

TOWN OF PHILIPSTOWN
PUTNAM COUNTY, NEW YORK

238 Main Street
Cold Spring, NY, 10516
(845) 265-5202

APPLICATION FOR WETLANDS PERMIT

Note to Applicant:

Submit the completed application to the appropriate permitting authority. The application for Wetlands Permit should be submitted simultaneously with any related application (e.g., subdivision approval, site plan approval, Special Use Permit, etc.), being made to the permitting authority.

(Office Use Only)

Application # WL21-338 Permitting Authority _____
Received by: RJ
Date 3/30/21 Conservation Board
Fee ? received ck for 125.00 _____ Wetlands Inspector
ck # 883

Pursuant to Chapter 93 of the Code of the Town of Philipstown, entitled "Freshwater Wetlands and Watercourse Law of the Town of Philipstown" (Wetlands Law), the undersigned hereby applies for a Wetlands Permit to conduct a regulated activity in a controlled area.

1. Owner: Name: Edward J. Mackin
Address: 547 East Mountain Rd. South, Cold Spring, NY 10516
Telephone: (845) 265-6515

If Corporation, give names of officers:

Mailing Address: _____

2. Name of Agent (N/A)
(Applicant must be owner of the land. The Application may be managed an authorized agent of such person.)

Mailing Address: _____

Telephone: _____

3. Location of Proposed Activity:

547 East Mountain Rd. South, Cold Spring, NY 10516

Tax Map #: 17-3-8

Acreage of Controlled Area Affected: 0.000021

Square footage of soil disturbed by the entire project: Driveway is 8500 ft². It is a driveway, not soil and it will be covered with gravel.

4. Type of Activity: (See list of regulated activities)

Installation of a layer of gravel/Item 4 on existing driveway to replace what has been worn away by 10 yrs of traffic and snow plowing of driveway.

5. Other permit(s) required and agency or agencies responsible for granting such permits such as but not limited to P.C.B.O.H, N.Y.D.E.C, Army Core of Engineers, EPA, DOT, Building Dept. Planning Board, and Z.B.A.

N/A

6. Each copy of this application shall be accompanied by:

a. A detailed description of the proposed activity and a comparison of the activity to the criteria for approval specified in §93-8 of the Wetlands Law. (See below)

b. A completed short form environmental assessment form (*included in the application folder*)

c. A map prepared by a licensed surveyor, landscape architect or engineer showing:

1. The controlled area(s) wetland buffer zone 100 feet from the edge of any wetlands, lakes, ponds or streams on the site;

2. Any wetland or watercourse therein and the location thereof;

3. The location, extent, and nature of the proposed activity.

D. The names of claimants of water rights in the wetland or watercourse of whom the applicant has record notice and the names and addresses of all owners of record of properties abutting and directly across from the proposed activity as shown on the latest tax record.

(Note: Any map, plat or plan showing the above information that is required to be submitted for any other permit or approval in connection with the regulated activity, and that is acceptable to the Permitting Authority, may be used.)

Date: 3/28/2021

Signature of Applicant:

Edward J. M.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: <i>Mackin Driveway</i>			
Project Location (describe, and attach a location map): <i>547 E. Mountain Rd. So. Cold Spring, NY 10516</i>			
Brief Description of Proposed Action: <i>Installation of a Layer of gravel/Item 4 on existing driveway to replace what has been worn away by 10 yrs. of traffic and snow plowing of driveway.</i>			
Name of Applicant or Sponsor: <i>Edward J. Mackin</i>		Telephone: <i>(845) 265-6515</i>	
		E-Mail: <i>edmackin@optonline.net</i>	
Address: <i>547 East Mountain Road South</i>			
City/PO: <i>Cold Spring</i>		State: <i>NY</i>	Zip Code: <i>10516</i>
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?		<i>0,0000021</i> acres	
b. Total acreage to be physically disturbed?		<i>0,0000021</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u><i>2.79</i></u> 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			

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>Edward J. Mackin</u></p>	<p>Date: <u>3/28/2021</u></p>	
<p>Signature: <u>Edward J. Mackin</u></p>		

PRINT FORM

Mackin, Ed

From: Max Garfinkle <mgarfinkle@philipstown.com>
Sent: Monday, March 15, 2021 10:17 AM
To: Mackin, Ed
Subject: Re: Questions

Caution: This e-mail originated from outside of Phillips, be careful for phishing.

