

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

**Agenda  
November 2, 2015, 8:00 PM**

**Announcements:**

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

**New Applications:**

8:05 – 8:30 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**

8:30 – 8:50 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**

8:50 – 9:00 Pool House  
**Section 84.5 Block 1 Lot 6, R-2A Zone**  
597 Guard Hill Road, Bedford  
Owners: **Charles & Frances Rosner**  
Applicant: **Robert S. Johnson, LS**

9:00 – 9:20 Additions & Alterations to Existing Residence  
**Section 49.18 Block 4 Lot 3, R-1/2A Zone**  
11 Grandview Avenue, Katonah  
Owners: **Ryan & Sarah Becker**  
Applicant: **The Helmes Group, LLP**

**Time Extensions:**

9:20 – 9:25 Installation of Apron, Columns, Gates, Pavement & Fencing  
**Section 73.19 Block 1 Lot 23, R-2A Zone**  
700 Old Post Road, Katonah  
Owner/Applicant: **Matthew Tynan**

9:25 – 9:30 Construction of Single-Family Residence & Improvements  
**Section 73.10 Block 1 Lot 11, R-4A Zone**  
132 Hook Road, Bedford  
Owner/Applicant: **Tyler & Kathleen Miller**

**Reports:**

9:25-9:30 A - Status of Violations/Enforcement Actions  
B - Town Wetland Official (Beth Evans) Monthly Report:  
Administrative Permits

9:30-9:35 PM 2016 BWCC Calendar Review

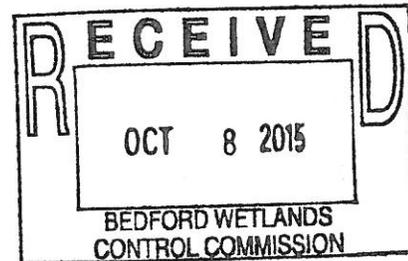
**Minutes to be Approved:**

September 14<sup>th</sup>, 2015

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

October 8, 2015

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



**Re: 12 Seminary Road  
Sheet 84.7, Block 2, Lot 22**

Dear Chairman Messinger & Members of the BWCC:

At this time, we are providing additional project information for the BWCC's review and consideration for Wetland Permit Approval on the subject property to allow house additions and renovations to occur on the property, portions of which occur in the regulated wetland buffer and, therefore, a Wetland Permit from the BWCC is required. We attach nine copies of the following plans for your review and consideration.

- Sheet 1 of 2 – Proposed Site Plan, prepared by J.D. Barrett & Associates, LLC, dated October 8, 2015. This plan provides the overall master plan type layout for the property and provides notations to describe the proposed site activities.
- Sheet 2 of 2 – Mitigation Planting Plan, prepared by J.D. Barrett & Associates, LLC, dated October 8, 2015. This plan provides a detailed planting plan, noting species proposed, sizes and quantities that are proposed within the wetland buffer and will serve as wetland mitigation for the project.

### **Overview**

The subject property is positioned on the west side of Seminary Road and contains a home serviced by an on-site well and septic system. A pond and wetland system occur on the western and northern property boundaries. The 100' wetland buffer lines generally run through the house in the central portion of the property. Approximately three-fourths of the property occurs within the regulated wetland setback area to the wetland system bordering the property.

### **Proposed Additions & Renovations**

Architectural plans for the project have been prepared by Patrick Croke, Architect. A new addition is proposed on the back of the house to replace the existing deck. A new deck is proposed behind the addition and will attach to the back of the house. Architectural renovations

to the existing house are also proposed, much of which occur inside the dwelling. The new addition and deck occur approximately 75' away from the wetland line and approximately 130' from the pond edge.

**Proposed Swimming Pool**

It is proposed that the existing free-form concrete swimming pool, pool equipment, masonry patio be removed and replaced in the same general area with a new rectangular swimming pool with auto-cover, new state-of-the-art pool equipment and a new masonry patio. The proposed pool equipment will feature a cartridge-type filter that requires no backwashing. The proposed pool water sanitation method shall be an ozone/ultra-violet light system that uses only minor amounts of bromine to sanitize the pool water. In addition, the swimming pool equipment shall be connected to a drywell field adjacent to the pool where pool water draw down can be directed at the time of winter draw down.

**Pool Water Draw Down Drywell Field**

Soil testing west of the proposed swimming pool shall be performed in the coming days to determine the depth of the existing soils and suitability for drywells. It is anticipated that the area is large enough and high enough above the wetland system that an effective drywell area can be created to accommodate a pool water draw down of approximately 12" of pool water. We believe that a 12" draw down is commensurate with the BWCC's target pool water draw down figure of 20% of the volume of the pool water, considering the following:

<u>Pool Length</u>	x	<u>Width</u>	x	<u>Average Depth</u>	=	<u>Pool Water Volume</u>
20		40		5		40,000 CF
				40,000 CF x 20%	=	800 CF
Pool water draw down of 12" over the surface of a 20 x 40 pool					=	800 CF

**Proposed Wetland Mitigation**

A wetland mitigation planting plan has been developed to offset any potential wetland impacts that may result from the project. In order to enhance the pond and wetland buffers on the property and create an attractive landscape setting for the property, it is proposed that approximately 1300 SF of mowed lawn in the wetland buffer shall be converted to native edge plantings. This will increase species diversity on the property and enhance the function of the wetland buffer to provide increased filtration of storm flows passing through the plantings travelling toward the pond and wetland system as well s provide for increased habitat opportunities with properties for resident wildlife. Please see Sheet 2 of 2, *Mitigation Planting Plan*.

### **Proposed Pool Fence / Deer Fence**

It is proposed that the backyard be fenced in to meet local and state swimming pool enclosure codes, but also the pool fence modified to serve as a deer fence in the backyard. Deer fencing in the backyard will allow the protection of the newly installed wetland mitigation plantings and allow them to become established and create a lush and functional wetland buffer system. Wildlife cutouts at regular intervals beneath the fencing and the proposed stonewalls will allow small mammals to continue to pass through and inhabit the backyard. Continuous deer fencing surrounding the entire property is no longer proposed since our discussion regarding same with the BWCC at the September BWCC meeting.

### **Pool Fence Extends into Pond**

Please note that it is proposed that the proposed fence shall extend into the pond by 4-6' and portions of the pond shall serve partially as the pool enclosure. The applicant shall petition the NYS Building Department for a variance to the pool code enclosure requirements to allow same. This type of arrangement has been successfully permitted in similar situations in adjacent Towns. We note that in the winter it is proposed that a temporary deer fence be erected across the pond opening at the back property to protect the plantings in the backyard from deer browse should deer cross the ice-covered pond to access the backyard.

### **Existing Tree Removals**

As discussed at the September 2015 BWCC meeting, several large trees are proposed to be removed as a result of this project. These include four hemlock trees and one pine tree behind the house, plus two deciduous (maple) trees on the southeast side of the house that are very close to and leaning toward the house. It is proposed that these trees be replaced with new plantings including 30 new trees. Please see the *Mitigation Planting Plan* for tree replacements.

### **Pond Dredging**

It was discussed with the BWCC whether the applicant was inclined to dredge the pond, which all involved parties agree would be beneficial. However, given that the pond is under the ownership of three or four neighbors, it will be necessary to poll the neighbors to see if support for a pond dredging project can be gained. In the coming weeks we shall be reaching out to the neighbors to see if there is any support for such a project. We hope to share any information we obtain with the BWCC at the November 2, 2015 BWCC meeting.

### **Summary**

We trust that this information is helpful to the BWCC's continued review of the project. It is our hope that the project can be conditionally approved at the November 2, 2015 BWCC meeting so that the applicant can secure a building permit to start work on the house. The project team is happy to provide additional project information relative to site work in order to satisfy all the BWCC's concerns prior to any site related work beginning.

We are appreciative of the BWCC's time and efforts to assist us with this project. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Barrett', with a long horizontal stroke extending to the right.

Jeri D. Barrett, R.L.A.

JDB:lj

Enc.

