

Bedford Wetlands Control Commission

425 Cherry Street
Bedford Hills, NY 10507
2nd Floor Conference Room

April 4, 2016
7:30 P.M.

Announcements:

7:30 PM – 7:35 PM - Submission Deadlines
- Site Walk Date

Reports & Minutes to be Approved:

7:35 PM – 7:40 PM A – Status of Violations/Enforcement Actions
B - Town Wetland Official (Beth Evans) Monthly Report:
Administrative Permits
Minutes from:
January 4, 2016
February 1, 2016

Supplemental Submission:

7:40 PM – 7:55 PM Remediation of Wetlands Violation
Section 49.18 Block 2 Lot 44, R-½A Zone
40 Hickory Road, Katonah
Owner: **41 Woodfield Road, LLC**
Applicant: **Bryan Robertson,**
Robertson Contracting Corp.

New Applications:

7:55 PM – 8:10 PM Change in Use from Office/Warehouse to Automotive Use
Section 71.12-2-36, LI Zone
799 Bedford Road, Bedford Hills
Owner: **DP 21, LLC**
Applicant: **Estate Motors**

- 8:10 PM – 8:25 PM Additions and Renovations to Existing Residence
Section 49.18 Block 4 Lot 29, R-1/4A Zone
126 Valley Road, Katonah
Owner: **Bank of America, NA**
Contract Vendee: **Christopher and Allison Suppa**
Applicant: **The Helmes Group, LLP**
- 8:25 PM – 8:45 PM Application of Aquatic Pesticide to Pond
Section 72.12 Block 2 Lot 4, R-4A Zone
333 Bedford Center Road, Bedford Hills
Owner/Applicant: **Tom Meyer**
Section 72.12 Block 2 Lot 6, R-4A Zone
53 Narrows Road, Bedford Hills
Owner/Applicant: **Rick Talmadge**
Section 72.12 Block 2 Lot 5, R-4A Zone
345-349 Bedford Center Road, Bedford Hills
Owner/Applicant: **Kimberly Kelly**
Section 72.16 Block 1 Lot 6, R-4A Zone
95 Narrows Road, Bedford Hills
Owner/Applicant: **Robert Ahrens**

Supporting documentation for all items on this agenda is available at the
Town of Bedford website. (www.bedfordny.gov)
Larger documents and plans are available at the office of the Wetlands Commission.

**TOWN OF BEDFORD
THE WETLANDS CONTROL COMMISSION**

Minutes of meeting – January 4, 2016

A meeting of the Wetlands Control Commission of the Town of Bedford was held on January 4, 2016, beginning at 7:30 p.m. in the Town House Offices, 425 Cherry Street, Bedford Hills, New York. Present were Chairman Andrew Messinger, Vice-Chairman Carol Parker, Member Fiona Mitchell, Member John Stockbridge, constituting a quorum. David Beckett was absent. Also present were Town Environmental Consultant Beth Evans and Acting Recording Secretary Alexandra Costello.

Announcements:

Andrew Messinger announced that the meeting of the Commission is scheduled for Monday, February 1, 2016 and based on the applications received, a decision will be made whether or not to hold the February 1, 2016 meeting or whether to carryover until March 7, 2016. The deadline for new applications for the February 1, 2016 meeting will be Tuesday, January 5, 2016. The deadline for supplemental submissions for the February 1, 2016 meeting will be Friday, January 8, 2016. A site walk is scheduled for Thursday, January 21, 2016 depending upon ground and weather conditions.

Should a meeting not be held on February 1, 2016, the next scheduled meeting of the Commission will be held on Monday, March 7, 2015 at 7:30 p.m.

Owners: Christopher Davis and Andrea Schaefer:

Applicant: Benedek & Ticehurst

Pergola and Drainage

Section 84.9 Block 1 Lot 4, R-4 Acre Zoning District

40 Clark Road, Bedford, New York

The application was postponed at the request of the applicants.

The Norca Corp. application was heard out of order of the published agenda.

Owners/Applicants: Norca Corp. (Formerly “Deepwood Development”):

Permit Time Extension:

Proposed Amendment No. 2 to Resolution No. 11/31

Construction of Single-Family Residence, Access Driveway and Associated Improvements

Section 74.6 Block 1 Lot 7.5, R-4 Acre Zoning District

52 Deepwood Road, Bedford, New York

Owner/Applicants/Representatives Present: The consultant was advised by the Chairman an appearance was not necessary.

Discussion:

Andrew Messinger stated the applicant is in the last year of a 5 year permit. A conditional time extension expired on 11/7/15. The applicant has asked for a one year extension to November 7, 2016.

Carol Parker asked for clarification of the Commission’s policy on time extensions since this particular applicant originally came before the Commission in 2006. She asked at what point an applicant is

required to re-submit a new application. Mr. Messinger responded 5 years. Beth Evans noted that the current permit was granted in 2011.

Motion:

Andrew Messinger made a motion to grant the application for a time extension of Permit Resolution No. 11/31 for one year, to expire November 7, 2016, with the following conditions:

1. All of the conditions and stipulations of the original permit and subsequent time extensions shall remain in effect through the expiration of this time extension.
2. There are to be no changes or alterations to the previously approved plans and documents without the express written approval of the Commission.
3. There shall be no further time extensions to this permit. If the applicant chooses to submit a new permit application on or before the expiration of this permit the Commission and the Town Environmental Consultant will determine what, if any, documents and plans may be carried over to a new permit.

Voting on the Permit Resolution:

Motion Seconded by: John Stockbridge

Vote: Ayes: Messinger, Parker, Mitchell, Stockbridge. Nays: None. Absent: Beckett

Owner: Cara A. Raether Trust:

Applicant: Patrick M. Croke, Architect

Addition Over Existing Deck

Section 84.7 Block 2 Lot 22, R-2 Acre Zoning District

12 Seminary Road, Bedford, New York

Owners/Applicants/Representatives Present:

Jeri D. Barrett, R.L.A., J.D. Barrett & Associates, LLC.

Discussion:

Mr. Barrett stated the application was last heard by the Commission at its meeting held on November 2, 2015. At that meeting the applicant was asked to clarify several items.

Mr. Barrett stated the home is serviced by both a septic system and well which are located in the front yard. The wetland system and a portion of a pond are located in the rear. The scope of the work consists of an addition over an existing deck and the removal of the existing free form pool and replacement with a rectangular pool with an automatic cover and spa. The new pool equipment will be located in the same location as the existing equipment and will be state of the art with a cartridge type filter and the use of ozone and ultra violet light to sanitize the water with the use of a very little amount of chemicals. A new propane tank will be installed in the same location to replace an aged tank. A plan has been proposed for the pool water draw down for winterization and consists of 6 Cultec 330 infiltrators which will take 20% of the pool water or approximately 800 cubic feet. The Cultec and gravel give 672 cubic feet of storage and combined with the infiltration rate of the soil it is adequate. Emergency overflow has been designed should the system fill up and the water will overflow out of the system and travel across the yard into the plantings. Mr. Messinger asked if a boring test was done. Mr. Barrett responded, yes the soil is very deep with clay. Ms. Evans added it is sandy.

The plan is to abandon an existing 12-inch crushed corrugated pipe in poor shape which currently carries run off from the roof leaders and sump pump to a distribution box that drains to the pond. The proposal is to take the run off from the new addition and the northern part of the house including the sump pump and take it to a new catch basin and by gravity get it to the infiltrators that are there for the pool draw

down. The southern side of house will be serviced by a 6-inch PVC pipe connected to the garden area with a rock line channel with boulders to slow down flows prior to discharge into the pond.

The wildlife cut outs (6 x 12) for the proposed 150 feet of deer fence in the rear yard have been revised to 50 feet on center. The applicant is carving out approximately 13,000 square feet of mowed lawn to create gardens and will have a substantial investment in plantings as part of mitigation and the deer fence will serve protect them emphasizing the importance of the deer fencing during the monitoring period in order for the plants to become established. The design will be post and rail with a piece of fabric and a piece of steel inside the top of the fence and 3 strands of black guide wire run along the top. A new stone wall with arbor and fence topper will be installed. The existing chain link fence will be relocated and sleeved over for guide wire. Cut outs will be installed every 50 feet on center. The applicant will seek a variance from the New York State Department of State to run the fence into the water thereby making the water itself the pool enclosure. This will allow the homeowner to have unobstructed views of the pond.

Ms. Parker asked if the applicant owns the pond and Mr. Stockbridge asked if there was an Association for the pond. Mr. Barrett responded the applicants own that section of the pond and neighbors were notified of their intent to add the fence. Ms. Evans said each property owner owns a portion of the pond.

Jeri Barrett said the oil tank is located on the opposite side of the basement from the sump pump and an 8 x 8 x 16-inch mortar containment ring at the base of the tank will be installed to contain leaks or spillage.

Mr. Barrett said future plantings are planned for outside the wetland buffer. The cost estimate includes \$12,000 for two years of plant maintenance. The plan calls for large spruce and maple trees to be removed and 8 larger caliper trees and 24 standard caliper trees to be planted throughout property with costs of \$400 and \$250, respectively. Shrubbery in 3-gallon size containers and 54, 1-gallon perennials will be planted and the soil augmented with 60 yards of compost mixed into the soil which he believes will make a huge difference to the establishment of the plants.

The property is located within the Bedford Village historic district and the applicant will appear before the Bedford Village Historic District Review Commission at it meeting in January.

Fiona Mitchell supported the idea of pulling up the lawn. Ms. Parker asked for clarification of the containment area for the oil tank and asked how many gallons it can hold. Mr. Barrett said it is a solid cement block from the foundation wall mortared to the floor and he estimated it will hold over 700 gallons. There will be two, 275-gallon tanks. Mr. Messinger stipulated the base must be epoxy.

Motion:

Andrew Messinger made a motion to approve the application of Cara A. Raether Trust for a project at 12 Seminary Road, be granted a permit for a period of 3 years based on a set of plans submitted on December 8, 2015, prepared by J.D. Barrett & Associates, LLC, dated 10/8/15, last revised 12/3/15 consisting of 4 sheets; and a plan submitted on December 8, 2015, prepared Patrick M. Croke Architect, entitled 'A-02 Basement/Foundation,' dated 10/8/15, with the following conditions:

1. The standard conditions of the Commission for a wetlands permit (See Attachment A) shall be required.
2. No certificate of occupancy shall be granted by the Building Department for the residence unless and until the Building Inspector has verified that the oil tank in the basement of the residence is contained by a concrete block curb no less than 8 inches in height and that the floor and interior of the 'dike' shall be

coated with an impervious material that will retain any potential oil leakage from the tank, as referred to in the December 7, 2015 letter from J. D. Barrett & Associates, LLC., page 3, "Oil Tank in the House Basement."

3. Prior to the issuance of a Certificate of Occupancy for the residence the Building Inspector and the Town Environmental Consultant shall verify that outflow from the sump pump in the basement flows and is directed to the Cultec infiltrators in the rear yard of the house (as indicated on the plan provided) that have been included to accommodate the draw down of the swimming pool. In addition the Town Environmental Consultant shall inspect the installation of the outflow pipes to the infiltrator units during construction and prior to any back filling.

4. The Applicant shall provide a written statement by a licensed professional in the state of New York verifying that the Cultec recharger system referenced on Sheet 3 of 4 of the plans submitted will handle the discharge of 20% of the pool water during periods of draw down plus any additional discharge from other drainage sources including roof runoff and the basement sump pump.

5. Security in the amount of \$45,000 shall be provided and in a manner approved by the Town Attorney to secure the mitigation planting plan as well as the two years of grow in and maintenance. This security shall be in place prior to the beginning of any work on this project. Fifty percent of the security shall be refunded to the applicant upon written verification by the Town Environmental Consultant that the plantings have been installed as per the plan. Twenty-five percent of the initial security shall be refunded one year after the planting verification noted above so long as any replacement plantings have taken place and the plantings and viability are verified by the Town Environmental. Upon two full growing seasons after the initial plantings the remaining twenty five percent of the initial security shall be refunded upon certification by the Town Environmental Consultant that the existing plantings are viable and have been maintained as per the mitigation planting plan submitted on December 8, 2015, prepared by J.D. Barrett & Associates, LLC, entitled "Sheet 2 of 4, Mitigation Planting Plan, Prepared for 12 Seminary Road, Bedford, New York," dated 10/8/15, last revised 12/3/15.

Beth Evans stated that the proposed action will not have an adverse impact on the watercourse of wetland on this property.

The Commission reviewed the Environmental Clearance Form and determined that the proposal is a "Type II Action" under SEQRA.

Motion: Mr. Messinger made a motion that the Commission approves this as a "Type II Action" under SEQRA.

Motion Seconded by: Carol Parker

Vote: Ayes: Messinger, Parker, Mitchell, Stockbridge. Nays: None. Absent: Beckett

Voting on the Permit Resolution:

Motion Seconded by: Carol Parker

Vote: Ayes: Messinger, Parker, Mitchell, Stockbridge. Nays: None. Absent: Beckett

Owner/Applicant: Howard and Robin Zegelstein:

Driveway and Easement

Section 72.8 Block 1 Lot 2.4 and 2.5, R- 4 Acre Zoning District

5 & 6 Spring Lane, Bedford, New York

Owners/Applicants/Representatives Present:

Peter, Gregory, PE, Keane Coppelman Engineers, PC.; Nicholas Pouder, ASLA

Discussion:

The application was last heard by the Commission at its meeting held on November 2, 2015. At that meeting the applicant was asked to clarify several items.

Andrew Messinger said he did not see any indication of trees being removed. Peter Gregory responded that the survey has been updated and all the trees to be disturbed have been quantified by an "x".

Peter Gregory said since the last meeting before the Commission they met with the bridge supplier and were assured they will be able to find a product to span the 24-foot watercourse.

Mr. Gregory said minor adjustments and improvements have been made to the driveway re-grading which enables them to re-direct all storm water runoff into a gravel trench along the inside radius of the driveway. Through that gravel there would be another drain pipe that would be directed to a rip rap swale that would dissipate and feed the runoff into a pre-treatment area prior to going into the storm water mitigation area. It will be 2 to 3 feet in depth. The gravel surface portion of the driveway has been reduced to 14 feet with 4-foot band of pervious pavers which is in response to the Bedford Fire Department's request for an 18 foot width to allow two emergency vehicles to pass each other prior to the second crossing. A pull off hammerhead has been provided to give fire trucks the ability to pull in, turnaround, and pull back out again. At some point, with a different house design, a different driveway access approach to the front of the building may be possible.

Peter Gregory stated there are approximately 90 trees indicated for removal as denoted on the survey with an "x". They have been numbered within the limit of disturbance. Andrew Messinger expressed concern about the mitigation in terms of replacement without a listed inventory of size and type. Nicholas Pouder noted the mitigation plan has all native species but not 90.

Beth Evans said when they met in the field it was to determine where to locate the driveway and how to avoid a lot of the trees of which some are substantial. She stated the mitigation plan does a good job of replacing trees in logical spaces. The forest canopy is not broken anymore than a normal driveway would break it. Many of the understory trees, saplings and seedling are not being taken out and will fill in.

John Stockbridge asked Peter Gregory what would be the least invasive type of surface to cross a wetland area. Andrew Messinger noted the Department of Environmental Protection "DEP" limits what can be used and Beth Evans stated the DEP rules allow gravel close to streams.

Mr. Stockbridge noted that Davids Way is narrower than Spring Lane and asked what the fire regulations are with respect to width. Mr. Gregory responded that the proposed driveway is 600 feet long and 14 feet wide increasing to 18 feet at the midpoint for a pull off. Mr. Messinger said new construction must comply with New York State Code. Ms. Evans added the driveway is too long for a vehicle to back up in an emergency situation.

Mr. Pouder said the mitigation plan is similar to what was submitted in November consisting of native plants, deer resistant shrubs, herbaceous material to restore understory. More seed mix between the water quality basin and the edge of wetland has been added. The date of the plan on view is 10/29/15, last revised 12/8/15.

Beth Evans commented that the majority of plantings proposed are in the wetland buffer. The house and driveway are not in the wetland buffer. There are very few proposed in the wetland itself.

Andrew Messinger stated there is no indication on the plan of where utilities will come in to the lot or the trenching locations. Mr. Gregory said the notes on the construction detail show an underground utility trench running along the right hand side of the driveway. The property is being marketed but is not sold.

Andrew Messinger discussed creating a resolution that would enable the lots to stay in their present form until they are sold and needed to be developed. Two years of maintenance would be required and he asked for an estimate for the bond. Nicholas Pouder stated a \$27,000 cost estimate would be accurate.

Mr. Messinger asked about storm water treatment plans to be reviewed by the Town Engineer. Peter Gregory responded once a house design is determined and a building permit filed, a fully developed storm water pollution prevention plan will be submitted. Beth Evans said she reviewed the storm water proposed for the driveway and the area prior to the stream and it is appropriate for this stage. Mr. Gregory said the plan reflects sediment and erosion control measures and construction fencing limits of disturbance. Ms. Evans stated because the property is in DEP watershed the driveway must be gravel. Mr. Gregory noted that the majority the stone wall will remain in tact and undisturbed. Ms. Evans stated disturbance of the stone walls within regulated areas is an activity that requires a permit. Mr. Gregory stated he would add a note to the plan.

Motion:

Andrew Messinger made a motion to approve the application of Howard and Robin Zegelstein for a project at 5 and 6 Spring Lane, Bedford, be granted a permit for a period of 3 years based on a set of plans submitted on December 8, 2015, prepared by Pouder Design Group, entitled "L-1-1 Wetland Mitigation Plan Zegelstein Residence, Spring Lane, Bedford, NY," dated 10/29/15, last revised 12/8/15 consisting of 1 sheet; and a plan submitted on December 8, 2015, prepared Keane Coppelman Engineers, P.C. entitled "Zegelstein Residence, 6 Spring Lane, Town of Bedford, Westchester County, New York," dated 8/3/15, last revised 12/5/15, consisting of 4 sheets, with the following conditions:

1. The standard conditions of the Commission for a wetlands permit (See Attachment A) shall be required.
2. Security in the amount of \$27,000 shall be provided and in a manner approved by the Town Attorney to secure the mitigation planting plan as well as the two years of grow in and maintenance. This security shall be in place prior to the beginning of any work on this project. Fifty percent of the security shall be refunded to the applicant upon written verification by the Town Environmental Consultant that the plantings have been installed as per the plan. Twenty-five percent of the initial security shall be refunded one year after the planting verification noted above so long as any replacement plantings have taken place and the plantings and viability are verified by the Town Environmental Consultant, Upon two full growing seasons after the initial plantings the remaining twenty five percent of the initial security shall be refunded upon certification by the Town Environmental Consultant that the existing plantings are viable and have been maintained as per the mitigation planting plan submitted on December 8, 2015, prepared by Pouder Design Group, entitled "L-1-1 Wetland Mitigation Plan Zegelstein Residence, Spring Lane, Bedford, NY," dated 10/29/15, last revised 12/8/15 consisting of 1 sheet and any subsequent revisions.
3. The above noted mitigation planting plan shall be revised to indicate on the left legend that there will be a two year grow in period that will cover two growing seasons as defined by the Town Environmental Consultant. The revisions shall also include maintenance and replacement provisions for this two year period.

4. During the construction phase the Town Environmental Consultant shall visit the site no less than one time per month and provide reports to the Commission and the applicant regarding progress on the project as well as any damage to existing vegetation on the plan that may require further protection or replacement during construction of the driveway in regulated area.

5. Trees to be removed shall be clearly marked prior to any construction and upon the installation of the silt fencing these trees shall be inspected and verified by the Town Environmental Consultant.

Beth Evans stated the proposal to construct a driveway through wetland and stream will not have an adverse impact provided mitigation measures proposed are implemented correctly.

The Commission reviewed the Environmental Clearance Form and determined that the proposal is a "Type II Action" under SEQRA.

Motion: Mr. Messinger made a motion that the Commission approves this as a "Type II Action" under SEQRA.

Motion Seconded by: Fiona Mitchell

Vote: Ayes: Messinger, Parker, Mitchell, Stockbridge. Nays: None. Absent: Beckett

Voting on the Permit Resolution:

Motion Seconded by: Fiona Mitchell

Vote: Ayes: Messinger, Parker, Mitchell, Stockbridge. Nays: None. Absent: Beckett

Beth Evans stated if the Town Engineer requires changes to the storm water plan within the buffer the applicant shall require the review of the Town Environmental Consultant.

Minutes to be Approved:

Motion: Mr. Messinger made a motion to approve the November 2, 2015 meeting minutes.

Motion Seconded by: Fiona Mitchell

Vote: Ayes: Messinger, Parker, Mitchell, Stockbridge. Nays: None. Absent: Beckett

Reports:

A – Status of Violations/Enforcement Actions

Beth Evans stated there were no violations/enforcement actions other than 41 Hickory Road LLC. A site visit was conducted with the attorney for the owners and the owner was directed to submit an application.

B – Town Wetland Official (Beth Evans) Monthly Report: Administrative Permits

Beth Evans stated she had no report.

Discussion:

Andrew Messinger discussed the proposal of a *Bedford Wetlands Handbook*. His goal is to put together a handbook that residents can look at initially on line and then printed out as a handout in which common questions are answered, i.e. what do I do, if; what can I do, if. Describing the wetlands in the town how they function, why they are important, and giving the history of the Commission and what the Commission actually does. It would be a tool to educate residents. Mr. Messinger proposed a timeline of a year or less to put the handbook together. The second step would be to have a budget approved by the Town Board to make it happen and have it professionally designed and implemented.

As a starting point, Mr. Messinger asked the Commission members to come up with a list of questions that they think would be useful or that property owners have asked the Commission.

Beth Evans said she feels that one way to make the document different from others that have been published would be a statement by each member as to why they volunteer as Commissioners. A message "From the Commissioners" would be helpful for residents to understand and appreciate why they feel this work is important and why the members put in the time and dedication they do.

