

ROBERT LAGA  
*Chairman*

ANTHONY DUSOVIC  
*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.ci.carmel.ny.us](http://www.ci.carmel.ny.us)

**BOARD MEMBERS**

Edward Barnett  
Marc Pekowsky  
Vincent Turano  
Nicholas Fannin  
John Starace

**ENVIRONMENTAL CONSERVATION BOARD AGENDA**

**JUNE 2, 2016 – 7:30 P.M.**

**ELIGIBLE FOR A PERMIT**

<b><u>APPLICANT</u></b>	<b><u>ADDRESS</u></b>	<b><u>TAX MAP #</u></b>	<b><u>COMMENTS</u></b>
1. Random Ridge Subdivision	Kennicut Hill Rd	76.10-1-23	29 Lot Cluster Subdivision

**SUBMISSION OF AN APPLICATION OR LETTER OF PERMISSION**

2. Dawn Holding Corp.	Mexico Lane	53.-2-28	5 Lot Subdivision
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**PUBLIC HEARING**

3. Willow Wood Country Club d/b/a Willow Wood Gun Club	551 Union Valley Rd	87.7-1-7	Tree Harvesting
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**BOND RETURN**

4. Wagner Millwork LLC - Corbelli	150 Barrett Hill Rd	53.18-1-28	Tree Harvesting
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**MISCELLANEOUS**

5. Minutes – 05/05/16 & 05/19/16

**JOHN KARELL, JR., P.E.**  
**121 CUSHMAN ROAD**  
**PATTERSON, NEW YORK, 12563**  
**845-878-7894 FAX 845 878 4939**  
[jack4911@yahoo.com](mailto:jack4911@yahoo.com)

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May 24, 2016

Rose Trombetta  
Planning Board Secretary  
Carmel Town Hall  
Mahopac, New York, 10541

Re: **ECB Approval Down; 5-Lot Realty Subdivision**  
**Mexico Lane; TM # 52.-2-28; Carmel (T)**

Dear Ms. Trombetta:

Pursuant to comments from the ECB at a meeting on May 19, 2016, attached please find a revised submission as follows:

1. Five (5) full sized sets of the construction drawings signed and sealed.
2. Two copies of the deed
3. **One copy of the NYCDEP approved SWPPP and other agency approvals and associated documents.**

Expiration of Existing Approvals:

Health Department – January 24, 2019  
NYSDEC – December 31, 2017  
NYCDEP – July 3, 2017

Please be advised as follows relative to the comments of the Board:

1. **DEC Wetland validation and flagging** – we have contacted the DEC and provide the attached DEC response which indicates that the flagging and validation block are still valid.
2. **Construction sequence** – On the plans
3. **Highlight areas of work** – Area of disturbance within the 100 foot wetland setback is highlighted. The area of disturbance within the wetland setback is noted.
4. **Staging area, fueling area and spill kit** – shown on the plans
5. **Erosion control measures** – shown on the plans
6. **Silt fence location and detail** – shown on the plans
7. **Planning Board approval** - Issued final approval on May 18, 2016. Copy attached. Mr. Franzetti has reviewed this project in his capacity as Town Engineer and approved all aspects, including the SWPPP.
8. **Deed** - Provided previously to the Planning Board. Copy attached.
9. **Health Department approval** – attached.

It is requested that this application be accepted as complete and processed for a permit asap as all other permits are in place and this project is ready to go.

**RESOLUTION OF THE  
PLANNING BOARD OF THE TOWN OF CARMEL  
#16-14, May 18, 2016**

Tax Map #53-2-28

**DEWN HOLDING SUBDIVISION  
FINAL SUBDIVISION RE-APPROVAL**

**WHEREAS**, on February 26, 2014 via Resolution #14-01, the Planning Board granted final subdivision approval to the Dewn Holding Company, Mahopac (herein after referred to as the "Applicant") for the subdivision of property located off Mexico Lane; and

**WHEREAS**, the action involves the subdivision of a 30.35 acre parcel of land to create five new lots ranging from 190,738 square feet (4.3 acres) to 767,452 square feet (17.6 acres) in size. The new lots would be served by individual subsurface septic disposal systems and individual potable water wells, and a common driveway would provide access to the lots via open development (herein after referred to as the "Project" or "Proposed Action"); and

**WHEREAS**, the subject site is located off Mexico Lane, and is more specifically known and identified as Tax Map #53-2-28 (herein after referred to as the "Site"), and

**WHEREAS**, the Planning Board granted an extension to the final subdivision approval, which has subsequently expired; and

**WHEREAS**, the Applicant has submitted an application for re-approval of the proposed subdivision, with no changes; and

**WHEREAS**, on April 7, 2016, the Town Board re-granted Open Development status for the project, thereby allowing for access for four of the lots without frontage on an improved street; and

**WHEREAS**, the Site is located within the R- Residential Zoning District; and

**WHEREAS**, the tract is currently vacant and undeveloped; and

**WHEREAS**, the following plans prepared by Hudson Engineering and Consulting, Tarrytown, NY dated May 31, 2008, last revised August 12, 2013, are collectively known as the "Final Subdivision Plan":

- C-1 Trench Layout Plan
- C-1A Subdivision Plat
- C-2 Sediment & Erosion Control Plan
- C-3 Road Profile

C-4 Details  
C-5 Details  
C-6 Details  
C-7 Proposed Easements  
C-8 Sequencing Limits Plan  
C-9 Sequencing Limits Plan  
C-10 Sequencing Limits Plan  
WS-E Watershed – Existing  
WS-P Watershed – Proposed

**WHEREAS**, the Town of Carmel has an ongoing need for parks, playgrounds and recreational facilities and the population generated by the Proposed Action will result in an incremental increase in the demand for these facilities; and

**WHEREAS**, the Land Subdivision Regulations recommend that such reservations shall be of suitable size, location, topography and general character for parks, playgrounds or other recreational purposes, and the Planning Board has found that a location for such a set-aside is not available on the site; and

**WHEREAS**, a duly noticed public hearing on the Proposed Action was held, at which time all interested parties were provided an opportunity to be heard on this matter; and

**WHEREAS**, the proposed action has been determined to be an Unlisted Action pursuant to SEQR 6 NYCRR Part 617; and

**WHEREAS**, on November 18, 2009, the Planning Board, serving as Lead Agency for the SEQR review of this application, adopted a Negative Declaration; and

**WHEREAS**, the Findings of the Negative Declaration remain valid and applicable; and

**WHEREAS**, the requirements for final subdivision plat approval contained in the "Subdivision of Land Regulations of the Town of Carmel" have been met by said subdivision application.

**NOW THEREFORE BE IT RESOLVED**, that the Planning Board of the Town of Carmel hereby classifies the Proposed Action as a "Major Subdivision" pursuant to §131-3 of the Land Subdivision Regulations

**BE IT FURTHER RESOLVED**, that upon full consideration of the above, the Planning Board of the Town of Carmel hereby grants Final Subdivision Plat Approval for the application submitted by the Dawn Holding Company, Thornwood, NY, as depicted on the plans identified above, subject to the following conditions:

**CONDITIONS PRIOR TO ENDORSEMENT OF FINAL PLAT**

*The following conditions shall be completed by the Applicant prior to the endorsement of the Final Subdivision Plat by the Planning Board Chairman:*



8. No changes, additions, erasures, modifications or revisions shall be made to the Final Subdivision Plat following endorsement by the Planning Board Chairman. Any changes detected after endorsement of the Final Subdivision Plat as final, shall result in the immediate termination and revocation of this Resolution of Approval, thereby making it null and void.
9. Within ten (10) days after the Final Subdivision Plat has been filed in the in the Office of the Putnam County Clerk, Division of Land Records, the Applicant shall deliver to the Planning Board Secretary five (5) printed sets, collated and folded, of the Final Subdivision Plat and Plans, and five copies of all filed easements. No Building Permit shall be issued by the Building Inspector until the required Final Subdivision Plat and Plans print sets are provided to the Planning Board Secretary.

#### **CONDITIONS PRIOR TO ISSUANCE OF A BUILDING PERMIT**

*The following conditions shall be completed by the Applicant prior to the issuance of a Building Permit by the Building Inspector:*

10. The Building Inspector shall not issue a Building Permit pertaining to the activities approved herein until the Applicant has complied with Conditions 1 – 10
11. Authorized issuance of a Building Permit by the Building Inspector shall be fully based on, and in accordance with this Resolution of Approval and the signed and filed Final Subdivision Plat and Plans. The Building Inspector shall include reference to the Final Subdivision Plat and Plans and this Resolution of Approval on any Building Permit.
12. Prior to initiation of construction the Applicant or his representative will meet with the design engineer, Town Engineer, Highway Superintendent, Building Inspector, Site Contractor and/or any additional outside agencies that may have jurisdiction over aspects of the Project for a preconstruction conference to review all facets of construction and required inspections.
13. A Town of Carmel Highway Department work permit shall be obtained.

#### **GENERAL CONDITIONS OF IMPLEMENTATION AND CONSTRUCTION**

*The following conditions shall apply during the implementation of the site improvements and construction of the Project:*

14. An access easement agreement addressing the shared use of the common driveway as indicated on the Final Subdivision Plan shall be provided for review and approval by the Planning Board Attorney shall be recorded simultaneously with the filing of the Final Subdivision Plat.

