

ROBERT LAGA
Chairman

NICHOLAS FANNIN
Vice Chairman

RICHARD FRANZETTI
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TOWN OF CARMEL
ENVIRONMENTAL CONSERVATION BOARD



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BOARD MEMBERS

Edward Barnett
Anthony Federice

APPLICATION FOR A TREE CUTTING PERMIT

Name of Applicant: _____

Address: _____ Tel. No. _____

Owner of Property: _____

Address: _____ Tel. No. _____

Tax Map Number: _____ Total Land Area Involved: _____

Number of trees of each species to be cut: _____ Range, in inches, of diameter, measured 4 & ½ feet
above the ground of the trees to be cut: _____

Total Board Foot Volume for each species to be cut: _____

A Sketch Map drawn to scale must be attached showing:

1. Boundaries of Property.
2. Access Roads into property and proposed roads and skid trails in the property.
3. Area within the property where cutting will occur.
4. Location and size of product loading areas.
5. Any area of the property defined as a wetland by the Town of Carmel Wetland Law.
6. If tree cutting operation is to be conducted in stages, each stage shall be shown on the sketch map.
7. Scale of map.

A written statement must be attached stating that each tree to be removed has been designated with paint or other distinctive means at two points so as to be readily visible. One point shall be low enough on the tree so as to be visible on the stump after the tree is removed.

Permit Fee is: - Up to 5 acres - \$500.00 - 5 to 25 acres - \$1,000.00 - Over 25 acres - \$1,500.00

SIGNATURE OF OWNER

SIGNATURE OF APPLICANT

All property owners within 500 feet of the subject property must be notified by U.S. Mail prior to commencement of the operation.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:			Telephone:	
			E-Mail:	
Address:				
City/PO:			State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			<input type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned _____ acres or controlled by the applicant or project sponsor?				
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. Urban Rural (non-agriculture) Industrial Commercial Residential (suburban) <input type="checkbox"/> Forest Agriculture Aquatic Other(Specify): <input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest Agricultural/grasslands Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO <input type="checkbox"/>	YES <input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		

Chapter 142

TREES

GENERAL REFERENCES

Fees — See Ch. 80.

Property maintenance — See Ch. 114.

Freshwater wetlands — See Ch. 89.

Streets and sidewalks — See Ch. 128.

Parks — See Ch. 108.

Subdivision of land — See Ch. 131.

§ 142-1. Title.

This chapter shall be known and cited as the "Tree Conservation Law of the Town of Carmel."

§ 142-2. Findings; purpose.

Since it has been established that trees stabilize the soil and control water pollution by preventing soil erosion and flooding, absorb air pollution, provide oxygen, yield advantageous micro-climatic effects, have an intrinsic aesthetic quality, offer a natural barrier to noise and provide a natural habitat for the wildlife and that the indiscriminate removal of trees may deprive the people of the Town of Carmel of these benefits and disrupt fundamental ecological systems in which trees are integrally involved, it is therefore the purpose of this chapter to protect and regulate the planting and cutting of trees in the Town of Carmel.

§ 142-3. Policy.

It is hereby declared to be the policy of the Town of Carmel to conserve, protect and regulate the planting and cutting of trees which are an integral part of the natural resources and environment of the Town of Carmel in order to enhance the health, safety and welfare of the people and their overall economic and social well-being and to improve the plans for the protection, regulation and planting of trees and forest management within the Town.

§ 142-4. Definitions.

Whenever used in this chapter, unless a different meaning clearly appears from the context or unless a different meaning is stated in a definition applicable to only a portion of this chapter, the following terms shall have the meanings indicated:

BOARD — Town of Carmel Environmental Conservation Board.

PERSON — Any individual, firm, partnership, association, corporation, including public utilities, any unit of government other than the Town of Carmel or any other legal entity.

PLANNING BOARD — Town of Carmel Planning Board.

PROFESSIONAL FORESTER — One who has a minimum of a bachelor of science degree in forestry from a four-year college accredited by the Society of American Foresters or who possesses qualifications for the practice of forestry essentially equivalent to graduation from a school of forestry recognized by the Society of American Foresters, and is employed in the practice of forestry.

RESIDENTIAL BUILDING — Any building designed or occupied in whole or in part as a dwelling for one or two families.