Carol Parker added that the perception is that the Commission is here to stop homeowners from doing what they want to do where she believes the reality is the Commission helps homeowners do something that improves there property.

Meeting Adjournment:

Motion: Andrew Messinger made a motion to adjourn the meeting at 8:50 p.m.

Motion Seconded by: Fiona Mitchell.

Vote: Ayes: Messinger, Parker, Mitchell, Stockbridge. Nays: None. Absent: Beckett

Respectfully submitted,

Alexandra J. Costello
Acting Recording Secretary
Bedford Wetlands Control Commission

*Minutes approved by Bedford Wetland Control Commission on
Clerk on .*

and filed in the Office of the Town

Attachment A - WCC Permit Resolution Standard Conditions:

- A. The Applicant shall apply for any permits required by any other agency for this Project. No work permitted under this approval shall start until all such permits have been obtained.
- B. Prior to the commencement of the Project and when erosion and sediment controls have been installed in accordance with the New York Guidelines for Urban Erosion and Sediment Control, the Applicant shall notify the Commission at (914) 666-5140 to arrange an inspection of such controls. There shall be no work commenced on the Project unless and until the Town Environmental Consultant or the Town Director of Planning has approved such controls.
- C. The Project shall be carried out in accordance with the approved Plan.
- D. Promptly upon completion of the Project, the Applicant shall notify the Commission to arrange an inspection of the Project, including conditions as may be set forth in this condition. ***[IF THERE WILL BE A BUILDING PERMIT WITH A C/O OR C/C ISSUED: “No certificate of occupancy or certificate of compliance shall be issued unless and until the Town Environmental Consultant has inspected the Project and has determined that the Project has been completed in compliance with the conditions of the Resolution.”]*** ***[IF THERE WILL NOT BE A BUILDING PERMIT WITH A C/O OR C/C ISSUED: “The Town Environmental Consultant shall inspect the Project and determine that the Project has been completed in compliance with the conditions of the Resolution.”]***
- E. The Permit granted under this Resolution shall expire on the completion of the Project, _____ year(s) (*insert time granted when approved*) from the date of this resolution or at the time specified upon approval, whichever occurs sooner. Unless the resolution states that no time extensions will be granted, an application for the renewal of the Permit must be received not less than sixty (60) days before the expiration of the Permit.
- F. Pursuant to Section 122-9I of the Law, the Applicant shall be responsible for obtaining the approvals or permits required by any other agencies prior to commencement of the Project.
- G. Pursuant to Section 122-9K of the Law, the Applicant shall reimburse the Town for the costs of any inspection, review or work performed by the Town Environmental Consultant and any other consultants in connection with the application and the Project.

**THE WETLANDS CONTROL COMMISSION OF THE TOWN OF BEDFORD
BEDFORD, NEW YORK**

February 1, 2016

A meeting of the Wetlands Control Commission of the Town of Bedford was held on February 1, 2016, starting at 7:31 PM in the Town Offices at 425 Cherry Street, Bedford Hills, New York.

Present: Chairman Andrew Messinger, Vice-Chairman Carol Parker, Member Fiona Mitchell, Member John Stockbridge, Town Environmental Consultant Beth Evans and Senior Office Assistant Donna Berkowitz.

Absent: Member David Beckett

Announcements:

Andrew Messinger announced that the next meeting of the Commission is scheduled for Monday, March 7, 2016; the deadline for new applications is Friday, February 5, 2016; the deadline for supplemental submissions for this meeting is on Friday, February 12, 2016. The site walk for the March 7, 2016 meeting will take place on February 18, 2016.

Andrew Messinger was informed by Beth Evans that she will not be able to attend the March 7, 2016 meeting, and if they do not receive an adequate number of applications for that meeting, it will be postponed until the next meeting which is Monday, April 4, 2016.

Owners: Christopher Davis and Andrea Schaefer:

Applicant: Benedek & Ticehurst,

Landscape Architects & Site Planners, P.C.

Pergola and Drainage

Section 84.9 Block 1 Lot 4, R-4A Zone

40 Clark Road, Bedford, New York

Owners/Applicants/Representatives Present:

Andrea Schaefer, owner;

Glen Ticehurst, Benedek & Ticehurst, Landscape Architects & Site Planners, P.C.

Discussion:

Glen Ticehurst stated they are proposing to put a shade structure at the end of the pool. The majority of the decking will be removed around the pool and a more modest terrace will be behind the house. Glen stated there is a perched wetland hill and the effect will not have any impact

partially in and outside of the wetland setback. There will be some mitigation planting in wetland area on property line to the North. Glen stated they are proposing to put in two curtain drains along edge of the lawn. Andrea is having flooding problems in her basement and this will alleviate some of the subsurface water coming through the ground. There is mitigation proposed at the outfall of the trench.

Carol Parker requested a description of the pergola in the application with pictures, what it is made of, the footings, etc. Ms. Parker asked if the pool fence was being moved. Glen Ticehurst replied yes. Ms. Parker asked if there was an Administrative permit for the fence. Beth Evans replied yes.

Andrew Messinger stated there is a recent wetland delineation by Paul Jannig. Beth stated Glen's plan references the 2016 delineation not the survey. The original wetland was flagged in 2001 and Paul Jannig confirmed the flagged locations in 2015.

John Stockbridge asked about the next door neighbor – the way the hill works – there seems to be lots of flow from above. Andrea Schaefer asked “do you mean the Flemings?” John said yes. Mrs. Schaefer stated she has lots of pictures and would like them to be put them on the record. She stated there's a reason they are putting in this big drainage the water runs toward her and not the Flemings. The owners at 701 South Bedford Rd. came and submitted a permit to take down the house and put up a new house, and then spent the summer clear cutting. She called the DEC. Mrs. Schaefer stated she had 4 inches of water each time it rained and her basement was dry for 20 years. The DEC said they were allowed to do outside the building envelope a small amount to allow to build. They clear cut over an acre beyond what they were allowed and without a DEC permit on steep slope. She had to get a dumpster to remove everything from the basement, antiques – everything was trashed from this wetland violation, steep slope violation.

John Stockbridge asked what the violation was. Andrew Messinger asked if the Town took any action and/or the DEC. Andrea Schaefer stated she called the DEC and she spoke to the Code Enforcement Officer. The Code Enforcement Officer and Building Inspector went out on several occasions. What the owners were submitting to the Planning Board was a plan, but when the Building Inspector went out they were never doing what was supposed to be done. She stated the Building Inspector did stop work on a couple of occasions, and the DEC guy said without a doubt he did x y & z and he wasn't supposed to. The property owner at 701 South Bedford Rd. needed a steep slope permit and has to come back and reapply for all those things with Planning Board.

Andrew Messinger stated he will follow up with the Building Department regarding Mrs. Schaefer's concerns.

Andrea Schaefer was reiterating her concerns regarding the tree cutting.

Motion:

Carol Parker made a motion to grant the application for the pergola and curtain drain a wetland permit for a period of two years based on the site plan for the Davis residence labeled WL-1 prepared by Benedek & Ticehurst, Landscape Architects & Site planners, P.C., dated October 27, 2015, with the following conditions:

1. All the standard conditions of the Commission shall be added to this permit (See Attachment A);
2. Should any changes be necessary to the site plan that affect the impervious surface coverage, drainage or plantings in construction with regulated areas, the Town Environmental Consultant shall be informed immediately. The TEC shall determine if these changes can be classified as routine field changes or they are substantive and require further review by this Commission;
3. Any changes that take place to the project or the plan shall be documented to the Commission in the form of updated site plans.

Carol Parker made a motion to seek a negative declaration under SEQRA as a Type II.

Motion Seconded by: John Stockbridge

Andrew Messinger stated he would like to add and amend that. Asked if he could add two items. Mr. Messinger asked "What do you call the swale that you're constructing on the left side of the property?" Glen Ticehurst responded "swale/curtain drain."

Andrew Messinger added a condition which would be (4):

4. Upon the completion of the swale-curtain drains and the stabilization of the soils at this location, the Town Environmental Consultant shall inspect and certify that this feature complies with the plan;
5. The applicant shall provide a written and photographic description of the pergola included in the Wetland file.

Voting on the Permit Application with the conditions:

Motion Seconded by: John Stockbridge

Beth Evans stated the proposed application will not have an adverse impact on the environment based on mitigation measures that are proposed in the reduction of the impervious area.

Vote: Ayes: Messinger, Parker, Mitchell, Stockbridge. Nays: None. Absent: Beckett

Owner: 41 Woodfield Road, LLC

Applicant: Bryan Robertson, Robertson Contracting Corp.

**Remediation of Wetlands Violation, Addition and Renovations to Existing Residence
Section 49.18 Block 2 Lot 44, R-1/2 Acre Zoning District
40 Hickory Road, Katonah**

Owners/Applicants/Representative Present:

Bryan Robertson, Robertson Contracting Corp., Glen Ticehurst, Benedek & Ticehurst, Landscape Architects & Site Planners, P.C.

Discussion:

Glen Ticehurst stated Bryan Robertson contacted him to help him navigate the violation.

Andrew Messinger stated that a number of weeks ago the Town Environmental Consultant requested a mitigation plan which they have not received. Mr. Messinger stated the application indicated the renovation of the house and does not see anything that requires a Wetland permit. Bryan Robertson stated it's a bump out of the garage on the impervious surface, removing the blacktop, extending garage 12 ft.

Andrew Messinger asked if there was a stop work order. Mr. Robertson replied not officially. He was told not to do anymore work until he received a Wetland permit and to get a tree permit. Mr. Robertson stated he met Beth Evans out at the site and she stated to retain someone to do the remediation, which is Glen. Mr. Robertson stated he can't do the mitigation until April, so is asking if in the meantime he can continue the construction of the project.

Beth Evans stated she asked Mr. Robertson to get the wetland flags that had been hung by Mary Jannig's survey located and he did do that. Ms. Evans stated she has a copy of that dated January 27, 2016. The survey date is January 19th and the map was prepared on January 27th.

Beth Evans stated that Mr. Robertson is correct that they can't do anything in terms of planting at this point. If Glen Ticehurst is retained to prepare a plan it is reasonable - we should let the Building Department know that no Certificate of Occupancy should be issued until the mitigation plan has been approved by your Board and properly installed and implemented – let them keep working and get something prepared.

Andrew Messinger stated he went to the site and it was difficult to tell what was removed, when, and if a mitigation plan is prepared if the location of the trees that were taken down be put on it.

Beth Evans stated in this case it's not how many trees came down but where they came down and what the impact to the property may be.

Andrew Messinger stated his suggestion is to table this to the April meeting, and Mr. Robertson will come back with a mitigation plan and we will consider the wetland permit for the change at the house, if it is needed.

John Stockbridge asked if Mr. Robertson can continue the work inside the house. Mr. Messinger responded that he is going to send a memo to the Building Department that it is the Commission's opinion that no Certificate of Occupancy should be issued until the plantings have been completed.

Owner: Michael and Catherine Paletta

**Permit time extension, remediation of Wetlands Law Violation
Section 83.11 Block 2 Lot 5.1, R-4 Acre Zoning District
100 Baldwin Road, Bedford Corners**

Discussion:

Andrew Messinger stated this is a four year old application in which the applicant has not completed the invasive species removal that was agreed to in the plan or

Beth Evans stated she would like to fill in the sentence differently. The applicant has not completed the documentation of the invasive species removal. Ms. Evans stated she had visited the property several times and they did an incredible job removing the invasive species. What they have not done was be diligent in getting their consultant David Sessions to write the report to document that.

Andrew Messinger stated one of the conditions he has is that the above time extension will run this permit to the five year limit allowed by the Commission. If the work has not been completed and documented by February 6, 2017, the applicant will be in violation of this permit and will be considered in violation of the permit unless a new permit application is submitted prior to the application date, but that seems to be punishing the applicant where the applicant may not be the faulty party here.

Beth Evans stated in talking to Dave Sessions there will be no problem getting the documentation in the Spring.

Andrew Messinger made a motion that time extension be granted for one year to the applicant to complete the invasive species removal and documentation in as contained in the original permit pertaining to item numbers 8 and 16 with the following conditions:

1. All the original conditions in the permit shall remain in effect, and there shall be no changes to the plans or conditions without the expressed written approval of the Commission;

2. The above noted time extension will run this permit to the five year limit allowed by the Commission. If the noted work has not been completed and documented by February 6, 2017, the applicant may be in violation of this permit, and it will be necessary for a new permit and application to be submitted prior to the expiration date.

Motion: Mr. Messinger made a motion to second.

Motion Seconded by: Carol Parker

Vote: Ayes: Messinger, Parker, Mitchell, Stockbridge. Nays: None. Absent: Beckett

Discussion:

Andrew Messinger discussed the *Bedford Wetlands Handbook*. Mr. Messinger asked the Commission members if they came up with a list of questions for the handbook. Fiona Mitchell asked if the handbook was going to be in a question and answer format. Mr. Messinger stated a large portion of the handbook will be in a question and answer format so that the questions that are commonly answered will be easily available and explained.

Mr. Messinger stated he would like to put descriptions of the wetlands and various types of wetlands that are in the Town; what their function is and a discussion of the wetland law, history, the amendments; discussion of administrative permits; how the laws administer code enforcement; how the Justice Court plays into it; the fact that you cannot appeal a decision of the Commission within the Town, it has to go to the State Supreme Court; why we require security in certain situations and how much that security maybe, what's it for and how is it refunded.

Mr. Messinger stated he thinks there should be a discussion on livestock stewardship and also guidelines. Mr. Messinger then went on to list the questions he had written.

Beth Evans suggested to keep the handbook concise and list reasons why the Commission does what they do and why they protect wetlands.

Carol Parker stated they need to set up an outline and assign what the objectives are. Andrew Messinger stated he will clean up his draft of questions to circulate and ask each member of the Commission to think of distinctive areas where narratives can be written.

Reports:

A – Status of Violation/Enforcement Actions

Beth Evans stated there was not much to report other than the applicant the Commission heard tonight.

B – Town Wetland Official (Beth Evans) Monthly Report: Administrative Permits

Beth Evans stated she signed one for a fence around a pond on a property on Baldwin Rd. The owners picked fencing that had 6x6 openings in the bottom, so all they had to do was cut one piece of wire every so many feet.

Meeting Adjournment:

Motion: Andrew Messinger made a motion to adjourn the meeting at 8:40 p.m.

Motion Seconded by: Fiona Mitchell.

Vote: Ayes: Messinger, Parker, Mitchell, Stockbridge. Nays: None. Absent: Beckett

Respectfully submitted,

Donna M. Berkowitz
Acting Recording Secretary
Bedford Wetlands Control Commission

*Minutes approved by Bedford Wetland Control Commission on
Town Clerk on , 2016*

2016 and filed in the Office of the

Attachment A - WCC Permit Resolution Standard Conditions:

- A. The Applicant shall apply for any permits required by any other agency for this Project. No work permitted under this approval shall start until all such permits have been obtained.
- B. Prior to the commencement of the Project and when erosion and sediment controls have been installed in accordance with the New York Guidelines for Urban Erosion and Sediment Control, the Applicant shall notify the Commission at (914) 666-5140 to arrange an inspection of such controls. There shall be no work commenced on the Project unless and until the Town Environmental Consultant or the Town Director of Planning has approved such controls.
- C. The Project shall be carried out in accordance with the approved Plan.
- D. Promptly upon completion of the Project, the Applicant shall notify the Commission to arrange an inspection of the Project, including conditions as may be set forth in this condition. ***[IF THERE WILL BE A BUILDING PERMIT WITH A C/O OR C/C ISSUED: "No certificate of occupancy or certificate of compliance shall be issued unless and until the Town Environmental Consultant has inspected the Project and has determined that the Project has been completed in compliance with the conditions of the Resolution."]*** ***[IF THERE WILL NOT BE A BUILDING PERMIT WITH A C/O OR C/C ISSUED: "The Town Environmental Consultant shall inspect the Project and determine that the Project has been completed in compliance with the conditions of the Resolution."]***
- E. The Permit granted under this Resolution shall expire on the completion of the Project, _____ year(s) (*insert time granted when approved*) from the date of this resolution or at the time specified upon approval, whichever occurs sooner. Unless the resolution states that no time extensions will be granted, an application for the renewal of the Permit must be received not less than sixty (60) days before the expiration of the Permit.
- F. Pursuant to Section 122-9I of the Law, the Applicant shall be responsible for obtaining the approvals or permits required by any other agencies prior to commencement of the Project.
- G. Pursuant to Section 122-9K of the Law, the Applicant shall reimburse the Town for the costs of any inspection, review or work performed by the Town Environmental Consultant and any other consultants in connection with the application and the Project.

Rec'd
12-31-15

TOWN OF BEDFORD - WETLANDS CONTROL COMMISSION
Application for Permit

Identification of Owner(s):

Name(s) of owner(s) [as shown on Deed]: 41 Woodfield Road, LLC
Mailing Address: 553 Westchester Ave, Yve Brook NY, 10573
Phone: 914-968-845 (home) 914-968-845 (work); Fax: same E-Mail: Bryan@RobertsonContracting.com

Identification of Applicant (if other than owner(s)):

Name of Applicant: Bryan Robertson, Robertson Contracting
Mailing Address: P.O. Box 678, Goldens Bridge, NY 10526
Phone: 666-0152 (home) 666-0152 (work); Fax: _____ E-Mail: Bryan@robertsoncontracting.com

Professional Preparing Site Plan:

Name /Address: Michael Piccirillo, 345 Kear Street, Yorktown Heights, NY, 10598
Phone: 368-9838 Fax: 302-2933 E-Mail: michaelpiccirilloarchitect.com

Identification of Property:

Bedford Tax Map Designation: Section 49.18 Block 2 Lot 44 Area _____
Zoning District: R 1/2 A Project Address: 40 Hickory Road, Katonah
Approximate year of construction of any structure: 1956

Prior Applications/Other Applications (write "N/A" if not applicable; Project Cost):

Dates of any prior Wetlands Control Commission permits: _____
Identify any other Town of Bedford approvals required: _____
Identify any other governmental approvals required: _____
Project cost (including professional fees): \$125,000

Project Description/Proposed Use (MUST BE DETAILED - Use Additional Pages if Needed):

ADDITION TO EXISTING GARAGE, KITCHEN AND FAMILY ROOM. NEW FRONT PORCH ON EX. STEPS, NEW DECK.

Proposed Project Start Date: 2/8/15 Estimated Date of Completion: 5/6/15

The owner(s) hereby give(s) permission to the Town of Bedford, its agents, servants and employees, including, without limit, members of the Wetlands Control Commission and consultants to the Town to enter upon the Property solely for the purposes incidental to the within application (including without limit, inspection of the project after completion) at reasonable times upon reasonable notice to the owner or tenant in possession, which notice may be by telephone. If the applicant is different than the owner(s), the owner(s) hereby approves this application and consents to the applicant acting as agent for the owner in submitting this application and the applicant accepts its designation as agent for the owner(s).

I/we affirm by the signatures below that I/we are the rightful legal owner(s) of the property herein described in this application.

Signature of owner(s): [Signature]
All owners must sign Print name/title: Thomas F. Walsh AS OWNER FOR

Date: Dec 28, 2015

41 Woodfield Road, LLC
Print name/title: _____

Date: _____

Signature of applicant (if different): [Signature]
Print name/title: Bryan Robertson

Date: 12/30/15

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

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

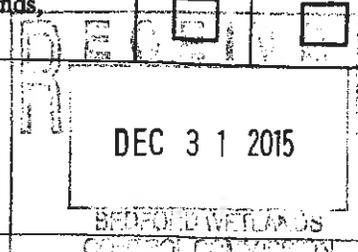
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: 40 Hickory							
Project Location (describe, and attach a location map): 40 HICKORY ROAD, KATONAH NY							
Brief Description of Proposed Action: ADDITION TO GARAGE, KITCHEN AND FAMILY ROOM. NEW FRONT PORCH AND STEPS NEW DECK		DEC 31 2015					
Name of Applicant or Sponsor: Bryan Robertson		Telephone: 914-666-0152					
Address: P.O. Box 698,		E-Mail: Bryan@robertsoncontracting.com					
City/PO: Goldens Bridge		State: NY	Zip Code: 10526				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: WETLAND CONTROL			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		<u>0.997</u> acres					
b. Total acreage to be physically disturbed?		<u>0.01</u> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Bryan Robertson</u>		Date: <u>12/30/15</u>
Signature: <u>[Signature]</u>		

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

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



	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

DEC 31 2015

PFIZER – JÄHNIG
ENVIRONMENTAL CONSULTING

October 9, 2015

Wetland Delineation
40 Hickory Road
Katonah, New York

Prepared for:
41 Woodfield Road LLC
553 Westchester Avenue
Rye Brook, New York 10573

DEC 1 2015

Introduction:

A wetland delineation was conducted at 40 Hickory Road on October 6, 2015 by Mary Jaehnig, certified soil scientist. The property consists of two lots between Hickory Road and Lakeside Drive. The developed lot, 40 Hickory Road, supports a single family dwelling on 0.526 acres. The undeveloped lot is 0.471 acres.

The new owner of both lots removed trees, vines and some shrub cover. The backyard on the developed lot is part upland and part wetland. During the original construction decades ago fill obtained from the slab construction was smoothed over the rear of the lot to form a backyard lawn. The rear yard consisted of grass lawn and mature red maples. Some of the trees (red maples) were close to the existing dwelling, one was a threat to the adjacent parcel, others were leaning. At least one tree was removed from the wooded wetland as general clean up. Trees remain in the wooded wetland with a closed canopy and no fill was introduced to the site. The stumps have been left in place and the trunks and chips were removed from the site. The site is stable at this time and no additional planting is recommended by the consultant.

Slopes descend gently to the south. Runoff from the wetland is piped beneath Lake Side Drive and flows to the east, eventually entering the Muscoot Reservoir. There are no New York State Dept. of Environmental Conservation (NYS DEC) wetlands near the site. The wetland on site is a locally regulated wetland. Most of the properties along Lake Side Drive and

PFIZER – JÄHNIG
ENVIRONMENTAL CONSULTING

some along Hickory Road required fill during the initial development of the neighborhood.

