BOARD OF TOWN TRUSTEES
TOWN OF SOUTHOLD

Minutes

Wednesday, May 18, 2022

5:30 PM

Present Were: Glenn Goldsmith, President
A. Nicholas Krupski, Trustee
Eric Sepenoski, Trustee
Liz Gillooly, Trustee
Elizabeth Peeples, Trustee
Elizabeth Cantrell, Senior Clerk Typist
Lori Hulse, Board Counsel

CALL MEETING TO ORDER
PLEDGE OF ALLEGIANCE

TRUSTEE GOLDSMITH: Good evening. Welcome to our Wednesday, May 18th, 2022 Trustee 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 IS RECITED).
We’ll start off the meeting by announcing the people on the dais. To my left we have Trustee Krupski, Trustee Sepenoski, Trustee Gillooly and Trustee Peeples. To my right we have Attorney to Town Trustees Lori Hulse. We have Senior Clerk typist Elizabeth Cantrell. With us tonight is Court Stenographer Wayne Galante, and from the Conservation Advisory Council we have John Stein and Inga Van Eysden.

Agendas for tonight’s meeting are posted out in the hallway and also on the Town website. We do have a number of postponements tonight.

The postponements are on the agenda page six, number 5, Michael Kimack on behalf of SOUTHOLD SUNSETS, LLC requests a Wetland Permit and a Coastal Erosion Permit for the as-built above ground 500 gallon propane tank (30’x8’, 20sq.ft.); as-built raised wood platform for AC unit and electrical for I/A system (3’x9’, 27sq.ft.) on east side of dwelling; as-built on grade dry laid slate patio and walkway on north and east sides of dwelling (±677sq.ft.); as-built partial concrete walkway with added dry laid slate walkway with landing (±100sq.ft.) along west side of dwelling; as-built Belgian block surround for gravel driveway (±140 linear feet) along south and east sides of dwelling; as-built gravel driveway (±635sq.ft.) Along south side of dwelling; as-built outdoor shower with 4’x4’ wood floor (16sq.ft.) Adjacent to east side of main staircase against deck surround; remove existing much surrounding planted vegetation; remove existing fire pit; 8’x12.2’ (97.6sq.ft.) Shed has been removed and not replaced; wood
walkway along portion of easterly side of dwelling has been removed and not replaced; and to expand approved area of planting American Beach grass to cover all additional areas approved @ 18" on center.
Located: 4200 Kenney's Road, Southold. SCTM# 1000-54-4-3, has been postponed.

Page ten, numbers 19, 20 and 21; page eleven, numbers 22 through 24; page 12, number 25 through 28; and page 13 number 29 through 33. They are listed as follows:

Number 19, Raymond Nemschick, AIA on behalf of ROGER SIEJKA requests a Wetland Permit to construct a two-story, single-family dwelling with a basement; first floor is 24'5" wide by 50'0" deep; front porch is 11'0" wide, 6'2" deep; rear veranda (deck) is 24'5" wide by 10' deep; and overall max height is 32'3".
Located: 955 Blossom Bend, Mattituck. SCTM# 1000-115-6-22

Number 20, Patricia Moore, Esq. on behalf of JOHN COSENZA requests a Wetland Permit to establish and perpetually maintain a Non-Disturbance area seaward of the top of bluff with existing vegetation to remain natural with selective hand pruning in order to maintain view shed; establish and perpetually maintain a 10' wide Non-Turf Buffer at top of bluff planted with ground cover with a mix of native grasses and native species; remove existing flagpole; remove existing 4'1" high stone retaining wall to allow natural slopes to be regraded and place 2'x3' natural boulders stacked to maintain natural grade; install new 6" high by 7' wide natural split face bluestone slabs placed at grade for steps (two steps 7'6"x6"), and following the natural grade; regrade to establish natural slopes; curbs along natural grade, each curb 1' high split face bluestone curb and 4" wide with 6" steps embedded in the slope, 5 curbs in total, each curb along elevation 79 is 6 linear feet, curb at elevation 78 is 24 linear feet, curb at elevation 77 is 34 linear feet, curb at elevation 76 is 42 linear feet, and lowest curb at elevation 75 is 24 linear feet; 10' and 50 linear feet of existing section of retaining wall along easterly property line to be repaired, alternating flag stone steps (3'x3') and 3'x6' (26 steps in total); regrade east side yard of property for placement of pathway with 3'x3' flagstone pavers and 3'x6', 26 pavers stone pavers set into the slope and level with the retaining wall (grade rising from elevation 66 to elevation 72 on north); plant slope with new native species along east side of property; along west side of property plant native trees and vegetation to thicken existing vegetation, 26 stone pavers walkway (3'x3' stones) to existing beach access; at 70' from top of bluff replace existing terrace and expand existing stone terrace (total size 700sq.ft.); and repair existing concrete block wall on west side of property line; in front yard install a new gravel parking area with Belgian block curb to match driveway.
Located: 1700 Hyatt Road, Southold. SCTM# 1000-50-1-5

Number 21, BRIDGET CLARK requests a Wetland Permit for the existing 20'3"x22'4" (452sq.ft.) detached garage and to convert it into an accessory apartment by replacing existing windows, exterior door, add plumbing to connect to existing septic, and install a wall mounted electric heating unit.
Located: 7825 Soundview Avenue, Southold. SCTM# 1000-59-6-15

Number 22, Michael Kimack on behalf of NUNNAKOMA WATERS ASSOCIATION, INC. requests a Wetland Permit to perform work on the property located at 645 Wampum Way (1000-87-2-42.3), consisting of installing 235 linear feet of Shore Guard 9900 vinyl hybrid low-sill bulkhead with helical supports installed at discretion of contractor; restore approximately 200 linear feet of eroded bank with 90-100 cubic yards of sand recovered from storm deposit area; install filter fabric (±1,600sq.ft.), and plant American Beach grass @ 18” on center (±1,200 plants) over restored bank area; construct storm water concrete diversion swale (10’x43’, 430sq.ft.) With rip-rap runoff area (10’x20’, 200sq.ft.), consisting of 50-150 lb. stones set on filter fabric; the storm washed sand area is to be restored to the original grade line and the removed sand (90-100 cubic yards) is to be used on site to restore the eroded bank area; on all three properties, dredge a portion of Moyle Cove to deepen channel in three (3) areas, AA, BB and CC to a depth of -4.00ft. (Approx. 365 cubic yards), and area DD to a depth of -3.00ft. (Approx. 85 cubic yards), for a total dredging of approximately 450 cubic yards; the dredge spoils is proposed to be spread on the two Sauer properties (255 Wigwam Way, SCTM# 1000-87-2-40.1 & 175 Wigwam Way, SCTM# 1000-87-2-40.2), in an area of approximately 8,000 sq.ft. and to a depth of approximately 1.5ft.; the dredged spoils placement area will be surrounded by a silt fence with hay bales to be kept in place and maintained until the spoils are de-watered.

Located: 645 Wampum Way, 255 Wigwam Way & 175 Wigwam Way, Southold. SCTM#s 1000-87-2-42.3, 1000-87-2-40.1 & 1000-87-2-40.2

Number 23, Nigel R. Williamson on behalf of JOSEPH & DEBORAH POLIDORA requests a Wetland Permit to demolish existing one-story entrance and construct a new 6’x24.6’ one-story entrance to dwelling with a basement under (same footprint); construct a new 4.8’x8.9’ enclosed addition connecting the existing dwelling to existing 489.25sq.ft., 1.5 story garage; construct a new 4.0’x10.5’ covered entry porch; construct a 4.6’x4.6’ outdoor shower (open to the sky); demolish existing 8.8’x24.4’ seaward side covered porch and construct a new 18.67’x38.0’ single-story addition with basement under and 4.0’x4.0’ egress window; the total square footage of existing and proposed dwelling habitable area is 1,682.56sq.ft.; construct a new 383sq.ft. stone patio in between the new addition and garage; remove existing cesspool and existing boulder retaining wall closest to dwelling on seaward side, install a new I/A OWTS system with a waterproofed 66.0’ long retaining wall with a 19’ westerly return and a 17’ easterly return to retain the proposed I/A sanitary system; and create a 4.0’ wide pervious access path with stepping stones to creek.

Located: 1055 Point Pleasant Road, Mattituck. SCTM# 1000-114-1-1

Number 24, Michael Kimack on behalf of SOUTHOLD BAYHAVEN PROPERTY OWNERS ASSOCIATION requests a Wetland Permit to remove
approximately 150' of existing bulkhead, landing with staircase and wood walkway; install approximately 166 linear feet of new vinyl bulkhead with dead-men tie-backs; remove approximately 527 sq.ft. of American Beach grass with approximately 85 cubic yards of soil and approximately 20 linear feet of 12" PE corrugated drain pipe, and replace with approximately 25 cubic yards of beach sand to extend beach landward of easterly removed existing bulkhead line; remove approximately 564 sq.ft. of American Beach grass in area seaward of easterly existing bulkhead line and replace with approximately 21 cubic yards of beach sand (total beach grass removed is ±1,091 sq.ft.); relocate approximately 70 linear feet of 12" PE corrugated pipe which proposed "V" rip-rap tapered swale runoff; construct new replacement 4.5'x7' (31.5 sq.ft.) Landing and 3'x24' (72 sq.ft.) wood walkway in same locations as existing; and establish new American Beach grass planting area (±1,200 sq.ft.) to replace areas lost in kind.

Located: 975 Watersedge Way, Southold. SCTM# 1000-88-5-64

Number 25, Jeffrey Patanjo on behalf of SADIK HALIT LEGACY TRUST requests a Wetland Permit for the as-built bluff stairs consisting of the following: 4'x4' at-grade top landing to an 8.2'x9.5' upper platform to 18'x4' steps down to an 8'x3.8' middle platform to 16'x4' steps down to a 19.4'x10' lower platform to 14.5'x4' steps down to beach; all decking on structure is of untreated lumber.

Located: 2200 Sound Drive, Greenport. SCTM# 1000-33-1-16

Number 26, Cole Environmental Services on behalf of SCOTT & LEA VITRANO requests a Wetland Permit to remove existing pier and float; construct a proposed 4'x14' landward ramp leading to a 4'x35' fixed pier with Thru-Flow decking a minimum of 4' above wetlands; a proposed 3'x12' metal ramp; and a 4'x20' floating dock situated in a "T" configuration and secured by two (2) 8" diameter piles.

Located: 3875 Main Bayview Road, Southold. SCTM# 1000-78-2-15.1

Number 27, Cole Environmental Services on behalf of JUSTIN & ALLISON SCHWARTZ requests a Wetland Permit to construct a proposed 4'x165' fixed pier with open grate decking a minimum of 4' above tidal vegetative grade; a 3'x16' aluminum ramp; a 6'x20' floating dock situated in an "T" configuration; and to install a natural path leading from upland to fixed pier using permeable material.

Located: 2793 Cox Neck Road, Mattituck. SCTM# 1000-113-8-7.6

Number 28, Costello Marine Contracting Corp. on behalf of JOSEPH & MARY ELLEN LOGIUDICE request a Wetland Permit to construct a 4'x140' landward ramp onto a 4'x110' fixed dock with a 4'x40' "L" section at seaward end; construct a 4'x40' lower platform with a 5'x4' access platform and a 4'x16' ramp; install three (3) two-pile dolphins; and prove water and electrical service to dock.

Located: 10995 North Bayview Road, Southold.
SCTM# 1000-79-5-20.14
Number 29, Jeffrey Patanjo on behalf of ANTHONY & BEATRICE FALCONE requests a Wetland Permit to install a proposed 4’x6’ cantilevered platform off of bulkhead; a 30” wide by 14’ long aluminum ramp; and a 6’x20’ floating dock supported with two (2) 10” diameter CCA piles and situated parallel to the bulkhead. Located: 405 Williamsberg Road, Southold. SCTM# 1000-78-5-17

Number 30, Costello Marine Contracting Corp. on behalf of FOUNDERS LANDING BOATYARD, LLC requests a Wetland Permit for a Ten (10) Year Maintenance Dredge Permit to dredge a 2,400sq.ft. Area to -7.0’ below mean low water, removing approximately 240 cubic yards of spoil; dredge spoils to be trucked off site to an approved disposal site. Located: 2700 Hobart Road & 1000 Terry Lane, Southold; SCTM#s 1000-64-3-10 & 1000-64-3-11

Number 31, Michael Kimack on behalf of TIMOTHY J. & GINAMARIE STUMP requests a Wetland Permit to construct approximately 315 linear feet of hybrid low sill bulkhead; backfill with approximately 100 cubic yards of course clean sand just below lowered sheathings; maintain approximately 2 ½ to 1 slope from top of sloughed bank and then flat to bulkhead; install approximately 3,200sq.ft. of filter fabric over disturbed area and fasten with 8” galvanized pins; plant Spartina alterniflora to high water mark and then Spartina patens to undisturbed line @ one (1) foot on-center (±3,200 plants). Located: 2200 Minnehaha Boulevard, Southold. SCTM# 1000-87-3-61

Number 32, Michael Kimack on behalf of JANICE HILLMAN SHYLES a/k/a JANICE HILLMAN REVOCABLE TRUST requests a Wetland Permit to construct a 4’x18’ walkway with a staircase consisting of (3) treads and four (4) risers with Thru-Flow decking (72sq.ft.), connected to a 4’x24’ fixed dock with Thru-Flow decking (96sq.ft.), 168sq.ft. Total; and to install 14 - 8” diameter pilings. Located: 8340 Main Bayview Road, Southold. SCTM# 1000-87-5-23.2

Number 33, Michael Kimack on behalf of MARIA H. PILE requests a Wetland Permit to construct a 36.0’x34.7’ (1,249.2sq.ft.) Two-story dwelling on foundation in accordance with FEMA standards for a AE zone; and a pervious driveway. Located: 420 Lake Drive, Southold. SCTM# 1000-59-1-21.2

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.

I. NEXT FIELD INSPECTION:

TRUSTEE GOLDSMITH: At this time I'll make a motion hold our next field inspection on Wednesday, June 18th, 2022, at 8:00 AM.
TRUSTEE GILLOOLY: Second.
TRUSTEE GOLDSMITH: All in favor? (ALL AYES).
II NEXT TRUSTEE MEETING:

TRUSTEE GOLDSMITH: I'll make a motion to hold our next Trustee meeting Wednesday, June 15th, 2022, at 5:30 PM, at Town Hall Main Meeting Hall.
TRUSTEE KRUPSKI: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).

III WORK SESSIONS:

TRUSTEE GOLDSMITH: I make a motion to hold our next work sessions Monday, June 13th, 2022, at 5:00 PM, at the Town Hall Annex 2nd floor Executive Board Room, and on Wednesday, June 15th, 5:00 PM at the Town Hall Main Meeting Hall.
TRUSTEE GILLOOLY: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).

IV. MINUTES:

TRUSTEE GOLDSMITH: I make a motion to approve the Minutes of the April 13th, 2022 meeting.
TRUSTEE PEEPLES: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).

V. MONTHLY REPORT:

TRUSTEE GOLDSMITH: The Trustees monthly report for April 2022. A check for $6,470.35 was forwarded to the Supervisor's Office for the General Fund monthly report.