SUBDIVISION — The division of any parcel of land into two or more lots, plots, sites or other division of land, with or without streets, including any changes of property line.

SUPERINTENDENT OF HIGHWAYS — Superintendent of Highways of the Town of Carmel.

TOWN BOARD — The Town of Carmel Town Board.

§ 142-5. Protection of trees; prohibited acts.

A. Control of trees on street and Town property.

- (1) No person shall do or cause to be done upon trees in any Town of Carmel right-of-way, street, road or highway without first obtaining written permission from the Superintendent of Highways and the Town Board any of the following acts:
 - (a) Cut, trim, break, climb with spikes, disturb the roots or otherwise intentionally injure, misuse or spray with harmful chemicals or remove any living tree five inches or more in diameter, measured 4 1/2 feet above the ground, or remove any device installed to support or protect such trees.
 - (b) Plant any tree.
 - (c) Fasten any rope, wire, electrical equipment, sign or other device to a tree or any guard about such a tree or shrub.
 - (d) Pile, heap or store any building materials, soil, debris or any other matter or make any mortar or cement within a distance of six feet of a tree.
 - (e) Permit any oil, gas or any other injurious chemical to come into contact with the stem or roots of any tree.
- (2) Where a person desires to control the growth of trees on a Town highway, street, road or right-of-way by removing or pruning the trees, then the person shall apply to the Superintendent of Highways and the Town Board and shall outline the work to be performed. If the applicant fails to comply with the written order of the Highway Superintendent and resolution of the Town Board, the

applicant shall be subject to the penalties as provided in this chapter.

- B. Control of trees in land development. Where a person plans to develop property in the Town of Carmel as a residential subdivision, multifamily residential development or industrial or commercial development, he shall not remove any live trees until the following conditions have been met:

(1) Application. Where a person plans to develop property as a residential subdivision, multifamily residential development or industrial or commercial development which requires the approval of the Carmel Planning Board, then such person shall submit to the Planning Board, simultaneously with the application for approval of such development, 12 copies of a tree plan designating the trees to be removed, trees to be saved and trees to be planted and showing the location, size and types thereof. Upon receipt of a completed application, the Planning Board shall forward a set of all pertinent materials to the Environmental Conservation Board for its review and recommendations. All trees to be planted must comply with the requirements and specifications contained in §§ 142-6 and 142-7 of this chapter. In considering the development application, the Planning Board shall require the applicant, as a condition of such approval, to conform to the aforesaid tree plan, as approved by the Planning Board. In lieu of a separate tree plan, the Planning Board may permit the information required to be shown on a tree plan to be shown on the site development plan or subdivision map, whichever the case may be, in which case such site development plan or subdivision map shall be deemed the "tree plan." In considering subdivision applications, the information required to be shown on the tree plan shall be limited to areas within 50 feet of street rights-of-way, drainage facilities, utilities and other similar improvements.

(2) General.

- (a) Where a person plans to construct a road or utilities in connection with a proposed residential subdivision, he shall cause a preliminary stakeout to be made of the proposed road(s) and utilities. Subsequent to such stakeout, such person shall meet in the field with the Town Engineer, who shall designate all trees to be saved within the right-of-way or other work areas, as well as within an area 50 feet adjacent to such right-of-way or work areas.
- (b) Where a parcel of land proposed to be developed contains no wooded areas or, in the opinion of the Planning Board, has sparse wooded areas, the Planning Board may require the planting of trees within the road improvement right-of-way and adjacent to other improvement work areas.

- (3) Certificate of occupancy. A certificate of occupancy shall not be issued for any improvement shown on a plan approved by the Planning Board until all trees designated by the Planning Board for preservation and all trees to be planted shall in fact be in existence, except where, by reason of weather, season or other circumstances, it is impossible for the trees to be planted, in which case the provisions of § 142-6B of this chapter shall apply. In the event that any trees designated by the Planning Board for preservation have been removed without the Planning Board's prior approval, then the Planning Board may require such trees to be replaced.

§ 142-6. Planting requirements.

