

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

BOARD MEMBERS

Edward Barnett
Vincent Turano
Julie McKeon

ENVIRONMENTAL CONSERVATION BOARD MINUTES

JUNE 27, 2019

PRESENT: CHAIRMAN LAGA, VICE-CHAIRMAN NICHOLAS FANNIN,
EDWARD BARNETT, JULIE MCKEON & VINCENT TURANO

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
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Eligible for a Permit:

William Reid	65.13-1-2	1 - 2	Permit Granted
Taco Bell	55.11-1-3	2 - 3	Permit Granted

Submission of an application or letter of permission:

Almodovar & Dinallo	64.16-1-28	4 - 5	Application Accepted
Jeffrey Freda	64.12-2-47	5 - 8	Application Accepted

Planning Board Referral

Daniel Honovich	55.19-1-15	8 - 10	No Action Taken
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MISCELLANEOUS

Minutes:	05/02/19	11	Disregard/Previously Approved
	05/16/19	11	Approved as written

The meeting was adjourned at 8:14 p.m.

Respectfully submitted,

Dawn M Andren

WILLIAM REID - 274 EAST LAKE BLVD.; TM - 65.13-1-2 - ELIGIBLE FOR A PERMIT/CONSTRUCT 247 SQUARE FOOT 2ND FLOOR ADDITION

- Applicant was not present at the meeting.

Chairman Laga said we could approve this; we don't need him to be here. There are no comments, Rich Franzetti's email is attached; raingarden's okay, do the EAF and sign the permit.

Vice-Chairman Fannin said just make sure there are no new maps submitted; I'm just not sure if they are the same ones.

Chairman Laga said 4/26/19?

Mr. Turano said doesn't it have to be stamped?

Chairman Laga said it should be stamped by a licensed surveyor.

Mr. Turano said because he doesn't have his name on it or anything.

Chairman Laga said this is the one where they're adding on a second-floor addition; we saw them back in May 16th & May 2nd.

Vice-Chairman Fannin said right; this is the one where they had the nice pictures and they were going to tie in the liters into the raingarden. Let me make sure what the comments were last time. There were a few things that we asked for. We asked for 5 sets of stamped and signed sets; add stockpile label where they're keeping the stockpile; size and material of pipe to the raingarden and how it's going to be diverted.

Chairman Laga said well they show how it's diverted over here but it doesn't show the size of the pipe.

Mr. Barnett said the regrading is being done because they want to do what?

Chairman Laga replied because they want to get the water away from the front of the house; they're building a second story on the house. It doesn't say the size of the pipe which is what we had asked for.

Vice-Chairman Fannin said we had also asked for raingarden scale.

Chairman Laga said they gave us a raingarden calculation.

Mr. Turano said yes but a raingarden scale.

Chairman Laga continued they gave us dimensions; plus or minus 12.5 x 10 sf.

Mr. Turano asked are they okay with Mr. Franzetti.

Chairman Laga replied yes.

Chairman Laga said I can live without the size of the pipe.

Vice-Chairman Fannin said do they indicate how it's going to be diverted?

Chairman Laga said I show a "Y".

Vice-Chairman Fannin asked is that acceptable.

Chairman Laga said it's plumbing and then read from Mr. Franzetti's email, "the raingarden details contained in the plans are in conformance with NYS DEC standards".

Vice-Chairman Fannin moved to grant Permit #952 to William, Mark & Andrea Reid for 274 East Lake Blvd. Mahopac, NY; seconded by Ms. McKeon with all in favor.

Chairman Laga proceeded to fill out the EAF with the Board answering "no" to all questions.

TACO BELL (FORMERLY FRIENDLY'S SITE) - 1081 STONELEIGH AVENUE; TM - 55.11-1-3 - ELIGIBLE FOR A PERMIT/AMENDED SITE PLAN

Mr. Turano recused himself from participating with this application

- Mr. Paul Dumont, of JMC Engineering representing the applicant appeared before the Board.

Mr. Dumont stated since we were last before you, we've had an opportunity to revise the plans and incorporate some of the comments and revisions that you had requested. Just to summarize: we've added some construction fence in the rear of the property just past the limit of the existing parking area in order to prevent access to the wetland area during construction. We have slightly elevated the trash enclosure. We looked at the grades there; we heard your concerns and we elevated it a little bit so that stormwater run-off will not flow through the trash enclosure. We've added some silt fence along the sides of the property as you had requested just to ensure that no sediment will transport off the property. In addition, we've added some notes to the drawing regarding the fueling plan, spill-prevention kit and overnight parking within the wetland buffer.

Chairman Laga said good. Those are all the notes we had?

