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TOWN OF CARMEL
PLANNING BOARD


60 Mc Alpin Avenue
Mahopac, New York 10541
Tel. (845) 628-1500 - Ext 190
www.ci.carmel.ny.us

MICHAEL CARNAZZA
Director of Code Enforcement

RICHARD FRANZETTI,
P.E.,BCEE Town Engineer

PATRICK CLEARY, AICP,CEP,PP,LEED AP Town Planner

# PLANNING BOARD AGENDA <br> MAY 9, 2024-7:00 P.M. 

TAX MAP \# PUB. HEARING MAP DATE COMMENTS

## PUBLIC HEARING

1. Crecco - DAG Route 6, LLC - 395 Route 6
2. The Hamlet at Carmel - 650 Stoneleigh Ave, Carmel
75.19-1-8 \& 5/9/24 75.20-2-5
66.-2-58

5/9/24
55.11-1-18
75.20-2-68
55.10-1-16
75.12-1-42

4/29/24

4/24/24 Site Plan

4/24/24 Residential Site Plan
2/12/24 Residential Site Plan

## MISCELLANEOUS

7. Minutes $-02 / 08 / 24 \& 02 / 28 / 24$

April 29, 2024

## Town of Carmel Planning Board

60 McAlpin Avenue
Mahopac, New York 10541

## RE: DAG Route 6 LLC

395 US Route 6
Town of Carmel
TM\# 75.19-1-8 \& 75.20-2-5

## Dear Chairman Paeprer and Members of the Board:

Please find enclosed the following plans and documents in support of an application for site plan approval for the above referenced project:

- Building Renderings, by William Besharat, last revised April 29, 2024.

In response to an outstanding comment from Town Planner, Patrick Cleary, the applicant has added a horizontal banding above the doors of the building, per the enclosed renderings.

We respectfully request to be placed on the May 9, 2024, Planning Board agenda for discussion of the project with the Board and for a public hearing. Should you have any questions or comments regarding this information, please feel free to contact our office.

Very truly yours,
INSITE ENGINEERING, SURVEYING \& LANDSCAPE ARCHITECTURE, P.C.

By :


## RDW/adt

Enclosures
cc: (All via email only) Nick Crecco
Insite File No. 16230.100



April 29, 2024

Town of Carmel Planning Board

60 McAlpin Avenue
Mahopac, New York 10541

RE: Evan's Septic
Town of Carmel
TM\# 55.11-1-18

Dear Chairman Paeprer and Members of the Board:
Please find enclosed the following plans and documents in support of an application for site plan approval for the above referenced project:

- Site Plan Set, last revised April 29, 2024. (5 copies)
- Architectural Drawings by The Helmes Group, dated April 29, 2024. (5 copies)

The applicant is seeking site plan approval for the construction of a 6,300 square foot steel building. The building would house the applicant's septic service business. Also proposed are the appurtenant parking, driveways, drainage system and water and wastewater services.

In response to open comments received from Code Enforcement Director, Michael Carnazza, dated March 27, 2024, we offer the following responses:
2. The required lot width variance is acknowledged, and the applicant would request to be referred to the ZBA.
3. The applicant intends to operate the site exclusively for Evan's Septic for the foreseeable future but may at some point offer floor space internal to the building for general storage for contractors. Such businesses might be permitted to store a vehicle or dry materials in the building, but no other business will actively operate out of the site.
4. Architectural drawings are enclosed herewith.

In response to open comments received from Town Engineer Richard Franzetti, PE, dated March 20,2024 , we offer the following responses:

## General Comments

1. Required referrals are acknowledged.
2. Required permits are acknowledged.
3. The requirement for coverage under GP-0-20-001, for erosion control only, is acknowledged. There is a sediment basin on site associated with the previously approved regrading permit. This practice will be removed from the site at the completion of the regrading work. There is also an existing 30" HDPE pipe that was previously installed pursuant to the approved regrading permit. The pipe conveys stormwater that is collected from the slope between the subject property and the Putnam Trailway, to the drainage ditch along Old Route 6. This pipe will be maintained and the proposed stormwater collection system for the site will feed into

[^0]the existing pipe. It should be noted that the existing site is stabilized with compacted gravel, and the proposed project is not anticipated to increase existing runoff. Our office will coordinate with the Town Engineer to determine if the ultimate decrease in impervious surfaces (removal of gravel for conversion to landscape areas) is sufficient for stormwater treatment.
4. A water and wastewater report will be provided with our next submission. The anticipated water and wastewater demand for the use is anticipated to be minimal. With three employees and a max daily demand of 12 gpd/person (per NYSDEC Design Standards for Intermediate Sized Wastewater Treatment Facilities) an anticipated usage of 36 gpd can be calculated. Assuming a factor of safety a maximum daily demand of 100 GPD is being stated for the project.
5. The requirement for a maintenance agreement if necessary is acknowledged.
6. The requirement for a performance bond is acknowledged.

## Detailed Comments

1. This comment is acknowledged.
2. Traffic and vehicle movement plans are provided on drawing SP-4. The driveway has been graded to meet the suggested slopes. Turning radii and sight distances are shown on drawing SP-1.
3. A note has been added to the plans regarding sidewalks, manholes and guiderails.
4. A Town of Carmel pavement detail has been added to drawing D-1.
5. A Town of Carmel driveway detail has been added to drawing D-1.
6. A photometric lighting plan is provided on drawing SP-4.
7. Signage and pavement markings are provided.
8. It is noted this project will disturb less than one acre. Stormwater will be collected in the proposed drainage structures and will be conveyed to the existing 30 " HDPE pipe, which outlets to the existing drainage ditch along Old Route 6. It is noted there is an overall decrease in impervious surfaces as much of the currently gravel surfaces will be removed to create landscape areas. Our office will coordinate with the Town Engineer regarding any treatment requirements.
9. All water service connections will be Type "K" copper. A Water Service Trench detail and Type "K" Water Service Line Connection to DIP Water Main Detail is provided on drawing D1.
10. Gate valves will not be required as it is proposed to connect to the existing water main with a 3/4" Type K Copper Water service.
11. Gate valves will not be required as it is proposed to connect to the existing water main with a 3/4" Type K Copper Water service.
12. Gate valves will not be required as it is proposed to connect to the existing water main with a 3/4" Type K Copper Water service.
13. Gate valves will not be required as it is proposed to connect to the existing 3/4" Type K Copper Water service.
14. Gate valves will not be required as it is proposed to connect to the existing 3/4" Type K Copper Water service.
15. Fire hydrants are not proposed.
16. The requested service saddle has been shown on the Type "K" Copper Water Service Line Connection to DIP Water Main Detail on Drawing D-1.
17. The requested Corporation Stop has been shown on the Type "K" Copper Water Service Line Connection to DIP Water Main Detail on Drawing D-1.
18. The requested Curb Valve has been shown on the Type "K" Copper Water Service Line Connection to DIP Water Main Detail on Drawing D-1.
19. The requested Curb Box has been shown on the Type "K" Copper Water Service Line Connection to DIP Water Main Detail on Drawing D-1.
20. Fire hydrants are not proposed.
21. Fire hydrants are not proposed.
22. Additional details on the sewer service connection will be provided with our next submission. A four-inch sewer service will be provided. Our office will contact the Town Engineer to verify the required pipe material and fittings to be used for the connection.
23. A note has been added to the General Notes stating that the sewer service connection will meet the standards of the Town of Carmel Code §120-29.
24. Additional details on the sewer service connection will be provided with our next submission.
25. Top and bottom of wall elevations have been provided.
26. Rims and inverts will be provided with our next submission.
27. Hydraulic calculations will be provided with our next submission.
28. The electrical service is on the opposite side of Old Route 6. A proposed utility pole is indicated at the frontage and electrical service will be run to the building underground from the proposed pole. Connection and metering will be coordinated with NYSEG and town.

