneath Otter Creek. We agree that  
8 this is probably the best solution to run it  
9 through this property. However, they need to  
10 talk to us. And I think, before you approve  
11 this, you need to see that there is some legal  
12 authorization for this sewer line to go through  
13 property that they don't own that is private  
14 property and belongs to the Westchester Land  
15 Trust.

16 Now, we've discussed that the applicant is  
17 certainly aware of the fact that there is this  
18 problem. I believe you're aware that there is  
19 this problem, and we're not trying to make it  
20 impossible to resolve the sewer line problem,  
21 but we really would like there to be some  
22 recognition of the fact that this is going  
23 across private property. And if there's an  
24 existing easement, then please show it to us.  
25 Our title company didn't find it. Our surveyor

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2 could not find anything. We did a fairly  
3 extensive investigation of this, did not find  
4 any legal authorization for -- even for the  
5 waterlines. And if -- if there is a waterline  
6 and utility lines through that property, I  
7 don't believe there's any legal authorization  
8 for those to be there either, just as there's  
9 no legal authorization for the sewer line to be  
10 replaced on the -- where it currently is.

11 So that's our -- and we don't think that  
12 really the board should approve this  
13 application until such time as the applicant  
14 provides you with this legal authorization.  
15 And even if you do approve this without that  
16 legal authorization, I think DEC made it clear  
17 in their letter that they will not approve any  
18 permits unless legal authorization is provided  
19 to them for the line to go through any property  
20 that doesn't belong to the applicant.

21 Thank you.

22 MR. WAITT: Good evening. My name is  
23 Keith Waitt. I live at 549 Alda Road. And as  
24 you can tell by the address, I am -- I'm a  
25 neighbor to Mamaroneck Beach & Yacht Club. In

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2 fact, our property and a number of properties  
3 here -- from people here actually goes down to  
4 Otter Creek. And on the other side of Otter  
5 Creek is Mamaroneck Beach & Yacht.

6 This issue that we're talking about hasn't  
7 been going on for 40 years. It's been going on  
8 for two-and-a-half years, since the sewage  
9 break in August of 2013, which, without going  
10 into too much graphic detail, was one of the  
11 most disgusting experiences of my life, to see  
12 raw sewage floating in a creek where people  
13 kayak, where people can swim further down, and  
14 going into the harbor. And we didn't know how  
15 long that was going on for. So this is  
16 something that environmentally is a tragedy and  
17 is quite disgusting. And if it ever happens  
18 again, I think the people, you know, that turn  
19 their eye to this sort of thing are going to  
20 be -- have to be accountable in their  
21 conscience, if nothing else, for what's been  
22 going on.

23 That's really why I'm saying why are we  
24 waiting until another break happens before we  
25 actually think about doing something. As

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2 Mr. Natchez said, this is a hundred-year-old  
3 pipe that's lived -- outlived its useful life.  
4 It has been patched together. And what I  
5 didn't realize but it actually didn't meet  
6 requirements for the pressure to go through it.  
7 So we don't know whether it meets the actual  
8 New York State requirements for water pressure  
9 to go through it.

10 Why do we have to wait until buildings are  
11 being built to the second or third phase of  
12 development which could take years or could  
13 never, ever happen, before somebody actually  
14 says, let's do something about this. I don't  
15 want this hanging over my family's heads or the  
16 neighbor's heads that this could happen any day  
17 now. We could have another one of these  
18 tomorrow, next week, next year. And,  
19 basically, we all knew it was in a very  
20 compromised situation, and we did nothing  
21 because we basically allowed it to wait until  
22 somebody said let's do it, and do it properly.

23 So what I'm saying is I think it's very  
24 important you take a look at this from the  
25 point of view of doing something now before

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2 something tragic happens again. On that --  
3 further on that note, just looking at this  
4 particular proposal, which you can, kind of,  
5 say the applicant's engineer has written  
6 because there's huge errors of omission in  
7 here. I just wanted to cover a couple of them.

8 One is the environmental impact. We  
9 talked about the Otter Preserve. We've talked  
10 about what -- what goes on there. There's  
11 little mention in here of environmental impact  
12 as it relates to Otter Creek. I don't even  
13 think the preserve is mentioned by name. It  
14 says, We think there's some squirrels and  
15 Mallard ducks there. This is a preserve. It  
16 is protected. It has osprey, bald eagles,  
17 egrets, blue herrings, just to name a few birds  
18 that live there, not even mentioned in here.  
19 Nothing was said about that here at all. And  
20 that's the sort of omission that you can't take  
21 lightly. You can't trust this. You have to  
22 verify it yourself. Everything in here has to  
23 be verified because it is written on behalf of  
24 the applicant, and that's something that I  
25 think is very important.

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2           The other thing is there's a couple of  
3 things in here which really don't reflect  
4 kindly on the applicant in terms of the view of  
5 the attitude towards its neighbors. Two things  
6 when it comes to position in certain things  
7 just beg or believe. First of all, there's the  
8 pipe itself going across the bridge, away from  
9 the bridge in a five-foot high 10-foot above  
10 the actual bed of the creek. This is, again,  
11 environmentally esthetically absolutely  
12 disgusting to have a 12-inch pipe running  
13 across a creek like this at your eye level.  
14 Could they not have made it slightly more  
15 disguised? No. Let's put it right there where  
16 your eye is, because that's what we'd like to  
17 do. Why aren't they attaching it to Rye  
18 bridge? Because they have to deal with Rye  
19 town, and they don't want to be beholden to  
20 them.

21           Secondly, the pump station. Where can we  
22 put it that's going to be most inconvenient to  
23 our neighbors? The noise 24/7 is mostly going  
24 to inconvenient them as close to Otter Creek to  
25 the neighbors as possible. We don't want it

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2 near the tennis court, because we don't want to  
3 upset the tennis players. But it's fine to  
4 upset our neighbors. We don't want it up by  
5 the staff residence, because the rock's too  
6 hard. But there's nothing else there. Think  
7 where this pump station which is going to be  
8 noisy 24/7 should go to least affect the  
9 neighbors. At the moment, it is mostly going  
10 to affect the neighbors. And in here, they  
11 talk about noise. They don't mention once what  
12 the noise level is going to be for the pump  
13 station. Slight omission.

14 So errors of omission in here are  
15 extensive. I still don't understand -- blame  
16 me for being British -- why this is not written  
17 by an independent engineer, paid for by the  
18 applicant, appointed by the village, so we can  
19 have an honest and objective discussion on what  
20 really could happen.

21 So I appreciate that. Thank you very much  
22 indeed. Thank you.

101 23 MS. ZURBUCH: My name is MaryAnn Zurbuch,  
24 575 Alda Road. I'm the owner of a home on the  
25 corner of Alda Road and South Barry Avenue. My

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2 husband and I moved here about a year ago,  
3 looking for a quiet community to start a  
4 family. We now have a one-month-old newborn  
5 son. Our house is a hundred years old, built  
6 on the rock ledge. The length of it runs along  
7 South Barry Avenue. It's got a lot of  
8 original, unique, architectural elements.

9 We're very concerned about the impact of  
10 the project to the structure of our home with  
11 the chipping and the blasting that will be  
12 involved, you know, as well as the impact to  
13 the other homes along South Barry. We're also  
14 concerned about the potential for noise and  
15 disturbance to our family, as well as the other  
16 families in the community, and we would like  
17 both of these matters addressed in the impact  
18 statement.

19 Thank you.

20 THE CHAIRMAN: Thanks.

21 MR. HILLYER: Good evening, members of the  
22 board. Thank you for allowing us to speak. My  
23 name is Christopher Hillyer. I live at 506  
24 South Barry Ave. That would be where the pipe  
25 will be cut up and through. So a number of

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2 things I'd like to bring to your attention, and  
3 I'll be brief and, as they say, be seated.

4 First, on 506 South Barry Avenue is one of  
5 six heritage oaks, approximately 250 years old,  
6 taken care of, fed, watered, fertilized, and  
7 its root structure analyzed by the village. So  
8 I suggest that if they're going to put the line  
9 up through that root system, that we have a  
10 decent and complete analysis of the real  
11 environmental impact.

12 The second thing is having attached to the  
13 sewer -- and congratulations on your new son.  
14 My neighbors having attached just to the sewer  
15 line and having the neighbors one to the west  
16 of the previous speaker, the drilling and  
17 tapping that went on went on for weeks, and it  
18 was almost around the clock. And it was on  
19 Saturdays and Sundays, in violation of orders  
20 or at least the law that I've read in the  
21 village of Mamaroneck, the regulations. So  
22 what I would suggest and ask the board to  
23 consider is if we're going to do a project like  
24 this, that it be done properly and to code,  
25 because we've been doing reservations --

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2 renovations. We had to put in the sewer line  
3 at 400 feet. It had to be adjusted where it  
4 was, because they could not get through the  
5 bedrock. The street was bedrock from virtually  
6 the macadam on down. And I would expect that  
7 it's not impossible that there be blasting.  
8 And there are all sorts of regulations. You  
9 guys are the experts on this. I'm not.

10 One of the things I am an expert is blood.  
11 We provide blood in my company, a \$500 million  
12 company, New York Blood Center. And it's a  
13 501(c)(3) company, and we have to file 990s and  
14 tax returns and everything else. So it's very  
15 interesting to me that we're not following all  
16 the regulations that if you or your loved ones  
17 were getting blood, you'd be appalled if we  
18 weren't following. In fact, we go above and  
19 beyond to follow for safety. And that's  
20 environmental safety and disposal of blood, and  
21 it stands in testing of blood. And the idea  
22 that in my basement we go to code and above to  
23 try and repair something and to hook up to the  
24 town's sewer, but we test this with 14 PSI for  
25 40 minutes or 13 PSI for 28 minutes, when it

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2 doesn't meet code -- I don't understand.

3 Either the citizens are held to code or not and  
4 corporations are held to code or not, and they  
5 follow the rules. And you guys, gentlemen and  
6 ladies, the board, are a part of making those  
7 rules work in our civilization and  
8 municipalities.

9 So I'd like to see the 990s. I realize  
10 that's irrelevant to this group. I'd like to  
11 understand the corporate structure. I'd like  
12 to understand why we got away with a test of 14  
13 PSI, when I can't run a non-GFI breaker in my  
14 outer bathroom hose area that doesn't even make  
15 sense -- excuse me -- as a non-electrician.  
16 And I'd like to see this work.

17 As Mr. Natchez said, let's get it done  
18 right. Let's get it done quickly. And we  
19 hooked up because we did a test that wasn't  
20 necessary. We hooked up from our septic tank  
21 that we were attempting to buy to the sewer,  
22 because we put a dye test in, and it passed.  
23 And I said, I don't believe it. I don't  
24 believe it. There's not enough wildlife and  
25 the easements -- I very much agree. The

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2 easements must be followed. The laws must be  
3 followed. The regulations must be followed.  
4 And the wildlife is serious. This is one of a  
5 very few estuaries. It's a true estuary. I  
6 mean, I actually had to look it up. I  
7 apologize. You guys probably know all this,  
8 but I don't.

9 I would suggest that we really do take  
10 care of the oaks, the herrings, the egrets.  
11 There's no fish in that thing. It's amazing.  
12 I can't wait to eventually figure it out, and I  
13 will. And we've worked with -- from our --  
14 we're working with Westchester Land Trust.  
15 We're trying to work with Save The Sound,  
16 because this is a polluted, disgusting area.

17 Now, I would prefer not to have my Beloved  
18 Son Number 5 come up here, but I'd be happy to  
19 for the record. Because what I would like him  
20 to say is he has been swimming down there, and  
21 he'd like to make sure he comes home alive, and  
22 I would like that too. So if you want him up  
23 here, I would be happy to have him come. And  
24 what he'll say is do it right, because it makes  
25 sense.

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2 Thank you for your time, your attention,  
3 and your care about our village.

4 MS. MANN: I am Barbara Mann of 519 Alda  
5 Road, the owner of the property that beach club  
6 owns under us. We moved into the building  
7 about 28 years ago. Nobody seemed to know or  
8 tell us that there was a pipe underneath. And  
9 until it really exploded and there was a  
10 problem, and the problem wasn't our entire  
11 yard, but we had little fountains coming up  
12 through the grass. And at one point, the  
13 village came in and fixed it. And they didn't  
14 seem to know whose pipe it was underneath us  
15 either. And the village came to the street and  
16 was working on it. I would like the pipe out  
17 so that water doesn't filter into our --  
18 underneath our land. And I would also like  
19 the -- it's done without bothering the people  
20 who live along Otter Creek. I mean, there --  
21 obviously, there are going to be times when you  
22 have to make a little bit of noise, but we're  
23 living in a beautiful community, and I don't  
24 want it all messed up with that.

25 Thank you.

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2 MS. McCrory: Hi. My name is Sue McCrory.

3 I live in the Orient across from the harbor  
4 from Mamaroneck Beach & Yacht Club. I just  
5 wanted to make a couple of comments and second  
6 some comments that other people made.

7 Number one, I think this -- so in 2010, as  
8 I recall, we were told the sewer line was  
9 functioning fine when the EIS was done at that  
10 point. In 2013, when the plan was revised, the  
11 E -- the sewer line was apparently fine. And  
12 then in August of 2013, it broke, and then we  
13 discovered we didn't even really know where the  
14 sewer line was.

15 We're now in 2016. We should have  
16 absolute confidence about the present state of  
17 that sewer line. It should be thoroughly  
18 tested. It should be -- it should be  
19 camera-ed. We should know exactly what's  
20 there, because we will be continuing to rely on  
21 it for some number of years. And I'm  
22 disappointed. I mean, part of the outcome of  
23 the delays is that we have a very old pipe  
24 becoming older, and we don't know its current  
25 condition. And like any patient who's sick,

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2 you keep monitoring their vitals, and we  
3 haven't done that with this system, and I  
4 believe we should.

5 My second comment has to do with base  
6 flood elevation. Those of us who live in that  
7 area know when we have coastal flooding get big  
8 storm surges. And at the Mamaroneck Beach &  
9 Yacht Club property, there have been a number  
10 of different flood elevations proposed and  
11 enacted and table -- on page 61, there's a  
12 table Roman Numeral 61 that talks about  
13 different flood tide and bridge elevation.  
14 What I think that table is telling us is that  
15 FEMA is proposing that the flood elevation on  
16 that site be 14, not 13. We don't want to  
17 design this system to a flood elevation from 50  
18 years ago. We want to design it for the flood  
19 elevation for the next 50 years.

20 So I believe, from what I understood of  
21 the presentation, that Mamaroneck Beach & Yacht  
22 is designing this to the old flood elevation of  
23 13. That, I think, is environmentally unsound,  
24 and I think that should be reconsidered. I  
25 was -- I can't say I understand pump stations

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2 very well, but let me just make this comment.

3 I laughed -- I literal laughed when I read the  
4 report, and it said the top of the pump station  
5 was two feet above base flood elevation. I  
6 thought, well, jeez, the top of my house is  
7 above the flood elevation too, but that doesn't  
8 do me much good when there's a coastal storm.  
9 The top of a structure is less important for  
10 the pump station than where water may enter it.

11 Now, I assume for this pump station the  
12 top is where water may enter. But when you're  
13 talking about Long Island Sound coming into  
14 this property, going into our sewer system, we  
15 want to make sure that there are no points of  
16 entry. So top may be relevant. I'm not sure.  
17 But for me, the question is: Is there any  
18 water entry point where flood waters can get  
19 into that system from this design?

20 So those are -- I guess the final thing I  
21 would say is I'm very disappointed that given  
22 all the difficulties of going through Otter  
23 Creek and the aesthetic difficulties of placing  
24 an aerial line, sewer line, I'm disappointed  
25 that the DEIS has not considered actually doing

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2 an on-site self-contained sewer system. I've  
3 heard some controversy about that. I've heard  
4 that the applicant said it wasn't allowed, and  
5 then others have told me that they have not  
6 accurately represented the law. I don't know  
7 which of those two is correct, but this may be  
8 exactly the location where a self-contained  
9 sewer system would be the most appropriate  
10 alternatives. And I would like to propose that  
11 as something to be considered.

12 Thank you.

13 MS. GOODMAN: Hi. I'm Michele Goodman,  
14 and I live at 622 Parkway, right off South  
15 Barry.

16 And I'm hearing a lot of interesting  
17 comments tonight, and I really appreciated the  
18 last speaker sharing about there could be other  
19 solutions to the problem. It sounds like, you  
20 know, this problem definitely needs to be  
21 addressed and addressed quickly. Not having  
22 the third party writing the review plan that  
23 the beach and yacht club proposed is really  
24 concerning to a local resident, and I'm really  
25 concerned about the environmental impact and,

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2 certainly, the impact to Otter Creek and to my  
3 neighbors. And I can't see how the board could  
4 close this hearing tonight. They're just seems  
5 like there's so many open issues. And I ask  
6 you if you could keep it open beyond tonight to  
7 help deal with these issues.

8 Thank you.

9 MR. TIEKERT: Stuart Tiekert, 130 Beach  
10 Avenue.

11 I, again, following this issue when the  
12 break happened in 2013, and I was surprised to  
13 find at that time the -- I believe it's the  
14 Shore Acres Club beach was at that time the  
15 most frequently closed beach in -- on Long  
16 Island Sound. And, apparently, as soon as the  
17 pipe was fixed, the counts went down to almost  
18 nothing. So I would just voice the same  
19 concern that if this project is not going to be  
20 done immediately, the existing pipe needs to be  
21 tested to whatever the current standard is and  
22 then hopefully regularly tested if it's going  
23 to be years before the final solution, as they  
24 said, is done.

25 Thank you.

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2 MS. COHEN: I'm not going to read this  
3 whole notebook. Don't worry. Hi. I'm Debra  
4 Cohen. I am attorney here representing the  
5 Shore Acres Property Owners Association, SAPOA.

6 The great news as an attorney of having  
7 client like the members of SAPOA is that you  
8 don't really have to say much because they're  
9 all quite articulate and quite informed. So I  
10 just want to try to focus a few things within  
11 the context of what we're here for, which is to  
12 provide comments to the board in regard to what  
13 we believe are still existing inadequacies or  
14 omissions in the SEIS that will keep you from  
15 being able to approve an FEIS and issue  
16 findings that can pass the SEQRA reasonableness  
17 test.

18 And I do just want to reiterate that this  
19 really now -- the ball is really being passed  
20 to you. This is -- their document and its next  
21 iterations and final iterations will be your  
22 document. Without being overly dramatic, its  
23 adequacy or inadequacy and what flows from  
24 that, no pun intended, is going to be your  
25 legacy. And I say that because there's always

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2 a lot of controversy surrounding anything  
3 involving Mamaroneck Beach & Yacht Club.  
4 What's a little bit refreshing is that we're  
5 pretty close to having absolute consensus on  
6 one issue, which is that there is no doubt that  
7 if there is an issue that requires the most  
8 zealous environmental review, it is dealing  
9 with this sewage system that is going from a  
10 private club that's quite active that in  
11 addition to its membership activities has an  
12 existing active catering operation and --  
13 which -- with redevelopment plans will be  
14 expanding its catering operations, and I keep  
15 trying to figure out how to phrase things so  
16 that it's PG for public television. But we  
17 know that if nothing else that when people have  
18 weddings and bar mitzvahs and big parties and  
19 people are eating and drinking, that natural  
20 functions will flow from that. And I know  
21 people are chuckling.

22 But in all honesty, you know, we can look  
23 at all of these studies and the flow rates and  
24 the pressures, but we are talking about raw  
25 human sewage flowing under a critical

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2 environmental area. And we've heard people  
3 telling you what -- what they observed, what  
4 they experienced in -- literally in their front  
5 yards with seeing, smelling, experiencing raw  
6 human sewage in what is supposed to be a  
7 protected and preserved natural area. And that  
8 bottom line is what you are being charged with  
9 protecting, and so in terms of when you're  
10 looking at this SEIS and you're thinking about  
11 what is it telling me, what is it not telling  
12 me, where does the hair on the back of my neck  
13 stand up like something's just not -- doesn't  
14 feel satisfactory to me, follow your in  
15 instinct, because you have great counsel.  
16 You've got a great planning and environmental  
17 consultants, great engineers, but there's a  
18 reason why a board like this exists, and you  
19 all have the experience. I've been before you  
20 many times. You all have the experience to be  
21 able to look at this document, and you have the  
22 common sense to say, you know, there's a better  
23 answer than what we've got here. And this  
24 particular issue demands that you cross every  
25 T, you dot every I. You know it. And if

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2 somebody tries to convince you that the answer  
3 you have is in -- is adequate, and your gut  
4 tells you it's not adequate, then go with that,  
5 because this is not about will a dormer on a  
6 roof impact someone's -- you know, the  
7 character of a neighborhood. This is about  
8 whether or not you are protecting your  
9 community and an environmental area from the  
10 most profound kind of environmental disaster.  
11 And it's -- and it's a ticking time bomb. It's  
12 a ticking time bomb. You know it is.

13 Now, the conundrum that I'm hearing is  
14 that you're here to address questions in regard  
15 to the environmental review of Mamaroneck Beach  
16 & Yacht Club's proposal to -- to make  
17 improvements to the sewer system. The problem  
18 goes back a little bit, I think, because  
19 they're entitled -- I believe, Mr. Steinman,  
20 correct me if I'm wrong, but I can't pay you  
21 for the advice, that they're entitled to put in  
22 their environmental impact an alternative of no  
23 alternative. So say, you know, what we have --  
24 we're going to propose not to do anything or if  
25 you don't give us permission to do our

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2 preferred alternative, then we just won't do  
3 anything, and they're telling you in this  
4 document that's okay because we've tested --  
5 because there was a problem in 2013.

6 I mean, I'm just saying that during the  
7 initial environmental impact study, I remember  
8 standing here and staying over and over and  
9 over again, and a couple of people, some of  
10 them are not actually here tonight, actually  
11 even rolled their eyes when I've said you got a  
12 really old pipe going under Otter Creek. You  
13 know, have you tested that pipe, because that's  
14 going to be a real problem if happens to that  
15 pipe. And guess what, you finished that  
16 environmental process, and you know what  
17 happened. In August of 2013, you heard what  
18 Mr. Waitt said happened. The "uhm" hit the  
19 fan, literally. The "uhm" hit Otter Creek,  
20 literally. Why? Because you took assurances  
21 from the applicant and, frankly, some of your  
22 own consultants that proper testing had been  
23 done, and if proper testing had been done, then  
24 you would know that that 60- to 90-year-old  
25 pipe was not going to hold. And it's only

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2 common sense that if it was in danger of  
3 rupturing then and it did rupture again, that  
4 as Ms. McCrory says, it's only in worse  
5 condition now.

6 So no alternative is -- we all really know  
7 no alternative is really not an alternative.  
8 Whether or not this board, through this  
9 process, can force them to do something to fix  
10 the pipe, I don't know. I don't know why  
11 Mr. -- Mr. Gereghty's notice to remedy was  
12 removed. That's one of the mysteries of what  
13 goes on behind closed doors in the village.  
14 This is not an adversarial process. This is an  
15 information-sharing process. So maybe  
16 somebody, one of your consultants, would like  
17 to call Mr. Geraghty and get some information  
18 about that. From the information we have, from  
19 representatives of SAPOA speaking to him,  
20 there's some documents that are supposed to  
21 exist in regard to why he didn't want to lift  
22 the notice of violation, why he didn't want to  
23 lift the order to remedy. But, mysteriously,  
24 those documents can't -- can't be found. And  
25 why -- I'm not embarrassed to say that and

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2 sound like some wacky Oliver Stone conspiracy  
3 theorist, because I've been involved in enough,  
4 frankly, litigation with this village on  
5 missing documents and lack of transparency to  
6 be able to speak with some authority that  
7 sometimes I'm not saying why, documents just  
8 seem to kind of disappear when it's not  
9 convenient to -- to certain people's position.

10 So before you accept no alternative as an  
11 alternative, I would urge you to find out what  
12 concerns your prior building inspector had  
13 about the existence of the pipe even with  
14 having been patched up this SEIS is replete  
15 with references to, oh, the pipe -- the pipe's  
16 great now. We had a little problem that caused  
17 a little delay, but everything's fine now. We  
18 fixed it, and we worked with village officials,  
19 and now the pipe is fine. So if we don't want  
20 to do anything to the pipe, if you don't give  
21 us the alternative that we want, we just won't  
22 do anything. But no worries. The pipe is  
23 fine. The pipe's not fine. You know it, and I  
24 know it. And so you need to do your due  
25 diligence through the good people you have

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2 working with you to find out what the real  
3 issues are with the pipe.

4 So if we accept for a minute that the  
5 existing pipe is not acceptable, then we have  
6 to look at the other alternatives. What the  
7 applicant tells us in their document is we're  
8 really only going to talk to you with any  
9 seriousness about our preferred alternative,  
10 which is to basically create another  
11 obstruction parallel -- I think it's  
12 approximately eight feet, parallel to the  
13 existing bridge. And for some reasons, which  
14 are a little bit fuzzy to me, but I'm not an  
15 expert, the idea of putting the pipe  
16 immediately adjacent to or connected to the  
17 existing obstruction is, for some reason, not  
18 feasible. It's not really clear from the SEIS.  
19 It's not. Either it's not feasible for reasons  
20 like general statements, like, well, they're  
21 can be problems with the structural integrity  
22 of bridges if to you attach pipes. There's  
23 nothing in this document, they've given you no  
24 information to say that attaching this pipe to  
25 this bridge is going to create any

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2 structural -- is going to compromise the  
3 structural integrity of the bridge. And, in  
4 fact, it seems pretty clear that there's been  
5 no meaningful communication between the  
6 applicant and Rye in regard to their views as  
7 to the structural integrity of the bridge and  
8 its capacity or ability to host this pipe. So  
9 that leads one to think, and this we'll look  
10 forward to the applicant explaining this or  
11 elaborating on this in their response, it  
12 appears that there's some reason why putting  
13 the pipe adjacent to or attached to the bridge  
14 is not acceptable to the applicant.

15 And this is America, and you can't tell  
16 the applicant that they -- that they, you know,  
17 have to do something you tell them to do. All  
18 you can tell them is you won't give them the  
19 approvals they want if they want to do  
20 something that you don't think is reasonable.  
21 So if you think that's what should be done,  
22 then it's time to burden shift. Mr. Noto, I  
23 know, is a great tennis player, so it's time to  
24 lob the ball back over the net to them.

25 I had to say something to wake you up.

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2 You were dosing off a little bit there.

