



PLANNING BOARD
Town of Carmel - Town Hall
Mahopac, NY 10541
(845) 628-1500

REGRADING APPLICATION

SUBMIT 11 APPLICATIONS, 11 SHORT EAF FORMS, 2 DISCLOSURE ADDENDUM STATEMENTS,
5 SITE PLANS & APPROPRIATE FEE.

Date Submitted: _____

Tax Map # _____

Commercial _____ Residential _____ Other _____

Name of Applicant: _____ Applicant's Signature: _____

Applicant's Address: _____ Telephone Number: _____

Name of Present Owner if Different from Applicant: _____

Address: _____ Telephone Number: _____

Person who Prepared Map: _____

Address: _____ Telephone Number: _____

Size of Lot: _____ Description of Proposed Work & Purpose: _____

.....
Refer to Attached Town of Carmel Code for Further Regulations and Requirements.

Amount of Fee Paid: (Up to 5 acres \$300.00) \$ _____

Over 5 Acres \$300.00 Plus \$40.00 an Acre \$ _____

617.20
Appendix B
Short Environmental Assessment Form

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? 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.			NO
			YES
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO
			YES
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 or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
19. 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	YES
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	YES
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

TOWN OF CARMEL PLANNING BOARD

60 MCALPIN AVENUE, MAHOPAC, NY 10541 - 845-628-1500 – FAX 845-628-7085

DISCLOSURE ADDENDUM STATEMENT TO APPLICATION, PETITION & REQUEST

MINDFUL OF THE PROVISIONS OF SECTION 809 OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK, AND OF NEW YORK, AND OF THE PENAL PROVISIONS THEREOF AS WELL, THE UNDERSIGNED APPLICANT STATES THAT NO STATE OFFICER, OFFICER, OR EMPLOYEE OF THE TOWN OF CARMEL, OR OF THE COUNTY OF PUTNAM, HAS ANY INTEREST, FINANCIAL OR OTHERWISE, IN THIS APPLICATION OR WITH, OR IN THE APPLICANT AS DEFINED IN SAID STATUTE, EXCEPT THE FOLLOWING PERSON OR PERSONS WHO IS OR ARE REPRESENTED TO HAVE ONLY THE FOLLOWING TYPE OF INTEREST, IN THE NATURE AND TO THE EXTENT HEREINAFTER INDICATED:

- NONE
- NAMES: ADDRESSES: RELATIONSHIP OR INTEREST
(FINANCIAL OR OTHERWISE)

THIS DISCLOSURE ADDENDUM STATEMENT IS ANNEXED TO AND MADE A PART OF THE PETITION, APPLICATION AND REQUEST MADE BY THE UNDERSIGNED APPLICANT TO THE FOLLOWING BOARD OR OFFICE OR POLITICAL SUBDIVISION OF THE TOWN OF CARMEL.

- | | |
|--|---|
| <input type="checkbox"/> CARMEL TOWN BOARD | <input type="checkbox"/> ZONING ENFORCEMENT OFFICER |
| <input type="checkbox"/> ZONING BOARD OF APPEALS | <input type="checkbox"/> ARCHITECTURAL REVIEW BD. |
| <input type="checkbox"/> BUILDING INSPECTOR | <input type="checkbox"/> ENVIRONMENTAL CONSERVATION BD. |
| <input type="checkbox"/> CARMEL PLANNING BOARD | <input type="checkbox"/> OTHER |

DATED: _____

INDIVIDUAL APPLICANT

CORPORATE APPLICANT

Town of Carmel, NY
Thursday, October 18, 2012

Article IV. Supplementary Regulations

§ 156-43. Landfills, grading and excavation.