In response to comments received from Town Planner, Patrick Cleary, dated October 12, 2023, we offer the following responses:

1. Proposed Use.
a. No fabrication will take place on site.
b. Materials will be stored indoors and in the rear of the property only.
c. Equipment and company vehicles will be kept indoors or in the designated parking spots.
d. The only materials to be stored on site are pipes and other materials associated with the installation of septic systems. No bulk soil or aggregates will be kept on site.
e. No vehicle repairs will be done on site. The only vehicle service that may be done on site is changing tires.
f. There is an office space in the building, but there will be no full time office employees.
g. Employees will report to the site, take company vehicles to work sites and return to the property at the end of the workday, and leave from there. There will not be regular fulltime employees on site during the workday.
h. Trucks containing pumped material may be stored at the site. The legal limit for such material to be held in a truck is 72 hours. The applicant does not anticipate holding material in vehicles regularly for this amount of time, but at a minimum the 72-hour limitation would be respected. It should be noted that the applicant has stored his trucks at a property at the east end of Old Route 6. This site was directly adjacent to the trailway, and at the same grade, whereas the subject site is 50 '+ below the trailway, and the applicant never had a complaint about odor at the old location.
i. The wastewater is permanently disposed of at a wastewater treatment plant in Connecticut.
j. Hours of operation are from 7:00AM to 4:30 PM Monday through Friday and the applicant offers emergency service on Saturdays and Sundays.
k. Onsite employees will vary from 0-3, but as discussed above, employees will report to the site, take company vehicles to work sites and return to the property at the end of the workday, and leave from there. There will not be regular full-time employees on site during the workday.

## 2. Zoning Dimensional Compliance

a. The proposed improvements conform to Commercial zone bulk standards, but there is a pre-existing, nonconforming lot width. The applicant would request to be referred to the ZBA.
3. Off-street Parking
a. This comment is acknowledged.
b. This comment is acknowledged.
c. There is an "office" space identified in the floor plans, however, there is no proposed office use. As stated above, there are no anticipated full-time employees to be working on site. The office space will be used simply for file storage, and a desk for use by the owner, who will generally only be on site at the beginning and end of the day.
d. Dimensions of the proposed parking is provided on drawing SP-1.
e. Vehicle maneuvers are shown on drawing SP-4. Trucks will not be parked in this location. Vehicles will not be impeded on the south side of the building.
f. Vehicle maneuvers are shown on drawing SP-4.
g. The front of the property and driveways will be paved to meet the town pavement specifications. The millings area is only in the rear of the property. The applicant is proposing to keep this portion of the site as asphalt millings to minimize the pavement repairs and maintenance associated with truck and construction equipment.
4. Off-Street Loading
a. This comment is acknowledged.
b. There will be no regular deliveries to the site.
5. Site Driveway Access
a. Sight distances are shown on drawing SP-1.
6. Utility Infrastructure
a. The anticipated water and wastewater demand for the use is anticipated to be minimal. With three employees and a max daily demand of $12 \mathrm{gpd} /$ person (per NYSDEC Design Standards for Intermediate Sized Wastewater Treatment Facilities) an anticipated usage of 36 gpd can be calculated. Assuming a factor of safety, a maximum daily demand of 100 GPD is being stated for the project.
b. The applicant will coordinate with the Engineering Department on the connection to the sewer main.
c. Electrical service is now shown on drawing SP-2.
7. Lighting Plan
a. A photometric lighting plan has been added to drawing SP-4.
8. Landscaping
a. The proposed planting has now been labeled and quantified.
b. There is a rock cut and significant elevation change from the Putnam Trailway to the north. There is an existing wooded buffer between the trail and site, but planting into the rock cut is not feasible. Landscaping has been provided where feasible.
9. Architecture
a. The architectural plans have been updated and are enclosed herewith.

Please place the project on the May 9, 2024 Planning Board agenda for a discussion of the project with the Board. Should you have any questions or comments regarding this information, please feel free to contact our office.

Very truly yours,

INSITE ENGINEERING, SURVEYING \& LANDSCAPE ARCHITECTURE, P.C.
$B y:$


RDW/adt
Enclosures cc: (All via email only) Charlie Evans, Frank Smith, Esq, Steven Helmes, RA Insite File No. 21174.100


PROPOSED (WEST) ELEVATION


[^1]

PROPOSED (SOUTH)ELEVATION


ARCHITECTURAL RENDERING


PROPOSED COMM ERCAL QULDNG FOR
EVAN'S SEPTC TAMK SERVCE, MC:


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RIP RAP SWALE DETALL




EXCAVATED DROP INLET PROTECTION DETALL

$\frac{\text { SLI } \operatorname{FENCE} \text { DETAIL }}{(N T \text { ．s．})}$

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REQUIRED SWPPP CONTENTS PER GP－O－20－001：





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ATZL, NASHER \& ZIGLER P.C.
ENGINEERS - SURVEYORS - PLANNERS
Web: www.anzny.com

To: Mr. Craig Paeprer, Chairman
Town of Carmel Planning Board
Re: Mahopac Wells 1, 2 \& 3 (Behind 34 Coventry Circle, Mahopac, NY 10541)
Cc: Ms. Rose Trombetta, Secretary
Dear Mr. Paeprer:
At our last appearance in front of your Board, you referred the application to the Environmental Conservation Board (ECB), both for feedback and review of Veolia's application for a wetlands permit. At the second meeting at which the ECB reviewed the matter, on April 18, 2024, the ECB accepted the updated site plan, which is included as part of this submission.

The publication window is currently ongoing for the wetlands permit and we anticipate receiving approval from the ECB on May 16, 2024.

We are, therefore, appearing at the May 9, 2024 Planning Board meeting to request that your Board kindly schedule a public hearing for this project on May 22, 2024. As you are aware, the application seeks to upgrade the water treatment facility to, among other things, meet the new PFAS water quality standards. As the long-delayed implementation of the improvements to address this important public health goal is time sensitive, it is Veolia's hope that you will begin the hearing process in accordance with this request.

Thank you for your cooperation in this matter.

Very Truly Yours,


Ramya Ramanathan, AICP
Senior Planner

Web: www.anzny.com

April 25, 2024

Planning Board
Town of Carmel
60 McAlpin Avenue
Mahopac, NY 10541
Attn: Craig Paeprer, Chairman

Re: Veolia (formerly Suez) Water Mahopac Wells Tax Lot 75.20-2-68

Dear Chairman Paeprer and Honorable Board Members,
The following is our response to Patrick Cleary, AICP, CEP, PP, LEED AP of Cleary Consulting, letter dated March 14, 2024:

1. Comment: There are no changes proposed to the access road.

Response: Statement; no response required.
2. Comment: The wetland encroachment by new building location, stormwater management facilities and gravel driveway have been approved by the NYSDEC and US Army Corps of Engineers. ECB approval is now also required.

Response: To eliminate any disturbance of the wetlands we have revised the Site Plan to incorporate a retaining wall on the west end of the proposed dry pond. The new design obviates the need to grade within or otherwise permanently disturb the wetlands. Therefore, wetland mitigation measures will no longer be necessary.

This has been reviewed and approved by the NYSDEC. The ACOE permit is still valid as well. Associated correspondences have been provided for the Board's records.

This has also been reviewed by the ECB and the wetlands permit application for this project has been accepted as of April 18 ${ }^{\text {th }}, 2024$.
3. Comment: The initial plan called for the removal of 14 trees. The current plan calls for the removal of 29 trees. A new landscaping plan is proposed to mitigate the loss of these trees.

Response: We would like to clarify to the Board that 33 total trees had to be removed from the site. Our prior plans and response letter incorrectly noted that 29 total trees were to be removed from the site.

Of these 33 trees, 14 were cut back in 2022 under the then valid tree cutting permit obtained from the ECB. The new site plan required 19 additional trees to be cut. This was reviewed by the ECB during their March 21, 2024 meeting and the ECB gave a waiver from additional tree cutting review requirements. The above-mentioned additional trees were cut the week of March 25, 2024.
4. Comment: It was noted that the height of the building has been reduced. This is due to the modification of the grading plan, which has set the first-floor elevation lower into the site. The height of the building itself remains unchanged.

Response: Statement; no response required.
5. Comment: The location of the emergency generator is now indicated on the site plan.

Response: Statement; no response required.
6. Comment: The previously reviewed lighting plan has been revised to incorporate motion detectors. The motion detectors should be calibrated to avoid cycling on and off due to small animals passing through the site.

Response: Noted.
7. Comment: The applicant has submitted a summary of the terms of the agreement with the Hunters Run HOA (refer to letter from the project engineer dated February 29, 2024). The applicant has clarified that the terms of the agreement are not enforceable by the Town.

It should be noted that most of the terms of the agreement are specifically reflected on the revised site plan - where they would be enforceable by the Town.

