

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

**ENVIRONMENTAL CONSERVATION BOARD AGENDA**

**OCTOBER 2, 2014 – 7:30 P.M.**

**SUBMISSION OF APPLICATION OR LETTER OF PERMISSION**

<b><u>APPLICANT</u></b>	<b><u>ADDRESS</u></b>	<b><u>TAX MAP #</u></b>	<b><u>COMMENTS</u></b>
1. Lake Mahopac Woods Assoc	386 West Lake Blvd	64.12-2-55	Sea Wall & Dock Repair

**MISCELLANEOUS**

2. Minutes – 6/19/2014, 7/10/2014 & 7/31/2014



**Environmental Conservation Board**  
TOWN HALL - MAHOPAC, NY 10541 - (845) 628-1500

RICHARD FRANZETTI  
Chairman

ROSE TROMBETTA  
Secretary

DAVID KLOTZLE  
Wetland Inspector

APPLICATION FOR A WETLAND PERMIT  
OR LETTER OF PERMISSION

MEMBERS

Edward Barnett  
Anthony Dusovic  
Carl Stone  
Robert Laga  
Marc Pekowsky  
Vincent Turano

Name of Applicant: LAKE MAHOPAC WOODS ASSOCIATION / SEAN MCKEE

Address of Applicant: 19 CRICKET LANE, MAHOPAC Email: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Name & Address of Owner if different from Applicant: \_\_\_\_\_

SEAN MCKEE 19 CRICKET LANE MAHOPAC NY

Property Address: 386 West Lake Blvd, Mahopac, NY Tax Map #: 64.12-255

Agency Submitting Application if Applicable: \_\_\_\_\_

Location of Wetland: BEACH PROPERTY

Size of Work Section & Specific Location: +- 100 FEET OF SEAWALL AND +- 60 FEET DOCK

Will Project Utilize State Owner 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 detailed description of the regulated activity.

SEE ATTACHED SHEET

Proposed Starting Date: NOV. 1, 2013 Completion Date: DEC. 15, 2013 Amount of 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 herein 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.

[Signature]  
SIGNATURE

9/16/13  
DATE

Use this space for further explanation if necessary \_\_\_\_\_

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: <b>BEACH WALL REPAIR AND DOCK REPAIR</b>			
Project Location (describe, and attach a location map): <b>386 WEST LAKE BLVD., MAHOPAC NY TAX MAP 64.12-2-55</b>			
Brief Description of Proposed Action: <b>PHASE I POUR NEW CONCRETE ON TOP OF AND BEHIND EXISTING SEA WALL (CURRENTLY CONCRETE) PHASE II REPAIR FOOTINGS OF EXISTING DOCK</b>			
Name of Applicant or Sponsor: <b>SEAN MCKEE + LAKE MAHOPAC WOODS ASSOCIATION</b>		Telephone: <b>.....-9</b>	
Address: <b>19 CRICKET LANE</b>		E-Mail: <b>SE</b>	
City/PO: <b>MAHOPAC</b>		State: <b>NY</b>	Zip Code: <b>10541</b>
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 X
3.a. Total acreage of the site of the proposed action?		<u>+/- 1</u> acres	
b. Total acreage to be physically disturbed?		<u>+/- 0.1</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>+/- 2</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 checked="" type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>LAKE MAHOPAC</u> <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: <u>LAKE MAHOPAC</u>	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?		X	
		X	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		X	
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	
			X 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	
			X
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment:	NO	YES	
		X	
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	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
		X	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES			
_____			
_____			

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	
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Sean McKee</u> Date: <u>11/20/13</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)?		

ECB



May 21, 2014

John Maxwell, LEED AP  
Pavarini Northeast Construction Co., Inc.  
30 Oak Street  
Stamford, CT 06905

Re: Proposed Dock and Headwall Reconstruction at Lake Mahopac Woods Association;  
386 West Lake Blvd; (T) Carmel; Tax Map #: 64.12-2-55  
DEP Log # 2014-AM-0223.OT.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. Maxwell:

Thank you for submitting the documentation describing the above-referenced activity, received by DEP on May 13, 2014. The proposed project involves replacement of an existing dock and the vertical extension of an existing concrete headwall. The documentation, dated May 12, 2014, received by DEP included a project description, drawings, maps, and photographs of existing and proposed features.