VI. PUBLIC NOTICES:

TRUSTEE GOLDSMITH: Public notices posted on the Town Clerk's Bulletin Board for review.

VII. STATE ENVIRONMENTAL QUALITY REVIEWS:

TRUSTEE GOLDSMITH: RESOLVED that the Board of Trustees of the Town of Southold hereby finds that the following applications more fully described in Section X Public Hearings Section of the Trustee agenda dated Wednesday, May 18, 2022 are classified as Type II Actions pursuant to SEQRA Rules and Regulations, and are not subject to further review under SEQRA: As written.

Monroe R. & Beverly Sonnenborn  SCTM# 1000-54-4-5
Orient Light, LLC  SCTM# 1000-130-1-1.3
Cameron Dow & Megan Strecker  1000-90-1-5
Robins Island Holdings, LLC, c/o Belvedere Property Management
SCTM# 1000-117-8-20 & 1000-117-8-21
Slattery Nassau Point Trust - SCTM# 1000-111-2-6
Birch Hills Property Owners Association, Inc. - SCTM# 1000-83-1-4
Marlene J. Rutkin - SCTM# 1000-90-3-6
Christine Howley - SCTM# 1000-144-5-29.3
James B. Given III 2012 Irrevocable Trust - SCTM# 1000-117-3-4.1
Bernard Telsey - SCTM# 1000-117-3-12
Thomas C. & Susan S. Meriam - SCTM# 1000-115-11-26
Palmer & Nan E. Schade - SCTM# 1000-63-7-36
Elias Dagher - SCTM# 1000-77-2-6
Gardiners Bay Estates Homeowners Association - SCTM#1000-37-4-17 & 1000-37-1-23

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

VIII. RESOLUTIONS - ADMINISTRATIVE PERMITS:

TRUSTEE GOLDSMITH: Roman numeral VIII, Resolutions, Administrative Permits.

In order to simplify our meeting Trustees regularly group together applications that are similar or minor in nature. As such, I'll make a motion to approve numbers 2 through 4 and 6. They are listed as follows:

Number 2, ADF VENTURES LLC requests an Administrative Permit to install an on-grade 16'x32' bluestone paver patio off existing wood deck/steps, utilizing 2'x2' pavers with 6” of grass separating each paver.
Located: 17877 Soundview Avenue, Southold. SCTM# 1000-51-1-4

Number 3, SCHOEN SANG PROPERTIES LLC requests an Administrative Permit to trench a line to install new electric line from pole to pole; install electric panel.
Located: 700 Robinson Road, Greenport. SCTM# 1000-34-5-17

Number 4, RACHEL LEVIN requests an Administrative Permit to replace existing fencing which runs from north to south with approximately 65' of 4' high fencing (vinyl or metal); and to replace existing fencing which runs east to west on the south with 25’ of 4' high fencing (vinyl or metal), and plant sea grass along fence (east) perimeter.
Located: 58625 C.R. 48, Greenport. SCTM# 1000-44-2-18

Number 6, LINDA MOELLER & DAVID MCMILLEN request an Administrative Permit to construct a 4’x6’ landing with three steps (10”x6”) on the southerly side of premises.
Located: 3600 Little Neck Road, Cutchogue. SCTM# 1000-103-9-13.3

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

TRUSTEE GOLDSMITH: Number 1, CLAIRE & DAVID AIR request an Administrative Permit for repairs to existing 16’x22’ deck with new stainless steel cable horizontal railing system, and stairs approximately 42” wide.
Located: 855 Sound View Road, Orient. SCTM# 1000-15-3-11.1
The LWRP found this application to be inconsistent. The inconsistency is the as-built structure was constructed without Board of Trustee review or permit.

As such, I will make a motion to approve this application as submitted, thereby granting it a permit will bring it into consistency with the LWRP.

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

TRUSTEE GOLDSMITH: Number 5, Zackery E. Nicholson, AIA on behalf of MICHAEL GIACOME requests an Administrative Permit to demolish and construct new 10'x23'4" wooden deck; and construct a 3'11"x9'4" front porch with a 5' wide staircase.
Located: 270 Park Avenue Ext., Mattituck. SCTM# 1000-123-8-27

This also was inconsistent. The inconsistency is the as-built structures were constructed without Board of Review permit.

As such, I'll make a motion to approve this application with the following condition: That any beach grass that is disturbed during construction be relocated and replanted, and thereby granting it a permit will bring it into consistency with the LWRP.

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

IX. APPLICATIONS FOR EXTENSIONS/TRANSFERS/ADMINISTRATIVE AMENDMENTS:

TRUSTEE GOLDSMITH: Under Roman numeral IX, applications for Extensions/Transfers/Administrative amendments. Again, in order simplify our meeting, I would like to group together and approve as a group Items 1 through 3, 5 through 7 and number 10. They are listed as follows:

Number 1, Abigail A. Wickham, Esq., on behalf of STEVEN RABINOWITZ requests a Transfer of Wetland Permit #9818 from Kevin M. Murphy to Steven Rabinowitz, as issued on February 17, 2021 and Amended on September 15, 2021.
Located: 3265 Park Avenue, Mattituck. SCTM# 1000-123-8-22.4

Number 2, CHARLES & JANET TIRANNO requests a Transfer of Wetland Permit #6032 from Leslie Barney & Sean Olsen to Charles & Janet Tiranno, as issued on November 17, 2004, and Amended on October 19, 2005.
Located: 1075 Smith Drive North, Southold. SCTM# 1000-76-2-1

Number 3, Martin D. Finnegan on behalf of RICHARD JUNG & JEAN JUNG requests a Transfer of Wetland Permit #2251, as issued on January 29, 1987 from Tor & Joan Torkelsen to Richard Jung & Jean Jung.
Located: 3675 Wells Avenue, Southold. SCTM# 1000-70-4-4

Number 5, ERGA, LLC requests a Transfer of Wetland Permit #369 from Donald Leslie to ERGA, LLC as issued on September 2,
1986, and Amended on August 26, 1998; for a Transfer of Wetland Permit #5-88-34-5-3 from David Merz to ERGA, LLC, as issued on April 29, 1989.
Located: 980 Robinsons Road, Greenport. SCTM# 1000-34-5-13
Number 6, ERGA, LLC requests an Administrative Amendment to create one new Wetland Permit superseding Wetland Permit #369 and Wetland Permit #5-88-34-5-3 for the existing 31.6’ x 17’ deck attached to dwelling, existing ±6’ wide by 87 linear foot long rock revetment, existing 4’ x 22’ wood catwalk with a 3’ x 13’ ramp, a 6’ x 36’ floating dock, a 6’x85’ floating dock, a 10’ x 10’ floating dock, and three (3) tie-off piles.
Located: 980 Robinsons Road, Greenport. SCTM# 1000-34-5-13
Number 7, Bill Gorman on behalf of LYNETTE & ROBERT KRUEGER requests an Administrative Amendment to Wetland Permit #10031 to install an I/A septic system.
Located: 4375 Stillwater Avenue, Cutchogue. SCTM# 1000-137-3-3.1
Number 10, Patricia Moore, Esq. on behalf of HARRY BASHIAN & HAYKUHI BASHIAN requests an Administrative Amendment to Wetland Permit #9420 and Coastal Erosion Permit #10132C for the as-built 34.4’ long bulkhead with wood cap/deck on west property line, then running north 64.1’, then running 48.2’ along the east property line with a wood cap/deck; as-built ±4’ high wood fence 44.4’ in length along the west property line to the south property line, then running 64.1’ along the edge of the cap of the wood bulkhead, then running 58’ along the east property line with a 15.3’ long wood fence on the west with a gate and an 11.8’ long wood fence on the east side with a gate; existing 61sq.ft. second floor balcony; existing seaward side 557.1sq.ft. deck area in lieu of 10’x36.5’ deck supported by five (5) 10” diameter pilings with westerly side of deck cantilevered over bulkhead; existing 5’x8’ front entry stoop; existing air conditioning unit on west side of dwelling; and the as-built 6.9’ long stairs to beach on west side to be removed.
Located: 58425 North Road, Greenport. SCTM# 1000-44-2-15
TRUSTEE KRUPSKI: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).

TRUSTEE GOLDSMITH: Number 4, Martin D. Finnegan on behalf of RUBBER DONUT LLC requests a Transfer of Wetland Permit #66, as issued on February 2, 1982 from Walter Silbernagel to Rubber Donut LLC.
Located: 530 Broadwaters Road, Cutchogue. SCTM# 1000-104-10-4
Trustee Krupski conducted a field inspection May 14th, noting that the existing dock does not comply with what was permitted.
As such, I will make a motion to deny this application.
TRUSTEE KRUPSKI: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).

TRUSTEE GOLDSMITH: Number 8, Barbara Schnitzler on behalf of
JANE G. WEILAND requests an Administrative Amendment to Wetland Permit #9807 to allow the existing Zoysia grass at the top of the bluff to remain intact, in lieu of removing same to plant the required 10' non-turf buffer with native plantings.
Located: 6485 Nassau Point Road, Cutchogue. SCTM# 1000-111-13-11

Trustee Krupski conducted a field inspection on this one, dated May 14th, noting that the original permit was requiring a vegetated non-turf buffer, and is currently just zoysia grass at the top.

So I'll make a motion to deny this application to get a -- in lieu of having a vegetated non-turf buffer. Because the application does not have the non-turf buffer that was initially required, I make a motion to deny this application.

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

TRUSTEE GOLDSMITH: Number 9, AMP Architecture on behalf of PHILIP & LIA CHASEN requests an Administrative Amendment to Wetland Permit #10095 to increase the square footage of the proposed pool patio to 2245sq. ft., in lieu of the previously approved patio (1,850sq.ft.).
Located: 1585 Long Creek Drive, Southold. SCTM# 1000-55-7-3

This one we have been to numerous times. We adjusted this permit and granted a patio in its existing permitted condition, so therefore there is no need to extend the permit any further seaward than existing.

Therefore, I will make a motion to deny this application.

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

X. PUBLIC HEARINGS:

TRUSTEE GOLDSMITH: Under Roman numeral X, Public Hearings, at this time I'll make a motion to go off our regular meeting agenda and enter into public hearings.
TRUSTEE SEPENOSKI: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).

TRUSTEE GOLDSMITH: This is a public hearing in the matter of the following applications for permits under the Wetland Ordinance of the Town of 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 minute or less if possible.

WETLAND & COASTAL EROSION PERMITS:

TRUSTEE KRUPSKI: Under Wetland and Coastal Erosion permits, number 1, Patricia Moore, Esq., on behalf of MONROE R. & BEVERLY SONnenBORN
requests a Wetland Permit and a Coastal Erosion Permit for the existing
28.1'x45.2' dwelling; reconstruct existing 435sq.ft. deck, new deck railing with
cables and from deck a 4' wide stair to a 4'x4' landing to a 4' wide stair to grade;
replace existing 4''x4'' support posts with 6''x6'' support posts; convert existing
193sq.ft. Screened-in porch to a living space by adding insulated walls and new
windows; install a 5'x12' enclosed elevator with a 175sq.ft. deck with railings for
handicap access on landward side of dwelling; for the existing 12'x8' shed; existing
4' wide wood walks on grade to 3' wide wood walk on grade to beach; and existing
3.7''x5.9''vinyl storage locker on wood platform against 4' wide wood walk.
Located: 305 North Sea Drive, Southold. SCTM# 1000-54-4-5

The Trustees most recently reviewed the application on the 10th of May and
noted there should be a condition of non-turf on the entire property; that it is essentially a
dunal habitat.

The LWRP coordinator found this to be inconsistent. The as-built structures did
not receive a Wetland or Coastal Erosion Hazard Area permit. Portions of the existing
residential structure are located seaward of the coastal erosion hazard line. Structures
located within the structural hazard areas are subject to a loss and damage from storm
surges, are not consistent with Policy 4.

The Conservation Advisory Council supports the application with hay bales and
silt fencing in place during construction. It should also be noted that I am in receipt of
new plans stamped received by the office May 16th, noting that the entire property be
established and maintained as non-turf buffer area.

Is there anyone here that wishes to speak regarding the application?
MS. MOORE: Yes. Patricia Moore, on behalf of the Sonnenborn family. This is a
pretty straightforward application. The house was relocated in the '90's from being
very close to the water to where it presently is. All of -- everything that was there got a
DEC permit but it predates the Trustees permit. So we are bringing everything into
comformity with LWRP by making this application, including everything that is existing
as well as what is proposed.

And really the only new structure is an elevator on the front of the house to make the
house handicap accessible. And the existing porch will be made part of the house.
And yes, we did make the entire property non-turf. It is what it is now. And
the owners don't plan to make any changes to it. Thank you.
TRUSTEE GOLDSMITH: Thank you.
TRUSTEE KRUPSKI: Is there anyone else here wishing to speak
regarding this application, or any additional comments from members of the Board?
(Negative response).
Hearing none, I make a motion to close the hearing in this application.
TRUSTEE SEPENOSKI: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).
TRUSTEE KRUPSKI: I make a motion to approve the Wetlands Permit
for this application with the plan stamped received by the
office May 5th, 2022, with the condition that all the property
is left in its natural state and as a non-turf buffer.

That's my motion.
TRUSTEE GOLDSMITH: Second. All in favor?
(ALL AYES).
TRUSTEE KRUPSKI: I make a motion to deny the Coastal Erosion
Permit for this application, as a significant amount of structure is across the
line and therefore would need to be appealed to the Town Board
TRUSTEE GOLDSMITH: Second. All in favor?
(ALL AYES).