Response: Noted.

## The following is our response to Michael G. Carnazza, Director of Code Enforcement for the Town of Carmel, letter dated March 12, 2024:

1. Comment: The applicants propose to add a GAC Treatment Facility Building to the water treatment facility off Buckshollow Rd. in Mahopac.

Response: Statement; no response required.
2. Comment: Code $\S 156-37 \mathrm{C}$ requires "A landscaped buffer area at least 10 feet in width and six feet in height shall be provided and maintained along all property lines to satisfactorily screen public utility substations and any other buildings from surrounding uses of land". The Planning Board should look close) at this site as the entire operation is in the backyards of Coventry Circle and Nottingham Wav.

Response: A landscaped buffer has been provided and maintained along property lines. The revised landscaping plan has been developed based on input from the Planning Board and subsequent discussions and agreement with the HOA. We believe it adequately screens the proposed development. A photo package and associated renderings have been provided to substantiate the same.

Our view is also supported by the aerial photographic exhibit that is part of this submission, which demonstrates that the facility is separated from the nearest residence to the east on Nottingham Way by more than 300 feet of densely- wooded land. (It is also 192 feet from the boundary line of the closest residential lot fronting on Coventry Circle). Veolia, therefore, requests that under Section 156-37(g) of the Town Code that the Planning Board grant a waiver from the landscaping requirement.
3. Comment: Referral to the ECB, Fire Department and Putnam County Dept. of Health are required by code.

Response: We note the following:
a. The ECB approval is being sought as part of this permitting process.
b. Copies of the updated site plan and renderings have been sent to the Fire Department to supplement the initial referral submission dated 2/28/22.
c. Copies of the narrative, Planning Board application, Long EAF, deed and easement information, updated site plan, renderings, wastewater discharge report, and the SWPPP have been sent to the Putnam County Dept. of Health to satisfy this referral/review requirement.

## The following is our response to Richard J. Franzetti, P.E, Town Engineer for the Town of Carmel, letter dated March 9, 2024:

General Comments

1. Comment: The following referrals are required:
a. New York State Department of Environmental Conservation (NYSDEC).
b. Putnam County Department of Health (PCDOH).
c. The Town of Carmel Environmental Conservation Board (ECB).
d. The Town of Carmel Highway Department.
e. Mahopac Fire Department.

The applicant has previously noted these referrals and has provided information to the PCDOH and Mahopac Fire Department.

Response: Statement; no response required.
2. Comment: The following permits are required.
a. NYSDEC - for stormwater and wetlands;
b. PCDOH for well and treatment system.
c. Town of Carmel Highway- work permit.
d. ECB for wetlands.

The applicant has previously noted these permit requirements and has provided information to the PCDOH and Mahopac Fire Department.

Response: Statement; no response required.
3. Comment: The area of disturbance for the work as provided is now 0.994 acres. The threshold criteria of disturbances for the NYSDEC stormwater regulation
are between 5,000 square feet and one (1) acre and over one (1) acre. The project will require coverage under the NYSEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001) and the development of Stormwater Pollution Prevention Plan (SWPPP) that has erosion and sediment controls.

The applicant has provided a SWPPP which is currently under review.
Response: Statement; no response required.
4. Comment: Applicant has provided copies that has been negotiated with the Hunters Run HOA. Copies of formal agreements/easements should be provided to the Planning Board counsel for review.

Response: Copies of formal agreements/easements have been provided to the Planning Board counsel for review (also see exhibit A of this agreement).
5. Comment: All easement information regarding the areas for the proposed underground utility service must be provided.

Applicant has provided easement information. This should be reviewed by Planning Counsel

Response: Statement; no response required.
6. Comment: Should any public improvements be deemed necessary as part of the development of the tract, a Performance Bond and associated Engineering Fee must eventually be established for the work. The applicant will need to develop a quantity take off for bonding purposes.

The applicant has noted this requirement. The applicant should note that a Performance Bond and associated Engineering fee is minimally required for the stormwater management practices, erosion and sediment control drainage features, landscaping etc. installed on the site. Please see §156-61 J and K of the Town Code for additional information.

Response: No response required.

## Detailed Comments

1. Comment: Details for the proposed connection to the Town of Carmel Sewer System must be provided.

Applicant has provided some additional information which is currently under review.

Could not locate sewer connection detail. Applicant should use a Romac CB style sewer saddle. Details have previously been provided to the applicant.

For the cut and block detail coupling should be 3 " galvanized. Details have previously been provided to the applicant.

Response: Details have been provided with this submission.
2. Comment: Gate valves shall be AWWA non-rising stem type, as manufactured by Mueller Company, Model A-2360-23, or approved equal, conforming to the latest AWWA Standard for Gate Valves - 3" through 48" - for Water and Other Liquids, AWWA Designation C-509.

Response: No response required.
3. Comment: Sizes up to and including 12" shall be 250 psi working pressure. The valve body and bonnet shall be ductile iron. All interior and exterior metal surfaces shall be coated with a two-part thermosetting epoxy complying with AWWA C550.

Response: No response required.
4. Comment: Valves shall have dual "O" ring seals, inside screw, resilient wedge seats in accordance with AWWA Designation C-550 and shall be constructed so as to provide unobstructed full port clearance when fully open and immediate complete closure when closed. The ends of the valves shall be mechanical joint.

Response: No response required.
5. Comment: All valves shall be arranged to open in counter clockwise direction unless otherwise specifically indicated and operating nuts shall be 2 " square.

Response: Veolia valves are arranged to open in a clockwise direction.
6. Comment: Valves shall be tested to a pressure of not less than two times the working pressure.

Response: No response required.
7. Comment: All hydrants shall be six inches in size with six-inch mechanical joint inlet connection and shall be equal to the Mueller Centurion A-421, with one (1) $41 / 2$ " pumper nozzle and two (2) $21 / 2 "$ hose nozzles.

Response: Veolia's standard is the Sigelock Systems Spartan 300. Hydrants will be green in color to signify they are only for company use.
8. Comment: Water Service Saddles shall be equal to those manufactured by Mueller, Model $7 \frac{1 ⁄ 2 \prime}{2}$ x 1" SS Series Stainless Steel Saddle, Double Stud.

Response: No response required.
9. Comment: Corporation stops shall be equal to those as manufactured by Mueller Company, Model B- 25000 Series, NRS and of the size required. Such corporation stops shall meet the requirements of AWWA Specification No. C800.

Response: No response required.
10. Comment: Curb valves (stops) shall be equal to those as manufactured by Mueller Company, Model H-15214 and shall conform to AWWA Specification No. C800.

Response: No response required.
11. Comment: Curb boxes shall be equal to those as manufactured by Mueller Company and similar to Mueller extension type with arch pattern base model H10314 all extension rods shall be stainless steel.

Response: No response required.
12. Comment: All fire hydrants shall be the approved AWWA type fire hydrants in conformance with the American Water Works Association Standard for Fire Hydrants for Ordinary Water Works Service, AWWA Designation C502, and shall have a 5-1/4" valve opening, a 6 " mechanical joint inlet complete with an auxiliary gate valve (close coupled), a $6^{\prime \prime}$ mechanical joint shoe, and all appurtenances.

Response: No response required.
13. Comment: Fire hydrants shall be rated for a working pressure of 250 Psi. Fire hydrants shall be sized for a $4^{\prime}-6 "$ bury.

Response: No response required.
14. Comment: Applicant has noted these comments. The only exceptions are for comments:

- 7-Veolia vales are arranged to open in a clockwise direction
- 9 - Veolia's standard is the Sigelock system Spartan 300. Hydrants will be green in color to signify they are only for company use.

Response: Applicant takes exception to comment 7 and 9. Please see the responses to these comments above.

Below is a response to the Town of Carmel Planning Board's request regarding consideration of alternative tree species which are native, less water intensive and deer resistant:

The Tree \& Landscape Plan depicts tree species which have been approved by the Town of Carmel Planning Board (the "Planning Board") as landscaping on other sites owned and operated by Veolia, including London Bridge and Chateau. The approved trees were planted and remain in good condition. At its meeting of March 21, 2024, the Town of Carmel Environmental Conservation Board (the "ECB") stated that the Tree \& Landscape Plan is acceptable. It should also be noted that the site is in the wetland buffer and surrounded by wetlands, so there is sufficient natural water sources available for the trees to thrive.

