

ROBERT LAGA
Chairman

ANTHONY DUSOVIC
Vice-Chair

ROSE TROMBETTA
Secretary

DAVID KLOTZLE
Wetland Inspector

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
Marc Pekowsky
Vincent Turano
Nicholas Fannin
John Starace

ENVIRONMENTAL CONSERVATION BOARD AGENDA

APRIL 9, 2015 – 7:30 P.M.

EXTENSION OF WETLAND PERMIT

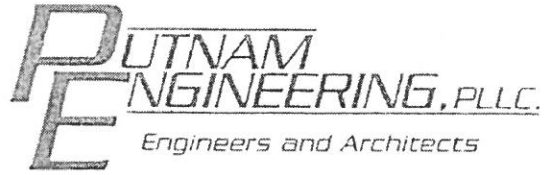
<u>APPLICANT</u>	<u>ADDRESS</u>	<u>TAX MAP #</u>	<u>COMMENTS</u>
1. Bailey, Marc	Spring Lane	53.-1-59.33	Renew Wetland Permit #842

SUBMISSION OF AN APPLICATION OR LETTER OF PERMISSION

2. Smajlaj, Nikolle,	579 Croton Falls Rd	77.13-2-44	Restore Natural Drainage Channel & Construct Retaining Wall (Discussion)
3. Plewinski, Michael & Sharon	49 Lakeside Road	64.19-1-16	Construct 2 nd Floor Addition

MISCELLANEOUS

4. Minutes – 01/22/15, 2/5/15 & 3/19/15



February 26, 2015

Robert Laga, Chairman
Town of Carmel Environmental Conservation Board
60 McAlpin Avenue
Mahopac, NY 10541

Re: Smajlaj Wetland Permit
579 Croton Falls Road
TM #77.13-2-44

Dear Chairman Stone and Members of the Board:

The Applicant proposes to remove the recently constructed stone channel (160 L.F +/-) in its entirety, restoring the original drainage course and complete construction of the partially finished retaining wall. The proposed work will result in an area of disturbance of approximately 5,200 sq. ft., all located within the adjacent area of the watercourse.

The subject property is located at 579 Croton Falls Road and is known as Tax Map #77.13-2-44. An unnamed watercourse traverses the northern portion of the site.

We request that this application be placed on the next available ECB agenda for review. Enclosed for your information and review are the following:

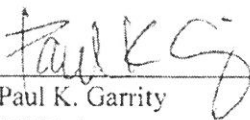
1. Erosion Control Drawings, dated December 17, 2014, 4 sets;
2. Application for Wetland Permit, original + 3 copies;
3. Application fee: \$920.00;
4. SEQRA Short Environmental Assessment Form, 4 copies;

(L01506)

5. Deed, 4 copies;
6. Project Narrative, 4 copies;
7. Calculation of application fee, 1 copy.

Sincerely,

PUTNAM ENGINEERING, PLLC



Paul K. Garrity
PKG/tal

Enclosures

cc: Carmel Town Clerk, with 1 copy
Nikolle & Drita Smajlaj

Page 2.

(L01506)

PUTNAM ENGINEERING, PLLC. Engineers and Architects
4 OLD ROUTE 6, BREWSTER, NEW YORK 10509 • (845) 279-6789 • FAX (845) 279-6769

CARL STONE
Chairman

ROBERT LAGA
Vice Chair

ROSE TROMBETTA
Secretary

DAVID KLOTZLE
Wetland Inspector

TOWN OF CARMEL
ENVIRONMENTAL CONSERVATION BOARD



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Mahopac, New York 10541
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Nicholas Fannin

APPLICATION FOR WETLAND PERMIT OR LETTER OF PERMISSION

Name of Applicant: NIKOLLE SMATLAJ

Address of Applicant: 579 CROTON FALLS RD Email: _____
CARMEL, N.Y 10512

Telephone# 0 Name and Address of Owner if different from Applicant:
SAME

Property Address: 579 CROTON FALLS RD Tax Map # 77.13 - 2 - 44

Agency Submitting Application if Applicable: N.A.

Location of Wetland: UNNAMED WATERCOURSE CROSSING NORTH SIDE OF PROPERTY

Size of Work Section & Specific Location: 5,200 S.F.

Will Project Utilize State Owned Lands? If Yes, Specify: NO

Type and extent of work (feet of new channel, yards of material to be removed, draining, dredging, filling, etc). A brief description of the regulated activity (attach supporting details).

REMOVE \pm 160 L.F. OF STONE LINED CHANNEL (FLUME) CONSTRUCTED TO DATE AND

RESTORE NATURAL DRAINAGE CHANNEL. INSTALL 175' \pm L.F. OF STONE RETAINING WALL. AREA OF DISTURBANCE = 5200 S.F.

Proposed Start Date: T.B.D. Anticipated Completion Date: T.B.D. Fee Paid \$ 920.00

CERTIFICATION

I hereby affirm under penalty of perjury that information provided on this form is true to the best of my knowledge and belief, false statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. As a condition to the issuance of a permit, the applicant accepts full legal responsibility for all damage, direct or indirect, or whatever nature, and by whomever suffered, arising out of the project described here-in and agrees to indemnify and save harmless the Town of Carmel from suits, actions, damages and costs of every name and description resulting from the said project.