TRUSTEE SEVENOSKI: Number 2, Patricia Moore, Esq. on behalf of LEVENT TEMIZ requests a Wetland Permit and a Coastal Erosion Permit for the existing (2,317sq.ft.) two-story dwelling with attached garage and to construct a new 155sq.ft. addition onto the center of the dwelling on the seaward side with a second-floor terrace above; for the existing 11.4'x4.1' storage room under existing stairs on west side of dwelling; existing 927sq.ft. swimming pool; for the existing 90' of pool fencing along seaward side of deck, 75' along east side, and 75' along west side with 15' to the dwelling with gates; existing decking around and seaward of pool is in part above grade and at grade and is to be modified by resurfacing the 830sq.ft. seaward portion of decking with existing structure to remain undisturbed, and existing portion of deck around pool is being replace with a 2,302 stone patio on granular base and permeable joints on grade which includes a 4' expansion on the west side of patio; expand existing 81sq.ft. wood deck on westerly side of dwelling an additional 195sq.ft. For a total 276sq.ft. and install a 7'10"x9'2" hot tub on deck; resurface existing 42sq.ft. easterly side deck; and for the existing 70sq.ft. landing leading to 4'x20' stairs to beach.
Located: 57305 County Road 48, Greenport. SCTM# 1000-44-2-3
The Trustees most recently visited the site May 10th, 2022.
Notes from that visit read: We will review documents further at work session.
We are also in receipt of plans stamped April 13th, 2022.
The LWPR in February 14th, 2022, found this project to be inconsistent. The inconsistency stems from the existing wood deck and bench in the CEHA area to be resurfaced. It is recommended as inconsistent.
The Conservation Advisory Council resolved not to support the application because a portion of the deck is located within the Coastal Erosion Hazard Area. The beach stairs should have removable, retractable stairs at the base. And the Conservation Advisory Council questions the maintenance of the deck being exempt from CEHA.
Is there anyone here who wishes to speak regarding this application?
MS. MOORE: Well, I'm continuing from the prior hearing. I think I have given you as much written documentation, and I have spoken, so we'll just proceed. And I'll listen. Thank you.
TRUSTEE SEVENOSKI: Is there anyone else here who wishes to speak regarding this application?
(Negative response).
Any members of the Board?
TRUSTEE KRUPSKI: I just think that at our most recent site visit review we discussed how the rest of the property on the seaward side, aside from the built portion, should probably be non-turf.
MS. MOORE: I'm not sure --
TRUSTEE KRUPSKI: On the seaward side of the house.
MS. MOORE: The seaward side of the house. You mean the entire property?
TRUSTEE KRUPSKI: No. Alongside the pool and then just seaward of the deck, there is like, it's basically a bank. It's not anywhere that you should put grass.
MS. MOORE: I'm not sure I'm following. We have vegetation that is seaward of the existing structures, and on the east and west side is permeable, just stone. So it's not, I mean to --
TRUSTEE KRUPSKI: Yes. Just basically to remain as.
MS. MOORE: Okay, then it is what it is now. Got it.
TRUSTEE KRUPSKI: Right.
TRUSTEE SEPENOSKI: Does anyone else wish to speak regarding this application?
(No response).
I make a motion to close this hearing.
TRUSTEE PEEPLES: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).
TRUSTEE SEPENOSKI: A make a motion to approve this application with the non-turf areas as discussed remaining. And that is my motion.
(Perusing).
I’ll briefly rescind my motion, just to address the concerns of the LWRP.
The LWRP concern stems from the resurfacing of the deck within CEHA, but under Chapter 111 there is provisions for normal maintenance which allows for periodic replacement and repair of same kind of structure elements or protective coatings as written in Chapter 111 of our code.
I remake the motion to approve this application, thereby bringing it into consistency with the LWRP.
That is my motion.
TRUSTEE GOLDSMITH: Second. All in favor?
(ALL AYES).

TRUSTEE GILLOOLY: Number 3, Costello Marine Contracting Corp. on behalf of ORIENT LIGHT, LLC requests a Wetland Permit and a Coastal Erosion Permit to construct an 8’ extension to the existing metal walkway; construct a 32”x12’ ramp onto a new 3’x40’ fixed dock; install 6-10 rocks in void areas of the existing rock foundation; install two 10’ diameter piling on the west side of the entrance next to the existing rock jetty; to permit the existing lighthouse with stone foundation, the existing east and west jetties, the existing metal staircase supported by a concrete base, the existing wood walkway, ramp, and metal walkway on a concrete base.
Located: Plum Gut, Orient Point. SCTM# 1000-130-1-1.3
The Trustees conducted an inhouse review on May 10th, 2022, noting that it appeared straightforward and will provide access to the property.
The LWRP found this to be consistent.
And the Conservation Advisory Council resolved to support this application.
Is there anyone here who wishes to speak regarding this application?

MS. COSTELLO: Hi. Jane Costello from Costello Marine. I'm the agent for the applicant. If the Board has any specific questions, I'm happy to help answer them.

TRUSTEE GILLOOLY: Thank you.

Is there anyone else here wishing to speak regarding this application?

(Negative response).

Any questions or comments from the Board?

TRUSTEE KRUPSKI: No.

TRUSTEE GILLOOLY: I make a motion to close this public hearing.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

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

TRUSTEE PEEPLES: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE PEEPLES: Number 4, JMO Environmental Consulting on behalf of W. HARBOR BUNGALOW, LLC, c/o CRAIG SCHULTZ requests a Wetland Permit and a Coastal Erosion Permit for the existing 6.5'x53' fixed dock with a 11'x11' fixed portion in an “L” configuration; existing 3.5’x12’ ramp and existing 8’x20’ floating dock; the 6.5’x53’ fixed dock and 11’x11’ fixed portion in the “L” configuration to remain; remove existing ramp, float and two piles and install a new 4’x20’ ramp with rails and an 8’x18’ floating dock situated in an “I” configuration secured by four piles; and to install four tie-off piles.

Located: 371 Hedge Street, Fishers Island. SCTM# 1000-10-7-18

The Board visited Fishers Island and this site on May 15th in the afternoon, and noted that the new proposed dock exceeds the pier line.

The LWRP finds this inconsistent because, as noted, the applicant has not provided information on whether sea grass, including eel grass, occurs around the dock that could be impacted.

Pursuant to Chapter 268, the Board of Trustees shall consider this recommendation in preparing its written determination regarding the inconsistency of the proposed action.

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

Is there anyone here who wishes to speak in regard to this application?

MR. JUST: Good evening. Good evening, Glenn Just, JMO Consulting, as agent for West Harbor Bungalow.

I just submitted a cover letter with some plans and some distances that I just put together today.

I know you folks didn’t have enough time to review what I electronically sent over earlier. This just has to do with -- the pier line is defined as the average of length of docks in
the area. You can see from my cover letter that I have gone, I moved through the water, I looked at 350 feet to the north and south of this site, measured all the docks, and this proposal fits under the average length of the docks in the area, which is defined as the pier code.

It also should be noted that at this point where this dock is to be located, it's 370 feet just to the shoal on the opposite side of West Harbor, not going all the way up to mean low water, which normally measures, mean low water, mean low water across a waterway. Again, this is something, again, you don't have enough time to digest, it was just submitted. I just wanted to bring it up.

TRUSTEE PEEPLES: Thank you.

MR. JUST: The dock all the way to the north there is 127 feet long. The next one is 110 feet long. The next one is 103 feet long. The next one is 112 feet long. The next one is 85 long. And then to the south, you see is 40, 61 and 113.

So there is something, again, if you want to put it on hold, I don't think there would be any problem with it unless you want to discuss it further tonight.

TRUSTEE PEEPLES: Thank you, for sharing. This Board typically looks at the adjacent, neighboring docks, meaning the one that would be on either side of it. So while it's appreciated that you provided all these lengths, typically we are looking at the adjacent ones.

MR. JUST: I gave you all the distance to the docks in this certain section of the West Harbor.

TRUSTEE PEEPLES: That's appreciated. Thank you.

MR. JUST: We didn't really get a chance to really discuss it when we were there at the end of the day. That was my fault. But, again, I put these numbers together today and sent them over.

TRUSTEE PEEPLES: Is there anyone else here who wishes to speak in regard to this application?

(No response).

Are there any other questions from the Board?

TRUSTEE GOLDSMITH: Just that, Mr. Just, in light of the fact that we do need the immediately adjacent docks as our pier line, would you like to table this application at your request?

MR. JUST: I think that's best. Thank you.

TRUSTEE PEEPLES: Thank you. Is there anyone else here who wishes to speak in regard to this application?

(No response).

Any other questions or comments?

(Negative response).

I'll make a motion to table this hearing.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

WETLAND PERMITS:
TRUSTEE GOLDSMITH: Under Wetland Permits, number 1, Patricia Moore, Esq. on behalf of CAMERON DOWE & MEGAN STRECKER requests a Wetland Permit to construct a proposed 18'x20' one-story storage shed; and install a proposed 10' diameter drywell to contain all roof runoff. Located: 975 Cedar Point Drive West, Southold. SCTM# 1000-90-1-5

The LWRP found this to be consistent.

The Conservation Advisory Council does not support the application and requests clarification as to why the Board of Trustees denied the previous application on January 25th, 2021.

The Conservation Advisory Council raised concerns about the potential of commercial business being conducted on a residential property and requested additional information on the business and mixed uses of the property and what the New York state DEC would regulate the storage of commercial equipment in the proposed shed.

The Trustees conducted a field inspection. That's not here. (Perusing). The Trustees conducted a field inspection May 10th, at the time noting that it was not staked. Trustee Peeples went back and did review the stakes.

There is also a letter of support in the file here from the neighbors, Mr. and Mrs. Bradley.

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

MS. MOORE: Yes, good evening. Patricia Moore behalf of the owners of the property. I have Megan here with me in case there are any particular questions that I can't answer, and I would refer them to her.

This is somewhat of a straightforward request for a storage shed. So, the fact that it is a home operation, the oyster farm is a permitted use and it's operating on the property. This is where they live. And this is also where she runs her oyster farm business, all within the scope of the zoning that allows the aquaculture to be done on the property.

Also there is multiple places in the code that allow this use. It allows home occupation, it allows oyster farming. It's no different than the bay men that work from home and they go out with their boats and get the shells, the oysters or bay men, and other things they get, clams and so on, and then they bring it back to their home. So that is what has been going on here.

What we tried to do is, so as to assure the neighbor that we were true to the promises that were made that have already been implemented. They have been implemented for the past year. Certain operational work on, as far as spraying and things like that so as to not be, cause any trouble to the neighbor.

So things have been undertaken already. And what I did is I included it in our amendment to the permit so it would be clear that we are willing to do it, put, you know, put our mouth, you know, state clearly that we are all in agreement to operating as a good neighbor.
I understand from our work session that some of the things you felt were, didn’t need to be part of your permit, that’s fine. We are willing to make them part of the permit, but if you prefer that they not be, we’ll take out whatever you feel doesn’t need to be in there.

We attached a landscape plan where the shed is located. We have already agreed that we would add some cedar trees along the property line to buffer the shed from the neighbor’s view. And there is already, the landscaping that is there is already, was planted in anticipation of being where the neighbors.

So we are here to listen and respond to any questions you might have.

TRUSTEE GOLDSMITH: Thank you. I do have that planting plan that you noted. The one thing that we discussed and I believe the neighbors had addressed in a previous iteration was some eastern red cedars between the proposed shed and the property line. It looks like there are a few on this planting plan.

MS. MOORE: And there is one already there. And she would, once the shed is in place, then she would plant additional cedars. What we don’t want to do is plant before the shed goes in because things will just get damaged. So it’s all in anticipation of --

TRUSTEE GOLDSMITH: Okay. Because we had a number of somewhere around eight, after the fact, between the neighboring and the shed, which should supply sufficient screening and address the neighbor’s concerns.

MS. MOORE: You want eight or there are eight already?

TRUSTEE GOLDSMITH: We want eight total.

MS. MOORE: You want eight. I mean, it’s pretty shady over there. I mean, you could start with very small ones and see how they grow.

MS. STRECKER: My name is Megan Strecker. So there are a lot of red cedars existing there, and they are kind of in small stands. So there’s like a set of three, a set of three, and then a set of two. And we tried to locate the shed so we didn’t have to cut any of those down.

And looking, I assessed the area and because of, they do provide a lot of shade already, I spaced them out enough so that they get consistent sunlight so they don’t shade each other out.

So, I have worked for a landscaper as one of my occupations. I kind of am familiar with how logistical plantings work. And I was going to strategically put them, one was very, strategically put where there was open space where it would be in the back side of the shed so it would cover the roof and other parts of the structure so they hopefully can’t see it at all.

Then I think there was one more spot I could squeeze one in but I really can’t say for sure because it was, it would be toward the bulkhead side where there are three other ones. If there is enough space to fit it in there. If that makes any sense.

And then I was planning on putting native plants along the catwalk to create more screening and sound buffer, and also
along my neighbor's other fence area to the south side.

TRUSTEE GOLDSMITH: As a point of clarification on the planting plan dated May 16th, 2022, the red dots, is that existing or is that proposed?

MS. STRECKER: The red dots are not existing. The green areas are already existing. And there are, not all the trees are shown on that survey colored in green, but you can see them, they are little --

TRUSTEE GOLDSMITH: Those little green circles?

MS. STRECKER: Yes.

TRUSTEE GOLDSMITH: Okay. So by this I only see one red "X" denoting an eastern red cedar; is that correct?

MS. STRECKER: That is, because the other cedar, they are significant in size, to the left, that really, the canopy is so full that that is really the best spot for a big tree to go.

Otherwise they are going to shade each other out. If I can add more to the left of that one, I will definitely do that.

TRUSTEE PEEPLES: I do have a question. On the site you had marked trees with a band of red tape. Is that to remove or to --

MS. STRECKER: No, when we were going to move the shed further back, that was the trees that we were going to have to cut down, but trying not to.

TRUSTEE PEEPLES: So those are going to remain, the ones that have the band around them.

MS. STRECKER: Oh, yes, they are staying.

TRUSTEE PEEPLES: Okay, so that basically all of what is in the file show trees that are going to remain then.

MS. MOORE: The whole reason the shed has been proposed in this location is to limit the removal of any trees. So.

MS. STRECKER: And then the other side of the yard floods, so that doesn't really help, so.

TRUSTEE GOLDSMITH: All right. Thank you.

Is there anyone else here wishing to speak regarding this application?

MR. BERGEN: Good evening Dave Bergen, representing Marianne and Jim Bradley. They are the neighbors to the, immediately to the east of the shed. Actually northeast, I believe, the one area that we have been discussing already.

We do appreciate the Trustees bringing up the issue of trees between this proposed shed and the Bradley's property, and I understand completely that you don't want to plant something that is going to die because there is too much shade or whatever, but I would ask that we do additional plantings in that area to do everything we can to try to create a buffer between the shed because it is going to be an aquaculture operation, which is very different from the normal shed like that I might have in my backyard.

So anything we can do to increase the vegetated area between the shed and the Bradley's would be greatly appreciated. Because again, this is an aquaculture operation.

Now, we had also, as you know, you had received a revised
description that had various points in it that we talked about at the work session. And I would just like to have stipulated on the record here tonight the points that we had talked about. And there are six items in particular.

One is to locate and store the oyster farming equipment such as coolers, oyster storage, totes, cages, in the proposed shed.

Second: Oyster shells will be stored in covered containers until such time they are removed from the property. Because we understand, and we fully support this, that they are looking to donate these shells to SPAT or some other appropriate agency.

Minimize the power washing and oyster tumbler operations on weekends.

Conduct operations of power washing two hours daily, maximum, and conduct power washing mindful of wind direction and potential over-spray toward the Bradley’s property and dock.

Preserve existing vegetation as shown on the last plan, the site plan dated 2/20/22 and plant additional cedar trees or vegetation along the property line as depicted on the plan dated 5/13/22.

And the existing relocated tumbler, existing noise barrier fence, to remain where it is.

We had, I believe, Mr. Goldsmith had said that you had received for the record a letter of support from the Bradley’s for this application. That was a conditional letter of support, conditioned upon these six points that I have stipulated to be entered into the record tonight are agreed to by the applicants. So if the applicants agree to those six points here and are willing to do so on the record tonight, we would be very happy to support this application.

TRUSTEE GOLDSMITH: Thank you.

MS. MOORE: Yes, we certainly, we proposed it as a project description and I double-checked and, no problem, we agree that this is how we operate. So there will be a good record of what was talked about, so.

TRUSTEE GOLDSMITH: Can you just confirm this is literally just going to be a storage shed?

MS. MOORE: Literally, just a storage shed.

TRUSTEE GOLDSMITH: And just one other thing, to potentially address the shading or the screening, if possible, another eastern red cedar or two to address the neighboring concerns. I know there are some existing big trees and everything currently there.