15. The utility and stormwater easements, depicted on drawing C-7 shall be provided for review and approval by the Planning Board Attorney shall be recorded simultaneously with the filing of the Final Subdivision Plat.
16. The new dwellings and other site improvements shall be restricted to the building envelopes shown on the Final Subdivision Plat and Plans. Substantial changes, as determined by the Building Inspector and Town Planning Consultant, in the location of dwellings, driveways, drainage improvements, and other site improvements, shall require the review and approval of the Planning Board.
17. All terms and conditions of the Town Board's Open Development approval are hereby incorporated into this approval by reference.
18. All terms and conditions of the NYSDEC Freshwater Wetland Permit, issued December 5, 2013 shall be complied with.
19. All terms and conditions of the Town of Carmel ECB Wetland permit shall be complied with.
20. The project shall comply with all terms and conditions of the Stormwater Pollution Prevention Plan, approved by the NYCDEP on July 12, 2013.
21. An irrevocable offer of dedication for the portion of Mexico Lane frontage within 25 feet of the roadway centerline shall be provided to the Town of Carmel, for future road widening purposes.
22. The Applicant shall execute and file with the Putnam County Clerk, a "Stormwater Control Facility Maintenance Agreement" as specified in §156-85 to assure long-term maintenance of these treatment areas.
23. To the extent not covered in #22 above, the applicant shall provide a maintenance agreement or agreements for the 15 rain gardens on individual properties, and said agreements shall be prepared to the satisfaction of the Planning Board Attorney.
24. The hours of construction activity shall take place in conformance with the applicable Town Regulations.
25. Prior to the commencement of any site work or construction activity, erosion and sedimentation controls shall be installed in accordance with the requirements of the Town Engineer, and additional controls as may be required by the Building Inspector, Town Engineer, Highway Superintendent or their agents. Stormwater runoff shall be controlled at all times during construction to prevent erosion of the site area under construction and to prevent sedimentation and dust dispersal upon areas not under construction, particularly off-site locations. Silt fencing, hay bales, anti-tracking aprons and all other required erosion and sedimentation control measures shall be

regularly inspected and maintained in an orderly and functioning manner in accordance with all Town of Carmel Ordinances and Laws, the New York Guidelines for Urban Erosion and Sediment Control, and Best Management Practices. Additional supplies of silt fencing and hay bales shall be kept on the site during construction for immediate use if needed.

26. Any and all new site utilities shall be installed underground.
27. The project shall maintain a zero% increase in the rate of runoff.
28. A clean and legible copy of this Resolution (as signed by the Planning Board Chairman) and a copy of the signed Final Subdivision Plat and Plans shall be maintained at the subject property at all times.

**PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY**

*The following conditions shall be complied with prior to the issuance of a Certificate of Occupancy by the Building Inspector:*

29. Prior to the issuance of an individual Certificate of Occupancy by the Building Inspector, and as a condition thereto, all site improvements (e.g. buildings, driveways, grading etc) associated with the lot requesting the Certificate of Occupancy, including all required utilities (e.g. water supply, sewage disposal, stormwater controls, electric, telephone, etc.) to serve said lot, shall be completed and operational. All disturbed areas shall be stabilized, regarded and re-vegetated.
30. Prior to the issuance of a Certificate of Occupancy by the Building Inspector, an "As-Built" Plan showing the installed and completed improvements, certified by a New York State licensed Land Surveyor shall be prepared at the sole expense of the Applicant.
31. All improvements shall be maintained in strict accordance with all applicable rules, regulations, ordinances and laws as a condition of maintenance of a Certificate of Occupancy
32. Failure to comply with any of the conditions set forth herein shall be deemed a violation of this approval, which may lead to the revocation of the Approval and/or Certificate of Occupancy, in accordance with the applicable provisions of the Town of Carmel.

**BE IT FURTHER RESOLVED,** That this Final Subdivision Approval shall expire within one hundred eighty (180) days of the date of this resolution unless the Applicant submits for signature by the Planning Board Chairman, the Final Subdivision Plat, as endorsed by the Putnam County Department of Health and in conformance with the Land Subdivision Regulations.

**BE IT FINALLY RESOLVED**, that this Final Subdivision Plat Approval resolution shall have an effective date of May 18, 2016.

**PLANNING BOARD  
TOWN OF CARMEL**

*Harold Gary*  
Chairman

5/18/16  
Dated:

ALLEN BEALS, M.D., J.D.  
Commissioner of Health

ROBERT MORRIS, P.E., MPH  
Director of Environmental Health



MARYELLEN ODELL  
County Executive

## DEPARTMENT OF HEALTH

1 Geneva Road, Brewster, New York 10509

Phone # (845) 808-1390 Fax # (845) 278-7921

January 24, 2014

David Adler  
Dewn Holding Company  
19 Sunset Drive  
Thornwood, NY 10594

This certificate is issued under the provisions of the Public Health Law in connection with the approval of plans on January 24, 2014 for the realty subdivision known as Dewn Subdivision/Eagle Hill.

The following data was furnished in connection with the submission of the plans:

Location: Mexico Lane, (T) Carmel

Acres (approx.) 30.1 No. of Lots 5 Size (approx.) 3-17 acres

Owner intends to build houses

Topography rolling, gentle and steep slopes

Depth to groundwater 4.5 feet When October 10, 2012

Soil sandy loam

Grading (cut or fill) septic (fill only) driveways, common drive, drainage basin

Drainage drainage basin, rain gardens for roof leade drains

Water Supply Individual Drilled Wells

Sewage treatment Individual subsurface sewage treatment systems

### APPROVAL OF THIS SUBDIVISION IS GRANTED ON CONDITION (continued)

1. That the proposed facilities for water supply and sewage disposal are installed in conformity with said plans.
2. That no lot or remaining land (if applicable) shall be subdivided without plans for such resubdivision being submitted to and approved by the Putnam County Health Department.

3. That the developer shall furnish each purchaser of a lot on which water supply and/or sewage treatment facilities were installed with a reproduction of the approved plans and an accurate as-built plan depicting all installed sanitary facilities.
4. That the developer shall furnish each purchaser of a lot on which there was no water supply and/or sewage treatment facilities installed with a reproduction of the approved subdivision and/or construction permit plans and shall notify the purchaser of the necessity of installing such facilities in accordance with approved construction permit plans.
5. That the sanitary facilities on these lots shall be inspected for compliance with the approved plans at the time of construction by a P.E., R.A., or exempt L.L.S. and a certificate of construction compliance is to be submitted to the Putnam County Health Department for approval prior to occupancy.
6. That individual wells and sewage treatment systems shall no longer be constructed or used for household domestic purposes when public facilities become available. Connection to the public sewerage system is required within one year of the system(s) becoming available.
7. That plan approval is limited to 5 years and expires on January 24, 2019
8. That the approved plans must be filed with the Putnam County Clerk prior to offering lots for sale and within 90 days of the date of plan approval.

By: 

Robert Morris, P.E.  
Director of Environmental Health

RM:cml  
cc: J. Karell, P.E.  
File





## New York State Office of Parks, Recreation and Historic Preservation

Division for Historic Preservation  
P.O. Box 189, Waterford, New York 12188-0189  
518-237-8643

Andrew M. Cuomo  
Governor

Rose Harvey  
Commissioner

October 23, 2013

John Karell  
121 Cushman Rd.  
Patterson, New York 12563

Re: DEC  
Dewn Holding Corp (aka Eagle Hill)  
Subdivision - 5 lots  
178 Mexico Ln, N side  
CARMEL, Putnam County  
13PR04208

Dear Mr. Karell:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the OPRHP's opinion that your project will have No Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont  
Deputy Commissioner for Historic Preservation



## PERMIT

### Under the Environmental Conservation Law (ECL)

#### Permittee and Facility Information

**Permit Issued To:**

DEWN HOLDING CORPORATION  
19 SUNSET DR

THORNWOOD, NY 10594  
(914) 741-0954

**Facility:**

DEWN SUBDIVISION  
MEXICO LN 600 FT SW OF HITCHCOCK HILL  
RD  
MAHOPAC, NY 10541

**Facility Location:** in CARMEL in PUTNAM COUNTY

**Facility Principal Reference Point:** NYTM-E: 603.577 NYTM-N: 4584.71  
Latitude: 41°24'26.2" Longitude: 73°45'38.8"

**Authorized Activity:** This permit authorizes disturbance to 6,488 square feet of the adjacent area of NYS-regulated Freshwater Wetland OL-18, Class 1. The disturbance is associated with an access road and stormwater basin to serve a new 5-lot single-family residential subdivision on a 30.45-acre parcel. All work is separated from the wetland by Mexico Lane.

#### Permit Authorizations

**Freshwater Wetlands - Under Article 24**

Permit ID 3-3720-00372/00001

New Permit

Effective Date: 12/5/2013

Expiration Date: 12/31/2017

#### NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: DANIEL T WHITEHEAD, Deputy Regional Permit Administrator

Address: NYSDEC REGION 3 HEADQUARTERS  
21 SOUTH PUTT CORNERS RD  
NEW PALTZ, NY 12561 -1620

Authorized Signature:

Date 12/5/2013



### Distribution List

John Karell, Karell Eng via email  
Town of Carmel Supervisor via email  
Maria Tupper-Goebel, NYCDEP via email  
Doug Gaugler, DEC Bur of Habitat via email

### Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

### NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: FRESHWATER WETLANDS

1. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by Hudson Engineering & Consulting P.C. and consisting of the thirteen sheets listed in Natural Resource Condition # 2.