Based on the above mentioned documentation and following Sections 18-27 and 18-39 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), DEP has determined that the proposed activity requires no regulatory review or approval from this agency.

Please note that construction activities could cause a substantial visible contrast to receiving waters, which is a water quality violation under Environmental Conservation Law. In order to ensure the protection of water supply resources during construction, DEP recommends that appropriate erosion control measures and construction techniques be implemented during construction.

If you have any questions, please call the undersigned at (914)742-2025.

Sincerely,

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

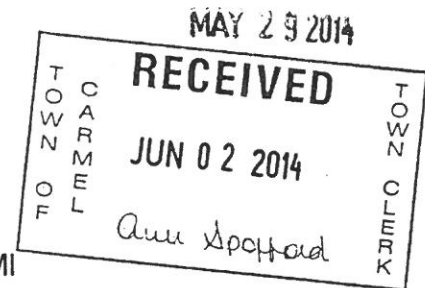
cc: Planning Department, (T) Carmel  
Building Department, (T) Carmel  
ECB, (T) Carmel



REPLY TO  
ATTENTION OF

Regulatory Branch

DEPARTMENT OF THE ARMY  
NEW YORK DISTRICT, CORPS OF ENGINEERS  
JACOB K. JAVITS FEDERAL BUILDING  
26 FEDERAL PLAZA  
NEW YORK, NEW YORK 10278-0090



SUBJECT: Permit Application Number NAN-2014-00475-WMI  
by Lake Mahopac Woods Association

John Maxwell  
518 Beach Road  
Mahopac, New York 10541

Dear Mr. Maxwell:

On May 27, 2014, the New York District of the U.S. Army Corps of Engineers received a request for Department of the Army authorization for the discharge of fill material that includes the placement of six (6) new 4 foot long by 4 foot wide concrete piers to replace existing dilapidated concrete piers. The concrete piers will be used as structural supports to rehabilitate an existing 72 foot long timber dock. The extension of the seawall, 18 inches higher, will take place landward of the ordinary high water mark (OHWM) and therefore, is not jurisdictional. The discharge of concrete will impact approximately a maximum of 0.002 acres of Lake Mahopac below the OHWM. The site is located in Lake Mahopac, in the Town of Carmel, Putnam County, New York.

Based on the information submitted to this office, our review of the project indicates that an individual permit is not required. It appears that the activities within the jurisdiction of this office could be accomplished under Department of the Army Nationwide General Permit Number 3. The nationwide permits are prescribed as a Reissuance of Nationwide Permits in the Federal Register dated February 21, 2012 (77 FR 10184). The work may be performed without further authorization from this office provided the activity complies with the permit conditions listed in Section B, No. 3, Section C, any applicable New York District regional conditions, the following special condition(s), and any applicable regional conditions added by the State of New York, copies enclosed.

This determination covers only the work described in the submitted material. Any major changes in the project may require additional authorizations from the New York District.

Care should be taken so that construction materials, including debris, do not enter any waterway to become drift or pollution hazards. You are to contact the appropriate state and local government officials to ensure that the subject work is performed in compliance with their requirements.

Please note that this nationwide permit (NWP) verification is based on a preliminary jurisdictional determination (JD). A preliminary JD is not appealable. If you wish, prior to commencement of the authorized work you may request an approved JD, which may be

appealed, by contacting the New York District, U.S. Army Corps of Engineers for further instruction. To assist you in this decision and address any questions you may have on the differences between preliminary and approved jurisdictional determinations, please review U.S. Army Corps of Engineers Regulatory Guidance Letter No. 08-02, which can be found at:

<http://www.usace.army.mil/Portals/2/docs/civilworks/RGLS/rgl08-02.pdf>

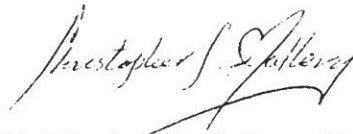
This verification is valid until **March 18, 2017**, unless the nationwide permit is modified, reissued, or revoked. This verification will remain valid until **March 18, 2017**, if the activity complies with the terms of any subsequent modifications of the nationwide permit authorization. If the nationwide permits are suspended, revoked, or modified in such a way that the activity would no longer comply with the terms and conditions of a nationwide permit, and the proposed activity has commenced, or is under contract to commence, the permittee shall have 12 months from the date of such action to complete the activity.

**Within 30 days of the completion of the activity authorized by this permit and any mitigation required by this permit, you are to sign and submit the attached compliance certification form to this office.**

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

If any questions should arise concerning this matter, please contact Rosita Miranda, of my staff, at (917) 790-8420.

Sincerely,



Christopher S. Mallery, Ph.D.  
Deputy Chief, Regulatory Branch

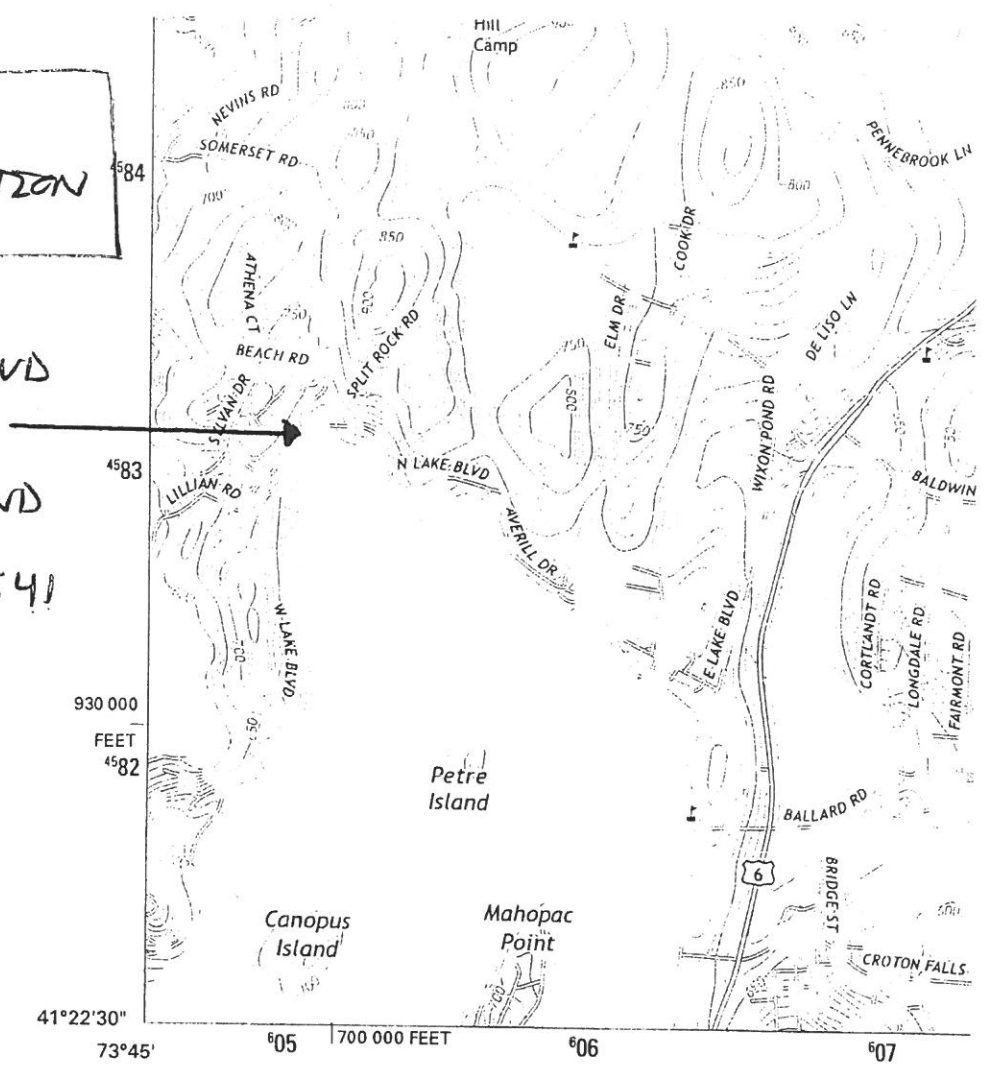
Enclosures

cc: NYSDEC - Region 3  
Town of Carmel



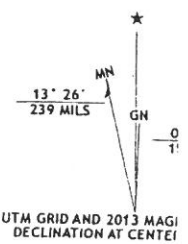
LAKES MAHOPAC  
WOODS ASSOCIATION

393 N. LAKES BLVD  
AND  
386 W. LAKES BLVD  
MAHOPAC, NY 10541  
MAY 19, 2014



Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83)  
World Geodetic System of 1984 (WGS84). Projection and  
1 000-meter grid: Universal Transverse Mercator, Zone 18T  
10 000-foot ticks: New York Coordinate System of 1983 (east  
zone)

Imagery.....NAIP, July 2011  
Roads.....©2006-2012 TomTom  
Names.....GNIS, 2012  
Hydrography.....National Hydrography Dataset, 2011  
Contours.....National Elevation Dataset, 1999  
Boundaries.....Census, IBWC, IBC, USGS, 1972 - 2012



UTM GRID AND 2013 MAGI DECLINATION AT CENTER

U.S. National G
100,000-m Square
XL
Grid Zone Designation
18T

BLOW UP OF LMWA  
PROPERTY LOCATION

MAY 19th, 2014

88

BEACH ROAD

EXISTING SEA WALL TO BE REPAIRED

EXISTING DOCK TO BE REPAIRED



INSET

SCALE 1"=50'

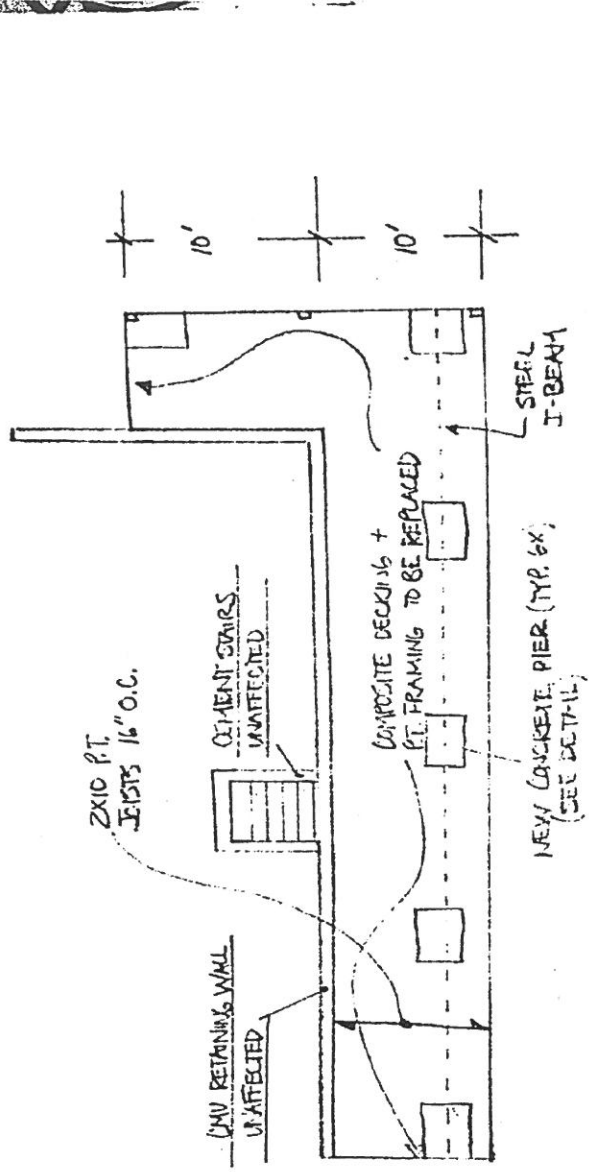
BLOCK 10  
PARCEL 13+14

File #:  
Applicant: Lake Mahopac Woods Association  
Proposed Project: Sea Wall/ W. Dock Repairs  
Location: 393 N. Lake Blvd/ 386 W. Lake Blvd  
Mahopac, NY 10541