Wilton Smatla
SIGNATURE 1/30/15
DATE

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: SMAJLAJ WETLAND PERMIT			
Project Location (describe, and attach a location map): 579 CROTON FALLS ROAD, TOWN OF CARMEL, PUTNAM COUNTY			
Brief Description of Proposed Action: 			
Name of Applicant or Sponsor: NIKOLL SMAJLAJ		Telephone: _____	
		E-Mail: _____	
Address: 579 CROTON FALLS ROAD			
City/PO: CARMEL		State: NY	Zip Code: 10512
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO YES
			X
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO YES
CARMEL E.C.B. - WETLAND PERMIT NYSDEC - SPDES COVERAGE			 X
3.a. Total acreage of the site of the proposed action?		<u>0.97</u> acres	
b. Total acreage to be physically disturbed?		<u>0.12</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>0.97</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): CROTON FALLS RESERVOIR <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	X		
b. Consistent with the adopted comprehensive plan?			X
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
			X
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	X		
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	X		
b. Are public transportation service(s) available at or near the site of the proposed action?			N.A.
			N.A.
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
			N.A.
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
			N.A.
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
			N.A.
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	X		
b. Is the proposed action located in an archeological sensitive area?	X		
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
		X	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		X	
		X	
UNNAMED WATERCOURSE			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	X		
16. Is the project site located in the 100 year flood plain?	NO	YES	
	X		
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES	
	X		
a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	X		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____			
	X		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	X	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	X	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>PUTNAM ENGINEERING, PLLC</u>	Date: <u>1/20/15</u>	
Signature: <u>[Signature]</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

**Smajlaj Wetland Permit Application
579 Croton Falls Road
TM #77.13-2-44**

Project Narrative

The subject property is located at 579 Croton Falls Road, at the intersection of Munich Road. It is known as Tax Map Parcel 77.13-2-44. An unnamed watercourse traverses the northern portion of the site. A stone channel, +/- 160 feet in length, has been constructed in the watercourse channel. A partial stone retaining wall has also been installed within the 100 foot watercourse adjacent area. A stockpile of large stones has been deposited on the site, along the frontage of Munich Road. This stone will be used for the completion of the retaining wall.

The purpose of this application includes removal of the ±160 linear feet of existing stone channel, and reconstruction/restoration of the affected watercourse. The Applicant is also proposing to complete construction of the retaining wall, which is approximately 175 linear feet long. The proposed work will disturb approximately 5, 200 sq. ft. of area within the watercourse and watercourse adjacent area. A Sequence of Construction is included with the Erosion Control drawings.

Smajlaj Wetland Permit Application
579 Croton Falls Road
TM #77.13-2-44

Calculation of Wetland Permit Application Fee:

Major Wetland Permit Fee for the first 1,000 sq. ft. of buffer disturbance = \$ 500.00

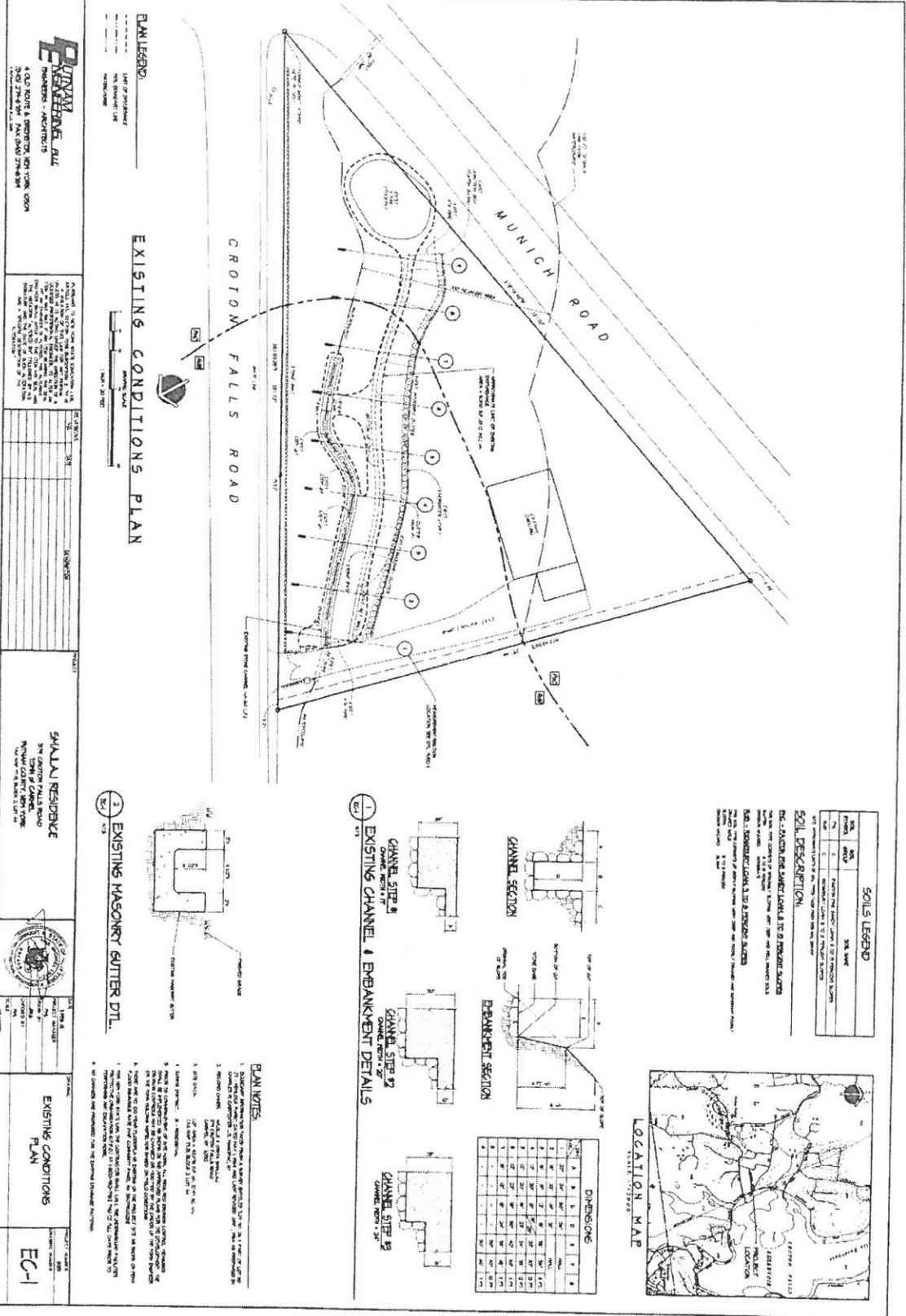
5,200 sq. ft. disturbance of wetland buffer

