

APPLICATION
FOR A
WETLANDS PERMIT



TOWN OF NEW CASTLE
200 S. GREELEY AVENUE
CHAPPAQUA, NY 10514

Dear Applicant:

Enclosed are the required forms for completing an application for a Wetlands permit with the Town of New Castle. Each form is designed to be self-explanatory and when necessary, instructions for completing the forms have been included. If you have any questions or require further information, please call the Town of New Castle's Building & Engineering Department at 914-238-4723. Please submit complete application materials to: Town of New Castle, Attn: Wetlands Inspector, Town Hall, 200 South Greeley Avenue, Chappaqua, NY 10514.

Checklist for completing an application for a Wetlands Permit:

- _____ Application Form
- _____ SEQOR - Short Environmental Assessment Form
- _____ Site Inspection procedures in place for proposed activity.
- _____ Copy of Notice of Application placed in Town's official newspaper or a copy of receipt.
- _____ Signed Affidavit of Mailing to adjacent property owners.
- _____ Additional project descriptions, if appropriate or required.
- _____ Complete Site Plans, if appropriate or required.
- _____ Fee enclosed, payable to the Town of New Castle. (checks only)
- _____ Other, please describe _____
- _____ One (1) hard copy of entire application and one (1) electronic copy of the entire application must be submitted when filed. Two (2) hard copies and one (1) electronic copy when the approving authority is the Environmental Review Board. Ten (10) hard copies and one (1) electronic copy if the approving authority is the Planning Board.

APPLICATION FOR WETLANDS PERMIT

1. Identification of Applicant

a) Print Name _____ b) Applicant Signature _____

☐ Owner ☐ Engineer ☐ Architect ☐ Landscape Architect ☐ Other _____

c) Applicant's Mailing Address _____

d) Telephone Number: _____ e) E-Mail Address _____

f) Interest of applicant if other than owner: _____

2. Location and Description of Subject Property

a) Owner's Name _____ e) Owner's Signature _____

c) Street Location: _____

d) Telephone Number: _____ b) E-Mail Address _____

c) Abutting Streets: _____

c) Tax Designation: Section _____ Block _____ Lot _____

d) Area of Lot: _____ acres _____ square feet

e) Zoning District: ☐ ¼ acre ☐ ½ acre ☐ 1 acre ☐ 2 acre ☐ other _____

3. Description of Proposed Activity

4. Hardship (if applicable)

5. FEES

☐ \$200.00, Env. Coordinator ☐ \$275.00, Env. Review Board

☐ \$400.00, Planning Board + \$1500.00 Escrow

Note: The appropriate review authority will be determined by the Town at the time of application. Please be advised that applicant may also be subject to professional review fees.

Any site for which an application has been submitted shall be subject to inspection upon notice to property owner and applicant at any reasonable time, including weekends and holidays, by the Town Wetland Inspector, the Building Inspector or by members of the Environmental Review Board, Planning Board, or their designated representatives. By making of this application the above applicant agrees to indemnify and hold harmless the Town, its officers and employees against any damage or injury that may be caused by or arise out of any entry onto the subject property in connection with the processing of the application, during construction or within one (1) year after the completion of work.

**Town of New Castle
Escrow Account Set Up Form**

Date: _____

Site Address: _____

Deposit made by: _____

Amount: \$ _____

Address to send statements: _____

Contact Person: _____

Telephone No.: _____ Email Address: _____

Application submitted for: _____

Under Town Code Section 60-560(B), at the time of submission of any application listed in Town Code Section 60-560A, the reviewing board may require the establishment of an escrow account, from which withdrawals shall be made to reimburse the Town for the cost of consultant fees and professional staff services. When the balance in such escrow account is reduced to 1/3 of its initial amount, the applicant shall deposit additional funds into such account to bring its balance up to the amount of the initial deposit. The applicant shall be notified when the account is in arrears. If such account is not replenished within 30 days after the applicant is notified, in writing, of the requirement for such additional deposit, the reviewing board may suspend its review of the application. A building permit or certificate of occupancy or use shall not be issued unless the applicant has reimbursed the Town for all expenses due and owing. After all pertinent costs have been paid, the Town shall refund the applicant any funds remaining on deposit. If the applicant fails to collect the funds remaining on deposit, such funds shall be forfeited to the Town and transferred to the Town's General Fund after two years.

I acknowledge that I have read this policy and fully understand that any remaining escrow balance will be released after all pertinent costs are paid and any funds I fail to collect shall be forfeited to the Town and transferred to the Town's General Fund after two years.

Applicant Signature

Date

PREPARING YOUR SITE FOR INSPECTION

Any site for which an application has been submitted shall be subject to inspection upon notice to property owner and applicant at any reasonable time, including weekends and holidays, by the Town Wetland Inspector, the Building Inspector or by members of the Environmental Review Board, Planning Board, or their designated representatives.