3 So it's time to lob the ball back over the  
4 net. If you have a problem with -- if there's  
5 some reason why that alternative is not  
6 something that you're willing to do, just tell  
7 me what it is, and then -- then it's -- it's up  
8 to you to make a decision whether or not you  
9 accept it or not. Maybe it's because they  
10 don't want to deal with yet another public  
11 process. Can you really totally blame them for  
12 being a little shy about engaging with another  
13 community with another public process? But the  
14 reality is that unless Rye also is suddenly  
15 affected with this problem of disappearing  
16 public documents, there's apparently no record  
17 of any communication between Rye and the  
18 applicant in regard to working out an agreement  
19 to -- to put the pipe attached to the bridge.  
20 So that's pretty easy for you to -- to either  
21 ask the applicant to verify or somebody get on  
22 the phone to their counter parts in Rye and  
23 say, has anybody explored with you putting this  
24 pipe over your bridge; what are your thoughts.  
25 I'd say probably engineer to engineer as

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2 opposed to lawyer to lawyer, because we don't  
3 really know --

4 (Indiscernible.)

5 And then the final point that I want to  
6 make is -- in regard to the bridge -- the pipe  
7 going along the bridge.

8 So there seems to be, maybe -- I don't  
9 know if it's a difference of opinion. But a  
10 view was put forward by -- I think it's Mr.  
11 Holmes -- Mr. Holmes, that the bridge is not a  
12 viable host for the pipe because of the -- the  
13 requirements of -- of height for -- in terms of  
14 the flood elevation, and we have Mr. Natchez,  
15 who does have -- I have to say he's quite  
16 thorough. He does have an email from the --  
17 from the DEC saying that, basically, his  
18 analysis that he set forward to the DEC as to  
19 why the bridge would be acceptable, that the  
20 DEC agrees with that. | So I would say -- I love  
21 Mr. Natchez. As you know, I've been working  
22 with him for many years, and I would say trust  
23 but verify, contact the DEC, or ask the  
24 applicant to show you a document, where  
25 they've --

Topic  
8  
8/17  
9 reminder  
rest

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2 (Indiscernible.)

3 I'm sure Mr. Natchez wouldn't mind, take  
4 his documents, copy it, and sign your name to  
5 it, see if you get the same answer that he got.  
6 SAPOA's point of view is that they want the  
7 pipe replaced. They want it replaced  
8 immediately to the degree that that's within  
9 your purview to make happen. Godspeed.

10 If there are other village officials out  
11 their within the sound of my voice who can make  
12 that happen and ensure that it happens, we hope  
13 they will, because now being as serious as I  
14 can be, if that pipe ruptures again and there  
15 is an environmental disaster, it won't be a  
16 discussion in this room, and it won't just be  
17 the neighbors and me talking about it. It's  
18 going to be probably New York State, the  
19 federal government, other environmental groups,  
20 and it won't be us making suggestions that you  
21 pick up the phone and call somebody. It's  
22 going to be -- it's going to be people who have  
23 been now put on notice that there is an  
24 impending environmental disaster, who are going  
25 to be giving depositions and giving -- and

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2 having to write affidavits. So there is an  
3 immediacy to fixing this problem. SAPOA's hope  
4 is that it will be fixed immediately by running  
5 a pipe posted by the existing bridge and that,  
6 basically, before you close this public  
7 hearing, that you feel satisfied and you can  
8 make a public -- you can satisfy the interested  
9 members of the public, which, obviously, there  
10 are many, that there is some darn good reason  
11 why that bridge can't host that pipe and why it  
12 has to be instead -- the alternative has to be  
13 some additional compromising of the  
14 environmental character of the neighborhood.

15 So thank you very much.

16 THE CHAIRMAN: Any other comments? Okay.

17 MR. STEINMAN: We -- at this point I just  
18 would point out that we're in the midst of a  
19 SEQRA review. The SEQRA regulations establish  
20 a very well-defined process for how this review  
21 is conducted. This is a major step in that  
22 process. It's a public hearing that was  
23 advertised for weeks in advance on a document  
24 that was circulated nearly a month in advance.  
25 People were able to attend tonight and give

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2 anybody, who was wishing to speak, had the  
3 opportunity to speak. We will talk in a moment  
4 about an extended additional period of time for  
5 written comments, but to move the process  
6 forward, the next step would be to close the  
7 public hearing and allow the preparation of a  
8 final environmental impact statement, which  
9 will address the comments that were made  
10 tonight, that will address comments that will  
11 come in between now and the close of the  
12 written comment period, which will include --  
13 and I'll defer to use Susan a little bit in a  
14 moment to talk about comments the board wants  
15 to have addressed and how those get  
16 communicated into the public record, and all of  
17 those will be responded to in the FEIS.

18 This board will then carefully analyze  
19 what gets submitted before it accepts it. And  
20 as we mentioned a number of times, the FEIS  
21 becomes the board's documents, and the board  
22 will have to be satisfied that the responses to  
23 the questions are satisfactory. So that is  
24 really how the process is going to proceed.

25 Any other process would be, you know,

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2 contrary to what SEQRA requires. It would drag  
3 out the process even further. So my  
4 recommendation to you is to entertain a motion  
5 at this point to close the public hearing and  
6 to set a written comment period that would  
7 extend until June 8th.

8 THE CHAIRMAN: Now, can -- can you  
9 describe a little bit about the timing of the  
10 additional steps for us to get to a final  
11 environmental impact statement.

12 MR. STEINMAN: Well, in terms of steps,  
13 we'll have -- once the board does close the  
14 public hearing and establishes the written  
15 comment period, that will define the time in  
16 which people can submit comments for response  
17 in the FEIS. Then it will be up to the  
18 applicant to prepare those responses. And I  
19 can't give you a time frame on how long that  
20 will take. And then as we had before, that  
21 they will submit that proposed final  
22 environmental impact statement to the board for  
23 review to determine its adequacy, and we've  
24 already gone through a couple of iterations on  
25 the draft before that was accepted. This will

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2 be a different level of analysis for the final.

3 THE CHAIRMAN: Based on these comments  
4 that we've heard, and I think the board after  
5 tonight is -- you know, I can just speak to  
6 myself, a lot more engaged with this document  
7 and the issues, what is our opportunity to, you  
8 know, reflect on it and make -- and make our  
9 own comments that -- of changes we want to see.

10 MS. FAVATE: Well, that's something that  
11 Les and I have been talking about, you know,  
12 doing a combined -- first off, a combined  
13 consultant memo, as we have done a couple of  
14 times with the DEIS, in which we would  
15 incorporate our comments, Les's comments,  
16 Hugh's comments, comments from your -- village  
17 engineer -- I always forget his last name, and  
18 your building inspector Dan Grey. We've also  
19 asked Susan Oakley, who's your landscape  
20 architect, to give her opinion. It's fairly  
21 minor landscaping plans --

22 (Indiscernible.)

23 So the memo would compile all of that, and  
24 we would share it with you. And that would  
25 also be a chance for you all to put in your

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2 comments as well. There would be one, sort of,  
3 unified memo that is reflected with the board's  
4 opinions, comments, and questions, and your  
5 consultants'. So there's one package for the  
6 applicant for the FEIS. That's, kind of, the  
7 approach that we were thinking of taking.

8 MR. MENDES: Can I just bring one thing  
9 up, which is the -- I'm not so much worried  
10 about the process because the process will take  
11 its course, and we will make comments, and,  
12 actually, I mean, I welcome all the comments  
13 today because, you know, there are certain  
14 things that I'm not really happy with,  
15 especially with the six feet away from the  
16 bridge.

17 (Indiscernible.)

18 Besides that, there's many other things.  
19 But one thing I have -- and I need someone to  
20 answer this question. I've been asking these  
21 questions for other jobs, and maybe it's a  
22 little bit -- I mean, it's the condition of the  
23 sewer line, because there was a breakage of the  
24 sewer line. It's an old, probably, break sewer  
25 line, right, and it was tested. It was tested

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2 to its operating flow. It was tested for its  
3 design load. I know -- but who can actually  
4 answer those questions? What did we do to --

5 MR. STEINMAN: I'm going to say that  
6 question was raised front and center this  
7 evening, so that is going to be answered.

8 MR. MENDES: Okay.

9 MR. STEINMAN: In the document.

10 MR. MENDES: But what I'm saying is the  
11 time frame. I'm expecting to get answers  
12 within the next couple of weeks.

13 MR. STEINMAN: I don't think so. I think  
14 it's unrealistic.

15 MS. FAVATE: The answers will come in the  
16 FEIS that we get.

17 MR. STEINMAN: To the extent that there is  
18 existing information that we can provide to you  
19 independently --

20 MR. MENDES: So when do you think -- can I  
21 just say, because this thing has been around  
22 since I was five years old. I'm 25 now, so --  
23 so I may not look it. But -- but -- but who  
24 actually fixed the -- the sewer line? Can I  
25 ask that?

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2 MS. FAVATE: Who fixed it when it broke?

3 MR. MENDES: Yes.

4 MR. STEINMAN: I think the applicant did.

5 MR. MENDES: The applicant did.

6 Does the applicant -- no. I just want to  
7 be at peace with myself that it does not happen  
8 within -- because if this takes six months and  
9 it happens again, then shame on everybody.

10 MR. STEINMAN: Well, it won't be -- it  
11 won't be a matter for the planning board to  
12 deal with. It will be a village as a whole.  
13 The planning board is only dealing with this in  
14 connection with the plan, the site plan,  
15 request from the applicant. If for some reason  
16 the site plan request disappeared, it wouldn't  
17 be before this board.

18 MR. MENDES: So it's not a matter -- I  
19 mean, I'm sorry. I'm not trying to be  
20 difficult here. So it's not a matter for one  
21 of us to find out what the actual condition of  
22 that line is now or that has to be an answer  
23 from --

24 MR. STEINMAN: Well, that will come from  
25 the applicant, and we'll make sure our

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2 consultants and staff get it, for sure, that  
3 it's accurate.

4 But the -- if an issue arose with respect  
5 to the pipe now, it wouldn't be a matter the  
6 planning board would be addressing. The  
7 village would be addressing it immediately.  
8 This is done in the context of an environmental  
9 review of a proposed site plan development.  
10 That's why this process has to go along a  
11 particular path.

12 MR. VERNI: I know we have a process --

13 MR. MENDES: You know you're not answering  
14 my question. Go ahead. I mean, it's very  
15 simple. My question is very simple. My --

16 MR. VERNI: Lou, can I try it this way?

17 Is -- it has to be an issue of  
18 co-compliance; right?

19 MR. STEINMAN: Right.

20 MR. VERNI: It would be whether or not  
21 it's compliant to the code or has to be tested  
22 again is a question for the building inspector.  
23 So while we're reviewing this and decide what  
24 happens next, presently, it would have to be  
25 meeting code or it would be shut down.

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2 MR. STEINMAN: And whatever actions the  
3 village would take would be independent of  
4 anything the planning board is doing.

5 MR. VERNI: So what we're doing is not  
6 slowing up that review?

7 THE CHAIRMAN: Can we hasten it? I mean,  
8 we all -- this was the one thing that came out  
9 of our discussions about this two -- two years  
10 ago was public comment. The board's comment  
11 was, like, you know, we're all worried about  
12 this pipe. And so, you know, I think it's a  
13 little embarrassing for us to, two years later,  
14 not know about the condition of the pipe. Is  
15 there any mechanism by which this board can  
16 help -- you know, in our response to this  
17 document, can help get that pipe looked at more  
18 carefully right now.

19 MR. STEINMAN: As I mentioned before --

20 THE CHAIRMAN: Am I --

21 (Indiscernible.)

22 MR. VERNI: I completely agree.

23 MR. MENDES: Yes. That's actually what  
24 I'm getting to. Can we make that part of the  
25 process, the easement?

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2 MR. STEINMAN: So I think this process is  
3 separate from that, but in terms of providing  
4 the request to the village engineer and to the  
5 village staff, we can certainly do that, but  
6 it's independent of this process, and I'm  
7 trying to keep this process on the straight and  
8 narrow and not get deviated because then you're  
9 going to run into serious problems with the  
10 process.

11 So I think the process has to be this is  
12 part of the overall proposed site plan  
13 development. You're looking at the replacement  
14 of the sewer system. And then the other  
15 questions you have with regard to the existing  
16 system is really a matter for the village staff  
17 to address.

18 THE CHAIRMAN: But I think -- I just want  
19 to say, I get what you mean about it being  
20 parallel. I think all of us could focus more  
21 on this process and the -- you know, this  
22 lengthy process if we -- you know, we all  
23 agreed, you know, on -- you know, on some kind  
24 of parallel communication to the village that  
25 would help cause this pipe to get examined,

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2 that, you know, it seems like there's adequate  
3 cause for it to be examined.

4 MR. STEINMAN: What I would suggest to you  
5 then, we did talk about getting the board's  
6 comments, you know, before June 8th that  
7 reflect on the entire document, including this  
8 issue, raise that in terms of, you know, funnel  
9 that into the process and your comments to  
10 Susan and I. And when we meet again on  
11 June 8th, we will discuss it further. That's  
12 the proceeding.

13 THE CHAIRMAN: Is there any -- I mean, is  
14 there any mechanism for us to actually discuss,  
15 you know, what was brought up tonight with the  
16 applicant? I mean --

17 MR. STEINMAN: The mechanism --

18 THE CHAIRMAN: You're, sort of, describing  
19 a very hands-off process where we put together  
20 written comments and they go away for -- for,  
21 you know, six months.

22 MR. STEINMAN: That's the process. That  
23 is the process.

24 THE CHAIRMAN: So, I mean, my comments to  
25 them may really -- you know, I think we're,

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2 sort of, curious to know why they propose this,  
3 you know, bridge to be eight feet away from the  
4 existing bridge. Knowing the answer to that  
5 question, you know, would help inform, you  
6 know, what we might ask them to do.

7 MR. STEINMAN: Well, you can ask a series  
8 of questions, and that's certainly one of them.  
9 You know, all of the questions, comments,  
10 concerns that you have should outline them.  
11 Submit them to us. We'll incorporate them as  
12 part of --

13 MR. MENDES: That's all fine. Look, I'm  
14 not -- I mean, even though I do have concerns  
15 about eight-foot, about a lot of other things,  
16 but there's still one question that's still  
17 bothering me, the condition of the line,  
18 because what if it happens again a month from  
19 now? So how can -- how can we, as a board,  
20 make sure that -- what's the actual condition  
21 of that sewer line?

22 MR. STEINMAN: Well, I think what I said  
23 is between now and June 8th. I'll try to help  
24 you with that answer.

25 MR. VERNI: Can we leave this hearing open

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2 until we get an answer on that question --

3 MR. STEINMAN: I would absolutely  
4 recommend you do not do that. All you're going  
5 to do is delay the process for a bit.

6 MR. VERNI: But doesn't that address  
7 the -- give us a chance within the month to  
8 address the adequacy of that alternate --

9 MR. STEINMAN: It is not your purview to  
10 address the adequacy of the existing sewer.  
11 The best you can do is make a communication.

12 MR. VERNI: That's -- one of the  
13 alternates here is doing something --

14 MR. STEINMAN: No. I think you're  
15 misunderstanding. You shouldn't -- I mean,  
16 everybody has a chance to state certain things.  
17 That doesn't mean that they're accurate or  
18 correct in terms of what the board's authority  
19 is, et cetera, et cetera. So certain things  
20 were stated tonight that I might not  
21 necessarily agree with. I don't think --

22 MR. MENDES: So, basically, we have  
23 until -- we have until June 8th?

24 MR. STEINMAN: Correct.

25 MR. MENDES: I got it. Keep in mind that

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2 the June 8th comments can be very -- that's all  
3 I have to say.

4 MS. FAVATE: I mean, the point of the  
5 public hearing is actually to listen and take  
6 in comments from the public, as well as your  
7 own comments. It's not to come up with all the  
8 answers.

9 MR. MENDES: No. No. The planning board  
10 is not trying to overstate their position. I  
11 mean, we have done it in the past with  
12 planning. We have brought in the planning  
13 volume buildings into our planning, which has  
14 been very successful. We're just bringing  
15 another issue, which is, you know, we're  
16 planning something, but there's something to  
17 be -- something in the middle that really  
18 think -- we think it works. So if you don't  
19 think we can get an answer, you want to get the  
20 process to follow its rules, then we'll wait  
21 until June 8th, and June 8th we will need to  
22 know these things or else. These are very  
23 important.

24 MR. STEINMAN: What I can tell you is what  
25 you can do to try to get that answer. I can't

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2 guarantee you will have that answer. And I  
3 think to the extent you want to -- if you're  
4 going to delay this process, I think it just --  
5 it doesn't serve anybody's purpose, because  
6 they're separate inquiries. They're separate  
7 jurisdictions. And the board does not have  
8 jurisdiction over the condition of the existing  
9 pipe.

10 So, again, I would suggest to you that --  
11 my advice would be to close the public hearing  
12 and then set the comment period for June 8th  
13 and have your comments submitted to Susan and I  
14 for incorporation into an overall memorandum,  
15 which will be part of the record, which will  
16 have to be responded to in the FEIS. And  
17 between now and June 8th, I will try to do a  
18 better job assessing these concerns.

19 MR. MENDES: I think it's the board's  
20 concern.

21 MS. FAVATE: I think we heard you all loud  
22 and clear.

23 THE CHAIRMAN: On June 8th, we'll have  
24 submitted comments going to have presumably  
25 that will be incorporated into some kind of a

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2 draft memo from the board.

3 MR. STEINMAN: Uh-huh.

4 THE CHAIRMAN: I just feel like they're  
5 going to be very broad. Without getting a  
6 chance to, like, question the village engineer  
7 or the applicant to really make sure that all  
8 of our concerns are addressed tonight, you  
9 know, there's going to be a lot in that memo.  
10 A lot of it may be unnecessary if we were, you  
11 know, able to have another public meeting on  
12 this and discuss these things.

13 MR. STEINMAN: Well, it doesn't -- you can  
14 have a discussion separate and apart from the  
15 close of the public hearing.

16 THE CHAIRMAN: Yeah.

17 MR. STEINMAN: And if on June 8th you felt  
18 that you needed additional time, additional  
19 time could be provided.

20 MR. VERNI: I'd select to keep the public  
21 hearing open until I get an answer before  
22 June 8th.

23 AUDIENCE SPEAKER: Can I ask you guys a  
24 question?

25 MR. STEINMAN: No, not at the moment.

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2 AUDIENCE SPEAKER: Okay. Never mind.

3 THE CHAIRMAN: Also, given that what -- is  
4 there any reason that we can't -- how does this  
5 delay the process if we don't close the public  
6 hearing tonight?

7 MS. FAVATE: They cannot go back and  
8 develop an FEIS that actually responds to the  
9 questions that were raised tonight and will be  
10 raised by you by and your consultants until the  
11 public hearing is closed.

12 MR. VERNI: Right. So they can start  
13 working on their answers when they come back  
14 with the main answer which is --

15 MS. FAVATE: They're not going to start  
16 working on the answers until the public  
17 hearing's closed.

18 MR. STEINMAN: Second of all --

19 THE CHAIRMAN: Is there a time limit that  
20 they have to respond --

21 MR. STEINMAN: The public was -- the  
22 hearing was noted for today. Everybody's had  
23 an opportunity to speak. It's not a question  
24 are there other people that are -- haven't had  
25 the opportunity to speak. That would be why

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2 you would keep the public hearing open, and  
3 that doesn't mean you can't continue the  
4 discussion. I'm not saying you can't continue  
5 the discussion on June 8th.

6 THE CHAIRMAN: If we were to close the  
7 public hearing on June 8th, how would that  
8 delay the process?

9 MS. FAVATE: By two weeks.

10 MR. MENDES: July in order to discuss.  
11 What he's saying -- I mean, I think what  
12 they're saying is in order to get our  
13 answers -- our questions answered --

14 MR. VERNI: Lou, it's been going on for  
15 how many years? Two more weeks. 30 years.  
16 Two more weeks. Test the pipe. Close it on  
17 June 8th.

18 MR. STEINMAN: I don't think that's going  
19 to happen as part of this process, because I  
20 don't think the board has any authority to tell  
21 them to do that at this point.

22 MR. VERNI: Well, we can ask the building  
23 department to do that.

24 MS. FAVATE: That's something you could  
25 do.

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2 MR. STEINMAN: That's something -- Dan  
3 isn't here. The village engineer is isn't  
4 here. I certainly can relay that comment to  
5 them.

6 MR. VERNI: But that's information --

7 MR. STEINMAN: Again, it's a totally  
8 separate process from this.

9 MR. MENDES: As far as the condition of  
10 the line, I mean, I understand that. I  
11 understand there's a building department  
12 function here. But then there's also a  
13 decision that we have to make. That decision  
14 is based upon alternates. Those alternates may  
15 vary upon different answers that you may get.

16 MS. FAVATE: I just say I think --

17 MR. MENDES: If we close the public  
18 hearing -- if we close the public hearing,  
19 let's say we close the public hearing, when  
20 will we have that discussion with the owners  
21 and actually have -- will we be -- will we be  
22 able to have that discussion with the --

23 MR. STEINMAN: Well, there will be  
24 opportunity for discussion, but remember, at  
25 the end of the day, maybe it's not clear, the

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2 board will decide which, if any, alternative  
3 they're going to approve. Okay. The DSEIS  
4 makes it clear that the applicant will not be  
5 able to do any development that they're  
6 proposing without replacing the sewer line. So  
7 the no-action alternative is something that's  
8 required to be in the document in accordance  
9 with the SEQRA regulations, but it's very clear  
10 from the document that they cannot do any  
11 instruction of the proposed development without  
12 replacing the system. So it's not an option.  
13 ~~No-action alternative is not an option.~~

14 MS. FAVATE: And I think you've all heard  
15 very clearly from the public, and, obviously,  
16 you share the concern about the condition of  
17 the sewer line now, that is something that's  
18 already in the record that they will have to  
19 respond to as part of the FEIS. So whether you  
20 get your answer before June 8th --

21 THE CHAIRMAN: That was the same exact --  
22 I mean, honestly, that was exactly where we  
23 were two years ago and --

24 MR. VERNI: I think --

25 MR. MENDES: Hold on. Hold on.

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2 So when will we be able to discuss these  
3 issues: June 8th or September? When is -- can  
4 you just give me a timeline.

5 MR. STEINMAN: Which issues are we talking  
6 about?

7 MR. MENDES: The issues of what we're  
8 talking about here.

9 THE CHAIRMAN: I mean, could -- I mean,  
10 would the applicant be prepared to respond to  
11 questions from the board tonight?

12 MR. NOTO: That's really not to the  
13 process. And I know it's frustrating for you.  
14 But Mr. Steinman is correct in that there is a  
15 very specific process that is laid out in  
16 SEQRA. I think some people think somehow  
17 keeping the public hearing open somehow -- you  
18 know, either somehow enhances the process. But  
19 the reality is I think what Mr. Steinman was  
20 explaining. We can't -- we're not in a  
21 position to answer any questions until the  
22 hearing is closed. We get all of the comments,  
23 then we go through the process of answering all  
24 the questions. So, by the way, we're not  
25 opposed to having a meeting at some point and

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2 discussing it with you, but we're going to  
3 answer the questions. That way it just --

4 MR. MENDES: I understand. Look, I  
5 understand what you're saying. By closing  
6 the -- by closing the public hearing today, it  
7 gives you the opportunity to answer all the  
8 questions. My question --

9 MR. NOTO: And we're not advocating that  
10 you close the hearing, by the way. We don't  
11 really care either way.

12 MR. MENDES: My question is: When can we  
13 discuss this issue, June 8th or two weeks after  
14 June or two weeks after July or --

15 THE CHAIRMAN: I think this board is  
16 curious.

17 MR. NOTO: You mean all of the comments?

18 THE CHAIRMAN: No. No. The substantive  
19 issue. I think the board is curious to know  
20 why the preferred alternative is this pipeline  
21 bridge. For example, eight feet, you know,  
22 parallel to the bridge. That's --

23 MR. NOTO: The short answer is it's in the  
24 documents. The long answer is we're going to  
25 give you a -- and we're going to -- candidly,

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2 what we're going to do is back based on the  
3 comments and reevaluate where we are  
4 with Ahneman Kirby, which is the Town of Rye  
5 consulting engineers, to see if, in fact, you  
6 know, there is some movement on their part that  
7 we could attach it to the bridge. We're not we  
8 wedded -- in other words, it's not like we're  
9 thrilled with this, quite frankly. We're not.  
10 But we're limited from engineering perspective  
11 of what we think we can do. I'm not an  
12 engineer, so I'm not going to give you  
13 engineering information that I don't possess.  
14 So this is a relatively fluid process in the  
15 sense that all of the comments were good. They  
16 were all -- you know, they were all relevant to  
17 the DSEIS, and we're going to address them.  
18 And, as Mr. Natchez said, he's trying to be  
19 constructive. He wrote us a letter. He didn't  
20 read the letter, unfortunately. We have it.  
21 It's a part of the record. To the extent that  
22 we will go back and check with DEC, we will do  
23 that. And if there are good ideas that we can  
24 incorporate, we're going to do it. This isn't  
25 fun for us. Like, we don't like to spend

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2 money. We don't really need to be, you know,  
3 difficult. It's a sewer line. So it's going  
4 to be designed by engineers and approved by  
5 engineers. That's our view. So it's not  
6 something that we're looking to make more.  
7 We're not building a missile silo. We're not  
8 looking to cause more problems. We just want  
9 to get this done. And so the -- and the people  
10 who say they want to get it done quickly, and,  
11 you know, I understand that, the best way to  
12 get it done quickly is to get the process  
13 moving. And as Mr. Steinman was trying to  
14 explain, closing the hearing --

15 MR. MENDES: We understand. I think we're  
16 just repeating. We understand all of that. My  
17 question is: When -- because all the research  
18 you're going to do with the town of Rye and  
19 you're going to come back and say have any  
20 documents and that I can test the bridge. So  
21 my question still is: When can I discuss this?  
22 Is it June 8th? Is it two weeks from June? Is  
23 it in August? Is it in September? My question  
24 is still --

25 MR. NOTO: You want to discuss the issue

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2 of whether we put the pipe 8 feet off or closer  
3 to the bridge?

4 MR. MENDES: Well, do you think you'll be  
5 able to discuss this after June 8th?

6 MR. NOTO: Yeah. I mean, I have to  
7 discuss with Mr. Holmes, but yeah. We'll come  
8 in any time you want and have a conversation  
9 about that.

10 MR. MENDES: That's my question. Because  
11 at that point, I would like to understand --

12 MR. NOTO: Sure.

13 MR. MENDES: I would like to not only  
14 understand all of that, all those questions,  
15 understand the actual pipe, the actual sewer  
16 line, you know, and understand what is -- is  
17 there any mitigation issues that need to be  
18 taken in the meantime.

19 MR. NOTO: We're happy to have that  
20 conversation. No one's asked us before, by the  
21 way. No one has invited us to a meeting to  
22 have this conversation, just so you know. Now  
23 you have questions -- we're not adverse to  
24 having a meeting with you and answer these  
25 questions.

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2 MR. MENDES: Don't you think it's  
3 important that we should all be comfortable  
4 with the existing conditions of a line.

