

**APPROVED**

ROBERT LAGA  
*Chairman*

NICHOLAS FANNIN  
*Vice Chairman*

ROSE TROMBETTA  
*Secretary*

**TOWN OF CARMEL**  
**ENVIRONMENTAL CONSERVATION BOARD**



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**BOARD MEMBERS**

Edward Barnett  
Vincent Turano  
Julie McKeon

**ENVIRONMENTAL CONSERVATION BOARD MINUTES**

**APRIL 18, 2019**

**PRESENT:** CHAIRMAN ROBERT LAGA, VICE-CHAIRMAN NICHOLAS FANNIN,  
EDWARD BARNETT & VINCENT TURANO

**ABSENT:** JULIE MCKEON

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<b><u>APPLICANT</u></b>	<b><u>TAX MAP #</u></b>	<b><u>PAGE</u></b>	<b><u>ACTION OF THE BOARD</u></b>
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*Extension of a wetland permit:*

Karl & Janis Thimm	65.17-1-15	1 - 4	Permit #906 Extended
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*Submission of an application or letter of permission:*

Mohamad Jamal	64.19-1-80	5 - 12	No action taken
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**MISCELLANEOUS**

Minutes:	01/17/19	12	held over
	03/07/19	12	held over
	03/21/19	12	held over

The meeting was adjourned at 7:38 p.m.

Respectfully submitted,

Dawn M Andren

KARL & JANIS THIMM - 232 EAST LAKE BLVD.; TM - 65.17-1-15 - EXTENSION OF A WETLAND PERMIT/CONSTRUCT DOCK

➤ Mr. Karl Thimm appeared before the Board.

Mr. Thimm said this is an extension of a wetland permit that was issued....

Chairman Laga interjected March 2016. The plans that we have in the file are dated....

Mr. Turano interjected have you done any work?

Chairman Laga continued these were approved by the DEP April 2016. Just after we gave him our permit, he got his permit (from DEP). Could you just tell us what you're going to do on the project?

Mr. Thimm replied put a seawall up and build a dock.

Chairman Laga said you're also putting a bath house?

Mr. Thimm responded no.

Chairman Laga said no bath house; you're just putting a seawall and a dock. The permit that was issued to you is #906 and that was granted in January of 2016. This was designed by Architectural Visions - construct a parking lot, bath house, terrace, rain garden, deck & dock. If you're not going to do the boathouse, I would ask you write a letter to Rose Trombetta that on this particular permit, you're deleting the construction of the bath house. I'll cross it out here. How long do you need to build the project?

Mr. Thimm said the contractor said the seawall would take a couple of weekends.

Chairman Laga said you're going to start it this year?

Mr. Thimm replied yes; as soon as we finish here.

Chairman Laga said you need an extension for one year?

Mr. Thimm responded yes.

Vice-Chairman Fannin said let me just confirm that he's not going to be constructing the bath house.

Chairman Laga answered right.

Vice-Chairman Fannin said it's a blank lot right now.

Chairman Laga said it's going to remain a blank lot.

APPROVED

Vice-Chairman Fannin said they're going to put the seawall and dock. Are you going to put the dock patio in as well?

Mr. Thimm replied yes.

Vice-Chairman Fannin said and not the raingarden?

Mr. Thimm responded well I believe the raingarden has to go in so yes.

Chairman Laga interjected yes; that's part of the permit.

Vice-Chairman Fannin said what about the steps coming down.

Mr. Thimm replied we're going to make a little wall because it slopes down too far. We'll fill it in and make a wall.

Vice-Chairman Fannin said is there going to be any path from the parking lot down to the patio and the parking lot is going to be what kind of surface?

Mr. Thimm responded just gravel.

Chairman Laga said there's a shed shown. Is there a shed on the property?

Mr. Thimm replied next door.

Mr. Barnett asked (referencing map) is this your property.

Mr. Thimm pointed on the map and said no; my property is over here.

Mr. Barnett asked what's this.

Mr. Thimm replied that's a fence.

Chairman Laga said we did a wetland permit; we got a letter from Mr. Rich Franzetti saying everything is good; we still have an escrow - right?

