ROBERT LAGA Chairman

TOWN OF CARMEL ENVIRONMENTAL CONSERVATION BOARD

Edward Barnett

BOARD MEMBERS

COMMENTS

NICHOLAS FANNIN Vice Chairman

ROSE TROMBETTA
Secretary

APPLICANT

McAlpin Av

60 McAlpin Avenue Mahopac, New York 10541 Tel. (845) 628-1500 - Ext. 190 www.ci.carmel.ny.us Edward Barnett Vincent Turano John Starace

ENVIRONMENTAL CONSERVATION BOARD AGENDA

MAY 17, 2018 - 7:30 P.M.

EXTENSION OF WETLAND PERMIT

 Lake Plaza Shopping Center (Proposed Stop & Shop) 	983-1005 Route 6	65.10-1-45 & 46	Amended Site Plan
ELIGIBLE FOR A PERM	<u>IT</u>		
2. Mazzola, Joseph & Concetta	39 Carmine Drive	75.14-1-25	Construction of Septic System & Single Family Home
3. Najdzin, Michael	31 Tamarack Road	75.8-2-14	Planning Board Referral (Repair and Enlarge Existing Boathouse, Repair Deck & Seawall)

TAX MAP #

SUBMISSION OF AN APPLICATION OR LETTER OF PERMISSION

ADDRESS

4. Galindo, Braulio	159 Lake Shore Dr.	74.35-1-24	Demolish & Construct Single Family Dwelling
5. Lions Gate Property Management, Inc.	4 Marina Drive	76.5-1-52	Replacement of Existing Timber Bulkhead, Boardwalk and Docks

MISCELLANEOUS

6. Minutes - 03/15/18, 04/05/18 & 04/19/18



HOCHERMAN TORTORELLA & WEKSTEIN, LLP CLIENT-CENTERED SOLUTION-ORIENTED

One North Broadway, Suite 701 White Plains, New York 10601-2319 P: (914) 421-1800 | F: (914) 421-1856 www.htwlegal.com

Geraldine N. Tortorella Adam L. Wekstein

Noelle C. Wolfson Henry M. Hocherman, Retired

May 10, 2018

Via Federal Express

Hon. Robert Laga, Chairman and Members of the Environmental Conservation Board Town of Carmel 60 McAlpin Avenue Mahopac, New York 10541

Re: Application of Lake Plaza Shopping Center, LLC for Extension of Wetland Permit Approval for the Lake Plaza Shopping Center 983-1005 Route 6, Route 6 and Baldwin Lane Tax Identification Number: Section 65.10, Block 1, Lots 45 and 46

Dear Chairman Laga and Members of the Board:

On June 15, 2017, the Environmental Conservation Board granted Lake Plaza Shopping Center, LLC a Wetland Permit for certain site improvements to be constructed as part of the redevelopment of the Lake Plaza Shopping Center. Construction of the project and the Wetland Permit improvements are well underway but will not be completed by the Permit's expiration date of June 15, 2018. We are writing to request a one year extension of the Wetland Permit, to and including June 15, 2019. This is our first request for an extension, which your Board has the authority to grant pursuant to the Permit's terms (*see* Condition #11).

Enclosed is our firm's check (#6981) in the amount of \$50.00, payable to the "Town of Carmel," for the extension fee.

Kindly schedule this request for consideration at the Board's May 17, 2018 meeting, at which I would be pleased to answer any questions you may have.

Respectfully yours,

Hocherman Tortorella & Wekstein, LLP

Garaldina M. Tortoralla



Hon. Robert Laga, Chairman and Members of the Board May 10, 2018 Page 2

GNT:hc Enclosure

cc:

Via Electronic Mail

Patrick Cleary, AICP, CEP, PP, LEED AP

Richard Franzetti, P.E. Mr. Michael Carnazza Mr. Robert Heidenberg Mr. Pablo Medeiros Ms. Cynthia Hanenberg

Patrick O'Leary, P.E. Noelle Wolfson, Esq.

S:\# MATTERS\Heidenberg Properties Group 0225\Lake Plaza Shopping Center LLC 001\Letters\ECB 5-10-18 Extension.docx

RALPH G. MASTROMONACO, P.E., P.C.