MS. MOORE: May I make a suggestion. Only because, I don't think there is any opposition to putting the cedars if we need to do that. Would it make sense that before the certificate of compliance that when you take a look, if it needs those extra trees. We have already given you the bare, you know, what we are going to do. But if we need additional ones -- there is no problem with adding some, it's just I just hate to see us try to jam a lot of vegetation that is not going to survive. But once
the shed is in place, then you can kind of, the neighbors can
take a look and see, strategically, does it make sense, well
maybe where we have proposed doesn't make sense, it should be
moved over a little bit.

There is full agreement. They are going to be neighbors for
a very long time. And I am encouraged that they are certainly
prepared to cooperate. So it seems to me a better way of
dealing with it onsite and taking a look. And if you guys say,
or even if the Bradley's say, listen, could you add one or two
here, without the Board saying it, there is full agreement, so.
And you'll have a transcript of the hearing, so.

TRUSTEE GOLDSMITH: Thank you. Is there anyone else here wishing
to speak regarding this application?

MR. BERGEN: Just to clarify again, we certainly don't want to
see something planted that is not going to survive in there. You
know, absolutely. So could we, rather than, we keep talking
about red cedars. Could be that there's arborvitaes or other
trees, shrubs, that can be planted in there that will serve the
purpose.

TRUSTEE GOLDSMITH: Thank you. Is there anyone else here wishing
to speak regarding this application?

MS. STRECKER: I just want to add, I am working with a landscape
designer to come up with a cohesive plan. So I do have
professional help.

TRUSTEE GOLDSMITH: Thank you. Any other questions or comments
from the Board?

TRUSTEE PEEPLES: I just would like to make a brief comment that
as a Trustee and an oyster farmer, I appreciate an application
where the applicant is wishing and would like to expand the
aquaculture industry in this town. Thank you.

TRUSTEE GOLDSMITH: Thank you. Any other questions or comments?

(Negative response).

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

TRUSTEE PEEPLES: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE GOLDSMITH: I make a motion approve this application as
submitted with the condition that additional screening be added
as needed.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE KRUPSKI: Number 2, J.M.O. Environmental Consulting on
behalf of ROBINS ISLAND HOLDINGS, LLC, c/o BELVEDERE PROPERTY
MANAGEMENT requests a Wetland Permit for a Ten (10) Year
Maintenance Dredging Permit to maintenance dredge an area
approximately 35'x450' to a depth of -6 feet; dredged area to
have 1:3 slopes; resultants spoil approximately 900 cubic yards
of sand will be temporarily deposited on site and then trucked away.
Located: 120 First Street & Town of Southold's Basin/Beach Area.
SCTM# 1000-117-8-20 & 1000-117-8-21

The Trustees most recently visited the property and noted that was a straightforward application.

The LWRP coordinator found this to be a consistent action.
And the Conservation Advisory Council resolved to support the application.
The only question the LWRP had was what is being done with the dredge material.

Is there anyone that wishes to speak to this application?
MR. JUST: Good evening. Glenn Just, as the agent for Belvedere.

Historically, the spoil has been set on the side to dry out and the Town has taken it away to use for whatever purposes. But that had been, I guess a Town dredging permit at one time. But that’s what’s going to be done.

TRUSTEE KRUPSKI: That’s something we can continue to do.
MR. JUST: We de-water at the site and then load it on trucks and take it from the site.

TRUSTEE KRUPSKI: Thank you. Is there anyone else here that wishes to speak to this application?
(No response).
Are there any comments from the Board?
(Negative response).
Hearing none, I make a motion to close the hearing.

TRUSTEE GOLDSMITH: Second. All in favor?

(ALL AYES).

TRUSTEE GOLDSMITH: I’ll make a motion to approve this application, with the condition that the dredge spoil be de-watered onsite and ability for the Town to use the material as needed.

TRUSTEE GOLDSMITH: Second. All in favor?

(ALL AYES).

TRUSTEE SEPENOSKI: Number 3, Costello Marine Contracting Corp. on behalf of FOUNDERS LANDING BOAT YARD, LLC requests a Wetland Permit to reconstruct previously existing 24.5’x59’ building #5 and 24.5’x34.5’ building #6 that were destroyed by a fire on 6/10/2021.

Located: 1000 Terry Road, Southold. SCTM# 1000-64-3-11

The Trustees most recently visited the site on May 10th, 2022. Notes from that visit read as follows: Looking for information on structure that burnt down. Height, as requested. Reviewed newly-submitted plans. Will discuss more at work session. Those present, Nick, Eric, Gillooly and Peeples.

The Office of the Trustees received revised plans, stamped May 6th, 2022, indicating the location of drywells as requested in the last hearing. Those drywells will be containing roof runoff.

The LWRP, on April 5th, 2022, found the proposed action to be consistent.

And the Conservation Advisory Council resolved to support the application when they reviewed the project last month, April 6th, 2022.

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

MS. COSTELLO: Jane Costello. I am the owner of Founders Landing
Boat Yard, LLC.

So I think I answered the last two questions about the
height and putting in the drywells. If there are any other
questions that I can address, I would be more than happy to.
TRUSTEE KRUPSKI: Just for clarification, I didn't see -- I read
what we got from you. I didn't see the official height or even
an estimate or anything like that.

MS. COSTELLO: It's on the plans. So on the plans, the higher
part, because there are two roofs, right --

TRUSTEE KRUPSKI: Yes.

MS. COSTELLO: And there is distance between them, but the higher
part, the proposed height is 24-and-a-half feet. The lower part
is 22-and-a-half. Since we are raising it two feet, the
estimated original height is 22-and-a-half and 20-and-a-half.

TRUSTEE KRUPSKI: So the estimated original of the building that
was existing --

MS. COSTELLO: 22-and-a-half and 20-and-a-half.

TRUSTEE GOLDSMITH: That was proposed, not what was existing.

MS. COSTELLO: No, that's what we are estimating was the
existing.

TRUSTEE GOLDSMITH: I'm sorry, the one that burnt down was 22
feet?

MS. COSTELLO: Yes, the larger section was 22 feet. That was our
best estimate. There is no documented height to the building. So
we had to take photographs, and so that's what our engineer in
the letter said, um, as far as estimating the height from
photographs, some of them are very old photographs, but then we
take it and we had to put them into CAD and from there we kind
of estimated what the heights were. It was like the best guesstimate.

TRUSTEE GOLDSMITH: All right. Just to address the old height,
there is a building, that shed, that still exists on the corner
there, on Terry Lane, which is not, which did not burn down from
the fire. And from pictures, the old building, at least the
lower section, was basically the same height as that existing
red shed that still stands today. And I think we went out there
and measured it. It's like 14 feet.

MS. COSTELLO: Okay.

TRUSTEE GOLDSMITH: You know, nowhere was it 22 or 24 from what
burned down. I think we were more like in the 14-foot range.

TRUSTEE SEPENOSKI: We understand also that you are trying to
comply with the FEMA regulations that require you to raise to
the building four feet and --

TRUSTEE GILLOOLY: Was it two feet or four feet?

MS. COSTELLO: So they want it to be weatherproof and flood proof
to the eight-foot elevation. So what we did was we raised the
floor level two feet and then the concrete surround, if you
will, will go up an additional. But the floor will be sunk down.
So the whole perimeter of the building will be completely
waterproof and flood proof. And then at the doors we have to
buy those flood shields and, but we are going to use garage
doors, we are going to use barn doors, we are going to use
carriage doors, and we indicate for that.

TRUSTEE SEPENOSKI: So just reviewing our Minutes from last
month, which I thank the court stenographer for his diligence,
the testimony that you gave at that time was you just wanted to
replace the storage shed that you lost to the fire. Which is
something I completely support. You made a compelling case for
that. So the existing height, let's say is 15 to 17 feet, and
you are complying with FEMA regulations, would you be amenable
to a building that is somewhere in the, raise it four feet, so
we are talking 19 feet, somewhere in that range? 19 and 21
feet, the respective highs of those buildings?

MS. COSTELLO: Instead of 20 and --

TRUSTEE SEPENOSKI: Instead of 24.6 and 22.6 respectively. The
higher being the 24-and-a-half foot, the taller section, and
22-and-a-half feet being the lower section.

MS. COSTELLO: So from what is on the paper now, you want me to
bring it down about four feet.

TRUSTEE SEPENOSKI: Yes. So it's more in line with what was
originally there. It would give you enough room for FEMA.

MS. COSTELLO: All right, let me take a look at this.

TRUSTEE GOLDSMITH: Because the concept is if there was a 14 to
15-foot building that was there prior, and you want to replace
it but you need to go up another four feet due to FEMA
regulations, if you went up to 18 to 19 gives you what was there
prior to the fire.

MR. MAZZAFERRO: Hi, I'm Nick Mazzaferro, I'm the engineer that's
working with Costello on the project.

So you are asking to go from 22-and-a-half to
19-and-a-half, like three feet; is that what you said?

TRUSTEE KRUPSKI: Relatively speaking, yes.

MR. MAZZAFERRO: What would you guys use for a reference point on
grade; the road or adjacent property or -- like right now we are
showing 24'6" above grade, and using grade elevation as plus
four. Are we good with that?

TRUSTEE GOLDSMITH: I would say the bulkhead is a pretty good
reference point.

MR. MAZZAFERRO: That's fine. I just wanted to know where we are
talking about. So we can establish the elevation at the bulkhead
and go there from. Because it's a point to, okay. So then the
overall building height would be -- so we are talk 22'6" above
the bulkhead at the high point. Roughly 19'6" above the bulkhead
for the lower one.

TRUSTEE KRUPSKI: Our rough math is 21, but I mean I personally
would be open to 22.

TRUSTEE SEPENOSKI: That's fine.

TRUSTEE KRUPSKI: That's one opinion.

TRUSTEE PEEPLES: I'm sorry, to confirm, is that 22 feet the
lower height or the higher? Because it does step --

MR. MAZZAFERRO: That's the higher.
TRUSTEE PEEPLES: 22 is the higher.
MR. MAZZAFERRO: And it would be the same step ratio.
MS. COSTELLO: All right. So I can revise the plans and I'll have
it brought down basically two feet.
TRUSTEE KRUPSKI: Thank you.
TRUSTEE PEEPLES: So is that 22'6" or 22'0"?
MS. COSTELLO: 22.
TRUSTEE SEPENOSKI: Okay, are there any other comments from
people in the room; anybody on the Board want to speak to this
application?
TRUSTEE PEEPLES: I would like to just, due to the fact that this
is replacing an existing structure that is important for your
business and for the marina there, it is intended to be a
storage facility. So the one thing I would like to just
question, I notice that you have electricity in here.
Are there any other plans for plumbing or running water or
temperature controlling, kind of controlling --
MS. COSTELLO: No, it will be an unfinished building.
TRUSTEE PEEPLES: Thank you.
TRUSTEE SEPENOSKI: I have no one else who wants to speak to this
application. I make a motion to close this hearing.
TRUSTEE PEEPLES: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).
TRUSTEE SEPENOSKI: I make a motion to approve this application
with the new dimensions of 22 feet for the higher section of the
building and 19 for the lower section, maintaining the same
ratio the gentleman in the audience suggested, and stipulating
that there are no temperature controls, including AC and heat,
no septic connection and no water. That is my motion.
TRUSTEE KRUPSKI: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).
TRUSTEE SEPENOSKI: Thank you, for coming.

TRUSTEE GILLOOLY: Number 4, Sea Tech, LLC on behalf of BARBARA
BODKIN requests a Wetland Permit to reconstruct in place 125
linear feet of timber/concrete bulkhead with new Navy style
vinyl bulkhead; construct two (2) 8' returns; remove and replace
existing landward 4.5' wide wood boardwalk, 70sq.ft. over-water
wood platform, and retaining walls as required; and to install
30 cubic yards of clean fill form an approved upland source.
Located: 610 Bayview Drive, East Marion. SCTM# 1000-37-5-2

The Trustees most recently conducted an inhouse review on
May 10th, noting, looking at the new plans and noting a
modification that seems appropriate. They did question the wood
platform as specified on the plans. Will that be thru-flow.
The LWRP reviewed this and found it to be consistent.
The Conservation Advisory Council resolved to support this
application.
Is there anyone here who wishes to speak regarding this
application?
(No response).
Any questions or comments from the Board?
TRUSTEE KRUPSKI: I think just to clarify, since there is no one here to speak to the application. I think we should stipulate
that that bottom area be all thru-flow and any decking outside
of the existing bulkhead be thru-flow.
TRUSTEE SEPENOSKI: I agree with that motion.
TRUSTEE GILLOOLY: Okay, I make a motion to close this hearing.
TRUSTEE SEPENOSKI: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL YES).
TRUSTEE GILLOOLY: I make a motion to approve this application
with the new plans stamped received May 6th, 2022, with the
stipulation that the area labeled "wood platform" consists
solely of thru-flow decking.
TRUSTEE GOLDSMITH: Second. All in favor?
(ALL AYES).

TRUSTEE PEEPLES: Number 5, Twin Forks Permits on behalf
LITTLE DUCKS REALTY, LLC requests a Wetland Permit to demolish
existing ±2,100sq.ft. dwelling with 366sq.ft. enclosed porch;
construct a proposed two-story dwelling further landward than
existing with a 2,341sq.ft. first floor area, a 3,132sq.ft.
second floor area, and a 1,002sq.ft. area over attached
953sq.ft. garage for a total GFA at 6,475sq.ft.; a proposed
404sq.ft. front covered porch; a proposed 583sq.ft. rear covered
porch; a proposed 52sq.ft. side covered porch; and a proposed
834sq.ft. second floor deck; construct a proposed 800sq.ft.
swimming pool; remove existing septic system on seaward side of
dwelling and install a new I/A septic system landward of
proposed dwelling; and to install and perpetually maintain a 10'
wide non-turf buffer along the landward edge of the bulkhead.
Located: 2095 Nassau Point Road, Cutchogue. SCTM# 1000-104-13-3

The Trustees reviewed this inhouse on May 10th, and noted
that the new plans show a pool that has been pulled back. The
plans are stamped dated April 27th, 2022.
The LWRP finds this application consistent.
The Conservation Advisory Council resolved to not support
this application due to the fact that the proposed pool setback
of 53 feet is not in compliance with Chapter 275.
Is there anyone here that wishes to speak in regard to this
Application?

MS. POYER: Lisa Poyer, on behalf of the applicant.

As you mentioned, the revised plans were submitted to the
Board and it does show the proposed swimming pool meeting the
50-foot setback as the Board had previously requested. And the
residence is proposed in the same location as far as setback,
and it does conform with the pier line with the two adjacent
properties on either side of the property.
TRUSTEE PEEPLES: Yes, thank you. And, thank you, for including
that pier line as well.

Is there anyone here who wishes to speak in regard to this application?
(No response).
Any other questions or comments from the Board?
(Negative response).
TRUSTEE PEEPLES: With that, I make a motion to close this hearing.
TRUSTEE GILLOOLY: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).
TRUSTEE PEEPLES: I make a motion to approve this application with the plans stamped dated April 27th, 2022. That is my motion.
TRUSTEE KRUPSKI: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).
MS. POYER: Thank you.

TRUSTEE GOLDSMITH: Number 6, SLATTERY NASSAU POINT TRUST requests a Wetland Permit to replace the existing 4'x16' set of stairs; 12'x18' deck; and 4'x32' walk; deck and walk are 30'' AGL. Located: 460 West Cove Road, Cutchogue. SCTM# 1000-111-2-6

The LWRP did not do a report because we did not have a survey.

