

**Bedford Wetlands Control Commission
425 Cherry Street
Bedford Hills, NY 10507
2nd Floor Conference Room**

**Agenda
September 14, 2015, 8:00 PM**

Announcements:

8:00 – 8:05 PM - Submission Deadlines
- Site Walk Date

New Application:

8:05 – 8:10 PM Addition Over Existing Deck
Section 84.7 Block 2 Lot 22, R-2A Zone
12 Seminary Road, Bedford
Owner: **Cara A. Raether Trust**
Applicant: **Patrick M. Croke, Architect**

8:10 – 8:25 PM Subdivision of 31.36 Acres
Section 50.7 Block 1 Lots 9 & 11, R-4A Zone
540 & 584 Cross River Road, Katonah
Owners/Applicants: **Michael Gad & Eli Nhaissi**

8:25 – 8:45 PM Driveway & Easement
Section 72.8 Block 1 Lots 2.4 & 2.5, R-4A Zone
5 & 6 Spring Lane, Bedford
Owners/Applicants: **Howard & Robin Zegelstein**

Reports:

8:45 – 8:50 PM A - Status of Violations/Enforcement Actions
B - Town Wetland Official (Beth Evans) Monthly Report:
Administrative Permits

8:50 – 9:10 PM Legislative Agenda

Minutes to be Approved:

August 3rd, 2015

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.

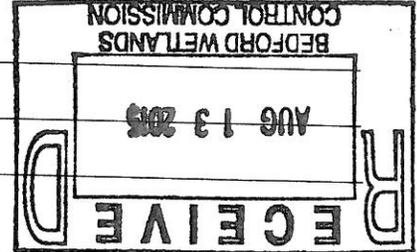
TOWN OF BEDFORD - WETLANDS CONTROL COMMISSION
Application for Permit

Identification of Owner(s):

Name(s) of owner(s) [as shown on Deed]: HOWARD - ROBIN ZEGELSTEIN
Mailing Address: 9 FALCON WOODS COURT, BEDFORD, NY 10506
Phone (914) 234-2074 (home) (914) 262-8178 (work); Fax: _____ E-Mail: rzegeinstein@gmail.com

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

Name of Applicant: SAME AS OWNER
Mailing Address: _____
Phone: _____ (home) _____ (work); Fax: _____ E-Mail: _____



Professional Preparing Site Plan:

Name /Address: PETER J. GREGORY, PE, KEANE COPPOLMAN GREGORY ENGINEERS PC
113 SMITH AVE. MCKEE NY Phone: 241-2235 Fax: 246187 E-Mail: pgregory@kcgengineers.com

Identification of Property:

Bedford Tax Map Designation: Section 7208 Block 1 Lot 2D Area 4.1 acres
Zoning District: R-4 Project Address: 5 SPRING LANE, BEDFORD
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: 6-4-02
Identify any other Town of Bedford approvals required: NA
Identify any other governmental approvals required: WCDOT
Project cost (including professional fees): _____

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

CONSTRUCTION OF SINGLE FAMILY RESIDENCE REQUIRING WETLAND
WATERCOURSE CROSSING FOR ACCESS TO HOUSE SITE

Proposed Project Start Date: 11/2015 Estimated Date of Completion: 10/2016

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

Robin Zegelstein
Print name/title: Robin Zegelstein
Howard Zegelte
Print name/title: _____

Date: 8/13/15

Date: 8/13/15

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

Date: _____

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: Zegelstein Residence Parcel C		<div style="border: 2px solid black; padding: 10px; width: fit-content; margin: auto;"> <div style="text-align: center; font-weight: bold; font-size: 1.2em; letter-spacing: 0.5em;">R E C E I V E</div> <div style="text-align: center; font-weight: bold; font-size: 1.1em; margin: 5px 0;">AUG 13 2015</div> <div style="text-align: center; font-weight: bold; font-size: 0.8em;">BEDFORD WETLANDS CONTROL COMMISSION</div> </div>	
Project Location (describe, and attach a location map): 5 Spring Lane			
Brief Description of Proposed Action: The construction of a single family home.			
Name of Applicant or Sponsor: Howard Zegelstein		Telephone: (845) 222-3331	
		E-Mail: rtriglia@aol.com	
Address: 9 Falcon Woods Court			
City/PO: Bedford		State: NY	Zip Code: 10506
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 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 type="checkbox"/>	YES <input checked="" type="checkbox"/>
Town of Bedford - Wetland Permit, Steep Slope Permit, Building Permit WCDOH - Construction Permit			
3.a. Total acreage of the site of the proposed action?		4.182 acres	
b. Total acreage to be physically disturbed?		1.20 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		8.7 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?	<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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input 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?	<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: _____	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<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	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<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>Robin Zegelstein</u> Date: <u>8/13/15</u>		
Signature: <u>Robin Zegelstein</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

BEDFORD WETLANDS CONTROL COMMISSION
SITE INSPECTION REQUEST

Section 22.8 Block 1 Lot 4+2.1
Zoning R-4A

Owner(s): Zegelstein, Howard + Robin
Location: 5+6 Spring Lane
Project: Driveway + Easement

Date of Request: 6/8/15 Requested By: Owners

Would like to be present during inspection

Office Use Only - Escrow Account: [³\$200 minimum balance required to schedule inspection]
Escrow Account # 798 Balance as of 6/8/15 = \$ 300
\$ 125 received on 6/8/15 Ck. # 491 dated 6/8/15 from: Robin Zegelstein

I - TYPE OF INSPECTION:

- | | |
|--|---|
| <input type="checkbox"/> Administrative Permit Eligibility | WCC Permit Resolution No. _____ |
| <input type="checkbox"/> Building Permit Application | <input type="checkbox"/> Erosion and Sediment Control Inspection |
| <input type="checkbox"/> Confirmation of Wetlands Delineation | <input type="checkbox"/> Monumentation Installation |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Plant Installation Inspection |
| <input type="checkbox"/> Compliance Inspection for C/C or C/O | <input type="checkbox"/> Plant Viability Inspection for Release of Security |
| <input type="checkbox"/> Consultation Requested | <input type="checkbox"/> Resolution Compliance Inspection |
| <input checked="" type="checkbox"/> Inquiry | <input type="checkbox"/> Status |
| <input type="checkbox"/> Possible Wetlands Violation | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Other: <u>Sale of properties</u> | |

Comments: Wetland approval needed for sale + driveway easement.

II - SITE INSPECTION:

Site inspection performed by: B. Evans Date: 6/18/2015
Comments: need to speak to Jeff.