Cc: Patrick Croke

Robert Zaorski

Niall & Cara Carey

**BEDFORD WETLANDS CONTROL COMMISSION  
SITE INSPECTION REQUEST**

Section 72.8 Block 1 Lot 4#2  
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:** [<sup>3</sup>\$200 minimum balance required to schedule inspection]  
Escrow Account # 796 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           | <b>WCC Permit Resolution No.</b> _____                                      |
| <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: \_\_\_\_\_

TOWN OF BEDFORD - WETLANDS CONTROL COMMISSION

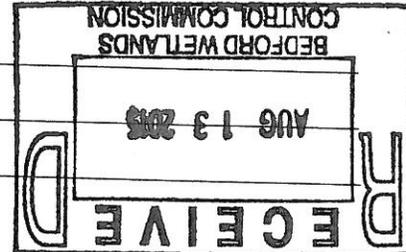
Application for Permit

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: rzege1stein@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 COPPELMAN GREGORY ENGINEERS PC
1135 SMITH AVE. MICKICO NY Phone: 241-2235 Fax: 246-187 E-Mail: pggregory@kcgengineers.com

Identification of Property:

Bedford Tax Map Designation: Section 72-08 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 Zegelstein
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;"> <p style="font-size: 24px; margin: 0;">RECEIVED</p> <p style="font-size: 18px; margin: 5px 0;">AUG 13 2015</p> <p style="font-size: 12px; margin: 0;">BEDFORD WETLANDS CONTROL COMMISSION</p> </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 checked="" 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"/>
Town of Bedford - Wetland Permit, Steep Slope Permit, Building Permit WCDOH - Construction Permit			YES <input checked="" type="checkbox"/>
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?  b. Are public transportation service(s) available at or near the site of the proposed action?  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"/>	
	<input checked="" type="checkbox"/>	<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: _____	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?  b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<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?  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: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<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 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  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	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input 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"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
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? 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)

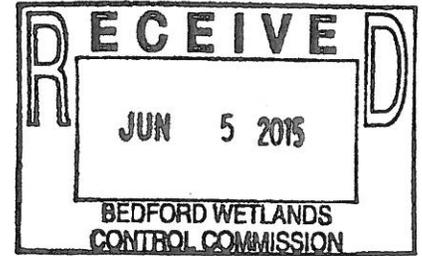
**PRINT**

**PFIZER – JÄHNIG**  
**ENVIRONMENTAL CONSULTING**

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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**

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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*

Mary Jaehnig  
certified soil scientist

TOWN OF BEDFORD - WETLANDS CONTROL COMMISSION

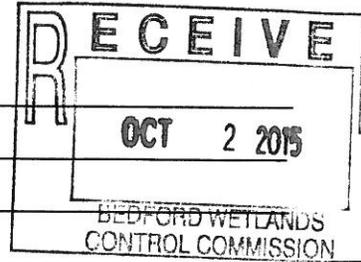
Application for Permit

Identification of Owner(s):

Name(s) of owner(s) [as shown on Deed]: Charles & Frances Rosner

Mailing Address: P.O. Box 803 Katonah, N.Y. 10536

Phone: (home) 232-0795 (work); Fax: 232-2174 E-Mail: X 232-2174



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

Name of Applicant: Robert S. Johnson L.S.

Mailing Address: 42 Smith Ave. Mt. Kisco, N.Y.

Phone: 914 241-3872 (home) 914 403 3859 (work); Fax: 914 241-0438 E-Mail: rsjls@optonline.net

Professional Preparing Site Plan:

Name /Address: H. Stanley Johnson & Co. Land Surveyors, P.c.

914-241-3872 Phone: 241-043 Fax: E-Mail: hsjco@optonline.net

Identification of Property:

Bedford Tax Map Designation: Section 84.5 Block 1 Lot 6 Area

Zoning District: R2A Project Address: 597 Guard Hill Rd. 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: N/A

Identify any other Town of Bedford approvals required: No

Identify any other governmental approvals required: NYSDEC

Project cost (including professional fees): \$3750

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

To obtain a wetland permit for the pool house deck constructed within the 100 Foot Wetlands Buffer

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): X Charles Rosner

Date: 9/28/15

All owners must sign Print name/title: Frances Rosner

Date: 9/28/15

X CHARLES ROSNER Print name/title:

Signature of applicant (if different): Robert S. Johnson

Date: 9/15/15

Print name/title: Land Surveyor

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.

<b>Part 1 - Project and Sponsor Information</b>			
Robert S. Johnson L.S.			
Name of Action or Project: Charles & Frances Rosner			
Project Location (describe, and attach a location map): 597 Guard Hill Rd Bedford, NY, 10506			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor: Robert S. Johnson		Telephone: 914-241-3872	
		E-Mail: rsj15e@optonline	
Address: 42 Smith Avenue			
City/PO: Mt. Kisco,		State: NY	Zip Code: 10549
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: NYSDEC (Wetland K-5)		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		2.515 acres	
b. Total acreage to be physically disturbed?		_____ acres 365 S.F. + 63 S.F.	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		N/A 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 checked="" 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"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>X Robert S. Johnson LS</u> Date: <u>X 9/15/15</u>		
Signature: <u>X [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 checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" 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)

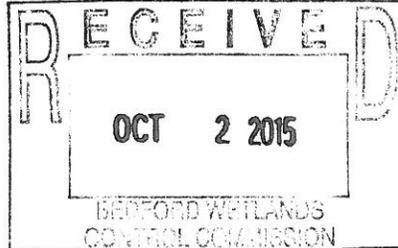
**PRINT**

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

Division of Fish, Wildlife & Marine Resources, Bureau of Habitat, Region 3  
21 South Putt Corners Road, New Paltz, NY 12561-1620  
P: (845) 286-3086 | F: (845) 255-4659  
www.dec.ny.gov

May 29, 2015

Mr. Rosner  
597 Guard Hill Road  
Bedford, NY 10506



**NOTICE OF VIOLATION**

Dear Mr. Rosner:

A field inspection of the above referenced property was conducted by Department staff on April 6, 2015. At this site meeting it was observed that a deck off of an auxiliary building, pool house, was installed within the adjacent area of DEC regulated wetland, K-05.

As is provided for in Article 24 of state Environmental Conservation Law, Freshwater Wetlands Act 24-0702, a permit is required from DEC for erecting any structure in the regulated wetlands and wetland adjacent areas. The Department has no record of an application for an Article 24 permit for this property.

The deck would have meet the issuing standards of the General Permit GP-0-13-001. It was installed in an area that was previously disturbed, more than 50 feet from the wetland and the deck is impacting less than 1000 square feet within the adjacent area. The link to the NYS DEC Article 24 general permit is <http://www.dec.ny.gov/permits/91184.html>. Any future work on site within the freshwater wetland and adjacent area must be covered by an issued permit.

**BE ON NOTICE THAT** failure to obtain a permit for work within the NYS DEC regulated area will result in referral to the Department's Environmental Conservation Law Enforcement office for appropriate action.

Please feel free to contact me with any questions at [heather.gierloff@dec.ny.gov](mailto:heather.gierloff@dec.ny.gov) or at the office at 845-256-3086.

Respectfully,

A handwritten signature in cursive script, appearing to read "Heather Gierloff".

Heather Gierloff  
Biologist



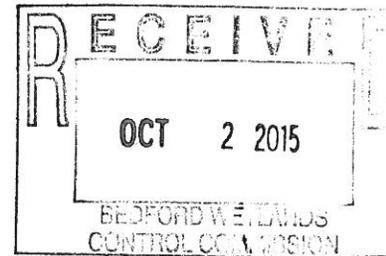
Department of  
Environmental  
Conservation

**PFIZER – JÄHNIG**  
**ENVIRONMENTAL CONSULTING**

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April 16, 2015

**Wetland Delineation**  
Rosner Residence  
597 Guard Hill Road  
Bedford, New York



Introduction:

A wetland delineation was conducted at 597 Guard Hill Road on April 7, 2015 by Mary Jaehnig, soil scientist. The 2.515 acre parcel is located on the southern side of Guard Hill Road and supports a single family dwelling.

Slopes ascend from the road to the dwelling, pool and pool house. Slopes descend from the rear of the pool house to the south. A tributary to Beaver Dam Creek flows from east to west along the southern property line. The watercourse is contained within a New York State Dept. of Environmental Conservation (NYS DEC) regulated wetland, K-5. Staff from the NYS DEC verified the state delineation in the field on April 8, 2015. Flags 1 thru 10 mark the edge of the state wetland.

A small locally regulated wetland is located along the western property line opposite the tennis court. The wetland continues onto the adjacent property and the eastern edge was marked with flags 1B thru 8B.

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 soil on site is Knickerbocker fine sandy loam, 2-8% slope and 8-15%. This deep, somewhat excessively drained soil is formed on deltas or terraces from sandy glaciofluvial deposits. The soil is underlain by a loamy fine sand. The depth to bedrock and the water table exceeds 80 inches. Small areas of old fill are found on site.

The wetland soils are Ridgebury fine sandy loam and Catden muck. Ridgebury fine sandy loam is located in the small, local wetland and on the

**PFIZER – JÄHNIG**  
**ENVIRONMENTAL CONSULTING**

---

sloping edge of the wetland. The soil is deep and poorly drained. The water table is located within one foot below grade from fall through early spring.

Catden muck is located in the nearly level wetland. This soil is deep, very poorly drained and formed of decomposing organic material. The water table is 0 to 6 inches below grade and with frequent ponding.

Vegetation:

The upland slopes descending to the state wetland are lightly wooded and support cedar, locust and red oak with Japanese knotweed, brambles, winterberry and highbush blueberry.

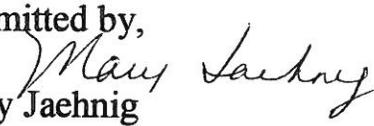
The wooded wetland shelf above the muck soil supports red maple, summersweet, highbush blueberry, winterberry, skunk cabbage and cinnamon fern. The muck soil supports a shrub/scrub wetland with shrub willow, alder, summersweet, highbush blueberry, tussock sedge, skunk cabbage, phragmites and cattail.

The small local wetland supports red maple, cinnamon fern and spicebush. The buffer to the wetland has old fill and white pine. The construction of the tennis court did not fill any of the wetland.

Pool house deck:

A deck has been built of the back of the pool house. The area was previously disturbed and maintained as grassed lawn. Japanese knotweed and brambles border the deck.

