

RICHARD FRANZETTI
Chairman

CARL STONE
Vice-Chair

ROSE TROMBETTA
Secretary

DAVID KLOTZLE
Wetland Inspector

TOWN OF CARMEL
ENVIRONMENTAL CONSERVATION BOARD



60 McAlpin Avenue
Mahopac, New York 10541
Tel. (845) 628-1500 - Ext. 190
www.carmelny.org

BOARD MEMBERS

Edward Barnett
Anthony Dusovic
Robert Laga
Marc Pekowsky
Vincent Turano

ENVIRONMENTAL CONSERVATION BOARD AGENDA

SEPTEMBER 5, 2013 – 7:30 P. M.

ELIGIBLE FOR A PERMIT

| <u>APPLICANT</u> | <u>ADDRESS</u> | <u>TAX MAP #</u> | <u>COMMENTS</u> |
|-------------------------|-----------------------|-------------------------|---|
| 1. MacDonald Marine | 681 Union Valley Rd | 76.20-1-13 | Planning Board Referral (Construct Building) |

SUBMISSION OF APPLICATION OR LETTER OF PERMISSION

| | | | |
|-------------------|---------------------|-----------|-----------------|
| 2. Nicolais, John | 717 South Lake Blvd | 75.42-1-3 | Replace Decking |
|-------------------|---------------------|-----------|-----------------|

MISCELLANEOUS

| | | | |
|--|-------------|------------|--|
| 3. Dawn Holding Corp. | Mexico Lane | 53.-2-28.1 | Planning Board Referral (5 Lot Subdivision) |
| 4. Minutes – 6/6/2013, 6/20/2013, 7/17/2013 & 8/1/2013 | | | |

WETLAND PERMIT
**Application for renewal must be made at least 30 days
before the expiration of this permit (See Item 8)**

Permit # 871

Tax Map #76.20-1-13

Date Permit Granted: September 5, 2013

Permit Expiration: September 5, 2014
(One Year from date of Issue)

NOT TRANSFERABLE - If title to all or part of the property described in this permit is transferred to a new owner other than the holder of this permit then the new owner must contact the Town of Carmel Environmental Conservation Board (ECB) and pay all fees based upon the current schedule. A copy of the permit in the name of the new owner must be issued before said permit is valid. Permits that have expired must be renewed before they are valid. **NO WORK MAY CONTINUE UNTIL PERMIT IS RE-ISSUED AND THE APPLICABLE FEE IS PAID.**

CHAPTER 89: Fresh water Wetlands and Watercourses of the Code of the Town of Carmel, New York. The Carmel Environmental Conservation Board, as approval Authority, has determined that the proposed action is an Unlisted Action under SEQRA and will not have a significant impact. Therefore, a **WETLAND PERMIT** is granted subject to the conditions noted below.

Owner/Permittee: MacDonald Marine – Ken MacDonald

Address of Permittee: 1 Marina Drive, Mahopac, NY 10541

Location of Proposed Work: 681 Union Valley Road, Mahopac, NY 10541

Description of Project: Construct 200 x 100 storage building to house boats.

Materials reviewed:

- 1) Wetland Permit Application Dated: **March 5, 2012**
- 2) Property Survey By:

Revision Date:
- 3) Site Inspection Performed By: **David Klotzle** **Date:**

All work to be performed according to the above referenced plans.

