

Department of Land Management  
Environment Division  
116 HAMPTON ROAD  
SOUTHAMPTON, NY 11968

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# TOWN OF SOUTHAMPTON



JAY SCHNEIDERMAN  
TOWN SUPERVISOR

KYLE P. COLLINS, AICP  
TOWN PLANNING AND  
DEVELOPMENT ADMINISTRATOR

MARTIN SHEA  
CHIEF ENVIRONMENTAL ANALYST

**ADMINISTRATIVE WETLANDS PERMIT  
CHAPTER 325  
OF THE TOWN CODE**

**PERMIT NO: WAP19055 EFFECTIVE DATE: 09/20/2019 EXPIRATION DATE: 09/20/2022**  
**PERMIT ISSUED TO: Cecilia Hanlon**  
**ADDRESS OF PERMITTEE: 8101 N. Mummy Mountain Road, Paradise Valley, AZ 85253**  
**CONTACT PERSON FOR PERMITTED WORK: Cecilia Hanlon**  
**LOCATION OF PROJECT: 121 Cold Spring Point Road, Tuckahoe**  
**SCTM NO.: 900-155-1-24**

**Description of Permitted Activity:** To legalize the re-surfacing of approximately 1,360 square feet of existing first floor deck, atop pre-existing framing, located 90 feet from wetlands; to legalize reconstruction of approximately 600 square feet of second floor deck, inclusive of under deck drainage systems, located 103 feet from wetlands; to dismantle approximately 168 square feet of existing deck stairs, on the north and east sides of the first floor deck, in order to replace the new the treated wood stringers with non-toxic wood alternatives, followed by re-construction of the deck steps, located, at their closest point 91 feet from wetlands, at existing residentially developed property, having frontage on Great Peconic Bay, in Tuckahoe, Town of Southampton, New York.

**Findings:** Issuance of Administrative Wetlands Permit No. WAP19055 is conditioned upon replacement of the treated wood step stringers on the north and east sides of the deck with non-toxic wood alternatives. The use of treated wood, for the framing of the second story deck, is being mitigated by the installation and use of an under deck drainage system which does not allow for leaching of wood preservatives through surface contact with stormwater runoff.

**CHIEF ENVIRONMENTAL ANALYST: MARTIN E. SHEA**      **TELEPHONE: (631)287-5710**  
**ADDRESS: Town of Southampton 116 Hampton Road, Southampton, New York 11968**

**AUTHORIZED SIGNATURE**  
**DATE: September 20, 2019**  
**MES: ctm**

### NOTIFICATION OF PERMITTEE OBLIGATIONS

#### **Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee agrees to indemnify and hold harmless the Town of Southampton, its representatives, employees, agents, and assigns for all claims, suits, actions, damages, and costs of every name and description, arising out of or resulting from the permittee's undertaking of activities authorized by the permit in compliance or non-compliance with the terms and conditions of the permit.

#### **Contractors to Comply with Permit**

The permittee is responsible for informing its independent contractors, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions or violations of Chapter 325 of the Code of the Town of Southampton as those prescribed for the permittee.

#### **Permittee Responsible for Obtaining other Required Permits**

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

#### **No Right to Trespass or Interfere with Riparian Rights**

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

### GENERAL CONDITIONS OF ADMINISTRATIVE WETLAND PERMIT

#### **Strict Compliance with Permit**

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with Chapter 325 of the Code of the Town of Southampton, the Permittee Obligations and General Conditions specified, as well as any Special conditions included as part of this permit. All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant of his agent as part of the permit application.

#### **Site Inspection by the Town**

The permitted site, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Town of Southampton to determine whether the permittee is complying with this permit and Chapter 325. A copy of this permit must be displayed prominently on the premises facing each public street and be available for inspection by the Town at all times at the project site.

#### **Notification of Commencement of Permitted Work**

The permittee shall notify the Town of Southampton Environment Division at least 24 hours in advance of the time work is to commence. Permittee shall also notify the Environment Division when work has been completed.

#### **Applications for Administrative Wetland Permit Renewals**

The permittee must submit a separate written application to the Town for renewal or transfer of this permit. Such application must include any forms or supplemental information the Town requires. The renewal or transfer granted by the Town must be in writing. The permittee must submit a renewal application prior to the permit expiration date.

