

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
John Starace

ENVIRONMENTAL CONSERVATION BOARD MINUTES

MAY 17, 2018

PRESENT: CHAIRMAN ROBERT LAGA, JOHN STARACE, VINCENT TURANO & EDWARD BARNETT

ABSENT: NICHOLAS FANNIN

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
Lake Plaza Shopping Ctr. (Proposed Stop & Shop)	65.10-1-45 & 46	1	Wetland Permit extension granted
Joseph & Concetta Mazzola	75.14-1-25	1 - 2	Wetland Permit granted
Michael Najdzin	75.8-2-14	2 - 3	Wetland Permit granted
Braulio Galindo	74.35-1-24	3 - 9	No Board Action taken
Lions Gate Property Mgmt. Inc.	76.5-1-52	9 - 13	No Board Action taken

MISCELLANEOUS

Minutes:	March 15, 2018	13	held over
	April 5, 2018		held over
	April 19, 2018		approved as written

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Dawn M. Andren

LAKE PLAZA SHOPPING CENTER (PROPOSED STOP & SHOP) - 983-1005 ROUTE 6; TM - 65.10-1-45 & 46 - AMENDED SITE PLAN

- Geraldine Tortorella of Hocherman, Tortorella & Wekstein LLP (counsel for the applicant) appeared before the Board.

Ms. Tortorella stated last June you granted a wetland permit for some work connected in the redevelopment of the Lake Plaza Shopping Center. The construction is on-going and currently pending. We are here to request an extension of our approval because we have not completed all the work that was covered under the wetlands permit.

Chairman Laga asked how long of an extension are you looking for.

Ms. Tortorella replied we're looking for a one year extension although we're anticipating that most construction will be done by the end of this year if not sooner.

Chairman Laga said would you like an 18 month permit - to the end of 2019. That would get you through to do whatever plantings you have.

Ms. Tortorella responded that June 2019 would be sufficient.

Chairman Laga asked has anything changed on the plans that were previously approved and you're following everything as outlined in the Plans.

Ms. Tortorella replied no changes and I checked with the client today to make sure there were no issues or concerns on the part of the Town and there have been no violations or other construction issues and proceeding as required.

Mr. Barnett moved to grant a one year extension to Wetland Permit #935 to Lake Plaza Shopping Center, 234 Closter Dock Road, Closter NJ for the location 983-1005 Route 6 Mahopac, NY. The permit will be extended for one year from June 15, 2018 to June 15, 2019; seconded by Mr. Starace with all in favor.

MAZZOLA, JOSEPH & CONCETTA - 39 CARMINE DRIVE; TM - 75.14-1-25 - CONSTRUCTION OF SEPTIC SYSTEM & SINGLE FAMILY HOME

Chairman Laga said you were here the last time; there were no comments or questions from the Public. Have there been any changes to the Plans as previously filed.

Mr. Jack Karell, applicant's engineer replied yes; we made the revisions that you requested and added the indication that the wetland inspector be notified; that no stock piles are going to be within the 100' buffers, no fueling of machinery within the 100' buffer.

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Chairman Laga asked did you put it on a drawing?

Mr. Karell replied it's on the Plans and repeated all the notes that had been changed to the Plans while at the map.

Chairman Laga said you have silt fence details in here as well.

Mr. Karell replied yes.

Chairman Laga said and you have no escrow.

Mr. Starace moved to grant Permit #941 to Joseph & Concetta Mazzola for 39 Carmine Drive, Mahopac NY as filed by the applicant; seconded by Mr. Turano with all in favor.

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

NAJZIN, MICHAEL - 31 TAMARACK ROAD - TM - 75.14-1-25 - REPAIR & ENLARGE EXISTING BOATHOUSE, REPAIR DECK & SEAWALL

- Mr. William Besharat, representing the owner, appeared before the Board.

Chairman Laga said there were no questions or comments from the public. We'll do the EAF, sign and there's no escrow. Nothing has changed on the Plans as previously submitted?