III - DECISION:

- No Permit Required
 Administrative Permit Required
 Full Wetlands Permit Required - Documentation Required
 Other: [Signature] 7/9/15

Wetlands Secretary Notes: _____

October 17, 2014

Wetland Delineation
Zegelstein properties
Parcels C and D
Spring Lane
Bedford, New York

Introduction:

A wetland delineation was conducted on parcels C and D, Spring Lane, on October 13, 2014 by Mary Jaehnig, soil scientist. The prior delineation was conducted by Mary Jaehnig in 2000. The undeveloped parcels are located south of Spring Lane and east of the Overlook National Golf Course.

An intermittent watercourse within a locally regulated wetland flows from east to west and descends moderate slopes. The land is within the watershed to Broad Brook and the New York City reservoir system.

There are no New York State Dept. of Environmental Conservation regulated wetlands on the parcels or in the immediate area.

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 edge of the locally regulated wetland was flagged in the field using chronologically labeled ribbon numbered 1 to 49 with number 1A to 5A along the eastern edge of an offsite wetland.

The uplands consist of Chatfield-Charlton complex, hilly, very rocky; and Charlton loam in the western area of gentler slopes and rolling hills.

The depth to bedrock in Chatfield loam averages 20 to 40 inches below grade. The depth to bedrock in Charlton loam usually exceeds 5 feet below grade. The depth to the water table usually exceeds 6 feet below grade for both loams. Areas of exposed bedrock occur within the undulating and sloping landscape.

PFIZER – JÄHNIG
ENVIRONMENTAL CONSULTING

The hydric soil within the two wetlands is Ridgebury loam, very stony. This soil is deep and poorly drained with stones and cobbles covering much of the surface. The water table is located close to the surface from fall through spring. A small upland lobe near wetland flag 41 was not flagged in the field. The lobe separates the main watercourse and a small pocket wetland fed by seeps.

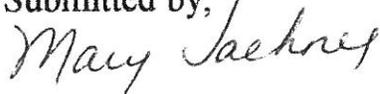
An intermittent watercourse flows within the wetland area and varies from areas of an ill defined channel to areas of steeper slope with a deep, well incised channel.

Vegetation:

The uplands support a closed canopy woods with a sparse shrub story and groundcover. The mature trees include sugar maple, American beech, white oak, red oak, black birch, ash, hickory, witch hazel and scattered conifers. The understory consists of saplings of the above species with occasional Japanese barberry, multiflora rose and mapleleaf vibernum. The groundcover is sparse but includes seedlings, garlic mustard and Christmas fern.

The wetlands support red maple, elm with spicebush, occasional highbush blueberry and skunk cabbage.

Submitted by,



Mary Jaehnig
certified soil scientist

**TOWN OF BEDFORD
WETLANDS CONTROL COMMISSION
Cherry Street
Bedford Hills, New York 10507**

July 2, 2001

Mr. Howard & Dr. Robin Zegelstein
Credit Suisse First Boston
11 Madison Avenue, 7th Floor
D23B
New York, NY 10010

**Re: Application, dated November 16, 2000, received November 20, 2000, for
Permit for Single Family Residence with Access Crossing Wetlands/Wetlands
Buffer- Section 72.08, Block 1, Lot 2-C**

Dear Mr. and Dr. Zegelstein:

The Commission wishes to remind you that pursuant to the Commission's resolution, dated June 4, 2001, a copy of which is attached for your convenience, you will need to provide the Commission:

1. Results of lot-line change or easement with the adjacent property owner to allow the approved access drive to cross such owner's property.
2. Status regarding deed restrictions or conservation easement regarding the Wetlands/Wetlands Buffer area. The Commission will provide a draft for your counsel upon being advised.

Kindly provide the above no later than July 20 so we may schedule it for the Commission's August 6, 2001 meeting. Your cooperation is appreciated. Feel free to contact me should you have any questions.

Very truly yours,



Christopher W. Burdick
Chairman

WETLANDS CONTROL COMMISSION
Town of Bedford
Westchester County, New York
WCC RESOLUTION NO. 01/14
Howard & Robin Zegelstein

WHEREAS, Howard and Robin Zegelstein (collectively, the “Applicant”) propose to perform certain work (the “Project”) at the Applicant’s property (the “Property”) commonly known as Spring Lane, Town of Bedford (the “Town”), County of Westchester, State of New York, which Property is more particularly described in the Applicant’s deed; and

WHEREAS, the Property is designated on the Town’s Tax Maps as Section 72.08, Block 1, Lot 2.4 and is located in a R-4 Acre zone; and

WHEREAS, the Project consists of the construction of a new residence on the Property (presently unimproved) access driveway which crosses Wetlands and Wetland/Watercourse Buffer (the “Protected Area”), as such terms are defined in the Town’s Freshwater Wetlands Law (as may be amended from time to time, the “Law”); and the Project constitutes a regulated activity under the Law which requires a permit from the Town’s Wetlands Control Commission (the “Commission”); and

WHEREAS, the Applicant submitted an application (the “Application”) to the Commission for a permit (the “Permit”) to carry out the Project; and

WHEREAS, the Project is depicted on a site plan (the “Site Plan”), based on wetland delineation by Mary Jaehnig-Mapped July 13, 2000, containing three (3) sheets: Sheet No. 1 is titled “Site Plan Mr. and Mrs. Howard and Robin Zegelstein”, dated 12/29/00 (showing precast bridge at crossing/manufactured by BEBO Bridge System-Old Castle Pre-cast) and last revised 5/17/01 showing proposed aluminum corrugated box culvert bridge supplied by Nathan Equipment Co.; Sheet No. 2 is titled “Planting Plan Zegelstein Residence”, prepared by The Pouder Design Group, LLC Landscape Architecture –Environmental Planning in conjunction with Keane Coppelman Engineers, P.C., dated 5/17/01; and Sheet No. 3 is titled “Detail /Notes Howard and Robin Zegelstein” dated 5/17/01, prepared by Keane Coppelman Engineers, P.C. Consulting Civil, Sanitary and Environmental Engineers, revised in accordance with the recommendations of the Commission and Beth Evans, the Town environmental consultant (the “Town Environmental Consultant”); and

WHEREAS, the Applicant also submitted the following items (such items, together with the Site Plan, the “Plan”) with the Application:

- (1) Plan titled “Site Plan Zegelstein Residence” consisting of two (2) sheets, where Sheet No.1 shows an alternate driveway location, dated 3/15/01, revised 3/19/01 (Planting and Mitigation), and last revised 4/20/01(Bridge Crossing) and Sheet No. 2 is titled “Planting Plan” dated 3/19/01, prepared

by The Pouder Design Group, LLC dated 3/19/01, based on wetland boundary delineation made on 7/13/00 by Mary Jaehnig;