Soils:

Soil samples were obtained using a spade and auger. Features noted include color, texture and depth to hydric indicators. Soils were classified according to guidelines established by the USDA NRCS.

The upland soils on site include Charlton loam, along Hickory Road and Udorthent, or fill, adjacent to Lake Side Drive.

Charlton loam is deep, well drained and formed in glacial till. The depth to bedrock usually exceeds 5 feet below grade and the depth to the water table usually exceeds 6 feet below grade.

The fill adjacent to Lake Side Drive is several feet thick over wetland soil but is of unknown composition. The adjacent property on the eastern side of the fill is also wetland but was not flagged in the field.

The wetland soil on site is Sun Loam in the wooded wetland and Udorthent over wetland soil smoothed over parts of the side and rear yard.

Sun loam is a very deep, nearly level, very poorly drained soil formed in glacial till. The surface layer is a very dark grayish brown loam and the subsoil is a very dark grayish brown mottled loam. The water table is located from above to 0.5 feet below grade from November through April.

The Udorthent in the lawn area is a mottled gray sandy loam spread over the original wetland soil. A shallow ditch is located west of the smoothed filled, between the fill and the undisturbed wetland.

Vegetation:

The Charlton loam supports upland grassed lawn. The septic system disposal area is located in the Charlton loam in front of the dwelling.

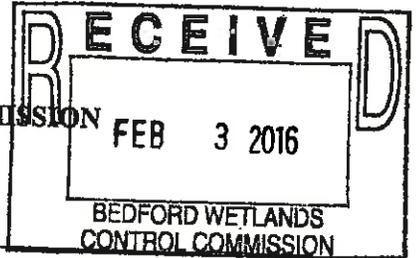
PFIZER - JÄHNIG
ENVIRONMENTAL CONSULTING

The Udorthent over wetland soil also supports grassed lawn on the side and rear yards. Areas of Udorthent with mostly wetland species mixed with the turf grass was flagged as wetland. The wetland species include tear thumb and moss. The rear yard also supported mature red maples.

The wooded wetland supports a closed tree canopy of red maple. The shrub story is scant but increases in density to the west and includes spicebush and Japanese barberry with multiflora rose. The groundcover includes skunk cabbage, sensitive fern, royal fern and moss.

Submitted by,
Mary Jaehnig
Mary Jaehnig
certified soil scientist

TOWN OF BEDFORD - WETLANDS CONTROL COMMISSION
Application for Permit



Identification of Owner(s):

Name(s) of owner(s) (as shown on Deed): DP-21 (Diamond Properties)
Mailing Address: 333 North Bedford Road, Ste 145, Mount Kisco, NY 10549-1164
Phone: (914)773-6220 (home) _____ (work); Fax: (914)773-6259 E-Mail: jdiamond@dpmgt.com

Identification of Applicant (if other than owner(s)):

Name of Applicant: Estate Motors
Mailing Address: 321 Route 22, Goldens Bridge, NY 10526
Phone: (914)232-8122 (home) _____ (work); Fax: _____ E-Mail: _____

Professional Preparing Site Plan:

Name /Address: Catizone Engineering, P.C., 9 Overlook Terrace, Larchmont, NY 10538
Phone: (914) 269-8358 Fax: _____ E-Mail: pcaizone@catizoneengineering.com

Identification of Property:

Bedford Tax Map Designation: Section 71.12 Block 2 Lot 36 Area 282,301.8SF
Zoning District: L1 Project Address: 333 North Bedford Road
Approximate year of construction of any structure: _____

Prior Applications/Other Applications (write "N/A" if not applicable; Project Cost):

Dates of any prior Wetlands Control Commission permits: 5/5/2007
Identify any other Town of Bedford approvals required: Site Plan Approval
Identify any other governmental approvals required: Various (See Attachment in EAF)
Project cost (including professional fees): \$350,000 (Site work and related)

Project Description/Proposed Use (MUST BE DETAILED - Use Additional Pages if Needed):

See Attached

Proposed Project Start Date: 7/2016

Estimated Date of Completion: 8/2017

The owner(s) hereby give(s) permission to the Town of Bedford, its agents, servants and employees, including, without limit, members of the Wetlands Control Commission and consultants to the Town to enter upon the Property solely for the purposes incidental to the within application (including without limit, inspection of the project after completion) at reasonable times upon reasonable notice to the owner or tenant in possession, which notice may be by telephone. If the applicant is different than the owner(s), the owner(s) hereby approves this application and consents to the applicant acting as agent for the owner in submitting this application and the applicant accepts its designation as agent for the owner(s).

I/we affirm by the signatures below that I/we are the rightful legal owner(s) of the property herein described in this application.

Signature of owner(s):
All owners must sign

Print name/title: Jim Diamond

Date: 2/1/16

Print name/title: _____

Date: _____

Signature of applicant (if different):

Print name/title: Dick Prossner / CFO

Date: 29 January 2016

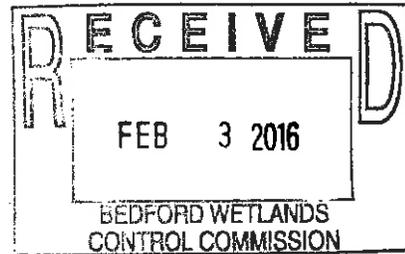
TOWN OF BEDFORD – WETLANDS CONTROL COMMISSION**Application for Permit:** Supplement for 333 North Bedford Road Application**Project Description/Proposed Use (MUST BE DETAILED – Use Additional Pages if Needed):**

The Applicant is requesting an amendment to a previously approved site plan for 333 North Bedford Road. The Project proposes the change in use of 113,280 SF of existing office/warehouse space (currently Wine Enthusiast) to automotive sales, service and related activities within the Village of Mount Kisco. The Project also proposes improvements and expansion to an existing parking/ loading area to the north of the building, which is largely in the Town of Bedford. Additionally, the Applicant will develop two abutting parcels on the northeast portion of the site (793/795 Bedford Road) where a 7,000 sf certified pre-owned sales (CPO) building will be located. The CPO site is 0.90 acres in size. The CPO building and related site improvements are located entirely within the Town of Bedford. Approximately 40,866 SF of the 333 North Bedford Road site will be developed to support the CPO building. The 333 North Bedford Road site is 37.5 acres in size.

Disturbances impacting sensitive areas within the Town of Bedford are isolated to parking lot improvements north of the 333 NBR building. There is currently a 4 ft grade differential between the pavement level and finished floor level of the existing building, as is typical for truck loading areas. The improvements include importing of approximately 3,000 CY of fill to convert an existing loading area to a parking area in order to provide vehicular access to the Estate motors service department and pedestrian access to the various access doors located along the north side of the building. The adjustments to grade are limited to the eastern portion of the parking area, as the western parking lot has already been brought to grade with the building as part of the 2007 wetland permit for Wine Enthusiast project. The Project will involve disturbance within the wetland buffer of approximately 5,716 (0.13acres) of the wetland buffer, mostly resulting from the reduction of a landscaped island to allow for additional parking and circulation. Disturbance within the buffer is depicted and quantified on C2.42 "Activities within Sensitive Natural Areas" The overall limits of the existing development will not encroach on additional wetlands or wetland buffers, as the proposed work is entirely within the developed portion of the site. In addition to the above, approximately 1,400 sf of disturbance within a wetland buffer is proposed within the Village of Mount Kisco. The Project does not propose impervious pavement within the 100 ft limiting distance from a NYCDEP wetland or watercourse. As in the previous application, pavement within the buffer will comply with NYCDEP requirements. Although a pervious pavement section has not been selected we have included C2.72 "Pavement Plan" has been included for review. The overall disturbance for the 333 NBR project does not exceed 2 acres therefore is not subject to NYCDEP review. The disturbances within Mount Kisco are subject to review by NYCDEP since Mount Kisco is within the NYCDEP DMSD.

February 3, 2016

Chairman Andrew Messinger and Commission Members
Town of Bedford Wetlands Control Commission.
425 Cherry Street
Bedford Hills, N.Y. 10507



Re: Estate Motors, Mercedes Benz of Mount Kisco
799 Bedford Road
Town of Bedford, NY

Dear Chairman Andrew Messinger and Commission Members;

On behalf of our Client, Estate Motors, Catizone Engineering, P.C. is pleased to transmit the following:

No. Copies	Title	Date
9	C1.01 Existing Conditions Plan	02/03/2016
9	C1.11 Overall Site Plan	02/03/2016
9	C1.12 Overall Site Zoning Notes	02/03/2016
9	C2.22 Grading and Utilities Plan	02/03/2016
9	C2.32 Erosion and Sediment Control Plan	02/03/2016
9	C2.42 Activities within Sensitive Natural Areas	02/03/2016
9	C2.62 Landscape Plan	02/03/2016
9	C2.72 Pavement Plan	02/03/2016
9	Town of Bedford- Wetlands Control Commission, Application for Permit	02/03/2016
9	Full Environmental Assessment Form	12/06/2015
9	Application Checklist	

We have also attached a check for \$200 for the application fee and a check for \$500 for escrow.

We has the pleasure of meeting with Jeff Osterman, Town Planner and Beth Evans, Town Wetlands consultant on January 21, 2016 to discuss the project and receive their preliminary comments which have been incorporated into the plans.

The Project proposes the change in use of 113,280 SF of existing office/warehouse space (currently Wine Enthusiast) to automotive sales, service and related activities within the Village of Mount Kisco. The Project also proposes improvements and expansion to an existing parking/ loading area to the north of the building, which is largely in the Town of Bedford. Additionally, the Applicant will develop two abutting parcels on the northeast portion of the site (793/795 Bedford Road) where a 7,000 sf certified pre-owned sales (CPO) building will be located. The CPO site is 0.90 acres in size. The CPO building and related site improvements are located entirely within the Town of Bedford. Approximately 40,866 SF of the 333 North Bedford Road site will be developed to support the CPO building. The 333 North Bedford Road site is 37.5 acres in size.

Disturbances impacting sensitive areas within the Town of Bedford are limited to parking lot improvements north of the 333 NBR building. There is currently a 4 ft grade differential between the pavement level and finished floor level of the existing building, as is typical for truck loading areas. The improvements include importing of approximately 3,000 CY of fill to convert an existing loading area to a parking area in order to provide vehicular access to the Estate motors service department and pedestrian access to the various access doors located along the north side of the building. The adjustments to grade are limited to the eastern portion of the parking area, as the western parking lot has already been brought to grade with the building as part of the 2007 wetland permit for Wine Enthusiast project. The Project will involve disturbance within the wetland buffer of approximately 5,716 (0.13acres) of the wetland buffer, mostly resulting from the reduction of a landscaped island to allow for additional parking and circulation. Disturbance within the buffer is depicted and quantified on C2.42 "Activities within Sensitive Natural Areas" The overall limits of the existing

development will not encroach on additional wetlands or wetland buffers, as the proposed work is entirely within the developed portion of the site. In addition to the above, approximately 1,400 sf of disturbance within a wetland buffer is proposed within the Village of Mount Kisco. The Project does not propose impervious pavement within the 100 ft limiting distance from a NYCDEP wetland or watercourse. As in the previous application, pavement within the buffer will comply with NYCDEP requirements. Although a pervious pavement section has not been selected we have included C2.72 "Pavement Plan" has been included for review. The overall disturbance for the 333 NBR project does not exceed 2 acres therefore is not subject to NYCDEP review. The disturbances within Mount Kisco are subject to review by NYCDEP since Mount Kisco is within the NYCDEP DMSD.

We hope that this application can be heard at your March 7, 2016 meeting.

Sincerely,

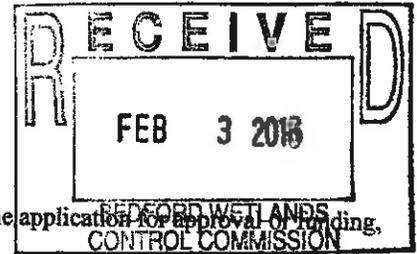


Pietro A. Catizone, P.E.
Principal

cc: Village of Mount Kisco Planning (*Electronic and 4 hard copies*)
Electronic copies:
Mr. Anthony Monteleone, Esq.; Monteleone and Monteleone
Mr. Anthony Assalone, Esq.; Estate Motors
Mr. Jonathan J. Penny, AIA; Penney Design Group.
Mr. John Collins; Maser Consulting
Mr. Jim Diamond; Diamond Properties
Mr. Neil Alexander, Esq.; Cuddy and Feder

PAC X:\Project\2014\14011 MB Mt Kisco\Corespondence\Outgoing\Bedford Wetlands\Wet_Bedford 160203.docx

**Full Environmental Assessment Form
Part 1 - Project and Setting**



Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval of funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Amended Site Plan Approval and Change of Use 333 North Bedford Road, Site Plan Approval 793/795 Bedford Road		
Project Location (describe, and attach a general location map): 333 North Bedford Road (Village of Mt Kisco and Town of Bedford) 793 and 795 Bedford Road (Town of Bedford)		
Brief Description of Proposed Action (include purpose or need): The Applicant is requesting an amendment to a previously approved site plan for 333 North Bedford Road (NBR), as follows: 1. Change in use 333 NBR site of 113,280 SF of existing office/warehouse space (previously Wine Enthusiast) to automotive sales, service and related activities within the Village of Mount Kisco. The 333 NBR site is 37.5 acres in size. 2. Improvements and expansion to an existing parking/ loading area to the north of the building, which is largely in the Town of Bedford. (part of 333 NBR) 3. Development of two abutting parcels on the northeast portion of the site (793/795 Bedford Road) to support a 7,000 sf certified pre-owned sales (CPO) building. The CPO site is 0.90 acres in size. The CPO building and related site improvements are located entirely within the Town of Bedford. 4. Parking area expansion of 40,866 SF of the 333 NBR site to support the CPO building. 5. Incorporation of 520 sf deck area servicing Cosentino (tenant) into 333 NBR site plan. 6. Construction of a 378 sf field house and related improvements on the south side of the 333 NBR site to provide public restroom facilities to the on site, publicly utilized ball field. 7. expansion of U-Haul parking spaces from 10 to 17.		
Name of Applicant/Sponsor: Estate Motors and DP-21	Telephone: (914) 232-8132 / (914) 773-6220	E-Mail:
Address: 321 NYS Route 22/ 333 North Bedford Road Ste 145		
City/PO: Goldens Bridge, NY 10526 / Mount Kisco, NY 10549	State: NY	Zip Code:
Project Contact (if not same as sponsor; give name and title/role): Mr. Charles Buonanno/ Jim Diamond	Telephone: (914) 232-8132	E-Mail:
Address: 321 NYS Route 22/ 333 North Bedford Road Ste 145		
City/PO: Goldens Bridge/ Mount Kisco	State: NY	Zip Code: 10526
Property Owner (if not same as sponsor): DP-21 (Diamond Properties)	Telephone: (914) 773-6220	E-Mail: jdiamond@dpmgt.com
Address: 333 North Bedford Road, Ste 145		
City/PO: Mount Kisco	State: NY	Zip Code: 10549-1164

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Village of Mount Kisco Planning Board Town of Bedford Planning Board	11/18/2014 (actual submittal) 10/2/2014 (Concept),
c. City Council, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Village of Mt. Kisco Zoning Board of Appeals Town of Bedford Zoning Board of Appeals	1/12/2016 (anticipated) 2/2016 (Anticipated)
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Village Building Department, Town of Bedford Wetlands, Town of Bedford Building	Village and Town Wetlands 2/15/2016 (Anticipated), Village and Town ARB (4/2016)
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	WCDOH(OWTS)	1/20/2015 (approval granted 3/26/2015)
f. Regional agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYCDEP	Coordinated Review Application after SEQR Determination 1/2016 (Anticipated)
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC (SWPPP) NYSDOT	2/15/2016 (Anticipated) 2/15/2016(Anticipated)
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify the plan(s): NYCDEP Designated Main Street District (Mt. Kisco)	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Mount Kisco ML District, Mount Kisco- CL District, Bedford LI District (333 NBR)
Bedford RB district, Bedford LI District (793/795)

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Bedford Central School District

b. What police or other public protection forces serve the project site?
Village of Mt. Kisco Police, Westchester County Police, Town of Bedford Police

c. Which fire protection and emergency medical services serve the project site?
Mount Kisco Village Fire Department, Bedford Hills Fire Department

d. What parks serve the project site?
On site public recreation field, project is mixed use/commercial use with no residential component

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? mixed use of personal service, public recreation membership club, physical training, wholesale, storage, printing and automotive

b. a. Total acreage of the site of the proposed action? 38.4 acres
b. Total acreage to be physically disturbed? 2.8 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 38.4 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 1 Units: 7,498 sf building area

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No
i. If No, anticipated period of construction: _____ y months
ii. If Yes:
• Total number of phases anticipated 2
• Anticipated commencement date of phase 1 (including demolition) 3 month 2016 year
• Anticipated completion date of final phase 3 month 2017 year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

The CPO building construction and 333 Change of Use improvements are mutually exclusive. Both projects anticipated to be completed within one year of start date. Field house is also mutually exclusive and expected to be constructed within the same time frame.

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures 2

ii. Dimensions (in feet) of largest proposed structure: 30.6 height; 54 width; and 129 length

iii. Approximate extent of building space to be heated or cooled: 7,000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: Stormwater Management

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: Surface water runoff

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: 0.07 million gallons; surface area: 0.16 acres

v. Dimensions of the proposed dam or impounding structure: N/a height; N/a length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

Impoundments 1. CPO- subsurface detention/recharge- HDPE/Earth, 2. EM- subsurface closed detention system- PVC/Earth, 3. dry swale- Earth

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Yes No
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Alteration of pervious areas within existing parking lot limits

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
 None

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No
 If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
 If Yes:

- o acres of aquatic vegetation proposed to be removed: _____
- o expected acreage of aquatic vegetation remaining after project completion: _____
- o purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- o proposed method of plant removal: _____
- o if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No
 If Yes:

i. Total anticipated water usage/demand per day: _____ 1,600 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No
 If Yes:

- o Name of district or service area: Village of Mount Kisco
- o Does the existing public water supply have capacity to serve the proposal? Yes No
- o Is the project site in the existing district? Yes No
- o Is expansion of the district needed? Yes No
- o Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No
 If Yes:

- o Describe extensions or capacity expansions proposed to serve this project: _____
- o Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
 If Yes:

- o Applicant/sponsor for new district: _____
- o Date application submitted or anticipated: _____
- o Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No
 If Yes:

i. Total anticipated liquid waste generation per day: _____ 1,520 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):
Sanitary waste (720 gpd) and wash water (800 gpd)

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
 If Yes:

- o Name of wastewater treatment plant to be used: Yonkers Wastewater Treatment Plant via Mt Kisco pump station and trunk line.
- o Name of district: Mount Kisco Sewer District
- o Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- o Is the project site in the existing district? Yes No
- o Is expansion of the district needed? Yes No

Yes No
 Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):
 Subsurface disposal system for CPO site, which is located outside of the sewer district: _____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or 1.2 acres (impervious surface)
 _____ Square feet or 38.4 acres (parcel size)
- ii. Describe types of new point sources. Existing point sources _____
- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
 runoff CPO project directed towards existing drainage channel at north of site which flows west to Kisco River which flows south, located just west of the 333 property. runoff from 333 change of use improvements discharges to Kisco River via the exist. site stormwater system and exist. discharge points.
 - If to surface waters, identify receiving water bodies or wetlands: _____
 Wetlands an unnamed tributary to the Kisco River
 - Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
 2-3 car carrier deliveries per day plus 1 parts deliveries per day. Parts delivery typically during nighttime hours.
- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
 None
- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)
 None

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
- ii. In addition to emissions as calculated in the application, the project will generate:
 - _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 - _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 - _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 - _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 - _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 - _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

- i. Estimate methane generation in tons/year (metric): _____
ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

- i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____
ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____ 6-8
iii. Parking spaces: Existing 806 (810) Proposed 861(896) Net increase/decrease 55 (86)
iv. Does the proposed action include any shared use parking? Yes No
v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

Traffic mitigation to include signal modification Icehouse Road

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

1,920 KW

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

New York State Electric and Gas (NYSEG)

iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 8:30-4:30
- Saturday: 8:30-4:30
- Sunday: None
- Holidays: None

ii. During Operations:

- Monday - Friday: 7:00am - 7:30pm
- Saturday: 8am-5pm
- Sunday: Closed
- Holidays: Closed

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:
 Noise from construction activities only, M-Sat 8:30-4:30

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n.. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
 Parking lot lighting consisting of pole mounted shielded fixtures in accordance with Village and Town lighting standards

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored Waste Motor Oil
 ii. Volume(s) 1200 per unit time mo (e.g., month, year)
 iii. Generally describe proposed storage facilities:
waste motor oil from automotive service activities (generally picked up twice per month.. approximately 600 gal per pick-up)

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: 600 (construction demo) tons per _____ year (unit of time)
 • Operation : 20(mostly steel for recycle) tons per _____ year (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: Recycle materials from building and roadway demolition
 • Operation: Provide separate recycling receptacles in offices and customer areas. Recycle applicable automotive service parts which is estimated at 3,000 lbs of steel per month
 iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: Approved Facility
 • Operation: Approved Facility

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- o _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- o _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
waste motor oil (See section 1p. bulk petroleum storage)

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____
waste motor oil stored in approved containers and picked up regularly by a licensed hauler and disposed of at an approved facility.

iii. Specify amount to be handled or generated 4 tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____
Synthetic oils specified by manufacturer resulting in longer oil life

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____
Envirowaste Oil Recovery, LLC, Mahopac, NY

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
o Roads, buildings, and other paved or impervious surfaces	25.6	26.9	+1.2
o Forested	0	0	0
o Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	11.7	10.4	-1.2
o Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
o Surface water features (lakes, ponds, streams, rivers, etc.)	0.4	0.4	0
o Wetlands (freshwater or tidal)	0.7	0.7	0
o Non-vegetated (bare rock, earth or fill)	0	0	0
o Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: Public ball field provided at southern portion of the site

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities:

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
◦ Dam height: _____ feet
◦ Dam length: _____ feet
◦ Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
◦ If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): 9209731, 905363 and 1011856
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
Gasoline station north of site on Bedford Road (Adjoining site) Spill Number 9209731 date 11/20/1992 status NOT CLOSED
two additional small spills 8905363 and 1011856 both closed

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 7+ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Fluvaquents-Udifulvents	1.0 %
Urban Land	94.5 %
Urban Land Charlton Chatfield	4.5 %

d. What is the average depth to the water table on the project site? Average: _____ 5 feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ 95 % of site
 Poorly Drained _____ 5 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 89 % of site
 10-15%: _____ 3 % of site
 15% or greater: _____ 8 % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Kisco River Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No

If Yes:
 i. Name of aquifer: Croton Aquifer

m. Identify the predominant wildlife species that occupy or use the project site: _____
 birds _____ snakes _____
 squirrels _____
 rodents _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 Rattlebox rare plant (NYSDEC) Endangered identified offsite.