The Conservation Advisory Council resolved to not support the application because the size of the deck is not in compliance with Chapter 275, and the application requires an updated survey.

The Trustees conducted a field inspection May 10th, noting that it's making the deck smaller than the existing. Also need to clarify the survey issue.

We do have two letters in the file of support. One from the neighbor Thomas Cornwell, as well as one from Alfonso Martinez-Fonts, the President of the Nassau Point Property Owners Association.

We do have a survey, stamped received May 17th, 2022, however it is an old survey that does not show the current deck or walkway.

Is there anyone here wishing to speak regarding this application?
MR. SLATTERY: Good evening. John Slattery. I'm the property owner.

A little bit of history. Our house was built in 1966 by my father and mother, and the land survey that you just referred to was accomplished in 1974, when we split and sold off the adjoining lots 273 that were to the north.

The structures that we are requesting to replace consist of stairs, deck and a walk to the beach, and they were Building Department permitted and built in April of 1975. Obviously the 1974 survey that you have predates the construction.
In 47 years that the structures have been in place, they have been ravaged by storms, high water on numerous occasions. The stairs and walkway have been replaced and repairs have been accomplished on several occasions.

At this point, we have an unsafe situation and desire to rebuild or replace the structures using the current footprint of the structures that exist today. Not going to move anything, no bigger. As a matter of fact, smaller.

You have requested a survey showing the structures that are in question. I requested a waiver of that requirement. I am here to confirm that no such survey exists that would show what you are looking for, and for me to go out and obtain such a survey is an onerous cost. You are talking about significantly more than the cost of the reconstruction we are talking about.

Please consider that we are not asking for a relocation or enlargement. As a matter of fact, it is going to be smaller, as I said. The footprint will remain as it has existed for 47 years.

As you know in our application for repair/replace the walk, the stairs and the platform, we share with six of our neighbors for your process. To my knowledge there has been no objections.

To alleviate any lingering concerns that you may have regarding an incursion onto Mr. Cornwell's property to our east, or the Landing Road/ Nassau Point right-of-way to the west, I obtained letters of support from both parties. And I appreciate your attention to this matter.

TRUSTEE GOLDSMITH: Thank you, sir. Unfortunately, without a survey, even one circa 1975 or newer, we cannot adequately review this, nor could the LWRP perform his duties and review this application for consistency or inconsistency. So unfortunately until we have some sort of survey that shows what is currently existing as far as direction/walkway, we will be unable to proceed until we get something. Which is a requirement under Town Code in processing the application.

MR. SLATTERY: I understand. But what do you mean by some sort of survey?

TRUSTEE GOLDSMITH: You said the deck was built in 1975. Normally we require something within the last five years. If you could come up with one from 1980 or whatever, that shows the dimensions and the location of what exists then we could perhaps waive the five-year requirement. But under normal circumstances it's a requirement to have a survey that is 5-years old or newer so that we can have the most recent relevant information.

MR. SLATTERY: So if I did nothing, we are left with a deck that is rotting, stairs that are unsafe. The thing has been there for 47 years. It was permitted by this Town, by the Building Department. And now you are calling for a survey of something that has existed for 47 years. I don't understand why we just can't use the existing footprint and say, Mr. Slattery, as long as you stay within the existing footprint, you can replace it.

TRUSTEE GOLDSMITH: Because, Mr. Slattery, we have no proof of
what that existing footprint is. We have zero documentation on what currently exists. And without a permit, we have, legally you are not allowed to work on it. So I know you said you worked on it in the last however many years, but without a Trustee permit, and I don't know if you even have a Building Department permit to do work or modifications to the existing structure as well.

So it's not Trustee permit that you'll need, you will also need a Building Department permit and most likely a DEC permit. So, and unfortunately, like I said, without that survey to document what is there, the dimensions, the distances, all that kind of stuff, we can't move forward with this.

MR. SLATTERY: So we are going to table it, is that an option?
TRUSTEE GOLDSMITH: That's an option until you get us a survey.
MR. SLATTERY: All right, let's do that. Thank you.
TRUSTEE GOLDSMITH: Okay. Is there anyone else here wishing to speak regarding this application?
(Negative response).

Any questions or comments from the Board?

TRUSTEE SEPENOSKI: I just believe that a survey, to look at it in a different way, Mr. Slattery, a survey would in fact confirm with our records what exists there. If we have a storm tomorrow night that wipes out your existing structures, there is no way to verify what currently exists.

MR. SLATTERY: I agree with that. I was just trying to avoid the onerous cost of obtaining a survey.

TRUSTEE KRUPSKI: Understandable.

TRUSTEE GOLDSMITH: We appreciate that.

All right, seeing no further comments --

MS. HULISE: I just want to quickly advise, you also want to have dimension on that survey included. So you want to make sure the survey includes dimensions of the structures you are proposing.

MR. SLATTERY: Okay, thank you.

MS. HULISE: Thank you.

TRUSTEE GOLDSMITH: At this time I'll make a motion to table this application for submission of a current survey.

TRUSTEE SEPENOSKI: Second.

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

TRUSTEE KRUPSKI: Number 7, Stephen Kiely, Esq. on behalf of 2500 SOUNDVIEW, LLC requests a Wetland Permit to install a proposed 10'10"x24'0" in-ground pool; install a proposed 282sq.ft. pool patio to be connected to existing 271sq.ft. patio; install a drywell for pool backwash; install a pool equipment area; and install 4' high pool enclosure fencing.

Located: 2500 Soundview Avenue, Mattituck. SCTM# 1000-94-2-1.5

The Trustees most recently reviewed the application on the 10th of May and noted they would review the pool location at work session, and that a planting plan has been submitted.

The brief history was that there was some clearing at this
application during the first site inspection a month prior. I am in receipt of new plans stamped received April 21st, 2022.

The LWRP coordinator found this to be consistent.

The Conservation Advisory Council supports the application with the condition of the patio is not extended between the pool and the pond.

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

MS. HULSE: Don't let us keep you, Mr. Kiely.

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

MR. KIELY: How are you. Which application is it?

TRUSTEE KRUPSKI: Do you have another application?

MR. KIELY: 2500, that's me. Stephen Kiely, for the applicant.

Just to give you a little update, I had court today on this matter. As you are aware, a violation was issued for the clearing. We pled guilty. We are paying a thousand-dollar fine to put that to bed. Again, we take full responsibility for going above and beyond.

And I believe Mr. Anderson has submitted a more robust re-vegetation plan. And I was wondering if you guys had a chance to review that and what your feeling is on it.

TRUSTEE KRUPSKI: Everyone in the room is aware we had a chance to review that new planting plan. Not the people in the hall.

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

(No response).

Or any additional comments from members of the Board?

(Negative response).

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

TRUSTEE SEPENOSKI: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE KRUPSKI: I make motion to approve this application with the new plans stamped received by the office April 21st, 2022.

TRUSTEE GOLDSMITH: Second. All in favor?

(ALL AYES).

MR. KIELY: Thank you, very much.

TRUSTEE SEPENOSKI: Number 8, BIRCH HILLS PROPERTY OWNERS ASSOCIATION, INC. requests a Wetland Permit to remove the large cracked boulder that slid down the bluff and breached and damaged the existing bulkhead by placing the cracked boulder on the beach; repair ±20’ of damaged previously permitted retaining timber wall; backfill behind repaired retaining wall; and plant beach grass in repaired area.

Located: 355 Glen Court, Cutchogue. SCTM# 1000-83-1-4

The Board of Trustees most recent revisited the site on the 10th of May, 2022, during our field inspections. We noted that the proposed actions were straightforward.

The LWRP found this to be consistent.
And the Conservation Advisory Council supports the application with the condition removal and relocation of the boulder from the shoreline is in compliance with the New York state DEC regulations.

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

MS. LUBANSKI: Good evening, my name is Carolyn Lubanski, and I'm Vice-President of the Birch Hills Property Owners Association. The president of our association, Dr. Barbara Ripel, has been in receipt via e-mail, from the New York State DEC, of a new permit effective April 21st, 2022, of which I have a copy, and if I may, I would like to present it to you, the Trustees, for your records.

TRUSTEE SEPENOSKI: Please.

All right, anyone else wish to speak to this application?
(No response).

Members of the Board?
(Negative response).

Hearing no further comments, I make a motion to close this hearing.

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

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

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

MS. LUBANSKI: I want to thank you very much. Have a good evening.

TRUSTEE GILLOOLY: East End Pool King on behalf of KIERAN COLLINGS requests a Wetland Permit to install a proposed 16'x32' vinyl swimming pool with approximately 1,300 sq. ft. at grade patio; install pool enclosure fencing; install a drywell for pool waste water; and install a pool equipment area.

Located: 3960 Ole Jule Lane, Mattituck. SCTM# 1000-122-4-26.1

The Trustees most recently conducted an inhouse inspection on May 10th, noting that the comment from the previous month still apply. Adjust pool to maximize distance from wetland, and a ten-foot non-turf buffer was requested.

The LWRP reviewed this application and found it to be consistent.

And the Conservation Advisory Council resolved to not support this application as submitted.

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

MS. DEL VAGLIO: Good evening, I'm Jennifer Del Vaglio, I am the agent representing Kieran Collings for this application.

I'm here to just kind of discuss and see how we can move the project forward. I know that you are requesting that we move
the pool. There is not a lot of space to move the pool. On the survey it indicates the field of leaching pools to the left, so we really don't have a lot of movement that way.

The homeowner is willing to move the pool and shrink the patio space between the house and the pool five feet, but his concern of going any closer than that is with his children’s best interest. He doesn't want to the pool to be right on top of that screened-in area. He also will amend the pool size and shrink that to a 30, which would give us an additional seven feet from the water’s edge. So our furthest line would be 73 feet, and the other line on the lefthand side of the pool would be at 58 feet.

Also, if you do a Google search on Ole Jule Lane road you'll see there are approximately between six and nine, depending how you run your line of pools on that inlet. And they are ranging anywhere from, well, there was one, it must have been pre-dated before anybody's code because it was like nine feet on top of the bulkhead. But it ranges from 9'9" to the other ones that was the furthest is 81". So if you go through those pools and go by precedent, maybe you can take into consideration that they would be kind of within the median of distance from the bulkhead.

TRUSTEE GILLOOLY: Can you state one more time what the minimum distance would be from the western side of the pool? I believe you said 58 feet; is that correct?

MS. DEL VAGLIO: Yes (Perusing).

TRUSTEE GILLOOLY: And have you discussed with the clients the idea of turning the pool?

MS. DEL VAGLIO: I did.

TRUSTEE GILLOOLY: That was no go?

MS. DEL VAGLIO: Not really. Yes, and to confirm, on the west side it would be 58 feet and on the, I guess south side, would be 73 feet.

TRUSTEE GILLOOLY: Okay, is there anyone else here wishing to speak regarding this application?

(Negative response).

Any other questions or comments from the Board?

TRUSTEE GOLDSMITH: Just that we would need new plans depicting those new distances before we can move forward.

TRUSTEE GILLOOLY: I make a motion to table this application pending new plans.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE PEEPLES: Number 10, Sean Walter, Esq. on behalf of MARLENE J. RUTKIN requests a Wetland Permit to construct an 18’x 36’x 8’ deep in-ground swimming pool with 1’ wide coping; existing 22.5’x 30’ slate patio to be repaired as necessary; install 4’ high pool enclosure fencing; install a drywell for pool backwash; and a pool equipment area.
Located: 800 Lakeside Drive North, Southold. SCTM# 1000-90-3-6.

The Trustees conducted a field inspection on May 10th, and noted that the Trustees will review the permit history of this site, and indicated it would be ideal for the pool fence to be put landward of the split-rail fence.

The Trustees also noted in person that having a 15-foot non-turf buffer that is landward of the existing post and rail fence would be an ideal dimension, and that the proposed pool fence, as I noted, would fit landward of that.

The LWRP found this application consistent.

The Conservation Advisory Council resolved to not support this application because the proposed swimming pool is located within a flood zone, the tidal wetland data provided was outdated, and the test hole data is inaccurate.

So based on the comments that were made during the field inspection, we received an updated drawing stamped dated May 18th, 2022.

Is there anyone here who wishes to speak in regard to this application?

MR. WALTER: Sean Walter, for the applicant Marlene Rutkin. If I can approach, I just have the original affidavits that I was not able to get to you by 12 o'clock yesterday. But we did get you copies. Thank you.

Sean Walter, 1938 Wading River-Manor Road, Wading River, New York, for the applicant Marlene Rutkin.

I'm not sure I can add too much more to this. The slate patio was constructed prior to my client purchasing the property. They didn't realize this needed a Trustee permit, so we are here for that. We are in support of -- I should ask Ms. Cantrell, did you get the new plans, too. Two sets of new plans?

MS. CANTRELL: Yes.

MR. WALTER: Okay, so we are in support of the additional 15-feet non-turf. We submitted those plans. And I don't have much else to add. I don't know why the Conservation Advisory Council is saying the test hole data is not correct because it was done 11/19/2021. But, that's on the plans.

TRUSTEE PEEPLES: Okay, thank you.

MR. WALTER: I can answer any questions if you have them.

TRUSTEE KRUPSKI: Thank you.

TRUSTEE PEEPLES: Is there anyone else here who wishes to speak in regard to this application?

MR. STEIN: Yes. John Stein, Conservation Advisory Council

Just a clarification for the agent. We are more than aware it was done on 11/19/2021 but the groundwater encountered, correct me if I'm wrong, it's there, encountered surface grade water at 9.3. The pool will be, I believe, eight-feet deep. It is through the flood hazard area.

I believe that the agent or the applicant consulted the Building Department, Mr. Verity, to see if there would be a necessity for a variance if this pool was built. It is a dedicated road. It is not open to use as of right now. But my, our concern was you are
putting a structure that is 26 feet from the existing road of Lakeside Drive. In addition, the excavation that would be eight feet, if that test hole, normally, the test hole instead of being northwesterly, if I'm looking at this right, northeasterly corner, would be a little bit centered more toward the house where the improvements would be, and if the agent can just clarify, the reason we were a little, more than concerned with the 26 foot away from the existing dedicated street, in the event, and you will have to go to the survey, those two other lots were to be, and I'm referring to the lots on the northeasterly section of the survey, I believe it's 5.1 and 6.1 that are adjacent to Lakeside Drive, if those lots were to be improved or if they are about to be improved, they would necessitate an ingress and egress, and then you would have an existing pool that is 26 feet away, and you are voting on this assessment now. And that would in turn possibly put the Board as a self-created impediment.

MR. WALTER: I can address that, if you wish. I spent probably half hour on the phone with Mr. Verity, and this pool location in fact fits 100% within the zoning code of the Town the Southold as amended. And we went back and forth on it. But this is actually fits, and with that road being as an open road.

So that is the distance that is required for a secondary road pursuant to the code. And honestly that is, that would be something for Mr. Verity to refer to the ZBA should it have to be go to the ZBA. But we are pretty confident that it doesn't have to go to the ZBA.

MR. STEIN: If I can follow-up. Is there a possibility that this property is going to be necessitated to go to the Zoning Board in the future?