- (2) Plan titled "Site Plan - Mr. and Mrs. Howard & Robin Zegelstein", prepared by Keane Coppelman Engineers, dated 11/6/00, based on wetland delineation by Mary Jaehnig, prepared 7/13/00;
- (3) Report titled "Wetland Functional Analysis Report", prepared by Mary Jaehnig, dated 1/17/01;
- (4) A letter response to the Commission from the Applicant as per the recommendation of the Commission offering several alternate accesses to site, dated 1/16/01;
- (5) Survey titled "Survey of Property For Howard K. Zegelstein" dated 4/11/00;
- (6) A ten (10) page planting plan (mix from New England Wetland Plants, Inc) received 5/17/01;
- (7) Brochure from Contech Construction Products/Aluminum Box Culverts regarding bridge crossing; and

WHEREAS, the Commission and the Town Environmental Consultant conducted site inspections (the "Site Inspections") of the Project and the Property on 11/8/00, 3/3/01 and 4/28/01; and

WHEREAS, the Town Environmental Consultant submitted to the Commission her memorandum (the "Consultant's Memorandum"), dated 12/4/00, and various verbal opinions setting forth her findings and recommendations with respect to the Application; and

WHEREAS, the Commission at its meetings on 12/4/00, 3/15/01, 4/2/01, 5/7/01, and 6/4/01 further reviewed the Application, the Consultant's Memorandum and views, and such further information as may have been submitted to it; and

WHEREAS, on the record before it, the Commission has determined and found that:

1. Pursuant to Section 122-9 D of Law, the Applicant has demonstrated that the Project, subject to the conditions set forth in this Resolution, is not adverse to the general health, safety, or economic and general welfare of the residents of the Town or its neighboring communities, that it will not degrade the environment nor result in any of the adverse impacts stated in Section 122-2 of the Law and that the Applicant will otherwise suffer undue hardship if a permit is not issued.
2. Subject to the conditions set forth in this Resolution, the Project is consistent with the policy of the Law to preserve, protect, and conserve wetlands and the benefits they provide, to prevent the despoliation and destruction of wetlands and to regulate the

development of such wetlands in order to secure the natural benefits of wetlands consistent with the general welfare and beneficial economic, social, and agricultural development of the Town.

3. The Project, subject to the conditions set forth in this Resolution, is consistent with the land use regulations governing wetlands applicable in the Town.
4. The Project, subject to the conditions set forth in this Resolution, is compatible with the public health and welfare.
5. The Project, subject to the conditions set forth in this Resolution, minimizes degradation to or loss of any part of the wetland or its adjacent area and minimizes any adverse impacts on the functions and benefits which said wetland provides.

WHEREAS, the Commission further has determined that the Project, subject to the conditions set forth in this Resolution, would not have a significant effect on the environment as defined in the New York State Environmental Quality Review Act (SEQRA);

NOW, THEREFORE, BE IT RESOLVED that the Commission hereby issues a negative declaration under SEQRA subject to the following conditions:

BE IT FURTHER RESOLVED that the Commission hereby grants the Permit, based on the Plan subject to the following conditions:

- 1) Revise the Plan as follows:
 - a) One of the sections of the bridge detailed in the Plan (portion of Plan prepared by Contech Construction Products) shall be eliminated so as to reduce the width of the bridge to 13 ½ feet and span to approximately 25' to 27' in length;
 - b) Provide construction sequence of bridge installation and a note to indicate that installation will be carried out with either a small back hoe or mini excavator
 - c) Show actual trench details and the construction sequence so that installation can be reviewed to include materials and cross-section, with stabilizing mat, gravel and feet, outlined on the Plan with cross- sections of actual footings;
 - d) Revise the Site Plan and all other plans to show a 75' front yard set back.
 - e) Add the following notes (a) the temporary sediment trap dissipater/detention basin shall be cleaned and vegetated after construction is complete; (b) any de-icers and other chemicals applied to the access drive in the winter shall be at the minimum level practicable, but without

jeopardizing safety; and (c) only a small back hoe or mini-excavator shall be used as described above in (2)

- f) Installation of the bridge shall occur during low flow, particularly during the dry season between July 15th and October 15th; provided, however, that to allow installation at an alternative time, the Applicant may request the consent of the Town Environmental Consultant for temporarily diverting the stream flow around the construction area in a stabilized manner during installation of the bridge. In the event of any such temporary stream diversion, promptly following installation of the bridge, such diversion shall be stopped, normal stream flow shall resume and the stream, bank and other affected areas shall be restored, including any re-plantings which the Town Environmental Consultant may require.
 - g) Security in the amount of nine thousand dollars (\$9000.00) shall be submitted to the Town. The security shall be held for a period of not less than two (2) full growing seasons from the date of completion of the plantings to ensure the viability of the mitigation plantings set forth in the Plan and any other plantings required (e.g., under 1(f) above).
 - h) The Applicant shall secure a written easement in recordable form or written agreement of lot line change from the Applicant's neighbor for the July 2, 2001 meeting, or a letter for the July 2, 2001 meeting with a status report, and then return to the Commission at its August meeting.
- 2) The Applicant shall provide at the July 2, 2001 meeting (but in no event later than the August 2001 meeting) of the Commission a status report regarding deed restrictions or conservation easement on the Property. Such disposition is subject to the Commission's approval.
 - 3) A building permit shall be obtained for the construction of the new residence, driveway and bridge; provided, however, that no building permit is to be issued prior to:(i) either the Town's receipt of the recorded easement or of the completion of the lot line change, as mentioned in 1(h) above; (ii) the Town Environmental Consultant's approval of the revised Plan; and (iii) the Town's receipt of the recorded deed restrictions or conservation easement mentioned in (2) above.
 - 4) A Steep Slope Permit is required from the Planning Board.
 - 5) 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, the Town Director of Planning or the Town Assistant Planner has approved such controls.

- 6) The Project shall be carried out in accordance with the Plan as revised.
- 7) 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 Resolution. No certificate of occupancy or certificate of compliance shall be issued unless and until the Town Environmental Consultant, the Town Director of Planning, or the Town Assistant Planner determines that the Project has been completed in compliance with the conditions of the Resolution.
- 8) The Permit granted under this Resolution shall expire on the completion of the Project or one (1) year from the date of this Resolution, whichever occurs sooner. An application for the renewal of the Permit must be received not less than sixty (60) days before the expiration of the Permit.
- 9) Pursuant to Section 122-9G 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 he application and the Project.

This Resolution No. 01/14 was approved by the Commission at its 6/4/01 meeting by the unanimous vote of the following members: Christopher W. Burdick, Krista Stanley, Andrew Messinger, Elizabeth Gillan Caulo, John Stockbridge.



