

APPROVED

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

BOARD MEMBERS

Edward Barnett
Marc Pekowsky
Vincent Turano
Nicholas Fannin
John Starace

ENVIRONMENTAL CONSERVATION BOARD MINUTES

FEBRUARY 18, 2016

PRESENT: CHAIRMAN, ROBERT LAGA, VICE- CHAIR, ANTHONY DUSOVIC, EDWARD BARNETT, NICHOLAS FANNIN, JOHN STARACE

ABSENT: MARC PEKOWSKY, VINCENT TURANO

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
Hoffman, Ronald	64.16-1-21	1	Wetland Permit Granted.
Lobel Fairy Island, LLC	75.8-1-53	1-10	No Board Action.
Minutes - 02/04/2016		10	Approved.

The meeting was adjourned at 8:15p.m.

Respectfully submitted,

Rose Trombetta

HOFFMAN, RONALD - 290 WEST LAKE BLVD - TM - 64.16-1-21 - CONVERT EXISTING DECK INTO SUNROOM - ELIGIBLE FOR A PERMIT

Mr. Peter Geyer, applicant's contractor appeared before the board.

Mr. Laga said as per the secretary there were no comments or questions from the public; before we issue you a permit you are going to have to post an escrow of \$500.00. He then asked if there were any changes to the application since the last meeting.

Mr. Geyer said no.

Mr. Dusovic moved to grant the wetland permit for 290 West Lake Blvd. The motion was seconded by Mr. Barnett with all in favor.

Chairman Laga proceeded to fill out the EAF with the Board answering no to all questions.

LOBEL FAIRY ISLAND, LLC - 8 FAIRY LANE - TM - 75.8-1-53 - CONSTRUCT 16' X 40' POOL WITH SPA, RETAINING WALL, POOL TERRACE & POOL EQUIPMENT

Mr. Peter Gregory, applicant's engineer appeared before the board. He said our office is working with IQ Landscape architects who developed our planting and mitigation plan for this application. The first sheet that you have in our construction set is the existing conditions. This application is for a wetland permit for the construction of a pool, associated terrace, and equipment pad and stormwater mitigation plan. The project address is 8 Fairy Lane, it is a developed piece of property it is located on the northern side of Fairy Lane on Lake Mahopac. The site is developed, it's about a half an acre in size and it does currently have a single family home on the property. There is an upper and a lower asphalt driveway, lawn areas, boat slip dock and a little beach area. The application is to construct a swimming pool in an existing landscaped bed area adjacent to the house. The majority of the work associated with this will be in the 100 foot buffer to the setback of the lake. What we are looking to do is construct a pool in that landscaped area and within that area we are proposing a 16' x 40' pool creating an impervious surface of approximately 1700 square feet. The area of disturbance associated with this work is approximately 8000 square feet, 7700 of it is within the regulated wetland area. What we want to do is shelf out that area to create the terrace about 3 feet in elevation higher than the lawn area in the back which will require the construction of a retaining wall on three sides. The rear up against the driveway would incorporate two walls, a 7 foot high wall, a planting bed and a new wall behind it which is 10 feet in height. We feel that while there is a planting bed there with about a foot of material there probably is ledge rock just beneath the surface and we estimated approximately 200 cubic yards of material would have to be removed from that area.

Mr. Starace asked if they did soil testing.

Mr. Gregory said no not yet.

Mr. Starace asked about the wells.

Mr. Gregory said no there is exposed rock you can kind of see it poking through. Based on what we are looking at up on top we are pretty sure that we are going to encounter rock in that area.

Mr. Laga asked if they will need Zoning Board approval.

Mr. Gregory said no I don't believe we do, we are maintaining a 10 foot separation to the property line.

Mr. Laga said you need to verify that.

Mr. Gregory said it is shown on the plan, we are showing a 10 foot offset on our site plan and we did have a pre-application meeting with the town engineer to discuss the issues associated with this work. We have kept the retaining walls, the equipment pad, pool, and terrace outside of our 10 foot side yard setback.