Specific characteristics of the species identified on the Tree \& Landscape Plan are as follows:
Norway Spruce and Green Giants are native to Europe but are commonly found in NYS and the US, respectively. They are non-invasive, and drought tolerant once established. Typically, drought tolerant vegetation thrives with little added irrigation. Norway Spruce and Green Giants are both deer resistant; and

Eastern Red Cedar are native to NYS, non-invasive, and are drought tolerant once established. Typically, drought tolerant vegetation thrives with little added irrigation. Eastern Red Cedar are also deer resistant.

Please note that following initial input from the Planning Board, Veolia and the Hunters Run Homeowners Association Inc. (the "HOA") engaged in discussions and negotiations for in excess of one year. At the culmination of that process the HOA agreed to landscaping, including tree species and locations that are consistent with the Tree \& Landscape Plan. The HOA has now submitted letters in support of Veolia's project to the ECB and Planning Board.

Any substantive change to the Tree \& Landscape Plan would require further negotiation and agreement with the HOA (as is clear on the face of the agreement between the HOA and Veolia which was previously submitted to the Planning Board) in what is likely to be another time-consuming process. Based on the public health imperative and regulatory mandate to treat PFAS in drinking water, and that more than two years have elapsed since Veolia initiated the approval process, it is respectfully submitted that the additional delay that would flow from further scrutiny of the tree species in the Tree \& Landscape Plan, will not advance, but would be contrary to, the public health, safety and welfare.

## HUNTERS RUN HOMEOWNERS ASSOCIATION, INC.

March 20, 2024

## Via Electronic Mail and Federal Express

Hon. Craig Paeprer, Chair, and
Members of the Town of Carmel Planning Board
Carmel Town Hall
60 McAlpin Avenue
Mahopac, New York 10541
Re: Submission by the Hunter's Run Homeowners' Association, Inc., in Support of
the Amended Application by Veolia Water New York Inc. (Veolia) (formerly
SUEZ Water New York. Inc.), for Site Plan Approval of the PFAS Treatment Facility
Dear Chairman Paeprer and Members of the Board:
I am president of the Hunters Run Homeowners Association, Inc. (the "HOA") and am writing on behalf of the HOA in support of the above-referenced application. As you are aware, Veolia Water New York Inc. ("Veolia"; formerly SUEZ Water New York, Inc. ("SUEZ")), applied for site plan approval to authorize a PFAS water treatment facility within its easement that encumbers property owned by the HOA (the "Original Application"). The HOA reviewed the Original Application, including the plans incorporated therein, and opposed it for two reasons. First, the HOA believed that SUEZ did not have the right to develop the proposed improvements on the HOA's property without permission. Second, it viewed aspects of the design and location of the treatment facility depicted on the plans to be objectionable.
Following the Planning Board's initial review of the Original Application, discussions and communications between Veolia and the HOA resulted in modifications to Veolia's plans, which, among other things, address the HOA's concerns. Therefore, the HOA supports approval of the set of plans currently before the Board, titled "Mahopac Wells 1, 2 \& 3", prepared by Atzl, Nasher \& Zigler P.C., last revised February 12. 2024. The HOA recognizes that the proposed project will advance the important objective of meeting stateimposed requirements for water treatment, serving both the public at large and the HOA's members, while not generating any significant impacts.

Hon. Craig Paeprer, Chair, and
Members of the Town of Carmel Planning Board
March , 2024
Page 2
Accordingly, we urge your Board to move quickly to approve Veolia's pending application, requiring as few changes to the Plans as practical.

Respectfully submitted,
Hunters Run Homeowners Association, Inc.

By:


# AGREEMENT BETWEEN VEOLIA WATER NEW YORK, INC., AND HUNTER'S RUN HOMEOWNERS' ASSOCIATION, INC. 

THIS AGREEMENT is entered into this $\underline{t}^{\text {th }}$ day of May, 2023 by and between VEOLIA WATER NEW YORK, INC., ("VEOLIA") formerly known as SUEZ Water New York Inc.' and HUNTER'S RUN HOMEOWNERS' ASSOCIATION, INC., acting by and florough its board of directors (the "HOA").

WHEREAS, the HOA is the record owner of a 53.5 acre-property (property identification number 75.20-2-68) located in the Town of Carmel, New York (the "Property"); and

WHEREAS, to comply with the recently imposed regulations of the New York State Department of Health, VEOLIA is required by such Department to install a PFAS treatment facility, including a GAC Treatment Building with associated structures and infirastructure (collectively the "Treatment Facility"), which Treatment Facility VEOLIA proposes to locate on a portion of the HOA's Property; and
WHEREAS, VEOLIA maintains certain rights in accordance with a Utility Line Easement Agreement dated April [2, 1988 and recorded at Liber 1004, page 0285 ("Easentent Agreement" attached as Exhibit "A") that granted VEOLIA: (i) an easement over the Property "for the providing of sewer and water service to the residential development presently under construction on the Premises and known as "Hunter's Run'"; and (ii) "the right to construct a well or wells on Lot 50 as shown on the subdivision map described in Schedule ' $A$ ' hereto, and any such well shall not be constructed within 100 feet of any Lot line shown on such map"; and

WHEREAS, during the review of the proposed Treatment Facility by the Town of Carmel Plaming Board (the "Planning Board"), the HOA opposed VEOLIA's application for site plan approval, contending that: (i) VEOLIA could not develop any portion of the HOA's Property with a Treatnent Facility without the HOA's consent and approval; and (ii) under the Easement Agreement, VEOLIA did not possess the right to construct the Treatment Facility on the HOA's Property, aspects of which the HOA found to be objectionable; and

WHEREAS, the HOA specifically objected to the size and location of the GAC Treatment Building, which is part of the Treatment Facility, on the HOA's Property; and

WHEREAS, a copy of the 9 -sheet plans for the Treatment Facility being reviewed by the Planning Board and having a last revision date of $2 / 25 / 22$ is annexed to this Agreement as Exhibit "B" (the "Original Plans"); and
WHEREAS, while VEOLIA does not concede that the HOA's legal position is correct, VEOLIA and the HOA have worked diligently and in good faith to modify the Original Plans for the layout, design and location of the proposed GAC Treatment Building to make it acceptable to the HOA, which efforts have generated new conceptual plans for the Treatment Facility, inchuding

[^2]the GAC Treatment Building, last revised January 2023 (the "Revised Plan", annexed to this Agreenent as Exhibit "C"); and

WHEREAS, the Revised Plan among other things, depicts that:
a. the GAC Treatment Building will be relocated approximately 62 feet to the south of the location shown on the Original Plans;
b. the GAC Treatment Building shown on the Revised Plan will have a peak elevation which is five feet lower than that of the corresponding building depicted on the Original Plans; and
c. Although a white trailer (the "Treatment Trailer") is still depicted on the Revised Plan, the Revised Plan provides that after construction of the GAC Treatment Building is complete, the Treatment Trailer will be removed from the site and the area beneath the Treatment Trailer landscaped.

WHEREAS, the HOA finds the Revised Plans to be acceptable in principle except as to the color of the proposed GAC Treatment Building; and
WHEREAS, the Paties recognize that substantial engineering and design work remains to be accomplished to convert the Revised Plans, which are largely conceptual in nature, into a plan set, with supporing technical documentation, that can qualify for approval from the Planning Board and other governmental entities with regulatory jurisdiction over the Treatment Facility and that tequirements of the Planning Board and such other regulatory entities may rcquire that changes be made to the Revised Plans; and
WHEREAS, the Parties recognize that Veolia cannot, as a public utility with responsibility to answer to its customers (who pay its water rates), undertake the expense of such substantial engineering and design work (roughly estimated to be $\$ 200,000$ when new DEC and other approvals are included) without clear expression of approval by the HOA of the Revised Plans

NOW, THEREFORE, the patties agree as follows:

1. The HOA will provide letters of unconditional support in the forins attached as Exhibit "D" to include with VEOLIA's submission of the Amended Plans (as defined below) to the Planning Board and other regulatory agencies for the Treatment Facility. However, such letters will be held in escrow by Silverberg Zalantis LLC intil such time as the conditions of Paragraphs 2 and 3 below are satisfied.
2. VEOLIA will prepare an amended application to the Planning Board for approval of the Treatment Facility, which application will include supporting technical documentation and a complete set of amended plans that include: (i) a site plan substantally identical to and consistent with the Revised Plan with respect to parameters including, but not limited to the location, layout, configuration, height, elevation, and appearance of the building identified as "GAC Treatinent Building" on the Revised Plans and containing the trotation that the "Treatment Trailer" will be removed within twenty (20) days after construction of the GAC

Treatment Building as indicated on the Revised Plan, (ii) a lighting plan providing that all site lighting will be on a motion detectors; and (iii) a landscaping plan substantially similar to the landscaping Plan entitled "Tree and Landscape Plan" attached hereto as Exhibit "E" (hereinafter "New Landscaping Plan") except that said landscaping plan will additionally provide that after the removal of the Treatment Trailer, the area beneath the Treatment Trailer shall be landscaped and specify such landscaping and/or plantings (collectively, the "Amended Plans"). Although the Amended Plans will still reflect that the color of the proposed GAC Treatment Building as green, the following note will be placed upon the plant: "In its attempts to more quickly meet New York State Department of Health regulations, Veolia ordered the building in the green color previously found provisionally acceptable to (but not finally approved by) the Planning Board. The HOA prefers the color Fairview Taupe (Benjamin Moore, HC-85). If this color is acceptable to and approved by the Planning Board, VEOLIA will paint the GAC Treatment Building and existing Pump House Fairview Taupe (Beniamin Moore, HC-85) within three months of the final landscaping installation."
3. Prior to submitting its amended application to the Planning Board, VEOLIA will submit the Amended Plans (including the lighting and landscaping plans) to the HOA and give at least 20 days' notice to Silverberg Zalantis LLC that it will be making a submission to the Planing Board and request a response from the HOA within 20 days from the date of notice confirming that the Amended Plans comply with paragraph 2 and include a site plan and landscaping plans that are substantially identical to and consistent with Revised Plan and New Landscaping Plan as such plans are to be modified as set forth in paragraph 2. Upon the HOA's aflirmative response to said notice or the passage of 20 days, whichever comes first, VEOLIA will submit its amended application to the Platning Board, which amended application will include the Amended Plans that have been accepted by the HOA, either expressly or by failure to act within 20 days of the date of notice (the "Accepted Annended Plans"). The letter of unconditional support referred to in paragraph 1 shall be released to Veolia upon the HOA's approval of the Amended Plans or upon the passage of 20 days, whichever comes first.
4. Before the Planning Board and other regulatory agencies and officials, VEOLIA will diligently and in good faith pursue all necessary approvals for the Treatment Facility based upon the Accepted Amended Plans as is reasonably practicable. VEOLIA shall not make any material changes to the Accepted Amended Plans submitted to the Plaming Board and other' regulatory agencies, unless it is required to do so by such entities, as a result of technical requirements or to comply with applicable laws, regulations or industry standards.
5. To the extent necessary, in its capacity as owner of the Property on which the Treatment Facility is to be located, the HOA wifl authorize VEOLIA to make the Planning Board application for the Treatment Facility and the HOA will within 15 business days of a request fiom Veolia execute any forms required for Building Permits and any other required permits or approvals, utility connections and the like in furtherance of the Treatment Facility. If VEOLIA meets the conditions in this Agreement, the HOA and its members agree not to
commence or join in any litigation challenging any approvals, permits, waivers and/or variances authorizing development and operation of the Treatment Facility. All costs associated with the application, approvals, permits, development and operation of the Treatment Facility, including but not limited to utility costs, shall be borne entively and exclusively by VEOLIA.
6. Notwithstanding the foregoing and other than the Treatment Facility approved by the Planning Board (including all improvements shown on the Accepted Amended Plans, as may have been modified pursuant to Paragraph 7 of this agreement), nothing herein authorizes VEOLIA to undertake any changes requiring site plan approval from the Town of Carmel Planning Board without the HOA's consent or authorization or erect or construct any new buildings or structures or expand any existing buildings or stuctures without the HOA's approval, except that nothing herein shall preclude VEOLJA from installing temporary buildings and structures on the Property near or in the vicinity of the Treatment Facility to respond to emergency situations.
7. In the event material changes to elements of the Accepted Amended Plans, including, but not limited to, those enumerated in this Agrement, are required by the Planning Board or any other permitting authority or because of techuical or legal imperatives or industry standards, the Parties will confer and negotiate in good failh to attempt to reach an agreement regarding the acceptability of such changes and acceptable revisions to the Accepted Amended Plans; but in such case unless there is an amended agreement incouporating the material changes, the HOA shall not be bound by the terms of this Agreement and may revoke its consent to the Treatment Facility being placed on the HOA's Property and take all necessary actions to challenge any such proposed development or approvals.
8. Within 10 days of the execution of this agreement a representative of VEOLLA will email to Katherine Zalantis confirmation that within 30 days VEOL.IA shall pay to Silverberg Zalantis, LLC and then within said 30 days, VEOLIA shall pay to Silverberg Zalantis LLC a onetime fee of to compensate the HOA for reasonable attomeys' fees the HOA has and will incur in connection with VEOLIA's pending application and the HOA's actions with respect thereto.
9. After having paid the HOA the sum specified in Paragraph 8 of this Agreement, VEOLIA shall have the right, in its sole discretion, to withdraw its application(s) for the Treatment Facility and upon such withdrawal this Agreement shall be of no further force and effect.
10. VEOLIA represents it will provide new electrical service from Buckshollow Road as shown on the plan attached hereto as Exlibit " $F$ ". Based upon the foregoing, simultaneously with the execution of the agreement, the HOA will provide letter of unconditional support to the ECB providing that electrical service can be brought in from Buckshollow Road through its property in the form attached as Exinibit " $G$ ".
11. The undersigned represent that they are fully authorized to execute this Agreement and all requisite and/or appropriate organizational approvals, consents and/or authorizations have been obtained.
12. This Agreement may be executed in one or more counterparts, each of which shail be deemed to be an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date and year first written above.

VEOLIA WATER NEW YORK, INC.


Title: Vice President-GM

HUNTER'S RUN HOMEOWNERS' ASSOCIATION, INC.

By:
Name:
Title:

## ACKNOWLEDGMENT

## STATE OF / Aquit )

) ss.:
COUNTY OFDudland)
On the $4^{T \Psi}$ day of $M A Y \quad, 2023$, before me the undersigned, a Notary Public in and for said state personally appeared CARSS GRAIIANO, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in her capacity and that by her signature on the instrument, the person or the entity upon behalf of which the person acted, executed the instrument.

11. The undersigned represent that they are fully authorized to execute this Agreement and all. requisite and/or appropriate organizational approvals, consents and/or authorizations have been obtained.
12. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instruraent.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date and year first written above.

VEOLIA WATER NEW YORK, INC.

By: $\qquad$
Name:
Title:

HUNTER'S RUN HOMEOWNERS' ASSOCIATION, [NC.

By:


Name: KENN CTA S CADETG-LEM.
Tile: $H O A$ अMESAGNT

## ACKNOWLEDGMENT

## STATE OF New Yo 度

COUNTY OF futhas
On the
 day of he wy, 2023, before me the undersigned, a Notary Public in and for said state personally appeared Kenneth Sehwengler, personally known to me or proved to me on the basis of satisfactory evidence to be tie person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in her capacity and that by her signature on the instrument, the person of the entity upon behalf of which the person acted, executed the instrument.


## EXHIBIT A

## 10040285

## UTILITTY LINE EASEMENT AGREEMENT

IHIS AGREENENT nade this 1 ，TH day af mpril，19e日，by and betwaen APHRODITE ACOOIsITTONS INC．a New Yoxk corporation having an office gt 9 Eluepery tane，Hill Ponde，Putnan पaliey， New York 10579，＂Grantorir，and FOREST PRPN WATER COMPANY and BUOESHOLLOW SENER CORPORATION，New Yerk corporations r having officess at Union Valley Road，Mahopac，New Yofk 10541， colleatively，wrantee＂．

## HTTNESSETH：

That the Grantor in consideration of ows（\＄1．00）Doridr and other good and raluable congideration paid by the Grantee，the receipt of which is hereby acknowledged，hereby grants to the Grantea，its successors and assigns，an exclusive and permanent general right of way and easement over lands owned by the grantor as dencribed on schedule＂ $\mathrm{A}^{\prime \prime}$ attached hereto and made a pert herete（the＂promises＂），to install，construct，extend，replace， relocate，operate，repair，melntain and renow wells，water and gewer pipes and lines and such other appurtenant and supporting ectuppent，apparatus or structures as the Grantee，or such assignees as the Grantee may elect，may now or shall fron tine to time heraafter deem necessary or appropriate for the providing of sewer end water service to the residential development presently

03848
under construction on the Premises and known as EHunter's kun", together with the right of Ingress and egress over the Fremiser for the passage of men, vahicles and machines es shall be deemed necesary or appropriate by the orantee for all of the above puxposer.