Christopher W. Burdick
Chairman

Dated as of June 4, 2001



February 24, 2015

Peter J. Gregory, PE
Keane Coppelman Gregory
113 Smith Avenue
Mount Kisco, NY 10549

Re: Zegelstein Residence – Lot 2C
DEP Log # 1998-MU-1338-OT.1
Residential Lot 2C
6 Spring Lane, Bedford, New York
Muscoot Reservoir Drainage Basin

Emily Lloyd
Commissioner

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

465 Columbus Avenue
Valhalla, New York 10595

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

Dear Mr. Gregory:

In reference to your inquiries regarding the above captioned project, the New York City Department of Environmental Protection (DEP) has reviewed the plan titled Proposed Septic Permit Plan, Zegelstein Residence, 6 Spring Lane, Town of Bedford, NY, dated November 2, 1998, last revised December 1, 2014, prepared by Keane Coppelman Engineers, PC. DEP also conducted a site walk / watercourse delineation with you on April 8, 2014 and January 21, 2015.

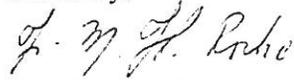
Based on the afore mentioned, the project indicates an impervious surface for the driveway is proposed to access residential lot 2C, 6 Spring Lane which is the southern lot. Therefore:

1. The impervious surface for the driveway within the limiting distance of 50 feet of the intermittent watercourse, triggers DEP review and approval for an Individual Residential Stormwater Permit (IRSP). If the propose driveway is a pervious surface such as gravel, then an IRSP would not be required [NYC Watershed Regulations 18-39(a)(5)(v)].
2. If the driveway crossing of the watercourse (whether it is impervious or pervious) requires a permit from a regulatory agency, then a Crossing Piping or Diversion Permit (CPDP) would not be required from the DEP; otherwise, DEP's review and approval of a CPDP is required [NYC Watershed Regulations 18-39(a)(9)].

This letter is related to the impervious surface restrictions of the NYC Watershed Regulations. Other applicable regulations and /or requirements remain in effect.

Should you have any questions or wish to further discuss this matter, please call me at (914) 773-4464. Thank you.

Sincerely,



Jean Marc H Roche
Associate Project Manager
Regulatory & Engineering Programs

c: Robin Zegelstein, Owner
Town of Bedford Planning Board
Danny Shedlo, PE, DEP



February 24, 2015

Peter J. Gregory, PE
Keane Coppelman Gregory
113 Smith Avenue
Mount Kisco, NY 10549

Re: Zegelstein Residence – Lot 2D
DEP Log # 2007-MU-0886-OT.1
Residential Lot 2D
5 Spring Lane, Bedford, New York
Muscoot Reservoir Drainage Basin

Emily Lloyd
Commissioner

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

465 Columbus Avenue
Valhalla, New York 10595

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

Dear Mr. Gregory:

In reference to your inquiries regarding the above captioned project, the New York City Department of Environmental Protection (DEP) has reviewed the plan titled Proposed Septic Permit Plan, Zegelstein Residence, 5 Spring Lane, Town of Bedford, NY, dated November 2, 1998, last revised December 1, 2014, prepared by Keane Coppelman Engineers, PC. DEP also conducted a site walk / watercourse delineation with you on April 8, 2014 and January 21, 2015.

Based on the afore mentioned, the project indicates there are no new impervious surfaces within 100 feet of a watercourse or wetland proposed for residential lot 2D, 5 Spring Lane, which is the northern lot. As such, the development is allowed.

This letter is related to the impervious surface restrictions of the NYC Watershed Regulations. Other applicable regulations and /or requirements are unaffected and remain in effect.

Should you have any questions regarding this matter, please call me at (914) 773 - 4464. Thank you.

Sincerely,

Jean Marc H Roche
Associate Project Manager
Regulatory & Engineering Programs

c: Robin Zegelstein, Owner
Town of Bedford Planning Board
Danny Shedlo, PE, DEP

TOWN OF BEDFORD - WETLANDS CONTROL COMMISSION

Application for Permit



Identification of Owner(s):

Name(s) of owner(s) [as shown on Deed]: The Cara A. Raether 2009 Trust

Mailing Address: 165 Indian Hill Road, Bedford, NY 10506

Phone: 203-273-2494 (home) (work); Fax: E-Mail:

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

Name of Applicant: Patrick M. Croke, Architect

Mailing Address: PO Box 758, Bedford, NY 10506

Phone: (home) 234-6093 (work); Fax: 234-0548 E-Mail: patrick@pmcarchitect.com

Professional Preparing Site Plan:

Name /Address: Patrick M. Croke, Architect

PO Box 758, Bedford, NY 10506 Phone: 234-6093 Fax: 234-0548 E-Mail: patrick@pmcarchitect.com

Identification of Property:

Bedford Tax Map Designation: Section 84.7 Block 2 Lot 22 Area 2.391 acres

Zoning District: R-2A Project Address: 12 Seminary Road, Bedford, NY

Approximate year of construction of any structure: 1988

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

Dates of any prior Wetlands Control Commission permits: Swimming pool, approx. 1994

Identify any other Town of Bedford approvals required: Bedford Village Historic District Review Commission

Identify any other governmental approvals required: None

Project cost (including professional fees): \$300,000

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

Addition to residence to include kitchen and master bedroom expansion, deck and new roof plus interior renovations.

Site work to include replacement of pool with new, new walks & terraces, removal of 4 trees and new landscaping.

Proposed Project Start Date: 11-1-15

Estimated Date of Completion: 6-1-16

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): [Handwritten Signature: ROBERT ZAORSKI]
All owners must sign Print name/title: [Handwritten Signature]

Date: 8/13/15

Print name/title:

Date:

Signature of applicant (if different): [Handwritten Signature]
Print name/title: Patrick M. Croke, Architect

Date: 8/13/15

BEDFORD WETLANDS CONTROL COMMISSION
SITE INSPECTION REQUEST

Section 84.7 Block 2 Lot 22
Zoning R-2A

Owner(s): Cara A. Rather Trust
Location: 12 Seminary Rd., Bedford, NY 10506
Project: Addition over existing deck.

Date of Request: 6/24/15 Requested By: Jeff

Would like to be present during inspection

Office Use Only - Escrow Account: [\$200 minimum balance required to schedule inspection]
Escrow Account # 3583 Balance as of 6/14/15 = \$ 500.00
\$ 500 received on 8/24/15 Ck. # 1383 dated 8/24/15 from: ZBUILDERS

I - TYPE OF INSPECTION:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Administrative Permit Eligibility | WCC Permit Resolution No. _____ |
| <input type="checkbox"/> Building Permit Application | <input type="checkbox"/> Erosion and Sediment Control Inspection |
| <input type="checkbox"/> Confirmation of Wetlands Delineation | <input type="checkbox"/> Monumentation Installation |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Plant Installation Inspection |
| <input type="checkbox"/> Compliance Inspection for C/C or C/O | <input type="checkbox"/> Plant Viability Inspection for Release of Security |
| <input type="checkbox"/> Consultation Requested | <input type="checkbox"/> Resolution Compliance Inspection |
| <input type="checkbox"/> Inquiry | <input type="checkbox"/> Status |
| <input type="checkbox"/> Possible Wetlands Violation | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | |

Comments: _____

II - SITE INSPECTION:

Site inspection performed by: Beth Evans Date: 7/16/15
Comments: Additional wetlands found on or adjacent to property. Up to date survey + wetlands delineation will be necessary

III - DECISION:

- No Permit Required
- Administrative Permit Required
- Full Wetlands Permit Required - Documentation Required
- Other: Survey + delineation required.