- A. General regulations. No excavation, regrading, filling, removal, stripping or disturbance of topsoil, earth, sand, gravel, rock or other substance from the ground, subsequently herein referred to as an "operation" or "operations," shall be commenced or carried on in the Town of Carmel unless, except as otherwise provided herein, a permit therefor has been duly issued in accordance with the procedure set forth elsewhere in this section.
- (1) No operation authorized under this subsection shall be permitted on Sunday or before 8:00 a.m. or after 5:00 p.m. on other days.
 - (2) No operation shall be commenced or carried on which is primarily for the purpose of the sale or exchange of excavated topsoil, earth, sand, gravel, rock or other substance from the ground.
 - (3) All landfill shall be clean soil, rocks or sand and shall be nonburnable and shall contain no garbage, refuse, waste or material deemed to be deleterious according to the standards of the applicable health codes.
- B. Cases where a building permit, an approved site plan or an approved subdivision construction plan is deemed a permit under this subsection.
- (1) A building permit for a building and/or its accessory structures shall be deemed to be a permit for such excavation and/or landfill necessary for the construction of that building and/or its accessory structures, provided that the volume of any excavated material removed from the property does not exceed two times the volume of the cellar and foundation of the dwelling and/or accessory structures for which the building permit was issued. The Building Inspector shall endorse the building permit to the effect that such excavation and/or landfill is permitted, specifying the maximum volume of excavated material which may be removed.
 - (2) In those cases where the Planning Board has approved, with or without conditions, the construction plans for proposed streets and drainage facilities in new subdivisions and site plans, the approved construction plans shall be deemed to be a duly issued permit for such operation within the rights-of-way and slope rights of the proposed streets and areas reserved for drainage facilities as may be necessary for their establishments, provided that if there is to be removal of excavated material, said removal shall be disclosed as an integral part of the approved plan and duly endorsed thereon. All operations outside such street rights-of-way and slope rights and drainage facilities shall be subject to the permit and approval requirements of this subsection.
 - (3) All excavation performed without the necessity of a permit shall nonetheless conform to the general regulations contained in Subsection A(1) and (3) of this section.
- C. Exception. Municipal and other public operations. The provisions of this subsection shall not apply to operations of or conducted by the Town of Carmel, County of Putnam or State of New York or any department or agency thereof.

- D. Application procedure. Application for a permit under this subsection shall be made to the Planning Board, in writing, with 10 copies, and shall contain the following information:
- (1) The full name and address of the owner or owners of property.
 - (2) The street address, if any, and Tax Map designation of the property.
 - (3) A statement as to authority from the owner, or any person other than owner if such person is making the application, with consent of owner endorsed thereon.
 - (4) A statement of proposed work and purpose thereof.
 - (5) Accompanying said application and as a part thereof, complete plans and estimates for the proposed site improvements shall be submitted for approval. The plans shall be certified by an engineer or architect, licensed in the State of New York, and shall be drawn to a scale of not less than one inch equals 50 feet and shall show the following:
 - (a) The location of that portion proposed to be disturbed and its relation to neighboring properties, together with buildings, roads and natural watercourses, if any, within 300 feet of the boundaries of said portion of said premises herein referred to shall be shown. An inset map at a reduced scale may be used, if necessary.
 - (b) The portion of the property that is to be disturbed.
 - (c) The estimated maximum quantity to be excavated and/or removed and the estimated part thereof that will be used for regrading or filling, computed from cross sections of a proposed excavation or disturbed area.
 - (d) The location of any well and the depth thereof, and the location of natural watercourses, if any, located within 300 feet of the proposed disturbed area.
 - (e) The location of any sewage disposal system, any part of which is within 300 feet of the proposed disturbed area.
 - (f) Existing topography of the area proposed to be disturbed at a contour interval of not more than two feet. Contours shall be shown for a distance of 100 feet beyond the area to be disturbed.
 - (g) The proposed final contours at a contour interval of two feet.
 - (h) The location and present status of any previous operations of the type contemplated by this subsection on the property within the preceding five years.
 - (i) The details of any drainage system proposed to be installed and maintained by the applicant, designed to provide for proper surface drainage of the land, both during the performance of the work applied for and after the completion thereof.
 - (j) If a proposed excavation is for the purpose of making a lake or pond, the details of the proposed construction of the dam or other structure or embankment intended to impound the water, together with the details and location of proposed discharge of a valved outlet for drainage purposes.
 - (k) The rehabilitation proposed and the estimate of the cost of such work, in accordance with the standards given in Subsection H herein.
 - (l) The details of all erosion controls to be implemented.
 - (6) Upon the filing of an application hereunder, the applicant shall pay a filing fee established by resolution of the Town Board which shall be filed in the office of the Town Clerk.

[Amended 9-14-1988 by L.L. No. 1-1988]

E. Review procedure.

- (1) Upon receipt of an application and plans, the Planning Board shall review said application and plans in accordance with the following standards and requirements and other requirements of all other applicable local, state and federal regulations. Within 45 days after the receipt of a complete application, the Planning Board shall hold a public hearing on said application. Within 45 days after the hearing, the Planning Board shall make its determination.
- (2) The Planning Board, in making its determination, shall report whether or not the proposed operation meets the following criteria:
 - (a) That the location and size of the proposed operation, the nature and intensity of the work involved in or conducted in connection with it and the size of the site in relation to it are such that, upon completion of the operation and the establishment of the permitted use, the site will be in harmony with the appropriate and orderly development of the district in which it is located.
 - (b) That the proposed operation will not be in conflict with any proposal in a Town Development Plan or with any requirement of this chapter.
 - (c) That the proposed operation will be incidental to the establishment, improvement or operation of a use permitted in the zoning district in which the property is located.
 - (d) That the proposed operation will not disturb any land designated as wetlands by the Town of Carmel or the State of New York.

