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TOWN OF LEWISBORO Westchester County, New York



Planning Board 79 Bouton Road South Salem, New York 10590

AGENDA

Tuesday, August 21, 2018

Note: Meeting will start at **7:00 p.m.** and end at or before 11:00 p.m.

I. SITE DEVELOPMENT PLAN (discussion from 7 – 9 p.m.)

Cal #10-15 PB, Cal #20-17WP, Cal #5-17SW

Wilder Balter Partners, NY State Route 22, Goldens Bridge, NY 10526, Sheet 5, Block 10776, Lots 19, 20 & 21 (Property Group Partners, LLC, owner of record) – Application for a 46 unit MF development on a ±35.4 acre parcel.

II. PUBLIC HEARING, CONTINUED

Cal #01-13PB

Verizon Wireless at 117 Waccabuc Road, Goldens Bridge, NY 10526, Sheet 11, Block 11137, Lot 52 (Ashtree Development, owner of record) - Application for Special Use Permit renewal.

III. DECISION

Cal #2-16WV

Palomino Residence, 292 Waccabuc Road, Goldens Bridge, NY 10526, Sheet 7C, Block 12668, Lot 20 (Gustavo Palomino, owner of record)

IV. WETLAND PERMIT REVIEW

Cal# 36-18WP

Hunter Residence, 19 South Shore Drive, South Salem, NY 10590, Sheet 33D, Block Camp, Lot 15 (Graeme Hunter and Laurence Robin- Hunter, owners of record) – Application for a dock and weed harvesting.

V. DISCUSSION

Requests for relaxation on septic requirements per Planning Board Resolutions and Wetland Permits.

Ridgefield Winter Club, 340 Peaceable Street, Ridgefield, CT

Composting Toilets at Onatru Farm

VI. WETLAND VIOLATIONS

Cal #02-18WV

Lupienski Residence, 23 Elmwood Road, South Salem, NY 10590, Sheet 43, Block 10067, Lot 23 and 24 (Jeffrey Lupienski, owner of record)

Cal #03-18WV

Mendola Residence, 1320 Route 35, South Salem, NY 10590, Sheet 39, Block 10543, Lot 39 (Anthony and Anne Marie Mendola, owners of record)

Cal #04-18WV

Lordi Residence, 2 Cheyenne Court, Katonah, NY 10536, Sheet 10, Block 11152, Lot 140 (William and Marieanne Lordi, owners of record)

VII. MINUTES OF January 16, 2018; MINUTES OF February 27, 2018; MINUTES OF March 20, 2018; MINUTES OF March 27, 2018; MINUTES OF April 17, 2018, MINUTES OF June 19, 2018, MINUTES OF July 21, 2018 and MINUTES OF August 14, 2018.

79 Bouton Road, South Salem



John Kellard, P.E. David Sessions, RLA, AICP Joseph M. Cermele, P.E., CFM Jan K. Johannessen, AICP

MEMORANDUM

| TO: | Chairman Jerome Kerner, AIA and Members of Lewisboro Planning Board |
|-------|---------------------------------------------------------------------------------------------------------------------------|
| CC: | Ciorsdan Conran Judson Siebert, Esq. Joseph Angiello |
| FROM: | Jan K. Johannessen, AICH Joseph M. Cermele, P.E., CFI David J. Sessions, RLA, AICH Town Consulting Professionals |
| DATE: | August 16, 2018 |
| RE: | Wilder Balter Partners, Inc. New York State Route 22 Sheet 5, Block 10776, Lot 19, 20 & 21 |

PROJECT DESCRIPTION

The subject property is located on the east side of NYS Route 22, proximate to the I-684 northbound exit ramp, consists of three (3) tax parcels totaling ±35.4 acres of land, and is located within the CC-20 Zoning District. The subject property consists of vacant undeveloped land, is predominately wooded, and portions of the property contain wetlands that are jurisdictional to the Town of Lewisboro and the New York State Department of Environmental Conservation (NYSDEC). The applicant is proposing a 46-unit multifamily development comprised of five (5) buildings, a clubhouse, recreational facilities, an access road off of NYS Route 22, parking for 112 vehicles, and stormwater management facilities. The project will be served by on-site potable wells and a septic system. The development is proposed to comply with Westchester County's fair and affordable housing programs and policies and 45 of the units are proposed to be Affordable Affirmatively Furthering Fair Housing (AFFH) Units.

REQUIRED APPROVALS AND REFERRALS

1. Site Plan Approval, a Wetland Activity Permit and a Town Stormwater Permit is required from the Planning Board; a public hearing is underway.

CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE | SITE & ENVIRONMENTAL PLANNING

Chairman Jerome Kerner, AIA August 16, 2018 Page 2 of 4

- 2. The Architecture and Community Appearance Review Council (ACARC) has reviewed and approved the architectural elevations.
- 3. The proposed septic system and potable water well(s) require approval from the Westchester County Department of Health (WCDH) and the septic system must also be approved by the New York City Department of Environmental Protection (NYCDEP); the WCDH has confirmed the design flow and these approvals are pending.
- 4. The proposed Stormwater Pollution Prevention Plan (SWPPP) has been reviewed and approved by the NYCDEP.
- 5. An Article 24 Freshwater Wetland Permit has been issued by the New York State Department of Environmental Conservation (NYSDEC).
- 6. Coverage under the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-15-002) will be required prior to the commencement of construction.
- 7. Coverage under the NYSDEC General Permit for discharging 1,000 gpd or more of treated sanitary sewage to groundwater (GP-0-15-001) will be required prior to the commencement of construction.
- 8. Access onto NYS Route 22 requires approval from the New York State Department of Transportation (NYSDOT); this permit is pending.
- 9. The application has been referred to the Westchester County Planning Board in accordance with Section 239-m of the General Municipal Law.

PLANNING AND ENGINEERING COMMENTS

- 1. The applicant has provided architectural floor plans for all buildings and elevations for Building Nos. 4 and 5. However, as requested, the proposed grading plans shall include the calculations for each building (spot elevations and building lengths) to support the average grade elevation referenced on the architectural drawings. All floor plans and elevations shall be signed and sealed by the design professional.
- 2. The plan illustrates the locations of proposed generators and underground propane tanks. The applicant shall clarify whether these services are to be shared, as the plan does not appear to indicate these features for each building.
- 3. The applicant shall provide the results of the 72-hour pump test upon completion. Upon receipt, the applicant shall provide copies of the WCDH/NYSDEC approved plans and permits.

Chairman Jerome Kerner, AIA August 16, 2018 Page 3 of 4

- 4. Upon receipt, plans and permits approved by the NYSDOT shall be submitted to the Planning Board.
- 5. As previously noted, the following comments pertain to the submitted Notice of Intent:
 - Page 1: Provide the Federal Tax Identification Number.
 - Page 3, Question 8: Please update the anticipated project start and end dates.
 - Page 14: the owner/operator shall sign the document prior to filing.

In order to expedite the review of subsequent submissions, the applicant should provide annotated responses to each of the comments outlined herein.

PLANS REVIEWED, PREPARED BY INSITE ENGINEERING, DATED (LAST REVISED) AUGUST 2, 2018:

- Overall Site Plan (Sheet OP-1)
- Layout & Landscape Plan (Sheet SP-1)
- Grading & Utility Plan West End (Sheet SP-2.1)
- Grading & Utility Plan East End (Sheet SP-2.2)
- Erosion & Sediment Control Plan West End (SP-3.1)
- Erosion & Sediment Control Plan East End (SP-3.2)
- Tree Plan (TR-1)
- Lighting Plan (LP-1)
- Entry Drive & Parking Profiles (PR-1)
- Drainage Profiles (PR-2)
- Sewer & Water Profiles (PR-3)
- Site Details (D-1, D-2, D-3, D-4, D-5, D-6)

PLAN REVIEWED, PREPARED BY TIM MILLER ASSOCIATES, INC., DATED (LAST REVISED) JULY 31, 2018:

Wetland Buffer Restoration and Enhancement Plan

PLANS REVIEWED, PREPARED BY L & M DESIGN, LLC, DATED (LAST REVISED) JULY 27, 2018:

- Building Type 1 Ground Floor
- Building Type 1 Upper Floor
- Building Type 2 Lower Floor
- Building Type 2 Ground Floor
- Building Type 2 Upper Floor
- Building Type 4 First Floor Club
- Building Type 4 Second Floor
- Building Type 4 Third Floor

Chairman Jerome Kerner, AIA August 16, 2018 Page 4 of 4

- Building Type 5 First Floor
- Building Type 5 Second Floor
- Building Type 5 Third Floor
- Level 3 Schematic Design

DOCUMENTS REVIEWED:

- Letter, prepared by Insite Engineering, dated August 2, 2018
- Notice of Intent, dated August 2, 2018

JKJ/JMC/DJS/dc

T:\Lewisboro\Correspondence\2018-08-16_LWPB-WilderBalter-Review-Memo.docx



August 2, 2018

Town of Lewisboro Planning Board 79 Bouton Road South Salem, New York 10590

RE: Wilder Balter Partners, Inc. Proposed Affordable Rental Housing Development NYS Route 22 Tax Map No. 5-10766-19, 20, 21

Dear Chairman Kerner and Members of the Board:

In support of the permits for the above referenced project, please find the following documents (including 9 sets of plans – 6 full scale and 3 reduced scale):

- Site Plan Set (consisting of 18 sheets), last revised August 2, 2018.
- Wetland Buffer Restoration and Enhancement Plan prepared by Tim Miller Associates Inc., last revised August 2, 2018, included in the Site Plan Set as Sheet #18.
- Building Plans and Elevations, prepared by L & M Design LLC, dated July 28, 2018.
- Draft Notice of Intent, last revised August 2, 2018.

Since the project was before the Board on July 17, 2018, no significant changes have been made to the site plans, but a few updates are worth noting. A proposed preservation area has been denoted on Drawing OP-1. Buildings 2 and 3 have been modified to provide internal stairways to the lower level units, providing more direct access from the parking area. Generator locations and underground propane tanks have been added to the site plans.

With regard to the comments offered by Kellard Sessions Consulting, P.C. in their memorandum to the Board dated July 11, 2018, we offer the following responses to the Planning and Engineering comments:

- 1. Architectural floor plans and elevations for each building are provided herein.
- 2. Average grade and building height determinations for Buildings 4 and 5 have been added to the architectural elevations included in this submission. Elevations and building height determinations for the other buildings will be provided in the next submission.
- 3. Buildings 2 and 3 now have internal staircases to the lower level apartments. The exterior steps between the buildings and the walkway behind the Buildings 2 and 3 have been eliminated from the site plans.
- 4. The proposed plantings and seeding for the stormwater basins are included on the landscape plan. Please note, per the NYS Stormwater Management Design Manual, woody vegetation should not be planted within 15' of the toe of the slope of the embankment (the berm) or within 25' of the outlet of the stormwater basins. Also, the bottoms of the stormwater basins are to be cleaned of sediment periodically. Therefore, woody plants are not proposed within these areas.
- 5. The recommended limited mow zone has been indicated on the septic areas and other locations as appropriate and is noted in General Note #7 on Drawing OP-1.

- 6. The wetland mitigation plan is now part of the plan set.
- 7. Profiles have been included in the plan set for stormwater, sanitary sewer and watermains.
- 8. The proposed underground electric, telephone, and cable route has been added to the plans.
- 9. The applicant is currently completing the 72-hour pump test and will provide the outcome to the Town when available.
- 10. The size of the watermains and water service connections are shown in the legends on the relevant drawings.
- 11. The detail for the underground tank has been revised to include provisions for tie downs and/or ballast.
- 12. The NYSDOT permit will be forwarded to the Town upon receipt.
- 13. It is understood that the Planning Board has forwarded the latest plans to the Golden Bridge Fire Department.
- 14. The comments relative to the Notice of Intent have been incorporated into the latest copy of the document. The applicant's Federal Tax Id # and signature will be provided on the NOI under separate cover.

We look forward to meeting with the Board on August 21, 2018 to discuss the final plans and permits.

Should you have any questions or comments regarding this information, please feel free to contact our office.

Very truly yours,

4

INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

By:

Jeffrey J. Contelmo, PE Senior Principal Engineer

JJC/dlm/amk

Enclosures

cc: John Bainlardi

Insite File No. 15246.100





| EXISTING PROPERTY LI EXISTING WETLAND LIM TOWN 150' CONTROL A NYSDEC 100' ADJACEN EXISTING WETLAND SY EXISTING WELL EXISTING EDGE OF WA EXISTING TREELINE | NE IIT LINE AREA IT AREA MBOL TER |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| WL10 EXISTING WETLAND LIM TOWN 150' CONTROL A NYSDEC 100' ADJACEN EXISTING WETLAND SYN EXISTING WELL EXISTING EDGE OF WA EXISTING TREELINE | IIT LINE AREA IT AREA MBOL TER |
| TOWN 150' CONTROL A NYSDEC 100' ADJACEN EXISTING WETLAND SY EXISTING WELL EXISTING EDGE OF WA EXISTING TREELINE | AREA IT AREA MBOL TER |
| NYSDEC 100' ADJACEN EXISTING WETLAND SY EXISTING WELL EXISTING EDGE OF WA EXISTING TREELINE | IT AREA MBOL TER |
| EXISTING WETLAND SYN EXISTING WELL EXISTING EDGE OF WA EXISTING TREELINE | MBOL TER |
| EXISTING WELL EXISTING EDGE OF WA EXISTING TREELINE | TER |
| EXISTING EDGE OF WA | TER |
| EXISTING TREELINE | |
| | |
| EXISTING BRUSHLINE | |
| PROPOSED EDGE OF | PAVEMENT |
| PROPOSED CURB | |
| PROPOSED CONCRETE | WALK |
| PROPOSED RETAINING | WALL |
| • • • PROPOSED GUIDERAIL | |
| PROPOSED POST & RA | AIL FENCE |
| PROPOSED SITE LIGHT | ĨNG |
| PROPOSED TRAFFIC S | IGN |
| PROPOSED LANDSCAP | ING |

1. All proposed planting beds to receive a 12" min. depth of topsoil. Soil amendments and fertilizer application rates shall be determined based on specific testing of topsoil material. 2. Any new soils added will be amended as required by results of soil testing and placed 3. No fertilizer shall be added in stormwater basin plantings. Nutrient requirements to be

5. Plants shall conform with ANSI Z60.1 American Standard for Nursery Stock in all ways

All plants shall be grown under climate conditions similar to those in the locality of the 8. Plants shall be planted in all locations designed on the plan or as staked in the field by

10. Provide a 3" layer of shredded bark mulch (or as specified) over entire watering saucer at

11. All landscape plantings shall be maintained in a healthy condition at all times. Any dead or diseased plants shall immediately be replaced "in kind" by the contractor (during

permanent irrigation system will not be required. Temporary irrigation will be required during the first few months after initial planting. Any such irrigation shall be performed by the owner's landscape contractor utilizing water secured from an offsite water supply service, and not utilizing water from the project's water supply system.

| <u>57</u> · · | | |
|----------------------------------------|----------------|---------------|
| Ξ | SIZE | ROOT |
| | | |
| | 6' – 7' HT. | B & B |
| o Blue Spruce | 6' – 7' HT. | B & B |
| Pine | 7' – 8' HT. | B & B |
| | | |
| october Glorv Red Maple | 3" CAL. * | B & B |
| october Glory Red Maple | 5' – 6' HT. | #7 CONT. |
| ····· | 10' – 12' HT. | " B & B |
| | 5' – 6' HT. | #7 CONT. |
| jum | 3" CAL. * | " B & B |
| Dak | 3" CAL. * | B & B |
| Dak | 6' – 8' HT. | #10 CONT. |
| ES | | |
| blow Serviceberry | 10' – 12' HT. | B & B |
| low Serviceberry | 4' – 5' HT. | #7 CONT. |
| Dogwood | 2" CAL. | " B&B |
| Dogwood | 5' – 6' HT. | #7 CONT. |
| abapple | 2" CAL. | B&B |
| | | |
| | 15"—18" HT. | #2 CONT. |
| h Hydrangea | 15–18" SPR. | " #2 CONT. |
| , <u>,</u> | 18"—24" HT. | " #3 CONT. |
| Sweetspire | 15"–18" SPR. | #2 CONT. |
| | 2' – 3' HT. | #5 CONT. |
| ⁷ Silver Mist Shore Juniper | 10" – 12" SPR. | #2 CONT. |
| lberta Spruce | 3' HT. | #5 CONT. |
| f Mugo Pine | 2' SPR. | #2 CONT. |
| tawba Rhododendron | 24"—30" HT. | #5 CONT. |
| a Japanese Spirea | 15"—18" HT. | #2 CONT. |
| ısh Blueberry | 15"—18" HT. | #2 CONT. |
| d viburnum | 15"—18" HT. | #2 CONT. |
| | | SPACING |
| ' / White Coneflower | #1 CONT. | 18" O.C. |
| riegated Lilyturf | #1 CONT. | 18" O.C. |
| / Red Switchgrass | #1 CONT. | 24" O.C. |
| Blackeyed Susan | #1 CONT. | 24" O.C. |

| RAL NOTES ON DR | AWING OP-1 | * | |
|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------|---------|--|
| REVISED PER TOWN COMM | IENTS | JJR | |
| REVISED PER TOWN COMM | IENTS | MEU | |
| REVISED PER NYSDOT COM | IMENTS | DLM | |
| REVISED PER NYCDEP COM | IMENTS | ZMP | |
| REVISED PER TOWN COMM | IENTS | ZMP | |
| REVISED PER TOWN COMM | IENTS | EIG | |
| REVISED PER TOWN COMM | IENTS | SJC | |
| PLANNING BOARD SUBMIS | SSION | SJC | |
| PLANNING BOARD SUBMIS | SSION | CTQ | |
| REVISED PER TOWN COMM | IENTS | MEU | |
| REVISED PER TOWN COMM | IENTS | MEU | |
| GENERAL REVISIONS | | | |
| GENERAL REVISIONS | | | |
| REVISION | | | |
| S / T E RING, SURVEYING & APE ARCHITECTURE, P.C | 3 Garrett Place Carmel, NY 10512 (845) 225–9690 (845) 225–9717 f www.insite–eng.com | ax 1 | |
| <u>PARTNERS, INC.</u> WESTCHESTER COUNTY, NEW YORK | | | |
| PROJECT J. J. C. | DRAWING NO. SI | неет / | |
| | | | |
| BY S.J.C. | $ SP - 1 ^{2}$ | 10 | |

| ALTERATION OF THIS DOCUMENT, UNLESS UNDER THE DIRECTION |
|---------------------------------------------------------|
| OF A LICENSED PROFESSIONAL ENGINEER, IS A VIOLATION OF |
| SECTION 7209 OF ARTICLE 145 OF THE EDUCATION LAW. |

| 00.444 | 000.7 | 001.0 | 15 | 82 L.F. | 5.0% |
|-------------------------|-------------------------|-------------------------------------------------------------------------------------------------|------------------|---------------------|--------------|
| CB ITA | 288.7 | 284.0 | 15" | 98 L.F. | 11.2% |
| DI 11 | 278.0 | 273.0 | | | |
| | | | | | |
| CB 11D | 288.9 | 284.4 | 15" | 20 I F | 2.0% |
| CB 11A | 288.7 | 284.0 | 10 | 20 2.1. | 2.070 |
| | | | | | |
| CB 10A | 271.2 | 267.0 | 1 5 " | 20 / 5 | 1 5 97 |
| CB 10 | 271.2 | 266.7 | 15 | 20 L.F. | 1.0% |
| | | | · | | |
| SDI 9B | 253.0 | 250.0 | | | 1.007 |
| CB 9A | 253.0 | 249.7 | 15 | 25 L.F. | 1.2% |
| CB 9 | 253.0 | 249.4 | 15" | 20 L.F. | 1.5% |
| | | | | | |
| CB 8B | 245.0 | 240.0 | | | |
| CB 8A | 245.0 | 239.0 | 15" | 42 L.F. | 2.4% |
| DMH 8 | 247.2 | INV IN 237.5 | 15" | 137 L.F. | 1.1% |
| | | 1111 001 200.4 | | | |
| CB 8C | 243.9 | 240.6 | | | |
| CB 8A | 245.0 | 239.0 | 15" | 138 L.F. | 1.2% |
| | | | | | |
| DI 15C | 298.0 | 294.4 | | | |
| DI 15B | 298.5 | 285.5 | 15" | 32 L.F. | 27.8% |
| DI 15A | 288.0 | 284.7 | 15" | 42 L.F. | 1.9% |
| CB 15 | 287.0 | 283.6 | 15" | 79 L.F. | 1.4% |
| | 207.0 | 200.0 | | | |
| | | | | - | |
| | | SEWER MA | <u>AIN TABLE</u> | | |
| <u>STRUCTURE</u> | <u>RIM</u> | <u>INV.</u> | PIPE SIZE | <u>LENGTH</u> | <u>SLOPE</u> |
| SMH 4A | 295.7 | 291.5 | | 204 / 5 | 1 797 |
| SMH 4 | 292.2 | INV IN 288.0 INV OUT 280.9 | 0 | 204 L.F. | 1.770 |
| | | | | | |
| SMH 5 | 288.0 | 284.0 | | 700 / 5 | 1.097 |
| SMH 4 | 292.2 | INV IN 281.0 INV OUT 280.9 | <u>ک</u> | 300 L.F. | 1.0% |
| SMH 3 | 271.0 | INV IN 266.5 INV OUT 266.4 | 8" | 147 L.F. | 9.8% |
| SMH 2 | 248.6 | INV IN 242.3 | 8″ | 215 L.F. | 11.2% |
| SMH 1 | 237.8 | INV IN 233.4 | 8" | 79 L.F. | 11.1% |
| SMH 3 SMH 2 SMH 1 | 271.0 248.6 237.8 | INV IN 266.5 INV OUT 266.4 INV IN 242.3 INV OUT 242.2 INV IN 233.4 INV OUT 233.3 | 8" 8" | 215 L.F. 79 L.F. | 11.2% |

| DRAINAGE TABLE | | | | | |
|----------------|------------|----------------|-------|----------|--------------|
| STRUCTURE | <u>RIM</u> | | | IENGTH | SI OPF |
| OS 1.2 IB | 222.5 | 216.0 | | 20.1.5 | |
| ES 2 | - | 214.0 | 15 | JZ L.F. | 0.3% |
| DS 1.1 EDB | 230.3 | 221.5 | | | |
| FS 5 | 226.0 | INV IN 221.1 | 36" | 37 L.F. | 1.1% |
| ES 4 | _ | 218.0 | 36" | 50 L.F. | 7.0% |
| ES 5 | 226.0 | 221.1 | | | |
| FS 5A | | 227.7 | 4" | 15 L.F. | 7. <i>3%</i> |
| ES JA | | 220.0 | | | |
| CB 18 | 289.4 | 286.1 | 15" | 42 I F | 1.0% |
| CB 17 | 289.0 | 285.7 | 15" | 92 L.F. | 1.0% |
| CB 16 | 287.4 | 284.1 | 15" | 32 L.T. | 7.297 |
| CB 15 | 287.0 | 283.6 | 15 | 15 L.F. | 1.0% |
| CB 14 | 287.9 | 282.7 | 18 | 90 L.F. | 1.0% |
| CB 13 | 289.2 | 281.7 | 18 | 92 L.F. | 1.1% |
| DMH 12 | 280.2 | 276.4 | 24" | 121 L.F. | 4.4% |
| DI 11 | 278.2 | 273.0 | 24" | 200 L.F. | 1./% |
| CB 10 | 271.2 | 266.7 | 24" | 73 L.F. | 8.6% |
| CB 9 | 253.0 | 248.9 | 24" | 182 L.F. | 9.8% |
| DMH 8 | 247.2 | INV IN 243.2 | 24" | 45 L.F. | 12.7% |
| SDI 7 | 231.8 | 227.4 | 30" | 138 L.F. | 5.4% |
| ES 6 | - | 222.0 | 30" | 52 L.F. | 10.4% |
| DI 14A | 288.5 | 285.5 | | | |
| CB 14 | 287.9 | 284.6 | 15" | 91 L.F. | 1.0% |
| | | | | | |
| DI 13D | 292.3 | 289.0 | 1.5" | 26 I.F. | 1.9% |
| CB 13C | 291.8 | 288.5 | 15" | 58 L F | 1.0% |
| CB 13B | 292.1 | 287.9 | 15" | 95 L F | 1 1% |
| CB 13A | 290.5 | 286.9 | 18" | 96 L F | 1.0% |
| CB 13 | 289.2 | 285.9 | 10 | | 1.070 |
| CB 11C | 293.7 | 289.7 | | | |
| CB 11B | 293.8 | 288.1 | 15" | 157 L.F. | 1.0% |
| CB 11A | 288.7 | 284.0 | 15" | 82 L.F. | 5.0% |
| DI 11 | 278.0 | 273.0 | 15" | 98 L.F. | 11.2% |
| CR 11D | 288.0 | 281 1 | | | |
| CB 11A | 288.7 | 284.0 | 15" | 20 L.F. | 2.0% |
| | | | | | |
| CB 10A | 271.2 | 267.0 | 15" | 20 I F | 1 592 |
| CB 10 | 271.2 | 266.7 | 10 | 20 2.1. | |
| SDI 9B | 253.0 | 250.0 | 4 5 " | 25 / 5 | 1 0 07 |
| CB 9A | 253.0 | 249.7 | 10 | 2J L.F. | 1.2% |
| CB 9 | 253.0 | 249.4 | 15 | 20 L.F. | 1.5% |
| CB 8R | 245.0 | 240.0 | | | |
| CB 84 | 245 0 | 239.0 | 15" | 42 L.F. | 2.4% |
| DMH 8 | 247.2 | INV IN 237.5 | 15" | 137 L.F. | 1.1% |
| | | 1111 001 233.4 | | | |
| CB 8C | 243.9 | 240.6 | 4 – " | 170 / - | 1 007 |
| CB 8A | 245.0 | 239.0 | 15 | 130 L.F. | 1.2% |
| DL 150 | 202.0 | 204.4 | | | |
| 01 150 | 298.0 | 294.4 | 15" | 32 L.F. | 27.8% |
| DI 15B | 248 S | 285.5 | | | |

| LEGEN | ND |
|-----------------------------------------|-------------------------------------------------------------------------|
| | EXISTING PROPERTY LINE |
| <u>9</u> WL10 | EXISTING WETLAND LIMIT LINE |
| | TOWN 150' CONTROL AREA |
| | NYSDEC 100' ADJACENT AREA |
| | EXISTING WETLAND SYMBOL |
| <u> </u> | EXISTING WELL |
| | EXISTING FORE OF WATER |
| | EXISTING 10' CONTOUR |
| | |
| | EXISTING 2 CONTOUR |
| | PROPOSED EDGE OF PAVEMENT |
| | PROPOSED CURB |
| | PROPOSED CONCRETE WALK |
| | PROPOSED RETAINING WALL |
| | PROPOSED GUIDERAIL |
| 290 | PROPOSED 10' CONTOUR |
| 292 | PROPOSED 2' CONTOUR |
| + 280 9 | PROPOSED SPOT GRADE |
| | PROPOSED DRAINAGE PIPE |
| \rightarrow RD \rightarrow | PROPOSED ROOF DRAIN |
| <i>−−−−−−FD</i> → | PROPOSED FOOTING DRAIN |
| | PROPOSED GRASS SWALE |
| | PROPOSED 8" WATER MAIN |
| | PROPOSED 4" WATER SERVICE |
| | PROPOSED TANK SUPPLY LINE |
| WSL | PROPOSED WELL SERVICE LINE |
| ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~ | PROPOSED SEWER MAIN |
| 33 000 | CLEANOUT |
| FM | PROPOSED SEWER FORCEMAIN (PRIMARY) |
| FM(E) | PROPOSED SEWER FORCEMAIN (EXPANSION) |
| CET | PROPOSED UNDERGROUND CALBE, ELECTRIC AND TELECOMMUNICATION TRENCH |
| TX | PROPOSED TRANSFORMER |
| | PROPOSED UNDERGROUND PROPANE TANK |
| G | PROPOSED GENERATOR |
| • cs | PROPOSED CURB STOP |
| • GV | PROPOSED GATE VALVE |
| | PROPOSED FLUSHING HYDRANT WITH GATE VALVE |
| | PROPOSED END SECTION WITH RIPRAP |
| | PROPOSED DRAINAGE INLET |
| E | PROPOSED OUTLET STRUCTURE |
| • | PROPOSED DRAINAGE MANHOLE |
| | |









* <u>REFER TO GENERAL NOTES ON DRAWING OP-1</u> *



GRAPHIC SCALE 20 40 (IN FEET) 1 inch = 40 ft.

| | EXISTING PROPERTY LINE |
|-------------------|-------------------------------------------------------------------------|
| - <u> </u> | EXISTING WETLAND LIMIT LINE |
| | TOWN 150' CONTROL AREA |
| | NYSDEC 100' ADJACENT AREA |
| | EXISTING WETLAND SYMBOL |
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| | PROPOSED IN CONTOUR |
| | PROPOSED 2' CONTOUR |
| | PROPOSED SPOT GRADE |
| | PROPOSED DRAINAGE PIPE |
| | PROPOSED ROOF DRAIN |
| | PROPOSED FOOTING DRAIN |
| | PROPOSED GRASS SWALE |
| | PROPOSED & WATER MAIN |
| | PROPOSED TANK SUPPLY LINE |
| | PROPOSED WELL SERVICE LINE |
| | PROPOSED SEWER MAIN |
| 0 _{C0} | PROPOSED SEWER SERVICE WITH CLEANOUT |
| | PROPOSED SEWER FORCEMAIN (PRIMARY) |
| | PROPOSED SEWER FORCEMAIN (EXPANSION) |
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| | PROPOSED FLUSHING HYDRANT WITH GATE VALVE |
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| REVISED PER TOWN COMMENTS | | | |
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| REVISED PER NYCDEP COM | IMENTS | EJP | |
| REVISED FOR RELOCATED PROPO | SED WELL #4 | MEU | |
| REVISED PER TOWN COMM | 1ENTS | ZMP | |
| REVISION | | BY | |
| S / T E RING, SURVEYING & APE ARCHITECTURE, P.C | 3 Garrett Place Carmel, NY 10512 (845) 225–9690 (845) 225–9717 , www.insite–eng.co. | fax m | |
| <u>PARTNERS, INC.</u> WESTCHESTER COUNTY, NEW YORK <u>TILITY PLAN —</u> <u>END</u> | | | |
| PROJECT J. J. C. | DRAWING NO. | SHEET | |
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| SOILS | |
|-------|---------------------|
| CrC | Charlton-Chatfield |
| CtC | Chatfield—Hollis—Ro |
| CuD | Chatfield—Hollis—Ro |
| HrF | Hollis–Rock outcrop |
| LcB | Leicester Ioam, 3% |
| Pa | Palms muck |
| RhB | Riverhead Ioam, 3% |

| A preconstruction Contractor, Village coordinated prior must notify the N to the start of co |
|----------------------------------------------------------------------------------------------------------|
| Each phase of wo measure will be |

| practices and | the |
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| Specifications | for |
| ground disturb | ing |

| Each | phase | of | W |
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- grubbing 4. All topsoil is to l
- locations for futur
- 5. All stockpiled soil protected.
- 6. All finished slopes stabilized.
- 7. Prior to the start disturbance shall (Total Area of Di

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| | | PHASE 2 | | 5,0 |
| | | PHASE 3 | | 1,0 |
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| 8 | | 6–28–18 | | |
| 7 | | 3–8–18 | | |
| 6 | | 11-17-17 | | |
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| | | | | TOWN 150' C NYSDEC 100' | ONTROL AREA | REA | |
| | <u>//</u> | <u>l.</u> | | EXISTING WET | TLAND SYMBOL | _ | |
| | Ø | D | | EXISTING WEL | L | | |
| | | | | EXISTING EDG | E OF WATER | | |
| | | | | EXISTING 2' (| CONTOUR | | |
| | | | | NRCS SOIL B | OUNDARY LIN | Ξ | |
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| Charlto | n-Cha | ntfield | complex. rollina | . verv rockv | | В | |
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| Chatfiel | ld—Hol | llis—Ro | ck outcrop com | nplex, hilly | | В | |
| Hollis—F | Rock d | outcrop | o complex, very | steep | | С | |
| Leicester loam, 3% to 8% slopes, stony C | | | | ́ю | | | |
| Riverhead loam, 3% to 8% slopes B | | | | | | | |
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| 5. All si prote | tockpil ected. | ed soi | l areas are to . | be appropiately s | stabilized and | | |
| 5. All fii stabii | nished lized. | ' slope | s greater than | 3:1 are to be in | nmediately | | |
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| <u>ER</u> B | ALT | <u>E</u> R | <u>PARTNFR</u> | RS, INC. | | | |
| TOWN OF | | BORO. | WESTCHESTER CO | UNTY, NEW YORK | | | |
| | <i>p.</i> | <u> </u> | | | | | |
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| 150 | DAF 1 | <u> </u> | PROJECT | 110 | DRAWING NO |). | SHEET / |
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| SOILS LEGEND | | | | |
|--------------|-------------------------------------------------|-----------------------|--|--|
| SOILS | DESCRIPTION | HYDROLOGICAL GROUP | | |
| CrC | Charlton—Chatfield complex, rolling, very rocky | В | | |
| CtC | Chatfield-Hollis-Rock outcrop complex, rolling | В | | |
| CuD | Chatfield–Hollis–Rock outcrop complex, hilly | В | | |
| HrF | Hollis–Rock outcrop complex, very steep | С | | |
| LcB | Leicester loam, 3% to 8% slopes, stony | С | | |
| Pa | Palms muck | A/D | | |
| RhB | Riverhead loam, 3% to 8% slopes | В | | |
| | | | | |



| | GRAPI | HIC S | SCALE | |
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| LEGEND | | | | | |
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| | EXISTING PROPERTY LINE | | | | |
| WL10 | EXISTING WETLAND LIMIT LINE | | | | |
| | TOWN 150' CONTROL AREA | | | | |
| | NYSDEC 100' ADJACENT AREA | | | | |
| | EXISTING WETLAND SYMBOL | | | | |
| | EXISTING WELL | | | | |
| | EXISTING EDGE OF WATER | | | | |
| | EXISTING 10' CONTOUR | | | | |
| | EXISTING 2' CONTOUR | | | | |
| / | NRCS SOIL BOUNDARY LINE | | | | |
| | PROPOSED EDGE OF PAVEMENT | | | | |
| | PROPOSED CURB | | | | |
| | PROPOSED CONCRETE WALK | | | | |
| | PROPOSED RETAINING WALL | | | | |
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| | PROPOSED 10' CONTOUR | | | | |
| | PROPOSED 2' CONTOUR | | | | |
| | PROPOSED SPOT GRADE | | | | |
| | PROPOSED DRAINAGE PIPE | | | | |
| | PROPOSED END SECTION WITH RIPRAP | | | | |
| | PROPOSED DRAINAGE INLET WITH INLET PROTECTION | | | | |
| | PROPOSED OUTLET STRUCTURE | | | | |
| | PROPOSED DRAINAGE MANHOLE | | | | |
| | PROPOSED SILT FENCE | | | | |
| | PROPOSED CONSTRUCTION FENCE | | | | |
| | PROPOSED STABILIZED CONSTRUCTION ENTRANCE | | | | |
| / | TEMPORARY SOIL STOCKPILE | | | | |
| | PROPOSED LIMIT OF DISTURBANCE LINE | | | | |
| | PROPOSED TEMPORARY CHECK DAMS | | | | |
| | PROPOSED PHASE LINE | | | | |
|) | PROPOSED PHASE DESIGNATION NUMBER | | | | |

| ERAL NOTES ON DRAWING OP-1 | * |
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| REVISED PER TOWN COMMENTS | JJR |
| REVISED PER TOWN COMMENTS | MEU |
| REVISED PER NYCDEP COMMENTS | ZMP |
| REVISED PER TOWN COMMENTS | ZMP |
| REVISION | BY |
| SITE RING, SURVEYING & APE ARCHITECTURE, P.C. 3 Garrett Place Carmel, NY 10512 (845) 225–9690 (845) 225–9717 f www.insite-eng.cor | ax n |
| PARTNERS, INC. WESTCHESTER COUNTY, NEW YORK DIMENT CONTROL AST END | |
| PROJECT J. J. C. DRAWING NO. S | HEET |
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| NYSDEC 100' ADJACENT AREA |
| EXISTING WETLAND SYMBOL |
| EXISTING WELL |
| EXISTING EDGE OF WATER |
| EXISTING TREELINE |
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| EXISTING 10' CONTOUR |
| EXISTING 2' CONTOUR |
| PROPOSED EDGE OF PAVEMENT |
| PROPOSED CURB |
| PROPOSED CONCRETE WALK |
| PROPOSED RETAINING WALL |
| PROPOSED GUIDERAIL |
| PROPOSED POST & RAIL FENCE |
| PROPOSED LIMIT OF DISTURBANCE LINE |

TREE INVENTORY LEGEND <u>Dia. Multi. Common Name</u>

Diameter is in Inches at breast height Trees shown hereon have been located in accordance with Chapter 217 "Wetlands and Watercourses" of the Town of Lewisboro Town Code.

TREE LEGEND ☆☆☆☆ ○ Existing Tree Existing Tree be Removed BR Birch CH Cherry EL Elm HK Hickory LN Linden LO Locust MA Maple NU Nut OA Oak PO Poplar SP Spruce TR Unknown Species TRI Triple TU Tulip TW Twin ROT Rotten Existing Tree to be Removed



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ALTERATION OF THIS DOCUMENT, UNLESS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, IS A VIOLATION OF SECTION 7209 OF ARTICLE 145 OF THE EDUCATION LAW.

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<u>CB 18 TO ES 6</u> SCALE: HORZ. 1" = 40' VERT. 1" = 10'

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| S / T E FRING, SURVEYING & APE ARCHITECTURE, P.C | 3 Garrett Place Carmel, NY 10512 (845) 225–9690 (845) 225–9717 f www.insite–eng.cor | ax n |
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| EROSION | AND S | SEDIMEN | IT CONTI | ROL MAINTENA | NCE SCHEDULE | |
|----------------------------------------|----------|----------|-------------------|--------------------------------------------------|----------------------------------------------------------------------------------|--|
| MONIT | ORING RE | QUIREMEN | ITS | MAINTENANCE REQUIREMENTS | | |
| PRACTICE | DAILY | WEEKLY | AFTER RAINFALL | DURING CONSTRUCTION | AFTER CONSTRUCTION | |
| SILT FENCE BARRIER | _ | Inspect | Inspect | Clean/Replace | Remove | |
| STABILIZED CONSTRUCTION ENTRANCE | Inspect | _ | Inspect | Clean/Replace Stone and Fabric | Remove | |
| DUST CONTROL | Inspect | - | Inspect | Mulching/ Spraying Water | N/A | |
| *VEGETATIVE ESTABLISHMENT | _ | Inspect | Inspect | Water/Reseed/ Remulch | Reseed to 80% Coverage | |
| INLET PROTECTION | _ | Inspect | Inspect | Clean/Repair/ Replace | Remove | |
| SOIL STOCKPILES | - | Inspect | Inspect | Mulching/ Silt Fence Repair | Remove | |
| SWALES | _ | Inspect | Inspect | Clean/Mulch/ Repair | Mow Permanent Grass/Replace/ Repair Rip Rap | |
| CHECK DAMS | _ | Inspect | Inspect | Clean/Replace Stones/Repair | Clean/Replace Stones/Repair | |
| CONCRETE DRAINAGE STRUCTURES | _ | Inspect | Inspect | Clean Sumps/ Remove Debris/ Repair/Replace | Clean Sumps/ Remove Debris/ Repair/Replace | |
| DRAINAGE PIPES | _ | Inspect | Inspect | Clean/Repair | Clean/Repair | |
| ROAD & PAVEMENT | _ | Inspect | Inspect | Clean | Clean | |
| *STORMWATER TRAP/BASIN | _ | Inspect | Inspect | Clean/Mulch/ Repair/Reseed | See Permanent Stormwater Facilities Maintenance Schedule on Drawing D-6 | |

EXCAVATED DROP INLET PROTECTION DETAIL (N.T.S.)

TREE PROTECTION NOTES:

- 1. Trees to be preserved in proximity to disturbance areas shall be marked in the field by the Landscape Architect prior to start of construction.
- 2. Install tree protection measures prior to start of site clearing & construction.
- 3. No construction equipment shall be parked and no earth or construction materials shall be stockpiled or stored under the canopy of trees to be preserved.
- 4. During tree removal operations associated with construction, do not damage adjacent trees to remain. Lower limbs and tree trunks, do not drop them.
- 5. Carefully tie back any tree branches that conflict with construction equipment.
- 6. Where trenching for utilities is required within a root zone, tunneling under and around roots shall be by hand digging. If roots 3" or larger are encountered immediately adjacent to the location of new construction and relocation is not practical, the roots shall be hand pruned under the supervision of a Certified Arborist or Landscape Architect to 6" back from the new construction limit. All exposed roots to receive appropriate treatment prior to backfilling.
- 7. If tree protection fencing to protect the root zone is not possible, six to eight inches of wood chip mulch and 3/4inch plywood shall be placed over the entire affected root zone area to prevent soil compaction.
- 8. Any tree damaged during construction activities must be immediately repaired by a qualified arborist at no additional cost to the owner.