Mr. Besharat replied the only change we did is what the comments from the Board were. A couple of notes added, etc. They were submitted to Rose.

Mr. Starace said you put a silt fence on the Site Plan?

Mr. Besharat replied yes we did.

Mr. Starace said you put a 100' buffer?

Mr. Besharat replied yes.

Chairman Laga said no heavy equipment, all work to be done manually, no stockpile, wetland inspector must be notified to ensure erosion control.

Mr. Besharat agreed to all.

Mr. Starace said you needed to show the deed too I believe.

Mr. Besharat replied yes; we gave it in.

Mr. Starace said no foundation work.

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Mr. Besharat responded no; just concrete and dry stone wall.

Chairman Laga said I added a note on the drawing that you have to notify the wetland inspector.

Mr. Besharat agreed.

Mr. Starace moved to grant Permit #942 to Michael Najdzin of 31 Tamarack Road, Mahopac NY to repair and enlarge existing boathouse, repair deck and storm damaged seawall as previously submitted; seconded by Mr. Barnett with all in favor.

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

GALINDO, BRAULIO - 159 LAKE SHORE DRIVE; TM - 74.35-1-24 - DEMOLISH & CONSTRUCT SINGLE FAMILY DWELLING

- Mr. Braulio Galindo of 159 Lake Shore Drive appeared before the Board.

Mr. Galindo said he's applying for a wetland permit. It's an old house that's going to be demolished and replaced with a new house.

Chairman Laga said you're demoing a house and building a new house or a boat house.

Mr. Galindo responded a new house.

Mr. Starace said full, 100% demo.

Mr. Galindo confirmed yes.

Mr. Starace asked you're going to build a new foundation.

Mr. Galindo replied yes.

Chairman Laga said I have the application for a wetland permit, a short form assessment form. I do not have the checklist attached to it. Make a copy of this (original deed) for our files.

Mr. Starace asked what's the square footage of this house.

Mr. Galindo replied it's going to be 2,500 sf.

Mr. Starace asked is that shown here on your detail - the 2,500 sf?

Mr. Galindo replied yes.

Chairman Laga said you're going to file an application to demolish this building and then you're going to submit an application to reconstruct or you already have those plans.

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Mr. Galindo replied I have the plans; I did the application for the demolition and I have it. The house is demolished already. The architect has finalized the plans for the building permit.

Mr. Turano said did you say the house is already demolished?

Mr. Galindo responded yes. I have the permit for demolition.

Chairman Laga said but you don't have a wetlands permit. What are you here for?

Mr. Galindo replied I'm here to get a permit for building the new house.

Mr. Starace said the old existing house - a portion was inside the 100' buffer zone.

Mr. Galindo responded yes; that's why I'm asking for the wetlands permit.

Mr. Turano said but you need a wetland permit for any work done within the 100' buffer zone.

Chairman Laga interjected especially the demolition.

Mr. Galindo replied the house that was there was not within the 100' buffer.

Chairman Laga said where was the existing house?

Mr. Starace said it's a lighter print; you can see it. It looks like the outline goes within that and the proposed house, two thirds of it is inside it.

Chairman Laga interjected you're also doing drainage work. Did you do the drainage work yet?

Mr. Galindo replied no.

Mr. Turano said did you get a permit to demolish the house?

Mr. Galindo replied yes.

Mr. Turano said where did you get the permit from?

Mr. Galindo replied the Building Department.

Mr. Turano said and they didn't tell you that you needed a wetlands permit.

Mr. Galindo replied no. I found out I needed a wetland permit when I was applying for a permit to build the new house.

Chairman Laga said you need to determine the area of disturbance for the house. If you're at 5,000 square feet or greater, you need to file a SWPPP. That goes to the D.E.C. That would take into account the foundation and all the drainage work. The house is 2,500 sf and then you're going

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to dig up the driveway as a proposed driveway. We need to know the area of the house, the proposed driveway.

Mr. Galindo interjected you have it in the plans.

