

"Whereas", Susan Weber/5 Winthrop LLC, has petitioned the Town of Shelter Island for permission to install a mooring in Dering Harbor at a location designated as latitude 41.0849° north and longitude 72.34949° west, said mooring location was formerly occupied by the D-3190 Corl mooring, and

"Whereas", a public hearing was duly held on the 12th day of November, 2021, and continued on January 7, 2022, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the installation of a mooring in Dering Harbor at a location designated as latitude 41.084737° north and longitude 72.349486° west.

"Whereas", vacancies exist on the Planning Board, and

"Whereas", the Town Board has advertised for and interviewed applicants, now,

Therefore

BE IT RESOLVED, That Julia Weisenberg is hereby appointed to serve as a member of the Planning Board for a term to expire on December 31, 2026.

"Whereas", vacancies exist on the Planning Board, and

"Whereas", the Town Board has advertised for and interviewed applicants, now,

Therefore

BE IT RESOLVED, That David Austin is hereby appointed to serve as a member of the Planning Board for a term to expire on December 31, 2025.

"Whereas", vacancies exist on the Conservation Advisory Council, and

"Whereas", the Town Board has advertised for and interviewed applicants, now,

Therefore

BE IT RESOLVED, That Roxanne DuVivier is hereby appointed to serve as a member of the Conservation Advisory Council for a term to expire on September 20, 2024.

"Whereas", vacancies exist on the Conservation Advisory Council, and

"Whereas", the Town Board has advertised for and interviewed applicants, now,

Therefore

BE IT RESOLVED, That Daniel Clark is hereby appointed to serve as a member of the Conservation Advisory Council for a term to expire on September 20, 2023.

"Whereas", a vacancy exists on the Community Housing Board, and

"Whereas", the Town Board has advertised for and interviewed applicants, now,

Therefore

BE IT RESOLVED, That Elizabeth Hanley is hereby appointed to serve as a member of the Community Housing Board for a term to expire on February 9, 2023.

"Whereas", Paige Dorian, Inc., 4425 West Riverside Drive, Suite 101, Burbank, CA 91505, has requested a filming permit for February 14, 2022, at 52 Peconic Avenue, and

"Whereas", the filming crew consists of 60 persons, 2 motorhomes, 4 cube trucks, 4 vans and 5 passenger vehicles, and

"Whereas", said application has been reviewed by the Police Department and Highway Department, and the Police Department has advised that the majority of the vehicles should be parked on the location property (52 Peconic Avenue or 60 Peconic Avenue) especially large commercial type vehicles; that vehicles parked off of location property (if any) on the public roadway should be parked on the shoulder of the road, in the direction of travel, and should not obstruct normal roadway usage; and the Police Department supports the use (for parking only) of the town landing at the intersection of Peconic Avenue and Brander Parkway to promote vehicular safety and reduce congestion; and the Highway Department advised that there must not be any obstructions on the road or walkways during the filming and all garbage must be picked up in the area, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to issue the aforementioned filming permit upon receipt of the following fees:

Major filming application fee	\$1,500.00
One day filming fee \$1,200 per day	\$1,200.00 and
Clean up deposit	\$1,000.00.

"Whereas", Applicants Audrey & Campbell Meyers propose work within vegetative buffer and adjacent regulated area at 2 Bay Avenue Shelter Island, New York, Zone to A Residential (Near Shore and Peninsular Overlay District) and bearing SCTM# 0700/22/2/36 (the "Premises"); and

"Whereas", the proposed project entails the renovation of an existing building, the installation of a new pool, pool patio, outdoor kitchen, outdoor fireplace and an accessory structure that will include a pool cabana, garage, basement and attached storage shed; and

"Whereas", the proposed construction includes the following additional work at least partially within the 75' vegetative buffer: portions of a new stairway and squaring off the waterfront side of the house; and

"Whereas", the proposed construction includes the following additional work at least partially within the 100' adjacent regulated area: Renovated House, pool, pool patio, outdoor kitchen and fireplace, accessory structure with attached shed, mechanical equipment and buried LPG tank:

"Whereas" any further work is proposed in conforming locations; and

"Whereas", the application was referred to the Planning Board and Conservation Advisory Council for recommendations, and recommendations have been submitted and considered; and

"Whereas", the New York State Department of Environmental Conservation has issued a Letter of No Jurisdiction on and Application numbered 1-4732-01070/00001 dated April 4, 2017; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on December 3, 2021; and

"Whereas, the applicant has obtained a sanitary permit from the Suffolk County Department of Health Services numbered R07-17-0045 and dated July 24, 2020; and

Whereas, the applicant obtained a front yard variance from the Shelter Island Zoning Board of Appeals numbered -2021

"Whereas", this Board now wishes to render a decision on this wetlands application, now, Therefore