- (20 CY) 3/4" washed crushed stone – (40 LF) 24"ø perforated HDPE pipe
- (1) "Dirtbag" pumped silt control system

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| | ROSION & SEDIMENT CONTROL NOTES: The Erosion and Sediment Control Plan is only to be referred to for the installation of erosion and sediment control measures. For all other construction related activities, including, but not limited to, grading and utilities, refer to the appropriate | | | | | | |
| 2. | drawings. Each contractor or subcontractor responsible for soil disturbance shall have a NYSDEC trained contractor onsite during soil disturbing activities. The NYSDEC trained contractor will be responsible to comply with the stormwater pollution prevention plan and for the implementation and maintenance of erosion and sediment control measures on this site prior to and during construction. The NYSDEC trained contractor shall sign a certification | | | | | | |
| З. | statement required by GP-0-15-002. All construction activities involving the removal or disposition of soil are to be provided with appropriate protective measures to minimize erosion and contain sediment disposition within. Minimum soil erosion and sediment control measures shall be implemented as shown on the plans and shall be installed in accordance with "New York Standards and Specifications For Erosion and Sediment Control," latest | | | | | | |
| 4. | edition. Wherever feasible, natural vegetation should be retained and protected. Disturbance shall be minimized in the areas required to perform construction. No more than 5 acres of unprotected soil shall be exposed at any one time, unless prior authorization is granted by the MS4. | | | | | | |
| 5. | When land is exposed during development, the exposure shall be kept to the shortest practical period of time, but in no case more than 7 days after the construction activity in that portion of the site has ceased. Disturbance shall be minimized in the areas required to perform construction. | | | | | | |
| 6. | All construction vehicles shall be kept clear of the watercourses and wetland control areas outside the areas of proposed development. Silt fence and orange construction fence shall be installed in the areas where the grading is in close proximity of the watercourses or wetland control areas. | | | | | | |
| 7. 8. | The stabilized construction entrances, silt fence, and orange construction fence shall be installed as shown on the plans prior to beginning any clearing, grubbing or earthwork. All topsoil to be stripped from the area being developed shall be stockpiled and | | | | | | |
| 9. | immediately seeded with a rye gross mixture manage of quick generation traffic shall, Any graded areas not subject to further disturbance or construction traffic shall, within 7 days of final grading, receive permanent vegetation cover in combination with a suitable mulch. Refer to "Site Seeding Notes" for additional detail and application rate | | | | | | |
| 10. | Grass seed mix may be applied by either mechanical or hydroseeding methods. Turf establishment shall be performed in accordance with the current edition of the "NYSDOT Standard Specification, Construction and Materials, Section 610–3.02, Method No. 1". | | | | | | |
| 11. | Cut or fill (all) slopes steeper than 3:1 shall be stabilized immediately after grading with a rolled erosion control product (RECP) such as, Curlex I Single Net Erosion Control Blanket, or approved equal. | | | | | | |
| 12. 13. | Paved roadways shall be kept clean at all times. The site shall at all times be graded and maintained such that all stormwater runoff is diverted to soil erosion and sediment control facilities. | | | | | | |
| 14. 15 | All storm drainage outlets shall be stabilized, as required, before the discharge points become operational. | | | | | | |
| 16. | Stormwater from disturbed dieds mast be poole an eight before discharge beyond disturbed areas or discharged into other drainage systems. Erosion and sediment control measures shall be inspected and maintained on a daily basis by the NYSDEC Trained Contractor. to insure that channels, temporary and permanent ditches and pipes are clear of debris, that embankments and berms have not been breached and that all straw bales and silt fences are intact. Any failure of erosion and sediment control measures shall be immediately repaired by the contractor | | | | | | |
| 1 <i>7</i> . | and inspected for approval by the site engineer. Dust shall be controlled by sprinkling or other approved methods as necessary, or as directed by the trained contractor or site engineer. | | | | | | |
| 18. 19. | Cut and fills shall not endanger adjoining property, nor divert water onto the property of others. All fills shall be placed and compacted in 6" lifts to provide stability of material and | | | | | | |
| 20. | to prevent settlement.). The NYSDEC Trained Contractor shall inspect downstream conditions for evidence of sedimentation on a weekly basis and after rainstorms. | | | | | | |
| 21. | . As warranted by field conditions, special additional erosion and sediment control measures, as specified by the site engineer, the Wetlands Inspector, the Town Engineer and/or NYCDEP shall be installed by the contractor. | | | | | | |
| <i>22</i> . | e. Erosion and sediment control measures shall remain in place until all disturbed areas are suitably stabilized. | | | | | | |
| 23. | After completion of the site improvements, the owner will assume responsibility for maintenance of the roads, parking lots, drainage systems and stormwater facilities. Each spring the paved areas shall be cleaned to remove the winter accumulation of traction sand. After this is completed all drain inlet and catch basin sumps should be cleaned. All pipes should be checked for debris and blockage and cleaned as required. During the cleaning process, the drain inlets, catch basins and pipes should be inspected for structural integrity and overall condition. Repairs and/or | | | | | | |
| 24. | replacements should be made as required. Inspection of the stormwater basins should be performed every 6 months and after large storm events. These inspections should, at a minimum, check the outlet pipes | | | | | | |
| 25. | for blockage and the general overall integrity of the pash and appartements. Maintain basin vegetation including removal of trees and replacement of vegetation that should die. Remove any litter which accumulates as necessary. Typically, the | | | | | | |
| 26. | accumulated silt will be required to be removed every to to <u>so</u> years and silt shall be removed from the stormwater basins once the site has been stabilized. Refer to the Stormwater Pollution Prevention Plan for additional details regarding long-term maintenance of the storm <u>drainage facilities.</u> | | | | | | |
| | Installing topsoil, seed and mulch. Items stricken in the following table do not need to be performed. | | | | | | |
| | SOIl Restoration Requirements (Onsite soils within the limit of disturbance belong to Hydrologic Soil Groups (HSG) C & D) Type of Soil Disturbance Soil Restoration Requirement Comments/Examples No soil disturbance Restoration not permitted Preservation of Natural Features | | | | | | |
| | Minimal soil disturbance Restoration not required Clearing and grubbing Areas where topsoil is stripped only - no change in grade HSG A&B HSG C&D Areas where topsoil is stripped only - no change Apply 6 inches Arease ³ and apply 6 inches of Protect area from any ongoing construction activities. | 1 | | | | | |
| | of topsoil topsoil Areas of cut or fill HSG A&B HSG C&D Aerata' and apply 6 inches of topsoil Apply full Soil Restoration 2 | | | | | | |
| | Heavy traffic areas on site (especially in a zone 5-25 Apply full Soil Restoration feet around buildings but (decompaction and compost not within a 5 foot Enhancement [§]) perimeter around foundation walls) | | | | | | |
| | Keep Construction equipment | | | | | | |
| | Areas where RubbinRestoration not required, but may be applied to enhance the reduction specified for appropriate practices.from crossing these areas. To protect newly installed practice from any ongoing construction activities construct a single phase operation fence area | | | | | | |
| | Areas where Rubbin Reduction and/or Infiltration practices are applied Restoration not required, but may be applied to enhance the reduction specified for appropriate practices. from crossing these areas. To protect newly installed practice from any ongoing construct a single phase operation fence area Redevelopment projects Soil Restoration is required on redevelopment projects in areas where existing impervious area from crossing these areas. To protect newly installed practice from any ongoing construct a single phase operation fence area | | | | | | |
| 1. 2. | Areas where Kulton Reduction and/or Infiltration practices are applied Restoration not required, but may be applied to enhance the reduction specified for appropriate practices. from crossing these areas. To protect newly installed practice from any ongoing construct a single phase operation fence area Redevelopment projects Sail Restoration is required on redevelopment projects in areas where existing impervious area will be converted to pervious area from crossing these areas. To protect newly installed practice from any ongoing construct a single phase operation fence area . Aeration includes the use of machines such as tractor-drawn implements with coulters making a narrow slit in the soil, a roller with many spikes making indentations in the soil, or prongs which function like a mini-subsoiler. | | | | | | |
| 1. 2. 3. | Areas where Rubbin Reduction and/or Infitration practices are applied Restoration not required, but may be applied to enhance the reduction specified for appropriate practices. from crossing these areas. To protect newly installed practice from any ongoing construction activities construct a single phase operation fence area Redevelopment projects Soil Restoration is required on redevelopment projects in areas will be converted to pervious area from crossing these areas. To protect newly installed practice from any ongoing construction activities construct a single phase operation fence area Aeration includes the use of machines such as tractor-drawn implements with coulters making a narrow slit in the soil, a roller with many spikes making indentations in the soil, or prongs which function like a mini-subsoiler. Per Deep Ripping and De-compaction, DEC 2008. Aeration includes the use of machines such as tractor-drawn implements with coulters making a narrow slit in the soil, a roller with many spikes making indentations in the soil, or prongs which function like a mini-subsoiler. | | | | | | |
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| 1. 2. 3. 4. | Reduction and/or applied Restoration not required, but may be applied to enhance the reduction specified for appropriate practices. from crossing these areas. To protect newly installed practice from any ongoing construction activities construct a single phase operation fence area Redevelopment projects Soil Restoration is required on redevelopment projects in areas where existing impervious area from crossing these areas. To protect newly installed practice from any ongoing construction activities construct a single phase operation fence area . Aeration includes the use of machines such as tractor-drawn implements with coulters making a narrow slit in the soil, a roller with many spikes making indentations in the soil, or prongs which function like a mini-subsoiler. Per Deep Ripping and De-compaction, DEC 2008. Aeration includes the use of machines such as tractor-drawn implements with coulters making a narrow slit in the soil, a roller with many spikes making indentations in the soil, or prongs which functions like a mini-subsoiler. . During periods of relatively low to moderate subsoil moisture, the disturbed soils are returned to rough grade and the following Soil Restoration steps applied: 4.1. Apply 3 inches of compost over subsoil. 4.2. Till compost into subsoils. A depth of at least 12 inches using a cat-mounted ripper, tractor-mounted disc, or tiller, mixing, and circulating air and compost into subsoils. 4.3. Rock-pick until uplifted stone/rock materials of four inches and larger size | | | | | | |
| 1. 2. 3. 4. | Reduction and/or Infitration practices are applied Restoration or required, but may be specified to enhance the reduction specified to enhance the reduction specified for appropriate practices. Image: Torate construct a single phase operation fence area Redevelopment projects Soil-Restoration-is-required on redevelopment projects in areas where existing impervious area will be converted to pervious area will be converted to pervious area will be converted to pervious area Per Deep Ripping and De-compaction, DEC 2008. A Aeration includes the use of machines such as tractor-drawn implements with coulters making a narrow slit in the soil, a roller with many spikes making indentations in the soil, or prongs which function like a mini-subsoiler. Per Deep Ripping and De-compaction, DEC 2008. Aeration includes the use of machines such as tractor-drawn implements with coulters making a narrow slit in the soil, a roller with many spikes making indentations in the soil, or prongs which functions like a mini-subsoiler. During periods of relatively low to moderate subsoil moisture, the disturbed soils are returned to rough grade and the following Soil Restoration steps applied: 4.1. Apply 3 inches of compost into subsoil 4.2. Till compost into subsoil to a depth of at least 12 inches using a cat-mounted ripper, tractor-mounted disc, or tiller, mixing, and circulating air and compost into subsoils. 4.3. Rock-pick until uplifted stone/rock materials of four inches and larger size area cleaned off the site. 4.4. Apply topsoil to a depth of 6 inches. 4.5. Vegetate as required by seeding notes located on the project drawings. | | | | | | |
| 1. 2. 3. 4. 5. | Preduction and/or matching index of the sector of the reduction applied in the sector of the secor of the sector of the sector of the secto | | | | | | |
| 1. 2. 3. 4. 5. | Preduction Restoration not required, but may be applied to renore the reduction may construct any installed practice from any construction activities constructed any provide construction activity installed practice from any construct a single phase operation fonce area A eraction includes the use of machines such as tractor—drawn implements with coulters making a narrow slit in the soil, a roller with many spikes making indentations in the soil, or prongs which function like a mini—subsoiler. Per Deep Ripping and De—compaction, DEC 2008. . Aeration includes the use of machines such as tractor—drawn implements with coulters making a narrow slit in the soil, a roller with many spikes making indentations in the soil, or prongs which functions like a mini—subsoiler. During periods of relatively low to moderate subsoil moisture, the disturbed soils are returned to rough grade and the following Soil Restoration steps applied: 4.1. Apply 3 inches of compost over subsoil. 4.2. Till compost into subsoils to a depth of at least 12 inches and larger size area cleaned off the site. 4.4. Apply topsoil to a depth of 6 inches. 4.5. Vegetate as required by seeding notes located on the project drawings. 4.5. Tilling should not be performed within the drip line of any existing trees or over any utility installations that are within 24 inches of the surface. <td>JJR</td> | JJR | | | | | |
| 1. 2. 3. 4. 5. | Restance and/or higher and/or applied Restoration in required out may be applied in approximate practices. Individual applied practice may ongoing construction activities construct a single phase operation fence area in applied Redevelopment projects Self-Restoration is required on redevelopment projects in area where existing impervious area will be converted to pervious area where existing impervious area will be converted to pervious area indentiations in the soil, or prongs which function like a mini-subsoiler. Per Deep Ripping and De-compaction, DEC 2008 . Aeration includes the use of machines such as tractor-drawn implements with coulters making a narrow slit in the soil, a roller with many spikes making indentiations in the soil, or prongs which functions like a mini-subsoiler. Per Deep Ripping and De-compaction, DEC 2008 . Aeration includes the use of machines such as tractor-drawn implements with coulters making a narrow slit in the soil, or prongs which functions like a mini-subsoiler. During periods of relatively low to moderate subsoil moisture, the disturbed soils are returned to rough grade and the following Soil Restoration steps applied: 4.2. Till compost into subsoil to a depth of at least 12 inches using a cat-mounted ripper, tractor-mounted disc, or tiller, mixing, and circulating air and compost into subsoil. 4.3. Rock-pick until uplifted stone/rock materials of four inches and larger size area cleaned off the site. 4.4. Apply topsoil to a depth of 6 inches. 4.5. Vegetate as required by seeding notes located on the project drawings. 4.6. Tilling should not be performed within the dri | JJR VEU ZMP | | | | | |
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| drainage come op er from scharge l | e outlets sho erational. disturbed ar beyond distu | all be stabili eas must be rbed areas o | zed, as requir e passed thro or discharged | ed, before the dis ugh erosion contro into other drainag | charge ol barriers ge systems. | |
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| EC Train ation on ated by a | ed Contracto a weekly ba field conditio | or shall inspe sis and afte ons. special (| ect downstrea r rainstorms. additional eros | m conditions for e sion and sediment | evidence of control | |
| , as spe YCDEP si nd sedim | cified by the hall be insta nent control | site engine illed by the measures si | er, the Wetlai contractor. hall remain in | nds Inspector, the place until all dis | Town Engineer | |
| npletion nce of th ng the p | izea. of the site i he roads, pa baved areas | improvement irking lots, a shall be clea | s, the owner Irainage syste aned to remo | will assume respor ms and stormwate ve the winter accu | nsibility for er facilities. Imulation of | |
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| of the mof the mevent | uld be made stormwater s. These in the aeneral | as required basins shou spections sh overall intea | Id be perform would, at a m rity of the bo | ed every 6 month inimum, check the asin and appurtence | s and after outlet pipes inces. | |
| basin veg e. Remo ted silt v | getation inclu ove any litte will be requir | uding remove r which accu red to be re | al of trees an imulates as n moved every | nd replacement of necessary. Typicall 10 to 20 years. A | vegetation that ly, the ny accumulated | |
| the Stor n <u>mainte</u> | mwater Pollu mance of the SOII R | e stormwate ution Prevent <u>e storm dra</u> F.STORA1 | tion Plan for inage facilities | additional details r | regarding | |
| The installing | contractor shall be topsoil, seed and (Onsite soils within | required to performulch. Items strick Soil Restoration the limit of disturbance | m the following soil is en in the following to tion Requirements ¹ to belong to Hydrologic | restoration techniques prior a able do not need to be perf 24 Soil Groups (HSG) C & D) | to formed. | |
| No soil Minima Areas v stripped in grade | I Soil Disturbance disturbance I soil disturbance where topsoil is d only - no change e | Soil Restoration Restoration HSG A & B Apply 6 inches of topsoil | not permitted not permitted HSG C&D Aerate ³ and apply 6 inches of topsoil | Comments/Examples Preservation of Natural Feat Clearing and grubbing Protect area from any ongoi construction activities. | ng | |
| Areas | of cut or fill | HSG A &B Aerate1 and apply 6 inches of topsoil | HSG C&D Apply full Soil Restoration ² | | | |
| Heavy f (especi feet arc not with perimet foundat | traffic areas on site ially in a zone 5-25 bund buildings but hin a 5 foot ter around tion walls) | Apply full Soil Re (decompaction a Enhancement®) | storation nd compost | | | |
| Areas v Reduct Infiltrati applied | where Runoff ion and/or on practices are | Restoration not r applied to enhan specified for app Soil Restoration | equired, but may be ce the reduction ropriate practices. is required on | Keep construction equipmen from crossing these areas. protect newly installed pract from any ongoing construct activities construct a single phase operation fence area | nt To ice on | |
| | slopment projects | redevelopment p where existing in be converted to p | rojects in areas opervious area will bervious area. | pr-drawn implement | | |
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| includes making ions in t periods o | s the use of a narrow sli he soil, or p f relatively lo | t machines s t in the soil, prongs which ow to moder | a roller with functions like rate subsoil n | pr—arawn implemen many spikes mak a mini—subsoiler. noisture, the distur | nts with king rbed soils are | |
| ' to roug pply 3 in ill compo mounted | h grade and oches of con ost into subs ripper, trac | l the followin npost over s soil to a dep tor—mounted | ng Soil Restor Subsoil. oth of at leas d disc, or tille | ation steps applied t 12 inches using r, mixing, and circ | d: a culating air and | |
| oost into ock—pick cleaned pply tops agetate | subsolls. until uplifte off the site. soil to a dep as required | ed stone/roc oth of 6 inc. | k materials o hes. | f four inches and | larger size awinas | |
| illing sho any utili t shall b le free w e a pH s | uld not be p ty installation e aged, from ater or dust suitable to d | performed wi ns that are n plant deriv t produced w prow desired | ithin the drip within 24 inc ved materials, vhen handling, plants. | line of any existin hes of the surface free of viable wee pass through a h | ng trees or e. ed seeds, have nalf inch screen | |
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| PROJ | IECT: LDER_B | ALTER | <u>PARTNE</u> | RS, INC. | | |
| ROUTE DRAV | 22, TOWN OF | EWISBORO, | WESTCHESTER C | COUNTY, NEW YORK | | |
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| PROJE NUMBE | CT 152 ER 152 | 246.100 | PROJECT MANAGER | J. J. C. | DRAWING NO. | SHEET |
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SCALE AS SHOWN BY

SEWER TESTING PROCEDURES

- TESTS FOR NON-PRESSURE PIPELINES FOR TRANSPORT OF SEWAGE
- The leakage shall be determined by exfiltration, infiltration or low pressure air. A. Exfiltration Testing
- 1. Exfiltration tests shall be made by filling a section of pipeline with water and measuring the quantity of leakage.
- 2. The head of water at the beginning of the test shall be at least 2 feet above the highest pipe within the section being tested (5 feet for WCDEF sewers).
- a. Should groundwater be present within the section being tested, the head of water for the test shall be 2 feet above the hydraulic gradient of the groundwater.
- b. Should the requirement of 2 feet of water above the highest pipe subject any joint at the lower end of the test section to a differential head of greater than 11.5 feet, another method of testing shall be employed.
- B. Infiltration Testing
- 1. Infiltration tests will be allowed only when the water table gauges determine the groundwater level to be 2 feet or more above the highest pipe of the section being tested. 2. Infiltration test shall be made by measuring the quantity of water leaking
- into a section of pipeline. 3. Measurement of the infiltration shall be by means of a calibrated weir constructed at the outlet of the section being tested.
- C. Allowable Leakage for Non-Pressure Pipelines 1. The allowable leakage (exfiltration or infiltration) for non-pressure pipelines
- shall not exceed the following in gallons per 24 hours per inch of diameter per 1000 feet of pipe: <u>Type of Pipe</u> <u>Leakage</u> Ductile iron — mechanical or push—on_joints
- Polyvinyl chloride, thermal plastic or fiberglass with rubber joints Cast iron soil pipe 2. Regardless of the above allowable leakage, any spurting leaks detected shall be permanently stopped.
- D. Low Pressure Air Testing
- 1. Air testing for acceptance shall not be performed until the backfilling has been completed. Low pressure air tests shall conform to ASTM C 828 or ASTM F1417-92, Section 8.2.2, Time-Pressure Drop Method for a 0.5 psi drop, except as
- specified herein and shall not be limited to type or size of pipe.
- 3. All sections of pipelines shall be cleaned and flushed prior to testing. 4. The air test shall be based on the starting pressure of 3.5 to 4.0 psi gauge. The time allowed for the 0.5 psi drop in pressure, measured in seconds, will be computed based on the size and length of the test section by the Enaineer.
- a. When groundwater is present, the average test pressure of 3 psig shall be above any back pressure due to the groundwater level.
- b. The maximum pressure allowed under any condition in air testing shall be 10 psig. The maximum groundwater level for air testing is 13 feet
- 5. The equipment required for air testing shall be furnished by the Contractor and shall include the necessary compressor, valves, gauges and plugs to allow for the monitoring of the pressure, release of pressure and a separable test gauge.
- a. The test gauge shall be sized to allow for the measuring of the 0.5 psig loss allowed during the test period and shall be on a separate line to the test section. E. Deflection Testing
- Deflection testing shall be performed 30 days after backfilling. The test shall be made by passing a ball or cylinder no less then 95% of the pipe diameter through the pipe. The test shall be performed without mechanical pulling devices
- F. Manhole Testing
- 1. General a. Each manhole shall be tested by either exfiltration, infiltration or

above the top of the pipe.

- vacuum testing. b. A manhole will be acceptable if the leakage does not exceed an allowance of one gallon per vertical foot of depth for 24 hours.
- Regardless of the allowable leakage, any leaks detected shall be permanently stopped.
- 2. Exfiltration tests shall be performed after backfilling. The test shall be made by filling the manhole with water and observing the level for a minimum of eight hours.
- 3. Infiltration tests shall be performed after backfilling when the groundwater level is above the joint of the top section of a precast manhole.
- Vacuum testing shall be performed after backfilling in accordance with the latest revision of ASTM C1244–02 as follows:
- a. The test head shall be placed at the top of the manhole in accordance with the manufacturer's recommendations. b. A vacuum of 10 in. of mercury shall be drawn on the manhole, the
- valve on the vacuum line of the test head closed, and the vacuum pump shut off. The time shall be measured for the vacuum to drop to 9 in. of mercury.
- c. The manhole shall pass if the time for the vacuum reading to drop from 10 in. of mercury to 9 in. of mercury meets or exceeds the values indicated below:

Minimum Test Times for Various Manhole Diameters in Seconds:

| Depth (ft) | Diameter (inches) | 48 | 60 |
|------------|-------------------|--------|--------|
| | Tir | ne (se | conds) |
| 8 or less | | 20 | 26 |
| 10 | | 25 | 33 |
| 12 | | 30 | 39 |
| 14 | | 35 | 46 |
| 16 | | 40 | 52 |
| 18 | | 45 | 59 |
| 20 | | 50 | 65 |

d. If the manhole fails the initial test, necessary repairs shall be made by an approved method. The manhole shall then be retested until a satisfactory test is obtained.

<u>SEWER MAIN NOTES</u>

- 1. All sewer mains & sewer services shown on these plans shall be polyvinyl chloride (PVC) SDR 35.
- 2. Sewers shall be laid at least 10 feet horizontally from any existing or proposed water main. The distance shall be measured edge to edge. In cases where it is not practical to maintain a 10 foot horizontal separation, the Design Engineer and Westchester County Department of Health may allow deviation with prior approval on a case-by-case basis, if supported by data from the Design Engineer. The horizontal separation also applies to service connections.
- 3. Sewers crossing water mains shall be laid to provide a minimum vertical distance of 18 inches between the outside of the water main and the sewer. The crossing shall be arranged so that the sewer joints will be equidistant and as far as possible from the water main joints. Where a water main crosses under a sewer, adequate structural support shall be provided for the sewer to maintain line and grade. In cases where it is not practical to maintain a 10 foot horizontal separation, the Design Engineer and Westchester County Department of Health may allow deviation with prior approval on a case—by—case basis, if supported by data from the Design Engineer prior to sewer line installation. The vertical separation also applies to service connections.
- 4. Sanitary sewer service lines shall be tested in conjunction with the sewer mains to the property line or easement line, and in accordance with the latest Westchester
- County Department of Health Rules & Regulations. 5. Testing of the manholes with the pipeline shall not be permitted. Manholes & sanitary sewer lines shall be tested independently of each other.
- 6. The owner/applicant shall be responsible for acquiring supervision of the construction of the sanitary sewer main system by a person or firm qualified to
- practice professional engineering in the state of New York. 7. The owner/applicant shall be responsible for providing Three (3) copies of as-built drawings signed and sealed by a licensed and registered New York State Professional Engineer to the Westchester County Department of Health at the
- completion of the construction. 8. The Design Engineer, Westchester County Department of Health, and Town Engineering Department shall be notified forty eight (48) hours before construction is started.
- 9. The sanitary sewer mains shall not be placed into service until a certificate of construction compliance has been submitted to and accepted by the Westchester County Department of Health.
- 10. The Westchester County Department of Health and the New York City Department of Environmental Protection must be notified forty eight (48) hours prior to pressure testing the sewer main improvements. 11. Manhole frames & covers to be Campbell pattern #1007C for 24" opening or
- approved equal. M.H. covers to be marked "SEWER" and to have six 3/4" hole vents. (use solid covers where necessary.) 12. The exterior of all manholes shall be covered with an approved asphalt
- waterproofing. 13. Concrete base slabs shall be air entrained concrete with a minimum design
- strength of 3,000 psi. 15. The contractor shall submit shop drawings of the precast manholes to the Design
- Engineer for review and acceptance. 16. Precast manholes shall have minimum reinforcement of 0.12 sq. in. per lin. ft.
- for 48" barrel & be designed in accordance with A.S.T.M. C-478, and withstand an H–20 design loading. 17. Precast base sections to have the required number of gaskets and openings as
- shown and specified. 18. Precast manhole sections shall employ a watertight gasket arrangement between each section approved by the Design Engineer.
- 19. Openings for pipes shall be precast or machine cored. Gaskets or collars for pipe connections to manholes shall be resilient and watertight and compatable with the type of pipe being used.
- 20. The length of pipes entering or leaving any manhole shall be greater than 2'-0''. 21. Precast manholes under 6'-0" deep shall have a "Flat Top" slab roof.
- 22. Gaskets or collars for pipe connections to manhole shall provide a minimum of

0.1' drop across the manhole.

SEWER SERVICE CONNECTION DETAIL

(N.T.S.)

| | - | - | |
|----------------|-------------|--------------------|---------------------|
| 13 | 8–2–18 | | REV |
| 12 | 6–28–18 | | REV |
| 11 | 11–17–17 | | REVIS |
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PRECAST INLET AND OUTLET HOLES. SIZE AND ANGLE AS REQUIRED.

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| SITE RING, SURVEYING & APE ARCHITECTURE, P.C | 3 Garrett Place Carmel, NY 10512 (845) 225–9690 (845) 225–9717 1 ; www.insite–eng.cor | fax n | |
| <u>PARTNERS, INC.</u> WESTCHESTER COUNTY, NEW YORK <u>ETAILS</u> | | | |
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| PRACTICE/FACILITY | MONTHLY | AFTER MAJOR STORM EVENTS | BI-ANNUALLY | YE |
| RIP RAP SWALES | Ensure contributing areas clean of debris, no evidence of erosion, & mowing performed. | Inspect for erosion, soil permeability & evidence of flow going around structures. | _ | Inspect accumulat |
| SUBSURFACE STORMWATER COLLECTION SYSTEMS | _ | - | Inspect & clean | Inspect, o and/o stru Remov |
| GRASS SWALES | Inspect first few months after construction for eroding soils & slumpage & repair immediately | _ | Inspect & clean Mow & remove debris & litter. Revegetate as needed. | |
| DRAINAGE STRUCTURES (CATCH BASINS, DRAIN INLETS, SIDE DRAIN INLETS, AND DRAINAGE MANHOLES) | _ | Side drain inlets shall be inspected and any accumulated sediment in sump shall be removed. | Inspect all structures for damage to frame and grate & pipe inlets/outlets. Clean accumulated sediment in sump. | |
| INFILTRATION BASINS, SEDIMENTATION BASIN | Inspect first few months after construction for eroding soils & slumpage & repair immediately | Inspect orifices, inlets & outlets for clogging, eroding soils on the basin berm & embankments, & sources of erosion; & stabilize and/or repair immediately. | Mow berms and exterior embankments Remove debris & litter from basins & outlet structures. Remove Sediment if accumulated greater than an 1" | |
| WOODED FILTER STRIPS | _ | _ | Inspect buffer for condition of vegetative cover. Remove any accumulated sediment or debris and repair any areas of erosion | Inspect condition cover. R accumulai or debris any area |

<u>Note:</u> The party responsible for implementation of after construction is: Wilder Balter Partners, Inc.

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| r S n, soil idence | | Inspect & clean | | | |
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| | Inspect & clean | Inspect, clean, repair and/or replace structures. Remove debris. | _ | | |
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| The po after o Wilder 480 N Buildin Chapp and/o | arty responsible for impler construction is: Balter Partners, Inc. lorth Bedford Road og 300, 1st Floor, West W aqua, NY 10514 or the current owner(s) of | mentation of the mainten ling f the subject property. | ance schedule durir | ng and | |
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| 1 | | INSINEEDING OUT | | 5 Garrett Place Carmel, NY 10512 (845) 225–9690 | |
| | LANDSCAPE ARCHITECTURE, P.C. (845) 225–9717 fax www.insite-eng.com | | | | |
| | PROJECT: | | | | |
| | <u>WILDER BALTER PARTNERS, INC.</u> | | | | |
| | ROUTE 22, TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK | | | | |
| DRAWING: | | | | | |

| PROJECT MANAGER | J. J. C. | DRAWING NO. | SHEET |
|--------------------|----------------|-------------|-------|
| DRAWN BY | <i>S.J.C</i> . | D-6 | 17 |
| CHECKED BY | D.L.M. | | / 18 |
| | | | |

Wetland Buffer Mitigation Plan Notes Wilder Balter Lewisboro Route 22, Town of Lewisboro, NY June 23, 2017 Revised October 11, 2017

Notes:

1. Limits of the wetland buffer enhancement area will be staked out prior to commencement of plant removal.

2. Nuisance and non-native vegetation will be removed, including species listed in the invasive species narrative. 3. Wetland seed mix will be used as specified to supplement plantings at a rate of 4 pounds per acre. Eight pounds of seed

will be used for this site. 4. The area chosen for restoration and enhancement is adjacent to the northern side of the wetland, and is the location of past site activities. Historic aerial photos show that agricultural and forestry activities were being conducted on this part of the site as recently as the 1960's. Secondary growth following the cessation of this disturbance includes a number of non-native and invasive species, which will be cleared from the site in accordance with the attached maintenance plan. 5. Two stormwater management basins will be constructed partially within the regulated buffer areas. These basins will be planted as stormwater wetlands, and will also add diversity of vegetation and stormwater quality treatment to the site. 5. A total of 91 shrubs, 12 trees and a number of herbaceous plants will be planted to create a more diverse buffer plant community on site as per the plant list below.

Goals/Offsetting of Proposed Impacts

The proposed impacts to buffers and adjacent areas are associated with the construction of stormwater management basins designed to treat runoff from the newly developed residential units. These basins will be constructed in an area that was previously disturbed and has suitable topography such that the basins can be created with minimal grading and earth movement. The proposed planting plan will improve on this vegetative cover by introducing native species to the area, while providing filtering and flood attenuation of overland runoff before it enters the receiving stream.

It is noted that a portion of the proposal is to eliminate non-native vegetation in some areas of the existing wetland and adjacent areas. In total, the proposed mitigation will include approximately two acres of the site. No direct impacts to wetlands are proposed; approximately 14,500 sf of Town and 7,000 sf of DEC buffer will be affected. Mitigation ratios will therefore be approximately 3.7: and 7.7:1 respectively.

Proposed Wetland Buffer Enhancement

The overall mitigation area, identified on the plans as "wetland/buffer enhancement area", is a disturbed part of the site where previous site work, clearing and grading were done. As noted above, nuisance vegetation, stone piles and rubble will be removed in this area and plants installed as shown on the planting plan.

Planting Details

Plant choices for the wetland expansion were made according to existing site conditions and locally common species.

All planting will proceed by hand. Materials will be brought to the site in good condition (see below) and then placed in central drop locations. The materials will then be hand-carried to their planting locations and in turn, planted by hand. Only rounded, shallow planting shovels will be used in this effort.

Criteria for selecting plant material will include (1) the plant's ability to withstand the expected light and saturation conditions; (2) its demonstrated survival on this site and other nearby sites; (3) the plant must be native and non-invasive; and (4) whether the plant material is available at nurseries in the same region as the site. See Table 1 for complete plant species list. Seed mix was chosen based on the species' ability to survive in moist areas adjacent to the road with some sun.

Planting will be done in spring or early summer (between April 1 and July 1). Shrubs may also be planted in the late summer to early fall (September 1 to October 30). In all cases, a hole will be dug twice as deep as the root ball. The only shovels allowed are rounded, shallow spades. The hole will then be backfilled with a thin layer of rich, organic topsoil, the plant placed inside, the hole backfield to the top and then gently tamped down.

Container-grown plant material delivered to the job site will be inspected to assure moist soil/root masses. Any dry and light weight plants will not be accepted. If not planted immediately the container will be stored out of the sun and wind and kept moist (i.e., a means of watering will be provided and watering will occur daily). When removed from the containers, the plants will be the size of the specified container. If in leaf, the plants will appear healthy with no spots, leaf damage, discoloration, insects or fungus. If not in leaf, the buds will be firm and free of damage, discoloration, insects or fungus. Containers will be a minimum of quart size for shrubs and gallon size for trees.

Bare roots plants will be shipped from the nursery immediately after lifting from the field and will be planted immediately upon arrival at the site. If they cannot be planted as soon as arriving at the site, they will be stored in the shade, protected from sun and wind, and kept moist by the use of straw, peat moss, compost, or other suitable materials. Plants not having an abundance of well developed terminal buds on the leaders and branches will be rejected. The stems and branches of all plants will be turgid and the cambium healthy or the plants rejected. Any bare root plants that are in leaf or have leaflets will be rejected.

| Plant Species Choices for Wetland Buffer Enhancement/Restoration | | | | |
|------------------------------------------------------------------|----------|-------------------------------|--------------------|---------|
| Map Symbol | Quantity | Scientific Name | Common Name | Size |
| Aru | 12 | Acer rubrum | Red Maple | 5' - 6' |
| Shrubs | 20 | Cornus sericea | Redecierdogwood | 3' - 4' |
| AC | 6 | Amelanchier canadensis | Shadblow | 4'-5' |
| SD | 14 | Salix discolor | Pussy willow | 3' - 4' |
| VC | 21 | Vaccinium corymbosum | Highbush blueberry | 4' - 5' |
| VD | 21 | Viburnum dentatum | Arrowwood | 4' - 5' |
| Herbaceous Plants | | | | |
| CS | 100 | Carexstricta | Tussock sedge | 2" plug |
| CC | 100 | Carex crinita | Fringed sedge | 2" plug |
| JE | 100 | Juncus effusus | Soft rush | 2" plug |
| Seed Mix | | Riparian Buffer Mix FRNMX-154 | | |
| SWM | 8 pounds | Or equivalent | | |

Wetland Buffer Enhancement Areas

Following the removal of non-native invasive species as specified in the invasive species eradication plan, wetland and buffer areas will be seeded using the following seed mixes:

Buffer Areas - Riparian Buffer Mix (ERNMX-154 or equivalent) at 20 lbs/acre.

Monitoring and Maintenance

At least one pre-construction meeting will occur between the chosen grading and/or planting contractor/subcontractor and the site environmental monitor prior to beginning construction on site. The construction monitor will have experience in wetland construction and a Bachelor of Science degree in Natural and/or Physical Resources.

Monitoring and maintenance efforts for the mitigation plantings will take place over a five year period following construction. This will include bi-weekly visits for the first growing season, and then twice a year for the next four years, with additional inspections as required depending on conditions. The applicant's environmental monitor will conduct a survey of the site and site conditions will be noted and adjusted as necessary. A goal of at least 85% survival and a maximum of 10% non-native species will be considered acceptable. An annual report will be provided to the Town of Lewisboro and government agencies at the end of the growing season for each of the five years. Deer fence will be utilized as necessary to minimize damage from deer browsing.

Invasive Species Monitoring and Control Program

Japanese barberry, oriental bittersweet, Phragmites australis and multifloral rose are all noted as present within and adjacent to the wetlands on the project site. These invasive species favor areas of disturbed soils and edge areas. This plan will implement an invasive species monitoring and manual control program for the duration of construction and development of the project. It has been designed to carry over into the needed maintenance plans that will need to be developed and implemented by the Project Owner.

Those areas of the site that are closest to the existing wetlands and watercourses have been disturbed and re-graded over the years. These are the portions of the site that are known to support invasive species which are altering the character of the wetlands and adjacent areas and represent a long term risk to the native vegetative community.

By controlling exotic vegetation, and reducing deer populations due to increased human activity on the site, nearby native plants will have less competition and therefore have more resources available for their own growth. An invasive species monitoring and control program will be implemented at the project site as part of the overall development plan. Species targeted for removal include the following:

- Tree-of-heaven (Ailanthus altissima) Multiflora rose (Rosa multiflora) Mugwort (Artemisia vulgaris)
- Autumn olive (Eleagnus umbellata) Garlic mustard (Alliaria petiolata)
- *Purple loosestrife (Lythrum salicara)*
- *Common reed (Phragmites australis)* Oriental bittersweet (Celastrus orbiculatus)
- Porcelainberry (Ampelopsis brevipedunculata) Japanese Barberry (Berberis thunbergii)
- Japanese Stilt Grass (Microstegium vimeneum) Winged Euonymus (Euonymus alatus)

The above listed species and all other invasive non-native plants that are detrimental to the ecology of the project site will be removed during site development to the extent practicable. The goal of this program is to reduce the presence of exotic/invasive species to a threshold of less than ten percent total cover within the areas shown on the Wetland Restoration and Buffer Enhancement Plan (the "Plan"). A qualified biologist/botanist will supervise the removal of invasive species. Invasive species can be removed in several ways, depending on the location and species of the plant:

- 1. If a shrub is isolated and does not have its root system entwined with other plants, it may be removed mechanically. As much of the root system as possible should be removed to prevent the possibility of the invasive plant sprouting from root pieces left behind.
- 2. If a shrub is growing amongst other native plants in a way that uprooting it may disturb surrounding native plants warranting preservation, the plant may be most safely and effectively removed by chemical means. To remove by chemical means, the plant shall first be cut back to a few stubs and stumps, about twelve inches from the base. An EPA approved solution of glyphosate (Round-up or equivalent) shall be painted on the ends of the stumps. This technique shall be applied in the early fall months before the onset of plant dormancy. Proper notification must be made prior to the application of all restricted pesticides, and application made by a licensed applicator, if required. During project construction, glyphosate will only be applied by a licensed herbicide applicator, as coordinated with the Environmental Site Monitor. Only hand-cutting and removal will be allowed within the Wetland Controlled Area.
- . Highly invasive groundcovers, such as Japanese honeysuckle, are difficult to eliminate due to their habit of rooting along the stem. Groundcovers of this type will be removed by hand or mechanically. If after the second year of treatment the species persists, it may be sprayed with glyphosate, using a very close and targeted application during the active growing season. If the plant is growing among other herbaceous or shrub material that would be harmed by spraving, the glyphosate shall be applied by brush or mechanical removal should be considered. Repeated treatments may be necessary to remove the plant completely.
- 4. Highly invasive annuals, such as garlic mustard, are difficult to eliminate due to their growth from seed that is widespread among the soil seed bank where the plants are found. Several methods may be utilized in removing this type of invasive plants. If the species is growing densely without other plants, the area will be sprayed with glyphosate during the active growing season, following the manufacturer's recommendations. Species will also be removed by hand. Both methods should be performed before plants set seed. Both methods shall be performed multiple times over a season and possibly over several seasons to completely eradicate the target species.

Monitoring and Maintenance Schedule

Following development of the site, a maintenance plan will include the regular inspection of undisturbed areas as shown on the Plan, and removal of these species as necessary. This represents the transitional areas that are most susceptible to opportunistic settling of invasive species. It is anticipated that a schedule of inspections three times a year for the first three years following full project build out (early, mid and late growing season) will be adequate for the identification and removal of the invasive species in this area.

The Town Building Inspector and Wetlands Inspector will be consulted prior to the proposed removal of invasive species within the controlled area. In addition, all activities related to invasive species control, monitoring and assessment of achievement of the 10 percent tolerance threshold for coverage by all invasive species on the project site will be coordinated with the Environmental Site Monitor. These inspections will include the mapping and identification of locations and extent of cover of invasive species, and identify the methods to be used for the subsequent removal. Following treatment, a brief report outlining extent, location and removal method for each species shall be prepared and filed with the Town Planning Office.