Chairman Laga said all that I have is this. I need to have your calculations.

Mr. Starace said these dimensions that you have here and the numbers you list are not following..... you have 2500 feet for a structure but you're saying you have 1,532 sf for a structure.

Mr. Galindo replied if you see the line where the wetland is, it's just partial of the property.

Mr. Starace said you're taking anything within the 100'.

Mr. Galindo replied yes.

Mr. Starace said in other words, you're giving dimensions from the 100' buffer only on this project. It's less than half of the entire project.

Chairman Laga asked did you demo two houses or one house?

Mr. Galindo replied one house.

Mr. Turano said but the disturbance is.....

Chairman Laga interjected is the entire thing.

Mr. Turano added right; he's changing the contours and everything so it's complete disturbance.

Mr. Barnett asked when was the house demolished?

Mr. Galindo replied two weeks ago.

Chairman Laga said you also have the StormTech you're using as your infiltrative chamber installation. That counts as disturbance. Did you use a machine to demo the house?

Mr. Galindo replied yes; a small back-hoe.

Chairman Laga asked did you start digging the foundation yet?

Mr. Galindo replied no.

Chairman Laga then said you're going to need to a spill-prevention plan; you have to put on the drawings that you're going to store equipment on poly at night outside the buffer and when not in use; you need to put in a floating boom and silt fence.

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Mr. Galindo interjected I have that.

Mr. Starace asked is that shown on here?

Chairman Laga said they have it around the whole perimeter - right here.

Mr. Starace said but that's on land.

Chairman Laga said yes; the edge of the lake is still another 50' from this. You're doing the StormTech for mitigation instead of the gardens.

Mr. Starace said (to Chairman Laga) the first story stairs to grade....has that been calculated?

Chairman Laga said you need to recalculate your areas of disturbance. You also did a deep test pit. You did a 6' test pit on the property. You're also discharging to the lake.

Mr. Barnett asked have you gone to the Health Department for the septic.

Mr. Galindo replied we have no septic.

Mr. Starace said you're on sewer?

Mr. Galindo replied yes.

Mr. Starace asked is there Town Water?

Mr. Galindo replied yes.

Chairman Laga said I don't think we need a floating boom. The area that you have here - building envelope - it goes all the way around.

Mr. Turano what is building envelope.

Mr. Starace said the building envelope doesn't encompass the stairs.

Chairman Laga asked are you cutting any trees down?

Mr. Galindo replied there are no trees on there.

Chairman Laga asked did you cut any trees down.

Mr. Galindo replied a few ones that were dead.

Chairman Laga asked how many did you cut down.

Mr. Galindo replied two or three.

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Chairman Laga said you're changing the grade; the contour of the property too - right?

Mr. Galindo responded yes.

Chairman Laga asked are you bringing fill in or are you just regrading?

Mr. Galindo replied we're just regrading.

Chairman Laga said I need to see a Regrading Plan, a Refueling Plan and details on the temporary stock pile area.

Mr. Starace said in other words; show what a stock pile will look like with the silt fence.

Mr. Starace, Chairman Laga and other Board members then had a small discussion on the silt fence details and the driveway and additional details on the maps.

Mr. Starace asked do you have the silt fence up now?

Mr. Galindo replied yes.

Chairman Laga said you're going to need to schedule an inspection with the Town Wetlands Inspector.

Mr. Starace said the figures for impervious calculations need to be redone.

Chairman Laga said right now you're at 3190 proposed residential. You're only taking into account the lot, the structures, the driveway, patio, deck and others. You don't take into account the two infiltration chambers or their piping. You have two StormTechs down here within the buffer so that adds into it plus all the piping. It probably isn't a lot but it has to be added into the calculations.

Mr. Turano said this is a 100' by 100' square. He's disturbing the entire square. That's 10,000 sf.

Chairman Laga said you need to provide new calculations to see if you have to provide a SWPPP. You have to show the location of the trees because you show tree protection - trunk armor. I need a count of the trees.

