

Glenn Goldsmith, President
Michael J. Domino, Vice-President
John M. Bredemeyer III
A. Nicholas Krupski
Greg Williams



Town Hall Annex
54375 Route 25
P.O. Box 1179
Southold, New York 11971
Telephone (631) 765-1892
Fax (631) 765-6641

**BOARD OF TOWN TRUSTEES
TOWN OF SOUTHOLD**

Minutes

**Wednesday, February 12, 2020
5:30 PM**

Present Were: Glenn Goldsmith, President
Michael J. Domino, Trustee
John M. Bredemeyer, Trustee
A. Nicholas Krupski, Trustee
Greg Williams, Trustee
Elizabeth Cantrell, Senior Clerk Typist
Damon Hagan, Assistant Town Attorney

**CALL MEETING TO ORDER
PLEDGE OF ALLEGIANCE**

NEXT FIELD INSPECTION: Wednesday, March 11, 2020 at 8:00 AM
NEXT TRUSTEE MEETING: Wednesday, March 18, 2020 at 5:30 PM at the Main Meeting Hall

WORK SESSIONS: Monday, March 16, 2020 at 5:00 PM at the Town Hall Annex 2nd floor Board Room, and on Wednesday, March 18, 2020 at 5:00 PM at the Main Meeting Hall

MINUTES: Approve Minutes of January 15, 2020.

APPROVE MINUTES: Approve Minutes of January 15, 2020

TRUSTEE GOLDSMITH: Good evening, and welcome to our Wednesday, February 12th, 2020 meeting. At this time I would like to call the meeting to order and ask that you please stand for the pledge of allegiance.
(Pledge of Allegiance).

I'll start off announcing the people on the dais. To my left is Trustee Domino, Trustee Bredemeyer, Trustee Krupski and Trustee Williams. And to my right is Assistant Town Attorney Damon Hagan and Senior Clerk typist Elizabeth Cantrell. We have court stenographer Wayne Galante and the Conservation Advisory Council member with us tonight is James Abbott.

Agendas are located at the podiums and out in the hall. We have a number of

postponements tonight. In the agenda, on page nine, we have number three, Costello Marine Contracting Corp. on behalf of **CLAUDIA PURITA** requests an Amendment to Wetland Permit #9276 and Coastal Erosion Permit #9276C to allow for the "as-built" installation of 1.5 to 3-ton rock armoring in front of the newly constructed bulkhead, ±1,260 cubic foot (60.5 tons) of rock to be placed below spring high water level; as-built two 11 foot high concrete terracing block retaining walls in lieu of the previously-approved 5-foot high retaining walls on face of bluff; install a pervious gravel splash curtain landward of bulkhead; construct a revised stairway and walkway consisting of a 4' wide terraced walkway from top of bluff towards top retaining wall; construct 3' wide by 14'2" long stairs off top retaining wall to area between two retaining walls; construct a 5'x4' cantilevered platform with 3' wide by 14'2" long set of steps to area in between lower retaining wall and bulkhead; construct a 5'x4' cantilevered platform off bulkhead with 3'x9'2" seasonal aluminum stairway to beach; and to revegetate bank with native plantings. Located: 19995 Soundview Avenue, Southold. SCTM# 1000-51-4-6, has been postponed.

On page 13, we have numbers 11 and 12. On page 14, we have numbers 13 through 16. And page 15, we have numbers 17 through 20.

They are listed as follows:

Number 11, Robert Brown Architect on behalf of **JOSEPH & DANA TRIOLO** requests a Wetland Permit for the existing 2,170 sq. ft. two-story, single-family dwelling with attached garage; construct a 223.8 sq. ft. landward addition onto garage; a 199.7 sq. ft. landward addition (kitchen); a 318.3 sq. ft. seaward addition (master bedroom); a 493.6 sq. ft. seaward addition (living room); a 238 sq. ft. landward front porch addition; and for the existing driveway to be replaced with a 1,177 sq. ft. gravel driveway.

Located: 420 Beachwood Lane, Southold. SCTM# 1000-70-10-54

Number 12, Patricia Moore, Esq. on behalf of **THEODORA MARANGAS, THERESA MARANGAS, EILEEN RAYESKI, CATHERINE WILINSKI & ALICE DONLAN** requests a Wetland Permit for the removal of the existing shared dock and to construct a proposed 4'x82' fixed dock using Thru-Flow decking installed 3' above grade with a 3'x15' ramp to a 6'x20' floating dock situated in an "L" configuration; and to establish and perpetually maintain a 12' wide non-turf buffer along the landward edge of the bulkhead.

Located: 1685 Westview Drive, Mattituck. SCTM# 1000-107-7-8

Number 13, Patricia Moore, Esq. on behalf of **NICHOLAS PACE** requests a Wetland Permit for the existing one-story 1,872 sq. ft. dwelling with 10'x22.2' roof over concrete patio, 23.6'x23' garage and roof top patio, 3.4'x10.5' outdoor shower; 21'x7' pergola, 20'x25' raised patio with BBQ grill and 7.5'x16.3' swim/spa surrounded by 15'x26' stone walls; on-grade brick paver driveway; existing stockade fence on north and south property lines to the bulkhead; and to establish and perpetually maintain the existing non-turf buffer.

Located: 1760 Reydon Drive, Southold. SCTM# 1000-80-3-13

Number 14, Patricia Moore, Esq. on behalf of **JOHN & ELIZABETH SCHROEDER** requests a Wetland Permit for a proposed 20'x40' in-ground swimming pool with a 46.7'x59.9' surrounding on-grade patio (2,021 sq. ft.); install retaining walls 48" in height, in-ground on north side and above ground on south side, as required to level existing grade for the proposed pool and patio.

Located: 3325 Wickham Avenue, Mattituck. SCTM# 1000-114-4-1.1

Number 15, SU11 architecture + design on behalf of **JEFFREY & ANCA LEMLER** requests a Wetland Permit to install a new sand beach area on top of existing ground in a 25'x70' area and the sand filling will be 6" to 12", no deeper than 12"; the sand will be "Cemex, ARB Certified, washed/cleaned/kin dried" or similar brand that complies with this characteristic, approximately 50 cubic yards of sand will be needed; install a border of landscaping boulders that will be set to separate the current existing beach area from the new proposed beach area; 50 linear feet of stones will be needed; on the inland side of the proposed beach area steel garden edging will separate the landscape from the beach area; general cosmetic landscape improvements are proposed: Additional native vegetation will be planted (26 medium shrubs and 40 small shrubs and plants approximately); all existing trees to remain; a new approximately 6'x60' gravel path is proposed from the beach area to the house which will be contained with flexible steel gardening edges, as well as steps needed along the path and changes in height; approximately 4 cubic yards of gravel will be needed; areas of wood chips are proposed along the property lot line and around planting areas, approximately 9 cubic yards of wood chips will be needed; no structures need to be erected on site for this work, the sand will be deposited with a small bobcat; all material and plants will be locally sourced at a local landscaping installer who will execute and supervise the work.

Located: 320 Broadwaters Road, Cutchogue. SCTM# 1000-104-10-6

Number 16, Jeffrey Patanjo on behalf of **PETER & DIANA O'NEILL** requests a Wetland Permit to clear underbrush, saplings and dead leaf matter along existing bluff area; install two (2) drywells in the driveway (6' diameter by 6' deep), to capture all driveway runoff prior to overflowing bluff and connected to roof leaders to capture roof runoff.

Located: 5875 Vanston Road, Cutchogue. SCTM# 1000-118-1-1.3

Number 17, Cole Environmental Services on behalf of **EMMA VAN ROOYEN & JANE ABOYOUN** requests a Wetland Permit to remove existing dock and construct new in-place consisting of a 4'x±13.7' fixed landward ramp to a 4'x±57 linear foot long fixed dock using thru-flow decking (to 4'6" above existing grade); a ±28.5"x4' wood hinged ramp; a new 6'x20' wood frame floating dock situated in an "L" configuration with two (2) 8" diameter piles to secure floating dock; new ±8.7'x2.6' wood frame bench seat to be built on fixed dock; all wood and pilings to be pressure treated; new/existing floating docks not to rest upon bottom of creek; dock pole depth to be determined by height of pole above grade; if height above grade is greater than 10', dock pole depth below grade to be equal length to height above grade; if height above grade is 10' or less, pole depth to be 10' below grade min.

Located: 575 Hill Road, Southold. SCTM# 1000-70-4-29

Number 18, **GREG SCHULZ** requests a Wetland Permit for the as-built cutting and discarding of rotten vegetation and dead tree; and to revegetate with native plants within the approximately 16'x24' disturbed area at the property of the Donald P. Brickley Irrevocable Trust.

Located: 7230 Skunk Lane (At Corner of Oak Drive and Hickory Drive), Cutchogue. SCTM# 1000-104-6-10.1

Number 19, Jeffrey Patanjo on behalf of **WILLIAM MACGREGOR** requests a Wetland Permit to remove existing fixed dock, ramp and floating dock and replace in the same approximate location as existing dock a new 4' wide by 80'

long fixed pier with thru-flow decking on entire surface; a new 30" wide by 16' long aluminum ramp; and a new 6' wide by 20' long floating dock supported with two (2) 10" diameter piles; in addition, there will be a trimming and maintenance of a 4' wide cleared path from the proposed dock to the edge of existing maintained lawn. Located: 1120 Broadwaters Road, Cutchogue. SCTM# 1000-104-9-2

Number 20, Cole Environmental Services on behalf of **ALBERT G. WOOD** requests a Wetland Permit to remove existing concrete seawall; debris in work area to be cleared to a N.Y.S. approved upland disposal facility; install ± 109 linear feet of new rock revetment to be constructed with $\pm 13'$ of stone armoring at north corner and $\pm 10'$ of stone armoring at south corner; backfill with ± 137 cubic yards of clean upland fill; existing wooden bulkhead to be modified to elevation 5.9 at point of intersection with revetment; and bulkhead modification to occur within property owner's lines only.

Located: 1000 First Street, New Suffolk. SCTM# 1000-117-7-32

Those have all been postponed.

Under Town Code, Chapter 275-8(c), files were officially closed seven days ago. Submission of any paperwork after that date may result in a delay of the processing of the applications.

At this time I'll make a motion to have our next field inspection Wednesday, March 11th, 2020, at 8:00 AM, at the Town annex. That's my motion.

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE GOLDSMITH: I'll make a motion to hold the next Trustee meeting Wednesday, March 18th, 2020, at 5:30 PM, here at the main meeting hall.

TRUSTEE DOMINO: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE GOLDSMITH: I would like to make a motion to hold the next work session at the Town annex board room, second floor, on Monday, March 16th, 2020, at 5:00 PM, and at 5:00 PM on Wednesday, March 18th, 2020, at the main meeting hall.

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE GOLDSMITH: I'll make a motion to approve the Minutes of January 15th, 2020 meeting.

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

I. MONTHLY REPORT:

The Trustees monthly report for January 2020. A check for \$23,401.64 was forwarded to the Supervisor's Office for the General Fund.

II. PUBLIC NOTICES:

Public Notices are posted on the Town Clerk's Bulletin Board for review.

III.

A. RESOLVED that the Southold Board of Trustees accepts the resignation of Michael Domino as Vice President of the Southold Board of Trustees effective January 24, 2020.