Buffer area to be enhanced. Invasive species will be removed, new plants installed and area seeded with transitional species mix.

Wetland area where invasive species will be removed.

| 7,400 sf |
|---------------|
| 14,500 sf |
| 0 sf |
| 0 sf |
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| |
| +/- 40,000 sf |
| |
| +/- 14,000 sf |
| |
| +/- 54,000 sf |
| |
| 7.7:1 |
| 3.7:1 |
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Note: Refer to Site Plans prepared by Insite Engineering, Surveying and Landscape Architecture, P.C. for stormwater basin plantings and other site landscaping.

TOWN OF LEWISBORO, NEW YORK

27 JULY, 2018

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TOWN OF LEWISBORO, NEW YORK

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TOWN OF LEWISBORO, NEW YORK

2018 27 JULY,

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BUILDING 4 - REAR ELEVATION



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TOWN OF LEWISBORO, NEW YORK

1'-0" 2018 1/8"JUL SCALE: 27

BUILDING 4 - FRONT ELEVATION

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BUILDING 5 - REAR ELEVATION



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TOWN OF LEWISBORO, NEW YORK

BUILDING 5 - FRONT ELEVATION



BUILDING 5 - RIGHT SIDE ELEVATION 2





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NOTICE OF INTENT

New York State Department of Environmental Conservation



Division of Water

625 Broadway, 4th Floor

| NYR | | | | | | |
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| | (for | DEC | use | onl | V) | |

Albany, New York 12233-3505

Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-0-15-002 All sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

-IMPORTANT-

RETURN THIS FORM TO THE ADDRESS ABOVE

OWNER/OPERATOR MUST SIGN FORM

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| Project Site Informa | ation |
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| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | Inc |
| Street Address (NOT P.O. BOX) | |
| Side of Street O North O South • East O West | |
| City/Town/Village (THAT ISSUES BUILDING PERMIT) Town of Lewis boro | |
| State Zip County N Y 1 0 5 9 0 - Westches | DEC Region |
| Name of Nearest Cross Street | |
| Distance to Nearest Cross Street (Feet) | Project In Relation to Cross Street O North • South O East O West |
| Tax Map Numbers Section-Block-Parcel 5 - 1 0 7 6 6 - 1 9 | Tax Map Numbers |
| | |

1. Provide the Geographic Coordinates for the project site in NYTM Units. To do this you **must** go to the NYSDEC Stormwater Interactive Map on the DEC website at:

www.dec.ny.gov/imsmaps/stormwater/viewer.htm

Zoom into your Project Location such that you can accurately click on the centroid of your site. Once you have located your project site, go to the tool boxes on the top and choose "i"(identify). Then click on the center of your site and a new window containing the X, Y coordinates in UTM will pop up. Transcribe these coordinates into the boxes below. For problems with the interactive map use the help function.

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| 2. What is the nature | of this construction project? |
|-----------------------|----------------------------------------------|
| • New C | Construction |
| | elopment with increase in impervious area |
| | elopment with no increase in impervious area |
| | |

| 3. | Select | the | prede | ominant | land | use | for | both | pre | and | post | development | conditions | |
|----|--------|------|-------|---------|-------|------|-----|------|-----|-----|------|-------------|------------|--|
| | SELECT | ONLY | ONE | CHOICE | FOR 1 | EACH | | | | | | | | |

| Pre-Development Existing Land Use | Post-Development Future Land Use |
|--------------------------------------|-----------------------------------------------------|
| • FOREST | O SINGLE FAMILY HOME Number of Lots |
| O PASTURE/OPEN LAND | ○ SINGLE FAMILY SUBDIVISION |
| O CULTIVATED LAND | O TOWN HOME RESIDENTIAL |
| O SINGLE FAMILY HOME | MULTIFAMILY RESIDENTIAL |
| ○ SINGLE FAMILY SUBDIVISION | ○ INSTITUTIONAL/SCHOOL |
| O TOWN HOME RESIDENTIAL | ○ INDUSTRIAL |
| ○ MULTIFAMILY RESIDENTIAL | ○ COMMERCIAL |
| ○ INSTITUTIONAL/SCHOOL | ○ MUNICIPAL |
| ○ INDUSTRIAL | ○ ROAD/HIGHWAY |
| ○ COMMERCIAL | ○ RECREATIONAL/SPORTS FIELD |
| ○ ROAD/HIGHWAY | ⊖ BIKE PATH/TRAIL |
| O RECREATIONAL/SPORTS FIELD | ○ LINEAR UTILITY (water, sewer, gas, etc.) |
| ○ BIKE PATH/TRAIL | O PARKING LOT |
| O LINEAR UTILITY | ○ CLEARING/GRADING ONLY |
| O PARKING LOT | \bigcirc DEMOLITION, NO REDEVELOPMENT |
| O OTHER | \bigcirc WELL DRILLING ACTIVITY *(Oil, Gas, etc.) |
| | O OTHER |

*Note: for gas well drilling, non-high volume hydraulic fractured wells only

| 4. | In accordance with the larger common plan of development or sale, enter the total project site area; the total area to be disturbed; existing impervious area to be disturbed (for redevelopment activities); and the future impervious area constructed within the disturbed area. (Round to the nearest tenth of an acre.) | |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| | Total Site Total Area To Existing Impervious Area Be Disturbed Area To Be Disturbed 3 5.4 8.0 | Area Within Disturbed Area |
| 5. | Do you plan to disturb more than 5 acres of soil at any one time? | ○Yes ●No |
| 6. | Indicate the percentage of each Hydrologic Soil Group(HSG) at the A B C D 158 758 08 108 | site. |
| 7. | Is this a phased project? | O Yes 🛛 No |
| 8. | Enter the planned start and end dates of the disturbance activities. | ate / 3 1 / 2 0 2 0 |

| | 712 | 213 | 3720 | 598 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 9. | Id dis | ent sch | arc | y t je. | he | ne | ar | es | t | su | rf | ace | e w | at | erl | bod | ły (| ie | s) | t | N C | vh. | icł | ı. | 201 | ns | trı | uc | ti | on | s | it | e : | rur | nof | fı | wil | 11 | | |
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| 11. | | Is Ap | th pen | is di: | pr x C | oj o | ec f | t] GP- | -0- | ca -1 | te: 5-1 | d i 002 | .n (?? | one | e c | of | the | e ' | Wat | er | sh | ec | ls | ic | ler | nti | fi | e | : b | in | | | | • | Ye | s | C |) Nc | > | |
| 12. | | Is ar wa If | th eas ter no | e j a: s? | pro sso ski | je cia p (| ct at | la ed est | w: | at it] on | ed h <i>i</i> 1 : | ir AA 3. | and | ne d A | of AA- | t S | he cla | was | ate sif | ers | she ed | d | | | | | | | | | | | | | Ye | s | С |) Nc |) | |

| 13. | Does this construction activity disturb land with no | |
|-----|-------------------------------------------------------------|------------|
| | existing impervious cover and where the Soil Slope Phase is | 🗣 Yes 🔿 No |
| | identified as an E or F on the USDA Soil Survey? | |
| | If Yes, what is the acreage to be disturbed? | |
| | 1.4 | |

| 14. | Will the project disturb s | soils within a State | | |
|-----|----------------------------|-----------------------------|-----|---------------|
| | regulated wetland or the p | protected 100 foot adjacent | Yes | \bigcirc No |
| | area? | | | |

| 5764372699 | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 15. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)? | O No O Unknown |
| 16. What is the name of the municipality/entity that owns the separa system? | te storm sewer |
| N e w Y o r k S t a t e D e p a r t m e n t o f | |
| Transportation | |
| 17. Does any runoff from the site enter a sewer classified O Yes | • No O Unknown |
| 18. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law? | O Yes 🌘 No |
| 19. Is this property owned by a state authority, state agency, federal government or local government? | O Yes 🔍 No |
| 20. Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.) | 🔿 Yes 🌘 No |
| 21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)? | •Yes ONo |
| 22. Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)? If No, skip questions 23 and 27-39. | 🖲 Yes 🔿 No |
| 23. Has the post-construction stormwater management practice compone of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual? | nt • Yes () No |

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SWPPP Preparer Certification

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) for this project has been prepared in accordance with the terms and conditions of the GP-0-15-002. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of this permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.



25. Has a construction sequence schedule for the planned management practices been prepared?

🜒 Yes 🛛 🔿 No

26. Select **all** of the erosion and sediment control practices that will be employed on the project site:

Temporary Structural

- Check Dams
- \bigcirc Construction Road Stabilization
- Dust Control
- \bigcirc Earth Dike
- \bigcirc Level Spreader
- \bigcirc Perimeter Dike/Swale
- Pipe Slope Drain
- \bigcirc Portable Sediment Tank
- \bigcirc Rock Dam
- \bigcirc Sediment Basin
- \bigcirc Sediment Traps
- Silt Fence
- Stabilized Construction Entrance
- Storm Drain Inlet Protection
- Straw/Hay Bale Dike
- Temporary Access Waterway Crossing
- \bigcirc Temporary Stormdrain Diversion
- Temporary Swale
- \bigcirc Turbidity Curtain
- \bigcirc Water bars

Biotechnical

- Brush Matting
- Wattling

Other

Vegetative Measures

- Brush Matting
- \bigcirc Dune Stabilization
- \bigcirc Grassed Waterway
- Mulching
- \bigcirc Protecting Vegetation
- O Recreation Area Improvement
- Seeding
- \bigcirc Sodding
- Straw/Hay Bale Dike
- Streambank Protection
- Temporary Swale
- Topsoiling
- \bigcirc Vegetating Waterways

Permanent Structural

- \bigcirc Debris Basin
- \bigcirc Diversion
- \bigcirc Grade Stabilization Structure
- Land Grading
- Lined Waterway (Rock)
- Paved Channel (Concrete)
- \bigcirc Paved Flume
- Retaining Wall
- **O Riprap Slope Protection**
- Rock Outlet Protection
- O Streambank Protection

| | | | | | | | _ | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|---|--|--|--|--|--|--|--|--|--|--|--|--|--|
| | | | | | | | | | | | | | | | | | | | | |

Post-construction Stormwater Management Practice (SMP) Requirements

<u>Important</u>: Completion of Questions 27-39 is not required if response to Question 22 is No.

| 27. | Identify all site planning practices that were used to prepare the final site plan/layout for the project. |) |
|-----|------------------------------------------------------------------------------------------------------------|---|
| | Preservation of Undisturbed Areas | |
| | \bigcirc Preservation of Buffers | |
| | Reduction of Clearing and Grading | |
| | Locating Development in Less Sensitive Areas | |
| | O Roadway Reduction | |
| | Sidewalk Reduction | |
| | Driveway Reduction | |
| | O Cul-de-sac Reduction | |
| | Building Footprint Reduction | |
| | O Parking Reduction | |
| - | | _ |

- 27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6("Soil Restoration") of the Design Manual (2010 version).
 - All disturbed areas will be restored in accordance with the Soil Restoration requirements in Table 5.3 of the Design Manual (see page 5-22).
 - O Compacted areas were considered as impervious cover when calculating the WQv Required, and the compacted areas were assigned a post-construction Hydrologic Soil Group (HSG) designation that is one level less permeable than existing conditions for the hydrology analysis.
- 28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout).

| Total | WQv | Re | qui | re | d |
|-------|-----|----|-----|----|-----------|
| | 0. | 3 | 2 | 9 | acre-feet |

29. Identify the RR techniques (Area Reduction), RR techniques(Volume Reduction) and Standard SMPs with RRv Capacity in Table 1 (See Page 9) that were used to <u>reduce</u> the Total WQv Required(#28).

Also, provide in Table 1 the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

Note: Redevelopment projects shall use Tables 1 and 2 to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

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Table 1 - Runoff Reduction (RR) Techniques and Standard Stormwater Management Practices (SMPs)

| | Total C | Cont | ributing | I | T | ota | L Co | nt | .rił | outing |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---------|-------------------|-----------|-----|------|------|------------------------|------|---------------------------------------|
| RR Techniques (Area Reduction) | Area | a (a | acres) | | Imp | erv: | Lous | A | rea | a (acre |
| ○ Conservation of Natural Areas (RR-1) . | | | | and/ | or | | |].[| | |
| O Sheetflow to Riparian Buffers/Filters Strips (RR-2) | | | | and/ | or | | |].[| | |
| ○ Tree Planting/Tree Pit (RR-3) | • | | | and/ | or | | |].[| | |
| \bigcirc Disconnection of Rooftop Runoff (RR-4) | •• | | | and/ | or | | |]•[| | |
| RR Techniques (Volume Reduction) | | | | | 1 | | | 1 [| | |
| \bigcirc Vegetated Swale (RR-5) \cdots | ••••• | 64132 | • • • • • • • • • | | 24 | _ | _ | ŀ | | |
| \bigcirc Rain Garden (RR-6) | | • • • | • • • • • • • • | | •• | | | $\left \cdot \right $ | | · · · · · · · · · · · · · · · · · · · |
| ○ Stormwater Planter (RR-7) | | • • • | ••••• | • • • • • | • | _ | _ | · | | |
| \bigcirc Rain Barrel/Cistern (RR-8) | | • • • | | | • | | _ | $ \cdot $ | | |
| ○ Porous Pavement (RR-9) | | | | | | | | $\left \cdot \right $ | _ | |
| ○ Green Roof (RR-10) | | • • • | | | ž, | | | | | |
| Standard SMPs with RRv Capacity | | | | | 4 | | 1 | ı r | | |
| ○ Infiltration Trench (I-1) ····· | | | | | | | _ | ŀ | | |
| Infiltration Basin (I-2) | | | | | | | 2 | | 7 | |
| ○ Dry Well (I-3) | | | | | | | | | | |
| \bigcirc Underground Infiltration System (I-4) | | | | | . | | | | | |
| ○ Bioretention (F-5) | | | | | | | | | | |
| \bigcirc Dry Swale (0-1) | ••••• | •=• •= | •••• | | | | | | | |
| Standard SMPs | | | | | | | | | | |
| \bigcirc Micropool Extended Detention (P-1) | | | | | | | | | | |
| ○ Wet Pond (P-2) ····· | | | | | | | | | | |
| ○ Wet Extended Detention (P-3) ····· | | • • • • | | | | | | | | |
| ○ Multiple Pond System (P-4) ······ | | | | | | | |].[| | |
| \bigcirc Pocket Pond (P-5) $\cdots \cdots \cdots$ | | | | | | | | .[| | |
| \bigcirc Surface Sand Filter (F-1) | | | | | . 1 | | | 1. | | |
| \bigcirc Underground Sand Filter (F-2) | | | | | | | | 1.1 | | |
| Operimeter Sand Filter (F-2) | | | | | | | | | | |
| Organia Filton (F 4) | | | | | Č | | | f | - | |
| Oballes National (W 1) | | • • • | • • • • • • • • • | • • • • • | • | | - | ŀ | | |
| O Shallow Wetland (W-1) | •••• | • • • | | | | _ | - | ŀ | - | |
| Usertended Detention Wetland (W-2) | •••••••••• | ••• | | | • | _ | | ŀ | - | |
| ○ Pond/Wetland System (W-3) | | • • • | | • • • • • | • | | + | ŀ | - | |
| <pre>O Pocket Wetland (W-4)</pre> | | •••• | | | • | | _ | • | _ | _ |
| \bigcirc Wet Swale (O-2) | | | | | . [| | | ŀ | | |

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| | | • | Tal | ble 2 | 2 - | Alt (DC USE | tern DNO EDF | ativ T IN OR P | e SM CLUI RETF | íps)e pf Xeatm | acti Ent | CES ONLY | BEI) | NG | | | | | • | |
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33. Identify the Standard SMPs in Table 1 and, if applicable, the Alternative SMPs in Table 2 that were used to treat the remaining total WQv(=Total WQv Required in 28 - Total RRv Provided in 30).

Also, provide in Table 1 and 2 the total <u>impervious</u> area that contributes runoff to each practice selected.

Note: Use Tables 1 and 2 to identify the SMPs used on Redevelopment projects.

| 33a. | Indicate the Total WQv provided (i.e. WQv treated) by the SMPs identified in question #33 and Standard SMPs with RRv Capacity identified in question 29. |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | WQv Provided |
| Note | : For the standard SMPs with RRv capacity, the WQv provided by each practice = the WQv calculated using the contributing drainage area to the practice - RRv provided by the practice. (See Table 3.5 in Design Manual) |
| 34. | Provide the sum of the Total RRv provided (#30) and the WQv provided (#33a). |
| 35. | Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)? O Yes O No If Yes, go to question 36. If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria. |
| 36. | Provide the total Channel Protection Storage Volume (CPv) required and provided or select waiver (36a), if applicable. |
| | |
| | CPv Required CPv Provided 0.355acre-feet 0.386acre-feet |
| 36a. | CPv Required CPv Provided 0.355acre-feet 0.386acre-feet The need to provide channel protection has been waived because: 0.5112 discharges directly to tidal waters or a fifth order or larger stream. |
| 36a. | CPv Required CPv Provided 0.355acre-feet 0.386acre-feet The need to provide channel protection has been waived because: 0.386acre-feet Osite discharges directly to tidal waters or a fifth order or larger stream. 0.8800 stream Okacre feet 0.8800 stream Okacre feet 0.8000 stream |

select waiver (37a), if applicable.

Total Overbank Flood Control Criteria (Qp)

| Pre-Development | Post-development |
|-------------------------------|------------------------|
| 1 7 . 1 7 _{CFS} | 1 5.5 6 _{CFS} |
| Total Extreme Flood Control C | riteria (Qf) |
| Pre-Development | Post-development |
| 6 7 5 9 CFS | 63.89 CFS |

37a. The need to meet the Qp and Qf criteria has been waived because:
O Site discharges directly to tidal waters or a fifth order or larger stream.
O Downstream analysis reveals that the Qp and Qf controls are not required

38. Has a long term Operation and Maintenance Plan for the post-construction stormwater management practice(s) been developed?

🖲 Yes 🛛 🔿 No

If Yes, Identify the entity responsible for the long term $\ensuremath{\mathsf{Operation}}$ and $\ensuremath{\mathsf{Maintenance}}$

| W | i | 1 | d | e | r | в | a | 1 | t | е | r | | Ρ | a | r | t | n | е | r | s | , | I | n | С | 0 | r | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|--|--|--|
| F | u | t | u | r | е | Ρ | r | 0 | р | е | r | t | У | | 0 | W | n | е | r | s | | | | | | | | | |

39. Use this space to summarize the specific site limitations and justification for not reducing 100% of WQv required(#28). (See question 32a) This space can also be used for other pertinent project information.

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40. Identify other DEC permits, existing and new, that are required for this project/facility.

○ Air Pollution Control

 \bigcirc Coastal Erosion

⊖ Hazardous Waste

O Long Island Wells

○ Mined Land Reclamation

() Solid Waste

O Navigable Waters Protection / Article 15

O Water Quality Certificate

O Dam Safety

○ Water Supply

Freshwater Wetlands/Article 24

O Tidal Wetlands

 \bigcirc Wild, Scenic and Recreational Rivers

O Stream Bed or Bank Protection / Article 15

O Endangered or Threatened Species (Incidental Take Permit)

○ Individual SPDES

| O SPDES | Mu | lti | L-S | ec | tor | GP | N | Y | R | | | | | | | | | | | | | |
|---------|----|-----|-----|----|-----|----|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|--|
| Other | S | е | w | е | r | S | P | D | Е | s | G | Ρ | - | 0 | - | 1 | 5 | - | 0 | 0 | 1 | |

() None

| 41. | Does this project require a US Army Corps of Engineers Wetland Permit? If Yes, Indicate Size of Impact. | 0 Yes | No |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------|
| 42. | Is this project subject to the requirements of a regulated, traditional land use control MS4? (If No, skip question 43) | • Yes | () No |
| 43. | Has the "MS4 SWPPP Acceptance" form been signed by the principal executive officer or ranking elected official and submitted along with this NOI? | • Yes | O No |
| 44. | If this NOI is being submitted for the purpose of continuing or trans coverage under a general permit for stormwater runoff from constructi activities, please indicate the former SPDES number assigned. N Y R | ferring on | |

Owner/Operator Certification

I have read or been advised of the permit conditions and believe that I understand them. I also understand that, under the terms of the permit, there may be reporting requirements. I hereby certify that this document and the corresponding documents were prepared under my direction or supervision. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further understand that coverage under the general permit will be identified in the acknowledgment that I will receive as a result of submitting this NOI and can be as long as sixty (60) business days as provided for in the general permit. I also understand that, by submitting this NOI, I am acknowledging that the SWPPP has been developed and will be implemented as the first element of construction, and agreeing to comply with all the terms and conditions of the general permit for which this NOI is being submitted.

| JOhn | |
|-------------------------|------|
| Print Last Name | |
| Bainlardi | |
| Wner/Operator Signature | |
| | |
| | Date |
| | |

Ciorsdan Conran

| From: | Jonathan Monti <jonmonti@icloud.com></jonmonti@icloud.com> |
|----------|-----------------------------------------------------------------------------------------------------------------|
| Sent: | Thursday, July 26, 2018 7:54 AM |
| То: | Jerome Kerner |
| Cc: | Ciorsdan Conran; Peter Parsons; tgoncalves@lewisborogov.com; icrimmins@lewisborogov.com; dwelsh: ipappalardo |
| Subject: | Question Regarding the Planning Board |

Jerome,

Will Richard Sklarin be asked to recuse himself from all further discussions and voting regarding the proposed Wilder Balter development? This point was raised at one of the public hearings that there is a conflict of interest due to the fact the Mr. Sklarin lives in a Wilder Balter development, The Glen as well as works in the same building as Wilder Balter Partners. No answer was given regarding this. Thank you and I look forward to hearing your response to this. Please have this letter read into the record of the next public Planning Board meeting.

Jonathan Monti

GOLDENS BRIDGE FIRE DISTRICT P. O. Box 409 Goldens Bridge, N. Y. 10526

August 9, 2018

Mr. Jerome Kerner, Chairman Town of Lewisboro Planning Board 79 Bouton Road South Salem, NY 10590

Re: July 25, 2018 Letter Application of Wilder Balter Partners, Inc. NYS Route 22, Golden's Bridge, New York (Cal #1-15 PB, #20-17 WP, #5-17 SW)

Dear Chairman Kerner,

In response to your letter of July 25, 2018 ("July 25 letter"), we extend our thanks to the Town of Lewisboro Planning Board ("Planning Board") for recognizing and acknowledging the importance of the expert input, assessment and recommendations of the Golden's Bridge Fire District ("Fire District") and Golden's Bridge Fire Department ("Fire Department") in the disposition process of the application of Wilder Balter Partners, Inc. ("Wilder Balter") – specifically, NYS Route 22/Golden's Bridge/NY/Cal #1-15 PB, #20-17 WP, #5-17 SW.

A residential housing project of this magnitude – the first of its kind proposed in the Golden's Bridge community – demands a comprehensive assessment of firematic aspects beyond the bare-minimum requirements of the International Code Council.

The Fire District fully intends to provide a complete and thorough written response to the Planning Board that addresses the points outlined in your July 25 letter, including your request for "other comments or recommendations relating to fire safety and prevention." The Fire District also welcomes the opportunity, as per the Planning Board's request in the July 25 letter, to attend a Planning Board public meeting "in order to present or elaborate upon the GBFD's comments and recommendations concerning the site plan."

However, the Fire District respectfully requests that your deadline date of Aug. 15, 2018 for the written submission, and the Fire District's attendance at the Planning Board's Aug. 21, 2018 public meeting, both be extended to later dates. The Fire District is seeking a new mutually agreed upon deadline date for the written submission – which, once established, would dictate the Planning Board public meeting the Fire District would attend as participants. The Fire District is requesting these extensions to later dates based on, but not limited to, the following reasons:

• Although the Fire District held two special executive work sessions last week for the sole purpose of a preliminary discussion and review of your July 25 letter, these sessions were limited in their scope because key officials were unable to attend due to planned vacations and other summer and workplace commitments.

• These limitations will continue through the balance of the summer – for example, planned summer vacations and commitments will prevent key members of the Fire District/Fire Department team from attending the Aug. 21, 2018 Planning Board public meeting.

• Imposing a 2-week deadline for the Fire District to produce additional, updated comprehensive firematic review, assessment and recommendations on a project of this size is unreasonable under any circumstances, summertime notwithstanding.

• Furthermore, a 2-week deadline is unrealistic because the Fire District received the Wilder Balter June 28, 2018 <u>revised</u> site plan for the first time with receipt of your July 25 letter. Your letter stated: "The enclosed site plan set (bearing last revision date June 28, 2018) has been revised by WBP from that previously submitted to the GBFD."

• It would be unreasonable to expect the Fire District to provide in the prescribed time period an updated, comprehensive assessment of a revised site plan that has been in its possession for approximately two weeks. Frankly, this would also be a disservice to applicant Wilder Balter.

Please advise on a mutually agreeable deadline extension to <u>both</u> the written submission date and the appearance before a Planning Board public meeting. These extensions will afford the Fire District the appropriate and necessary time to develop and present comprehensive and thorough review, analysis, assessment and recommendations that will assist in the Planning Board's disposition of the Wilder Balter application.

In addition, the Fire District requests that this letter of Aug. 9, 2018, be read aloud at the Planning Board's Aug. 21, 2018 public meeting, so that this letter becomes part of the minutes and record of the Aug. 21 meeting. Thank you.

Respectfully submitted,

Isancati

Edward W. Brancati Chairman Board of Fire Commissioners Golden's Bridge Fire District

cc:

Members, Town of Lewisboro Planning Board: Janet Anderson Greg LaSorsa John O'Donnell Richard Sklarin

Board of Fire Commissioners, Golden's Bridge Fire District: Joann Vasi, Secretary Tom Beneventano Robert Melillo Joe Simoncini

Golden's Bridge Fire Department: James McManus, Chief Al Melillo, First Assistant Chief Dennis Delborgo, Second Assistant Chief

George H. Roberts, Esq., Counsel, Golden's Bridge Fire District

Affidavit of Publication

STATE OF NEW YORK County of Westchester

SS:

PAT DOMMERMUTH being duly sworn says *(s)he is Principal Clerk of

RECORD REVIEW

a newspaper published in the Town of Bedford, County of Westchester, and State of New York, and that a notice, of which the annexed printed notice is a copy, has been published in TheRecord-Review \underline{OVQ} times, once each week for \underline{OVQ} successive weeks, that such publication was made in the issues of: 7-6-17

moren

Principal Clerk

Notary Public

Sworn before me this_ dav

EILEEN M. FUSCO Notary Public - State of New York No. 01FU6352798 Qualified in Westchester County My Commission Expires January 3, 2021

*This affidavit must be made and executed by the Publisher, Principal Clerk or Foreman of the composing room.

TOWN OF LEWISBORO NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Board of the Town of Lewisboro, Westchester County, New York will convene a Public Hearing on July 17, 2018 at 7:30 p.m., or soon thereafter, at the Town Offices at 79 Bouton Road, South Salem, New York, regarding the following: <u>Cal. #1-13PB</u> Application for Special Use Permit Approval, seeking five (5)

Application for Special Use Permit Approval, seeking five (5) year renewal for communication facilities pursuant to Sections 220-32 and 220-41.1 of the Lewisboro Zoning Ordinance from New York SMSA Limited Partnership d/b/a Verizon Wireless c/o Snyder & Snyder, LLP, 94 White Plains Road, Tarrytown, New York to the tower owned by InSite Towers, LLC, 301 North Fairfax Street, Suite 101, Alexandria, Virginia. Said property is owned by Ash Tree Development, LLC, 36 Sylvan Lake Road, Hopewell Junction, New York and located on the northerly side of (#117) Waccabuc Road, NYS Route 138, Goldens Bridge, New York and designated on the Tax Maps of the Town of Lewisboro as Sheet 11, Block 11137, Lot 52 consisting of approximately 0.08 acres and located within a R-4A Residential District.

A copy of materials and site documents may be inspected at the office of the Planning Board Administrator, 79 Bouton Road, South Salem, New York during regular Planning Board hours. Persons wishing to object to the application should file a notice of objection with the Planning Board together with a statement of the grounds of objection prior to the closing of the Public Hearing. All interested parties are encouraged to attend the Public Hearing and all will be provided an opportunity to be heard.

> PLANNING BOARD TOWN OF LEWISBORO By: Jerome Kerner Chair

Dated: June 26, 2018

The Town of Lewisboro is committed to equal access for all citizens. Anyone needing accommodations to attend or participate in this meeting is encouraged to notify the Administrator to the Planning Board in advance.

RR205-18

WETLAND CERTIFICATE OF COMPLIANCE

TOWN OF LEWISBORO

Town Offices 79 Bouton Road, South Salem, New York 10590 Phone: (914) 763-3060 Fax: (914) 533-0097

Date: August 13, 2018

Permit #: 02-16 W.V. and 53-17 W.P.

Permit issued to: <u>Gustavo Palomino</u> 292 Waccabuc Road (Route 138) Goldens Bridge, New York 10526

Project location: 292 Waccabuc Road (Route 138)

Sheet: <u>7C</u> Block: <u>12668</u> Lot(s): <u>20</u>

Date of Inspection: July 19, 2018

Comments: <u>All work has been completed in substantial accordance with the Wetland Implementation</u> Permit and the site is stabilized.

The above referenced parcel(s) has been inspected and a determination has been made that work conducted within the regulated area has been completed in substantial accordance with the issued Wetland Activity Permit and the provisions of Chapter 217 of the Town of Lewisboro Town Code.

and mopector

8/13/18 Date

www.jdbarrett.com

Landscape Architects • Site Planners • Environmental Scientists

August 13, 2018

Chairman Jerome Kerner, R.A. Town of Lewisboro Planning Board (PB) 79 Bouton Road South Salem, NY 10590

Re: Palomino Property 292 Waccabuc Road, Golden's Bridge, NY Wetland Violation Remedied

Dear Chairman Kerner & Members of the PB:

At this time I am providing to the PB my written certification that reports that to the best of my knowledge that the applicant has complied with the PB's direction to remedy the previous Wetland Violation on the property. I have found that at this time the applicant has installed the proposed and approved wetland buffer enhancement measures, as shown on the approved plans, prepared by my office, revision dated December 6, 2017 entitled "<u>Site Information Plan</u>", Sheet 1 of 1 and "<u>Restoration Plan</u>", Sheet 2 of 2. I have met with the Town's Planning consultant on the property on July 19, 2018 and I believe that he has concurred with my findings.

Installation

I attach several representative photographs of the installation for the PB's review and information. I also attach the invoices for the plant materials that the applicant purchased and installed. There were several minor substitutions and adjustments to the installed plantings, but all of them were acceptable. Once the plant materials were installed, the applicant mulched all bare ground areas so that the restoration area is 100% stabilized. In addition, the former spruce tree plantings along Waccabuc Road and in the Town's R.O.W. have now been relocated to the interior of the property and worked into the mitigation plantings, as practical.

<u>Costs</u>

This project incurred both soft and hard costs to complete the project. Soft costs included Wetland Permit Application and escrow review fees to the Town and professional fees to the applicant's consultants to design and process the project. Hard costs included the machine time and labor costs to remove the deposited fill in the wetland, re-contour the subject area, transplant the spruce trees along the road and return the area to grass, removal of the invasive Japanese barberry in the subject restoration areas on both sides of the driveway, purchase, delivery and installation of the plantings and mulch. A summary of costs is provided below.

Soft Costs The following soft costs were incurred with this project. The costs noted are approximate.

| 12 | Wetland Permit Application Fee | \$ 255.00 |
|---------------|-----------------------------------------------------------------------|-------------|
| | Wetland Permit Escrow Review Fee | \$ 2,000.00 |
| .= | L.A.'s preparation of Application, Reports & Site Plan for PB filing | \$ 3,600.00 |
| 22 | Environmental Consultant's Wetland Assessment Report Fee | \$ 2,200.00 |
| | L.A.'s site visits with Owner and Environmental Consultant | \$ 1,200.00 |
| . | Environmental Consultant's site visits with Town's Wetland | . , |
| | Coordinator and L.A. | \$ 1,200.00 |
| 1.7 | L.A.'s site visits during construction | \$ 1,800.00 |
| 12 | L.A.'s site visit with Town Planner | \$ 600.00 |
| | L.A.'s appearances at PB meetings (3 at \$600/meeting) | \$ 1,800.00 |
| 1 | L.A.'s Final Report Fee | \$ 1,400.00 |
| - | Subtotal Soft Costs | \$16,055.00 |
| | | |
| <u>Hard</u> | Costs | |
| - | Machine time, labor and trucking to remove fill from wetland | \$ 5,200.00 |
| - | Machine time and labor to transplant spruce trees from Wacccabuc | |
| | Road R.O.W. to interior of the property | \$ 2,600.00 |
| - | Machine time and labor to prepare both sides of driveway for planting | \$ 1,300.00 |
| - | Labor and disposal fees to remove invasive Japanese barberrys on both | |
| | sides of driveway | \$ 1,200.00 |
| - | Purchase, delivery and installation of new plant material | \$17,160.00 |
| - | Purchase, delivery and spreading of mulch in al disturbed areas | \$ 2,500.00 |
| | Subtotal Hard Costs | \$29,960.00 |
| | | |
| Sumn | nary of Costs | |
| | Soft Costs | \$16,055.00 |
| - | Hard Costs | \$29,960.00 |
| (#) | Total Costs of Restoration Project | \$46,015.00 |

Conclusion

Considering the above information, I hereby certify that this project has been installed in substantial compliance with the approved plans. Please let us know if there are any questions.

Sincerely,

Jeri D. Barrett, R.L.A. JDB:lj Enc. cc: Mr. & Mrs. Palomino



View North across West mitigation area. Fill has been removed and plantings installed.



View Northeast across West mitigation area. Fill has been removed and plantings installed.



View West across West mitigation area. Fill has been removed and plantings installed.



View East across East mitigation area. Note transplanted spruce trees in subject area.



View North to East mitigation area. Note invasive Barberry shrubs in subject area have been removed.



ZINO NURSERIES, INC. 45 Hardscrabble Road North Salem, NY 10560 PH: (914) 669-5633 FX: (914) 669-5226 www.hardscrabblefarms.com

.naruscrabbielariiis.co

INVOICE 137590 **Invoice Date:** 06/01/2018

Clerk: Susan

| Bill To: | | Ship To: | |
|------------------|----------|-------------------------------------------|--|
| | | Joe's Lawn Service LLC | |
| 292 Waccabuc Rd. | | 292 Waccabuc Rd. | |
| Goldens Bridge | NY 10326 | Goldens Bridge NY 10326 (914) 299-7133 | |

| SHIP DA | ATE | SHIP VIA | SALESMAN | P.O. NUMBER | | Terms |
|----------------|---------------------|-----------------------------|----------|-------------|---------------|----------------|
| 06/01/20 | 018 | | | | | Due on receipt |
| QUANTITY | 1.25 | DESCRIPTION | | SIZE | UNIT PRICE | EXTENSION |
| 6 | SYRINGA | PATULA 'MISS KIM' | | 3G 18-24" | 24.00 | 144.00 |
| 4 | MYRICA PENSYLVANICA | | | 3G | 22.00 | 88.00 |
| 4 | ITEA VIR | GINICA 'LITTLE HENR' | Y | 3G | 24.00 | 96.00 |
| 4 | CLETHRA | A ALNIFOLIA 'RUBY SP | ICE' | 3G | 24.00 | 96.00 |
| 6 | HAMAMI | ELIS VIRGINIANA | | 3G | 22.00 | 132.00 |
| 6 | CORNUS | CORNUS SERICEA 'FLAVIRAMEA' | | 3G | 24.00 | 144.00 |
| 6 | CORNUS | AMOMUM | | 3G | 20.00 | 120.00 |
| Invoice Messag | · · · | | | | | |

| \$820.0U | SUBIOTAL: |
|----------|-----------------------------|
| \$60.48 | WESTCHESTER COUNTY 7.375 %: |
| \$880.48 | TOTAL: |
| | 1 |

Delivery Message:

Checks payable to ZINO NURSERIES, INC.

PAYMENT METHOD: CREDIT CARD

Thank you for your business, it is very much appreciated!

Acceptance of nursery stock at time of sale is proof of good health. We express or imply no warranty as to the productiveness or life of nursery stock after

it leaves our growing areas.

Sales Invoice



Bedford Hills NY #634 281 Rte 117 Bypass Rd Bedford Hills, NY 10507 W: (914)244-1110

Sold to:

JOE'S LAWN SERVICE (#1221627) 231 Babbitt Rd Bedford Hills, NY 10507-2018 W: (914)232-1111

Ship To:

JOE'S LAWN SERVICE (#1221627) 231 Babbitt Rd Bedford Hills, NY 10507-2018 W: (914)232-1111

| Ordered | Order # | PO# | Invoiced | Invoice# |
|------------|----------|-----|------------|----------|
| 07/16/2018 | T3200724 | | 07/16/2018 | 87075559 |
| - | | | | |

| Printed | Ship Via | Customer | Sales Associate |
|------------|----------|----------|-----------------|
| 07/16/2018 | Pick up | Palomino | Alvaro Giron |

| Line # | Item# | Item Desc | Qty | Unit Price | Extended Price |
|-----------|------------|-----------------------------------------------------------------|-----|------------|-------------------|
| 1 | 68487-103 | Lindera Benzoin #3 SPICE BUSH | 12 | 22.50 EA | 270.00 |
| 2 | 81368-103 | Clethra A Vanilla Spice #3 SPICE SUMMER SWEET | 16 | 24.75 EA | 396.00 |
| 3 | 67780-103 | Itea V Henry'S Garnet #3 HENRY'S GARNET SWEETSPIRE VIRGINIA | 8 | 22.50 EA | 180.00 |
| 4 | 67402-103 | Ilex G Shamrock #3 SHAMROCKHOLLY GALBERRY | 46 | 25.00 EA | 400.00 |
| 5 | 65989-103 | Hamamellis Virginiana #3 WITCH HAZEL | 12 | 24.95 EA | 299.40 |
| 6 | 77849-102 | Cornus S Artic Fire #3 FARROW (ARTIC FIRE) DOGWOOD RED OSIER | 8 | 25.00 EA | 200.00 |
| 7 | 711176-103 | Prunus X Cistena #3 PLUM PURPLELEAF | 8 | 21.95 EA | 175.60 |
| 8 | 77980-105 | Salix I Flamingo #5 FLAMINGO WILLOW | 8 | 40.00 EA | 320.00 |

| Subtotal: | \$2,241.00 |
|------------|------------|
| Sales Tax: | \$165.27 |
| Freight: | \$0.00 |
| Total: | \$2,406.27 |

PAYMENT: Visa \$2,406.27 Acct# **********3432

Sales Invoice



Bedford Hills NY #634 281 Rte 117 Bypass Rd Bedford Hills, NY 10507 W: (914)244-1110

Sold to:

JOE'S LAWN SERVICE (#1221627) 231 Babbitt Rd Bedford Hills, NY 10507-2018 W: (914)232-1111

Ship To:

JOE'S LAWN SERVICE (#1221627) 231 Babbitt Rd Bedford Hills, NY 10507-2018 W: (914)232-1111

| Ordered | Order # | PO# | Invoiced | Invoice# | 2 |
|------------|----------|-----|------------|----------|---|
| 05/29/2018 | 72030038 | | 05/29/2018 | 86106958 | B |

| Printed | Ship Via | Customer | Sales Associate |
|------------|----------|----------|-----------------|
| 05/29/2018 | Pick up | Palomino | Juan Salazar |

| Line # | Item# | Item Desc | Qty | Unit Price | Extended Price |
|-----------|-----------|----------------------------------------------------------------------|-----|------------|-------------------|
| 1 | 60994-110 | Amelanchier Canadensis #10 SERVICEBERRY | A | 105.00 EA | 420.00 |
| 2 | 60310-020 | Acer R Red Sunset 2" FRANKSRED (RED SUNSET) MAPLE RED | A | 207.85 EA | 831.40 |
| 3 | 63667-306 | Cornus F Cherokee Princess 6' CHEROKEE PRINCESS DOGWOOD FLOWERING | 2 | 130.00 EA | 260.00 |
| 4 | 71439-020 | Quercus Palustris 2" OAK PIN | 2 | 220.85 EA | 441.70 |
| 5 | 63499-103 | Clethra A Ruby Spice #3 RUBY SPICE SUMMER SWEET | 10 | 25.00 EA | 250.00 |
| 6 | 77849-102 | Cornus S Arctic Fire #2 FARROW (ARCTIC FIRE) DOGWOOD RED OSIER | 16 | 25.00 EA | 250.00 |
| 7 | 77281-102 | Cornus S Flaviramea #2 FLAVIRAMEA DOGWOOD RED OSIER | 1,0 | 23.00 EA | 230.00 |
| 8 | 77270-103 | Cornus Amomum #3 DOGWOOD SILKY | -8- | 23.00 EA | 184.00 |
| 9 | 65989-103 | Hamamelis Virginiana #3 WITCHHAZEL | .8- | 28.00 EA | 224.00 |
| 10 | 67402-103 | llex G Shamrock #3 SHAMROCK HOLLY GALLBERRY | 8 | 23.00 EA | 184.00 |
| 11 | 67453-103 | llex V Winter Red #3 WINTER RED WINTERBERRY | 20 | 25.50 EA | 510.00 |
| 12 | 67784-102 | Itea V Little Henry #2 SPRICH (LITTLE HENRY) SWEETSPIRE VIRGINIA | 20 | 20.12 EA | 402.40 |
| 13 | 68487-102 | Lindera Benzoin #2 SPICE BUSH | 8 | 23.00 EA | 184.00 |
| 14 | 72318-103 | Salix I Hakuro Nishiki #3 HAKURO NISHIKI WILLOW | 8 | 19.95 EA | 159.60 |
| 15 | 69276-102 | Myrica Pensylvanica #2 BAYBERRY NORTHERN | 10 | 19.95 EA | 199.50 |
| 16 | 74036-103 | Viburnum O Roseum #3 ROSEUM VIBURNUM EUROPEAN CRANBERRYBUSH | 8 | 25.00 EA | 200.00 |

 Subtotal:
 \$4,930.60

 Sales Tax:
 \$363.63

 Freight:
 \$0.00

 Total:
 \$5,294.23

PAYMENT: Visa \$5,294.23 Acct#: *********7090

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BRIAN KERSNOWSKI - Area Manager 704-583-0711



MEMORANDUM

| TO: | Chairman Jerome Kerner, AIA and Members of Lewisboro Planning Board |
|-------|---------------------------------------------------------------------------------------------------------------------------|
| CC: | Ciorsdan Conran Judson Siebert, Esq. Joseph Angiello |
| FROM: | Jan K. Johannessen, AICP Joseph M. Cermele, P.E., CFM David J. Sessions, RLA, AICP Town Consulting Professionals |
| DATE: | August 8, 2018 |
| RE: | Wetland Permit Application Graeme Hunter 19 South Shore Drive Sheet 33D, Block CAMP, Lot 15 |
| | |

PROJECT DESCRIPTION

The applicant is proposing to install a ± 240 s.f. aluminum dock and to remove aquatic vegetation within a a 11,000 s.f. area via the use of a suction harvesting. According to the applicant, the goal of the aquatic removal component of the project is to remove Eurasian milfoil, lily pads, other vegetation and leaf litter.