5,200 sq. ft. - 1,000 sq. ft. = 4,200 sq. ft.

4,200 sq. ft. ÷ 1,000 sq. ft. = 4.2

4.2 x \$100.00 = \$ 420.00

Total Application Fee: \$ 920.00



EXISTING CONDITIONS PLAN

PLAN LEGEND:

PERKINS ENGINEERING, INC.
 ENGINEERS - ARCHITECTS
 4 OLD ROUTE 6, BOSTON, MA 02116
 (617) 261-1111 FAX (617) 261-1111

PROJECT: CROTON FALLS ROAD
 SHEET: EC-1

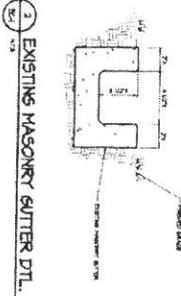
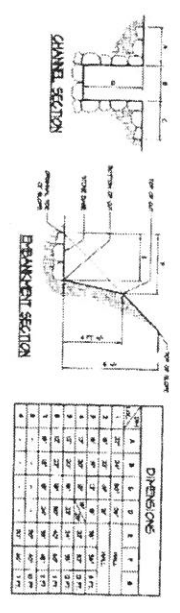
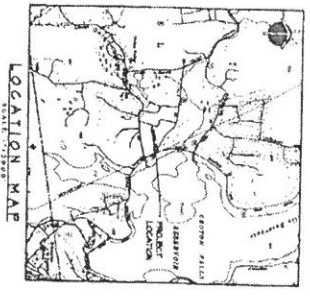
SHALVA RESIDUE
 375 CROTON FALLS ROAD
 BOSTON, MA 02116

EXISTING CONDITIONS PLAN
 EC-1

SOILS LEGEND

NO.	SYMBOL	SOIL NAME
1	(Symbol)	CLAYEY SILT
2	(Symbol)	SANDY SILT
3	(Symbol)	SANDY CLAY
4	(Symbol)	CLAYEY SAND
5	(Symbol)	SAND
6	(Symbol)	GRAVEL

SOIL DESCRIPTION:
 1. CLAYEY SILT: SILTY CLAY WITH 10% SAND
 2. SANDY SILT: SILTY SAND WITH 10% CLAY
 3. SANDY CLAY: SANDY SILT WITH 10% CLAY
 4. CLAYEY SAND: SANDY SILT WITH 10% CLAY
 5. SAND: SANDY SILT WITH 10% CLAY
 6. GRAVEL: SANDY SILT WITH 10% CLAY

