

**APPROVED**

ROBERT LAGA  
Chairman

NICHOLAS FANNIN  
Vice Chairman

RICHARD FRANZETTI, P.E.  
Wetland Inspector

ROSE TROMBETTA  
Secretary

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



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**BOARD MEMBERS**

Edward Barnett  
Vincent Turano  
Anthony Federice

**ENVIRONMENTAL CONSERVATION BOARD MINUTES**

**DECEMBER 3, 2020**

**PRESENT:** CHAIRMAN: ROBERT LAGA; VICE-CHAIRMAN NICHOLAS FANNIN  
EDWARD BARNETT & ANTHONY FEDERICE

**ABSENT:** VINCENT TURANO

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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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**SUBMISSION OF AN APPLICATION OR LETTER OF PERMISSION:**

1. Mahoven LLC	75.42-1-13	1 - 7	Application Accepted w/conditions
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**MISCELLANEOUS:**

2. Minutes -			
a. 9/17/20		7	Approved as Written
b. 11/05/20		7	Approved as Written

The meeting was adjourned 7:54 p.m.

Respectfully submitted,

Dawn Andren

**1. MAHOVEN LLC - TM - 75.42-1-13: 737 SOUTH LAKE BLVD. - SUBMISSION OF AN APPLICATION OR LETTER OF PERMISSION - CONSTRUCT BATHHOUSE, PERGOLA, RAINGARDEN AND EXTEND DOCK.**

- Mr. Joel Greenberg of Architectural Visions, 2 Muscoto Rd North representing the applicant appeared before the Board.
- Mr. Kineti, owner of the property through the LLC, also appeared before the Board.

Mr. Greenberg stated this property is located on South Lake Blvd. Basically, the front area, here, is a gravel area which is going to be for the one parking space that we have. The raingarden is over here on the west side of the lot. We are proposing an 8' x 15' bathhouse and a pergola. The Code requires the docks not to be more than 25' off the shore. There is a section of the dock which is beyond that which we're going to remove. Then, we're just going to add onto the existing dock - verticals here and verticals in the opposite direction but we're not going to go beyond the 25'.

Chairman Laga said so you're going to go 25' from the shore.

Mr. Greenberg said this is the 25' but because of the angle, the shoreline is not perpendicular to the property line. So, on this side, it'll be 25' and on this easterly side, it'll be about 20'. Of course, we have our silt fence, our silt fence details, our raingarden, the raingarden calculations. We have the [sight] ~~stopping~~ distance for driveway and the turbidity curtain which is going to go around the area where the docks are going to be.

Chairman Laga said what's your area of disturbance? Are you putting the existing building on a foundation?

Mr. Greenberg said no. What's going to happen is we're going to have a post hole digger and put in four sonnet tubes, concrete and then the framework for the floor of the bathhouse will be on top of the sonnet tubes.

Vice-Chairman Fannin said there's an existing gravel....

Chairman Laga said I see six sonnet tubes here.

Mr. Greenberg said right. I'm sorry; six.

Chairman Laga said and you have four for the pergola.

Mr. Greenberg said yes. And, at the recommendation of the Planning Board, they recommended that these two be on the property line to be in line with the fence that is going to go in here. These two would be part of the posts for the fence and then there will be two more over here.

Chairman Laga asked why would they recommend it going along the fence line? What if that fence comes down?

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Mr. Greenberg said we're going to put up a new fence along the property. If you look at this map here, you see this line over here. Whoever was the previous owner apparently put the fence [there] and didn't realize they were into the property. So, this fence is going to come down and we're going to put up a new fence.

Chairman Laga said so you're saying that the existing fence that's there right now is on your property

Mr. Greenberg said in the property.

Chairman Laga said in the property and you're going to readjust the line on that. And the pergola - what kind of a roof is it going to have? Open?

Mr. Greenberg said yes. This is the view from the road. This is the gravel area. This is the raingarden over here and this is what you'll see from South Lake Blvd. This is the fence and these are the posts from the pergola. This is what you'll see from the lakeside. It's basically four posts and a framed roof but all open.

Chairman Laga said you have no intent of putting any covering on that pergola - correct?

Mr. Kineti said correct.

Chairman Laga said and that area down below by the end of the fence - is that concrete?