<u>SEQRA</u>

The proposed action has been preliminarily identified as a Type II Action and therefore categorically exempt from the State Environmental Quality Review Act (SEQRA).

REQUIRED APPROVALS

1. A Wetland Activity Permit is required from the Planning Board; a public hearing is required to be held by the Planning Board.

CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE | SITE & ENVIRONMENTAL PLANNING

Chairman Jerome Kerner, AIA and August 8, 2018 Page 2 of 2

COMMENTS

1. The applicant has satisfactorily addressed the comments contained within our July 11, 2018 memorandum. The only additional comment we have relates to access to the lake. It appears that equipment will be brought to the lake over an adjacent driveway which serves 15 South Shore Drive; written permission from the owner of 15 South Shore should be provided.

In order to expedite the review of subsequent submissions, the applicant should provide annotated responses to each of the comments outlined herein.

DOCUMENTS & PLANS REVIEWED:

- Area to be Harvested GIS Sketch Plan
- Map of Route for Loading Suction Harvest Float and Location for Storing Onion Sacks to Dry Sketch Plan
- Aqua Cleaner Environmental Letter
- Three Lake Council, Inc. Letter, dated July 23, 2018

JKJ/JMC/DJS/dc

T:\Lewisboro\Correspondence\2018-08-08_LWPB-Hunter_Review Memo.docx
TO: Town of Lewisboro Planning Board

FROM: Lewisboro Conservation Advisory Council

SUBJECT: Hunter suction harvesting and Lake Waccabuc Association boat ramp

DATE: August 6, 2018

The Conservation Advisory Council (CAC) reviewed the two applicant's recent submission documents.

The CAC has no issues with the proposed gravel boat ramp as described. The CAC suggests that this boat ramp be made available to the town for emergency services.

The CAC has concerns about the Hunter suction harvesting. The CAC's views are consistent with the July 23, 2018 memo written by Paul Lewis, Chairman, Lakes Preservation Committee, Three Lakes Council. The CAC would like to see the procedures outlined in this memo followed with a review by the Wetlands Inspector.

| Application No: $36 - 18WP$ Fee: 4255 Date: $5/29/18$ |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| RECEIVED LEWISBORD LEWISBORD WAY 2 9 2018 WAY 2 9 2018 79 Bouton Road, South Salem, NY 10590 Phones 014 762 5500 |
| Project Information Project Address: (9 500TH SHORE DR Project Address: (9 500TH SHORE DR |
| Sheet: 33D Block: Camp Lot(s): 15 |
| Project Description (identify the improvements proposed within the wetland/wetland buffer and the approximate amount of wetland/wetland buffer disturbance): Ore place dock destroyed doing Hurricane Gandy, 240 Saver feet. Dock already motabled. Dweed Harvestry of approximation 1400 Sq fast in frant or F9 Sorth Swe drife Hull Owner's Information |
| Owner's Name: Graeme Huster Phone: 917-697-6042 |
| Owner's Address: 225 Garfield Place, Brooklyn, 11215 Email: ghunter 999@gmwl.com Applicant's Information (if different) |
| Applicant's Name: OWNER |
| Applicant's Address: |
| Authorized Agent's Information (if applicable) Agent's Name: |
| Agent's Adress: 96 BUTON RO. SO. SAVEM Email: JKERNER 35 COPTON INE. |
| To Be Completed By Owner/Applicant |
| What type of Wetland Permit is required? (see §217-5C and §217-5D of the Town Code) □ Administrative Planning Board |
| 2. Is the project located within the NYCDEP Watershed? ZYes |
| 3. Total area of proposed disturbance: $\square \le 5,000 \text{ s.f.} \square 5,000 \text{ s.f.} - \le 1 \text{ acre} \square \ge 1 \text{ acre}$ |
| Does the proposed action require any other permits/approvals from other agencies/departments? (Planning Board, Town Board, Zoning Board of Appeals, Building Department, Town Highway, ACARC, NYSDEC, NYCDEP, WCDOH, NYSDOT, etc): Identify all other permits/approvals required: |
| Note: Initially, all applications shall be submitted with a plan that illustrates the existing conditions and proposed improvements. Said plan must include a line which encircles the total area of proposed land disturbance and the approximate area of disturbance must be calculated (square feet). The Planning Board and/or Town Wetland Inspector may require additional materials, information, reports and plans, as |

See.



P.O. Box 8 Lancaster N.Y. 14086 (585) 752 – 7930 WWW.Aquacleaner.com

Responses to clarifications requested by Kellard Sessions in July 11, 2018 memorandum relating to Wetland Permit Application by Graeme Hunter for weed harvesting in front of 19 South Shore Drive. Requested clarifications are in blue and responses in black.

a) Identify the plant species to be removed (common and scientific name) along with the percent cover within the work zone for each targeted species.

This project is intended to remove invasive and some native plants from the lake area in front of the client's house along with the detritus (old leaf litter) dead plants that have blown onto the same lake area and algae. The goal of this project is to suppress the spread of the AIS (Aquatic Invasive Species), as well as improve the overall health of the area for the client and the marine habitat.

The plant species to be removed are primarily Water Lily (Nymphaeaceae) and Eurasian Watermilfoil (Myriophyllum spicatum). The water lilies cover about 75% of the area to be cleaned and Watermilfoil about 5% of the area. The remainder of the area is covered in algae and decaying leaves, plants and sticks, all of which will be removed.

b) Identify if any lake bed sediment will be removed. Identify best management practices for not disturbing bottom sediment during the suction harvesting practice.

The lake in front of the client's house starts out pretty firm (sediment less than 6" first 30' from shore) and progresses to a maximum sediment depth of less than 1' (100'+ from shore). Our practice of holding the nozzle 1' off the bottom minimizes the extraction of much sediment, however it is impossible to have suction on or near the bottom of a lakebed, and not extract some soft organic material while removing the targeted material. We expect to remove less than an inch of sediment. Fine organic sediment will not be removed out of the water since our filter bags are mounted on the back of our work barge and sediment will pass through the bags as they dewater in the lake.

Our practice of deploying a turbidity curtain around our work barge (and bagger) helps to keep the turbid cloud very contained. It is our experience that this cloud, will dissipate within a short period of time (approximately 8 hours) after the equipment has been turned off.

c) Approximate the amount of material to be removed (cubic yards) along with the anticipated number of onion bags to be used.

We expect to remove approximately 70-100 onion bags (red filter bags) of material per day (approximately less than 500 in total).

d) Specify the duration of work along with anticipated start and end dates.

We would be looking to start this project by the end of August since the plants will be mature (the more mature the roots, the better the results). This project should only take approx 5-6 days with hours running 9AM - 5PM

e) Specify the type and size of equipment to be used.

Our Suction Harvester will consist of a 5" hose (50' long), a 23Hp high pressure water pump, all mounted on our Marlex Plastic barge (11.5' x 8' in size) & an accompanying refuge barge made of the same material and dimensions.

f) Provide a scaled site plan identifying property lines (if any), the proposed work zone (dimensioned), the location of proposed temporary sediment and erosion controls, equipment access to the lake, the proposed dewatering location, etc. Provide erosion controls down-slope of the dewatering area along with a turbidity curtain to avoid turbidity and the transfer of vegetation fragments beyond the work zone.

See attached PDF documents for area of work zone and location of deployment of harvester as well as final drying locations for bags after they have been dewatered on the barge (see response to item (b) above).

2 (100') turbidity curtains will be placed in the water prior to our machine going in. The curtain will remain in place post project until the water has settled (approximately 1 day), in order to reach the further parts of the work area, after the water has settled, the turbidly curtains will be moved with the barge as the barge moves to the different work areas. The machine, barge and hose will always remain within the turbidly curtains.

g) The equipment decontamination area shall be identified as well as the final spoil location site.

Our equipment is cleaned prior to arriving on site using a multi step process that includes taking the water pump apart (exposing the impeller), washing all components with a pressure washer, and then a soap mixed with bleach. Then it is rinsed off, allowed to dry completely, and then assembled.

On Site Spoils pile - our filter bags sit on a refuge barge while we are working and is then off loaded and staged on the clients property (typically away from the lakes edge – at least 50 feet). The spoils are kept in their bags until they are removed off site. Since these bags have ample time to dewater while on the lake, we typically don't prepare a separate containment area on land. In our 18 years of experience, we have never had any plants migrate back into the watercourse.

Material would remain on site for approx 2 weeks to dry out before it will be taken off site to appropriate location (apple orchard near Brewster)

Area to be harvested is 180' by 60'= 10,800 square feet.

Scale: this equals 30'

Area to be harvested is a triangle 35' by 35' by 50' = 625 square feet.

> 15 South Shore Drive (#16 on GIS map)

Map of route for loading suction harvest float and location for storing onion sacks to dry, for weed harvesting proposal for lake Waccabuc in front of 19 South Shore Drive, Application by Graeme Hunter.



Mapping Westchester County



/giswww.westchestergov Michaelian Office Building 148 Martine Avenue Rm 214 White Plains New York 10601

Three Lakes Council, Inc. P.O. Box 241 South Salem, NY 10590

July 23, 2018

To: Town of Lewisboro Planning Board

From: Paul Lewis Chairman, Lakes Preservation Committee Three Lakes Council

Re: Cal # 36-18WP

Wetland Permit Application Graeme Hunter 19 South Shore Drive Sheet 33D, Block CAMP, Lot 15

Dear Chairman Kerner and Members of the Planning Board:

There are two parts to this application:

1. Aluminum Dock - ~ 240 s.f. – to be installed:

The plans for the proposed dock as shown in the minutes of the July 17, 2018, Planning Board meeting were reviewed. The Three Lakes Council has no concerns with the installation of this structure.

2. Suction Harvesting Aquatic Vegetation:

The Three Lakes Council does have some concerns about this type of project but if the precautions taken with previous projects on the lake are taken there should be no problems. A review of the applicant's statement in response to Kellard Session's request, indicate that the procedures and precautions taken with earlier projects are to be implemented in this case also.

Items that we feel are crucial are:

- a. Thorough cleaning of the equipment, as proposed, prior to it entering the lake is very important to prevent any new invasive species from being introduced into the three lakes.
- b. Installation of the proposed Turbidity Curtain is critical to contain fragments of plants that may escape from the suction activity. These fragments could take hold in other parts of the lake and aggravate existing weed problems.
- c. The temporary storage area of the 500, or so, bags of dredge material must be place such that the spoils don't drain back into the lake. We are pleased to see that the final disposal of this material is well outside our watershed.
- d. It is not clear where the equipment will enter the lake. Care must be taken so that if any plantings, etc. or shore line is damaged, that they be restored. We don't want to have new sites created for invasive plants to take hold.

We are glad to see that Jerry Davis will be doing the dredging. He did the dredging for the Brazilian Elodea project and dredging work for some residents on the lake with no adverse effects.

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Ciorsdan Conran

From:Terry Bocklet <terry.bocklet@gmail.com>Sent:Thursday, August 09, 2018 10:51 AMTo:G HunterCc:Ciorsdan Conran; Jerome KernerSubject:Re: Kellard Sessions memo - Hunter [EOM]

To whom it may concern,

We are the owners of 15 south shore drive and we grant The Hunter's access to our driveway to load and remove the equipment for the lake work.

Sincerely, Terry and Barry Bocklet Mr. Decaminada advised that this is a Hamlet center with a number of businesses and a popular supermarket. The culture of Starbucks is that people will come and go but that a number of customers would sit and spend a half hour.

Mr. Agresta noted that this use is not eligible for outdoor seating.

Mr. Altermatt stated that it appeared that there would not be a drive-up window. He stated that it would be important to understand that seating related to the parking requirements. He further reminded the Board that in the back of this facility that there is a significant drainage issue. The Board had approved the plans to remediate the drainage issue and he stated that it was his opinion that this site is not in conformance with the existing site plan. The drainage issue should be addressed before this application is further reviewed.

Mr. Barber reviewed his memo to the Board dated January 17, 2007 noting that during his site visit he observed that there is a substantial drainage issue at the rear of the property which is discharging into a regulated wetland. He encouraged whatever methods could be used to correct this condition. Noting that this is an application for interior renovations he did not foresee any wetland issues. With the change of seating there would be a change in water use and he would like to see some confirmation that this would not have a negative impact on the water supply.

Mr. Gusmano observed that by dividing the florist shop in two sections that the rear access for the front retail section would be eliminated for loading. Deliveries would have to come from the front. He asked that this be looked at as this may become a problem if this application is approved and questioned how this space would be used.

Mr. Agresta advised that deliveries being loaded from the front would not be permitted.

In response to a question of Mr. Decaminada, Mr. Sassone advised that the typical hours of operation are from 7 AM to 11 PM.

Mr. Sirignano asked whether this Board would be willing to make a recommendation to the Town Board and was advised that they would speak with counsel.

V. DISCUSSION

Patrick Croke, 53 Smith Ridge Road, South Salem

Patrick Croke was present to discuss his proposal to renovate the home and barn located at 53 Smith Ridge Road. He advised that he is considering purchasing this property from the Town of Lewisboro. As the Town is unwilling to give contingencies to get approvals he is present to get a sense from the Board as whether what they are proposing is feasible and they would be up against to get the work done. He understood that this discussion was being made in good faith and understood that there would be no special consideration because the Town is selling the parcel.

Mr. Croke noted that his letter to the Board dated January 11, 2007 outlined what they proposed to do. He reviewed the proposed renovations to the home. He reviewed the

proposed use for the barn and advised that it is his intention to reconstruct the barn on the existing foundation. He stated that he believed that the foundation was salvageable but may require building a new concrete wall within the interior of the existing foundation. Mr. Altermatt expressed concern that they may want to tear out the existing foundation and rebuild it. Mr. Agresta advised that the structure is completely within the wetland buffer.

It was noted that the cross hatched area on the plan was to be deed restricted; the Town Board is currently working on the language.

Mr. Altermatt advised that a two foot topographical map would be needed for a wetland application.

Mr. Barber advised that since the area is all lawn that there is a good opportunity to do some buffer mitigation and reestablish a native wetland area. He advised that there is an opportunity to do something with the evasive species on the site. He was curious as to whether the foundation for the barn would able to be repaired.

Mr. Agresta advised that they may need to reconfigure the driveway and suggested that he determine all the walkways between the buildings and any changes to the driveway prior to making an application He advised that the roof on the barn may impact the drainage and would need to be addressed. He suggested that they consider utilizing a rain garden.

Mr. Croke questioned what the easement around the dam contained.

Mr. Agresta reviewed the concept of the easement and advised that it would give the Town the right to inspect the dam to ensure that the water flow would not be obstructed. It would not require the Town to maintain the dam.

Mr. Decaminada advised that the Board cannot represent the particulars of the easement as they are not a party to it.

VI. CORRESPONDENCE & GENERAL BUSINESS

The Board members discussed placing three outstanding wetland issues on the agenda. A public hearing will be scheduled for the Nastassi wetland application on March 13. The Dale wetland application and East Street Partners wetland violation hearing will be placed on the February 27 agenda.

Mr. Decaminada expressed his concern with a letter to the editor in the Lewisboro Ledger written by a member of a Town committee and advised that he would like the Town Board liaison contacted.

The Board acknowledged receipt of the January 9, 2007 letter from Robert Johnson, L.S. with regard to the Ryan/Reese Lot Line change. It was agreed that this matter should be referred to Planning Board Counsel for his opinion.

After some discussion is was the decision of the Board to follow the procedure. The applicant is required to flag and survey locate the wetlands within 150 feet of the proposed construction.

In response to Mr. Coppelman's concern with the expense given that there is no control for the survey, Mr. Altermatt advised that an as-built survey would be required at the end of the project. He projected that the cost would be in the range of \$3,000-4,000.

Mr. Coppelman advised that the swale had been mandated by the Westchester County Department of Health in the event that the tanks overflowed. He stated that there is a very small amount of chlorine residual present in these tanks. He noted that it is already present in the existing tanks.

Mr. Barber asked that the applicant provide written verification from the NYS DEC that their wetland activity permit is still valid.

On a motion made by Mr. Rossi, seconded by Mr. Gusmano the Board entered into Executive Session with counsel at 8:35 to discuss current litigation and deliberate the wetland violation Cal. #2-06 W.V.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

On a motion made by Mr. Decaminada, seconded by Mr. Ellrodt the Board exited the Executive Session at 9:20 P.M.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

V. SKETCH PLAN REVIEW

Patrick Croke, applicant (Town of Lewisboro, owner of record), 53 Smith Ridge Road, South Salem – Application for Wetland Activity Permit Approval – Cal. #38-07 W.P.

Patrick Croke was present.

Mr. Croke displayed the site plan and advised that there were three separate elements to his application; renovate the house with a small addition, reconstruct the barn on the existing foundation and clean up and restore the wetlands. He expected the work to occur within a three to five year time span and intended to concentrate his efforts initially on the house and barn. In addition he noted that there was a root cellar that he would also like to restore. He has an application pending before the Zoning Board of Appeals for the size of the barn.

Mr. Decaminada questioned the status of the easements.

Mr. Croke provided copies of what he received with his contract. It was noted that these documents were required as a part of the subdivision application. They have not been finalized and would be filed in the Westchester County Clerk's office simultaneously with the subdivision plat. Mr. Praga would review them in that context.

Mr. Decaminada referred to Mr. Barber's memo and questioned how this Board would determine the feasibility of the septic system.

Mr. Croke advised that the house is now and would remain a two bedroom residence.

Mr. Barber noted that the house would be expanded by 200 SF. He would like more information with regard to the details and noted that the septic expansion area is located within the wetland buffer.

Mr. Agresta reminded the Board that when this plat is filed it would be signed by the Westchester County Department of Health.

Mr. Barber reviewed the proposed improvements. He asked that the applicant verify that the Town and NYS DEC wetland delineations were current. He asked that the applicant verify the distance between the barn and the well. He asked that the applicant supply a copy of the existing floor plans. He asked that the applicant provide comment with respect to the existing barn foundation.

Ms. Maguire expressed concern with understanding what the applicant's intent was with regard to cleaning up the wetlands.

Mr. Croke provided a report prepared by Paul Jaehnig dated July 9, 2007.

Mr. Rossi noted that Mr. Agresta had suggested that given the time frame the applicant believed that it would take him to complete the improvements that the all of the improvements being considered are built into the plan now; the resolution could be phased so that the applicant would not be required to come back in a few years. He added that there were some questions to be addressed but this application is moving in the right direction and would be an improvement.

Mr. Croke explained that his intent was to pour a concrete foundation within the existing stone foundation of the barn.

Waccabuc Country Club, 90 Mead Street, Waccabuc – Application for Wetland Activity Permit Approval –Cal. #39-07 W.P.

Pat Daigle and Mike Traynor of Malcolm Pirnie, Inc. were present with John Assuma, manager of the Waccabuc Country Club.

Ms. Maguire advised that she and her husband are pending members of the club. To remove any hint of conflict of interest she recused herself.

Mr. Decaminada advised that although he did not believe there would be any conflict, he divulged that he is a personal friend of a current Board member of the club.

Mr. Daigle reviewed the history of the proposed required upgrade of the wastewater treatment facilities. They had originally proposed a subsurface discharge rather than the sand filters but it was determined that this would not be acceptable and the NYC DEP directed the applicant to design a full treatment center to be constructed on the existing sand filters. He advised that they have been through the 60 percent submittal with the NYC DEP and have submitted the 100 percent documents. He noted that they were in receipt of the consultant's comments.

Mr. Altermatt referred to and reviewed his memo to the Board dated July 9, 2007. He stated that the applicant is proposing a big change; the applicant is going from a subsurface septic system to

hearing must go forward prior to a site walk. She stated that she did not understand the delay for the first hearing and she is ready to go forward for the first hearing.

Ms. Clark advised that the notice states "to appear and to answer the charge." They were present and have answered that they would like a hearing and this Board would be very happy to move forward.

Ms. Manbeck stated that she objected to this interpretation.

Ms. Rossi questioned whether or not the Board had permission to get out to the site. He advised that they would not be having the hearing this evening and that this Board would like to visit the site and look at the work that was done and then schedule a hearing. In response to Ms. Manbeck's question as to whether it was his position that they would not allow a hearing until the site walk had occurred Mr. Rossi advised that it was not. He advised that as was done with all of the other violations read into the record this evening, the Board wanted to get out to look at each site. The position of this Board is that once they look at the site, and there is not an admission of guilt a hearing will be scheduled. He asked again whether the Board had permission to meet at the site.

Ms. Manbeck indicated that she would need to speak with her client. After conferring with her client she advised that she had his permission for the Board to walk on the site. In addition she advised that they would be pleading not guilty to anything including the two new charges and violations.

Mr. Rossi advised that the Secretary would advise the time of the site walk on October 6th noting that they were trying to coordinate what is easier for them to get around Town. On October 6th, this Board as well as Mr. Barber and Ms. Clark will be present for the site walk.

V. SKETCH PLAN REVIEW

Waccabuc Country Club, 90 Mead Street, Waccabuc – Application for Wetland Activity Permit Approval – Cal. #39-07 W.P.

Toby Krantz of Malcolm Pirnie was present. He advised that John Assuma had not yet arrived.

Mr. Rossi advised that Ms. Maguire had recused herself from the application given her affiliation with the club. As such the Board would not have a quorum until Mr. Decaminada arrived.

Patrick Croke, applicant (Town of Lewisboro, owner of record), 53 Smith Ridge Road, South Salem – Application for Wetland Activity Permit Approval – Cal. #38-07 W.P.

Patrick Croke was present.

Mr. Altermatt advised that the subdivision plat had been signed and would be filed in the Westchester County Clerk's office within the next few days.

Mr. Croke advised that he had submitted the additional information and prepared a planting plan for the areas around the house and barn. He advised that he is proposing to collect the runoff into storage tanks recycling it to be used to irrigate the gardens. The wetland restoration plan indicates the invasive species to be removed and the plant list to be installed.

Mr. Barber reviewed his memo to the Board dated September 21, 2007 and advised that the proposed mitigation is encouraging. He noted that the applicant had proposed to chemically treat some of the invasive species with the herbicide Rodeo. He asked for the Board's authorization to visit the site to get a better understanding of the magnitude of what is being proposed. He requested that the applicant seek input from the Westchester County Health Department as the well is located within six feet of the barn foundation. He reviewed his comments with regard to the stormwater treatment, stone walls, and erosion and sediment controls.

Mr. Ellrodt questioned the use of the herbicide and whether one is safer than another.

Mr. Barber advised that if it were applied properly that it could be appropriate but preferred hand removal if at all possible.

Mr. Croke advised that he had discussed this issue with Heather Gierloff of the NYS DEC who did not have any problems with utilizing the herbicide and suggested that it is used in early spring.

In response to Mr. Rossi's question with regard to rain gardens, Mr. Barber explained that they are being used as a type of miniature stormwater basin and are an attractive landscaping feature. He wants to ensure that this feature would be effective on this property.

Mr. Croke advised that there is nothing in the regulations with regard to the distance between the well and the foundation as they both currently exist.

With regard to the septic system Mr. Altermatt advised that there is no additional information and noted that the Health Department had signed the subdivision plat.

It was agreed that Mr. Barber would meet with the applicant at the site.

Mr. Barber requested that the applicant provide the information with regard to the soil conditions in the areas proposed for stormwater treatment as well as the pre and post impervious surface and as well as calculations for pre and post quantity and quality so he could assess the stormwater for a two year storm event.

John Riina, Lake Path, South Salem – Application for Wetland Activity Permit Approval – Cal. #61-07 W.P.

John Riina was present with Joseph Riina, PE of Site Design Consultants.

Mr. Riina displayed the proposed site plan to construct a single family residence within the R1/2A zoning district on the western side of Lake Path south of the intersection of Hemlock Road in the Lake Kitchawan area. The lot is undeveloped and mostly wooded. The lot slopes moderately down with a high point in the back of the lot dropping quickly to Lake Kitchawan Drive. He noted a 50 SF wetland area on the site which becomes channelized down to Lake Kitchawan Drive. The wetland area is primarily fed from the north and east from runoff from Hemlock Road. The drainage system directs the water onto and across Lake Path becoming channelized onto the site. The wetland area is primarily a pocket providing storage and

contingent approvals; he asked that the applicant follow through with the Health Department and DEC.

At the request of the Chairman, Mr. Barber reviewed the draft resolution prepared by Mr. Agresta.

On a motion made by Ms. Maguire, seconded by Mr. Gusmano the Public Hearing was closed.

Vote: Yes: Decaminada, Gusmano, Rossi, Maguire Absent: Ellrodt

On a motion made by Mr. Decaminada, seconded by Ms. Maguire the resolution issuing a Negative SEQR Declaration, Wetland Activity Permit Approval and Site Development Approval was adopted as amended to reflect that wherever two pipes or lines are referenced it shall mean three lines or pipes; the amended plans reflecting three pipes shall be filed and signed prior to the commencement of any work; S3 is adjusted to reflect 5% of the estimated cost to be reviewed by the Town's Consulting Engineer.

Vote: Yes: Decaminada, Gusmano, Rossi, Maguire Absent: Ellrodt

The applicant will supply the plans for the Town's Engineer review prior to submitting the mylars for signature.

Patrick & Marianne Croke, applicants (Town of Lewisboro, owners of record), 53 Smith Ridge Road, South Salem – Application for Wetland Activity Permit Approval to permit the construction of an approximate 200 square foot addition to an existing residence, reconstruction of a barn on an existing footprint, drainage improvements and associated site improvements within the 150 foot regulated wetland adjacent area – Cal. #38-07 W.P.

Patrick Croke was present.

Mr. Croke displayed and reviewed the proposed site plan advising that since last reviewed the applicant is now proposing to push the second story addition over the proposed deck. He advised that he met with Mr. Barber at the site to discuss in detail each area of the proposal.

Mr. Barber questioned whether the proposal to extend the second story would increase the amount of impervious surface and whether there was an increase in bedroom count.

Mr. Croke advised that it is a covered porch; there is no increase in stormwater runoff. There is no increase in the bedroom count.

There was no public comment.

Ms. Maguire advised that she was concerned with the statement with regard to cleaning up the wetlands and wanted to ensure that the applicant's definition was similar to that of the wetland inspector.

Mr. Barber advised that he had noted a large amount of debris and invasive species during his site visit. As it is difficult to put a plan together to indicate every vine and invasive species, this will be designed to provide for oversight during this operation.

Mr. Altermatt reminded the Board that the when this was subdivided a deed restriction was placed over the wetlands.

Mr. Rossi questioned whether there were any plans to do anything with the dam.

Mr. Croke advised that restrictions had been placed over the dam which prevented them from doing anything to it.

On a motion made by Mr. Gusmano, seconded by Mr. Decaminada the Public Hearing was closed.

Vote: Yes: Decaminada, Gusmano, Rossi, Maguire Absent: Ellrodt

Mr. Barber was directed to prepare a resolution for the November 27, 2007 meeting.

II. DISCUSSION

John Papa, 55 West Lane, South Salem

John Papa was present with Peter Gregory, PE.

Mr. Papa displayed an aerial photo of his property he purchased in 2003 after this property had gone through a contentious application. He advised that he resides on an adjacent parcel in Ridgefield, Connecticut. The property he purchased was two properties, 61 West Lane and 55 West Lane. In 2005 he parceled off 61 West Lane and selling it to Bob Torre (who was also present this evening). He advised that his intention when he purchased it was to restore and clean up the property. He was present this evening to get an understanding as to what would be feasible in the long term and how he could work with the Town to preserve and restore as well as discussing the possibility of developing a piece of it. He advised that he was bringing this to the Board's attention as he intended to work with the Town as much as possible.

Mr. Gregory reviewed the wetland portions of the site.

Mr. Rossi advised that the Planning Board had recently completed required training with one of the topics being how to get the most out of subdivision. He noted that this may be textbook with regard to how to work with the topography and natural resources. He suggested that Mr. Papa develop a wish list with his engineer and take into consideration the materials they had reviewed during their training.

Mr. Gregory advised that they had taken tracings and overlays to develop different configurations. They are fortunate in that there are some existing driveways which would allow access to the rear of the site with minimal disturbance.

Meeting of the Planning Board of the Town of Lewisboro held at the Town House, 11 Main Street, South Salem, New York on Tuesday December 11, 2007 at 7:30 P.M.

Present:P.J. Rossi, Chairman
Joseph Decaminada (arrived 9:20 P.M.)
John Gusmano
Richard Ellrodt
William Agresta, Matthew D. Rudikoff Associates, Planning Consultant
Thomas Altermatt, Town Consulting Engineer
Bruce Barber, Interim Wetland Inspector
Lawrence Praga, Esq., Planning Board Counsel
Margaret Clark, Esq., Special Counsel
Aimee Hodges, Planning Board Secretary

Absent: Maureen Maguire

The Chairman called the meeting to order at 7:34 P.M., pointed out the emergency exits and introduced the Board and its consultants.

I. DECISIONS

Patrick & Marianne Croke, 53 Smith Ridge Road, South Salem – Cal. #38-07 W.P.

Patrick Croke was present.

Mr. Barber reviewed the draft resolution he prepared for the Board's consideration.

On a motion made by Mr. Gusmano, seconded by Mr. Ellrodt the resolution issuing a Negative SEQR Declaration and Wetland Activity Permit Approval Cal. #38-07 W.P. was adopted.

Vote: Yes: Gusmano, Rossi, Ellrodt Absent: Decaminada, Maguire

Peter & Betty Treyz, 81 Twin Lakes Road, South Salem – Cal. #10-07 W.V.

Dr. Peter Treyz was present.

Ms. Clark reviewed the draft resolution she prepared for the Board's consideration.

On a motion made by Mr. Ellrodt, seconded by Mr. Gusmano the resolution Violation of Wetland and Watercourse Law, Peter & Betty Treyz, Cal. #10-07 W.V. was adopted.

Vote: Yes: Gusmano, Rossi, Ellrodt Absent: Decaminada, Maguire

Frank Hardart, 12 Gilbert Street, South Salem – Cal. #13-07 W.V.

Frank Hardart was present.

Ms. Clark reviewed the draft resolution she prepared for the Board's consideration.

He advised that he believed that Senator Leibell and Assemblyman Bradley have agreed to contribute \$500,000.

A brief discussion followed as to whether the Town Board or Planning Board would act as lead agency in the SEQR process and it was pointed out that this is typically a role that the Planning Board would fill. It was noted that this would not be determined until such time as an application had been filed.

VI. MINUTES OF September 9, 2008

As the Board members did not have sufficient time to review the minutes will be placed on the October 14, 2008 agenda.

VII. CORRESPONDENCE & GENERAL BUSINESS

The Board acknowledged receipt of the September 19, 2008 correspondence addressed to Bruce Barber from Patrick Croke advising that he is close to completing construction on his home and would be seeking a certificate of occupancy.

Mr. Barber noted that the wetland permit was issued for the house and the barn and in order for the certificate of occupancy to be issued on the residence the permit would need to be bifurcated.

It was noted that this request would need to be formally requested.

The Board noted that the Town was in receipt of a public notice received from the Bedford Zoning Board of Appeals for construction close to the Lewisboro border. The Secretary was directed to contact the Bedford ZBA and request a copy of the proposed plans.

The Board acknowledged receipt of a request from Terri Bocklet to install a generator on her property. The Board agreed that this matter could be handled administratively.

The Board acknowledged receipt of the request of Charles Banks, Esq., counsel for the Meadows Water project requesting a partial refund of the Engineering & Inspection Fee. The Board agreed that this was a reasonable request.

Mr. Rossi noted that this Board was required to complete four hours of annual training and requested that Mr. Johannessen and Mr. Barber come up with some topics relevant to Lewisboro for the Board's consideration.

In response to a wetland complaint received, Mr. Rossi explained that the policy is that the Planning Board office would not act on anonymous complaints.

Mr. Rossi exited the meeting at 10:55 P.M.

On a motion made by Mr. Ellrodt, seconded by Ms. Maguire the Board entered into an Executive Session with counsel at 11:05 P.M. under Attorney/Client Privilege.

administratively given that the work left to complete on the original approval would fall within the definition of an administrative permit.

Truesdale Lake EOH Improvements

Mr. Barber reviewed an application for a wetland activity permit received relative to an East of Hudson improvement project on the northwest side of Lake Truesdale to install a stormwater collection structure. The Board agreed that this was a project that they would like to retain jurisdiction on as long as there was no risk in the loss of any funding.

Kola

The Board acknowledged receipt of Mr. Barber's October 10, 2008 memo and agreed with his recommendations therein.

Onatru Soccer Field

Mr. Johannessen advised that he had received a call from the Park & Recreation Superintendent with respect to a fence Park & Recreation would like to install around field six as some vehicles had parked in this field during a recent event. He noted that he could not find any particular exemptions with respect to fencing in the zoning code. This matter would need to be reviewed by ACARC upon a referral from the Town Board. The Board noted although a simple application, that they would like to review an application for site development plan given that this is a proposed activity on Town owned property. It was also noted that the prior development of this property did not go through the approval process and there remained some interesting parking and driving issues on the site.

Croke

The Board discussed Patrick Croke's September 9, 2008 request for a Certificate of Occupancy on his residence prior to the completion of the barn and mitigation. The Board noted that this is becoming a common request and discussed possible ways to address this issue given that once a Certificate of Occupancy has been issued there is no guarantee that the mitigation would be completed. After some discussion the Board directed Mr. Barber to contact Mr. Croke and question what guarantees he was offering to ensure that the conditions of the approving resolution would be fulfilled.

VII. MINUTES OF September 9 & September 23, 2008

On a motion made by Mr. Ellrodt, seconded by Mr. Gusmano the minutes of September 9, 2008 and September 23, 2008 were adopted.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

Elmwood Homes, LLC

Ms. Tortorella returned and advised that her client would file an application for a wetland activity permit. Given the hour they needed to step back, rather than give a knee jerk reaction and provide

October 28, 2008

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Mr. Rossi asked that Ms. Evans clarify the estimated cost as during a Planning Board meeting she advised that the cost would be between \$5,000 and \$10,000; the cost estimate she provided was \$3000 and wondered what the disconnect was. He wanted to clearly understand the cost and the potential liability of the Town.

At the completion of her services for the evening, Ms. Clark exited the meeting at 9:25 P.M.

IV. CORRESPONDENCE & GENERAL BUSINESS

Mr. Rossi acknowledged receipt of the fee schedules for the adjacent communities prepared by the Secretary at the request of the Town Board. The Town Board wanted to ensure that the Planning Board reviewed this document prior to their reviewing it. Mr. Rossi directed the Secretary to forward this document to the Town Board noting that any increase of fees should be determined by the Town Board, not the Planning Board.

Mr. Rossi acknowledged receipt of the referral from the Town of Wilton. The Secretary was directed to contact the Town of Wilton and request the proposed plan.

Mr. Rossi advised that due to the proposed budget increase that he had met with the Secretary to discuss the currently vacant full time position in the Planning Board office. It was agreed that this position should go back to a part-time position as a good faith measure; an e-mail was sent to the Supervisor and Town Board members.

Ms. Maguire noted that several pieces of correspondence had been received with respect to the Cross River Westchester Associates building and advised that Ms. Clark was going to get in touch with them. She suggested that the Town keep an eye on this matter.

Mr. Decaminada noted the correspondence received from Patrick Croke with respect to the Simpson project. Mr. Barber advised that he had inquired as to whether the existing well was considered a permanent water supply and therefore it would constitute a repair or a seasonal water supply which would require Health Department approval.

Mr. Rossi noted that Mr. Croke's request with respect to his own residence would be addressed in the bonding discussion. He had asked that Mr. Barber request a cost estimate of the approved mitigation.

The Board set two dates for training: November 18th and December 2nd beginning at 7:30 P.M. The Secretary will determine whether Onatru is available.

V. SITE WALK REPORT

Mr. Rossi noted that on October 4, 2008 the Board performed three site walks, the first Floren/Regis/Pink Shack/Fisher project on Mead Street. Present were Mr. Ellrodt, Mr. Gusmano, Mr. Rossi, Mr. Johannessen, Mr. Kunny, Mr. Barber and Ms. Anderson. Mr. Sirignano was present as well representing the applicants. The Board walked the site and saw some of the issues on this fairly large parcel of land. The various structures were noted and the Board could see why the lot line is being drawn as proposed as it worked visually with the rock wall. Although visually it looked great,

November 25, 2008

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the applicant has indicated that they would like to install a new well within 100 feet of their septic system and has classified it as a repair. There has been no representation as to why this is being requested. The contractor has provided a letter stating that the installation of 100 feet of casing would provide 100 feet of vertical separation, rather than the required 100 feet of horizontal separation normally required by the Health Department. Mr. Barber had requested that the applicant provide the following information; the need for the well replacement, whether it is classified as a repair or a new well as per the Health Department requirements and whether the Health Department advocated or approved the suggestion of the 100 feet of vertical casing.

Croke

The Board acknowledged receipt of Mr. Croke's request and estimate regarding the C.O. on his property without constructing the barn and the associated mitigation. Mr. Rossi advised that he had requested that the Secretary reach out to the ZBA to determine the status of the variance. The response from the ZBA was that the variance had expired on the barn. He questioned whether the Planning Board approval is valid given that the variance had expired and advised that he would ask the Planning Board attorney to opine.

VII. MINUTES OF November 12, 2008

The minutes of November 12, 2008 were not completed and would be placed on the December 9th agenda for approval.

On a motion made by Mr. Decaminada, seconded by Mr. Gusmano the meeting was adjourned at 10:15 P.M.

Respectfully submitted,

Aimee M. Hodges Planning Board Secretary

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January 13, 2009

Mr. Decaminada advised that they discussed the use of the pond which is shared with the neighbor. There are no restrictions and he noted that they questioned what the ultimate goal of the property owner is. In addition it was noted that one well is shared between the two adjacent property owners.

VII. CORRESPONDENCE & GENERAL BUSINESS

Vista Fire Department Renovations

The Board discussed a request from Peter Helmes to schedule a public hearing for the proposed renovations to the Vista Fire House in March. It was noted that this application will be discussed at the January 27, 2009 meeting; in order to meet the notification requirements in the code the Board would need to make a determination regarding the public hearing this evening. The Board directed the Secretary to schedule the public hearing for March 10, 2009 with the caveat that if the application was deficient that the hearing would be adjourned.

Wild Oaks WWTP Upgrade

Given that this matter would not be on the ZBA agenda until January 28, 2009 the Board elected to review the application on the February 10, 2009 agenda given that the recent submission included the narrative and Stormwater Pollution Prevention Plan.

Croke

Patrick Croke was present.

The Board discussed Patrick Croke's request for a Certificate of Occupancy for his residence. Mr. Barber noted that the mitigation had not yet been completed.

Mr. Rossi questioned what the hardship was given that the applicant had made a choice with respect to when the mitigation was completed.

Mr. Croke advised that he had presented that this project was multi-phased from the beginning. He believed that he had completed the mitigation relative to the improvements to the residence and asked that the Planning Board amend their approval to allow for him to complete the mitigation relative to the construction of the barn at a later date.

Mr. Rossi questioned when the mitigation relative to the watercourse would be completed noting that it was his understanding that this mitigation was not specific to either the house or the barn.

Mr. Decaminada referred to Mr. Croke's letter dated January 12, 2009 where he offered his personal guarantee that the mitigation would be completed as approved. He believed that a process should be structured to allow for a C.O. to be issued, such as a letter of credit.