B. NOMINATION AND ELECTION OF OFFICER:

Vice President

TRUSTEE GOLDSMITH: Under Roman numeral III-A and III-B that are on the agenda, are tabled for further review.

IV. RESOLUTIONS - OTHER:

1. RESOLVED, the Board of Trustees of the Town of Southold pursuant to the State Environmental Quality Review Act, hereby declare itself Lead Agency in regards to the application of **KEVIN GALLAGHER**.

Located: 17975 Soundview Avenue, Southold. SCTM# 1000-51-1-7

TRUSTEE GOLDSMITH: That's my motion.

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE GOLDSMITH: Number two, **RESOLVED**, the Board of Trustees of the Town of Southold, pursuant to the State Environmental Quality Review Act, hereby declare itself Lead Agency in regards to the application of **SAM ORLOFSKY**;

Located: 18575 Soundview Avenue, Southold. SCTM# 1000-51-1-12

That's my motion.

TRUSTEE DOMINO: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE DOMINO: Number three, **RESOLVED**, the Board of Trustees of the Town of Southold, pursuant to the State Environmental Quality Review Act, hereby declare itself Lead Agency in regards to the application of **BEATRICE DUPONT**;

Located: 18725 Soundview Avenue, Southold. SCTM# 1000-51-1-13

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE DOMINO: Number four, **RESOLVED**, the Board of Trustees of the Town of Southold, pursuant to the State Environmental Quality Review Act, hereby declare itself Lead Agency in regards to the application of **ANNA M. Ten NAPEL**;

Located: 320 Glenn Road, Southold. SCTM# 1000-78-2-21

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

V. STATE ENVIRONMENTAL QUALITY REVIEWS:

TRUSTEE GOLDSMITH: Under Roman numeral V, **RESOLVED** that the Board of Trustees of the Town of Southold hereby finds that the following applications more fully described in Section IX Public Hearings Section of the Trustee agenda dated Wednesday, February 12, 2020 are classified as Type II Actions pursuant to SEQRA Rules and Regulations, and are not subject to further review under SEQRA:

Scott & Susan Ambrosio SCTM# 1000-104-7-16.1
David Hermer & Silvia Campo SCTM# 1000-111-9-4.2
Hana Shaw Revocable Living Trust SCTM# 1000-87-5-8
Charles & Mary Kirsch & Katherine Saccamano SCTM# 1000-87-4-9
Wendy & Ali Azmoun SCTM# 1000-90-3-19
Steven & Jaci Osdoby SCTM# 1000-53-3-8
Richard & Perri Parlani SCTM# 1000-137-4-5.2
Nicholas Pace SCTM# 1000-80-3-13

TRUSTEE GOLDSMITH: That's my motion.

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE GOLDSMITH: **RESOLVED** that the Board of Trustees of the Town of Southold hereby finds that the following applications more fully described in Section IX Public Hearings Section of the Trustee agenda dated Wednesday, February 12, 2020, are classified as Unlisted Actions pursuant to SEQRA Rules and Regulations:

Beatrice Dupont SCTM# 1000-51-1-13
Sam Orlofsky SCTM# 1000-51-1-12
Kevin Gallagher SCTM# 1000-51-1-7
Anna M. Ten Napel SCTM# 1000-78-2-21

TRUSTEE GOLDSMITH: That's my motion.

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

IV. ENVIRONMENTAL DECLARATION OF SIGNIFICANCE PURSUANT TO NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT NYCCR PART 617:

TRUSTEE GOLDSMITH: Under Roman numeral VI.,

1. DESCRIPTION OF ACTION: Jeffrey Patanjo on behalf of **BEATRICE DUPONT** requests a Wetland Permit and a Coastal Erosion Permit to install 100 lineal feet of proposed rock revetment along pre-storm damaged shoreline; revetment to consist of three courses of boulders at a maximum of 2.5 ton stones per lineal foot placed in an interlocking pattern; all work to be completed landward of the mean high water line. Located: 18725 Soundview Avenue, Southold. SCTM# 1000-51-1-13

S.E.Q.R.A. NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE:

WHEREAS, the Southold Town Board of Trustees are familiar with this project having visited the site on February 5, 2020, and having considered the survey of property by Peconic Surveyors, P.C. dated November 23, 1991, and having considered the plans for this proposed project submitted by Jeffrey Patanjo dated November 2, 2019 at the Trustee's February 10, 2020 work session, and

WHEREAS, on February 12, 2020, the Southold Town Board of Trustees declared itself Lead Agency pursuant to S.E.Q.R.A., and

WHEREAS, on February 12, 2020 the Southold Town Board of Trustees classified the application as an unlisted action under S.E.Q.R.A., and

WHEREAS, in reviewing project plans submitted by Jeffrey Patanjo dated November 2, 2019 it has been determined by the Board of Trustees that all potentially significant environmental concerns have been addressed as noted herein:

- Vegetative, non-structural measures are not capable of stabilizing the erosion of the bluff alone.
- Protection of the toe of bluff using hardened structures including rock revetments is necessary.
- No existing rocks or boulders are to be utilized, moved, or relocated on the beach.
- As time progresses, continued soil loss at the toe of the bluff may lead to habitat degradation and bluff instability.
- A site inspection by the Southold Town Board of Trustees recognized erosion on this property and the need for a bluff stabilization/erosion control plan.

THEREFORE, according to the foregoing, the Southold Town Board of Trustees Approve and Authorize the preparation of a Notice of Negative Declaration pursuant to SEQRA for the aforementioned project.

TRUSTEE GOLDSMITH: That's my motion.

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE DOMINO: Number two, **DESCRIPTION OF ACTION:** Jeffrey Patanjo on behalf of **SAM ORLOFSKY** requests a Wetland Permit and a Coastal Erosion Permit to install 145 lineal feet of proposed rock revetment along pre-storm damaged shoreline; revetment to consist of three courses of boulders at a maximum of 2.5 tons per lineal foot placed in an interlocking pattern; remove and replace existing steps down bluff to beach with new consisting of 4'x28' steps, 4'x6' platform, 4'x23' steps, 4'x4' platform and 4'x19' steps; all work to be completed landward of the mean high water line.

Located: 18575 Soundview Avenue, Southold. SCTM# 1000-51-1-12

S.E.Q.R.A. NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE:

WHEREAS, the Southold Town Board of Trustees are familiar with this project having visited the site on February 5, 2020, and having considered the survey of property by Heidecker Land Surveying dated August 9, 2019, and having considered the plans for this proposed project submitted by Jeffrey Patanjo dated December 12, 2019 at the Trustee's February 10, 2020 work session, and

WHEREAS, on February 12, 2020, the Southold Town Board of Trustees declared itself Lead Agency pursuant to S.E.Q.R.A., and

WHEREAS, on February 12, 2020 the Southold Town Board of Trustees classified the

application as an unlisted action under S.E.Q.R.A., and **WHEREAS**, in reviewing project plans submitted by Jeffrey Patanjo dated December 12, 2019 it has been determined by the Board of Trustees that all potentially significant environmental concerns have been addressed as noted herein:

- Vegetative, non-structural measures are not capable of stabilizing the erosion of the bluff alone.
- Protection of the toe of bluff using hardened structures including rock revetments is necessary.
- No existing rocks or boulders are to be utilized, moved, or relocated on the beach.
- As time progresses, continued soil loss at the toe of the bluff may lead to habitat degradation and bluff instability.
- A site inspection by the Southold Town Board of Trustees recognized erosion on this property and the need for a bluff stabilization/erosion control plan.

THEREFORE, according to the foregoing, the Southold Town Board of Trustees Approve and Authorize the preparation of a Notice of Negative Declaration pursuant to SEQRA for the aforementioned project.

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE GOLDSMITH: Number three, **DESCRIPTION OF ACTION:** En-Consultants on behalf of **KEVIN GALLAGHER** requests a Wetland Permit and a Coastal Erosion Permit to construct along eroding toe of bluff approximately 127 linear feet of stone revetment, including $\pm 13'$ westerly and $\pm 11'$ easterly angled returns, all consisting of approximately 3 to 5 ton stone placed over 50 to 100 pound core stone and filter cloth; restore bluff face by constructing terrace retaining walls and placing approximately 500 cubic yards of sand re-nourishment (including approximately 240 cubic yards of on-site material excavated from toe of bluff for revetment installation and approximately 260 cubic yards of clean sand to be trucked in from an approved upland source) to be Vegetated with native plantings; establish and perpetually maintain a 10' wide non-turf buffer with native plantings adjacent to bluff crest; and construct new 3' wide by $\pm 78'$ long (top to bottom) elevated timber bluff stairway (including a 3'x6' entry platform, 3'x6' and 3'x3' middle platforms, and 3'x4' platform leading to 5'x6' bottom platform connected to 3'x12' steps to beach).

Located: 17975 Soundview Avenue, Southold. SCTM# 1000-51-1-7

S.E.Q.R.A. NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE:

WHEREAS, the Southold Town Board of Trustees are familiar with this project having visited the site on February 5, 2020, and having considered the survey of property by Nathan Taft Corwin III Land Surveyor dated December 19, 2019, and having considered the plans for this proposed project submitted by Jeffrey T. Butler, P.E., P.C. dated December 20, 2019 at the Trustee's February 10, 2020 work session, and

WHEREAS, on February 12, 2020, the Southold Town Board of Trustees declared itself Lead Agency pursuant to S.E.Q.R.A., and

WHEREAS, on February 12, 2020 the Southold Town Board of Trustees classified the application as an unlisted action under S.E.Q.R.A., and

WHEREAS, in reviewing project plans submitted by Jeffrey T. Butler, P.E., P.C. dated December 20, 2019 it has been determined by the Board of Trustees that all potentially significant environmental concerns have been addressed as noted herein:

- Vegetative, non-structural measures are not capable of stabilizing the erosion of the bluff alone.
- Protection of the toe of bluff using hardened structures including rock revetments is necessary.
- No existing rocks or boulders are to be utilized, moved, or relocated on the beach.
- As time progresses, continued soil loss at the toe of the bluff may lead to habitat degradation and bluff instability.
- A site inspection by the Southold Town Board of Trustees recognized erosion on this property and the need for a bluff stabilization/erosion control plan.

THEREFORE, according to the foregoing, the Southold Town Board of Trustees Approve and Authorize the preparation of a Notice of Negative Declaration pursuant to SEQRA for the aforementioned project.

