

## Village of Mamaroneck Building Department

169 Mt. Pleasant Avenue Mamaroneck, N.Y. 10543 914-777-7731 Fax 914-777-7792 www.village.mamaroneck.ny.us

Application#			Permit#
	Building Per	mit Application	
NOT	E: Two sets of construction docu	ments must be submitted w	vith application.
1.Project address: 561 I	Lawn Terrace, Mamaroneck, NY 1	0543	
Zone R-7.5	Section 154.59	Block 1	Lot 14
Existing use Residential:	☑Single Family	☐ 2 Family	□ Other
Intended Use:	☐Single Family	☐ 2 Family	☑ Other
Existing Use Commercial:	☐ Multi Family, how many?	□ Retail □ Restau	rant 🗆 Business 🗆 Other
Intended Use:	☐ Multi Family, how many?	□ Retail □ Restaur	rant □ Business □Other
Is this a Non-Conforming U	Jse: ☐ Yes ☐ No (Pleas	se Specify)	
Estimated cost: \$66,850.0	0 Application	Fee: \$85.00	Permit Fee: \$1,139.00
2. Description of work:			
	12" by 3' by 6' reinforced concrete ing dock, and three 12" diameter st		
3. Owner's name and addre	ess:		
Gianna Krey 561 Lawn Te Mamaroneck			
		Phone	<b>#</b> : (914) 419-5438
4. Applicant name and add			
Post Office B	Sox 47		
Rowayton, C	T 06853-0047	E-Mail / Phone	<b>Address</b> : mrhilts@erols.com <b>#</b> : (4 <i>75</i> ) 441-1244 cell
5. Applicant Name (Please	e <b>print)</b> : Mr. John Hilts	Applicants Signa	ture:
6. Is this a new residential	house? ☐ Yes ☒No	□Addition □ A	Iteration
7.Is this a new commercia	al building? □ Yes ⊠No	☐ Addition ☐ A	lteration
8. Municipalsewer? Yes	Septic system? (if applic	able, attached Health Dept.	approval)
9. Is this structure within	the flood plain?	If yes, please file a Flood De	evelopment Permit
10. Is this project within the	e tidal wetland or buffer?	If yes, please file	a wetland activity permit.
11. Is this project within the	fresh water wetland or buffer?	☐ If yes, please file	a wetland activity permit.
12. Is there a disturbance of	fland greater than 1,000 square feet	? No□ If yes, please file a S	SWPPP permit per section 294.
13. Topography:   Flat	☐ Hilly ☐ Rocky	☐ Steep Incline	□ Other
14. Do you require any oth	er board approvals? If yes, please	check which boards you re	quire bellow.
□ BAR □ Z	Zoning □ Planning	☑ HCZM	□Other

	Architect/Engineer Name and Address:	Phone #(203) 913-0956			
	Mr. Scott B. Davies, P.E. Champion Engineering Post Office Box 1131 Southbury, CT 06498	E-Mail Addresschampengin2@aol.com			
16.	Contractor Name and Address:	Phone #(914) 934-9612			
	Concavage Marine Construction, Inc. 87 Fox Island Road Port Chester, NY 10573	E-Mail Addressconcavagemarine@aol.com			
17.	Electrician Name and Address:	Phone #			
		E-Mail Address			
		License #			
18	Plumbers Name and Address:	Phone #			
10.	Trainbers Hame and Hadress.	E-Mail Address			
		License #			
		Owner,   Contractor,   Agent or   Corporate Officer)  have performed the said work and to file this			
beli	ief, and that the work will be performed in the	e manner set forth in the application in the plans and			
beli spe		e manner set forth in the application in the plans and			
beli spe	ief, and that the work will be performed in the cification filed therewith and in full complian	e manner set forth in the application in the plans and ce with New York State Codes.			

## Short Environmental Assessment Form Part 1 - Project Information

#### **Instructions for Completing**

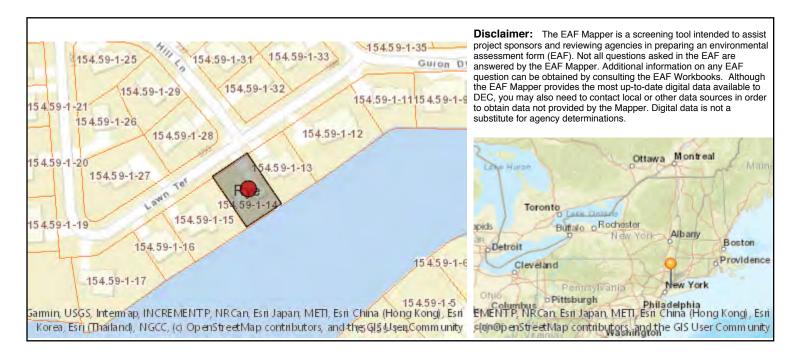
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