2. **Approved Plans** The approved plans consist of the following sheets titled "5-Lot Subdivision Mexico Lane (AKA Eagle Hill):

1. Sheet C-1 Trench Layout Plan, dated 5/31/2008 and last revised 8/12/2013
2. Sheet C-1A Subdivision Plat, dated 7/18/2013 and last revised 8/12/2013
3. Sheet C-2 Sediment & Erosion Control Plan, dated 5/31/2008 and last revised 8/12/2013
4. Sheet C-3 Road Profile, dated 1/20/2008 and last revised 1/23/2012
5. Sheet C-4 Details, dated 1/20/2008 and last revised 3/21/2012
6. Sheet C-5 Details, dated 1/20/2008 and last revised 1/23/2012
7. Sheet C-6 Details, dated 1/20/2008 and last revised 4/16/2012
8. Sheet C-7 Proposed Easements, dated 3/21/2012 and last revised 11/13/2012
9. Sheet C-8 Sequencing Limits Plan, dated 4/16/2012 and last revised 11/13/2012
10. Sheet C-9 Sequencing Limits Plan, dated 4/16/2012 and last revised 11/13/2012
11. Sheet C-10 Sequencing Limits Plan, dated 4/16/2012 and last revised 11/13/2012
12. Sheet WS-E Watershed - Existing, dated 1/20/2008 and last revised 1/23/2012
13. Sheet WS-P Watershed - Proposed, dated 1/20/2008 and last revised 1/23/2012

3. **Notice of Intent to Commence Work** The Permittee shall notify the Department 3 to 5 days prior to the commencement of work on the project by emailing Doug Gaugler, [dggauge@gw.dec.state.ny.us](mailto:dggauge@gw.dec.state.ny.us). The email needs to include the permit number, permittee name and the project start date.



**4. Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.

**5. No Wetland Disturbance** No disturbance to the wetland is authorized.

**6. Work Within Area Depicted on Plans** All construction activity, including operation of machinery, excavation, filling, grading, clearing of vegetation, disposal of waste, street paving and stockpiling of material must take place within the project site as depicted on the project plans referenced by this permit. Construction activity is prohibited within areas to be left in a natural condition or areas not designated by the subject permit.

**7. Install Erosion Controls** Before any soil is disturbed on the subject site, the permittee shall install erosion and sedimentation controls which are adequate to prevent erosion and sedimentation off-site. Such controls shall be maintained until the unpaved portions of subject site, if any, are stabilized by a self-sustaining cover of vegetation that is adequate to prevent erosion and sedimentation on and off such site. Before such controls are removed, the permittee shall remove all sediment that has accumulated at such controls.

**8. Precautions Against Contamination of Waters** All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

**9. Invasive Species (Non-native Vegetation)** To prevent the unintentional introduction or spread of invasive species, the permittee must ensure that all construction equipment be cleaned of mud, seeds, vegetation and other debris before entering any approved construction areas within the state regulated freshwater wetland or its 100 foot adjacent area.

**10. Seed, Mulch Disturbed Soils** All areas of soil disturbance resulting from this project shall be seeded with an appropriate perennial grass seed and mulched with straw within one week of final grading.

If seeding is impracticable due to the time of year, a temporary mulch shall be applied and final seeding shall be performed at the earliest opportunity when weather conditions favor germination and growth but not more than six months after project completion.

**11. State Not Liable for Damage** The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

**12. State May Order Removal or Alteration of Work** If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State. and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without



expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

**13. State May Require Site Restoration** If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

### **GENERAL CONDITIONS - Apply to ALL Authorized Permits:**

**1. Facility Inspection by The Department** The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**2. Relationship of this Permit to Other Department Orders and Determinations** Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**3. Applications For Permit Renewals, Modifications or Transfers** The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator  
NYSDEC REGION 3 HEADQUARTERS  
21 SOUTH PUTT CORNERS RD  
NEW PALTZ, NY 12561 -1620

**4. Submission of Renewal Application** The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Freshwater Wetlands.



**5. Permit Modifications, Suspensions and Revocations by the Department** The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**6. Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

### NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

**Item B: Permittee's Contractors to Comply with Permit**

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

**Item C: Permittee Responsible for Obtaining Other Required Permits**

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

**Item D: No Right to Trespass or Interfere with Riparian Rights**





This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

**Item E: SEQR Unlisted Action, No Lead Agency, No Significant Impact** Under the State Environmental Quality Review Act (SEQR), the project associated with this permit is classified as an Unlisted Action and the Department of Environmental Conservation has determined that it will not have a significant effect on the environment. Other involved agencies may reach an independent determination of environmental significance for this project.

**IMPORTANT NOTICE TO ALL PERMITTEES**

The permit you requested is enclosed. Please read it carefully and note the conditions that are included in it. The permit is valid for only that activity expressly authorized therein; work beyond the scope of the permit may be considered a violation of law and be subject to appropriate enforcement action. Granting of this permit does not relieve the permittee of the responsibility of obtaining any other permission, consent or approval from any other federal, state, or local government which may be required.

Please note the expiration date of the permit. Applications for permit renewal should be made well in advance of the expiration date (minimum of 30 days) and submitted to the Regional Permit Administrator at the above address. For SPDES, Solid Waste and Hazardous Waste Permits, renewals must be made at least 180 days prior to the expiration date.

- ☐ Applicable only if checked. Please note all work authorized under this permit is prohibited during trout spawning season commencing October 1 and ending April 30.

The DEC permit number & program ID number noted on page 1 under "Permit Authorization" of the permit are important and should be retained for your records. These numbers should be referenced on all correspondence related to the permit, and on any future applications for permits associated with this facility/project area.

If a permit notice sign is enclosed, you must post it at the work site with appropriate weather protection, as well as a copy of the permit per General Condition 1.

If the permit is associated with a project that will entail construction of new water pollution control facilities or modifications to existing facilities, plan approval for the system design will be required from the appropriate Department's regional Division of Water or delegated local Health Department, as specified in the State Pollutant Discharge Elimination System (SPDES) permit.

If you have any questions on the extent of work authorized or your obligations under the permit, please contact the staff person indicated below or the Division of Environmental Permits at the above address.

Rebecca Crist   
Division of Environmental Permits, Region 3  
Telephone (845) 256-3014

☒ **Applicable Only if Checked for STORMWATER SPDES INFORMATION:** We have determined that your project qualifies for coverage under the General Stormwater SPDES Permit. You must now file a Notice of Intent to obtain coverage under the General Permit. This form can be downloaded at: <http://www.dec.ny.gov/chemical/43133.html>

☒ **Applicable Only if Checked MS4 Areas:** This site is within an MS4 area (Municipal Separate Storm Sewer System), therefore the SWPPP must be reviewed and accepted by the municipality. The MS-4 acceptance Form must be submitted in addition to the Notice of Intent. This form can be downloaded at the same site as the Notice of Intent.

Send the completed form(s) to: NYS DEC, Stormwater Permitting, Division of Water, 625 Broadway, Albany, New York 12233-3505

In addition, DEC requests that you provide one electronic copy of the approved SWPPP directly to Natalie Browne at NYS DEC, 100 Hillside Avenue - Suite 1W, White Plains, NY 10603-2860.

New York State  
Department of Environmental Conservation

**NOTICE**

The Department of Environmental Conservation (DEC) has issued permit(s) pursuant to the Environmental Conservation Law for work being conducted at this site. For further information regarding the nature and extent of work approved and any Department conditions on it, contact the DEC at 845/256-3054. Please refer to the permit number shown when contacting the DEC.

Permittee: Dewn Holding Corp Permit No. 3-3720-00372/00001

Effective Date: 12-05-2013 Expiration date: 12-31-2017

☐ Applicable if checked. No instream work allowed between October 1 & April 30

NOTE: This notice is **NOT** a permit.

# STORMWATER POLLUTION PREVENTION PLAN DETERMINATION

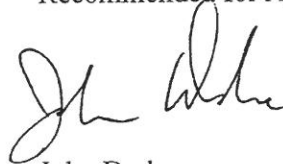
Date: July 3, 2012

Determination made by:



Mary P. Galasso  
Supervisor  
Stormwater Programs EOH

Recommended for Approval:



John Drake  
Associate Project Manager  
Stormwater Programs EOH

This determination letter must be maintained by the applicant and be readily available for inspection at the construction site.