5 THE CHAIRMAN: So --

6 MR. NOTO: So let me explain the line.  
7 There are thousands of sewer lines running in  
8 the village of Mamaroneck. Thousands. And all  
9 of them are old. I mean, there's a sewer line  
10 connected to virtually every house that runs  
11 from your house to a main line to a sewage  
12 treatment plant that serves seven  
13 communities --

14 MR. MENDES: That how it works, Mr. Noto?  
15 Mr. Noto, I understand that. I understand  
16 sewer lines and houses. It all flows down, you  
17 know, gravity. I understand that.

18 MR. NOTO: So we fixed the line.

19 MR. MENDES: But that's not what I'm  
20 asking.

21 MR. NOTO: I'm going to explain to you the  
22 history. We fixed the line. We went to the  
23 county. The county health department inspected  
24 what we did, and they said, Fine. They closed  
25 the file. We're done. They didn't ask us to

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2 do any additional testing. Nobody has asked us  
3 to do any additional testing. So I'm saying --

4 THE CHAIRMAN: I'm sorry. This board,  
5 apparently, didn't have the authority. You're  
6 now asking us to adopt a document.

7 MR. NOTO: For a new sewer line.

8 THE CHAIRMAN: No. But as part of that  
9 document, it says, you know, that the existing  
10 sewer line is also fine. So for us to come  
11 back and have questions about that, I think, is  
12 really natural. I mean in --

13 MR. NOTO: I'm not saying it's -- I'm  
14 saying -- I'm not saying we won't answer them.  
15 The point is that we don't test the line on a  
16 regular basis if we don't have to because  
17 nobody does. As I said, there are over 18 --  
18 when they discovered the break here, there were  
19 18 around the village, some more serious than  
20 this one. And, of course, we never hear about  
21 those, and they were repaired, and you move on  
22 like anything else.

23 So if Mr. Gray said, you know, we want you  
24 to go test the line, we would probably go test  
25 the line. I mean, we're not averse to it.

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2 Obviously, we've been fine for the last two  
3 years. The no-action alternative is an  
4 obligation on our part to put in the document.  
5 We didn't say we don't want to take any action.

6 THE CHAIRMAN: Typically, the no-action  
7 alternative says, no, this doesn't work. We  
8 need to do this action. So -- so --

9 MR. NOTO: So we're advocating a preferred  
10 alternative because we want to put in the sewer  
11 line because we want to do the project. We  
12 can't do the project without the sewer line.  
13 We understand that. And that's fine. I think  
14 the -- focusing on the no-action alternative is  
15 not really where any of us are. I mean, none  
16 of us are saying let's do --

17 MR. MENDES: We're not focusing on that.  
18 We're focusing on making sure that when we have  
19 discussion -- look, all I'm asking is we need  
20 to have a discussion if it's June 8th -- the  
21 sooner the better.

22 MR. NOTO: I can't tell you June 8th. I  
23 have to talk to Tom. It might be the next week  
24 in June or the first week in July. When we're  
25 --

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2 MR. MENDES: So the sooner the better.

3 MR. NOTO: He may suggest we have to go  
4 test the line. He has to get the club's  
5 permission to pay for the test. There's a  
6 process.

7 MR. MENDES: That's all good stuff. See,  
8 that's -- now we're getting to some order to  
9 remedy of a conversation.

10 MR. NOTO: But it has nothing to do with  
11 the DSEIS.

12 MR. MENDES: I understand that process.

13 MS. FAVATE: I want to just reiterate that  
14 this discussion can happen, and I think it's  
15 probably a good idea.

16 MR. MENDES: I got it. We got it. We got  
17 it. We got it. We got it.

18 THE CHAIRMAN: Let her speak.

19 MR. MENDES: I've been hearing this all  
20 day.

21 THE CHAIRMAN: She doesn't come that  
22 often, and I really want to hear what she has  
23 to say.

24 MS. FAVATE: I think you got it, but I  
25 would like to repeat it for the record.

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2 I think the public hearing is separate  
3 from that process, and until the public hearing  
4 is closed, they cannot begin to respond to the  
5 comments, which can be happening concurrently  
6 with a discussion that you are having. So they  
7 can start to be working on these comments.  
8 Realistically, you're not going to have all the  
9 answers before June 8th anyway, even if you  
10 close the open hearing tonight.

11 MR. NOTO: Right.

12 MR. VERNI: And I can't --

13 MS. FAVATE: It's going to take some time.  
14 I don't know what the time frame is, what the  
15 schedule is, but it's going to take some time.

16 MR. STEINMAN: Or we cannot start -- after  
17 the public hearing is closed, you have to  
18 provide a written comment period. So that  
19 comment period doesn't start until after the  
20 public hearing is closed.

21 THE CHAIRMAN: Aha. Okay. I get it. I  
22 mean, based on Les's advice, I would -- you  
23 know, I would be in favor of closing the public  
24 hearing. It sounds like not everybody here  
25 agrees.

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2 MR. VERNI: I'd just like to get some  
3 answers on the existing condition. And whether  
4 the hearing is closed, the applicant can still  
5 come back and give us the answers.

6 MR. STEINMAN: Correct. Correct.

7 MS. FAVATE: Correct.

8 MR. VERNI: So that would be part of my  
9 process, is I'd like to have them make a  
10 commitment to come back with some answers  
11 before the summertime here, especially since  
12 I'm right across the harbor, so I want to know  
13 how -- what the existing condition is. So I  
14 want to know that as a condition for closing.

15 MR. STEINMAN: So I think that --

16 MR. VERNI: Or part of the condition for  
17 closing.

18 MR. STEINMAN: So in the next -- before  
19 the summer adjournment of the plan. Would that  
20 be a fair time frame?

21 MR. VERNI: Uh-huh.

22 MR. STEINMAN: So, Paul, can you address  
23 that?

24 MR. NOTO: So -- I apologize. What --  
25 obviously, you want to know the current

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2 condition of the line. So I -- I will ask my  
3 client, and I will talk to Mr. Holmes as to  
4 what that process would entail and how long it  
5 would take. It's not going to -- I don't know  
6 if it could happen in two weeks but --

7 MR. STEINMAN: We're saying before the  
8 end -- before the end of July, the second  
9 meeting in July.

10 MR. NOTO: Oh, could we test the line  
11 before the end of July; is that your question?

12 MR. STEINMAN: Well, I think that's the  
13 answer that John is looking for a time frame to  
14 get an answer.

15 MR. NOTO: Tom says it's doable, so yeah.

16 MR. STEINMAN: Okay. So we're getting  
17 there.

18 MR. MENDES: No. No. No. No. I mean,  
19 you're going to test the line how? What's --  
20 what is your testing procedure?

21 MR. NOTO: I'm not an engineer. I'm not  
22 going to be out there testing the line. I just  
23 want to be clear. And we have to get our  
24 client's authorization to spend the money to do  
25 it, and I don't think -- I don't know that's

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2 going to be a problem.

3 MR. MENDES: I agree with John. I agree  
4 with John. We'll close it with certain  
5 caveats. You have to come back to us.

6 MR. NOTO: I don't know if you can do  
7 that.

8 THE CHAIRMAN: We're all collaborating  
9 here. I mean --

10 MR. NOTO: No. It's not me saying -- your  
11 counsel -- I know it's a frustrating process.

12 THE CHAIRMAN: I am agreeing with you.  
13 Stop. I am agreeing with you. I'm saying that  
14 we can close it. I think having this  
15 discussion and a plan to have you look at the  
16 line, I think, would satisfy us.

17 MR. NOTO: As a separate and distinct  
18 process.

19 THE CHAIRMAN: Yes.

20 MR. STEINMAN: Right. And report back to  
21 us hopefully by the end -- before the end of  
22 July.

23 MS. FAVATE: As soon as possible. Sooner  
24 rather than later.

25 THE CHAIRMAN: I think just what Lou is

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2 saying though, right, and correct me if I'm  
3 wrong, Lou, is just that we want -- you know,  
4 we want to make sure that it's actually, you  
5 know, a thorough investigation of the line.  
6 And I --

7 MR. MENDES: No. Well, yes, thorough.  
8 But it's a correct -- thorough -- look, you can  
9 investigate the line. You can do a thorough  
10 testing of the line, but are you testing it  
11 with the wrong PSI and for the -- and for the  
12 -- you can test for 20 PSI for five minutes  
13 thorough -- thoroughly, but it's not the right  
14 testing procedure. So I would like to know  
15 that. I would like to know --

16 MR. NOTO: Okay.

17 MR. MENDES: -- what is the line. And  
18 look, we can have our engineer also look at it.  
19 Just tell me what the line -- it's a break --  
20 it's a break -- what kind of a line is this?

21 MR. GREECHAN: You know, the existing  
22 line, I wasn't aware of any of the discussion.  
23 I was not the engineer at the time. So I'm  
24 making notes. I'm going to follow up.

25 MR. MENDES: So, basically, I would like

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2 to know the procedure. I'd like to know the  
3 testing procedure and I'd like to know --

4 MR. GREECHAN: We'll do it according to  
5 the county health department procedures.

6 MR. STEINMAN: Would it be fair to say  
7 that the applicant will coordinate with the  
8 village engineer in terms of --

9 MR. MENDES: I don't have a problem with  
10 that. I don't have a problem with that.

11 MR. GREECHAN: And, also, with --

12 (Indiscernible.)

13 -- and public works records, and get out  
14 what was done at the time. I'm not aware of  
15 what was done at the time. I was not -- I was  
16 not, you know, on this particular break. I was  
17 not hired by the village at the time. So we  
18 can follow up.

19 MR. STEINMAN: That will be the protocol.

20 MR. VERNI: And that test will be  
21 completed by?

22 MR. STEINMAN: Well --

23 MR. MENDES: Tomorrow.

24 MR. VERNI: Yeah. What's our outside  
25 date?

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2 MR. STEINMAN: We're proposing the second  
3 meeting in July.

4 THE CHAIRMAN: I think that would be fine.

5 MS. FAVATE: At the latest.

6 MR. MENDES: That's fine. That works.

7 (Indiscernible.)

8 THE CHAIRMAN: I hear you. I understand  
9 what you're saying.

10 MR. HOLMES: I hear you're asking  
11 technical questions that are separate from this  
12 process. So we're -- I think I hear you  
13 suggesting to have a workshop session, a work  
14 session, where we have this discussion where  
15 your questions can be answered.

16 THE CHAIRMAN: We did discuss that. I  
17 think we have a couple of different threads  
18 going on. The main thread right now we're  
19 dealing with is actually just examine --  
20 ensuring that the line gets examined.

21 MR. HOLMES: Understood. And that's the  
22 discussion.

23 MR. NOTO: We'll do the test, and then  
24 we'll discuss it with you.

25 THE CHAIRMAN: Sure. When you come back,

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2 I mean, at that point --

3 MR. HOLMES: You want to know why it was  
4 at 14 PSI, that type of thing?

5 THE CHAIRMAN: No. I think we want to  
6 know that it's safe for the time being,  
7 according to, you know --

8 MR. VERNI: County standards.

9 THE CHAIRMAN: -- standards and whatever  
10 Hugh deems is accurate.

11 MR. NOTO: We understand that. And then  
12 you have a second issue about the eight-foot --

13 THE CHAIRMAN: Well, we have --

14 MR. NOTO: We can have a work session, if  
15 you'd like, and answer these questions on a  
16 technical level, if you'd like, again,  
17 independent of the SEQRA process, if that's  
18 easier for you.

19 MR. VERNI: That question has to be  
20 answered part of the SEQRA process. That was a  
21 question that was --

22 MR. STEINMAN: Well, it is going to be  
23 answered.

24 MR. NOTO: It does. But I got the  
25 impression that there was some -- you know,

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2 some impatience on the part of the board  
3 members. If you wanted that answered rather  
4 than later --

5 MR. STEINMAN: It's going to appear in the  
6 document as well.

7 MR. NOTO: If you don't want to wait for  
8 us to come back, that's fine.

9 MR. STEINMAN: You don't want to wait.  
10 You want to expedite it. You're going to get  
11 it.

12 MR. MENDES: I don't think it's called  
13 impatience. I think it's called, you know, due  
14 diligence of the process and making sure --

15 MR. NOTO: Right. But, unfortunately,  
16 it's not a fast process.

17 THE CHAIRMAN: But, Paul, I mean, I think,  
18 honestly, we're trying to expedite the process.  
19 We don't want you to go and produce some  
20 document that we come -- that you bring back  
21 and --

22 MR. NOTO: I understand.

23 THE CHAIRMAN: You know, we want to give  
24 you the feedback this summer.

25 MR. NOTO: Right. And we want the

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2 feedback. We don't want to come back and do it  
3 again and again and again.

4 THE CHAIRMAN: So -- okay.

5 MR. VERNI: We're good with that. One  
6 last question on the process list: So after  
7 they come back with their answers, not the  
8 immediate answers, but the ultimate answers,  
9 after they produce their FEIS, then there's not  
10 another public hearing, but is there -- would  
11 there be an opportunity for public comment?

12 MR. STEINMAN: Typically, there is not on  
13 a final environmental impact statement. If you  
14 felt it was imperative to have one, you could  
15 do it. But the procedure -- the SEQRA  
16 regulations outline does not include a public  
17 hearing on the final. But I've been in other  
18 situations where the board has decided that  
19 they want to afford the opportunity.

20 MR. VERNI: Given the amount of input  
21 here, I think it would be good for us to have  
22 public comments when we get the final document.

23 MR. STEINMAN: You can -- you don't have  
24 to decide that now. You'll decide that along  
25 the way.

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2 MR. VERNI: We'll cross that bridge with  
3 the pipe when we get to it.

4 THE CHAIRMAN: So I think we're in  
5 agreement. We're expecting another meeting  
6 with the applicant, the second meeting in July,  
7 with testing results for the line. So I think  
8 at this point we can separately take a -- a  
9 motion to close this public hearing.

10 MR. VERNI: With those caveats, so moved.

11 MR. MENDES: Second.

12 THE CHAIRMAN: John?

13 MR. VERNI: Yes.

14 MR. MENDES: Yes.

15 THE CHAIRMAN: Okay. I vote yes.

16 MR. STEINMAN: And then let's set the --  
17 confirm there's already been a notice but  
18 confirm that written comments can be submitted  
19 up to and through June 8th.

20 THE CHAIRMAN: Okay.

21 MR. STEINMAN: So take a separate motion  
22 for that.

23 THE CHAIRMAN: Okay. A motion to confirm  
24 that we'll accept written comments until June  
25 8th.

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2 MR. VERNI: So moved.

3 MR. MENDES: Yes. Yes.

4 THE CHAIRMAN: And I vote yes. Okay.

5 Do we have anything else?

6 MR. STEINMAN: No.

7 MR. VERNI: That's it for tonight.

8 THE CHAIRMAN: Motion to adjourn.

9 MR. VERNI: Moved.

10 THE CHAIRMAN: All in favor.

11 MR. MENDES: Aye.

12 (Time noted: 9:17 p.m.)

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## C E R T I F I C A T E

I, ILANA M. NATHANSON, a Certified Court Reporter and Notary Public of the State of New York, do hereby certify that the transcript of the foregoing proceedings, taken at the time and place aforesaid, is a true and correct transcription of my shorthand notes.



ILANA M. NATHANSON

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**APPENDIX L**

DEIS COMMENTS AND CORRESPONDENCE

# WRITTEN COMMENTS RECEIVED DURING THE PUBLIC COMMENT PERIOD ON THE DSEIS FOR THE MAMARONECK BEACH AND YACHT CLUB PROPOSED SANITARY SEWER SYSTEM UPGRADE

	<b>End of written comment period:</b>	June 8, 2016

<b>Date</b>	<b>Document</b>	<b>Pages / Format</b>
05 11 2016	SAPOA & Danial Natchez DSEIS comments with attachments	17 pages via hard copy and email
05 25 2016	Victor Tafur DSEIS comments	4 pages via hard copy and email
05 25 2016	Westchester Land Trust DSEIS comments	14 pages via hard copy and email
05 26 2016	HCZMC DSEIS comments	2 pages via hard copy and email
05 28 2016	Lorna Waitt DSEIS comments	1 page via email
05 29 2016	Dana Stetson DSEIS comments	2 pages via email
06 02 2016	NYSDEC DSEIS comments	4 pages via hard copy and email
06 03 2016	Keith Waitt DSEIS comments	3 pages via email
06 05 2016	Katherine Desmond DSEIS comments	3 pages via email
06 06 2016	Christopher Hillyer DSEIS comments	3 pages via email
06 07 2016	Newman Ferrara DSEIS comments	3 pages via email
06 07 2016	SAPOA & D. Natchez DSEIS comments	2 pages via hard copy and email
06 08 2016	Allison Stabile DSEIS comments	3 pages via email
06 08 2016	Gretta Heaney DSEIS comments	1 page via email
06 08 2016	Michelle Goodman DSEIS comments	1 page via email
06 06 2016	NYS Office of General Services	1 page via USPS
06 08 2016; 06 13 2016	BFJ's DSEIS comments adopted by the Planning Board	6 pages via email

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**Office of the President**

May 11, 2016

Ingemar Sjunneemark, Acting Chairman  
and Members of the Planning Board  
Village of Mamaroneck  
169 Mt. Pleasant Avenue  
Mamaroneck, NY 10543

**RE: DSEIS – SANITARY SEWER – MAMARONECK BEACH & YACHT CLUB**

Dear Chairman Sjunneemark and Members of the Planning Board:

I am filing this letter in my capacity as President of Daniel S. Natchez and Associates, Inc. (DSN&A), an Environmental Waterfront Design Consulting Company, as President of the Shore Acres Property Owners Association (SAPOA), and as a resident of the Village of Mamaroneck regarding the inadequacies and misstatements in the DSEIS.

First let me make it clear for the record, DSN&A, SAPOA and myself are in favor of and believe it is important for the **existing sanitary sewer** (force main) line from Mamaroneck Beach & Yacht Club (MB&YC) to be **replaced as soon as possible**, and we further support the conceptual route going up along South Barry Avenue. However, now that the DSEIS has been presented to the Board and deemed to be available for public comment, it is important that the FSEIS, *which is the Planning Board's Document*, be correct and meaningful in terms of the Project being proposed. It is important that this Project be designed and undertaken in the most environmentally compatible and enhancing manner, and in a way that ensures the health, safety and best long term interests of the Village.

It is unfortunate that the Applicant has taken over two years from the completion of the scoping document (2/12/14) to get to this point. It is even more unfortunate that the DSEIS appears to be incomplete in terms of fulfilling the scoping document and has numerous shortcomings and errors, which include:

- The existing force main line has not been tested to show it is in compliance with the NYS Building Code and it should either meet the code or be replaced immediately, regardless as to whether any other MB&YC project is undertaken.
- The route for the preferred South Barry Avenue alternative should have the force main utilizing or immediately adjacent to the South Barry Avenue bridge.
- Easements are required for the South Barry Avenue route from the various owners of land, including Westchester Land Trust and the Village, as well as from New York State if involving land below the Mean High Water Line.
- Not considering MB&YC's neighboring residents and potential sanitary lines or usage.

- Wetlands issues and impacts that could be avoided.
- Assorted omissions, misstatements and misrepresentations.
- Mischaracterization of those who have expressed various concerns regarding MB&YC's plans including through the use of the term "certain neighbors."

These are discussed in more detail as follows:

**A) NO ACTION ALTERNATIVE/ISSUES OF EXISTING SANITARY SEWER LINE:**

There are still references and statements within the DSEIS that state that a no action alternative *would allow the existing sanitary sewer force main to remain under Otter Creek*. While there are now references to suggestions by the MB&YC's engineer/expert that the line *could* be replaced, there is nothing that says it ***needs to be replaced***.

There are sound reasons that the existing sanitary force main needs to be replaced regardless of whether a new development goes forward, including:

- i) The line is 60 to 100 years old (per MB&YC's submissions to this Board), and is believed to be past its useful life;
- ii) The line has failed, dumping raw sewage into Otter Creek – a Critical Environmental Area (CEA), and the line is roughly 250 feet upstream of the Shore Acres Point Corporation's beach where toddlers through adults wade, play and swim. Their health has already been put in jeopardy.
- iii) It is unclear whether the line is currently working or has developed another leak. Following the detection of the original leak and its repair the line was pressured tested and all were told that the line is not leaking. Subsequently we have been told that Save the Sound was then permitted to enter MB&YC's property to test the waters for pollution. Shortly thereafter, we are further told that Save the Sound was told that they could not enter MB&YC's property to undertake testing of the waters.

SAPOA thus arranged to allow testing to be undertaken by Save the Sound along Otter Creek in the vicinity of the prior leak. Those test results are attached and show levels for enterococcus (indicative of human excrement as opposed to other animals) far beyond the limits for human contact. It is not known whether the problem is caused in whole or part by MB&YC, but at the very least another pressure test should be undertaken. Clearly all may not be okay.

- iv) The line being beneath the Creek means that a break would go undetected for days to months or even years. It is known that the recent break in the line resulted in the line leaking for over a month prior to action being taken (and it may have been leaking for a far longer time). The no action alternative should require the *replacement of the sewer line* along the South Barry Avenue corridor *or* certification that the existing force main line *meets the current NYS Building Code Requirements*.
- v) The DSEIS has numerous references to the statement that the line has been inspected by the Village and County and is "currently functioning properly and no further repairs or upgrades are required." "... the Applicants engineer, in consultation with

the Village Officials, recommends an upgrade of the sewer system in conjunction with the redevelopment of the Property.” The implication is that the Village professional staff at that time and currently were/are happy with no replacement. In point of fact that is not totally correct. While the position of the current Village staff is not entirely clear, based on the undersigned’s direct conversations with William Gerety, the Director of Buildings, Code Enforcement Officer as well as Village Building Inspector at and for some time subsequent to the break in the line, he refused to remove the Notice of Violation and Order to Remedy that had been issued to MB&YC due to the fact that MB&YC’s engineer could not or would not certify that the line met the current NYS Building Code for sanitary force mains. *In fact the pressure test undertaken of the sewer line was only at 14 psi and only for 45 minutes (see TRC REPORT OF TEST AND INSPECTION EXISTING SANITARY FORCE MAIN PRESSURE TEST dated September 19, 2013 in Appendix D) as opposed to the required 50 psi for one hour per the NYS Building Code.* In addition, the cameraing of the line could not get all the way through the line – in fact it could not go under the Creek with the downward and upward slope. The TRC REPORT OF TEST AND INSPECTION EXISTING SANITARY FORCE MAIN INSPECTION, dated September 19 in Appendix D, states, *“The use of the manual camera was limited due to the ability to push the camera cable through the pipe due to friction and pipe curvature/alignment. As a result the section of the force main under Otter Creek could not be observed.”*

**“NEW YORK STATE  
DESIGN STANDARDS FOR  
INTERMEDIATE SIZED WASTEWATER TREATMENT SYSTEMS,  
MARCH 5, 2014  
New York State Department of Environmental Conservation Division  
of Water 625 Broadway  
Albany, New York 12233-3505**

#### Design Factors

##### Pressure Testing of Force Mains

Pressure tests should be made only after completion of backfilling operations and at least 36 hours after the concrete thrust blocks have been cast. All tests should be conducted under the supervision of the design engineer.

The duration of pressure tests should be 1 hour, unless otherwise directed by the engineer. **The test pressure should be no less than 50 psi, with a recommended pressure of 2-1/2 times the maximum system operating pressure.**

The pipeline should be slowly filled with water. Before applying the specified pressure, all air should be expelled from the pipeline by making taps at the point of highest elevation. The specified pressure, measured at the

lowest point of elevation, should be applied by means of a pump connected to the pipe in a manner satisfactory to the design engineer. After completion of the test, the taps should be tightly plugged.”

TRC Draft Engineers Report On site Sanitary Sewers and Pump Station (Appendix B1) E. Fore Main Design 3) c, states **“The minimum hydrostatic test pressure shall be 50psi”**..:

- vi) In TRC’s merno dated September 23, 2013 to the Village entitled SANITARY FORCE MAIN REMEDIATION (found in Appendix D), the third paragraph states, “As discussed with the Building Inspector and the Village Engineer, the **Applicant acknowledges their intention to provide a more permanent rehabilitation to or replacement of the existing sanitary force main and pump station.**” Emphasis added.

#### B) SCOPING: SECTION VI, ALTERNATIVES:

**“Alternative force main alignment along South Barry Avenue. This alternative should include two options: an alignment under Otter Creek at South Barry Avenue and an alignment attached to the Barry Avenue Bridge.”**

While the DSEIS includes an alternative involving hanging of the pipeline on the bridge, the arguments against it come across as largely self-serving, with trumped up negatives and a discounting, if not outright ignoring, of the benefits, perhaps as a means of minimizing the additional investigative work and coordination with the Town of Rye that might be required by such an alternative. **In fact pursuit of an approach that either “hangs” the line on the side of the bridge or provides independent support immediately adjacent to the bridge would keep the work out of the wetlands and are believed to be logical if not the most logical alternatives.**

In the 3/18/15 version of the DSEIS over a year ago MB&YC stated:

“Ownership and maintenance of the existing bridge is the responsibility of the Town of Rye. The Town of Rye Superintendent of Highways Report dated March 18, 2014 indicates that the Town is in the process of preparing maintenance and repair documents for the South Barry Avenue Bridge traversing Otter Creek.”

It went on to infer that the use of the bridge:

“...would be considered neither practical nor feasible for the following reasons.

- The Town of Rye has recognized the need for repair and maintenance of the existing bridge structure and the attachment of pipeline would potentially impact the efficiency of the maintenance of the bridge.
- Attachment of a pipeline to the existing bridge may be detrimental to the structure particularly when considering the condition of the existing bridge structure;

- Attachment of the pipeline to the existing bridge would impact the existing bridge abutments;”

And furthermore:

“...the “Pipe Hanger” alternate would have a limited visual impact as compared to the existing conditions because the new small diameter force main would be attached to the existing bridge structure. The primary visual impact to adjoining property owners and users of Otter Creek would be the requirement to elevate the new force main above the bottom of the bridge to avoid obstruction to creek navigators. To mitigate this impact, the new force main would be painted a dark color. (See Exhibit 7, Existing View of South Barry Avenue Bridge, and Exhibit 8, Proposed View of Pipe Hanger Alternate)”

It is unclear why the above referenced “Exhibit 8,” which was included in **previous iterations of the DSEIS, has been removed from the final DSEIS** submitted and accepted by the Board last month. That illustration aided greatly in the understanding of the alternative and clearly showed an option of running the pipe alongside the bridge deck at a level similar to the water line that runs adjacent to the east side of the bridge. A copy of the image from that exhibit is included here:



*PREVIOUS EXHIBIT 8 now removed from Final DSEIS for public review*

We were then subsequently told:

“Based on review of the Renovation Plan, the work appears to be limited to repairs to the stone wall and safety rail at the southeast corner of the bridge.”

At that time there is some verbiage that goes on as to issues with such an alternative, but the issues discussed are essentially a) the same as for the proposed separate pipe crossing, and b) similar to the existing utility on the east side of the bridge. The DSEIS raises questions as to

the use of the bridge, such as could it hold the weight, etc., all of which were supposed to be addressed in the DSEIS as opposed to, in essence, saying we have no idea and we have not bothered to find out.