Mr. Rossi noted that this Board did not have the ability to bond projects under a general basis in this Town. Counsel had determined that under SEQR this Board was able to bond another project. He questioned whether this project fell under the same qualifications.

January 13, 2009

Mr. Praga advised that he would do the research for this particular application.

Mr. Croke asked whether the Board would consider amending the approval which would allow for the phasing of the project.

Mr. Rossi asked that Mr. Praga provide the legal advice needed to address the issue.

Mr. Barber indicated that he was close to signing off on the invasive specie removal around the watercourse.

If Mr. Praga determined that the mitigation can be bonded, Mr. Croke's lawyer should prepare a document for the review of Mr. Praga prior to coming back to the Board.

Simpson - architect = Patrich Croke

Mr. Rossi advised that the Board could not act on the January 12, 2009 request of Patrick Croke as the permit had expired. In addition, the Board was still waiting for the Health Department sign-off relative to the installation of the new well and for more detail with regard to the existing well.

Mr. Croke advised that he had offered to remove the well from the application if that would move the process along. Preliminary results on the existing well have come back that the water was okay. Mrs. Simpson's son had precipitated the need for a new well because the water tasted funny.

It was agreed that the applicant would either remove the well from the application with a report from the Health Department advising that there is potable water or Health Department approval for the new well.

Mr. Croke advised that he would have the report within a few days.

Status of Open Violations

Mr. Rossi will send a memo to the Town Board requesting the status of open violations.

Proposed Cluster Regulations

Mr. Johannessen and Mr. Barber met and reviewed several ordinances and drafted a simple ordinance for the Town Board's review and approval. The Town Attorney will review the document before the Town Board discusses it at their January 15, 2009 meeting.

VIII. MINUTES OF December 9, 2008

On a motion made by Mr. Ellrodt, seconded by Mr. Gusmano the minutes of December 9, 2008 were adopted.

Vote: Yes: Gusmano, Rossi, Ellrodt Abstain: Decaminada

January 27, 2009

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Ms. Andersen advised that the concern was with exceptions being made here that allowed development, might make it easier for the development of the other parcels.

In response to a question of Ms. Maguire, Mr. Gregory advised that although the driveway is currently proposed as asphalt they could consider another material as well as a different configuration.

Mr. Barber questioned whether they could move the house to the rear utilizing the front flat area for septic.

Mr. Rossi questioned whether they could keep the development on one side of the wetland.

A discussion followed as to the best way to develop the parcel with the least amount of disturbance. The Board agreed that a site walk would be helpful and asked that the applicant's engineer stake out the corner property lines, house, well and septic. It was recommended that the Building Inspector review the application for zoning compliance.

VI. CORRESPONDENCE & GENERAL BUSINESS

Mr. Rossi advised that he had reached out to Supervisor Brancati, Councilman DeLucia and Councilman Pavalow with respect to the status of the Cote wetland violation. He is waiting for a response.

Mr. Rossi asked that the Secretary contact Tom Altermatt regarding the status of the Levy parking lot.

Mr. Rossi acknowledged receipt of an e-mail from the Meadows with respect to the fencing. Noting that he was not aware what the original Planning Board resolution required he had asked Mr. Johannessen to review the resolution and provide the Board with a memo in terms of what could be done.

In response to a question of Mr. Decaminada, the Secretary advised that the ZBA letter dated May 11, 2006 which was recently redistributed was available in the Oakridge Gardens file.

The Board briefly discussed an upcoming educational opportunity forwarded to them by the Town Attorney.

The Board briefly discussed the recent correspondence from Anthony Eagen regarding the recent NYSDEC determination relative to the Wild Oaks WWTP Upgrade.

After discussing the recent Croke request with counsel, Mr. Barber advised that it appeared that it would be prudent to bifurcate Mr. Croke's wetland activity permit approval. The Planning Board would need to amend the resolution which would allow for phasing of the projects.

The Board agreed to schedule a site walk date at the following meeting.

VII. MINUTES OF January 13, 2009

POLE

Meeting of the Planning Board of the Town of Lewisboro held at the Town House, 11 Main Street on Tuesday February 24, 2009 at 7:30 P.M.

| Present: | P. J. Rossi, Chairman John Gusmano Richard Ellrodt | | |
|----------|----------------------------------------------------------|--|--|
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| | | | |
| | Bruce Barber, Interim Wetland Inspector | | |
| | Margaret Clark, Esq., Special Counsel | | |
| | Janet Andersen, CAC Chairwoman | | |
| | Alan Cole, Antenna Advisory Board | | |
| | Aimee Hodges, Planning Board Secretary | | |
| Absent: | Joseph Decaminada | | |
| | Maureen Maguire | | |

Jan Johannessen, Kellard Sessions Consulting, Planning Consultant

The Chairman called the meeting to order at 7:30, introduced the Board and its consultants and noted the emergency exits.

I. DECISIONS

Patrick & Marianne Croke, 53 Smith Ridge Road, South Salem – Amendment to previous Wetland Activity Permit Approval - Cal. #38-07 W.P.

Patrick Croke was present.

Mr. Barber reviewed the draft resolution he prepared amending the original resolution bifurcating the reconstruction of the barn from the construction relative to the existing residence. This will allow the Certificate of Occupancy for the house to be issued once the appropriate mitigation is completed. He noted that the majority of the removal of the invasive species had been completed with the exception of some debris and stumps which can be removed once the ground thaws. This resolution allows for these items to be removed 60 days subsequent to the issuance of the Certificate of Occupancy.

The Board discussed Mr. Gusmano's concern as to whether 60 days from the date of this resolution would allow sufficient time to complete the mitigation once the ground thaws. It was agreed to amend the resolution to allow for 90 days.

In response to a question of Mr. Croke, it was noted that any maintenance outside of the maintenance plan that was approved would require a new wetland activity permit.

On a motion made by Mr. Ellrodt, seconded by Mr. Gusmano the resolution Patrick Croke, Wetland Activity Permit Approval was adopted as amended.

Vote: Yes: Gusmano, Rossi, Ellrodt Absent: Decaminada, Maguire

December 16, 2014

The CAC expressed concern regarding the close proximity of the septic facility to the lake. The CAC was also concerned that permitting a driveway down to the lake would set a precedent. Mr. Barrett stated that the driveway is existing and does not get a lot of use. The driveway is a combination of vegetation and gravel.

Mr. Kerner expressed appreciation of the level of detail and thoughtfulness that has gone into the plans submitted.

The beach area and dock were discussed.

The tree and tree well near the house were discussed.

On a motion made by Mr. Tetelman, seconded by Mr. LaSorsa, it was determined that the proposed action would be handled administratively by the Town Wetland Inspector.

In favor: Mr. Goett, Mr. Kerner, Mr. LaSorsa, Mr. O'Donnell, Mr. Tetelman.

There was no further discussion.

V. WETLAND VIOLATIONS

Cal # 5-14WV

Discussion of Wetland Violation, Cal# 5-14WV, was adjourned due to the absence of Mr. Monteleone.

V. DISCUSSION

Patrick and Marianne Croke - Request to modify septic inspection requirement - Cal# 38-07WP

Patrick Croke was present.

Mr. Croke confirmed that his pumping/inspection requirement is current; documentation from the septic hauler has been submitted.

Discussion of the request was adjourned and will be incorporated into the overall review of septic pumping/inspection requirements being conducted by the Planning Board.

Septic Compliance Administration

Discussion of Septic Compliance Administration was adjourned due to the absence of Mr. Monteleone and Mr. Sessions.

V. CORRESPONDENCE AND GENERAL BUSINESS

Erosion Control

September 5, 2006

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shed was a minor concern he suggested that an application be filed. Mr. Spierer complied and the permit has been issued. Mr. Fain advised that the basketball court was more of an issue and believed that it should be reviewed by this Board. He advised though that this had been constructed prior to Mr. Spierer purchasing the property. Mr. Fain advised that he had inspected the property and further advised that ordinarily this would not be something that would be permitted. He explained that there were some mitigating circumstances which he believed should allow the basketball court to remain; it would create more damage to remove, the homeowner did not construct it and in this subdivision there are sewer lines that crisscross throughout the area. This structure was constructed up-gradient from the wetlands which had been bisected by the sewer lines; the natural vegetation had been removed to install the sewer lines and been maintained as lawn. He recommended that the structure be legitimized and that some plantings be installed as mitigation.

Mr. Spierer advised that the area is a half court and was probably installed by the prior owners for a play set; he placed a portable basketball net on the surface. He submitted photographs of the aged blacktop surface to substantiate his claim that he did not in fact install the structure. He estimated the court to be $30' \times 30'$. He advised that he purchased the home six years ago.

Mr. Rossi advised that the Board typically would discuss this matter in Executive Session and would hope to make a decision at the September 26, 2006 meeting.

IV. SKETCH PLAN REVIEW

Nan Dale, 34 Cove Road, South Salem – Wetland Activity Permit – Cal. #48-06 W.P.

Nan Dale was present with her architect John Cotugno.

Mr. Cotugno submitted copies of the certified survey and reviewed the existing improvements on the site. He advised that the proposed addition was placed in a way to avoid existing constraints on the property. In addition he submitted the results of a flow test performed by All-Pro Rooter dated September 1, 2006. He noted an existing seawall and believed that because there is no wetland vegetation beyond the wall that the wetlands end at the sea wall. He advised that the entire site falls within the regulated wetland buffer. They have however contacted a wetland scientist and are waiting for a proposal to have a wetland delineation done.

Mr. Fain advised that this was not necessary; he requested that the plans show the 150 foot buffer from the edge of the lake.

Mr. Cotugno advised that the existing footprint of the residence is approximately 840 SF. The second story is approximately 420 SF. He advised that there are three bedrooms

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indicated on the second story; the Town's records indicate that it is a four bedroom residence. They are not sure whether one of the closets had been considered the fourth bedroom at one time. The proposed addition will include a den, a foyer and relocate the bathroom on the first floor. He advised that there are no records available at the Westchester County Department of Health with regard to the septic system.

In response to Mr. Fain's question as to whether the Building Department or Health Department would consider the den a fourth bedroom, Mr. Cotugno advised that a door was added so that the den could double as a guest room. He advised that even though the report submitted indicated that the septic is functioning that the applicant is willing to install the White Knight System.

Mr. Altermatt advised that the septic system was small and not designed for a four bedroom house. The applicant should determine whether or not there is an adequate expansion area as it would seem probable that they would have to add on to the system if it were used as a four bedroom house.

The Board members reviewed the report from All-Pro Rooter. After concerns were discussed concerning the fact that there is no record of the size of the current septic system relative to the number of bedrooms, the applicant considered revising the plans to reduce the bedroom count on the second floor to two bedrooms, utilizing the third bedroom as a closet.

In response to a question of Mr. Rossi, Mr. Fain advised that he considered the test performed by All-Pro Rooter to be a functional test. He stated that the system is undersized for the house, the use being proposed is reasonable. If it were to be used as a three bedroom residence the septic system would become stressed. The septic expansion should be laid out to accommodate a three bedroom system.

Mr. Altermatt advised that using up good septic area on this lot would be critical; the area of the proposed for the addition looked like a good location.

A site walk was scheduled for Saturday September 16th at 8:00 AM.

Hayes/Stein Subdivision, 128 North Salem Road, Cross River

The Planning Board acknowledged the correspondence from J. D. Barrett dated September 5, 2006 asking that this matter be adjourned. He further requested that the applicant's consultants meet with the Town's consultants to discuss the outstanding issues prior to appearing before the Planning Board as suggested by Mr. Altermatt in his August 31, 2006 memo to the Planning Board.

The Board was in agreement with the suggestion.

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service business or business that would require a large amount of water could not operate on this site. Without a C.O. he tried to rent this space to a deli with total disregard for the customers. Mr. Paulding stated that he had advised the prospective tenant that he could not use the water currently serving the building; he would have to tap into the well which is cleaner outside of the building. He advised that a comprehensive water report was done in 2003.

Mr. Rossi encouraged Mr. Paulding to continue the application process but advised that he would have to provide compelling reasons why the curb should be left as is. He further advised that what Mr. Paulding is saying is inconsistent with his actions in trying to remedy the situation as this has been on-going for three years. He advised that he was sympathetic but that things must be done correctly and consistently. It is important to get the application moving with the proper documentation.

Mr. Agresta advised that the application was stalled because he did not want to implement what had been previously approved. The As-Built previously submitted does not reflect the changes required by the Building Inspector. He advised that if this is what he desired to pursue the matter would have to be put on the Board's agenda for discussion.

VII. SITE WALK REPORT

Nan Dale

Mr. Ellrodt reported that the Board walked the site and advised that the applicant would look at repositioning the addition to avoid the septic system and was agreeable to installing the White Knight System. It is a nice piece of property and the applicant would do what is necessary to protect the lake.

Mr. Gusmano added that the applicant's engineer would look into expanding the septic system.

Mr. Decaminada advised that they would further review the records with respect to the number of bedrooms and their desire to expand.

Mr. Rossi advised that present at the site walk were Mr. Decaminada, Mr. Gusmano, Mr. Ellrodt and himself representing the Planning Board. Janet Anderson of the CAC was also in attendance. There was discussion regarding the Planning Board's request to define the outer limits of the septic system to determine the feasibility for expansion.

VIII. CORRESPONDENCE/GENERAL BUSINESS

Oakridge Water & Sewer Plants

issued regardless of whether there was wetland involvement. The documentation was not being included with the permits.

Cross River Drainage

Mr. Decaminada referred to the Drainage License Agreement that had been submitted by the applicant and questioned whether the indemnification being given by the developer to the Katonah-Lewisboro School District could be extended to the Town.

Mr. Praga advised that the Town of Lewisboro is not a party to this agreement. Unless there is specific representation made to a third party there is no liability on the part of the Town.

Mr. Decaminada suggested that the Board discuss the recently adopted local law regarding building permits.

Mr. Decaminada advised that he had reached out to litigation counsel with regard to a recent letter to the editor in the December 21, 2006 edition of the Lewisboro Ledger.

Nan Dale

The Board discussed the recent letter received from Ms. Dale dated January 4, 2007. The Board directed the Secretary to contact Mr. Fain and ask that he respond.

Estate Motors

The Board briefly discussed the Article 78 filed by the adjacent property owner. It is the opinion of the Board's counsel that this matter is time barred.

V. SITE WALK REPORTS

Michelle Estates Water Treatment Plant

Mr. Rossi advised that the Board had four site walks on the morning of December 2, 2006. He advised that the Board first met at the Michelle Estates Water Treatment Plant. Present were four members of the Planning Board (Ms. Maguire did not attend), Tom Altermatt, Will Agresta, Jay Fain, and three CAC members Bud Clark, Joe Tansey and Al King. The real issue was the location of the holding tank as it is close to the wetlands. It seemed as long as they protected the wetlands and cleaned up the debris in the wetlands it appeared to be a benign issue.

Mr. Altermatt advised that it appeared to be the only logical place for this tank because of the steep slopes and wetlands.

Tremain

Mr. Gusmano advised that the same group (with the exception of Mr. Alternatt and Mr. Agresta) visited the Tremain residence on 42 Gilbert Street in South Salem. He advised

proposed use for the barn and advised that it is his intention to reconstruct the barn on the existing foundation. He stated that he believed that the foundation was salvageable but may require building a new concrete wall within the interior of the existing foundation. Mr. Altermatt expressed concern that they may want to tear out the existing foundation and rebuild it. Mr. Agresta advised that the structure is completely within the wetland buffer.

It was noted that the cross hatched area on the plan was to be deed restricted; the Town Board is currently working on the language.

Mr. Altermatt advised that a two foot topographical map would be needed for a wetland application.

Mr. Barber advised that since the area is all lawn that there is a good opportunity to do some buffer mitigation and reestablish a native wetland area. He advised that there is an opportunity to do something with the evasive species on the site. He was curious as to whether the foundation for the barn would able to be repaired.

Mr. Agresta advised that they may need to reconfigure the driveway and suggested that he determine all the walkways between the buildings and any changes to the driveway prior to making an application He advised that the roof on the barn may impact the drainage and would need to be addressed. He suggested that they consider utilizing a rain garden.

Mr. Croke questioned what the easement around the dam contained.

Mr. Agresta reviewed the concept of the easement and advised that it would give the Town the right to inspect the dam to ensure that the water flow would not be obstructed. It would not require the Town to maintain the dam.

Mr. Decaminada advised that the Board cannot represent the particulars of the easement as they are not a party to it.

VI. CORRESPONDENCE & GENERAL BUSINESS

The Board members discussed placing three outstanding wetland issues on the agenda. A public hearing will be scheduled for the Nastassi wetland application on March 13. The Dale wetland application and East Street Partners wetland violation hearing will be placed on the February 27 agenda.

Mr. Decaminada expressed his concern with a letter to the editor in the Lewisboro Ledger written by a member of a Town committee and advised that he would like the Town Board liaison contacted.

The Board acknowledged receipt of the January 9, 2007 letter from Robert Johnson, L.S. with regard to the Ryan/Reese Lot Line change. It was agreed that this matter should be referred to Planning Board Counsel for his opinion.

Mr. Barber advised that he had reviewed the mitigation proposal and asked for a more defined and detailed landscape plan. What was submitted appeared to be a concept plan. He would like to see the lawn surfaces reclaimed as buffer enhancement as much as possible.

Mr. Rossi suggested that the applicant meet with Mr. Barber during his office hours to tighten up the plan.

In response to a question of Mr. Decaminada, Mr. Barber advised that the location of the original proposal would have resulted in a greater amount of wetland disturbance.

Mr. Dover advised that the issues his neighbors had were not with the wetland disturbance but with the size and height of the proposed structure. He advised that this studio would not be used for commercial purposes.

Ms. Maguire questioned the size of the proposed structure expressing concerns with the possibility of significant stormwater.

Mr. Rossi advised that proposing mitigation which would pull lawn area away from the watercourse would be important. He asked that the applicant address any stormwater concerns as well as adding the information requested on the plans.

In response to Mr. Dover's question as to whether a public hearing would be required given he had a public hearing before the ZBA, Mr. Rossi advised that although this Board could waive the public hearing he had some trepidation given the concerns of the neighbors during the ZBA application and prefer to have their input in this application. He suggested that it may be helpful if this Board received letters of support from the neighboring property owners.

Mr. Agresta arrived at 7:45 PM.

Mr. Barber stated that if an EAF had been prepared for this application that it should be amended to reflect this particular proposal.

Nan Dale, 34 Cove Road, South Salem – Wetland Activity Permit – Cal. #48-06 W.P.

Daniel Franklin and project architect John Cotugno were present representing the applicant.

Mr. Cotugno displayed the proposed site plan and reviewed the history of this application. He stated that there had previously been some discussion about the number of bedrooms in the house; the records indicate that there are four bedrooms yet as the house exists there is not. It was determined that this proposal would add a fourth bedroom. He advised that there had been various tests done which determined that the existing septic tank is at 50 percent capacity. The addition of a White Knight system would enhance the septic system. After some discussion with the prior Wetland Inspector plans were prepared to move the addition which would have allowed a new septic system to be built. Now they are proposing the addition to be constructed as originally proposed as an engineer had determined that the septic system could not be relocated. A landscape mitigation plan had been prepared.

Mr. Franklin agreed that the plan is to go back to what had been originally proposed. He advised that the third bedroom is the same size as the closet. In effect what exists on the second floor are two small bedrooms and two closets. Mr. Cotugno added that legally the room would not be considered a bedroom because of the width is 5'9" falls short of the required 7 feet.

Mr. Barber reviewed his memo to the Board dated February 21, 2007 advising that he visited the site on February 19, 2007. He stated that it is presumed that the edge of the lake is the wetland boundary; the entire property is located within the 150 foot wetland buffer. He advised that he had read the history of the project and that the central issue of this application is the adequacy of the septic system and the improvement of the mitigation along the edge of the lake. He advised that during his site inspection he noted an improvement to the rear of the garage which included sliding glass doors and a pipe. He could not determine what the present use of this building was. He obtained a copy of the Certificate of Occupancy which stated "garage, storage and changing area." He is not aware if there had been any septic improvements done at that time to accommodate the flow from the additional bathroom. The proposed plans indicate the addition is a den; a potential for a bedroom. The plan received is not complete in its description; he cannot ascertain what has occurred. He expressed concern with the adequacy of the septic system because of its close proximity to the lake. He is not sure that the White Knight system is adequate to accommodate the addition of a bedroom. He asked for a copy of the entire floor plan so that he would be able to quantify the number of bedrooms.

Mr. Franklin advised that with the possibility of his father moving into the home that the den is a bedroom.

There was discussion with regard to the septic system and whether it had been determined by the Department of Health whether or not the septic system was designed for a four bedroom residence. It was noted that the Board had requested and the applicant had performed a functional test on the septic system. It was noted that the records in the Town stated that the home is a four bedroom home.

Mr. Altermatt stated that it should be determined what existed in terms of the septic system.

After reviewing the file, speaking with the Mr. Altermatt and the applicant Mr. Barber will report back to the Board at the March 13 meeting. Mr. Barber expressed his concern with what exists and wanted to ensure that the septic system is adequate to support this proposal.

II. EXTENSION OF TIME

Estate Motors (Charisma Holding Corp., owner of record) - Cal. #11-04 P.B.

Robert Castelli asked to be heard in opposition of the request of the applicant. Mr. Rossi advised that as this was not a public hearing the Board would not be entertaining this request.

carry-out food establishments. He stated that it would be best if the members of the Town Board and Planning Board hold a work session.

Mr. Decaminada noted that the Planning Board had received a letter from the Croton Watershed Clean Water Coalition dated March 27, 2007 with regard to the Falcon Ridge Subdivision application and asked that this be forwarded to the Goldens Bridge Fire Chief. He asked that the chief specifically comment on the statements made with regard to the underground fire water protection system.

III. SKETCH PLAN REVIEW

Nan Dale, 34 Cove Road, South Salem – Wetland Activity Permit – Cal. #48-06 W.P.

Nan Dale was present.

Ms. Dale reviewed the proposed changes from what had been last discussed. After being advised that the septic system could not be moved by an engineer she is now seeking approval for the plan first submitted a year ago to construct a den onto the front of the residence. She advised that the Deputy Building Inspector had reviewed the proposal and determined that the den would not be considered an additional bedroom.

Mr. Barber reviewed his memo to the Board dated April 5, 2007 noting that the central issue to this project was the bedroom count. The plans now modified by the architect show a four foot opening to the foyer; access to the bath is now off of the foyer not the den. In addition the proposed mitigation along the edge of the lake has been modified with additional native plantings. His memo outlined minor issues to be addressed; he reviewed the comments. He further recommended that this property be added to the annual septic and maintenance program given the age and size of the septic system and its proximity to the lake.

The Board agreed to schedule a public hearing on May 22, 2007 noting that this process would allow an opportunity for the public to comment on the application.

Ms. Dale advised that her architect would address the outstanding comments.

Shaul Dover, 11 Mt. Holly Road East, Katonah – Wetland Activity Permit – Cal. #72-06 W.P.

Shaul Dover was present.

Mr. Dover displayed the proposed site plan to build an attached recording studio onto his residence. He advised that he had included in this submission a professional detailed mitigation plan. He will try to address the comments in Mr. Barber's latest comments.

The Secretary was directed to follow up with the Zoning Board of Appeals. This matter will be placed on the agenda once a ZBA approval or extension is received.

III. PUBLIC HEARING

Nan Dale, 34 Cove Road, South Salem – Application for Wetland Activity Permit to permit the construction of an addition & drainage improvements within the regulated wetland buffer – Cal. #48-06 W.P.

Nan Dale and Dan Franklin were present.

Ms. Dale reviewed the proposal to construct a den and relocate a bathroom on her twobedroom residence on the side of the house furthest from Lake Waccabuc. She advised that this project had been reviewed several times by the Planning Board and that she had done their best to mitigate the impacts.

Mr. Barber reviewed his memo to the Board dated May 17, 2007 noting that this project had evolved over time. The Building Inspector provided written documentation that the bedroom count would not be increased. He noted that there were some simple site plan issues that should be addressed. In addition the Board is in receipt of the May 15, 2007 response from the NYC DEP which raised some questions requiring a response. He noted that some of the comments were similar to his and that when the applicant responded to the DEP comments that his would also be satisfied.

Barbara Capo, 40 Cove Road, South Salem questioned how far the proposed addition is from her lot. In addition she noted that an easement had been given to the Town and asked whether there would still be access to clean out the drain.

Mr. Barber advised that the applicant had spoken with the Highway Superintendent. The architect had endeavored not to impact this easement area during construction; any temporary disturbance would be reviewed by the Town Counsel. The plan currently shows no disturbance within the easement area which would be survey located prior to construction.

Ms. Capo came forward to review and discuss the proposed plan with the applicant and was assured that the required side yard setbacks were being maintained.

In response to another member of the public, Ms. Dale advised that the proposed addition was one story.

Mr. Decaminada noted that it was important that given the close proximity to the lake that the Building Department had provided written documentation that this proposal did not increase the bedroom count. He questioned whether the plans satisfied Mr. Barber's concerns with a stabilized construction entrance.

Mr. Barber advised that currently the plans have not addressed this comment made by him as well as the NYC DEP.

Mr. Rossi suggested that given the outstanding comments from the NYC DEP that the hearing be adjourned.
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On a motion made by Ms. Maguire, seconded by Mr. Ellrodt the public hearing was adjourned to address the outstanding comments from the NYC DEP.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

Noting that counsel for Estate Motors was present, Mr. Decaminada suggested that the request of Estate Motors for an extension of time be discussed.

IV. EXTENSION OF TIME

Estate Motors (Charisma Holding Corp., owner of record) – Cal. #11-04 P.B.

Janet Giris, Esq. was present representing the applicant was present.

Ms. Giris advised that previously the applicant had requested a six month extension of time to complete the conditions of the Planning Board's resolution and was granted a three month extension. Ms. Giris stated that the applicant was now seeking an additional three month extension; the applicant is working with the engineer and architect. The applicant had spent several years in securing an approval from this Board. Now that they are pricing out the cost of the project the bids are coming in much higher than had been originally anticipated in 2003. In addition the Planning Board's approval set out several conditions prior to the final sign-off of the plans some of which were approvals from the NYS DOT which were conceptually approved but now require more details. Similar requirements are needed from the Westchester County Department of Health. Approvals from these outside agencies are required to be submitted to the Planning Board prior to final sign-off of the plans. A number of amendments were required to the plans that need to be incorporated into the approved drawings. A number of things in connection with the easement agreement need to be completed.

Ms. Maguire expressed concern with the adjacent property owner whose property has been impacted by runoff from the applicant's property for some time. While being sensitive to the need for the applicant to meet the requirements of the other agencies, she is also sensitive to this neighbor's needs. Ms. Maguire noted that the fact that the bids are coming in higher than had been anticipated should not become a burden and impact the adjacent property owner.

On a motion made by Mr. Decaminada, seconded by Ms. Maguire the Board granted the May 8, 2007 request of Janet J. Giris, Esq. for an additional and final 90 day extension of time to complete the conditions of the Planning Board Resolution granting Site Development Plan Approval dated September 5, 2006.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

The Board took a five minute break at 8:40 P.M.

V. PUBLIC HEARING

Boniello Land & Realty, Ltd., Route 138, Goldens Bridge – Application for Preliminary Subdivision Plat Approval & Wetland Activity Permit for

Mr. Rossi advised that the Planning Board's intent was to have some type of barrier to prevent vehicles from entering the area behind the stonewall. It was agreed that the resolution would be modified to reflect that the space would be no greater than $2\frac{1}{2}$ feet.

On a motion made by Mr. Decaminada, seconded by Mr. Gusmano the resolution Violation of Wetland and Watercourse Law, Charles Steinman/Patricia Brieschke was adopted as amended.

Vote: Yes: Decaminada, Gusmano, Rossi, Maguire Absent: Ellrodt

Ms. Brieschke asked for clarification as to what is required in terms of what would be needed to be done by the end of the month. She was handed an unsigned draft of the resolution and advised that she would need a permit prior to doing any of the mitigation. The plans submitted with an application for a wetland activity permit do not need to be formal. In response to her question as to what would have been required if there was no wall, Mr. Rossi advised that the Board would then have requested some sort of demarcation to prevent further incursion.

Vista Fire District, 377 Smith Ridge Road, Vista – Cal. #11-07 W.V.

Ms. Clark reviewed the draft resolution she prepared for the Board's consideration.

On a motion made by Mr. Gusmano, seconded by Mr. Decaminada the resolution Violation of Wetland and Watercourse Law, Vista Fire District, Cal. #11-07 W.V. was adopted.

Vote: Yes: Decaminada, Gusmano, Rossi, Maguire Absent: Ellrodt

At the completion of his services for the evening, Mr. Alternatt exited the meeting at 7:40 P.M.

The Board discussed several unresolved wetland violations. Mr. Rossi requested that Ms. Clark reach out to Albert Jacobsen and the Centrillo's so that these matters may be resolved. He advised that the Board was considering adding another meeting in December to prevent a backlog in the New Year. It was noted that a detailed mitigation plan had been submitted for the Klein's property. Mr. Rossi advised that he would like Beth Evans to present this plan to the Board prior to going into an Executive Session. The Secretary will contact Mr. Sirignano and Ms. Evans; the matter will be tentatively placed on the November 27, 2007 agenda.

At the completion of her services for the evening, Ms. Clark exited the meeting at 7:45 P.M.

II. PUBLIC HEARING

The Chairman reviewed the public hearing procedures. There were no objections to the time or place of the public hearings and there were no requests to have the notices of public hearing read aloud.

Nan Dale, 34 Cove Road, South Salem – Application for Wetland Activity Permit Approval to permit the construction of an addition & drainage improvements within the regulated wetland buffer – Cal. #48-06 W.P. (Reconvened)

Nan Dale was present.

Ms. Dale advised that this was a second appearance requesting a wetland permit for the addition of a den and relocation of a bath to her home. She advised that at the previous meeting additional information was requested. The soil testing was performed by GEA Engineering and report submitted. She hoped that all of the outstanding questions had now been addressed.

Mr. Barber referred to his memo to the Board dated November 8, 2007 advising that the NYC DEP has submitted a letter dated September 20, 2007 stating that they had no jurisdiction. In addition materials from the GEA Group had been submitted in response to his November 8, 2007 memo. He advised that his comments had all been satisfactorily addressed.

There was no public comment.

In response to a question of Mr. Decaminada, Mr. Barber explained that there are separation requirements to ensure that stormwater infiltration system would not be a detriment to the septic system. He was concerned as they were not sure of the exact location of the existing septic system. The applicant's engineer has proposed to install a clay lining in the trench which will separate both of these systems. The topography is such that the stormwater will continue to drain down into the lake. He is satisfied that with this addition the stormwater would not infiltrate the septic system. He agreed that it is always appropriate to ask the Town Engineer to review the calculations.

In response to Mr. Rossi's question with regard to the proposed rain barrels, Mr. Barber advised that these are the soft technology that the NYS DEC and NYC DEP are looking to utilize for small sites. He does not as a rule consider these for stormwater management as they can be removed. The Board may wish to include these as an augmentation to the stormwater.

On a motion made by Mr. Decaminada, seconded by Ms. Maguire the Public Hearing was closed.

Vote: Yes: Decaminada, Gusmano, Rossi, Maguire Absent: Ellrodt

Mr. Barber was directed to prepare a resolution for the November 27, 2007 agenda.

Elliot Lebowitz, 7 Laurie Lane, South Salem – Application for Wetland Activity Permit approval to permit the construction of an attached garage and deck within the regulated wetland buffer – Cal. #48-07 W.P.

Elliot Lebowitz was present with his architect Victor Solarik.

Mr. Solarik displayed the site plan to construct an attached two car garage and deck expansion on an existing residence. Almost the entire site is within the 150 foot regulated wetland buffer. The wetland limit had been delineated by Paul Jaehnig in March 2007. They had looked at various alternatives and due to the topography of the site, zoning requirements and the location of the septic system there are no feasible alternatives to what has been proposed. As mitigation the applicant has proposed to remove an existing shed in close proximity to the wetlands boundary. In addition an existing unmaintained driveway which goes to the rear of the house will be brought back to its natural state and the applicant will connect all of the new and existing runoff from the roof to a new stormwater drainage system as well as providing a restrictive Meeting of the Planning Board of the Town of Lewisboro held at the Town House, 11 Main Street, South Salem, New York on Tuesday November 27, 2007 at 7:30 P.M.

Present: P.J. Rossi, Chairman Joseph Decaminada (arrived at 9:00 PM) John Gusmano Richard Ellrodt Maureen Maguire
William Agresta, Matthew D. Rudikoff Assoc., Planning Consultant (arrived at 9:15 PM) Thomas Altermatt, Town Consulting Engineer Bruce Barber, Interim Wetland Inspector Margaret Clark, Esq., Special Counsel Aimee Hodges, Planning Board Secretary

The Chairman called the meeting to order at 7:30 PM, noted the location of the emergency exits in the front and rear of the room and introduced the Board and its consultants.

I. DECISION

Nan Dale, 34 Cove Road, South Salem – Cal. #48-06 W.P.

Mr. Barber reviewed the draft resolution he prepared for the Board's consideration.

Mr. Rossi noted that the expiration date on page six was incorrect. He questioned whether the resolution required that the septic system be pumped on an annual basis. Mr. Barber advised that this was included within the context of the requirement for the annual septic maintenance.

On a motion made by Mr. Ellrodt, seconded by Mr. Gusmano the resolution issuing a Negative SEQR Declaration, Wetland Activity Permit Approval, Nan Dale, Cal. #48-06 W.P. was adopted as amended.

Vote: Yes: Gusmano, Rossi, Ellrodt, Maguire Absent: Decaminada

Mr. Rossi advised that the Croke resolution would be placed on the December 11, 2007 agenda. He further advised that in order accommodate the consultant for the Scully application and Klein discussion the Board would be discussing some of the agenda items out of order.

II. SKETCH PLAN REVIEW

Randolph & Meredith Scully, 508 Mt. Holly Road, Katonah – Application for Wetland Activity Permit Approval – Cal. #86-07 W.P.

Meredith Scully was present with Beth Evans of Evans Associates.

Ms. Evans displayed the proposed mitigation plan to resolve a recent wetland violation. The applicant is seeking to complete the masonry wall to enclose the formal garden and the removal of a section of phragmites adjacent to the wetland, replanting it with native vegetation. She noted that there is also some phragmites along the edge of the pond which the applicant is also happy to remove and replant as requested in Mr. Barber's November 23, 2007 review memo.

VI. CORRESPONDENCE & GENERAL BUSINESS

The Meadows at Cross River Water Corp.

Mr. Altermatt advised that the Planning Board's resolution anticipated that the Westchester County Department of Health and NYS DEC would review the approved plans and make some modifications. The applicant has received the DEC approval and the Health Department is ready to sign off. As a result there have been some changes to the plan, but most are within the water treatment building. It was his opinion that there had not been any significant change to the plan requiring further review of this Board.

Given that ninety percent of the changes were internal, and not originally reviewed by this Board and enhanced this project, the Board agreed that an amending resolution would not be necessary and authorized the mylars to be signed.

At the completion of his services of the evening, Mr. Alternatt exited the meeting at 9:15 P.M.

Scully

Mr. Barber advised that the mitigation planting had been completed and had been consumed by deer. Mr. Scully would like to modify the plan to include the species that survived. Evans Associates is developing the plan. In addition, Mr. Scully would be moving forward with application for additional work. He questioned whether the Board would like to revisit the mitigation or whether they would authorize him to review the changes administratively. The Board agreed that the changes could be reviewed by Mr. Barber.

Nan Dale

Mr. Barber reviewed the October 6, 2008 correspondence from John Jay Development where they had requested a modification to the planting plan. The Board agreed that the changes could be reviewed administratively by Mr. Barber.

Akin

Mr. Barber advised that an application had been received for a very small addition which would be below the threshold for a Planning Board wetland activity permit but they will be utilizing an existing gravel access as a construction access within 50 feet of a brook. Technically there could be land disturbance within 50 feet of a wetland. The Board agreed that this application could be reviewed administratively by Mr. Barber.

Simpson

The Board had previously given Mr. Barber the authorization to review the proposed changes to the wetland activity permit approval. Mr. Barber has since discovered that the previously issued permit had expired. The Board authorized Mr. Barber to review the newly received application

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Mr. Sessions reviewed the proposed plan to redirect the existing driveway because of the proposed ball fields being proposed at AP Fields. This leaves an opportunity for some planting along the buffer. The proposed disturbance is clearly within 50 feet of the wetland. They have secured their NYSDEC wetland permit. In addition, there is a letter from the Army Corps of Engineers stating that they do not have jurisdiction. The driveway is currently paved; they are proposing a gravel drive from where they are breaking off from the existing driveway.

Mr. Ellrodt noted that because of the size of the project that he would prefer updates if in fact the Board authorized an administrative permit.

Mr. Schweitzer advised that there is presently a hardship because of the 90 degree turn into the property. This will allow for a much larger turning radius for any large truck or emergency vehicle.

Mr. Session advised that he has not done the calculations, but the disturbance is definitely less than one acre but an erosion plan will have to be done because the disturbance is over 5,000 s.f.

The Board agreed to authorize an administrative wetland activity permit. They further instructed that an escrow account be set up to pay for the Town's consultants.

Snyder (formerly Shields)

Mr. Sessions advised that a wetland permit had been issued in 2002 for the construction of a garage. As mitigation, the property owner was required to pump the septic system annually. The new owner, James Snyder now lives overseas 42 weeks of the year and has requested that he only be required to pump every five years. The septic was last pumped April 2010.

Mr. O'Donnell noted that there should be certain criteria so that there is consistency in relaxing the requirements. If it is being represented that the resident is not living in the house full time, there should be an affidavit and that they affirmatively promise to do certain things. He asked that Kellard Sessions consider the criteria to be considered.

Ms. Andersen advised that she would discuss this with the CAC. Many of the homes are older with limited septic systems. The Lakes Committee has suggested that if there is a good inspection report for three years, then the requirements could be relaxed to require the septic being pumped every other year.

The Board agreed to a one year waiver.

Dale

The Board acknowledged receipt of the April 17, 2011 request made by Nan Dale of David Sessions to modify the requirement to pump her septic system annually. The Board granted the request for one year.

At the request of Mr. O'Donnell, who is acquainted with Ms. Dale, the record reflects that he did not partake in this discussion and decision of the Board.

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Mr. Phaneuf advised that the contractor building the wall has a lot of experience. He noted that there are many cement walls and one in particular has been there for over 50 years. His house was built in 1922 and the wall now is loose stone; there is $3\frac{1}{2}$ feet of erosion in some areas.

The Board authorized the Wetland Inspector to handle this application for a wetland activity permit administratively.

Kleeman & McIntyre

Mr. Johannessen reviewed an application for a new floating dock at 17 Lake Truesdale Drive.

The Board authorized the Wetland Inspector to handle this application for a wetland activity permit administratively.

Preneta

Mr. Johannessen reviewed a project to plant native plant material along a stream bed at 240 Spring Street submitted by Peter Cipriano of Copia Home & Garden.

The Board authorized the Wetland Inspector to handle the application for wetland activity permit approval administratively.

Abdulali

The Board acknowledged receipt of June 7, 2012 submission of Evans Associates with respect to the location of the septic system. Mr. Johannessen advised that the applicant had been asked to notify him prior to the inspection and had not. The Board requested that Mr. Johannessen prepare a response advising that the Board is requesting that the applicant continue to locate the septic fields.

Dale

The Board acknowledged receipt of the May 11, 2012 correspondence from Nan Dale requesting that the Board modify the requirement to have her septic system pumped annually. The Board was hesitant to modify the requirement on a permanent basis and agreed to waive the requirement to inspect and pump the system next year.

Goldens Bridge Forum

Mr. O'Donnell advised that he recently attended the Goldens Bridge Forum. The audience discussed two items that may be of concern to the Planning Board: the report of an oil spill at Estate Motors which segued into a conversation with respect to the contaminated wells at the Meadows complex in Cross River.

It was noted that representatives for the Meadows had recently contacted the Planning Board office and scheduled a technical meeting with staff.

lake. He reviewed what he looked at in terms of impact; navigation, aesthetics, noise and disturbance. A dock will not affect the fish but might affect some of the water birds.

Mr. Decaminada suggested that to set standards that the Board consider only permitting materials that are environmentally safe. Mr. Gusmano advised that this is already regulated. Mr. Fain advised that the EPA sets the benchmarks. It was noted that the floats were sealed.

Mr. Fain encouraged the Board to permit homeowners to have access to the lakes. Some docks though are very large and inappropriate.

Mr. Hulit advised that he would not be adding any structures to this dock. Rather than removing the dock in the winter Mr. Hulit advised that he would tie it against the shore as the other homeowners. Although there is a lake association, Mr. Sirignano advised that they have no jurisdiction over private docks.

Mr. Gusmano stated that this is a standard docking system. The layout is not unusual and the applicant could have chosen to put the deck out in the end which would have been more obtrusive. Although subjective, he would have preferred to have seen a smaller dock. Given the restrictions this property has on the shoreline he believed that the dock as proposed was reasonable.

The Board agreed to waive the public hearing and directed Mr. Fain to prepare a resolution for the June 27, 2006 agenda.