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: Geographic Area Overlaying Aquifer within Town CEA
 ii. Basis for designation: Town of Bedford
 iii. Designating agency and date: 11.3.1984

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
ii. Name:	
iii. Brief description of attributes on which listing is based:	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Describe possible resource(s):	
ii. Basis for identification:	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify resource: <u>Local parks within the Village of Mount Kisco and Town of Bedford</u>	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>Fox Meadow Memorial Park, Bedford Hills Memorial Park</u>	
iii. Distance between project and resource: <u>0.6 and 1.7 miles.</u>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 655?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify the name of the river and its designation:	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 655?	<input type="checkbox"/> Yes <input type="checkbox"/> No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name DPG, LLC / Estate Motors Date 12.6.2015
~~12.10.2016~~

Signature [Signature] Title President / Principal

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only (If applicable)
 Project: _____
 Date: _____

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

i. Impact on Land			
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
<i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features
 The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) NO YES
If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water
 The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) NO YES
If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
----------------------------------	--	--------------------------	--------------------------

4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding.
 (See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
----------------------------------	--	--------------------------	--------------------------

6. Impacts on Air
 The proposed action may include a state regulated air emission source. NO YES
 (See Part 1. D.2.f., D.2.h, D.2.g)
 If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals
 The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) NO YES
 If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part i Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources
 The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)
 If "Yes", answer questions a - g. If "No", go to Section 10.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources
 The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)
 If "Yes", answer questions a - e. If "No", go to Section 11.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part 1. D.2.j)
 If "Yes", answer questions a - g. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1. D.2.k)
 If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part i Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1. D.2.m., n., and o.)
 If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

15. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

NO

YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans
 The proposed action is not consistent with adopted land use plans.
 (See Part 1. C.1, C.2. and C.3.)
 If "Yes", answer questions a - h. If "No", go to Section 18.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character
 The proposed project is inconsistent with the existing community character.
 (See Part 1. C.2, C.3, D.2, E.3)
 If "Yes", answer questions a - g. If "No", proceed to Part 3.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

PRINT FULL FORM

Project: _____

Date: _____

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

Estate Motors EAF Supplement

Part 1

B. A permit schedule is attached and includes Village of Mount Kisco Zoning Board of Appeals

D.1.b.c The 333 NBR site is 37.5 acres in size. The 793/793 sites (controlled by Estate Motors) total 0.9 acres in size. The total "project area" is 38.4 acres. DP-21

Part 2

1. Impact to Land

- a. Construction within the existing developed area at the northwest portion of the site, where shallow depth to groundwater is observed. Project proposes to raise the grades to existing finished floor elevation, eliminating loading dock (area).
- b. None
- c. None
- d. No
- e. No. Contract obligations with Mercedes Benz Northeast specify that construction be completed within one year.
- f. Small potential impact for erosion and sediment control during construction. Design in accordance with NYSDEC requirements. Development of a Stormwater Pollution Prevention Plan (SWPPP) in progress.
- g. No
- h. None noted

3. Impacts to Water Surfaces

- a. No
- b. No
- c. No
- d. Construction is proposed within 100 ft freshwater wetland buffer but contained to the existing developed area of the site. Also, construction is proposed within 100 ft limiting distance of a NYCDEP regulated stream or watercourse. Per NYCDEP regulations, the installation impervious pavement within the 100ft. limiting distance of a wetland in a non DMSD requires a waiver. The Application proposes porous pavement, consisting of stone surface or other paving system with a 50% open area (within Town of Bedford) in accordance with NYCDEP requirements. The installation of impervious surfaces within the DMSD is permitted provided that new impervious surface is treated. We have prepared a SWPPP demonstrating that the new pervious pavement within the DMSD is adequately collected and treated prior to discharging the stormwater system and ultimately discharging to the watercourse to the north.
- e. Minor potential for turbidity during construction. Temporary measures in accordance with NYSDEC and (where applicable) NYCDEP standards.
- f. No
- g. No. Discharges to surface waters will utilize existing discharge pipes and existing drainage channels.
- h. Small potential impact for erosion and sediment control during construction. Design in accordance

with NYSDEC requirements. A SWPPP has been prepared, including sediment and erosion control plans in accordance with NYSDEC requirements. The NYCDEP has determined that since the 793/795 parcel is under separate ownership from the 333 NBR project that the disturbance for each parcel is calculated separately. Accordingly, the NYCDEP 2 acre disturbance threshold is not exceeded on either the 793/795 parcel(s) or the 333 NBR parcel. As such, the NYCDEP has regulatory jurisdiction for the portion of the project within the NYCDEP DMSD provided that the limitations for impervious surfaces within the 100 ft limiting distance are respected. Accordingly, the project proposes the use of stone pavement or pervious pavement with a 50% minimum open area within the 100 ft limiting distance from a NYCDEP regulated watercourse or wetland. Impervious surfaces within portions of the project, including but not limited to sidewalks along the northern side of the building and canopies, within the DMSD are proposed, along with associated treatment.

- i. Small potential impact to water quality. SWPPP to comply with NYSDEC and, where applicable, NYCDEP water quality requirements.
- j. No
- k. No
- l. None noted

5. Impacts to Flooding

- a. No
- b. Minor Impacts. Construction is within 100 year floodplain. The project proposes to fill 1,400 CF of volume below the 100-year flood elevation of 292 to accommodate raising of the parking lot elevations to existing finished floor elevation. The volume will be offset by installing 450 lf (5 rows of 90 ft ea.), providing 1,414 CF of storage volume, not including additional volume within the pipe headers. The pipes will be placed at elevation 290, with top of pipe at elevation 292. Since the depth to groundwater is shallow in this location we are proposing that water tight pipe be utilized. Accordingly, a Flood Development Permit is required. The Permit is issued by the Building Department as part of the building permit application process.
- c. 500-yr floodplain not identified in FEMA FIRM maps. The project does not propose any changes to the finished floor elevation of the main building structure. Site improvements include raising of the grade in an area that is currently a loading dock to accommodate the automotive use. The filed house is located outside of the 100 year flood plain and provides restroom facilities for the adjacent playing field. There are no additional public spaces or assembly spaces within the fieldhouse.
- d. Minor impacts to existing drainage patterns within the proposed work limits. Overall drainage patterns will be maintained and existing discharge points will be utilized. The SWPPP demonstrates that post development flow rates will not exceed pre-development levels for all storms modeled. Additionally, water quality volumes and Rainfall Reduction Volumes as required by NYSDEC and, NYCDEP (for portions within DMSD) are met.
- e. No
- f. No
- g. None noted

7. Impacts to Plans and Animals

- a. No. NYSDEC identifies "Rattlebox" and an endangered plant species on or adjacent to the site. Disturbance for the western portion of the project is within a portion of the site which has already been developed. Disturbance within the eastern portion of the site (CPO development) impacts

developed area, grass area and shrub line between two developed properties.

- b. No
- c. No
- d. No
- e. No
- f. No
- g. No
- h. No
- i. No
- j. None noted

12. Impact on Critical Environmental Areas

- a. NYSDEC identified "Graphic Area Overlaying Aquifer within the Town CEA" west of the site. The overlay generally follows the watercourses west of the site. Disturbance at the western portion of the site is within existing developed area. NYSDEC and NYCDEP do not specifically classify the watercourses as primary or principal aquifers.
- b. No.
- c. None noted

13. Impact to Transportation

- a. No. The levels of service will be maintained long Route 117, Park Drive, the 309 N. Bedford Road Driveway under future build conditions including Icehouse Road (with minor signal timing changes). The NYS Route 117 (Bedford Road) and Icehouse Road, Park Drive, 309 N. Bedford Road Driveway intersection will continue to operate as an overall Level of Service "C" during Weekday Peak AM, Weekday Peak PM and Saturday Peak Hours with the Mercedes improvements, which includes 27 lifts. Traffic impacts were evaluated in traffic report by Maser Consulting and will be submitted to NYSDOT for any signal timing changes.

Also evaluated by Maser Consulting is a possible future condition of re-aligning Icehouse Road to eliminate the offset intersection condition and to provide a dedicated right turn out lane on Icehouse Road and eliminating an additional phase signal phase.

- b. No
- c. No
- d. No
- e. No
- f. None noted

Project: Estate Motors
Mercedes Benz Mount Kisco

Date: January 11, 2016

Project No.

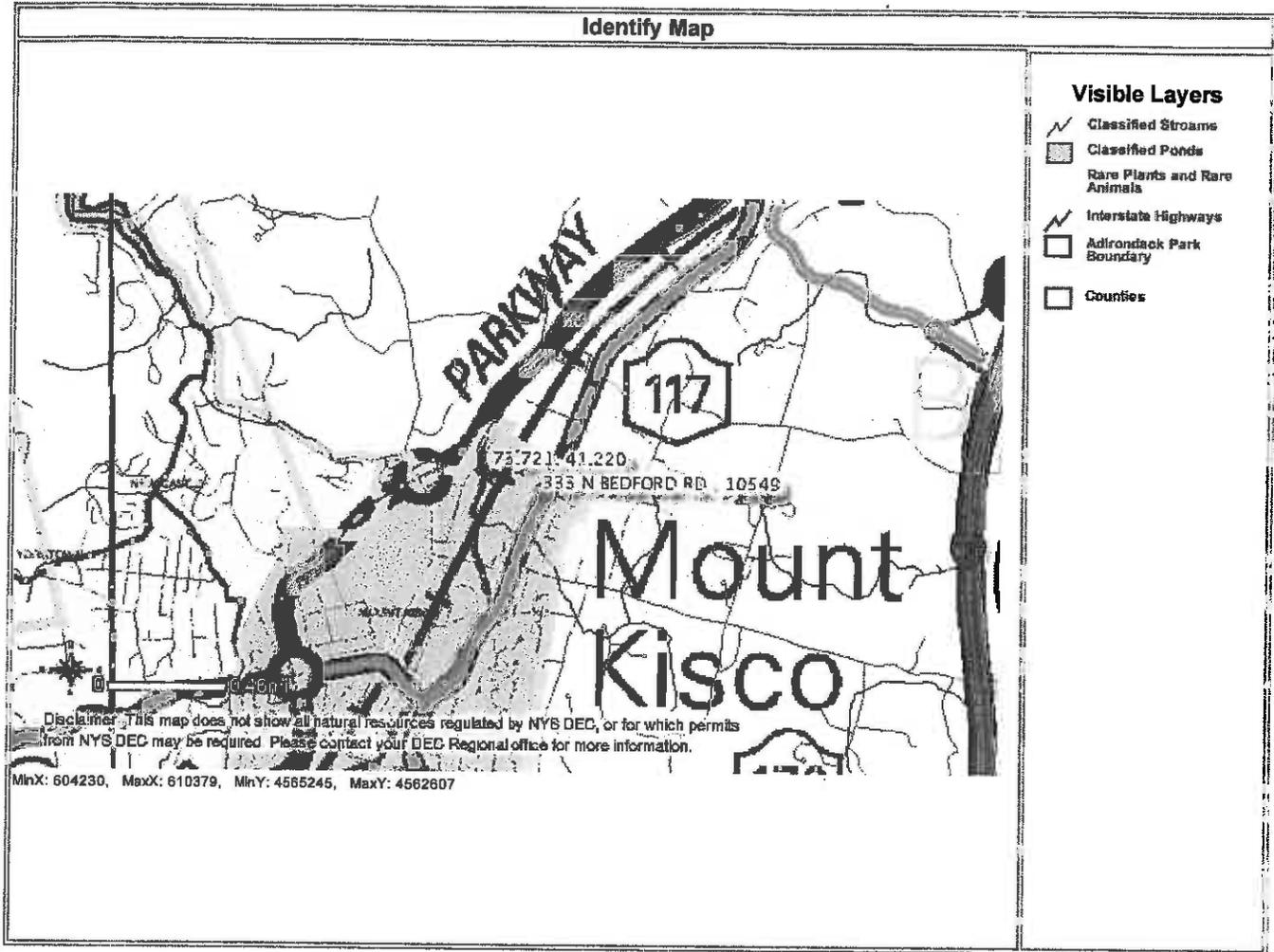
Prepared By: PAC

Required Approvals and Status

Reviewed By: MAD

Approval Agency	Type	Submittal Date	Approval Date	Status
Village of Mount Kisco Planning	Site Plan/ Change in Use	2/17/2015		Active
Building				Active
Planning				Active
Engineering				Active
Traffic				Traffic Consultant Coordination
ARB				
Village of Mount Kisco Building	Wetlands Permit			
	Flood Hazard Zone			
Zoning Board of Appeals	Development Coverage			
	Vehicle Storage			
Town of Bedford Planning Board	Site Plan	10/2/2014		Active
Town of Bedford Zoning Board of Appeals				Requires referral from PB
	Rear Yard Setback			
	Side Yard Setback			
	Site Coverage			
	Required Parking Spaces			
Town of Bedford	Wetlands Control Commission			
WCDOH	OWTS Approval	1/20/2015		
	OWTS Joint Review with WCDOH	2/27/2015		
		3/16/2015	3/26/2015	Approved
NYSDEC	SWPPP			
NYCDEP	SWPPP DMSA			
NYS DOT	Highway Work Permit			793.795 close curb and utilities Ice House Road signal Modification

Please set your printer orientation to "Landscape".



Disclaimer: This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.

The Coordinates of the point you clicked on are:

NYTM	E : 607148	Longitude/Latitude	W : 73.721
	N : 4663986		N : 41.220

Classified Streams

Regulation	Standard	Classification
864-445	C	C

State-Regulated Freshwater Wetlands

Wetland ID	Wetland Class	Wetland Size (Acres)
0		

Rare Plants and Rare Animals

This location is in the vicinity of one or more :
Rare Animals and/or Rare Plants

Old or Potential Records (these records are not displayed on the map)

Common Name	Scientific Name	Date Last Documented	Location	Habitat Where Last Seen	Animal, Plant, or other	NYS Protected Status
Rattlebox	Crotalaria sagittalis	1915-08-26	Mount Kisco	Sandy soil.	Rare Plant	Endangered

USGS Quadrangle

USGS Quadrangle Name:
MOUNT KISCO

If your project or action is within or near an area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.

If your project or action is within or near an area with rare plants and/or significant natural communities, the environmental impacts may need to be addressed.

The presence of a unique geological feature or landform near a project, unto itself, does not trigger a requirement for a NYS DEC permit. Readers are advised, however, that there is the chance that a unique feature may also show in another data layer (ie. a wetland) and thus be subject to permit jurisdiction.

Please refer to the "Need a Permit?" tab for permit information or other authorizations regarding these natural resources.

Disclaimer: If you are considering a project or action in, or near, a wetland or a stream, a NYS DEC permit may be required. The Environmental Resources Mapper does not show all natural resources which are regulated by NYS DEC, and for which permits from NYS DEC are required. For example, Regulated Tidal Wetlands, and Wild, Scenic, and Recreational Rivers, are currently not included on the maps.

**Environmental Protection Fund
Local Waterfront Revitalization Program**

List of Coastal Waterbodies and Designated Inland Waterways

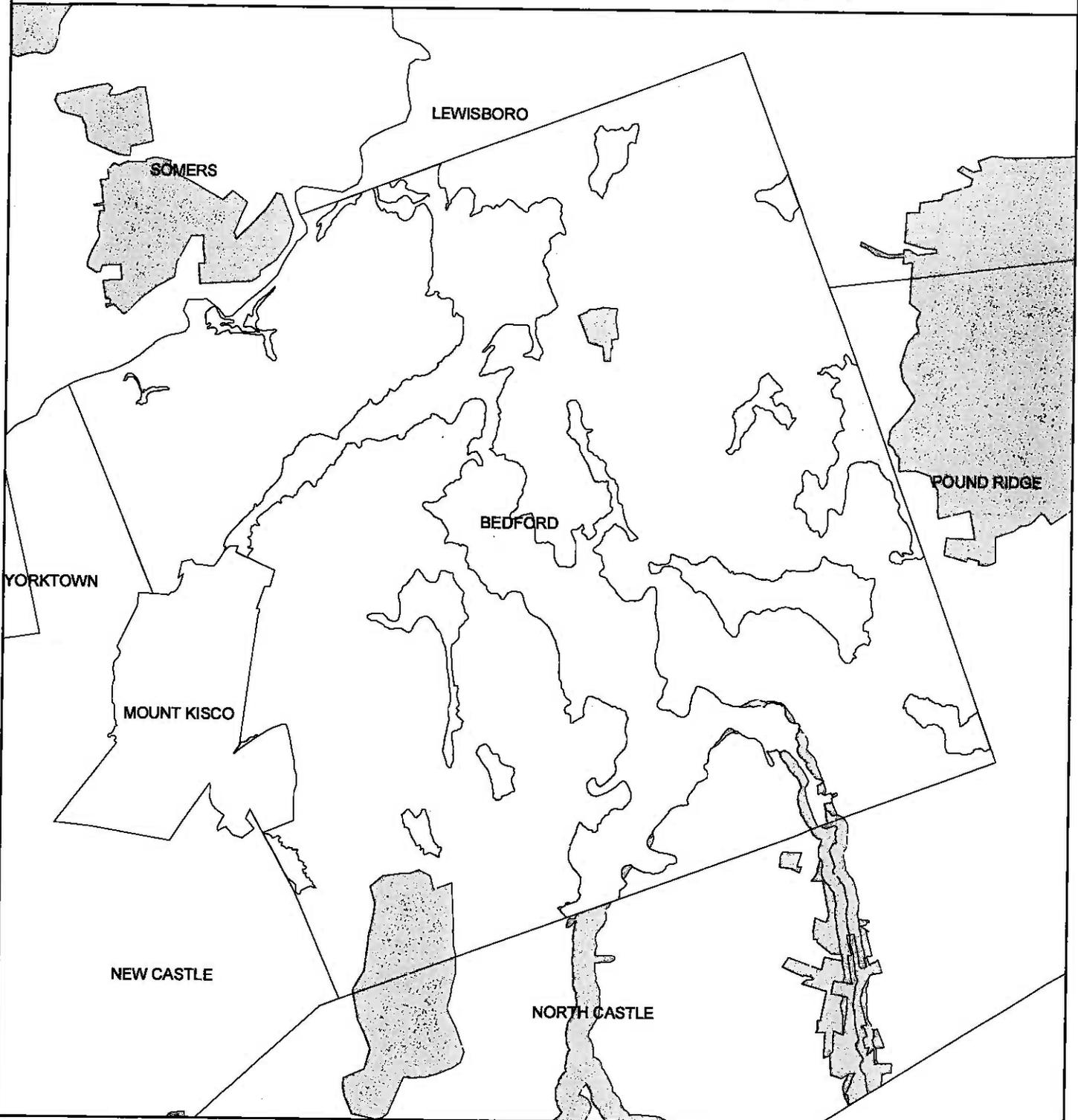
COASTAL WATERBODIES	
Arthur Kill	Lake Ontario
Atlantic Ocean	Lake Erie
East River	Long Island Sound
Harlem River	Niagara River
Hudson River (south of federal dam at Troy)	St. Lawrence River
Kill van Kull	
DESIGNATED INLAND WATERWAYS	
Allegheny River	Little River (in the Adirondack Park)
Ausable River	Little Salmon (North and South Branches)
Big Tupper Lake	Little Sandy Creek
Black Lake	Long Lake
Black River	Mad River
Boquet River	Mettowee River
Buffalo River	Mirror Lake
Bush Kill	Mohawk River
Canadarago Lake	Moose River (North and Middle Branches)
Canandaigua Lake	Oatka Creek
Canisteo River	Oneida Lake
Cattaraugus Creek	Onondaga Creek
Cayuga Lake	Onondaga Lake
Chaumont River (including Chaumont Bay)	Oswegatchie River
Chautauqua Lake	Otisco Lake
Chemung River	Otsego Lake
Cincinatti Creek	Owasco Lake
Cohocton River	Raquette Lake
Conesus Lake	Raquette River
Cranberry Lake	Sacandaga Lake
Delaware River	Sacandaga River
Deer River	Salmon River
East Kill	Sandy Creek
Esopus Creek (Upper and Lower Branches)	Saranac River
Fish Creek (East and West Branches)	Saratoga Lake
Fulton Chain of Lakes	Schoharie Creek
Genesee River	Schroon Lake
Gooseberry Creek	Seneca Lake
Grasse River	Silver Lake (in Wyoming County)
Great Sacandaga Lake	Skaneateles Lake
Honeoye Lake	South Sandy Creek
Hudson River (north of federal dam at Troy)	State Barge Canal System
Indian Lake	Susquehanna River
Indian River	Tioga River
Keuka Lake	Tioughnioga River
Lake Champlain	Tonawanda Creek
Lake George	Upper Saranac Lake
Lake Placid	Walkkill River
Lake Ronkonkoma	West Kill

NOTE: Coastal waterbodies and designated inland waterways are defined in Executive Law, Article 42, Section 911. Coastal waterbodies also include embayments and tributaries that are within New York State's Coastal area.