Mr. Laga said you need to show the 100 foot buffer on the plans.

Mr. Gregory said I think we did show that it might be hard to read but there should be a dark dashed line that is running up through the asphalt driveway and then through the lawn area between the trees.

Mr. Starace asked if it is marked 100 foot buffer.

Mr. Gregory said the line should say 100 foot regulated setback.

Mr. Laga said there it is so you are right within the 100 foot buffer.

Mr. Gregory said with our construction access we are planning on coming around the side and work our way down.

Mr. Laga asked if they will be using heavy equipment.

Mr. Gregory said we are going to have too. There is probably going to be some hammering to remove some of the stone but what we have tried to come up with is a plan that will minimize the disturbance as much as possible. We are proposing a 10 foot access to wrap around the side of the property to come down to the lower area and what we were looking to do is create a 3 foot high, 3 foot wide earthen berm at the base of that area to act as a barrier to the lake.

Mr. Starace asked if they would seed it.

Mr. Gregory said I think it is going to be temporary. The plan is to start this work and have it completed before Memorial Day so they will be able to entertain out there. It is going to be an aggressive schedule to get this work done, the idea would be that while they are doing that earth work material there would be that berm and barrier up in that lawn. We are proposing a rain garden adjacent to that but that would be set up as a temporary sediment basin in that area to

capture anything as a further measure to protect the lake. As they were to pull out of this area and restore it, the berm will be removed and then we would talk about our mitigation and screening.

Mr. Laga said you will need to provide us with a spill kit that needs to be shown on the plans and a fueling area for equipment and how you are going to do that.

Mr. Fannin asked where they will be relocating the oil tank.

Mr. Gregory said there is a mechanical room that is located in the basement, this is a walkout basement and there's a mechanical room in the lower level. We are looking to relocate that tank to inside the house so it can come off of the sloped area.

Mr. Laga said since that is a buried tank you will have to follow the DEC protocols for tank removal it's a non-regulated tank so you would have to pump it out, remove and dispose it. I will need to see a copy of the scrap ticket for the tank and the oil which can be provided to us upon completion. We need to know the size of the tank and if you put a new tank in, you can transfer most of the fuel from the existing tank to the new tank and the remainder will have to be disposed of as non-hazard waste.

Mr. Fannin said so regarding that, do we want to put in any extra provisions in there regarding spillage.

Mr. Laga said let's start with the tank first. They also have lines that run from the tank to the house which will have to be taken out. Depending on what you find there I'd like to have the town's wetland inspector out there when you are pulling the tank.

Mr. Gregory asked if that is something that we would notify the building department prior to construction.

Mr. Laga said well this will need building department approval and you would call the office and go through the secretary. On your plans you will have to identify the size of the tank and remove all existing suction return lines and then upon removal of the tank I will need copies of the manifest for the tank and sludge disposal. That can be an email I just want to make sure it is going to a regulated facility. The next thing you need to do is calculate the amount of disturbed area.

Mr. Gregory said that part is shown on the plans; we show the total area of disturbance and the area within the regulated wetland.

Mr. Laga said you have to take your calculations and based on the calculation you need to size the rain garden according to the disturbed areas. You will have to submit those calculations with your planting schedule for approval by the town engineer prior to the start of work. We like to see that on the actual plans.

Mr. Gregory asked if they want the calculations on the plans.

Mr. Laga said yes.

Mr. Gregory said not a problem and just so you know the rain garden is based on the amount of impervious surface at 1700 square feet of impervious surface I believe that our surface area for our rain garden is about 325 square feet.

Mr. Laga said yes but that's your impervious surface, we need it for the disturbed surface which is 7700 square feet, since you are removing 7700 square feet of material that would be your disturbed surface. So I will need the rain garden calculations on the 7700 square feet.

Mr. Gregory said not a problem; we can work on that for you.