Depending on the type of proposed activity, and the designated reviewing authority, the following may be required before a Site Inspection can be scheduled:

1. All wetlands on site, as defined by the Wetlands Law of the Town of New Castle, must be flagged or staked. These include watercourses and water bodies, and wetlands as identified by the vegetation and/or soil type. Watercourses and water bodies do not have to be flagged or staked if they are clearly identifiable on-site.
2. All proposed structures, roads, driveways, septic systems, etc., must be accurately staked to their proposed dimensions.
3. An up to date survey must be supplied accurately showing the present location of all wetlands (including water courses and water bodies, vegetation and soils); the present location of all structures, roads, driveways, etc., elevations; the exact location of all proposed structures (houses, driveways, roads, septic systems, etc.); delineation of the 100 foot wetlands buffer lines and/or the 150 foot wetland buffer lines; erosion control setback lines; the exact location of all soil samples; and clearing and grading limit lines, if required.

Every effort will be made to have your application processed in a prompt fashion. Until the above site inspection conditions are met, a thorough and fair evaluation of your proposal cannot be made. If you have any questions about the above site inspection procedures, please contact the Environmental Coordinator at 914-238-4723.

NOTICE OF APPLICATION

INSTRUCTIONS:

Applicant is required to notify in writing all property owners of record within one-hundred (100) feet of the boundary of the property that is the subject of the wetlands application as noted in the filing of the application. It is suggested that the mailing be sent by certified mail. **In addition, for applications to the Planning Board only**, the applicant is required to publish notice of the application in the Town's official newspaper. Town Code: 137-5(F). The Town's official newspaper is the Journal News. To contact: The Journal News, Legal Advertising Dept., 1 Gannett Drive, White Plains, NY 10604. (914) 694-5123. A copy of the newsletter ad or the receipt must also be returned with the application.

Please Note: The Notice of Application form shown on the next page should be used to notify adjacent property owners and for submission to the newspaper.

NOTICE OF APPLICATION

NOTICE IS HEREBY GIVEN that an application has been made by _____
_____ pursuant to Chapter 137 of the Town Code of the Town of
New Castle Wetlands Law for a Wetlands Permit for _____
_____ within the wetlands or wetlands buffer area on the property located _____
_____ and designated on the tax map of the Town of
New Castle as Section _____ Block _____ Lot _____.

A copy of the application can be viewed at Town Hall (Building Department). For applications to the Environmental Review Board, the Board usually meets the 3rd Monday of the month. Once an application is considered complete, it will be placed on the next available agenda. Please check the Town's website for meeting notices and agendas. Other inquiries can be directed to the Building Department.

(Signature of Applicant)

(Dated)

AFFIDAVIT OF MAILING

STATE OF NEW YORK
COUNTY OF WESTCHESTER SS:

_____, being duly sworn deposes and says that he/she is the Applicant in connection with a Wetlands Application to the Wetlands Inspector/Environmental Review Board/Planning Board of the Town of New Castle and makes this affidavit of mailing in compliance with the provisions of the Wetlands Ordinance of the Town of New Castle.

That on the _____ day _____, 20____, and deponent mailed the attached notice to the following named individuals at the addresses set forth herein:

<u>NAME</u>	<u>ADDRESS</u>	<u>TAX MAP DESIGNATION</u>
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____
8. _____	_____	_____
9. _____	_____	_____
10. _____	_____	_____

Deponent makes and files this affidavit of mailing with knowledge that the Wetlands Inspector/Environmental Review Board/Planning Board, in making its decision in connection with said application relies thereon.

(Signature of Applicant)

Sworn to before me this _____ day _____, 20____,

Notary Public

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

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

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☐	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☐	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☐	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☐	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☐	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☐	☐
16. Is the project site located in the 100-year or 500-year flood plain?	NO	YES
	☐	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	☐	☐
	☐	☐
	☐	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	☐	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	☐	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	☐	☐
21. Is the project located within, or within ½-mile of, a disadvantaged community? If No, could impacts from the project affect a disadvantaged community? If Yes to either question in 21, answer the following question: a. Identify the potential pollution impacts of the project, either direct or indirect, that may occur within the disadvantaged community (e.g., wastewater discharges, air emissions, noise, odors, solid or hazardous waste generation or management):	NO	YES
	☐	☐
	☐	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		

Project:

Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing:	☐	☐
a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐
12. Is the potentially affected disadvantaged community identified as having comparatively higher burdens or vulnerabilities by the Disadvantaged Community Assessment Tool (https://on.ny.gov/DACAT)?	☐	☐
13. Will the proposed action cause or increase a pollution burden within a disadvantaged community?	☐	☐

Project:

Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur,” or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

 Name of Lead Agency

 Date

 Print or Type Name of Responsible Officer in Lead Agency

 Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency

 Signature of Preparer (if different from Responsible Officer)