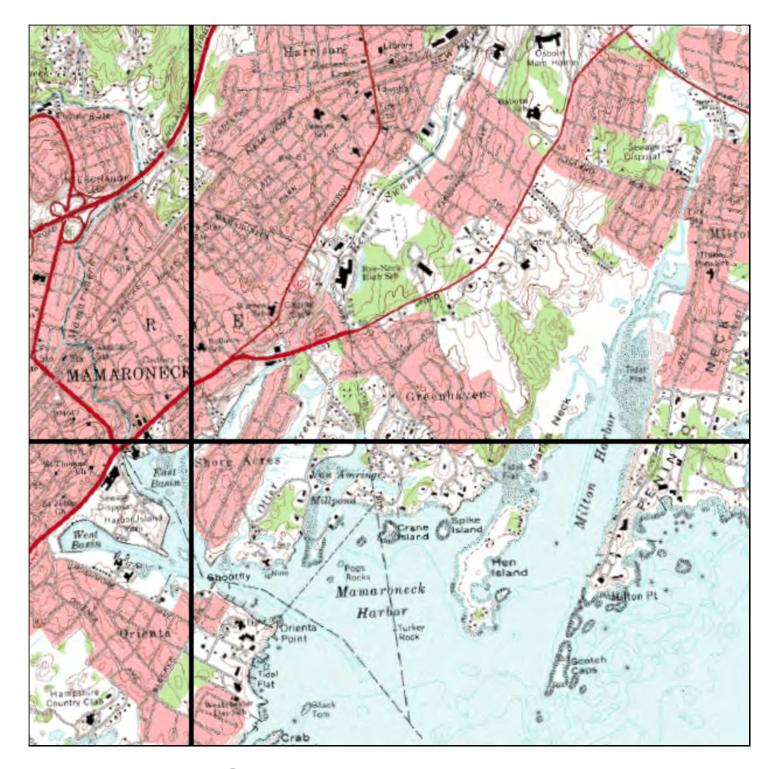
Part 1 – Project and Sponsor Information						
Name of Action or Project:						
Project Location (describe, and attach a location map):						
Brief Description of Proposed Action:						
Name of Applicant or Sponsor:	Telephone:	Telephone:				
	E-Mail:					
Address:						
City/PO:	State:	Zip Code:				
1. Does the proposed action only involve the legislative adoption of a plan, lo administrative rule, or regulation?	cal law, ordinance,	NO YES				
If Yes, attach a narrative description of the intent of the proposed action and the may be affected in the municipality and proceed to Part 2. If no, continue to qu		nat				
2. Does the proposed action require a permit, approval or funding from any of If Yes, list agency(s) name and permit or approval:	ther government Agency?	NO YES				
3. a. Total acreage of the site of the proposed action?  b. Total acreage to be physically disturbed?  c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?  acres  acres  acres						
4. Check all land uses that occur on, are adjoining or near the proposed action:						
5. Urban Rural (non-agriculture) Industrial Commer	cial Residential (subur	rban)				
☐ Forest Agriculture Aquatic Other(Sp☐ Parkland	pecify):					

5. Is the proposed action,	NO	YES	N/A		
a. A permitted use under the zoning regulations?					
b. Consistent with the adopted comprehensive plan?					
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape	27	NO	YES		
o. Is the proposed action consistent with the predominant character of the existing outle of natural fundscape	<u></u>				
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES		
If Yes, identify:					
			TIEG		
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES		
b. Are public transportation services available at or near the site of the proposed action?					
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed					
action?  9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES		
If the proposed action will exceed requirements, describe design features and technologies:					
10. Will the proposed action connect to an existing public/private water supply?		NO	YES		
		NO	TES		
If No, describe method for providing potable water:					
11. Will the proposed action connect to existing wastewater utilities?		NO	YES		
If No, describe method for providing wastewater treatment:					
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or distr	riot	NO	VEC		
which is listed on the National or State Register of Historic Places, or that has been determined by the	ict	NO	YES		
Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	ıe				
state register of fristone riaces.					
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?					
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:					

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:				
☐Shoreline ☐ Forest Agricultural/grasslands Early mid-successional				
Wetland □ Urban Suburban				
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or	NO	YES		
Federal government as threatened or endangered?				
16. Is the project site located in the 100-year flood plan?	NO	YES		
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES		
If Yes,				
a. Will storm water discharges flow to adjacent properties?				
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:				
18. Does the proposed action include construction or other activities that would result in the impoundment of water	NO	YES		
or other liquids (e.g., retention pond, waste lagoon, dam)?	110	TLS		
If Yes, explain the purpose and size of the impoundment:				
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste	NO	YES		
management facility?  If Yes, describe:				
II Tes, describe.				
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:				
·				
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE				
Applicant/sponsor/name: Date:				
SignatureTitle:				



Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:Long Island Sound, Reason:Exceptional or unique character, Agency:Westchester County, Date:1-31-90
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No



# VICINITY MAP

FROM U.S.G.S. MAMARONECK QUADRANGLE MAP

PURPOSE: PRIVATE RECREATIONAL BOAT DOCKING

DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988

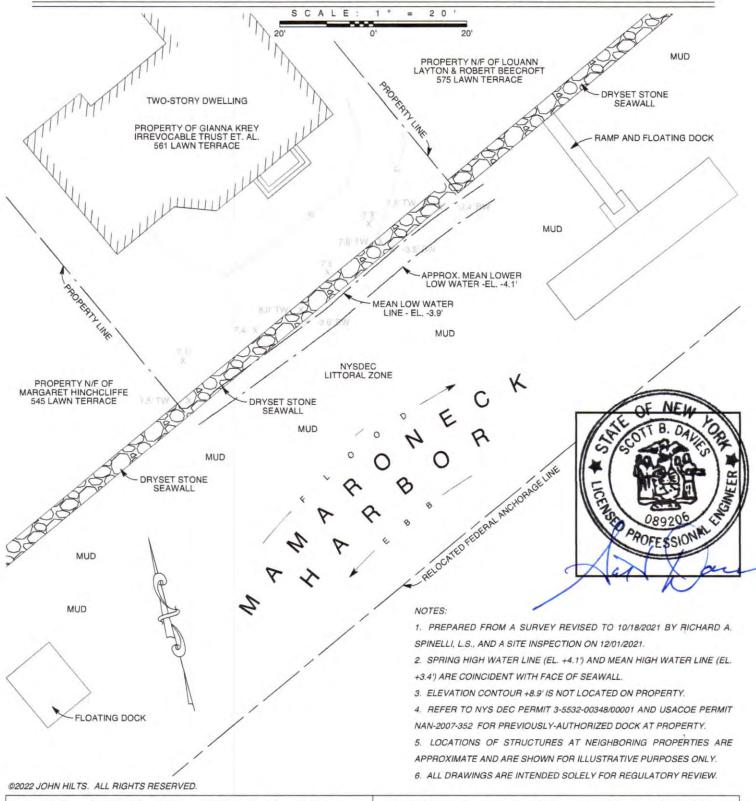
ADJ. OWNERS: MARGARET HINCHCLIFFE; LOUANN LAYTON & ROBERT BEECROFT

APPLICATION PREPARED BY: JOHN HILTS P.O. BOX 47, ROWAYTON, CT 06853

PROPOSED LANDING, RAMP AND FLOATING DOCK IN MAMARONECK HARBOR AT
561 LAWN TERRACE, VILLAGE OF MAMARONECK, WESTCHESTER CTY., NY
APPLICATION BY: GIANNA KREY IRREVOCABLE TRUST
DATE: 2/02/22 SHEET 1 OF 4 REVISION NUMBER: DATE:

SCALE: 1:24000

## EXISTING GENERAL PLAN VIEW



PURPOSE: PRIVATE RECREATIONAL BOAT DOCKING

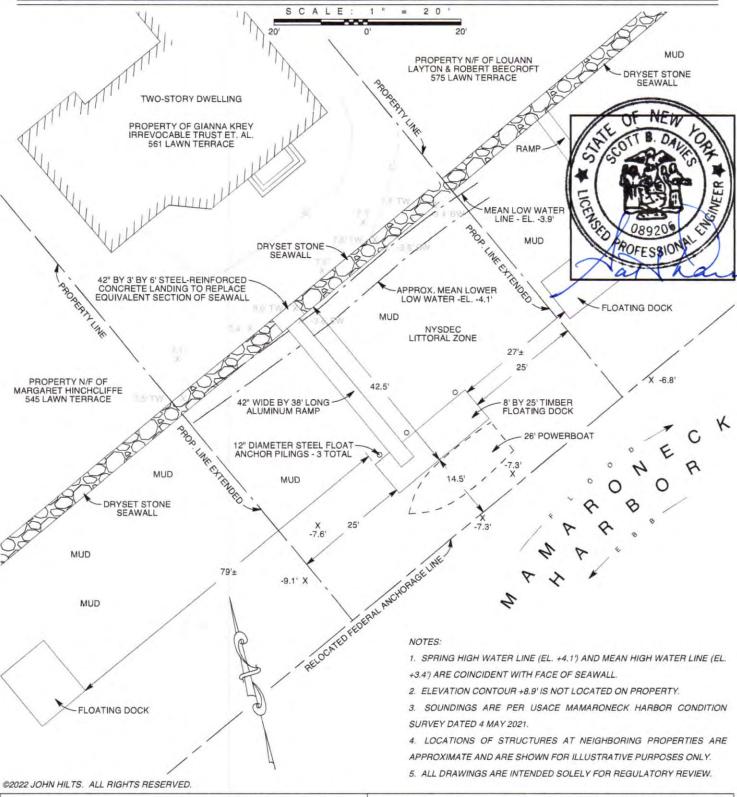
DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988

ADJ. OWNERS: MARGARET HINCHCLIFFE; LOUANN LAYTON & ROBERT BEECROFT

APPLICATION PREPARED BY: JOHN HILTS P.O. BOX 47, ROWAYTON, CT 06853

PROPOSED LANDING, RAMP AND FLOATING DOCK IN MAMARONECK HARBOR AT 561 LAWN TERRACE, VILLAGE OF MAMARONECK, WESTCHESTER CTY., NY A PPLICATION BY: GIANNA KREY IRREVOCABLE TRUST DATE: 2/02/22 SHEET 2 OF 4 REVISION NUMBER: 1 DATE: 9/01/22

## PROPOSED GENERAL PLAN VIEW



PURPOSE: PRIVATE RECREATIONAL BOAT DOCKING

DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988

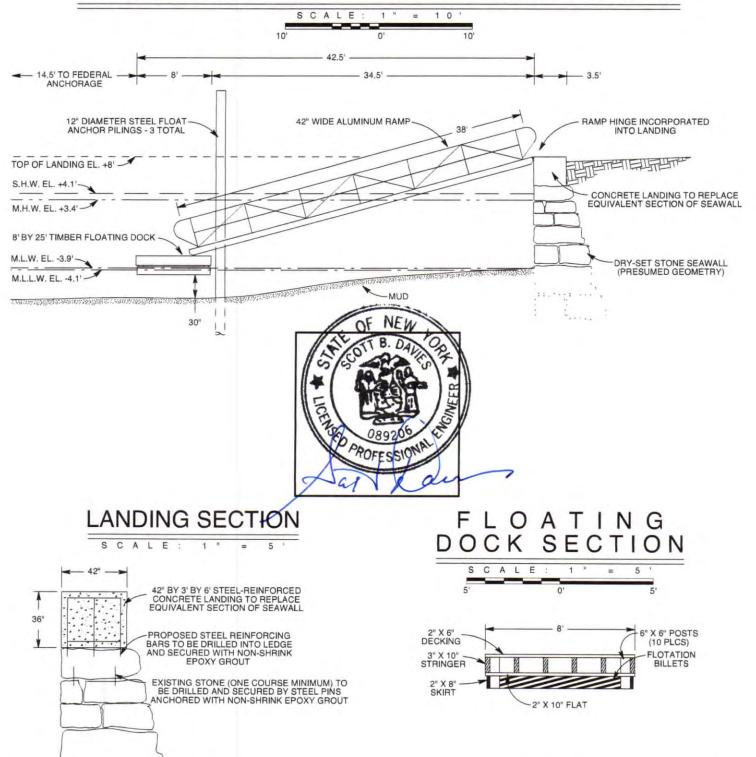
ADJ. OWNERS: MARGARET HINCHCLIFFE; LOUANN LAYTON & ROBERT BEECROFT

APPLICATION PREPARED BY: JOHN HILTS P.O. BOX 47, ROWAYTON, CT 06853

PROPOSED LANDING, RAMP AND FLOATING DOCK IN MAMARONECK HARBOR AT 561 LAWN TERRACE, VILLAGE OF MAMARONECK, WESTCHESTER CTY., NY

A P P L I C A T I O N B Y: G I A N N A K R E Y I R R E V O C A B L E T R U S T DATE: 2/02/22 SHEET 3 OF 4 REVISION NUMBER: 2 DATE: 9/01/22

## PROPOSED ELEVATION



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NOTE: DRAWING IS FOR REGULATORY REVIEW ONLY.