MR. WALTER: No, not to my knowledge. There is no reason for it to. That's why he we spoke to Mr. Verity in the beginning.

MR. STEIN: Okay.

TRUSTEE KRUPSKI: Just direct your comments to the Board, please. Thank you.

TRUSTEE PEEPLES: Is there anyone else who wishes to speak? (No response).

Any other questions or comments from the Board? (Negative response).

Then I make a motion to close this hearing.

TRUSTEE KRUPSKI: Second.

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

TRUSTEE PEEPLES: I make a motion to approve this application with the new plans stamped and dated May 18th, 2022, with the conditions, noting on these plans, that they have referenced the distance from the house to the proposed new post and rail fence, and which also includes the pool fence as well. And that to stipulate a saltwater pool.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).
MR. WALTER: Thank you.

TRUSTEE GOLDSMITH: Number 11, Richard Boyd, R.A. on behalf of CHRISTINE HOWLEY requests a Wetland Permit to install a seaward retaining wall 210 linear feet long and 46" high at the east side of the property and 30' from the wetlands with a set of stairs with landing (112sq.ft.); a second landward 58 linear foot long and 26" high retaining wall at the south side of dwelling; a 41sq.ft. outdoor bbq area; and to add approximately 250 cubic yards of fill to raise the grade tapering from 0” to 18” at the perimeter of the dwelling.
Located: 320 Sailors Needle Road, Mattituck.
SCTM# 1000-144-5-29.3

The LWRP found this to be inconsistent. The inconsistency is the applicant proposes increasing the grade by zero to 18 inches. How will the grade change affect adjacent properties and site drainage. There is a concern about the proposed fill and site drainage, the fill will raise the grade and there is no indication on the file record that the adjacent properties would not be impacted.

The Conservation Advisory Council resolved to support the application.

The Trustees conducted a field inspection May 10th, noting the need to limit the height of retaining wall, as well as expand the buffer and replant eastern red cedars as necessary.

Is there anyone here wishing to speak regarding this application?
MR. TALGAT: Ural Talgat, for Richard Boyd and Christine Howley.
I am the landscape architect, here to answer any questions you may have.
TRUSTEE GOLDSMITH: So one of our, or our primary concern is the height of the retaining wall. 46 inches and 26 inches. We would like to see that retaining wall be no higher than 18 inches.

As well as we want a vegetated non-turf buffer seaward of that 18-inch retaining wall. Also noting that there are stairs or steps on the plans. Those can be no wider than four feet in width.
MR. TALGAT: One of the reasons why the retaining wall is as high as it is, the house had to be raised because of groundwater concerns during construction. We were in touch with DEC and they gave us approval for that. So then when the house had to go up higher, it put the steps that were planned for the house, surrounding the house, also higher. So that made a grade from the steps right at the line of setback from the water, right at the line, and if we had to bring the grade up to meet those steps, we would have a slope down toward the creek. So therefore we had to raise that wall up higher so runoff, for the runoff, rainwater runoff would not go into the creek. That's why we had to raise it up that high.
TRUSTEE GOLDSMITH: Okay. So our concern is having a 46-inch high retaining wall that close to the water, the wetland. It will
also create a runoff issue. We'll have a waterfall effect right adjacent to James Creek there.

MR. TALGAT: I think I also proposed to run drainage pipe along the base of that wall to collect all of that water and pipe it to drywells on the property.

TRUSTEE GOLDSMITH: Okay, it has not been the purview of this Board to allow a retaining wall 46 inches high, you know, for numerous reasons. And I don't think that we are going to look to start that now. 18-inch high should suffice, and then you can slope the grade up to whatever section of the foundation is adequate. And then adding that vegetated non-turf buffer plantings seaward of that proposed 18-inch retaining wall should address any runoff concerns.

And then there was also, where it was flagged, there is also some eastern red cedars that may be disturbed or, you know, during the construction. We would definitely like to see those replaced seaward of the proposed retaining wall.

MR. TALGAT: So you would like the eastern red cedars replaced seaward of the retaining wall.

TRUSTEE GOLDSMITH: Yes. If removed. Only if removed. If during construction you need to remove any of those eastern red cedars, we would like to see a one-to-one replacement seaward of the retaining wall.

MR. TALGAT: Okay.

TRUSTEE GILLOOLY: Mr. Boyd, can you please clarify what the piping is that is running down, we saw it on the patio area --

MR. TALGAT: I'm Ural Talgat, the landscape architect.

TRUSTEE GILLOOLY: Okay.

TRUSTEE SEPENOSKI: Can you acknowledge what those pipes are? There are numerous PVC pipes.

MR. TALGAT: They are for rainwater runoff from the roof coming down. They'll be tied to the drywells on the property.

TRUSTEE GILLOOLY: It seems that there had been already gutters and leaders to drywells in other locations. So these seem to be additional --

MR. TALGAT: Yes. Additional runoff pipes.

TRUSTEE KRUPSKI: Which pipes are you calling the downspouts?

MR. TALGAT: The pipes that come out from on the waterside of the house.

TRUSTEE KRUPSKI: Okay, what are they made out of?

MR. TALGAT: I believe PVC.

TRUSTEE KRUPSKI: Okay, what schedule?

MR. TALGAT: Schedule 80. Three-inch diameter, I believe.

TRUSTEE KRUPSKI: We've looked at the roof drains. I don't know if we have a picture to pull up here or not, but there was, I believe, four-inch or three-inch roof drains that were very apparent, and then there were two-inch, like Schedule 40 coming out of the cement, which to me, I don't believe would be a roof drain. There is like 20 of them. Or ten of them. So I don't know if we are talking about the same drainage. That's the only thing that's a little concerning for me, frankly, with the
application.

MR. TALGAT: There is also drainage on the terrace right now, that concrete patio there, is going to be raised pavers above that, and all of that water is also going there, too. So I'm sure there is some drainage for that.

TRUSTEE SEPENOSKI: I think it needs to be seen to be understood. I believe this is a pretty unique situation where we have many questions about these pipes.

TRUSTEE KRUPSKI: These particular, those pipes wouldn't be for patio runoff. They are going into the center of the house.

MR. TALGAT: They are going to the roof.

TRUSTEE SEPENOSKI: They go into the wall, through the concrete surface, up the wall into the roof area.

TRUSTEE GOLDSMITH: And they are currently tied into drywells?

MR. TALGAT: Yes.

TRUSTEE KRUPSKI: Is that indicated on the current plans that we have?

MR. TALGAT: Do we need to come up with a drawing showing those pipes and where they go, so you have a better understanding of that?

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

(No response).

Any other 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 following conditions: That the height of any of the retaining walls proposed be no higher than 18 inches. That vegetated, non-turf buffer be seaward of that retaining wall. That any eastern red cedars that need to be removed during construction have a one-to-one replacement seaward of the proposed retaining wall. That the access steps to the dock be limited to four foot in width. And that new plans be submitted to show the drainage going to existing drywells. And by lowering the height of the retaining wall and adding the vegetated non-turf buffer it will bringing it into consistency with the LWRP. That is my motion.

TRUSTEE GILLOOLY: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE KRUPSKI: Number 12, En-Consultants on behalf of JAMES B. GIVEN III 2012 IRREVOCABLE TRUST requests a Wetland Permit to remove and replace in-place approximately 160 linear feet of existing timber bulkhead with vinyl bulkhead, and backfill with approximately 25 cubic yards of clean sandy fill to be trucked in from an approved upland source; remove and replace in-kind and in-place existing ±4'x4' cantilevered platform off bulkhead
and ±3'x7' steps to beach. Located: 199 Old Harbor Road, New Suffolk. SCTM# 1000-117-3-4.1

The Trustees most recently reviewed this application on the 10th of May and noted that it would be a straightforward bulkhead replacement. But we would like an addition of a ten-foot non-turf buffer. I'm in receipt of plans here showing ten feet along the crest of the bluff. Stamped received May 18th, 2022.

The LWRP coordinator found this to be consistent. Just had concern that the area be replanted with native plantings, that is the backfilled area. The details of the planting spacing density and survival are not shown on the plans or included in the description. It is recommend that the backfilled area is replanted to further Policy 6.

The Conservation Advisory Council supports the application with a 15-foot non-turf buffer planted with native vegetation, and the 3'x7' steps to the beach be retractable.

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

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

This is a straightforward bulkhead replacement application. We did talk during field inspection about a ten-foot wide non-turf buffer being established along the top of the bluff.

As Nick mentioned, I did submit plans for, revised plans for the application noting the ten-foot buffer. And with respect to the native vegetation along, adjacent to the bulkhead itself, the plan notes do indicate in furtherance of Policy 6 that that area would continue to remain as a vegetated buffer down along the, behind the bulkhead, to the extent that whatever area is disturbed down there in connection with the bulkhead reconstruction would then be planted with like native vegetation, so that the condition stays as it is now. And the owners have for years worked, as you can see, on the slope of the bluff very hard to keep at that area well planted.

So we hope this plan matches with our conversations. I don't really have anything else to add.

TRUSTEE KRUPSKI: Thank you. Is there anyone else here that wishes to speak regarding this application?
(No response).

Are there any additional comments from the members of the Board?
(Negative response).

Hearing no comments, I make a motion to close this hearing.

TRUSTEE PEEPLES: Second.

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

TRUSTEE KRUPSKI: I make a motion to approve this application with the new plans stamped received by the office May 18th, 2022, noting that the entire area disturbed during construction will be revegetated with native species.

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

TRUSTEE SEPENOSKI: Number 13, En-Consultants on behalf of BERNARD TELSEY requests a Wetland Permit to remove and replace in-place approximately 50 linear feet of existing timber bulkhead with vinyl bulkhead, and backfill with approximately 15 cubic yards of clean sandy fill to be trucked in from an approved upland source; and remove and replace in-kind and in-place existing ±10'x16' wood deck at grade level, a ±4'x5' cantilevered platform off bulkhead, and ±3'x8' steps to beach. Located: 465 Old Harbor Road (waterfront parcel at end of right of way), New Suffolk. SCTM# 1000-117-3-12.

The Trustees most recently visited this site on May 10th during field inspections. Trustee Krupski noted it is straightforward, with a ten-foot non-disturbance buffer.

The LWRP memorandum states that the proposed action is consistent with the policies and standards of its permit.

And the Conservation Advisory Council resolved to support the application.

The Trustees office has been in receipt of new plans, well, not new plans, but plans stamped March 30th, 2022.

Is there anyone here who wishes to speak as part of this Application?

MR. HERRMANN: Rob Herrmann of En-Consultants on behalf of the applicant.

This is basically a continuation of the application that we just discussed for the Given Trust, and as I hopefully articulated clearly enough with the resubmission for Given, we would not be able to establish a non-turf buffer that could be controlled by the owners and covenanted for this property because their land actually doesn't extend far enough to the west to encompass the top of the bluff. But that non-turf buffer would in fact still be provided as a result of buffer that is being provided to the Given property.

In other words based on, in short, the lawn that is behind the top of the bluff is part of the Given lot, not part of this lot. So basically you get your two-for-one buffer with the prior application, and there would be no buffer associated with this application, just due to the nature of the meets and bounds of the property itself.

TRUSTEE SEPENOSKI: Appreciate that, and thank you for informing the office with the letter explaining those points.

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

(No response).

Is there anyone on the Board who wishes to talk about the application?

(Negative response).

Hearing no further comments, I make a motion to close the hearing.

TRUSTEE GILLOOLY: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).
TRUSTEE SEPENOSKI: I'll make a motion to approve the application
without the ten-foot, non-turf buffer. That's my motion,
TRUSTEE GILLOOLY: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).

TRUSTEE GILLOOLY: Number 14, En-Consultants on behalf of THOMAS
C. & SUSAN S. MERIAM requests a Wetland Permit to remove and
replace existing dock (including a 4'x14' catwalk, 3'x14' ramp,
and 5'x24' floating dock), with a new dock connected to water
and electricity, extended approximately 18' seaward and
consisting of a proposed 4'x91' fixed timber catwalk constructed
with open-grate decking; a 3'x14' ramp; and a 6'x20' floating
dock secured by two (2) 8' diameter pilings, situated in an “I”
configuration; and to remove existing stepping stones.
Located: 1335 Marratooka Road, Mattituck. SCTM# 1000-115-11-26

The Trustees most recently conducted a field inspection May
10th, noting to remove fence closest to the wetland and let
re-naturalize.

I am in receipt of new plans stamped received May 18th,
2022, which depicts the changes that we were seeking.

The LWRP reviewed this application and found it to be
inconsistent. The dock was originally permitted in 1983. The
applicant fails to prove that the action meets the following
requirements as outlined in Chapter 275. Review and approval of
dock applications before issuing a permit for a dock structure,
shall consider whether the dock will have any of the following
effects: Whether the dock will cause degradation of surface
water quality and natural resources; whether the cumulative
impacts of a residential and commercial docks will change the
waterway or the environment, and whether alternate design,
construction, location of the dock will minimize the cumulative
impacts; and whether adequate utilities are available to boat
owners and/or operators for fueling, discharging waste and
rubbish, electrical service and water service.

In addition, Chapter 275 requires that the determination of
the length of the dock must include the dimensions of the
vessel, and the dimensions of the vessel are not specified.

The Conservation Advisory Council resolved to support this
application with the condition the lighting is Dark Skies
compliant and the extension aligns with the existing direction
of the dock.

Is there anyone here wishing to speak regarding this
application?
MR. HERRMANN: Yes. Rob Herrmann of En-Consultants on behalf of
the applicant. As we had discussed at field inspection, back in
the '80s the Trustees had originally issued a permit for a dock
here at which time there was also a bulkhead present along with
now a naturalized edge of marsh, and over the years as that
bulkhead deteriorated, the water depths had shallowed considerably so that the inland end of the existing float is in just 18 inches of water at mean low tide which of course is below the water depth desired by both the Trustees and the state DEC. And so as part of the replacement of the dock, which also includes a landward extension of the existing catwalk, again, there used to be basically a path that you would walk down to the edge of the bulkhead and then walk on to the dock, and as the Board can see now there is some stepping stones that were placed down there and walking path basically goes through the high marsh.

So basically to further both the consistency with standards of Chapter 275 and the LWRP, the proposal here is to replace the catwalk with one elevated four feet above the marsh, that would extend entirely over the marsh back to the lawn, would be constructed by open-grate decking, and would provide a single point of access to the floating dock, and then allow that entire area of high marsh to re-naturalize as requested.

To further that goal, the Board had requested that the low lying section of wire fencing that is currently situated seaward of the tidal wetland boundary be removed, and that those two sections of fence effectively be replaced by a new section of fence that would run just landward of the wetland boundary, underneath the catwalk and ensure the natural restoration at high marsh. And so the plans that you mentioned we submitted show that exactly what the Board requested. And hopefully will accomplish what the original application had and would be furthered by Trustees request. And on the seaward side we are basically just extending the dock out so the float sits in navigable water depth, actually similar to the dock off to the south which the Board permitted a couple of years ago. So it's consistent in all ways with the navigational and other public access concerns.

So hopefully with the revised plans we satisfied the Board's requests and we hope to get your approval.