Mr. Starace said the earthen berm is going to be installed with existing materials there; you're going to be bringing in material just to build a 3 foot high berm.

Mr. Gregory said I would like to use the material that is already there.

Mr. Starace said that sounds like more of a disturbance, I don't know the benefit of an earthen berm out there with the runoff. It looks like you would be creating more silt running down coming off the elevation.

Mr. Laga said its running right into the silt fence though.

Mr. Starace said instead of the earthen berm you should add another row of silt fencing instead.

Mr. Gregory said we can put another row of silt fencing in lieu of the earthen berm.

Mr. Laga said okay I would like to see another row of silt fence, but since he is working over here do we want a silt fence right here. If I'm looking at the lake from the right hand side of the pool, does that slope towards the neighbor?

Mr. Gregory said everything tends to go generally towards the lake; it is relatively level but that neighbor's property is a little bit higher on the property line.

Mr. Laga said I would like to encapsulate the work area with a silt fence.

Mr. Gregory said we can show that wrapping around in front of the evergreens.

Mr. Laga said okay so put the double row of silt fence between the pool and the lake, from property line to where you show it and up the side around the back a single row of silt fence is good.

Mr. Gregory said we will bring the silt fence around until the slope starts to climb up to the front.

Mr. Barnett asked if they are using wire-backed silt fence.

Mr. Laga said yes they show it in the plans.

Mr. Fannin said another thing we are going to need is a construction sequence because I did not see one.

Mr. Laga said yes we also need that.

Mr. Gregory said we have prepared one it is part of our SWPPP report being that we are over 5000 square feet. But we wanted to see if there were any changes we have to make before we finalize it.

Mr. Laga said well we are going to need to see the SWPPP also; you will need to submit that by the next meeting. If everything works out for next meeting we will still need to look at the SWPPP and we have to put you on the clock where you would wait 30-60 days depending on if there are any comments from the public.

Mr. Fannin said there is a SWPPP acceptance form.

Mr. Gregory said yes we have submitted that. Once the town engineer reviews the plans and the report, if it is acceptable they can sign that form which then would be forwarded to the state for coverage over the general permit.

Mr. Laga said since it is over 5000 you will have to send it to the state.

Mr. Gregory said yes we do, once the town engineer reviews this and it is accepted we would then forward it to the state.

Mr. Fannin said so for the construction sequence we want to see that you will be installing silt fence before beginning work, calling our wetlands inspector before and after.

Mr. Laga asked if he met with the wetlands inspector for this.

Mr. Gregory said no I haven't.

Mr. Laga said what you have to do is set up a meeting with the secretary to have Mr. Klotzle go out there so he can get a figure for the lay of the land. Before you start work you will have to have him look at the silt fencing to make sure it was installed properly and upon completion he will have to look to make sure everything is good.

Mr. Gregory said our office would have to make that final inspection also to prepare a notice of termination that will go to the state to make sure the site is restored and stable.

Mr. Laga said the other concern that I have is Fairy Drive, I am going to assume you will be bringing in large trucks, is that road capable of handling large trucks.

Mr. Gregory said I can't answer that but I can tell you that the pool contractor that is doing this work did the pool across the street.

Mr. Dusovic asked what the pool is made out of.

Mr. Gregory said it's going to be a gunite pool.

Mr. Dusovic said so you are going to have a concrete truck in there as well.

Mr. Fannin asked if he knows how long ago the pool across the street was installed.

Mr. Gregory said I would say within the past couple of years.

Mr. Barnett said is that the infinity pool you are talking about.

Mr. Gregory said yes.

Mr. Barnett said it's been longer than a few years.

Mr. Laga said you also need to provide us with the location of your concrete washout.

Mr. Dusovic asked what the patio will be made out of.

Mr. Gregory said I think right now it is going to be blue stone, that can change but I will confirm that.

Mr. Dusovic asked if it is a dry-laid.