Vice-Chairman Fannin said there are a couple other ones: One was once we accept the application as complete, have Mr. Franzetti go out and check the flags. Another one was a letter from the property owner saying it was okay for the applicant to do work on this property. I believe the deed is in somebody else's name.

Mr. Dumont replied okay. We thought we had addressed that because we do have, on the wetland permit application and planning board applications, we have the signature of the owner, Urstadt Biddle Properties LLC but if you require a letter, okay. We're working with the property owner. It's something that we can get.

Vice-Chairman Fannin replied not a problem. Let me take a look at the file again.

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Mr. Dumont continued with regard to the Wetland Inspector, I've spoken with the Town Engineer and Rose Trombetta about it. We're going to be coordinating to get out to the site and walk it with him to make sure he's okay with the flagging.

Vice-Chairman Fannin replied perfect.

Mr. Barnett said could you explain what the amended is? I don't quite understand.

Mr. Dumont said what do you mean by that?

Mr. Barnett said what are you amending? That's what I mean by that.

Chairman Laga replied he's adding our comments.

Mr. Barnett said just comments. And the comments are.....?

Mr. Dumont said what has been revised since last time?

Mr. Barnett replied yes.

Mr. Dumont said we revised a little bit of the grading, erosion and sediment control plan, just to add some notes and address some of your comments from the last time.

Mr. Barnett said very good. Thank you.

Mr. Dumont said now we feel confident in our erosion and sediment control plan that we've heard your concerns with the grading and

Chairman Laga interjected the only other issue is that we needed a letter from the owner on the owner's letterhead and the deed to match.

Vice-Chairman Fannin interjected if the deed matched the application, I'm okay with that unless anyone else has an issue with that.

Chairman Laga said there were no questions or comments from the public. Does anybody else have any questions.

Vice Chairman Fannin moved to grant Permit #951 to KAI Carmel LLC for the work at 1081 Stoneleigh Avenue, Carmel NY with the condition that the flags get checked; seconded by Ms. McKeon with all in favor.

Chairman Laga proceeded to fill out the EAF with the Board answering "no" to all questions.

Mr. Turano returned to the podium.

**ALMODOVAR & DINALLO - 270 WEST LAKE BLVD. MAHOPAC; TM - 64.16-1-28 -
SUBMISSION OF AN APPLICATION OR LETTER OF PERMISSION/CONSTRUCT POOL, SPA,
PATIO & RETAINING WALLS**

- Mr. Paul Lynch, Putnam Engineering representing the applicant appeared before the Board.
- Ms. Tracy Chalifoux, landscape architect representing the applicant appeared before the Board.

Chairman Laga said the last time we'd met, you were looking to do some test pits down in the lower forty.

Mr. Lynch responded yes, we did.

Chairman Laga asked how did that go.

Mr. Lynch responded we tested in this area here and the tests turned out fine. That's the area we're going to use for the raingardens on the property.

Chairman Laga said so are there any other changes that we're making to the application?

Mr. Lynch replied no.

Chairman Laga said based upon the results of the test, for this portion of the permit, you are constructing a pool, a spa, a deck, a patio, landscaping and raingardens on the northeast side of the existing house. They'll be terraced and have terraced walls. The existing deck will be rebuilt and modifications to the stairs and walkways. You are not working on the tennis courts at this time. I think that's out of the buffer anyway. There are no other changes to the drawings since last time?

Mr. Lynch replied no.

Chairman Laga said alright; everything stays the same. Are there any other comments?

Chairman Laga and Vice-Chairman Fannin reviewed documents and discussed amongst themselves.

Vice-Chairman Fannin said I just want to make sure this is on the record since we're now looking to accept this but I want to run through.....

Mr. Turano interjected give us an idea of what you found when you did the test pits.

Mr. Lynch replied pretty much it was 4 feet of loam.

Mr. Turano repeated loam.

Mr. Lynch replied yes.

Mr. Turano said loam is used in two different contexts. One is topsoil and the other one is a mixture of sand, silt and clay.

Mr. Lynch responded it was more of a sandy loam.

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Vice-Chairman Fannin said I just want to run through a couple of quick things here that we normally ask for and make sure that they're on the plans: I don't recall if we went through all of the specifics.

Chairman Laga said we went through erosion control.

Vice-Chairman Fannin said you said there's a note about overnight poly; refueling plan.....

Mr. Lynch replied yes.

Chairman Laga (not at dais) said on-site erosion control measures; slope stabilization, seeded erosion control.....

Mr. Lynch said all the details should be on the last sheet.

Mr. Turano asked has the landscaping changed at all.

Chairman Laga said you have to submit the raingarden calculations. They have everything. You're not even disturbing 2,000 sf.

Mr. Lynch replied the footprint is 6,800.

Chairman Laga said right but it's an above-ground pool so all the landscaping you are going to.....