**We are now told in the DSEIS as accepted by the Board for public comment that:**

“Ownership and maintenance of the existing bridge is the responsibility of the Town of Rye. The Town of Rye Superintendent of Highways Report dated March 18, 2014 indicates that the Town is in the process of prepared maintenance and repair documents for the Otter Creek (South Barry Avenue) Bridge. On February 16, 2016, the Town Board authorized a renovation project to repaint the bridge. The Town’s project is not anticipated to have any impact on the sewer improvements that are being analyzed in the DSEIS.

The Town of Rye has been made aware of the Proposed Action and will be provided a copy of the DSEIS and appendices as part of the public review process.”

We are further told via the supposed benefits of the pipeline bridge being proposed by MB&YC that there are the following concerns with respect to the line being attached to the bridge:

- Concern of exposure to vandalism will be reduced by constructing the force main with a separation from the South Barry Avenue (vehicular and pedestrian) Bridge (see Exhibit 8a), from which it would have been easily accessed by pedestrians.
- Concern of compromising the structural integrity of the existing South Barry Avenue Bridge will be avoided by constructing a separate pipeline bridge for the force main crossing.

*There is NO information in the DSEIS suggesting any reason to question the structural integrity of the subject bridge, nor why or what kind of vandalism is thought to be a concern, nor discussion regarding these concerns in light of the fact that there are other utilities, historically and currently, over both the bridges over Otter Creek and Guion Creek, the latter including the sewer line that MB&YC wishes to hook up to, nor why the question of vandalism would not apply to the “Preferred Project”. In fact it could easily be argued that the preferred pipeline bridge 8 feet offset from the Barry Avenue bridge is a more attractive candidate for vandalism as it is standing out there on its own for all to see.*

**There is NOTHING meaningful in the DSEIS that indicates why going over or across the side of and use of the South Barry Avenue Bridge is not feasible. The reference to the 10-State Standards for aerial crossings of a stream envisions a pipe crossing where there is no vehicular bridge present. Given the site specific conditions running the pipe adjacent to the bridge alongside the bridge deck level makes the most sense.**

The fact is there are existing utilities on both the Otter and Guion Creek bridges, the latter of which includes the sanitary sewer line the MB&YC sewage will ultimately pass through. To dismiss the use of the South Barry Avenue Bridge over Otter Creek with vagueness and innuendo is disingenuous at best.

In discussions and emails with William Nechamen, Section Chief, Flood Plain Management Section, Bureau of Flood Protection and Dam Safety, NYSDEC, on May 9, 2016 it was agreed that “...**absent an existing crossing in the area the elevation would be preferable above the 100 year storm, but if there is an existing crossing obstruction, such as the existing bridge, keeping the line within the existing obstruction elevations would not be creating a new obstruction and, therefore, would be preferable.**” *See attached email trail.*

We specifically discussed with Mr. Nechamen the “Recommended Standards for Wastewater Facilities 2014 Edition” which says in “37. Aerial Crossings” in part that “For aerial stream crossings, the impact of flood waters and debris shall be considered. The bottom of the pipe should be placed no lower than the elevation of the 50 year flood. Ductile pipe with mechanical joins is recommended.”

It is our understanding from talking to Mr. Nechamen that the 10 State guidance, while helpful, is essentially envisioning an aerial crossing where there is no other structure crossing, and he further noted that the 100 year flood elevation would more appropriate in today’s environment. The object is not to create a *new* obstruction but if a crossing can be made at an elevation where no new obstruction is made, then its consideration would be prudent.

Your attention is directed to the *previous DSEIS Exhibit 8* (shown above) and current DSEIS Exhibits 8b and 8a, which clearly show, probably better than we can describe, why **being over the west side of the bridge from a visual, environmental and practical approach makes more sense.**

It is also worth noting that the current DSEIS’s Exhibit 7 Proposed View of Pipeline (South Barry Avenue) has conveniently positioned the camera far from the actual bridge and at a very low height – so as to allow the pipeline bridge to be lost behind the Barry Avenue bridge guardrails. It in no way represents what the bridge crossing would look like to drivers, pedestrians and cyclists crossing the bridge itself. One might have imagined MB&YC would be more concerned with the aesthetics of the view as its members and guests come to and from the Club.

In short, there are at least **two other reasonable, practical and feasible alternatives** that have not been discussed in the present DSEIS but were in part discussed in prior drafts including:

**Placing the sewer line on/alongside the bridge outboard of the safety guard rail at i) the same height as the road or bridge beams - thereby not causing a new linear obstruction or ii) the height of the “preferred alternative”.**

**Bringing a bridge line directly adjacent to the existing bridge similar to the approach that was used for the water line on the east side of the bridge. This could also incorporate a longer span to avoid the wetland area.**

**C) FAILURE TO DISCLOSE AND DISCUSS THE NEED FOR EASEMENTS & RELATED PROPERTY ISSUES ALONG PIPE ROUTE:**

**I Area between the South Barry Avenue Bridge and MB&YC's property:**

The DSEIS says that the route of the preferred alternatives "...along the South Barry Avenue ..." would be through and leaving MB&YC's property and thereafter through "...public lands within South Barry Avenue right-of-way (ROW)."

However, it is believed that there are also private lands as opposed to all "public lands" south of the South Barry Avenue Bridge over Otter Creek. Westchester Land Trust (WLT) filed a letter dated October 6, 2015 indicating that they believe by deed and confirmed by survey completed 3/11/2016 (copy of letter and survey attached hereto) that the land adjacent to the southwest end of said bridge over Otter Creek as well as the road and road bed in front of MB&YC at least to the fire hydrant and fork in the road, as well as the area to the west of the road to the bridge, is in fact owned by the WLT and at the very least the route proposed by MB&YC to access the proposed 'new crossing' is through WLT's property. WLT further indicated that there are NO easements or other instruments giving MB&YC *any* rights for utilities through, over or under WLT property.

This matter was raised by the undersigned before the Planning Board on 10/14/15 (LMCTV-10/14/15 11:4214.37) with a reply statement from the Board's counsel that the issue of easement(s) "will be addressed as the process goes forward." To date it does not appear to have been addressed. In fact there is not even remotely accurate mapping of the properties involved in the Barry Avenue route – not even of the MB&YC property itself. How can impacts be assessed without even such basic information?

It is interesting to note that on another application unrelated to MB&YC the Village Land Use Attorneys advised the Harbor & Coastal Zone Management Commission not to proceed with review of the application without the applicant securing an easement or other right to cross through property along the pipe's route that was not controlled by the applicant - even though that section of pipe was not part of the scope of work within the HCZMC application. In fact it was suggested that until such time as the applicant could demonstrate control over the entirety of the proposed stormwater pipe's route, there was no point in wasting the time of the Commission or the public. The Village Land Use Attorneys have insisted that the situations are in no way comparable. We remain at a loss as to how this can be the case as MB&YC has not been able to demonstrate control over the proposed or any of the alternative sewer pipe routes. The essential circumstances of both applications are similar, but the approach to proceeding is not.

**II Area between the South Barry Avenue Bridge and the proposed sewer connection near the junction with Soundview Drive.**

The DSEIS is virtually devoid of information about the conditions and issues that will be encountered or anticipated with the installation of the proposed force main.

On the northwest side of the Otter Creek Crossing there is an existing residential garage approximately 6 feet from the proposed sewer line route as well as the Village's stormwater outfall that is within approximately 2 to 3 feet from the proposed sewer line route. No information is provided regarding potential impacts to or conflicts with these structures.

Exhibit 8a does include a mapping of the existing 18” tree near the northwest corner of the bridge along with the note that it “may be impacted” – but there is no suggestion of the extent of that impact, how it could be minimized and who would be responsible for the future removal of the tree in the event it is killed.

**Simple issues, such as the separation of the water mains and a sanitary sewer line, the Westchester Land Trust’s property and other private properties along the route of South Barry Avenue, the anticipated rock removal, all fail to be identified or discussed in the DSEIS and should be part of the FSEIS.**

The need for an easement from the Village also seems to be ignored and is listed as “possible” as opposed to being “required”.

The only statement set forth is that the force main will be installed per the Village Engineer’s requirements in a manner acceptable to the Engineer. Basically that statement is true for every development, but does not address meaningful information required by SEQR and in a FSEIS.

#### **D) POTENTIAL BENEFITS OF THE LINE PLACEMENT AND USE:**

There is also no discussion of how the line could be installed without impairing the ability of the up to four other property owners south of the bridge to undertake a similar project or join the proposed line at a future date and not be foreclosed due to the approach MB&YC proposes to undertake.

Similarly, there is no discussion as to whether the line outside MB&YC could at some point in time be dedicated to the Village and/or other arrangements made to allow the other homeowners to utilize same.

#### **E) WETLAND/CEA/LWRP ISSUES:**

In V. The Environmental Analysis:

It is stated that, “Coordination with NY State Department of Environmental Conservation (DEC) and review of the New York State and U.S. Government listed rare, endangered, threatened or species of special concern that occur in the State failed to reveal the occurrence of any of those species in the vicinity of the Project area.” Yet it is known that bald eagles (NYS Threatened) have been seen in the area and osprey (NYS Special Concern) frequent the area and have been known to nest nearby. In fact there are two osprey nesting platforms close by to the east within the WLT property that have been home to osprey over the years, with a nest actively being used at this time and with four young having been observed in one of the nests last year, and the large dead tree just southwest of the Barry Avenue Bridge is a very frequent perch, providing an ideal view of the creek waters and wetlands.



Osprey in dead tree on 5/5/16 near entrance to MB&YC adjacent to proposed sewer line route

The area is also used by numerous other species including herons, egrets, ducks, geese, white tail deer, muskrats and others as have been previously described in documents and filings associated with the Otter Creek Preserve. To simply rely on a generic NYS database while ignoring the abundant local information provided and readily observable does not satisfy the level of review that should have been undertaken as part of the DSEIS.

On page 28 it is stated that “As reported above, the regulated wetlands in proximity to South Barry Avenue include the rock riprapped shoreline east of the Otter Creek Bridge and the pocket of vegetated wetlands measuring approximately four square feet situated adjacent to the stormwater outfall in the northwest corner of the bridge abutment. Beyond those areas, uplands dominate the site as the result of the seawall or land elevation. The existing functions and values of the area within the proposed Project area are primarily related to the tidal exchange waters and the unstable creek bed.” Yet the Project area has a stand of *Spartina alterniflora* and mud banks that are enjoyed by fiddler crabs and other species.

The issue of the disturbance of 50 square feet and permanent loss of 10 square feet of intertidal area may to some be minor. However, **the question is whether there are any other reasonable alternatives. And, in fact, there are – including but not limited to:**

**Placing the sewer line on/alongside the bridge outboard of the safety guard rail at i) the same height as the road or bridge beams - thereby not causing a new linear obstruction or ii) the height of the “preferred alternative”.**

**Bringing a bridge line directly adjacent to the existing bridge similar to the approach that was used for the water line on the east side of the bridge. This could also incorporate a longer span to avoid the wetland area.**

These are just two *reasonable, practical and feasible alternatives*.

It is also curious that with all the subsurface borings and investigation that the applicant did and provided in the appendices of the DSEIS that NO subsurface investigation was made of the approach for the proposed preferred alternative route of the sewer line on either side of the bridge or, for that matter, farther northward to Soundview Drive.

It is also curious that the Applicant is now suggesting that the proposed sewer and water pipes that would be under one of the new buildings (Otter Creek Seasonal Residences) should not be rerouted outside the perimeter of the proposed building – a believed requirement of the former Village Engineer – simply because it would add an additional 100 feet of sewer pipe, four manholes and 170 feet of water pipe. Acting Chairman Sjunneberg stated in the Board's October 14, 2015 meeting that the lines going under the proposed new seasonal residence building should not be done. As the Acting Chairman suggested, since the building has not been built one could move either the building or the lines, but prudent building practices favor eliminating where possible and practical placing trunk lines of any utility from running beneath a building.

#### F) OMISSIONS/MISSTATEMENTS/MISREPRESENTATIONS:

DSEIS Statement:

“During the review of the 2013 Amended Site Plan, a break in the sewer force main servicing the property occurred, which subsequently was repaired and returned to service after appropriate testing. The force main was inspected by Village of Mamaroneck professionals and the Westchester County Department of Health ("WCDOH"), is currently functioning properly and no further repairs **or upgrades** are required. Nonetheless, due to new information regarding the condition of the force main and its ability to serve the Club's redevelopment plan, the Applicant's engineers, in consultation with the Village Officials, recommends an upgrade of the sewer system in conjunction with the redevelopment of the Property.” [emphasis added]

Not correct – see comments from the former Building Inspector communicated to the Applicant's representatives – the line does NOT meet NYS Building Code, is in a CEA and has leaked raw sewage for an indefinite period into Otter Creek, 250 feet upstream from a beach area.

Within the “Background and History” there are many misleading and self-serving statements that are inappropriate in a FSEIS.

“To resolve certain issues raised by neighboring property owners, the Club later filed a further amended site plan that eliminates consideration of any portion of the Club's property that was the subject of then pending litigation as part of the lot area, resulting in a site size of 12.27 acres (previously defined as the "2013 Amended Site Plan")’. In point of fact the Applicant's Attorney kept telling the board that the Club's desires and future plans **'had changed'**.”

In fact it is suggested that the first six (6) paragraphs be removed as not relevant as to why the DSEIS was required to be prepared and is not meaningful for a FSEIS.

Within Table II-1 as well as in narratives elsewhere some of the references are misleading including:

Village of Mamaroneck Board of Trustees - Easement for the use of Village Property are required – so the word “possibly” is misleading and a license agreement may also be required.

Army Corps of Engineers – Nationwide Permit #10. In discussions with the ACE a permit may be required but in any event notifications are required to the ACE for a determination:

“Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if any of the following criteria are met: (1) the activity involves mechanized land clearing in a forested wetland for the utility line right-of-way; **(2) a section 10 permit is required;** (3) the utility line in waters of the United States, excluding overhead lines, exceeds 500 feet; (4) the utility line is placed within a jurisdictional area (i.e., water of the United States), and it runs parallel to or along a stream bed that is within that jurisdictional area; (5) discharges that result in the loss of greater than 1/10-acre of waters of the United States; (6) permanent access roads are constructed above grade in waters of the United States for a distance of more than 500 feet; or (7) permanent access roads are constructed in waters of the United States with impervious materials. (See general condition 31.) “

NYS Department of Environmental Conservation – It is believed that a tidal wetlands permit is required and a water quality determination is required - including for an ACE permit.

There are statements inferring as well as stating that the land beneath the bridge (page 17) is owned by the Village and in fact the Otter Creek bed is owned by the State of NY.

There are statements inferring that the only issue regarding the sewer line is a replacement if other activities are undertaken. As stated earlier, this is not the case as the current line does not meet the current NYS BUILDING CODE. The lack of mention of this throughout the document and in IV PURPOSE AND NEED FOR THE PROPOSED ACTION (PREFERRED ALTERNATIVE) goes through a long litany and curiously omits the discussion and interaction with the then Building Inspector and the need to have the existing or new force main meet the NYS Building Code requirement of 50psi pressure test – See “B vi” herein.

It appears that there is no mention of the age of the existing force main within the DSEIS. Previously the Applicant made it known that it was their belief that the line was circa 100 years old and later that it could be somewhere between 60 to 100 years old. In either case it is well beyond its useful life and the age of the existing line is a significant reason for its replacement regardless of whether any new development is undertaken and is a likely reason or significant contributor to why the line failed.

Two apparent typos, not significant, but mentioned since they were observed:

Page 17 last full line, it is believed that the word “with” should be “within”.

Page 26 ninth line up from the bottom, it is believed that the word “alterniuflora” should be “alterniflora”.

**G) REFERENCE TO CERTAIN NEIGHBORS:**

Within the “Background and History” section the characterizations of opposition from “certain neighboring property owners” being the cause of delays in MB&YC’s Projects not going forward is inaccurate, misleading and prejudicial. While some neighbors have been more vocal than others, SAPOA represents 218 property owners and has acted based on repeated unanimously approved resolutions by SAPOA’s Board and Membership regarding concerns relating to various projects proposed by MB&YC and their impacts, as well as MB&YC’s mischaracterizations and failure to provide full disclosure.

In addition, there are numerous other residents from within the Village and even some individuals from outside the Village who have raised meaningful and substantive concerns.

The references to “certain neighboring property owners” should be removed as it colors and potentially taints the record and is not accurate, similar to the various mischaracterizations of the Village statements and/or actions that have been removed from the DSEIS.

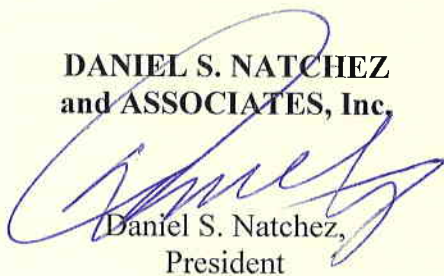
We presented some of the above issues during the scoping process and during other public meetings when drafts of the DSEIS were being brought to the Board, and attempted to again make these substantive comments in October, January and April prior to the Board's accepting the DSEIS for public comment, but were told the Board would prefer to wait until this date when the public hearing would be opened.

Our concern is that the issues need to be flushed out (pun not intended) prior to a FSEIS being completed rather than just saying it will be addressed with a final design process. The whole purpose of the SEIS was to fully evaluate all of the environmental impacts. It is believed that there is additional work to be undertaken to address same.

We appreciate your time and attention to these issues .

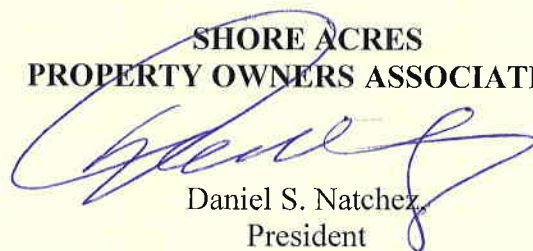
Sincerely,

**DANIEL S. NATCHEZ  
and ASSOCIATES, Inc.**



Daniel S. Natchez,  
President

**SHORE ACRES  
PROPERTY OWNERS ASSOCIATION**



Daniel S. Natchez,  
President

cc: SAPOA BOARD and others  
/2013 application/planning board/seis/dseis:2016-05-11 dseis comments

**From:** Nechamen, William S (DEC) [mailto:william.nechamen@dec.ny.gov]  
**Sent:** Monday, May 09, 2016 9:08 PM  
**To:** Dan Natchez  
**Subject:** Re: Guidance for a Sanitary Force Main across a tidal creek

That is correct.

## **William Nechamen, CFM**

Chief, Floodplain Management Section  
Bureau of Flood Protection and Dam Safety  
New York State Department of Environmental Conservation  
625 Broadway, 4th Floor  
Albany, NY 12233-3504

518-402-8146

[william.nechamen@dec.ny.gov](mailto:william.nechamen@dec.ny.gov)

---

**From:** Dan Natchez <[Dan.N@dsnainc.com](mailto:Dan.N@dsnainc.com)>  
**Sent:** Monday, May 9, 2016 5:38 PM  
**To:** Nechamen, William S (DEC)  
**Subject:** Guidance for a Sanitary Force Main across a tidal creek

William Neckaman  
NYDEC  
Flood Plain Management Section  
Bureau Of Flood Protection and Dam Safety  
Division of Water

Bill:

Thanks for retuning my call.

The purpose of this email is to make sure that I understand your perspectives correctly.

As I explained, there is a proposal for a new sanitary force main to go over a tidal creek and wetland in the vicinity of an existing bridge whose deck height is approximately 4.2' below the 100 year storm FEMA Elevation of 13 NAVD88.

The question is what should be the desired height of such a sanitary force main crossing.

The cited "Recommended Standards for Wastewater Facilities 2014 Edition" says in "37. Aerial Crossings" in part that "For aerial stream crossings, the impact of flood waters and debris shall be considered. The bottom of the pipe should be placed no lower than the elevation of the 50 year flood. Ductile pipe with mechanical joints is recommended."

In our discussion you indicated that the impact of flood water and debris is important and the concept is to prevent new obstructions below the 100 year flood storm.

I explained that there is an existing bridge with existing pipe utilities, with the bridge horizontal obstruction being over 2 vertical feet and the top of deck being at around 8.8 NAVD88. The bridge is continually being maintained and there are no plans to rebuild same, including at a higher elevation.

In the case of the bridge with horizontal support, there is already an obstruction to flood waters and putting the sanitary force main crossing at the height of the existing obstruction elevation would be meaningful in that it would not be creating a new obstruction. Putting the force main at the 50 year storm elevation would be creating a new obstruction and would be a much less preferable option.

Some think that the 50 year storm elevation recommendation envisioned a standalone crossing where there was not any other bridge or crossing obstruction in the immediate vicinity.

Your guidance, as we understand it, would be that absent an existing crossing in the area the elevation would be preferable above the 100 year storm, but if there is an existing crossing obstruction, such as the existing bridge, keeping the line within the existing obstruction elevations would not be creating a new obstruction and, therefore, would be preferable.

Let me know if am understand your guidance correctly

Thanks

Dan

--  
*Daniel Natchez*  
*President*  
***DANIEL S. NATCHEZ and ASSOCIATES, Inc.***  
*916 East Boston Post Road*  
*Mamaroneck, NY 10543-4109*  
*Phone: 914-698-5678*  
*Fax: 914-698-7321*  
*Email: [Dan.n@dsnainc.com](mailto:Dan.n@dsnainc.com)*  
*Website: <http://www.dsnainc.com>*

PREPARED BY: JRJ CHECKED BY: RSJ



The location of underground improvements or encroachments hereon, if any exist, are not certified or shown.

NEW YORK STATE LICENSED LAND SURVEYOR NO. 50037  
ROBERT S. JOHNSON, P.L.S.

**SCALE: 1" = 20'**

# Westchester Land Trust

INCORPORATED 1982



October 6, 2015

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## President

Lori J. Ensinger

Mr. Stewart Sterk, Chairman  
Members of the Village of Mamaroneck Planning Board  
169 Mount Pleasant Avenue  
Mamaroneck, NY 10543

Re: Mamaroneck Beach and Yacht Club, DSEIS, September 2015

Dear Chairman Sterk and Members of the Planning Board:

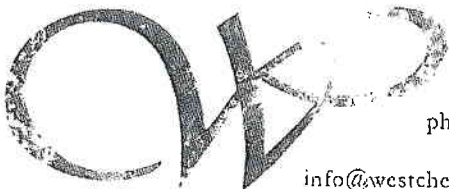
We have reviewed the Draft Supplemental Environmental Impact Statement-Proposed Sanitary Sewer System Upgrade of the Mamaroneck Beach and Yacht Club, dated September 2015.

Westchester Land Trust is the owner of the Otter Creek Preserve. It is our belief that the proposed pipeline bridge plan directly impacts our property. We believe the Schematic shown in Exhibit 8a shows the proposed pipeline bridge crossing Westchester Land Trust property on the west side, southern end, of the existing bridge over Otter Creek. The applicant has not contacted us in connection with this proposal, nor has the Westchester Land Trust received notice of any kind from the applicant or the Village. It is our belief that the applicant will require an easement or other permissions from the Westchester Land Trust in order to implement the plan as proposed.

Please contact our attorney, Susan Carpenter, at Westchester Land Trust, to discuss this matter in further detail.

Very Truly Yours,

Lori J. Ensinger  
President



phone 914.234.6992 : 403 Harris Road  
fax 914.234.6673 : Bedford Hills, NY 10507  
info@westchesterlandtrust.org : westchesterlandtrust.org



May 25, 2016

Village of Mamaroneck Planning Board  
Village Hall, 123 Mamaroneck Ave  
Mamaroneck, NY 10543  
Via email

RECEIVED  
MAY 25 2016  
BUILDING DEPT.

**Re: MBYC DSEIS Sanitary Sewage Upgrade**

Dear Chairman and Members of the Planning Board:

Please accept the following comments on the Draft Supplemental Environmental Impact Statement (DSEIS) Sanitary Sewage Upgrade for the Mamaroneck Beach and Yacht Club (MBYC).

**1. Flawed Sanitary Sewer Flow Rate Evaluation**

The Sanitary Sewer Flow Rate Evaluation presented in the DSEIS is flawed and must be corrected in the Final Supplemental Environmental Impact Statement (FSEIS). Although the only proposed change in new buildings from the 2013 proposal to the current proposal is the elimination of 5 residential units—from 23 to 18 units—the flow rate calculation has been reduced from 31,392 gallons per day (gpd) in the 2010 Site Plan (30,081 gpd in the 2013 Amended Site Plan), to 25,065 gpd, as illustrated in Table V-6, Average Annual Flow Rate Comparison (page 44).

As way background, the Finding Statement adopted in November 2010 determined, as follows:

The Amended Site Plan will also result in an increase in sewer demand. Demand is anticipated to increase *from 18,936 gpd to 31,392 gpd, an increase of 12,456 gpd or approximately 66%, due to the additional population on the site.* The Planning Board notes that the Mamaroneck WWTP has sufficient capacity to meet this increased demand. The Board further notes that a new eight-inch gravity sewer system with hookups to all existing and proposed buildings is included as part of the Amended Site Plan. In addition, the existing sanitary pump station will be upgraded as necessary. *The Planning Board notes that the sewer system upgrades will be coordinated with the Village Engineer prior to any final site plan approval.* Therefore, the Planning Board finds that the Amended Site Plan will not have any significant adverse impacts on sanitary sewers. The Planning Board also notes that the Amended Site Plan will have a reduced impact on the existing sewage system from the impact that would have resulted from the Applicant's Modified Proposed Action from the FEIS. This reduced impact is due to 1) additional sewer flows anticipated for the Amended Site Plan will be less than the Applicant's Modified Proposed Action, and 2) *the existing sanitary pump station and associated force main will not need to be replaced, but rather will be maintained in its current location (due to the modified location of the recreation building) and upgraded as necessary.* (page 19, emphasis supplied)

And the Scoping Document required:

A description will be provided of the capacity of the revised sewer system to handle the *maximum usage under the 2010 Approved Site Plan and the 2013 Amended Site Plan ... (including the potential operation of all facilities and building occupancy, taking into account possible simultaneous multiple functions and events) ...* An appropriate peak factor (typically 4 in New York State) shall be applied to the proposed sanitary sewer calculations.”

As explained in the DSEIS, the lower flow rate of 25,065 gpd “is a result of applying the typical unit hydraulic flow rate of 110 gallons per bedroom per day for apartments for the 2015 Amended Site Plan, which is consistent with the methodology set forth in the latest New York State Department of Environmental Conservation (NYSDEC) Design Standards.” (page 44).