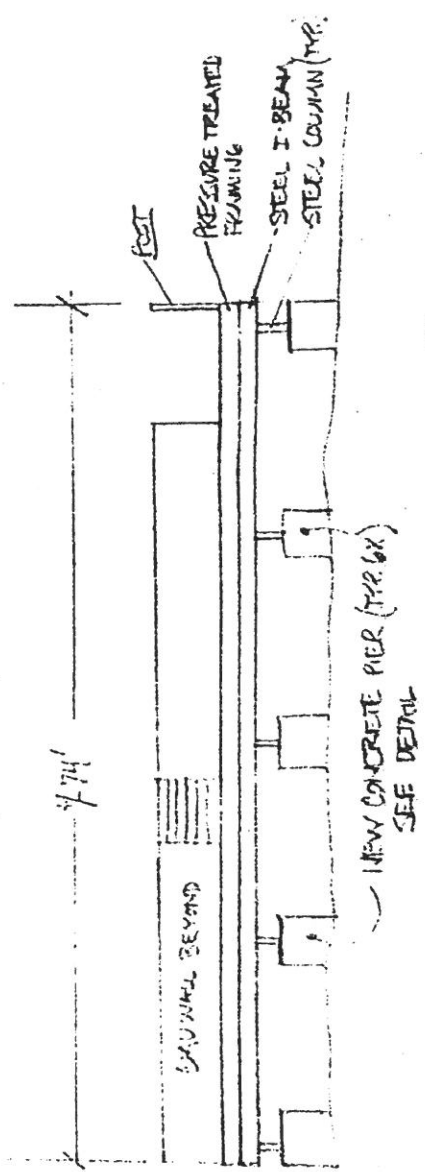
Sheet # 2 of 2  
Date: 05/20/14

NAN-2014-00475-WMT

sheet 2 of 2



WEST DOCK  
PLAN VIEW



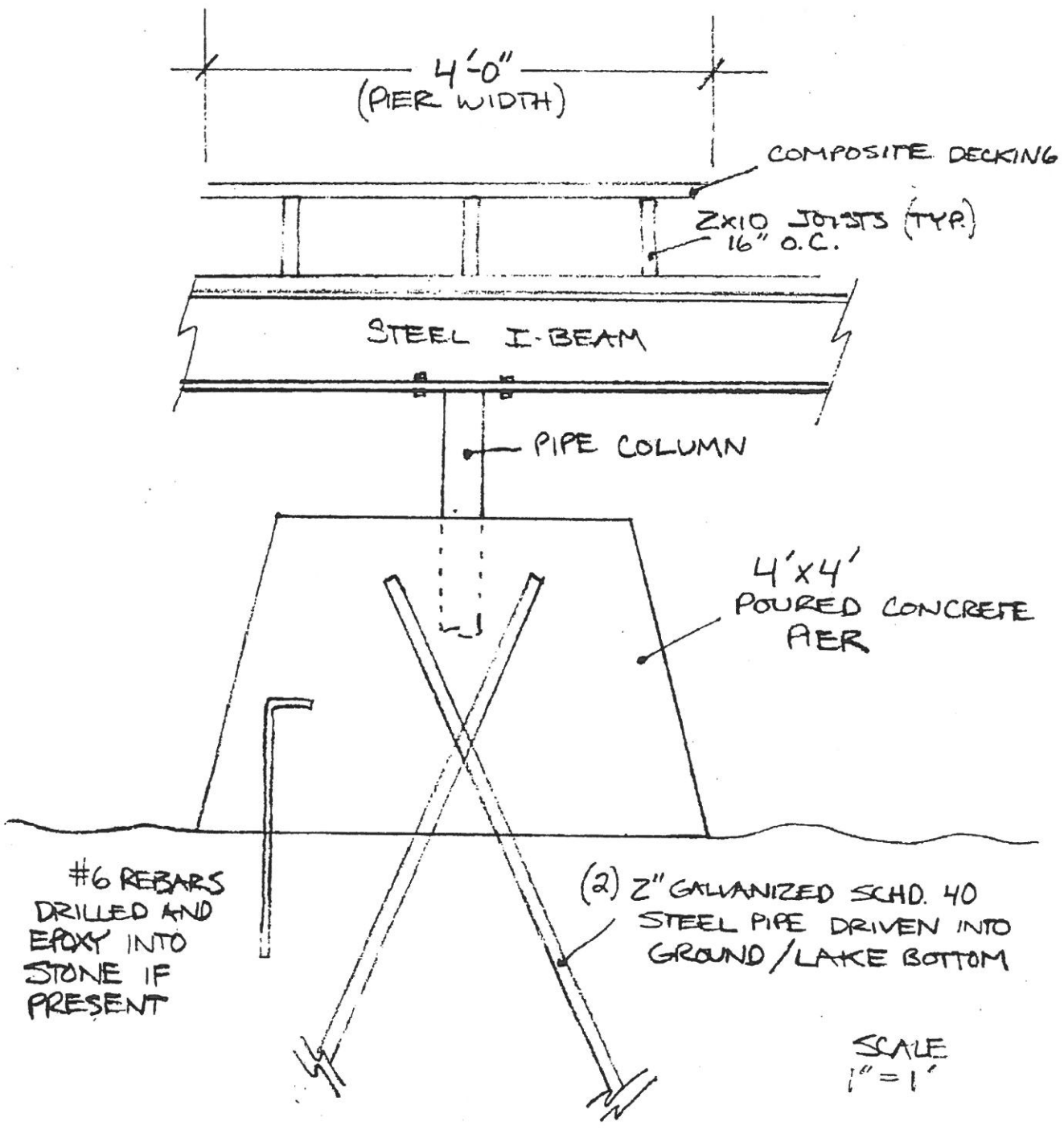
WEST DOCK  
ELEVATION VIEW

SCALE  
1/8" = 1'

File #: \_\_\_\_\_  
 Applicant: Lake Mahopac Woods Association  
 Proposed Project: Sea Wall/W. Dock Repairs  
 Location: 393 N. Lake Blvd/ 386 W. Lake Blvd  
 Mahopac, NY 10541  
 Date: 05/20/14

WEST DOCK  
PIER DETAIL +  
STRUCTURE DETAIL

File #:  
Applicant: Lake Mahopac Woods Association  
Proposed Project: Sea Wall/ W. Dock Repairs  
Location: 393 N. Lake Blvd/ 386 W. Lake Blvd  
Mahopac, NY 10541  
Sheet # 4 of #20  
Date: 05/20/14





**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**Permittee and Facility Information**

**Permit Issued To:**  
LAKE MAHOPAC WOODS ASSOCIATION  
INC  
518 BEACH RD  
MAHOPAC, NY 10541  
(203) 943-4276

**Facility:**  
LAKE MAHOPAC ASSOCIATION PROPERTY  
393 N LAKE BLVD|(AKA 386 W LAKE BLVD)  
MAHOPAC, NY 10541

**Facility Location:** in CARMEL in PUTNAM COUNTY  
**Facility Principal Reference Point:** NYTM-E: 605.038 NYTM-N: 4583.124  
Latitude: 41°23'34.1" Longitude: 73°44'36.9"

**Authorized Activity:** This permit authorizes 750 square feet of disturbance to heighten an existing scawall & 430 square feet of disturbance to replace concrete pilings for an existing dock, to Lake Mahopac [H-31-P44-14-O53, Class A], in accordance with the plan referred to in Natural Resource Permit Condition No. 1 and as conditioned in this permit.

