

APPROVED

ROBERT LAGA
Chairman

ANTHONY DUSOVIC
Vice-Chair

ROSE TROMBETTA
Secretary

DAVID KLOTZLE
Wetland Inspector

TOWN OF CARMEL
ENVIRONMENTAL CONSERVATION BOARD



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BOARD MEMBERS

Edward Barnett
Marc Pekowsky
Vincent Turano
Nicholas Fannin
John Starace

ENVIRONMENTAL CONSERVATION BOARD MINUTES

MARCH 3RD, 2016

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

ABSENT: VINCENT TURANO

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
Frenkel, Robert	75.8-2-20	1	Wetland Permit Granted.
VIP Wash & Lube	55.12-2-5	1-2	Wetland Permit Extension Granted.
Bailey, Marc	53.-1-59.33	3	Wetland Permit Extension Granted.
Lobel Fairy Island, LLC	75.8-1-53	3-7	No Board Action.
Ross Myles Mahopac, LLC	65.13-1-11	7-11	Wetland Application Accepted With Conditions.
Minutes - 02/18/2016		11	Approved.

The meeting was adjourned at 8:32 p.m.

Respectfully submitted,

Rose Trombetta

FRENKEL, ROBERT - 43 TAMARACK ROAD - TM - 75.8-2-20 - REPLACE AND EXPAND EXISTING BOATHOUSE - ELIGIBLE FOR A PERMIT

Mr. Joseph Riina of Sign Designs, representing the applicant addressed the board and stated the last time we were before you; you had issued your verbal approval on the project.

Mr. Laga said we gave you a verbal approval to accept the application, now tonight you are here to get your actual permit. As per the secretary there were no comments from the public, you are going to be required to file a \$500.00 escrow, and there is a memo here from the town engineer. He then read the letter from Mr. Franzetti, the towns engineer stating that the engineering department has reviewed the proposed rain garden calculations as part of the construction submitted on the above matter. The rain garden design details are seen on the plan and the calculations submitted are in conformance with the NYS DEC standards. The above matter will need to be approved by the Town of Carmel planning board as a new boathouse is being erected. So you will need to file this to the planning board.

Mr. Riina said we have done that and we have already met with them, they sent us back to you in order to get the permit. We are scheduled to go back to the planning board at their next meeting.

Mr. Laga said we also asked you to check with the Department of Army Corp of Engineers and we have received a letter from them. The letter is basically approving the construction of this until March 18th, 2017 but you do have special conditions that you need to comply with. He then asked if there have been any changes to the plan since we approved it at the last meeting.

Mr. Riina said since you approved the plan the planning board had asked us to show the route in which we are going to run underground electric from the main house to the boathouse which is represented here on the plan.

Mr. Laga said and that is going to go down 18 inches and it's going to be done by hand.

Mr. Riina said that's correct.

Mr. Laga said that's a minimal disturbance.

Mr. Dusovic moved to grant the permit to Robert Frenkel at 43 Tamarack Road based on the approved plans as submitted. The motion was seconded by Mr. Barnett with all in favor except for Mr. Pekowsky who came in late to the meeting.

Mr. Laga said once you put your silt fence up we will need to get Mr. Klotzle out there prior to the start of work so he can inspect the site, he will also need to inspect upon completion of the work.

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

VIP WASH & LUBE - 118 OLD ROUTE 6 - TM - 55.12-2-5 - EXTENSION OF WETLAND PERMIT

Mr. Sergio Santos the owner of VIP Wash & Lube appeared before the board.

Mr. Laga asked if he is only here for an extension.

Mr. Santos said yes, this is my second extension so if possible I would like a 12 month extension.

Mr. Laga said just for the record he is here early, last time this was extended was May of 2015. On the agenda it says that it is an amended site plan, has there been any changes.

Mr. Santos said no there have not been any changes made to the plans from the last meeting.

Mr. Laga said so it is the same plan that we reviewed.

Mr. Santos said I submitted two additional copies for your review prior to this meeting for the board to look at.