Mr. Decaminada asked that the Wetland Inspector prepare a report documenting all of the docks on Lake Oscaleta without permits. Mr. Fain explained that many of the docks had been in existence since the 1950's. Currently he issues permits administratively for docks; this application is different because of the size of the dock and the scrutiny around this parcel.

Mr. Rossi advised that this Board has more important issues than regulating the size of docks. The lake associations can if they wish regulate the size of the docks on their lakes and can also request that the Town create legislation to regulate the docks. Currently, the wetland inspector can issue the permits and if he feels that the dock is too large he may refer it to this Board.

Vincent & Clotilde Farrell, 193 Mead Street, Waccabuc – Cal. #27-06 W.P.

Beth Evans was present representing the applicant.

Ms. Evans displayed the site plan to construct a single family residence on a 16 acre lot which was created by the Paltrow subdivision. She encouraged the Board to schedule a site visit. She agreed with Mr. Fain's request for a cross section noting that the architect

had designed the proposed residence specifically to sit on the proposed location blending into the topography. Very little grading is required around the house. She will provide the architectural details. She advised that the existing septic system currently serves the boathouse and was designed to serve the future residence as well. In addition a well has been installed. She reviewed the wetlands and described them as extensive. She advised that there is additional impact associated with the development than had been anticipated at the time of subdivision approval as the wetland buffer had been increased to 150 feet. Her office delineated the wetlands in the fall of 2005; the wetland buffer shown reflects the newly flagged wetlands. She advised that the applicant is presenting as mitigation for the impacts the 10 plus acres set aside as open space as part of the subdivision approval. If requested, they would provide additional buffer enhancement within the regulated area.

Mr. Fain advised that the open space was quid pro quo for the subdivision. It was understood that the Planning Board would have to review an application for a wetland activity permit with all that is required when a house was built on this lot. He further advised that the wetland below the house had been previously disturbed 15 years ago and suggested that the applicant consider continuing with the restoration of this wetland. He stated that there is considerable work proposed near the edge of the building envelope and expressed concern that during construction that additional area would be disturbed beyond what had been contemplated during the subdivision process. The intent was to keep the entire disturbance within the building envelope. He suggested that the applicant obtain the additional topographical information available as a result of the subdivision. He reviewed his memo to the Board dated June 13, 2006 outlining the details that should be added to the plans.

A site walk was scheduled for Tuesday June 20, 2006. The Board would meet at the Bocklet site at 7:15 P.M. and move on to the Farrell site at 7:45 P.M. It was agreed that if there was time that the Board would walk the Fryer site within the next weeks or alternatively they would walk the site individually.

IV. MINUTES OF May 23, 2006

On a motion made by Ms. Maguire seconded by Mr. Ellrodt the minutes of May 23, 2006 were adopted.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

V. EXECUTIVE SESSION

On a motion made by Ms. Maguire seconded by Mr. Decaminada the Board entered into Executive Session at 9:52 P.M. to discuss ongoing litigation.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

Mr. Fain advised that there was a similar process a few years ago and encouraged the organization to review the file for the Jewish Family Congregation as a model of what to expect.

Mr. Praga advised that aside from substantive issues the degree of difficulty depends of the degree of opposition.

Ms. Anderson suggested that the organization review the septic in terms of a commercial use.

Mr. Rossi advised that prior to making any comments with regard to the proposal that a formal application would have to be filed. He suggested that the organization go to the Planning Board office and review files for similar applications. He also suggested that they reach out to the community.

Mr. Praga suggested that they consider consulting with a land use attorney and or a professional planner who would be able to identify what they see are the larger issues. In addition they should determine what the building codes and Health Department codes are with respect to public assembly as they are hoping to utilize the existing residence on the site.

V. SITE WALK REPORT

Bocklet & Farrell Wetland Applications

Mr. Rossi advised that on Tuesday June 20, 2006 four members of the Planning Board (Mr. Decaminada was not present) met at the Bocklet site located at 6 Cove Road with Mr. Fain, and three members of the CAC, Joe Tansey, Jim Greaves and Janet Anderson. The Board looked at the septic system while the applicant's engineer reviewed the detail as to how the tank would force the effluent through the wetlands in a pipe into the new tank by the garage.

Mr. Fain advised that he had met with Mrs. Bocklet during his regular office hours subsequent to the site walk. Noting that the repairs are somewhat of an emergency he advised that he tried to give guidance in terms of the zoning issues as well as what would be required to get this project on for a public hearing.

Mr. Rossi advised that the applicant is working diligently to rectify the situation noting that the house is not presently in livable condition. It was noted that a part of the deck is outside of the property line and is an issue that this Board needs guidance on.

Mr. Praga stated that he had advised Mr. Sirignano that it was his opinion that anything new structurally had to observe setback requirements and that he did not believe there was any manner that could breach the property line even though it is not known who

owns the property on the other side. He was not aware that anything existing went over the property line; he would have to give this some thought.

Mr. Rossi advised that one of the issues raised was the pipe for the septic system that went through the wetlands. This would be pressure tested. Mr. Fain advised that he had recommended that they put a flow meter at each end.

Mr. Ellrodt advised that the same group moved to the Farrell site on Mead Street and met with the applicant's architect Tasos Kokoris. He advised that the proposed house location was close to the ledge and trees. It was agreed to move the house back to save the trees. Mr. Ellrodt expressed concern that the applicant would want to remove a large number of trees to obtain a view of the lake.

Mr. Fain advised that the architect was agreeable to finding a more environmentally sensitive location to avoid potential problems and clear cutting of the trees.

Mr. Rossi advised that with some minor tweaks of the layout they could save a lot of the trees and prevent potential runoff down the hill to the lake.

VI. CORRESPONDENCE/GENERAL BUSINESS

Cedar Knolls Subdivision/Melagrano

The Board acknowledged receipt of the June 19, 2006 correspondence from William Lonergan, ZBA Chair.

Oakridge Gardens

The Board acknowledged receipt of the June 26, 2006 correspondence from Geraldine Tortorella, Esq. and agreed to her request to be placed on the Board's July 25, 2006 agenda for discussion.

VII. MINUTES of June 13, 2006

On a motion made by Mr. Ellrodt, seconded by Mr. Decaminada the minutes of June 13, 2006 were adopted.

Vote: Yes: Decaminada, Rossi, Ellrodt Absent: Gusmano, Maguire

application materials. NYC DEP has reviewed the application and she noted Cynthia Garcia's August 8, 2006 correspondence addressed to the Planning Board.

Noting that Ms. Garcia's letter stated that the White Knight System is not an approved practice, Mr. Naderman advised that the system is being installed to enhance the current septic system not in lieu of.

There was a discussion with regard to an alarm system being added to the septic system. Mr. Naderman advised that he would think about how to achieve the Board's goal and suggested that maybe a flow meter could be installed at both ends of the system.

Mr. Fain reviewed his memo to the Board dated August 8, 2006. He advised that there are now two issues the first being that all of the site plans should reference the construction and septic plans clearly for the contractor. The larger issue is that the Building Inspector has determined that a variance is required for the garage and proposed roof over the deck. The applicant has made an application to the Zoning Board of Appeals but not the Building Department. He recommended that the Public Hearing be kept open for the ZBA decision. He recommended that a deed restriction limiting the home to two bedrooms be considered. He advised that there would not be much room for contractor parking and construction activity and asked that this is considered. He recommended that as the shed is being removed that the area is returned to a natural state, not lawn. He stated that overall this application is to replace an existing structure. The applicant has reduced the impact by not expanding the footprint. He further noted that the existing septic system was being improved.

Rudolph Cassano, 1 Cove Road, South Salem stated that whatever is done is a great improvement over what currently exists. He stated that he was all for the improvements.

Mr. Gusmano stated that the application is an improvement of what exists and is necessary. He stated that he would like to see this application move forward.

On a motion made by Mr. Ellrodt, seconded by Mr. Gusmano the Public Hearing was adjourned pending receipt of the decision of the NYS DEC and Zoning Board of Appeals.

Vote: Yes: Gusmano, Rossi, Ellrodt Absent: Decaminada, Maguire

III. SKETCH PLAN REVIEW

Vincent & Clotilde Farrell, 193 Mead Street, Waccabuc – Wetland Activity Permit – Cal. #27-06 W.P.

Beth Evans of Evans Associates and Tasos Kokoris, AIA were present representing the applicant.

Ms. Evans displayed the plan to construct a single family residence. She advised that after the site walk that Mr. Kokoris had revised the proposed location of the house. In addition they had addressed some of the comments made relative to stormwater treatment. Most of the proposed house is located on rock. Rather than trying to capture every drop the applicant has proposed a rain garden and bioretention area to treat the roof runoff so that it would not rush down the rock face towards the lake.

Mr. Kokoris advised that based on the site walk he moved the stakes 20 feet. After some discussion with the applicants it was agreed that the rear deck would be eliminated. By moving the structure they are also able to save the 24 inch oak, but this would require a small overlap of the Limit of Disturbance Area. The existing grade around the tree would be six inches lower than the garage slab. The first floor is currently 5 $\frac{1}{2}$ feet above this; the basement is only slightly lower than frost. The master bedroom is located on ledge.

Ms. Evans advised that she had provided the topographic information at the request of Mr. Fain to get a sense of the relationship of this development with the lake. Mr. Fain stated that he had hoped that the applicant would have superimposed the house footprint on the topographical map. Ms. Evans advised that she would provide this information and explained that only a small portion of the grading would occur outside of the Limit of Disturbance to accommodate the pushing the house up and away to the flatter portion of the lot. This will keep the steeper slopes between the house and the lake protected. The intent is to keep the structure and improvements within the building envelope shown on the plans.

Mr. Fain reviewed his memo to the Board dated August 8, 2006 advising that moving the house is positive and does not quite push the edges of the building envelope as it had done previously. He advised that he did not have an issue with pushing some of the grading outside of the Limit of Disturbance Area and questioned whether this would take a formal action of the Planning Board and a refiling of the subdivision plat.

It was noted that the Building Disturbance Envelope is shown on the filed subdivision plat. Mr. Praga would review the Planning Board's resolution approving the Paltrow Subdivision to advise whether or not it would be necessary to refile the subdivision plat.

Mr. Fain stated that he did not have an issue with the drainage concept but wanted to ensure that the drainage from the rain garden would not cause erosion. The drainage off the rear of the site is an unspecified amount and advised that he needed to ensure that this drainage does not drain into a sensitive area. More treatment is needed. He advised that he would like to revisit the site as it had been restaked. As construction was being proposed on ledge, special details should be added to the plans with regard to the silt fence. He requested that the applicant provide more information with regard to protecting the trees down to the lake.

Mr. Rossi indicated that both he and Mr. Ellrodt walked the restaked site and had some questions.

Mr. Gusmano advised that he had not had an opportunity to get back to the site but that it appeared that the applicants had done what had been requested.

Mr. Ellrodt advised that his concern with the 24 inch oak tree had been addressed.

Mr. Kokoris displayed a partially finished model of the proposed residence. The oak tree is leaning away from the proposed house. He believed that they may be able to save some of the mountain laurel. There is no need to cut down any of the major trees. He advised that the applicant did not intend to cut down anymore trees than they had to and are willing and able to comply with any regulations with regard to trees. They do not want to be subject to any special restrictions that would apply only to them.

Mr. Fain suggested that an arborist is consulted with regard to the 24 inch oak.

It was agreed that this matter could be placed on the September 26th agenda for Public Hearing.

IV. PROJECT REVIEW

Town of Lewisboro – Leon Levy Preserve Subdivision corner Routes 123 & 35, South Salem & 53 Smith Ridge Road, South Salem – Cal. #7-06 P.B.

Mr. Agresta displayed the proposed subdivision for 53 Smith Ridge Road (Lot 6) to create one building lot and one open space lot. He reviewed the surrounding area and highlighted the regulated wetland and wetland buffer. He advised that it was the preference of the Town Board that the existing dam remain with the lot to be sold; an easement will placed over the area in favor of the Town.

Mr. Fain advised that currently the dam structure is breached; it is not retaining water. The Town Attorney had advised that there would be language stating that the dam could not be repaired or otherwise impound water.

Mr. Agresta stated that there would be a deed restriction over the wetlands on the lot. At the request of the Planning Board the property line will run along the centerline of the stream up to the dam moving over to the west of the trail. He provided a highlighted map indicating the frontage and trail entrance along Route 123.

Meeting of the Planning Board of the Town of Lewisboro held at the Town House, 11 Main Street, South Salem, New York on Tuesday September 26, 2006 at 7:30 P.M.

Present: P.J. Rossi, Chairman Joseph Decaminada (arrived 7:50) John Gusmano Richard Ellrodt Maureen Maguire William Agresta, Matthew D. Rudikoff Assoc., Planning Consultant Thomas Altermatt, Town Consulting Engineer Jay Fain, Wetland Inspector Margaret Clark, Esq., Special Counsel Lawrence Praga, Esq., Planning Board Counsel Aimee Hodges, Planning Board Secretary

The Chairman called the meeting to order at 7:30, pointed out the emergency exits and introduced the Board and its consultants.

I. PUBLIC HEARING

Vincent & Clotilde Farrell, 193 Mead Street, Waccabuc – Amendment of Final Subdivision Approval (Paltrow) Cal. #1-98 P.B. to permit the approximately 87 SF of site construction disturbance outside of the previously approved and lot specific defined building envelope as shown on the Final Subdivision Plat and Wetland Activity Permit Approval to permit the 150 foot wetland buffer area – Cal. #9-06 P.B.

The Chairman reviewed the Public Hearing procedures. There were no objections to the time or place of the public hearing and there were no requests to have the notice of public hearing read aloud.

Beth Evans of Evans Associates and the applicant's architect Tasos Kokoris were present representing the applicant.

Ms. Evans displayed the proposed site plan to amend the previously approved subdivision plat to permit approximately 87 SF of grading outside of the approved limit of disturbance and for the wetland activity permit to construct the proposed residence and associated improvements within the wetland buffer. She advised that the residence was designed to site on a knoll to look out over Lake Waccabuc. To address the Board's previous concern with clearing she submitted photos of the proposed building site, driveway and the view of the proposed house site down toward the lake. She advised that it is the Farrell's intention not to do any clearing between the house site and the lake.

Mr. Fain reviewed his memo to the Board dated September 26, 2006 and asked that revised plans be submitted pulling all of the information together. He asked that the applicant respond to the NYC DEP comments with regard to water quality and that

details be provided with regard to the silt fence, mitigation, cut and fill calculations and a mechanism to protect the trees. He recommended that the public hearing be adjourned to address the outstanding issues.

Mr. Rossi advised that both he and Mr. Ellrodt had walked the site since the property had been restaked moving the house location over 20 feet.

Ms. Evans advised that she would meet with Cynthia Garcia of the NYC DEP to discuss her comments. She advised that the asphalt driveway already exists and currently serves another residence.

There were no public comments.

On a motion made by Ms. Maguire, seconded by Mr. Ellrodt the public hearing was adjourned to address the outstanding comments.

Vote: Yes: Gusmano, Rossi, Ellrodt, Maguire Absent: Decaminada

II. DECISIONS

Abraham Spierer, 58 Lambert Ridge Road, Cross River - Cal. #3-06 W.V.

Mr. Rossi reviewed the draft resolution prepared for the Board's consideration by Ms. Clark. He noted that the Board agreed that it would create more environmental damage to remove the asphalt pavement that had been installed prior to Mr. Spierer's purchase of the property. No civil penalty was assessed; it was agreed that mitigation would be sufficient.

On a motion made by Ms. Maguire, seconded by Mr. Gusmano the resolution Violation of Wetland and Watercourse Law, Abraham Spierer, Cal. #3-06 W.V. was adopted.

Vote: Yes: Gusmano, Ellrodt, Maguire Oppose: Rossi Absent: Decaminada

Town of Lewisboro, Leon Levy Preserve, 53 Smith Ridge Road, South Salem – Cal. #8-06 P.B.

Mr. Agresta reviewed the draft resolution he prepared for the Board's consideration.

On a motion made by Mr. Gusmano, seconded by Mr. Ellrodt the resolution issuing Preliminary Plat Subdivision Approval for Town of Lewisboro (Town Board), Leon Levy Preserve, Route 123, Cal. #8-06 P.B. was adopted.

Mr. Decaminada noted that Mr. Altermatt's memo indicated that a fence must be installed on the proposed retaining wall on the west side of the building.

A discussion followed with regard to whether or not a public hearing would be necessary. Mr. Altermatt suggested that the applicant provide written documentation from the HOA advising that they have reviewed the plans. Mr. Rossi advised that he wanted the applicant to understand that if this Board determined that a public hearing was required that a decision on this matter would not be made until the beginning of the New Year. Mr. Agresta advised that he would speak with the Planning Board counsel to determine whether a public hearing would be required if a Wetland Permit is necessary.

Mr. Bright advised that the fine for missing the June deadline as required in the SPEDES permit is \$35,000 per day. He advised if they start construction and the DEC sees real progress that he did not believe that they would assess the fines.

III. PUBLIC HEARING

Vincent & Clotilde Farrell, 193 Mead Street, Waccabuc – Amendment of Final Subdivision Approval (Paltrow) Cal. #1-98 P.B. to permit approximately 87 SF of site construction disturbance outside of the previously approved and lot specific defined building envelope as shown on the Final Subdivision Plat and Wetland Activity Permit Approval to permit the construction of a single-family residence and associated site improvements within the 150 foot wetland buffer area – Cal. #9-06 P.B.

Beth Evans of Evans Associates and Tasos Kokoris, RA were present representing the applicants.

Ms. Evans displayed the revised plans and noted that the deck had been removed, riprap detail for the footing and leader drains and mitigation had been provided. She reviewed the areas of plant mitigation. She advised that in response to the NYC DEP recent comments that she had sent a new package today to Cynthia Garcia.

Mr. Fain referred to his comments dated October 24, 2006 advising that the applicant had satisfactorily addressed his previous comments and worked to address the comments of the NYC DEP. The only outstanding issue for this Board is the permanent preservation of the trees. The applicant had stated that it was not their intention to cut down the trees between the proposed residence and lake but no legal mechanism had been proposed. He believed that this is acceptable because he was not sure that anything would be achieved.

Ms. Evans advised that she had provided photographs of this area for the Board noting that the trees are quite mature and the limbs are quite high. The Farrell's have no intention of clearing this area as the trees provide privacy.

There were no comments from the public.

The Board members discussed the permanent preservation of the trees. Ms. Evans advised that there is already access to the lake and boathouse and that the only reason why someone would remove the trees is for a view. She stated that the Farrell's were more likely to enjoy the view under the limbs still having the privacy of the upper canopy. The Board acknowledged that the applicant had moved the house to avoid the rock and a tree but there was concern with the possibility of future homeowners removing the vegetation on the hillside down to the lake. Mr. Agresta reviewed the note on the subdivision plat with regard to the limit of disturbance envelope and advised that this did not protect the trees. Ms. Evans offered to place a note on the site plan but was advised that this plan would only be filed in the Planning Board office not in the Westchester County Land Records. A legal instrument filed in the land records would be required.

Mr. Kokoris advised that he could not speak for his clients but that given their attitude about the property he did not believe they would have a problem. The main concern is getting construction underway.

Mr. Rossi suggested that the hearing be closed and a draft resolution be prepared incorporating this condition. If there were any issues the decision could be pushed to the following meeting to allow further discussion.

Ms. Evans advised that she had no problem with discussing this with the applicant in the morning and getting back to the Town.

On a motion made by Ms. Maguire, seconded by Mr. Gusmano the Public Hearing was closed.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

Mr. Fain advised that he would contact Mr. Praga to further discuss this matter.

IV. SKETCH PLAN REVIEW

Michelle Estates Water Works Corp., Silkman Lane, Cross River – Site Development Plan – Cal. #33-85 P.B.

Dan Coppelman, PE of Keane Coppelman Engineering and Joseph Branch, Vice President of Michelle Estates Homeowners Association were present representing the applicant.

Mr. Coppelman reviewed the outstanding issues from the previous appearance before the Board noting that he had submitted a copy of the engineering report, a letter from the Meeting of the Planning Board of the Town of Lewisboro held at the Town House, 11 Main Street, South Salem, New York on Tuesday November 14, 2006 at 7:30 P.M.

Present: P.J. Rossi, Chairman Joseph Decaminada (arrived 7:35) John Gusmano Richard Ellrodt Maureen Maguire William Agresta, Matthew D. Rudikoff Associates, Planning Consultant Thomas Altermatt, Town Consulting Engineer Jay Fain, Wetland Inspector Lawrence Praga, Esq., Planning Board Counsel Margaret Clark, Esq., Special Counsel Aimee Hodges, Planning Board Secretary

The Chairman called the meeting to order at 7:30 P.M., pointed out the emergency exits and introduced the Board and its consultants.

I. DECISIONS

Vincent & Clotilde Farrell, 193 Mead Street, Waccabuc – Amendment of Final Subdivision Approval (Cal. #1-98 P.B.) & Wetland Activity Permit Approval – Cal. #9-06 P.B.

A resolution will be prepared for the November 28, 2006 Planning Board agenda.

Philip & Linda LaVoie, 81 North Salem Road, Cross River – Amendment of Resolution Cal. #1-02 W.V.

Philip and Linda LaVoie were present.

Margaret Clark reviewed the draft resolution she prepared for the Board's consideration.

On a motion made by Mr. Ellrodt, seconded by Ms. Maguire the resolution Amendment to Resolution, Town of Lewisboro Planning Board was adopted.

Vote: Yes: Gusmano, Rossi, Ellrodt, Maguire Absent: Decaminada

Ms. Clark exited the meeting at 7:30 P.M.

II. PUBLIC HEARING

Lawrence & Elizabeth Fryer, 15 North Lake Circle, South Salem – Application for Wetland Activity Permit Approval to permit the expansion Meeting of the Planning Board of the Town of Lewisboro held at the Town House, 11 Main Street, South Salem, New York on Tuesday November 28, 2006 at 7:30 P.M.

Present: P.J. Rossi, Chairman Joseph Decaminada John Gusmano Richard Ellrodt Maureen Maguire William Agresta, Matthew D. Rudikoff Associates, Planning Consultant Thomas Altermatt, Town Consulting Engineer Jay Fain, Wetland Inspector Aimee Hodges, Planning Board Secretary

The Chairman called the meeting to order at 7:30 P.M., introduced the Board and its consultants and pointed out the emergency exits.

I. DECISIONS

Vincent & Clotilde Farrell, 193 Mead Street, Waccabuc – Amendment of Final Subdivision Approval (Cal. #1-98 P.B.) & Wetland Activity Permit Approval – Cal. #9-06 P.B.

Tasos Kokoris, Architect was present representing the applicants.

Mr. Fain advised that he had prepared two separate resolutions. He reviewed the draft resolution prepared for the Wetland Activity Permit Approval. He reviewed the draft resolution amending the Final subdivision plat approval.

On a motion made by Mr. Ellrodt, seconded by Ms. Maguire the resolution issuing a Negative SEQR Declaration and Wetland Activity Permit approval Cal. #9-06 P.B. was adopted.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

On a motion made by Mr. Gusmano, seconded by Ms. Maguire the resolution amending Final Subdivision Approval Cal. #1-98 P.B. was adopted.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

St. John's Parish, 82 Spring Street, South Salem – Amended Special Permit and Wetland Activity Permit Approval – Cal. #8-04 P.B.

Mr. Rossi advised that a decision would not be made this evening.

Mr. Altermatt reviewed the approved site plan as well as the changes to the fencing around the playground. He advised that the parish did not have the necessary funds to

Abstain: Ellrodt

On a motion made by Mr. Gusmano, seconded by Mr. Decaminada the minutes of November 13, 2007 were adopted.

Vote: Yes: Gusmano, Decaminada, Rossi, Maguire Abstain: Ellrodt

At the completion of his services for the evening Mr. Alternatt exited the meeting at 9:55 P.M.

VIII. GENERAL BUSINESS

Mr. Barber reviewed two applications to determine whether or not the Board wished to retain approval authority. The first is an application for Dale King previously discussed while waiting for the NYS DEC permit. This project is to remove approximately 40 cubic yards of material from a small depressional area and spreading it around on the site. He has reviewed the sketches multiple times with the applicant and is now comfortable with the proposal. He advised that there is a watercourse on the property which empties into an area that had been a pond at one time, it is currently filled in and becoming a swampy area. Mr. King is requesting to make this a pond again noting that it is not a highly functional wetland. NYS DEC has jurisdiction and has approved the application. The Board members were in agreement with Mr. Barber issuing an administrative permit.

Mr. Barber next discussed the Farrell wetland activity permit noting that this had been reviewed and approved previously by this Board. The applicant is seeking to change some of the wetland mitigation aspects. Roof drainage was to have been directed to a small planting strip in the back which is not working because of the elevations. The impacts are not being increased.

Mr. Rossi stated that if this affected any of the trees that this Board wanted to save that this would have to come back before the Board.

Mr. Barber reviewed the proposed changes on the plans. He advised that he would review the originally approved plan. The Board asked that Mr. Barber question whether or not there were any changes to the trees, structure or the anticipation of any work occurring outside of the building envelope.

On a motion made by Mr. Gusmano, seconded by Mr. Decaminada the Board entered into an Executive Session with counsel to evaluate the wetland violations Cal. #10-07 W.V. and Cal. #13-07 W.V. pursuant to attorney client privilege at 10:05 P.M.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

On a motion made by Mr. Ellrodt, seconded by Mr. Decaminada the Board exited the Executive Session at 10:42 PM.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

On a motion made by Mr.Ellrodt, seconded by Ms. Maguire the meeting was adjourned at 10:43 PM.

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lot that could be done to alter the conditions of the ponds. This proposal would not alter the detention time but would attenuate the peak discharge rate.

In response to a question of Mr. Decaminada, Mr. Allen advised that material being stockpiled in the parking lot is sand. He advised that some of the material would be reutilized as local as possible. When the sand traps are completed and sodded, they will pull new sand from the stockpiles.

It was agreed that the permitting could be bifurcated and that the approval would include the proposed activity relative to hole six subject to no changes are required relative to the NYS DEC Wetland Activity Permit Approval. If there are any changes, the applicant must submit an amended application.

Andrew Curran, 6 Carriage House Road, Waccabuc suggested that the proposed testing schedule is inadequate given that there is substantial runoff from the entire site, not just the area where the work is being proposed, onto his property in the early spring. He suggested that the testing be done be far more closely associated with the spraying of chemicals and highlighted after a rainfall within a certain period of time after the spraying of the chemicals.

Ms. Anderson advised that the standard for testing is to set up a baseline with testing every two weeks during the growing season. She advised that they do try to get samples during large rain events. She advised that there has been testing done on these streams and they do see a phosphorous spike after rain storms. They have not been able to determine whether the testing should be done at the beginning of the storm or after and questioned whether the spikes were inconsistent because the ponds retain the rainwater.

Mr. Rossi asked that Mr. Barber work with the applicant's engineer to formulate some kind of testing that is acceptable to the CAC. He believed that blanket testing would be onerous on any property owner.

A brief discussion followed with respect to the protocol for testing.

Mr. Allen reminded the Board that the changes being made were minimal to this golf course. The applicant did not wish to test every time it rained.

On a motion made by Mr. Decaminada, seconded by Mr. Ellrodt the Public Hearing was closed.

Vote: Yes: Decaminada, Rossi, Ellrodt Abstain: Maguire Absent: Gusmano

Mr. Barber was directed to prepare a draft resolution for the Board's consideration on November 25, 2008.

III. REQUEST FOR AN EXTENSION OF TIME

Vincent & Clotilde Farrell, 193 Mead Street, Waccabuc – Cal. #9-06 P.B. (27-06 W.P.)

November 12, 2008

The Board acknowledged receipt of October 28, 2008 request of Tyler Tompkins, CPESC of Evans Associates for a one year extension of time to the Wetland Activity Permit 27-06 W.P.

Mr. Barber advised that he had visited the site and found that the site was stable. The applicant must still install the plantings in the rain garden. He suggested a six month extension of time.

On a motion made by Ms. Maguire, seconded by Mr. Ellrodt the Board granted a 180 day extension of time to the Farrell Wetland Activity Permit 27-06 WP.

Vote: Yes: Decaminada, Rossi, Ellrodt, Maguire Absent: Gusmano

IV. CORRESPONDENCE & GENERAL BUSINESS

Elmwood Homes, LLC

Eric Moss & Sue Haft were present with their attorney, Geraldine Tortorella, Esq.

Mr. Barber advised that he had issued the administrative Wetland Activity Permit; the plants have been installed. He advised that he had spoken with the applicant's consultant who requested permission to install some additional foundation plantings as well as some decorative mulching located within the wetland buffer.

The Board members advised that they had no issues with this request.

Supervisor Edward Brancati and Town Board Members Peter DeLucia and Dan Welsh and Town Clerk Kathy Cory were present for this portion of the agenda.

Proposed Bond Discussion

-10

Mr. Rossi noted that Geraldine Tortorella, Esq. was in attendance and advised that prior to the last meeting when the Elmwood Homes application was discussed he had the opportunity to have several discussions with Mr. Barber and Mr. Praga regarding the possibility of bonding projects when an applicant cannot complete the mitigation requirements in the event of inclement weather. The other Planning Board members had not yet had an opportunity to discuss the issue with counsel.

Mr. Barber reviewed a general model for the Board's consideration. He advised that the Board is considering this option when an applicant is unable to complete a scheduled mitigation plan within the cold months of the year and a Certificate of Occupancy is pending. He suggested that the Board look at this option as method to address an extraordinary circumstance and not make this a matter of rote. The applicant should demonstrate that there is hardship. To establish an appropriate amount of a bond, a cost estimate for labor and materials should be submitted for the consideration of the Board and verification of the wetland consultant. The applicant and Board would then enter into agreement as to what type of bond would be appropriate. Once an agreement is made, the Finance Department would set up an escrow. A resolution would be adopted setting out the parameters as to the

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt Maguire: Absent

Mr. Boera advised that he was in receipt of the letters received from the adjacent property owners.

IV. CORRESPONDENCE & GENERAL BUSINESS

Thistlewaithe Learning Center

Mr. Rossi acknowledged the request to remove a dead tree from the site. Mr. Barber stated that he had noted the tree at his recent site visit and advised that the tree could be removed without any further Planning Board review. The Secretary was directed to follow up with the applicant's architect.

Farrell

The property owner's attorney contacted the Planning Board office for a better understanding of the area to be deed restricted as conditioned in the Planning Board's approval. The Board agreed that Mr. Barber would clarify the area identified in the resolution as the mature forest between the residence and the lake.

Wachtell/Dover

The Board acknowledged receipt of the requests of Mr. Wachtell and Mr. Dover to modify the requirements of their wetland activity permit approvals requiring that their septic systems be pumped and inspected annually. Mr. Rossi advised that the CAC had promoted this and looked at this as good mitigation. The issue is not just to have the septic systems pumped, but this Board wants to ensure that septic failures are caught before they become an issue. He noted that two years ago this requirement brought to light Mr. Wachtell's failing septic system. This is not a condition being placed as a burden, but mitigation agreed to by the applicant.

Mr. Barber advised that septic systems within a wetland buffer pose a greater risk. The recommendation cited by both property owners would be more applicable where there is not a risk factor and where there may be different topography and soil conditions. Septic systems within the buffer pose greater risks to the wetland if they do fail.

Ms. Andersen advised that the Lakes Committee town consultant gave a presentation to the Town Board last Thursday regarding a survey they performed of all seven lakes in Town. Based on their analysis they felt that the largest single source of problems to the lakes were nutrients; the biggest single source of the nutrients are septic systems. It was their recommendation that the Town look to create sewer districts. In addition, the consultant advised that although the soils may be okay from a Board of Health perspective, they were inadequate to handle the phosphorus that is generated by a typical household. Given this information, Ms. Andersen believed that the practice of annual pumping and inspection of septic systems is wise and strongly recommended. She advised that the report which is lengthy and includes an executive summary would be on the Town's website shortly.

December 11, 2012

that the legal notice be published in the official newspaper five days prior to the public hearing. Mr. Praga suggested that the Board consider notifying the neighboring property owners 10 days prior to the public hearing for all applications in an effort to keep them consistent. Mr. O'Donnell believed that 30 days would be more acceptable in an effort to give the neighboring property owners sufficient time to be notified. Mr. Gusmano believed that the Board should have some flexibility when scheduling the public hearings and suggested that 5-10 days is sufficient. The remaining members agreed that 15 days is sufficient.

The Board agreed to the following notification distances:

- Two and Four Acre Zoning Districts 500 feet
- ¹/₄, ¹/₂ and 1 Acre Zoning Districts 250 feet
- Business and Non-Residential Zoning Districts 250 feet

The Board discussed the requirement that a sign be posted on the subject property and determined that the Town should provide the pre-printed signs.

VI. CORRESPONDENCE & GENERAL BUSINESS

Mr. Kerner advised that the Town Board had specified that the webinars were an acceptable form to complete the required education requirements. A total of four hours are required.

Farrell, 189 Mead Street

The Board acknowledged the September 30, 2012 request of Clotilde Farrell to modify the annual requirement to pump out her septic system and agreed that given the circumstances and the information provided in the septic system data form dated August 28, 2012 that pumping the septic system every two years in this instance was acceptable.

Eager Beaver

The Board indicated that they had no objection to the proposed settlement but noted that ultimately it was the responsibility of the Town Board to accept or not accept a settlement agreement. Mr. Praga will contact the Town's counsel and advise him of same.

VII. MINUTES OF November 27, 2012

On a motion made by Mr. Goett, seconded by Mr. Tetelman, the minutes of November 27, 2012 were adopted.

In Favor: Tetelman, Gusmano, Kerner, Goett, O'Donnell

is moving forward positively. It was agreed that a site walk would be most helpful in understanding this application.

Lawrence & Elizabeth Fryer, 15 North Lake Circle, South Salem – Wetland Activity Permit – Cal. #21-06 W.P.

Elizabeth Fryer was present with her landscape architect, Nicholas Pouder.

Mr. Pouder displayed the proposed site plan to renovate and expand an existing two bedroom home. He advised that the applicant is proposing to demolish an existing detached garage replacing it with an attached two car garage with office space. There is no increase in bedroom count. The septic system was repaired approximately 4 years ago. He reviewed the modifications to the interior of the home. He reviewed the NYS DEC wetland setback and the local wetland buffer noting that only a tiny portion in the front of the site is unregulated. He advised that there is a net increase of impervious surface of 200 feet. The existing topography will buffer the views of the home from the road and adjacent properties. He acknowledged receipt of the comments of the CAC and Jay Fain and advised that to mitigate the concerns with the driveway the applicant has agreed to use pavers. He advised that there was not adequate area. The intent of the rain barrel is to collect roof runoff for gardening but was not considered in terms of infiltration.

Mr. Fain reviewed his memo dated June 13, 2006 advising that overall the plan was well done and acknowledged the constraints of the site. This project will require a NYS DEC Wetland Activity Permit. He advised that he needed information with regard to the septic system and agreed that it is important to keep the infiltration system away from the septic system. He advised that a two bedroom septic system is not realistic for today's uses. He noted though that there are expansion area possibilities as this parcel was much larger than most lake parcels. He requested that the applicant submit the As-Built of the septic system.

Mr. Fain noted that there is no mitigation in the form of buffer enhancement. Mr. Pouder advised that the site is well vegetated now and questioned what he was looking for in terms of planting.

Mr. Rossi and Mr. Gusmano expressed concern with the proximity of the addition to the neighboring property. It was noted that the construction would occur within the permitted setbacks. The house is being cut into the hill so the building will not be so visible. He further advised that they did look into doing some plantings but the property is very rocky in this location. They will try to squeeze Mountain Laurel in the pockets.

The Board discussed the possibility of scheduling a site visit.

Lawrence & Elizabeth Fryer, 15 North Lake Circle, South Salem – Wetland Activity Permit – Cal. #21-06 W.P.

Elizabeth Fryer was present with her landscape architect Nicholas Pouder, ASLA.

Mr. Pouder displayed the plans revised in response to the NYC DEP comments advising that these revisions would be included in the next submittal. The biggest concern of the DEP was the infiltrators in the rear. The applicant cannot get a machine in the back to dig a test hole and has proposed to do this after the construction has begun. Mr. Fain advised that he preferred surface basins.

Mr. Pouder advised that he had submitted the application to the NYS DEC and was advised this morning by Rebecca Crisp that the application had been approved. They will submit the written confirmation when received.

Mr. Fain advised that the applicant had been responsive and answered all the comments. He noted that the CAC had requested that a site walk be scheduled and suggested that the Board walk the site this Saturday after another scheduled site visit. He further advised that he had met with Mrs. Fryer prior to the submission of the application and she recognized and understood the constraints of the property. This is a modest proposal which took into account the environmental constraints of the site. There is a net reduction of impervious surface and the septic system had been recently updated.

The Board agreed to schedule the public hearing for November 14, 2006.

III. PROJECT REVIEW

Ryan/Reese Lot Line Change, Knapp Road, South Salem – Cal. #10-06 P.B.

Robert Johnson, LS was present representing the applicants.

Mr. Johnson displayed the proposed plan to divide lot 22 merging half to the easterly portion of lot 21 and half to the westerly portion of lot 23. He reviewed the details of the proposal stating that there are no changes to any existing structure.

It was noted that previously there had been some discussion about the existing utility lines; no changes are anticipated.

Mr. Agresta advised that with the exception of the submission of the Short EAF all of his comments had been addressed and satisfied.

Mr. Johnson distributed the completed EAF. He advised that the property owners had no plans to expand their residences.

this Board visited the site. He suggested that the applicant discuss this application with the NYC DEP early in the process.

Mr. Agresta suggested that the applicant speak with the Highway Superintendent.

Mr. Nastasi gave the Board permission to walk the property. The Secretary would advise when the site walk is scheduled.

Mr. Simone advised that they would try to have a dye test performed prior to the site walk.

VII. SITE WALK REPORTS

Mr. Rossi advised that on October 14, 2006 the five Planning Board members, Jay Fain and Janet Anderson and Ruth Gretz of the CAC visited the Jacobsen site on Cove Road to observe what had occurred with respect to a wetland violation.

Prior to visiting the Jacobsen site, Mr. Rossi reported that the five Board members, Jay Fain, Janet Anderson and Ruth Gretz visited the Fryer residence on North Lake Circle. The applicant's walked them through the property and pointed out where the proposed addition was proposed. This visit gave the Board a good perspective of what was being proposed.

The five Board members, Jay Fain, Janet Anderson, Ruth Gretz and Alan King of the CAC visited the residence at 82 East Street owned by East Street Partners (Rene Centrillo) to observe what had occurred with respect to a wetland violation. In addition a neighbor was present who had ignored the Board when told that he was not permitted on the site. The Board looked at the trees that had been cut and various flows of water on the property as well as a catch basin. The owners were present and told the Board that they would provide as much information as needed. They were told to send this to the Planning Board office as soon as possible to reconvene the hearing.

Mr. Fain advised that a time limit to get the information of 45 days had been given. In addition some statements had been made with regard to the Building Permit aspect. Mr. Fain had requested that the Building Inspector comment on this.

Mr. Decaminada stated that this was a sad situation. The Planning Board observed the number of trees cut and observed the flow of water that came down the hill. This might be a pre-existing condition from the street.

Mr. Ellrodt stated that this might be beyond repair.

Mr. Gusmano stated that he was not sure that the damage was not the result of the existing drainage.

PYER

Meeting of the Planning Board of the Town of Lewisboro held at the Town House, 11 Main Street, South Salem, New York on Tuesday November 14, 2006 at 7:30 P.M.

Present: P.J. Rossi, Chairman Joseph Decaminada (arrived 7:35) John Gusmano Richard Ellrodt Maureen Maguire William Agresta, Matthew D. Rudikoff Associates, Planning Consultant Thomas Altermatt, Town Consulting Engineer Jay Fain, Wetland Inspector Lawrence Praga, Esq., Planning Board Counsel Margaret Clark, Esq., Special Counsel Aimee Hodges, Planning Board Secretary

The Chairman called the meeting to order at 7:30 P.M., pointed out the emergency exits and introduced the Board and its consultants.

I. **DECISIONS**

Vincent & Clotilde Farrell, 193 Mead Street, Waccabuc – Amendment of Final Subdivision Approval (Cal. #1-98 P.B.) & Wetland Activity Permit Approval – Cal. #9-06 P.B.

A resolution will be prepared for the November 28, 2006 Planning Board agenda.

Philip & Linda LaVoie, 81 North Salem Road, Cross River – Amendment of Resolution Cal. #1-02 W.V.

Philip and Linda LaVoie were present.

Margaret Clark reviewed the draft resolution she prepared for the Board's consideration.

On a motion made by Mr. Ellrodt, seconded by Ms. Maguire the resolution Amendment to Resolution, Town of Lewisboro Planning Board was adopted.

Vote: Yes: Gusmano, Rossi, Ellrodt, Maguire Absent: Decaminada

Ms. Clark exited the meeting at 7:30 P.M.

II. PUBLIC HEARING

Lawrence & Elizabeth Fryer, 15 North Lake Circle, South Salem – Application for Wetland Activity Permit Approval to permit the expansion and renovation of an existing one-family residence, demolition of an existing detached garage and section of driveway, reconfiguration of existing driveway, walkway, drainage improvements, landscaping and associated site improvements within the 150 foot regulated wetland adjacent area – Cal. #21-06 W.P.