Submitted by,

  
Mary Jaehnig  
soil scientist

TOWN OF BEDFORD - WETLANDS CONTROL COMMISSION

Application for Permit

Identification of Owner(s):

Name(s) of owner(s) [as shown on Deed]: RYANA BECKER & SARAH A. MULLANE BECKER

Mailing Address: 11 GRANDVIEW AVENUE, KATONAH, NY 10535

Phone: 301-5094 (home) - (work); Fax: - E-Mail: RYANBECKER@gmail.com SMULLANEFVA@aol.com

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

Name of Applicant: THE HELMES GROUP, LLP, ARCHITECTS

Mailing Address: 184 KATONAH AVENUE, KATONAH, NY 10535

Phone: 671-4550 (home) 232-4633 (work); Fax: 232-0768 E-Mail: SCH@THEHELMESGROUP.COM

Professional Preparing Site Plan:

Name /Address: THE HELMES GROUP, LLP, ARCHITECTS

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

Identification of Property:

Bedford Tax Map Designation: Section 49.18 Block 4 Lot 3 Area 40,216 SF / 0.92 ACRES

Zoning District: R-2A Project Address: 11 GRANDVIEW AVENUE

Approximate year of construction of any structure: 1920 & 2012

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

Dates of any prior Wetlands Control Commission permits: DETACHED SHED

Identify any other Town of Bedford approvals required: NONE

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):

PROPOSED ONE-STORY FAMILY ROOM ADDITION W/ FULL BASEMENT

PROPOSED TWO-CAR GARAGE STRUCTURE W/ BASEMENT UNDER

Proposed Project Start Date: SUMMER 2016 Estimated Date of Completion: FALL 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): REFER TO AUTHORIZATION LETTER Date: 9-28-15

All owners must sign Print name/title: RYANA BECKER & SARAH A. MULLANE BECKER OWNERS Date:

Signature of applicant (if different): [Signature] Date: 9-30-15

Print name/title: STEVEN C. HELMES, AIA THE HELMES GROUP, LLP ARCHITECT

Revised 8/9/13

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.

<b>Part 1 - Project and Sponsor Information</b>			
RYAN A. BECKER & SARAH A. BECKER, OWNERS			
Name of Action or Project: 11 GRANDVIEW AVENUE			
Project Location (describe, and attach a location map): KATONAH, NY 10536			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor: THE HELMES GROUP, LLP		Telephone: 914-232-4633	
		E-Mail: SCH@THEHELMESGROUP.COM	
Address: 154 KATONAH AVENUE			
City/PO: KATONAH,		State: NY	Zip Code: 10536
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?		0.92 acres	
b. Total acreage to be physically disturbed?		0.02 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.92 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: <u>— N/A</u>	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 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?	<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>480 SF</u> <u>ENCROACHES 20' D" INTO 100 FOOT WETLANDS BUFFER</u> <u>ENCROACHES 4' D" INTO 100 FOOT WETLANDS BUFFER</u>	<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 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 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> <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <u>INFILTRATORS AND/OR LEVEL SAND/GRASS BUFFER BOD ON SITE</u>	NO	YES	
	<input checked="" 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"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>STEVEN C. HELMES, AIA</u> Date: <u>9-30-15</u>		
Signature: <u>Steve C. Helmes</u> <u>THE HELMES GROUP, LLP ARCHITECTS</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:	<input type="checkbox"/>	<input type="checkbox"/>
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**

## 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

THIS INDENTURE, made the 2nd day of March, in the year 2007  
BETWEEN

STEVEN MEGNA, residing at  
11 Grandview Avenue  
Katonah, New York 10536

party of the first part, and

RYAN A. BECKER & SARAH A. MULLANE BECKER, Husband & Wife residing at  
90 Bryant Avenue, Apt. A1D  
White Plains, New York 10605

Party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the, Town of Bedford, County of Westchester, and State of New York more particularly described in Schedule "A" attached hereto and made a part hereof.

Tax Map  
Designation

District:  
Katonah/Lewisboro

Section: 49.18

Block: 4

Lot (s): 3

BEING and intended to be the same premises transferred to the grantor herein by deed dated 09/01/2005 and recorded in the Westchester County Clerk's Office, Division of Land Records on 10/20/2005 as Control No. 452790032.

**TOGETHER** with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof; **TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises; **TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.  
**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.  
The word "party" shall be constructed as if it ready "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

In Presence of:

  
STEVEN MEGNA

## Future Title Company, Inc.

Title No.: 4512-2006

### Schedule A Description

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Katonah, Town of Bedford, County of Westchester, State of New York, shown and designated as Lots 7, 6, 5 and part of 4 on a certain map entitled, "Map of Property situate in the Village of Katonah, Westchester Co., N.Y., belonging to William H. Fowler", made by Byrne & Darling, Civil Engineers, April, 1909 and filed in the Office of the County Clerk of Westchester County, Division Land Records, formerly Register's Office of Westchester County, New York, on June 15, 1909 in Volume 29 of maps at page 41 and being more particularly bounded and described as follows:

BEGINNING at a corner formed by the intersection of the northerly side of Grand View Road with the easterly side of Cherry Street;

THENCE running North 82 degrees 11 minutes East along the northerly side of Grand View Road, 199.37 feet to land now or late belonging to Ina E. Thomas;

THENCE running North 7 degrees 49 minutes West along land of said Thomas, 204.63 feet to land now or late belonging to Neils Molbeck;

THENCE running South 80 degrees 39 minutes 40 seconds West along the lands of said Molbeck, 204.12 feet to the easterly side of Cherry Street; and

THENCE running along the easterly side of Cherry Street South 14 degrees 15 minutes East 58.50 feet and South 7 degrees 4 minutes 10 seconds East 141.06 feet to the point or place of BEGINNING.

Use acknowledgment form below within New York State Only:  
State of New York, County of Westchester } ss.:

On the 15<sup>th</sup> day of March in the year 2007  
before me, the undersigned, personally appeared  
Steven Megna

personally known to me or proved to me on the basis of  
satisfactory evidence to be the individual(s) whose  
names(s) is (are) subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same  
in his/her/their capacity(ies), and that by his/her/their  
signature(s) on the instrument, the individual(s), or the  
person upon behalf of which the individual(s) acted,  
executed the instrument

Corina Brackenrig  
Notary Public, State of New York  
Qualified in Putnam County  
Commission Expires January 10, 2009  
No. 01BR6121175



Acknowledgment Form for Use Within New York State Only:  
{New York Subscribing Witness Acknowledgment Certificate}  
State of New York, County of }ss.:

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year  
2007 before me, the undersigned personally appeared

the subscribing witness to the foregoing instrument, with  
whom I am personally acquainted, who, being by me duly  
sworn, did depose and say the he/she/they reside(s) in

(If the place of residence is in a city, include the street  
and street number, if any, thereof); that he/she/they  
know(s)

to be the individual described in and who executed the  
foregoing instrument; that said subscribing witness was  
present and saw said

execute the same; and that the said witness at the same  
time subscribed his/her/their name(s) as a witness

Use acknowledgment form below within New York State Only:  
State of New York, County of } ss.:

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year  
2007 before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of  
satisfactory evidence to be the individual(s) whose names(s)  
is (are) subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in  
his/her/their capacity(ies), and that by his/her/their  
signature(s) on the instrument, the individual(s), or the  
person upon behalf of which the individual(s) acted,  
executed the instrument

Acknowledgment Form for Use Outside of New York State Only:  
{Out of State or Foreign General Acknowledgment Certificate}  
..... }ss.:  
{Complete Venue with State, Country, Province or Municipality}

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year  
2007 before me, the undersigned personally appeared

personally known to me or proved to me on the basis of  
satisfactory evidence to be the individual(s) whose names(s)  
is (are) subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in  
his/her/their capacity(ies), and that by his/her/their  
signature(s) on the instrument, the individual(s), or the  
person upon behalf of which the individual(s) acted,  
executed the instrument, and that such individual made  
such appearance before the undersigned in the

(Insert the city or other political subdivision and the state or  
country or other place the acknowledgment was taken).

**Bargain & Sale Deed  
with covenants against grantor's acts**

MEGNA

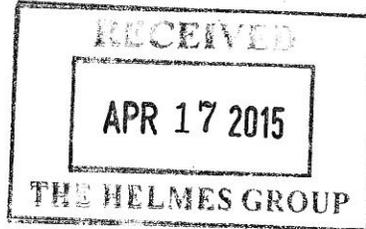
TO

BECKER

SECTION: 49.18  
BLOCK: 4  
LOT: 3  
COUNTY: WESTCHESTER

Recorded at Request of:  
Returned by mail to:

Jennifer Lofaro, Esq.  
Bleakley, Platt & Schmidt, LLP  
One North Lexington Avenue  
White Plains, New York 10601



**Wetlands Survey  
The Becker Site**

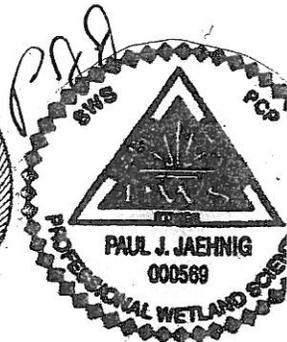
11 Grandview Ave.  
Tax ID 49.18-4-3

Bedford, NY

Approx. 0.9-Acre Total Area

*Prepared for*  
**Ryan and Sarah Becker**

April 10, 2015



15becker.11grandviewavebedfordwrep

### Introduction

A wetland investigation was completed on property identified as 11 Grandview Ave., Town of Bedford, April 10, 2015 by Paul J. Jaehnig, Certified Professional Geologist, Soil Scientist, and Wetland Scientist. The work consisted of the taking of soil borings to identify the presence of wetland or hydric soils, and the marking or flagging of the wetlands boundary. The work was conducted in accordance with the Town of Bedford Wetland Law. The work was done at the request of the clients and property owners, Ryan and Sarah Becker.