CONDITIONS OF PERMIT

- 1) The permitted work shall be subject to inspection by the Wetland Inspector, Building Department or Engineering Department and that work authorized under this permit may be ordered suspended if the public interest so requires.
- 2) Any material dredged in the prosecution of the work herein permitted shall be removed evenly, without leaving large refuse piles, ridges across the bed of the waterway or flood plain or deep holes that may have a tendency to cause injury to navigable channels or to the banks of the waterway. Such removed material shall not be disposed of on any other property within the Town of Carmel unless a permit has been issued by the Town of Carmel Planning Board and/or Building Department.
- 3) The Secretary of the ECB is to be personally contacted TEN (10) days prior to commencement of work so that the Wetland Inspector may conduct on site inspection of sediment and erosion controls in place and review the construction sequence with the owner. **No WORK may start until such Inspection has been made.** The Permittee shall notify the ECB Secretary upon completion of the work authorized by this permit.
- 4) Construction shall be accordance with the approved site plan, the conditions stated herein on this permit and the most recent edition of the New York State Department of Environmental Conservation (NYSDEC) New York Standards and Specifications for control.
- 5) All erosion control measures shall be maintained properly throughout the construction process, and remain in place until final site inspection by Wetland Inspector for compliance with permit. Any silt collected by the silt fence shall be removed and placed at least 100 feet from wetland or watercourse or properly disposed of. Unless otherwise specified, the measures shall be maintained in accordance with the most recent edition of the NYSDEC Standards and Specifications for Erosion and Sediment Controls.
- 6) The approved wetland boundary flagging as shown on the approved site plan must be maintained in place for the duration of construction and the 100 foot wetland buffer must be defined by orange construction fence during construction unless the Wetland Inspector determines that this is not necessary or feasible.
- 7) The Wetland Inspector, Building Department or Engineering Department of the Town of Carmel is authorized to make such on site inspections during the permitted activity as are necessary to determine whether the activity is being carried on in compliance with the provisions of the permit.
- 8) The Building Inspector or Town Engineer may, on written notice from the Wetland Inspector, suspend or revoke an issued permit when it finds that the Applicant has not complied with any or all conditions of the permit, has exceeded the authority granted in the permit, or has failed to undertake the project in the manner set forth in the application.

- 9) Issuance of this permit by the Town does not imply any obligation, liability or responsibility for any damages, direct or indirect of whatsoever nature, as a result or consequence of any action or activity undertaken as a result of the permit.
- 10) This permit shall not be construed as conveying to the applicant any right to trespass upon the lands or interfere with riparian rights of others to perform the permitted work or as authorizing the impairment of any rights, title or interest in real or personal property held or vested in a person or others in performing the permitted work.
- 11) The permit shall expire on the date indicated on the face of the Permit. If the applicant has not completed the permitted action or actions herein granted, then the applicant may apply to the ECB for renewal of the permit for periods not to exceed one (1) year. **Application for renewal MUST be made at least 30 days before the expiration date of the permit.**
- 12) This permit must be maintained and prominently displayed at the project site during the time permitted activities are carried on. The permittee is responsible for obtaining any other permits, approvals, land and easements and rights which may be required by this project.
- 13) All work carried out under this permit shall be performed in accordance with established engineering practice, in a professional manner and in compliance with all applicable codes, rules and regulations of the Federal, State (NY), County (Putnam) and Town (Carmel).
- 14) The ECB reserves the right to reconsider this approval at any time and after due notice and hearing to continue, rescind or modify this Permit in such a manner as may be found to be just and equitable. If upon the expiration or revocation of this Permit, the modification of the wetland hereby authorized has not been completed, the applicant shall, with no expense to the Town and to such extent and in such a time and manner as the ECB may require removal of all or any portion of the incompleated structure or fill and restore the site to its former condition. NO CLAIM shall be made against the Town on account of such removal or alteration.

SPECIAL CONDITIONS

- 1. Escrow amount is set at \$1,000.00 as per David Klotzle, Wetland Inspector.
- 2. _____
- 3. _____

NON-COMPLIANCE WITH ANY OF THE CONDITIONS ABOVE WILL INVALIDATE THIS **WETLAND PERMIT** AND MAY RESULT IN A **NOTICE OF VIOLATION** AND/OR **STOP WORK ORDER**.

I have read, understand and agree to all the conditions of this permit.

Applicant’s Signature:_____ Date:_____

Applicant’s Name (Print):_____

Chair – ECB Signature:_____ Date:_____

Chair - ECB Name (Print):_____

- cc: File
Applicant
Building Inspector
Assessor
Wetland Inspector
Town Planner (if applicable)
Planning Board (if applicable)

TELEPHONE 845-628-4669

FACSIMILE 845-628-4619

JOHN L. NICOLAIS, ESQ.
12 CANOPUS ROAD
MAHOPAC, NY 10541
JLN26@AOL.COM

August 29, 2013

ENVIRONMENTAL CONSERVATION BOARD
TOWN HALL,
MAHOPAC, NY 10541

Attention Ms. Rose Trombetta:

Dear Ms. Trombetta:

Please find herewith the completed Application and supporting Documents needed to appear before the Environmental Board on September 5, 2013. If there is anything else needed, please let me know.

Specifically, this is a simple request to allow us to update and renew a Deck owned by my Wife and Best Friend. We will be removing the existing weathered pressure treated lumber on the 8' by 24" deck and replacing same with a deck made of pressure treated lumber measuring 9' by 24'. This slight addition of one foot in width will not impact either of the bordering properties in the slightest. As the distances between the enlarged Deck and the border of each adjoining property will still be a minimum of two feet over water.