While 110 gpd is the correct current standard for residential apartments, per bedroom, the NYSDEC is a *guidance manual* that need to be applied to the specific circumstances. For the proposed apartments—which have areas of 950 or 1,250 square feet, 2 bathrooms, some “plus den” (see Finding Statement page 4)—the Applicant in coordination with the Village Engineer estimated 75 gpd assuming four person per apartment (18 units x 4 persons x 75 gpd) and a “conservative peaking factor of 6.” Please see: (1) the Applicant’s Sanitary Sewer Analysis, submitted on October 14, 2010, pages 1-6, and (2) the Comparison of the 2013 Amended Site Plan with the 2010 Amended Site Plan, page III-31.

This estimate was incorporated in the 2010 Finding Statement. There is no valid reason to change this flow rate calculation. Also, please note the “maximum usage” flow analysis required by the scoping document has not been provided.

## **2. Letter from the County’s Department of Environmental Facilities has not been Provided**

As noted in the 2010 Finding Statement, “[t]he Planning Board notes that the Mamaroneck WWTP has sufficient capacity to meet this increased demand.” (page 19). Indeed, a letter from the County was attached to the Applicant’s 2010 Sanitary Sewer Analysis, submitted on October 14, 2010. An updated letter must be obtained for the FSEIS.

## **3. Incomplete Evaluation of the Integrity of the Private Sewer Lateral (private sanitary sewage line between the on-site sewage system and manhole #, under Otter Creek and 519 Alda Road).**

As for all site plans under review by this Planning Board, and as required by the scoping document calling for an evaluation of the “existing conditions” of the Sanitary Sewer System and the no action alternative analysis, the Applicant must provide an evaluation of the integrity of the Private Sewer Lateral (private sanitary sewage line between the on-site sewage system under Otter Creek and 519 Alda Road to the public sewage line).

Notably, the DSEIS states that “[a] TV inspection was performed on the force main. The length of the main force main that could be televised was limited due to the ability to push the cable through the pipe due to friction and alignment curvature. *A section of existing force main located beneath Otter Creek could not be televised due to the inability to extend the TV cable through the existing horizontal and vertical bends of the force main.*” (page 19). Although other tests (the dye test and pressure test) seem to be satisfactory, they are not sufficient to verify the integrity of the current Private Sewer Lateral for the no action alternative.

#### **4. No Action Alternatives Analysis**

The No Action alternative Analysis is incomplete. The DSEIS simply indicates that it “would seek to obtain either an easement by prescription through litigation with the owners of the property at 519 Alda road or pursue alternative methods of obtaining an easement. Furthermore, if it is determined that neither the Preferred Alternative, nor any of the other alternatives are feasible due to the environmental impacts of other issues, the Applicant could obtain an easement by necessity allowing the existing force main to remain in its current location.” (Page 7). The FSEIS must clarify whether there is in fact a valid, feasible, no action alternative.

#### **5. No Private Onsite Wastewater Treatment Facility Analysis**

The DSEIS fails to analyze the Private Onsite Wastewater Treatment Facility alternative, based on an interpretation of the County Sanitary Code, specifically Section 873.728, which is partially reproduced in page 69. This interpretation seems erroneous. The Applicant fails to state that Section 873.728, “shall not apply to a building of 40,000 square feet or more in area which contains the usable area otherwise required.” See DSEIS Appendix E, Volume 2. Moreover, Section 873.728 must be interpreted together with sections Section 873.727 and Section 873.729, also included in the DSEIS, Appendix E, Volume 2, which indicate that a building must connect to the public sanitary sewer “provided that such sewer is within 100 feet of any property line of such premises and is otherwise accessible,” and the provisions for “where a public sanitary system is not available and accessible.” These provisions and how they apply to MBYC must be fully discussed and a Private Onsite Wastewater Treatment Facility alternative fully explored in the FSEIS.

#### **6. Flawed Analysis of Environmental Impacts, Authorization, Ownership and Maintenance of the Offsite 1,300 feet Sewer Line thru Otter Creek and Village Property**

The environmental impacts, authorizations, ownership and maintenance of the offsite 1,300 feet sewer line thru Otter Creek, Westchester Land Trust property and Village property to Manhole #66476 (See exhibit 14a) need to be fully explored. The discussion of these critical issues is insufficient or simply inadequate under SEQRA and for the necessary approvals by the Village and other municipalities or agencies. The FSEIS must also include an evaluation that the proposed flows would not result in sewage exceedances under County Law or sanitary sewer overflows, which are violations of the Federal Clean Water Act and NYS Environmental Conservation Law. See also Flow Metering Study, Arcadis (2015), previously submitted to the Planning Board.

**7. Construction of the Sanitary Sewer System must be Phase I and Preventive Measures Taken Immediately**

The DSEIS proposes that the Sanitary Sewage update be part of Phase III (page 51). This is simply unacceptable and contrary to Village, County, State and Federal laws. No new approval or construction can be authorized without this necessary upgrade. Moreover, the information before you shows an imminent and substantial risk of another sewage failure affecting our Harbor and Otter Creek, thus it is respectfully requested that you refer this matter to the appropriate officials for immediate preventive and corrective actions.

Finally, I urge the Planning Board to expedite the FSEIS and conclude the SEQRA process in a matter of months, not years. The FSEIS is your responsibility. I trust that you will make the required "hard look" of all these issues.

Respectfully submitted,

Victor M. Tafur.

# Westchester Land Trust

*It's Our Nature*



RECEIVED

MAY 25 2016

BUILDING DEPT.

May 25, 2016

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Lori J. Ensinger

Village of Mamaroneck Planning Board  
169 Mount Pleasant Avenue  
Mamaroneck, New York 10543

Dear Village of Mamaroneck Planning Board:

Re: Mamaroneck Beach and Yacht Club sewer line through Lot 30A1

Westchester Land Trust's President, Lori Ensinger, wrote to the Village of Mamaroneck Planning Board on October 6, 2015 concerning the Mamaroneck Beach and Yacht Club (MBYC) application pending before the Planning Board. As she pointed out in that letter, the current application has been revised from the original application to show the sewer line running through Lot 30A1 along the paved access to MBYC from South Barry Ave. That lot belongs to Westchester Land Trust. While there is an existing easement for ingress and egress to a barn on MBYC's property, placing a sewer line under the drive overburdens that easement. We have asked MBYC's owner for the basis on which they believe they have a right to utilize this lot in this way, and we have asked the Planning Board for the basis on which you believe you have authority to approve this application utilizing Lot 30A1 in this way. We have received no response from either MBYC or from you.

Please note that Westchester Land Trust, as the owners of Otter Creek Preserve, have as much interest in preserving the water quality of Otter Creek as any surrounding neighbor. We hold the Otter Creek Preserve as a nature preserve to protect the wildlife that utilize the preserve and to provide the opportunity for the public to observe and appreciate a natural coastal intertidal marsh system, and an ecological gem that is a precious remnant of what was once the natural state of Westchester's Long Island Sound coastal region. We therefore have every reason to be interested and concerned about a potentially faulty sewer line running from MBYC under Otter Creek, and agree that a much better alternative is to connect without running under the Creek.

However, the fact that this may be a more environmentally sound manner for MBYC to dispose of sewage from club activities does not mean we believe it is appropriate for the MBYC to run the line under our property or for the Village of Mamaroneck Planning



phone 914.234.6992 : 403 Harris Road  
fax 914.234.6673 : Bedford Hills, NY 10507  
info@westchesterlandtrust.org : westchesterlandtrust.org



Board to approve the application to do so without the normal appropriate legal agreements.

We request that the Village not approve this application until such time as the MBYC can either provide evidence of existing legal authority to utilize our property in this manner, or obtains such legal authority.

Sincerely,

A handwritten signature in cursive script, reading "Susan E. Carpenter". The signature is written in dark ink and is positioned above the printed name.

Susan E. Carpenter, Esq.

Director of Land Preservation and Counsel

# Westchester Land Trust

100 N. 100



October 6, 2015

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Lori J. Ensinger

Mr. Stewart Sterk, Chairman  
Members of the Village of Mamaroneck Planning Board  
169 Mount Pleasant Avenue  
Mamaroneck, NY 10543

Re: Mamaroneck Beach and Yacht Club, DSEIS, September 2015

Dear Chairman Sterk and Members of the Planning Board:

We have reviewed the Draft Supplemental Environmental Impact Statement-Proposed Sanitary Sewer System Upgrade of the Mamaroneck Beach and Yacht Club, dated September 2015.

Westchester Land Trust is the owner of the Otter Creek Preserve. It is our belief that the proposed pipeline bridge plan directly impacts our property. We believe the Schematic shown in Exhibit 8a shows the proposed pipeline bridge crossing Westchester Land Trust property on the west side, southern end, of the existing bridge over Otter Creek. The applicant has not contacted us in connection with this proposal, nor has the Westchester Land Trust received notice of any kind from the applicant or the Village. It is our belief that the applicant will require an easement or other permissions from the Westchester Land Trust in order to implement the plan as proposed.

Please contact our attorney, Susan Carpenter, at Westchester Land Trust, to discuss this matter in further detail.

Very Truly Yours,

Lori J. Ensinger  
President



phone 914.234.6992 : 403 Harris Road  
fax 914.234.6673 : Bedford Hills, NY 10507  
info@westchesterlandtrust.org : westchesterlandtrust.org



See Agreement Liber 7373 page 186

EX 200717

13040  
AUG 17 1973  
TAX STAMPS  
ATTACHED \$ 20.00

LIBER 7147 PAGE 486

Standard N.Y.S.T.M. Form 5002

—Mortgage and Sale Deed, with Covenants Against Grantor's Acts—Individual or Corporation, (single sheet)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 9 day of August, nineteen hundred and seventy-three  
BETWEEN SAMUEL E. MAGID, residing at 955 Soundview Drive,  
Mamaroneck, New York

party of the first part, and The Nature Conservancy, with offices at 1800 North  
Kent Street, Arlington, Virginia

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being as set forth on the Schedule annexed hereto and made part hereof.

The property conveyed hereby is in Section 4, Block 77, Lots 21, 30A1 and 30A4 and in Section 4, Block 77A, Lots 9, 10, 11 and 12, in the Town of Rye, County of Westchester.



\*009673229\*

**PARCEL I** - ALL that certain tract or parcel of upland and salt meadow, situate, lying and being in the Village of Mamaroneck, Town of Rye, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at the southwest corner of Alexander Taylor's salt meadow, at a cross on a stone in the fence (said stone is said to be marked "A" in deed from Augustus Whitlock to Samuel L. Mitchell, dated June 12, 1863), on the easterly side of Taylor's Lane at or near the southerly end or terminus thereof; and running thence South 57 degrees 35' East 70.60 feet to a point beyond the southeasterly edge or face of a stone wall near the margin of the Mill Pond, formerly of Samuel Deall and sometimes called "Van Amringe Mill Pond"; thence running south 41 degrees 20' 30" West 19.50 feet, South 14 degrees 31' 50" East 83.37 feet, South 30 degrees 50' 30" East 103.54 feet, South 34 degrees 25' 40" East 76.04 feet, South 52 degrees 08' 50" East 45.75 feet, South 17 degrees 05' 40" East 34.22 feet and South 25 degrees 35' 50" East 15.60 feet to the center of a ditch or canal separating the Island, formerly of Fannie T. Taylor and thereafter of Robert L. Ripley, from the mainland; thence along the center of said ditch, South 43 degrees 42' 10" West 21.54 feet and South 62 degrees 24' 50" West 11.53 feet to a point; thence South 27 degrees 12' 30" West 121.28 feet, South 60 degrees 14' 30" West 129.06 feet, South 81 degrees 40' 10" West 96.97 feet and South 25 degrees 07' 50" West 77.87 feet to the northerly side or face of the stone platform or boat landing projecting into said Mill Pond; thence along the outer edge or face of said stone platform or boat landing, South 66 degrees 00' 30" East 12.70 feet, South 23 degrees 59' 30" West 8.22 feet and North 66 degrees 00' 30" West 12.70 feet to the easterly edge or face of a sea wall erected in said Mill Pond; thence along the easterly edge or face of said sea wall, South 23 degrees 59' 30" West 313.97 feet and South 21 degrees 24' 50" West 50.04 feet to a point; thence leaving the edge or face of said sea wall and running South 4 degrees 43' 15" West 105.75 feet, South 33 degrees 58' 35" West 32.52 feet, South 71 degrees 25' 45" West 17.84 feet and South 44 degrees 02' West 28.79 feet to the northerly side or face of a stone dock or platform; thence along the outer edge or face of said stone dock or platform, South 52 degrees 09' 20" East 7.35 feet, South 37 degrees 13' 40" West 34.30 feet and North 54 degrees 57' 50" West 10.87 feet to the easterly edge or face of a stone retaining wall; thence South 30 degrees 03' 40" West along the easterly edge or face of said retaining wall, 21.36 feet to a point; thence North 38 degrees 09' 50" West 6.07 feet to a monument set in the ground; thence North 75 degrees 39' West 23.50 feet to another monument set in the ground; thence South 65 feet 32' 30" West along a line of iron post stubs, 146.04 feet to a point; thence South 42 degrees 03' West 39.85 feet to a point; thence North 47 degrees

20' 30" West in part along the line of a board fence and in part along a stone wall, 343.50 feet to a corner; thence South 41 degrees 41' 10" West and still along a stone wall, 295.67 feet to a corner; thence North 52 degrees 56' 10" West and still along a stone wall, 504.48 feet to an angle or turn in said wall at the most southerly corner of Parcel "D" as shown on a certain map entitled, "Map of South Barry Avenue South of Otter Creek, showing proposed dedication to Village of Mamaroneck, Westchester County, N.Y.", made by C.A. Latimer, Village Engineer, dated March 14, 1934, and filed in the Office of the Register of Westchester County on October 13, 1934 as Map No. 4074; thence still along said stone wall and along the southeasterly and easterly lines of Parcel "D" as shown on said map, North 37 degrees 03' 50" East 2.50 feet and due North 3.68 feet to a point in the center line of a continuation of said wall; thence along the center line of the continuation of said wall North 45 degrees 15' 10" West 30.37 feet to a point in a stone pier or gate post, the northeasterly corner of Parcel "D" as shown on said map, thence South 74 degrees 16' 20" West through said pier or gate post and along the southerly line of Parcel "C" as shown on said map, 8.17 feet to the easterly line of South Barry Avenue at the southerly end or terminus thereof, said line of South Barry Avenue being the westerly line of Parcel "C" and the easterly lines of Parcels "A" and "B" as shown on said map; thence North 17 degrees 21' 30" West along the easterly line of South Barry Avenue 48.92 feet to a point near the edge of Otter Creek; thence on the same course, North 17 degrees 21' 30" West and still along the easterly line of South Barry Avenue, 21 feet more or less to the middle of said Creek; thence up the middle of Otter Creek the several courses and distances thereof as the same winds and flows to the point of intersection of the middle of said creek with the center line of a ditch dividing the premises hereby described from a salt meadow formerly of David Hains and others, or with the center line of said ditch as prolonged northwesterly; thence South 71 degrees 00' 40" East along the center line of said ditch or along the northwesterly prolongation of the same 12 feet to a point; thence on the same course, South 71 degrees 00' 40" East, along the center line of said ditch, 658.07 feet more or less to the westerly line of Taylor's Lane, as shown on a map entitled, "Amended Map and Survey of the Widening of Taylor's Lane, Village of Mamaroneck, Town of Rye, Westchester Co., N. Y. " dated September 23, 1933 revised September 19, 1935, made by C. A. Latimer, Village Engineer, and filed in the Office of the Register of Westchester County on November 16, 1935 as Map No. 4204; thence South 26 degrees 36' 10" West along the westerly line of Taylor's Lane, 176.19 feet to the southerly end or terminus thereof; thence South 63 degrees 23' 20" East along the end or terminus of Taylor's Lane, 2.09 feet to a hole in a boulder; and thence South 55 degrees 16'

East and still along the southerly end of terminus of Taylor's Lane, 38.28 feet to the point or place of beginning, excepting therefrom, however, Lots Nos. 1, 2, 3, 4, 5, 6, 7 and 8 and lots 4a, 5a, 6a, 7a, and 8a on a certain map entitled, "Stone Mill Properties, situated in the Town of Rye" made by Sal Spinelli, C.E. February 1952 and filed in the Office of the County Clerk, Westchester County, Division of Land Records on July 22, 1952 as Map #7773. Also excepting property previously conveyed to Eugene L. Bondy, Jr. and Anne Lawrence Bondy, which said parcel of land is more particularly bounded and described as follows:

Beginning at a point on the westerly side of Stone Mill Road (a proposed road 40 feet in width) where the same is intersected by the division line between the land herewith described and other land now or formerly of Stone Mill Properties, Inc., which point is distant 866.46 feet more or less northeasterly as measured along the westerly side of said proposed road from the northerly side of South Barry Avenue, which point is also distant the following courses and distances:

From a monument set in the ground on the northerly line of land now or formerly of Rosina Eising North 22 degrees 17' 20" East 213.09 feet; North 23 degrees 59' 30" East 167.57 feet; North 66 degrees 00' 30" West 510.80 feet to the aforementioned westerly side of Stone Mill Road which is the point of beginning of the premises herein described; running thence along said westerly side of Stone Mill Road North 23 degrees 59' 30" East 155 feet to a point of curve on said side of Stone Mill Road; running thence in a northeasterly direction on a curve to the left having a radius of 240 feet a distance of 15.01 feet to a point; thence running along the northerly line of the premises herein described; north 66 degrees 00' 30" West 294.53 feet to a point on the westerly line of the premises herein described; thence running South 23 degrees 59' 30" West 170 feet to a point which is the southwesterly corner of the premises herein described; thence South 66 degrees 00' 30" East 295 feet to the point or place of beginning.

Excepting further that portion of the bed of Taylor's Lane Extension as shown on map entitled, "Stone Mill Properties, in the Town of Rye", made by Sal Spinelli, C.E. February 1952 and filed in the Office of the County Clerk of Westchester County, Division of Land Records on July 22, 1952 as Map #7773, which said portion of Taylor's Lane Extension is more particularly bounded and described as follows:

Beginning at a point on the westerly side of Taylor's Lane Extension where the division lines between Lots 4 and 5 on Map entitled, "Stone Mill Properties, in the Town of Rye" above referred to intersects said westerly side of Taylor's Lane Extension, and proceeding thence the following courses and distances along the westerly side of Taylor's Lane Extension:

In a northerly direction on a curve to the left having a radius of 10' a distance of 13.85 feet to a monument; proceeding thence North 23 degrees 59' 30" East a distance of 571.41 feet to a monument; proceeding thence on a curve to the left having a radius of 253.37' a distance of 181.35'; proceeding thence North 16 degrees 56' 10" West 110 feet; proceeding thence on a curve to the right with a radius of 240 feet a length of 244.08 feet; proceeding thence North 41 degrees 19' 50" East a distance of 70.46 feet to a point; proceeding thence on a curve to the left with a radius of 65.64 feet a distance of 17.20 feet; thence leaving the westerly side of Taylor's Lane Extension and proceeding the following courses and distances: South 63 degrees 41' East a distance of 2.13 feet; thence South 56 degrees 16' East a distance of 38.28' to a point; thence South 40 degrees 00' 40" West 100.27 feet; thence proceeding along the easterly side of Taylor's Lane Extension the following courses and distances: On a curve to the left with a radius of 200 feet a distance of 195.55'; thence South 16 degrees 56' 10" East a distance of 110 feet; thence on a curve to the right with a radius of 293.37 feet a distance of 209.57 feet; thence South 23 degrees 59' 30" West a distance of 616.14 feet; thence on a curve to the right having a radius of 44 feet a distance of 56.74 feet; thence South 16 degrees 44' 20" East a distance of 8.87 feet; thence leaving the easterly side of Taylor's Lane Extension and proceeding along a turn around at the end of Taylor's Lane Extension the following courses and distances: North 75 degrees 39' West 23.5 feet; thence North 66 degrees 00' 30" West 11.33 feet; thence on a curve to the right with a radius of 44 feet a distance of 130.04 feet to a point on the westerly line of Taylor's Lane Extension and the point or place of beginning.

Excepting all that certain plot, piece or parcel of land being conveyed by the party of the first part to Jesse D. Wolff and George A. Kirstein by deed of even date herewith and intended to be recorded contemporaneously herewith in the Office of the Clerk of the County of Westchester (Division of Land Records).

Together with an easement of ingress and egress over that part of Taylor's Lane Extension in front of and adjoining the property to be conveyed and also any rights to an easement for ingress and egress over the balance of Taylor's Lane which the grantor can convey.

Subject to declaration of restrictions of Stone Mill Properties, Inc. recorded in Liber 5196 of Deeds at page 7.

Subject to any state of facts an accurate survey would show. Excepting rights, if any, of Harold O'Callaghan and wife and Leonard Chase and wife over land and causeway on the North of and contiguous to property now owned by them on Taylor's Lane.

PARCEL II

All that certain lot or parcel of land with buildings and improvements thereon, situate, lying and being in the Town of Rye, County of Westchester and State of New York, which is the northwestern part of the land conveyed by deed from Augustus Youle Van Amringe to Olivia Hoe Slade, dated July 31, 1925, recorded in Liber 2584 of Deeds, page 461, and which is according to the courses and distances given in said deed,

bounded and described as follows:

BEGINNING at a point in the southerly line of a parcel of land designated as Parcel A on a certain map entitled, "Map of South Barry Avenue, South of Otter Creek showing proposed dedication to Village of Mamaroneck, Town of Rye, Westchester Co., N.Y." dated March 14, 1934 and filed in the Office of the County Clerk, Division of Land Records, formerly Register's Office, Westchester County, N.Y. on October 13, 1934 as Map Number 4074 and conveyed for highway purposes by Taylor's Lane Corporation and Mill Point Development Corporation to Village of Mamaroneck by deed dated June 8, 1934 and recorded in said Office on January 2, 1935 in Liber 3417 of deeds at page 354 distant as measured along the southerly line of said Parcel A, 3.75 feet southwesterly from the southeast corner of said Parcel A on said map

thence running along the southerly line of said Parcel A which is the southerly end of South Barry Avenue as so dedicated;

South 80 degrees 05' 30" West 17.17 feet and

South 72 degrees 42' 10" West 25 feet to the westerly side of South Barry Avenue as so dedicated and laid out on said map

thence running along said westerly side of South Barry Avenue

North 17 degrees 17' 50" West 64.80 feet to the southerly shore of Otter Creek

thence running along same, South 71 degrees 18' 00" West 8.95 feet

South 56 degrees 37' 00" West 80.48 feet

South 50 degrees 54' 00" West 35.53 feet and

South 81 degrees 58' 00" West 7.95 feet to the northeasterly line of land formerly of Vera Realities Inc. now or formerly belonging to Lee Shubert and Jacob J. Shubert

thence running along same the following courses and distances:

South 48 degrees 26' 00" East 22 feet

South 52 degrees 54' 00" East 60.11 feet

South 65 degrees 01' 00" East 55.64 feet

South 54 degrees 57' 00" East 65.21 feet

South 57 degrees 49' 30" East 72.94 feet

South 55 degrees 59' 00" East 114.01 feet

South 34 degrees 40' 30" West 0.43 feet

South 55 degrees 44' 30" East 114.46 feet to the north-

westerly line of land now or formerly of Dr. Sigard Sandzen

thence running along same, North 34 degrees 15' 30"

East 79.51 feet to the southerly line of land now or formerly

belonging to Taylor's Lane Corporation

thence running along same, North 51 degrees 29' 20"

West 373.69 feet to the point of beginning.

Subject to the right of way granted to Dr. Sigard Sandzen.

Excepting from this deed is property conveyed by Samuel E. Magid to Theodore H. Schwob and Elizabeth W. Schwob, his wife, dated September 10, 1954 and recorded on September 13, 1954, in the office of the register, Division of Land Records, Westchester County in Liber 5371, page 400; and property conveyed by Samuel E. Magid to Warren R. Hedden and Constance H. Hedden, his wife, dated July 29, 1958 and recorded July 31, 1958 in the office of the register, Division of Land Records, Westchester County in Liber 5826, page 284.

TOGETHER with a non-exclusive easement for ingress and egress over the said 20-foot wide right of way running along the northeasterly side of said premises hereinbefore described, in common with and subject to the existing easement in said right of way granted in Liber 3451 of deeds at page 337, and in common with and subject to all other easements in said right of way.

TOGETHER WITH a non-exclusive easement over the driveway extending southerly from the southerly side of South Barry Avenue as shown on said map, along the westerly side of said premises hereinbefore described, between the curbs, to the said property now or formerly of Broadway Property, Inc., for ingress and egress to the existing garage located on said premises hereinbefore described, over the existing driveway running from said garage to said first named driveway subject to the existing easement in said first named driveway held by the owner of said property now or formerly of Broadway Property, Inc.

TOGETHER WITH an easement over property now or formerly of Warren R. Hedden and Constance H. Hedden, his wife, for all purposes, including ingress and egress over South Barry Avenue to other property now or formerly of the Grantor and being conveyed this day to the Grantee.

Reserving unto the Grantee for his own personal use and benefit a right of entry over the premises herein described as Parcel II from the southerly end of South Barry Avenue over and across those certain lots shown as Lots 30A-1 and 30A-5 on Tax Map #105 of the County of Westchester, Town of Rye and Village of Mamaroneck covering Section 4, Blocks 77-79 and dated May 15, 1940.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

*Richard E. ...*

*Samuel E. Magid*  
Samuel E. Magid

ARMAND ZOTIAN  
Notary Public, State of New York  
No. 41-98114-0  
Qualified in Queens County  
Commission Expires March 30, 1974

On the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

WESTCHESTER COUNTY  
362209  
REAL ESTATE  
TRANSFER TAX  
STATE OF  
NEW YORK  
200.75  
PAID  
10/1/73

## Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO. 73W0899.02

**SAMUEL E. MAGID**

**TO**

**THE NATURE CONSERVANCY**

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS

**Distributed by**

**CHICAGO TITLE  
INSURANCE COMPANY**

## SECTION 4

**BLOCK 77**

77A

LOTS 21 30A1 and

Lots 9, 10.

COUNTY OF <sup>30A4</sup> CONN

11 &amp; 12

CHICAGO TITLE INSURANCE COMPANY

**Return by Mail to**

Ulliel, Gotshal & Manges  
767 Fifth Ave  
New York, N.Y. 10022  
Zip No.