BE IT RESOLVED, that this Board hereby establishes itself as Lead Agency pursuant to SEQRA and finds that this is a Type II action which will not result in a significant adverse impact on the environment; and

BE IT FURTHER RESOLVED, that the Town Board makes the following findings as to the application:

1. This Board hereby adopts the findings of the Planning Board and Conservation Advisory Council; and
2. There will be new construction encroaching into the 75' Vegetative Buffer. Per the calculation schedule on the Survey prepared by Michael Hemmer, LS, P.C. last dated 28 July 2021, the two additions, shed and steps extend 176 sf into the buffer. Per 129-2, new construction of less than 100sf (constructed after 12/2/2011) is permitted. It may be possible to reduce the shed's size to bring the total intrusion increase into conformance with the 129-2 exemption.
3. The existing concrete paths on the waterside of the property leading to the gazebo and dock will be removed and will be replaced by a paver walkway. This is an improvement as it allows for improved permeability. The Town Board may wish to take this into account when considering the previously mentioned total intrusion increase.

4. The Short Environmental Assessment Form notes the project site is located in the 100-year flood plan. No FEMA zones are indicated on the survey and its existence should be confirmed.
5. The existing sanitary system and well, both within the Vegetative buffer, are being relocated out of the Regulated area. A new nitrogen reducing I/A OWTS sanitary system and well are being installed. The sanitary system relocation and upgrade is major improvement.
6. The project proposes a salt-water chlorinated swimming pool within the Adjacent Regulated Area. The pool equipment is to be located in the accessory structure's cellar. The Town Board has required automatic pool covers and cartridge filter for pools within the Regulated Area in the past and may wish to consider them for this application.
7. The survey shows two drywells in the area of the old driveway that presumably will collect and recharge the house's roof stormwater. There is another drywell shown in the front yard near the new driveway. It is not clear if it is to be the dedicated pool drywell or be the required stormwater drywell for the garage. The applicant should detail its use and/or add a drywell if needed.
8. A Landscape Plan designed by Araiys Design, dated 10 May 2021, has been submitted showing a 25' planting buffer and detailing shrubs and perennials to be planted. In addition to the raised bulkhead top, this will greatly reduce stormwater flowing across the property from entering the creek. We recommend that no fertilizers or pesticides be permitted on this property.

BE IT FURTHER RESOLVED, that a wetlands permit for the above described work to be conducted at the Premises is hereby granted, subject to the following conditions:

1. All construction shall proceed as depicted on the Site Plan by Michael Hemmer dated July 28, 2021 Architecture dated August 2, 2021 as limited by the letter of John Bennett dated January 11, 2022; and
2. Applicant is to install 4,800 sq ft of native vegetation from the list of approved plantings from the Conservation advisory council along the entire length of the bulkhead; and
3. Expansion into the vegetative buffer should be limited to 110 Square feet required to square off the waterfront side of the house.
4. Boatshed must be removed from the 75' wetlands buffer.
5. If existing foundation is to be replaced it must be removed from the wetlands.
6. LPG Tank should be relocated outside of the 100' adjacent regulated area
7. An automatic pool cover is to be installed; and
8. The depth of the pool shall be limited to 6.5 feet; and
9. The Gazebo located on the property shall remain; and
10. There shall be no dewatering during construction; and
11. Construction procedures and erosion controls including the anchored installation and maintenance of silt fences during all stages of construction shall be required; and be designed to prevent any runoff from disturbed ground into the wetland areas; and
12. Soil disturbance should be minimized where possible; and
13. Concrete paths shall be replaced with pavers; and
14. Additional plantings covering at least 150 square feet using plants from the list approved by the Conservation Advisory Council shall be added per Planning Board Recommendations; and

15. A new, nitrogen reducing septic system shall be installed outside of the wetlands buffer; and
16. A low flow water pump with a flow rate of 5 gallons per minute or less shall be installed
17. The construction site must be cleaned of all trash and debris on an ongoing basis with a minimum once per week; and
18. All construction materials and equipment shall be staged outside the regulated area; and
19. Parking of all construction and delivery vehicles shall be on premises to the extent reasonably possible; and
20. No public street or public or private Right of Way may be obstructed or impaired during construction; and
21. Applicant must repair any damage to any adjacent public road or street caused by construction vehicles to the satisfaction of the Town Highway Superintendent; and
22. The project manager shall post a sign on the site with his cell phone number and shall address in a timely fashion neighbor concerns regarding litter control, parking, noise, road conditions and other impacts caused by the project; and
23. Noise controls shall be pursuant to the Town Code; and
24. Applicant shall install Dark Sky compliant lighting pursuant to the Town Code in all outdoor lighting on this project; and
25. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; and
26. This permit shall only be valid for construction commencing within two years of the date of this approval; and
27. The Building Inspector may halt construction for any violation of these restrictions or of the Unified Code; and

BE IT FURTHER RESOLVED, That copies of this approval shall be filed with the Building Inspector.