Geographic Area Overlaying the Aquifer Within Town Critical Environmental Area (CEA)

Effective Date of Designation: 11-03-84

Designating Agency: Town of Bedford



Legend

- Geographic Area Overlaying the Aquifer Within Town CEA
- Adjacent CEA



1 inch equals 1.25 miles

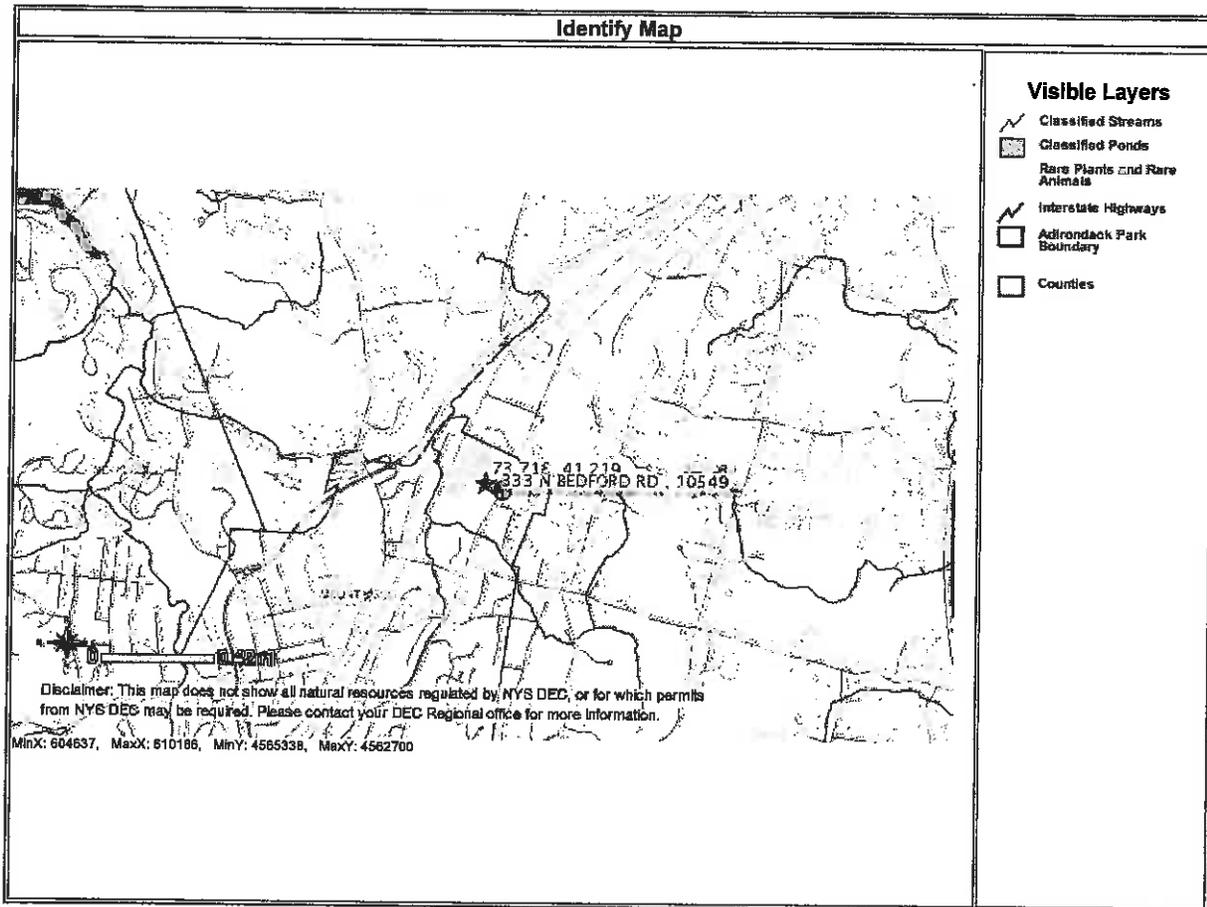
For Adjacent CEAs see map:
 Mianus Gorge Preserve CEA
 Byram Lake CEA
 Mianus River CEA
 County & State Park Lands CEA
 County Designated Watershed Properties CEA
 All Land 500' Peripheral to Amawalk Reservoir Boundary CEA



Base Map: Town or City Boundary for New York State

Disclaimer: This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data. Please contact the designating authority for additional information regarding legal boundary descriptions.

Please set your printer orientation to "Landscape".



Disclaimer: This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.

The Coordinates of the point you clicked on are:

NYTM	E : 607413	Longitude/Latitude	W : 73.718
	N : 4563916		N : 41.219

Rare Plants and Rare Animals

This location is in the vicinity of one or more :
 Rare Animals and/or Rare Plants

Old or Potential Records (these records are not displayed on the map)

Common Name	Scientific Name	Date Last Documented	Location	Habitat Where Last Seen	Animal, Plant, or other	NYS Protected Status
Rattlebox	Crotalaria sagittalis	1915-08-26	Mount Kisco	Sandy soil.	Rare Plant	Endangered

USGS Quadrangle

USGS Quadrangle Name
 MOUNT KISCO

If your project or action is within or near an area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.

If your project or action is within or near an area with rare plants and/or significant natural communities, the environmental impacts may need to be addressed.

The presence of a unique geological feature or landform near a project, unto itself, does not trigger a requirement for a NYS DEC permit. Readers are advised, however, that there is the chance that a unique feature may also show in another data layer (ie. a wetland) and thus be subject to permit jurisdiction.

Please refer to the "Need a Permit?" tab for permit information or other authorizations regarding these natural resources.

Disclaimer: If you are considering a project or action in, or near, a wetland or a stream, a NYS DEC permit may be required. The Environmental Resources Mapper does not show all natural resources which are regulated by NYS DEC, and for which permits from NYS DEC are required. For example, Regulated Tidal Wetlands, and Wild, Scenic, and Recreational Rivers, are currently not included on the maps.

TOWN OF BEDFORD - WETLANDS CONTROL COMMISSION

Application for Permit

Identification of Owner(s):

Name(s) of owner(s) [as shown on Deed]: CHRISTOPHER & ALLISON SUPPA, CONTRACT VENUEE

Mailing Address: 126 VALLEY ROAD, KATONAH, NY 10536

Phone: 356-7367 (home) - (work); Fax: - E-Mail: CHRISTOPHER_SUPPA@MASTERCARD.COM

Identification of Applicant (if other than owner(s)):

Name of Applicant: THE HELMES GROUP, LLP ARCHITECTS

Mailing Address: 184 KATONAH AVENUE, KATONAH, NY 10536

Phone: 571-4550 (home) 232-4633 (work); Fax: 232-0768 E-Mail:

Professional Preparing Site Plan:

Name /Address: THE HELMES GROUP, LLP

671-4550 Phone: 232-4633 Fax: 232-0768 E-Mail: SOH@THEHELMESGROUP.COM

Identification of Property:

Bedford Tax Map Designation: Section 49.16 Block 4 Lot 29 Area 11.293 SF

Zoning District: R-44 Project Address: 126 VALLEY ROAD

Approximate year of construction of any structure: 1954

Prior Applications/Other Applications (write "N/A" if not applicable; Project Cost):

Dates of any prior Wetlands Control Commission permits: WCC RESOLUTION NO. 05/30

Identify any other Town of Bedford approvals required: ZONING BOARD OF APPEALS, ZBA

Identify any other governmental approvals required: NONE

Project cost (including professional fees): \$250,000

Project Description/Proposed Use (MUST BE DETAILED - Use Additional Pages if Needed):

PROPOSED FRONT COVERED PORCH INCLUDING A TWO-STORY ADDITION LOCATED OFF REAR SOUTH SIDE OF HOUSE UTILIZING EXISTING BLACKTOP DRIVEWAY & WOOD DECK/ BALCONY OFF EAST SIDE OF ADDITION.

Proposed Project Start Date: MAY-JUNE Estimated Date of Completion: DECEMBER

The owner(s) hereby give(s) permission to the Town of Bedford, its agents, servants and employees, including, without limit, members of the Wetlands Control Commission and consultants to the Town to enter upon the Property solely for the purposes incidental to the within application (including without limit, inspection of the project after completion) at reasonable times upon reasonable notice to the owner or tenant in possession, which notice may be by telephone. If the applicant is different than the owner(s), the owner(s) hereby approves this application and consents to the applicant acting as agent for the owner in submitting this application and the applicant accepts its designation as agent for the owner(s).

I/we affirm by the signatures below that I/we are the rightful legal owner(s) of the property herein described in this application.

Signature of owner(s): All owners must sign

REFER TO AUTHORIZATION LETTER CHRISTOPHER & ALLISON SUPPA, CONTRACT VENUEE 126 VALLEY ROAD

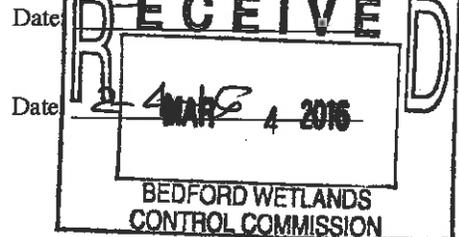
Date: 2-1-16

Print name/title: KATONAH, NY 10536

Print name/title:

Signature of applicant (if different):

Signature: [Handwritten Signature] AIA Print name/title: STEVEN C HELMES, AIA THE HELMES GROUP, LLP ARCHITECT.



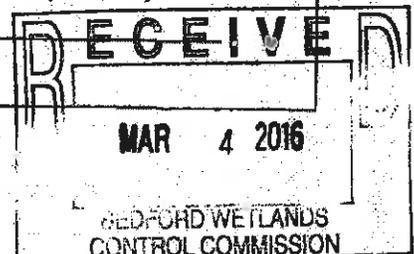
617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
CHRISTOPHER & ALISON SUPPA			
Name of Action or Project: 126 VALLEY ROAD			
Project Location (describe, and attach a location map): KATONAH, NY 10539			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor: THE HELMES GROUP, LLP		Telephone: 914-232-4933	
		E-Mail: SCH@THEHELMESGROUP.COM	
Address: 184 KATONAH AVENUE			
City/PO: KATONAH,		State: N.Y.	Zip Code: 10539
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.259 acres	
b. Total acreage to be physically disturbed?		0.259 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.259 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify):			
<input type="checkbox"/> Parkland			



5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: <u>780 SF</u> <u>PROPOSED FRONT COVERED PORCH ENCRDACHES INTO 100' BUFFER</u> <u>PROPOSED TWO STORY ADDITION AT REAR OF HOUSE ENCRDACHES</u> <u>INTO 100' BUFFER AS INDICATED ON SITE PLAN DRAWING</u>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <u>ROOF LEADERS CONNECTED TO</u> <u>INFILTRATORS AND/OR LEVEL SPREADER SPANVEL BED ON SITE</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>STEVEN C HELMES, AIA</u> Date: <u>2-1-18</u> Signature: <u>[Signature] AIA</u>		

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

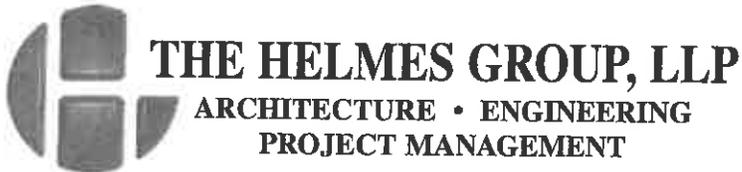
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use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

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT



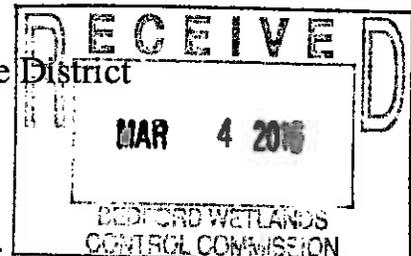
Hand Delivered

March 3, 2016

Andrew Messinger, Chairman
Town of Bedford - Wetlands Control Commission
Town House
425 Cherry Street
Bedford Hills, NY 10507

Project: Additions & Alterations to Existing Residence
For Christopher & Allison Suppa, Contract Vendee
126 Valley Road, Katonah, NY 10536
Section 49.18, Block 4, Lot 29, R-1/4A Zone District

Subject: Application for Wetlands Permit



Dear Chairman Messinger & Members of the Commission:

On behalf of our client, Christopher & Allison Suppa, Contract Vendee, and as required by the Building Department, we are making this submission to the Town of Bedford Wetlands Control Commission, requesting approval to permit the construction of additions and alteration to existing house, which are located within the 100-foot wetland buffer as depicted on Site Plan Drawing. It should be noted for the record, there are no on-site wetlands on this lot.

This project involves renovating the existing 1954 cape cod style house into a more conventional two-story home including a front covered entrance porch, which requires a variance form the Zoning Board of Appeals for encroaching into the front yard building setback and a two-story addition at rear south side of existing house incorporating a garage at the lower basement level, kitchen and family room at first floor level and relocation of existing bedrooms on second floor level as indicated on preliminary design drawings dated 2/1/16.

Please note, an Application pertaining to this property with exact similar scope of work went before your Board back in 2005, where our client at that time – Patrick Lenahan, previous Owner, obtained approval from the Town of Bedford Wetlands Control Commission. Refer to WCC Resolution NO. 05/30 hereto attached for reference.

The proposed renovation maintains the existing house classification as four (4) bedroom dwelling with no increase in bedroom count. Existing bedrooms are being expanded in floor area and headroom increased thus, maximizing light and ventilation and balance of bedrooms are being relocated from first floor level to rear of house in new addition as indicated on proposed second floor plan.

The existing septic tank and fields located at rear south end of property as indicated on Site Plan Drawing will remain intact and therefore, Westchester County Health Department filing and septic expansion is not required. *Refer to e-mail dated 1/27/16, received from Frederick Beck, Jr., P.E. Senior Engineer – Westchester County Department of Health confirming four (4) bedrooms and ‘As-Built’ Septic System Drawing and documentation of file from WCHD, for reference.*

As a result of this renovation, the proposed front covered porch addition will require a variance from the Town of Bedford Zoning Board of Appeals, ZBA, inasmuch as it will encroach into the required 35-foot front yard setback by approximately 6-feet as indicated on Site Plan Drawing. The proposed addition and/or footprint at rear of house comply with all of the Zoning requirements and will utilize a portion of the existing blacktop impervious driveway area as indicated on Site Plan Drawing thus minimizing creating new impervious areas.

Also, a small wood deck / balcony has been designed off the rear (south-east) corner of house providing access from both family room and kitchen areas down to existing finish grade level and/or lawn area as indicated on plans, which conforms to building yard setbacks and impervious surface coverage.

Based on the above, we are making this Application to your Commission in an effort to obtain the required approval that will permit us to proceed into preparing final construction documents so we can file for a Building Permit. With the understanding and approval from the Town of Bedford, ZBA, regarding the variance needed for the front covered porch addition and slightly exceeding the Maximum Building Coverage on site calculated at 20.47%, where 20% is permitted for Residential R-1/4A Acre Zoning District. *Article V Section 125-50.*

Accordingly, enclosed herewith please find the following information as required by the Application checklist:

- Nine (9) copies of Town of Bedford Wetlands Control Commission - Application for Permit
- Nine (9) copies of two (2) Checks payable to the "Town of Bedford" for the required Application and Escrow Fees – (Check #120 for \$200 and Check #121 for \$500).
- Nine (9) copies of Short Environmental Assessment Form, dated 2/4/16.
- Nine (9) copies of Wetland Application Checklist completed and dated 2/4/16.
- Six (6) copies of Current Deed and Title Report
- Nine (9) copies of Survey of Property as prepared by H. Stanley Johnson & Company Land Surveyors, P.C., dated January 4, 2016.
- Nine (9) copies of Site Plan Drawing and Architectural Drawings #1, #2 & #3 as prepared by The Helmes Group, LLP, Architects, dated 2/1/16, including Site Plan, Town of Bedford Zoning Data Chart, Reference Photographs, Preliminary Design Drawings / Exterior Elevations indicating proposed additions to existing single-family residence.
- Nine (9) copies of 'Proposed Mitigation Planting Plan' – Dwg. #MP1, dated March 3, 2016 as prepared by Paul J. Jaehnig, Wetlands and Soils Consulting.
- Nine (9) copies of Wetlands Survey, dated December 15, 2015 as prepared by William Kenny Associates, LLC – Soil Science Ecological Services.

It is our understanding that we will be placed on the Wetlands Agenda scheduled for Monday, April 4th Meeting. If you should have any questions or require any additional information prior to this time, please do not hesitate to call.



Very truly yours,

THE HELMES GROUP, LLP

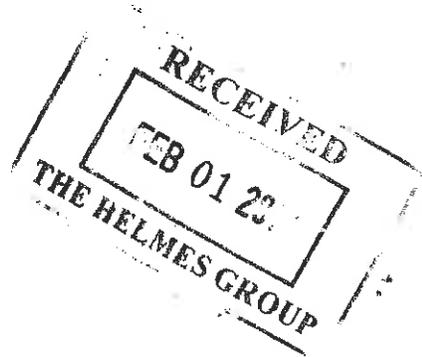

Steven C. Helmes, AIA
Architect

SCH:KA
Encls.

cc: Christopher & Allison Suppa, Contract Vendee
cc: Christopher Sobieski, Equity Partners, Inc., Builder

CHRISTOPHER & ALLISON SUPPA
CONTRACT VENDEE
126 Valley Road
Katonah, NY 10536

(914) 356-7367 Cell
Christopher_Suppa@mastercard.com



February 1, 2016

Town of Bedford Building Department
Attn: **Steven Fraietta, Building Inspector**
425 Cherry Street
Bedford Hills, NY 10507

Project: Additions & Alterations to Existing Residence
for Christopher & Allison Suppa, Contract Vendee
126 Valley Road, Katonah, NY 10536
Section 49.18, Block 4, Lot 29, R-1/4A Zone District

Subject: 'Authorization Letter'

Dear Mr. Fraietta:

We, Christopher and Allison Suppa, Contract Vendee for the above subject property, hereby authorize Steven C. Helmes, AIA, of The Helmes Group, LLP, Architects, to act as Owner's agent for filing all applications as required, for obtaining a variance from the Town of Bedford Zoning Board of Appeals, ZBA, including obtaining Wetlands approval from the Town of Bedford Wetlands Control Commission and a Building Permit from the Town of Bedford Building Department regarding the proposed additions and alterations to our existing residence.

Very truly yours,

A handwritten signature in black ink, appearing to be "CS" followed by a long horizontal flourish.

Christopher & Allison Suppa
Contract Vendee

**WILLIAM KENNY
ASSOCIATES LLC**

SOIL SCIENCE
ECOLOGICAL SERVICES
LAND USE PLANNING
LANDSCAPE ARCHITECTURE

December 15, 2015

Mr. Chris Suppa
126 Valley Road
Katonah, NY 10536

Re: Wetland and Watercourse Delineation
126 Valley Road, Katonah, New York

Dear Mr. Suppa:

As requested, I visited the property at 126 Valley Road in the Hamlet of Katonah in the Town of Bedford, New York to determine the presence or absence of wetlands and/or watercourses and to demarcate (flag) their boundaries. This letter includes the methods and results of my investigation, which I completed today, December 15, 2015. In summary, no wetlands or watercourse system were identified at the property. However, a wetland and watercourse exists offsite to the south and a forested wetland exists offsite to the west. Certain activities in and adjacent to the wetlands and watercourses are regulated by the town of Bedford.

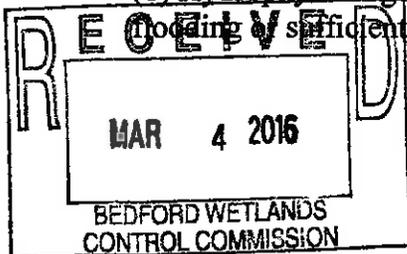
Regulatory Definitions

At the property, there is the potential for the following four government entities to regulate certain activities in and/or adjacent to wetlands and watercourses: Town of Bedford, New York City Department of Environmental Protection (DEP), New York State Department of Environmental Conservation (DEC) and United States Army Corps of Engineers (ACOE).

The Town of Bedford regulates certain activities in and adjacent to wetlands under the *Code of the Town of Bedford*. In the law, wetlands are defined as: any area that meets one or more of the following criteria:

All areas and waters of the Town of Bedford that are comprised of hydric soils and/or are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of hydrophytic vegetation. The following criteria shall be used to determine the presence of hydrophytic vegetation, hydric soils and hydrologic indicators:

(1) Hydrophytic vegetation are those plants which are dependent upon seasonal or permanent flooding of sufficiently waterlogged soils to give them a competitive advantage over other



195 TUNXIS HILL ROAD
FAIRFIELD, CT 06825
PHONE: 203 366 0588
FAX: 203 366 0067
www.wkassociates.net

species. These plants may belong to any of the following vegetative types: wetland trees, wetland shrubs, emergent vegetation, submergent and rooted floating-leaved vegetation, free-floating vegetation, wet meadow vegetation and bog mat vegetation. The following indicators of hydrophytic vegetation may be used in conjunction with hydric soils and/or wetland hydrology:

(a) The presence of obligate wetland species, particularly as dominants, in a vegetation unit shall be considered diagnostic of wetlands. Facultative species may be present but obligate upland species cannot be present on other than microsites. Obligate and facultative vegetative species are listed in the "National Lists of Plant Species That Occur in Wetlands: Northeast (Region 1)" (Reed, 1988) prepared by the United States Fish and Wildlife Service in cooperation with the National and Regional Wetland Plant List Review Panels, as amended from time to time and as on file with the Town Clerk.

(b) Plants with adaptations to inundation and/or saturated soil conditions shall be considered diagnostic of wetlands. Such adaptations include but are not limited to pneumatophores, buttressed tree trunks, floating stems, floating leaves, multiple trunks, hypertrophied lenticels and inflated leaves, stems or roots.