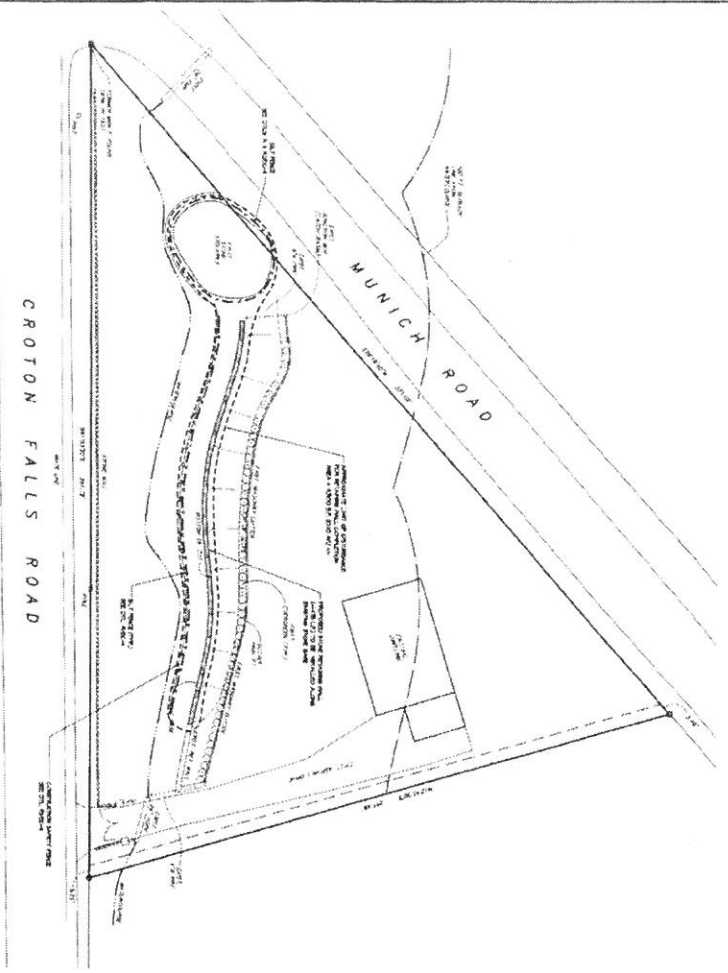


PLAN NOTES:

1. ALL CHANNELS AND EMBANKMENTS SHALL BE CONSTRUCTED TO THE 1% SLOPE INDICATED ON THIS PLAN.
2. ALL CHANNELS SHALL BE CONSTRUCTED TO THE 1% SLOPE INDICATED ON THIS PLAN.
3. ALL CHANNELS SHALL BE CONSTRUCTED TO THE 1% SLOPE INDICATED ON THIS PLAN.
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9. ALL CHANNELS SHALL BE CONSTRUCTED TO THE 1% SLOPE INDICATED ON THIS PLAN.
10. ALL CHANNELS SHALL BE CONSTRUCTED TO THE 1% SLOPE INDICATED ON THIS PLAN.

DIMENSIONS

NO.	DESCRIPTION	LENGTH	WIDTH	DEPTH
1	CHANNEL STEP #1	10.00	1.00	1.00
2	CHANNEL STEP #2	10.00	1.00	1.00
3	CHANNEL STEP #3	10.00	1.00	1.00
4	EMBANKMENT SECTION	10.00	1.00	1.00
5	EMBANKMENT SECTION	10.00	1.00	1.00
6	EMBANKMENT SECTION	10.00	1.00	1.00
7	EMBANKMENT SECTION	10.00	1.00	1.00
8	EMBANKMENT SECTION	10.00	1.00	1.00
9	EMBANKMENT SECTION	10.00	1.00	1.00
10	EMBANKMENT SECTION	10.00	1.00	1.00



STABILIZATION NOTES

1. Stabilization shall be completed within 30 days of the completion of construction.
2. Stabilization shall be completed within 30 days of the completion of construction.
3. Stabilization shall be completed within 30 days of the completion of construction.
4. Stabilization shall be completed within 30 days of the completion of construction.
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8. Stabilization shall be completed within 30 days of the completion of construction.
9. Stabilization shall be completed within 30 days of the completion of construction.
10. Stabilization shall be completed within 30 days of the completion of construction.

ON-SITE POLLUTION CONTROL MEASURES

1. All construction activities shall be contained within the construction limits.
2. All construction activities shall be contained within the construction limits.
3. All construction activities shall be contained within the construction limits.
4. All construction activities shall be contained within the construction limits.
5. All construction activities shall be contained within the construction limits.
6. All construction activities shall be contained within the construction limits.
7. All construction activities shall be contained within the construction limits.
8. All construction activities shall be contained within the construction limits.
9. All construction activities shall be contained within the construction limits.
10. All construction activities shall be contained within the construction limits.

TOWN OF CANTON GENERAL EROSION CONTROL NOTES

1. Erosion control measures shall be installed and maintained throughout the construction period.
2. Erosion control measures shall be installed and maintained throughout the construction period.
3. Erosion control measures shall be installed and maintained throughout the construction period.
4. Erosion control measures shall be installed and maintained throughout the construction period.
5. Erosion control measures shall be installed and maintained throughout the construction period.
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10. Erosion control measures shall be installed and maintained throughout the construction period.

EROSION CONTROL GENERAL NOTES

1. Erosion control measures shall be installed and maintained throughout the construction period.
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9. Erosion control measures shall be installed and maintained throughout the construction period.
10. Erosion control measures shall be installed and maintained throughout the construction period.

EROSION SEDIMENT CONTROL MAINTENANCE PLAN

1. Erosion control measures shall be installed and maintained throughout the construction period.
2. Erosion control measures shall be installed and maintained throughout the construction period.
3. Erosion control measures shall be installed and maintained throughout the construction period.
4. Erosion control measures shall be installed and maintained throughout the construction period.
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7. Erosion control measures shall be installed and maintained throughout the construction period.
8. Erosion control measures shall be installed and maintained throughout the construction period.
9. Erosion control measures shall be installed and maintained throughout the construction period.
10. Erosion control measures shall be installed and maintained throughout the construction period.