- A. Trees shall be planted in accordance with the approved tree plan, based on the potential root growth of the tree to be planted, but in no case closer than six feet to any road, parking area, structure or other improvement or in any manner which will limit sight distance along any road below the specified minimum in applicable Town regulations.
- B. Where by reason of weather, season or other circumstances it is impossible for a person to plant trees in accordance with this chapter, such person may deposit in escrow with the Town Clerk an amount to be determined and specified by the Planning Board equivalent to five times the cost of purchasing and planting such trees. In the event that the trees are not planted within six months of the making of the deposit, then the Town of Carmel is authorized to contract in the name of the applicant for the purchase and planting of the trees shown on the applicable tree plan and to pay for the cost thereof from the money deposited in escrow. Any balance shall be returned to the person making the deposit upon completion of the work. Any deficiency shall be immediately due and payable to the Town of Carmel by the owner of the property upon which the trees are planted.

§ 142-7. Specifications and requirements.

- A. Trees shall be balled and burlapped and shall not be less than two to 2 1/2 inches caliper, measured six inches above the top of the ball, nor less than 10 feet high. They must be well-branched, the branches to start not less than six feet from the crown of the root system. Trees shall be nursery-grown, and a nursery inspection certificate shall be available covering all trees.
- B. In general, excavations for planting shall be at least one foot deeper and two feet wider than the ball of earth supplied with the tree. The pit shall be rock free and refilled with seven parts topsoil and one part humus and the parent soil discarded. Hardpan shall be loosened for an additional 12 inches from the bottom of the pit. Trees shall be adequately fertilized and watered at the time of planting and mulched with three inches of approved mulch immediately after planting. Mulch

shall be placed within a topsoil saucer three inches deep and as large as the pit in diameter.

- C. Trees shall be staked and guyed immediately after planting. Stakes shall be cedar or oak eight feet long, no less than two inches in diameter and driven into the bottom of the tree pit. Trees shall be guyed to the stakes using No. 10 wire covered with rubber hose or equal. The wire shall be fastened to the stake in such a manner that it will not slip or come into contact with the tree trunk. The trunk of the tree shall be protected with tree wrapping paper.
- D. Removal of debris is required. The property must be left in a neat and orderly condition in accordance with good and accepted planting and tree surgery practice.
- E. Trees shall not be planted between May 15 and September 15 without specific authorization of the Planning Board.
- F. Notice must be given to the Planning Board 30 days prior to the start of planting in order that the plants and trees may be inspected and approved for tree variety, condition, size and quality. All work shall be subject to the general supervision and approval of the Planning Board and the Town Engineer.
- G. Any tree improperly planted or not meeting the specifications of the tree plan and this chapter will be removed upon written demand of the Planning Board and replaced with properly planted tree(s) that meet the specifications of the tree plan and this chapter. Any tree that does not survive or is in an unhealthy condition at the end of one year shall be replaced by the owner of the property at no cost to the Town of Carmel. Said replacement shall be made within 60 days following written demand for such replacement or within a more extended period as may be specified by the Planning Board.

§ 142-8. Tree-cutting operations.

- A. Permit. A permit from the Environmental Conservation Board of the Town of Carmel shall be required for all live tree cutting of trees greater than six inches in diameter at breast height (DBH) conducted in the Town of Carmel, except:
 - (1) When done by a person in accordance with a plan approved by the Planning Board for the development of property as a residential subdivision, multifamily residential development, industrial or commercial development;
 - (2) When done by a person in connection with a building permit issued by the Building Inspector and done solely for the construction of a residential building, driveway, sewage disposal, water supply or other accessory appurtenances;

- (3) When done by a person within a Town of Carmel right-of-way, street, road or highway with the written permission of the Superintendent of Highways and the Town Board;
- (4) When done by a person on a parcel of land improved by such person's residence and on which there are 10 or fewer trees cut on such parcel per year; or
- (5) When done by a person on any other parcel of land on which there are five or fewer trees cut on such parcel per year.

B. Waiver of permit.

- (1) The Environmental Conservation Board shall have the authority to waive the requirement that a person obtain a tree-cutting permit if it finds that the proposed tree cutting is designed and will be conducted in accordance with the guidelines set forth herein, will not cause or contribute to soil erosion or flooding, will not affect a wetland as defined in the Town of Carmel Freshwater Wetlands Law¹ and where said proposed tree cutting will not result in the cutting of more than 50 trees or more than five trees per acre. For said waiver, the applicant shall submit to the Board a written request, in five copies, setting forth a description of the proposed tree cutting, the property affected by said tree cutting and a sketch map showing the boundaries of the property and the location of the trees to be cut.
- (2) In considering a request for a waiver of a tree-cutting permit, the Board shall consider the guidelines, standards and other requirements of this chapter, as well as any other applicable municipal regulations.
- (3) No fee shall be required for making a request for waiver of a tree-cutting permit.