(2) Hydric soil is a soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part, as set forth in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, dated January 1989, prepared by the federal government, and as updated from time to time and as on file with the Town Clerk.

(3) Hydrologic indicators

(a) The following water bodies and watercourses are regulated under this chapter:

[1] Ponds, lakes, reservoirs, marshes, swamps, bogs or other areas of permanent water retention, regardless of origin.

[2] All natural drainage systems, including rivers, streams and brooks which contain water at least six (6) months of the year and the associated floodplains of such watercourses.

The drinking water supply for the City of New York and other nearby municipalities comes from upstate watersheds located in Westchester, Putnam, and seven additional counties. These watershed areas are regulated under Chapter 18, titled *Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources* (Rules and Regulations) of the New York City Code.

According to the Rules and Regulations, certain (Regulated) activities are prohibited and others are permitted only after review and approval by the DEP. Generally, the proximity of proposed Regulated Activities to reservoirs, reservoir stems, controlled lakes, watercourses (intermittent and perennial streams) or wetlands is the primary determining factor regarding their fate. The typical limiting distances for development activities on the subject parcels relative to these regulations are:

Intermittent Stream	50 to 100 feet
Perennial Stream	100 feet
Wetland	50 to 100 feet

These watershed and water supply features are defined in the Rules and Regulations as follows:

“Watercourse: a visible path through which surface water travels on a regular basis, including an intermittent stream, which is tributary to the water supply. A drainage ditch, swale or surface feature that contains water only during and immediately after a rainstorm or a snowmelt shall not be considered to be a watercourse.”

“Intermittent Stream: a watercourse that during certain times of the year goes dry or whose lowest annual mean discharge during seven consecutive days with a recurrence interval of ten years (MA7CD/10) is less than 0.1 cubic foot per second and which periodically receives groundwater inflow. A drainage ditch, swale or surface feature that contains water during and immediately after a rainstorm or snowmelt shall not be considered to be an intermittent stream.”

“Perennial Stream: a watercourse that flows throughout the year from source to mouth.”

“Wetland: any area mapped as a wetland by the New York State Department of Environmental Conservation Law, which is at least 12.4 acres in size or has been designated as a wetland of unusual local importance.”

The DEC protects freshwater wetlands and regulates certain activities occurring within adjacent areas (land within 100 feet horizontally of DEC wetlands) under State of New York Article 24 on the Environmental Conservation Law. The Act defines wetlands “as lands and submerged lands commonly known as swamps, sloughs, bogs and flats which support wetland vegetation.” Based on the New York State Wetlands Delineation manual, the primary criterion for a wetland determination is the presence of hydrophytic vegetation. However, field verification of wetlands may be supported by the presence of hydric soils and wetland hydrology, as per the Corps 1987 manual. Under Title 3 of the Act, freshwater wetlands with an area of 12.4 acres or more are regulated by the DEC. Wetlands less than 12.4 acres may also be regulated, if they are determined to be of unusual importance.

The federal government regulates certain activities in the Waters of the United States. Waters of the United States are navigable waters, their tributaries, and adjacent wetlands and other waters or wetlands where their degradation or destruction could affect interstate or foreign commerce. Wetlands are defined as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adopted for life in saturated soil conditions. As specified in the U.S. Corps of Engineers 1987 publication *Corps of Engineers Wetlands Delineation Manual* an area is a wetland if a minimum of one positive field indicator of wetland (hydrophytic) vegetation, wetland (hydric) soils and wetland hydrology are identified. The Corps uses the presence or absence of an ordinary high water mark or bed and bank to determine surface waters (e.g., ponds and streams), including intermittent watercourses. Wetland vegetation need not be present to complete a waterbody determination.

Methodology

Wetland identification was based on the presence of hydric soils and/or a prevalence of hydrophytic vegetation. Soil types were identified by observation of soil morphology (soil texture, color, structure,

etc.). To observe the morphology of the property's soils, test pits and/or borings (maximum depth of two feet) were completed at the site. Prevalence of hydrophytic vegetation was confirmed by visually determining the dominant plant species in each vegetation community in accordance with the Onsite Routine Determination Method as described in the 1987 manual titled *Corps of Engineers Wetland Delineation Manual*.

The soil investigation included the completion of a Second Order soil survey in accordance with the principles and practices noted in the USDA publication *Soil Survey Manual* (1993). The classification system of the National Cooperative Soil Survey was used in this investigation. Soil map units identified at the project site generally correspond to those included in the *Soil Survey of Putnam and Westchester Counties, New York* (USDA 1994).

Waterbody determinations were based on the presence or absence of an ordinary high water mark or bed and bank.

Wetland and watercourse boundaries were demarcated (flagged) with pieces of pink surveyor's tape (hung from vegetation) labeled "William Kenny Associates" or small pink flags (on wire stakes) labeled "William Kenny Associates" that are generally spaced a maximum of every 50 feet. Complete boundaries are located along the lines that connect these sequentially numbered flags. The wetland and watercourse boundaries are subject to change until adopted by local, state, or federal regulatory agencies.

On the day of the review, the sky was clear and air temperatures were in the 60's ° F. The upland soil was dry to moist and the wetland soil was saturated to inundated.

Results

The approximate 0.3-acre residential property is located at 126 Valley Road in Katonah, New York. Valley Road borders the northern property boundary. Property improvements include a single-family residence and an asphalt driveway. The vegetative cover at the property is primarily lawn.

No wetlands or watercourses were found at the site. However, an offsite wetland and watercourse system was identified and delineated. The system, which is located south and west of the property, includes a 4-foot wide watercourse with grassed banks that flows to the east and a forested wetland. The watercourse is a tributary of Stone Hill River. Wetland soils are primarily poorly drained soils that formed from compact glacial till deposits. The approximate locations of the systems are shown on the attached map. The boundary of the system was marked at the site with flags numbered 1 to 6 and 20 to 27. Certain activities in and adjacent to the wetland are regulated by the town of Bedford.

Three upland soil map units were identified on the property. Each map unit represents a specific area on the landscape and consists of one or more soils for which the unit is named. Other soils (inclusions that are generally too small to be delineated separately) may account for 10 to 15 percent of each map unit. The mapped units are identified in the following table by name and symbol and typical characteristics (parent material, drainage class, high water table, depth to bedrock, and slope). These characteristics are generally the primary characteristics to be considered in land use planning and management. A description of each characteristic and their land use implications follows the table. A complete description of each soil map unit can be found in the *Soil Survey of Putnam and Westchester*

Counties, New York (USDA 1994), and at <http://soils.usda.gov/technical/classification/osd/index.html>. The approximate location of the mapped wetlands and soil map units at the project site are shown on the attached wetland map.

<u>Map Unit</u> Sym.	<u>Map Unit</u> Name	<u>Parent</u> <u>Material</u>	<u>Slope</u> (%)	<u>Drainage</u> <u>Class</u>	<u>High Water Table</u>			<u>Depth To</u> <u>Bedrock</u> (in)
					<u>Depth</u> (ft)	<u>Kind</u>	<u>Mos.</u>	
<u>Upland Soil</u>								
Cr	Charlton-Chatfield complex, rolling, very rocky	Loose glacial Till	2-15	Well Drained	>6.0	--	--	>60
		Loose glacial Till	2-15	Well Drained & Somewhat Excessively Drained	>6.0	--	--	20-40
Su	Sutton fine sandy loam	Loose Glacial Till	0-8	Moderately Well Drained	1.5-3.5	Apparent	Nov-Apr	>60
Uh	Urban land-Charlton complex	Loose Glacial Till	2-25	Well Drained	>60		all	>60

Parent material is the unconsolidated organic and mineral material in which soil forms. Soil inherits characteristics, such as mineralogy and texture, from its parent material. Glacial till is unsorted, nonstratified glacial drift consisting of clay, silt, sand, and boulders transported and deposited by glacial ice. Glacial outwash consists of gravel, sand, and silt, which are commonly stratified, deposited by glacial melt water. Alluvium is material such as sand, silt, or clay, deposited on land by streams. Organic deposits consist of decomposed plant and animal parts.

A soil's texture affects the ease of digging, filling, and compacting and the permeability of a soil. Generally sand and gravel soils, such as outwash soils, have higher permeability rates than most glacial till soils. Soil permeability affects the cost to design and construct subsurface sanitary disposal facilities and, if too slow or too fast, may preclude their use. Outwash soils are generally excellent sources of natural aggregates (sand and gravel) suitable for commercial use, such as construction sub base material. Organic layers in soils can cause movement of structural footings. Compacted glacial till layers make excavating more difficult and may preclude the use of subsurface sanitary disposal systems or increase their design and construction costs if fill material is required.

Generally, soils with steeper slopes increase construction costs, increase the potential for erosion and sedimentation impacts, and reduce the feasibility of locating subsurface sanitary disposal facilities.

Drainage class refers to the frequency and duration of periods of soil saturation or partial saturation during soil formation. Seven classes of natural drainage classes exist. They range from excessively drained, where water is removed from the soil very rapidly, to very poorly drained, where water is removed so slowly that free water remains at or near the soil surface during most of the growing season. Soil drainage affects the type and growth of plants found in an area. When landscaping or gardening, drainage class information can be used to assure that proposed plants are adapted to existing drainage conditions or that necessary alterations to drainage conditions (irrigation or drainage systems) are provided to assure plant survival.

Mr. Chris Suppa
Re: 126 Valley Road, Katonah, New York

December 15, 2015
Page 6

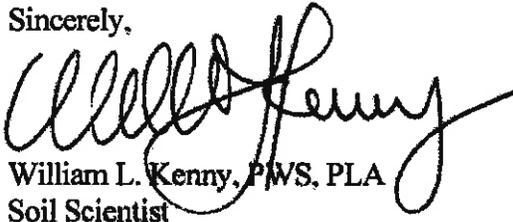
High water table is the highest level of a saturated zone in the soil in most years. The water table can affect the timing of excavations; the ease of excavating, constructing, and grading; and the supporting capacity of the soil. Shallow water tables may preclude the use of subsurface sanitary disposal systems or increase design and construction costs if fill material is required.

The depth to bedrock refers to the depth to fixed rock. Bedrock depth affects the ease and cost of construction, such as digging, filling, compacting, and planting. Shallow depth bedrock may preclude the use of subsurface sanitary disposal systems or increase design and construction costs if fill material is required.

Conclusions

Today, I investigated the property at 126 Valley Road in Katonah, New York and identified and delineated an off-site wetland and watercourse system. No wetlands or watercourses were found at the site. Certain activities in and adjacent to the system are regulated by the town of Bedford. Thank you for the opportunity to assist you with this project. If you should have any questions or comments, please do not hesitate to contact me.

Sincerely,



William L. Kenny, PWS, PLA
Soil Scientist

Enclosure

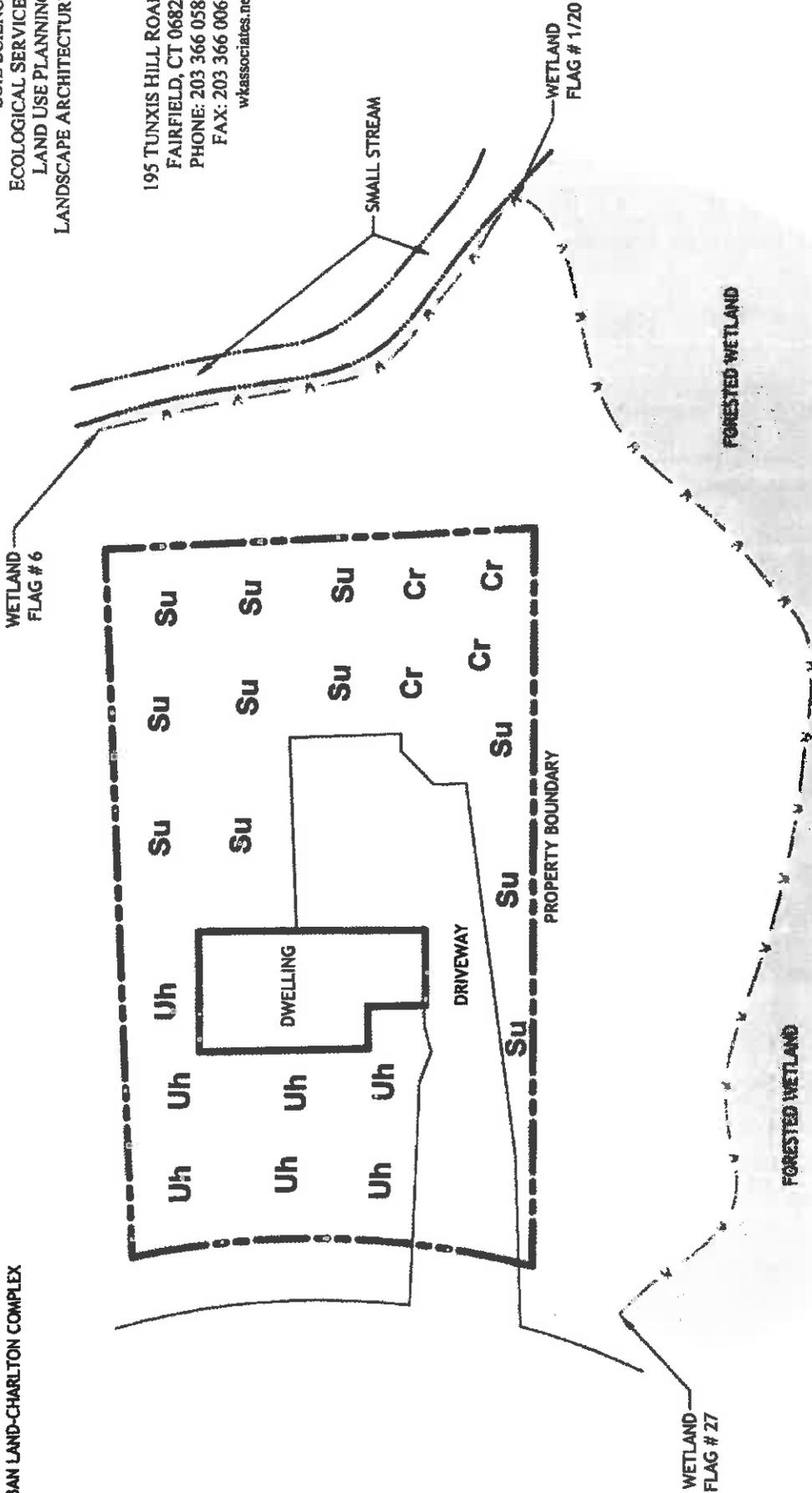
Ref. No. 3331

SOIL LEGEND:

- UPLAND:**
 Cr CHARLTON-CHATFIELD COMPLEX
 Su SUTTON FINE SANDY LOAM
 Uh URBAN LAND-CHARLTON COMPLEX

WILLIAM KENNY ASSOCIATES LLC
 SOIL SCIENCE
 ECOLOGICAL SERVICES
 LAND USE PLANNING
 LANDSCAPE ARCHITECTURE

195 TUNXIS HILL ROAD
 FAIRFIELD, CT 06825
 PHONE: 203 366 0588
 FAX: 203 366 0067
 wtkassociates.net



- NOTES:**
- INFORMATION SHOWN ON THIS DRAWING, INCLUDING THE WETLAND BOUNDARY, IS APPROXIMATE. THE BOUNDARY IS NOT A SURVEYED REPRESENTATION OF WHAT WAS FIELD MARKED (FLAGGED).
 - WETLAND AND SOIL INFORMATION PROVIDED BY WILLIAM KENNY ASSOC. OTHER INFORMATION TAKEN FROM A DRAWING PREPARED BY H. STANLEY JOHNSON & COMPANY.
 - Cr, Su and Uh ARE SOIL MAPPING UNIT SYMBOLS. SEE WETLAND DELINEATION REPORT FOR THE SOIL MAP UNIT NAMES AND ADDITIONAL RELATED INFORMATION.

WETLAND & WATERCOURSE MAP

126 VALLEY ROAD
 KATONAH, NEW YORK

SCALE: NOT TO SCALE
 DATE: DECEMBER 15, 2015

I CERTIFY THAT THIS WETLAND MAP
 SUBSTANTIALLY REPRESENTS THE SOILS
 AND WETLANDS MAPPED IN THE FIELD

William L. Kenny
 WILLIAM L. KENNY, SOIL SCIENTIST

Ref. No. 3331



TOWN OF BEDFORD - WETLANDS CONTROL COMMISSION

Application for Permit

Identification of Owner(s):

Name(s) of owner(s) [as shown on Deed]: Thomas Meyer

Mailing Address: 333 Bedford Center Road, Bedford Hills, NY 10507

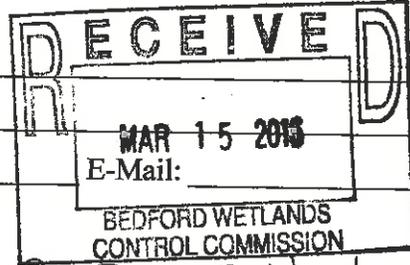
Phone: 914-234-7826 (home) (work); Fax: E-Mail:

Identification of Applicant (if other than owner(s)):

Name of Applicant:

Mailing Address:

Phone: (home) (work); Fax: E-Mail:



Professional Preparing Site Plan:

Name /Address: The Pond Connection, 64 Barnabas Rd, Ste # 5 Newtown, CT 06470

James Gorman Phone: 845-798-9383 Fax: E-Mail: pondconnection3@gmail.com

Identification of Property:

Bedford Tax Map Designation: Section Block Lot Area

Zoning District: Project Address: Attached

Approximate year of construction of any structure:

Prior Applications/Other Applications (write "N/A" if not applicable; Project Cost):

Dates of any prior Wetlands Control Commission permits:

Identify any other Town of Bedford approvals required:

Identify any other governmental approvals required: NYS DEC 3-5520-00282/1#2

Project cost (including professional fees): \$ 10,000

Project Description/Proposed Use (MUST BE DETAILED - Use Additional Pages if Needed):

Attached

Proposed Project Start Date:

Estimated Date of Completion:

The owner(s) hereby give(s) permission to the Town of Bedford, its agents, servants and employees, including, without limit, members of the Wetlands Control Commission and consultants to the Town to enter upon the Property solely for the purposes incidental to the within application (including without limit, inspection of the project after completion) at reasonable times upon reasonable notice to the owner or tenant in possession, which notice may be by telephone. If the applicant is different than the owner(s), the owner(s) hereby approves this application and consents to the applicant acting as agent for the owner in submitting this application and the applicant accepts its designation as agent for the owner(s).

I/we affirm by the signatures below that I/we are the rightful legal owner(s) of the property herein described in this application.

Signature of owner(s): Thomas H. Meyer
All owners must sign Print name/title: Thomas H. Meyer

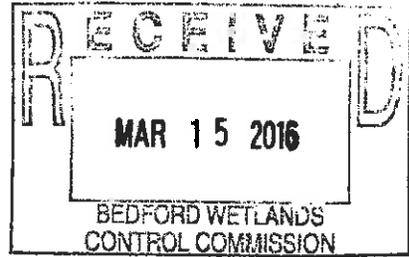
Date: 3/3/16

Print name/title:

Date:

Signature of applicant (if different):
Print name/title:

Date:



Bedford Center Rd. Pond

Permit Applicant Attachment

Owners

1. Tom Meyer, 333 Bedford Center Rd, Bedford Hills, NY 10507
(914) 234-7826
Tax # 72.12-2-4

Thomas A. Meyer

2. Rick Talmadge, 53 Narrows Rd, Bedford Hills, NY 10507
(914) 241-2488
Tax # 72.12-2-6

Rick Talmadge

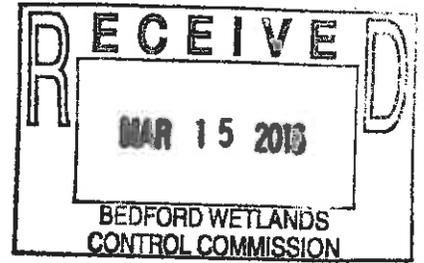
3. Kim Kelly, 345 Bedford Center Rd, Bedford Hills, NY 10507
(914) 234-7372
Tax # 72.12-2-5

Kim Kelly

4. Robert Ahrens, 95 Narrows Rd, Bedford Hills, NY 10507
Tax # 72.16-1-6

Robert Ahrens

Notice of Consent



Date of Notice:

Dear Riparian Property Owner:

To control the excessive growth of the Algae, at Bedford Center Road Pond, The Pond Connection proposes to conduct an application of the aquatic herbicide/algaeicide Cutrine Plus. A copy of the Cutrine Plus labels has been attached to this notice. We anticipate the treatment to occur throughout the summer, only when necessary and will proceed only after the riparian owners obtains a permit for the treatment from the DEC.

This pesticide application will only occur if sufficient aquatic vegetation is present to warrant treatment and under favorable weather conditions. Prior notification of the exact dates of treatment will be provided by The Pond Connection (posting of shoreline).

As an affected riparian owner/use, you have the right to consent or object to the restrictions of water use resulting from the proposed treatment. The water use restrictions associated with use of the above pesticides are below:

- Swimming and bathing are prohibited for 24hrs.
- Fishing and/or fish consumption is prohibited for 24hrs.
- Livestock watering is prohibited for 24hrs.
- Irrigation or spraying of agricultural crops is prohibited for 24hrs.
- Use of water for human consumption is prohibited for 24hrs.
- Use of water for domestic purposes is prohibited for 24hrs.

You have twenty-one (21) days to respond to this notice. If you wish to object to the proposed treatment(s), please file a written document stating your objection to the proposed treatment and the water use restrictions resulting from the treatment.