Mr. Thimm answered yes.

Chairman Laga continued we have DEP approval.

Mr. Turano asked is the DEP approval still okay?

Vice-Chairman Fannin said I think what we'll need is a letter stating what on this plan is being removed.

Mr. Thimm said there should be another; I have to go back and see Rose Trombetta. Rose contacted the architect. Are those new plans or is that old?

APPROVED

Chairman Laga said the DEP expires 2021.

Vice-Chairman Fannin said there are new plans?

Mr. Thimm replied no; she said she had called up the architect and he sent over 5 copies of the plans. I don't know if that's it.

Vice-Chairman Fannin said as long as there's something in the file that says what you're removing from the project; that would need to include the bathhouse as you just mentioned, the unlock pavers coming off of the bath house, the new stairs built into the landscape - you're not putting any of those in.

Mr. Turano said but you're putting in some sort of a wall.

Chairman Laga said he's putting in a wall and a dock.

Mr. Turano said there is a retaining wall or you're putting one in?

Vice-Chairman Fannin said off the parking lot, you're putting a wall there - correct?

Mr. Thimm responded yes.

Vice-Chairman Fannin said the planting schedule - I noticed it said rhododendrons along the front; are there any other plantings you're considering?

Mr. Thimm replied there will be some plants that we'll do between the fences on the side.

Mr. Turano said you have to go back to the plan and say what you're omitting or what you're changing; if the plantings are changing, just let us know.

Mr. Thimm said okay and just give that to Rose (secretary)?

Mr. Turano replied yes; make it detailed so we know exactly what's happening.

Chairman Laga said I have no problem extending the permit but I'm just going to delete in the special instructions.

Vice-Chairman Fannin asked are you installing the chain-link fence or is it there already.

Mr. Thimm responded it's there.

Mr. Turano said it says something here about grasscrete. What are you going to be doing in the parking lot?

Mr. Thimm replied it's just going to be gravel.

Mr. Turano said make a note on that because that's another change.

APPROVED

Vice-Chairman Fannin said yes because on the plans here it says it's going to be grasscrete which is a specific type of material. He then asked, if "the dock is going to be Trex® still"?

Mr. Thimm replied probably Trex®, yes.

Chairman Laga said I'm going to put a note on the special conditions that construction does not include the construction of a bath house, adjacent patio & stairs; parking area is going to be gravel.

Mr. Barnett asked is the dock constructed on posts in the water.

Mr. Thimm replied it'll be a cement wall.

Mr. Barnett asked how is the dock supported; piles going into the lake - not cantilevered?

Mr. Thimm said no.

Vice-Chairman Fannin said 'new floating dock attached to new cantilevered dock' so it's both. The part that's closest to the wall will be cantilevered.

Mr. Barnett said how far out?

Vice-Chairman Fannin said 8' and then (inaudible) 25'.

Mr. Turano asked is that still the plan?

Mr. Thimm acknowledged yes.

Mr. Turano said you know you have to put up a curtain out there.

Mr. Thimm replied I have all that. I've had it for a couple of years.

*Vice-Chairman Fannin moved to extend Permit #906 to Karl & Janis Thimm from 1/22/2016 to 4/17/20 with the following exceptions:*

- *The permit does not include the construction of a boathouse, adjacent patio and stairs;*
- *The parking area to be gravel;*
- *The Wetlands Inspector must inspect the site prior to and post construction;*
- *Mr. Thimm will provide letter stating the items that he is going to delete from the plans;*

*Seconded by Mr. Turano with all in favor.*

**MOHAMAD JAMAL - 188 WEST LAKE BLVD.; TM - 64.19-1-80 - SUBMISSION OF AN APPLICATION OR LETTER OF PERMISSION/DEMOLISH EXISTING DOCK & CONSTRUCT DECK**

- Mr. Raoul Matos of NEMERJ Design representing the applicant Mohamad Jamal appeared before the Board.

Chairman Laga said please remind us why you're here.