Wetlands Secretary Notes: Please see attached email from Beth dated 7/17/15, item #2.

...s below in blue.

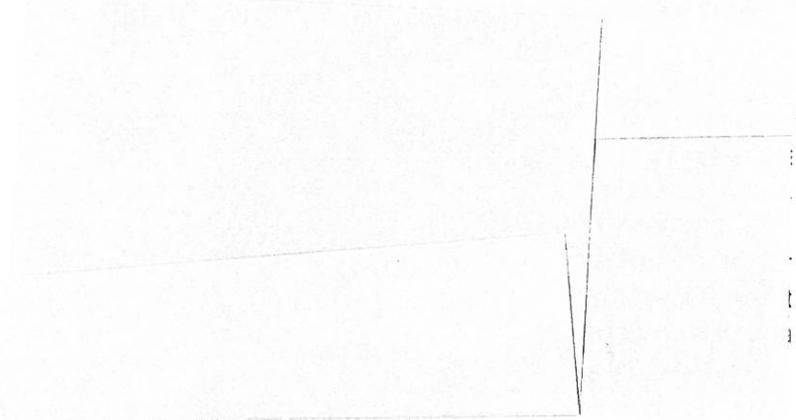
From: DeOliveira, Joseph [mailto:jdeoliveira@bedfordny.gov]

Sent: Friday, July 17, 2015 11:34 AM

To: Beth Evans

Subject: RE: Questions About Yesterday

Good morning Beth,

- 
2. 12 Seminary Road – Cara A. Rather Trust: on the SIR List, you wrote “Full Wetland Permit Required – Update Wetland”, but on the actual SIR for this, you didn’t write anything, you just left a post-it with a name and a phone number “Robert Zaovski (203)273-2434”. I was hoping you could explain what you meant by “Update Wetland”; and also let me know if this phone number is who I should be in touch with to let them know they must file for the full permit? I have no idea what that post-it is or where it came from! It may have come off another file – I had three of them in the car with me. The original inquiry for 12 Seminary Road was to see if the edge of the pond was the limit of wetlands, and the answer to that is NO, there are additional wetlands on or immediately adjacent to the property. They will need to have an updated wetland delineation done, and then, depending on what they want to do, they will likely need a full wetland permit for anything having to do with the house or driveway, unless they stay totally within the existing footprints. The starting point is to get an up-to-date wetland boundary and survey.
- 

Thanks in advance Beth!

Regards,

Joseph DeOliveira, Sr. Office Assistant
Bedford Wetlands Control Commission
Town of Bedford Comptroller's Office
425 Cherry Street
Bedford Hills, New York 10507
Phone: 914-666-5140 – Wetlands
Phone: 914-864-3727 – Finance
Fax: 914-666-2026

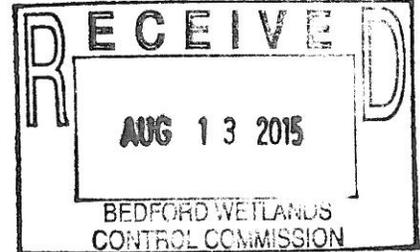
Patrick M. Croke

Architect



13 August 2015

Mr. Andrew Messinger, Chairman
Bedford Wetland Control Commission (BWCC)
425 Cherry Street
Bedford Hills, NY 10507



**RE: 12 Seminary Road
Wetland Permit Application
Proposed house addition & renovations, pool replacement and site work**

Dear Chairman Messinger & Members of the BWCC:

Attached please find our submission to the Commission for review at the September 14, 2015 meeting. Our submission includes the following for your consideration.

- Drawings prepared by Patrick M. Croke, Architect, dated August 12, 2015, revision #2.
 - Drawing A0.01, Site plan and zoning analysis
 - Drawing A1.01, First floor
 - Drawing A1.02, First floor – Pool area
 - Drawing A1.03, Second floor
 - Drawing A2.01, Building elevations
 - Drawing P.01, Photos
- Property survey as prepared by H. Stanley Johnson and Company, Land Surveyors, PC, dated July 27, 2015
- Wetlands delineation report as prepared by Stephen W. Coleman, Environmental Consultant, LLC, dated July 25, 2015
- Wetlands Control Commission application with supporting documents

The project as proposed in the attached consists of an addition to the rear of the existing residence, a new deck, the reconstruction of the swimming pool and the removal of five trees from the rear yard. All of the proposed work is within the wetland buffer. The addition to the home consists of an expansion of the kitchen and family room areas on the first floor and the master bedroom suite on the second floor. This addition will be located in the areas of existing decks at the rear façade, which is the only reasonable location for these expanded areas. A new deck will be constructed adjacent to the addition to provide outdoor living space and access to the rear yard and pool. The existing irregularly shaped pool and rough stone terrace will be replaced with a new rectangular pool and new a bluestone terrace. The new construction will be in the same location as the existing. This change is proposed in order to make the pool and terrace more comfortable and to better meet the owner's needs.

914 - 234 - 6093

www.pmcarchitect.com

Box 758
11 Court Road
Bedford Village, New York 10506

Patrick M. Croke

Architect



In addition to the construction, there are five trees that are proposed as being removed. Four are large, overgrown hemlocks that encroach on the pool area, severely limit the views of the rear yard and pond and interfere with the health and growth of the adjacent deciduous trees. The fifth tree is a pine, which is adjacent to the proposed addition and deck area.

We are proposing areas of landscaping and will likely propose additional wetlands buffer plantings based on the Commission's comments.

We look forward to discussing the project with the BWCC and receiving feedback with respect to work proposed that will require a Wetland Permit. Please don't hesitate to contact me with any questions you may have.

Sincerely,

Patrick M. Croke
LEED AP, BD+C

Enc.

Cc: Jeri Barrett, RLA
The Cara A. Raether 2009 Trust

914 - 234 - 6093

www.pmcarchitect.com

Box 758
11 Court Road
Bedford Village, New York 10506

Town Of Bedford

Building Department

June 17, 2015

Regarding: 12 Seminary Rd Building Permit Application

Dear Building Department,

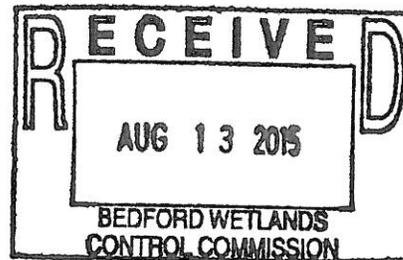
This note hereby authorizes Mr. Robert Zaorski of Z Builders LLC to serve as our representative for the Building Permit Application for the construction of addition and remodeling at the property on 12 Seminary Road.