Mr. Gregory said yes it is a dry-laid with maybe something little between the joints.

Mr. Starace asked if the staging area would be next to the stock piling.

Mr. Gregory said yes everything would be up on that existing driver right now. I'm thinking in terms of the washout area I think it will take place up there but I do want to take a look back at the site to make sure it won't empty onto the roadway.

Mr. Starace said there are no existing storm catch basins out there entering that driveway.

Mr. Gregory said no I don't think there is, everything kind of just drains downhill in this direction.

Mr. Laga said on the drawing you show the approximate location of the septic system, what I would like to do is prior to the start of work take that to the 10 foot offset with stakes so no vehicles go over there.

Mr. Dusovic said you have so much imperviousness there between the house and driveway, would the homeowner consider doing something a little smaller.

Mr. Gregory said we talked about it and I think the issue is they do a lot of entertaining there and they do use the patio area, they do want to maintain as much as the lawn area as possible but I

think they have done a pretty good job of keeping that terrace area to a minimum. I don't think they can make the terrace any smaller in that area.

Mr. Laga asked if it is a salt water or chlorine pool.

Mr. Gregory said it is going to be salt water and my understanding is that the pool water is treated with salt and it is run through a generator that converts it to chlorine for disinfection. As long as they continue to add the treatment it will generate the chlorine, at the end of the season what they do is stop applying the treatment and the chlorine dissipates. There will be some draw down for winterizing the pool but there shouldn't be any residual in that and that water would be directed into our rain garden area. I did check on the filter system it is going to be a looped cartridge system that doesn't require any backwashing and it is my understanding that the cartridges are disposable.

Mr. Fannin said the chemicals that are required for the salt generator will destroy all plantings.

Mr. Gregory said I can note on the plan that we will store the chemical in our mechanical space which is at the base of the steps coming down along the side of the house. So if you go down the steps and look to your left there is some a/c units and our existing well which also has a door that goes into a room which they use for storage.

Mr. Starace asked if the pump house for the pool is going to be over there.

Mr. Gregory said no its going to take up too much space in that room so they are going to install the equipment on the pad which is over on the opposite side of the pool.

Mr. Fannin said that's why I brought that up because the pool equipment is just a few feet away from where the proposed rain garden is.

Mr. Laga said this has a well and that is located in the corner of the house, you're not afraid of fouling the screen on that.

Mr. Gregory said I don't know but we did make sure that we could find that as well as confirm the general area for the septic.

Mr. Laga said that's another area you're going to put silt fencing around.

Mr. Gregory said yes we will protect it.

Mr. Laga asked what the depth of the pool is.

Mr. Gregory said 8-10 feet.

Mr. Laga said you will probably just be in the riser anyway; I would just protect the well.

Mr. Gregory said nothing else in the back is going to be touched, all of our work will pretty much take place in the terrace area over to below the pool, there is no reason for anyone to be behind the house per say.

Mr. Fannin said so this says construction of the swimming pool with spa.

Mr. Gregory said within the pool itself there is an area for the spa.

Mr. Dusovic asked if he verified the setbacks with the building department because you will need a building permit as well.

Mr. Gregory said yes we did.

Mr. Laga said you will also need to verify if you need Zoning Board approval.

Mr. Gregory said my understanding from speaking with the engineer is that for swimming pools it is 10 feet for everything including equipment, terraces and lawns.

Mr. Fannin asked if he can explain the planting plan.

Mr. Gregory said I didn't prepare this but there is a house right next door to us so the plan is to beef up the screening between the pool and the neighbor's house which will be a combination of Norway spruce in this area. In the lower area I think it is just going to be smaller shrubs and grasses that will be the planting for the rain garden and the separation between the property lines. There are several trees in this area right now that will be protected.

Mr. Fannin asked how he will protect the trees.

Mr. Laga said they will put a mesh around it.