### Site Description

The site is an almost square-shaped, approx. 0.9-Acre total area, property fronting on the north side of Grandview Ave., at the intersection of Cherry Street and Grandview Ave., situated in an established residential neighborhood. The site consists of: a residence; detached garage with adjacent fenced garden; small wooden shed; surrounding lawn; woodlands; and a brook (see enclosed *Wetland and Soils Map* and *photos 1-6* in Appendix I).

The land slopes down to the north across the entire site. Slopes vary from nearly level to steep-sloped. The front, side, and back yards are nearly level to very gently sloping. Toward the northern property line the slopes are moderately steep to very steep, where the land goes down to the brook. Some of the topography around the residence, driveway, yard, and garage has been formed by past man-made work carried-out during the development of the site.

The residence is situated in the central portion of the site (see *photos 1 & 2* in Appendix I). The detached garage and shed are situated on the eastern portion of the site (see *photo 1* in Appendix I).

Lawn covers the central portion of the site. A large pachysandra bed is in the front yard. Mature shrub and tree rows, and wooden fencing on the outer portions of the yard, provide some screening for the residence.

Woodlands areas are situated on the northern portion of the site. Woodlands areas have a tree canopy of sugar maple, beech, and ash. Some large spruce trees may be seen around the property, near the edge of the yard. There are some fallen trees on the slope of the northeast corner of the site. The woodland shrub understory is thin, consisting of areas near the brook with large winged euonymous. The woodland floor is covered with leaf and twig litter, except where pachysandra beds have encroached across the woodland floor. A wooden fence is parallel to the northern property line, near the base of the slope adjacent to the brook (see *photo 3* in Appendix I).

## Wetland / Watercourse

### Introduction

The wetland boundary was flagged in the field with consecutively numbered flagging (WL-A-1, WL-A-2, etc.) and plotted on the enclosed *Wetland and Soils Map*.

### Wetland / Watercourse Description

A small brook, having a channel approx. 8 ft. wide and 2.5 to 3.0 ft., flows east along the northern property line (see *photos 4 & 5* in Appendix I). The brook has approx. 6 inches deep water flow at this time. Cobbles cover approx. 60 % of the channel floor. The brook flows east from a small lake situated west of Cherry Street, is piped under Cherry Street, continues east with a gentle gradient along the northern property line of the Becker site, and then past the site. The brook is centered in a small, steep-sloped and narrow woodland valley. This section of the brook has no flood-plain. A small stone and mortar dam goes across the brook at a point near the northeast property line. Water cascades over the dam spillway (see *photo 6* in Appendix I).

### Wetland / Watercourse Functions

The watercourse on the site serves primarily as a minor local ground and surface discharge point, conveying drainage to lower elevation points of a local watershed.

### Regional Drainage

Surface drainage is directed south across the site and to the brook. Drainage conveyed to the brook is directed east and away from the site. Drainage continues east, approx. parallel to Cherry Street, flowing through residential properties within Katonah Village. The brook flows through Katonah along a well-defined open channel, which is locally piped under roads and buildings. The brook also flows through a small wetland area along this route. The drainage is directed into a tributary basin to the Muscoot Reservoir, situated just east of Katonah Village (see *Regional Drainage Map* in Appendix II).

### NYSDEC Jurisdiction

There are no New York State Dept. of Environmental Conservation (NYSDEC) regulated wetlands on the site, according to a review of their published maps (see *NYSDEC Wetland Map* in Appendix III). The brook is a NYSDEC Class "C" watercourse.

### Wildlife

The following wildlife inhabiting the Becker site includes: eastern gray squirrel, common raccoon, and eastern chipmunk across the woodland floors and adjacent yard areas; small birds utilizing the tree canopy and shrub understory.

### Soils

Shallow soil borings were taken using a spade and Dutch auger at selected locations throughout the site in order to identify wetland soils. Soil boring locations (SS-1, SS-2, etc.) were plotted approx. on the enclosed *Wetland and Soils Map*. Soil borings were logged noting soil profile color, texture, redoximorphic (wetland soil) indicators, and water table. Detailed descriptions of soil borings are provided in Appendix IV.

Soils encountered on the study area include: non-wetland, well-drained Charlton loam (ChB), slopes 2 to 8 %, on the gently-sloped, undisturbed yard areas across the site; non-wetland, well-drained Charlton loam (ChD), slopes 15 to 25%, on the moderate to steep-sloped woodland areas on the northern portion of the site; non-wetland, well-drained Udorthents, cut, fill, & graded soil (Ub), to describe areas around the residence, yard, and some woodland areas, where past man-made disturbances have been carried-out as part of the development of the property; wetland, very poorly-drained Fluvaquents soil (Ff), describes any recent soils formed along the active course of the brook. The distribution of these soil-types is depicted on the enclosed *Wetland and Soils Map*.

**Appendix I**

**Selected Site Photos**



*Photo 1 Looking north across level front yard and toward the residence.*

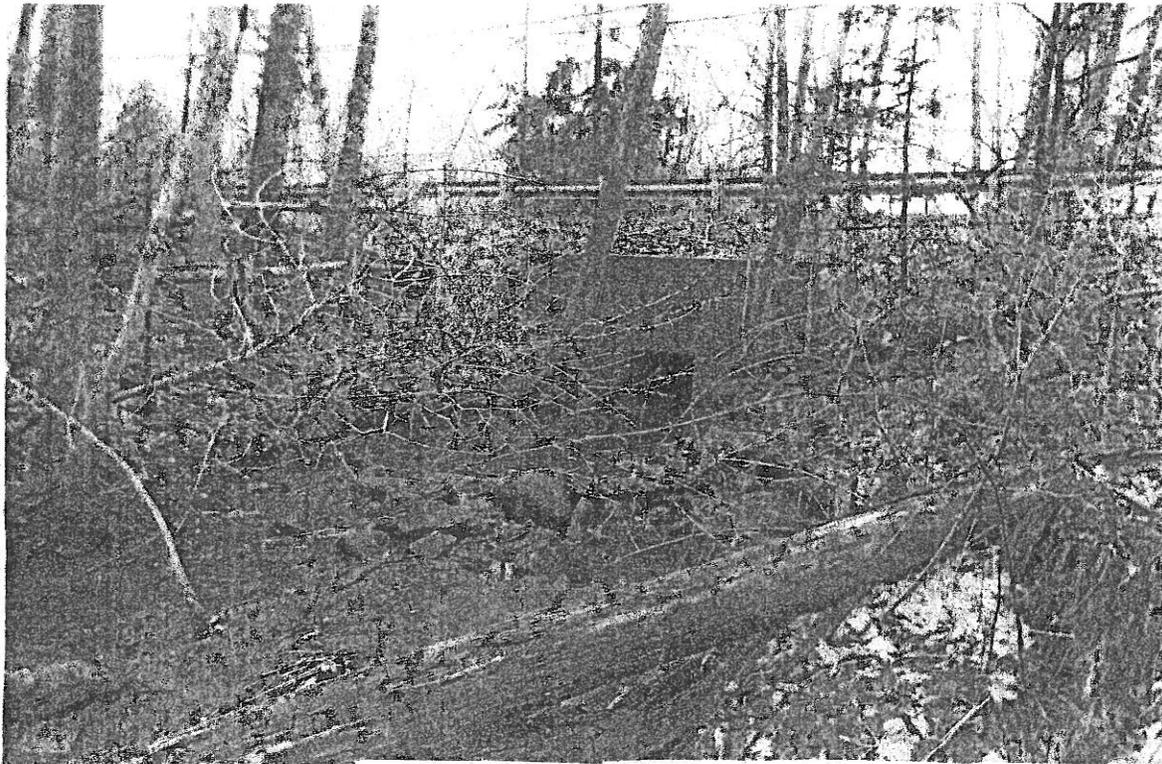


*Photo 2 Looking south across back yard and toward the residence. Note flagstone patio in front of the residence.*