# STORMWATER POLLUTION PREVENTION PLAN DETERMINATION

## APPENDIX A

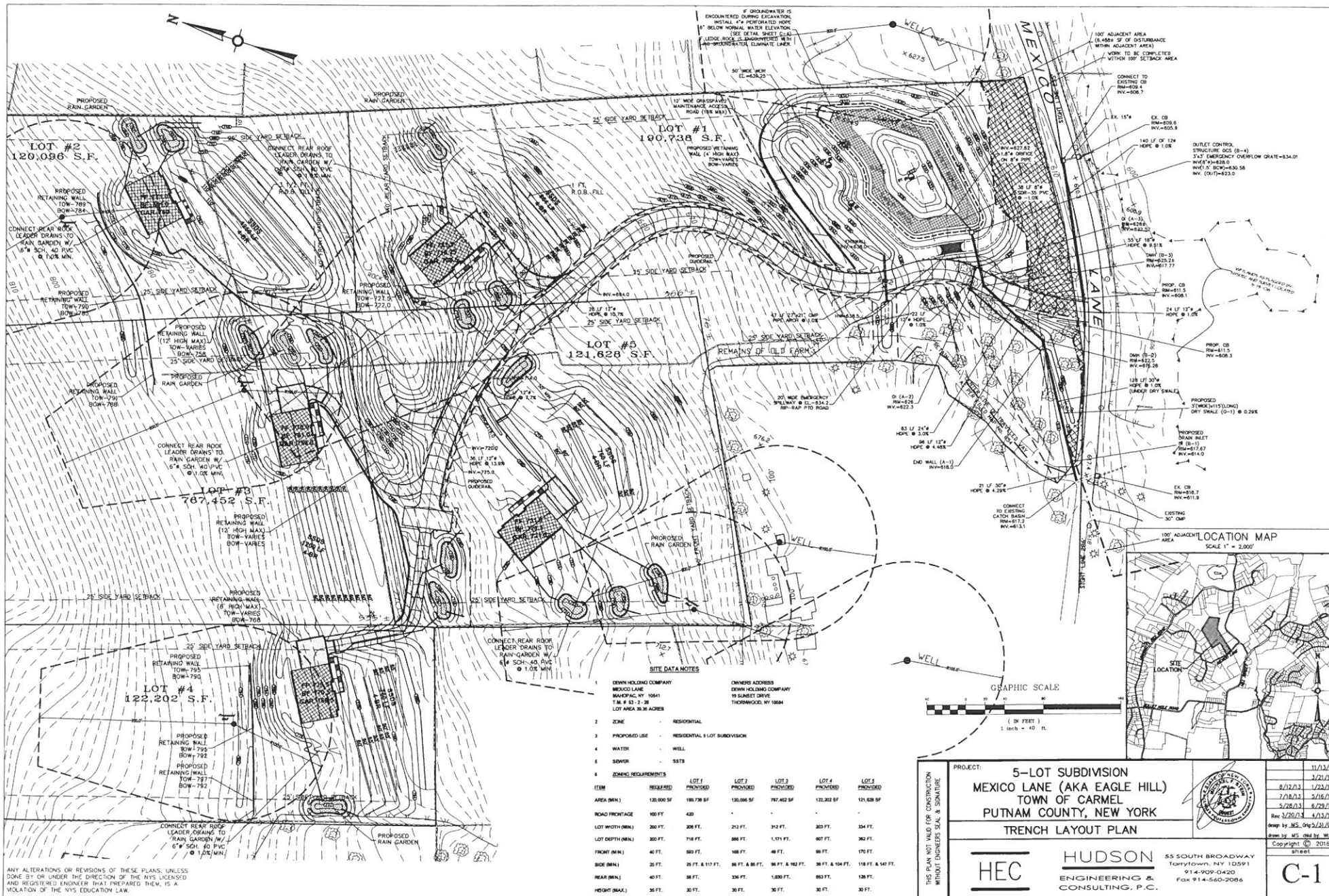
1. Report, titled *Stormwater Pollution Prevention Plan & Drainage Analysis; 5-Lot Subdivision Mexico Lane Town of Carmel Putnam County, New York*, prepared by Michael F. Stein, P.E., dated February 2011 and last revised April 2011.
2. Subdivision Plat titled Subdivision Plat Known as Eagle Hill, prepared by David L. O'Dell, L.S., last revised June 16, 2012.

The following sheets from the set of drawings titled *5-Lot Subdivision Mexico Lane Town of Carmel Putnam County, New York*, prepared by Michael F. Stein, P.E.:

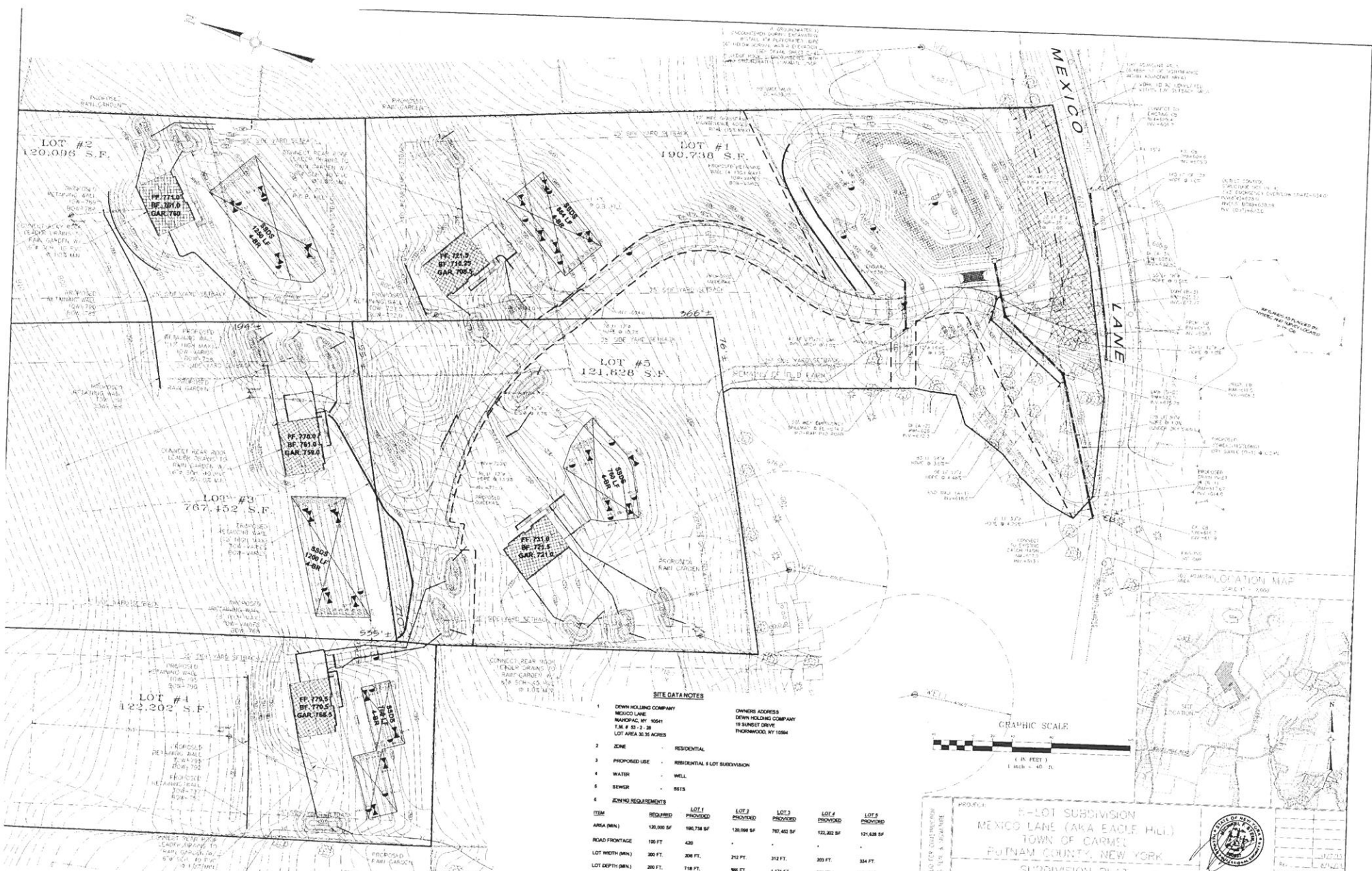
3. Sheet C-1, Site Layout Plan, dated May 31, 2008 and last revised March 21, 2012.
4. Sheet C-2, Sediment & Erosion Control Plan, dated May 31, 2008 and last revised March 21, 2012.
5. Sheet C-3, Road Profile, dated January 20, 2008 and last revised January 23, 2012.
6. Sheet C-4, Details, dated January 20, 2008 and last revised March 21, 2012.
7. Sheet C-5, Details, dated January 20, 2008 and last revised March 21, 2012.
8. Sheet C-6, Details, dated January 20, 2008 and last revised April 16, 2012.
9. Sheet C-7, Proposed Easements, dated March 21, 2012.
10. Sheet C-8, Sequencing Limits Plan, dated April 16, 2012.
11. Sheet C-9, Sequencing Limits Plan, dated April 16, 2012.
12. Sheet C-10, Sequencing Limits Plan, dated April 16, 2012

The following draft legal documents related to covenants, restrictions, and long-term maintenance of stormwater management measures, prepared by Harold Tevelowitz, received electronically by Michael F. Stein, P.E. on May 14, 2012:

13. DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES AND LIENS FOR EAGLE HILL
14. DECLARATION FOR COMMON ACCESS, STORMWATER POLLUTION PREVENTION PLAN, GRADING, DRAINAGE AND UTILITIES
15. BY-LAWS OF EAGLE HILL ROAD ASSOCIATION, INC.