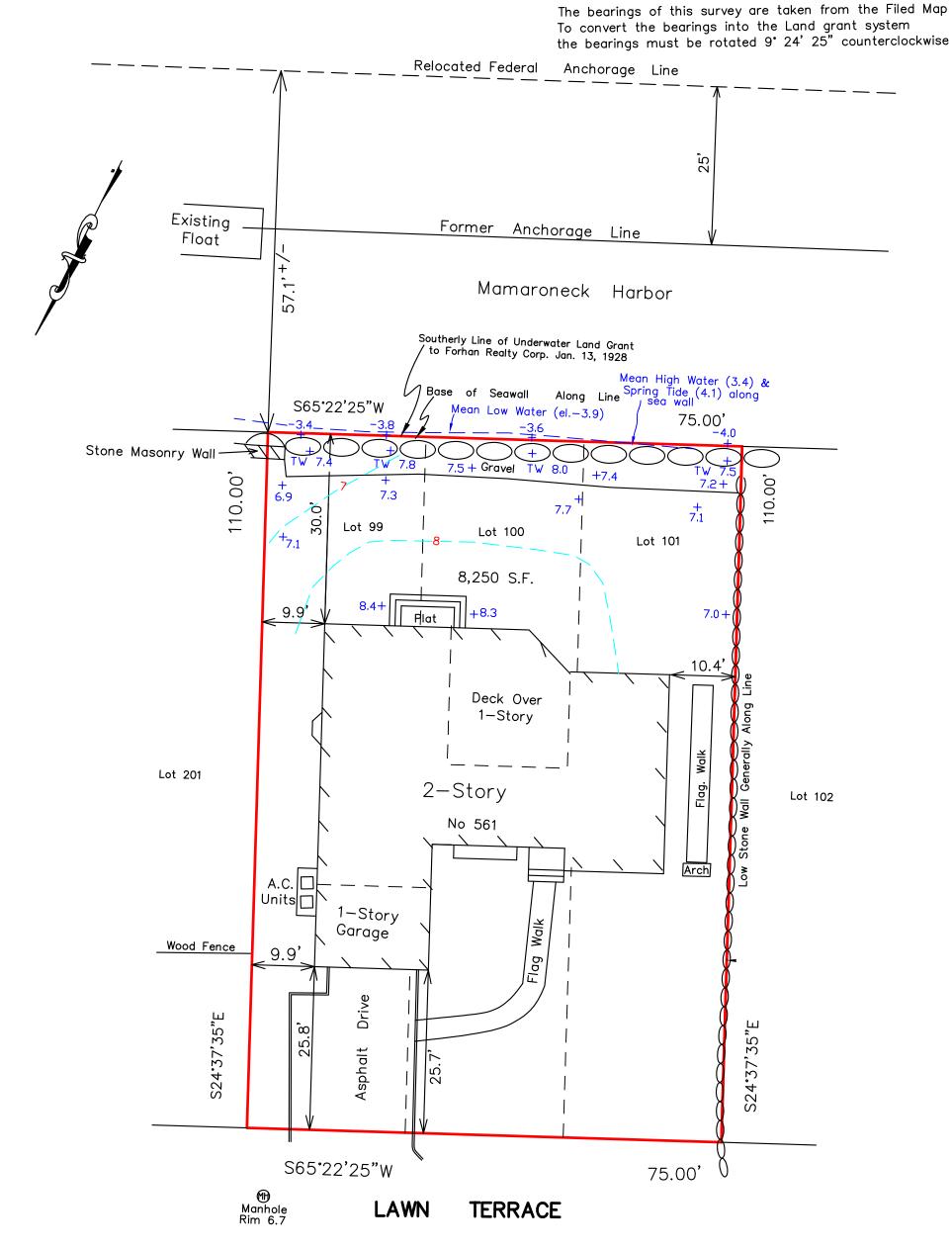
PURPOSE: PRIVATE RECREATIONAL BOAT DOCKING

DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988

ADJ. OWNERS: MARGARET HINCHCLIFFE; LOUANN LAYTON & ROBERT BEECROFT

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A P P L I C A T I O N B Y: G I A N N A K R E Y I R R E V O C A B L E T R U S T
DATE: 2/02/22 SHEET 4 OF 4 REVISION NUMBER: 2 DATE: 9/01/22



Richard A. Spinelli 650 Halstead Avenue Mamaroneck, N. Y. 10543 (914) 381-2357 N.Y.S. Lic. Land Surveyor No. 49240

Note: Elevations shown in NAVD1988



Survey of Lots 99, 110, & 101 on "Survey and Subdivision Map of Forhan Estates Known as Harbor Lawn" in the Village of Mamaroneck, Westchester Co., N.Y." and Filed on June 20, 1928 as R.O. Map No. 3312

Scale 1"=15'

September 7, 2005 October 18, 2021 (update)

Note: Elevation 8.9' contour is not located on the above premesis.

## AĆORĎ'

### CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YY) 9/14/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER< AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) most be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the

PROPULSE HOIGE III HEG OF SUCH ENG	orsement(s).			
Edgewood Partners Ins. Center 350 Hudson Street – 4 <sup>th</sup> Floor New York, NY 10014	Phone No. (212)-488-0200 Fax No. (212)-488-0220	CONTACT NAME: Joseph Bandieramonte  PHONE (A/C, No, Ext): 212-488-1852  E-MAIL ADDRESS: Joseph.bandieramonte@epicbrokers.com		
		INSURERS AFFORDING COVER	AGE	NAIC#
INSURED		INSURER A: Atlantic Specialty Ins. Company		27154
Concavage Marine Construction, Inc. ar	d	INSURER B: National Casualty Company	11991	
Intercoastal Water Transportation, Inc.		INSURER C: Signal Mutual Indemnity Associati	N/A	
87 Fox Island Road Port Chester, NY 10573		INSURER D: StarStone National Insurance Cor	mpany	25496
. 5.1 5.155.5.,		INSURER E:		
		INSURER F:		
COVERAGES CER	TIFICATE NUMBER:	REVISION N	IUMBER:	

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

	CLOSICING AND CONDITIONS OF SOCIT		_	O OHOWN WINT TIME			ivio.	
INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMI	TS
Α	GENERAL LIABILITY						EACH OCCURRENCE DAMAGES TO RENTED	\$ 1,000,000
	COMMERCIAL GENERAL LIABILITY  CLAIMS MADE  OCCUR			B5JH04350	06/22/2022	06/22/2023	PREMISES (Ea Occurrence)	\$ 100,000
	CLAIMS MADE OCCUR						MED EXP (Any one person)	\$ 5,000
	_						PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER						PRODUCTS – COMP/OP AGG	\$ 2,000,000
	POLICY PRO- JECT LOC							
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	ANY AUTO						` ′	•
	ALL OWNED AUTOS						BODILY INJURY (Per person)  BODILY INJURY (Per accident)	\$
	SCHEDULED AUTOS HIRED AUTOS						PROPERTY DAMAGE	Ψ
	NON-OWNED AUTOS						(Per accident)	\$
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	\$3,000,000
D	EXCESS LIAB CLAIMS MADE			M89641220MAR	4/11/2022	4/11/2023	AGGREGATE	\$
	DEDUCTIBLE							\$
	RETENTION \$							\$
В	WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY AND USL&H			WCSIG35029403	02/18/2022	02/18/2023	WC STATU- OTH TORY LIMITS ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE	N/A		VV001000020+00	02/10/2022	02/10/2020	E.L. EACH ACCIDENT	\$1,000,000
С	OFFICER/MEMBER EXCLUDED? (Mandatory in NH)			N6-7098-0	02/18/2022	02/18/2023	E.L. DISEASE – EA EMPLOYEE	\$1,000,000
٥	If yes, describe under SPECIAL PROVISIONS below				02/10/2022	02/10/2020	E.L. DISEASE – POLICY LIMIT	\$1,000,000
	DIDTION OF ODERATIONS / LOCATIONS / VEHICL			<u> </u>		ii1\	<u>L</u>	