*April 2015- Becker Site, 11 Grandview Ave., Bedford, NY*



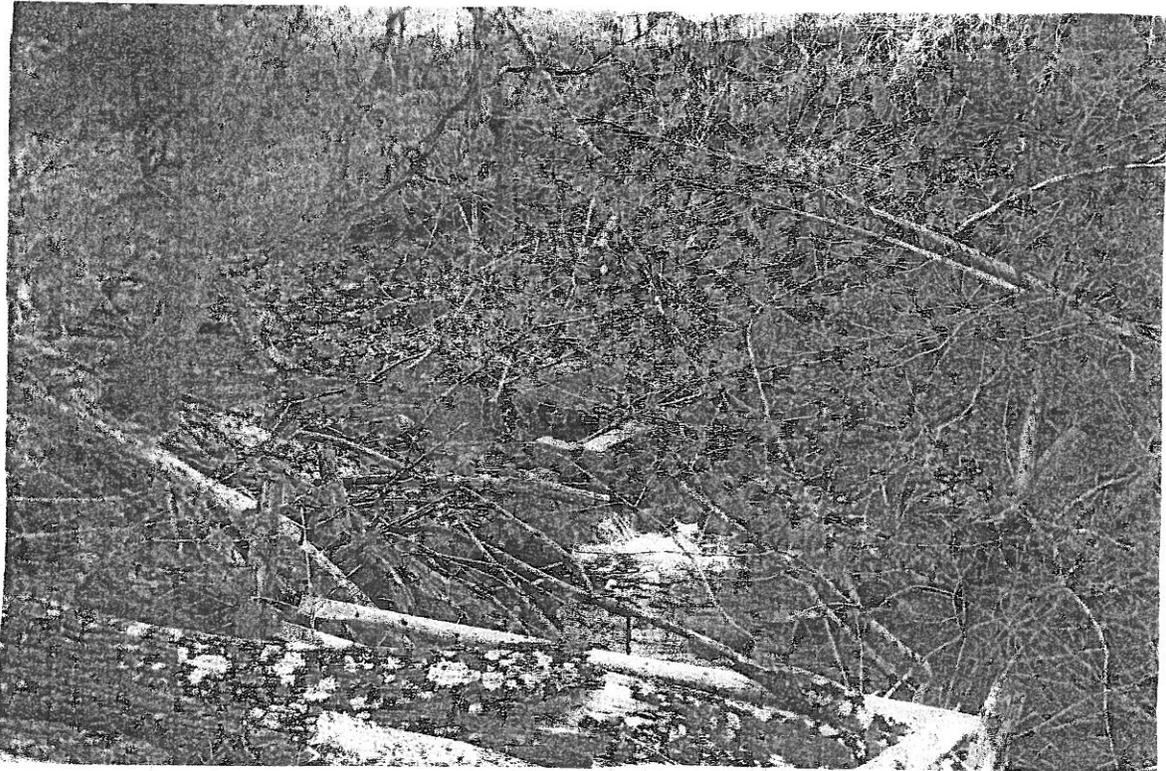
*Photo 3 Looking easterly and across slope along base of moderately steep sloping woodland where it meets brook.  
Note wood rail and post fence w/ attached metal mesh fencing.*



*Photo 4 Looking westerly and upstream toward point where brook enters the site.  
April 2015- Becker Site, 11 Grandview Ave., Bedford, NY*



*Photo 5 Looking easterly and downstream along brook.*

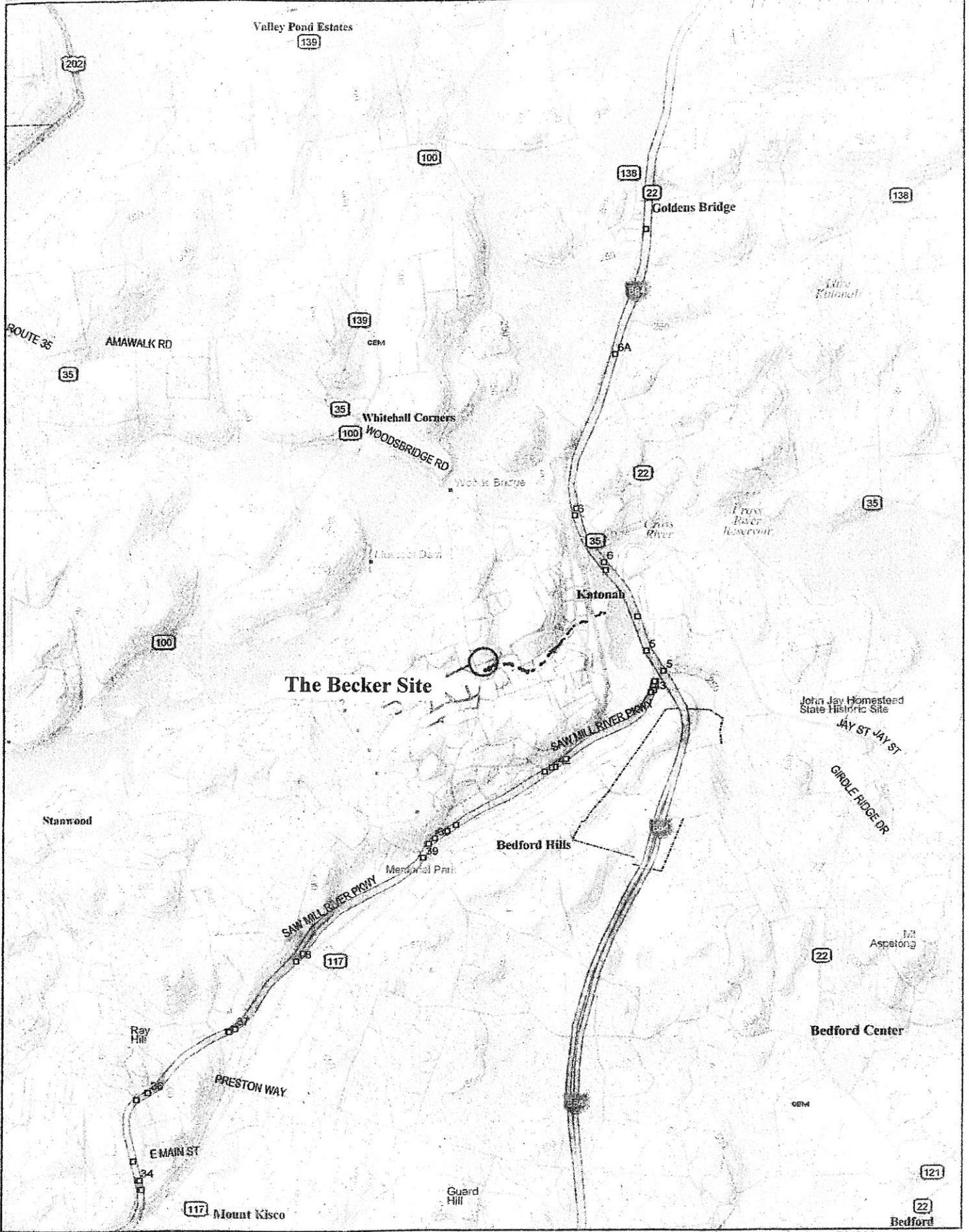


*Photo 6 Looking northwest and downslope toward stone and masonry dam with spillway crossing the brook at a point near the northeast corner of the site.*

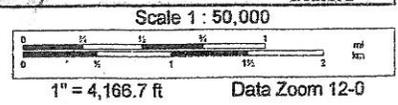
*April 2015- Becker Site, 11 Grandview Ave., Bedford, NY*

**Appendix II**

Regional Drainage Map



Data use subject to license.  
 © 2004 DeLorme. Topo USA® 5.0.  
 www.delorme.com



**Appendix III**

New York State  
Dept. of Environmental Conservation  
Wetland Map



Search	Layers & Legend	Tell Me More...
Need a Permit?	Contacts	Help

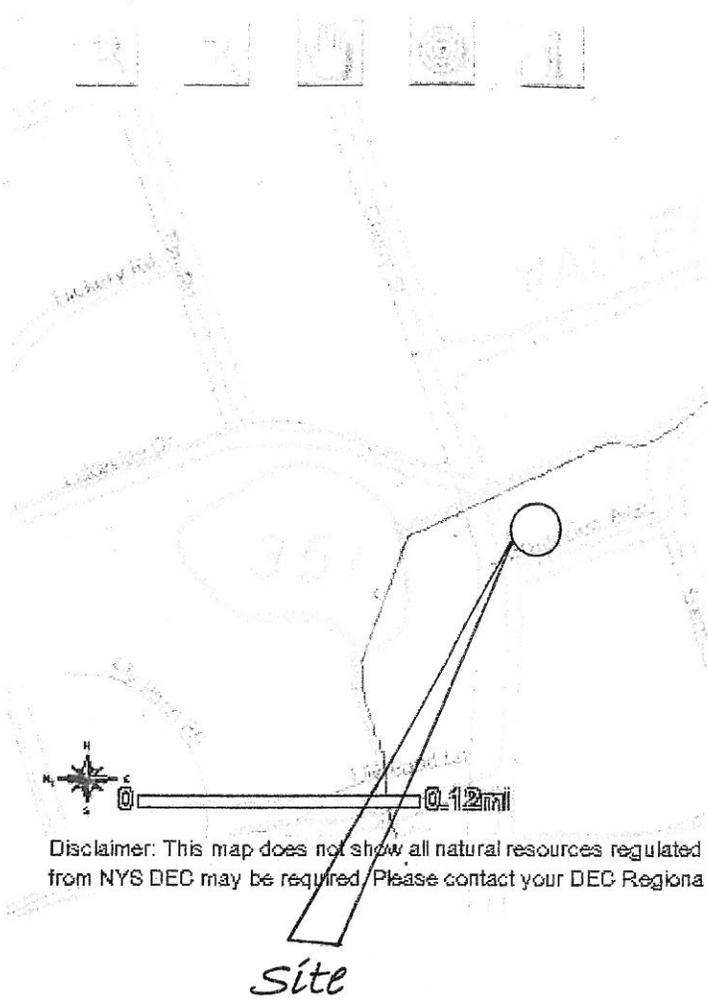
### Map Layers & Legend

More layers appear as you zoom in.