Mr. Matos replied previously when we were here a month ago, we were going to keep something that's there - a dock. You had asked me to bring more information, pictures, etc. to see the condition of the existing dock. I went over there, surveyed the place, and checked on everything. The structure has failed. It's unbelievable how this is still standing. There's one beam in the center, it's hanging out and it's bowing in the center. It's beyond repair. We made the decision to clean that out; take it out of the lake. There's a couple of posts down there (refers to map) holding this and it looks to be like they dropped a couple of cement blocks into the lake and pinned the sonic tubes into it to hold the structure but they didn't.....

Chairman Laga interjected so you're going to take this structure down.

Mr. Matos said we're going to take this structure out of the lake.

Chairman Laga asked are you going to replace it.

Mr. Matos responded we are proposing to have a floating dock - removable.

Chairman Laga said you don't need a permit for a floating dock.....

Vice-Chairman Fannin interjected unless he's putting in.....

Mr. Barnett asked how far out is the dock going to extend.

Chairman Laga said 20'. The only problem I see here is it's a regular, standard floating dock....

Vice-Chairman Fannin said pins?

Chairman Laga responded those are weights I think that hold it.

Mr. Matos said those are the rods. Usually you put those in so it doesn't move.

Mr. Barnett said it stabilizes what you're doing?

Mr. Matos replied yes.

Vice-Chairman Fannin said just hammered in.

Chairman Laga said the only thing is that if you're going to remove that floating dock, you need to put a...

Mr. Turano interjected is it floating now?

Chairman Laga responded no; it's cantilevered over into the lake. You're not going to use any equipment to remove it - correct?

Mr. Matos replied just dismantling it.

Chairman Laga said then you need to put in a floating boom.

Vice-Chairman Fannin said a turbidity curtain.

Chairman Laga continued because he's removing the existing dock over the lake. What you would have to do is go from land to land; just encapsulate - any floating debris that gets loose would stay within the boundaries. You'd have to show us a floating boom here. You also need to put a statement on here that all work will be done by hand.

Mr. Matos said it's here somewhere; oh - you mean the dismantling. Okay.

Chairman Laga said yes; the dismantling will be done by hand. This is all you're here for - this floating dock?

Mr. Matos said we're also showing over here that we've proposed a deck to the back of the property - 8' which will be on sonic tubes. Do you see it on the plans?

Chairman Laga said I see the proposed deck - it's an "L".

Mr. Matos replied yes.

Chairman Laga said it's 88.62 feet from the lake.

Mr. Matos replied yes.

Chairman Laga said for the deck - you're probably going to do 6 or 8 sonic tubes?

Mr. Matos said where? On the deck? They're here.

Chairman Laga said we don't have those plans.

Mr. Matos asked do you have the foundation over there?

Chairman Laga replied no; I only have two drawings.

Mr. Matos said there's supposed to be more than that and counted ten altogether. The ones that are affected by the buffer are just these ones.

Vice-Chairman Fannin asked how far away from the house is the deck extending.

Mr. Matos answered 8'.

Mr. Turano asked what is the deck going to made of.

Mr. Matos replied the structure is pressure-treated but the platform is going to be TimberTech®

Vice-Chairman Fannin said are you covering it?

Mr. Matos replied no; this is a view of the elevation. This is the rear, posts.....

Vice-Chairman Fannin said what's going in underneath the decks.

Mr. Matos replied the house is there.

Vice-Chairman Fannin said no; are you going to be putting gravel underneath it, leaving it dirt?

Mr. Matos said no; just the way it is. Why should we put any gravel?

Vice-Chairman Fannin said some people do.

Mr. Barnett asked is there grass there now.

Mr. Matos said it's pretty level back there; it's some kind of a pathway.

Mr. Barnett asked what's it made out of - concrete?

Mr. Matos responded I believe there is some slate.

Mr. Turano asked where does the path lead; just around the house?

Mr. Matos replied just around the house.

Mr. Turano asked is there a rear door that it goes to?

Mr. Matos responded it's just around the house. I think it's indicated on the Site Plan; see - it goes like this. It'll be underneath the deck.

Chairman Laga said you need to submit a full set of drawings for the file.