Thank you for your cooperation in this matter.

Sincerely,



Cara Raether Carey



LETTER OF AUTHORIZATION

The Cara A. Raether 2009 Trust

(Name of owner/representative)

12 Seminary Road, Bedford, NY 10506

(Address of premises)

Project: Addition to residence to include kitchen and master bedroom expansion, deck and new roof plus interior renovations. Site work to include replacement of pool with new, new walks & terraces, removal of 4 trees and new landscaping.

Being duly sworn deposes and says

1. (He)/(She) is the owner of the premises described above or, if such owner is a corporation, an officer thereof.
2. (He)/(She) has duly authorized Patrick Croke, as architect for the project, to make and file an application with the Pound Ridge Building Department for a building permit and make applications and/or obtain reviews from the any other boards, departments or committees as may be required for the project as referenced above.
3. To the best of (his)/(her) knowledge, information and belief, all statements contained in this application are true, complete and correct.

Signed: _____

Date: _____

8/13/15

Print name: _____

Robert Zorstein

Title: _____

Architect



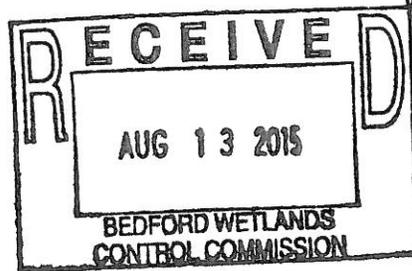


STEPHEN W. COLEMAN
ENVIRONMENTAL CONSULTING, LLC

Environmental Planning & Site Analysis
Wetland Mitigation & Restoration Plans
Wetland Delineation & Assessment
Natural Resource Management
Pond & Lake Management
Wildlife & Plant Surveys
Breeding Bird Surveys
Landscape Design

July 25, 2015

Patrick M. Croke, Architect
Box 758, 11 Court Road
Bedford, New York 10506



Re: Wetlands Delineation – 12 Seminary Road, Town of Bedford

Dear Patrick:

This report is submitted in support of a Wetlands Permit application for 12 Seminary Road, Town of Bedford, New York. The property was investigated for the presence of wetlands and watercourses on July 15, 2015. The environmental review included investigation and determination of selected wetland and watercourse resources present on the property. The respective wetland/watercourse features were flagged in accordance with “Freshwater Wetlands” of the Code of the Town of Bedford, and criteria outlined by New York State Department of Environmental Conservation (NYSDEC). As noted in the Town’s Code and NYSDEC, vegetation, soils and hydrological parameters were used to determine the outer wetland boundary limits. Pink surveyors flagging labeled “Wetland Boundary” and pink pin flags were hung on the respective boundaries of each wetland/watercourse area.

Wetland Delineation

Vegetation was sampled along each of the wetland areas. Dominant vegetation was noted at each point, and hydrophytic (wetland) vegetation was considered to be present when 50 % or more of the vegetation throughout the strata of each plant community was classified as either facultative, facultative wet, or obligate. Hydrophytic vegetation was also positively identified based on the presence of secondary characteristics including morphological adaptations for occurrence in wetlands.

Soils were then sampled where facultative or facultative wet vegetation was dominant. Soils samples were taken with a dutch auger to a depth of 16 inches of the soil profile where possible. Hydric soil indicators noted include: presence of a seasonal high water table, inundation, presence of hydrogen sulfide odor, soil chroma of 1 (without mottles) or 2 (with mottles) as per the Munsell Soil Color Chart, gleying, iron and manganese concretions, and oxidized rhizospheres. Hydric soils were determined to be present when any one of these indicators was observed.

Each area along the wetland/upland interface was also examined to determine if wetland hydrology was present at some time during the growing season. Indicators of

wetland hydrology noted within the wetland areas included soil saturation within the test hole or at the soil surface, inundation, positive drainage patterns, and watermarks on the tree trunks or water-stained leaves on the ground.

When an observation point along the wetland/upland interface contained all three wetland parameters: dominant hydrophytic vegetation, hydric soils, and evidence of hydrology, the point was determined to be wetland. The area surrounding the observation point was then investigated to determine the upland boundary via the same methodology. The delineation was then confirmed by placing sequentially numbered flags at the edge of the wetland and upland boundary. Areas identified as watercourses may not meet all three parameters. Please refer to the field sketch which shows the approximate wetland boundary. The respective wetland boundary will require confirmation and validation from the Town's Wetlands Consultant.

The wetlands observed on the subject property consist of a forested wetland complex that includes an existing large pond along the rear property line. Sections of the rear yard exhibited signs of prior forested wetland that had been previously converted to maintained lawn area. Remnant red maple and American elm trees are present in the rear yard. Although the area had been converted to active lawn, a majority of the underlying soils are hydric within this area. A portion of the forested wetland system also straddles the side yard along the eastern side of the property and includes a riparian intermittent channel. This area extends to Seminary Road.

Based upon review of NYSDEC Wetland Maps, the pond and associated wetlands may be located in a check zone for NYSDEC Wetland K-9. NYSDEC Wetland K-9 is primarily located on the other side of Pound Ridge Road.

The existing lawn extends to the edge of the pond. Minimal wetland vegetation is present along the edge of the pond. Along sections of the pond edge, phragmites grass has become dominant. Towards the north edge of the pond, clumps of tussock sedge and common rush are present along with clumps of multi-flora rose at the edge of the pond. Existing trees within the lawn area consist of red maple and American elm. Vegetation within the stream and forested wetland area is dominated by red maple (*Acer rubrum*), spicebush (*Lindera benzoin*), cinnamon fern (*Osmundastrum cinnamomeum*), jewelweed and skunk cabbage (*Symplocarpus foetidus*). The edge of the pond in the rear yard and the forested wetland on the east side were flagged with a combination of pin flags and surveyors tape, with numbers A-01-A-23.

Hydric or wetland soils are readily apparent and quite uniformly distributed within the rear yard area. The soils exhibited a solid dark organic layer 8-12 inches in depth and saturated soils near or at the surface with a clear indication of mottling and low chroma colors within the B soil horizon (10YR3/1).

Primary and secondary hydrological characteristics are readily apparent throughout the wetland. The presence of standing water, water stained leaves, high water marks, and buttressed tree roots were some of the features noted.

Based upon review of the proposed changes to the existing residence, it appears that modifications to the residence and slight expansion would not interfere with the functions currently provided by the wetland complex.