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE KRUPSKI: Number four,

DESCRIPTION OF ACTION: Jeffrey Patanjo on behalf of **ANNA M. Ten**

NAPEL requests a Wetland Permit to construct a proposed 4' wide by 28' long catwalk with steps down to a fixed 6' wide by 20' long fixed dock in a "T" configuration; both the catwalk and dock will have un-treated timber decking; and for a Ten (10) Year Maintenance period to trim the Phragmites 4' wide on either side of proposed catwalk (total 12' wide area) by hand methods down to not less than 12" above ground level twice per calendar year. Located: 320 Glenn Road, Southold. SCTM# 1000-78-2-21

S.E.Q.R.A. NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE:

WHEREAS, the Southold Town Board of Trustees are familiar with this project having visited the site on February 5, 2020, and having considered the survey of property by Heidecker Land Surveying dated September 17, 2019, and having considered the plans for this proposed project submitted by Jeffrey Patanjo dated December 2, 2019 at the Trustee's February 10, 2020 work session, and

WHEREAS, on February 12, 2020, the Southold Town Board of Trustees declared itself Lead Agency pursuant to S.E.Q.R.A., and

WHEREAS, on February 12, 2020 the Southold Town Board of Trustees classified the application as an unlisted action under S.E.Q.R.A., and

WHEREAS, in reviewing project plans submitted by Jeffrey Patanjo dated December 2, 2019 it has been determined by the Board of Trustees that all potentially significant environmental concerns have been addressed as noted herein:

- **Navigation:** The proposed dock meets standards and does not extend beyond 1/3 across the water body. Depths for the dock terminus are within Town Trustees, New York State Department of Environmental Conservation and United States Army Corps. Of Engineers guidelines and there is no recognized Federal/New York State/Town navigation channel in the immediate vicinity of the proposed structure.
- **Scope:** The proposed dock is comparable to docks on neighboring properties in an area where docks historically are used for commercial and recreational purposes

- Scope in relation to the riparian rights of shell fishers: The plan allows a standard fixed dock design that will not impede access for those seeking shellfish and crustacea in season.
- Scope in relation to view shed: The seaward end of the proposed dock will not extend appreciably beyond existing docks. As such the perspective will not be discernibly different from the existing view.
- Environmental upkeep: The dock design projects a usual lifespan of 30 years with limited pile replacement so as to minimize disturbance of the bottom.

THEREFORE, according to the foregoing, the Southold Town Board of Trustees Approve and Authorize the preparation of a Notice of Negative Declaration pursuant to SEQRA for the aforementioned project.

TRUSTEE GOLDSMITH: That is my motion.

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

VII. RESOLUTIONS - ADMINISTRATIVE PERMITS:

TRUSTEE GOLDSMITH: Under Roman numeral VII, resolutions - administrative permits, number one, Fred Fragola on behalf of **RACHEL L. MURPHY** requests an Administrative Permit for the demolition and removal of house, garage, shed, driveway and walkways.

Located: 21695 Soundview Avenue, Southold. SCTM#: 1000-135-1-7

The LWRP found this to be inconsistent. The inconsistency is the submitted plans lack storm water and erosion controls and protection for top of bank bluff.

I make a motion to approve this application with the condition that hay bales and silt fence be installed during demolition.

TRUSTEE WILLIAMS: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE GOLDSMITH: Number two, **BIM STRASBERG & ALEXANDRA LEWIS** request an Administrative permit for the as-built front entry stairs measuring 72"W X 55"D landing with two steps, each 72"W X 7"H X 11"D, total Area: 72"W X 77"D; framing: CCA, pressure-treated wood.; landing and steps: Cedar; and as-built rear entry stairs; 80"W X 36"D landing with three steps, each 80"W X 7"H X 11"D, total area: 80"W X 69"D, framing: CCA, pressure-treated wood landing and steps: Cedar.

Located: 21225 Soundview Avenue, Southold. SCTM#: 1000-135-1-1

The LWRP found this to be inconsistent. The inconsistency is, according to Town records, the as-built structures were constructed without obtaining regulatory permits.

I make a motion to approve this application whereby granting a permit will bring it into consistency with the LWRP.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE GOLDSMITH: Number three, **JOHN ARCARA & MICHAEL SCOPELLITE** request an Administrative Permit for the as-built 16'x8.2' pool

storage shed with no interior water or gas to be installed, replacing an existing 12'x8.2' shed in-place; as-built generator on a 56"x34"x34" high pad; and for the as-built extension of existing driveway an additional 37' seaward for a total of approximately 2,394 sq. ft. of driveway.

Located: 3905 Wells Road, Peconic. SCTM# 1000-86-2-14

The LWRP found this to be inconsistent. The inconsistency is Town records indicate that structures were constructed without a Southold Town Board of Trustees review or permit.

I make a motion to approve this application, and by granting a permit will bring this into consistency with the LWRP.

TRUSTEE DOMINO: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE GOLDSMITH: Number four, **DAWN CARROLL** requests an Administrative Permit for the as-built replacement of 20' of treated lumber bulkhead in place with hardwood lumber, as-built installation of four (4) 4"x4" treated posts; install one course of cinder block 20'x8" retaining wall landward of bulkhead.

Located: 1650 Strohson Road, Cutchogue. SCTM#: 1000-103-10-31.2

I make a motion to approve number four.

TRUSTEE DOMINO: Second.

TRUSTEE GOLDSMITH: All in favor

(ALL AYES).

VIII. APPLICATIONS FOR EXTENSIONS/TRANSFERS/ADMINISTRATIVE AMENDMENTS:

TRUSTEE GOLDSMITH: Roman numeral VIII, applications for extensions, transfers and administrative amendments. In an effort to simplify our meetings, we group applications that are similar in nature, therefore I make a motion to approve as a group numbers two through eight. They are listed as follows:

Number two, David Jude Jannuzzi on behalf of **1470 JACKSON ST., LLC** requests a Transfer of Wetland Permit #4601 from John Manning to 1470 Jackson St., LLC, as issued on May 23, 1996.

Located: 1470 Jackson Street, New Suffolk. SCTM# 1000-117-10-11

Number three, David Jude Jannuzzi on behalf of **1470 JACKSON ST. LLC** requests a Transfer of Administrative Permit #7906A from Claire Manning to 1470 Jackson St. LLC, as issued on September 19, 2012.

Located: 1470 Jackson Street, New Suffolk. SCTM#: 1000-117-10-11

Number four, David Jude Jannuzzi on behalf of **1470 JACKSON ST. LLC** requests a Transfer of Wetland Permit #8070 from Manning Credit Shelter Trust Mannview LLC c/o Philip Manning to 1470 Jackson St. LLC, as issued on February 20, 2013.

Located: 1470 Jackson Street, New Suffolk. SCTM#: 1000-117-10-11

Number five, **EUGENE BOZZO** requests an Administrative Amendment to Wetland Permit #158 to add 12" to the height of 125' of existing bulkhead on the east, using non-treated wood.

Located: 4135 Camp Mineola Blvd., Mattituck. SCTM#: 1000-123-5-27

Number six, Jennifer DelVaglio on behalf of **RICHARD & ALICE RUBINSTEIN** requests an Administrative Amendment to Wetland Permit #9106 to eliminate 128 sq. ft. waterside portion of the previously approved 4' wide on-grade walk and to

use pavers in lieu of brick on remainder; to construct a 349 sq. ft. on-grade paver patio in lieu of previously approved 15'x29' deck with 83'x30' platform and steps.

Located: 470 Goose Creek Lane, Southold. SCTM#: 1000-79-1-5

Number seven, En-Consultants on behalf of **VANSTON BEAR, LLC c/o**

ANDREW BECK, MEMBER requests an Administrative Amendment to Wetland Permit #9295 to replace existing 3.5'x36' fixed timber dock located inside boat basin with a 4'x5' fixed walk, 3'x14' ramp and a 5'x24' float secured by two (2) 10" diameter piles (instead of replacing the fixed dock in-kind/in-place); and to add approximately 207 linear feet of 4' wide boardwalk along the landward side of a portion of the reconstructed boat basin bulkhead.

Located: 5250 Vanston Road, Cutchogue. SCTM#: 1000-111-10-14

Number eight, En-Consultants on behalf of **SEAN & LESLIE OLSEN** requests an Administrative Amendment to Wetland Permit #9125 to adjust the location and reduce the size of the reconstructed dock platform to 4.5'x5' in lieu of 4.5'x7'; and to eliminate the proposed 10'x20' deck landward of the bulkhead; construct as-built 5'x11' walkway to the dock platform.

Located: 975 West Hill Road, Southold. SCTM#: 1000-70-4-25

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE GOLDSMITH: Number one, Tom Gabrielsen on behalf of **HELEN E. POWERS** requests a Transfer of Administrative Permit #7074A from Erwin & Heather Gruber to Helen E. Powers, as issued on April 22, 2009.

Located: 4955 Moore's Lane, Cutchogue. SCTM# 1000-116-2-3

This permit was to construct a fence as well as for maintenance trimming. The fence was never constructed. And the maintenance trimming, a permit was issued back in 2009 that has expired, therefore there is nothing to transfer in this permit.

So I make a motion to deny this application with prejudice.

TRUSTEE DOMINO: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

MR. HAGAN: Mr. President, just to clarify, it was denied with prejudice because the work was never done as contemplated in the permit, so there is nothing to transfer.

TRUSTEE GOLDSMITH: Correct.

TRUSTEE GOLDSMITH: Under Roman numeral nine, public hearings, motion.

TRUSTEE DOMINO: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

IX. PUBLIC HEARINGS:

TRUSTEE GOLDSMITH: This is a public hearing in the matter of the following applications for permits under the Wetlands ordinance of the Town of the Southold. I have an affidavit of publication from Suffolk Times. Pertinent correspondence may be read prior to asking for comments from the public.

Please keep your comments organized and brief. Five minutes or less if possible.

AMENDMENTS:

TRUSTEE GOLDSMITH: Under Amendments, number one, **SCOTT & SUSAN AMBROSIO** request an Amendment to Wetland Permit #9379 to install a CEN7-OWTS septic system in lieu of a proposed CEN5-OWTS septic system.

Located: 1940 Mason Drive, Cutchogue. SCTM# 1000-104-7-16.1.

The LWRP found this to be consistent.

The Conservation Advisory Council did not make an inspection, therefore no recommendation was made.

The Trustees conducted a field inspection on February 5th.

Is there anyone here wishes to speak regarding this application?

(Negative response).

Are there any questions or comments from the Board?

(Negative response).

I'll point out the plans received January 31st, 2020, which were the most recent submission, we have a whole bunch of different plans in here. There were a few inconsistencies on the plans that we received that we need to be addressed prior to us granting a permit on this.

MR. AMBROSIO: I did address those. I brought in new plans and gave them to Dianne.

TRUSTEE GOLDSMITH: What was the date on the most recent plans?

MR. AMBROSIO: I don't know. You have them in front of you. I gave them to Dianne. I brought down a full set.

TRUSTEE GOLDSMITH: The problem is we have multiple sets of plans. It's hard to keep track which ones are the correct ones.

MR. HAGAN: When did you drop them off, sir?

MR. AMBROSIO: Over a week ago.

MR. HAGAN: Around January 31st?

MR. AMBROSIO: Somewhere around there. It was a whole set showing --

TRUSTEE GOLDSMITH: January 31st?

TRUSTEE DOMINO: It would be after February 5th.

MR. AMBROSIO: It was right after February 5th, yes.

TRUSTEE GOLDSMITH: We have a very big file here. (Perusing).

MR. AMBROSIO: You made a comment about the paver patio, if you remember. I had it taken off. That's what you asked for. So it was removed off the drawings. And you wanted illustrated a wooden deck, which it always was. So it would say wooden deck on it.

TRUSTEE GOLDSMITH: We are going to second call this since we have so many plans here. Liz will run back to the office. So we'll call it back up.

MR. AMBROSIO: I just want to make it clear because when you met with me, you said to me, what you need to do is just take the words "paver patio" off the plan, and that is what I did. And Megan took it off and we ran down and gave her the plans right away.

TRUSTEE GOLDSMITH: So we'll try to locate those latest revisions and plans and call you back up when we find it.

(Conversation held off the record).

TRUSTEE GOLDSMITH: Okay, so I make a motion to close this hearing.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: I make a motion to approve the application.

TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).