The proposed work will be done primarily with hand tools. Any work with done with power tools that would generate saw dust will be done away from the waters of Lake Mahopac. Whatever is needed to protect the Lake from contamination of any sort will be provided.

Thank you for your consideration in approving our request.

CORDIALLY YOURS,



JOHN L. NICOLAIS, ESQ.



Environmental Conservation Board
TOWN HALL - MAHOPAC, NY 10541 - (845) 628-1500

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APPLICATION FOR A WETLAND PERMIT
OR LETTER OF PERMISSION

Name of Applicant: JOHN NICOLAIS

Address of Applicant: 12 CANOPUS RD., MAHOPAC, NY 10541 Email: JLN26@AOL.COM

Telephone #: 845-628-4669 Name & Address of Owner if different from Applicant: GERAED WEIS and
277 COOK AVE., YONKERS, NY 10701 PATRICIA NICOLAIS

Property Address: 717 SOUTH LAKE BLVD. MAHOPAC, NY Tax Map #: 372000/75.42-1-3

Agency Submitting Application if Applicable: n/a

Location of Wetland: LAKE MAHOPAC

Size of Work Section & Specific Location: DECK 8' by 24' at 717 So. Lake Blvd, Mahopac

Will Project Utilize State Owner Lands? If Yes, Specify: NO

Type and extent of work (feet of new channel, yards of material to be removed, draining, dredging, filling, etc. A detailed description of the regulated activity.

REPLACE EXISTING DECKING (8' x 24') WITH PRESSURE TREATED LUMBER.

Proposed Starting Date: 10/1/2013 Completion Date: 10/31/2013 Amount of Fee Paid: _____

CERTIFICATION

I hereby affirm under penalty of perjury that information provided on this form is true to the best of my knowledge and belief, false statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. As a condition to the issuance of a permit, the applicant accepts full legal responsibility for all damage, direct or indirect, or whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless the Town of Carmel from suits, actions, damages and costs of every name and description resulting from the said project.

[Signature]
SIGNATURE

8/29/2013
DATE

Use this space for further explanation if necessary _____

617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

| | |
|--|--|
| 1. APPLICANT/SPONSOR JOHN NICOLAIS | 2. PROJECT NAME DECK RENEWAL |
| 3. PROJECT LOCATION: Municipality <u>MAHOPAC</u> County <u>PUTNAM</u> | |
| 4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>717 SOUTH LAKE BLVD., MAHOPAC, NY</u> | |
| 5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration | |
| 6. DESCRIBE PROJECT BRIEFLY: <u>RENEW OLD PRESSURE TREATED 8' x 24' DECK BY REPLACING LUMBER.</u> | |
| 7. AMOUNT OF LAND AFFECTED: Initially <u>n/a</u> acres Ultimately <u>n/a</u> acres | |
| 8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly | |
| 9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? Describe: <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input checked="" type="checkbox"/> Other <u>SMALL LAKE FRONT PARCEL ON LAKE MAHOPAC - USE IS RECREATIONAL.</u> | |
| 10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: | |
| 11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: | |
| 12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No <u>n/a</u> | |
| I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>JOHN NICOLAIS</u> Date: <u>8/29/2003</u> Signature: <u>[Signature]</u> | |

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

ROUTE 6N

POINT OF
BEGINNING

SOUTH 85 DEGREES 43' 30" WEST 18.62 FEET

PARKING

LAND OF MAHOPAC
LANDSCAPING

LAND OF
MAHOPAC GARDENS

NORTH 5 DEGREES 40' 25" EAST 39 FEET

SOUTH 4 DEGREES 58' 05" WEST 56.12 FEET

GRASS

NORTH 30 DEGREES
20' 10" EAST 11 FEET

SHORELINE

LAKE MAHOPAC

PATIO

SOUTH 85 DEGREES
43' 30" WEST 3 FEET

NORTH 5 DEGREES 40' 25" EAST 33 FEET

SHORELINE

LAKE MAHOPAC

DECK

SOUTH 4 DEGREES 58' 05" WEST 24 FEET

NORTH 60 DEGREES
43' 40" EAST 8 FEET

BASE SCALE
1 inch = 6 feet

SURVEY OF 717 SO. LAKE BLVD
Sec. 75.42, Blk. 1, Lot 3

Gerald Weis
Patricia K. Nicolais
c/o 277 Cook Avenue
Yonkers, NY 10701