C. Permit procedures. Before submitting the information required in order to obtain a permit to conduct a tree-cutting operation, the owner of the property or his representative shall meet with the Board to express his general intent and to determine the information required by the Board upon submission of an application for the permit. In order to obtain a permit to conduct a tree-cutting operation, 10 copies of the following information shall be submitted to the Board:

- (1) A written summary of the proposed operation to include:
 - (a) Total land area involved in operation.
 - (b) The number of trees of each species to be cut.
 - (c) The range, in inches of diameter, measured 4 1/2 feet above the ground, of the trees to be cut.

1. Editor's Note: See Ch. 89, Freshwater Wetlands.

- (d) The total board foot volume for each species to be cut.
- (2) A sketch map drawn to scale, with the scale noted thereon, to show:
 - (a) Boundaries of property.
 - (b) Access roads into property and proposed roads and skid trails in the property.
 - (c) The area within the property where cutting will occur.
 - (d) The location and size of product loading areas.
 - (e) The Tax Map, block and lot number(s) of the property.
 - (f) Any area of the property defined as a wetland by the Town of Carmel Wetlands Law.²
 - (g) If the tree-cutting operation is to be conducted in stages, each stage shall be shown on the sketch map.
- (3) A written statement from the landowner that each tree to be removed has been designated with paint or other distinctive means at two points so as to be readily visible. One point shall be low enough on the tree so as to be visible on the stump after the tree is removed.
- (4) If the parcel of land upon which a person wishes to conduct a tree-cutting operation is 10 acres or greater in size, the Board may require that the information submitted by the applicant and the area where the trees are to be cut be reviewed by a professional forester who shall be retained by the Town, at the expense of the applicant. If the parcel of land upon which the tree cutting is to be conducted is greater than 25 acres and the average number of trees to be cut per acre is five trees or greater, then the review by a professional forester shall be required before a permit may be issued by the Board.
- (5) The Board, upon submission of an application for a permit, shall charge and collect a fee which shall be established annually by the Town Board and shall be on file in the office of the Town Clerk.
[Amended 11-26-1986]
- (6) Public hearing. Within 45 days after the receipt of the information required to be submitted in accordance with this chapter and if the Board has not granted a waiver of the permit requirement, the Board shall hold a public hearing, which hearing shall be advertised at least once in the official newspaper of the Town at least five days before such hearing.

2. Editor's Note: See Ch. 89, Freshwater Wetlands.

- (7) Action by board. Within 45 days after the closing of such hearing, the Board shall approve, with or without modification, or disapprove the issuance of such permit; the grounds of a modification, if any, or the grounds for disapproval shall be stated upon the records of the Board. Notwithstanding the foregoing provisions, the time in which the Board must take action may be extended by mutual consent of the applicant and the Board.
 - (8) Effect of inaction. In the event that the Board fails to take action within the time prescribed therefor, the permit shall be deemed issued and a certificate of the Town Clerk of the Town of Carmel as to the failure by the Board to take action within such prescribed time shall be issued on demand and shall be sufficient in lieu of a written permit.
 - (9) Duration of permit. Permits issued pursuant to this chapter shall expire within 12 months of the date of issuance. A permit may be extended by the Board for one additional period of 12 months. In making a determination on extension, the Board shall make a complete review of all plans and make an examination of all work accomplished.
- D. Guidelines. All operations shall be designed and conducted in accordance with the policy and purpose of this chapter and shall adhere to the following guidelines:
- (1) Stream crossing shall be kept to a minimum and shall be designed and planned so that streams are crossed at the most direct route with crossing at bends and through pools avoided. Crossing sites shall be at locations with low, stable banks, a firm stream bottom and gentle slopes along the approaches. Temporary culverts, bridges or runways should be used where stream bottoms or banks would be otherwise damaged and shall be removed after use.
 - (2) Trees shall not be cut within 10 feet of stream banks except at stream crossings. Skidding shall not take place up and down any stream channel. Skidders shall be kept back at least 50 feet from all streams and 100 feet from all streams in the event that the slopes exceed 10%. Trees shall be felled so that tops land away from streams. Debris shall be kept out of any water.
 - (3) Roads and skid trails shall be located, designed and built on dry, well-drained spots and off of steep slopes. Running water shall be diverted off roads and primary skid trails when slopes exceed 10%. All roads shall be set back at least 100 feet from streams, ponds, lakes, swampy areas, marshes and other wetlands where slopes are less than 30% and 150 feet where slopes are steeper than 30%.
 - (4) Where slopes exceed 30%, logs should be winched off, skid trails should be minimized and such slopes should be logged during dry weather when soils are dry or in winter when the ground is frozen