TRUSTEE GOLDSMITH: I make a motion to approve the application with the new revised plans that were submitted and reviewed at the work session on February 10th, 2020.

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).

TRUSTEE DOMINO: Number two, Patricia Moore, Esq. on behalf of **DAVID HERMER & SILVIA CAMPO** requests an Amendment to Wetland Permit #9406 to remove and replace in-place the existing northerly wood retaining wall with a 27 linear foot long concrete retaining wall. Located: 3675 Nassau Point Road, Cutchogue. SCTM# 1000-111-9-4.2

The Trustees in their most recent inspection was an inhouse inspection on February 5th, and all were present. Notes were that this was a straightforward application.

The LWRP coordinator found this application to be exempt.

And the Conservation Advisory Council did not make an inspection, therefore did not make a recommendation.

Is there anyone here to speak to this application?

MS. MOORE: Patricia Moore, if you have any questions, otherwise, you are familiar with the property.

TRUSTEE DOMINO: Anyone else wish to speak to this application?
(Negative response).

Questions or comments from the Board?
(Negative response).

Hearing none, I make a motion to close the hearing.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).

TRUSTEE DOMINO: I'll make a motion to approve the application as submitted.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).

WETLAND & COASTAL EROSION PERMITS:

TRUSTEE BREDEMEYER: Under wetland coastal erosion permits, number one, Patricia Moore, Esq. on behalf of **AYDA CANDAN** requests a Wetland Permit and a Coastal Erosion Permit for the existing 20.5'x42.2' two-story dwelling with 9'x20.5' second floor (living space) over existing deck, a 10'x20.5' on-grade patio (in front of bulkhead), a 20.5'x9' first floor deck with 3'x14' steps to grade on east side, and an 8'x30' concrete patio on grade in front yard; existing 25 linear foot long and 20 linear foot long cement retaining walls on west side; between front yard and rear yard an existing 20 linear foot long cement retaining wall with 3'x8' steps from front elevation to rear elevation; two (2) existing 20 linear foot long cement retaining walls on both sides of driveway; 50 linear feet of existing wood bulkhead running along mean high water mark connecting to westerly neighbor's bulkhead with a 20' return on east side; and for the existing steps on the east side of dwelling; proposed work to existing to include:

Replacing supports (footings) of existing 29.5'x19' deck and deck columns; replace 12 cubic yards of fill with clean sand and gravel under existing concrete patio and deck footings landward of existing bulkhead; add hurricane straps to existing above grade deck; existing cement block walls protecting support piles under the house (storm breaks) to be repaired or replaced with comparable "break away" material; on west side of house, repair or replace as needed, 3'x5' steps to bulkhead; repair or replace as needed, 3'x5' steps perpendicular to dwelling; repair or replace as needed, 4'x8' steps from side yard retaining wall to grade; on east side of dwelling, repair or replace 3'x10' deck stairs to grade; replace 4'x10' wood steps to grade; repair existing 4'x3' wood steps running from existing wood retaining wall to grade (alongside of existing house).

Located: 55955 County Road 48, Greenport. SCTM# 1000-44-1-18

I'm in possession of amendments to the project description stamped in the Trustee office on February 10th, wherein based on field inspection it was found that the deck is a 29.5' by 19' deck. Also received in the Trustees office on February 10th is an amended survey which properly identifies this deck as being a first-floor deck that had been inadvertently identified on the survey as a second-floor deck.

The Conservation Advisory Council reluctantly supports the application due to the past history of structural failures on the property due to erosion.

The LWRP coordinator Mark Terry indicates that this project is inconsistent with Town coastal policy, specifically policy four, minimize loss of life, structures and natural resources from flooding and erosion; minimize loss of human life and structures from flooding and erosion hazards. And the following measures, to minimize loss of human life and structures from flooding hazards and erosion hazards are suggested: Minimize potential loss and damage by locating development of structures away from flooding and erosion hazards. Avoid development of new water-dependent uses in coastal hazard areas; locate new development which is not dependent as far away from coastal hazard areas as practicable; no development is permitted in natural protective feature areas, except to specifically allow under the relevant provisions of 6NYCRR 505.8. Avoid hazards by siting structures to maximize the distance from coastal erosion hazard areas, and move existing development structures as far away from flooding and erosion hazards. Specifically and highlighted in the report, structures constructed in the Long Island Sound coastal erosion hazard area are susceptible to repeated loss during storms. It is recommended that as-built structures located seaward of the coastal erosion hazard area be removed, or moved as far away from flooding and erosion hazards as practicable.

With respect to policy 6.3, to protect and restore tidal and freshwater wetlands, the application needs to comply with statutory and regulatory requirements of the Southold Town Board of Trustees laws and regulations, the Andros Patent where applicable and other lands under their jurisdiction, and to comply with Trustee regulations and recommendations as set forth in Trustee permit conditions.

Involved in this report, according to Town records, the structures except the bulkhead, were constructed without obtaining Board of Trustee review or regulatory permit. And pursuant to Chapter 268, the Board shall consider this recommendation in preparing its written determination regarding the consistency of the proposed action.

The Board is also in receipt of an e-mail letter that is dated February 10th, Monday, February 10th, from Lynn Laskos indicating she spoke with the neighbor Yuelys who was here at the last hearing, and they have been able to provide a photo of the extended deck from 1991, which we have a photograph in the file.

I performed inspections last Thursday and Friday and based on my field inspection there was a deck addition which comports with the same dating in this photograph, the deck addition of 10'2"x20'6". Was constructed on or about that date

that is presented here that was on or after 1991, which we do not have a permit in our file for. That structure being greater than 200-square feet, which is a limit on the Coastal Erosion Hazard Area ordinance.

Is there anyone here wishing to speak to this application?

MS. MOORE: Yes, Patricia Moore on behalf of the Candan family.

All the LWRP comments I find are objectionable that the LWRP completely disregards the fact that the property predates Zoning. The property predates Wetland ordinance, Coastal Erosion law. This property as well as many of the properties that are north of the North Road in this region are all pre-existing properties that have been fully developed. If the LWRP or the Town wishes to condemn these properties, there is a procedure. But regulatory taking is not the procedure to go through. So we consistently pursued getting permits, for getting permits for everything that has been asked of us. We started this process five years ago, um, with an effort to get pre-existing pre-CO's, and it got muddled through that process. So I really thank the Board for really finally getting it to the point where we have cleaned this property up and protect the family from further loss of the property.

The work that was being proposed is to protect the existing structure. And the process we were going through under the Town's procedures, or the Trustees procedures, is to get permits for existing structures. At the time that these structures were constructed the Trustees permit process was not in place. So we are cleaning up the Town records with respect to the house and many of the improvements of this property.

As far as the deck is concerned, I have documented how the deck was constructed. If it was extended, I don't know that to be a fact. This is the neighbor claiming that it was extended.

But I have documentary proof in the file and receipts of when the deck was constructed. So, again, I don't, we have to get these permits in place so that we can finish restoring protecting the house. This is a person's home, they have owned it for decades and it's been here since prior to the Town zoning so. I will address any other issues that the Board has, but I think you, I have given you written documentation and arguments and so on. We are kind of at the end. We really need to get these permits in place. Thank you.

TRUSTEE BREDEMEYER: Thank you. The Board has reviewed this extensively, including multiple field inspections starting, going back five years, I do recall being there with former Trustee President Jim King. And I believe Trustee Domino was here at that time. The Board in work session, we don't have an issue with the house construction but the issue is this deck addition which exceeds the 200-square feet. There is evidence in the file that it was constructed in 1991. There is a number of additional photographs. And so it remains – let me approach the photograph. This, call it a cement knee wall here that has some architectural brick on it, in fact we have one of the prior pictures this is a complete wall. This is a repurposed piece of fascia here. The deck, which exceeds 200-square feet, this portion of the deck was added on when the Wetland permit was in force and coastal erosion was on the Town books, based on our records. That's the only issue we have. And so it would be difficult to bring this into consistency with both the current standards that we have and with the fact there is no permit on that, it exceeds 200-square feet, it also is seaward of other structures in the area. So it violates the tenets of the specific sections of the Town wetland ordinance.

TRUSTEE GOLDSMITH: And because of the deck size we couldn't approve it under Coastal Erosion, but if it was pulled back, everything would fall under Wetland.

MS. MOORE: What I would do, as far as this application goes, give us the permit for where we clearly -- I don't think there is any question that the deck went to here, for sure (indicating). That was the 19 feet that we had from the 70s.

TRUSTEE BREDEMEYER: That's the nine feet.

MS. MOORE: Yes, nine feet.

TRUSTEE BREDEMEYER: Yes, exactly nine feet.

MS. MOORE: So we have no issue with this part of the deck. I'll appeal that through the appropriate process. But we have to meet, the protection of the house is this part of the house and the landward part of the house. So to keep this application open and unresolved, it just jeopardizes our ability to get the building permits that we need to fix the foundation and protect the house. So what I --

TRUSTEE BREDEMEYER: The appeals process, if it's denied under the Wetland ordinance, it's not an appeal to the Town Board like Coastal Erosion. That structure goes seaward, that structure is seaward and you would have to proceed with an Article 78 as well as an appeal to the Town Board. If the Town attorney could clarify that.

MR. HAGAN: You don't have a Coastal Erosion application currently pending.

You only have a wetland permit application

MS. MOORE: I have two applications.

MR. HAGAN: We are under Coastal Erosion, I'm sorry.

MS. MOORE: I have two applications, because regardless, the house is, requires the Coastal Erosion permit as well. So because we are doing repairs to the house and to the, where there is no dispute. We end there. And I need permits for both, my understanding, for the past process that we have been going through.

TRUSTEE BREDEMEYER: A deck built in 1991 still needed a wetland permit.

MS. MOORE: And I'm basing it on hearsay of the neighbor, versus my client and their knowledge. So I mean, I can't, I'm dealing with the son.

TRUSTEE BREDEMEYER: We have no record of permits.

MS. MOORE: Then it would have predated --

TRUSTEE BREDEMEYER: We have a photo in the file, right?

MS. MOORE: On my photo in the file, the 70s when the house was and the deck was built. I have not gotten the Lynn's photo, so I don't know.

TRUSTEE BREDEMEYER: The actual physical photographs are here. So here --

MS. MOORE: In you can show it to me. That would be great. I have not been given a copy of anything.

TRUSTEE BREDEMEYER: This came in the same day your amendments came into the project description.

MS. MOORE: Okay.

(Board and Ms. Moore perusing file).

MS. MOORE: The hearsay being it's a photograph, unidentified, who took it, what year, you know. I know Lynn's very well, but, you know. So my, the conversation we just had was to amend the application for the deck where it ends right under the cantilevered portion of the house, which there is no dispute on that portion.

TRUSTEE BREDEMEYER: That's correct, no dispute.

MS. MOORE: Then I'll address an extension of the deck through the appropriate channels, if it's Zoning Board, Trustees, Coastal Erosion, Town Board. But that is a separate process from

you. That's down the line. Because you are -- much further down the line.

MR. HAGAN: So if the Board was going to vote on an amended project description that has the deck ending where you just referenced, they would need new plans that show the deck ending where you just referenced. And it sounds like you would then later want to make some sort of application as far as amending the --

MS. MOORE: In order to keep the deck they have, I would have to go through whatever the process would be that the Building Department would determine would be the process to ratify or, as-built that portion of the deck that extends beyond the cantilevered.