Consulting Engineers

13 Dove Court, Croton-on-Hudson, New York 10520 Tel: (914) 271-4762 Fax: (914) 271-2820 Civil / Site / Environmental

www.rgmpepc.com

Rose Trombetta, Secretary
Environmental Conservation Board
Town of Carmel
Carmel Town Hall
60 McAlpin Avenue
Mahopac, NY 10541

May 7, 2018

Hand Deliver

Re:

Braulio Galindo

159 Lake Shore Drive Tax ID 74.35-1-24

Dear Rose:

Enclosed please find four (4) sets of the following information:

- Application for a Wetland Permit or Letter of Permission for Braulio Galindo, 159 Lake Shore Drive,
- 2. One (1) Copy of the Deed for the property,
- 3. Short Environmental Assessment Form for Braulio Galindo, 159 Lake Shore Drive,
- 4. Site Plan Lot 24, 159 Lake Shore Drive, Town of Carmel prepared for Braulio Galindo, dated April 18, 2018,

The applicant, Braulio Galindo, has purchased property at 159 Lake Shore Drive. He proposes to demolish the existing dwelling and construct a new single family dwelling on the site. Some of the work will involve construction within the 100-foot buffer of Lake Secor.

We are requesting a Wetland Permit or Letter of Permission to reconstruct the dwelling at the May 17, 2018 meeting of the Environmental Conservation Board.

Please call if you have questions or require additional information.

Sincerely,

Ralph G. Mastromonaco, PE

ROBERT LAGA Chairman

NICHOLAS FANNIN Vice-Chairman

ROSE TROMBETTA Secretary

TOWN OF CARMEL ENVIRONMENTAL CONSERVATION BOARD

BOARD MEMBERS

Edward Barnett Vincent Turano John Starace



60 McAlpin Avenue Mahopac, New York 10541 Tel. (845) 628-1500 - Ext. 190 www.ci.carmel.ny.us

APPLICATION FOR WETLAND PERMIT OR LETTER OF PERMISSION

Name of Applicant:_	Braulio Galindo		
Address of Applican	83 Dale Avenue Ossining,	NY _Email:	
Telephone# 914-76	0-0875 Name and Addre	ess of Owner if different	from Applicant:
	Same		
roporty naurossi	159 Lake Shore Drive	Tax Map #	74.35-1-24
Location of Wetland	Application if Applicable:	te	
Will Project Utilize S	itate Owned Lands? If Yes, Sp	ecify: No	
details). To constr	tc). A brief description of to uct a new dwelling and associated to the control of the control o	ciated grading partially in	the buffer area of Lake Secor
******	CERTIFI	CATION	***********************
true to the best of a Class A misdemer issuance of a permi indirect, or whateve here-in and agrees	rm under penalty of perjury my knowledge and belief, fal anor pursuant to Section 21 t, the applicant accepts fuller nature, and by whomever to indemnify and save harm of every name and descripti	ise statements made he 0.45 of the Penal Law. legal responsibility for suffered, arising out of less the Town of Carm on resulting from the sa	rein are punishable as As a condition to the all damage, direct or the project described el from suits, actions, aid project.
SIGN	ATURE		DATE

Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

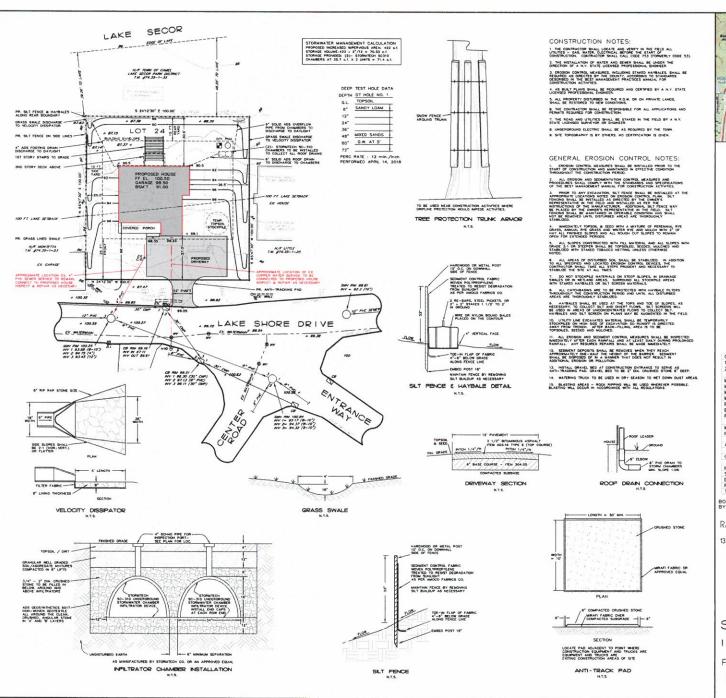
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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			9.	
Name of Action or Project:				
Reconstruction of 159 Lake Shore Drive	е			
Project Location (describe, and attach a location map):				
159 Lake Shore Drive Mahopac, NY 10541			V/10	
Brief Description of Proposed Action:				
The action is a Wetland Permit or Letter of Permission to di of Lake Secor.	sturb I	ands in the wetland	d buffer	
The project is to demolish an existing residence and constru	uct a n	ew residence on a		
10,000 square foot lot.				
Name of Applicant or Sponsor:	Telep	hone:		
Braulio Galindo	E-Ma	il:		
Address:		· · · · · · · · · · · · · · · · · · ·		
83 Dale Avenue				
City/PO:		State:	Zip Code:	
Ossining		NY	10562	
1. Does the proposed action only involve the legislative adoption of a plan, l administrative rule, or regulation?	ocal lav	v, ordinance,	NO	YES
If Yes, attach a narrative description of the intent of the proposed action and may be affected in the municipality and proceed to Part 2. If no, continue to			that X	
2. Does the proposed action require a permit, approval or funding from any	other ge	overnmental Agency?	NO	YES
If Yes, list agency(s) name and permit or approval:				X
Town Building Permit				
3.a. Total acreage of the site of the proposed action?		_ acres		
b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned	0.11	acres		
or controlled by the applicant or project sponsor?	0.22	2_acres		
4. Check all land uses that occur on, adjoining and near the proposed action		_		
		Residential (suburb	oan)	
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (☐ Parkland	specify):		
∟ Parkiand				

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	Н	X	
b. Consistent with the adopted comprehensive plan?		X	L
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	XES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Ar	ran?	NO	YES
If Yes, identify:	.ea?		TES
		X	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
		X	
b. Are public transportation service(s) available at or near the site of the proposed action?		X	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed ac	tion?	X	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the proposed action will exceed requirements, describe design features and technologies:			X
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water:			
		ш	X
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment:			
11 No, describe method for providing wastewater treatment.		ш	X
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic		NO	YES
Places?		X	
b. Is the proposed action located in an archeological sensitive area?		X	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain	n	NO	YES
wetlands or other waterbodies regulated by a federal, state or local agency?			X
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?			X
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: Some of the work is located within the 100-foot buffer of Lake Secor			
Come of the work is located within the 100 located and of Edice code.			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check	all that	apply:	
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-success			
☐ Wetland ☐ Urban ☐ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed		NO	YES
by the State or Federal government as threatened or endangered?		X	
16. Is the project site located in the 100 year flood plain?		NO	YES
		X	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,		NO	YES
a. Will storm water discharges flow to adjacent properties?			X
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drain	ns)?		
If Yes, briefly describe:	/-		
Stormwater system on site			

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)?	NO	YES
If Yes, explain purpose and size:		
		Ш
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	X	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	X	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE E KNOWLEDGE	BEST O	F MY
Applicant/sponsor name: Braulio Galindo Date: May 3, 2018		
Signature: Braule Soluto		





SCALE 1 - 800



0 10 20 4 SCALE IN FEET

LEGEND

	LEGE	=ND
EXISTING	PROPOSE	ED
		CATCH BASIN
0	•	SEWER MANHOLE
-0-		UTILITY POLE
8	0	WATER VALVE
- 90 -	— 90 —	CONTOUR LINE
90.5	+ 90.5	SPOT ELEVATION
0		TREE
DT1		DEEP TEST PIT
~		PERCOLATION HOLE