Mr. Starace said there are some trees closer to Lake Shore Drive.

Chairman Laga said I see two of them.

Mr. Turano asked are hay bales acceptable here.

Chairman Laga replied I don't think so. You don't need the hay bales. Do you have them in already?

Mr. Galindo replied no. I have wood chips.

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Chairman Laga said your one silt fence that goes across the 100' property; I'd like a double row of silt fence - wired back; the one from neighbor to neighbor; 5 feet apart. So, you need to recalculate the area of disturbance. That has to include the entire lot because you're regrading the entire lot based on this drawing. You're going to have to include the foundation for the building; include the StormTech infiltration chambers and the stairs. Basically from that 100' buffer down, you're disturbing. I also need to see how you came up with your sizing for the infiltration chambers.

Mr. Turano said you only show that you're collecting the roof drains in the back of the house. What does the house look like that you're only collecting them in the back of the house.

Chairman Laga interjected and rename the 100' Lake Setback to 100' Buffer.

Mr. Turano said where was the original house compared to the proposed house.

Mr. Starace said it's a little closer to the road. You can see the outline there but it's very vague. The old house really only had a bump out in the buffer.

Chairman Laga said based on this right now; we can't accept your application. Please address the following items:

- Recalculate the areas of disturbance; include all items as previously discussed.
- We need a Spill Prevention Plan, a Fueling Plan and a Fuel Staging Area or put a statement on here saying no equipment will be refueled at night.
- Store equipment on poly at night but not within the 100' buffer. It has to be up in the proposed driveway area for example.
- Add another layer of silt fence; doubled & wire backed.
- Need to show us a Regrading Plan; you show us that you're changing the slopes of it but how much are you taking down. Past the house, are you going to maintain the same grade or are you going to go down further and regrade that other area. Need to see how much volume of soil are you going to be digging up; show existing elevations
- Details on the stockpile area.
- Schedule inspection with Town Wetlands Inspector to check silt fence.
- Provide tree location and count that are on site that you're going to protect
- Re-confirm the sizing for the infiltration chambers. The way you show it, it's only 71.4 cubic feet but you have the driveway and the proposed house...

Mr. Galindo interjected I did ask the engineer that but he said that based on the driveway and size of the lot, it doesn't require another one.

Mr. Starace asked because it's draining toward Lake Secor Road; is that why he said that?

Mr. Galindo said (inaudible) lot of space to drain.

Mr. Starace said that run-off is draining toward the lake or the road? Do you know?

Chairman Laga said by the time they're done, it's going to drain toward the lake.

Mr. Turano said the spot elevations in the road are 99 & 100. Everything slopes down to the lake.

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Mr. Starace said you're impacting the lake.

Chairman Laga continued.....

- Verify the sizing of the infiltration chambers
- Rename 100' lake setback to 100' buffer
- Copy of the deed

Mr. Turano asked what happened to the playground equipment.

Mr. Galindo replied that's not my property.

Chairman Laga said please do not start any work until these items are addressed and you have a wetlands permit.

Mr. Turano asked could you bring in some photographs of the lot too so we have some visuals.

Mr. Galindo replied okay.

**LIONS GATE PROPERTY MANAGEMENT, INC. - 4 MARINA DRIVE; TM 76.5-1-52 -
REPLACEMENT OF EXISTING TIMBER BULKHEAD, BOARDWALK & DOCKS**

- Jason Snyder of Beadey & Watson Surveying & Engineering representing the owner, White Sail Condominiums; the property manager is Lions Gate Property Management, Inc.