Notwithstandirg anything contained herein to the eontrary, Grantee only has the right to construct a wellfon Iot 50 gs shown on the subdiviaion map defcribed on schedule "M heretor and any such well shall not ba constructed within 100 feet of any Lot line shown on such map.

The rights granted hertunder by the Grantor to the Grantet mall oniy be exercied in a manner so as not to interfere with the use and enjoyment of the Promises as a residential community comprising 49 residences, open spaces and recreational facilieian, except during the period of tipe whon the Grantes is actually making any ropaic, maintenance of replacenent.
, The parties hereto aeknowledqe that the residenoes to be constructed on some of the lots will be in cloge proxdmity to the goter Itne which crossed such Iots. The Granter agrees thet the residences may be constructed on such Iots and futher agrees that in the event any repalr, maintenance or replacement is requirad with respect to any portion of the sewer line crossing such Lots, Grantee shall make such repaire, maintenance or replacenent in sucn a manner so as not to disturb or interfere with the uge and

## 10040287

enjoypent of the restdences on such Lots except during the period of tille when the Grantee is actually making such rapair, meintenancs or replacepent.

The Grantee shell bear all costa and experaes in eonneation with the repaic, maintenance and replacement of the utility lines and Ehall restore all dikturbed areas to their original condition, or as olose to their original condition as is reasonably possible.

This hgreement shall be binding upon and inure to the benefit of the respective parties hereto, and their respective sucoessors and asgigns.

Wrepers, the parties hereurder have set thelw tands and anals the day first above written.

APHRODITE ACOUISITIOWS, LHC.
By: docerflarevel. Grantor


BUCKSHOLIOW SEWER CORPORATION


## 10040288


on the 12 가 day of April，1988，before me personally came known，who，being by me duly sworn，did JOSERH MARINELY that he resides at putnam Valley，New York，that depose and say that he resides at putnam ACQUISITIONS，INC．，the he is the president of APHRODITE ACQUISITION，the foregoing corporation described in and his name thereto by order of the instrument：and that he signed nation．


## STATE OF HERN FORK CoUNty of PUPHAR

BS：
on the $1 Z^{\text {th t }}$ day of April，1988，before me personally came ne known，who，being by me duly sworn，did depose LEZ ARCHER，to me known，Who and say that he resides at Union Valley Road，WATER COMPANY and that he is the president of FORESI rations described in and BUCKSHOLLOW SEWER CORPORATION，the COrpOrations that he signed his which executed the foregoing instrument；and that he signed his name thereto by order of the Board corporation．


## 10040289

schedule A

AIL that certain plot, piece or parcel of land, situate, lying and being in the Town of carmel, county of putnam and State of New York, shown and designated as iots Nos. ${ }^{1}$ through 51 on certain map entitled "Subdivision Map on March 28, 1988 as Map the office of the

SECTION 139

record and return to:

MARY C. NEARY, ESQ.
GOODHE BANKS ARONS \& PICKEIT
P.O. BOX 120
MT. KISCO, HEW YOFK 10549











EXHIBIT C


EXHIBIT D

# [FORM OF LETTER FOR HOA PLANNING BOARD] 

 , 2023Via Electronic Mail and Federal Express
Hon. Craig Praeper, Chair, and
Members of the Town of Carmel Planning Board
Carmel Town Hall
60 McAlpin Avenue
Mahopac, New York 10541
Re: Submission by the Hunter's Run Homeowners' Association, Inc., in Support of the Amended Application by Veolia Water New York Inc. (Veolia) (formerly SUEZ Water New York, Inc.),
for Site Plan Approval of the PFAS Treatment Facility
Dear Chairman Praeper and Members of the Board:
I am president of the Hunter's Run Homeowners" Association, Inc. (the "HOA"), and am writing on behalf of the HOA in support of the above-referenced application. As you are aware, Veolia Water New York Inc. (Veolia) (formerly SUEZ Water New York, Inc. ("SUEZ"), applied for site plan approval to authorize a PFAS water treatment facility within its easement that encumbers property owned by the HOA (the "Original Application"). The HOA reviewed the Original Application, including the plans incorporated therein, and opposed it for two reasons. First, the HOA believed that SUEZ did not have the right to develop the proposed improvements on the HOA's property without permission. Second, it viewed aspects of the design and location of the treatment facility depicted on the plans to be objectionable.
Following the Planning Board's initial review of the Original Application and consideration of the HOA's opposition to it, the Planning Board asked Veolia and the HOA to work together to achieve the goal of generating new plans for the proposed treatment facility which would be acceptable to both parties. The parties have since collaborated with each other and, in fact, reached an agreement as to a conceptual plan which the HOA has approved (the "Revised Plan"). After thorough review of the full set of plans which are being submitted to your Board contemporaneously with this letter (the "Amended Plans"), the HOA has determined that they are substantially consistent with the Revised Plan. As a result, the HOA supports approval of the Amended Plans which it has concluded will advance the important objective of meeting state-

Hon. Craig Praeper, Chair, and Members of the Town of Carmel Planning Board October , 2022
Page 2
imposed guidelines for water treatment, serving both the public at large and the HOA's members, while not generating any significant impacts.

Accordingly, we urge your Board to move quickly to approve Veolia's pending application, requiring as few changes as practical to the Amended Plans.

Respectfuily submitted,
Hunter's Run Homeowners Association, Inc.

By: $\qquad$
, President

# [FORM OF LETTER FOR HOA TO APPROVAL AGENCY] 

Via Electronic Mail and Federal Express
Involved Agency

Re: Application of Veolia Water New York Inc (Veolia) (formerly known as SUEZ Water New York, Inc.) for Approval of the

PFAS Treatment Facility in the Town of Carmel, New York
Dear $\qquad$ :

I am president of the Hunter's Run Homeowners' Association, Inc. (the "HOA"), and am writing on behalf of the HOA to support the above-referenced application. Veolia Water New York Inc. (Veolia) (formerly SUEZ Water New York, Inc. ("SUEZ"), has applied to your agency to authorize installation of a PFAS water treatment facility within its casement that encumbers property owned by the HOA in the Town of Carmel. The HOA has reviewed the application and, in fact, worked with Veolia to refine the plans included therein. We believe that granting the requested approval will advance the important objective of meeting state-imposed guidelines for water treatment, while not having significant impacts on HOA members or the public.

Accordingly, we ask that you move quickly to approve Veolia's pending application.
Respectfully submitted,
Hunter's Run Homeowners Association, Inc.

By: $\qquad$
, President

EXHIBIT E


EXHIBIT F


## LETTERHEAD

## DATE

Environmental Conservation Board
rtrombetta@ci.carmel.ny.us 60 McAlpin Avenue
Mahopac NY 10541

RE: Veolia Application to allow new electrical service from Buckshollow Road

Dear Chairman Laga and Members of the Board,

I write this letter to confirm that the Hunters Run HOA, owner of the property in question, consents to and endorses the new electric service application by Veolia.