**SITE DATA NOTES**

1. DOWN HOLDING COMPANY  
MADONAC, NY 10541  
18 SUNSET DRIVE  
THORNWOOD, NY 10584
2. ZONE - RESIDENTIAL
3. PROPOSED USE - RESIDENTIAL 1 LOT SUBDIVISION
4. WATER - WELL
5. SEWER - SEPT

ITEM	REQUIRED	LOT 1 PROVIDED	LOT 2 PROVIDED	LOT 3 PROVIDED	LOT 4 PROVIDED	LOT 5 PROVIDED
AREA (MIN)	120,000 SF	180,738 SF	120,096 SF	707,452 SF	121,628 SF	121,628 SF
ROAD FRONTAGE	100 FT	430	+	+	+	+
LOT WIDTH (MIN)	200 FT	208 FT	212 FT	212 FT	203 FT	334 FT
LOT DEPTH (MIN)	200 FT	718 FT	360 FT	1,171 FT	807 FT	362 FT
FRONT (MIN)	40 FT	863 FT	168 FT	40 FT	99 FT	170 FT
SIDE (MIN)	25 FT	25 FT & 117 FT	96 FT & 95 FT	96 FT & 162 FT	30 FT & 104 FT	118 FT & 147 FT
REAR (MIN)	40 FT	86 FT	336 FT	1,030 FT	863 FT	128 FT
HEIGHT (MAX)	35 FT	30 FT	30 FT	30 FT	30 FT	30 FT



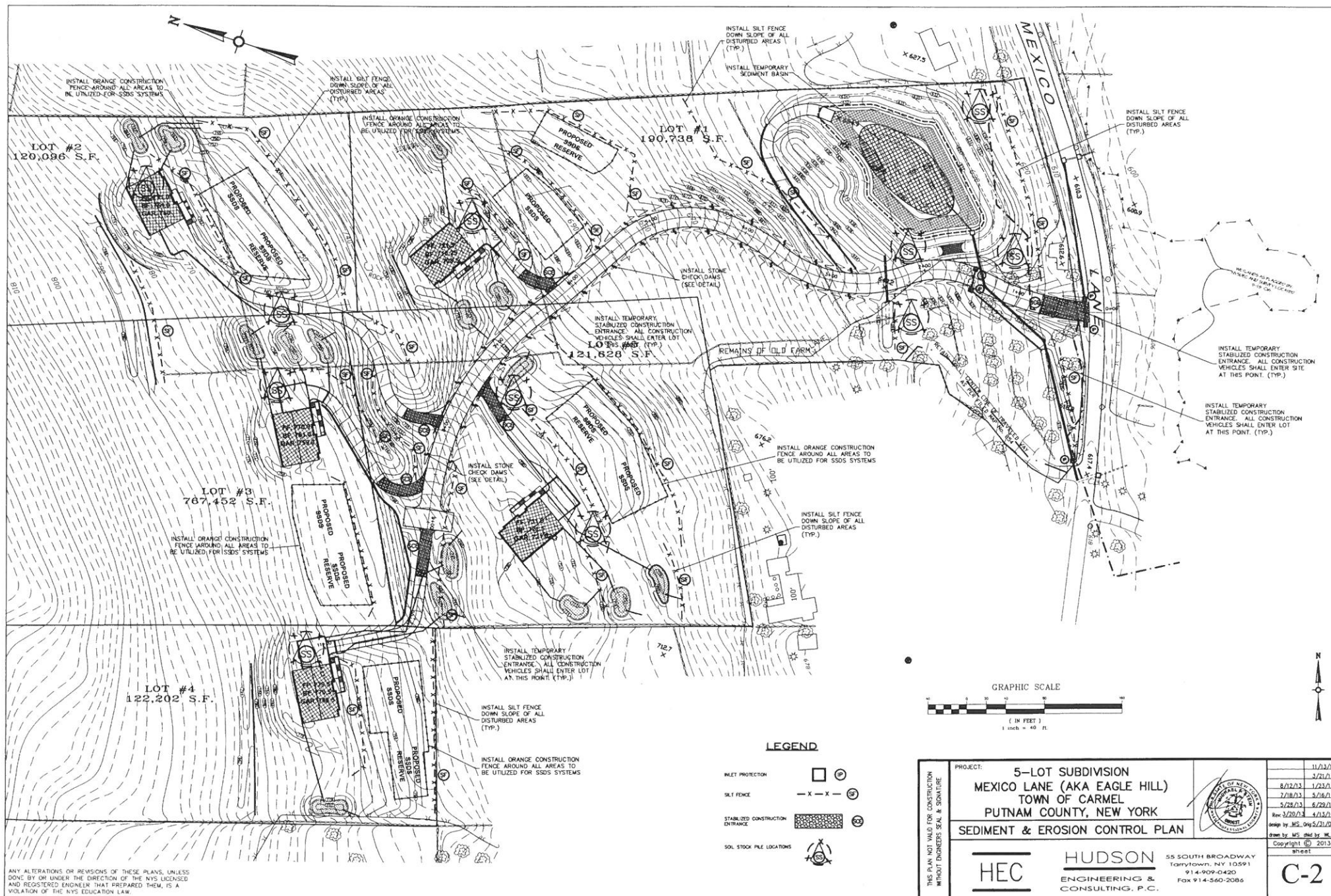
PROJECT: E-LOT SUBDIVISION  
MEXICO LANE (AKA EAGLE HILL)  
TOWN OF CARMEL  
PUTNAM COUNTY, NEW YORK  
SUBDIVISION PLAT



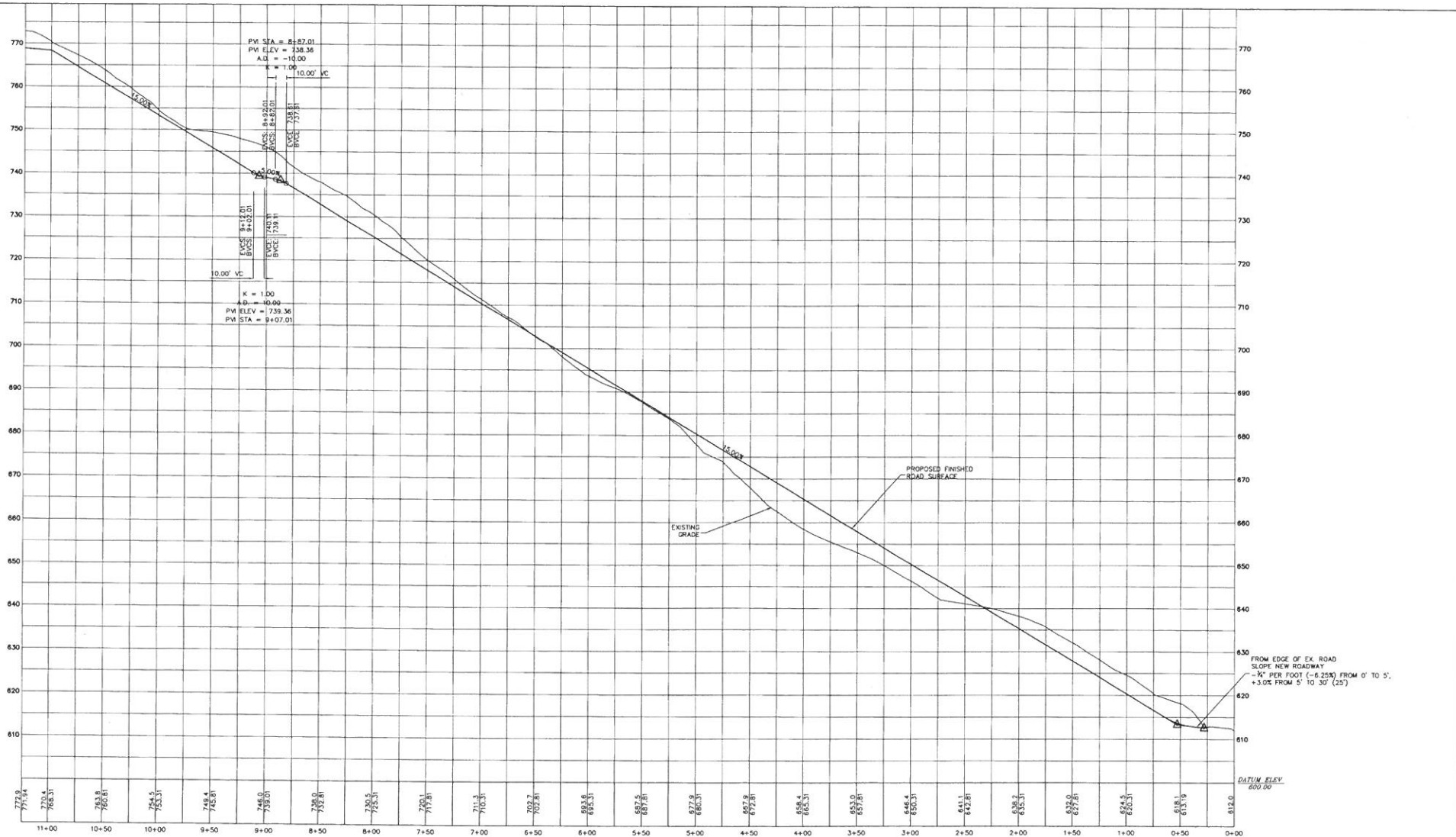
**HEC**  
ENGINEERING & CONSULTING, P.C.  
55 SOUTH BROADWAY  
Tarrytown, NY 10591  
914-909-0420  
Fax 914-560-2086

**C-1A**

1. ALL TYPING OR REVISIONS OF THESE PLANS, UNLESS  
RECEIVED BY THE ENGINEER, SHALL BE THE RESPONSIBILITY  
OF THE CLIENT. THE ENGINEER HAS NOT REVIEWED  
THESE PLANS FOR CONFORMANCE WITH THE LATEST  
EDITION OF THE NEW YORK SUBDIVISION LAW.