MR. HAGAN: But your project description now is the project as built as a whole, so the Board of Trustees would not be able to approve piecemeal and then deny piecemeal. They would either have to approve the application as submitted or deny the application as submitted. Which would then lead to --

MS. MOORE: I would not want to give you a different plan.

MR. HAGAN: I think the Trustees had conveyed a desire. If the desire is not going to be followed, then the Trustees will have to make a determination based on that.

MS. MOORE: Yes. The desire is for me to amend the application and go back to the cantilevered distance. That deck. I

understand that. I thought we could do it tonight. Subject to, it's really the survey. I don't have drawings. This is as-built.

So it would have to be the survey that is once again revised with -- I mean, you do have the survey. My survey identifies where the cantilevered portion of the second floor and the deck ends.

TRUSTEE GOLDSMITH: So we would need new plans showing that smaller deck in order for us to approve the project.

MS. MOORE: It's just a written project description on the survey.

TRUSTEE KRUPSKI: Maybe the survey from 1990.

MS. MOORE: If I had the survey from 1990 there would not be an issue, so.

TRUSTEE BREDEMEYER: The two are the same. This plan would show the first-floor deck underneath cantilevered, as opposed to the full 19'x29.5.

MS. MOORE: I mean, I was able to get John Metzger to make the revision for me almost overnight, but I was not aware of this latest issue, so.

TRUSTEE BREDEMEYER: The information developed in due course, after you happen to be in the office when I was reviewing the file and previous --

MS. MOORE: No, I'm not blaming you. It's just magically I can't produce something today.

TRUSTEE BREDEMEYER: I understand. Do you have any other questions of the Board?

(No response).

Questions from the Board?

TRUSTEE KRUPSKI: Just for clarification, the photos that were submitted, when were they submitted? From the neighbor?

TRUSTEE BREDEMEYER: Actually, I believe that they are stamped in. Let me find the dates.

MR. HAGAN: Just to clarify, from the last meeting there was a neighbor that had spoken, identified themselves at the last meeting --

TRUSTEE BREDEMEYER: Yuelys.

MR. HAGAN: Thank you. Her identification or her name is in the Minutes from the last meeting, and she stated she handed those up at the meeting. That's why they are stamped in with the date of the last meeting.

TRUSTEE BREDEMEYER: My apologies. They were stamp dated at the last meeting and had stuck to a more recent one sent on February 7th that shows a larger deck.

MS. MOORE: I was not aware of the February date. Okay.

TRUSTEE KRUPSKI: Thank you.

MS. MOORE: All right, so then we have to postpone this until the next meeting, or you can approve what we have and then --

TRUSTEE BREDEMEYER: We would have to postpone at the applicant's request for new plans.

MS. MOORE: I hope it will be the last postponement.

TRUSTEE KRUPSKI: So do we.

MS. MOORE: Yes. We were all operating under a different set of facts, so I'm a little bit surprised today that the Board feels that that portion of the deck somehow or another is not, was built after the fact. So I thought it had been resolved. So.

TRUSTEE BREDEMEYER: All right. I make a motion to table this application at the applicant's request.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE KRUPSKI: Number two, Jeffrey Patanjo on behalf of **BEATRICE DUPONT** requests a Wetland Permit and a Coastal Erosion Permit to install 100 lineal feet of proposed rock revetment along pre-storm damaged shoreline; revetment to consist of three courses of boulders at a maximum of 2.5 ton stones per lineal foot placed in an interlocking pattern; all work to be completed landward of the mean high water line.

Located: 18725 Soundview Avenue, Southold. SCTM# 1000-51-1-13

The Trustees originally visited the site on the 5th of February and originally noted that it was not staked. They were concerned about the alignment with the neighbors based off the plans and due to lack of staking it was sort of hard to tell. And they also noted that at least two drainpipes going down the bluff must be removed.

The Trustees then returned, two of the Trustees returned on the 10th of February, and noted that the project had been staked and it was straightforward at the toe of the bluff aligning with the neighbors.

The LWRP coordinator found this to be consistent, although recommended requiring moving of existing boulders and rocks on the beach in the project to meet policies four and six. And number two, restore exposed areas on the bluff with soils,

lining vegetation, to further policies four and six. And also noted that regulatory permits for the frame boat house located entirely within the Coastal Erosion Hazard Area could not be located within the Town records, however the Trustees did extensive research with that and were able to the boat house has been there possibly longer than the existing actual live-in house. Going back quite a long time, far before the permits would have been issued.

Is there anyone here that wishes to speak regarding this application?

MR. PATANJO: Jeff Patanjo on behalf of the applicant. Everything was pretty much spelled out and straightforward. If you have any questions, I would be happy to answer them.

TRUSTEE KRUPSKI: So as far as the pipes, we would stipulate removal of those pipes based on --

MR. PATANJO: Yes, we can remove them.

TRUSTEE KRUPSKI: And then in terms of the access with the rocks, are you going to come in by barge?

MR. PATANJO: It has to be by barge. There is no other access point.

TRUSTEE KRUPSKI: Yes. I don't think you can get around the house there.

MR. PATANJO: In combination with the neighboring property which is next on the agenda. It's one barge trip in and that's it.

TRUSTEE KRUPSKI: Thank you. Is there anyone else here that wishes to speak regarding this application?

(Negative response).

Any further comments or questions from the Board?

(Negative response).

Hearing none, I make a motion to close the hearing in this application.

TRUSTEE WILLIAMS: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE KRUPSKI: I make a motion to approve the Wetland and Coastal Erosion permit for this application with the stipulation that access not be from over the bluff, and to come in by barge, and that the black drain pipes along the bluff be removed.

TRUSTEE DOMINO: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE WILLIAMS: Number three, Jeffrey Patanjo on behalf of **SAM ORLOFSKY** requests a Wetland Permit and a Coastal Erosion Permit to install 145 lineal feet of proposed rock revetment along pre-storm damaged shoreline; revetment to consist of three courses of boulders at a maximum of 2.5 tons per lineal foot placed in an interlocking pattern; remove and replace existing steps down bluff to beach with new consisting of 4'x28' steps, 4'x6' platform, 4'x23' steps, 4'x4' platform and 4'x19' steps; all work to be completed landward of the mean high water line.

Located: 18575 Soundview Avenue, Southold. SCTM# 1000-51-1-12

The Trustees visited the site on February 5th, 2020, noting the project was not staked.

On February 10, Trustees Williams and Bredemeyer performed a field visit to review the stakes and reviewed the project, noting the project to be straightforward.

The LWRP found this action to be both consistent and inconsistent. The consistency with notes, prohibit moving and using or including existing boulders and rocks on the beach and the project to meet policies four and six. Number two, restore exposed areas on the bluff with soil binding vegetation to further policies four and six.

The inconsistency noted was the removal and replacement of the existing steps down the bluff to reach the beach is recommended as inconsistent with policy 6.3, regulatory permits were not located within Town records for the existing stairs.

The Conservation Advisory Council supports the application with aluminum retractable stairs at base of the steps down the bluff.

Is there anyone here that wishes to speak regarding this application?

MR. PATANJO: Jeff Patanjo, on behalf of the applicant. And as with the previous application access will be by barge, and we'll make the condition to the permit the lower portion of the steps to be removable seasonally. I would suggest we can do it out of timber instead of aluminum, if that's a possibility.

TRUSTEE WILLIAMS: Gentlemen?

TRUSTEE KRUPSKI: I don't have a problem with that.

TRUSTEE BREDEMEYER: I don't have any problem with that.

TRUSTEE WILLIAMS: Anyone else here wish to speak to this application?

(Negative response).

Questions, comments from the Board?

(Negative response).

I make a motion to close the public hearing.

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE WILLIAMS: I make a motion to approve the application with plans received December 30th, 2019, with the stipulation of removable stairs at the bottom section to the beach, and also barge access for the delivery of materials.

TRUSTEE DOMINO: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE GOLDSMITH: Number four, En-Consultants on behalf of **KEVIN GALLAGHER** requests a Wetland Permit and a Coastal Erosion Permit to construct along eroding toe of bluff approximately 127 linear feet of stone revetment, including $\pm 13'$ westerly and $\pm 11'$ easterly angled returns, all consisting of approximately 3 to 5 ton stone placed over 50 to 100-pound core stone and filter

cloth; restore bluff face by constructing terrace retaining walls and placing approximately 500 cubic yards of sand re-nourishment (including approximately 240 cubic yards of on-site material excavated from toe of bluff for revetment installation and approximately 260 cubic yards of clean sand to be trucked in from an approved upland source) to be vegetated with native plantings; establish and perpetually maintain a 10' wide non-turf buffer with native plantings adjacent to bluff crest; and construct new 3' wide by $\pm 78'$ long (top to bottom) elevated timber bluff stairway (including a 3'x6' entry platform, 3'x6' and 3'x3' middle platforms, and 3'x4' platform leading to 5'x6' bottom platform connected to 3'x12' steps to beach).

Located: 17975 Soundview Avenue, Southold. SCTM# 1000-51-1-7

The LWRP found this to be consistent. A couple of notes, prohibit the use of existing rocks and boulders occurring on the beach in the project, and verify how the construction area will be accessed.

The Conservation Advisory Council resolved to not support the application.

The Trustees conducted a field inspection on February 5th, noting it was a straightforward application, and was a pre-approved application that had expired.

Is there anyone here that wishes to speak regarding this application?

MR. HERRMANN: Yes. Rob Herrmann, En-Consultants, on behalf of the applicant Kevin Gallagher.

That's correct, there was prior wetland and coastal erosion permits 8620 and 8620(c) issued in June of 2015. This project was designed to be implemented in conjunction with the adjacent property owned by Kearns who had similar permits issued in 2016, which are still valid. But because the construction was not able to be commenced before this permit expired, we had to come back and obtain a new permit.

So the plans in front of you are nearly identical to what the Board had approved previously.

And with respect to the LWRP comments, there is no plans to use existing rocks on the beach. Access will be gained both by large, and certain materials will come over the top of the bluff by crane. There will be no road cut through the bluff or anything like that. It will just be a process of passing materials down. And that will actually probably occur from the adjacent lots because there is really no room to get equipment around the sides of this house.

There is a stairway proposed in conjunction with revetment along with comprehensive bluff restoration, terracing, re-nourishment, and native revegetation, with a buffer along the top.

TRUSTEE GOLDSMITH: Is there anyone else here who wishes to speak regarding this application?

(Negative response).

Any questions or comments from the Board?

(Negative response).

TRUSTEE GOLDSMITH: Hearing none, I make a motion to close this

hearing.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE GOLDSMITH: I make a motion to approve this application as submitted with the condition that no bluff cut to be used.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

MR. HERRMANN: Thank you.

WETLAND PERMITS:

TRUSTEE DOMINO: Number one under Wetland permits, Patricia Moore, Esq. on behalf of **FRED & MAUREEN DACIMO** requests a Wetland Permit to replace the foundation of a 36.2'x32' existing residential cottage and raise foundation to FEMA standards, renovate the cottage, and repair or replace existing sanitary system as needed; and for the existing 20.8'x68.5' one-story frame storage building with concrete slab; existing 40.4'x20.3' two-story frame building; concrete shed and fuel tank; existing 10.2'x14.2' shed; existing 74.3'x49'x28.7'x17.7'x51.6'x31.3' one-story storage building; existing 8'x8' windmill tower base; and existing 5'x5' outhouse/public bathroom for marina customers. Located: 5520 Narrow River Road, Orient. SCTM# 1000-27-2-4

The Trustees most recent inspection was an inhouse inspection on February 5th, and the notes read see field notes from 9/11/2019. Those notes recommend an IA septic system; concerned about project segmentation; and also concerned about whether or not the building was habitable and had building plans and COs.