Send your comments to the person listed below:

Colleen Darcy or Laurie Lawrence
NYS Department of Environmental Conservations, Region 3
21 South Putt Corners Rd, New Paltz, NY 12561
Phone: (845) 256-3097

If you wish further information about the treatment, or wish information on the exact dates or the pesticide application, please contact the following person:

James Gorman, The Pond Connection
Phone: (845) 798-9383
Email: pondconnection3@gmail.com

Signature of Riparian Owner:

Name: Thomas H. Meyer
Thomas H. Meyer

Date: 3/3/16

Notice of Consent

Date of Notice:

Dear Riparian Property Owner:

To control the excessive growth of the Algae, at Bedford Center Road Pond, The Pond Connection proposes to conduct an application of the aquatic herbicide/algacide Cutrine Plus. A copy of the Cutrine Plus labels has been attached to this notice. We anticipate the treatment to occur throughout the summer, only when necessary and will proceed only after the riparian owners obtains a permit for the treatment from the DEC.

This pesticide application will only occur if sufficient aquatic vegetation is present to warrant treatment and under favorable weather conditions. Prior notification of the exact dates of treatment will be provided by The Pond Connection (posting of shoreline).

As an affected riparian owner/use, you have the right to consent or object to the restrictions of water use resulting from the proposed treatment. The water use restrictions associated with use of the above pesticides are below:

Swimming and bathing are prohibited for 24hrs.

Fishing and/or fish consumption is prohibited for 24hrs.

Livestock watering is prohibited for 24hrs.

Irrigation or spraying of agricultural crops is prohibited for 24hrs.

Use of water for human consumption is prohibited for 24hrs.

Use of water for domestic purposes is prohibited for 24hrs.

You have twenty-one (21) days to respond to this notice. If you wish to object to the proposed treatment(s), please file a written document stating your objection to the proposed treatment and the water use restrictions resulting from the treatment.

Send your comments to the person listed below:

Colleen Darcy or Laurie Lawrence

NYS Department of Environmental Conservations, Region 3

21 South Putt Corners Rd, New Paltz, NY 12561

Phone: (845) 256-3097

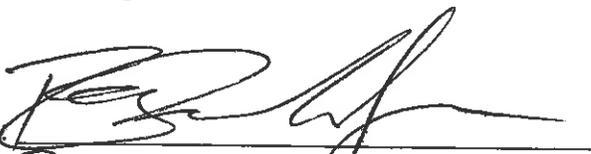
If you wish further information about the treatment, or wish information on the exact dates or the pesticide application, please contact the following person:

James Gorman, The Pond Connection

Phone: (845) 798-9383

Email: pondconnection3@gmail.com

Signature of Riparian Owner:

Name: 
Richard Talmadge

Date: 3/3/16

Notice of Consent

Date of Notice:

Dear Riparian Property Owner:

To control the excessive growth of the Algae, at Bedford Center Road Pond, The Pond Connection proposes to conduct an application of the aquatic herbicide/algaeicide Cutrine Plus. A copy of the Cutrine Plus labels has been attached to this notice. We anticipate the treatment to occur throughout the summer, only when necessary and will proceed only after the riparian owners obtains a permit for the treatment from the DEC.

This pesticide application will only occur if sufficient aquatic vegetation is present to warrant treatment and under favorable weather conditions. Prior notification of the exact dates of treatment will be provided by The Pond Connection (posting of shoreline).

As an affected riparian owner/use, you have the right to consent or object to the restrictions of water use resulting from the proposed treatment. The water use restrictions associated with use of the above pesticides are below:

Swimming and bathing are prohibited for 24hrs.

Fishing and/or fish consumption is prohibited for 24hrs.

Livestock watering is prohibited for 24hrs.

Irrigation or spraying of agricultural crops is prohibited for 24hrs.

Use of water for human consumption is prohibited for 24hrs.

Use of water for domestic purposes is prohibited for 24hrs.

You have twenty-one (21) days to respond to this notice. If you wish to object to the proposed treatment(s), please file a written document stating your objection to the proposed treatment and the water use restrictions resulting from the treatment.

Send your comments to the person listed below:

Colleen Darcy or Laurie Lawrence

NYS Department of Environmental Conservations, Region 3

21 South Putt Corners Rd, New Paltz, NY 12561

Phone: (845) 256-3097

If you wish further information about the treatment, or wish information on the exact dates or the pesticide application, please contact the following person:

James Gorman, The Pond Connection

Phone: (845) 798-9383

Email: pondconnection3@gmail.com

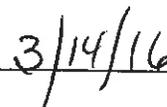
Signature of Riparian Owner:

Name:



Kim Kelly

Date:



3/14/16

Notice of Consent

Date of Notice:

Dear Riparian Property Owner:

To control the excessive growth of the Algae, at Bedford Center Road Pond, The Pond Connection proposes to conduct an application of the aquatic herbicide/algaeicide Cutrine Plus. A copy of the Cutrine Plus labels has been attached to this notice. We anticipate the treatment to occur throughout the summer, only when necessary and will proceed only after the riparian owners obtains a permit for the treatment from the DEC.

This pesticide application will only occur if sufficient aquatic vegetation is present to warrant treatment and under favorable weather conditions. Prior notification of the exact dates of treatment will be provided by The Pond Connection (posting of shoreline).

As an affected riparian owner/use, you have the right to consent or object to the restrictions of water use resulting from the proposed treatment. The water use restrictions associated with use of the above pesticides are below:

Swimming and bathing are prohibited for 24hrs.

Fishing and/or fish consumption is prohibited for 24hrs.

Livestock watering is prohibited for 24hrs.

Irrigation or spraying of agricultural crops is prohibited for 24hrs.

Use of water for human consumption is prohibited for 24hrs.

Use of water for domestic purposes is prohibited for 24hrs.

You have twenty-one (21) days to respond to this notice. If you wish to object to the proposed treatment(s), please file a written document stating your objection to the proposed treatment and the water use restrictions resulting from the treatment.

Send your comments to the person listed below:

Colleen Darcy or Laurie Lawrence

NYS Department of Environmental Conservations, Region 3

21 South Putt Corners Rd, New Paltz, NY 12561

Phone: (845) 256-3097

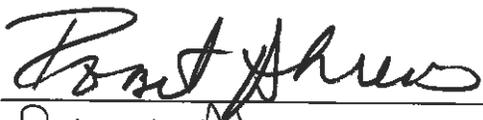
If you wish further information about the treatment, or wish information on the exact dates or the pesticide application, please contact the following person:

James Gorman, The Pond Connection

Phone: (845) 798-9383

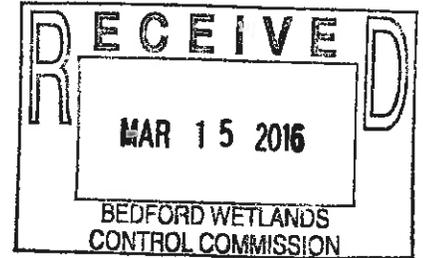
Email: pondconnection3@gmail.com

Signature of Riparian Owner:

Name: 
Robert Aherns

Date: 3/14/2016

617.20
Appendix B
Short Environmental Assessment Form



Instructions for Completing

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

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

Part 1 - Project and Sponsor Information				
Name of Action or Project: BEDFORD CENTER ROAD POND				
Project Location (describe, and attach a location map): 333 BEDFORD CENTER Rd. BEDFORD HILLS. NY 10507				
Brief Description of Proposed Action: ALGAEICIDE application to control nuisance levels of ALGAE. TREATMENTS will be made from a small boat with a low pressure sprayer. ALGAEICIDE applications will be made following ALL LABELED RATES AND RECOMMENDATIONS AS WELL AS STANDARD AQUATIC WEED CONTROL METHODS.				
Name of Applicant or Sponsor: Tom Meyer		Telephone:		
		E-Mail:		
Address: 333 BEDFORD CENTER Rd				
City/PO: BEDFORD HILLS		State: NY	Zip Code: 10507	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		8.85 acres		
b. Total acreage to be physically disturbed?		3.75 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		8.85 acres		
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

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

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

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

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT



PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:

TOM MEYER
333 BEDFORD CENTER RD
BEDFORD HILLS, NY 10507

Facility:

BEDFORD CENTER RD POND
333 BEDFORD CENTER RD
BEDFORD CENTER, NY

RICK TALMADGE
53 NARROWS RD
BEDFORD HILLS, NY 10507

KIMBERLY KELLY
345 BEDFORD CENTER RD
BEDFORD HILLS, NY 10507

Facility Location: in BEDFORD in WESTCHESTER COUNTY

Facility Principal Reference Point: NYTM-E: 611.19 NYTM-N: 4563.955
Latitude: 41°13'09.6" Longitude: 73°40'24.7"

Authorized Activity: This permit authorizes treatment of a Class C, unnamed pond (tributary to Stone Hill River, NYS Waters Index # H-31-P44-36-6-2-P44n) with the aquatic pesticide Cutrine Plus (active ingredient elemental copper, 9%) and use of a pesticide within NYS freshwater wetland K-5 (Class 1). Three areas of the wetland totaling 3.75 acres will be treated for the control of algae.

Note Conditions # 11 and 12 requiring year end reports to both Bureau of Pesticides (#11) and Bureau of Habitat (#12).

Permit Authorizations

Freshwater Wetlands - Under Article 24

Permit ID 3-5520-00282/00001

New Permit

Effective Date: 5/5/2014

Expiration Date: 12/31/2016

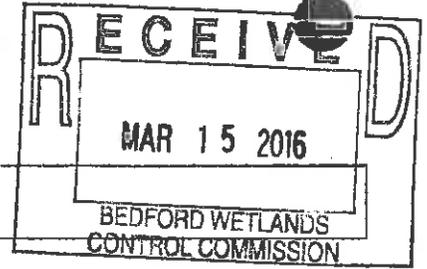
Aquatic Pesticides - Under Article 15, Title 3

Permit ID 3-5520-00282/00002

New Permit

Effective Date: 5/5/2014

Expiration Date: 12/31/2014



NYSDEC Approval

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

Permit Administrator: DANIEL T WHITEHEAD, Deputy Regional Permit Administrator
Address: NYSDEC REGION 3 HEADQUARTERS
21 SOUTH PUTT CORNERS RD
NEW PALTZ, NY 12561-1620

Authorized Signature: _____

Date: 5/15/2011

Distribution List

James Gorman, Pond Connection via email
Westchester Co Health Dept via email
Town of Bedford via email
Heather Gierloff, DEC Bur of Habitat via email
Colleen Darcy, DEC Bur of Pesticides via email
Michael Hsai, NYCOEP via email

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Permit Attachments

Pesticide Treatment Area Map



**NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following
Permits: FRESHWATER WETLANDS; AQUATIC PESTICIDES**

1. **Pesticide Control Specialist** When used in this permit, the Pesticide Control Specialist is:

Pesticide Control Specialist
NYSDEC REGION 3 HEADQUARTERS
21 SOUTH PUTT CORNERS RD
NEW PALTZ, NY 12561 -1620

Colleen Darcy, 845-256-3125

2. **Authorized Pesticides**

Authorized Pesticide	EPA Registration #	Name, % or Weight of Active Ingredient	Total Amount of Pesticide Authorized	Not to Exceed Rate	Shall be Applied no Later Than
Cutrine Plus	8959-10	elemental copper, 9%	Up to 2.76 gallons	0.23 gallons per acre ft	Labor Day

3. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by The Pond Connection

4. **Certified Pesticide Applicator ("Applicator") and Identification Number** This permit authorizes the following applicator(s): James Gorman, C3330488; The Pond Connection, 1520

The applicator must possess a valid Commercial Pesticide Applicator Certification identification card in Category 5A issued by the Department, and must have the card with him/her at the time of treatment. The certified applicator must be on site during all treatments. However, "Pesticide Technicians" and/or "Pesticide Apprentices," may apply the pesticides under this permit to the extent allowed by 6 NYCRR Part 325.7.

5. **Follow Product Label Directions** The applicator must follow all pesticide label directions. Where label and labeling directions, permit conditions and regulations address the same point, the more prohibitive requirements must be complied with. A copy of the product labeling, including any applicable Special Local Need (SLN) labeling, must be on site during all treatments. The applicator, and all others handling the product, must wear appropriate personal protective clothing as required by label directions.

6. **Copper Product Conditions** The level of the water must either be drawn down and held, or other means used, so that no water flows through the outlet during the treatment and for 24 hours thereafter. It is the responsibility of the permittee and the applicator to obtain a Dam Safety permit for certain bodies of water when the control method is to hold water in.

Repeat treatments of any pesticide are not authorized at any interval of less than two weeks.

Treat up to only one third to one half of the water body at one time.



Do not bathe or swim in treated areas, or use water from treated areas for domestic animals or for domestic purposes for 24 hours.

The shoreline, and all public access sites including public boat launch sites, shall be posted with suitable signs, no more than 100-feet apart, prior to treatment and for the required number of days thereafter, bearing the water use restrictions. These signs shall state:

<p>WARNING! These waters have been treated with a pesticide for algae control. Do not bathe or swim in treated areas, or use water from treated areas for domestic animals or for domestic purposes for 24 hours.</p> <p>DATE OF TREATMENT: _____</p> <p>For more information contact: _____ Phone: _____</p>

7. **Authorized Area To Be Treated** The following areas are authorized to be treated: three areas totaling 3.75 acres as shown on the treatment area map, attachment A of this permit.

8. **Rescheduling Notification**

- a. In the event that pesticide treatment must be rescheduled, the permittee/applicator must contact the Pesticide Control Specialist a minimum of 24 hours prior to the date of the original treatment date.
- b. In the event that no treatment is made, and the permit is not used, the permittee/applicator must notify the Pesticide Control Specialist no more than 7 days after the expiration date of the permit.

9. **Riparian Owner and User Notification** The permittee must provide prior actual notice of the date(s) of treatment and of the water use restrictions to any affected riparian owner, riparian user and known users.

10. **No Right to Treat Non-Target Waters** This permit does not authorize the treatment of pesticides to non-target water or water lying on or passing through the property of others without their consent. The permittee or applicator must obtain landowner consent before treatment. The permittee and applicator are responsible for damages suffered by riparian owners or others as a result of their activities conducted under this permit.

11. **Target Species** This permit authorizes treatment for: algae

12. **Final Report Required** The permittee/applicator shall submit a Final Report to the Pesticide Control Specialist no later than December 1 of each year. The Final Report shall identify all pesticides used to control aquatic vegetation by product name, active ingredient and EPA Registration Number, the total quantity of each pesticide used during the season, the areas of treatment and any additional information, which has been made a part of this permit, as determined by the Department.



This permit requirement does not relieve the permittee, pesticide applicator, registered agency, or registered pesticide business of the statutory obligation to comply with annual reporting requirements set forth in Article 33, Section 1205 of the Environmental Conservation Law.

13. Year-End Wetland Report No later than December 1 of each year this permit is in effect the permittee must submit a year-end report to Heather Gierloff, DEC Wetland biologist, which includes a qualitative discussion of chemical treatment including a thorough description of the effectiveness of treatment on target species, noticeable impacts to non-target species, and pre- & post-treatment photo documentation.

14. Annual Authorization of Repeat Treatment Repeat treatments of this water body may be authorized pursuant to Article 15, Title 3, Aquatic Pesticides, for up to five years from the effective date of this permit. Prior to each repeat treatment, the aquatic pesticide authorization must be renewed by submitting a "Renewable Aquatic Pesticide Application" form to the Regional Pesticide Control Specialist (form enclosed).

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

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

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

18. Precautions Against Contamination of Waters All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, lime, or any other environmentally deleterious materials associated with the project.



GENERAL CONDITIONS - Apply to ALL Authorized Permits:

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

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

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

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

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

Regional Permit Administrator
NYSDEC REGION 3 HEADQUARTERS
21 SOUTH PUTT CORNERS RD
NEW PALTZ, NY 12561-1620

4. Submission of Renewal Application: The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Freshwater Wetlands, Aquatic Pesticides.

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

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;



- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

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

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

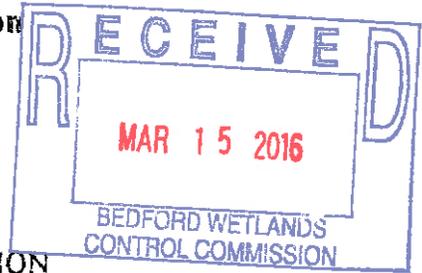
The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

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

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

Item E: SEQRA Type I Action, DEC Lead Agency, EIS, Findings Under the State Environmental Quality Review Act (SEQRA), the project associated with this permit is classified as a Type I Action with the Department of Environmental Conservation designated as the lead agency. It has been determined that the project may have a significant effect on the environment, and, accordingly, Draft and Final Environmental Impact Statements (EIS) have been prepared, filed and reviewed. As a result of the Department's review, findings supporting and consistent have been prepared.

New York State Department of Environmental Conservation
Division of Materials Management, Region 3
Bureau of Pesticide Management
 21 South Platt Corners Road, New Paltz, NY 12561-1620
 Phone: (845) 256-3097 \$ FAX: (845) 255-3414
 Website: www.dec.ny.gov



**RENEWABLE AQUATIC PESTICIDE APPLICATION
 (NOT VALID UNLESS STAMPED)**

APPLICANT INFORMATION

First Name:		Last Name:	
Street:			
City:	State:	Zip:	
Address of Water Body Property (IF DIFFERENT):			
Street:		State:	Zip:
City:			
Previous Permit Number:		Name of Body of Water:	
Pesticide To Be Used:		County of Treatment:	
Applicator Business Name:			DEP: Y ___ N

PLEASE VERIFY

<input type="checkbox"/>	Applicator is currently certified in appropriate category
<input type="checkbox"/>	Business is currently registered
<input type="checkbox"/>	Chemical is registered and labeled for target pest
<input type="checkbox"/>	Fifty dollar check enclosed, payable to: NYSDEC

The following conditions remain the same as with the original permit:

- *product:
- *usage rate
- *treatment acreage
- *total amount to be applied

PLEASE INCLUDE LIST OF RIPARIAN OWNERS & VERIFICATION OF MAILING

APPLICANT: _____ APPLICATOR: _____ Date: _____

ISSUING OFFICER=S
 SIGNATURE: _____ Date: _____

New York State Department of Environmental Conservation

Division of Environmental Permits, Region 3

21 South Platt Corners Road, New Paltz, New York 12561-1620

FAX: (845) 255-4659

Website: www.dec.ny.gov



IMPORTANT NOTICE TO ALL PERMITTEES

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

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

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

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

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

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

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

Rebecca Crist 
Division of Environmental Permits, Region 3
Telephone (845) 256-3014

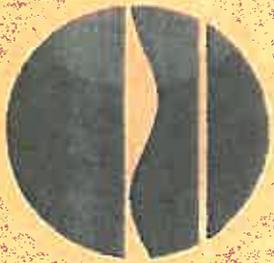
- Applicable Only if Checked for **STORMWATER SPDES INFORMATION**: We have determined that your project qualifies for coverage under the General Stormwater SPDES Permit. You must now file a Notice of Intent to obtain coverage under the General Permit. This form can be downloaded at: <http://www.dec.ny.gov/chemical/43133.html>

Applicable Only if Checked **MS4 Areas**: This site is within an MS4 area (Municipal Separate Storm Sewer System), therefore the SWPPP must be reviewed and accepted by the municipality. The MS-4 acceptance Form must be submitted in addition to the Notice of Intent. This form can be downloaded at the same site as the Notice of Intent.

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

In addition, DEC requests that you provide one electronic copy of the approved SWPPP directly to Natalie Browne at NYS DEC, 100 Hillside Avenue - Suite 1W, White Plains, NY 10603-2860.

New York State
Department of Environmental Conservation



NOTICE



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

*Kimberly Kelly
Rick Tomadze*

Permittee: Tom Meyer Permit No. 3-5520-00232 *10001*

Effective Date: 05-03-2014 Expiration date: 12-31-2016

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

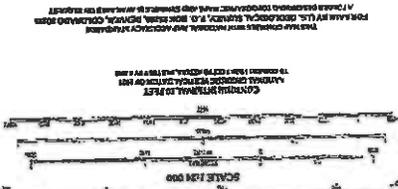
NOTE: This notice is NOT a permit.

1:50,000
1:250,000
1:500,000
1:1,000,000

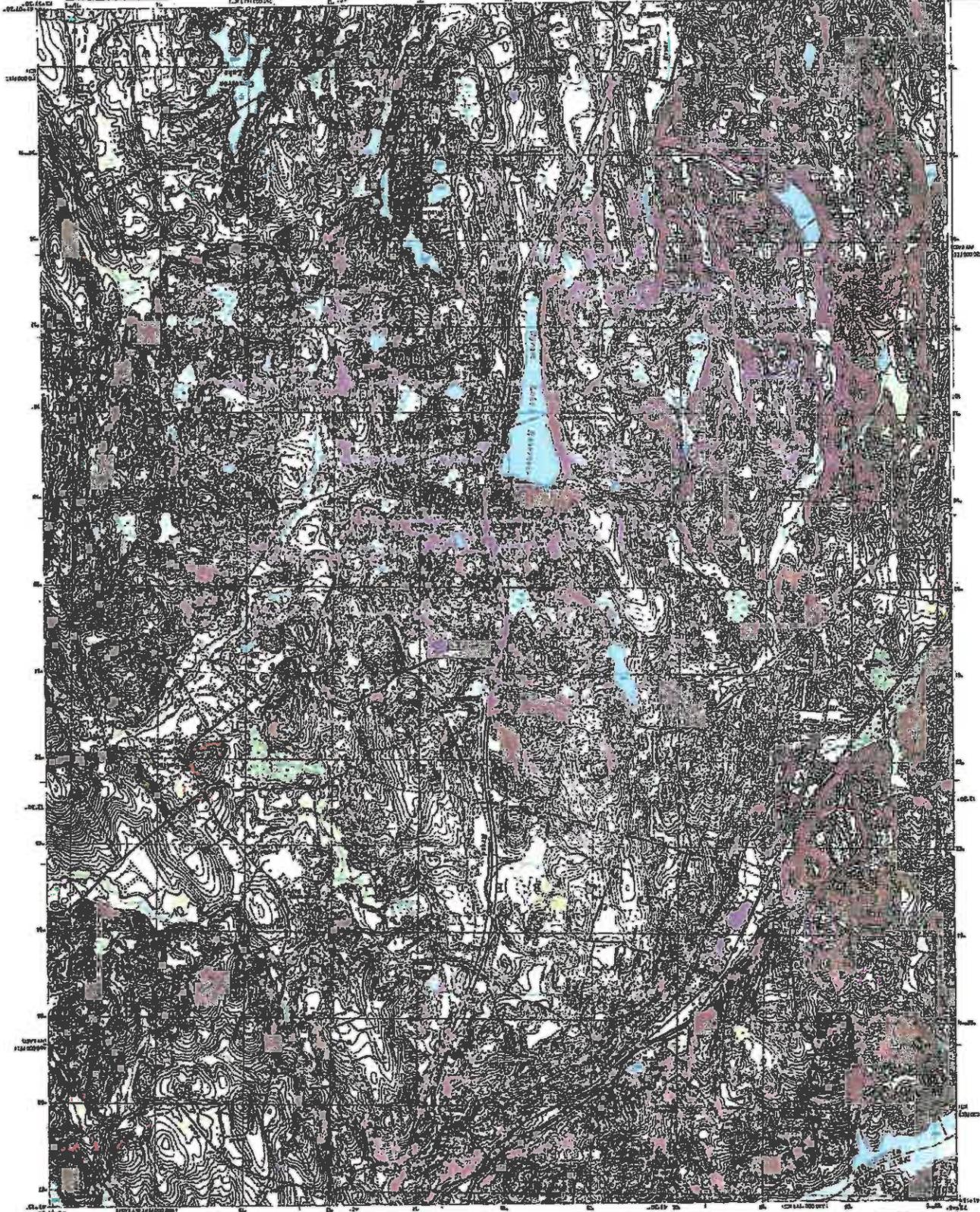
1991
MOUNT RISCO, NY, CT

Mount Risco, New York, Connecticut
Topographic map showing contour lines, roads, and water features. Includes a legend for symbols like U.S. Route, Contour Interval, and Spot Elevation.