Mr. Dusovic said if it hasn't changed then I would prefer not putting new plans in the file because then we have to check to make sure they haven't changed.

Mr. Santos said everything is the same.

Mr. Laga said just for the record his DEC permit expires in December of 2018.

Mr. Santos said everything is in place as far as the bond.

Mr. Dusovic asked when you think you will be starting.

Mr. Santos said I would like to start this month because according to the NYSDEC there is some tree clearing that has to be done as of March.

Mr. Laga said so I will give you until June 30th, 2017.

Mr. Barnett moved to grant extension of permit #853 for 118 Old Route 6 from February 18th, 2016 to June 30th, 2017. The motion was seconded by Mr. Dusovic with all in favor.

Mr. Laga said once you set up your silt fencing, Mr. Klotzle will have to come out before you start work.

Mr. Santos said we have already had the pre-construction meeting on site with Mr. Klotzle and Mr. Carnazza.

Mr. Barnett asked if the silt fencing is up.

Mr. Santos said I didn't want to do that until I had the extension for the demo and work permit.

BAILEY, MARC - SPRING LANE - TM - 53.-1-59.33 - CONSTRUCT A SINGLE FAMILY HOME - EXTENSION OF A WETLAND PERMIT

Mr. Bailey said he is here for the renewal of his ECB permit.

Mr. Laga asked if anything has changed.

Mr. Bailey said no.

Mr. Laga asked if this was still in litigation.

Mr. Bailey said yes it is still in litigation and I did bring a copy of the updated DEC permit.

Mr. Laga said just for everyone's information, this project is off Barrett Hill Road, he wants to build a home near the water and he is having an issue with the neighbors.

Mr. Bailey said yes the homeowners association, I am currently in court for breach of contract this is just an ongoing situation.

Mr. Laga said for the record I have an extension of the DEC permit and it's a final extension through October 1st, 2017.

Mr. Bailey said correct and they have a 10 year limit in which you would need to file for a new permit.

Mr. Laga said the last permit was granted through April 26th, 2016.

Mr. Pekowsky moved to grant an extension of permit #842 from April 22th, 2016 through October 1st, 2017. The motion was seconded by Mr. Barnett with all in favor.

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. Richard Quigley, landscape architect appeared before the board.

Mr. Laga said at the last meeting we asked your associate to take care of a few items based upon our review of the drawings. We asked for a construction sequence, he was also supposed to check with the Army Corp and the DEC. Those items are not on the list but after the meeting I remembered that we should do that and informed the secretary to notify the applicant.

Mr. Quigley said Mr. Gregory called a wetland scientist who is familiar with the Army Corp and their regulations and there weren't any issues.

Mr. Laga said just send me a note or something and we needed to see the 100 foot buffer on the plans.

Mr. Starace said the whole project is in the 100 foot buffer, but yes it is shown on the map and labeled as the 100 foot regulated setback.

Mr. Laga said the next item was to verify if you need zoning board approval.

Mr. Quigley said I'm not aware of that.

Mr. Laga said okay that's left open, does he have a spill kit and spill plan on the site.

Mr. Quigley said I spoke with him about that today and I believe it should be included on the drawings.

Mr. Starace said there is a stock pile staging area here.

Mr. Fannin said he put a note in the construction sequence saying that it will be maintained but I don't see it on the plans.

Mr. Laga said what about a fueling area.

Mr. Pekowsky said the spill kit is in the project notes and it says that the spill kit shall be maintained on the property for the construction period, the contractor will provide a spill control plan to the town engineer and the wetland inspector. This will include measures to stop the source of the spill, contain the spill and dispose of any materials contaminated by the spill. The plan should also identify the person responsible for the prevention and control of the spill prior to the start of any construction.

Mr. Laga said we asked for that so it shouldn't be provided to the town engineer, we need to see it.

Mr. Starace said note #6 talks about fueling; it says that no fueling of machinery will be done within the regulated area.