Hi Ed,

You will need to submit the permit paperwork for a wetlands permit, but it will likely be a project of minor significance. I can make that determination once I see the scope of what is proposed.

I am still working with your neighbor to resolve the situation.

Thanks,

Max

On Sat, Mar 13, 2021 at 2:16 PM Mackin, Ed <ed.mackin@philips.com> wrote:
Hi Max,

I am in need of getting my driveway resurfaced (likely gravel). The many years of winter plow jobs have removed most of the gravel and has left only mud, so I need to bring in 2-4" cover of new gravel.

Since the driveway passes through wetlands, can I assume I will need a permit to re-gravel my driveway? If so, can you please advise what town wetlands paperwork and costs I can expect to encounter? Driveway is 700' long. Also, is this something I need to appear for?

Lastly, any update on the situation with my neighbor (Polich)? Thanks.

Ed Mackin
Cell - 914-204-2046
Ed.mackin@philips.com

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Max E. Garfinkle
Natural Resources Review Officer
Town of Philipstown
238 Main Street
Cold Spring, NY 10516
Phone (c): 845 490-1453
Phone (o): 845 265-3929
E-mail: mgarfinkle@philipstown.com

Outline of proposed activity

Installation of a layer of gravel/Item 4 on existing driveway to replace what has worn away by 10 years of traffic and snow plowing of driveway. Driveway size is approximately 700 feet long with a parking area at top of driveway. Affected area would be approximately 8,500 sq. ft. which is the equivalent to 0.000021 acres. Estimated amount of material need for the project is approximately 50 cubic yards based on an area of 8,500 sq. ft. and a depth of 2 ½ to 3 inches.

Names and addresses of owners of abutting properties

Paul Tonizawa
543 East Mountain Road South
Cold Spring, NY 10516

Name of homeowner unknown
542 East Mountain Road South
Cold Spring, NY 10516

George Polich
553 East Mountain Road South
Cold Spring, NY 10516

Detailed description of proposed activity and comparison to criteria for approval specified in 93-8 of Wetlands Law.

As stated above, I am looking to replace the gravel/Item 4 on my driveway which has been worn away by 10 years of traffic and snow plowing.

Comparison to criteria for approval –

- (1)– The activity will not have a substantial adverse effect upon the natural function and benefits of a wetland or watercourse as set forth on 93-2B

By replacing the gravel/Item 4 that was pre-existing for the past 15 years, this action will not have an adverse effect upon the natural function and benefits of a wetland or watercourse as set forth on 93-

2B since I would be replacing material that was already approved and in place since 2004.

(2)– The activity will not substantially change the natural channel of a watercourse or substantially inhibit the dynamics of a watercourse system

The addition of the gravel/Item 4 will in no way impact any watercourse or alter the dynamics of a watercourse since it does not interact with any watercourse.

(3)– The activity will not result in a degrading or pollution of waters
Since I do not believe grave/Item 4 is a pollutant, there would be no degrading or pollution of waters.

(4)– The activity will not result increase the potential for flooding
The replacement of the gravel/Item 4 will have no effect on the current situation with regards to flooding.

(5)– Sufficient provision has been made for control of pollution, erosion, siltation and sedimentation during and after conduct of the activity
I expect this will be a one-day project which will not create and pollution or erosion and therefore siltation and sedimentation should not be an issue.

(6)– No practicable alternative location is available on the subject parcel
I would venture to say moving the driveway is not an option so resurfacing it is the only option.

(7)– No additional technical improvements or safeguards can be reasonably added to the plan or activity which would minimize the impact on a controlled area

The installation of the gravel/Item 4 itself is a minimal activity as it is replacing the surface material on an existing driveway that has been in place for 15 years. No excavation will be done, only the addition of the layer of material on top of the existing driveway. The driveway will remain the exact same size, no larger, no smaller.

(8)– The activity will alleviate or remove a hazard to the public health or activity

Non-Applicable