- Classified Water Bodies
- Unique Geological Features
- Classified Water Bodies
- State-Regulated Freshwater Wetlands
- Wetland Checkzone ?
- Rare Plants and Rare Animals
- Significant Natural Communities
- Natural Communities Vicinity ?
- Background Map
- Adirondack Park Boundary
- Counties

Click "Refresh Layers" to activate and deactivate layers.

Refresh Layers



## Appendix IV

### Soil Boring Logs

#### KEY TO BORING LOGS

SS-1

SOIL BORING

0-4''

DEPTH IN INCHES FROM  
THE GROUND SURFACE

COLOR

MUNSELL COLOR NOTATION

VERY DARK GRAY

HUE      VALUE/ CHROMA  
10YR      3 / 1

SS-1

SITE: VERY GENTLY SLOPED TO NEARLY LEVEL EDGE OF LAWN AND LANDSCAPE MULCH BED.

- 0-3"            DARK GRAY BROWN 10YR 4/2 LOAM.
- 3-10"           BROWN 10YR 4/3 VERY FINE SANDY LOAM.
- 10-28"          LIGHT YELLOW BROWN 2.5Y 6/4 VERY FINE SANDY LOAM  
WITH 2% GRAVEL.

WATER TABLE NOT ENCOUNTERED.

SS-2

SITE: VERY GENTLY SLOPED LIGHTLY WOODED LAND NEAR EDGE OF BACK YARD ABOVE BROOK; THIN TREE CANOPY OF SUGAR MAPLE; WOODLAND FLOOR COVERED WITH LEAF AND TWIG LITTER.

- 0-2"            DARK BROWN 10YR 3/3 LOAM MIXED WITH PARTIALLY  
DECOMPOSED LEAVES.
- 2-8"            BROWN 10YR 4/3 LOAM.
- 2-20"           YELLOW BROWN 10YR 5/6 VERY FINE SANDY LOAM WITH 1%  
GRAVEL.
- 20-30"          LIGHT YELLOW BROWN 2.5Y 6/4 VERY FINE SANDY LOAM  
WITH 1% GRAVEL.

WATER TABLE NOT ENCOUNTERED.

SS-3

SITE: NEAR BASE OF SLOPED WOODLAND AREA; THIN TREE CANOPY OF SUGAR MAPLES; COMMON SHRUB UNDERSTORY OF WINGED EUONYMUS; TWIG AND LEAF LITTER COVERS WOODLAND FLOOR.

- 0-3"            VERY DARK GRAY 10YR 3/1 LOAM.
- 3-13"           BROWN 10YR 4/3 LOAM.
- 13-28"          YELLOW BROWN 2.5Y 6/4 FINE SANDY LOAM WITH 2%  
GRAVEL.

WATER TABLE NOT ENCOUNTERED.

TOWN OF BEDFORD - WETLANDS CONTROL COMMISSION

Application for Permit

Identification of Owner(s):

Name(s) of owner(s) [as shown on Deed]: Matthew Tyman

Mailing Address: 700 Old Post Rd Bedford, NY 10506

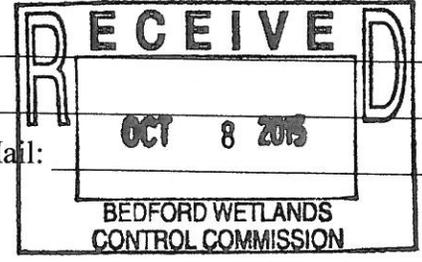
Phone: 914-439-2074 (home); Fax: E-Mail: matthew.tyman@priceline.com

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

Name of Applicant:

Mailing Address:

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



Professional Preparing Site Plan:

Name /Address: Glenn Ticehurst

Phone: 914-234-9666 Fax: E-Mail: glenn@BTlandarch.com

Identification of Property:

Bedford Tax Map Designation: Section 73.19 Block 1 Lot 23 Area R-2A 2.1

Zoning District: R-2A Project Address: 700 Old Post Rd Bedford, NY 10506

Approximate year of construction of any structure: 2010

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

Dates of any prior Wetlands Control Commission permits: 10/7/14

Identify any other Town of Bedford approvals required:

Identify any other governmental approvals required:

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

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

2 month extension of permit to install driveway in wetlands area

Proposed Project Start Date: 10/14/15 Estimated Date of Completion: 12/15/15

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): Matthew Tyman / Homeowner M Tyman Date: 10/7/15

Print name/title: M Tyman Date:

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

**WETLANDS CONTROL COMMISSION  
Town of Bedford  
Westchester County, New York  
WCC PERMIT RESOLUTION NO. 14/18  
Amendment No. 1 to Resolution No. 13/29  
Time Extension  
Installation of Belgian Block Apron, Stone Columns  
with Entry Gates and Flexi Pave to Existing Driveway;  
Installation of Six-Foot Deer Fence around Portion of Property**

**Matthew Tynan**

**WHEREAS**, Matthew Tynan (the “Applicant”) submitted an Application for Time Extension and Permit Reinstatement dated and received 7/23/14, for an extension of the permit (the “Permit”) heretofore granted by the Wetlands Control Commission (the “Commission”) of the Town of Bedford (the “Town”), County of Westchester, State of New York; and

**WHEREAS**, the Applicant proposes to perform certain work (the “Project”) at the Applicant’s property (the “Property”) commonly known as 700 Old Post Road, Katonah, Town of Bedford, County of Westchester, State of New York, which Property is more particularly described in the Applicant’s deed; and

**WHEREAS**, the Project consists of the installation of Belgian block apron, stone columns with entry gates and flexi pave to existing driveway; installation of six-foot deer fence around portion of property; and

**WHEREAS**, the Property is designated on the Town’s Tax Maps as Section 73.19, Block 1, Lot 23 and is located in an R-2A zone; and

**WHEREAS**, all or a portion of the Project is located in Wetlands and/or 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 Commission adopted its Resolution No. 13/29 (the “Prior Resolution”) on 10/7/13 (with expiration date of 10/7/14) which granted the Permit to allow the Applicant to carry out the Project subject to the conditions set forth in the Prior Resolution; and

**WHEREAS**, the Extension Request was received later than the deadline provided under the Town’s Freshwater Wetlands Law (the “Law”), which is not less than sixty days prior to the expiration of the Permit which the Commission granted to the Applicant initially under the Prior Resolution; and

**WHEREAS**, due to the late submission of the Extension Request, the Applicant submitted payment to the Town of Bedford in the amount of \$100 representing the fee for late filing of the Extension Request; and

**NOW, THEREFORE, BE IT RESOLVED** that the Commission hereby grants the Time Extension Request and Permit Reinstatement until 10/7/15, subject to the following conditions:

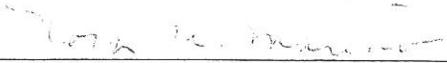
1. All of the previous conditions of the original permit shall be carried forward to this Extension and Reinstatement.
2. There are to be no changes or alterations to the original plan approved by this Commission without the prior approval of the Commission.
3. The Project shall be carried out in accordance with the approved Plan.
4. 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. The Town Environmental Consultant shall inspect the Project and determine that the Project has been completed in compliance with the conditions of the Resolution.
5. The Permit granted under this Resolution shall expire on the completion of the Project or on 10/7/2015, 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.
6. 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.
7. 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 Commission at its 12/1/14 meeting approved this Resolution No. 14/18, as Amendment No. 1 to Resolution No. 13/29, by the unanimous vote of the following members: Andrew Messinger, Carol Parker, Fiona Mitchell, Don B. Scott and John Stockbridge.

  
Andrew Messinger  
Chairman

Dated as of December 1, 2014

The foregoing is certified to be a true copy of the Resolution of the Wetlands Control Commission of the Town of Bedford and was filed in the Office of the Clerk of the Town of Bedford on January 21, 2013.

  
\_\_\_\_\_  
Nora H. Marino  
Wetlands Commission Secretary

**Town Of Bedford - Wetlands Control Commission**

**Original WCC Permit Resolution No.:** 13/29 **Approved:** 10/07/13 **Expires:** 10/07/14

**Application for:**

XXX **Reinstatement** (Late Request fee of \$100 is required)

XXX **Time Extension** (Extension request must be submitted not less than 60 days prior to the expiration date of the resolution being extended, otherwise, a Late Request Fee of \$100 is required.)

         **Amendment to Approved Plan (of Original Resolution)** (9 sets of revised documents are required.)

**Office use only: All checks payable to "Town of Bedford"**

A) \$100 Late Request Fee received on 10/03/14 Ck. # 160 dated 10/01/14 from: Matthew N. Tynan

B) Escrow Account # 3527 Balance as of 10/03/14 = \$250 (\$200 Minimum Required)

\$          Escrow Fee received on   /  /   Ck. #          dated   /  /   from:         

**1. Identification of Owner(s):**

Name(s) of Current Owner(s): Matthew Tynan

Mailing Address: 700 Old Post Road, Bedford, NY 10506

Phone: (203)299-8487(home)         (work); Fax:          E-Mail: Matthew.Tynan@Priceline.com

Name of Owner(s) of Property at Time of Original Approval (If different than current owner):         

(In the case of a change of ownership, a copy of the deed is to be provided evidencing the applicant's ownership of the property.)