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

13.00 8 —CPB

00330 8-17-73

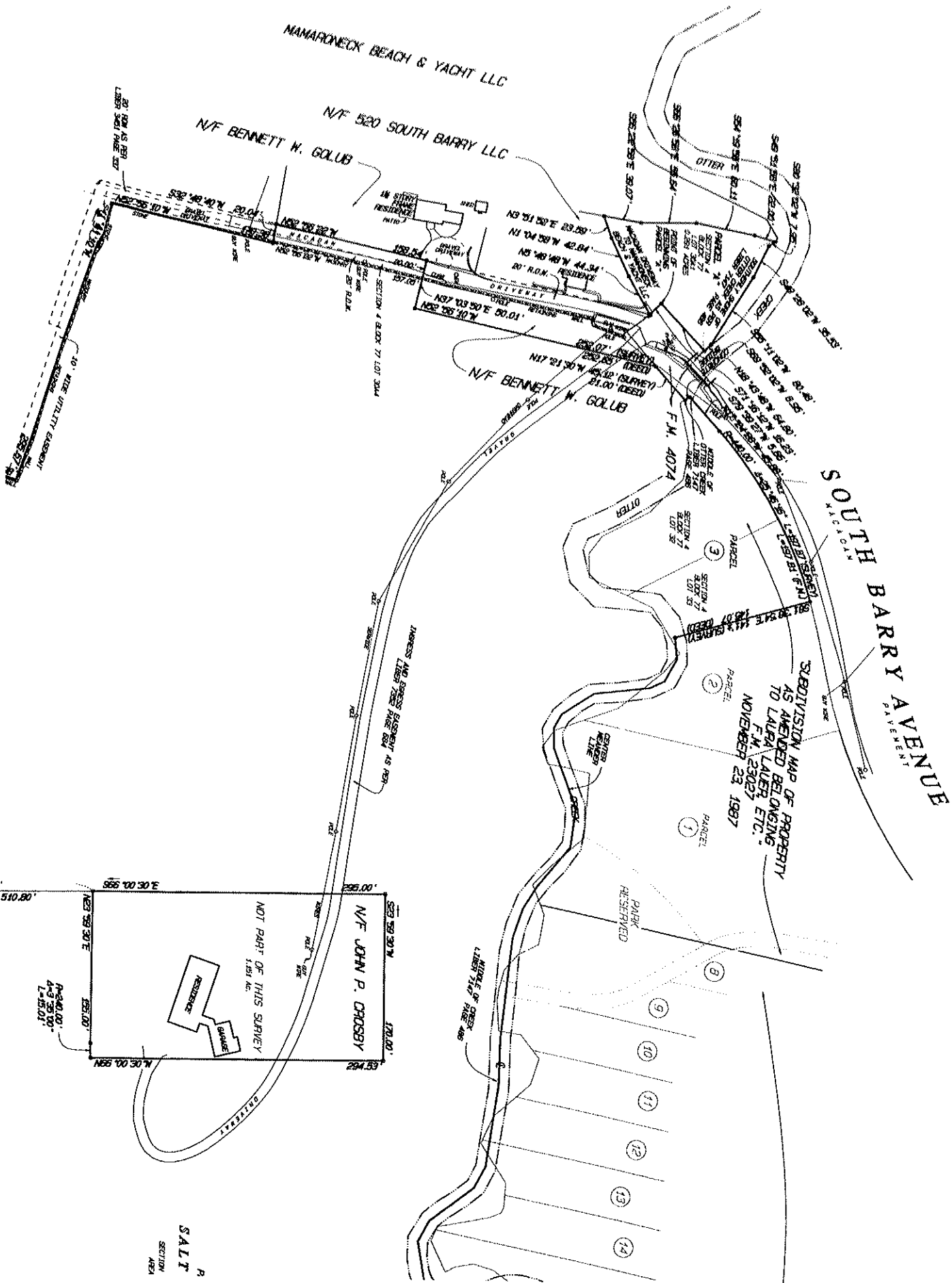
SECRET

Surv's Chg.	
Paid's Chg.	12
Filing Chg.	
Cover Ref're	
Cost Rec'd.	
Total	12
Taxes	
Bonus	1
No.	40317
Returned	

The foregoing instrument was endorsed for record as follows: The property affected by this instrument is situated in the **TOWN OF RYE** County of Westchester, N. Y. A true copy of the original **DEED**

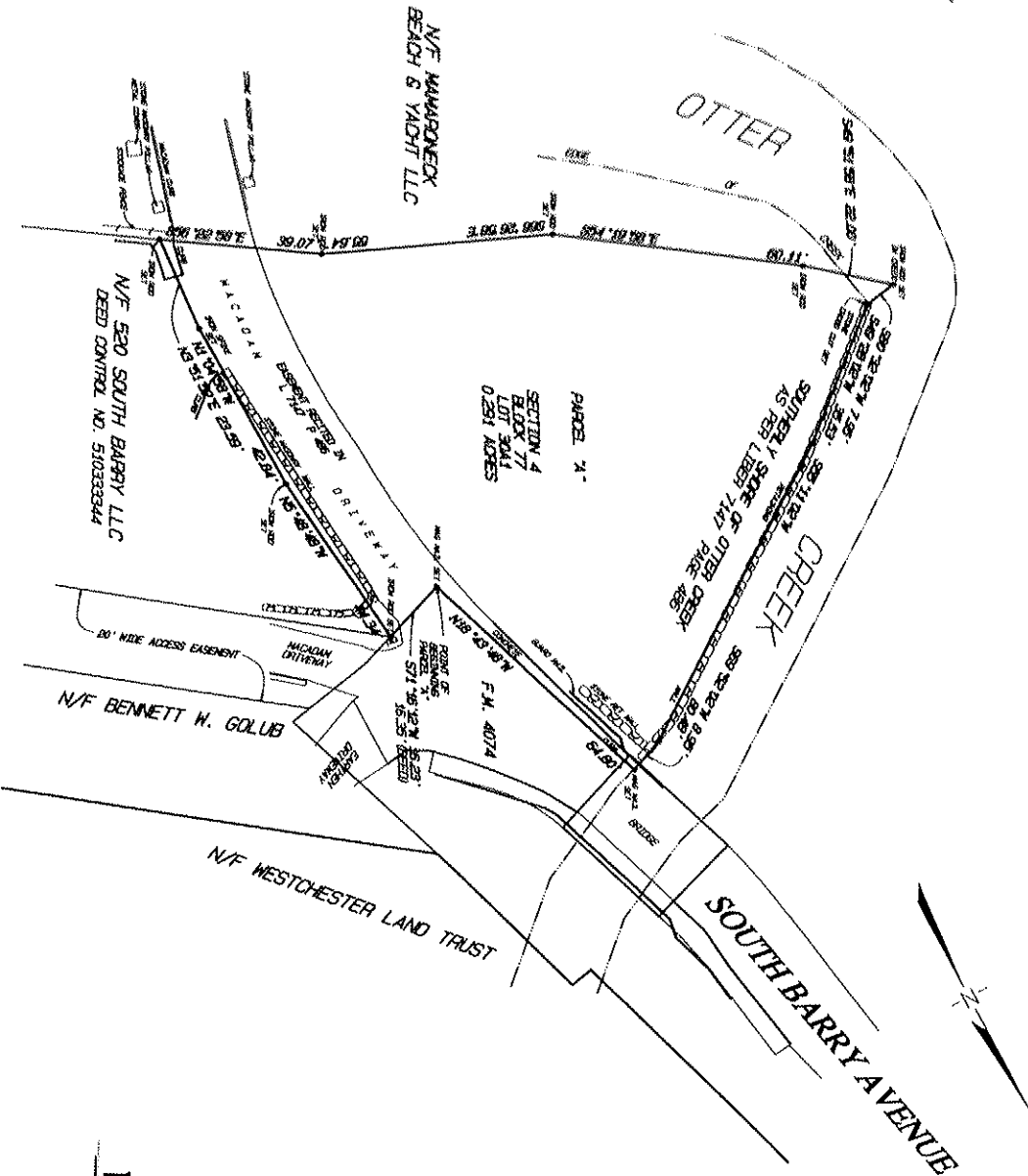
recorded AUG. 17, 1973 at 2:43 PM

EDWARD N. VETRANO, County Clerk.



H. STANLEY JOHNSON AND COMPANY  
 LAND SURVEYORS, P.C.  
 42 SMITH AVENUE, P.O. BOX 93  
 MT. KISCO, N.Y. 10549  
 TEL. 914-241-3872  
 FAX. 914-241-0438

PREPARED BY: HJ CHECKED BY: RSJ



Area = 0.291 ACRES.  
 Deed Reference: Liber 7147 Page 486.  
 Tax Identification Section 4 Block 77 Lot 3041  
 In accordance with the existing Code of Practice for Land Surveys as  
 adopted by The New York State Association of Professional Land  
 Surveyors, Inc.  
 Unauthorized alteration or addition to a survey map bearing a Licensed  
 Land Surveyor's seal is a violation of Section 7204, Subdivision  
 2 of the New York State Education Law.  
 All calculations are valid for this map and copies thereof only if  
 said map or copies bear the impressed seal of the surveyor whose  
 signature appears hereon.  
 The location of underground improvements or encroachments known, if  
 any exist, are not certified or shown.

PROPERTY STATED: FEBRUARY 29, 2016  
 MAP REVISED: MARCH 11, 2016  
 SURVEYED: JANUARY 11, 2016  
 MAP PREPARED: FEBRUARY 1, 2016  
 BY: *[Signature]*  
 NEW YORK STATE LICENSED LAND SURVEYOR NO. 50037  
 ROBERT S. JOHNSON, P.L.S.

**SURVEY OF PROPERTY**  
 PREPARED FOR  
**WESTCHESTER LAND TRUST**  
 SITUATE IN THE  
 VILLAGE OF MAMARONECK  
 AND  
 TOWN OF RYE  
 WESTCHESTER COUNTY, NEW YORK  
 SCALE: 1" = 20'

## **Memo**

To: Chairman and Members of the Planning Board

From: HCZM Commission

cc: Anna Georgiou & Lester Steinman (Land Use Counsel)

Date: May 26, 2016

Re: MBYC -Review of Draft Supplemental Environmental Impact Statement (DSEIS)  
HCZMC Involved Agency Comments

At our May 18, 2016 meeting, the Commission reviewed the MBYC DSEIS with regard to the sewer system reconstruction. In response to the Planning Board's invitation to involved and interested agencies to provide commentary, the Commission developed the following comments for your consideration. The points outlined below request information necessary to conduct an appropriate review for consistency with the policies and purposes of the LWRP.

### **Comments:**

- Alternatives: Fully analyze the environmental impacts of all alternatives. For example, a valid "no build" alternative must be provided. This would require that the current sewer line be tested at the capacity required to meet NYS standards. The option of using the existing bridge structure (over Otter Creek)) for the placement of the sewer line should also be included. Alternative(s) to disturbing the wetlands (by locating supports/pilings outside the wetlands) should be fully explored. A preferred alternative should not receive more attention than other alternatives
- Scheduling: Sewer reconstruction work should be a priority and should be scheduled as soon as possible, after all appropriate permits are obtained and reviews have been performed. It is critical that this work commence before any further leaks occur and before any other substantive work for the redevelopment begins
- Easement: Currently there does not seem to be an easement obtained or even requested from the Westchester Land Trust. If any easement is obtained information must be provided about who would be responsible for any spills, damage, remediation and fines/penalties in the event of a break or leak in the sewer line
- Bridge Elevation: Information must be provided about the current bridge elevation

- On-site treatment of wastewater: Must be provided as an alternative as the Westchester County Health Code does allow for it. See full text of Section 873.728 (only partial text is included in SDEIS)
- Timetable: Details of construction staging and a timetable must be included
- Code Compliance: Refer to Village Code Section 240-31 for Environmental Impact Statement requirements including an identification of all LWRP policies and effects of the proposed action on each. All filings must also be made with the Secretary of State, HCZMC and other involved agencies
- Sewer use and capacity issues: These must be addressed in detail, specifically the potential for simultaneous multiple functions and events in addition to what is provided in the DSEIS. The DEC Design Standards provide system design criteria and the appropriate flow rates for the actual use of the property (e.g., public functions)
- Sewer System Improvements Monitoring: A full description of monitoring both during and after construction with an emphasis on environmental impacts and remediation if a failure occurs
- Elevation and Location of Proposed Pump Station: More information is needed about elevating the new pump station at the current location and any associated aesthetic impacts
- Marine Structures: Is a permit required for any component of sewer system? If so, identify such as part of the complete list of permitting agencies/permits required
- Otter Creek: What are the impacts and how will they be mitigated. Also, additional biological inventory should be provided (e.g., birds, mammals, reptiles, fish, etc.)
- FEMA elevation: Include both current and proposed flood maps

Also please note what appears to be a typo on page 44 Volume I. Table B 5 has "Peak Hourly Flow Rate" on a chart that seems to show daily flow rates.

## Betty-Ann Sherer

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**From:** Lorna Waitt <lorna.waitt60@gmail.com>  
**Sent:** Saturday, May 28, 2016 1:31 PM  
**To:** Betty-Ann Sherer  
**Subject:** DSEIS and FSEIS For Mamaroneck Beach & Yacht Club Sanitary Force Main Sewer Line

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Mr Sjunnemark and Members of the Planning Board,

I am writing as a concerned resident of Shore Acres and neighbor to the MBYC. I attended the public hearing on Wednesday May 25th, and was very concerned regarding several points that were raised in the meeting, namely:

1) The testing of the sewer pipe in 2013 was not conducted to NY State standards. The applicant attested to the integrity of the pipe, and yet the inadequate testing appeared to be news to the Board, and no remedial action was taken by the Village, besides the apparent dismissal of the village engineer and the disappearance of the supporting paperwork.

2) The pipe will not be contiguous to the bridge but located 8 feet away from it. The DSEIS presented made no mention of that fact, but suggested they would be painting the pipe grey to mitigate visual impact.

3) The Westchester Land Trust representative revealed that no easement or application has been made for the pipe to cross their land, and indeed is not even in place for the utilities that currently cross their land.

4) No mention was made in the report regarding the noise that the pump station will make, or from the chipping and blasting of the rock that will need to occur for placement of the pipe along South Barry Avenue.

5) The applicant has seemingly completely ignored the variety of wildlife in the preserve, and the report did not include the kestrels, egrets, blue heron, white heron, swans and white owls. This highlights the limited attention they paid to the species present in the preserve and their disregard for the preservation of the wildlife that they will disturb.

6) The alternative options for a sewer system were brushed over, and no consideration made for an on-site facility which would have less impact on the Preserve or neighborhood and which would cost very little more than the current preferred alternative.

7) The Village Land Use lawyer said that the applicant has to have the sewer line in place before development can occur. Previously it has been stated they will not create the new sewer system until phase 3 of the development. Which is it?

All of these issues are an indication that the applicant has pulled the wool over the Planning Board, Zoning Board of Appeals and the public's eyes. There are not only errors of omission, but factually incorrect statements have been made, by not just the applicant but by the Village Land Use attorney.

As a result, I have no faith that the residents' interests will be protected, and that is why the public meeting has to be reopened. I want to ensure that these questions are discussed in a public forum, rather than addressed behind closed doors, so that we can see that the issues are not dismissed, as they have been previously. We need to hear with our own ears, truthful and accurate answers to these questions and be assured that the issues are not only addressed, but in the proper manner.

Regards,  
Lorna Waitt

549 Alda Road, Mamaroneck, NY 10543

## Betty-Ann Sherer

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**From:** Dana Stetson <dana@stetsoninc.com>  
**Sent:** Sunday, May 29, 2016 5:12 PM  
**To:** Betty-Ann Sherer  
**Cc:** Mary Stetson  
**Subject:** RE: DSEIS and FSEIS for Mamaroneck Beach & Yacht Club Sanitary Force Main – Sewer Line

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ingemar Sjunneemark, Acting Chairman  
and Members of the Planning Board  
Village of Mamaroneck  
169 Mt. Pleasant Avenue  
Mamaroneck, NY 10543

Dear Chairman Sjunneemark and Members of the Planning Board:

My family and I live at 565 Alda Road where our property abuts Otter Creek and the South Barry Avenue bridge. Our property, and enjoyment thereof, is the most impacted in the area by the contemplated sewer line relocation. In particular our detached two car garage is several feet away from the bridge. See photo below.



We have three primary concerns with the plans we have seen:

1. Potential impact to our structure and nearby tree
2. Visual impact of a sewer pipe that is proposed to be 8 feet away from the existing bridge (and elevated above the roadway)
3. Disruption to the area during construction (as there was not discussion or representation of the plans we can only assume the worst)

We believe that sewer line positioned anywhere but directly adjacent to the bridge and at a height that approximates the roadway (as is the fresh water service) is unacceptable and will negatively impact our valued views thereby reducing our property values and enjoyment of our home of 20 years. In fact why cannot the line be placed on the opposite side of the bridge where it is currently run? Furthermore there can be no impact to our structure or adjacent property.

Whatever plans that are eventually approved should take into full consideration of the above three points and the final plan should specifically address them satisfactorily.

Your consideration is greatly appreciated.

Mr. Dana L. Stetson & Mrs. Mary M. Stetson  
565 Alda Road  
Mamaroneck, NY 10543

[914-920-1960](tel:9149201960) - Mobile  
[914-281-1960](tel:9142811960) - Office

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3  
21 South Platt Corners Road, New Paltz, NY 12561-1620  
P: (845) 256-3054 | F: (845) 255-4659  
www.dec.ny.gov



Department of  
Environmental  
Conservation

June 2, 2016

RECEIVED

Betty-Ann Sherer  
Village Planning Board  
123 Mamaroneck Avenue  
Mamaroneck, NY 10543

JUN 2 2016  
*For Planning*  
BUILDING DEPT.

Re: Mamaroneck Beach & Yacht Club – Club expansion and sewer main modification  
DEC Tracking ID: 3-5532-00047/00007  
Village of Mamaroneck, Westchester County.  
Supplemental Draft Environmental Impact Statement Comments

Dear Ms. Sherer:

The Department of Environmental Conservation (DEC) has reviewed the documents provided by the Village regarding the proposal by Mamaroneck Beach & Yacht Club for expansion of the Club by the introduction of new seasonal residences and additions or modifications to other recreational buildings. This project underwent State Environmental Quality Review (SEQR) in 2007 which included Draft and Final Environmental Impact Statements (EIS) by the Village.

There were several subsequent amended sites plans submitted to the Village. Issues with the existing sanitary sewer main were discovered and repaired in August 2013. The current amended site plan now includes replacement of the sewer main and construction of a new pumping station and sewer force main. The Village, as SEQR Lead Agency, has accepted a Supplemental Draft EIS for review.

**Article 25 of the ECL, Tidal Wetlands**

Except for "No Action", all of the alternatives require disturbance to DEC-regulated Tidal Wetland or adjacent area. As previously stated in the DEC's response to the draft scope for the Supplemental EIS, a determination on tidal wetland and adjacent area jurisdiction and compatibility of regulated activities with the preservation of tidal wetlands cannot be made until a plan with the location of all tidal wetland and adjacent area boundaries is provided. DEC requires that contours be expressed in National Vertical Datum 1988 (NAVD88) for the purposes of establishing the adjacent area. Tidal wetland boundaries must be based on the official maps and confirmed by DEC staff. As this has not yet occurred, a final determination on DEC jurisdiction over the larger project is not yet possible. Please note that until the location of the adjacent area is determined, it is not possible to say whether the project will require any variance from the tidal wetland development restrictions in §661.6.



Department of  
Environmental  
Conservation

Re: Mamaroneck Beach & Yacht Club – Club expansion and sewer main modification  
DEC Tracking ID: 3-5532-00047/00007  
Village of Mamaroneck, Westchester County  
**Supplemental Draft Environmental Impact Statement Comments**

Many of the alternatives, including the Preferred Alternative, require disturbance directly to tidal wetlands. To meet permit issuance standards in §661.9 for disturbance to tidal wetlands, a project sponsor must demonstrate that the proposal:

- is “compatible with the policy of the act to preserve and protect tidal wetlands”;
- is “reasonable and necessary”;
- will not impact human health or property;
- complies with the development restrictions in §661.6; and
- complies with the use guidelines in §661.5.

If the action is categorized in 661.5 as incompatible or does not have a compatibility designation, the applicant must demonstrate that the action is compatible with the “preservation, protection and enhancement of the present and potential values of tidal wetlands”. Pursuant to §661.9(e), the DEC has the discretion to consider proposals to enhance or create tidal wetland values, provided that “such proposal relates to an area that is or will be regulated” as tidal wetland or adjacent area. Wetland values specifically identified in the regulations include “marine food production, wildlife habitat, flood and hurricane and storm control, cleansing ecosystems, absorption of silt and organic material, recreation, education, research or open space and aesthetic appreciation”.

DEC staff comments tidal wetland jurisdiction with regard to the Preferred Alternative and other Alternatives are as follows:

1. Page 28 of the Draft EIS states that the document contains a “NYS DEC Tidal Wetlands designation map” which was “field verified by a wetland biologist”. The map in question is a portion of DEC 1974 Tidal Wetland 606-532. While DEC wetland biologists visited the site several years ago, their visit was focused on the wetlands in vicinity of the facility. DEC staff have not reviewed the wetlands in the vicinity of the proposed pipeline bridge and cannot comment on the applicant’s assertions regarding the location or quality of the wetlands.
2. The Supplement Draft EIS clearly states that the “No Action” alternative, with respect to the sewer main, is a viable one. While there is the potential for impacts should the existing main fail, there is no current indication that it will do so. Staff recommend that the continued use of the existing main be considered. A clear explanation of the need for the new main will be required to meet the “reasonable and necessary” standard for any proposal include disturbance to tidal wetland.
3. The proposed pump station may be in the tidal wetland adjacent area. If so, staff recommend relocation outside of the adjacent area. This would be a “commercial and industrial use facilities not requiring water access”, §661.5(48) and a Presumably Incompatible action.
4. The Preferred Alternative requires impact to and permanent fill in the tidal wetland.
  - a. The addition of a sewer main to the existing bridge would be a modification of an existing structure within Littoral Zone and a Generally Compatible action pursuant to the Tidal Wetlands regulations §661.5(b)(25). The construction of a new

Re: Mamaroneck Beach & Yacht Club – Club expansion and sewer main modification  
DEC Tracking ID: 3-5532-00047/00007  
Village of Mamaroneck, Westchester County  
**Supplemental Draft Environmental Impact Statement Comments**

- pipeline bridge would be new utility in the Littoral Zone and a Presumably Incompatible action pursuant to §661.5(b)(42).
- b. No mitigation has been offered for this and would likely be required to meet issuance standards for a Presumably Incompatible action.
  - c. The pipeline bridge piers are proposed at the edge of the creek bed. However the creek can be expected to shift location and size over time, especially given current predictions for climate change effects. There is no consideration in the Draft EIS of how such shifts will affect the piers nor of how the piers might affect movements of the creek. Staff recommend that the pier be placed further from the current bed to allow for future movement.
5. The Draft EIS states that, if placed on the existing bridge, the main would be below the 50-year flood elevation. The designed pipeline bridge would place it above the 50-year elevation, but still well below the 13-foot base flood elevation. There is no discussion in the Draft EIS of any measures to protect the proposed pipeline from storm damage. Chapter 10-37 of the "Recommended Standards For Wastewater Facilities" (10 States Standards), referenced in the Draft EIS, states that aerial stream crossing should be no lower than the 50-year flood elevation. They further state that "the impact of flood waters and debris" should be considered. The Draft EIS provides an extensive discussion of the potential impacts of flooding on the proposed pump station, but none on the potential for impact to the pipeline bridge. Reliance on the minimum recommendation to address potential impacts is insufficient. Consideration of flood impacts will be required to meet the "reasonable and necessary" standard for the DEC permit application.

Please note that if any action associated with the project is categorized other than Generally Compatible, the DEC Tidal Wetland application will be major pursuant to Uniform Procedures. A \$900 application fee will apply and a minimum 30-day public comment period will be required once the DEC application is complete. By copy of this letter, the applicant is informed of these requirements.

The Draft EIS notes that an "Archeological Determination" will be required from the State Historic Preservation Office (SHPO). A determination of impact for the whole project, including any new main or pump station, is a requirement of a complete application to DEC.

If you have any questions, please contact me at (845) 256-3014 or by email at [rebecca.crist@dec.ny.gov](mailto:rebecca.crist@dec.ny.gov).

Sincerely yours



Rebecca Crist  
Deputy Permit Administrator

Re: Mamaroneck Beach & Yacht Club – Club expansion and sewer main modification  
DEC Tracking ID: 3-5532-00047/00007  
Village of Mamaroneck, Westchester County  
**Supplemental Draft Environmental Impact Statement Comments**

Ecc: Lisa Rosenshein, Mamaroneck Beach & Yacht Club  
Melanie O'Meara, Army Corps of Engineers  
Westchester County Department of Environmental Facilities  
NYS DOS Coastal Resources  
Bethany Wieczorek, NYS OGS Land Management  
Heather Gierloff, NYSDEC Bureau of Habitat

Keith W. Waitt  
549 Alda Road  
Mamaroneck  
NY 10543

RECEIVED  
JUN 3 2016  
BUILDING DEPT.

Ingemar Sjunneemark, Acting Chairman  
and Members of the Planning Board  
Village of Mamaroneck  
169 Mt. Pleasant Avenue  
Mamaroneck, NY 10543

June 3<sup>rd</sup> 2016

RE: DSEIS and FSEIS for Mamaroneck Beach & Yacht Club Sanitary Force Main – Sewer Line

Dear Acting Chairman Sjunneemark and Members of the Planning Board,

I am writing to follow upon the comments that I made at the Public Hearing on Wednesday 25<sup>th</sup> May.

Firstly, I would like to thank those Members of the Planning Board who were present at the Hearing for their high level of engagement in the discussions and for their obvious concerns over the issues surrounding this DSEIS.

I would , however, like to also mention how appalled I am at the amount of misinformation, bias, and errors of omission that have been presented to the Board on this sewer line issue since its break in August 2013. These have been disingenuous, at the very least, and have not made the Board's review and decision-making any easier over this time.

Some factual statements for your consideration:

1. **The Planning Board has been misled by the Applicant:** MB&YC stated in 2013 that the repaired sewer line had been thoroughly tested. It omitted to state that it had not been tested to NY Standards both in terms of PSI flow (14lbs vs 50lbs) or length of time. NY Standards also require a telescopic camera to be inserted through the whole length of the line. This was not done as the camera could not be inserted due to "blockages". That in itself is a red flag for future breaks under Otter Creek.
2. **The Planning Board has been misled by the Village Land Use Attorney:** during the Public Hearing, the VOM Land Use Attorney stated that "the Applicant will not be allowed to begin any new development it proposes until the sewer line had been replaced" (see LMCTV Part2 @ 43.10 mins). However the DSEIS clearly states, and we

have all been advised, that the Applicant is not intending to begin replacement of the sewer line until Phase III of its development.(see page 51 of their DSEIS). By this time, Phase I and II will have been completed which includes a Yacht Club/dock masters building, a recreation building and pool improvements. It also would indicate that if Phase III was not pursued, then the sewer line will *never* need to be replaced. This is **not** an alternative given what we know about the compromised state of the sewer line today.