TRUSTEE GILLOOLY: Thank you. Is there anyone else here wishing to speak regarding this application?
(No response).
Any questions or comments from the Board?
(Negative response).
Hearing none, I make a motion to close this hearing.
TRUSTEE PEEPLES: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).
TRUSTEE GILLOOLY: I make a motion to approve this application with the new plans stamped received May 18th, 2022, thereby bringing this application into consistency with the LWRP.
TRUSTEE KRUPSKI: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).
TRUSTEE PEEPLES: Number 15, En-Consultants on behalf of PALMER & NAN E. SCHADE requests a Wetland Permit to remove and replace existing dock (including 2'-3'x70' catwalk, and 6'x36' and 4'x24' floats), with a new dock connected to water and electricity consisting of a 4'x93' fixed timber catwalk constructed with open grate decking with two (2) 4'x6' steps for beach access; the existing relocated 2.5'x16' aluminum ramp; and a 6'x20' floating dock situated in an “L” configuration secured by two (2) 8” diameter pilings, and adjusting existing 3'x10' stair to dock if needed to align with new catwalk.

Located: 1385 Calves Neck Road, Southold. SCTM# 1000-63-7-36

The Trustees conducted a field inspection on May 10th, 2022, and noted that the application was straightforward. The plans are dated April 1st, 2022, that we have on the files.

The LWRP found this application inconsistent. They noted that a Wetland permit for a dock structure was issued in 1983 and in 1990, authorizing access to public waters. The applicant fails to prove that the action meets the following requirements as outlined in Chapter 275-11, Construction and Operation Standards of the Southold Town Code.

They noted the review and approval of the dock application deed before issuing a permit for dock structure, the Trustees shall consider whether the dock will have any of the following harmful effects: Unduly interfere with the public use of waterways for recreational activities and other water dependent activities; whether the dock will cause degradation of surface water quality and natural resources; whether the cumulative impact of residential and commercial docks will change the waterway or environment; whether the adequate facilities are available to boat owners for fueling, et cetera.

In addition, Chapter 275 requires for the determination of the length of the dock must include the dimensions of the vessel. The dimensions of the vessel are not specified. Pursuant to Chapter 268 the Board of Trustees shall consider this recommendation in preparing its written determination regarding the consistency of the proposed action.

The Conservation Advisory Council resolved to support the application, noting that with the condition the lighting is Dark Skies compliant, and the catwalk is constructed using thru-flow decking and with a railing on one side.

Does anyone here wish to speak in regard to this application?

MR. HERRMANN: Thanks, Elizabeth. Rob Herrmann of En-Consultants, on behalf of the applicant. Really the entire purpose of this application is to replace an existing dock that is not consistent, and always with the dock construction standards set forth in Chapter 275 or the LWRP with one that is.

There was a permit issued for a smaller dock in 1983, which from looking at aerial photographs, about 20 years or so ago, became, sort of grew into what's out there now, which is a series of floats, treated decking, et cetera. So we kind of
attacked this as if it was a blank slate. You know, the way we would design an application if there was no dock there. It's going to be an elevated dock, constructed with open-grate decking. It would have just one 6x20 float rather than multiple floats. We elevated it above the intertidal marsh area, and actually we would be cutting the length of the long existing dock back to be consistent with the pier line and still have sufficient water.

So with the design we are creating a dock that is consistent with your dock construction standards and consistent with the LWRP.

And all of that is laid out in our written application. And with that we hope to get your approval.

TRUSTEE PEEPLES: Thank you. Anyone else?
(No response).
Any other questions or comments from the Board?
(Negative response).
Hearing no further comments, I make a motion to close this hearing.

TRUSTEE GILLOOLY: Second.

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

TRUSTEE PEEPLES: I make a motion to approve this application therefore bringing it into, with this permit, therefore bringing it into consistency with the LWRP. That is my motion.

TRUSTEE GILLOOLY: Second.

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

TRUSTEE GOLDSMITH: Number 16, En-Consultants on behalf of ELIAS DAGHER requests a Wetland Permit to remove existing wood platform, walk and steps; construct a fixed timber dock with water and electricity consisting of a 4'x74' fixed timber catwalk constructed with open-grate decking; with two (2) 4'x6' steps for beach access; a 3'x14' hinged ramp; and a 6'x20' floating dock situated in a "T" configuration and secured by two (2) 8" diameter pilings.

Located: 90 Oak Avenue, Southold. SCTM# 1000-77-2-6

The LWRP found this to be inconsistent. The inconsistency is whether the cumulative impact of the residential and commercial dock will change the waterway or the environment, and whether alternate design construction and location of the dock will minimize cumulative impacts.

The Conservation Advisory Council resolved to support the application with the condition that the lighting is Dark Skies compliant, the catwalk is constructed using thru-flow decking, and docking facility does not extend out seaward beyond the neighboring docks.

The Trustees conducted a field inspection, May 10th, noting concerns about the apparent pier line as well as concerns about the depth of the water float.
I believe that Mr. Herrmann just submitted some new plans to address those concerns. We did just receive new plans.

Is there anyone here wishing to speak regarding this application?

MR. HERRMANN: Yes. Rob Herrmann of En-Consultants on behalf of the applicant. This one, the Board had noticed in the field that it looked like the floating dock was a little bit proud of the pier line being extended to the west from the dock to the east. So after being a bit chagrined, the Board was correct. What I did was I actually asked the surveyor to go out and just make sure that the location of the neighboring dock was correct, because I didn't want to make, I didn't want to start, you know, redesigning it, and then find the dock was actually six feet closer to the shore, something like that.

So he did go out, he confirmed that it was virtually precise. I didn't know if it could possibly come from an aerial photograph or that it actually did come from a survey that they same surveyor had done for that property. He said there might have been about a three-inch difference, that that dock might, the float might actually sit out three inches farther, which gives us, you know, a three-inch cushion, if you will, but basically negligible.

So what we were able to do is just reduce the length of the proposed catwalk by a foot, from 4x74 feet to 4x73 feet, and just kind of wiggle the orientation of the float just a little bit underneath the ramp to align. And so we, you know, the dock is nearly in the same location as it was when it was submitted to you, but it basically accommodates for that foot and change that it was a little bit proud of that float.

So hopefully we resolved the problem to your satisfaction. But I take it you'll let me know.

TRUSTEE GOLDSMITH: So, it did address the pier line concern. However, you have a water depth concern. Because according to the plans just submitted, it looks to be 24 inches or less on the inside of the float.

MR. HERRMANN: Right. That has not changed. I mean where we are showing the depths has not changed. I mean, we have had several applications prior where as long as the dockage area of the float reached the two-and-a-half feet, the Board has been approving that. I mean I can think of at least a couple where we had 30 inches right on the outside of the float, but not 30 inches on the inside.

I mean, basically, and that's actually one of the reasons that I went with a "T" configuration here instead of an "L." Because the "L" configuration implies you are going to have dockage of vessels on the inside, which would be in really water that drops from 24 inches down to 18 inches. But where you would dock a vessel on the outside here, I mean you've got three feet of water just very close off the end of the float. So we are, you know, kind of threading a needle a little bit here, but the docks that are on either side are very old docks, they were
constructed, you know, prior to the current regulations, prior to water depth requirements, et cetera.

So, you know, this dock would be consistent with the floating docks that are on both sides of it.

TRUSTEE GOLDSMITH: Again, our, you know, our primary concern at this point is the water depth or lack thereof. I know you referenced a couple that had less than 30 inches. I can't recall them recently off the top of my head. I think we have always required the 30-inch minimum on any part of the float. So that is definitely a potential concern here.

TRUSTEE KRUPSKI: Maybe if you can submit, if you have some of those --

MR. HERRMANN: Sure.

TRUSTEE KRUPSKI: I understand with the creeks and the pier lines we are regularly threading the needle on these docks. To my knowledge, we have been pretty consistent with the 30 inches, at least since we have been on the Board. So if you could possibly submit something that you have, I would appreciate it.

MR. HERRMANN: Sure.

TRUSTEE GOLDSMITH: Because in looking at these plans you submitted with the water depths, it does look like it drops off pretty significantly, six inches from one side the dock to the other and another six inches halfway up the ramp. Um --

MR. HERRMANN: Are you talking vertically, Glen?

TRUSTEE GOLDSMITH: Yes.

MR. HERRMANN: It changes, I remember in field inspection, you could almost, I think Nick mentioned, you can almost see, I don't know if I'd call it a channel, but you can see where the water drops off in that location. So, no, I was just going to say, if we were in a situation like Richmond Creek or something like that where you had sort of like a long series of fixed floating docks and we were trying to push a float into that area, I would understand sort of a greater objection to it. But the floating docks are pretty consistent along the shoreline. So I mean really this dock would sit and look very much like the ones on either side of it.

I know the Board has talked in the past, I mean we had obtained at least a couple of permits, I could think of, years ago, where the Board allowed the four piles with chocking, I know since then you have gotten away from that, where the idea is if there is clearly insufficient water, you didn't want to allow the floating docks to be constructed in spite of that, with the chocking, but I'm not sure if there is a specific objection you have to the idea of the chocking itself. I mean the chocking is just having two, you know, boards that run between the poles that make sure that if you had an exceptionally low tide, the float would not sit on the bottom.

TRUSTEE KRUPSKI: That's not something I am personally willing to consider at all. Not to interrupt, but.

MR. HERRMANN: No, I just raised it, Nick, because this would not be a situation where we don't have 30 inches of water and we are
trying to use that as a backup. I just didn't know if that's something where we are reaching 30 inches for where the vessel would be docked, if that would add some comfort. But if it doesn't, it doesn't.

TRUSTEE KRUPSKI: If I can just interject. I do apologize, because I did not catch that the inside the 24, when we first viewed this until, I mean, just when we reviewed it moments ago. So I do apologize for the delay. That's not noted in the notes. So I appreciate that.

MR. HERRMANN: That's okay.

TRUSTEE KRUPSKI: But you did mention the "L" configuration. I understand what you were trying to do there, but it's possible, I'm just spit balling, if you moved it one way or another, it's possible you pick up. Because we are only talking six inches. We are not talking about very much here. So it is possible if you move that float one way or the other in an "L" configuration that you are going to be able to accommodate 30 inches under the float. I'm just kind of throwing that out there.

MR. HERRMANN: So when you say that, you are talking about the potential movement of the float laterally to the east or the west that we might get. Yes. And the other thing I looked at with the soundings is when we shot the soundings with the surveyor, we were probably a little bit lower than mean low tide, and you remember it used to be more of a struggle when the DEC was requiring mean low or low. So I mean we could also resound it and try to hit the spot and see if that makes a difference. But I didn't think of doing that in anticipation of tonight, just because of the --

TRUSTEE KRUPSKI: Yes, I apologize for not picking that up sooner.

MR. HERRMANN: It is a tough one to go by, because it's really more of a policy that has come out of the Board. It's not really in the code. I don't think your dock construction standards even really specify any required minimum depths, or where they should be reached. So it does -- you know, I'm going on and on.

TRUSTEE GILLOOLY: Stay tuned.

MR. HERRMANN: Right. Exactly.

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

MR. HERRMANN: So we would adjourn it, Nick. Before you make a motion.

TRUSTEE GOLDSMITH: So in light of the comments, I make a motion to table this application to re-evaluate the water depth and/or dock locations to get sufficient water depth for a float. That's my motion.

TRUSTEE GILLOOLY: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE KRUPSKI: Number 17, Michael Kimack on behalf of VASILIS & CHRISTINE FTHENAKIS requests a Wetland Permit to demolish and
remove existing cottage, foundation, wood deck, and walkway at bluff; demolish and remove existing two-story frame house, foundation and associated structures near Nassau Point Road; construct a new foundation, new one-story dwelling with a 2,476sq.ft. footprint; install an on-grade 684sq.ft. stone and/or brick patio; and to remove six (6) trees of varying calipers.

Located: 6925 Nassau Point Road, Cutchogue. SCTM# 1000-111-15-9

The Trustees most recently reviewed this application on the 10th of May and noted that they would discuss new plans at work session.

The LWRP coordinator found this to be consistent.

The Conservation Advisory Council did not support the application as it was submitted due to the proximity of the bluff and the destabilization, all of which has been worked over at prior meetings.

It should also be noted that I'm in receipt of new plans, the most recent plans stamped received in the office April 25th, 2022, depicting the structure at 28.5 feet from the top of the bluff and a 20-foot non-turf buffer.

It should also be noted that I'm in receipt of a new project description stamped received May 9th, 2022, which I'll quickly read into the file.

Demolish and remove existing cottage foundation, wood deck walkway landward of bluff, demolish two-story frame house, foundation and associated structures near Nassau Point Road; construct a new foundation, two-story frame dwelling 2,464 square feet with new on-grade stone or brick patio 8.5'x 39'. 331 square-foot; remove three trees of varying calipers within 100 feet of top of bluff; install a non-turf buffer a minimum of 20 feet landward of top of bluff.

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

MR. KIMACK: Michael Kimack, on behalf of the applicant. And the applicant is here. We are the last man standing tonight. He's in the audience.

We've reviewed it many times. I think there has been revisions, I believe the last set of revisions are in compliance with what you had looked for in the prior meeting, especially with the 20-foot non-turf buffer and the trees. Prior to that, we had removed the staircase leading down that you had requested us to do.

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

(No response).

Or any additional comments from the Board?

(Negative response).

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

TRUSTEE SEPENOSKI: Second.

TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).
TRUSTEE KRUPSKI: I make a motion to approve this application with the plans dated April 25th, 2022, with the description stamped received May 9th, 2022, with replacement of the trees to be removed elsewhere on the property, and with the stipulation of the removal of the overhang on the seaward side patio.
That is my motion.
TRUSTEE GILLOOLY: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).
MR. KIMACK: Thank you.

TRUSTEE SEPENOSKI: Number 18, Michael Kimack on behalf of SOUTHOLD BAYHAVEN PROPERTY OWNERS ASSOCIATION requests a Wetland Permit to remove approximately 150’ of existing bulkhead, landing with staircase and wood walkway; install approximately 166 linear feet of new vinyl bulkhead with dead-men tie-backs; remove approximately 527sq.ft. of American Beach grass with approximately 85 cubic yards of soil and approximately 20 linear feet of 12” PE corrugated drain pipe, and replace with approximately 25 cubic yards of beach sand to extend beach landward of easterly removed existing bulkhead line; remove approximately 564sq.ft. of American Beach grass in area seaward of easterly existing bulkhead line and replace with approximately 21 cubic yards of beach sand (total beach grass removed is ±1,091sq.ft.); relocate approximately 70 linear feet of 12” PE corrugated pipe which proposed “V” rip-rap tapered swale runoff; construct new replacement 4.5’x7’ (31.5sq.ft.) landing and 3’x24’ (72sq.ft.) wood walkway in same locations as existing; and establish new American Beach grass planting area (±1,200sq.ft.) to replace areas lost in kind.
Located: 975 Watersedge Way, Southold. SCTM# 1000-88-5-64
The Trustees most recently visited the location on the 10th of May. The notes from that visit read: Need to condition contact of Town Engineer office two weeks prior construction.
The LWRP found this proposed action to be consistent.
And the Conservation Advisory Council resolved not to support the application. The Conservation Advisory Council does not support application and questions the need to replace the functioning bulkhead and disturbed by healthy shoreline. The corrugated drain pipe should be plugged or removed.
The Trustees office received plans stamped April 20th, 2022.
Is there anyone here who wishes to speak to this application?
MR. KIMACK: Michael Kimack on behalf of the applicant. Southold Bayhaven Property Owners Association is looking to replace their existing bulkhead, and then one section basically you can see to try to move it back to be able to have a little bit more beach than they currently have.
The last time we had this discussion, the original design, I had redirected about 70 feet of the 12-inch drainage pipe away from the center of where we are creating the new beach and moved it off to the side.
Having a discussion with Michael Collins, he didn’t like the idea. Mike and I disagreed on the fact that Mike thought
that the stone bead that I had created in order to dampen the runoff would be washed away, and I said they are 300 pounds, Mike. But having argued with him at that point, we decided to just pull it back 18 feet in a straight line. Because he said at one point the Town of Southampton is going to address the drainage on the street. The drywell that exists now is obviously not sufficient. That’s why it was put in. It was put in with a DEC permit. They did that. Mike referenced that to me.