**2. Identification of Applicant (if other than Owner(s)):**

Name of Applicant:         

Address:         

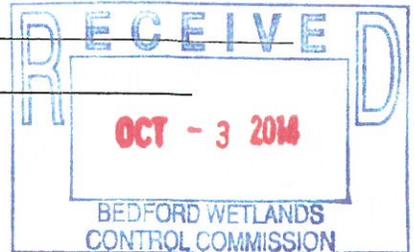
Phone:          (home)          (work); Fax:          E-Mail:         

**3. Identification of Property:**

Bedford Tax Map Designation: Section 73.19 Block 1 Lot 23 Area 2.075 acres

Zoning District: R-2A Project Address: 700 Old Post Road, Bedford, NY

Approximate year of construction of any structure: 2015



**4. Project Description (as listed in the original resolution):** Installation of Belgian Block Apron, Stone Columns with Entry Gates and Flexi Pave to Existing Driveway; Installation of Six-Foot Deer Fence Around Portion of Property

**5. (a) Reason(s) for Reinstatement/Time Extension Request:** The paved tire tracks have not yet been completed as funds were diverted to higher priority projects

**(b) Length of Time Extension Requested:** One Year

**6. Proposed Amendment to Approved Plan:**

**7. Proposed Project Start Date:** Summer 2015

**8. History of Amendments to the Original Resolution:** (Reinstatement/Time Extension/Amendment to Approved Plan)

Res. No. \_\_\_/\_\_\_ Am. #\_\_\_ Approved on: \_\_\_/\_\_\_/\_\_\_ Expiration Date: \_\_\_/\_\_\_/\_\_\_

Type of Amendment: \_\_\_\_\_

Res. No. \_\_\_/\_\_\_ Am. #\_\_\_ Approved on: \_\_\_/\_\_\_/\_\_\_ Expiration Date: \_\_\_/\_\_\_/\_\_\_

Type of Amendment: \_\_\_\_\_

Res. No. \_\_\_/\_\_\_ Am. #\_\_\_ Approved on: \_\_\_/\_\_\_/\_\_\_ Expiration Date: \_\_\_/\_\_\_/\_\_\_

Type of Amendment: \_\_\_\_\_

**9. Conditions of Original Resolution To Be Met Prior to Commencement of Work:**

Conditions to be met prior to commencement of work have been met. \_\_\_\_\_

**10. Condition(s) – if any – added to Amendments to Original Resolution:**

Condition No: \_\_\_\_\_ Res. \_\_\_/\_\_\_ Approved: \_\_\_/\_\_\_/\_\_\_ Description: \_\_\_\_\_

Date Completed: \_\_\_/\_\_\_/\_\_\_

Condition No: \_\_\_\_\_ Res. \_\_\_/\_\_\_ Approved: \_\_\_/\_\_\_/\_\_\_ Description: \_\_\_\_\_

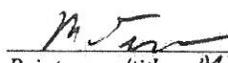
Date Completed: \_\_\_/\_\_\_/\_\_\_

**11. Declarations:**

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).

Reinstatement and/or Time Extension Only: By signing below, the owner(s) hereby certifies that there have been no changes in the plans which the Commission approved under the original resolution.

**12. Signatures:**

Signature of owner(s):   
All owners must sign Print name/title: Matthew Tylan, Homeowner

Date: 10/3/14

Print name/title: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of applicant (if different): \_\_\_\_\_

Print name/title: \_\_\_\_\_

Date: \_\_\_\_\_

**WETLANDS CONTROL COMMISSION  
Town of Bedford  
Westchester County, New York  
WCC PERMIT RESOLUTION NO. 13/29  
Installation of Belgian Block Apron, Stone Columns with Entry Gates  
and Flexi Pave to Existing Driveway;  
Installation of Six-Foot Deer Fence Around Portion of Property**

**Matthew Tynan**

**WHEREAS**, Matthew Tynan (the “Applicant”) proposes to perform certain work (the “Project”) at the Applicant’s property (the “Property”) commonly known as 700 Old Post Road, Katonah, 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 Project consists of the installation of Belgian block apron, stone columns with entry gates and Flexi Pave to existing driveway; installation of six-foot deer fence around portion of the property; and

**WHEREAS**, the Property is designated on the Town’s Tax Maps as Section 73.19, Block 1, Lot 23 and is located in an R-2A zone; and

**WHEREAS**, all or a portion of the Project is located in Wetlands and/or 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”) titled prepared by Benedek & Ticehurst Landscape Architects & Site Planners, P.C., (the “Applicant’s Consultant”), dated 8/28/13, revised 9/26/13, titled:  
Dwg. No. S-1 “Preliminary Site Plan”  
Dwg. No. D-1 “Details;” and

**WHEREAS**, the Applicant also submitted the following items with the Application:

- 1) Short Environmental Assessment Form;
- 2) The Applicant’s deed to the Property, dated 3/25/11, from John P. Sherlock, III, to Matthew Tynan;

- 3) Cover letter from Seth Ticehurst, RLA, Benedek & Ticehurst Landscape Architects & site Planners, P.C., dated 9/5/13;
- 4) Wetlands Survey, prepared by Paul J. Jaehnig, Wetlands and Soils Consulting, dated 9/5/13; and
- 5) Partial Topography and Survey of Property, prepared by H. Stanley Johnson and Company Land Surveyors, P.C., dated June 8/18/04, last revised 11/15/12, delineating the Wetlands and Wetland/Watercourse Buffer, as flagged in the field on 7/30/07 by Paul J. Jaehnig Wetland and Soil Consulting.

**WHEREAS**, the Commission and the Town Environmental Consultant conducted a site inspection (the "Site Inspection") of the Project and the Property on 9/19/2013; and

**WHEREAS**, the Town Environmental Consultant submitted to the Commission her verbal recommendations (the "Consultant's Recommendations") to the effect that subject to the conditions of this Resolution, the Project will not result in any adverse impact on the Protected Areas; and

**WHEREAS**, the Commission at its meeting on 10/7/2013, further reviewed the Application, the Consultant's Recommendations 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.

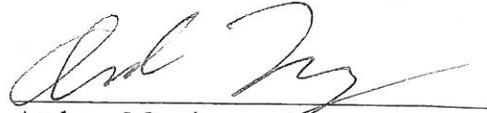
**WHEREAS**, the Commission further has determined that the Project, subject to the conditions set forth in this Resolution, would not have a significant effect on the environment as defined in the New York State Environmental Quality Review Act (SEQRA).

**NOW, THEREFORE, BE IT RESOLVED**, that the Commission hereby issues a negative declaration pursuant to SEQRA.

**BE IT FURTHER RESOLVED** that the Commission hereby grants the Permit for one year from the date of the approval of this resolution, subject to the following conditions:

1. No obstructions or impediments shall be installed that would interfere with the migration or movement of reptiles or amphibians from the pond to the upland area of the Applicant's property.
2. The Applicant shall submit a plan describing and noting the manner in which electricity will be provided to the gates and the driveway heating system to the Town Environmental Consultant for review and approval before installation. A copy of the plan shall also be submitted to the Wetlands Office.
3. The Project shall be carried out in accordance with the approved Plan.
4. 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. The Town Environmental Consultant shall inspect the Project and determine that the Project has been completed in compliance with the conditions of the Resolution.
5. The Permit granted under this Resolution shall expire on the completion of the Project or on 10/7/2014, 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.
6. 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.
7. 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 Commission approved this Resolution No. 13/29 at its 10/7/2013 meeting by the unanimous vote of the following members: Andrew Messinger, Carol Parker, Fiona Mitchell, Don B. Scott and John Stockbridge.

  
Andrew Messinger  
Chairman

Dated as of October 7, 2013

The foregoing is certified to be a true copy of a Resolution of the Wetlands Control Commission of the Town of Bedford and was filed in the Office of the Clerk of the Town of Bedford on 11/6/2013.

  
Anne Paglia  
Wetlands Commission Secretary



October 22, 2015

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

RE: Miller Residence  
132 Hook Road  
Bedford, New York  
Wetland Permit Application

Dear Chairman Messinger and Members of the Commission:

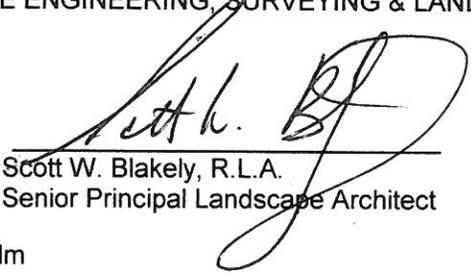
Please find enclosed an application for a reinstatement and extension of Wetlands Control Commission Permit Resolution No. 13/27, approved on October 7, 2013 and expired on October 7, 2015. We have also enclosed a copy of the Commission's Resolution of Approval. The construction of the residence, driveway, retaining walls, stormwater improvements wetland mitigation plantings and site stabilization has been completed and signed off by the Town's Environmental Consultant. The applicant requests to extend the permit for 2 years to install the pool at a later date, within 2 years.

If you have any questions or comments or require additional information, please feel free to contact our office.