Sincerely,

Hunters Run HOA
BY: its Authorized officer/agent

## Signature

Printed Name

Title

| From: | Jackie Berger |
| :--- | :--- |
| Sent: | Wednesday, April 24, 2024 11:47 AM |
| To: | Jackie Berger |
| Subject: | FW: 4870 Mahopac Wells - Updated NYSDEC and ACOE correspondences |
| Attachments: | image002.png; 4. 4870 SITE PLAN 04-09-24 compressed.pdf; NWP_Approval 5-15-23 |
|  | (2).pdf |

From: Smith, Steven C. [scsmith@GFNET.com](mailto:scsmith@GFNET.com)
Sent: Friday, April 19, 2024 1:36 PM
To: steven.garabed [steven.garabed@veolia.com](mailto:steven.garabed@veolia.com); maria.stepanova [maria.stepanova@veolia.com](mailto:maria.stepanova@veolia.com); Adam Wekstein [a.wekstein@htwlegal.com](mailto:a.wekstein@htwlegal.com); Liskovich, Sophia Z. [sliskovich@GFNET.com](mailto:sliskovich@GFNET.com); Thomas Hercel [thomas.hercel@jfcson.us](mailto:thomas.hercel@jfcson.us); Ryan A. Nasher [RNasher@anzny.com](mailto:RNasher@anzny.com); Jackie Berger [jberger@anzny.com](mailto:jberger@anzny.com)
Subject: FW: Permit ID 3-3720-00473/00001

All,

Please see the email from DEC below. Since the dry pond avoided wetland impacts, the revised drawings provided to DEC (and attached to this email) are approved. DEC will not be issuing a new approval letter. Therefore, the email below from Sarah should be provided to the Carmel ECB.

As I mentioned in my email this morning, since there are no additional wetland impacts, the previous ACOE approval is still valid (also attached).

Steven C. Smith | Senior Project Environmental Scientist and Permit Coordinator
Gannett Fleming, Inc. | 207 Senate Avenue, Camp Hill, PA 17011 | Company Telephone 717.763.7211
Direct 717.886.5413| Mobile 717.701.0279|Email scsmith@gfnet.com
Excellence Delivered As Promised
Gannett Fleming is ISO 9001:2015 Certified.
www.gannettfleming.com | Stay connected: $\underline{T w i t t e r} \mid \underline{\text { Facebook } \mid \text { LinkedIn } \mid \underline{Y o u T u b e ~}}$

From: Pawliczak, Sarah A (DEC) [Sarah.Pawliczak@dec.ny.gov](mailto:Sarah.Pawliczak@dec.ny.gov)
Sent: Friday, April 19, 2024 1:17 PM
To: Smith, Steven C. [scsmith@GFNET.com](mailto:scsmith@GFNET.com)
Cc: Liskovich, Sophia Z. [sliskovich@GFNET.com](mailto:sliskovich@GFNET.com); Benedetto, Frank J (DEC) [Frank.Benedetto@dec.ny.gov](mailto:Frank.Benedetto@dec.ny.gov)
Subject: RE: Permit ID 3-3720-00473/00001
[EXTERNAL EMAIL]: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Steve,
I apologize for the delay.
The dry pond (previously labeled as a "rain garden" on the previous set of plans) has been redesigned to avoid impacts to the wetland and the earth embankment on the west side of the dry pond has been replaced using a concrete wall to allow for the needed footprint of the pond but without encroaching into the wetland. The layout
for the proposed PFAS building and adjacent truck turnaround were flipped around but the overall impact to the wetland buffer did not increase. As there are no additional impacts to the wetland or adjacent area, the changes shown on the plans are approved.

Thank you,
Sarah Pawliczak (she/her/hers)
Biologist, Bureau of Ecosystem Health
New York State Department of Environmental Conservation
21 South Putt Corners Road, New Paltz, NY 12561
P: (845) 256-3050 | sarah.pawliczak@dec.ny.gov
www.dec.ny.gov|
 Conservation


From: Smith, Steven C. [scsmith@GFNET.com](mailto:scsmith@GFNET.com)
Sent: Thursday, April 18, 2024 8:02 AM
To: Pawliczak, Sarah A (DEC) [Sarah.Pawliczak@dec.ny.gov](mailto:Sarah.Pawliczak@dec.ny.gov)
Cc: Liskovich, Sophia Z. [sliskovich@GFNET.com](mailto:sliskovich@GFNET.com); Benedetto, Frank J (DEC) [Frank.Benedetto@dec.ny.gov](mailto:Frank.Benedetto@dec.ny.gov)
Subject: RE: Permit ID 3-3720-00473/00001

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Good morning Sarah,
As I mentioned in my voicemail, I will be heading to the Town of Carmel ECB meeting this evening to discuss the project and the local wetland permit that we are asking for approval. Since the dry pond has been redesigned to avoid any additional impacts to the wetland, we are not anticipating any issues with the local board. However, they will be withholding approval until DEC approval is received. Since the dry pond was redesigned, is additional DEC review required? If possible, please let me know the status of your review so that I can relay that to the ECB.

Thank you for your assistance.
Regards,
Steve

Steven C. Smith | Senior Project Environmental Scientist and Permit Coordinator
Gannett Fleming, Inc. | 207 Senate Avenue, Camp Hill, PA 17011 | Company Telephone 717.763.7211
Direct 717.886.5413| Mobile 717.701.0279|Email scsmith@gfnet.com
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www.gannettfleming.com | Stay connected: $\underline{\text { Twitter } \mid \text { Facebook } \mid \text { Linkedln } \mid \text { YouTube }}$

From: Smith, Steven C.
Sent: Friday, April 12, 2024 6:53 PM
To: Pawliczak, Sarah A (DEC) [Sarah.Pawliczak@dec.ny.gov](mailto:Sarah.Pawliczak@dec.ny.gov)
Cc: Liskovich, Sophia Z. [sliskovich@GFNET.com](mailto:sliskovich@GFNET.com); Benedetto, Frank J (DEC) [Frank.Benedetto@dec.ny.gov](mailto:Frank.Benedetto@dec.ny.gov)
Subject: RE: Permit ID 3-3720-00473/00001

Hi Sarah,

The dry pond (previously labeled as a "rain garden" on the previous set of plans) has been redesigned to avoid impacts to the wetland. As seen on the plan view (Sheet 4) and the details (Sheet 5), the earth embankment on the west side of the dry pond has been replaced using a concrete wall. This will allow for the needed footprint of the pond but without encroaching on the wetland.

Since the wetland impacts are being avoided, please let us know if any additional review is required by DEC. The ECB for the Town of Carmel is withholding approval of their local wetland permit pending approval from DEC. If no DEC review is needed since the wetland impacts are being avoided, please let us know. If DEC still needs to review the revised plans and possibly provide a revised permit approval, please let us know and we will await your future coordination.

Thanks and have a great weekend.

Steven C. Smith | Senior Project Environmental Scientist and Permit Coordinator
Gannett Fleming, Inc. | 207 Senate Avenue, Camp Hill, PA 17011 | Company Telephone 717.763.7211
Direct 717.886.5413| Mobile 717.701.0279|Email scsmith@gfnet.com
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www.gannettfleming.com | Stay connected: Twitter | Facebook | LinkedIn | YouTube

Arnold, Jillian N.

| From: | Orzel, Brian A CIV USARMY CENAN (USA) [Brian.A.Orzel@usace.army.mil](mailto:Brian.A.Orzel@usace.army.mil) |
| :--- | :--- |
| Sent: | Monday, May 15, 2023 5:58 PM |
| To: | Arnold, Jillian N. |
| Cc: | Smith, Steven C.; Liskovich, Sophia Z. |
| Subject: | RE: [DoD SAFE] ORZEL.BRIAN.ALBERT has picked up your drop-off! |
| Attachments: | NWP Regulations FR 27DEC21.pdf; NWP Regional Conditions PN 11FEB22.pdf |

[EXTERNAL EMAIL]: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jillian,

We received the pre-construction notification for NWP 3 for the above referenced project on March 13, 2023.

Due to my excessive work load, I was unable to provide a written determination within 45 days of its submission.

In accordance with the current nationwide general permit regulations (Federal Register dated December 27, 2021, pages 73522 to 73583), if the Corps of Engineers district does not respond to a pre-construction notification within 45 days of receipt, then the applicant may proceed with the project as proposed.

That means that the applicant must perform the work as proposed in your pre-construction notification, including any required mitigation. Any substantive changes to the project would require the applicant to submit a new notification to this office.

If you have any questions, let me know.

Brian

Brian A. Orzel
Senior Regulatory Project Manager, Civil Engineer
NY District US Army Corps of Engineers
Regulatory Branch
26 Federal Plaza, Room 16-406
New York, New York 10278-0090

Please note in order to ensure our continuity of operations and improve the timeliness of permit application reviews due to the on-going COVID-19 virus, the New York District, U.S. Army Corps of Engineers is requiring that all new permit applications be submitted to the New York District electronically at CENAN-R-Permit-App@usace.army.mil. Until further notice, the New York District will no longer process any paper permit applications.