and snow covered. After logging, roads and primary skid trails should be regraded and diversion devices installed as necessary.

- (5) Landings shall be located so as to avoid erosion by keeping such landings out of low spots and poorly drained places. Landings shall be located on gently sloping ground that provides good drainage. Landings shall be set back at least 200 feet from streams, ponds, lakes, swampy areas and marshes. Landing areas shall be graded, leveled and reseeded after use.
 - (6) Wherever possible, landings shall be located at least 200 feet from all roads. Access roads to such landing areas should be curved and narrowed so as to reduce visibility from the road. Landings shall be cleared after use of all debris and junk and shall be regraded and reseeded after use.
 - (7) All logging debris shall be kept off all public roads and rights-of-way and shall be at least 20 feet from the public right-of-way. All log piles shall be kept back at least 20 feet from all rights-of-way.
 - (8) Within 100 feet of the edge of the area being cut, the following additional guidelines shall be adhered to:
 - (a) Trees shall be directionally felled so that the tops land away from the road.
 - (b) Partly fallen or hungup trees shall be pulled down and removed.
 - (c) Understory vegetation shall be protected.
 - (d) Skid trails shall be kept off the one-hundred-foot-wide setback strip.
 - (e) Trees shall be cut lightly within such one-hundred-foot setback area.
 - (f) Stumps shall be cut low to the ground.
 - (g) All debris shall be removed within 100 feet of any right-of-way and within 100 feet of the edge of the area where the tree-cutting operation was conducted.
- E. The following standards shall apply to all operations requiring a permit:
- (1) No harvesting or cutting operations or removal of products shall take place between the hours of 6:00 p.m. and 8:00 a.m. nor on Sundays.
 - (2) The Board may require the following additional standards be invoked, where necessary:
 - (a) Restricting the weight of logging trucks in accordance with the capabilities or conditions of roads, bridges and culverts.

- (b) Requiring the repair of roads, bridges and culverts damaged as a result of the timber operation or cutting.
 - (c) Requiring the removal of debris.
 - (3) The Board may impose such other additional standards as they may be warranted by specific circumstances.
- F. To ensure compliance by the permittee with the conditions of the permit and the standards set forth in this chapter, a cash deposit shall be submitted to the Town, the amount of which deposit shall be 10 times the amount of the permit fee required to be paid pursuant to this chapter. Upon completion of all work required to be performed pursuant to the permit, the approved plans and this chapter, the applicant shall so notify the Board. The Board shall make, or cause to be made, an inspection to determine if all such work has been completed. The Board shall make a report to the Town Board, upon the completion of its investigation, describing the degree to which the operation is completed, together with its recommendation as to the reduction and/or release of the cash deposit.
- G. In the event that a property has received an exemption under § 480-a of the Real Property Tax Law of the State of New York, the Board may waive any or all of the requirements hereunder, in its absolute and sole discretion.

§ 142-9. Enforcement.

This chapter shall be enforced by the Building Inspector and Wetlands Inspector of the Town of Carmel. It shall be the duty of such Inspectors to issue notices of violation of this chapter and, with the approval of the Town Board, to take all necessary legal steps to enforce this chapter. The Wetlands Inspector is hereby authorized to issue appearance tickets in connection with the enforcement of this chapter.

§ 142-10. Penalties for offenses.³

Any person who violates this chapter or fails to comply with any conditions of a permit issued by the Planning Board shall be subject, upon conviction, to a fine not to exceed \$250 or to a term of imprisonment not to exceed 15 days, or both.

3. Editor's Note: Amended at time of adoption of code (see Ch. 1, General Provisions, Art. I).