SEQUENCE OF CONSTRUCTION

1. Site preparation and clearing.
2. Foundation and structural framing.
3. Installation of exterior walls and roof.
4. Interior finishing and landscaping.
5. Final site stabilization and maintenance.

PAULEY RD
 31.1000
 LOT 10000000
 10000000
 10000000

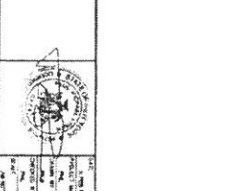
CONSTRUCTION PLAN

SCALE: 1" = 20'

DATE: 10/1/2010

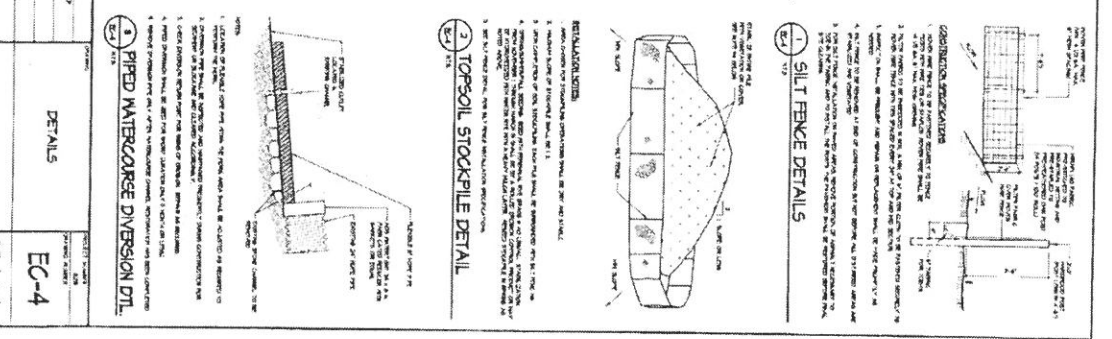
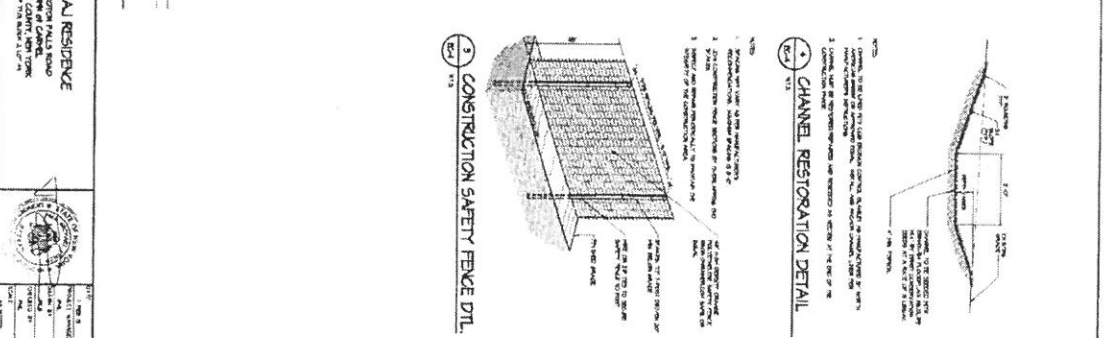
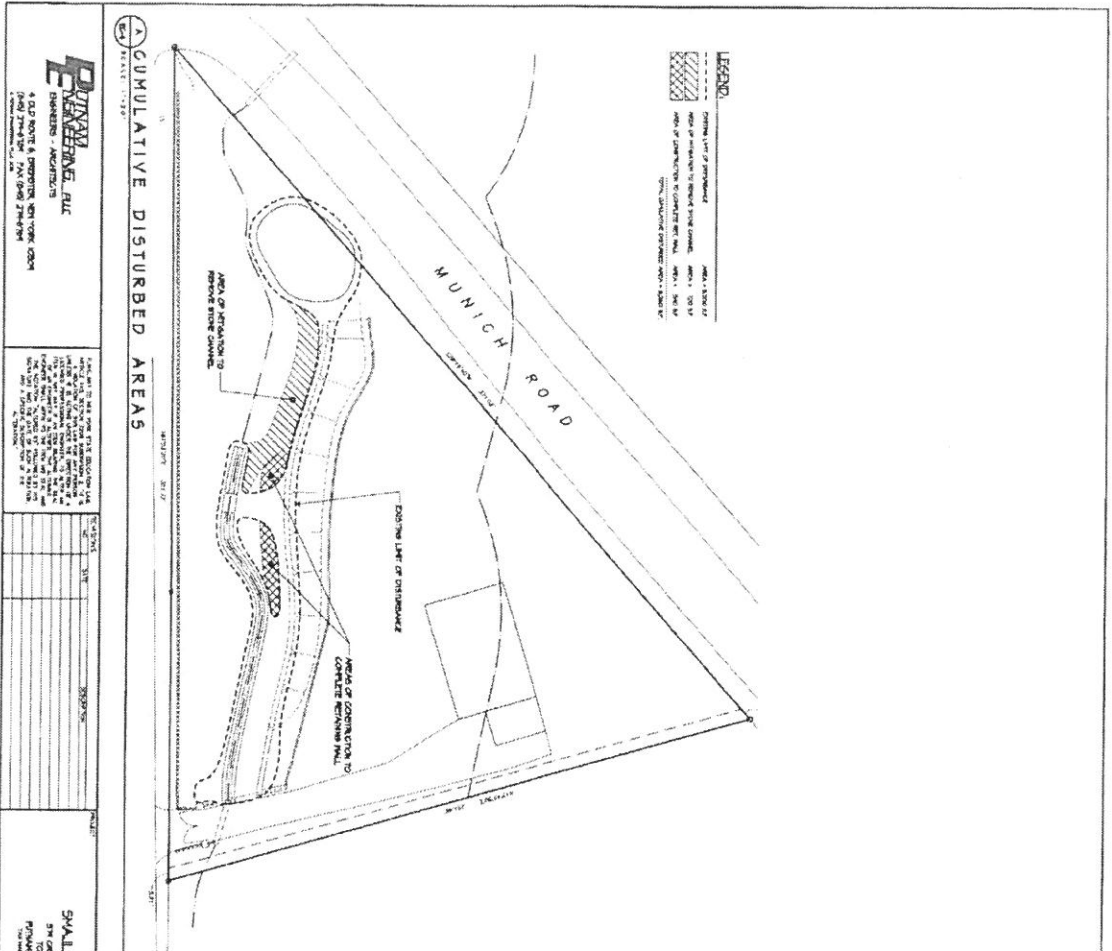
NO.	DATE	DESCRIPTION
1	10/1/2010	ISSUED FOR PERMIT
2	10/1/2010	ISSUED FOR PERMIT
3	10/1/2010	ISSUED FOR PERMIT
4	10/1/2010	ISSUED FOR PERMIT
5	10/1/2010	ISSUED FOR PERMIT
6	10/1/2010	ISSUED FOR PERMIT
7	10/1/2010	ISSUED FOR PERMIT
8	10/1/2010	ISSUED FOR PERMIT
9	10/1/2010	ISSUED FOR PERMIT
10	10/1/2010	ISSUED FOR PERMIT