Mr. Pekowsky read a note that stated in the event that small equipment needs to be refueled it shall occur on existing asphalt driveway with necessary cautions as required by the spill plan.

Mr. Laga said Mr. Gregory put notes on the plans but what we asked for is locations on the plan. The note says that the plans will be submitted to the town engineer but part of our application is part of our file I need those plans. The next comment was they needed to verify the size of the fuel oil tank, last time he showed it as a 275, we asked him to verify that.

Mr. Starace said this just says for the oil tank to be removed and relocated.

Mr. Laga asked if he gave us the size.

Mr. Pekowsky said not to the best of my knowledge and there are no dimensions in the notes.

Mr. Laga said just to go back to the spill kit, note #8 says the spill kit be maintained on site through the duration has been provided which is the same issue we were talking about, he doesn't verify the fuel tank size and are there any notes on how he will be removing the tank.

Mr. Pekowsky said yes he does note #9 says removal of the existing oil tank manifest shall be submitted and signed by the owner indicating the proper removal of any fuel oil in the tank, proper disposal of the tank, residual remains in the tank were properly disposed and all feed and return lines were properly removed within the regulated area.

Mr. Laga said you will need to provide calculations for the rain garden based on 7700 square feet of disturbance.

Mr. Quigley said yes the rain garden was increased in size if you look at the old plan and the new plan it has been expanded.

Mr. Laga said okay you also need to add additional silt fence between the lake and the work place and around the property.

Mr. Quigley said that's correct, I believe there is a double silt fence in lieu of the berm that was proposed.

Mr. Laga said provide us with a construction sequence.

Mr. Fannin said on the construction sequence you need to add that once you install erosion control our wetland inspector will need to go out prior to the start of operations and once construction is finished.

Mr. Laga said we asked to provide a location for concrete washout.

Mr. Quigley said that might be up in the driveway area.

Mr. Fannin said #10 on the note says the plan has been updated to indicate the pumping equipment to be in the existing asphalt driveway area.

Mr. Laga said did he mark out the septic system and storing of the chemicals for the salt water pool?

Mr. Fannin said there is a note in the plan.

Mr. Quigley said this is a no discharge filter system.

Mr. Laga said we know what it is, we asked for a note because it is a salt water pool that converts the salt water into chlorinated water and we wanted him to keep the bags of salt in the

maintenance shed just in case the bag breaks or gets weathered. He then asked if there is a note showing the septic system.

Mr. Barnett said there is an outline there.

Mr. Dusovic said it says that no vehicle shall be parked in that area because the septic is in the house.

Mr. Laga asked what about the well.

Mr. Dusovic said the existing well is in the corner of the house.

Mr. Starace said on here it says the pool chemicals shall be stored in the storage space right on top of the well, it also says the existing well to be protected with construction fence.

Mr. Fannin said on the washout for project notes #4 stated that no washout shall be performed on the property or on Fairy Lane, we will mix concrete to be delivered to the site and no mixing shall be done on the property.

Mr. Laga asked if he shows the trees to be removed.

Mr. Quigley said yes, there are 4 trees to be removed and I provided photographs of the trees.

Mr. Laga said you also needed to show the size and piping of the drain.

Mr. Starace said it says 6' PBC drain schedule 40 standpipe outlet at 6 inch PBC in the back of the rain garden.

Mr. Laga said that would be it, also was a SWPPP ever submitted.

Mr. Quigley said I don't believe so, I don't recall him mentioning that.

Mr. Laga stated he is missing the SWPPP I remember him mentioning something about him providing the form for the SWPPP with the application last meeting. We had told him we needed the SWPPP itself but all we have is the SWPPP acceptance form.

Mr. Laga said based on our review tonight the following additional items are needed:

1. Check if zoning board approval is needed.
2. You need to show the spill plan and spill kit on site.
3. Show the fueling area.
4. Verify the size of the oil tank.
5. Follow DEC protocol for tank removal.
6. We need a copy of the SWPPP.
7. We need something in writing from Army Corp and DEC.
8. Construction sequence needs the wetland inspector added to it.