Mr. Gregory said we are going to put mesh but we are also going to bring in mulch and matting to build up over the root system to allow vehicles to pass over it. There won't be a lot of traffic going back and forth over this area but within this area there are 4 trees that do need to be removed. There is a 16 inch and a 20 inch maple, a 14 inch arborvitaes and a 20 inch maple down near the rain garden.

Mr. Laga said you need to show that on the plans.

Mr. Gregory said they are on the survey.

Mr. Laga said yes, but you need to show that they are being removed.

Mr. Fannin said you also need to show the planting schedule on the plans.

Mr. Laga said they do show the planting schedule but that schedule is going to change with the calculations because they are based on 1700 square feet instead of 7700 square feet. That rain garden will probably double.

Mr. Barnett said what about the removal of trees.

Mr. Gregory said there will be 4 trees being removed and I am going to assume that the lawn areas are probably going to be sided so we can get the stabilization easily.

Mr. Starace asked if they will have irrigation installed.

Mr. Gregory said I don't know but I would assume that its sod but I can confirm that.

Mr. Fannin asked if there are any other utilities on site like gas or underground pipes.

Mr. Gregory said no not that I am aware of but we are proposing a utility trench that will run from the mechanical room to our equipment pad which will run in front of our retaining wall in the front of the pool.

Mr. Fannin asked if that is on the map.

Mr. Gregory said yes we did show that.

Mr. Laga asked if he is putting drainage in.

Mr. Gregory said we are going to be putting drain inlets around the terrace which will capture the water from the impervious surface and direct it towards the rain garden.

Mr. Laga said so that's the grey pipe that runs into the rain garden.

Mr. Gregory said yes that is correct.

Mr. Laga said ok you just need to show that.

Mr. Gregory said we will give you the size and the material on the pipe that is going from the drain inlets to the rain garden.

Mr. Laga said yes and that may change subject to rain garden calculations.

Mr. Starace said removing the earthen berm is on there right.

Mr. Gregory said yes I will take that off.

Mr. Laga said the following items is required:

1. We need to see the 100 foot buffer on the plans.
2. You need to verify if we need Zoning Board approval.

3. You need a spill plan and a spill kit on site.
4. You need to show the fueling area.
5. You need to verify the size of the oil tank
6. Need to provide tickets of the tank being disposed.
7. You need to make sure there is no contamination.
8. You need to follow the DEC protocol for tank removal.
9. You need to provide calculations for rain garden based on 7700 square feet of disturbance.
10. Add additional silt fence between the lake and the work place and around the property.
11. Provide us with a construction sequence.
12. Provide location for concrete washout.
13. Mark out the septic system and storing materials for salt water pool.
14. Protect the well.
15. Show the trees that are to be removed.
16. Show the size and type of piping for the drain.
17. You also need to submit a copy of the SWPPP and give one to the town engineer.

Mr. Laga said your rain garden calculation needs to be based on the largest number that you are disturbing.

Mr. Gregory said we are going to look into reducing that number.

Mr. Laga said well if you look at 16' x 40' across.

Mr. Gregory said we are going to dig this whole area here which is about 2000 - 2500 square feet disturbed the most. We could probably capture this and get it to this area, what I want to try to do is reduce the disturbance going around the back of the house to keep everything in this area.

Mr. Laga said just make sure you show us how you are coming up with the calculations.

Mr. Dusovic asked how did you end up with a 16' x 40' pool.

Mr. Laga said all of the excavation he is doing of the berm in the area comes out to 7700 plus the stockpile in the back.

Mr. Gregory said if you look on the plan there is a dashed line that we feel would be disturbed through the construction.

Mr. Laga said that's what we will need to know.

MINUTES - 02/04/2016

Mr. Barnett moved to accept the February 4th, 2016 minutes. The motion was seconded by Mr. Fannin with all in favor.

Mr. Dusovic moved to adjourn the meeting at 8:15 p.m. The motion was seconded by Mr. Barnett with all in favor.

Respectfully submitted,

Rose Trombetta