## **GENERAL CONDITIONS OF ADMINISTRATIVE WETLAND PERMIT (cont.)**

### **Permit Revocations by the Town**

The Chief Environmental Analyst may suspend or revoke an administrative wetlands permit theretofore issued in the following instances:

1. Where he finds that there has been any false statement or misrepresentations as to a material fact in the application, plans, or specifications on which the administrative wetlands permit was based;
2. Where he finds that the administrative wetlands permit was issued in error and should not have been issued in accordance with the applicable law;
3. Where he finds that the work performed under the permit exceeds the scope of the application for which the permit was issued or there is a violation of one or more conditions of the permit.

### **Stormwater Pollution Prevention**

Any and all construction activities that disturb greater than one (1) acre of land (43,560 square feet) will require a Stormwater Pollution Prevention Plan (SWPPP) pursuant to Chapter 285 of the Town Code. The SWPPP needs to be reviewed and approved, by the Town of Southampton Department of Municipal Works' Engineering Division, prior to issuance of a building permit.

**The Town may require covenants, easements, performance/maintenance bonds or other similar documents as a Special Condition of Wetland Administrative Permits to assure that the conditions of the permit and the provisions of Chapter 325 are complied with.**

## **SPECIAL CONDITIONS OF ADMINISTRATIVE WETLANDS PERMIT**

1. Any project modifications require prior Environment Division approvals or Administrative Wetlands Permits.
2. A draft covenant shall be submitted, establishing a naturally vegetated wetland non-disturbance/non-fertilization buffer, extending fifty (50) feet landward of wetlands, in a form approved by the Town Environment Division and subsequently filed with the Suffolk County Clerk, which prohibits any construction, clearing, filling and/or fertilization within its boundary, while allowing for the restoration and re-vegetation of the required buffer; and the establishment and maintenance of a four (4) foot wide pervious pedestrian access path to the water.
3. The required covenanted naturally vegetated wetland non-disturbance/non-fertilization buffer shall be shown on all future surveys submitted to the Town of Southampton.
4. A revised survey shall be submitted to the Environment Division, for review and approval, depicting the proposed activities, inclusive of replacing treated wood step stringers with non-toxic wood alternatives, and all existing on-site improvements, as well as the required covenanted and "Naturally Vegetated Wetland Non-disturbance/Non-fertilization Buffer".
5. No fences are permitted seaward of the landward limit of the required covenanted naturally vegetated wetlands non-disturbance/non-fertilization buffer.
6. The installation of above ground and/or underground utilities, within the required naturally vegetated wetlands non-disturbance/non-fertilization buffer is strictly prohibited, unless authorized pursuant to a Wetlands Permit and/or approval from the Southampton Town Environment Division.

7. **No CCA, Creosote, Penta products, ACQ, MCA (micronized copper azole), ACZA (ammoniacal copper zinc arsenate), culpeper, copper azole or any other wood preservative treatments, not otherwise specified, may be used on the proposed deck step stringers. All proposed deck step stringers construction materials must be approved, in writing, by the Environment Division, prior to the commencement of work.**
8. **Prior to any construction or land disturbance, the applicant shall prominently display said Administrative Wetlands Permit on the premises facing each public street on which the property abuts. The permit sign shall not be set back more than ten (10) feet from the street line and shall not be less than two (2) or more than six (6) feet above the grade at the street line. The permit sign shall be displayed until all permitted work is complete and a Wetland Certificate of Compliance has been issued by the Town Environment Division.**
9. **The applicant shall keep a copy of the plans and specifications on site open to inspection by the Chief Environmental Analyst or his authorized representative at all reasonable times.**
10. **In accordance with the "Permission to Inspect" form signed by the owner/applicant, the Town of Southampton Environment Division has been granted permission to enter and inspect the subject property, and said consent shall remain in effect until this Administrative Wetlands Permit expires or a Certificate of Wetlands Compliance is issued, whichever occurs first. Town Environment Division staff may enter the property without prior notice between 7:00 am and 7:00 pm, Monday – Friday. If the property is posted with "keep out" signs or fenced with an unlocked gate, Town Environment Division staff may still enter the property. Town Environment Division staff may take measurements, analyze site physical characteristics, take soil or vegetation samples, sketch and photograph the site.**
11. **A Certificate of Wetlands Compliance needs to be applied for and obtained upon completion of all permitted activities. In the event that the Environment Division determines that the property is not in compliance with all of the terms and conditions of this permit, the applicant will need to submit additional applications for a Certificate of Wetlands Compliance.**
12. **Two (2) copies of a final "As-Built" survey shall be submitted with each Certificate of Wetlands Compliance application.**
13. **No work shall commence on this project site until the required revised survey, re-vegetation plan, and/or covenant have been submitted and approved by the Chief Environmental Analyst.**