Vice-Chairman Fannin asked is Mr. Dinallo one of the people you've been working with specifically.

Mr. Lynch replied yes.

Mr. Turano moved to accept the application for Almodovar & Dinallo of 270 West Lake Blvd. Mahopac as submitted; seconded by Ms. McKeon with all in favor.

Chairman Laga said you're on the clock; submit the calculations to Mr. Franzetti and we'll see you at the end of July or August.

JEFFREY FRED A - 420 NORTH LAKE BLVD.; TM - 64.12-2-47 - SUBMISSION OF AN APPLICATION OR LETTER OF PERMISSION/CONSTRUCT DOCK

- Mr. John Karell, engineer representing Mr. Freda appeared before the Board.

Mr. Karell stated you saw this months ago as a deck and it was going from his boathouse to the seawall.

Vice-Chairman Fannin asked do you know when the last time you were here was.

Chairman Laga replied January 17th.

Mr. Karell continued the Army Corps of Engineers has signed off and they have no requirements, jurisdiction.....Well actually at this point, all three had signed off.

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Chairman Laga interjected right; DOJ, Army Corp and DEC.

Mr. Karell continued the OGS (Office of General Services) had problems with the deck. They didn't want a deck; reduce the size and call it a dock. Now it's an 8' wide dock - pretty much in the same place. It's the outside area where the deck was.

Chairman Laga interjected right; filled in that area.

Mr. Karell replied right; a deck is not something that belongs in the water. It'll reduce the helical piles and lower them to 7.

Mr. Turano asked who said something. You said somebody had a problem. Who had a problem?

Mr. Karell replied the OGS. There was correspondence back and forth. They had issues for not wanting the deck. They settled on the dock.

Chairman Laga asked how are you drilling in the helicals.

Mr. Karell replied they're going to screw it in.....

Chairman Laga interjected by hand?

Mr. Karell replied yes; everything is by hand. No machinery is going to be there. No equipment.

Vice-Chairman Fannin asked do you have a note on the plans for that.

Mr. Karell replied possibly.

Vice-Chairman Fannin said yes; very top - general notes. No heavy equipment will be used in the construction of the project. All work will be done manually. Perfect.

Chairman Laga asked are you going 10 feet with the helicals.

Mr. Karell replied going down about 5 or 6 feet; not exactly sure.

Chairman Laga said I see the picture, I don't know. I was just curious.

Mr. Karell replied it's about 57 inches.

Mr. Barnett asked what's the construction of the dock. What does it consist of?

Chairman Laga responded Trex®.

Mr. Karell replied composite.

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Mr. Barnett said and there's a bridge to the dock? Is that what it looks like or you have to run and jump?

Mr. Karell responded no, it's going to sit on the wall and bolt up against the boathouse.

Vice-Chairman Fannin said it's 192 square feet?

Mr. Karell replied yes.

Mr. Barnett said and it extends 25 feet?

Chairman Laga replied 30 feet; tip to end.

Mr. Karell said it starts at the end of the boathouse and comes back into the seawall.

Chairman Laga said but it's not going 30 feet into the lake.

Mr. Karell responded it's not going beyond the edge of the boathouse.

Chairman Laga said which is only 25 feet.

Vice-Chairman Fannin said booms there and a turbidity curtain? How is that being attached to the seawall?

Chairman Laga said he'll probably use a hanger or something.

Mr. Karell said it's supported by the pilons.

Chairman Laga said right; this is going to be floating; he's just going to bump up against it.

Vice-Chairman Fannin asked do you have to do any stabilization or repair on that wall.

Mr. Karell responded no. I haven't seen it in a while but it's a pretty solid wall.

Mr. Turano asked are you going to be using any silt fencing.

Mr. Karell replied if we need to; we do have a turbidity curtain.

Vice-Chairman Fannin moved to accept the application for Jeffrey Freda of 420 North Lake Blvd. to construct a 30' dock as shown on the drawings; seconded by Mr. Turano with all in favor.

Chairman Laga said you're on the clock.

Mr. Karell said is it possible to waive anything so he can get this installed.

Chairman Laga said the next meeting is the third week in July on the 18th.

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Mr. Karell said is they when you will approve it?

Chairman Laga said it has to be advertised this week. It goes out Tuesday. I'll speak with Joe Charbonneau, Esq. but if we get no comments back by the next meeting, I'll see what Rose and Joe can do. If not, you'll just have to wait for the first week in August.

DANIEL HANOVICH - 18 INTERLOCHEN ROAD; TM - 55.19-1-15 - PLANNING BOARD REFERRAL/REGRAIDING APPLICATION

- Mr. John Karell, engineer representing Mr. Freda appeared before the Board.

