

**APPROVED**

ROBERT LAGA  
Chairman

NICHOLAS FANNIN  
Vice Chairman

RICHARD FRANZETTI, P.E.  
Wetland Inspector

ROSE TROMBETTA  
Secretary

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



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

**BOARD MEMBERS**

Edward Barnett  
Anthony Federice  
Nicole Sedran

**ENVIRONMENTAL CONSERVATION BOARD MINUTES**

**AUGUST 19, 2021**

**PRESENT:** VICE-CHAIRMAN NICHOLAS FANNIN  
EDWARD BARNETT, ANTHONY FEDERICE & NICOLE SEDRAN

**ABSENT:** CHAIRMAN ROBERT LAGA

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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>
<b><u>EXTENSION OF A WETLAND PERMIT:</u></b>			
1. 70 Old Route 6 LLC (Formerly Tompkins Recycling)	55.11-1-15	1 - 3	Wetland Permit Extended w/conditions
<b><u>SUBMISSION OF APPLICATION OR LETTER OF PERMISSION:</u></b>			
2. Roa, Frank	75.7-3-14	3 - 5	Application Accepted w/condition

The meeting was adjourned 7:58 p.m.

Respectfully submitted,

Dawn Andren

**1. 70 OLD ROUTE 6 LLC (FORMERLY TOMPKINS RECYCLING) - TM - 55.11-1-15: 70 OLD ROUTE 6 - EXTENSION OF WETLAND PERMIT - REDEVELOPMENT OF EXISTING PROPERTY**

- Mr. Paul Lynch of Putnam Engineering appeared before the Board.

Vice-Chairman Fannin said why don't you give us a rundown of the current state of the property, the permits and what you're seeking tonight.

Mr. Lynch said all permits, except for this Board's, are in place. The property, since we last appeared before this Board, has been cleaned up. So, all the equipment, machinery, tires, dumpsters and all that sort of stuff has been removed from the site. It is actually clean. The contaminated soil that was on the site has been removed and disposed of in accordance with the DEC wetland's permit. Actually, the property is in contract for sale. That was one of the conditions of the sale of the property - having it cleaned up and at a point where it's ready to go for construction. There has been no changes in any other regulatory conditions. So, there's no changes; same project and nothing has changed.

Vice-Chairman Fannin said has it been flagged since the last time you were here in 2020, or has somebody been out to check the flags?

Mr. Lynch said I do not know. The edge of wetland, pretty much, is the edge of property. When the property had been filled in over the years, that fill section became the line between wetland and site. So, nothing has changed regarding that.

Vice-Chairman Fannin said I saw the site plan. Is that current as well or is that.....

Mr. Lynch said yes; plan approval is current.

Vice-Chairman Fannin (thumbing through file) said site plan approval did expire 7/17/20. Did you have it renewed?

Mr. Lynch said we are actually in the process of renewing it. We have to get that renewed. I thought it ran until the end of September. I'll double check with Rose [Trombetta] on Monday. Now that I think about it, I think it was renewed in September of last year.

Vice-Chairman Fannin said I didn't see that in the file. Some of the items from last time: dates - we gave an extension for 18 months. This is in contract right now?

Mr. Lynch said yes. Assuming the sale goes forward, obviously, the new owner would come back in front of this Board with a new application because a wetland permit, as you know, is not transferable.

Vice-Chairman Fannin said right; and SWPPP is fine?

Mr. Lynch said SWPPP is fine.

Vice-Chairman Fannin said last time when you were here - January of 2020 - we extended it. We actually asked for our Wetlands Inspector to go out and visit the site, I believe, to verify field conditions and

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check for the current flagging to make sure that was still up to date. How long are you looking for an extension for?

Mr. Lynch said 6 months.

Vice-Chairman Fannin said 'question for the Board': Do we need a site plan to be approved for us grant an extension of the permit if it's not being changed?

Mr. Barnett said I don't think so. It's just an extension. It still has to be approved.

Vice-Chairman Fannin said right but if the site plan is not current.....That I'm not sure about because I don't have anything in the file that says so. If they don't have an approved site plan right now, they need to have that plan?

Mr. Barnett said sure.

Vice-Chairman Fannin said I'd be fine with extending the 6 months with two things: 1) check on the site plan expiration and 2) .....you're currently before the Board?

Mr. Lynch said no. We've gotten our approval last year. My recollection is it doesn't expire until the end of September.

Vice-Chairman Fannin said if you have that, I need that for the file then.

Mr. Lynch said I will get in touch with Rose [Trombetta] on Monday morning.

Vice-Chairman Fannin said okay; that's one. The second is I would also be fine with an extension if Rich [Franzetti] takes a visit to the site. You said it's materially been changed through clean-up and debris is removed and all of that, I think it would be beneficial to have Mr. Franzetti take a visit to the site to make sure that it is as expected and that the flagging is still current.

Mr. Barnett said is 6 months enough?

Mr. Lynch said I would prefer longer because you never know how contracts are going to run in terms of the actual sale being completed. So, I'd leave that up to you.

Mr. Barnett said if you're satisfied with 6 months, alright.

Mr. Lynch said I would prefer a year. Once the sale takes place, the new application has to come in.

Mr. Barnett said this has been going on for a while but in 6 months, something else could happen. So, I'm good with either six or twelve [months].

Vice-Chairman Fannin said since 2008, it's been going on.