Vice-Chairman Fannin said we don't have the drawings that you were just showing of the deck.

Mr. Matos replied you can keep this.

Chairman Laga said you need to submit a full set of drawings to the file; give us 3 sets. Then; let's start with the deck - there are 10 sonic tubes under the deck; I'm not really worried about disturbance. Are you going to put silt fence up although I don't think it's really required?



Vice-Chairman Fannin asked what's the grade.

Mr. Matos said I have a silt fence just in case.

Chairman Laga said okay; you have to show it on the drawing then.

Mr. Matos replied it is; it's here.

Chairman Laga said on that one you do but I don't have it on our current copies; so show the silt fence. As far as the deck and the dock is concerned, I'm fine with it. It's 10 holes in the buffer - it's not a big issue.

Vice-Chairman Fannin said are there any liters that come down from the house right now and go where the deck is coming out?

Mr. Matos replied it's an old house. I don't think there's anything there; everything just drains down.

Mr. Turano asked is there any requirement for the raingarden because of the deck?

Vice-Chairman Fannin said that's what I'm trying to figure out.

Mr. Matos said it doesn't percolate through in between the planks?

Mr. Turano replied yes; it does.

Mr. Matos said it's not going to go anywhere; it's not going to retain water from the deck.

Mr. Barnett said and what's underneath right now is grass and the pathway; the pathway is how wide?

Mr. Matos replied probably 3 or 4 feet.

Mr. Barnett said it's made out of what?

Mr. Matos replied slate.

Mr. Barnett asked is there any concrete around the slate or it's just laid down.

Mr. Matos responded it's just laid down.

Mr. Turano said I don't know the policy had changed. Did you guys vote to change the policy? There was always a raingarden required. It wasn't just because it could percolate down; it was because of a change in water quality.

Chairman Laga said to Mr. Matos give us a calculations for a raingarden based upon the deck.

Mr. Turano interjected I can see us compromising with the garden; it doesn't have to be for a full deck but it should be something.

Chairman Laga said the half that goes along the back of the house.

Mr. Matos interjected how are we going to collect the water.

Mr. Turano said if you guys want to sit down and talk about it sometime, maybe we could change the policy.

Chairman Laga said you don't have to run liters or anything - just within the land over here - make a raingarden that would treat the water before it goes out. Just do the calculations for a raingarden.

Mr. Matos said cultec will do the same job - right?

Chairman Laga replied cultec will do the same thing; raingarden or cultec.

Mr. Matos said I anticipated it here.

Chairman Laga said I don't have those drawings.

Mr. Matos said I'll give it to you.

Mr. Turano said you're supposed to submit a number of sets of drawings. That's a requirement.

Chairman Laga said I also need to see a floating boom around the dock when you are taking it apart. You need to show that.

Mr. Turano said when you take it down and take it apart, how is it attached to the land?

Mr. Matos said it's not attached; it's just on the ledge.

Vice-Chairman Fannin said resting on it?

Mr. Matos replied yes.

Mr. Turano asked are you going to have to do any earth work around there at all.

Mr. Matos replied no.

Vice-Chairman Fannin asked is the ledge currently a seawall.

Mr. Matos replied no; it's on top of rocks.

Vice-Chairman Fannin said when you remove the dock, you're not going to have to remove any of the rock wall that's there?

Mr. Matos replied that's going to stay there and leave it the way it is.

**APPROVED**

Mr. Turano said after you remove it, you're just going to put in a floating dock; you're not going to do anything on land.

Mr. Matos agreed nothing.

Vice-Chairman Fannin asked how are you anchoring the floating dock to the land.

Chairman Laga said with those stakes.

Vice-Chairman Fannin said you're just going to rest a ramp on the land or something like that?

Mr. Matos responded yes; I'm going to put a ramp on top.

Vice-Chairman Fannin said we don't have the new plans but are you keeping any sort of steps or anything?

Mr. Matos replied there are no steps.

Vice-Chairman Fannin said that little ramp right there; are you keeping that or removing it?

Mr. Matos said we're going to remove that but we're going to bring in another one.