Mr. Karell stated you have not seen this before. Dr. Hanovich lives on Interlochen Road and he took it upon himself, without being aware of the conditions, to move some fill on his property. He had a pile of fill materials on the property with constructions materials near his house. He took it upon himself to move that fill to create a flattish area on the side of the existing driveway and the stream. Then, wood chips being available last winter from the storms, he had truckloads delivered and spread them in the area of the wetland setback, across the stream to stabilize....

Chairman Laga interjected did he get a violation?

Mr. Karell replied yes.

Chairman Laga asked who did he get a violation from.

Mr. Karell replied Building Dept.

Chairman Laga said I don't have the N.O.V.

Mr. Karell continued and stated he has 4-wheelers, a pond, and a stream on his property. He said the crossing of the stream was originally there with the construction of his house.

Chairman Laga interjected so all this work he did was in the wetland?

Mr. Karell responded yes; some of it is in the wetland and most of it is in the wetland setback. We were in front of the Planning Board. Mr. Franzetti had some comments that weren't germane to the major issues of what to do about the wood chips. We suggest, especially at this point since it's almost July and this was done last fall, that the area is stabilized with the wood chips; grass and brush have grown up. He has trails through his property for 4-wheelers. He used the wood chips to stabilize the trails. We would like to leave the wood chips where they are as it'll cause more disturbance than really necessary.

Mr. Turano said you had just mentioned that there are some trails.

Mr. Karell replied well not trails; it crosses the stream here which is a culvert there, gets back into here which is kind of heavily wooded. Over here, he just placed woodchips and over here, he took this fill - he just placed wood chips on top of it. I don't know if you've been out there.

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Many Board members responded no.

Mr. Karell said it may be a good idea to look at it.

Vice-Chairman Fannin said I think so too.

Mr. Turano said you just said culvert and I don't see any mention of a culvert on here. I can guess there's one there but outside of that I don't see anything.

Several side discussions took place.

Vice-Chairman Fannin asked what is this drainage pit.

Mr. Karell replied I'm not sure. It came up on the survey.

Mr. Turano asked when was it surveyed; recently?

Mr. Karell replied in 2018.

Vice-Chairman Fannin asked who owns lot 2.

Mr. Karell responded it's all his lot.

Vice-Chairman Fannin said there's a stream that runs through this property; the woodchips were used to stabilize the area that he uses for recreation around the stream and that is what we're calling the wetland here and within the wetland buffer 100' away from it. So that's where all these woodchips were put. Is that correct?

Mr. Karell replied yes.

Chairman Laga said he basically disturbed .37 acres - 16,000 sf according to his calculations.

Vice-Chairman Fannin asked was anything done to the stream itself - the banks?

Mr. Karell responded there was no excavation there.

Chairman Laga said he cut trees down too?

Mr. Karell said I wouldn't know. This topo (topography) is the topo that is there now. There is no topo prior to this. This survey was done in December of 2018 by Dave Odell.

Vice-Chairman Fannin asked do the woodchips go right up to the stream bank.

Mr. Karell replied in some cases they do.

Mr. Turano said all of the shaded area was disturbed - correct?

Mr. Karell responded yes.

Chairman Laga asked is this the house.

Mr. Karell said yes

Chairman Laga said where did all of these go? I'm talking about the trees.

Mr. Karell replied the trees could still be there but maybe we should all go out and look.

Vice-Chairman Fannin asked has Mr. Franzetti been out there.

Mr. Karell replied I don't think so.

Chairman Laga said can you also submit a copy of this for the file.

Mr. Karell said to you want to take it and the secretary could send it back to me.

Chairman Laga replied not that's not necessary.

At which time, the board members discussed possible date/time to visit the property.

Chairman Laga said the worst of it now is that there may be some kind of reclamation stuff; not dig it up but make provisions on the property for some sort of wetland recovery.

Mr. Turano said I think that's a good idea.

Vice-Chairman Fannin said there are just two things we can do. We can remedy through restoration or we can remedy through some sort of equal mitigation.

Mr. Karell replied mitigation.

Vice-Chairman Fannin said I'm available this Saturday - the earlier the better. We also need to reach out to the homeowner and make sure he's okay with us.

Mr. Karell interjected I'm sure he'll be okay considering.

Chairman Laga said Sunday morning at 9:30 would be better for me than Saturday.

Vice-Chairman Fannin said I'm fine with that.

Mr. Barnett said can you give the homeowner a heads up.

Vice-Chairman Fannin said and let Rose know.

Mr. Karell responded will do.

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MISCELLANEOUS

MINUTES:

- 05/02/19: minutes were previously approved so disregard.
- 05/16/19: *Mr. Barnett moved to accept the minutes of May 16th; seconded by Ms. McKeon with all in favor.*

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

Respectfully submitted,

Dawn M. Andren