There are several opportunities to mitigate the impact of any proposed modifications to the existing residence. For example, some of the sections of the rear yard that had been identified as wetland and previously converted to lawn could be mitigated by removal of lawn grasses and re-planted with native wetland vegetation. In addition, creation of a naturally vegetated filter strip along the edge of the pond would also improve the ability of the vegetation to absorb and store excess nutrients that enter the pond from lawn areas and also improve aquatic habitat diversity available to resident wildlife species.

This completes our initial investigation of the wetland resources present on the property. Please notify me if you have questions or require additional information.

Sincerely,

Stephen W. Coleman

Stephen W. Coleman
SWC/tbh

TOWN OF BEDFORD - WETLANDS CONTROL COMMISSION
Application for Permit

Identification of Owner(s):

Name(s) of owner(s) [as shown on Deed]: Eli Nhaissi and Michael Gad
Mailing Address: 608 Fifth Avenue, Suite ~~744~~ ¹⁰¹⁰, New York, New York 10020
Phone: 212-921-9188 (home) _____ (work); Fax: _____ E-Mail: _____

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

Name of Applicant: As above.
Mailing Address: _____
Phone: _____ (home) _____ (work); Fax: _____ E-Mail: _____

Professional Preparing Site Plan:

Name/Address: Keillard Sessions Consulting, P.C., 500 Main Street
Armonk, NY 10504 Phone: 914-273-2323 Fax: 914-273-2329 E-Mail: dsessions@kelses.com

Identification of Property:

Bedford Tax Map Designation: Section 50.07 Block 1 Lot 9 & 11 Area 31.6
Zoning District: R-4 Project Address: 540 & 584 Cross River 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: 9/09 & 12/10, 8/13 (extension granted)
ZBA variance granted - 08/09
Identify any other Town of Bedford approvals required: Pl.Bd. Subdivision approval granted - 10/26/10
NYCDEP SWPPP approval granted - 11/23/10
Identify any other governmental approvals required: (Renewal request made 8/15, renewal expected 10/15)
Project cost (including professional fees): \$7,500.00 (wetland)

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

Subdivision of ±31.6 acres including extension/modification of an existing driveway to provide access to two (2) proposed building lots. Modification of the driveway will involve disturbance to ±3,330 square feet of locally regulated wetland buffer area associated with regrading to achieve slope, sight distance and tree preservation.

Proposed Project Start Date: 12/1/15 **Estimated Date of Completion:** 12/1/16

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: Eli Nhaissi

Print name/title: Michael Gad

Date: 8/6/15
Date: 8/6/15

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

Date: _____

Section A

Each Applicant must complete all items listed in Section A.
Place a checkmark next to each completed item.
Return this checklist with your application.

I. Fees and Escrow Deposits:

In this category place a checkmark next to the items appropriate to your application.

- Please include two (2) separate checks or money orders made payable to "Town of Bedford" for
Escrow Fee:
 \$500 as escrow deposit for Wetlands Permit Application
OR
 \$1,000 as escrow deposit for Remediation of Wetlands Law Violation Application
A \$200 minimum balance is required in the "Escrow Fee Account" for:
a) The application to be considered on any future agenda
b) A compliance inspection of the project to be scheduled
Application Fee (computed as follows):
 \$200 for a project involving a single lot
OR
 \$200 for a project involving more than one lot
PLUS Either \$25 for each additional lot
Or \$50 per acre of affected wetlands –
Whichever is higher

Example: A 3-lot subdivision with 5 acres of affected wetlands requires payments totaling \$750, based on:
\$500 – Escrow Fee
\$450 – Application Fee: \$200 = Project involving more than one lot
\$250 = 5 acres of affected wetlands X \$50 per acre of affected wetlands
\$950 – Total of Fees Required

II. Application Form

Nine (9) sets each of a completed application form with all current owner(s) signature(s). The name of the owner(s) on the application should be the same as the name(s) on the deed.

III. Environmental Assessment Form

Nine (9) sets of the Environmental Assessment form with all current owner(s) signatures(s) with – only side 1 is to be completed.

IV. Deed

One copy of the most recent deed(s).

V. Survey of Property

Nine (9) sets of survey of property.

VI. Plans

- Plan which contains all of the following:
 - site plans
 - architectural plans
 - landscape architectural plans
 - wetlands plans (plans showing wetland delineation in conjunction with wetlands investigation/report do not have to conform to the stated scale.)
 - mitigation plan
 - planting plan
- OR
 - combined site plans that include wetlands, wetlands mitigation, or planting plan of the proposed work
- Unless otherwise specified, all plans shall be drawn to a scale of not less than one (1) inch equals thirty (30) feet.
- The plans shall be dated (with the last revision dates) and certified by an engineer, architect, land surveyor or landscape architect licensed in the State of New York.
- Plans should be individually folded so as to fit into an 8 ½ X 14 legal size folder with the property owner(s) and tax map reference written to appear on the top of the folded plan.
- The preparer of such plans shall comply with the attached Guidelines for Wetlands Studies and Reports as adopted by the Commission at its BWCC meeting of 5/7/01.

Plans must show the following:

- The location of all wetlands as determined by a qualified ecologist, botanist and/or soil scientist.
- The survey location of the wetlands needs to have been performed no earlier than twelve (12) months prior to the date of filing the application.
***Please note that on all new applications, the wetlands located surveys must be updated if the survey was performed earlier than twelve (12) months prior to the filing of the application.*
- All property lines, buildings, roads and watercourses within two hundred fifty (250) feet of any proposed construction of disturbance.
- Watershed and destination of water courses.
- Estimated quantities of material of excavation or fill.
- Location of access route for construction.
- Identification of whether the work is to be done by hand or machine.
- Cost estimate of the work (including all materials, plantings and professional services)
- Location of any well and depth thereof and any sewage or wastewater disposal system within one hundred (100) feet of disturbed area.
- Written proof that septic systems within regulated/controlled wetlands within the Town of Bedford have been properly maintained within the four (4) year time period prior to application.
- Existing and proposed contours at two-foot intervals in the proposed disturbed area and to a distance of one hundred (100) feet beyond.
- Details of any drainage system proposed, both for the conduct of the work and after completion thereof, and measures proposed to control erosion and siltation during and after work (erosion control).
- Where creation of a lake, pond or alteration of a watercourse or wetland is proposed, details of topography and proposed new grading, and the construction of any dams, embankments and outlets or other water control devices.
- A property location map.
- Prior wetland permit and resolution number if applicable.
- Date 9/14/09 - Resolution No. 09/23
 - 12/6/10 - Resolution No. 10/27, Amend. No. 1 to Res. No. 09/23
 - 8/5/13 - Resolution No 13/22, Amend No. 3 to Res. No. 09/23