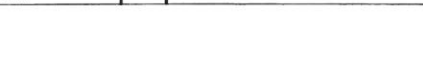
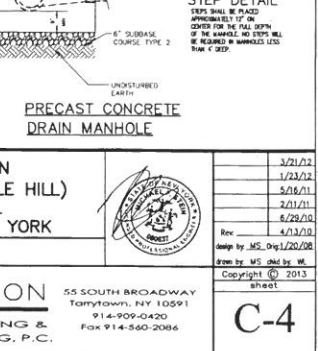
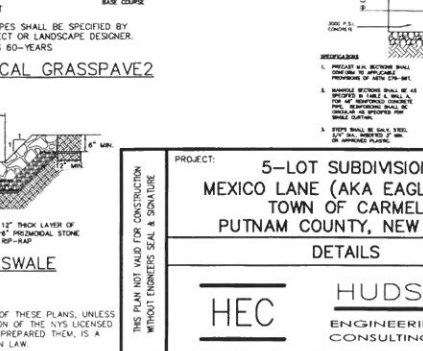
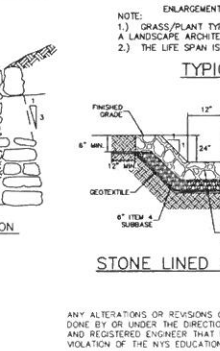
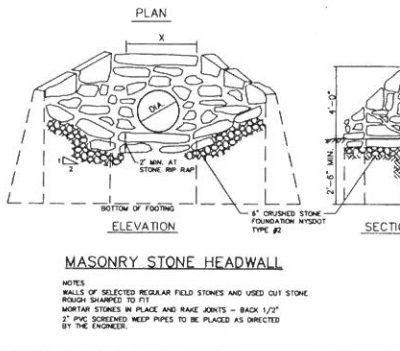
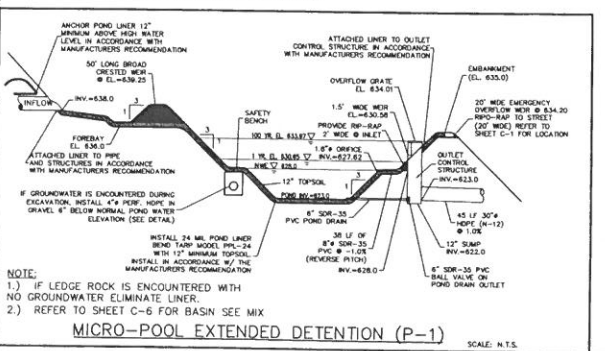
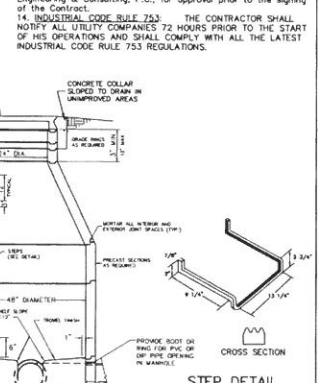
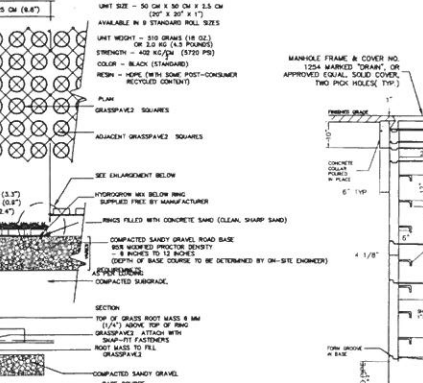
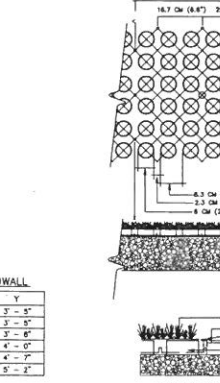
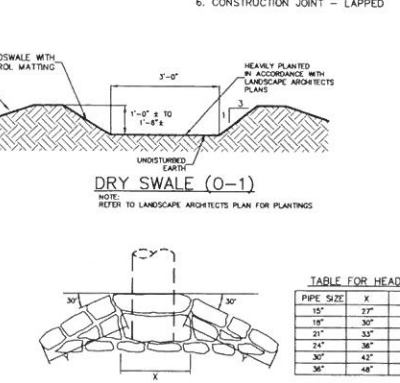
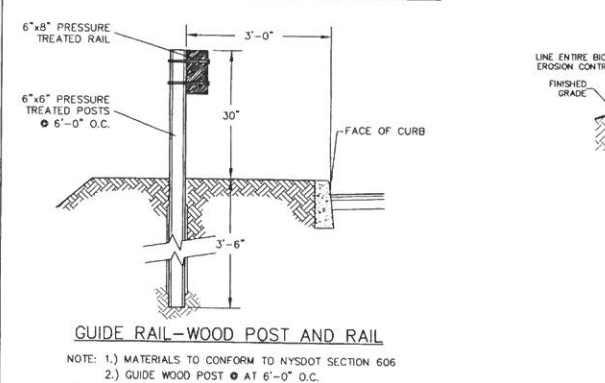
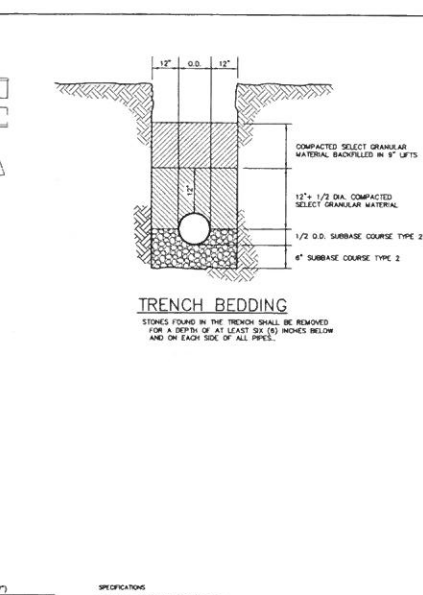
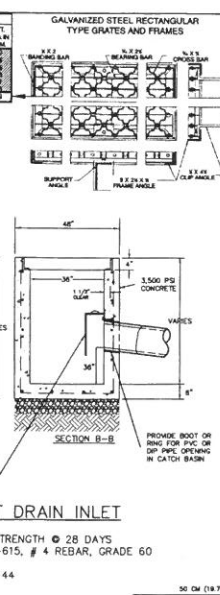
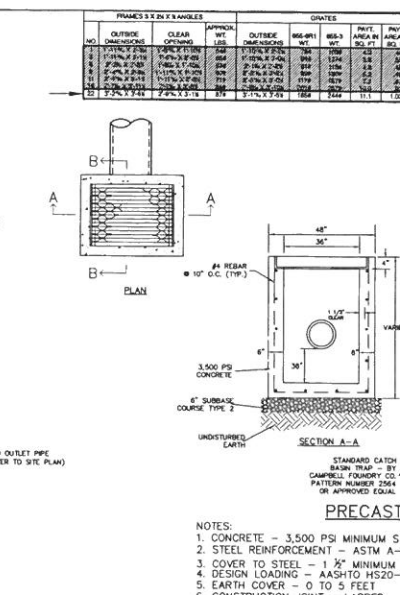
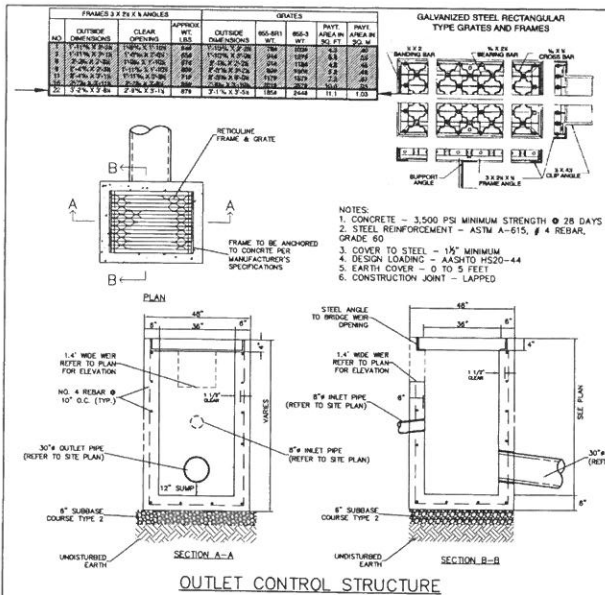


ANY ALTERATIONS OR REVISIONS OF THESE PLANS, UNLESS DONE BY OR UNDER THE DIRECTION OF THE NYS LICENSED AND REGISTERED ENGINEER THAT PREPARED THEM, IS A VIOLATION OF THE NYS EDUCATION LAW.