Contour Interval	10 Feet
Spot Elevation	Feet
U.S. Route	Double Line
State Route	Single Line
County Road	Dashed Line
Unimproved Road	Thin Solid Line
Water	Blue
Swamp	Green
Barren Land	Brown
Forest	Green
Highway	Thick Solid Line
Interstate	Thick Double Line
Proposed Highway	Dashed Double Line
Proposed Interstate	Dashed Double Line
Proposed Airport	Circle with X
Proposed Canal	Thin Dashed Line
Proposed Dam	Circle with X
Proposed Well	Circle with X
Proposed Windmill	Circle with X
Proposed Tower	Circle with X
Proposed Monument	Circle with X
Proposed Boundary	Thin Dashed Line
Proposed Section Line	Thin Dashed Line
Proposed Township Line	Thin Dashed Line
Proposed County Line	Thin Dashed Line
Proposed State Line	Thin Dashed Line
Proposed Federal Line	Thin Dashed Line
Proposed International Line	Thin Dashed Line



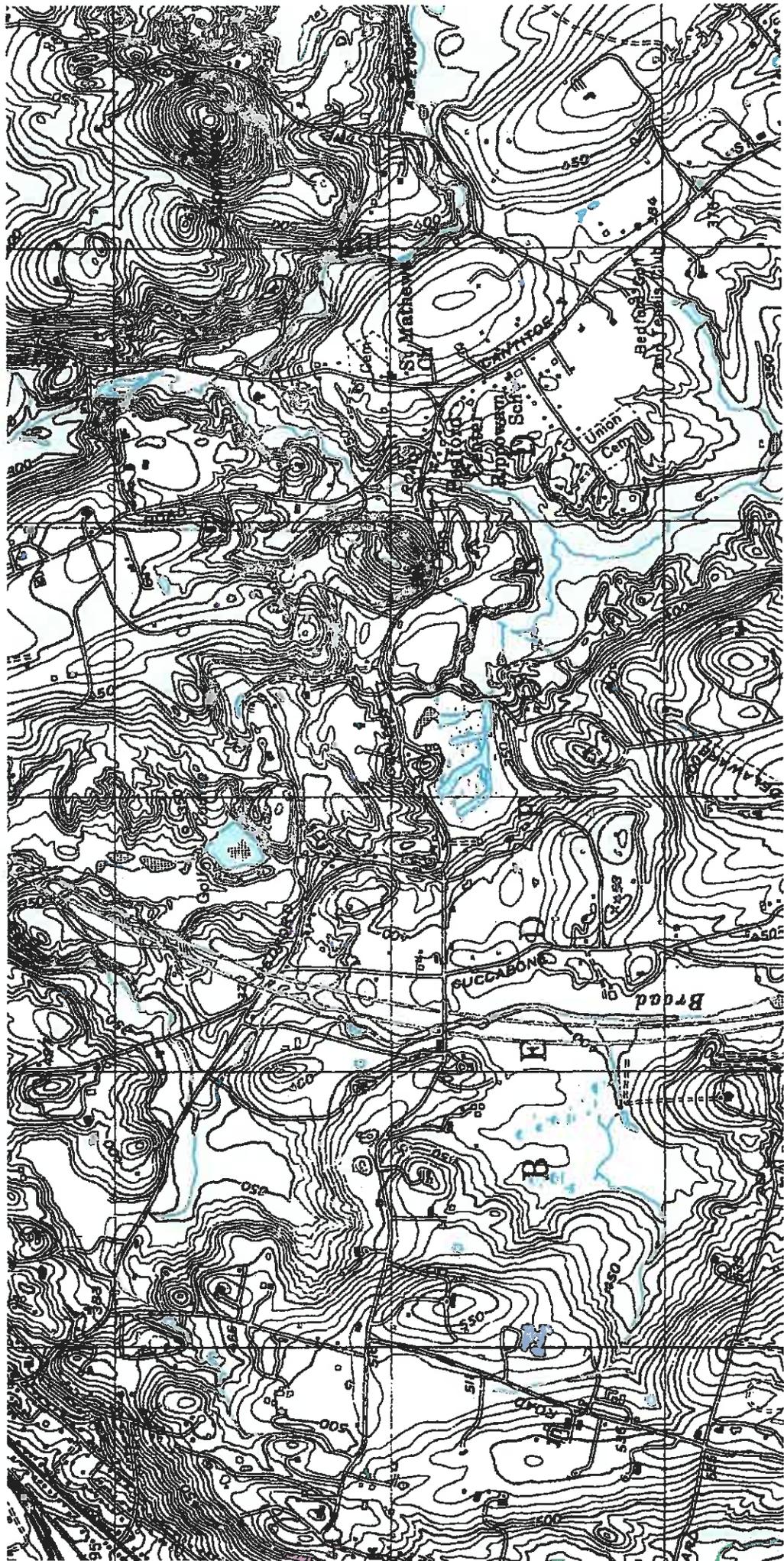
Produced by the United States Geological Survey
This map was prepared by the United States Geological Survey
under contract to the State of New York and the State of Connecticut
from data furnished by the State of New York and the State of Connecticut
The map is published by the United States Geological Survey
under authority of the Secretary of the Interior
The map is published by the United States Geological Survey
under authority of the Secretary of the Interior
The map is published by the United States Geological Survey
under authority of the Secretary of the Interior



MOUNT RISCO QUADRANGLE
NEW YORK-CONNECTICUT
7.5-MINUTE SERIES (TOPOGRAPHIC)

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION

U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY
USGS





333 Bedford Center Rd Bedford Hills, NY 10507, USA

Google earth

Google earth

feet
meters

2000
700



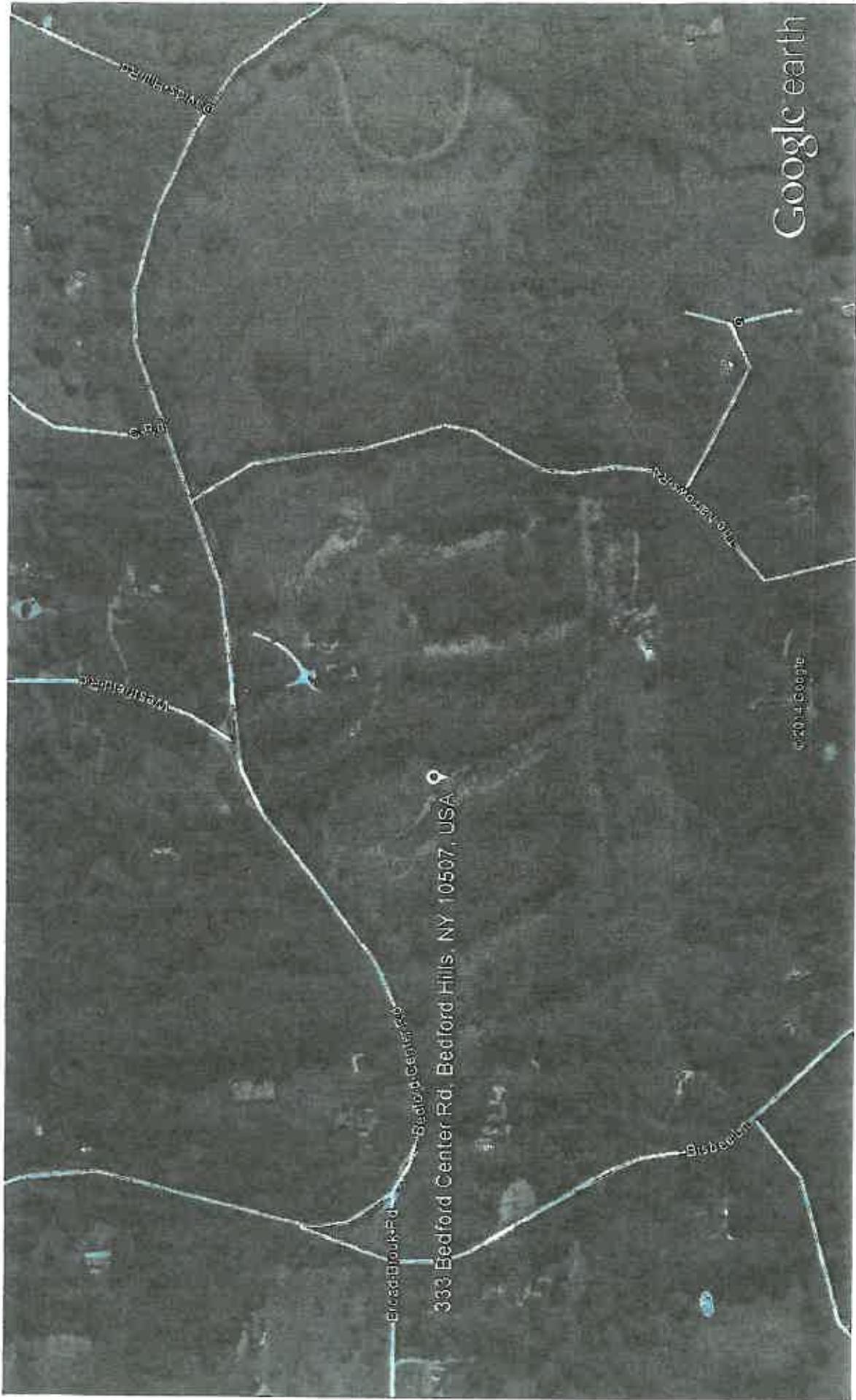












Google earth

feet
meters

2000
700



CUTRINE®-PLUS

AMPHIPHILIC ETHYLENE BICHLORIDE

Pat. No. 4,713,344

EPA Reg. No. 15b-10

U.S.A. Est. No. 42291-G

FOR USE IN LAKES, PORTABLE WATER RESERVOIRS
AND FISHING PONDS, FISH PONDS, FISH TANKS AND
AQUARIUMS, FISH HATCHERIES, FISH CONFINEMENTS AND
WATERWAYS OF OPEN CANALS, IRRIGATION CONVEYANCE
SYSTEMS, DITCHES, CANALS AND DRAINAGE

ACTIVE INGREDIENTS:

COPPER AS ELEMENTAL CHLORIDE 9.0%

INERT INGREDIENTS:

AMPHIPHILIC ETHYLENE BICHLORIDE 91.0%

TOTAL 100.0%

CUTRINE-PLUS contains 0.009 lbs. of elemental copper per gallon.

*From mixed Copper-Ethylene dichloride complexes

**KEEP OUT OF REACH OF CHILDREN
DANGER**

FIRST AID

If inhaled:	<ul style="list-style-type: none">- Move person to fresh air.- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.- Call a poison control center or doctor for further treatment advice.
If on skin or clothing:	<ul style="list-style-type: none">- Take off contaminated clothing.- Rinse skin immediately with plenty of water for 15-20 minutes.- Call a poison control center or doctor for treatment advice.
If in eyes:	<ul style="list-style-type: none">- Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.- Call a poison control center or doctor for treatment advice.
If swallowed:	<ul style="list-style-type: none">- Call a poison control center or doctor immediately for treatment advice.- Have person sip a glass of water if able to swallow.- Do not induce vomiting unless told to do so by a poison control center or doctor.- Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.

See Additional Precautions on Back Panel

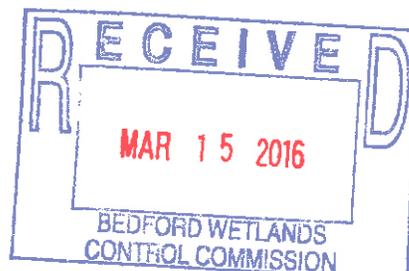
FIVE GALLONS (18.92 Liters)

ab applied biochemists

GERMANTOWN, WISCONSIN 53022

1-800-558-5106

www.ab.biochemists.com



GENERAL INFORMATION

CUTRINE-PLUS, under field conditions, is effective in controlling a broad range of algae including: Chara, Spirogyra, Cladophora, Vaucheria, Ulothrix, Microcystis and Oscillatoria. **CUTRINE-PLUS** has also been proven effective in controlling the rooted aquatic plant, *Hydrilla verticillata*. The ethanoliamines in **CUTRINE-PLUS** prevent the precipitation of copper with carbonates and bicarbonates in the water. Waters treated with **CUTRINE-PLUS** may be used for swimming, fishing, drinking, livestock watering or irrigating turf, ornamental plants or crops immediately after treatment.

DIRECTIONS FOR USE

It is a violation of Federal Law to use the product in a manner inconsistent with its labeling.

SURFACE SPRAY/INJECTION

ALGAEKILDE APPLICATION

For effective control, proper chemical concentration should be maintained for a minimum of three hours contact time. The application rates in the chart are based on static or minimal flow situations. Where significant dilution or loss of water from unregulated inflows or outflows occur (raceways) within a three hour period, chemical may have to be metered in.

- Identify the algae growth present as one of the following types: Planktonic (suspended),
- Filamentous (mat forming), or Chara/Nitella.
- Determine the surface acreage (1 acre=43,560 sq. ft.) and average depth of infested area. Refer to the chart below to determine gallons of **CUTRINE-PLUS** to apply per surface acre.

Application Rates
Gallons Per Surface Acre

ALGAE TYPE	PPM COPPER	DEPTH IN FEET			
		1	2	3	4
Planktonic	0.4	0.6	1.2	1.8	2.4
Filamentous	0.4	0.6	1.2	1.8	2.4
Chara/Nitella	0.4	1.2	2.4	3.6	4.8

- For planktonic algae (suspended) algae and free-floating filamentous algae mats, application rates should be based upon treating only the upper 3 to 4 feet of water where algae is growing. Under conditions of heavy infestation, treat only 1/3 to 1/2 of the water body at a time to avoid fish suffocation caused by oxygen depletion from decaying algae.
- Before applying, dilute the required amount of **CUTRINE-PLUS** with enough water to ensure even distribution with the type of equipment being used. For most effective results, apply under calm and sunny conditions when water temperature is at least 60°F. Break up floating algae mats before spraying or while application is being made. Use hand or power sprayer adjusted to rain-sized droplets. Spray shoreline areas first to avoid trapping fish.

CUTRINE-PLUS Granular Algaecide may be used as an alternative in low volume flow situations, spot treatments or treatment of bottom-growing algae in deep water.

HERBICIDE APPLICATION (For Hydrilla Control)

CUTRINE-PLUS:

Control of Hydrilla verticillata can be obtained from copper concentrations of 0.4 to 1.0 ppm resulting from CUTRINE-PLUS treatment. Choose the application rate based upon stage and density of Hydrilla growth and respective water depth from the chart below.

Application Rates
Gallons/Surface Acre*

Growth Stage Relative Density	PPM Copper	DEPTH, in FEET					
		1	2	3	4	5	6
Early Season Low Density	0.4 0.5	1.2	2.4	3.6	4.8	6.0	7.2
		1.5	3.0	4.5	6.0	7.5	9.0
Mid-Season Moderate Density	0.6 0.8	1.8	3.6	5.4	7.2	9.0	10.8
		2.1	4.2	6.3	8.4	10.5	12.6
Late Season High Density	0.8 1.0	2.4	4.8	7.2	9.6	12.0	14.4
		2.7	5.4	8.1	10.8	13.5	16.2
		3.0	6.0	9.0	12.0	15.0	18.0

* Application rates for depths greater than six feet may be obtained by adding the rates given for the appropriate combination of depths. Application rates should not result in excess of 1.0 ppm copper concentration within treated water.

CUTRINE-PLUS: REWARD[®] TANK MIX

On waters where enforcement of use restrictions for recreational, domestic and irrigation uses are acceptable, the following mixture can be used as an alternative Hydrilla control method.

Tank mix 3 gallons of CUTRINE-PLUS with 2 gallons of REWARD[®]. Apply mixture at the rate of 5½ gallons per surface acre. Dilute with at least 5 parts water and apply as a surface spray or underwater injection. Observe all cautions and restrictions on the labels of both products used in this mixture.

*REWARD[®] is a trademark of Syngenta Crop Protection, Inc.

PERMITS:

Some states may require permits for the application of this product in public waters. Check with your local authorities.

DRIP SYSTEM APPLICATION

FOR USE IN POTABLE WATER AND IRRIGATION CONVEYANCE SYSTEMS

- CUTRINE PLUS should be applied as soon as algae or Hydrilla begins to interfere noticeably with normal delivery of water (clogging of lateral headgates, suction screens, weed screens and siphon tubes). Delaying treatment could perpetuate the problem causing massing and compacting of plants. Heavy infestations and low flow conditions increasing water flow rate during application may be necessary.
- Prior to treatment it is important to accurately determine water flow rates. In the absence of weirs, orifices, or similar devices which give accurate water flow measurements, volume of flow may be estimated by the following formula:

$$\text{Average width (feet)} \times \text{Average Depth (feet)} \times \text{Velocity}^* \text{ (feet/second)} \times 0.9 = \text{Cubic Feet per Second (C.F.S.)}$$

*Velocity is the time it takes a floating object to travel a given distance. Dividing the distance traveled (feet) by the time (seconds) will yield velocity (feet/second). This measurement should be repeated at least three times at the intended application site and then averaged.

- After accurately determining the water flow rate in C.F.S. or gallons/minute, find the corresponding CUTRINE-PLUS drip rate on the chart below.

WATER FLOW RATE		CUTRINE-PLUS DRIP RATE*		
G.P.S.	Gal/Min	Qts./Hr.	ml/Min.	FL.Oz./Min.
1	450	1	13	0.5
2	900	2	32	1.1
3	1350	3	47	1.8
4	1800	4	63	2.1
5	2250	5	79	2.7

- Calculate the amount of CUTRINE-PLUS needed to maintain the drip rate for a period of 3 hours by multiplying Qts./Hr. x 3; ml/Min. x 180; or FL. Oz./Min. x 150. Dosage will maintain 1.0 ppm Copper concentration in the treated water for the 3 hour period. Introduction of the chemical should be made in the channel at weirs or other turbulence-creating structures to promote the dispersion of chemical.
- Pour the required amount of CUTRINE-PLUS into a drum or tank equipped with a brass needle valve and constructed to maintain a constant drip rate. Use a stop watch and appropriate measuring container to set the desired drip rate. Re-adjust accordingly if flow rate changes during the 3 hour treatment period.
- Distance of control obtained down the waterway will vary depending upon density of vegetation growth. Periodic maintenance treatments may be required to maintain seasonal control.

GENERAL TREATMENT NOTES

The following suggestions apply to the use of CUTRINE-PLUS as an algaeicide or herbicide in all approved use sites: For optimum effectiveness:

- Apply early in the day under calm, sunny conditions when water temperatures are at least 60°F.
- Treat when growth first begins to appear or create a nuisance, if possible.
- Apply in a manner that will ensure even distribution of the chemical within the treatment area.
- Re-treat areas if regrowth begins to appear and seasonal control is desired. Allow one to two weeks between consecutive treatments.
- Allow seven to ten days to observe the effects of treatment (bleaching and breaking apart of plant material).

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER

CORROSIVE. Causes irreversible eye damage and skin burns. Do not get in eyes, on skin, or on clothing. Wear goggles or face shield and rubber gloves when handling this product. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove and wash contaminated clothing before reuse. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

STORAGE & DISPOSAL:

Do not contaminate water, food or feed by storage or disposal.

PESTICIDE STORAGE: Keep container closed when not in use. Open dumping is prohibited.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Reseal container and offer for recondition or triple rinse (or equivalent) and offer for recycling, reconditioning or disposal in approved landfill, or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke. Consult Federal, State or local authorities for approved alternative procedures.

ENVIRONMENTAL HAZARDS:

This product may be toxic to trout and other species of fish. Fish toxicity is dependent upon the hardness of water. Do not use in water containing trout if the carbonate hardness of water does not exceed 50 ppm. Do not use in waters containing Kor and/or goldfish. Not intended for use in small volume, garden pond systems.

NOTICE

Neither the manufacturer nor the seller makes any warranty, expressed or implied concerning the use of this product other than indicated on the label. Buyer assumes risk of use of this material when such use is contrary to label instructions. Read and follow the label directions carefully.