SHALAN RESIDENCE
 THE CANTON FALLS ROAD
 CANTON, MASSACHUSETTS
 01921



CONSTRUCTION PLAN

EC-3



SHALAL RESIDENCE
 3700 W. PALM BLVD
 PALM BEACH, FL 33411

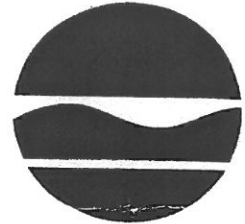
EC-4

**New York State Department of Environmental Conservation
Division of Water, Region 3**

100 Hillside Avenue • Suite 1W, White Plains, New York 10603-2860

Phone: (914) 428-2505 • FAX: (914) 428-0323

Website: www.dec.state.ny.us



Joe Martens
Commissioner

NOTICE OF VIOLATION

November 13, 2014

Niko Smajlaj
579 Croton Falls Road
Carmel, NY 10512

**Re: 579 Croton Falls Road,
Town of Carmel, Putnam County**

Dear Mr. Smajlaj:

The New York State Department of Environmental Conservation has provided this Department with the attached documentation that construction activities involving greater than 5,000 square feet of soil disturbance was initiated at the above referenced project site without approval as required under the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001). Construction of a point source outlet without a SPDES permit is a violation of Article 17 of the New York State Environmental Conservation Law. Article 17 violations are subject to penalties of up to \$37,500 per violation, per day.

Our records do not indicate that the project has the required coverage under the Permit. A Notice of Intent (NOI) to gain coverage under the Permit must be submitted for the project. In addition a Stormwater Pollution Prevention Plan must be prepared and implemented for this project. The NOI can be obtained at this website: <http://www.dec.ny.gov/chemical/43133.html>. The completed NOI must be submitted to the address at the top of the form and a copy to this office by December 12, 2014.

This Notice of Violation also serves as a cease and desist directive to stop further violation of Article 17 of the New York State Environmental Conservation Law. Should you have any questions, please contact me at (914) 428-2505, Ext 365.

Very truly yours,

Adedayo Adewole, P.E.
Environmental Engineer 1

cc: Patrick Ferracane, NYSDEC, Region 3
Joseph Ziminsky, NYCDEP, Valhalla w/o enclosure
Richard Franzetti, P.E. Town Engineer, Town of Carmel w/o enclosure
5845-781-4844



November 13, 2014

Niko Smajlaj
579 Croton Falls Road
Carmel, NY

re: Smajlaj Residence; Notice of Violation (NOV)
579 Croton Falls Road; (T) Carmel; Tax Map#77.13-2-44
DEP Log # 2014-CF-0639-CPD.1

Emily Lloyd
Commissioner

Dear Mr. Smajlaj:

Paul V. Rush, P.E.
Deputy Commissioner
Bureau of Water Supply
prush@dep.nyc.gov

Enclosed please find a Notice of Violation (NOV) served by the New York City Department of Environmental Protection (DEP) for using an impervious surface to divert a DEP regulated watercourse without first obtaining DEP approval as required by Section 18-39 (a) (2) (ix) of the *Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and Its Sources* (Watershed Regulations). The NOV is based on observations made by DEP staff on November 7, 2014.