THIS PLAN NOT VALID FOR CONSTRUCTION WITHOUT ENGINEER'S SEAL & SIGNATURE	PROJECT: 5-Lot SUBDIVISION MEXICO LANE (AKA EAGLE HILL) TOWN OF CARMEL PUTNAM COUNTY, NEW YORK			1/23/12
	ROAD PROFILE			2/11/11
				1/13/10
				1/13/10
				1/13/10
ANY ALTERATIONS OR REVISIONS OF THESE PLANS, UNLESS DONE BY OR UNDER THE DIRECTION OF THE NYS LICENSED AND REGISTERED ENGINEER THAT PREPARED THEM, IS A VIOLATION OF THE NYS EDUCATION LAW.		HEC HUDSON ENGINEERING & CONSULTING, P.C. 55 SOUTH BROADWAY TONYTOWN, NY 10591 914-909-0420 Fax 914-540-2084		C-3





**PROJECT:** 5-LOT SUBDIVISION  
MEXICO HILL (AKA EAGLE HILL)  
TOWN OF CARMEL  
PUTNAM COUNTY, NEW YORK

**DETAILS**

3/21/02  
1/23/02  
5/16/01  
2/21/01  
6/22/00  
4/13/00

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Drawn by MS, Inc. and by W.C.  
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sheet

55 SOUTH BROADWAY  
Tarrytown, NY 10591  
914-909-0420  
Fax 914-560-2086

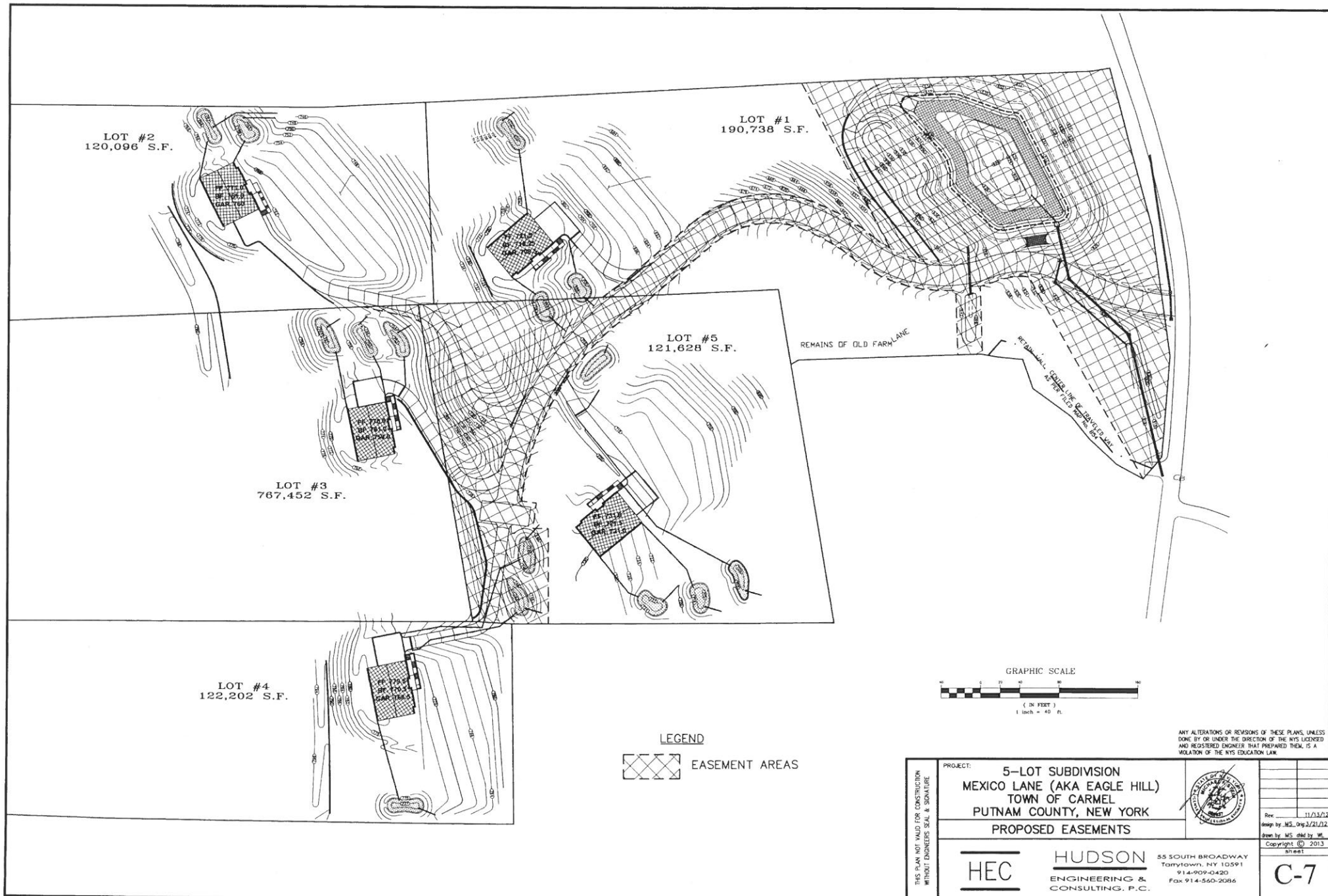
**HEC** **HUDSON**  
**ENGINEERING & CONSULTING, P.C.**