Mr. Laga said other than that do you have any questions for us.

Mr. Quigley asked when the next time they can come to a meeting is.

Mr. Laga said in two weeks.

Mr. Quigley said okay we will see you in two weeks.

Mr. Laga said the only reason you need the SWPPP is because you are at 7700 square feet of disturbance.

Mr. Gregory said we have prepared a SWPPP.

Mr. Laga stated but I don't have it, so you have a list of things that you still need to do, he read the list of items that he needs to complete before they can accept this application. We will be back in two weeks; if you get everything in beforehand we will be more than happy to look through it.

ROSS MYLES MAHOPAC, LLC - 604 NORTH LAKE BLVD - TM - 65.13-1-11 - CONSTRUCT BEACH AND FIELDSTONE WALL

Mr. John Karell, applicant's engineer appeared before the board.

Mr. Laga said to walk us through what you want to do.

Mr. Karell said this is the mansion on North Lake Blvd which is under renovation now. Along the lake they want to construct a beach, right now the area down by the water is relatively steeply sloped. He said 65 feet of the width on Lake Mahopac, beginning on the shore; we are going to reduce the slope, put down some sand and construct a fieldstone wall on each side of the area. There is a floating dock which he proposes to put into the lake which will be attached to the shore but there would be no footings or anything in the lake itself.

Mr. Starace asked if this was the granite mansion.

Mr. Karell said yes across from the golf course.

Mr. Laga asked what the area of disturbance is.

Mr. Karell said 7800 square feet.

Mr. Laga said so you want to excavate from the back of the house down towards the lake.

Mr. Karell said no just the area down by the lake. If you look at the contours (points to map) we are only excavating the areas in red, we just want to reduce the slope and put down a pad to put the sand down on by the Lake.

Mr. Laga said I need to see the area of disturbance.

Mr. Karell said it is on the plans; the disturbance is 7900 square feet.

Mr. Laga said you are going to need a SWPPP.

Mr. Karell said yes I have submitted that already, I couldn't keep the disturbance less than 5000 with how they wanted me to do it.

Mr. Laga said do you show the silt fence.

Mr. Karell said yes it will be placed just out of the water in that frontage, we got top soil stockpile and remove the material to create a gentle slope towards the lake. Everything except for that little sandy area is going to be top soil; we figure this part can be done in about a week during a dry period of time.

Mr. Starace asked if the dock exists right now.

Mr. Karell said no that dock does not exist, it will be a floating dock attached to posts. They don't have a particular design on how it will be attached but normally they will drive some rebar into the soil.

Mr. Starace said the detail there is a beach with sand to the water and the floating dock will go off to the sand.

Mr. Karell said yes but there will be no footings in the water so no permanent structures in the water at all.

Mr. Starace said so it will be a temporary post driven into the ground.

Mr. Karell said yes and the dock will be pulled out in the winter.

Mr. Barnett asked if this is the house with the big columns.

Mr. Karell said yes.

Mr. Barnett asked what is on the shore line right now.

Mr. Karell said nothing just grass.

Mr. Barnett asked the length of the dock.

Mr. Karell said 50 foot.

Mr. Laga said 25 foot length is the maximum size for a dock.

Mr. Barnett asked if it is going to be cantilevered.

Mr. Laga said no it's going to be a floating dock.

Mr. Karell said yes so we will change that to 25 feet.

Mr. Laga said obviously you're going to need to be doing this with a machine so where is the staging area and fueling area.

Mr. Karell said there are some notes on there.

Mr. Laga said I see the notes here.

Mr. Karell said there will be no fueling on the property; they will probably dig for a day or two so they won't need to refuel on the property. The material will be taken off the site except for the top soil.

Mr. Starace said the boulder wall is being installed, or is it already there on either side of this beach area.

Mr. Karell said there are no boulders.

Mr. Starace said the plans say boulder retaining walls.