Mr. Greenberg said no. This part is the existing dock and this is the section that is being added on.

Mr. Kineti said actually there is an existing (inaudible) right now.

Chairman Laga said what are you doing with the dock? Are you going to drive-in two-inch diameter pipes and then just.....

Mr. Greenberg said the footings of the foundation for the extension of the dock will be exactly the same as the existing dock.

Chairman Laga asked are you using any equipment.

Mr. Greenberg answered no.

Chairman Laga said everything is going to be done by hand?

Mr. Greenberg said yes.

Mr. Kineti said (inaudible) has two steel beams which are already (inaudible) shore and that should provide additional support and the rest (inaudible).

Vice-Chairman Fannin said you said you're putting in a turbidity curtain - right?

Mr. Greenberg said yes.

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Vice-Chairman Fannin said that needs to be added to your sequence of construction: Install silt fence and turbidity it should say and then notify inspector. It just says install silt fence.

Chairman Laga said there's not going to be any electric, water, bathroom.....

Mr. Greenberg said no.

Mr. Barnett said the old dock is being removed?

Mr. Greenberg said the portion of the dock that goes beyond 25' is being removed.

Mr. Kineti said the faulting pieces will be removed and the old dock will be repurposed to fit within the area of the new line.

Mr. Barnett said so you're going to incorporate the old dock into the new dock?

Mr. Greenberg said yes.

Chairman Laga said but you're not going to extend more than 25'.

Mr. Greenberg said as I've said, it's only 25' on the east side. On the west side, it's only...

Chairman Laga said yes; it's like a parallelogram almost.

Mr. Greenberg said (inaudible).

Chairman Laga said so you're going to leave the center portion of the existing dock; you're going to leave that and build off of it for the rest of this.

Mr. Kineti said yes; we're going to use the planks to cover that.

Chairman Laga said and you're going to drive 3 columns out into the Lake.

Mr. Greenberg said correct.

Mr. Barnett said is it Trex or something like that that you're using?

Mr. Kineti said it's just regular wood.

Mr. Barnett said regular wood meaning pressure treated.

Chairman Laga said what did you base your calculations on for the raingarden?

Mr. Greenberg said the area for the raingarden was based on the roof of the bathhouse.

Chairman Laga said and what about the driveway?

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Mr. Greenberg said if you've been back to the site, this is all gravel now and basically any rain will be absorbed into the ground; some of it will go into the raingarden.

Vice-Chairman Fannin asked what kind of gravel are you using. If you're using Item 4 and compacting it, you're basically getting an impervious surface.

Mr. Barnett asked is that existing now.

Mr. Greenberg said there is existing gravel; we're not using Item 4.

Vice-Chairman Fannin said I think we can make that a condition: as long as it's not compacted.

Chairman Laga said so you're going to put the building on six sonnet tubes; four sonnet tubes for the pergola. The only thing is I'd like to what the Planning Department says about putting the posts for the fence as the pergola.

Mr. Greenberg said originally we had it inside the property and both the Planning Board and the Building Inspector all agreed that this was a better set-up.

Chairman Laga said I need something in writing from them because you can't really build on a property line.

Mr. Greenberg said it's not on the property line as long as the outside of the posts....

Chairman Laga said is the pergola going to be hanging over into the.....

Mr. Greenberg said no. It'll be flush.

Chairman Laga said so, I'll just need some paperwork on the.....

Mr. Greenberg said I guess Rose (Trombetta) can get you the minutes which they approved.

Chairman Laga said yes.

Mr. Kineti said I believe their intent was so that there would be a 3' pathway from the road to the dock in case of emergency or anything.

Chairman Laga said you've got a 4' path.....

Mr. Kineti said they said at least 3 so the deal was to.....

Mr. Greenberg said you'll see it on the map.

Chairman Laga said and these concrete pavers that are shown here - that's all existing - correct?

Mr. Greenberg said yes.

Vice-Chairman Fannin said the guides that are coming down from the telephone pole....

Mr. Greenberg said right now they're coming to the property. If you notice, there's an old pole and a new pole. Mr. Kineti has been in touch with NYSEG to remove the old pole and the guide wire.

Vice-Chairman Fannin said they're going to remove the old pole?

Mr. Greenberg said yes; and the guide wire.

Chairman Laga said so what do you have on your neighbor? You only have a 15' frontage.