**C-4**

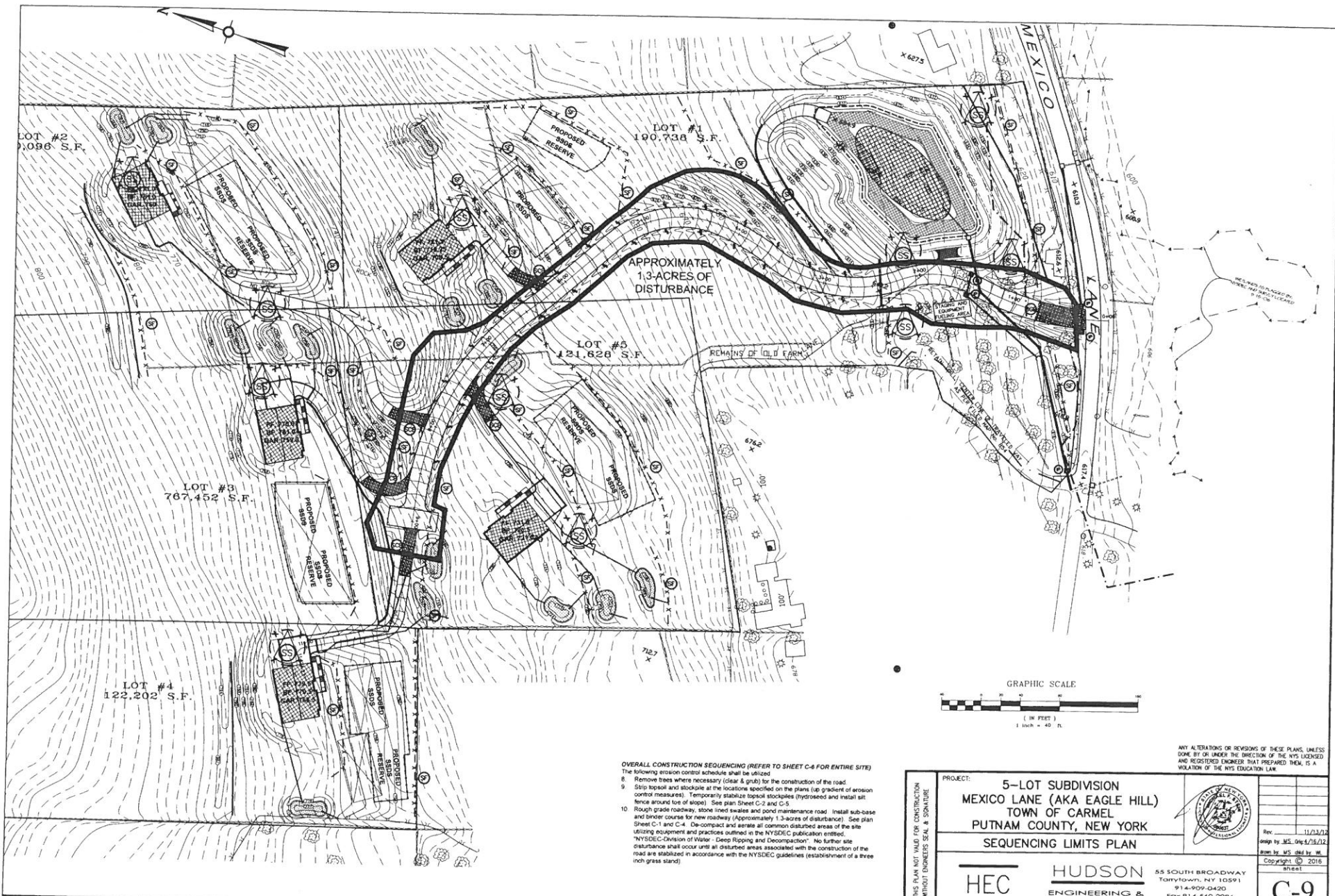











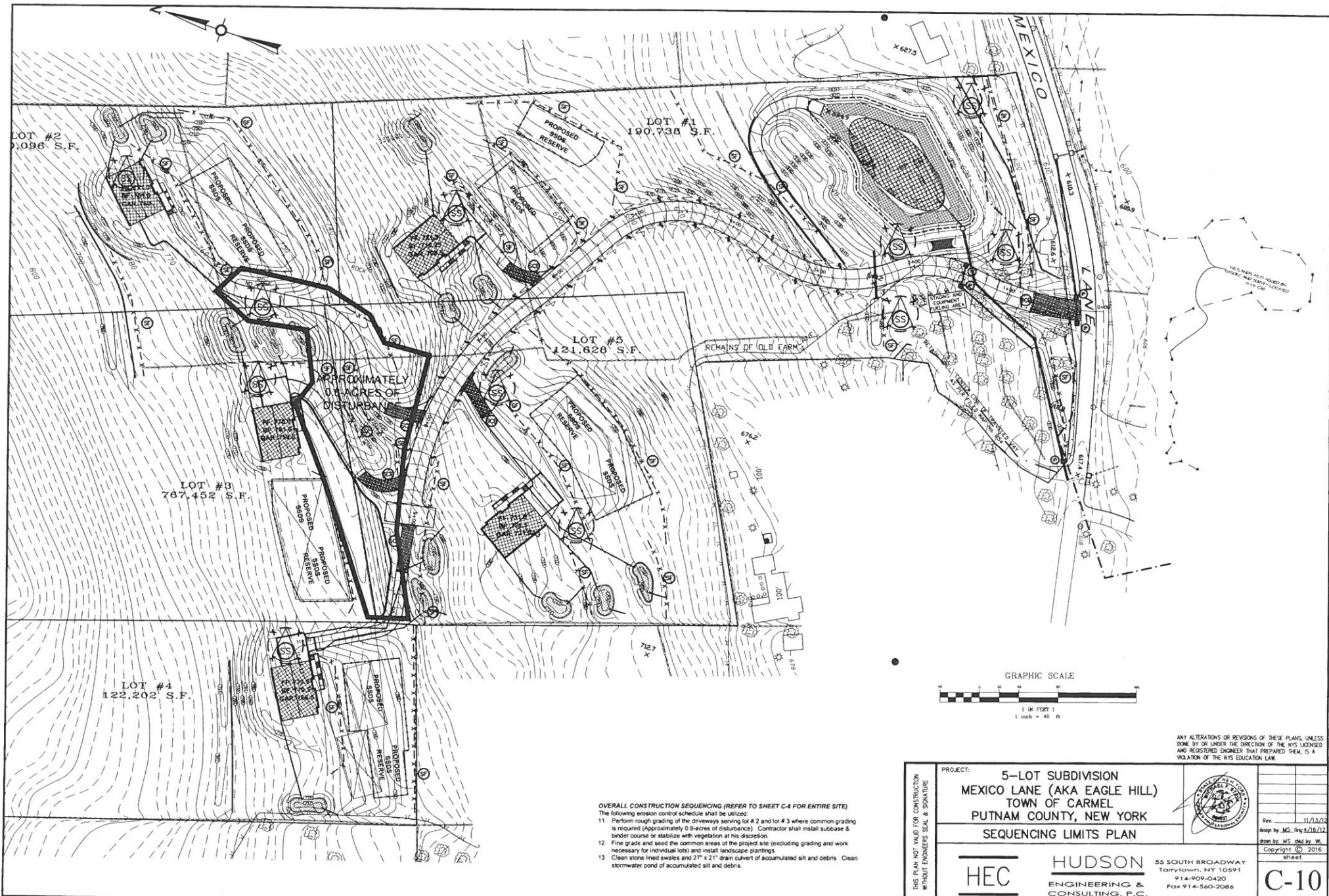


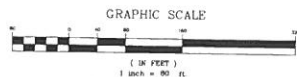
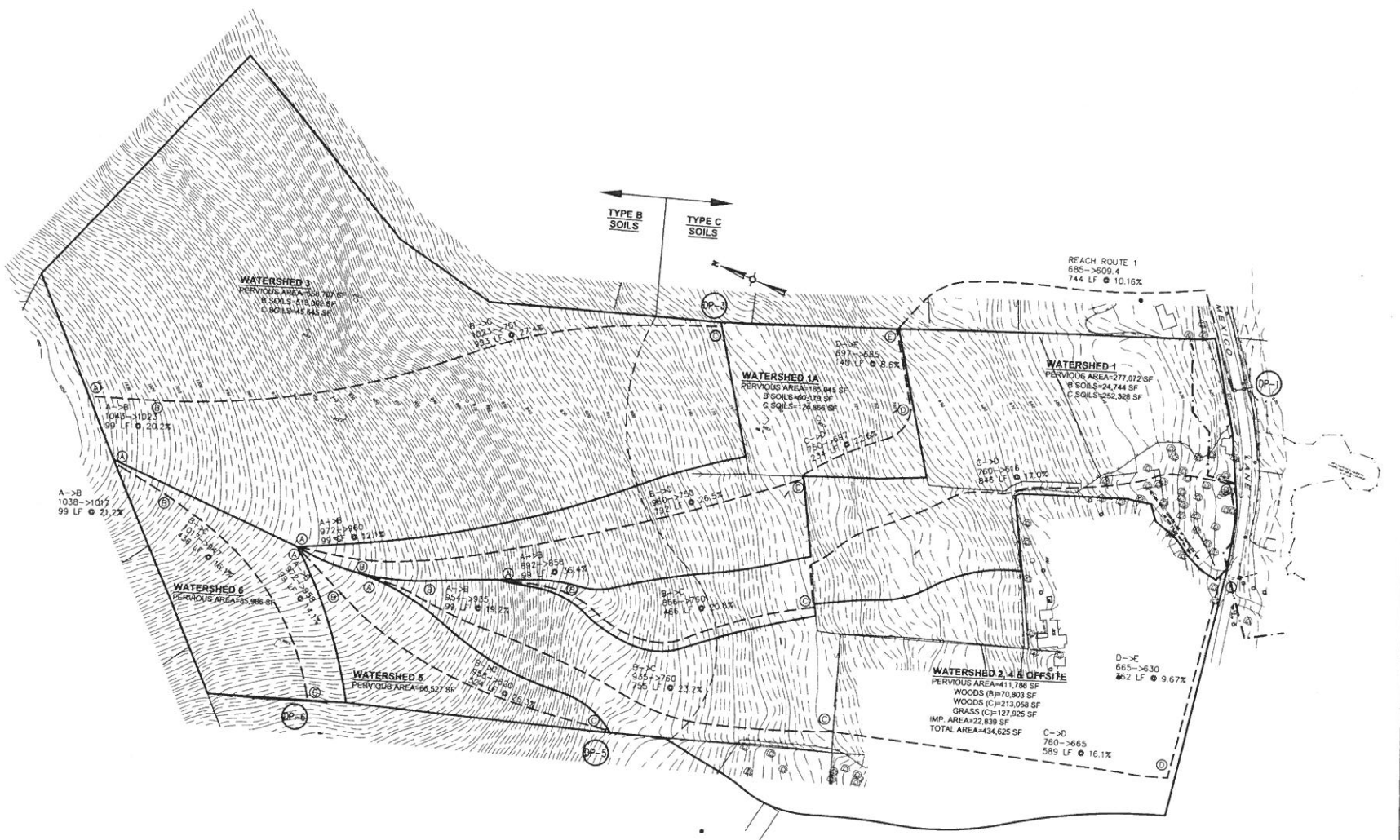
OVERALL CONSTRUCTION SEQUENCING (REFER TO SHEET C-8 FOR ENTIRE SITE)  
 The following erosion control schedule shall be utilized:  
 1. Remove trees where necessary (clear & grub) for the construction of the road.  
 2. Strip topsoil and stockpile at the locations specified on the plans (up gradient of erosion control measures). Temporarily stabilize topsoil stockpiles (hydroseed and install silt fence around toe of slope). See plan Sheet C-2 and C-3.  
 3. Rough grade roadway, stone lined swales and pond maintenance road. Install sub-base and binder course for new roadway (Approximately 1.3-acres of disturbance). See plan Sheet C-1 and C-4. De-compact and settle all common disturbed areas of the site utilizing equipment and practices outlined in the NYSDDEC publication entitled "NYSDDEC-Division of Water - Deep Ripping and De-compaction". No further site disturbance shall occur until all disturbed areas associated with the construction of the road are stabilized in accordance with the NYSDDEC guidelines (establishment of a three inch grass stand).

THIS PLAN NOT VALID FOR CONSTRUCTION WITHOUT ENGINEER'S SEAL & SIGNATURE	PROJECT:		5-LOT SUBDIVISION MEXICO LANE (AKA EAGLE HILL) TOWN OF CARMEL PUTNAM COUNTY, NEW YORK SEQUENCING LIMITS PLAN	
	HEC		HUDSON ENGINEERING & CONSULTING, P.C.	
	55 SOUTH BROADWAY Tarrytown, NY 10591 914-909-0420 Fax 914-560-2086		 Rev. 11/13/12 design by MJS 04/28/12 drawn by MJS 04/28/12 checked by MJS 04/28/12 dated 04/28/12	
			C-9	

ANY ALTERATIONS OR REVISIONS OF THESE PLANS, UNLESS DONE BY OR UNDER THE DIRECTION OF THE NYS LICENSED AND REGISTERED ENGINEER THAT PREPARED THEM, IS A VIOLATION OF THE NYS EDUCATION LAW.







ANY ALTERATIONS OR REVISIONS OF THESE PLANS, UNLESS DONE BY OR UNDER THE DIRECTION OF THE NYS LICENSED AND REGISTERED ENGINEER THAT PREPARED THEM, IS A VIOLATION OF THE NYS EDUCATION LAW.

PROJECT: <b>5-LOT SUBDIVISION MEXICO LANE (AKA EAGLE HILL) TOWN OF CARMEL PUTNAM COUNTY, NEW YORK</b> <b>WATERSHED - EXISTING</b>		1/21/12
		3/18/11
		2/11/11
		4/13/10
design by: M.S. dated by: M.S. Copyright © 2013 sheet		<b>WS-E</b>

**HEC**

**HUDSON**  
ENGINEERING &  
CONSULTING, P.C.

55 SOUTH BROADWAY  
Tarrytown, NY 10591  
914-909-0420  
Fax 914-560-2086



# TOWN OF CARMEL HIGHWAY DEPARTMENT

---

Carmel Highway Department  
55 McAlpin Avenue  
Mahopac, NY 10541

**MICHAEL SIMONE**  
***Superintendent of Highways***

845.628.7474  
FAX 845.628.1471  
MSimone@bestweb.net

FROM THE DESK OF: *Michael Simone*



TO: ROSE TROMBETTA – PLANNING/ZONING DEPARTMENT

DATE: MAY 25, 2016

RE: CORBELLI LOGGING PROJECT

---

Rose,

Based on the inspection of the logging route on Barrett Hill and Bullet Hole Roads, you may release the bond for the above project.