The LWRP coordinator found this to be consistent with the consideration that, again, there be an IA system due to the fact it is located in the VA FEMA flood zone, and the high quality of water in Hallocks Bay.

The Conservation Advisory Council resolved to support the application and asked the applicant to consider an IA system.

And there is some literature in here concerning letters back and forth from the Trustees to Patricia Moore concerning the habitability of the building. And I believe those concerns were addressed.

MS. MOORE: Yes, I had submitted to the Board in response to the September hearing and, or letters that I had received or comments the Board had made. I submitted on September 18th my memo addressing some of those comments. But in the meantime, we have gotten pre-COs, COs for every structure that is on the property. And really the only thing we are at this point waiting for is the Wetland permits so that we can raise the cottage and put it on the new FEMA-compliant foundation.

So as far as all the other structures go and including the cottage, it has pre-COs, CO, and we have submitted all of that

to the Board. And I hope you have all the COs for all the structures at this point. So.

TRUSTEE DOMINO: As per the Board recommendations for an IA system, is it your intention at this time not to do that?

MS. MOORE: The raising of the existing structure to a new foundation does not require a new sanitary system. The existing system is functional. It's been functional. There has been no issues with that system. So we would not go through any kind of replacement of sanitary systems at this time. We don't want to open up a can of worms. This is a marina, so it's a commercial application regardless of what uses you undertake on the property. So that could be an extensive review process with the Health Department as a marina. So the sole activity here is to raise the cottage so that it is safely out of harm's way. And the cottage can be renovated, and it's in surprisingly, structurally good condition. It was just -- I don't want to say ugly. It needs renovation because the prior habitants of the cottage had been there for about 30 or 40 years. With the good will of the owners, they just continued to allow the people who had previously rented there to continue to be there until the prior tenant went either to a nursing home or to her daughter's house, whatever her personal circumstances required. So this really is a limited plan for the clean up, the restoration of the cottage.

TRUSTEE DOMINO: I'm compelled, because the project is to ask for more time. The project description says and repair or replace existing sanitary system as needed. So in the future --

MS. MOORE: We'll remove that. If the Board prefers to have us come back to you if in fact at some point we need to do some sanitary work, we come back with a separate amendment for the application. When I started this project a year ago, we did not know exactly how, whether or not a sanitary might be required. But since then we have gotten confirmation from the Health Department that a FEMA foundation does not require a new sanitary application. So that resolved that issue.

TRUSTEE DOMINO: That's understood. Anyone else wish to speak to this application?

(Negative response).

Any questions or comment from the Board?

TRUSTEE KRUPSKI: I would like to strike that line from the description.

MS. MOOR: That's fine.

TRUSTEE DOMINO: Hearing no further questions or comments, I make a motion to close the hearing.

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE DOMINO: I make a motion to approve this application with the condition that the following line from the project description be stricken that is "and repair or replace existing sanitary system as needed."

TRUSTEE GOLDSMITH: Second. All in favor?

(ALL AYES).

TRUSTEE DOMINO: The next application, number two, Jeffrey Patanjo on behalf of **ANNA M. Ten NAPEL** requests a Wetland Permit to construct a proposed 4' wide by 28' long catwalk with steps down to a fixed 6' wide by 20' long fixed dock in a "T" configuration; both the catwalk and dock will have un-treated timber decking; and for a Ten (10) Year Maintenance period to trim the Phragmites 4' wide on either side of proposed catwalk (total 12' wide area) by hand methods down to not less than 12" above ground level twice per calendar year.

Located: 320 Glenn Road, Southold. SCTM# 1000-78-2-21

The Conservation Advisory Council supports this application with through-flow decking. I do note that the plans, typical plan section, indicates through-flow decking on the plan. So we may wish to revisit the project description with a timber decking to help honor the Conservation Advisory Council request.

And this dock complies with the LWRP. It's consistent.

Is there anyone here that wishes to speak to this application?

MR. PATANJO: Jeff Patanjo on behalf of the applicant.

The purpose of the through-flow decking was the wetlands that are underneath -- the immediate wetlands underneath the main section of dock. I recommend, and we would like to stay with the untreated timber decking on the T-portion, just for safety and whatnot for the users.

TRUSTEE BREDEMEYER: Okay, so I believe the Conservation Advisory Council advice would stand for the protection over the wetland area. So it does address their concern there.

The Trustees field inspection by, I guess Trustee Domino did that, and we have the follow-up and work session. Trustee Domino filled out the paperwork. We were all there for the inspection, and it was deemed to be straightforward.

Are there any further questions from the Board?

TRUSTEE KRUPSKI: Why do you want to stay with timber on the T?

MR. PATANJO: Just for walkability and unloading kayaks and whatnot. In high heels.

TRUSTEE KRUPSKI: Realistically, that's probably the only honest answer. I mean the trex is, I mean the through-flow is way safer and easier to walk on, and provides the environmental benefit.

MR. PATANJO: There is zero wetlands or even the possibility that I see there of needing it. You know, that's the discretion of the Board. I'll leave it up to your discretion. The applicant would like a smoother surface up there. That's the only reason.

TRUSTEE BREDEMEYER: Any further questions from the Board or anyone here to speak though application?

(Negative response).

Hearing and seeing none, I make a motion to close the hearing.

TRUSTEE WILLIAMS: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE BREDEMEYER: I make a motion to approve this application as submitted.

TRUSTEE WILLIAMS: Second.

TRUSTEE GOLDSMITH: All in favor?

(Trustee Goldsmith, aye. Trustee Domino, aye. Trustee Bredemeyer, aye. Trustee Williams, aye. Trustee Krupski, nay).

TRUSTEE KRUPSKI: Number three, En-Consultants on behalf of **TEAMC99A PROPERTIES, LLC, c/o CHRISTOPHER JOSEPH, MEMBER** requests a Wetland Permit to demolish and remove existing dwelling, and construct a new two-story, approximately 1,289 sq. ft. single-family dwelling with approximately 309 sq. ft. of waterside deck with 4' wide steps, an 89 sq. ft. side deck; and a 90 sq. ft. front entry deck; install drainage system of gutters to leaders to drywells; raise existing grade within Chapter 275 jurisdiction with approximately 15 cubic yards of clean sand fill to be trucked in from an approved upland source (additional 149 cubic yards of clean fill to be placed outside Chapter 275 jurisdiction); and contain fill with a 12" wide by 70' long by 3.5' high (max.) retaining wall on east side of the property, and a 12" wide by 35' long by 5' high (max.) "L" shaped retaining wall on west side of property; proposed septic system, pervious gravel parking area, and railroad tie landscape steps to front entry deck to be located outside Chapter 275 jurisdiction.

Located: 980 Oak Avenue, Southold. SCTM# 1000-77-1-6

There has been extensive, lengthy review of this project with quite a few different plans. Most recently the Trustees did an inhouse review, noted that they are waiting on new plans, which did arrive February 10th, and were reviewed for work session. Going back to the initial, one of the initial field inspections on October 9th, there were concerns with the retaining wall on such a small lot on the neighboring properties and we recommended the Town engineer should review. This did go through Town engineering, who did give us a letter of approval based on the drainage plans provided.

The LWRP coordinator found this to be consistent and required the non-turf buffer is vegetated, required the installation of an IA system, and verify that the retaining walls on the parcel will not destruct or alter storm water drainage patterns, all of which the Trustees did require and accomplish, or come to an agreement with the applicant's agent.

The Conservation Advisory Council resolved to support this application and recommends a permeable driveway.

I also, as stated earlier, have new plans dated February 10th showing a much, much, much lower retaining structure on the property. The new septic system, as I also have a description stamped in to the office February 10th, 2020, stating, number one, proposed IA sanitary system consisting of Norweco singulair bio-kinetic wastewater treatment system that has been modified to include two 23-foot long pressurized shallow drain fields.

Number two, grading scheme now proposes a maximum increase in grade to less than two feet.

Number three, in order to mitigate proposed grade slope approaching the existing road drainage trough and side property lines, retaining walls have been added back to the design

including approximately 32-foot long retaining wall on the east side of the property, with a maximum height of approximately 12 inches. And approximately 34' long wall west side of the property with a maximum height of approximately 18 inches.

Number four, as the Board requested, the plan now also includes the roadside elevation profile extending from one side of the property line to another which depicts existing proposed grades and proposed retaining walls.

Is there anyone here that wishes to speak regarding this application?

MR. HERRMANN: Rob Herrmann of En-Consultants behalf of the applicant. You just stole my presentation.

TRUSTEE KRUPSKI: I do it a little quicker.

MR. HERRMANN: On that note, I'll just say, yes, after several revisions, following up on last month's meeting, we were able to revise the plans, actual came full circle a little bit, because I think it was Jay had suggested during field inspections way back when, sort of shallow drainage fields, and that's what we ended up settling on to make everything work.

So if the Board doesn't have any further questions on the most recent and revised plans I don't have anything I feel I need to add. You covered it with the summation of the letter

TRUSTEE KRUPSKI: Sorry.

MR. HERRMANN: No, it's good.

TRUSTEE KRUPSKI: Is there anyone else here that wishes to speak regarding this application? Or any further questions or comments from the members of the Board?

(Negative response).

Hearing none, I make a motion to close the hearing this application..

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE KRUPSKI: I make a motion to approve this application with the new plans submitted to the office February 10th, 2020, and the new description, which reads as follows:

Number one, the proposed IA sanitary system consisting of a Norweco singulair bio-kinetic wastewater treatment system has been modified to include two 23-foot long pressurized shallow drain fields in place of previous proposed leaching fields.

Number two, the grading scheme now proposes a maximum increase in grade of less than two feet in the proposed volume of fill required to obtain the proposed grade has been further reduced to 75 cubic yards, approximately 14 cubic yards would be placed within 100 feet of wetlands. The total volume of soil materials to be trucked in from an approved upland source will be approximately 105 cubic yards, and an additional 30 cubic yards of clean sand material is required to replace the existing subsoils in the proposed drain field.

Number three, in order to mitigate the proposed grade slope approaching the existing row of drainage troughs inside property

line, retaining walls have been added back to the design including approximately 32-foot long wall on the east side of the property with a maximum height of approximately 12 inches, and approximately 34-foot long retaining wall on the west side of the property, with a maximum height of approximately 18 inches.

Number four, the Board requests the plan now also include the roadside elevation profile extending from one property line to another, which depicts the existing grades and proposed retaining walls. That is my motion.

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

MR. HERRMANN: Thank you. Thank you, for your patience and working with us on the revisions.

TRUSTEE DOMINO: Thank you.

TRUSTEE GOLDSMITH: Before we get into number four, I need to recuse myself based on the letter received February 12th, 2020, from Mr. Costello. I recuse myself from the next application.