Mr. Rossi reviewed the public hearing procedures. There were no objections to the time or place of the public hearing and there were no requests to have the notice of Public Hearing read aloud.

Elizabeth Fryer was present with her landscape architect Nancy King of Pouder Design Group.

Ms. King displayed and reviewed the proposal. She reviewed the wetland and wetland buffer. She advised that the existing garage within the NYS DEC Wetland buffer will be removed; a new garage will be attached to the residence. Ms. King reviewed the proposed plantings. She advised that there is 229 SF of additional impervious pavement; the applicant is proposing to use cultec infiltrators or an infiltration garden. The applicant has received the NYS DEC Wetland Activity Permit.

Mr. Fain reviewed his memo to the Board dated November 14, 2006 advising that this application had been extensively reviewed by this Board. What is being proposed is appropriate for the site. He stated that there is a net reduction of impervious surface within the wetland buffer. He advised that the rain garden would be more appropriate for this site rather than an infiltration system. All the comments of the NYC DEP have been addressed. He recommended that the Board consider placing a deed restriction on the property limiting the bedroom count to two bedrooms and include this parcel in the septic management program. He believed that it would be appropriate to require an environmental monitor to monitor the construction. If there were no significant public comment he recommended that the public hearing be closed.

Paul Lewis, 44 Twin Lakes Road, South Salem advised that he had no objections to the application. He advised that he represented the water works and advised that they had met with Mrs. Fryer on Friday. Their concern was that the water main runs under the Fryer property; they believe that it runs parallel with the power line. It was requested that this be noted in the event there are any changes made to the plans.

Mr. Fain advised that he would place a condition on the approval that a note is added reflecting this concern on the plan.

Mrs. Fryer advised that this is a public utility and she does not want to be responsible for locating, mapping, or paying for locating this pipe.

Mr. Fain advised that this could be discussed with the Building Inspector. Whatever New York State required would have to be adhered to.

There were no further comments.

On a motion made by Ms. Maguire, seconded by Mr. Gusmano the Public Hearing was closed.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

A resolution will be prepared for the November 28, 2006 agenda.

Terry & Michael Bocklet, 6 Cove Road, South Salem – Application for a Wetland Activity Permit to permit the renovation of an existing single family residence, decking, walkway and garage, the installation of a new septic system, the removal of a storage shed and associated site improvements within the regulated wetland and 150 foot regulated wetland buffer – Cal. #96-05 W.P. (Reconvened)

Terry Bocklet was present with Beth Evans of Evans Associates.

Ms. Evans displayed the proposed site plan and advised that since last before this Board the applicant had been successful with the Zoning Board of Appeals in resolving the roof overhang over the rear property line in Lake Waccabuc. The applicant had broken down the site plan as requested by Mr. Fain. After the existing shed is removed the applicant will plant the area with native vegetation. A detailed erosion and sediment control plan has been provided. Barry Naderman, PE has provided an engineering plan for the upgrade of the septic system. Ms. Evans has been in contact with Cynthia Garcia of the NYC DEP who indicated that there were no issues. The NYS DEC had issued a notice of complete application; the comment period ended October 6, 2006. One comment letter from NYC DEP Natural Resource Department was received and Ms. Evans advised that she had responded immediately.

Mr. Fain reviewed his memo to the Board dated November 14, 2006 and advised that this application had been extensively reviewed. This Board had visited the site twice. This proposal is a substantial improvement over what currently exists. Significant improvements are proposed to upgrade the existing septic system. There is a net reduction of impervious area. His experience with this applicant has led him to believe that they would be responsible. He reviewed his memo with respect to minor changes that should be made to the plans. He advised that the applicant is currently before the Zoning Board of Appeals for the second story of the garage; he did not believe that this would effect the Planning Board's decision as they are going straight up. If the applicant received a variance for the garage he asked that there be a notation on the plan that there

finish the pergola at this time. It is their intention to finish this work and the applicant is seeking an extension of time to do so. In addition he advised that after the new septic system behind the school building had been graded and seeded it seemed logical to extend the chain link fencing around the playground. In addition a small area of additional pavement was added behind the school building. He advised that he had spoken with the applicant and it was understood that they must reapply for these changes. The applicant expressed concern with obtaining the Certificate of Occupancy so that they might open the new building as soon as possible. It is necessary to amend the Special Use Permit approval as well as obtaining a wetland activity work for the fencing located within the Wetland Buffer.

Mr. Rossi advised that he had several conversations with the Planning Board's attorney as well as Mr. Agresta. It was determined that a Public Hearing would be necessary. He advised the Board members that given that the Christmas season was upon us that he had asked the Planning Board Secretary to notice a Public Hearing for December 19 as the legal requirements required that this notice be sent to the newspaper yesterday. If the Board determined something different this hearing could be cancelled.

Mr. Agresta reviewed the regulations which mandate the public hearing. In addition it was noted that referrals to ACARC, Westchester County Planning Board and NYC DEP would also be required.

To satisfy the legal requirements while understanding that this application was for a fence, Mr. Rossi asked that the Board consider scheduling a special meeting on December 19th to hold the public hearing.

Mr. Decaminada asked for clarification as to what had occurred. Mr. Altermatt advised that after the septic area had been cleared and graded, the contractor fenced in the lawn area without thought.

In response to Mr. Ellrodt's question as to whether a temporary C.O. could be issued, Mr. Agresta advised that if no issues were brought out in the public hearing that the Board could indicate to the Building Inspector that they were relatively satisfied with the compliance of the plans. The issue of the fence around the playground does not have anything to do with the completion of the church building.

In response to a question of Ms. Maguire, Mr. Altermatt advised that the Building Inspector is satisfied with the building's compliance with the approved plans.

The Planning Board agreed to the scheduling of the public hearing on December 19, 2006.

Lawrence & Elizabeth Fryer – Cal. #21-06 W.P. Terry & Michael Bocklet – Cal. #96-05 W.P.

Mr. Fain distributed the draft decisions. He advised that Planning Board counsel was unable to review these documents prior to this meeting. These decisions will be placed on the December 12, 2006 agenda.

II. PROJECT REVIEW

Lewisboro Volunteer Ambulance Corp., applicant (Town of Lewisboro, owner of record), 779 Route 35, South Salem – Site Development Plan Review – Cal. #12-06 P.B.

Jerome Kerner, architect and Bob Stoddard a member of LVAC were present.

Mr. Kerner displayed the proposal and reviewed the facility as it exists. He advised that they are proposing to place the addition to the south of the existing structure and replace an existing patio. All activity proposed is located outside of the regulated wetland buffer. The meeting space is proposed for training sessions and is not available for use by the general public. Sufficient parking exists on the site.

Mr. Agresta reviewed his memo to the Board dated November 21, 2006. He noted that a box trailer was currently located on site which is not permitted.

Mr. Stoddard advised that this trailer is used for storage and would no longer be necessary once the expansion to the current building is complete.

Mr. Agresta concurred that there is sufficient parking spaces. He advised that he was confident that the setbacks were fine but asked that the plans be more specific. With regard to the septic system and water supply he advised that typically when a building is enlarged it usually means that there is increased usage. He requested that the applicant document that the expansion would not increase the usage of the septic system.

Mr. Altermatt agreed and asked that the applicant obtain a statement from the Westchester County Department of Health as they are the experts in this area. He further asked that the applicant identify septic expansion areas.

Mr. Rossi stated that given that this addition was for increased storage and meeting space and not for rental space he was not overly concerned. If the law states that Health Department input is required then the applicant should do so.

Mr. Kerner advised that Cynthia Garcia of the NYC DEP had reviewed her records and suggested that he continue to use the infiltrator as had been previously requested for the 1999 Bell Atlantic application for a proposed storage shed.

Mr. Agresta advised that the plans should be adapted and sized for this addition. The dimensions previously approved by the NYC DEP were for a utility box.

Aline Polimeni was present with Timothy Wetmore, architect and her contractor Vagner Poloniato.

Mr. Wetmore distributed photographs of the driveway entrance advising that it is currently in disrepair. He reviewed the proposal to construct a wrought iron fence, stone walls and piers on an existing driveway crossing over a stream and wetland.

Mr. Fain reviewed his memo to the Board dated November 28, 2006 and questioned whether the applicant would consider just installing the fence. He expressed concern with digging footings for the wall into the culvert. The area is tight; utilities exist in the area but are not shown on the plans. He stated that keeping the disturbance to a minimum would be best. He advised that the Fire Departments had asked to review applications for driveway entrances to ensure that they have access into the property. In addition he suggested that the applicant review this proposal with NYS DEC. Mr. Fain advised that his main concern was minimizing the amount of disturbance during construction. The stonewall being proposed is strictly for aesthetics, it is not a retaining wall.

Mr. Poloniato advised that the property owner is concerned with sliding into the culvert during icy conditions.

The Secretary was directed to forward the proposal to the South Salem Fire Department for their review and comment.

IV. MINUTES OF November 14, 2006

On a motion made by Mr. Ellrodt, seconded by Ms. Maguire the minutes of November 14, 2006 were adopted.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

V. CORRESPONDENCE & GENERAL BUSINESS

Elizabeth Fryer

The Board acknowledged receipt of the November 28, 2006 e-mail from Liz Fryer. It was agreed that this is not a matter for the Planning Board but between the homeowner and the Twin Lakes Water Works.

Sunny Yethirajam

The Board acknowledged receipt of the November 22, 2006 request to speak briefly to the Board regarding his proposal to purchase and renovate the Sunoco Service Station in Vista.

PYER

Meeting of the Planning Board of the Town of Lewisboro held at the Increase Miller Elementary School, 186 Waccabuc Road (Route 138), Goldens Bridge, New York on Tuesday December 12, 2006 at 7:30 P.M.

Present:

P.J. Rossi, Chairman
Joseph Decaminada
John Gusmano
Richard Ellrodt
Maureen Maguire
William Agresta, Matthew D. Rudikoff Associates, Planning Consultant
Thomas Altermatt, Town Consulting Engineer
Jay Fain, Wetland Inspector
Lawrence Praga, Esq., Planning Board Counsel
Aimee Hodges, Planning Board Secretary

The Chairman called the meeting to order at 7:30 P.M., pointed out the emergency exits and introduced the Board and its consultants.

I. **DECISIONS**

Lawrence & Elizabeth Fryer, 15 North Lake Circle, South Salem – Wetland Activity Permit – Cal. #21-06 W.P.

Mr. Fain reviewed the draft resolution he prepared for the Board's consideration.

On a motion made by Mr. Gusmano, seconded by Mr. Ellrodt the resolution issuing a Negative SEQR Declaration and Wetland Activity Permit Approval Lawrence & Elizabeth Fryer was adopted.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

Terry & Michael Bocklet, 6 Cove Road, South Salem – Wetland Activity Permit – Cal. #96-05 W.P.

Mr. Fain reviewed the draft resolution he prepared for the Board's consideration.

On a motion made by Mr. Ellrodt, seconded by Ms. Maguire the resolution issuing a Negative SEQR Declaration and Wetland Activity Permit Approval Terry & Michael Bocklet was adopted.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

II. PUBLIC HEARING

Boniello Land & Realty, Ltd, Route 138, Goldens Bridge – Preliminary Subdivision application & Wetland Activity Permit Approval for an 11-lot residential subdivision known as "Falcon Ridge", creation of three common area development restricted parcels totaling 41 acres (43% of overall site) and approximately 2,900 linear feet of public road right-of-way including a

With regard to a concern of Ms. Maguire regarding the site distance of the existing West Road entrance, Mr. DeLalla advised that this access will be significantly improved over what currently exists.

Mr. Rossi apologized for the lack of input regarding the wetland issues this evening and advised that as soon as a wetland consultant is retained by the Town that the review of the wetland functional analysis would be one of the first priorities. The applicant could expect to receive a review of this document shortly. Any comments the applicant had with regard to this review could be discussed directly with the Town's wetland consultant. He stated that this is a much better project today than it was a year ago.

Mr. Agresta advised that once the outstanding issues were addressed that this matter would be referred to ACARC and the Zoning Board of Appeals.

II. DECISIONS

Lawrence & Elizabeth Fryer, 15 North Lake Circle, South Salem – Wetland Activity Permit – Cal. #21-06 W.P. – Amendment to previous approval

Mr. Rossi advised that Mrs. Fryer had brought to the Board's attention that there was a small omission regarding a condition (#13) requiring that the house remain a two bedroom residence. This resolution amended the previous approval by stating "that the house remains as a two bedroom dwelling, *unless or until such time as public sewers become available.*"

On a motion made by Mr. Ellrodt, seconded by Ms. Maguire the Amendment to Resolution, Lawrence & Elizabeth Fryer, Negative Declaration, Wetland Activity Permit Approval, Cal. #21-06 W.P. was adopted.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

Town of Lewisboro, Leon Levy Preserve, 53 Smith Ridge Road, (NYS Route 123), South Salem – Final Subdivision Approval – Cal. #8-06 P.B.

Mr. Agresta reviewed the draft resolution he prepared for the Board's consideration.

Although a separate application for the parcel across the street, Mr. Rossi questioned where the Reifenheiser lot line change application stood.

Mr. Agresta noted that this was a separate application not in any way a part of this application but a part of the overall Leon Levy Preserve. This Board had determined that the application for the lot line change could not be processed due to the variances required. It was his understanding that the Reifenheisers had made an application to the Zoning Board of Appeals. He noted that this Board was in receipt of some communication from the ZBA referring the matter back to the Planning Board without granting any variances. Without the variance the Planning Board had no authority to grant approval to the application for a lot line change. This is an issue between the Reifenheisers and the Town Board.
Fryer

The Board acknowledged receipt of the correspondence from Elizabeth Fryer and agreed that the consultants are responsible to justify their time.

Wachtell

The Board acknowledged receipt and discussed the March 27, 2007 correspondence from Marc Wachtell. It was noted that the condition requiring annual pumping and maintenance of the septic system was part of the mitigation for the wetland activity permit issued to Mr. Wachtell to increase the size of his home and that the Board must be consistent.

Mr. Barber advised that scientifically this requirement is a responsible stewardship of septic systems. He advised that he would draft a response and have counsel review it prior to sending.

Cross River Plaza Drainage

Mr. Decaminada acknowledged receipt of the March 29, 2007 letter from Bibbo Associates advising that the site improvements were substantially complete. He requested that a representative of the applicant represent that the School District is satisfied with the work.

Mr. Rossi suggested that Mr. Decaminada draft his concerns and forward them to the Secretary to be incorporated in a letter to the applicant.

South Salem Library

The Board acknowledged receipt of and discussed the March 30, 2007 correspondence from Renee Purse, Vice President of the South Salem Library Board of Trustees. Mr. Praga and Mr. Agresta will review the code and advise as to proper procedure.

On a motion made by Ms. Maguire, seconded by Richard Ellrodt the Board entered into Executive Session with their counsel Lawrence Praga, Esq. and Town Attorney Jessica Bacal, Esq. under Attorney/Client Privilege at 9:37 P.M.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

On a motion made by Ms. Maguire, seconded by Mr. Gusmano the Board exited the Executive Session at 11:10 P.M.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

May 19, 2008

Page 3

Ms. Clark reviewed the draft agenda she prepared for the Board's consideration noting that this resolution outlined the chronology of events. Ms. Clark reviewed the findings of the Board with regard to the violations and penalties imposed noting that there was no finding made nor fine set for the cutting of trees that the were not viable as indicated by the property owner.

On a motion made by Mr. Ellrodt, seconded by Mr. Gusmano the resolution Violation of Wetland and Watercourse Law, Bradford & Bonnie Klein, Cal. #8-07 W.V. was adopted.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt No: Maguire

II. CORRESPONDENCE & GENERAL BUSINESS

Fryer – Cal. #21-06 WP

The Board acknowledged receipt of Elizabeth Fryer's request to amend her wetland permit as outlined in her May 6, 2008 correspondence.

Mr. Barber recommended that as a first step that he visit the site to assess the request at which time he would be able to make his recommendations to the Board.

Mr. Rossi noted that the removal of the garage was given as mitigation for the permit. He further noted that the Planning Board may also need to schedule a site walk.

Fennelly – Cal. #35-04 W.P.

The Board acknowledged receipt of Katharine Fennelly's request dated April 26, 2008 wherein she requested that she not be required to comply with the requirement to have her septic system pumped this calendar year.

Mr. Barber advised that this is one of three requests made of the Board regarding compliance with the requirement to pump a septic system on an annual basis. Previously the Board has sustained this requirement.

Mr. Gusmano advised that he believed that the Board should look into this requirement given the cost to pump a system that may not have to be pumped.

Mr. Barber noted that this requirement served as mitigation for a Planning Board approval. His experience has been that this condition is set because of marginal septic systems not up to today's standards. It may be desirable to consider an interim step in the future whereby a licensed septic system contractor is required to inspect the system and determine whether the system should be pumped. This is a requirement that the Planning Board felt was important not only as mitigation but as a way to reduce phosphorous into receiving waters within the lake communities. This should be looked at carefully prior to setting up any alternative.

Mr. Pavalow advised that he had identified and prioritized projects that the Town Board wanted to accomplish and questioned whether it would be helpful to pass this on to the Planning Board as well as the other Boards and was advised by Mr. Rossi that it would be in terms of communication and long term planning goals.

Mr. DeLucia suggested that quarterly meetings be scheduled with alternate members of the Town, Planning and Zoning Boards.

Mr. Brancati reviewed projects that the Town Board was working on; emergency communication system, the library, the Town Board had met with the NYS DOT with respect to concerns on state roads and workforce housing.

There was a discussion with regard to the Houlihan agreement and how the Town was trying to achieve compliance.

VII. CORRESPONDENCE & GENERAL BUSINESS

Farvue Farm

Mr. Agresta advised that for 50 plus years there has been a radio communication antenna for LVAC located in an existing water tower. The structure is being rehabilitated by the property owner and the plan is for the Town to utilize this structure as the radio facilities and will share the antenna with LVAC. In order to accomplish this goal the antennas must be upgraded. This modification requires a Special Use Permit and an application will be forthcoming to this Board.

Fryer, Waccabuc Country Club & Nastasi Wetland Activity Permits

Mr. Barber advised that he had taken a look at the Fryer site in connection with her request to not demolish the garage and reduce the driveway and suggested that this Board visit the site and asked for guidance from the Board in terms of what they would like to see in terms of developing a revised plan. The Board set the site visit for June 21st at 8:45 AM.

The Board set the site visit for Waccabuc Country Club on June 21st at 9:30 AM.

Mr. Barber noted that the approving resolution did not reference the final set of plans submitted by the applicant's architect and requested the Board's approval to modify the approval. The Board agreed with the request.

VIII. MINUTES of May 27, 2008

Ms. Maguire noted the omission of the word "to" on page four.

On a motion made by Mr. Ellrodt, seconded by Ms. Gusmano the minutes of May 27, 2008 were adopted as amended.

June 24, 2008

Mr. Barber reviewed his memo to the Board dated June 20, 2008. He advised that it was not clear whether the driveway was gravel and advised that the report indicated that the infiltrator would be picking up runoff from a pervious driveway surface and roof surface.

Mr. Allen advised that they were pitching the driveway towards the middle to a catch basin. He will provide a profile.

Mr. Barber indicated that because of the infiltration being proposed that he would like a soils analysis as well as having Mr. Altermatt review the engineering aspects. He asked that the applicant consider an alternative to the infiltrator which would not require maintenance.

Mr. McNamara advised that he had a sketch of the septic system which he would send to the Planning Board office.

Mr. Allen advised that they looked into the suggestion of a rain garden and noted that the septic system seriously constrained the back of the property. Additionally there is a ditch which runs along the property which takes road runoff. The infiltrator overflow and footing drains are designed to take discharge to an area which already receives water.

Mr. Barber questioned whether they would consider planting this swale in some type of rain garden approach.

Mr. McNamara advised that it is not his property.

Mr. Decaminada asked for clarification with regard to the proposed floor plan.

The Board scheduled a site visit for Saturday July 12th. The Secretary will contact the applicant when the time is determined.

VI. SITE WALK REPORT

Fryer, 15 North Lake Circle, South Salem

Mr. Rossi advised that on Saturday June 21st the five Board members and Mr. Barber visited the Fryer house which is almost complete. Mrs. Fryer had requested some changes to her approval one of which was to keep the existing garage. He noted that the construction looked great and it was his opinion that the applicant was not looking for a lot. The garage which would be remodeled to look like the new construction would not have any running water. They are proposing to remove some of the approved impervious surface. In addition they discussed an electrical line over the property and she will ask to see if this could be buried.

Mr. Ellrodt advised that it was stipulated that there would not be an apartment. In addition they will deal with the drainage from the garage.

Ms. Maguire recalled that the CAC had some concerns with the garage because of its proximity to a right of way and asked for copies of the previous CAC comment memos.

Page 8

Mr. Barber advised that he had requested a conceptual plan. He asked that they look at memorializing the easement on a plan as well as treatment for the garage roof. When the plan is received, he will review it and provide a memo to this Board.

Mr. Rossi commended Mrs. Fryer for coming to this Board for an amendment prior to doing the work rather than coming back for forgiveness.

VII. MINUTES OF June 10, 2008

Mr. Ellrodt noted three typographical errors on pages three and four.

On a motion made by Mr. Ellrodt, seconded by Mr. Gusmano the minutes of June 10, 2008 were adopted as amended.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

VIII. CORRESPONDENCE & GENERAL BUSINESS

Mr. Barber noted that the Building Department had advised that the propane storage tank on the Bocklet property could not be located within ten feet of an existing structure. The Board agreed that Mr. Barber could handle this matter.

Ms. Maguire asked that they determine the real use of the "garage" and properly identify this structure on the approved plans.

The Board briefly discussed the materials submitted by Peter Barrett with regard to wood furnaces. The Board directed Mr. Agresta to draft a letter to the Town Board advising that this Board had reviewed the materials submitted to them by Mr. Barrett. Given the potential impact to the neighbors, the Town and for safety considerations, it is this Board's recommendation that the Town Board consider legislation which would regulate the use of wood furnaces.

Mr. Rossi advised that he is discussing the request to film Planning Board meetings with the Board's legal counsel.

The Board briefly discussed the e-mail from Harvey Kipnis with respect to his objections to the HART proposal to utilize the parking lot at the South Salem Presbyterian Church. Given that there is no application before this Board they are unable to comment. The Secretary was directed to speak with the Supervisor to determine if the Town Board was going to respond.

The Board briefly discussed the June 17, 2008 correspondence from Paul Gallay, Executive Director of the Westchester Land Trust with respect to the Falcon Ridge Subdivision.

Mr. Rossi advised that he had discussed the matter regarding the bridge associated with the Wild Oaks WWTP upgrade with Mr. Praga who advised that there was no action for this Board to take at this juncture as the bridge is located within North Salem.

Meeting of the Planning Board of the Town of Lewisboro held at the Town House, 11 Main Street, South Salem, New York on Tuesday January 13, 2009 at 7:30 P.M.

Present:

P.J. Rossi, Chairman Joseph Decaminada John Gusmano Richard Ellrodt Jan Johannessen, Kellard Sessions Consulting, Planning Consultant Ryan Coyne, Kellard Sessions Consulting, Town Consulting Engineer Bruce Barber, Interim Wetland Inspector Lawrence Praga, Esq., Planning Board Counsel Margaret Clark, Esq., Special Counsel Janet Andersen, CAC Chair Joe Tansey, CAC Aimee Hodges, Planning Board Secretary

Absent: Maureen Maguire

The Chairman called the meeting to order at 7:30 P.M., introduced the Board and its consultants and pointed out the emergency exits.

I. REQUESTS FOR EXTENSION OF TIME

Laurent & Carroll Raynor Paulhac, 65 Chapel Road, Waccabuc - Cal. #3-08 W.V.

Mr. Rossi previously recused himself from this matter and stepped down from the podium.

Carroll Raynor Paulhac was present.

Mr. Decaminada stepped in as acting Chairman and noted that that the previous extension of time expired December 14, 2008; the request for an extension was received by the Planning Board office December 4, 2008.

Mrs. Paulhac requested an additional 60 days from the resolution date which would provide sufficient time to work with the Town's Wetland Inspector.

After a brief discussion the Board agreed to grant an additional 90 day extension of time given the weather conditions. This extension should allow sufficient time to install the planting materials required in the Planning Board's resolution.

On a motion made by Mr. Ellrodt, seconded by Mr. Gusmano the Planning Board granted an extension to April 14, 2009 to comply with the Planning Board resolution dated October 28, 2008.

Vote: Yes: Decaminada, Gusmano, Ellrodt Abstain: Rossi Absent: Maguire

Lawrence & Elizabeth Fryer, 15 North Lake Circle, South Salem – Cal. #21-06 W.P.

January 13, 2009

Elizabeth Fryer was present.

Mr. Rossi acknowledged receipt of the December 12, 2008 correspondence from Elizabeth Fryer requesting an extension of time to complete the conditions of Wetland Activity Permit 21-06 W.P. which expired January 9, 2009.

On a motion made by Mr. Gusmano, seconded by Mr. Ellrodt the Planning Board granted an additional 120 day extension of time to Wetland Activity Permit 21-06 W.P.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt Absent: Maguire

Guiliermo Arias & Lexus Holding Company, LTD, 411 Smith Ridge Road, Vista – Subdivision - Cal. #9-04 P.B.

Mr. & Mrs. Guiliermo Arias were present with their attorney Michael Fuller Sirignano, Esq.

Mr. Rossi acknowledged receipt of the December 9, 2008 request of Michael Sirignano, Esq. requesting an extension of time to the Preliminary Subdivision Plat approval granted June 19, 2008. Mr. Sirignano advised that there was some additional survey work to be done. In addition, he advised that they were waiting for some additional documents from the co-applicant.

On a motion made by Mr. Decaminada, seconded by Mr. Gusmano the Planning Board granted a 120day extension of time to comply with the conditions of the Planning Board resolution dated June 19, 2008 issuing Preliminary Subdivision Plat Approval.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt Absent: Maguire

> Michelle Estates Sewage Works Corp. (Michelle Estates Homeowners Association) – Site Plan Approval & Wetland Activity Permit Approval – Cal. 33-85 P.B.

Paul Bassette, PE was present representing the applicant.

Mr. Rossi acknowledged receipt of the December 10, 2008 correspondence from Joshua LaPlante, Malcolm Pirnie requesting an extension of time to the Site Development approval.

Mr. Bassette explained that during the bidding process minor changes had been made to the approved plans. He described all modifications as minor and noted that the modified plans had been submitted to the Planning Board.

Mr. Johannessen agreed that the modifications were minor. After some discussion, it was agreed that the Board would entertain the request for changes to the plans at the January 27, 2009 meeting. Mr. Johannessen was directed to prepare a memo and draft resolution for the Board's consideration.

Meeting of the Planning Board of the Town of Lewisboro held at Onatru Farm, 99 Elmwood Road, South Salem, New York on Thursday January 29, 2009 at 7:30 P.M.

| Present: | P.J. Rossi, Chairman John Gusmano Maureen Maguire Bruce Barber, Interim Wetland Inspector Aimee Hodges, Planning Board Secretary |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------|
| Absent: | Joseph Decaminada Richard Ellrodt |

The Chairman called the meeting to order at 7:34 P.M., introduced the Board, Mr. Barber and the Secretary and noted the emergency exits.

I. **DECISION**

Lawrence & Elizabeth Fryer, 15 North Lake Circle, South Salem – Amendment to Wetland Activity Permit Approval – Cal. #21-06 W.P.

Elizabeth Fryer was present.

Mr. Rossi advised that this was a special meeting held to consider the resolution prepared to amend the wetland activity permit approval previously granted to Lawrence and Elizabeth Fryer. In addition, the Board had asked that Mrs. Fryer provide proof that the lease for the house they had been renting was expiring and the reason for this meeting this evening.

Mr. Barber advised that the as-built map submitted on Tuesday required additional information. After conveying this to Mrs. Fryer, the surveyor went back to the site and revised the map. The map before the Board this evening was revised January 29, 2009 and reflects the condition in the original approval. Mr. Barber prepared a letter to the Board dated January 29, 2009 which outlined the changes to the approved planting plan. It was his opinion that the changes were minor and did not represent a substantial environmental impact; the substitutions were native species and adequate.

Mr. Barber reviewed the draft resolution he prepared for the Board's consideration.

In response to a question of Mr. Barber, Mrs. Fryer advised that there were no plantings or mitigation installed outside of her property boundary.

On a motion made by Mr. Gusmano, seconded by Ms. Maguire the resolution Second Amendment to Resolution, Lawrence & Elizabeth Fryer, Negative Declaration, Wetland Activity Permit Approval, Cal. #21-06 W.P. was adopted.

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Vote: Yes: Gusmano, Rossi, Maguire Absent: Decaminada, Ellrodt

II. CORRESPONDENCE & GENERAL BUSINESS

Mr. Rossi discussed the placement of the proposed cluster ordinance and amendments to the wetland ordinance referred by the Town Board on future Planning Board agendas. It was agreed that the cluster ordinance would be discussed by the Planning Board on February 10, 2009. After the proposed revisions to the wetland ordinance have been distributed, the Board would then schedule their discussion on the amendment on the following agenda.

On a motion made by Ms. Maguire, seconded by Mr. Gusmano the meeting was adjourned at 7:57 P.M.

Respectfully submitted,

Aimee M. Hodges Planning Board Secretary

June 24, 2008

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Mr. Allen advised that the applicant would like to start this project by August. The applicant would like to have the stormwater permit released as soon as possible to get the work done with respect to the tee boxes. To do so, they will address all of Mr. Barber's comments with regard to the non-wetland areas. He advised that he had just received the topography with respect to the pond areas. The Club is cognizant of the comments made by the Board and the CAC with regard to flash flooding; this will be incorporated into the wetland plans.

Mr. Barber advised that the proposal and site visit had been described adequately. Given that collectively there is over one acre of disturbance being proposed there is a need for a Stormwater Permit from the NYS DEC and the Town. His memo dated June 20, 2008 to the Board is thorough and did not see the need to review it. He advised that he discussed with the Board's counsel the applicant's desire that this Board consider the Stormwater Permit first and some later date review the wetland portion of the proposal. It was Mr. Praga's opinion that because there is knowledge of the entire project that under SEQR it was important that this Board consider the entire project. It would be appropriate if the Board wished to phase the approvals.

Mr. Rossi advised that this was a common sense approach as he preferred that the applicant was forthcoming with everything they wish to accomplish rather than coming in piecemeal to keep it under certain thresholds.

With regard to SEQR, Mr. Barber advised that what the applicant has presented is adequate.

Noting the time constraint the applicant was under Mr. Rossi encouraged them to quickly resubmit the materials and further advised that they needed to ensure that procedurally everything was done correctly. He questioned whether there was a need for a public hearing with respect to the Stormwater Permit.

Mr. Allen advised that he would fax a memo with respect to the fertilizer to the Planning Board office.

Mr. Barber asked that the areas being fertilized are memorialized on the plans.

Mr. Rossi advised that this Board would be willing as they have in the past to schedule an additional meeting if necessary.

Terence & Cynthia McNamara, 59 East Street, Vista – Application for Wetland Activity Permit Approval – Cal. #33-08 W.P.

Terence McNamara was present with his landscape architect Glen Ticehurst of Benedek & Ticehurst and engineer Tim Allen, PE of Bibbo Associates.

Mr. Ticehurst displayed the proposal to construct an addition to an existing residence within the wetland buffer noting that there would be no increase in the number of bedrooms. He reviewed the proposed mitigation which would create a fifteen foot buffer area along the wetland proper to serve as a filter. He noted the no mow area proposed which would be planted with a wetland seed mix and advised that no trees would be removed.

June 24, 2008

Mr. Barber reviewed his memo to the Board dated June 20, 2008. He advised that it was not clear whether the driveway was gravel and advised that the report indicated that the infiltrator would be picking up runoff from a pervious driveway surface and roof surface.

Mr. Allen advised that they were pitching the driveway towards the middle to a catch basin. He will provide a profile.

Mr. Barber indicated that because of the infiltration being proposed that he would like a soils analysis as well as having Mr. Altermatt review the engineering aspects. He asked that the applicant consider an alternative to the infiltrator which would not require maintenance.

Mr. McNamara advised that he had a sketch of the septic system which he would send to the Planning Board office.

Mr. Allen advised that they looked into the suggestion of a rain garden and noted that the septic system seriously constrained the back of the property. Additionally there is a ditch which runs along the property which takes road runoff. The infiltrator overflow and footing drains are designed to take discharge to an area which already receives water.

Mr. Barber questioned whether they would consider planting this swale in some type of rain garden approach.

Mr. McNamara advised that it is not his property.

Mr. Decaminada asked for clarification with regard to the proposed floor plan.

The Board scheduled a site visit for Saturday July 12th. The Secretary will contact the applicant when the time is determined.

VI. SITE WALK REPORT

Fryer, 15 North Lake Circle, South Salem

Mr. Rossi advised that on Saturday June 21st the five Board members and Mr. Barber visited the Fryer house which is almost complete. Mrs. Fryer had requested some changes to her approval one of which was to keep the existing garage. He noted that the construction looked great and it was his opinion that the applicant was not looking for a lot. The garage which would be remodeled to look like the new construction would not have any running water. They are proposing to remove some of the approved impervious surface. In addition they discussed an electrical line over the property and she will ask to see if this could be buried.

Mr. Ellrodt advised that it was stipulated that there would not be an apartment. In addition they will deal with the drainage from the garage.

Ms. Maguire recalled that the CAC had some concerns with the garage because of its proximity to a right of way and asked for copies of the previous CAC comment memos.

July 29, 2008

would ever come to be. He advised that there is asbestos involved with the building they wished to keep and was not sure it was feasible as it was directly in the wetlands.

Mr. Gusmano noted that the whole site is heavily disturbed and believed that they should leave the building as removing it would be a disaster and as long as it never became an accessory apartment.

Mr. Decaminada agreed with Mr. Gusmano and advised that the applicant had stated on the record that it would not be an accessory apartment but would be a greenhouse. He stated that the property is dilapidated and with his good efforts he should be permitted to continue.

Ms. Maguire agreed that is incredibly dilapidated and was hopeful that the applicant can clean up the area as the neighbors are being impacted.

Mr. Rossi echoed what had been said and advised that the purpose of the site walk was to see the status. He expressed concern that if this Board pushed hard to take away the greenhouse that they may end up with a dilapidated state in perpetuity. His larger concern is that this does not become living space. He would encourage Mr. Kola to move forward with this application.

Woodstead

Ms. Maguire advised that the Board and Mr. Barber visited the Woodstead property at 18 Birch Road where they are proposing a two car garage, half of which is located within the wetland buffer. What was noted was the elevation change between the area of the garage and the wetland. They noted the proximity of the neighbor and asked that the applicant reach out to him and ask that he provide a letter stating that he had no objections to the application. The Board asked the applicant to write a letter stating that the garage would never become an apartment or an additional bedroom. It was noted that both letters were received.

Mr. Barber advised that subsequent to the site walk he had met with Mr. Woodstead who indicated that he would not be including the slop sink in this submittal; just heat and air conditioning. In addition he will address the runoff.

Mr. Rossi reviewed the history of this application noting that the Board had previously agreed that this application would be handled administratively.

McNamara

Mr. Decaminada advised that the Board and Mr. Barber then visited the McNamara residence where they are proposing a 960 SF addition which would be basically a family room. It was noted that there is a NYS DEC wetland but all activity would be occurring outside of the DEC wetland regulated area.

Mr. Ellrodt advised that they indicated their willingness to treat all stormwater runoff.

IV. WETLAND VIOLATIONS

Laurent Paulhac & Carol Raynor-Paulhac, 65 Chapel Road, Waccabuc -

Mr. Rossi asked that the plans clearly indicate what is being stored in the buildings and asked that this matter be referred to the South Salem Fire Department.

Mr. Barber reviewed his memo to the Board dated September 3, 2008 and advised that he had confirmed the wetland boundary noting that the wetland delineation is reasonably accurate. It was his recollection that during the site walk it was agreed that the stockpile material would be removed from the regulated area and that the disturbed area in the wetland buffer was to be restored with native plant material.

Mr. Vreeland advised that they are proposing to build a split rail fence along the contours that runs along the driveway to prevent any maintenance activity in the regulated area.

Mr. Barber stated that during the site walk there had been a discussion regarding a management plan for materials being stored in permanent structures located within the wetland buffer.

Mr. Vreeland advised that the applicant had switched to a corn based deicing system. As a result there has been a major reduction in the pollution of the wells. The petrol storage tanks are fully in compliance with the Westchester County bulk storage requirements. He noted that all of these questions are answered in his October 2007 memo. In response to a comment in Mr. Johannessen's memo he advised that the lots had been merged by the Board several years ago but the two lots existed for tax purposes.

Mr. Johannessen reviewed his memo to the Board dated September 5, 2008 and advised that Mr. Kunny had reviewed the calculations and had some questions with regard to the cultic unit.

Mr. Rossi questioned whether Mr. Johannessen's memo suggested that this application be reviewed by the Zoning Board of Appeals with respect to a comment which noted that there were buildings located within the required setback.

Mr. Johannessen advised that it did not; he was looking for the applicant to revise the Bulk Zoning Table. He noted that there was a large trash compactor not shown on the plans which should be screened.

III. SKETCH PLAN REVIEW

Terence & Cynthia McNamara, 59 East Street, Vista – Application for Wetland Activity Permit Approval – Cal. #33-08 W.P.

Terence McNamara was present.

Mr. McNamara displayed and reviewed the proposed plan to construct a three car garage within an existing parking area. This proposal would expand the master bathroom; add a laundry room, family room and a powder room. He noted the NYS DEC and Town of Lewisboro wetland buffers.

Ms. Anderson reviewed the September 4, 2008 memo prepared by the Conservation Advisory Council who expressed concern that most of the proposed addition fell within the regulated wetland

September 9, 2008

buffer. In addition the CAC expressed concern that the applicant has proposed to consider the space between the septic existing trenches as the septic expansion area and asked whether this is feasible as well as feasible this close to a watercourse. They encouraged the Planning Board to consider adding this property to the annual septic maintenance program. The CAC has requested that the mitigation and no mow zone be expanded.

Mr. Barber reviewed his memo to the Board dated September 3, 2008 and advised that as there are NYS DEC Wetlands on the site that the applicant will need to submit a survey with a NYS DEC validation block. He advised that there had been a request for a waiver of the requirement of the spot topography and elevations. He believed that because the post construction grading runoff may affect water concentration unto adjacent properties he suggested that the Board not grant the waiver but define those of areas of proposed disturbance only. He requested that the Town Engineer review the septic system to ensure that the proposal for the expansion area is appropriate as well as reviewing the proposed infiltrator.

Mr. McNamara advised that the existing contours are clear on the map but will do what has been requested. It was not clear what had been requested with item 2. The report prepared by Bibbo stated that the proposed infiltration system will take runoff from 1026 s.f. of existing roofing, the new 960 s.f. roof as well as the existing 230 s.f. driveway reducing two thirds of roof runoff currently running into the grass swale with the exception of the overflow. The overflow is calculated on the ten year storm. Mr. McNamara displayed photographs taken of the swale on Saturday after 6.24 inches of rain noting that there is no sign of erosion or debris on the grassy surfaces. He advised that he would duplicate these photographs and submit them to the Board. He advised that he would be submitting plans stamped and signed by an architect prior to the approval of the Board.

Mr. Barber asked that the applicant submit Parts II and III of the EAF.

Mr. McNamara advised that the plans have been submitted to the NYS DEC; an application has not been submitted as it may not be required.

Mr. Barber suggested that he verify whether or not the stream channel is within the NYS DEC jurisdiction.

The Board took a seven minute break at 10:08 P.M. and Mr. Praga exited the meeting at the completion of his services for the evening.

The meeting resumed at 10:15 P.M.

IV. WETLAND VIOLATIONS

East Street Partners, LLC, 82 East Street, Vista - Cal. #4-06 W.V.

Renee & Mark Centrillo were present.

Ms. Clark advised that this violation originated August 2006. There were two appearances September 2006 and September 2007. The Board walked the site on September 8, 2007. The Board agreed to

Mrs. Fryer displayed and submitted a sketch of an as-built with elevations.

Mr. Rossi advised that if time allowed the Board would enter into an executive session this evening allowing for a decision to be prepared for the next meeting.

IV. SKETCH PLAN REVIEW

Terence & Cynthia McNamara, 59 East Street, Vista – Application for Wetland Activity Permit Approval – Cal. #33-08 W.P.

Terence McNamara was present.

Mr. McNamara displayed the recent site plan noting that a rain garden would not have worked; a water quality swale is now being considered to collect water from the leaders, gutters and driveway runoff into the infiltration system. He submitted a written response to the consultant comments.

Mr. Coyne reviewed his memo dated January 9, 2009 to the Board advising that he had spoken with Joe Buschynski, the project engineer regarding his minor comments. His main concern was with the separation distance between the water quality swale and the septic system as it did not seem to comply with the Westchester County Department of Health separation distances. Mr. Buschynski indicated that he would speak with the Health Department; it may be that the swale would have to be moved or eliminated. In the event that the Health Department agreed to the location, he would be okay with it as well.