Mr. Karell said that is what we are proposing, a fieldstone boulder wall.

Mr. Starace said so it's natural boulders.

Mr. Fannin said one thing I wanted to bring up was in the construction sequence; Mr. Klotzle needs to be added to the sequence prior to the start of work and upon completion of the work.

Mr. Laga asked about the area that they are putting top soil on, he then asked what they will do for erosion control upon completion.

Mr. Karell said it's not really steep slopes; we will just put the top soil back, seed it, mulch it with hay and leave the silt fence. We will make sure they don't start the work until they know they can grow grass which won't start until May.

Mr. Starace said you're going to move the equipment to the right of the house by the garage?

Mr. Karell said yes that's the way they have been doing it.

Mr. Starace said your building the pool outside of the buffer area.

Mr. Karell said yes it is outside of the buffer.

Mr. Laga asked if the pool is existing or proposed.

Mr. Karell said it was built but we are out of the buffer and we got approval for the septic to be in the front.

Mr. Barnett asked if there is any kind of bulkhead there.

Mr. Karell said it comes down pretty gently here and then all of a sudden it gets really steep, it goes from 10 feet to 30 feet.

Mr. Barnett asked if there was any real concrete or rock bulkhead here.

Mr. Starace said it says on the map that you are taking out 600 cubic yards.

Mr. Karell said yes of the material to make the slope, so the sandy area is about 200 yards of sand.

Mr. Barnett asked what will keep it from going into the lake; it doesn't look like there is any bulkhead or anything there.

Mr. Laga said you have to set up a meeting with Mr. Klotzle while this application is being reviewed.

Mr. Fannin asked if there is any new impervious in the 100 foot buffer.

Mr. Karell said no unless you want to consider the fieldstone wall impervious.

Mr. Laga said the only question I have is where you're putting your wall, you're putting a foundation in. Your foundation dimension varies from 2 feet wide to 5 feet wide and your depth varies from 2 feet deep to 3 feet deep.

Mr. Karell said I'm going to change that detail I wasn't aware of it. This is going to be a loose laid stone wall on the surface; I'm not putting in a concrete foundation.

Mr. Fannin asked if there is any masonry on it.

Mr. Karell said no it's loose stone.

Mr. Fannin asked if it is still planned to be 12 inches at the top in cap stone.

Mr. Karell said yes.

Mr. Fannin asked how many linear feet of wall they will be putting in.

Mr. Karell said it's about 120 square feet on each side.

Mr. Starace said we are looking at about 160 linear feet.

Mr. Laga said that's minimal it's not going to make an effect where he would need a rain garden or something. Plus he is putting beach sand in which will act as a filter anyway for whatever runoff comes off. You are going to have to resubmit this drawing once you have made these changes.

1. Change the drawings for the dock; make it 25 feet instead of 50 feet.
2. Spill kit on the site.
3. Mr. Klotzle needs to go out there & that needs to be added in the construction sequence.
4. Put note on drawing start the work during the growing season.
5. Town Engineer to review and approve the SWPPP.
6. Change the details of the stone wall.

Mr. Laga said so those are our comments based on what you have so just make those changes, bring it back and we can review it in the meantime.

Mr. Karell asked if they can accept it now because it takes a month to get through this.

Mr. Laga asked when he would submit the drawings.

Mr. Karell said Monday by noon.

Mr. Starace moved to accept the application of Ross Myles Mahopac, LLC with the conditions listed above located at 604 North Lake Blvd to construct a beach and fieldstone wall. The motion was seconded by Mr. Fannin with all in favor.

MINUTES - 02/18/2016

Mr. Fannin moved to accept the February 18th, 2016 minutes. The motion was seconded by Mr. Starace with all in favor except Mr. Pekowsky who was not present at that meeting.

Mr. Barnett moved to adjourn the meeting at 8:32 p.m. The motion was seconded by Mr. Dusovic with all in favor.

Respectfully submitted,

Rose Trombetta