TRUSTEE WILLIAMS: Number four, Costello Marine Contracting Corp. on behalf of **BENZION OVER** requests a Wetland Permit to remove existing wood pier; construct a 4'x91' fixed catwalk; install a 32"x20' seasonal aluminum ramp onto a 6'x20' floating dock secured by two (2) 8" diameter 2-pile dolphins; and to install water and electrical services to the offshore end of the dock. Located: 1010 Holbrook Lane, Mattituck. SCTM# 1000-113-6-12

On January 8th, 2020, the Trustees visited the site with notes we would like to see the dock pulled back in length to satisfy the pier line, and to install both non-disturbance buffers and non-turf buffers.

On February 5th, 2020, the Trustees reviewed the application with new plans received January 23rd, 2020, noting the length has been pulled back and the buffers is installed.

The LWRP found this proposed action to be consistent.

The Conservation Advisory Council supports the application using best management practices and a non-turf native vegetated buffer landward of the reads.

Is there anyone here that wishes to speak to this application?

MR. COSTELLO: Jack Costello, on behalf of the applicant, here to answer any questions. I don't think that letter had anything to do with me in this thing. That's news to me.

MR. HAGAN: That isn't a principal of Costello Marine Contracting; John Costello?

MR. COSTELLO: Yes.

MR. HAGAN: Then we are acting accordingly.

TRUSTEE WILLIAMS: Is there anybody else here that wishes to speak regarding this application?

(Negative response).

Questions or comments from the Trustees?

(Negative response).

Hearing none, I make a motion to close the public hearing.

TRUSTEE KRUPSKI: Second.

TRUSTEE DOMINO: All in favor?

(ALL AYES).

TRUSTEE WILLIAMS: I make a motion to approve the application with the revised plans received January 23rd, 2020, showing both a ten-foot non-disturbance zone and a 15-foot non-turf buffer.

TRUSTEE KRUPSKI: Second.

TRUSTEE DOMINO: All in favor?

(ALL AYES).

MR. HAGAN: Before we go forward with the description on number five, I think our Trustee president has another announcement with regard to this application.

TRUSTEE GOLDSMITH: Once again, for application number five, I recuse myself based on a letter received February 12th, 2020, from John Costello.

TRUSTEE DOMINO: Number five, Costello Marine Contracting Corp. on behalf of **HANA SHAW REVOCABLE LIVING TRUST** requests a Wetland Permit to remove existing stairway to water on face of bulkhead, remove 104' of existing bulkhead, construct 104' of new vinyl bulkhead in-place; fill void areas landward of new bulkhead with clean trucked in sand (approximately 40 cubic yards), and reinstall existing 3' wide CCA treated lumber stairway to water. Located: 890 Koke Drive, Southold. SCTM# 1000-87-5-8

The Trustees most recent discussion of this application was on February 5th. And the notes read: Either move the project landward and raised, or ten-foot non-turf buffer.

The LWRP found this to be consistent and inconsistent. The inconsistency arises from the fact that according to Town records, the existing stair is an unpermitted structure.

The Conservation Advisory Council resolved on February 5th, unanimously to support this application and suggested using best management practices.

Is there anyone here to speak to this application?

MR. COSTELLO: Jack Costello, on behalf of the applicant, here to answer any questions. It's a simple retaining wall replacement.

TRUSTEE DOMINO: How about the ten-foot non-turf buffer?

MR. COSTELLO: That's fine.

TRUSTEE DOMINO: Okay.

MR. HAGAN: You'll need new plans submitted with a buffer.

MR. COSTELLO: That's fine.

TRUSTEE DOMINO: They are not in here. I didn't find them. So you'll need new plans showing that.

MR. COSTELLO: Right. I'll request with the stipulation I'll put it on the plans.

MR. HAGAN: You won't be able to vote on it at this time. You'll need complete plans submitted prior to an approval.

TRUSTEE DOMINO: We'll table at your request, subject to --

MR. COSTELLO: In the past, with a simple change like this -- it's not a big deal if you changed the procedure, that's fine. It's not a rush situation, but in the past, for final alterations, were approved on condition that the plans would be modified.

TRUSTEE DOMINO: That had been over the course of years the standard procedure, but it has not been for the last year or so.

MR. COSTELLO: That's fine.

TRUSTEE DOMINO: Under advisement of the Town Attorney's office.

MR. COSTELLO: That's fine.

TRUSTEE DOMINO: All right, anyone else wish to speak to this application?

(Negative response).

Questions or comments from the Board?

(Negative response).

TRUSTEE DOMINO: Hearing none, I make a motion to table the application at the applicant's request, in order to supply new plans showing the ten-foot non-turf buffer.

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

MR. COSTELLO: Thank you.

TRUSTEE GOLDSMITH: Number six, McCarthy Management on behalf of **BRIAN O'REILLY** requests a Wetland Permit to install a 4'x55' fixed wood catwalk; steps to grade off landward end of catwalk; install a 3'x14' seasonal aluminum ramp; and install a 6'x20' floating dock with chocking system situated in a "T" configuration. Located: 659 Pine Neck Road, Southold. SCTM# 1000-70-5-31.1

The LWRP found this to be inconsistent. The inconsistency is the water depths are shallow in the waterbody. Hydrographic survey shows 1.5 unspecified tide in proximity to the proposed dock. The application does not discuss cumulative impacts of the waterbody. In the event the action is approved it is recommended that the Board confirm that the dock meets the one-third rule with the vessel moored. To further policy six, establishment of a non-turf vegetated buffer is also recommended.

The Conservation Advisory Council supports the application.

The Trustees did an inhouse review on February 5th to look at the new plans received. We received new plans dated January -- received in the Trustees office, January 29th, 2020, and we also have a revised project description.

Is there anyone here who wishes to speak regarding this application?

(Negative response).

Any questions or comments from the Board?

TRUSTEE KRUPSKI: Not at this time.

TRUSTEE GOLDSMITH: Again, I would just like to note that the revised plans again that we received January 29th, 2020, do show the dock with a vessel moored to it and it is less than one-third of the width of the water body. Hearing no further comments, I make a motion to close this hearing.

TRUSTEE WILLIAMS: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE GOLDSMITH: I make a motion to approve this application with the following new project description: To construct L-shaped fixed dock 4'x65' fixed open-grate catwalk, with a 6'x20' L-shaped fixed open-grate dock with two fixed ladders 24"x4' for boat access; and fixed open-grate steps, 4'x7' as per surveyor plan done by Kenneth Woychuk, surveyor, dated 1/27/2020. And by granting a permit, bringing it into consistency with the LWRP.

TRUSTEE DOMINO: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE BREDEMEYER: The next application, number seven Howard Ruben on behalf of **CHARLES & MARY KIRSCH & KATHERINE SACCAMANO** requests a Wetland Permit to remove the existing wooden bulkhead and two returns, install 57' (includes 10' east return) of vinyl C-Lock sheet pile bulkhead in same location as existing with 10" diameter wood piles and two rows of 6"x6" wood walers; new bulkhead to be 15" higher than existing bulkhead to match the elevation of adjacent bulkhead to the west; bulkhead anchored by 15' x 3/4" steel rod tie back, 10" butt lay logs and 8" butt deadmen; remove and replace approximately 165 cubic yards of existing landward soils to accommodate bulkhead removal and replacement with no added fill anticipated; install and perpetually maintain a 10' wide gravel buffer area along the landward edge of the bulkhead; remove existing wooden stairs to water and replace with removable, seasonal wooden stairs; bulkhead replacement to be done by a landward construction approach; install staked hay bales or other sediment barrier materials seaward of the bulkhead line to minimize any impacts on the existing wetlands; and re-vegetate any disturbed areas of significant vegetation loss with native spartina.

Located: 555 Windy Point Lane, Southold. SCTM# 1000-87-4-9

This project has been deemed to be consistent with the LWRP. The program coordinator though did request that the Board consider a vegetated non-turf buffer in lieu of the proposed gravel buffer to further Policy 6 and help protect surface waters.

And the Conservation Advisory Council supports the application with a request for 15-foot non-turf buffer.

Is there anyone who wishes to speak to this application?

MR. RUBEN: Howard Ruben for the Kirsch family and Saccamano family.

To my understanding, the DEC requests now a ten-foot gravel buffer on any bulkheads.

TRUSTEE DOMINO: That's news to this Trustee.

MR. RUBEN: I can see if the other type of buffer is adequate. It's just in the last few permits, that has been their request.

TRUSTEE BREDEMEYER: We typically accept gravel buffers. I don't

know, are there comments from the Board with respect to the buffer request?

TRUSTEE KRUPSKI: I prefer to see it vegetated, but if we just say ten-foot non-turf, then leave it up to the applicant, possibly. And ideally it would be vegetated, but if DEC stipulates gravel, that would still make it allowable to be gravel. That's my -- it's certainly non-turf.

MR. RUBEN: I have a question for the Board. In the future, when I submit any permits, should I shorten my descriptions for this because --

TRUSTEE BREDEMEYER: Actually, I was going to compliment you on the very accurate description, and I don't know how the rest of the Board feels, but it was very apt and went to all the fine points of the construction. So --

MR. RUBEN: You were getting out of breath, so.

TRUSTEE KRUPSKI: No, it's good when it's clear.

TRUSTEE BREDEMEYER: The Board viewed this at field inspection, viewed this as a straightforward project.

MR. RUBEN: Okay.

TRUSTEE BREDEMEYER: Anyone else wish to speak to this application?

(Negative response).

Seeing none, board members?

(Negative response).

TRUSTEE BREDEMEYER: I make a motion to close this hearing.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE BREDEMEYER: I make a motion to approve the application as submitted noting that the requirement shall be for a ten-foot non-turf buffer material to be selected by the owner.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

MR. RUBEN: Thank you.

TRUSTEE KRUPSKI: Number eight, **WENDY & ALI AZMOUN** request a Wetland Permit to add an approximately 270 sq. ft. seaward side addition, including six (6) steps down to access backyard onto existing 2,100 sq. ft. two-story dwelling with attached garage; and the existing seaward side deck is to be removed and not replaced.

Located: 425 Cedar Point Drive East, Southold. SCTM# 1000-90-3-19

The Trustees most recently visited this location on the 5th of February, noting it was a straightforward addition. Needs gutters to leaders to drywells.

The LWRP coordinator found this to be an exempt action.

And the Conservation Advisory Council resolved to support this application.

And then I have a new set of plans dated February 5th, with a proposed drywell for rainwater.

Is there anyone here that wishes to speak regarding this application?

MR. AZMOUN: I'm Ali Azmoun, if you have any questions.

TRUSTEE KRUPSKI: Are there any other comments from the Board or anyone else that wishes to speak regarding this application?

(Negative response).

Hearing none, I make a motion to close the hearing.

TRUSTEE WILLIAMS: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE KRUPSKI: I make a motion to approve this application with the new plans received in the office stamped February 5th, 2020.

TRUSTEE WILLIAMS: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

MR. AZMOUN: Thank you

TRUSTEE WILLIAMS: Number nine, Suffolk Environmental Consulting on behalf of **STEVEN & JACI OSDOBY** requests a Wetland Permit to construct a 16'x36' swimming pool and install pool equipment and a drywell for pool backwash; remove existing 12'x19' seaward side deck with ramp and stairs totaling 319 sq. ft., and construct a new 14'x27' deck with stairs and landing (33 sq. ft.) to grade, a 3'x4' generator, and a 4'x8' outdoor shower.