Mr. Barnett said that's my point.

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Vice-Chairman Fannin asked other Board Members if they had a preference of which they did not so made the decision for 12 months; with the understanding that it will hopefully go through soon and we'll see the new permit.

*Mr. Barnett moved to extend the permit for 70 Old Route 6; Tax Map 55.11-1-15 for 12 months from 7/1/2021 to 7/1/2022 with the following 2 conditions: 1) the latest site plan or extension of approval be included with the file and 2) the Wetland Inspector verify current site conditions since it was cleaned up and that the wetland flagging has remained the same; seconded by Mr. Federice with all in favor.*

**2. FRANK ROA - TM - 75.7-3-14: 96 WEST LAKE BLVD. - SUBMISSION OF AN APPLICATION OR LETTER OF PERMISSION - INSTALL INGROUND POOL**

➤ Mr. Willy Besharat representing the applicant appeared before the Board.

Mr. Besharat said we were here at the last meeting and we had some comments from the Board that we wrote down and we addressed all comments. We have given a cover letter indicating those comments had been addressed and added to the plan that was submitted. There's about 10 items that we've added to them. I believe that we've covered everything that's required for the submission. We hope to move forward with the application.

Vice-Chairman Fannin said maybe you can give us a rundown of the list of the items.

Mr. Besharat said item #1 is the construction sequence has been added to the plan. (Mr. Besharat pointed out the items on the map as he went along.) The stockpile detail and location have been added to the plan too. The route of the machine movement: what we've done is make it a little larger, with a separate map, and indicated where the route of the machine will go in and out; the storage location of the machine is another item that was asked for. The spill-kit was also located near the area where the machine is going to be stored. Another item was asphalt which was on there before was the location of the septic system for this property. The location of the well was always indicated by the surveyor. We located the pool service line and the equipment that's going from the pool to the equipment. We showed well protection. We're proposing a construction fence around it. It would be very visible so nobody would come close to it and cause any harm to it. The restoration of plan for this, we indicated what had to be done which is basically top soil and seed on the area that's going to be disturbed. For drainage, we're going to take a portion of the roof equivalent to what we have with the pool and the patio, although the patio is pervious pavers, and we designed a raingarden and have submitted the calculations and details with it also on the plan.

Vice-Chairman Fannin the SSTS stake-out? I don't think I saw that. That's where you're making sure there is orange construction fencing or something sticking out where the SSTS is.

Mr. Besharat said it's not there but during the construction, we will do that. It's going to be minimum the service. Like I've said, it's in pristine condition. It will be kept that way. The disturbance is going to be minimized by choice. There is also an irrigation system, so the area where the septic system is and the lawn, no machinery are going to be allowed in there. Everything is going to be on the driveway and the side where the location of the pool is.

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Vice-Chairman Fannin said the low voltage wiring that is going to the pool will be going in the same lines?

Mr. Besharat said the same trench as the pool - correct.

Vice-Chairman Fannin said there's a few things on the raingarden. We need raingarden calculations.

Mr. Besharat said I believe we have indicated that - right above the raingarden is the design criteria and the size of the garden was based on the drain right below it.

Vice-Chairman Fannin said I also saw that the liters off the house are going into dry wells?

Mr. Besharat said that's according to the owner. He said they're going to a dry well area but I do believe not all of it because that house had two additions and I actually did the additions myself. I know the old section of the house was still going. It is piped in and I do believe it's going directly into the Lake like all houses in the area. We're going to be taking one section of the roof and directing it into the raingarden.

Vice-Chairman Fannin said beautiful. That covers all the items we had from last time. The only thing we need is for Mr. Franzetti to review raingarden calcs after we accept the application as complete. Does anybody have anything else they'd like to address?

Mr. Barnett said the pervious is brick?

Mr. Besharat said yes and there's gravel between them. It looks great because the grass goes between them and it looks like the pool is in the grass area.

Vice-Chairman Fannin said did you put in anywhere here the total area of disturbance within the wetland buffer.

Mr. Besharat said I believe we did (moves to map without mic so inaudible and then moves back to podium). I do remember it's way under 5,000 square feet. I think it's around 3,700 square feet. That will cover everything. Like I said, we intentionally want to minimize the amount of disturbance as much as possible because of the restoration of the landscaping and the sod lawn which we want to keep to a minimum. In fact, we've talked about putting down plywood when we bring the machine down. It's not going to be driving on the grass. The protection is way beyond what this Board requires. It's just because the owner wants to protect the property.

Vice-Chairman Fannin said just to make sure I got everything right here: the only new impervious surface that we would consider is the pool. Everything else is pervious and everything else that is impervious is existing.

Mr. Besharat said yes.

Vice-Chairman Fannin said I do think that we need that calculation.

Mr. Besharat said that's understandable. Mr. Franzetti will take care of it and I'll discuss it with him.

Vice-Chairman Fannin said yes; get that into Rose [Trombetta] on Monday.

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*Ms. Sedran moved to accept the application for 96 West Lake Blvd., Tax Map #75.7-3-14 for installing an in-ground pool as complete with the following conditions: the applicant include in the file the area of disturbance within the wetland buffer; seconded by Mr. Barnett with all in favor. Mr. Federice abstained from voting.*

Mr. Federice moved to adjourn the meeting; seconded by Ms. Sedran with all in favor.

Respectfully submitted,

Dawn Andren