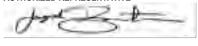
Certificate holder is included as additional insureds to above policies, except Workers Compensation USL&H, as respects to work being performed by the named insured subject to the terms, conditions, and exclusions of the policy.

#### CERTIFICATE HOLDER

Gianna Krey 561 Lawn Terrace Mamaroneck, NY. 10582

#### CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS



ACORD 25 (2014/01)

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#### **PERMIT**

#### **Under the Environmental Conservation Law (ECL)**

#### **Permittee and Facility Information**

**Permit Issued To: Facility:** Gianna Krey Irrevocable Trust KREY PROPERTY 561 LAWN TER 561 LAWN TER MAMARONECK, NY 10543 MAMARONECK, NY 10542 (914) 698-8728 Facility Location: in RYE in WESTCHESTER COUNTY Facility Principal Reference Point: NYTM-E: 607.103 NYTM-N: 4533.901 Latitude: 40°56'57.2" Longitude: 73°43'39.0" **Project Location:** Shoreline at 561 Lawn Terrace Authorized Activity: The disturbance of NYS-regulated tidal wetland and adjacent area along the Long Island Sound shoreline associated with the construction of a private seasonal boat dock extending from an existing dryset stone seawall. **Permit Authorizations** Tidal Wetlands - Under Article 25 Permit ID 3-5548-00283/00003 New Permit Effective Date: 5/5/2022 Expiration Date: 12/30/2027 **NYSDEC Approval** By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit. Permit Administrator: CHRISTOPHER LANG, Deputy Regional Permit Administrator Address: NYSDEC Region 3 Headquarters 21 S Putt Corners Rd New Paltz, NY 12561 Authorized Signature: Date / /



#### **Permit Components**

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

## NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: TIDAL WETLANDS

- 1. Conformance With Plans All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by John Hilts, titled 'Existing General Plan View' dated 02/02/2022, and Proposed General Plan View' and 'Proposed Elevations' with revision date of 04/07/2022 and received by DEC on 04/08/2022.
- 2. Notice of Intent to Commence Work The permittee shall submit a Notice of Intent to Commence Work to Angela Schmizzi, NYSDEC Division of Marine Resources at least 48 hours in advance of the time of commencement and shall also notify them promptly in writing of the completion of work.
- 3. Prior Approval of Changes If the permittee desires to make any minor changes to the scope of work shown in the approved plans referenced in Natural Resource Permit Condition 1, the permittee shall submit a request via email to Angela Schimizzi of the DEC Division of Marine Resources (angela.schimizzi@dec.ny.gov) to make such proposed changes. The proposed changes shall not be implemented unless authorized in writing by the Department. Issuance of such approval without modification of the permit is at the Department's discretion.
- **4. No Equipment in Tidal Wetland** No heavy equipment shall enter any tidal wetland or be allowed below mean low water during any phases of the reconstruction.
- 5. Install Piles Using Vibratory Methods Piles shall be installed using vibratory methods. If the piles cannot be installed in this manner and impact driving or an alternative installation method must be used, the permittee must first contact Angela Schimizzi of the Division of Marine Resources via email (angela.schimizzi@dec.ny.gov).
- **6. Concrete Leachate** During construction, no wet or fresh concrete or leachate shall be allowed to escape into any wetlands or waters of New York State, nor shall washings from ready-mixed concrete trucks, mixers, or other devices be allowed to enter any wetland or waters. Only watertight or waterproof forms shall be used. Wet concrete shall not be poured to displace water within the forms.

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION Facility DEC ID 3-5548-00283



- 7. **Use Pressure Treated Wood** Where treated wood lumber is to be used in the construction of inwater structures, only pressure treated wood with a preservative and treatment process approved (stamped or otherwise marked as certified) by the American Wood Preservative Association can be used. Wood treated with CCA (Chromated Copper Arsenate) or ACQ (Alkaline Copper Quat) can be used in all aquatic environments. Wood treated with Pentachlorophenol can only be used in freshwater applications.
- **8.** No Structures on Dock/Catwalk/Float No permanent structures may be installed on dock/catwalk/float without first obtaining written approval from the Department.
- 9. Construction Activities Prohibited On or Near Water Cutting, drilling, shaping, and other construction activities shall not be conducted on or near the water where sawdust, chips, or other debris might fall into the water.
- 10. Precautions Against Contamination of Waters All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.
- 11. State May Require Site Restoration If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.
- 12. State May Order Removal or Alteration of Work If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.
- 13. State Not Liable for Damage The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.



#### **GENERAL CONDITIONS - Apply to ALL Authorized Permits:**

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

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

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

- 2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.
- 3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator NYSDEC Region 3 Headquarters 21 S Putt Corners Rd New Paltz, NY12561

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

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION Facility DEC ID 3-5548-00283



- 5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:
  - a. materially false or inaccurate statements in the permit application or supporting papers;
  - b. failure by the permittee to comply with any terms or conditions of the permit;
  - c. exceeding the scope of the project as described in the permit application;
  - d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
  - e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.
- **6. Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

#### NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

#### Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

#### **Item B: Permittee's Contractors to Comply with Permit**

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

#### **Item C: Permittee Responsible for Obtaining Other Required Permits**

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





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

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

**Item E: SEQR Type II Action** Under the State Environmental Quality Review Act (SEQR), this project has been determined to be a Type II Action and therefore is not subject to further procedures under this law.