Mr. Snyder stated here's the condominium complex. They have an existing wood bulkhead across the lakeshore. It's a 6' x 6' pressure treated retaining wall. There's a boardwalk, 8 feet wide, that runs along the whole length and there's docks/boat slips off there. There's 19 existing docks so there's 38 existing boat slips. We have a joint application filed with the D.E.C., the Army Corps and the Office of General Services. We're going to need an extreme disturbance permit from the D.E.C.; the Army Corps is just a nationwide permit so there's really nothing to do there. Since we're in the watershed, they need a reconstruction notification with the D.E.C.; the dock permit would be the Office of General Services. It's just a letter of maintenance because we already have an easement good until 2020 with the Office of General Services. It's shown on the survey. We anticipate over 5,000 square feet of temporary disturbance so we've prepared a basic SWPPP which includes basic erosion and sediment control. We'll have to have the Town Storm Water officer sign off on that for the MS4 Acceptance Form.

Mr. Starace asked what's your sequence of construction with this project.

Mr. Snyder replied we're going to demo.....

Mr. Starace interjected 100%?

Mr. Snyder responded yes; 100%.

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Chairman Laga said you're going to be using equipment obviously. Are you going to use an excavator or a barge, a crane....

Mr. Snyder replied a combination of all 3 probably. We're working with Tectonic. They're the structural engineers for the retaining wall. Depending on what's required in terms of back-fill and anchoring for the retaining wall, that's going to dictate a lot of that.

Mr. Starace said the existing footings supporting this structure - are they being disturbed or are they coming out?

Mr. Snyder replied I anticipate that we're going to be reinstalling the footings for the docks - some type of auger. A lot of these docks are in complete disrepair. Some of them have fallen right into the water.

Mr. Starace asked the main dock or just the fingers?

Mr. Snyder replied the fingers.

Mr. Starace said the fingers are floatable - right?

Mr. Snyder replied no; they're actually fixed. The boardwalk is kind of connected to the wall and, depending on their recommendations, we may be able to save some of the cribbing that the boardwalk is sitting on. The boardwalk is sitting on timber cribbing that is filled with riprap. You can see there's a missing piece of dock so you can also see what the structure of that looks like.

Chairman Laga said you have a filter fabric; you also show a floating boom; a turbidity curtain but I'd also like a floating boom just outside the turbidity curtain to extend out because you're going to be using heavy equipment and should there be a hydraulic hose break or something because the turbidity curtain the way it looks here, it floats but.....

Mr. Snyder interjected you mean like an oil absorbing boom?

Mr. Starace confirmed yes; an oil absorbing floating boom/sock.

Chairman Laga interjected at least where you're working with heavy equipment.

Mr. Snyder asked you'd want that in place all the time.

Chairman Laga replied yes.

Mr. Snyder said because we do have a spill-kit but you want more than that.

Chairman Laga replied yes; I'd like, at least, a floating boom.

Mr. Barnett asked what's the decking going to consist of for the boardwalk.

Mr. Snyder replied just as it is now; pressure-treated wood; 2 x 6.

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Chairman Laga said you're going to have a spill-kit on site?

Mr. Snyder replied yes.

Chairman Laga said where do you show that on the plans and where is this stuff going to be re-fueled because you're going to have a truck come - correct? We need a Refueling Plan.

Mr. Snyder responded the refueling activities and the equipment storage is going to be in the parking lot.

Chairman Laga interjected fine. Put a note/area indicating that and show staging area. You owe us the SWPPP. I see your oil spill kit and 20 gallon overpack.

Mr. Snyder interjected we would need a lot more than that if.....

Chairman Laga said yes; a couple. You need one about every 100'. What is the complete length of this?

Mr. Snyder responded it's about 450'. The boardwalk reconstruction is going to end here. The retaining wall ties right into the corner of the building right here and the last part is right here.

Mr. Starace asked what's the duration of this project?

Mr. Snyder replied I would anticipate about 6 - 8 weeks.

Chairman Laga said and you've applied to the Army Corps of Engineers, DEC & OGS.

Mr. Snyder replied yes; joint permit. We filed all at the same time. Again, the DEC will be issuing a permit. The Army Corps is covered under the general nationwide permit so we don't get anything back from them although we will have to prepare a pre-construction notification document.

Chairman Laga interjected we'll just need copies of those when you get them.