159 LAKE SHORE DRIVE		PROPOSED
ZONE: RESIDENTIAL	R ZONE	RESIDENTIAL
MINIMUM LOT AREA	120,000 SF	
MINIMUM LOT WIDTH	200'	100'
MINIMUM LOT DEPTH	200'	100'
MINIMUM YARD DIMENSIONS		
FRONT	40'	27.0'
EACH SIDE	25'	20' / 30.5
REAR	40'	30.6
MAXIMUM HEIGHT		
IN FEET	35'	< 35'
ALLOWABLE COVERAGE (BUILDING)	15%	TBD
OFF-STREET PARKING SPACES	4	4
IMPERVIOUS COVERAGE S.F.		
STRUCTURES	1446	1532
DRIVEWAY	317	1270
PATIO, DECK, OTHER	1005	388
TOTAL IMPERVIOUS	2768	3190

BOUNDARY AND TOPOGRAPHICAL INFORMATION PROVIDED BY ROWAN LAND SURVEYING, PLLC. DATUM IS ASSUMED:

RALPH G. MASTROMONACO, P.E., P.C. Consuling Engineers 13 Dove Court, Croton-on-Hudson, New York 10520 (914) 271-4762 (914) 271-2820 Fox

SITE PLAN LOT 24

LOCATED AT

159 LAKE SHORE DRIVE

TOWN OF CARMEL

PUTNAM COUNTY, N.Y.

PREPARED FOR

BRAULIO GALINDO

APRIL 18, 2018

ROBERT LAGA Chairman

TOWN OF CARMEL
ENVIRONMENTAL CONSERVATION BOARD

BOARD MEMBERS

Edward Barnett Vincent Turano John Starace

NICHOLAS FANNIN Vice-Chairman

ROSE TROMBETTA Secretary

60 McAlpin Avenue Mahopac, New York 10541 Tel. (845) 628-1500 - Ext. 190 www.ci.carmel.ny.us

APPLICATION FOR WETLAND PERMIT OR LETTER OF PERMISSION

Name of Applicant: Lions Gate Property Management, Inc.	
Address of Applicant: 37 Fair Street, Carmel Emai	i:_ justine@lionsgatemgt.com
Telephone#_(845) 306-7604Name and Address of Owne	r if different from Applicant:
White Sail Homeowners Association, Inc. 4 Marina Drive, #	G4 Mahopac, NY 10541
Property Address: 4 Marina Drive, Mahopac Agency Submitting Application if Applicable: Badey & Watso Location of Wetland: South shore of Lake Mahopac, east of M Size of Work Section & Specific Location: Approximately 6,7 Will Project Utilize State Owned Lands? If Yes, Specify: NYS an existing maintenance easement granted by the NYS Office	700 sf of soil disturbance.
Type and extent of work (feet of new channel, yards of dredging, filling, etc). A brief description of the regulate details). Replacement of existing tinber bulkhead, boardwalk	ed activity (attach supporting
Proposed Start Date: 07/01/18Anticipated Completion Dat	e: 09/30/18 Fee Paid \$ 1,000.00
I hereby affirm under penalty of perjury that inform true to the best of my knowledge and belief, false stateme a Class A misdemeanor pursuant to Section 210.45 of the issuance of a permit, the applicant accepts full legal responding to the indirect, or whatever nature, and by whomever suffered, a here-in and agrees to indemnify and save harmless the Todamages and costs of every name and description resulting SIGNATURE	nts made herein are punishable as Penal Law. As a condition to the onsibility for all damage, direct or rising out of the project described own of Carmel from suits, actions,