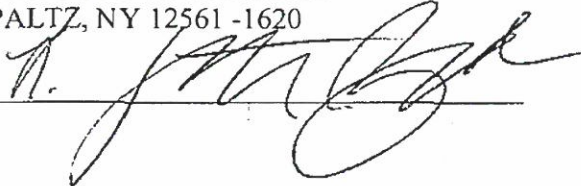
**Permit Authorizations**

**Excavation & Fill in Navigable Waters - Under Article 15, Title 5**  
Permit ID 3-3720-00431/00001  
New Permit                      Effective Date: 9/19/2014                      Expiration Date: 12/31/2016

**NYSDEC Approval**

**By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.**

Permit Administrator: R SCOTT BALLARD, Deputy Regional Permit Administrator  
Address:                      NYSDEC REGION 3 HEADQUARTERS  
                                    21 SOUTH PUTT CORNERS RD  
                                    NEW PALTZ, NY 12561 -1620

Authorized Signature:  Date 9/18/14

JUM



**Distribution List**

John Maxwell,  
Ralph Hill, NYS Office of General Services  
Jonathan Russell, NYSDEC Region 3 Bureau of Habitat

**Permit Components**

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

**Permit Attachments**

Permit Sign

**NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following  
Permits: EXCAVATION & FILL IN NAVIGABLE WATERS**

- 1. Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by John Maxwell, Lake Mahopac Woods Association, received 05/22/2014, with revised detail received 09/15/2014.
- 2. Notify DEC 48 Hrs Prior to Work** The permittee or a representative must contact by telephone Jonathan Russell at 845-256-3087 at least 48 hours prior to the commencement of the project authorized herein.
- 3. Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
- 4. Filter Fabric Curtain Around Work Area** A filter fabric curtain weighted across the bottom and suspended on floats shall be positioned to surround the work site before commencing the project. The curtain shall remain in place until project termination.
- 5. Precautions Against Contamination of Waters** All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.



**6. Maintain Water Clarity** There shall be no discernible difference between water clarity inside the work area and water clarity outside the work area during construction.

**7. Concrete Leachate** During construction, no wet or fresh concrete or leachate shall be allowed to escape into any wetlands or waters of New York State, nor shall washings from ready-mixed concrete trucks, mixers, or other devices be allowed to enter any wetland or waters. Only watertight or waterproof forms shall be used. Wet concrete shall not be poured to displace water within the forms.

**8. No Interference With Navigation** There shall be no unreasonable interference with navigation by the work herein authorized.

**9. State Not Liable for Damage** The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

**10. State May Order Removal or Alteration of Work** If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

**11. State May Require Site Restoration** If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

**GENERAL CONDITIONS - Apply to ALL Authorized Permits:**

**1. Facility Inspection by The Department** The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.



A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**2. Relationship of this Permit to Other Department Orders and Determinations** Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**3. Applications For Permit Renewals, Modifications or Transfers** The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator  
NYSDEC REGION 3 HEADQUARTERS  
21 SOUTH PUTT CORNERS RD  
NEW PALTZ, NY12561 -1620

**4. Submission of Renewal Application** The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Excavation & Fill in Navigable Waters.

**5. Permit Modifications, Suspensions and Revocations by the Department** The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**6. Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.





## NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

### **Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

### **Item B: Permittee's Contractors to Comply with Permit**

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

### **Item C: Permittee Responsible for Obtaining Other Required Permits**

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

### **Item D: No Right to Trespass or Interfere with Riparian Rights**

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

**Item E: SEQR Unlisted Action, No Lead Agency, No Significant Impact** Under the State Environmental Quality Review Act (SEQR), the project associated with this permit is classified as an Unlisted Action and the Department of Environmental Conservation has determined that it will not have a significant effect on the environment. Other involved agencies may reach an independent determination of environmental significance for this project.

