



Evans Associates
Environmental Consulting, Incorporated

WETLAND DELINEATION REPORT

DATE: December 23, 2010
Revised January 25, 2023

PROPERTY: D'ArcAngelo Property
Vacant lot near 921 Soundview Drive
Village of Mamaroneck
Westchester County, New York

REPORT BY: Evans Associates Environmental Consulting, Inc.



INTRODUCTION

Wetlands on the above-captioned property were delineated in accordance with Chapter 192, Freshwater Wetlands, of the Village of Mamaroneck Town Code, the criteria in Article 24 and Article 25 of the New York State Department of Environmental Conservation (DEC) Environmental Conservation Law, and the technical criteria in the 1987 Army Corps of Engineers (ACOE) Wetland Delineation Manual (TR-Y-87-1). The field delineation was conducted on December 22, 2010 by a Professional Wetland Scientist and a Certified Professional Soil Scientist of Evans Associates Environmental Consulting, Inc. The wetland boundary was reviewed and confirmed by the same professionals on January 5, 2021. The residential property is located on the southeast side of Soundview Drive, and is currently undeveloped. The majority of the property contains lawn, with several mature trees and rock outcrops located throughout. Surrounding areas are residential.

One wetland was identified on the property. The wetland is tidal and the majority of it is located off site to the east, in association with Otter Creek. The edge of the wetland encroaches onto the southeast side of the property. The wetland edge was not flagged because it coincides with the location of the wooden fencing on the property. The wetland and the uplands of the property are described below, followed by a discussion of the regulatory jurisdictions of the wetland.

162 Falls Road
Bethany, CT 06524
Tel: 203.393.0690

WETLAND DESCRIPTION

Visible vegetation in the wetland on the day of the field delineation mainly consisted of common reed (*Phragmites australis*). Hydric soils in the wetland are Ipswich mucky peat. This soil is very deep to bedrock, very poorly drained, and subject to daily tidal flooding. Ipswich mucky peat is formed in organic matter that is found in tidal marshes. The wetland is sustained by tidal flooding from Otter Creek, along with interception of the groundwater table, and some surface water runoff from upland areas. Indicators of wetland hydrology include flowing and ponded water, saturated soils, and evidence of flooding, such as drift lines.

UPLANDS DESCRIPTION

Vegetation in the uplands consists mainly of lawn, with some mature trees. Trees on the property include pin oak (*Quercus palustris*), shag-bark hickory (*Carya ovata*), Norway maple (*Acer platanoides*), and eastern hemlock (*Tsuga canadensis*). In addition to turf grass species typical of residential lawns, herbaceous plant species include mugwort (*Artemisia vulgaris*), and garlic mustard (*Alliaria petiolata*). Soils in the uplands include Charlton, Chatfield, and Hollis loams, along with some Sutton loam closer to the wetland. Rock outcrops were apparent throughout the property. Charlton, Chatfield, and Hollis loams are well drained to somewhat excessively drained and are found on hilltops and hillsides. These soils are often complexed together with each other and with rock outcrops. Charlton is very deep, Chatfield is moderately deep, and Hollis is shallow to bedrock. Sutton loam is very deep, moderately well drained, and is found in lower parts of the landscape, along shallow drainageways and swales in the uplands. Sutton loam has a depth to water table of 1.5 to 2.5 feet below the surface from November through April of most years. Charlton, Chatfield, Hollis, and Sutton loams are formed in glacial till.

REGULATORY JURISDICTIONS

Wetlands on the property will be regulated on the local, state, and federal level. The following summarizes the regulations that may be applicable to the property.

Village of Mamaroneck Wetland Regulations

The Village of Mamaroneck regulates wetlands in accordance with Chapter 192, Freshwater Wetlands, of the Village Code. The Village Code defines tidal wetlands by the DEC definition (see discussion on ECL Article 25 below) as well as, “All other areas,

D'ArcAngelo Property

December 23, 2010 Rev. 1-25-2023

Page 3

2,500 square feet or larger, that comprise hydric soils or are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of hydrophytic vegetation, as defined by the technical publication, Federal Manual for Identifying and Delineating Jurisdictional Wetlands (1989)." In addition to regulating wetland, the Village also regulates a 100-foot adjacent area around the wetland. The wetland and adjacent area are together defined as the "controlled area" in the Village Code. The controlled area on the property will be regulated by the Village.

DEC Freshwater Wetland Regulations (ECL Article 24)

The DEC regulates wetlands in accordance with the New York State Freshwater Wetlands Act (Article 24 of the New York State Environmental Conservation Law). The DEC regulates wetlands that are 12.4 acres or greater, primarily based on the presence of hydrophytic vegetation, that are shown on, or are vegetatively connected to wetlands shown on, the New York State Freshwater Wetlands Maps. The DEC may also regulate smaller wetlands that are near (within 50 meters), are vegetatively connected to and function together with, larger DEC mapped wetlands. The boundaries of the wetlands shown on the New York State Freshwater Wetlands Maps are only used for reference and need to be field delineated and then confirmed by DEC staff. In addition to regulating wetlands, the DEC also regulates 100-foot adjacent areas around wetlands. According to the most-recently published DEC Freshwater Wetlands maps (Mamaroneck quadrangle), there are no DEC-regulated freshwater wetlands on, or adjacent to, the property.

DEC Tidal Wetlands Regulations (ECL Article 25)

In addition to freshwater wetlands, the DEC also regulates tidal wetlands. The tidal wetlands regulations apply anywhere tidal inundation occurs on a daily, monthly or intermittent basis. Unlike the DEC freshwater wetland maps where the field delineated wetlands boundary can be quite different than the mapped boundary, DEC tidal wetland maps depict the regulatory location of the tidal wetland boundary. In addition to regulating the tidal wetlands, the DEC can regulate an adjacent area of up to 300 feet landward of the tidal wetland. However, the adjacent area can be significantly shorter than 300 feet based on the presence of structures (e.g., roads, sea walls, bulkheads), a certain elevation (elevation 10) or a topographic feature (e.g., bluff, cliff). On this property, DEC regulatory jurisdiction will end at the 10-foot elevation contour.

DEC Protection of Waters Program Regulations (ECL Article 15)

In addition to wetlands, the DEC also regulates certain watercourses or waterbodies in accordance with section 936.5 of Title 6 of the *Official Compilation of Codes, Rules and*

Regulations of the State of New York. Watercourses that are regulated are those classified as "Protected Streams" or "Protected Waters" based on the existing or expected best usage of these waters. There are no DEC-regulated protected streams or waterbodies on the property. Otter Creek, the watercourse that is located to the east of the property, is classified as "Class SC," and is therefore not regulated by the DEC.

Federal Wetland Regulations (Army Corps of Engineers)

The ACOE is the federal agency that regulates wetlands under the Clean Water Act. They regulate wetlands based on the presence of hydrophytic vegetation, hydric soils, and wetland hydrology as defined in the 1987 ACOE Wetland Delineation Manual (TR-Y-87-1). The ACOE regulates wetlands that are associated with hydrologic features that are connected to interstate waters (e.g., connected to streams that ultimately drain to Long Island Sound). The ACOE does not regulate wetland buffers. The wetland on the property would be regulated by the ACOE.