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:					
White Sail Condos - Freshwater Wetlands Permit					
Project Location (describe, and attach a location map):					
4 Marina Drive Mahopac, NY 10541					
Brief Description of Proposed Action:					
Replacement of existing timber bulkhead, boardwalk, and	fixed o	locks.			
Name of Applicant or Sponsor:	Telepl	none: (845) 306-76	604		
Lions Gate Property Management, Inc.	E-Mai	l: justine@lionsga	atem	gt.cor	n
Address:					
37 Fair Street					
City/PO:		State:	Zip	Code:	
Carmel NY 1		10512			
1. Does the proposed action only involve the legislative adoption of a plan, le	ocal law	, ordinance,		NO	YES
administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and may be affected in the municipality and proceed to Part 2. If no, continue to			hat	X	
2. Does the proposed action require a permit, approval or funding from any	other go	overnmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: Town of Carmel - V	Wetlar	nds Permit			
NYSDEC - General Construction Permit & Protection of Waters, USAC	COE - N	lationwide Permit			X
b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned	409 2 409	acres acres			
4. Check all land uses that occur on, adjoining and near the proposed action. ▼ Urban □ Rural (non-agriculture) □ Industrial ☒ Comm □ Forest □ Agriculture ☒ Aquatic □ Other (ercial	☐ Residential (suburt ☐):	ban)		
□ Parkland					

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?		X	
b. Consistent with the adopted comprehensive plan?		X	
6. Is the proposed action consistent with the predominant character of the existing built or natural		NO	YES
landscape?			X
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Al If Yes, identify:	rea?	NO	YES
Tres, identify.		X	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
		X	
b. Are public transportation service(s) available at or near the site of the proposed action?		X	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed ac	ion?	X	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the proposed action will exceed requirements, describe design features and technologies:			
			X
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water:			
			X
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment:			
			X
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic		NO	YES
Places?		X	
b. Is the proposed action located in an archeological sensitive area?		X	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain	1	NO	YES
wetlands or other waterbodies regulated by a federal, state or local agency?			X
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:		8	X
Temporary disturbance for replacement of existing structures in/on Lake Mahopac.			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check a		pply:	
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-succession ☐ Wetland ☐ Urban ☐ Suburban	onai		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed		NO	YES
by the State or Federal government as threatened or endangered? Northern long-eared bat.	Ì	7.0	X
16. Is the project site located in the 100 year flood plain?		NO	YES
Elevation 660'		1.0	X
17. Will the proposed action create storm water discharge, either from point or non-point sources?		NO	YES
If Yes, a. Will storm water discharges flow to adjacent properties? □ NO □ YES		X	
	10		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drain If Yes, briefly describe: ☐ NO ☐ YES	s)?		

water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: 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: X 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or 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: Z0. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or NO)	
solid waste management facility? If Yes, describe: Z0. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or NO)	
If Yes, describe: Z0. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or NO)	YES
F - F	
completed) for hazardous waste?	YES
If Yes, describe:	
X	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OKNOWLEDGE	F MY
Applicant/sponsor name: Justine Broderick, Property Manager Date: 4/26/18	
Applicant/sponsor name: Justine Broderick, Property Manager Signature: Date: 4 26 18	

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)?		

TM-76.5-1-52

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3 21 South Putt Corners Road, New Paltz, NY 12561-1620 P: (845) 256-3054 | F: (845) 255-4659 www.dec.ny.gov



Department of Environmental Conservation

March 20, 2018

Mr. Jason Snyder Badey & Watson Surveying & Engineering, P.C. 3063 Route 9 Cold Spring, NY 10516

RE: White Sails Condo Dock and Bulkhead Replacement, 4 Marina Drive Town of Carmel, Putnam County CH#: 7566

Dear Mr. Snyder:

Based upon our review of your inquiry received by this office on March 12, 2018, regarding the replacement of existing docks and bulkhead on Lake Mahopac, the New York State Department of Environmental Conservation (DEC) offers the following comments:

PROTECTION OF WATERS

The following stream/pond/waterbody is located within or near the site indicated:

Name	Class	DEC Water Index Number	
Lake Mahopac	<u>A</u>	H-31-P 44-14-P 53	Protected, Navigable

A Protection of Waters permit is required for any excavation or filling below the mean high water line of any waterbodies and contiguous wetlands identified above as "navigable."