3. **The Planning Board has been misled by the Applicant's Attorney:** during the Public Hearing the Applicant's attorney stated that he would ask his client if she was prepared to undertake a new sewer line test and whether she was willing to pay for it. The Village is not asking for a test, it is demanding it and the Applicant has no choice. Moreover the test will not just be "thorough" but witnessed and in accordance with NY standards in every way. The Attorney also responded to the Board that he does not know why the DSEIS recommends the pipeline bridge to be 8 feet from the existing road/utility bridge owned by the Town of Rye. The Applicant's attorney is the attorney for the Town of Rye! It is inconceivable that he is not aware of the reasons why the sewer pipe is not being recommended to be attached to the existing road bridge. As I said in my statement at the time, it may be related to the fact that MB&YC does not want to be beholden to the Town of Rye in any way. It may be for other reasons, which by his omission, the attorney could be seen to be misleading the Board.
4. **The Planning Board has been misled by the Applicant's Engineering Consultant:** there are numerous factual inaccuracies and errors of omission in the DSEIS which is not surprising given that it is written in preference to the Applicant. However the Board must now work hard to determine what are the facts as well as what has not been included in the report. To that end, I would like to recommend that the Board get answers on:
  - a. The Otter Creek Preserve that is now owned by the Westchester Land Trust, and the real environmental impact of the proposed sewer line construction on this protected environment.
  - b. Why the location of the proposed pump station has to be at the point closest to neighbors, rather than near the tennis courts or up high near the Staff Residence Building where it will not be liable to flooding.
  - c. The noise levels of the pump station in decibels and confirmation that this will be a constant 24/7 humming.
  - d. Why the alternative of a private onsite wastewater treatment facility is not a viable option (page 10 of DSEIS). Our calculations are that the costs would be the same as the Applicant's option, given the length of line, construction of pump station, pipeline bridge and chipping of South Barry Avenue up to the main sewer line. The benefit is that it would be a self-contained construction project on the Applicant's land and not require a pump station, pipeline bridge or chipping/blasting on a public roadway. It also will be far more convenient (and less contentious) for all the neighbors!

- e. Why the Village had to contribute towards the cost of production of this DSEIS, when it clearly is biased towards the Applicant and will require a considerable amount of the Board's time to determine all the facts.

These are just a few of the issues surrounding this DSEIS, and raise more questions for the Board than the answers that a sound DSEIS should normally be providing at this time.

Accordingly, I strongly urge the Board that the Public Hearing be re-opened. If Members of the Board are presented with the facts, I have to believe that your experience and conscience will ensure the correct environmental decisions are made in the best interests of the entire Village. Public involvement is one key means of preventing potential misstatements and errors of omission in the FSEIS.

I would like to thank you all in advance for your kind consideration of this matter and the content of my letter.

Yours faithfully,

Keith W. Waitt

## Betty-Ann Sherer

---

**From:** Katherine Desmond <k347m@aol.com>  
**Sent:** Sunday, June 05, 2016 9:49 PM  
**To:** Betty-Ann Sherer

Betty Ann -**Please use this version.** Note changes under my name in the two emails below. My Marine Education Center involvement was not on the August 27, 2013 email message. I mistakenly added it there. Any questions? please ask me. Thanks, Katherine

-----Original Message-----

From: Katherine Desmond <[k347m@aol.com](mailto:k347m@aol.com)>  
To: bsherer <[bsherer@vomny.org](mailto:bsherer@vomny.org)>  
Sent: Sun, Jun 5, 2016 9:30 pm  
Subject: MB&YC Sanitary Sewer Pipe Issue

Betty Ann,  
Please submit this email to the Planning Board  
and any other relevant Land Use Board or HCZMC.  
Many Thanks,  
Katherine

-----  
Dear Ingemar Sjunneemark, Acting Chairman and Members of the Planning Board,

I am a Village resident who happened to be present at the actual discovery of Mamaroneck Beach and Cabana Club's spewing sanitary sewer pipe on the north bank of Otter Creek three years ago. I am writing to request that the Planning Board hold a public hearing when the Club submits it's Final Supplemental Environmental Impact Statement on this matter.

When I witnessed all that raw sewage oozing out of the ground at low tide and cascading into Mamaroneck Harbor, I was disgusted. I considered it a major emergency. I wrote an urgent email to Village Officials, Members of the Village Committee for the Environment, and Save the Sound.

I have included that email below, dated August 27, 2013, for the record.

I expected that Village, County, State or Federal law would require the Club to make immediate and permanent repairs, certainly before the winter set in. I have been shocked to learn that the Club is still relying on a makeshift delivery system after all this time.

Sanitation is the most basic municipal responsibility. Where has the Club been on this?

Thank you for keeping the Public informed and involved. I hope you will consider holding an FSEIS hearing on this important matter.

With appreciation,

Katherine E. Desmond, Mamaroneck Resident since 1975  
Member Harbor Island Park Committee 1999-2001  
Chair, Mayor's Advisory Committee on Water Quality 2003-05  
Founder, Director, Designer of *The Marine Education Center at Harbor Island Park* 2012  
-

347 Prospect Avenue  
Mamaroneck NY 10543

h. 914-698-6168

-----Original Message-----

From: Katherine Desmond <[k347m@aol.com](mailto:k347m@aol.com)>

To: MayorandBoard <[MayorandBoard@vomny.org](mailto:MayorandBoard@vomny.org)>

Cc: RSlingerland <[RSlingerland@vomny.org](mailto:RSlingerland@vomny.org)>; dsarnoff <[dsarnoff@vomny.org](mailto:dsarnoff@vomny.org)>; hornerpd <[hornerpd@verizon.net](mailto:hornerpd@verizon.net)>; saraheg <[saraheg@optonline.net](mailto:saraheg@optonline.net)>; joanheilman <[joanheilman@hotmail.com](mailto:joanheilman@hotmail.com)>; peronj <[peronj@yahoo.com](mailto:peronj@yahoo.com)>; tandersen54 <[tandersen54@optonline.net](mailto:tandersen54@optonline.net)>; lschmalz <[lschmalz@savethesound.org](mailto:lschmalz@savethesound.org)>

Sent: Tue, Aug 27, 2013 9:48 pm

Subject: MB&YC Pipe Issue - Observations and Questions

Dear Mayor and Board of Trustees,

I was a volunteer helping to collect water samples in the Village of Mamaroneck this summer for Save The Sound's ground-breaking water sampling project.

On July 29th, the final sampling day, I, our STS leader, and four other volunteers witnessed a smelly, watery, substance coming out of the shoreline of Otter Creek, at low tide, opposite the Mamaroneck Beach and Yacht Club.

There was no pipe to be seen. The spewing would increase and then decrease, mysteriously coming up from the wet sand, first a little then a whole lot, then stop, then repeat a little later.

It was clear by the deep cut in the shoreline that it had been going on for a long time.

None of us knew exactly what we were seeing.

Now, knowing that it was the broken sanitary line from the MB&YC, it is correct to assume that every time someone at the Club flushed a toilet we were seeing the results with our own eyes.

That pipe was supposed to be carrying every drop of raw sewage from the Club to Village sanitary lines, to County Trunk lines and finally into the Treatment Plant. Instead,

it was carrying no sewage anywhere but into the pristine waters of Otter Creek, possibly for years and years, gravely spoiling our beaches, Harbor and Long Island Sound.

Clearly, the Club has never admitted it was polluting the Harbor. Clearly, the Club had no intention of rehabilitating the sewer line, even as it was submitting plans to add thousands and thousands more gallons to a broken line.

Does the MBYC have the permits needed to do the repair work below the high tide line?

If the pipe needs to be completely replaced, permits will be required.

Is the pipe in any condition to be repaired/ slip lined?

Has the Village incurred any costs, dealing with Club and the pipe?

If so, will the Village be reimbursed by the private owner, the Club?

Were there any fines issued by the Village, County, State or EPA to the Club for major pollution from their leaking pipe into Mamaroneck Harbor and Long Island Sound?

Will the Club be cited for violation of the Clean Water Act?

Will the Village require further inspection of the Club's infrastructure? to be fully paid for by the Club?

Why should the Club be allowed to have a new pipe going across Otter Creek when it has proven that it does not care to manage such a pipe?

Has the Village of Mamaroneck completed repairs of it's own damaged sanitary lines lines running along Alda Road, just above the site, that were identified in 1994 by County I&I SSES-Sanitary Sewer Evaluation Study?

I do not know the answers to these questions.

Would it be possible to flesh them out at the next Board of Trustee's Meeting?

Sincerely,

Katherine E. Desmond  
347 Prospect Avenue  
Mamaroneck NY 10543  
h.914-698-6168

Member, Harbor Island Park Committee 1999-2001  
Chair, Mayor's Advisory Committee on Water Quality 2003-05

**To:** Village of Mamaroneck Planning Board

JUN 7 2016

**From:** Susan Favate, AICP, Principal**BUILDING DEPT.****Subject:** Comments on Draft Supplemental Environmental Impact Statement (DSEIS):  
Mamaroneck Beach and Yacht Club (555 South Barry Avenue)**Date:** June 6, 2016

Please find below comments on the Mamaroneck Beach & Yacht Club DSEIS from the Village's staff and consultants: BFJ Planning; Land Use Counsel Lester Steinman; Village Consulting Engineer Hugh Greechan; and the Planning Board's landscaping consultant, Susan Oakley. If the comments are acceptable to the Planning Board, they will be made a part of the written record on the DSEIS, and the Applicant will be required to address them in the Final SEIS as with all comments received from the public and involved or interested agencies.

**Purpose and Need for the Proposed Action**

The description of the project background and the need for the proposed action contains conflicting and problematic language. At various points, the DSEIS suggests the proposed sewer upgrade is not required because the current system is functioning properly (see p. 1, second paragraph); that a new system is recommended (see p. 1, same paragraph); or suggests that the upgrade may not happen at all if the Applicant does not proceed with its proposed redevelopment of the property (see p. 6, second paragraph: *"In the event the Applicant proceeds with the improvements as part of the proposed redevelopment..."*)

We believe that the proposed sewer upgrade is **required**, and should occur as soon as practicable, for the following reasons:

1. There is apparently no easement allowing the existing force main to cross the property at 519 Alda Road, and there is no expectation that an easement will be readily available. The SDEIS states at various points that the Applicant anticipates that either "protracted litigation" would be required to obtain an easement, or a determination would be needed that there are no other alternative locations for the force main, thereby creating an easement by necessity.
2. The various tests conducted on the existing sewer force main in 2013 as a result of the August 12, 2013, leak are not adequate to establish unequivocally that the existing system is functioning properly. Although the dye test performed on September 9, 2013, indicated no evidence of sewage discharge into Otter Creek, both the TV inspection and the pressure test could not be conducted to the fullest extent. The entire length of the force main could not be televised due to the limited ability to push the cable through the pipe because of friction and alignment curvature. Thus, the video inspection was limited to a distance of approximately 150 feet into the force main from both the pump station end of the force main and the receiving manhole end of the force

Date: June 6, 2016

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Mamaroneck Beach and Yacht Club

Revised DSEIS Change Pages Completeness Review

main in Alda Road (see TRC report dated September 19, 2013, in Appendix D). Meanwhile, based on our understanding of the process, the pressure (hydrostatic) test was not performed at the required standard 50 psi, nor tested for the required duration of one (1) hour, because of concerns about the integrity of the existing force main. Therefore, two of the three tests conducted on the existing pipe were not able to be performed adequately. In any case, no testing has been done on the pipe since September 2013, and given the known age of the pipe, it is likely that its condition has continued to deteriorate in the nearly three years since testing. It is questionable whether the pipe is or can be expected to continue functioning adequately without leaks.

3. The Applicant's planned redevelopment of the property will incorporate a renovated clubhouse, two residential buildings and new yacht club/dockmaster and recreation buildings. This development will place additional pressure on the existing sewer line, and it is our opinion that the system should be replaced prior to or concurrent with any new building construction (see discussion below).

### **Natural Features**

No wetland delineation has been conducted by the Applicant, and instead the DSEIS relies on a 1974 NYSDEC Tidal Wetlands Map (Exhibit 10) and "site inspections by members of the project team" (see p. 28). We question whether this data is sufficient to fully understand the boundaries of the tidal wetlands along Otter Creek or to support the DSEIS's assertion that no vegetated tidal wetlands will be "adversely impacted by the proposed force main options currently under consideration" (p. 28).

The DSEIS indicates that approximately 10 square feet of tidal wetland habitat will be permanently displaced by the concrete piers required for the pipeline bridge, while approximately 50 square feet will be disturbed during construction (see p. 31 and 37). It should be made clear that the proposed mitigation to replace vegetation in kind within disturbed areas will include both permanent disturbance and construction-related disturbance. As an alternative to this mitigation, the Applicant should consider a re-design of the pipeline bridge that avoids the wetlands altogether.

### **LWRP**

Chapter 240-31 of the Village Code requires that draft and final environmental impact statements identify the applicable policies of the Mamaroneck Local Waterfront Revitalization Program and a discussion of the potential impacts of the project on such policies. This information should be provided in the FSEIS.

### **Landscaping**

The proposed landscape plan (Exhibit 9) is not drawn to scale and is limited in range only to the plant bed for the northeast side of the pump station (facing Otter Creek). The landscaping proposed in this area is appropriate in terms of species and location. Eastern Red Cedars are native to the northeast, thrive in full sun and wet soil, and are also drought-resistant. These trees have a mature growth of 30'-40' tall and 8'-

## BFJ Planning

Date: June 6, 2016

Mamaroneck Beach and Yacht Club

Revised DSEIS Change Pages Completeness Review

## MEMORANDUM

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12' wide, but can reach 80'-90' tall and up to 25' wide. The hardy durability of the Eastern Red Cedars should provide an appropriate four-season screen from Otter Creek, in addition to the raised elevation views from the Shore Acres neighborhood. Beach Plums are a native, deciduous shrub that thrive in coastal environments. They are extremely salt-tolerant and suitable for loose, seaside landscaping where there is room to grow and spread naturally. Beach Plums mature to 7-10' tall and wide, but in favorable conditions can reach sizes up to 16' to 18' tall and wide. The large and deciduous Sycamore tree grows to heights of 75' to 100' tall with an equally wide spread. It is generally regarded as a massive tree, with a trunk ranging from 3' to 8' in diameter, and is appropriate in this large open space.

It is noted that the proposed alignment of the force main along South Barry Avenue may impact two fairly large trees: an 18-inch catalpa and a 20-inch silver maple. Mitigation is proposed in the form of four (4) beach plum trees of 2-inch caliper. Both the two existing trees and the proposed replacement vegetation should be included in a revised landscaping plan. It is recommended that Beach Plums, while suitable for coastal environments, are not an appropriate substitute for a mature single trunk tree.

The revised landscaping plan should be drawn to scale and include a wider area around the proposed pump station and new planting bed, including Otter Creek, the South Barry Avenue Bridge and the South Barry Avenue right-of-way. The plan should also include all existing plant material marked with species name and trunk caliper. Additional notations should include which plants are to remain and which are proposed for removal. The plant material proposed to replace removed items should be indicated on a revised plant schedule. On the current plant schedule, Beach Plum shrubs are sized by caliper, which is not applicable in this case. Since this is a shrub, industry standards for this plant are by container size or height, not caliper.

### Sanitary Sewer System

The calculated sanitary sewer flows are consistent with the expected uses. Calculated on-season flow is typical, or even conservative, for similar uses such as a country club, while off-season flow is consistent with typical per capita flow.

The DSEIS states (see p. 39) that a proposed gravity sewer and water service are routed under the proposed Recreation Building, and that the building's elevation will allow approximately 7 feet of clearance between the ground surface and the first floor structure for any required maintenance. We suggest that the water and sewer lines should be re-routed to avoid placing utilities underneath buildings.

### Alternatives

#### *No Action Alternative*

Under SEQR regulations, the Applicant was required to include a No Action alternative (see 6 NYCRR Part 617.9(b)(v)). However, for the reasons discussed above in the Purpose and Need of the Proposed Action, we do not believe the No Action is a viable alternative.

Date: June 6, 2016

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Mamaroneck Beach and Yacht Club

Revised DSEIS Change Pages Completeness Review

***South Barry Avenue Force Main Alignment***

We concur with the Applicant's opinion that the South Barry Avenue alignment represents the most preferred alternative. However, we question whether the Applicant has sufficiently examined the options to convey the new sewer line over Otter Creek.

The DSEIS notes (see p. 61) that "attaching a pipeline to a bridge structure generally should not be considered unless the bridge structure is of a design that is adequate to support the additional load and thrust forces of the proposed pipeline." Yet there is no indication that the Applicant has actually discussed with the Town of Rye the potential to attach the pipeline to the bridge. On p. 63, the DSEIS states that the Applicant's Engineer discussed the pipeline bridge option with the Town of Rye's Consulting Engineer, but it is unclear that any option other than the Applicant's Preferred Option was discussed.

The DSEIS also notes (see p. 62) that the State's Recommended Standards for Wastewater Facilities "requires" that for aerial stream crossings, sewers must not be below the 50-year flood elevation. Because the South Barry Avenue Bridge pavement surface is approximately 15 inches below the 50-year flood elevation, the DSEIS indicates that the force main cannot be hung from the bridge. Questions have been raised about the extent that this recommended standard must be adhered to. In fact, the actual wording of the standard for aerial crossings indicates that the sewer line "should" be above the 50-year flood elevation, and the Forward to the standards notes that the term "should" indicates "desirable procedures or methods, with deviations subject to individual consideration" (see Recommended Standards for Wastewater Standards, 2014 Edition). The Applicant should consult with NYSDEC to confirm whether the sewer line must be above the 50-year flood elevation, given the presence of the roadway bridge which is already located below that elevation. Ideally, to lessen visual impacts, the bridge could be placed at the same level as the South Barry Avenue Bridge roadway; however, we defer to NYSDEC on this issue.

In the event that it is determined that the South Barry Avenue Bridge cannot support the proposed pipeline, and that the pipeline must be elevated above the 50-year flood elevation, it is still not clear why the pipeline bridge must be offset approximately 8 feet from the bridge (see Exhibit 8a). The only justification appears to be found on p. 5, where the DSEIS indicates that concern of exposure to vandalism will be reduced by constructing the force main with a separation from the bridge. However, we believe that because the sidewalk is located on the opposite side of the bridge from the proposed pipeline, the need to separate the two structures due to vandalism concerns is outweighed by the detrimental visual impact of offsetting the pipeline bridge. There are existing utility pipes crossing Otter Creek adjacent to the South Barry Avenue Bridge, and we are not aware of any issues of vandalism. We suggest that, if a standalone pipeline bridge must be constructed, it be located as close as possible to the South Barry Avenue Bridge, to limit any visual impact from the additional structure.

Date: June 6, 2016

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Mamaroneck Beach and Yacht Club

Revised DSEIS Change Pages Completeness Review

**Construction Phasing and Impacts**

The DSEIS indicates that the proposed sewer system upgrade will occur during Phase III of the overall proposed redevelopment plan, which will serve “the majority” of the development (see p. 51). We disagree with this characterization that deferring the sewer upgrade to Phase III will serve most of the proposed development. Phase I of construction involves construction of the yacht club/dockmaster building, while Phase II involves construction of the recreation building and associated pool improvements. Each of these phases represents a significant portion of the overall development, with potential to generate substantially greater use of the Club, and commensurate additional sewer impacts. Connecting the new yacht club/dockmaster and recreation buildings to the existing sewer system is not advisable, given the uncertain condition of the existing pipe and the lack of any easement to convey the existing pipe over the 519 Alda Lane property. The replacement of the existing sewer system should be undertaken during Phase I of construction, prior to or in conjunction with construction of the yacht club/dockmaster building.

In addition, the DSEIS contains no substantive discussion of the potential construction impacts on adjoining property owners and users of South Barry Avenue. In particular, we note that the DSEIS indicates (see p. 29) that surface bedrock was observed along South Barry Avenue, and that the alignment may need to be adjusted to avoid rock, or rock may be excavated to provide the minimum depth of cover over the pipe. Yet the document does not provide any details about the methods for excavation, including the potential for blasting.

**Easements and Impacts to Adjoining Property Owners**

The Applicant must clearly indicate any and all property easements required by any of the alternatives discussed in the DSEIS, including the names of all property owners from whom easements will be necessary, and confirmation that the owners have been contacted about the potential to provide easements and are amenable to negotiating an appropriate easement agreement.

In addition, the southwestern terminus of the proposed pipeline bridge appears to be located very close to a detached garage, as well as what appears to be a storm drain. The detached garage is depicted on Exhibit 7 but not on Exhibit 8a. The storm drain appears on Google Street View (August 2013). Potential impacts to these structures should be addressed.

C:

Lester Steinman, Planning Board Attorney  
Hernane DeAlmeida, Village Engineer  
Hugh Greechan, Consulting Village Engineer  
Dan Gray, Village Building Inspector  
Susan Oakley, Village Landscaping Consultant  
Bob Galvin, Village Planner

**DANIEL S. NATCHEZ and ASSOCIATES, Inc.**

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JUN 7 2016

BUILDING DEPT.

916 East Boston Post Road  
Mamaroneck, New York 10543-4109  
1-914-698-5678  
FAX 1-(914) 698-7321  
E-mail: dan.n@dsnainc.com  
www.dsnainc.com

Office of the President

June 7, 2016

Ingemar Sjunneemark, Acting Chairman  
and Members of the Planning Board  
Village of Mamaroneck  
169 Mt. Pleasant Avenue  
Mamaroneck, NY 10543

**RE: DSEIS – SANITARY SEWER – MAMARONECK BEACH & YACHT CLUB**

Dear Chairman Sjunneemark and Members of the Planning Board:

I am filing this letter in my capacity as President of Daniel S. Natchez and Associates, Inc. (DSN&A), an Environmental Waterfront Design Consulting Company, as President of the Shore Acres Property Owners Association (SAPOA), and as a resident of the Village of Mamaroneck regarding the route forward towards the FSEIS and a misstatement that occurred during the May 25, 2016 Public Hearing on the DSEIS.

As stated in our letter of May 11, 2016, we want to make it clear for the record, DSN&A, SAPOA and myself are in favor of and believe it is important for the **existing sanitary sewer** (force main) line from Mamaroneck Beach & Yacht Club (MB&YC) to be **replaced as soon as possible**, and we further support the conceptual route going up along South Barry Avenue. However, now that the DSEIS has been presented to the Board and deemed to be available for public comment, it is important that the FSEIS, *which is the Planning Board's Document*, be correct and meaningful in terms of the Project being proposed. It is important that this Project be designed and undertaken in the most environmentally compatible and enhancing manner, and in a way that ensures the health, safety and best long term interests of the Village.

**MISSTATEMENT:**

In the Public Hearing of May 25, 2016 the Applicant's attorney, in explaining the 'history,' stated that, "they fixed the line" ... "County closed their file" ... and "NO ONE HAS ASKED US TO DO ANYTHING" (LMCTV 49.25-49.38)[emphasis added]. In point of fact, William Gerety, the Building Inspector at the time of the subject sewer line break, informed representatives of the Applicant that he would not remove the "Order To Remedy" until the line was tested and passed NYS Building Code requirements – i.e., a minimum of 50 PSI for a minimum of 1 hour or to a higher requirement based upon the design loads.

**FSEIS PUBLIC HEARING:**

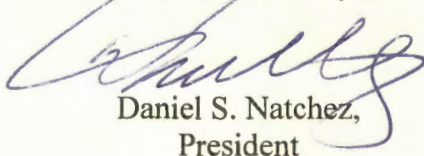
**We wholeheartedly support the Planning Board holding a Public Hearing on the FSEIS prior to its adoption.** Throughout the process to date, the Applicant has provided information that has

been incomplete, misleading, and/or incorrect – information that has been vetted and corrected by public comment. We ask that the public be provided a similar opportunity at the FSEIS stage so that the Planning Board's document is complete and factually correct.

We appreciate your time and attention to these issues.

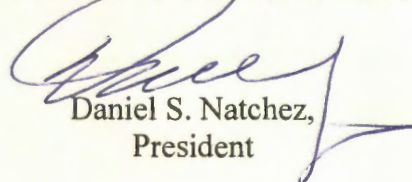
Sincerely,

**DANIEL S. NATCHEZ  
and ASSOCIATES, Inc.**



Daniel S. Natchez,  
President

**SHORE ACRES  
PROPERTY OWNERS ASSOCIATION**



Daniel S. Natchez,  
President

cc: SAPOA BOARD and others

/2013 application/planning board/seis/dseis:2016-06-07 add dseis comments



Christopher D. Hillyer

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JUN 8 2016  
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Ingemar Sjunnemark  
Acting Chairman, Planning Board  
Village of Mamaroneck  
169 Mt. Pleasant Avenue  
Mamaroneck, NY 10543

June 6, 2016

RE: DSEIS and FSEIS for Mamaroneck Beach & Yacht Club (MBYC) Sanitary Force Main – Sewer Line

Dear Acting Chairman Sjunnemark and Members of the Planning Board,

I am writing to follow upon the comments that I made at the Public Hearing on Wednesday 25<sup>th</sup> May.

First, I would like to thank those Members of the Planning Board who were present at the Hearing for their high level of engagement in the discussions and for their obvious concerns over the issues surrounding this DSEIS.

Second, the issues surrounding the force main are serious. Given these serious concerns, I believe that it is imperative that there be a public hearing opened for when the FSEIS is filed.

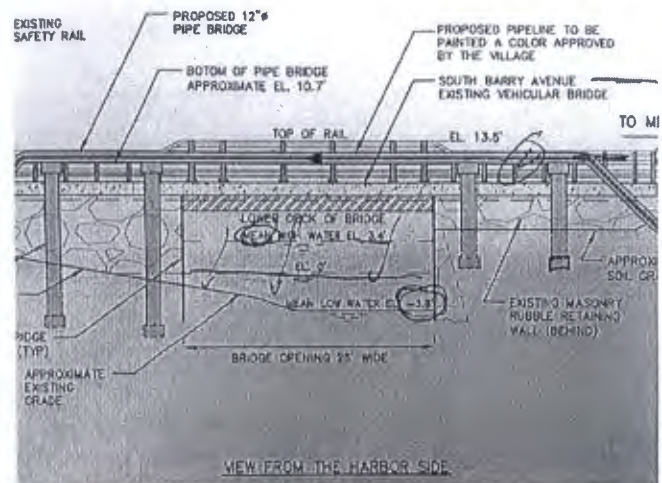
Specific points are below.

1. Ensuring that the current MYBC sewer line is not leaking and properly tested after its temporary repair is critical to our environment, wildlife, and human recreational use of the Creek and mouth of the Creek to the Harbor where the swimming beach at Shore Acres Point Corporation (SAPC) is located.
  - a. The old force main break as is well known; however, it appears not to have been tested properly. The Board wanted it to be tested immediately. This must be accomplished;
  - b. This must be done immediately as the new force main (according to the DSEIS) will not be put in place until Phase III of the project, and thus, if the project is abandoned, it may never be replaced.

- c. The SAPC beach was the most closed and contaminated beach on Long Island Sound. Testing for E. coli and Enterococcus must be mandated and should be resumed as a matter of public safety and to protect our environment.