I have gotten comments back from DEC. They were looking for some elevations. Surprisingly I have not submitted a new set to DEC until I was assured we were okay with the Trustees. But their comments were simply that they wanted a little bit more information on the movement of the culvert, which is not going to happen, and some elevations points. When you deal with the DEC long enough, you know in a sense what they ask for and what they don’t ask for, they give you a fairly good indication you are not going to get anything greater. Except for us.

So I think it’s, and one of the things we did do on this particular one, one of the things the DEC did ask for on this drawing, is that a landing, the existing landing, which is four-and-a-half by seven, four-and-a-half by six, meets their requirement, which was changed on the drawing, apparently.

TRUSTEE SEPENOSKI: Thank you.

MR. KIMACK: Thank you.

TRUSTEE SEPENOSKI: Any members of the Board wish to comment on this application?

(Negative response).

Hearing no further comments, I make a motion to close this hearing.

TRUSTEE PEEPLES: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE SEPENOSKI: I make a motion to approve this application with the condition that any construction team/company, contact the Town Engineer two weeks prior to the work. Michael Collins can be here onsite.

MR. KIMACK: I think he wants to be there to make sure the connection is done appropriately.

TRUSTEE KRUPSKI: Second.

TRUSTEE GOLDSMITH: All in favor?

(ALL AYES).

TRUSTEE GILLOOLY: Number 19, Michael Kimack on behalf of GARDINERS BAY ESTATES HOMEOWNERS ASSOCIATION, INC. requests a Wetland Permit for the existing 4' wide landward steps leading to existing 4'x32' fixed catwalk; existing 3'x14' aluminum ramp; existing 4'x78' floating dock supported by three (3) pilings with an existing 4'x22' floating finger dock at eastern end; existing 3'x14' easterly middle floating dock; existing 6'x16' westerly middle floating dock; and existing 3'x14' floating dock at western end; propose to additions to the seaward ends of
all four floating docks consisting of a 4’x2’ extension onto eastern end float; a 3’x10’ extension onto easterly middle float; a 6’x8’ extension onto westerly middle float; and a 3’x10’ extension onto western end float.
Located: End of Dogwood Lane in Spring Pond, East Marion.
SCTM#: 1000-37-4-17 & 1000-37-1-23

The Trustees most recently visited the site on May 10th, noting that the docks currently exceed pier line of neighboring docks, which causes concern.

The LWRP reviewed this application and found it to be inconsistent for the following reasons: A permit was not found for the existing dock structure and is therefore inconsistent with Policy 6.3. The dock was expanded sometime between 2007 and 2010. The applicant failed to prove that this action meets the following requirements as outlined in Chapter 275. Review and approval of dock applications before issuing a permit for a dock structure, the Trustees shall consider whether the dock will have any of the following harmful effects. Whether the dock will cause degradation of surface water quality and natural resources, it is recommended that the Board minimize or prohibit CCA treated material during construction and that turbidity controls are required. The distance from the end of dock to the closest point of the opposite shoreline should be measured to determine suitability of the proposed dock. Whether the cumulative impacts of a residential and commercial docks will change the waterway or the environment and whether alternate design, construction, location of the dock will minimize cumulative impacts, and whether adequate facilities are available to boat owners and/or operators for fueling, discharge, waste and rubbish, electrical service and water service.

In addition Chapter 275 requires that the determination of the vessel length of the dock must include dimensions of the vessel, and the dimensions of the vessel are not specified.

The Conservation Advisory Council reviewed this application and resolved to not support it. The Conservation Advisory Council does not support the application because the docking facility appears to exceed more than one-third across the width of Spring Pond and therefore requests more definitive aerials with locations.

Is there anyone here wishing to speak regarding this application?

MR. KIMACK: Yes. Michael Kimack on behalf of the applicant. I’m trying to take it and address some of the concerns raised by the LWRP and the Conservation Advisory Council.

As far as the distance across, actually the distance across meets the requirement of 25% of DEC as opposed to your 33%. And every time we design one of these, we have to meet DEC at low water.
There is, as part of your, part of the application, you’ll see the distance across at low tide, designated as that, as a
percentage. And at one part what we are basically doing is 150 feet of low tide to the other side, in a straight line, and with the extension we are at 40 feet. So we are at the 25%, with the DEC underneath that. And that's at wing closest to the channel. That particular one.

If you look at the pictures and look at the aerial photos I put in there, the channel one on the south side over there, of the drawing is actually on the south -- it would be on the west. I apologize. We are not extending out any further as a pier line from that, if you bring that one across, it's pretty much -- it's an irregular area. It's very difficult to get a feel for exactly what a pier line may or may not be, simply because of that. But if you took that "L" shaped dock off to the left there and brought that line across, it meets the extension of the 24 foot, as the pier line on that side.

TRUSTEE GILLOOLY: As you know, this Board has been in the practice of using the two immediately adjacent docks as our pier line.

TRUSTEE SEPENOSKI: This one sticks out pretty good.
MR. KIMACK: It has stuck out pretty good since it's been there.
TRUSTEE SEPENOSKI: Where it's at, it's already pushing it. To go out further would be --
MR. KIMACK: It's very interesting. Let's talk about the depth of water. That particular dock, basically -- can I walk over and point to it?
TRUSTEE KRUPSKI: Definitely.
MR. KIMACK: Right now, at low tide there's three feet of water, 30, 24, 18, at low tide. And here, it's about three to three-and-a-half feet. So we have enough depth. So this dock couldn't be any more landward simply because, I mean it's in existence, all of this basically meets the requirement and you begin to get another shallow up here, this is 18, this is beginning to fill in the material here. But it certainly has enough depth all the way to about here.

My understanding is it could move in here. They wanted to bring this out two feet, to bring this out ten, and they wanted to bring this out eight and eight in order to match it. Because most of the boats, and get you, the size of the boats, I think are nine feet. So they want to be able to have the boats fully inside rather than stick out.

If you look at the aerial photo that I gave you, you can see the boats there stick out beyond the actual structure itself. It's part of the application, if I can get that.
TRUSTEE GILLOOLY: We have it here in the file.
MR. KIMACK: That's a pretty good indication of, you've got short docks and long boats. So whether we did the docks or we didn't do the docks, the boats would be sticking out where they stick out simply because that's what they have.
TRUSTEE GILLOOLY: With respect, if we permitted the extension of these docks, there could be larger boats that also stick out as much as these are.
TRUSTEE KRUPSKI: That's a good point.
TRUSTEE SEPENOSKI: Good point, Trustee Gillooly.
TRUSTEE KRUPSKI: You walked into that one.
MR. KIMACK: No, look, it's not walking into it so much as the reality of it's difficult to assess who is buying what kind of a boat. I'm not quite sure what you really can get back in here right now because I need an analysis of what type of boats people have here, for the most part. It looks like most of them are fairly small, from the aerial, in this particular case, especially the ones from, and I'm not quite sure if the association has the limitation on the size of boats.
TRUSTEE SEPENOSKI: I would be interested in knowing the answer to that.

One of the things that I know historically, is this area was pretty badly damaged during Sandy because of its orientation straight out towards Gardiners Bay, a lot of storm surge does come in here, so, and a lot of these properties, we have, Trustee Krupski, Trustee Goldsmith can speak to that perhaps, they have knowledge of those applications, because of the storm surge coming in here, there is a lot of wave energy that comes back. So to extend the dock even further would jeopardize their stability, really, and any vessel that is attached to it.

MR. KIMACK: I would disagree with that comment, Eric, I mean, in a sense when you are doing a floating dock, for the most part, a floating dock really works with the wave action, for the most part. And this one has been in place for some time. An extra two feet on one and an extra eight feet or ten foot on another is not necessarily going to create an obstacle that would create a greater energy for the wave action. Because the entire dock is a floating dock.

TRUSTEE SEPENOSKI: It is. One of the things that I'm concerned with, to add one more comment, I'm comfortable with the resurfacing these docks and maintenance. There are some of these docks that have solid plastic floatation on them and I think one at least has Styrofoam. Speaking to your client about the maintenance of these docks is, I'm all for it, but to extend the docks further is something I can't support. Thinking as one Trustee.

MR. KIMACK: I'm not quite sure what rationale you apply to that.
TRUSTEE SEPENOSKI: The pier line.
MR. KIMACK: The pier line. Well --
TRUSTEE GILLOOLY: Sticking out any further would create a navigational hazard for the community.

MR. KIMACK: It would not be a navigational hazard for the community because it meets the 25%. So that doesn't create a navigational hazard. Your focus is on the pier line, on two docks that are on both sides.
TRUSTEE KRUPSKI: I don't know if we are going to go back and forth on that point. I don't think that's appropriate. If that's our view of it, that's our view of it.
MR. KIMACK: Well, I would not argue the basis of the view. I
mean, I would like to be able to argue rationally against it, if I can. I mean, those two on both sides there are in the, are certainly well above the 30 inches, Nick, in terms of where those steps are.

TRUSTEE GILLOOLY: So to that point, this would not be a dock that we would allow to exist brand new. But since it is already here, regular maintenance is required, which I think this Board is amenable to.

MR. KIMACK: Yes.

TRUSTEE SEPENOSKI: You have a marina, essentially, in a residential lot, and you asking us to make it larger to make larger boats to potentially be located there, exceed the pier line, well beyond adjacent docks. Which we have already spoken to.

TRUSTEE GILLOOLY: And create more shading for the environment.

MR. KIMACK: Was the marina approved under 280-11?

TRUSTEE GOLDSMITH: I don't believe so.

MR. KIMACK: Or was it built before 280-11 was brought into existence? Or 280-13?

TRUSTEE GOLDSMITH: Part of this had it, and then there was expansion that did not have it. So part of it is, you know, permitted under ZBA, but not all of it.

MR. KIMACK: Okay. I mean it does serve a fairly substantial community. This is their only access for a marina. It's not as if you have a residential one house where you are dealing with one dock.

TRUSTEE SEPENOSKI: It's actually, Ms. Cantrell, if you can scroll to the right. South, I believe. So there is a little place called Fox Island. That is also access for boats in the area. So there are options for people in this area.

TRUSTEE KRUPSKI: Not to mention the ramp that is immediately adjacent.

TRUSTEE SEPENOSKI: Right. The launch ramp, which is well maintained. And they have taken quite a number of pains to make sure that runoff doesn't continue to go down that ramp into the creek. Well, it's not a creek, but it --

TRUSTEE GOLDSMITH: Looking at that photo as well, if you extend that westerly dock, the westerly finger, you'll be impeding that ramp as well.

TRUSTEE SEPENOSKI: Indeed.

MR. KIMACK: Well, there is no way, I mean, if you're doing it on looking at the two docks on both sides, right now, the one to the right over there, certainly the entire dock is more seaward than that one is at the end of it. So there is really no way with which to suggest that we are even in any kind of pier line review on that particular one. Because it's already existing seaward of that one.

TRUSTEE GOLDSMITH: So that's kind of our point. You are already exceeding the pier line, so for us to extend even further is a non-starter.

TRUSTEE KRUPSKI: I would agree.
MR. KIMACK: So in essence basically, they can repair it but they can't extend it. In essence.
TRUSTEE SEPENOSKI: That's my feeling on that.
MR. KIMACK: So you need a, we need a permit in order to repair anyway, correct?
TRUSTEE SEPENOSKI: Yes.
MR. KIMACK: All right. So I'm going to have to basically re-do the design, bring it back, because they had wanted to propose the vehicle to replace the Styrofoam with regular, with rubber floats, and then do marine grade on the top, primarily for the repairs.
TRUSTEE GILLOOLY: Is there anyone else here wishing to speak regarding this application?
(No response).
Any further comments from the Board?
(Negative response).
MR. KIMACK: What I need is guidance in terms of what you want me to submit.
TRUSTEE KRUPSKI: Yes. One second on that. Just give us one second.
(Trustees reviewing documents)
I think we are just working out logistics of what exactly is there versus what you are applying for before we give some sort of guidance.
(Trustees reviewing documents).
TRUSTEE GILLOOLY: I make a motion to table this application at the applicant's request.
MR. KIMACK: Yes, I think there is just too much confusion, too much loose threads. So until we have some clarifying direction.
TRUSTEE GILLOOLY: That is my motion.
MS. HULSE: It's not on the floor. Hold on.
MR. KIMACK: The motion has not been voted on yet. One of the things we have to determine is what had been approved and what needs to be, because I need to legalize what we have.
MS. HULSE: Hold on, one second. There is a motion on, so there is no more comment. It has to be seconded or that fails. Then you can allow -- is there a second?
TRUSTEE GILLOOLY: I rescind my motion.
TRUSTEE GOLDSMITH: Hearing none, we rescind the motion.
MR. KIMACK: I need to do some research to find out what has been approved at one point.
TRUSTEE KRUPSKI: Well, I think to, and I don't want to speak out of turn, so please feel free to correct me if I'm wrong.
I mean, and this actually goes back to, I believe -- I don't remember who made the comment at this point, but I think this Board would be open to some sort of application to repair sort of what is there, but the Board certainly is not looking to extend what is there, because it's already ahead.
MR. KIMACK: But there are parts of it that may not have been approved prior. So there may be parts of it that I have to basically apply for legalization of that. Even though I'm
applying for repair, all of that dock that is there, you
indicated --
TRUSTEE GOLDSMITH: Yes. So we would like a clean application or
a permit application to repair what is existing. And what those
dimensions --
MR. KIMACK: With the description that defines exactly what had
been approved at some time in the past and what had been added
without a permit and what is required, what is being requested
for legalization.
TRUSTEE GILLOOLY: The as-built.
TRUSTEE KRUPSKI: And recommending that every float, you know --
MR. KIMACK: Can I write it up as an as-built? I can write it up
as an as-built. That's fine.
TRUSTEE GOLDSMITH: Okay.
MR. KIMACK: Okay. It would be a little bit easier than to try to
go back and piece it together.
TRUSTEE GILLOOLY: I make a motion to table this application at
the applicant's request.
TRUSTEE KRUPSKI: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).
TRUSTEE GOLDSMITH: Okay, I'll make a motion for adjournment.
TRUSTEE KRUPSKI: Second.
TRUSTEE GOLDSMITH: All in favor?
(ALL AYES).

Respectfully submitted by,

Glenn Goldsmith, President
Board of Trustees