Replacement of the docks may be subject to a Protection of Waters permit for Docks, moorings, and platforms. If the docks are over NYS-owned lands-under-water and subject to a license or approval from the NYS Office of General Services (OGS), then a DEC Docks permit is not required. If it is not subject to OGS approval, then a DEC Docks permit is required. This has no effect on the need for an Excavation/Placement of Fill in Navigable Waters Permit. Please contact the OGS Bureau of Land Management directly for information on their jurisdiction at 518-474-2195 or Bethany.Wieczorek@ogs.ny.gov.

If a permit is not required, please note, however, the project sponsor is still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

FRESHWATER WETLANDS

The project/site is not within a New York State protected Freshwater Wetland. An Army Corps of Engineers permit may be required pursuant to Section 404 of the Clean Water Act. If a Section 404 permit is required, you will also require a Water Quality Certification pursuant to Section 401 of the Clean Water Act. Issuance of these certifications in NYS has been delegated to the DEC. Please contact the Army Corps of Engineers in New York City, at 917-790-8411, for any permitting they might require.

STATE-LISTED SPECIES

DEC has reviewed the State's Natural Heritage records. We have determined that the site is located within or near record(s) of the following state-listed species:

Name		state-listed species:		
Northern long-eared bat, <i>Myot</i>	is septentrionalis	<u>Status</u> Threatened		
A permit is required for u				

A permit is required for the incidental taking of any species identified as "endangered" or "threatened," which can include the removal of habitat. If tree removal is proposed, a time of year restriction must be implemented, with all tree removal taking place between November 1st and March 31st. If tree removal cannot take place during this timeframe, additional information will be required.

Please note that a project sponsor may not commence site preparation, including tree clearing, until the provisions of SEQR are complied with and all necessary permits are

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

CULTURAL RESOURCES

We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is located within an area considered to be sensitive with regard to archaeological resources. For more information, please visit http://www.nysparks.com/shpo/. Historic Preservation website

FEMA FLOODPLAIN

The project site is located within a Federal Emergency Management Agency (FEMA) Floodplain. The project sponsor should contact the Town of Carmel to determine if any additional jurisdictions are applicable to the proposal.

DEPARTMENT OF ENVIRONMENTAL PROTECTION (NYCDEP) WATERSHED

Please note that this project is located within the NYCDEP watershed. Contact NYCDEP directly about any jurisdiction which they may have.

STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) CONSTRUCTION

Coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002), is required for construction projects that disturb 5,000 square feet or more of land within the NYC Department of Environmental Protection East of Hudson Watershed. As this site is within a Municipal Separate Storm Sewer System (MS4) community, the Stormwater Pollution Prevention Plan (SWPPP) must be reviewed and accepted by the municipality, and the MS4 Acceptance Form submitted with the SWPPP and the application for coverage, in accordance with the application instructions.

OTHER

Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and the project sponsor should, therefore, verify the need for permits if the project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year. Applications may be downloaded from our website at www.dec.ny.gov under "Programs" then "Division of Environmental Permits."

Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,

Sarah Pawliczak

Division of Environmental Permits Region 3, Telephone No. 845-256-3050

cc: Kelly McKean, NYSDEC Bureau of Habitat Brendan Newell, USACE Joseph Damrath, NYCDEP Bethany Wieczorek, NYSOGS Town of Carmel Town Clerk