New York State  
Department of Environmental Conservation



# NOTICE



The Department of Environmental Conservation (DEC) has issued permit(s) pursuant to the Environmental Conservation Law for work being conducted at this site. For further information regarding the nature and extent of work approved and any Department conditions on it, contact the DEC at 845/256-3054. Please refer to the permit number shown when contacting the DEC.

Permittee: LAKE MAHOPAC WOODS ASSOCIATION Permit No. 3-3720-00Y3/00001

Effective Date: SEPTEMBER 19, 2014 Expiration date: DECEMBER 31, 2016

Applicable if checked. No instream work allowed between October 1 & April 30

**NOTE:** This notice is **NOT** a permit.



**IMPORTANT NOTICE TO ALL PERMITTEES**

The permit you requested is enclosed. Please read it carefully and note the conditions that are included in it. The permit is valid for only that activity expressly authorized therein; work beyond the scope of the permit may be considered a violation of law and be subject to appropriate enforcement action. Granting of this permit does not relieve the permittee of the responsibility of obtaining any other permission, consent or approval from any other federal, state, or local government which may be required.

Please note the expiration date of the permit. Applications for permit renewal should be made well in advance of the expiration date (minimum of 30 days) and submitted to the Regional Permit Administrator at the above address. For SPDES, Solid Waste and Hazardous Waste Permits, renewals must be made at least 180 days prior to the expiration date.

- Applicable only if checked.** Please note all work authorized under this permit is prohibited during trout spawning season commencing October 1 and ending April 30.

The DEC permit number & program ID number noted on page 1 under "Permit Authorization" of the permit are important and should be retained for your records. These numbers should be referenced on all correspondence related to the permit, and on any future applications for permits associated with this facility/project area.

If a permit notice sign is enclosed, you must post it at the work site with appropriate weather protection, as well as a copy of the permit per General Condition 1.

If the permit is associated with a project that will entail construction of new water pollution control facilities or modifications to existing facilities, plan approval for the system design will be required from the appropriate Department's regional Division of Water or delegated local Health Department, as specified in the State Pollutant Discharge Elimination System (SPDES) permit.

If you have any questions on the extent of work authorized or your obligations under the permit, please contact the staff person indicated below or the Division of Environmental Permits at the above address.

*Jean McAvoy*  
Division of Environmental Permits, Region 3  
Telephone (845) 256-3165

- Applicable only if checked** for **STORMWATER SPDES INFORMATION:** We have determined that your project qualifies for coverage under the General Stormwater SPDES Permit. You must now file a Notice of Intent to obtain coverage under the General Permit. This form can be downloaded at: <http://www.dec.ny.gov/chemical/43133.html>

- Applicable only if checked - MS4 Areas:** This site is within an MS4 area (Municipal Separate Storm Sewer System), therefore the SWPPP must be reviewed and accepted by the municipality. The MS-4 Acceptance Form must be submitted in addition to the Notice of Intent.

Send the completed form(s) to: NYS DEC, Stormwater Permitting, Division of Water, 625 Broadway, Albany, New York 12233-3505

In addition, DEC requests that you provide one electronic copy of the approved SWPPP directly to NYS DEC, 100 Hillside Avenue - Suite IW, White Plains, NY 10603-2860.

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](http://www.carmelny.org)

**BOARD MEMBERS**

Edward Barnett  
Anthony Dusovic  
Marc Pekowsky  
Vincent Turano  
Nicholas Fannin

**ENVIRONMENTAL CONSERVATION BOARD AGENDA**

**OCTOBER 2, 2014 – 7:30 P.M.**

**SUBMISSION OF APPLICATION OR LETTER OF PERMISSION**

<b><u>APPLICANT</u></b>	<b><u>ADDRESS</u></b>	<b><u>TAX MAP #</u></b>	<b><u>COMMENTS</u></b>
1. Lake Mahopac Woods Assoc	386 West Lake Blvd	64.12-2-55	Sea Wall & Dock Repair

**MISCELLANEOUS**

2. Minutes – 6/19/2014, 7/10/2014 & 7/31/2014