Mr. Snyder replied yes and I'm not exactly sure what we're going to get back from OGS. I think it'll just be a one line but we have the existing easement. I have an email here, "if the project is substantially an in-kind replacement of the existing structures, no additional authorization will be required from OGS for this project." So I don't really think we'll be getting anything back.

Mr. Starace said during this project, there will be no boats there?

Mr. Snyder replied there are no boats there now.

Chairman Laga asked when do you plan on starting this?

Mr. Snyder replied as soon as we get everything together and as soon as possible. Every month that goes by, they lose money because they do rent boat slips so they want to get it done as soon as possible.

Mr. Turano asked what's the status of the SWPPP.

Mr. Snyder replied whenever we have this set of Plans completed, it's ready to go. We'll get the Storm Water Officer to file the MS4 Acceptance Form. We have basic erosion and sediment controls so that's basically the only component of the SWPPP. There are no post-instructions, storm water mitigation required; we're not changing the hydrology.....

Mr. Barnett interjected you mean the original storm water drainage has been accepted bywhen it was originally built? There's nothing being changed about that?

Mr. Snyder replied no.

Chairman Laga said he has a lot of detail here; please put the number of spill-kits that you're going to put in; floating boom I would just like to have as an added bonus for just in case there is a release. Show staging area, the SWPPP and copies of the other permits.

Mr. Snyder said whatever you see right here.....we'll be adding to this obviously. This is what we submitted for the joint permits so we'll just update this, put the final stamps on it.

Mr. Turano said they're all stamped preliminary. How old is this?

Mr. Snyder replied 1986.

Chairman Laga asked how come you're going back with wood? Cheaper cost?

Mr. Snyder replied yes; it lasted 32 years.

Mr. Turano asked how many units are here?

Mr. Snyder replied 66.

Chairman Laga said spill-kit numbers, re-fueling plan, floating boom outside turbidity curtain, show staging area and in the SWPPP have a checklist - daily or weekly basis - the inspection sheet.

Mr. Snyder replied we weren't really going to have a narrative; it's a basic SWPPP. We can put it on the Plans.

Chairman Laga yes; I'd like to see an inspection schedule and an inspection checklist.

Mr. Snyder asked are you going to want a 'qualified' inspector inspections or is it contractor self-inspection?

Mr. Turano said the Town Engineer and the Wetland Inspector are one in the same. We require inspecting at certain phases and certain times. That's the part of the process; we want to see as well as any inspections by the State, etc.

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Chairman Laga said I would like 3rd party - independent.

Mr. Snyder said so you want number of spill-kits.

Mr. Starace said you need 4.

Chairman Laga said yes; you need 4 to 5 and reiterated all that was needed including copies of the other permits.

Mr. Snyder asked when should we come back.

Chairman Laga replied when you have the rest of those other permits and get your SWPPP in as soon as it's ready. Then make an appointment with Rose. It's a 30 day clock once we accept the application at the next meeting when we have all this stuff. You would then go on public notice; we would put you on the clock and if there's no comments, you would get your permit. Right now, we're in May. We have June 7th, June 21st, July 5th is the parade and we typically do not have a meeting.

Mr. Snyder said I just have to follow-up with this. Everything is in. I actually have the plans in with the D.E.P. to double check that they don't have any jurisdiction. Mary Galasso said as long as we're not increasing the square footage, then they don't have any jurisdiction.

Mr. Turano said if she provides an answer in writing, submit that also.

Chairman Laga said by next week, make these changes on the drawings, get them over to Rose. She'll get them to us and come the next meeting, if everything is right, we can put you on the clock. I realize time is of the essence. We can't accept the application right now because there are too many holes.

MISCELLANEOUS

MINUTES -

- March 15, 2018 - held over for quorum.
- April 5, 2018 - held over for quorum.
- April 19, 2018 -
Mr. Barnett moved to accept the minutes of April 19, 2018 as written; seconded by Mr. Starace with all in favor.

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

Respectfully submitted,

Dawn M. Andren