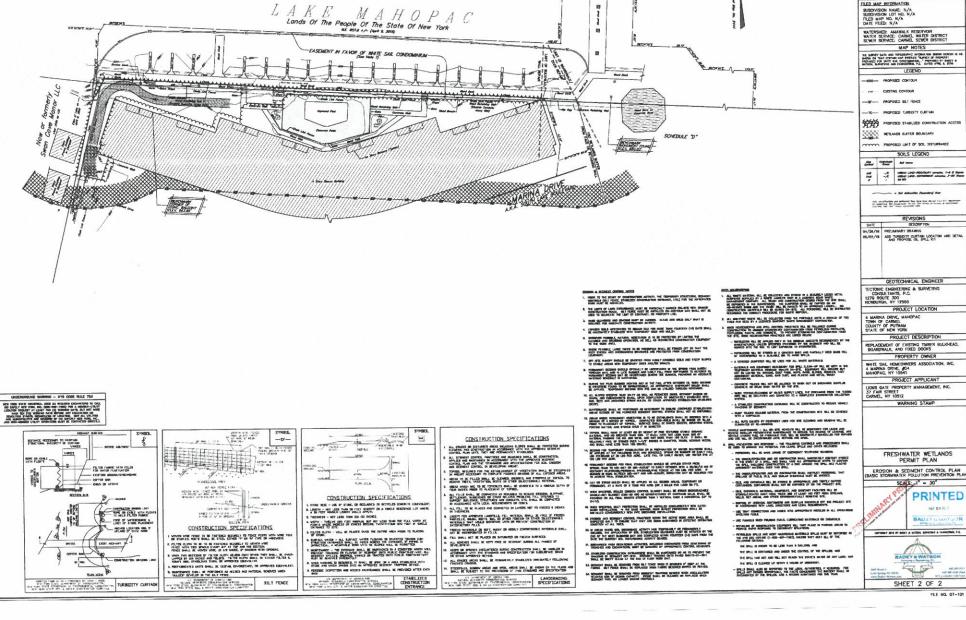


SCALE: 1" = 2000" 1

TAX WAP NUMBER

SECTION: 76.5 BLOCK: 01 LOT: 52

FILED MAP INFORMATION



PROVEE OIL-ONLY SPILL HIT IN 20-GALLON OVER ACK SALVAGE DRIAN WHICH SIGLIDES MARTIPLE OIL-ONLY ANSORRANT BOOMS

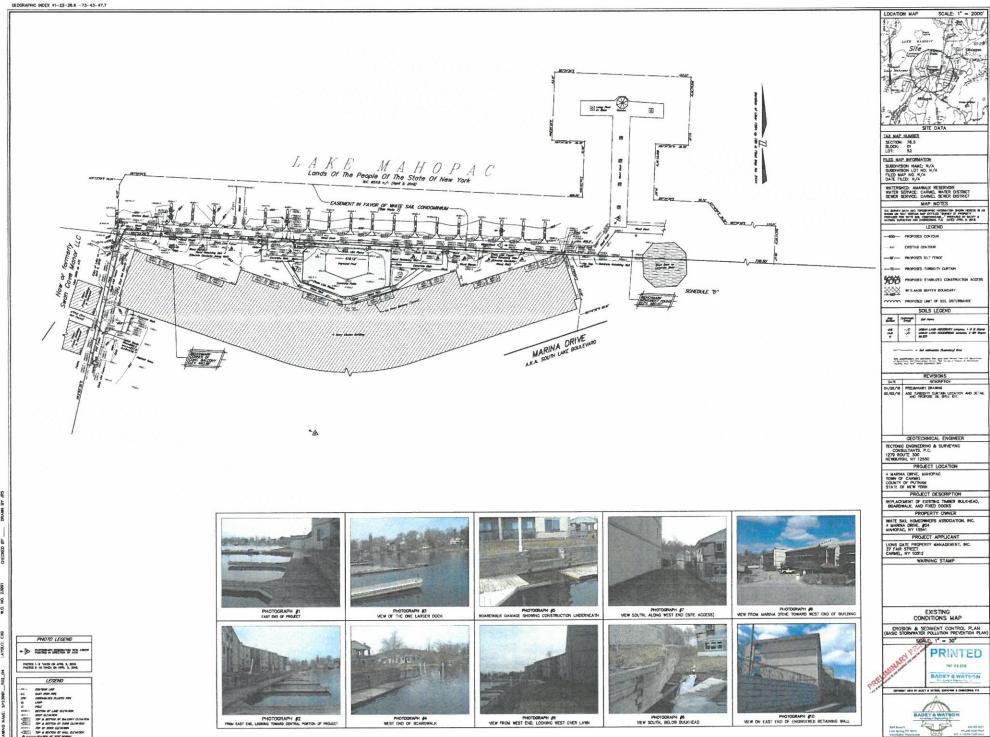
PROMOE TYPE 2 0.0.T. TURBURTY CURTAIN

PROPOSED LIMIT OF SOIL DISTURBANCE - 6,700 SF

0:12 B

0

GEOGRAPHIC INDEX 41-22-26.6 -73-43-47.7



SHEET 1 OF 2