F. Permit. In acting on the application and in granting or denying a permit, the Building Inspector shall be directed by the report and recommendations of the Planning Board. Any permit to be issued shall be issued in accordance with the terms of this subsection, subject to any restrictions, safeguards or special conditions considered by the Planning Board to be appropriate for the proposed operation. However, no permit shall be issued until the applicant shall have posted a performance bond with the Town of Carmel ensuring conformance with the approved plans and all applicable regulations, restrictions and special conditions. Such performance bond shall become effective only if and when the Town Attorney shall have approved the same as to amount, form, surety and manner of execution.

- (1) The Building Inspector, when issuing permits, shall charge and collect a fee therefor, in addition to the filing fee previously provided for herein. Said charge shall be established annually by the Town Board and shall be on file in the office of the Town Clerk.

[Amended 11-26-1986]

- (2) Permits issued under this subsection shall expire within 12 months of the date of approval. A permit may be extended by the Planning 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.

G. Conduct of work. The work permitted shall be performed in accordance with the following conditions and requirements:

- (1) Regrading adjacent to property lines shall be so designed that the work will not endanger abutting property by reason of erosion, landslides or increased runoff. The Planning Board may recommend, as a condition of permit approval, such limits to the work and such supplementary drainage structures or other safeguards as it may deem to be necessary to assure such protection to abutting lands.

- (2) The proposed operation shall be so designed that the work will not cause soil erosion, flooding or increased stormwater runoff nor adversely affect wetlands within the Town of Carmel.
 - (3) There shall be a maximum of two truck access drives to the site of the operation, which shall be located so as to minimize danger to traffic and nuisance to surrounding properties. Such drives shall be kept either wet or oiled or shall be treated with chemical dust deterrents or paved, to the extent necessary to prevent any dust nuisance to surrounding properties. All such access drives shall be clearly marked with signs which shall be posted approximately 200 feet on both sides of such access drives or other traveled areas. Such signs shall read "Caution, Trucks Entering" and shall be of size, type, coloring, lettering and format used by the Highway Department of the Town.
 - (4) All streets and highways leading to the operation shall be kept clean of all dirt, rocks and other material, and all storm drainage systems in the area of the operation shall be kept clean and in good operating condition. Violation of this condition shall be grounds for revocation of the permit by the Building Inspector.
 - (5) At all times subsequent to the issuance of a permit and before completion of the final grading, as herein provided, any excavation having a slope steeper than one foot vertically for each one foot horizontally and having a depth greater than three feet or involving standing water of a depth greater than six inches shall be entirely enclosed by wooden or wire-mesh fence not less than four feet in height, measured from ground level, with a gate of the same height at each entrance thereto. If such fencing and gates are of wooden construction, each fencing board shall be separated by not more than seven inches and, if constructed of wire-mesh fencing, the mesh thereof shall not be greater than six inches by six inches. No such fence shall be so located as to obstruct visibility at the access drives. Gates shall be securely locked at all times when the project is not in operation.
 - (6) Storage piles of materials, including waste material, shall at no time be located nearer than 50 feet to a property or street line or have a grade steeper than one foot vertically for each two feet horizontally.
 - (7) All trucks and equipment stored on the site of the operation shall be set back at least 50 feet from the nearest property or street line.
- H. Rehabilitation of site. Upon completion of the work permitted, the site shall be rehabilitated in accordance with the following standards:
- (1) The final grade shall be finished at a slope no steeper than one foot vertically for each two feet horizontally for any material other than rock, except where supported by a retaining wall or foundation. Finished excavated rock surface to fast rock shall have a slope no steeper than six feet vertically for each one foot horizontally.
 - (2) A minimum of four inches of topsoil shall be replaced over all ground surfaces exposed by any operation contemplated herein, except rock, roads, driveways, parking places, garden spaces and surfaces excavated below high water marks or lakes or ponds or streams, and then shall be seeded and planted as specified by the Planning Board to prevent erosion.
 - (3) Upon completion of all rehabilitation work, the applicant shall so notify the Planning Board. The Planning Board shall make, or cause to be made, a field inspection of the site to determine if all work has been completed in accordance with the terms of the permit and the approved plans. The Planning Board shall make a report to the Town Board upon the completion of its investigation, describing the degree to which the operation is in conformance with the terms of the permit and plans, together with its recommendation as to the release of the performance bond posted.