Vice-Chairman Fannin said okay; you're going to replace it. There are a few things from last time that we asked for. I don't know if they've been submitted or not. We needed an 'as built' drawing of foundation - it looks like you have that on here so when you submit those, it'll cover that. Need the specific materials to be used. On the plans that you have there, make sure, when you submit them, what the new deck is going to be constructed with; the dimensions for how much over lake, photos - right. The last thing was that this property is owned by an LLC according to the deed; we asked for a letter of permission for construction.

Mr. Matos said they sent a letter via email to Rose Trombetta.

Chairman Laga said I don't have it. I have a bond here with Sete Properties LLC - Robert Zaslow. I don't have a copy of the letter.

Mr. Matos said they sent a letter.

Chairman Laga replied I'm sure they did but it's not in the file.

Mr. Matos said I know because I got a copy of it via email.

Vice-Chairman Fannin said as long as it was sent.

Chairman Laga said we will come back if you get everything to Rose this week.

Mr. Matos replied I have everything done right here. Everything that you've just mentioned is here. I just did it a couple days ago.

APPROVED

Chairman Laga said but I don't have it in the file. I need to get 3 copies of that for the file. So; Monday, bring three copies to Rose Trombetta and tell her you want to be put on the agenda for the next meeting.

Mr. Turano said you don't have everything. You don't have the turbidity curtain and the raingarden. They're not on the plans.

Mr. Matos replied I have it here already.

Chairman Laga said the curtain for outside the lake when you're doing the demo?

Mr. Matos replied no; not for the demo; that's missing. The cultec I have. Somebody mentioned that they want it so I did it.

Chairman Laga said send us 3 sets of drawings, make sure everything that we're talking about right now is on there and addressed and we'll see you in May.

Mr. Turano said the other thing that has to be on the plan is that everything is to be done by hand.

Mr. Matos replied yes.

Chairman Laga said except for digging the cultec in; that has to be done with a machine. If you're going to dig that with a machine, then you're going to have to put a spill kit, spill prevention plan and you're using a mini excavator I'm going to assume so you'll have to provide that information as well.

Vice-Chairman Fannin said what we traditionally ask for on the Plan for that, just so you have a full list, is a statement about not parking it overnight unless you're parking it on poly/some sort of plastic sheeting and/or if you're parking outside of the buffer. The second thing is, if you have a machine on site, you'll need to have a spill kit somewhere on site - preferably right where the machine is working. Third; have a note indicating there will be no fueling within the buffer. I think that's it as those are the three things we normally include.

Mr. Turano said that be more trouble for you then using a raingarden which you might be able to do by hand. You're only going to need a small raingarden so think about that.

Mr. Matos replied I wasn't sure how to base my calculations on. When you have a roof, you know where you're going to collect from.

Mr. Turano said okay; let's just use half the area of the deck.

Chairman Laga said the long part of the back.

Mr. Matos said the cultec is basic calculations even though I know it's kind of funny doing that but I did the whole square footage of the area.

Chairman Laga said only do half then; only one tank.

**APPROVED**

Mr. Matos said if I do the raingarden.....

Vice-Chairman Fannin interjected that calculation is not difficult either. You were saying that it might be difficult .....

Mr. Turano interjected use 50% of the area of the deck - either cultec or raingarden.

Mr. Matos replied alright. When is the next meeting?

Chairman Laga replied the first week of May: May 2<sup>nd</sup>

Vice-Chairman Fannin said you're trying to get this done as soon as possible?

Mr. Matos replied yes; I have almost everything. I think I'm going to do the raingarden which is an easier procedure.

Vice-Chairman Fannin said looking at your plans, it looks like there is some space right outside the deck and I really don't think you're going to need a very big raingarden so you might be able to use some of that space for it if you wanted.

**MISCELLANEOUS**

**MINUTES:**

- 01/17/19: held over
- 03/07/19: held over
- 03/21/19: held over

Mr. Turano moved to close the meeting; seconded by Mr. Barnett with all in favor.

Respectfully submitted,

Dawn M Andren