Mr. Barber reviewed his memo to the Board dated January 8, 2009 and advised that his remaining comments were minor. He noted that the applicant has allowed for an area to be naturalized with native vegetation. He discussed the possibility of a discharge area in the northwest corner of the site in the event that they would not be able to install the swale because of the separation requirements. The applicant has advised that they would be installing the mitigation plantings at some point during the summer and fall. He noted that there is note from Peter Barrett, Building Inspector indicating that he had reviewed the plans and that there is no action required by the Zoning Board of Appeals. In addition, the Building Inspector has forwarded a notice from the Westchester County Department of Health and indicated that this project by definition did not meet the definition of major expansion.

Ms. Andersen referred to the CAC memo dated January 7, 2009 and noted that the Building Inspector's response answered their question with regard to whether this project met the new criteria from the Health Department with respect to "major expansion." The CAC questioned why the secondary septic tank had been removed from the plans.

Mr. McNamara advised that this secondary tank does not exist, it was proposed. Rather than installing a secondary tank, he has agreed to the suggestion that this property become part of the annual septic pumping and maintenance program. In response to the CAC comment regarding the expansion trench area being located close to the elevation of the water course, Mr. McNamara advised that his engineer had advised that they had done perc tests in this area and it was dry. In addition, the existing septic system is located at the same elevation for over 30 years without an issue. In response to concerns regarding soils, Mr. McNamara advised that as defined by Tim Miller Associates the "B" soils are outside of the wetland area; the "C" soils are within the wetland area. There have been conversations with the NYS DEC; they will not forward an application until the plan is nailed down.

The Board agreed to schedule the public hearing for Tuesday February 10, 2009.

Matthew Mumbach, 329 Smith Ridge Road, Vista/Maureen DiNardo, 325 Smith Ridge Road, Vista – Application for Subdivision Approval

Mr. & Mrs. Matthew Mumbach were present with their attorney Michael Sirignano, Esq. and project engineer Jennifer Sheldon. Maureen DiNardo was present with her attorney Suzanne Whalen, Esq.

The proposed subdivision plan was displayed. Mr. Sirignano reminded the Board that previously when the Board reviewed the proposed subdivision for Mr. Mumbach that an issue arose with the creation of the Mumbach and DiNardo lots as they had not been subdivided with Planning Board approval. It was his belief that the parcel had been subdivided with Zoning Board of Appeals approval. He advised that the DiNardo's built their home with a building permit issued in 1966, the house was occupied in 1967 and a Certificate of Occupancy was issued in 1990. Mr. Mumbach did not wish to engage in litigation with the Town; the DiNardo's have now joined the application. There is no proposal to change the DiNardo lot line and he asked that the Board focus only on the proposed Mumbach subdivision.

Mr. Rossi questioned whether or not the ZBA ever had the authority to subdivide parcels. He advised that in approving the DiNardo lot, this Board had to ensure that proper variances were received to ensure that it was compliant. This Board would not get into discussions relative to their septic system.

Ms. Sheldon reviewed the proposed subdivision on the Mumbach parcel and noted the existing and proposed improvements. Since the last review, Mr. Barber had met their wetland consultant Tony Russo out in the field. A wetland area had been identified and is now being shown on the map; subsequent submissions will include the 150 foot buffer. She noted that this buffer would encompass a large area of the lot. The buffer associated with the wetland across the street does not reach the Mumbach property line. She noted the proposed changes to the driveway and the proposed house.

Mr. Barber reviewed his January 8, 2009 memo to the Board. He noted that the proposed house is within feet of the wetland and would like the applicant to understand the proposed impacts under the current proposal and explore alternatives.

Mr. Johannessen reviewed the comments contained within the Kellard Sessions memo dated January 9, 2009.

Mr. Rossi requested that this application be forwarded to the Building Inspector for his comments relative to the required variances.

Mr. Coyne indicated that his comments contained within the Kellard Sessions memo dated January 9, 2009 would be addressed when the preliminary subdivision plat is submitted.

Meeting of the Planning Board of the Town of Lewisboro held at the Town House, 11 Main Street, South Salem, New York on Tuesday February 10, 2009 at 7:30 P.M.

Present:

P. J. Rossi, Chairman
Joseph Decaminada
John Gusmano
Richard Ellrodt
Maureen Maguire
Jan Johannessen, Kellard Sessions Consulting, Planning Consultant
Ryan Coyne, Kellard Sessions Consulting, Town Consulting Engineer
Thomas Altermatt, Town Consulting Engineer (special projects)
Bruce Barber, Interim Wetland Inspector
Lawrence Praga, Esq., Planning Board Counsel
Margaret Clark, Esq., Special Counsel
Janet Andersen, CAC Chair
Aimee Hodges, Planning Board Secretary

The Chairman called the meeting to order at 7:30 P.M. and introduced the Board and its consultants.

I. PUBLIC HEARINGS

The Chairman reviewed the public hearing format. There were no objections to the time or place of the public hearings and there were no requests to have the notices of public hearing read aloud.

Terence F. & Cynthia M. McNamara, 59 East Street, South Salem, New York -Application for Wetland Activity Permit Approval to permit the construction of a two story addition to an existing single family residence, driveway improvements, stormwater improvements, mitigation plantings and associated site improvements within the 150 foot wetland adjacent area – Cal. #33-08 W.P.

Terence McNamara was present.

Mr. McNamara displayed and reviewed the plans for an addition to construct a three bay garage with a family room above to his existing residence. He reviewed the proposed stormwater treatment.

Mr. Decaminada entered the meeting at 7:33 P.M.

Mr. McNamara described the existing property conditions and noted the surrounding properties.

Mr. Coyne reviewed his memo to the Board dated February 5, 2009 and added that the infiltrator was designed to capture and treat runoff up to the ten year storm event prior to discharge. He advised that he had no further engineering issues.

Mr. Barber reviewed his memo to the Board dated February 5, 2009. He advised that he had spoken with the NYSDEC last week who indicated that they would be preparing a notice of complete application shortly but would not issue a permit prior to the issuance of a Negative SEQR Declaration by the Planning Board.

Mr. McNamara distributed and reviewed his responses to the consultant comments dated February 10, 2009.

There were no public comments.

In response to a question of Mr. Gusmano, Mr. Barber advised that at the end of the project there would be better water quality on the site than currently exists.

Mr. Ellrodt understood that previously the applicant had indicated that they would avoid the 24 inch maple tree and now it is being represented that it died.

Mr. McNamara advised that the 24 inch dead cherry tree has now been labeled properly.

At the request of Mr. Decaminada, Mr. Barber reviewed the Westchester County Department of Health's definition of major expansion.

Mr. Coyne advised that given the site constraints and the design of the swale he agreed with the Health Department's determination with regard to the separation distance of the swale and the septic system.

Mr. Rossi commended the applicant for consistently responding to the comments and concerns in a timely manner.

The Board agreed that they would adjourn the hearing this evening and direct Mr. Barber to prepare a Negative SEQR Declaration for the following meeting. Once the NYSDEC permit is received, the Board would close the public hearing and issue their decision.

On a motion made by Mr. Ellrodt, seconded by Ms. Maguire the public hearing was adjourned.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

Vista Fire District, 377 Smith Ridge Road, South Salem, New York - Application for Wetland Activity Permit Approval to permit the construction of additions and alterations to an existing fire house and associated site improvements within the 150 foot wetland adjacent area – Cal. #55-08 W.P.

Duff Price and Steven Woodstead, Commissioners of the Vista Fire District were present with the project architect Peter Helmes.

Mr. Helmes displayed the site plan for the proposed renovation and expansion of the existing 54 year old fire house in need of maintenance, new mechanical systems, fire separations and ADA compliance. He noted that the expansion would be located over an existing paved parking lot. The applicant had taken into consideration the consultant and CAC comments and provided more pervious surfaces, incorporated an infiltration system and CDS Unit to treat the runoff from the existing paved parking lot. In addition 75 percent of the roof area will be collected and diverted into a proposed rain garden. This plan also provides for planting of native wetland species in areas around the wetland

Terence F. & Cynthia M. McNamara, 59 East Street, South Salem, New York – Application for Wetland Activity Permit Approval – SEQR Determination -Cal. #33-08 W.P.

Terence McNamara was present.

Mr. Barber reviewed the draft resolution he prepared for the Board's consideration.

On a motion made by Mr. Gusmano, seconded by Mr. Ellrodt the resolution Terence F. & Cynthia M. McNamara, Negative Declaration was adopted.

Vote: Yes: Gusmano, Rossi, Ellrodt Absent: Decaminada, Maguire

II. WETLAND VIOLATION

Cross River Westchester Associates, 890 Route 35, Cross River - Cal. #3-08 W.V.

John Kalin, PE of Design Concepts Engineering and John Cano the property manager were present representing the property owner.

Mr. Kalin apologized for missing the last meeting and advised that a lot of work had been done with the NYCDEP and the Westchester County Department of Health in addressing the septic failure. He acknowledged receipt of the memos prepared by Cornerstone Associates and Kellard Sessions Consulting.

Ms. Clark advised that this was the first appearance from the property owner's representative since an admission was made to the wetland violation on May 27, 2008 for the discharge of septic into the wetland protected area. The Board had been waiting for the owner or their representatives to return advising what they were proposing in terms of mitigation measures as well as what activities had been taken place to date. The Board had not entered into an Executive Session as they wished to give the owner an opportunity to come back before them.

Mr. Kalin advised that he was retained in March 2008 to investigate a septic failure after his client received a notice of violation from the NYCDEP. This notice was copied to the Westchester County Department of Health and triggered their filing a similar violation. An investigation of the site revealed that the septic system had been repaired once before and that it was failing miserably. The nature of the soil and the improper installation of the second repair created a conduit to the curtain drains. The Health Department performed a dye test and it was just a matter of hours before the dye made it to the wetlands. They immediately began pumping the septic system every three days while investigating their options with the NYCDEP. There had been regular correspondence with the NYCDEP during the process all of which was copied to the Health Department. An advance treatment system was agreed upon and the soil testing supported the method. They identified the location of the curtain drain and severed the connection with a clay barrier. The NYCDEP approved the plan and allowed them to install the replacement system in December; the system was brought on line just prior to Christmas. As-built drawings were prepared and submitted to the NYCDEP with a

Meeting of the Planning Board of the Town of Lewisboro held at the Town House, 11 Main Street, South Salem, New York on Tuesday April 14, 2009 at 7:30 P.M.

Present: P.J. Rossi, Chairman Joseph Decaminada John Gusmano Richard Ellrodt Maureen Maguire Jan Johannessen, Kellard-Sessions Consulting, Planning Consultant Ryan Coyne, Kellard-Sessions Consulting, Town Consulting Engineer Bruce Barber, Interim Wetland Inspector Lawrence Praga, Esq., Planning Board Counsel Margaret Clark, Esq. Special Counsel Janet Andersen, CAC Chairwoman Aimee Hodges, Planning Board Secretary

The Chairman called the meeting to order at 7:30 P.M. and introduced the Board and its consultants.

I. REQUEST FOR EXTENSION OF TIME

Boniello Land & Realty, Ltd., "Falcon Ridge Subdivision" - Cal. #5-01 P.B.

Gus Boniello was present.

Mr. Rossi acknowledged receipt of the March 11, 2009 request of Henry Hocherman for an additional six month extension of time to complete the conditions of the Planning Board's resolution granting Preliminary Subdivision Plat Approval dated July 10, 2007.

Mr. Boniello advised that a memorandum of agreement from the ACOE has been signed had been sent to the NYSDEC and is now waiting to be signed by an Indian Tribe. He believed that this would finish the process.

Mr. Decaminada expressed concern that six months may not be sufficient given the magnitude of the project and the state of the economy. The Board agreed to grant an extension to December 1, 2009.

On a motion made by Mr. Decaminada, seconded by Mr. Ellrodt the Board granted an extension of time to complete the conditions of the Planning Board's resolution dated July 10, 2007 to December 1, 2009.

Vote: Yes: Decaminada, Rossi, Ellrodt, Maguire Abstain: Gusmano

II. PUBLIC HEARING

The Chairman reviewed the public hearing procedures. There were no objection to the time or place of the public hearing and there were requests to have the notices of the public hearing read aloud.

Terence F. & Cynthia M. McNamara, 59 East Street, South Salem, New York -Application for Wetland Activity Permit Approval to permit the construction of a two story addition to an existing single family residence, driveway improvements,

stormwater improvements, mitigation plantings and associated site improvements within the 150 foot wetland adjacent area – Cal. #33-08 W.P. (Reconvened)

Terence McNamara was present.

Mr. McNamara briefly reviewed the proposal and advised that the NYSDEC Article 24 permit had been received. Mr. McNamara advised that the DEC had approved the exact plan that had been reviewed by this Board.

Mr. Barber noted that receipt of the NYSDEC permit was the only remaining requirement.

On a motion made by Mr. Gusmano, seconded by Ms. Maguire the public hearing was closed.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

Mr. Barber was directed to prepare a resolution for the April 28, 2009 agenda.

Anton Kola, 230 Spring Street, South Salem – Application for Wetland Activity Permit Approval for the renovations and expansions of an existing residence, relocation of the driveway, demolition of an existing accessory building and associated site improvements within the wetland regulated adjacent area – Cal. #40-07 W.P. (Reconvened)

Anton Kola was present with his attorney Michael Sirignano, Esq. and environmental consultant Paul Jaehnig.

Mr. Sirignano advised that after receiving letters from two different departments within the NYCDEP the Board adjourned the public hearing. The NYCDEP reversed their decision with regard to the abandonment of the septic system as evidenced by their March 5, 2009 letter. The plan before the Board this evening incorporated the NYCDEP's comments. The NYCDEP in their April 10, 2009 correspondence indicated that they had no further comments. He advised that he had prepared and submitted a Declaration of Restrictions. In addition, after speaking with the Tax Assessor, Lise Robertson, he has prepared a letter requesting the merger of the tax parcels.

Mr. Jaehnig reviewed the displayed site plan advising that the notes requested by Mr. Barber had been added. The details requested by the NYCDEP have been included as well. The surveyor is preparing a survey with the deed restricted area.

Mr. Coyne reviewed his memo to the Board dated April 9, 2009 and advised that the stormwater calculations were in order. He suggested that the applicant shift a drywell as it is proposed close to an existing tree and appears to be located within the septic expansion area.

Mr. Barber reviewed his memo to the Board dated March 29, 2009 and asked that the Building Inspector review the current set of plans.

Mr. Sirignano advised that the architect had met with the Building Inspector. Mr. Rossi asked for confirmation from the Building Inspector that he had in fact reviewed the current plans.

Meeting of the Planning Board of the Town of Lewisboro held at the Town House, 11 Main Street, South Salem, New York on Tuesday April 28, 2009 at 7:30 P.M.

Present:

P. J. Rossi, Chairman
Joseph Decaminada
John Gusmano
Richard Ellrodt
Maureen Maguire
Jan Johannessen, Kellard Sessions Consulting, Planning Consultant
Bruce Barber, Interim Wetland Inspector
Margaret Clark, Esq., Special Counsel
Janet Andersen, CAC Chairwoman
Aimee Hodges, Planning Board Secretary

The Chairman called the meeting to order at 7:30 P.M. and introduced the Board and its consultants.

I. DECISIONS

Terence F. & Cynthia M. McNamara, 59 East Street, South Salem, New York - Application for Wetland Activity Permit Approval – Cal. #33-08 W.P.

Terence McNamara was present.

Mr. Barber reviewed the draft resolution he prepared for the Board's consideration.

On a motion made by Mr. Gusmano, seconded by Mr. Ellrodt the resolution Terence & Cynthia McNamara, Wetland Activity Permit Approval, Cal. #33-08 W.P. was adopted.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

Anton Kola, 230 Spring Street, South Salem – Application for Wetland Activity Permit Approval – Cal. #40-07 W.P.

Anton Kola was present with his attorney, Michael Sirignano, Esq.

Mr. Barber reviewed the draft resolution he prepared for the Board's consideration.

On a motion made by Mr. Ellrodt, seconded by Ms. Maguire the resolution issuing a Negative SEQR Declaration and Wetland Activity Permit Approval, Anton Kola, Cal. #40-07 W.P. was adopted.

Vote: Yes: Decaminada, Gusmano, Rossi, Ellrodt, Maguire

II. PUBLIC HEARING

Twin Lakes Water Works Corp., P. O. Box 258, South Salem - Application for Wetland Activity Permit Approval to permit the installation of an emergency electrical generator to an existing water supply system, installation of underground utility lines, stormwater

October 26, 2010

Page 6

In response to a question of Mr. Kerner, Mr. Kaplan advised that he could gate the facility and allow entrance with a key card.

Ms. Andersen advised that some of these facilities are open 24 hours a day and have a large amount of lighting for safety purposes other facilities seem to be more "quiet".

Mr. Kerner noted that if the Building Inspector in his capacity as the zoning officer was okay with the use then he would be as well. Monitoring of the facility would be the major issue.

IV. CORRESPONDENCE & GENERAL BUSINESS

Smith

Mr. Barber advised that previously the Planning Board looked at this application for a pool within the buffer and wetland mitigation proposed outside of the buffer and were okay with it. The property owner is now looking to bring the wall back inside of the wetland buffer; the location of the mitigation had changed. In addition the plans now indicate a future pool shed.

The Board indicated that they continued to be okay with this application being handled administratively. Mr. Gusmano asked that the references to the future pool shed be removed from the plans to ensure that there is no confusion in the future as to what had been approved.

McNamara

The Board agreed to discontinue weekly erosion control reports as per the October 21, 2010 request of Terry McNamara.

Vista Fire Department

The Board agreed to discontinue the weekly erosion control reports as requested by Peter Helmes.

Gioffre Site Walk

The Board set a site walk for Saturday November 7th at 8 AM.

Petruccelli

The Board acknowledged receipt of the October 14, 2010 correspondence from the NYCDEP.

Lewisboro Answer Book

Mr. Decaminada expressed concern with the definition of wetland in the recent Lewisboro Answer Book and asked that the Town Planner and Wetland Inspector review the article.

Annual Training



TOWN OF RIDGEFIELD

Inland Wetlands Board

July 26, 2018

Janet Donohue, Town Clerk Town House, 11 Main Street P.O. Box 500 South Salem, NY 10590

Re: Referral under Section 8-7d of the Connecticut General Statutes
Plenary Ruling Application to construct a Private Winter Club – "Ridgefield Winter Club"
Owner: Peaceable, LLC.
Applicant: Rising Ridge Inc.
Authorized Agent: Philip Doyle of LADA, PC
Our File #2018-053-PR-SP

Dear Ms. Donohue:

Per Section 8-7d of the Connecticut General Statutes, "the inland wetlands agency...shall notify the clerk of any adjoining municipality of the pendency of any application, petition, appeal, request or plan concerning any project on any site in which... any portion of the property affected by a decision of such commission, board or agency is within five hundred feet of the boundary of the adjoining municipality". Per Section 8-7d, "such notice shall be made by certified mail, return receipt requested, and shall be mailed *within seven days* of the date of receipt of the application, petition, request or plan."

This letter is to inform you, that on July 24, 2018, the Town of Ridgefield Inland Wetlands Board (Board) statutorily received a Plenary Ruling Application under Section 7.6 of the Town of Ridgefield Inland Wetlands and Watercourses Regulations to construct a Private Winter Club "Ridgefield Winter Club" including grading in the upland review area and wetland disturbance for storm water discharge, on ± 5.966 acres located at **340 Peaceable Street** in the RAAA Zone. If you would like to review in detail, a set of plans are on file in the Town Hall Annex, 66 Prospect Street, Ridgefield, CT 06877.

A public hearing will be held on Tuesday, September 4, at 7:30 p.m. at the East Ridge Middle School Auditorium, 10 East Ridge Road, Ridgefield CT 06877.

If you need additional information, please contact me at 203-431-2383.

Very truly yours,

Beth Peyser Inland Wetlands Agent

CERTIFIED MAIL: 7018 0040 0001 1227 9444

cc: Subject File CC Prospect Street • Ridgefield, Connecticut 06877 Phone: (203) 431-2766 • Fax: (203) 431-2737

www.ridgefieldct.org



...A winter destination, where families will gather and participate in various social activities in a premier facility, and be a part of a safe, healthy, energetic, and fun community.

The Ridgefield Winter Club (RWC) will combine a strong family-focused premier facility with an outdoor ice skating rink -- and fill a void in our town for families who want the opportunity for outdoor winter recreation and social events. Working with the best architects and designers, the old, deteriorating Pinchbeck Nursery will be turned into a freshly landscaped setting with a Clubhouse that will include a golf simulation room, four lanes of bowling, a tabletop game room, homework rooms, casual dining with a bar, locker rooms, along with other amenities. Through a range of outdoor and indoor activities, the RWC will strengthen family and community bonds in a safe, interactive, social environment during the winter months.

The Premier Club Facility Will Include:

Club Entertainment

- Golf simulator
- Four lanes of bowling
- Game room including foosball, ping pong, and other tabletop games
- Organized social events, including speaker series, game nights, movie nights, a holiday party, and other activities
- Club coordinated events, including ski trips, tubing, sledding, cultural events, and professional sporting trips

Outdoor Ice Rink

- General Skating, Figure Skating, Hockey, Broomball, Curling
 - Social & family skates
 - Free time to enjoy skating and improve skills
 - Men's, Women's & Youth intra-Club Leagues
 - Lessons & Clinics
 - Locker Rooms (to give everyone time to get ready when there are back-to-back intra-Club activities)
- Outside viewing & gathering areas
- Outside fireplace

Club Member Spaces

- Homework, meeting & birthday party rooms
- Food service & bar
- Inside rink viewing & social areas
- Inside fireplaces

Months of Operation

The Ridgefield Winter Club will be fully operational from November through March. The Clubhouse will close at 11 p.m. and all outside recreational activities will cease by 9:45 p.m., or earlier, and lights out at 10 p.m., or earlier. Weekday mornings, skating only will begin at 7 a.m. On weekends, the rink will open at 8 a.m.

In April/May and September/October, the RWC's Clubhouse will likely be open 3-4 days a week, and the ice rink area will be closed.

The entire RWC will be closed in June, July, and August.

Inland Wetlands and Watercourses Application Town of Ridgefield, CT.

Date: July 20, 2018

Mr. Jan Johannessen Town Wetland Consultant C/O Ciorsdan Conran 79 Bouton Road South Salem, NY 10590

Re: Notice of Wetland Application 340 Peaceable Street Ridgefield, CT. 06877 Owned by: Peaceable, LLC

Mr. Johannessen:

This is to inform you that an application for site development has been submitted to the Ridgefield Inland Wetlands and Watercourses Board for review and approval of wetland and wetland upland review area disturbance associated with the construction of the a project titled the Winter Club. This notice is sent to you as Town of Lewisboro Wetland Consultant because a portion of the proposed activity will be within 500' of the Lewisboro Town line and, per Ridgefield Wetland Regulations it is a requirement that your Town be notified. The Town of Lewisboro Clerk and Building Departments suggested the letter specifically be directed to you.

The property, which is subject to the application, plan attached, is located upon the northwest corner of the intersection of Old South Salem Road and Peaceable Street in Ridgefield, about 340' east of the Town line. Old South Salem Road in Ridgefield changes name at the town line and becomes Peaceable Street within Lewisboro. The full set of plans and reports are on file at the Planning and Zoning Office in the Ridgefield Town Hall Annex and are available for your review should you desire. If you have any questions regarding this application, feel free to contact the Town Staff of the Ridgefield Planning Department or me.

Thank you for your attention to this matter.

Very truly yours,

Philip E. Doyle Agent for the Applicant

RIDGEFIELD, CONNECTICUT



EXISTING DISTANCE DIAGRAM

DOYLE:COFFIN ABGHUTECTURE



EXISTING TERRAIN



RIDGEFIELD, CONNECTICUT

PROPOSED AERIAL

The proposed project and site improvements includes, the demolition of the legal non-comforming greenhouses and of the office/operation building.

The proposed plan will save the stone storage building on Old South Salem Road, as well as, the Residential dwelling on Peacable Street.

The proposed site design is an overall improvement of the existing conditions.

Major improvements to the existing drainage







Mr. Kerner pointed out that because of the proximity of the driveway to the property line, no substantial evergreens can be planted. The driveway would have to swing east which would impact the septic field. The goal is to keep the septic out of the buffer, as well as create a screening for the neighbors.

Mr. Tetelman suggested that the neighboring property may be willing to accept the evergreens on their property. Mr. Cronin stated that this conversation could take place in the future.

III. EXTENSION OF TIME

ThistleWaithe Learning Center (Lilypond Lane, LLC, owner of record), 1340 Route 35, South Salem – Request for Extension of Time to the Amended Site Plan Approval dated May 8, 2012, in order to complete the wetland and upland trails

Maria Fitzgerald, ThistleWaithe Learning Center, was present.

Ms. Fitzgerald confirmed that the footbridge was complete, and that the final wetland monitoring report was submitted.

Mr. Johannessen stated that the final wetland monitoring report was prepared to the satisfaction of Kellard Sessions.

Mr. O'Donnell suggested that Kellard Sessions go to the site to observe the plants as they exist, as well as the completed footbridge.

Ms. Fitzgerald stated that the drains had been cleaned out last year. The plantings and fencing are maintained. The footbridge has been built to specifications.

Mr. Siebert stated that the site plan had been signed, and construction had commenced within the applicable period. Therefore, the Board can, by resolution, approve staged development of certain elements of the plan.

On a motion made by Mr. O'Donnell, seconded by Mr. Tetelman, an extension of time to October 15, 2015 was granted to ThistleWaithe Learning Center (Lilypond Lane, LLC, owner of record), 1340 Route 35, South Salem, Amended Site Plan Approval dated May 8, 2012, in order to complete the wetland and upland trails.

All in favor: Mr. Goett, Mr. Kerner, Mr. LaSorsa, Mr. O'Donnell, Mr. Tetelman.

IV. DISCUSSION

Composting Toilets – Lewisboro Town Park

Peter Parsons, Town Supervisor, was present to discuss the proposed project.

Mr. Parsons reviewed the plans submitted.

Mr. Parsons stated that the composting toilets do not have to be approved by the WCDH. The Westchester Parks Facilities Commissioner has authorized composting toilets on county property.

Mr. Parsons stated that there are currently composting toilets in North Salem, Ward Pound Ridge, Somers, and at AP Farm Field in Cross River.

Mr. Parsons stated that he and Dana Mayclim have visited several sites that have composting toilets. They are odor-free and work well.

Mr. Tetelman had asked the head of facilities at Katonah-Lewisboro about the maintenance of the composting toilet at AP Farm Field. Maintenance is provided by the company.

Mr. O'Donnell questioned why the toilet was placed in the wetland buffer, and if the toilets proposed are sufficient to handle days when the park is at maximum capacity.

Mr. O'Donnell stated that the specifications provided indicate a maximum of 60 uses per toilet, further questioning whether this is large enough to handle an event where children are bussed to the park, such as the Fifth Grade Picnic.

Mr. Parsons stated that consideration has been given to increasing the number of toilets from two to three, deciding to install two toilets.

Mr. Parsons stated that the proposed toilets will be located next to a utility pole so that connection to electricity is available. Mr. Parsons stated that should the contractor recommend a solar fan and solar light, this will be considered.

With regard to the toilet being located in the wetland buffer, Mr. Tetelman expressed his opinion that the toilet should remain in the proposed location so as not to obstruct the basketball court and volleyball court.

Ms. Andersen stated that the CAC had no comments.

On a motion made by Mr. Tetelman, seconded by Mr. Goett, the Board determined that the proposed action will be handled administratively by the Town Wetland Inspector.

All in favor: Mr. Goett, Mr. Kerner, Mr. LaSorsa, Mr. O'Donnell, Mr. Tetelman.

Housing Committee – Proposed amendments to Town Zoning Code

Mr. Parsons was present to discuss the amendments proposed by Town's Housing Committee regarding affordable housing in Lewisboro.

Mr. Kerner stated that the recommendations have been made by the Housing Committee for modifications to the current zoning code which would enable accessory and multi-family housing within the current commercial zone.

Mr. Kerner suggested that a task force be formed to work with Mr. Parsons and the Housing Committee. Mr. Kerner expressed his interest to be part of this task force. No other Board members volunteered. Mr. Tetelman offered to stand in for Mr. Kerner if necessary.

The Planning Board has not seen the proposal by the Housing Committee.



Environmental Consulting, Incorporated

August 15, 2018

Honorable Jerome Kerner and Members of the Planning Board 79 Bouton Road South Salem, NY 10590

Re: Lupienski Property: Wetland Violation 23 Elmwood Road, Town of Lewisboro, New York

Dear Chairman Kerner and Members of the Planning Board:

Pursuant to the discussion at the June 19, 2018 Planning Board meeting, this letter is intended to update the Board on the status of this violation. Since the June meeting, our office has delineated the wetland boundary on the property and prepared a Wetland Delineation Report dated July 17, 2018 (attached). I spoke with Jan Johannessen following the delineation, and he agreed to let us use the Westchester County GIS topography for the site remediation plan.

We also met with Josh Fisher from NYS DEC on August 14, 2018 to review the wetland boundary and discuss the remediation measures that DEC will require. Mr. Fisher confirmed that the wetland boundary was accurate as flagged and stated that a DEC permit would be required for this remediation. DEC would likely require that all of the woodchips be removed from the wetland and the State-regulated 100' adjacent area, and that the impacted wetland area be replanted with native shrubs and trees. Mr. Fisher was comfortable with using a seed mix for restoring the adjacent area, although he will defer to the Town's requirements in this area.

Now that we have this input from DEC and the Town, we can proceed with finding a disposal location for the wood chips (many of which have come from clean-up of recent storm damaged trees for the Town). The chips will be removed with a small (Bobcat-type) loader and trucked to the disposal location. At the same time, we will prepare a planting plan for consideration and approval by your Board, so that the area of disturbance can be restored as soon as possible following the removal of the chips.











162 Falls Road Bethany, CT 06524 Tel: 203.393.0690 Lupienski Property: Wetland Violation 23 Elmwood Road, Town of Lewisboro, New York August 15, 2018 Page 2

I will not be able to attend the August 21, 2018 Planning Board meeting, but will continue to work to complete the planting plan for consideration at your September 11, 2018 meeting. If there are any questions or concerns regarding this matter, please do not hesitate to contact me at 203-393-0690 x112 or Michael Sirignano at 914-763-5500.

Sincerely, Evans Associates Environmental Consulting, Inc.

Joth Soars

Beth Evans, PWS

cc: Jeff Lupienski














WETLAND DELINEATION REPORT

DATE: July 17, 2018

PROPERTY: Lupienski Property at 23 Elmwood Road Town of Lewisboro, Westchester County

REPORT BY:

Evans Associates Environmental Consulting, Inc.

INTRODUCTION

A field evaluation and wetland delineation were conducted at the above-captioned property on June 14 and July 13, 2018 by a Professional Wetland Scientist and a Certified Professional Soil Scientist of Evans Associates Environmental Consulting, Inc. (Evans Associates). The subject property is a developed, single-family residential parcel with additional outbuildings (mainly sheds). The property comprises wooded areas, meadow, and some lawn. A driveway traverses through the majority of the site from west to east along the southern property boundary. A wetland is located in the back (east end) of the property boundary. The wetland continues off site to the east.

The site evaluation and wetland delineation were conducted upon request of the property owners in response to a notice of Violation of Wetland and Watercourse Law they received from the Town of Lewisboro, dated May 7, 2018. The violation was: "A regulated activity consisting of dumping, filling, or depositing of material either directly or indirectly, without the benefit of a Wetland Activity Permit (Section 217-2 "Regulated Activity or Use" and Section 217-5, "Prohibited, allowable and regulated activities")."

SITE EVALUATION AND WETLAND DELINEATION

Upon inspection of the property, it was noted that wood chips had been deposited on the ground in the rear (eastern end) of the parcel. These wood chips are located within the wetland and wetland buffer on site. Photos are provided at the end of this report (all photos were taken June 14, 2018). The depth of the wood chips, based on surficial evaluation, a few depth measurements, and a discussion with the owner, is estimated to range from a few inches to a few feet. Most of the wood chips appeared to be new, especially those farthest to the back of the lot, however older chips were also noted on site. The location of the wetland boundary edge, prior to the deposition of the wood

162 Falls Road Bethany, CT 06524 Tel: 203.393.0690







Lupienski Property at 23 Elmwood Road July 17, 2018 Page 2

1. 2. 1

chips, was estimated, and orange ribbon flags, numbered A-1 through A-3, were hung to delineate the edge. The flags can be used to locate the 150-foot wetland buffer surrounding the wetland and to then determine the encroachment impacts to the regulated areas (wetland and wetland buffer).

REGULATORY JURISDICTIONS OF WETLANDS

The wetlands on and off the property are locally regulated by the Town of Lewisboro in accordance with Chapter 217, Wetlands and Watercourses, of the Town Code. The Town also regulates a 150-foot wetland buffer surrounding the wetland. In addition, the wetland is regulated as part of the New York State Department of Environmental Conservation (DEC) Freshwater Wetland L-31. The DEC also regulates a 100-foot Adjacent Area (buffer) around the wetland. Approval by the Town (and possibly the DEC) will be needed prior to any activity being conducted within the wetland or buffer/Adjacent Area (including the removal of any deposited material).

The Town violation notice described the immediate action to be taken as: stop all work immediately within or adjacent to the wetlands, and future actions, mitigation measures and/or restoration will follow.

OBSERVATIONS AND MITIGATION RECOMMENDATIONS

As noted, review of the site indicated that wood chips had been placed within the on-site wetlands and within the on-site wetland buffer. Skunk cabbage *(Symplocarpus foetidus)*, an obligate wetland plant, is beginning to become re-established in a few of the areas covered in wood chips. Most of the wood-chipped areas remain absent of vegetation, however.

Mitigation requirements will be determined by the Town and possibly the DEC. However, it is our opinion that wood chips in the wetland be removed and placed within the uplands of the property, outside of the regulated areas (wetland and wetland buffer). Emergent vegetation should be allowed to re-establish, supplemented by new plantings of native shrubs if necessary. Invasive plants should be pulled and removed if they begin to become established in the newly-cleared wetland. Monitoring of the mitigation area should occur to confirm that the mitigation plantings or natural regrowth become established and to prevent excessive encroachment by invasive species.















Area of wood chip fill along eastern property boundary (unimpacted wetland in background), facing northeast. Skunk cabbage beginning to re-establish in foreground.



Fresh wood chips in wetland, facing east. Unimpacted wetland in background.















Lupienski Property at 23 Elmwood Road July 17, 2018 Page 4



Approximate wetland edge is shown in red (wetland on right). Flagging (not shown) was hung on site to delineate this wetland boundary. Photo facing northwest.



Evans Associates Environmental Consulting, Inc. 162 Falls Road Bethany, Connecticut 06524 Tel: 203.393.0690



August 15, 2018

Honorable Jerome Kerner and Members of the Planning Board 79 Bouton Road South Salem, NY 10590

Re: Lordi Property: Wetland Violation 2 Cheyenne Court, Town of Lewisboro, New York

Dear Chairman Kerner and Members of the Planning Board:

Pursuant to the discussion at the June 19, 2018 Planning Board meeting, this letter is intended to update the Board on the status of this violation. Since the June meeting, our office has delineated the wetland boundary on the property and prepared a Wetland Delineation Report dated July 17, 2018 (attached). I spoke with Jan Johannessen following the delineation, and updated him on the status. The Lordis are in the process of having an updated survey prepared for their property which will include the wetland boundary and the area where trees were cut (partially on the adjacent open space parcel).

We also met with Josh Fisher from NYS DEC on August 14, 2018 to review the wetland boundary and discuss the remediation measures that DEC would require. Mr. Fisher confirmed that the wetland boundary was accurate as flagged. Mr. Fisher felt that the wetland vegetation was well established in most of the cleared area (see our delineation report), but was concerned with the two areas where the chips are deep enough to have suppressed regrowth. Mr. Fisher stated that DEC would require the remaining chips to be removed by hand, and that ferns and sedges be planted immediately afterwards so that the wetland vegetation (rather than invasives) can fill in those areas. He also suggested that we plant some trees and shrubs in the cleared area and take measures to control invasives in the future. If these measures are taken, Mr. Fisher did not feel that a DEC permit would be required, so long as he is kept apprised of the action by the Town.

As soon as the updated survey is available, we can proceed to prepare a wetland restoration planting plan. I will not be able to attend the August 21, 2018 Planning Board meeting, but hope to complete a planting plan for consideration at your September 11,











162 Falls Road Bethany, CT 06524 Tel: 203.393.0690 Lordi Property: Wetland Violation 2 Cheyenne Court, Town of Lewisboro, New York August 15, 2018 Page 2

2018 meeting. If there are any questions or concerns regarding this matter, please do not hesitate to contact me.

Sincerely, Evans Associates Environmental Consulting, Inc.

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Beth Evans, PWS



















Environmental Consulting, Incorporated

WETLAND DELINEATION REPORT



DATE:

July 17, 2018

PROPERTY:

Lordi Property at 2 Cheyenne Court Town of Lewisboro, Westchester County

REPORT BY:

Evans Associates Environmental Consulting, Inc.

INTRODUCTION

A field evaluation and wetland delineation were conducted at the above-captioned property on July 13, 2018 by a Professional Wetland Scientist and a Certified Professional Soil Scientist of Evans Associates Environmental Consulting, Inc. (Evans Associates). The subject property is a developed, single-family residential parcel. The property comprises mainly lawn with some mature trees; a wetland is located along the northwestern property boundary. The wetland continues off site to the northwest.

The site evaluation and wetland delineation were conducted upon request of the property owners in response to a notice of Violation of Wetland and Watercourse Law they received from the Town of Lewisboro. The violation was: "A regulated activity consisting of unauthorized removal of trees and vegetation within the wetland buffer; deposition of organic material within the wetland and wetland buffer, without the benefit of a Wetland Activity Permit (Section 217-5B (2) of the Wetland and Watercourse Law)." Specifically: "Unauthorized removal of vegetation and trees within wetland buffer and deposition of wood chips within the wetland and wetland buffer."

SITE EVALUATION AND WETLAND DELINEATION

The northwestern edge of the subject property (and likely some of the adjacent Townowned property) appears to have had trees and brush removed, and wood chips were deposited on the ground. These wood chips are located within the wetland and wetland buffer on site, and likely within the off-site wetland as well (see photos at the end of this report). Pink pin flags were placed along the edge of the wetland boundary by Evans Associates. The flags were numbered A-1 through A-6. The flags should be survey located and shown on an updated survey that includes the area of disturbance in order to determine on-site and off-site impacts.

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REGULATORY JURISDICTIONS OF WETLANDS

The wetlands on and off the property are locally regulated by the Town of Lewisboro in accordance with Chapter 217, Wetlands and Watercourses, of the Town Code. The Town also regulates a 150-foot wetland buffer surrounding the wetland. In addition, the wetland is regulated as part of the New York State Department of Environmental Conservation (DEC) Freshwater Wetland F-75. The DEC also regulates a 100-foot Adjacent Area (buffer) around the wetland. Approval by the Town (and possibly the DEC) will be needed prior to any activity being conducted within the wetland or buffer/Adjacent Area (including the removal of any deposited material).

The Town violation notice described the immediate action to be taken as: Stop all work immediately within or adjacent to the wetlands; install silt fence downslope of all disturbed areas; and future actions, mitigation measures and/or restoration will follow.

OBSERVATIONS AND MITIGATION RECOMMENDATIONS

As noted, review of the site indicated that trees had been removed and wood chips had been placed within on-site, and likely off-site, wetlands, and within the on-site wetland buffer. The depth of the wood chips, measured in several places by Evans Associates, is 12-18" or less. Wetland vegetation, including skunk cabbage (Symplocarpus foetidus), cinnamon fern (Osmunda cinnamomea), sensitive fern (Onoclea sensibilis), royal fern (Osmunda regalis), and some tussock sedge (Carex stricta) are becoming re-established in many of the areas covered in wood chips. Some of the wood-chipped areas remain absent of vegetation, however. Invasive species including multiflora rose (Rosa multiflora) and wineberry (Rubus phoenicolasius) shrubs, Japanese stilt-grass (Microstegium vimineum), and some garlic mustard (Alliaria petiolata) are also being reestablished in some areas, along with some grape (Vitis sp.), Virginia creeper (Parthenocissus quinquefolia), and poison ivy (Toxicodendron radicans) vines. The invasive and/or undesirable species are also found in the adjacent portion of the wetland (off site) and are not believed to have been newly established as a result of the placement of the wood chips.

Mitigation requirements will be determined by the Town and possibly the DEC. However, it is our opinion that wood chips in the unvegetated areas be removed (by hand) and taken off site or placed within the uplands of the property, outside of the regulated areas (wetland and wetland buffer). Native saplings and shrubs should be planted in the wetland and wetland buffer to replace the trees that were removed. The emergent vegetation will likely re-establish itself from nearby plants or from the existing seed bank. Wood chips in the areas where wetland vegetation is currently being successfully re-established should be left as is, rather than removing the chips and potentially harming the natural vegetation. Invasive plants should be pulled and removed at this time, if possible without damaging the native vegetation. Monitoring of the mitigation area should occur to confirm that the mitigation plantings become established and to prevent excessive encroachment by invasive species.





















Photo of wetland along northwestern property boundary, showing area of tree removal and wood-chip fill. Wetland vegetation is re-establishing in some areas. Facing northeast; taken June 14, 2018.















Google Streetview photo from October 2013 (above) and photo taken June 2018 (below).



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Google Streetview photo from October 2013 (above) and photo taken June 2018 (below).



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