From: Arnold, Jillian N. [jarnold@GFNET.com](mailto:jarnold@GFNET.com)
Sent: Monday, May 1, 2023 3:29 PM

To: Orzel, Brian A CIV USARMY CENAN (USA) [Brian.A.Orzel@usace.army.mil](mailto:Brian.A.Orzel@usace.army.mil)
Cc: Smith, Steven C. [scsmith@GFNET.com](mailto:scsmith@GFNET.com); Liskovich, Sophia Z. [sliskovich@GFNET.com](mailto:sliskovich@GFNET.com)
Subject: [URL Verdict: Neutral][Non-DoD Source] FW: [DoD SAFE] ORZEL.BRIAN.ALBERT has picked up your drop-off!

Good afternoon Brian,

I just wanted to check in with you on the 45 day review period for these projects submitted in March. I know that your workload has been very busy. I just wanted to ask to find out where on the timeline we were as I know these projects were at a point where they were waiting on approvals prior to completing work.

Thank you very much for your time on these projects.
Have a great day.
Jillian

Jillian Arnold, PWS | Senior Project Environmental Scientist
Gannett Fleming | 207 Senate Avenue, Camp Hill, PA 17011
o 717.886.5402|c 717.422.6229|jarnold@gfnet.com
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From: NoReplyTo@mail.mil [NoReplyTo@mail.mil](mailto:NoReplyTo@mail.mil)
Sent: Monday, March 13, 2023 3:53 PM
To: Arnold, Jillian N. [jarnold@GFNET.com](mailto:jarnold@GFNET.com)
Subject: [DoD SAFE] ORZEL.BRIAN.ALBERT has picked up your drop-off!
[EXTERNAL EMAIL]: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This is an automated message sent to you by the DoD SAFE service.

The drop-off you made (claim ID: hf4fvf9JFzF3HMAs) has been picked-up.

The file "USACE NWP3 PCN Package March 132023 - Archer Well.pdf" was picked up by you, the sender.

Note: You will not be notified about any further pick-ups of files in this drop-off by this recipient.

Full information about the drop-off:
Claim ID: hf4fvf9JFzF3HMAs
Drop-off Submitted: 2023-03-13 18:46:25 UTC
Drop-off Completed: 2023-03-13 18:46:31 UTC

Note:

Please copy all files to link before sending. It will only let you send once.

- Sender -

Name: Jillian Arnold
Organization: Guest
Email Address: jarnold@gfnet.com

- Files -

Name: USACE NWP3 PCN Package March 132023 - Archer Well.pdf
Description: Veolia Archer NWP PCN
Size:
42.1 MB

SHA-256 Checksum: F7A8E14D6D8CFC84170469CA0B749498821DB5C5E7C317AAOF44FAAF010C96FF
Content Type: application/pdf

Name: USACE NWP3 PCN Package March 132023 - London Bridge Well.pdf
Description: Veolia London Bridge NWP PCN
Size: $\quad 57.2 \mathrm{MB}$
SHA-256 Checksum: 31EF92C444A41F3BC718B2F7F3F3FFECD7AB9BDOFAF8BD5CB32A950C464C92A9
Content Type: application/pdf

| Name: | USACE NWP3 PCN Package March 132023 - Mahopac Well.pdf |
| :--- | :--- |
| Description: | Veolia Mahopac NWP PCN |
| Size: | 48.1 MB |
| SHA-256 Checksum: | 923695EF74ECOC13904874F1131397EBB81287ADE73CD9DD11E929575DE40BAE |
| Content Type: | application/pdf |

Name: USACE NWP3 PCN Package March13 2023-Geymer Well.pdf
Description: Veolia Geymer NWP PCN
Size: $\quad 50.1 \mathrm{MB}$
SHA-256 Checksum: F6BDB4C689E2AA3250911AB8168A0669B12D7ABAOBCBF190F59072E40647D033
Content Type: application/pdf



Reference Image \#1


Reference Image \#2


Reference Image \#3


Reference Image \#4


Reference Image \#5


Reference Image \#6


## (©) suez

PFAS COMPLIANCE AT MAHOPAC WELL


ADJACENT NEIGHBOR- 8 FT TREES


## (0) suez <br> PFAS COMPLIANCE AT MAHOPAC WELL



YARD- LOOKING NORTH







CANTLLEVER CONCRETE RETAINING WALL DETAIL







## MEMORANDUM

To: Carmel Planning Board, Patrick Cleary AICP, CEP, PP, LEED AP, Richard J. Franzetti P.E Town Engineer, Michael Carnazza, Director of Code Enforcement

From: Thomas Nugent, RA
Date: April 26, 2024
Re: Carrillo, 1849 Rt 6 (Tax Map \#55.10-1-16)
$\bar{T}$ he following are amendments to Site Development Plan dated $2 / 27 / 24$, and revised 4/24/24.

The parking lot area design has been revised based on the comments from the Planning Board meeting, existing conditions noted more clearly. Loading area relocated.

The zoning table has been corrected.
Note regarding proposed occupancy indicating (3)-2 bedroom apartments only and there will be no commercial use proposed

No changes in topography/drainage, paving or building footprint proposed.
Notes regarding HVAC equipment, open space, modifications to building exterior, asphalt removal on neighboring property added.

Water supply and sewerage adequacy calculated and indicated on plan.
Sight distances shown on plan at site entrance.

The proposed three apartments meet code or will be modifed to do so as required.

Turning radii indicated on plan.




BREMENT LEVEL
PRAT FROAR
Scmelatal
SELOHD FLeor

# RAYEX DESIGN GROUP <br> DESIGN PLANNING CONSTRUCTION 

266 SHEAR HILL ROAD
MAHOPAC, NEW YORK 10541
845-621-4000
RAYEXDESIGN@GMAIL.COM
April 29, 2024

Town of Carmel, Planning Dept
60 McAlpin Avenue
Carmel, NY, 10541

Re: 2 Clark Place TM 75.12-1-42
response to memo

1. Variance schedule was added.
2. Legend was added.
3. Copy of survey is attached.
4. Refuse storage bin has been added.
5. All existing lighting has been added.
6. Site distance and graphic representation of vehicle movement along with turning raii added.
7. Site traffic signs have been added to site plan.
8. No construction or disturbance note added to plan.

If I could be of any further assistance, please do not hesitate to contact me.



SECOND FLOOR PLAN 2,119 S.F.


FIRST FLOOR PLAN 2,119 S.F.
RAYE
ROEIGN A. FREDENIKSEN, PE
 266 SHEAR HLL RD. MAAOPAC, NY 10514 \& 8
2 OLARK PLACE LLC.


SHETMTILE: FLOOR PLANS

*

 PREMIIES ALSO DESCRIBED IN SCHEDULE "A" OF TITLE REPORT PREPARED BY COURT STREET
ABSTRACT INC. IN TTLLE No. CSA23-O8276-P






- Ceftrearovi wiote WITH THE EXISTITG CODE OF PRACTICE FOR LAND SURVEYS A ADOTED BY THE NEW YORK STATE
ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. THIS CERTIFCATION SHALL RUN ONLY TO THE
 CERTFIED TO:
OLD REPUBLIC TITLE INSURANCE COMPANY
COURT STREET ABSTRACT INC. (Title No.CSA23-08276-P)
CLARK PLACE, LLC

SURVEY OF PROPERTY
TOWN OF CARMEL PUTNAM COUNTY
$\frac{\text { NEW YORK }}{\frac{\text { SCALE }: 1 "=15^{\prime}}{\text { SURVEYED } \cdot \text { NOVEMBER } 14,2023}}$

- premises are designated on the tax maps for the TOWN OF CARMEL PROPERTY AREA: 12,875 Sq.Ft. - 0.2955 ACRE



[^0]:    3 Garrett Place, Carmel, New York 10512 (845) 225-9690 Fax (845) 225-9717
    www.insite-eng.com

[^1]:    PROPOSED FLOOR PLAN
    SCALE I/8' 1 1-O'

[^2]:    ${ }^{1}$ SUEZ Water New York Inc., was rebranded on March 28, 2022 to Veolia Water New York, Inc. after a change in control of ownership of its parent entity, SUEZ S.A. which was acquired by Veolia Environment S.A. in January 2022.