# THE OTHER PROPERTY.

**DEPARTMENT OF THE ARMY** 

U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT JACOB K. JAVITS FEDERAL BUILDING 26 FEDERAL PLAZA NEW YORK, NEW YORK 10278-0090

Western Section

SUBJECT: Department of the Army Permit Number NAN-2022-00186

Gianna Krey 561 Lawn Terrace Mamaroneck, NY 10543

Dear Ms. Krey:

We have completed our review of Application Number NAN-2022-00186-WRY.

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403), you are hereby authorized by the Secretary of the Army:

ACTIVITY:

Install an 8-foot (ft) wide by 25-ft long timber floating dock and associated 3.5-ft by 35-ft long aluminum ramp. Install three (3) 12-inch diameter steel pipe anchor piles via vibratory methods at low tide. Construct a concrete landing integrated into the existing seawall measuring 3.5-ft by 3-ft by 6-ft, above the plane of Spring High Water.

All work shall be done in accordance with the attached plans, subject to Special Conditions (A) through (G), which are hereby made part of this permit.

WATERWAY: East Basin Mamaroneck Harbor

LOCATION: Town of Mamaroneck, Westchester County, New York

The activity authorized herein must be completed within three years of the date of this permit. This authorization is subject to the enclosed conditions. Please find enclosed two forms to be used to submit to this office, as required, the dates of commencement and completion for the authorized activity.

SUBJECT: Department of the Army Permit Number NAN-2022-00186 for Gianna Krey in the Town of Mamaroneck, Westchester County, New York.

Please note that the above authorization verification is based on a preliminary jurisdictional determination (JD). A preliminary JD is not appealable. If you wish, prior to commencement of the authorized work you may request an approved JD, which may be appealed, by contacting the New York District, U.S. Army Corps of Engineers for further instruction. To assist you in this decision and address any questions you may have on the differences between preliminary and approved jurisdictional determinations, please review U.S. Army Corps of Engineers Regulatory Guidance Letter No. 16-01, which can be found at: <a href="https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll9/id/1256">https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll9/id/1256</a>

This letter contains an initial proffered permit for your activity. If you object to this permit decision because of certain terms and conditions therein, you may request that the permit be modified accordingly under Corps regulations at 33 CFR 331. Enclosed you will find a combined Notification of Appeal Process (NAP) and Request for Appeal (RFA) form. If you object to this permit decision you must submit a completed RFA form to the New York District Office at:

Stephan A. Ryba Chief, Regulatory Branch New York District Corps of Engineers 26 Federal Plaza, Room 16-406 New York, New York 10278-0090

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the District Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by \_\_\_\_\_\_\_. It is not necessary to submit an RFA form to the District Office if you do not object to the permit decision in this letter.

The authorized activity must be performed in accordance with the enclosed plans. If any material changes in the location or plans of the subject work are found necessary, revised plans should be submitted to the District Engineer. These plans must receive the approval required by law before work begins.

Notice is hereby given that the permittee should recognize that a possibility exists that the structures permitted herein may be subject to wavewash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to ensure the integrity of the structures permitted herein and the safety of boats moored thereto from damage by wavewash and the permittee shall not hold the United States liable for any such damage.

In order for us to better serve you, please complete our Customer Service Survey located at http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx.

SUBJECT: Department of the Army Permit Number NAN-2022-00186 for Gianna Krey in the Town of Mamaroneck, Westchester County, New York.

If any questions should arise concerning this matter, please contact Alexandra Ryan, of my staff, at <a href="mailto:alexandra.ryan@usace.army.mil">alexandra.ryan@usace.army.mil</a> or at (917) 790-8518.

Sincerely,

FOR AND IN BEHALF OF

MATTHEW W. LUZZATTO Colonel, U.S. Army Commander and District Engineer

**Enclosures** 

#### **PERMIT CONDITIONS:**

NOTE: The term "you" and its derivatives, as used in this permit means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or appropriate official of that office acting under the authority of the commanding officer.

#### **GENERAL CONDITIONS:**

- 1. The time limit for completing the work authorized ends within three years of the date of this permit. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least four months before the date is reached.
- 2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party upon written notification to this office. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
- 3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
- 4. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

#### **Special Conditions:**

(A) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

- (B) The permittee and their designated contractors shall use a "soft-start" when pile driving to allow animals an opportunity to leave the project vicinity before sound pressure levels increase. Vibratory pile driving shall be initiated for 15 seconds at reduced energy followed by a one-minute waiting period. This sequence of 15 seconds of reduced energy driving with one-minute waiting period shall be repeated two additional times, followed immediately by pile driving at full rate and energy. In addition to using a soft-start at the beginning of the work-day for pile driving, one must also be used at any time following cessation of pile driving for a period of 30 minutes or longer.
- (C) The permittee, and project contractors, shall maintain vessels operating within the action area to speed limits below 10 knots.
- (D) At least 14 days prior to starting operations, the permittee shall email the following information, at a minimum, to the First Coast Guard District, <a href="mailto:D01-SMB-LNM@uscg.mil">D01-SMB-LNM@uscg.mil</a>, and Sector New York, <a href="mailto:SECTORNYWWM@uscg.mil">SECTORNYWWM@uscg.mil</a>, for publication in the Local Notice to Mariners:
  - a. Date of submission:
  - b. Name, phone number, and email address of project point of contact:
  - c. Company Name:
  - d. Type of Work:
  - e. Waterway and Location where work will be done:
  - f. Latitude & Longitude of work area (Degrees, Minutes, Thousandths of seconds):
  - g. Work Start & Stop dates and Hours of Operation:
  - h. Equipment on scene:
  - i. Passing Arrangements / Time to move vessels to not impede navigation:
  - j. VHF Radio Channel monitored:
  - k. Disposal Site (if used):
  - I. NOAA Chart Number for the area:
- (E) The permittee shall notify the National Oceanic and Atmospheric Administration of the project completion and specifications so they may initiate the appropriate chart and Coast Pilot corrections. This notification must be submitted by email to <a href="mailto:ocs.ndb@noaa.gov">ocs.ndb@noaa.gov</a>, and shall include: a copy of Department of the Army Permit NAN-2022-00186, as-built drawings, and a completed NOAA Permit/Public Notice Status Report form, available online at:

https://nauticalcharts.noaa.gov/charts/docs/charts-updates/Permit-Public-Notice.pdf;

- (F) The permittee shall ensure that any current or future outdoor lighting is located or shielded so that it is not confused with any aids to navigation. If installed, the lights must be white and non-flashing.
- (G)The permittee, and designated contractors, shall avoid in-water activities associated with steel pile installation from January 1 through June 30 of any calendar year to minimize impacts to winter flounder early life stage essential fish habitat (1/1 to 5/31) and migrating anadromous fish (3/1 to 6/30).