Located: 605 Bay Shore Road, Greenport. SCTM# 1000-53-3-8

On February 5th the Trustees visited the site noting the, to check the permit history of the chain-link fence in the wetland area. Chain-link fence causes habitat fragmentation as evidenced by a dirt path along the seaward edge of the fence.

Also noting the need of a non-turf buffer.

The LWRP found this proposed application to be consistent, noting the pool and shower connections to the drywell are not shown on the plans. They would like to see that clarified.

The Conservation Advisory Council supports the application noting a drywell for the pool backwash.

Is there anyone here that wishes to speak to this application?

MR. ANDERSON: Bruce Anderson, Suffolk Environmental Consulting, for the applicant. The pool equipment and drywell are on the survey

TRUSTEE WILLIAMS: Yes, the pool equipment and drywell are on the survey. I had to review it a couple times before it was clear as to exactly what it was and where it was.

Then there is the outdoor shower, is that going to be hooked up to that drywell?

MR. ANDERSON: Yes.

TRUSTEE WILLIAMS: You didn't submit any plans after January 6th, correct?

MR. ANDERSON: We put in a conference survey showing a ten-foot non-turf buffer. And we extended that landward of the fence.

Landward of the fence rather than the wetland boundary because it was a straighter line more reasonably delineated.

TRUSTEE WILLIAMS: Okay, got it. Sorry.

MR. ANDERSON: And there is really no habitat fragmentation because right now it's just lawn to the fence. So it's not fragmenting anything, really.

TRUSTEE WILLIAMS: The fence, I know Jay reviewed the permit history.

TRUSTEE BREDEMEYER: The fence, we did an extensive file search. The fence was constructed without a permit, but it was also modified somewhere just before I think 2004. The fence was moved closer to the wetland on a reconstruction. There's photographs that dated and identified. That shows, there is a fixed point, maybe a garden globe or small garden that I was able to get fixed measurements on Google Earth. So the new fence construction was September of 2010. It shows up. It actually shows it's further seaward by some four to six feet. When you do the time series on Google Earth, we have no permits on it. It was pre-existing nonconforming without a date. That might be one issue. But they moved the fence further to the seaward, further into the wetland, and the wetland was lost.

There's two lines there. The time series before that, there was apparently always a fence there, but then someone took it upon themselves to move it seaward and maybe straighten the corners or whatever at that time. We have no permits on anything. That would have been a permit necessary in 2010.

TRUSTEE WILLIAMS: Typically with something in that area we would like to see the chain-link fence elevated several inches to allow the natural inhabitants of the area to move about. Or --

TRUSTEE BREDEMEYER: Liz brought it up on the screen.

MR. ANDERSON: It looks like two paths almost. You said the seaward one is where?

TRUSTEE BREDEMEYER: When you go back in the time series, it doesn't exist in the seaward location. There is a shiny, like a garden globe or statue near a flagpole and I was able to get measurements. And you can see that's the prior ones.

MR. ANDERSON: Okay, someone built a fence. These people would have no idea. They have owned the property --

TRUSTEE BREDEMEYER: Right. We recognize sometimes people inherit things that don't have permits.

TRUSTEE WILLIAMS: Would they consider moving the fence landward?

MR. ANDERSON: They might. They are pretty particular people, so I would say table it and let me ask them what they want to do.

TRUSTEE BREDEMEYER: That would be appreciated. The property immediately to the right that you see here, to I guess the south, we just wrote a permit for that, with a 50-foot non-disturbance buffer.

MR. ANDERSON: They are building a house, correct?

TRUSTEE BREDEMEYER: They will be building a house. The lot next to it. But as far as scaling and what the Board was contemplating during the work session we thought possibly the area that you had very nicely dedicated to being non-turf, maybe move the fence there and issue a non-turf on that. The water levels are definitely coming up in this creek.

MR. ANDERSON: Let me ask, because they are so very particular-type people, and I would rather table and discuss it with them. I understand what you are saying. I had no idea there was a fence moved. It hadn't even occurred to me, to be honest with you.

TRUSTEE BREDEMEYER: Thank you. And then if it doesn't fit in with the needs for compliance with the building code for the swimming pool, which I think had a separate fence, we might ask them to consider possibly going with a split rail or raising, in other words --

MR. ANDERSON: No, I think they are going to want to use it as a pool enclosure fence. I'm very certain of that.

TRUSTEE WILLIAMS: But there are pool enclosures that would be more friendly to the habitat so you would not get the fragmentation.

MR. ANDERSON: Like I said, you are talking about separating lawn, probably, if you want to create a buffer and put the fence on the other side.

TRUSTEE WILLIAMS: It would be less of an issue.

MR. ANDERSON: Because the idea you have a physical barrier. You know, I mean, you still have access to the water. You know it's the water, but --

TRUSTEE WILLIAMS: You would have a gate through and access path.

MR. ANDERSON: Right. I would say just table it. He's kind of a sensitive person.

TRUSTEE BREDEMEYER: If they contemplate changes and incorporate a gate with a four-foot wide path for access for kayaks --

MR. ANDERSON: Well, it's not turf, you would just walk there.

TRUSTEE BREDEMEYER: No, I mean as far as the fencing, I don't believe I see a gate.

TRUSTEE WILLIAMS: There was a gate.

TRUSTEE KRUPSKI: Just to clarify, moving the fence roughly ten foot, and then --

TRUSTEE BREDEMEYER: Right. Moving the fence roughly ten feet with an additional ten-foot non-turf in front of that, unless you want to move the fence 20 feet and --

MR. ANDERSON: I was told we just wanted a ten-foot buffer. That's what I heard.

TRUSTEE BREDEMEYER: No, we want the fence moved back another ten feet because it's built another six feet into the wetland without a permit. So we want the fence moved back ten feet.

MR. ANDERSON: But that puts it on the landward side of the buffer, is what I'm saying.

TRUSTEE KRUPSKI: No, we would like to do non-disturbance back to the water.

TRUSTEE BREDEMEYER: Non-disturbance. In other words, just let it go.

MR. ANDERSON: Okay.

TRUSTEE BREDEMEYER: And also a non-turf area landward of that new fence location. So we are not running lawn up to it.

MR. ANDERSON: He may want to appear on this. It was hard to get

him to understand what we were talking about.

TRUSTEE WILLIAMS: We can hold it over to next month.

MR. ANDERSON: Yes. I can suggest that. So you are really asking for 20 feet, is what you are doing

TRUSTEE BREDEMEYER: We are asking for 20 feet of protection.

MR. ANDERSON: Okay, let's table it. We'll get back to you on that.

TRUSTEE KRUPSKI: To add on top of that, we are just correcting, had the fence not been moved, we would be asking for ten. So now we are correcting what was done. Obviously not by your client. But we are correcting. So it's really ten plus, essentially revegetation.

MR. ANDERSON: I never spent so much time talking about a ten-foot non-turf buffer in my career. So now we are at 20 and a fence. So let's table it. He may want to comment on it.

TRUSTEE WILLIAMS: Anyone else want to speak to this application? (Negative response).

I'll make a motion to table the application at the applicant's request.

TRUSTEE GOLDSMITH: Second. All in favor? (ALL AYES).

TRUSTEE GOLDSMITH: Number ten, Michael Kimack on behalf of **RICHARD & PERRI PARLINI** requests a Wetland Permit for the existing two-story dwelling (1,238.8 sq. ft. footprint); on seaward side of dwelling remove existing open wood deck and steps (482.0 sq. ft.) and replace with proposed 324.1 sq. ft. open deck and proposed 178.4 sq. ft. screened covered porch; and construct a proposed 30.2 sq. ft. outdoor shower on northerly side of dwelling.

Located: 4585 Pequash Avenue, Cutchogue. SCTM# 1000-137-4-5.2

The LWRP found this to be inconsistent and consistent. The inconsistency is according to Town records the 324.1 square foot deck proposed to be reconstructed is an unpermitted as-built structure. No permits were found. The covered porch is consistent.

The Conservation Advisory Council resolved to support the application and recommended the installation of gutters and leaders to drywell to contain roof runoff.

The Trustees conducted a field inspection on February 5th, noting the house and decks looked okay. But needed drywells on the plans for gutters. Also want to note that we did receive new plans, received February 10th, 2020, that do show gutters to leaders to drywells.

Is there anyone here who wishes to speak regarding this application?

MR. KIMACK: Michael Kimack on behalf of the applicant, if you have any questions of me.

TRUSTEE GOLDSMITH: Is there anyone else here who wishes to speak to this application?

(Negative response).

Any questions or comments from the Board?

(Negative response).

Hearing none, I make a motion to close this hearing.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE GOLDSMITH: I'll make a motion to approve this application with the new plans dated received February 10th, 2020.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

X. PUBLIC HEARING RESOLUTION:

TRUSTEE GOLDSMITH: Under Roman numeral X, public hearing resolution:

WHEREAS, there has been presented to the Town Board of Trustees of the Town of Southold, Suffolk County, New York, on the 12th day of February, 2020, a desire to close certain waters within several creeks in the Town of Southold now, therefore, be it **RESOLVED** that the Town Board of Trustees of the Town of Southold will hold a public hearing on the aforesaid resolution at Southold Town Hall, 53095 Main Road, Southold, New York, on the 18th day of March, 2020 at 5:31 p.m. at which time all interested persons will be given an opportunity to be heard.

BE IT ENACTED by the Town Board of Trustees of the Town of Southold as follows:

I. Purpose

The purpose of this proposed closure is to preserve our natural recourses and shell fisheries to allow for replenishment and growth.

II. Amendment

RESOLVED, that the Southold Town Board of Trustees in an effort to preserve our natural recourses and shell fisheries hereby designates the following waters a restricted area pursuant to Chapter 219-16 (Shellfish) of the Code of the Town of Southold where shell fishing shall not be permitted for the years 2020 and 2021:

The waters of Richmond Creek in the Hamlet of Southold located within the following boundary:

North of an imaginary line commencing from a point at a painted yellow 4"x4" stake located at 41° 2' 2.29" North 72° 26' 49.94" West running eastward to a point at a painted yellow 4"x4" stake located at 41° 2' 3.29" North 72° 26' 39.11" West; and

The waters of Corey Creek in the Hamlet of Southold located within the following boundary:

East of an imaginary line commencing at a painted yellow 4"x4" stake located at 41° 2' 13.18" North 72° 25' 13.70" West running southward to a painted yellow 4"x4" stake at a point located at 41° 2' 1.52" North 72° 25' 4.40" West; and

The waters of Broadwaters Cove in the Hamlet of Cutchogue located within the following

boundary:

South of an imaginary line commencing at a painted yellow 4"x4" stake located at 41° 0' 43.36" North 72° 27' 11.38" West running eastward to a painted yellow 4"x4" stake at a point located at 41° 0' 48.36" North 72° 26' 51.86" West.

III. SEVERABILITY

If any clause, sentence, paragraph, section, or part of this resolution shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect the validity of this law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

IV. EFFECTIVE DATE

This shall take effect immediately upon filing with the Town Clerk as provided by law.

TRUSTEE GOLDSMITH: That's my motion

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?

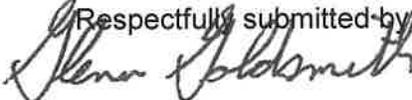
(ALL AYES).

Motion to adjourn.

TRUSTEE BREDEMEYER: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

Respectfully submitted by


Glenn Goldsmith, President
Board of Trustees