465 Columbus Avenue
Valhalla, New York 10595

T: (845) 340-7800
F: (845) 334-7175

In order to resolve the violation, you must prepare and submit a Crossing Piping, and Diversion Permit (CPDP) application and supporting documentation for DEP's review and obtain DEP approval or submit a proposal for DEP approval to remove the diversion and restore the watercourse.

Should you have any questions or wish to further discuss this matter, please call me at (914) 742 - 2025.

Sincerely,

John G. Drake, P.E.
Civil Engineer
EOH Stormwater Programs

c: Joya Cohen, NYCDEP Legal Affairs
Devon Goodrich, NYC Law Department
Town of Carmel Planning Department
Town of Carmel Engineering Department

CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF VIOLATION

TO: Niko Smajlaj
579 Croton Falls Road
Carmel, NY 10512

LOCATION: 579 Croton Falls Road
Carmel, New York

DATE: November 13, 2014

PLEASE TAKE NOTICE THAT:

Pursuant to Section 1100 *et seq.* of the New York State Public Health Law, Title 10, Part 128 of the New York Codes, Rules and Regulations ("NYCRR"), and Title 15, Chapter 18 of the Rules of the City of New York ("RCNY"), the New York City Department of Environmental Protection ("NYCDEP") is authorized to inspect the sources of the drinking water supply of the City of New York and determine whether any conduct within its watershed constitutes or threatens to constitute a temporary or permanent source or act of contamination of the water supply.

Upon investigation conducted by representatives of the NYCDEP on November 7, 2014, it has been determined that there is reasonable cause to believe that you have violated the following section(s) of 10 NYCRR Part 128 and 15 RCNY Chapter 18 (copies of the violated sections are attached):

- | | | |
|-------------------------------------|---------------------------------------|---|
| <input checked="" type="checkbox"/> | 10 NYCRR § 128-2.1; 15 RCNY § 18-21: | Contamination from a Regulated Activity |
| <input type="checkbox"/> | 10 NYCRR § 128-3.1; 15 RCNY § 18-31: | Pathogenic Materials |
| <input type="checkbox"/> | 10 NYCRR § 128-3.2; 15 RCNY § 18-32: | Hazardous Substances and Hazardous Wastes |
| <input type="checkbox"/> | 10 NYCRR § 128-3.3; 15 RCNY § 18-33: | Radioactive Materials |
| <input type="checkbox"/> | 10 NYCRR § 128-3.4; 15 RCNY § 18-34: | Petroleum Products |
| <input type="checkbox"/> | 10 NYCRR § 128-3.5; 15 RCNY § 18-35: | Human Excreta |
| <input type="checkbox"/> | 10 NYCRR § 128-3.6; 15 RCNY § 18-36: | Wastewater Treatment Plants |
| <input type="checkbox"/> | 10 NYCRR § 128-3.7; 15 RCNY § 18-37: | Sewerage Systems, Service Connections, and Discharges to Sewerage Systems |
| <input type="checkbox"/> | 10 NYCRR § 128-3.8; 15 RCNY § 18-38: | Subsurface Sewage Treatment Systems |
| <input checked="" type="checkbox"/> | 10 NYCRR § 128-3.9; 15 RCNY § 18-39: | Stormwater Pollution Prevention Plans and Impervious Surfaces |
| <input type="checkbox"/> | 10 NYCRR § 128-3.10; 15 RCNY § 18-40: | Miscellaneous Point Sources |
| <input type="checkbox"/> | 10 NYCRR § 128-3.11; 15 RCNY § 18-41: | Solid Waste |
| <input type="checkbox"/> | 10 NYCRR § 128-3.12; 15 RCNY § 18-42: | Agricultural Activities |
| <input type="checkbox"/> | 10 NYCRR § 128-3.13; 15 RCNY § 18-43: | Pesticides |
| <input type="checkbox"/> | 10 NYCRR § 128-3.14; 15 RCNY § 18-44: | Fertilizers |
| <input type="checkbox"/> | 10 NYCRR § 128-3.15; 15 RCNY § 18-45: | Snow Disposal and Storage and Use of Winter Highway Maintenance Materials |
| <input type="checkbox"/> | 10 NYCRR § 128-2.7; 15 RCNY § 18-27 | Violation involves Noncomplying Regulated Activity |
| <input type="checkbox"/> | Other: _____ | |



November 25, 2014

Nikolle Smajlaj
579 Croton Falls Road
Carmel, NY 10512

re: Smajlaj Residence; **Notice of Violation (NOV)**
579 Croton Falls Road; (T) Carmel; Tax Map#77.13-2-44
DEP Log # 2014-CF-0639-CPD.1

Emily Lloyd
Commissioner

Paul V. Rush, P.E.
Deputy Commissioner
Bureau of Water Supply
prush@dep.nyc.gov

465 Columbus Avenue
Valhalla, New York 10595

T: (845) 340-7800
F: (845) 334-7175

Dear Mr. Smajlaj:

This letter serves to follow up our meeting of November 21, 2014 to discuss the Notice of Violation (NOV) issued by DEP on November 13, 2014. The NOV was issued because the watercourse flowing along the north edge of the property parallel to Croton Falls Road was diverted using an impervious surface. The watercourse is a reservoir stem of the New York City water supply system and is tributary to Croton Falls Reservoir. The following were discussed:

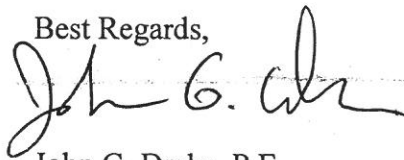
1. A separate Notice of Violation was issued by the Town of Carmel on November 19th for violating the Town's wetland regulations. The Town of Carmel's Notice of Violation contains three (3) specific orders that must be followed. These include: installing silt fence in the specified locations, stopping all work associated with the reservoir stem, and applying for a permit from the Town of Carmel Environmental Conservation Board (ECB).
2. A separate Notice of Violation was issued by the New York State Department of Environmental Conservation (NYSDEC) for disturbing more than 5,000 square feet of land without first obtaining coverage under that agency's General Permit.
3. As stated in DEP's NOV, you must immediately stop all construction activity related to the impervious channel.
4. **Please do not do any physical work to resolve DEP's NOV without first addressing the Notices of Violation from the Town of Carmel and NYSDEC (see 1 and 2, above).**
5. As a remedy for DEP's NOV, in conjunction with any Town of Carmel and NYSDEC requirements you must restore the impervious sections of the diverted reservoir stem (i.e., the sections modified with both concrete and stone) to their natural state or replace the impervious segments of the reservoir stem with some other pervious material.

6. In the future, please forward to DEP a copy of all documents you submit to the Town of Carmel and NYSDEC regarding this matter.

In conjunction with Town and NYSDEC requirements, you will need to prepare and submit to DEP a written plan describing in detail the scope of the proposed work to remedy DEP's NOV, including measures to protect the reservoir stem and Croton Falls Reservoir from erosion and turbidity.

If you have any questions, please contact me at (914)742-2025 or at jdrake@dep.nyc.gov.

Best Regards,



John G. Drake, P.E.

Civil Engineer

Regulatory and Engineering Programs

xc: Building Department, (T) Carmel
Engineering Department, (T) Carmel
ECB, (T) Carmel
Adedayo Adewole, P.E., NYSDEC Region 3

CARL STONE
Chairman

ROBERT LAGA
Vice Chair

ROSE TROMBETTA
Secretary

DAVID KLOTZLE
Wetland Inspector

TOWN OF CARMEL
ENVIRONMENTAL CONSERVATION BOARD



60 McAlpin Avenue
Mahopac, New York 10541
Tel. (845) 628-1500 - Ext. 190
www.carmelny.org

BOARD MEMBERS

Edward Barnett
Anthony Dusovic
Marc Pekowsky
Vincent Turano
Nicholas Fannin

APPLICATION FOR WETLAND PERMIT OR LETTER OF PERMISSION

Name of Applicant: MICHAEL & SHARON PLEWINSKI

49 LAKESIDE RD.

Address of Applicant: MAHOPAC, N.Y. 10541 Email: _____

Telephone# _____ Name and Address of Owner if different from Applicant:

SAME AS APPLICANT

Property Address: 49 LAKESIDE RD. Tax Map # 64.19-1-16

Agency Submitting Application if Applicable: N/A

Location of Wetland: KIRK LAKE

Size of Work Section & Specific Location: SEE SITE PLAN

Will Project Utilize State Owned Lands? If Yes, Specify: NO

Type and extent of work (feet of new channel, yards of material to be removed, draining, dredging, filling, etc). A brief description of the regulated activity (attach supporting details).

SECOND FLOOR ADDITION ON EXISTING HOUSE
& RAIN GARDEN

Proposed Start Date: 6/1/15 Anticipated Completion Date: 12/1/15 Fee Paid \$ _____

CERTIFICATION

I hereby affirm under penalty of perjury that information provided on this form is true to the best of my knowledge and belief, false statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. As a condition to the issuance of a permit, the applicant accepts full legal responsibility for all damage, direct or indirect, or whatever nature, and by whomever suffered, arising out of the project described here-in and agrees to indemnify and save harmless the Town of Carmel from suits, actions, damages and costs of every name and description resulting from the said project.

Michael W. Plewinski
SIGNATURE

4-5-15
DATE

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

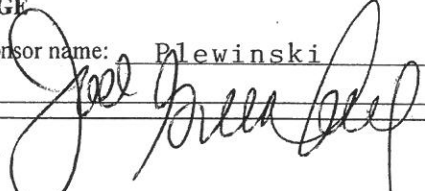
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Mr. & Mrs. Michael Plewinski			
Project Location (describe, and attach a location map): 49 Lakeside Road			
Brief Description of Proposed Action: Add second floor to existing house and rain garden			
Name of Applicant or Sponsor: Mr. & Mrs. Michael Plewinski		Telephone: E-Mail:	
Address: 49 Lakeside Road			
City/PO: Mahopac		State: NY	Zip Code: 10541
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO YES
			X
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO YES
Carmel Building Dept.			X
3.a. Total acreage of the site of the proposed action?		0.1903 acres	
b. Total acreage to be physically disturbed?		0.02 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.1903 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	X	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	X	

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Blewinski Date: 4-3-15

Signature:  Project Architect

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