#### **Further Information:**

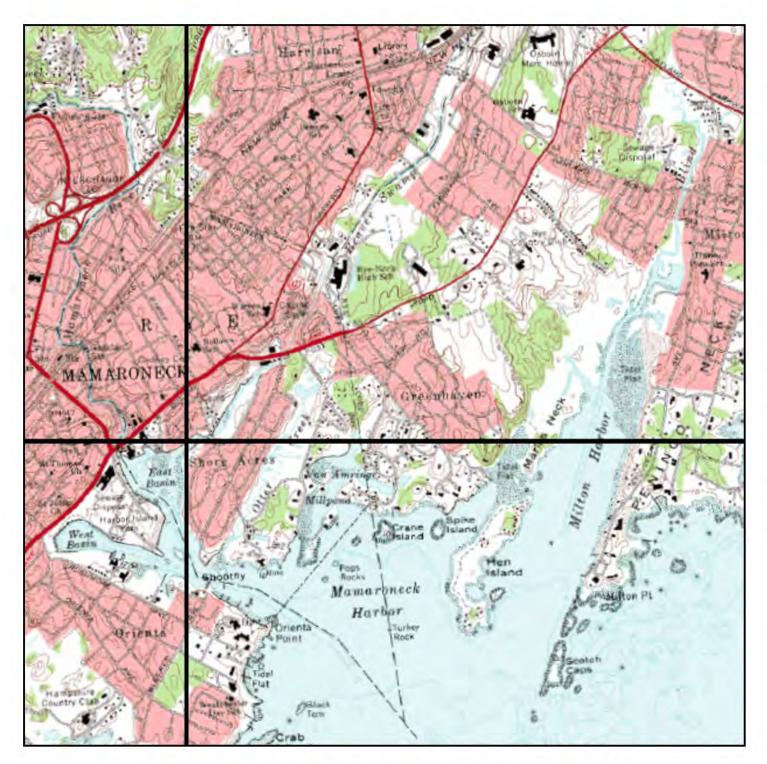
- 1. Limits of authorization.
  - a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal project.
- 2. Limits to Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
  - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
  - b. Damages to the permitted project or uses thereof as result of current or future activities undertaken by or on behalf of the United States in the public interest.
  - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
  - d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

- 3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
- 4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
  - a. You fail to comply with the terms and conditions of the permit.
  - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 3 above).
  - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

5. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.



# VICINITY MAP

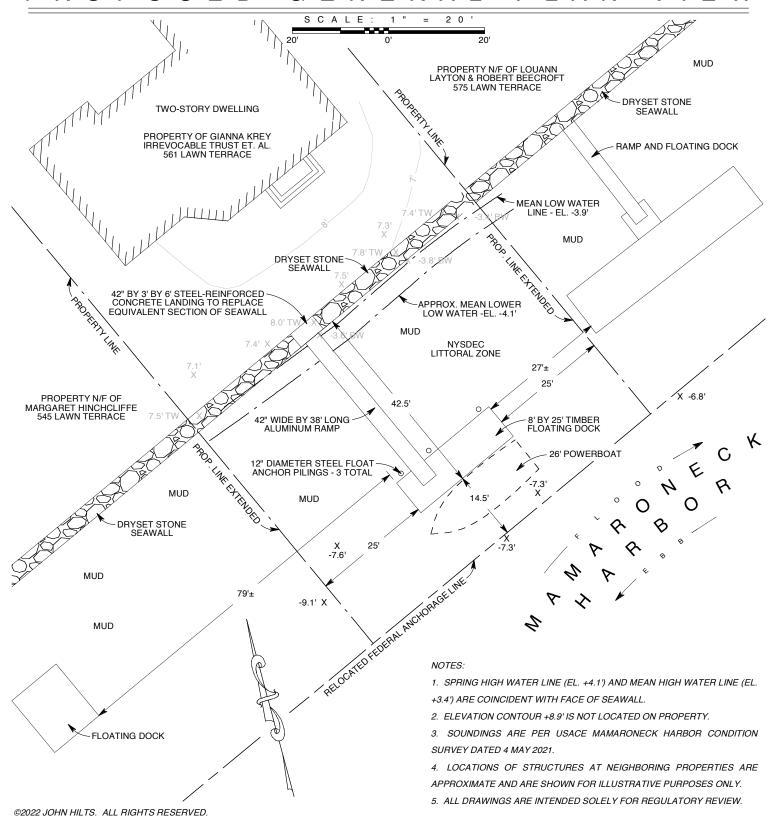
FROM U.S.G.S. MAMARONECK QUADRANGLE MAP

SCALE: 1:24000

PURPOSE: PRIVATE RECREATIONAL BOAT DOCKING
DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988
ADJ. OWNERS: MARGARET HINCHCLIFFE; LOUANN LAYTON & ROBERT BEECROFT
APPLICATION PREPARED BY: JOHN HILTS P.O. BOX 47, ROWAYTON, CT 06853

PROPOSED LANDING, RAMP AND FLOATING DOCK IN MAMARONECK HARBOR AT 561 LAWN TERRACE, VILLAGE OF MAMARONECK, WESTCHESTER CTY., NY A P P L I C A T I O N B Y: G I A N N A K R E Y I R R E V O C A B L E T R U S T DATE: 2/02/22 SHEET 1 OF 4 REVISION NUMBER: DATE:

## PROPOSED GENERAL PLAN VIEW



PURPOSE: PRIVATE RECREATIONAL BOAT DOCKING

DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988

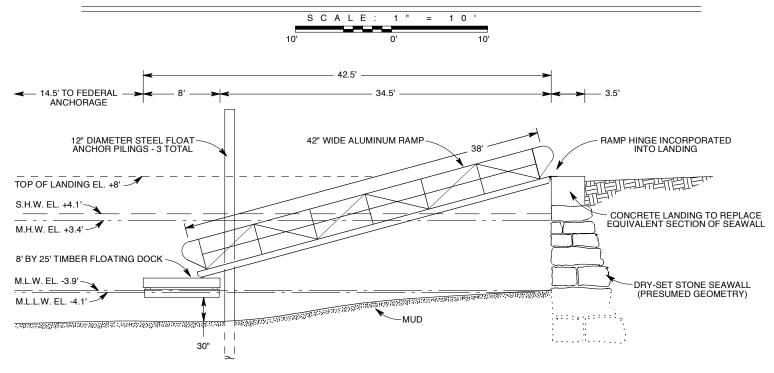
ADJ. OWNERS: MARGARET HINCHCLIFFE; LOUANN LAYTON & ROBERT BEECROFT

APPLICATION PREPARED BY: JOHN HILTS P.O. BOX 47, ROWAYTON, CT 06853

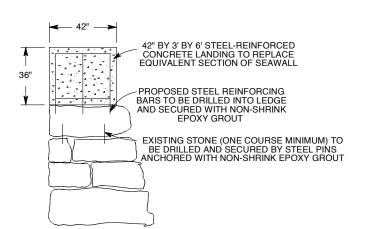
PROPOSED LANDING, RAMP AND FLOATING DOCK IN MAMARONECK HARBOR AT 561 LAWN TERRACE, VILLAGE OF MAMARONECK, WESTCHESTER CTY., NY

A P P L I C A T I O N B Y: G I A N N A K R E Y I R R E V O C A B L E T R U S T DATE: 2/02/22 SHEET 3 OF 4 REVISION NUMBER: 1 DATE: 4/07/22

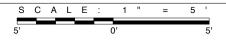
## PROPOSED ELEVATION

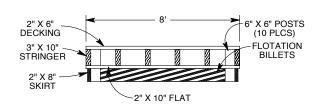


# LANDING SECTION S C A L E : 1 " = 5 '



## FLOATING DOCK SECTION





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NOTE: DRAWING IS FOR REGULATORY REVIEW ONLY.

PURPOSE: PRIVATE RECREATIONAL BOAT DOCKING
DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988
ADJ. OWNERS: MARGARET HINCHCLIFFE; LOUANN LAYTON & ROBERT BEECROFT
APPLICATION PREPARED BY: JOHN HILTS P.O. BOX 47, ROWAYTON, CT 06853

PROPOSED LANDING, RAMP AND FLOATING DOCK IN MAMARONECK HARBOR AT 561 LAWN TERRACE, VILLAGE OF MAMARONECK, WESTCHESTER CTY., NY

A P P L I C A T I O N B Y: G I A N N A K R E Y I R R E V O C A B L E T R U S T DATE: 2/02/22 SHEET 4 OF 4 REVISION NUMBER: 1 DATE: 4/07/22

## STATE OF NEW YORK DEPARTMENT OF STATE

ONE COMMERCE PLAZA 99 WASHINGTON AVENUE ALBANY, NY 12231-0001 HTTPS://DOS.NY.GOV KATHY HOCHUL GOVERNOR ROBERT J.

ROBERT J.
RODRIGUEZ
ACTING SECRETARY OF STATE

June 3, 2022

Army Corps New York District Rosita Miranda 26 Federal Plaza New York, NY 10278

John Hilts PO Box 47 Rowayton, CT 06853

Re: F- 2022-0108

U.S. Army Corps of Engineers/New York District Permit NYS DEC Region 3 Permit – Gianna Krey Irrevocable Trust Et. Al.

Application – NAN-2022-00186 – Construct an 8 foot by 25 foot timber floating dock and associated 3.5 foot by 35 foot long aluminum ramp. Install three 12 inch diameter steel pipe anchor piles via vibratory methods at low tide. Construct a concrete landing integrated into the existing seawall measuring 3.5 feet by 6 feet, above the plane of Spring High Water.

East Basin Mamaroneck Harbor, 561 Lawn Terrace, Town of Mamaroneck, Westchester County

**Letter of Permission** 

#### Dear Rosita Miranda:

The Department of State received and reviewed your letter dated March 16, 2022 eligibility of the above-referenced proposal for authorization by a Corps of Engineers Letter of Permission.

Based upon the submitted information, the Department of State has no objection to the authorization of this proposal by Letter of Permission. Further review of this proposal and concurrence with the applicant's consistency certification by the Department of State is not required.

Sincerely,

Tanna LeGere

Coastal Resources Specialist

Office of Planning, Development and

anna D. L. Lero

Community Infrastructure

cc: DEC/Region 3 - Ellen M Hart (App# 3-5548-00283/00003)



From: Dwyer, Nancy C (OGS) Nancy.Dwyer@ogs.ny.gov

Subject: JAF I-4967 Gianna Krey Irr. Trust

Date: April 14, 2022 at 2:05 PM

To: giannakrey@yahoo.com, john hilts mrhilts@erols.com

Cc: Hill, Ralph W (OGS) Ralph.Hill@ogs.ny.gov, Holtzclaw, Elena K (OGS) Elena.Holtzclaw@ogs.ny.gov, cenan.publicnotice@usace.army.mil, Maraglio, Matthew (DOS) Matthew.Maraglio@dos.ny.gov, dec.sm.DEP.R3

DEP.R3@dec.ny.gov

Hello,

Re: Gianna Krey Irrevocable Trust 561 Lawn Terr. Mamaroneck, NY Mamaroneck Harbor

The New York State Office of General Services (NYSOGS) has received the Joint Application d (JAF) for your proposed project to install a new ramp and floating dock and assigned it project No. I-4970.

Based on a review of the proposed activities, it has been determined that the activities do not require a permit from the NYSOGS. Please save this email as proof of determination by this office of "No Permit Required" since we will not be sending additional correspondence related to this determination.

Please be aware that this determination does not obviate the need for permits and/or permissions from other involved agencies.

Thank you for your interest in the Lands Underwater Program which is administered by the Office of General Services. Should you have any questions, please do not hesitate to contact me.

#### Nancy C. Dwyer

Real Estate Specialist

#### Office of General Services I State Asset & Land Management

39<sup>th</sup> Floor, Corning Tower, ESP, Albany, NY 12242 p. (518) 474-2195 I nancy.dwyer@ogs.ny.gov

ND