2. Optimization of the new force main is needed.

- a. Traversing Otter Creek was planned via horizontal drilling into the Alda Road hookup site. If horizontal drilling was possible in that location, it should be used at the S. Barry Road bridge site. This would obviate the freeze/thaw risk and abrogate the risk future flooding, as well as being more aesthetically pleasing;
- b. The MYBC presentation of the sewer line being 4" and "along the bridge rail" are misleading. While the pipe itself is 4", it will be inside a 12" pipe and this will be insulated to a diameter approaching 20". Thus, it is a large, unsightly pipe;
- c. It will not be "along the bridge rail". It will be 8' from the bridge; while this might be in the *line of sight* to match the bridge rail, it will be at a distance and unsightly;
- d. The water levels presented in by MYBC are historic and do not accurately portray the flooding risk.
  - i. The bridge was flooded in Hurricane Sandy and previously;
  - ii. Even in without a storm, the water at high tide can reach the supporting girder; see photo, infra, taken 4-20-2015 1:05pm; and
  - iii. The supporting girder approximates 6' above the "zero" elevation. The "mean high water level is inaccurate"; the "50 yr flood" level is historic and out of date; and the building requirement of "50 yr flood" level is not in the building code as an appropriate level for current building; and



- e. All of these could be mitigated by horizontal drilling, as above.

3. It is imperative that MYBC obtain appropriate permits, field tests/inspections and easements.

- a. Easements must be obtained from the Westchester Land Trust;

- b. The current sewer line must be tested to code, as above; and
  - c. Any future line needs to be in accordance with code and test to spec. For example, it has been considered problematic by the Village Engineer to force (i.e. under positive pressure) sewage from the 4" line into the sewer mains (under Alda, S. Barry, and Soundview) and that a holding tank with gravity feed to the main is the only acceptable option. This has not been described in the documents and would require additional digging and manholes.
4. The FSEIS must contain factual and updated information. The DSEIS did not include updated or factually accurate information on increase in traffic, noise from the pump station, and:
- a. The risk to the certified Heritage Oak on S. Barry near the corner of S. Barry and Soundview, maintained by the Village must be considered due to its status as a Heritage Oak.

Accordingly, I strongly urge the Board that the Public Hearing be re-opened to reflect on and gain input as relates to the FSEIS. If Members of the Board are presented with the facts, I have to believe that your experience and conscience will ensure the correct environmental decisions are made in the best interests of the entire Village. Public involvement is one key means of preventing potential misstatements and errors of omission in the FSEIS.

Thank you for your consideration of this matter and the content of my letter.

Sincerely,



Christopher D. Hillyer  
506 S. Barry Ave, Mamaroneck, NY  
429-429-3095

**Betty-Ann Sherer**

---

**From:** Allison Stabile <allisonstabile@gmail.com>  
**Sent:** Wednesday, June 08, 2016 11:39 AM  
**To:** Betty-Ann Sherer  
**Cc:** Allison Stabile  
**Subject:** DSEIS and FSEIS for MBYC Sanitary Force Main - Comments for the Planning Board

Dear Betty-Ann,

Please forward my remarks to the Planning Board.

Thank you very much.

Sincerely,

Allison Stabile

\*\*\*\*\*

Ingemar Sjunneemark, Acting Chariman, and

Members of the Planning Board

Village of Mamaroneck

169 Mt. Pleasant Avenue

Mamaroneck, N.Y. 10543

**RE: DSEIS and FSEIS for the Mamaroneck Beach and Yacht Club Sanitary Force Maine  
– Sewer Line**

Dear Acting Chairman Sjunneemark and Members of the Planning Board,

I was unable to attend the meeting on May 25<sup>th</sup>, and participate in the Public Hearing regarding the MBYC SDEIS. I am writing to add my voice in support of the Planning Board holding a Public Hearing on the FSEIS prior to its adoption.

I have resided in the Shore Acres neighborhood in the Village of Mamaroneck for 23 years. I have been an ardent advocate for the environment, served on the Village CFTE, and participated in various initiatives over the years that benefit our coastal community environment. As a parent, a kayaker, and a swimmer, I have been especially concerned with water quality.

Prior to August 2013, I expressed my concerns to this board about the status of the aged MBYC sanitary sewer force main in the context of proposed additional impact on infrastructure that might have been in questionable condition. My concerns, along with the concerns of other residents, were dismissed by the Applicant.

As a member of the public who has closely followed the Applicant's activities for many years, I urge you to continue to take advantage of the public's knowledge and input, to insure that your decision making is based on the most complete and accurate information available to you.

During this process, the Applicant has provided information that is not always correct, not always complete, and sometimes misleading. It is important that you are provided with as much factual information as possible, that you are provided as full and balanced a picture of the issues as possible, and that you avail yourselves of a concerned public who will vet statements in the FSEIS to insure their accuracy.

I encourage you to plan such a Public Hearing on the FSEIS so that the community benefits from advance notice and scheduling.

Given the impacts this application will have on our community, and the surrounding environment, this is a prudent, important, and in my opinion, necessary undertaking by your Board.

Thank you for your time and consideration, and for your continued efforts in the review of this project.

Sincerely,

Allison Stabile

# NEWMAN FERRARA LLP

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www.nflfp.com

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June 7, 2016

JUN 8 2016

BUILDING DEPT.

Mr. Ingemar Sjunneemark, Acting Chairperson  
& Members of the Planning Board  
Village of Mamaroneck  
169 Mt. Pleasant Avenue  
Mamaroneck, New York 10543

## Re: Mamaroneck Beach & Yacht Club DSEIS Comments

Dear Mr. Sjunneemark and Members of the Planning Board:

I write as counsel for the Shore Acres Property Owners Association ("SAPOA") to supplement my comments at the public hearing held on May 25, 2016, regarding the Draft Supplemental Environmental Impact Statement (DSEIS) submitted by Mamaroneck Beach & Yacht Club ("MBYC" or "the Applicant"). It is requested that the comments herein be added to the record.

### I. "No Action" Alternative

MBYC presents "No Action" as a possible and viable alternative. The Applicant asserts that, following the August 2013 break in the sewer line, "appropriate testing" was performed and *"the existing force main was deemed to be in a serviceable and operating condition and as of the date of the tests conducted does not have any apparent leaks"* (emphasis included). DSEIS, p. 7. The Applicant should be required to provide the Planning Board with documentation that "appropriate testing" was performed. The Planning Board should obtain from the Building Department documentation of a determination by the then Building Inspector and Village Engineer that "appropriate testing was performed" and the results of those tests, as reported to the Village. The Applicant should be required to provide documentation that the Building Inspector and Village Engineer deemed "the existing force main to be in serviceable and operating condition as of the date of the tests conducted." Additionally, given the time that has elapsed since the sewer line break occurred, any repairs were made and any testing performed, the Applicant should be required to undertake up to date testing and provide the test results to the Village and Planning Board so that the Planning Board can reasonably evaluate the "No Action" alternative. The testing should be confirmed to the Planning Board by the Building Inspector and Village Engineer as code complaint and they should be asked to provide a written opinion as to the current status of the pipe and the viability of a "No Action" alternative. This is proper because the Applicant has put forward "No Action" as an alternative and has not, as pointed out by one Planning Board member, stated that "No Action" is not a viable alternative. Therefore, it is not only within the Planning Board's authority and jurisdiction to require this information

June 8, 2016

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from the Applicant, it is necessary for the Board to conduct, with due diligence, a “reasonable” inquiry into the “No Action” alternative as required by SEQRA..

The Applicant proposed to upgrade the existing sanitary pump station and force main during Phase III of the renovation of the property. The Planning Board should require the Applicant to explain why, in the Applicant’s view, upgrade of the sewer system is not feasible prior to commencement of or during Phase I, i.e. before commencement of any other redevelopment plans being undertaken. Time is of the essence to replace the existing sewer pipe under Otter Creek and such a requirement by the Planning Board should be imposed as a condition precedent to the granting any approvals for redevelopment. In addition, the Planning Board should express in its Findings the Board’s anticipation that Village officials will, and are, taking all appropriate actions required to properly monitor and impose necessary remedial actions upon MBYC to insure the sewer pipe under Otter Creek is not now or in the future leaking sewage into Otter Creek. It is reasonable for the Planning Board to require accurate and up to date information regarding the current status of the sewer pipe under Otter Creek in order to review the feasibility of the various alternatives presented by the Applicant including, but not limited to, the feasibility of delaying upgrades to the sewer system until Phase III or the No Action alternative. The Planning Board could require in its Findings that any building permits be withheld until the existing sewer pipe is replaced with an alternative deemed reasonable and acceptable to the Village Building Inspector, Village Engineer and, to the degree within this Board’s jurisdiction, the Planning Board.

Note: As a point of clarification, in reviewing my comments at the May 25, 2016 public hearing, my verbal references to “No alternative” apply to the “No action” alternative.

## **II. Pipe Hanger Option**

The Applicant should be required to provide the Planning Board with documentation to elucidate why it is not feasible, in the Applicant’s view, to run the sewer pipe either attached, or directly adjacent, to the existing South Barry Avenue bridge. The documentation should include any correspondence with the Town of Rye memorializing the Applicant’s communications with them regarding the viability of this alternative as well as with the DEC to determine whether that agency would deem such an alternative acceptable.

## **III. Environmental Impacts of Pipeline Installation North of South Barry Avenue Bridge**

The Applicant should be required to provide the Planning Board with documentation of any studies or analysis done of the feasibility and environmental impacts of continuing a force main that “will continue northwest within the South Barry Avenue right-of-way where it will connect to the existing municipal manhole.” SDEIS, p. 7,14. The Applicant has described this alternative, in lieu of being granted an easement by the property owners of 519 Alda Road, as the least environmentally intrusive”. SDEIS, p. 16. The Applicant should be required to explain the basis for this conclusion, particularly in light of public comments and questions regarding the necessity for rock and tree removal to effectuate this alternative..

June 8, 2016


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**IV. Required Easements and Approvals**

Table II-I of the SDEIS is a chart the Applicant identifies as a "Summary of Possible Required Permits and Approvals". The Applicant should be required to delineate the actual permits and approvals required for each Alternative and document the efforts to date to communicate with the necessary agencies or officials regarding the conditions for, and likelihood of, obtaining them. Similarly, the Applicant makes references to easements they would need for various alternatives and makes general statements as to what they will do if said easements are not granted. The Planning Board should require the Applicant to provide a clearer and more detailed summary of easements that would be required for each Alternative and document efforts to date to communicate with and/or obtain them from the respective property owners. Without this information, it does not appear possible for the Planning Board to make a determination as to the "reasonableness" of the various alternatives presented.

On behalf of SAPOA, we look forward to the Applicant's response to the comments raised at the Public Hearing and in writing.

Very truly yours,

  
Debra S. Cohen

cc: Lester Steinman, Esq. – Counsel to Planning Board  
Paul Noto, Esq. – Counsel for Applicant

**Betty-Ann Sherer**

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**From:** Gretta Heaney <grettajh@gmail.com>  
**Sent:** Wednesday, June 08, 2016 12:27 PM  
**To:** Betty-Ann Sherer  
**Subject:** Transparency in Local Government Decisions

Dear Chairman Sjunnemark and Members of the Planning Board:

I am writing to urge you to continue to support transparency in local governance. Specifically, the DSEIS process has raised important, substantive concerns which MB&YC will must address. However, without a public hearing on the FEIS, the public will not be able to vet that information. As you know, the public has been correcting misstatements and presenting meaningful facts that have been omitted by MB&YC.

The FEIS is the Village's document and the public should be able to comment.

Thank you for your consideration.

Best,

Gretta Heaney

**Betty-Ann Sherer**

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**From:** Michelle Goodman <mgoodman212@yahoo.com>  
**Sent:** Wednesday, June 08, 2016 1:25 PM  
**To:** Betty-Ann Sherer  
**Subject:** Mamaroneck Beach & Yacht Club Sanitary Force Main – Sewer Line

Please forward to the appropriate individuals for me:

Dear Acting Chairman Sjunnemark and Members of the Planning Board:

I attended the May 25th, 2016 Planning Board meeting and I am very concerned about the issues surrounding the Mamaroneck Beach and Yacht club sewer line project.

The DSEIS process has enabled Mamaroneck residents to be informed about the environmental impacts proposed by Mamaroneck Beach & Yacht Club. *These public hearings are so important for our quality of life.* **I am requesting you hold a public hearing when the FSEIS** is submitted to the Planning Board. Over the course of many years, Mamaroneck Beach and Yacht has not been forthright about various aspects of the issues discussed, including in the DSEIS and the sewer line. *Public involvement is one key way of preventing potential misstatements and errors of omission in the FSEIS.*

Thank you for your continued efforts in the review of this project and as a concerned resident of Mamaroneck, I am requesting that a FSEIS public hearing be planned and scheduled.

Thank you for your consideration,  
Michelle Goodman  
622 The Parkway  
Mamaroneck, NY



**Office of  
General Services**

**ANDREW M. CUOMO**  
Governor

**ROANN M. DESTITO**  
Commissioner

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JUN 13 2016

BUILDING DEPT.

June 6, 2016

Ms. Betty-Ann Sherer  
Land Use Coordinator  
Village Hall  
169 Mount Pleasant Avenue  
Mamaroneck, New York 10543

Dear Ms. Sherer:

**Re: Notice of Completion of Draft EIS and Notice of SEQR Hearing**

The Office of General Services (OGS) is grateful for the opportunity to review the Village of Mamaroneck Planning Board's Notice of Completion of Draft EIS and Notice of SEQR Hearing submittal. Our jurisdictional review will primarily focus on OGS Bureau of Land Management activities which affect the lands under water of the Otter Creek as relating to the installation of a force main from the new pump station. If this proposed alternative is selected, OGS will need to provide additional comment on the intended action to place the force main under the Otter Creek.

Regarding the preferred alternative cited within the draft EIS, OGS does not have any comment to offer at this time, because the proposed force main would cross over the Otter Creek and not impact the OGS jurisdiction of lands under water. If we can provide any further assistance to you in your capacity as Land Use Coordinator on behalf of the Village of Mamaroneck Planning Board, please feel free to contact our Bureau of Land Management at (518) 474-2195.

Sincerely,

Charles P. Sheifer,  
Director  
Bureau of Land Management

**To:** Village of Mamaroneck Planning Board

**From:** Susan Favate, AICP, Principal

**Subject:** Comments on Draft Supplemental Environmental Impact Statement (DSEIS):  
Mamaroneck Beach and Yacht Club (555 South Barry Avenue)

**Date:** June 13, 2016

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Please find below comments on the Mamaroneck Beach & Yacht Club DSEIS from the Village's staff and consultants: BFJ Planning; Land Use Counsel Lester Steinman; Village Consulting Engineer Hugh Greechan; and the Planning Board's landscaping consultant, Susan Oakley. If the comments are acceptable to the Planning Board, they will be made a part of the written record on the DSEIS, and the Applicant will be required to address them in the Final SEIS as with all comments received from the public and involved or interested agencies.

**Purpose and Need for the Proposed Action**

The description of the project background and the need for the proposed action contains conflicting and problematic language. At various points, the DSEIS suggests the proposed sewer upgrade is not required because the current system is functioning properly (see p. 1, second paragraph); that a new system is recommended (see p. 1, same paragraph); or suggests that the upgrade may not happen at all if the Applicant does not proceed with its proposed redevelopment of the property (see p. 6, second paragraph: *"In the event the Applicant proceeds with the improvements as part of the proposed redevelopment..."*)

We believe that the proposed sewer upgrade is **required**, and should occur as soon as practicable, for the following reasons:

1. There is apparently no easement allowing the existing force main to cross the property at 519 Alda Road, and there is no expectation that an easement will be readily available. The SDEIS states at various points that the Applicant anticipates that either "protracted litigation" would be required to obtain an easement, or a determination would be needed that there are no other alternative locations for the force main, thereby creating an easement by necessity.
2. The various tests conducted on the existing sewer force main in 2013 as a result of the August 12, 2013, leak are not adequate to establish unequivocally that the existing system is functioning properly. Although the dye test performed on September 9, 2013, indicated no evidence of sewage discharge into Otter Creek, both the TV inspection and the pressure test could not be conducted to the fullest extent. The entire length of the force main could not be televised due to the limited ability to push the cable through the pipe because of friction and alignment curvature. Thus, the video inspection was limited to a distance of approximately 150 feet into the force main from both the pump station end of the force main and the receiving manhole end of the force

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main in Alda Road (see TRC report dated September 19, 2013, in Appendix D). Meanwhile, based on our understanding of the process, the pressure (hydrostatic) test was not performed at the required standard 50 psi, nor tested for the required duration of one (1) hour, because of concerns about the integrity of the existing force main. Therefore, two of the three tests conducted on the existing pipe were not able to be performed adequately. In any case, no testing has been done on the pipe since September 2013, and given the known age of the pipe, it is likely that its condition has continued to deteriorate in the nearly three years since testing. It is questionable whether the pipe is or can be expected to continue functioning adequately without leaks.

3. The Applicant's planned redevelopment of the property will incorporate a renovated clubhouse, two residential buildings and new yacht club/dockmaster and recreation buildings. This development will place additional pressure on the existing sewer line, and it is our opinion that the system should be replaced prior to or concurrent with any new building construction (see discussion below).

### **Natural Features**

No wetland delineation has been conducted by the Applicant, and instead the DSEIS relies on a 1974 NYSDEC Tidal Wetlands Map (Exhibit 10) and "site inspections by members of the project team" (see p. 28). We question whether this data is sufficient to fully understand the boundaries of the tidal wetlands along Otter Creek or to support the DSEIS's assertion that no vegetated tidal wetlands will be "adversely impacted by the proposed force main options currently under consideration" (p. 28).

The DSEIS indicates that approximately 10 square feet of tidal wetland habitat will be permanently displaced by the concrete piers required for the pipeline bridge, while approximately 50 square feet will be disturbed during construction (see p. 31 and 37). It should be made clear that the proposed mitigation to replace vegetation in kind within disturbed areas will include both permanent disturbance and construction-related disturbance. As an alternative to this mitigation, the Applicant should consider a re-design of the pipeline bridge that avoids the wetlands altogether.

### **LWRP**

Chapter 240-31 of the Village Code requires that draft and final environmental impact statements identify the applicable policies of the Mamaroneck Local Waterfront Revitalization Program and a discussion of the potential impacts of the project on such policies. This information should be provided in the FSEIS.

### **Landscaping**

The proposed landscape plan (Exhibit 9) is not drawn to scale and is limited in range only to the plant bed for the northeast side of the pump station (facing Otter Creek). The landscaping proposed in this area is appropriate in terms of species and location. Eastern Red Cedars are native to the northeast, thrive in full sun and wet soil, and are also drought-resistant. These trees have a mature growth of 30'-40' tall and 8'-

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12' wide, but can reach 80'-90' tall and up to 25' wide. The hardy durability of the Eastern Red Cedars should provide an appropriate four-season screen from Otter Creek, in addition to the raised elevation views from the Shore Acres neighborhood. Beach Plums are a native, deciduous shrub that thrive in coastal environments. They are extremely salt-tolerant and suitable for loose, seaside landscaping where there is room to grow and spread naturally. Beach Plums mature to 7-10' tall and wide, but in favorable conditions can reach sizes up to 16' to 18' tall and wide. The large and deciduous Sycamore tree grows to heights of 75' to 100' tall with an equally wide spread. It is generally regarded as a massive tree, with a trunk ranging from 3' to 8' in diameter, and is appropriate in this large open space.

It is noted that the proposed alignment of the force main along South Barry Avenue may impact two fairly large trees: an 18-inch catalpa and a 20-inch silver maple. Mitigation is proposed in the form of four (4) beach plum trees of 2-inch caliper. Both the two existing trees and the proposed replacement vegetation should be included in a revised landscaping plan. It is recommended that Beach Plums, while suitable for coastal environments, are not an appropriate substitute for a mature single trunk tree.

The revised landscaping plan should be drawn to scale and include a wider area around the proposed pump station and new planting bed, including Otter Creek, the South Barry Avenue Bridge and the South Barry Avenue right-of-way. The plan should also include all existing plant material marked with species name and trunk caliper. Additional notations should include which plants are to remain and which are proposed for removal. The plant material proposed to replace removed items should be indicated on a revised plant schedule. On the current plant schedule, Beach Plum shrubs are sized by caliper, which is not applicable in this case. Since this is a shrub, industry standards for this plant are by container size or height, not caliper.

### **Sanitary Sewer System**

The calculated sanitary sewer flows are consistent with the expected uses. Calculated on-season flow is typical, or even conservative, for similar uses such as a country club, while off-season flow is consistent with typical per capita flow.

The DSEIS states (see p. 39) that a proposed gravity sewer and water service are routed under the proposed Recreation Building, and that the building's elevation will allow approximately 7 feet of clearance between the ground surface and the first floor structure for any required maintenance. We suggest that the water and sewer lines should be re-routed to avoid placing utilities underneath buildings.

### **Alternatives**

#### ***No Action Alternative***

Under SEQR regulations, the Applicant was required to include a No Action alternative (see 6 NYCRR Part 617.9(b)(v)). However, for the reasons discussed above in the Purpose and Need of the Proposed Action, we do not believe the No Action is a viable alternative.

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***South Barry Avenue Force Main Alignment***

We concur with the Applicant's opinion that the South Barry Avenue alignment represents the most preferred alternative. However, we question whether the Applicant has sufficiently examined the options to convey the new sewer line over Otter Creek.

The DSEIS notes (see p. 61) that "attaching a pipeline to a bridge structure generally should not be considered unless the bridge structure is of a design that is adequate to support the additional load and thrust forces of the proposed pipeline." Yet there is no indication that the Applicant has actually discussed with the Town of Rye the potential to attach the pipeline to the bridge. On p. 63, the DSEIS states that the Applicant's Engineer discussed the pipeline bridge option with the Town of Rye's Consulting Engineer, but it is unclear that any option other than the Applicant's Preferred Option was discussed.

The DSEIS also notes (see p. 62) that the State's Recommended Standards for Wastewater Facilities "requires" that for aerial stream crossings, sewers must not be below the 50-year flood elevation. Because the South Barry Avenue Bridge pavement surface is approximately 15 inches below the 50-year flood elevation, the DSEIS indicates that the force main cannot be hung from the bridge. Questions have been raised about the extent that this recommended standard must be adhered to. In fact, the actual wording of the standard for aerial crossings indicates that the sewer line "should" be above the 50-year flood elevation, and the Forward to the standards notes that the term "should" indicates "desirable procedures or methods, with deviations subject to individual consideration" (see Recommended Standards for Wastewater Standards, 2014 Edition). The Applicant should consult with NYSDEC to confirm whether the sewer line must be above the 50-year flood elevation, given the presence of the roadway bridge which is already located below that elevation. Ideally, to lessen visual impacts, the bridge could be placed at the same level as the South Barry Avenue Bridge roadway; however, we defer to NYSDEC on this issue.

In the event that it is determined that the South Barry Avenue Bridge cannot support the proposed pipeline, and that the pipeline must be elevated above the 50-year flood elevation, it is still not clear why the pipeline bridge must be offset approximately 8 feet from the bridge (see Exhibit 8a). The only justification appears to be found on p. 5, where the DSEIS indicates that concern of exposure to vandalism will be reduced by constructing the force main with a separation from the bridge. However, we believe that because the sidewalk is located on the opposite side of the bridge from the proposed pipeline, the need to separate the two structures due to vandalism concerns is outweighed by the detrimental visual impact of offsetting the pipeline bridge. There are existing utility pipes crossing Otter Creek adjacent to the South Barry Avenue Bridge, and we are not aware of any issues of vandalism.

We suggest that, if a standalone pipeline bridge must be constructed, it be located as close as

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possible to the South Barry Avenue Bridge (within 2-3 feet), to limit any visual impact from the additional structure. Further, the Applicant should assess the potential to place the pipeline bridge on the east (inland) side of the bridge. It is recognized that an existing water pipe is supported from the bridge on the inland side, but we suggest that this side of the bridge is preferable to the harbor side, given the potential for damage from floating debris during significant storm events. The Applicant should examine an alignment that provides sufficient offset from the water pipe but is as close to the bridge as possible to lessen visual impacts.

***Horizontal Auger Boring (HAB) or Jack and Bore Option and Horizontal Directional Drilling (HDD)***

The SDEIS notes that the HAB and HDD options are not the recommended construction methods for crossing Otter Creek due to anticipated encounter with subsurface rock (see p. 65). However, the Planning Board would like the Applicant to examine of these two options more closely, in the event that an on-bridge creek side (eastern) South Barry Avenue Force Main Alignment is not determined to be feasible. Either of these alternatives that place the sewer line underneath the creek could reduce visual impacts and lessen the potential impact of the elements (i.e. freezing weather, vandalism) on the line.

**Construction Phasing and Impacts**

The DSEIS indicates that the proposed sewer system upgrade will occur during Phase III of the overall proposed redevelopment plan, which will serve “the majority” of the development (see p. 51). We disagree with this characterization that deferring the sewer upgrade to Phase III will serve most of the proposed development. Phase I of construction involves construction of the yacht club/dockmaster building, while Phase II involves construction of the recreation building and associated pool improvements. Each of these phases represents a significant portion of the overall development, with potential to generate substantially greater use of the Club, and commensurate additional sewer impacts. Connecting the new yacht club/dockmaster and recreation buildings to the existing sewer system is not advisable, given the uncertain condition of the existing pipe and the lack of any easement to convey the existing pipe over the 519 Alda Lane property. The replacement of the existing sewer system should be undertaken during Phase I of construction, prior to or in conjunction with construction of the yacht club/dockmaster building.

In addition, the DSEIS contains no substantive discussion of the potential construction impacts on adjoining property owners and users of South Barry Avenue. In particular, we note that the DSEIS indicates (see p. 29) that surface bedrock was observed along South Barry Avenue, and that the alignment may need to be adjusted to avoid rock, or rock may be excavated to provide the minimum depth of cover over the pipe. Yet the document does not provide any details about the methods for excavation, including the potential for blasting.

**Easements and Impacts to Adjoining Property Owners**

The Applicant must clearly indicate any and all property easements required by any of the alternatives

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discussed in the DSEIS, including the names of all property owners from whom easements will be necessary, and confirmation that the owners have been contacted about the potential to provide easements and are amenable to negotiating an appropriate easement agreement.

In addition, the southwestern terminus of the proposed pipeline bridge appears to be located very close to a detached garage, as well as what appears to be a storm drain. The detached garage is depicted on Exhibit 7 but not on Exhibit 8a. The storm drain appears on Google Street View (August 2013). Potential impacts to these structures should be addressed.

C: Lester Steinman, Planning Board Attorney  
Hernane DeAlmeida, Village Engineer  
Hugh Greechan, Consulting Village Engineer  
Dan Gray, Village Building Inspector  
Susan Oakley, Village Landscaping Consultant  
Bob Galvin, Village Planner