Very truly yours,

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

By:

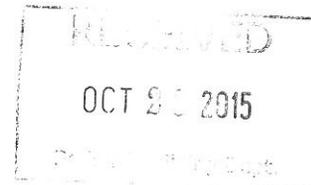
  
\_\_\_\_\_  
Scott W. Blakely, R.L.A.  
Senior Principal Landscape Architect

JJC/dlm

Enclosure(s)

cc: Tyler & Katie Miller, enclosures via email  
Ralph Mackin, AIA, enclosures via email  
Michael Sirignano, ESQ., enclosures via email  
Beth Evans, enclosures via email

Insite File No. 13134.100



**Town Of Bedford - Wetlands Control Commission**

Original WCC Permit Resolution No.: 13/27 Approved: 10/7/13 Expired: 10/7/15

**Application for:**

- Reinstatement** (Late Request fee of \$100 is required)
- Time Extension** (Extension request must be submitted not less than 60 days prior to the expiration date of the resolution being extended, otherwise, a Late Request Fee of \$100 is required.)
- Amendment to Approved Plan (of Original Resolution)** (9 sets of revised documents are required.)

**Office use only: All checks payable to "Town of Bedford"**

A) \$100 Late Request Fee received on \_\_\_/\_\_\_/\_\_\_ Ck. # \_\_\_ dated \_\_\_/\_\_\_/\_\_\_ from: \_\_\_\_\_

B) Escrow Account # \_\_\_ Balance as of \_\_\_/\_\_\_/\_\_\_ = \$ \_\_\_\_\_ (\$200 Minimum Required)

\$ \_\_\_\_\_ Escrow Fee received on \_\_\_/\_\_\_/\_\_\_ Ck. # \_\_\_ dated \_\_\_/\_\_\_/\_\_\_ from: \_\_\_\_\_

**1. Identification of Owner(s):**

Name(s) of Current Owner(s): TYLER & KATHLEEN MILLER

Mailing Address: 132 Hook RD, BEDFORD, NY 10506

Phone (212) 526-5770 (home); (work); Fax: \_\_\_\_\_ E-Mail: tyler.miller@barclays.com

Name of Owner(s) of Property at Time of Original Approval (If different than current owner):  
SAME

(In the case of a change of ownership, a copy of the deed is to be provided evidencing the applicant's ownership of the property.)

**2. Identification of Applicant (if other than Owner(s)):**

Name of Applicant: SAME AS OWNER

Address: \_\_\_\_\_

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

**3. Identification of Property:**

Bedford Tax Map Designation: Section 73.10 Block 1 Lot 11 Area 4.0 AC

Zoning District: R-4A Project Address: 132 Hook Rd, Bedford, NY 10506

Approximate year of construction of any structure: NEW HOUSE CONSTRUCTED IN 2015

**4. Project Description (as listed in the original resolution):** construction of a single family residence and associated improvements as depicted on a site plan prepared by Insite Engineering.

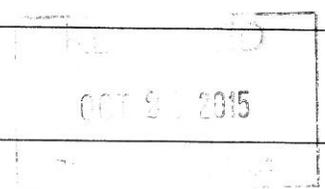
**5. (a) Reason(s) for Reinstatement/Time Extension Request:** applicant intends to install the pool at a later date, within 2 years

**(b) Length of Time Extension Requested:** 2 years

**6. Proposed Amendment to Approved Plan:**

none

**7. Proposed Project Start Date:** To be determined







**Town of Bedford  
Wetlands Control Commission**

425 Cherry Street • Bedford Hills, New York 10507  
Tel: (914) 666-5140 • Fax: (914) 666-2026  
E-Mail: Wetlands@BedfordNY.Info

*Andrew Messinger, Chairman  
Carol Parker, Vice Chairman*

*Anne Paglia, Secretary*

*Members:  
Fiona Mitchell  
Don B. Scott  
John Stockbridge*

November 6, 2013

Tyler and Kathleen Miller  
532 Cantitoe Street  
Bedford, New York 10506

Re: Wetlands Control Commission Permit  
Section 73.10 Block 1 Lot 11, R-4A Zone  
132 Hook Road, Bedford  
Owners/Applicants: Miller, Tyler and Kathleen

Dear Mr. and Mrs. Miller:

Enclosed please find a certified copy of Permit Resolution No. 13/27 adopted by the Wetlands Control Commission at its meeting held on October 7, 2013. This resolution was filed with the Town Clerk November 6, 2013.

Sincerely,

Anne Paglia, Secretary  
Bedford Wetlands Control Commission

Enclosure

cc: Scott W. Blakely  
Ralph R. Mackin, Jr., Architects  
Stephen W. Coleman

**WETLANDS CONTROL COMMISSION**  
**Town of Bedford**  
**Westchester County, New York**  
**WCC PERMIT RESOLUTION NO. 13/27**  
**Construction of Single-Family Residence and Associated Improvements**

**Tyler and Kathleen Miller**

**WHEREAS**, Tyler and Kathleen Miller (collectively, the "Applicant") propose to perform certain work (the "Project") at the Applicant's property (the "Property") commonly known as 132 Hook Road, Bedford, 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 Project consists of the construction of a single-family residence and associated improvements; and

**WHEREAS**, the Property is designated on the Town's Tax Maps as Section 73.10, Block 1, Lot 11 and is located in an R-4A zone; and

**WHEREAS**, all or a portion of the Project is located in Wetlands and/or 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") prepared by Insite Engineering, Surveying & Landscape Architecture, P.C. (the "Applicant's Consultant"), dated 7/3/13, last revised 9/10/13; titled:

Dwg. No. SP-1	"Layout Plan"
Dwg. No. SP-2	"Grading & Drainage Plan"
Dwg. No. SP-3	"Erosion & Sediment Control Plan"
Dwg. No. WM-1	"Wetland mitigation Plan"
Dwg. No. D-1	"Details"
Dwg. No. D-2	"Details;" and

**WHEREAS**, the Applicant also submitted the following items with the Application:

- 1) Short Environmental Assessment Form;

- 2) First American title Insurance Company Title Policy No. 675-W-4179, dated 5/1/13, with respect to the Property;
- 3) The Applicant's deed to the Property, dated 6/19/13, from Marc L. Stern and Eva S. Stern to Tyler Miller and Kathleen Miller;
- 4) Wetlands Delineation, prepared by Stephen W. Coleman Environmental Consulting, dated 5/24/13;
- 5) Invoice No. 105 from All-Pro Rooter, Inc. dated 8/10/12, for installation of new septic tank;
- 6) Set of plans (8 pages) prepared by Ralph R. Mackin, Jr. Architects, dated 6/12/13, titled:
  - Dwg. No. A.0 "Foundation Plan"
  - Dwg. No. A.1 "First Floor Plan"
  - Dwg. No. A.2 "Second Floor Plan"
  - Dwg. No. A.3 "Attic Floor Plan"
  - Dwg. No. A.4 "Building Elevations"
  - Dwg. No. A.5 "Building Elevations"
  - Dwg. No. A.6 "Detached Garage Plan & Elevation"
  - Dwg. No. A.7 "Accessory Building Plans & Elevations."
- 7) Stormwater Pollution Prevention Plan prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated 9/10/13; and
- 8) Survey of the Property, prepared by H. Stanley Johnson and Company Land Surveyors, P.C., dated 5/31/13.

**WHEREAS**, the Commission and the Town Environmental Consultant conducted a site inspection (the "Site Inspection") of the Project and the Property on 7/18/2013; and

**WHEREAS**, the Town Environmental Consultant submitted to the Commission her verbal recommendations (the "Consultant's Recommendations") to the effect that subject to the conditions of this Resolution, the Project will not result in any adverse impact on the Protected Areas; and

**WHEREAS**, the Commission at its meetings on 8/5/2013 and 10/7/2013, further reviewed the Application, the Consultant's Recommendations 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).

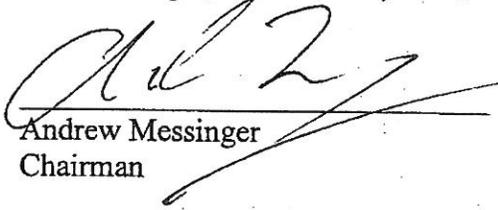
**NOW, THEREFORE, BE IT RESOLVED**, that the Commission hereby issues a negative declaration pursuant to SEQRA.

**BE IT FURTHER RESOLVED** that the Commission hereby grants the Permit for two years from the date of the approval of this resolution, subject to the following conditions:

1. The Applicant will confirm in writing through the offices of a licensed engineer that the proposed infiltrators located to the south west of the swimming pool will be able to handle a twenty per cent drawdown of the pool water.
2. All drawdown for winterization or maintenance of the pool shall be drained into the noted infiltrators. A note shall be attached to the final plans requiring drainage into the infiltrators and not into the regulated wetlands or wetlands buffer.
3. The pool sanitation system shall not be a standard chlorination system and shall provide for an absence of backwashing and drainage into the regulated area.

4. 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.
5. The Project shall be carried out in accordance with the approved Plan.
6. 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 has inspected the Project and has determined that the Project has been completed in compliance with the conditions of the Resolution.
7. The Permit granted under this Resolution shall expire on the completion of the Project or on 10/7/2015, 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.
8. 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.
9. 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 Commission approved this Resolution No. 13/27 at its 10/7/2013 meeting by the unanimous vote of the following members: Andrew Messinger, Carol Parker, Fiona Mitchell, Don B. Scott and John Stockbridge.

  
Andrew Messinger  
Chairman

Dated as of October 7, 2013

The foregoing is certified to be a true copy of a Resolution of the Wetlands Control Commission of the Town of Bedford and was filed in the Office of the Clerk of the Town of Bedford on 11/16/2013.

  
Anne Paglia  
Wetlands Commission Secretary