Mr. Greenberg said yes.

Chairman Laga said and the neighbor has a 30' frontage?

Mr. Greenberg said correct.

Mr. Kineti said the one to the west has about 30'; the one to the east has about 20'.

Mr. Barnett said where is the boat going? Oh; this is on the end of the dock.

Mr. Kineti said yes.

Vice-Chairman Fannin and Chairman Laga discussed pillars on the property.

Mr. Greenberg said you're talking about this one?

Vice-Chairman Fannin said yes; is that on the property?

Mr. Greenberg said if you look at it, it's been there for probably 100 years. I would say it's 75% on the property and maybe a foot over onto the State road.

Chairman Laga said so you're putting silt fence on the end of the property. You're doing all this work. Then you're going to put the floating boom in when you're doing the dock. You're well within the 25' so I'm happy about that. It's not going to have water or electric in it. So, you're basing it on the volume of 120 square feet. So, that's 15' x 8'. So, you're basing it just on the roof.

Mr. Greenberg said yes.

Chairman Laga said are you going to run the liters from it to there?

Mr. Greenberg said yes.

Chairman Laga said alright; from the other side....

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Mr. Greenberg said no; what's going to happen is the roof is going to be a sloping roof. This is the high side and it's going to slope back this way. There will be a gutter across here and a liter down here which will go directly into.....

Chairman Laga said could you show that detail - how you're going to get the water over there? Show it on the drawing.

Vice-Chairman Fannin said I didn't see on the drawing here where you have the total area of disturbance and total new impervious surface numbers were.

Chairman Laga said it shows here drainage area is 120 square feet.

Mr. Greenberg said except for the 120 square feet of the bathhouse. The pergola is the existing grass.

Chairman Laga said the pergola is negligible.

Vice-Chairman Fannin said was there a deed in the file?

Chairman Laga asked is that building going to be pre-fab.

Mr. Greenberg said no. We're going to stick build this.

Vice-Chairman Fannin said I saw you have a note in here that all fueling is to be done off site. So, there is no heavy equipment being used: no bobcats. Everything is going to be constructed by hand. We need that as a note on here. And also, no heavy equipment.

Chairman Laga said just send us a letter that no heavy equipment is going to be used and it's all hand work.

Vice-Chairman Fannin said I'm good.

Chairman Laga said do you have copies of the variances?

Mr. Greenberg answered we're before that Board next week.

Chairman Laga said so we can't give you a permit until.....

Mr. Greenberg said I understand that but if you could accept the application so at least we have the clock going if we get our variances next week.

Chairman Laga said 2 meetings; so, January.

**APPROVED**

*Vice-Chairman Fannin moved to accept the application for Mahoven LLC for 737 South Lake Blvd. to construct a bathhouse, pergola, raingarden and extend the dock with the following conditions: no heavy equipment be used; all excavating work is to be done using hand tools; add note with the sequence of construction; install floating boom in Lake prior to work and have the Wetlands Inspector inspect it after; provide a note or a letter that no item 4 or compactible material will be used - only loose gravel/stone; get us the paperwork on the pergola posts for the property line; show us the roof drainage on the drawings and how you're going to drain towards the raingarden and we need a copy of the variances; seconded by Mr. Federice with all in favor.*

Chairman Laga said you're on the clock but I can't give you a permit until I have the variances.

Vice-Chairman Fannin asked did Mr. Franzetti take a look at the raingarden calcs? We usually send that to him.

Chairman Laga said you can give them to Rich now if you want. If you can get me those minutes and address those letters and stuff on Monday.

**MISCELLANEOUS:**

**MINUTES:**

- *09/17/20: Vice-Chairman Fannin moved to accept the minutes for 9/17/20 as written; seconded by Mr. Barnett with all in favor.*
- *11/05/20: Vice-Chairman Fannin moved to accept the minutes for 11/5/20 as written; seconded by Mr. Barnett with all in favor.*

Chairman Laga stated that Mr. Vincent Turano has resigned from the Environmental Conservation Board for personal reasons and thanked him very much for all his hard work and effort. The Town and ECB owes him a debt of gratitude and we wish him all the best.

Mr. Barnett moved to close the meeting; seconded by Vice-Chairman Fannin with all in favor.

Respectfully submitted,

Dawn Andren