Short Environmental Assessment Form

Part 1 - Project Information

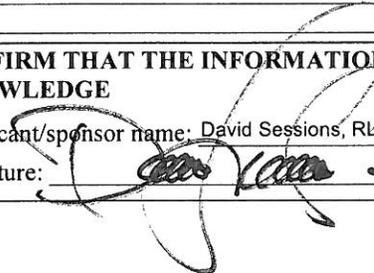
Instructions for Completing

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: Eli Nhaissi & Michael Gad			
Project Location (describe, and attach a location map): 540 & 584 Cross River Road between Partridge Ridge and Holly Branch Road.			
Brief Description of Proposed Action: A lot line change was established which modified the two (2) existing lots and resulted in the creation of two (2) new residential parcels. Construction of the shared driveway will involve ±3,330 square feet of disturbance within the locally-regulated 100 foot wetland buffer.			
Name of Applicant or Sponsor: Eli Nhaissi & Michael Gad		Telephone: 212-921-9188	
Address: 608 Fifth Avenue, Suite 1010		E-Mail:	
City/PO: New York		State: New York	Zip Code: 10020
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 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: Bedford Pl. Bd. - Steep Slope/Subdivision (approval granted), Bedford SMO - SWPPP (approval granted), Bedford ZBA (variance granted), Bedford Bldg. Dept. - Building Permit, WCHD - Realty Subd. & Indiv. Water & Sewer (approvals granted)*		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		±31.6 acres	
b. Total acreage to be physically disturbed?		±4.0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		±31.6 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 checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

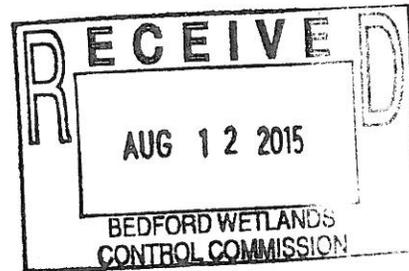
	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<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: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>individual subsurface</u> sewage disposal systems (SSDS) and well	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>individual subsurface</u> sewage disposal systems (SSDS)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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>local wetland buffer area - ±3,330 square feet</u>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input 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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES _____ _____			

<p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>David Sessions, RLA, AICP</u> Date: <u>August 11, 2015</u></p> <p>Signature: <u></u></p>		

VIA HAND DELIVERED

August 11, 2015

Town of Bedford
Wetlands Control Commission
425 Cherry Street
Bedford Hills, New York 10507



Attn: Mr. Andrew Messinger, Chairman

RE: *Application for Wetlands Permit (Renewal)*
540 & 584 Cross River Road
Section 50.07, Block 1, Lots 9 & 11

Dear Chairman Messinger:

On behalf of our clients, Eli Nhaissi and Michael Gad, Kellard Sessions Consulting, P.C. is pleased to provide the following materials in support of a renewal of the previously-granted Wetlands Permit for the above-captioned project. The current Wetland Permit is due to expire on September 14, 2015 and, due to the length of time since the original Wetland Permit, it is our understanding that the Wetlands Control Commission requires a new application. Please note that construction has not commenced and there have been no changes since the Wetlands Control Commission's approval of December 6, 2010. Please also note that Kellard Sessions Consulting, P.C. conducted a wetland investigation of the property on August 3, 2015. Based on this investigation, the wetland boundary and its wetland functions have not changed from the boundary illustrated on the attached plans.

Please find enclosed nine (9) sets of the following:

- Wetland Permit Plans, dated (last revised) November 2, 2009, unless otherwise noted, prepared by Kellard Sessions Consulting, P.C., consisting of the following drawings:
 - Sheet 1/2 Overall Subdivision Plan
 - Sheet 2/2 Grading, Sediment and Erosion Control Plan
 - Sheet 1/1 Additional Wetland Buffer Disturbance Plan dated November 9, 2010

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- Survey entitled "Topographical Survey of Property prepared for Eli Nhaissi and Michael Gad", prepared by Thomas C. Merritts Land Surveyors, P.C. and dated (last revised) December 20, 2007
- Application Fee (\$250.00) and Escrow Fees (\$500.00) - Check #001470 and Check #001471, respectively
- Application for Permit - Town of Bedford Wetlands Control Commission
- Application for Permit Checklist
- Short Environmental Assessment Form dated August 11, 2015

Project History

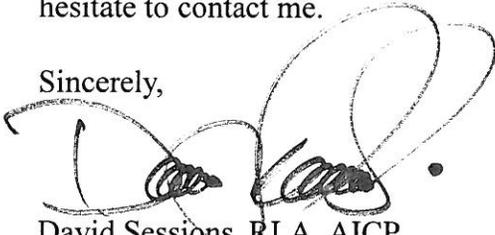
The ±31.6 acre project site includes locally regulated wetland and wetland buffer resources. In 2006, the applicant initiated Planning Board applications for Subdivision and Steep Slope Permits to allow for a revised lot configuration and subdivision of the land related to the creation of two (2) new building lots. In February 2009, the Planning Board granted Preliminary Plat Approval (Resolution No. 09/06). In August, 2009, a variance for minimum side yard requirements for an existing accessory structure was granted by the Zoning Board of Appeals (Resolution #08-09 Five). In September 2009, the Wetlands Control Commission granted a Wetland Permit (Resolution No. 09/23). In September 2009, the Planning Board granted Amendment No. 1 and Amendment No. 2 to Resolution No. 09/06 granting a 180 day extension and eliminating Condition No. 8. In October 2009, the Planning Board granted conditional Final Subdivision Plat approval (Resolution 09/31). In March 2010, the Planning Board adopted Amendment No. 1 to Resolution No. 09/31 granting a 180 day extension. In October 2010, the Planning Board granted Resubmission of Final Subdivision Plat Approval (Resolution No. 10/41). In December 2010, the Wetlands Control Commission granted an amendment to the approval plan of the prior resolution (Resolution No. 10/27 - Amendment No. 1 to Resolution No. 09/23). In May 2011, the Planning Board granted a 180 day extension (Amendment No. 1 to Resolution No. 10/41). In September 2011, the Planning Board granted a 180 day extension (Amendment No. 2 to Resolution No. 09/31). In August 2012, the Wetlands Control Commission granted a one year extension (Resolution No. 12/23 - Amendment No. 2 to Resolution No. 09/23). In August 2013, the Wetlands Control Commission granted a one year extension (Resolution No. 13/22 - Amendment No. 3 to Resolution No. 09/23).

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By copy of this letter, we are respectfully requesting that this item be placed on the Commission's October 5, 2015 agenda to discuss the application.

Should you have any questions or require additional copies of the submitted materials, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "David Sessions", with a large, stylized flourish extending upwards and to the right.

David Sessions, RLA, AICP
Kellard Sessions Consulting, P.C.

DS/pg

Enclosures

cc: Hedva Nhaissi w/Enc.
Eli Nhaissi
Michael Gad