

TOWN OF SHELTER ISLAND
38 NORTH FERRY ROAD, P.O. BOX 1549
SHELTER ISLAND, NY 11964-1549
Dorothy S. Ogar, Town Clerk
Telephone: (631) 749-1166
Fax: (631) 749-3436



APPLICATION FOR PERMIT

Docks, Dredging, Bulkheads, Groins, Repairs, & Water Control Structures (excluding moorings)

Fees: Repairs - \$125.00, New Construction - \$250.00

Name _____

Telephone Numbers (include area code)

Mailing Address _____

Home _____

Business _____

Email [REDACTED] _____

Cell [REDACTED] _____

Description of work to be done _____

Property Location/Street Address (include tax map number) _____

Name, Address, Telephone # of Contractor _____

Applicant agrees that when said permit is issued, it is on the express condition that the work to be performed pursuant thereto will not obstruct the right of the public to pass along the foreshore between the high and low water mark. In the event that such work shall interfere with or obstruct such right of the public, the permittee hereby expressly agrees that (s)he will provide and allow suitable passageway around or over the same so that the public will be given free and unobstructed passage along said foreshore.

It is expressly understood and agreed that the applicant hereby agrees to hold the Town of Shelter Island and its authorized representatives completely blameless for any liability in connection with property or bodily damages arising out of or incidental to the performance of the work involved in said permit.

Date



Signature of Applicant

INSTRUCTIONS & REGULATIONS

Docks

A permit shall be required for the construction, alteration or modification of a dock. A permit shall not be required for the repair of a dock, except in any of the following circumstances:

- when the total cost for such repair of an existing dock exceeds ten thousand (\$10,000.00) dollars;
- when the repair is other than in kind and in place;
- when no previous permit has been issued for the construction of the dock;
- when less than thirty (30%) percent of the original structure remains in a structurally sound condition;
- extension of utilities (including water, electric, cable and telephone) to a dock requires a building permit issued by the Town Building Department.

The dock permit shall be issued by the Town Board and will be valid for a period of twelve (12) months from the date of issuance and is conditioned on the issuance of permits from other governmental or municipal authorities as may be required. A permit may be extended by resolution of the Town Board for an additional period of six (6) months without a public hearing provided that the request for same is submitted no later than thirty (30) days prior to the expiration date. No dock construction may be commenced under the permit until the Building Department is notified by the dock contractor of the date construction will commence.

Sixteen (16) copies of the dock application shall be accompanied by sixteen (16) copies of the following:

- A certified survey of the owner's property on which the proposed dock is to be located, indicating the zoning district and showing property lines, exact location of the proposed dock and other structures, any unusual natural features on the property and adjacent waters, and depths to the nearest foot at ten (10) foot intervals to the end of the dock, measured at mean low water.

- An accurately dimensioned scale drawing of the proposed dock in plan and elevation format showing the structural design details of the dock, including the location and type of services and utilities (including water, electric, cable and telephone).

- Specifications for the construction materials to be used.

- The following proof of insurance in force: (a) from the owner, a certificate of insurance for at least \$300,00 liability on the location and operations covered by said permit; and (b) from the contractor performing the operations covered by said permit, an owner's/contractor's policy issued in favor of the Town of Shelter Island for the liability limits of at least \$500,000 covering operations of the contractor pursuant to said permit.

- Any copies of applications and permits related to other agencies as may be required.

In addition to the above, it shall be a prerequisite for a complete application that the off-shore location for the proposed structure shall be clearly delineated by a minimum of four stakes and that additional stakes be placed at the property boundaries nearest the dock. The location of these stakes should correspond exactly to the configuration of the proposed structure on the scale drawing accompanying this application.

Applications for the alteration, modification or repair of an existing dock which do not change the configuration of the dock are exempt from the requirements of a certified survey and

accurately dimensioned scale drawing, and six (6) copies of the application and supporting documentation.

A dock shall not be an impediment nor a menace to navigation. The location of a dock shall cross the water frontage of a lot with the same setback requirements from the extremes of that water frontage as apply for the principal dwelling on that lot, but in no case less than twenty-five (25) feet. The dock shall extend seaward in a direction and configuration that does not intrude on neighboring lots' equivalent rights to current or future dock location.

Length and Depth of Docks:

-At mean low water, a private dock may not extend into the waterway farther than the equivalent of fifteen (15%) percent of the shortest distance at mean low water from the shoreline where the dock is located to the opposite shoreline.

-A private dock may not extend either: (i) more than one hundred (100) feet offshore from the mean high water mark on the owner's upland property, or (ii) beyond the point where mean low water depth reaches four (4) feet, whichever of these two conditions occurs sooner.

-A private dock may not extend in total linear measure of all walkways, ramps, floats, and distance to tie-off pilings more than one and one-half (1.5x) times the specified maximum off shore distance of the dock.

-A commercial dock may not extend either: (i) more than three hundred (300) feet offshore from the mean high water mark of the owner's upland property, or (ii) beyond the point where the mean low water depth reaches six (6) feet, whichever of these two alternative conditions occurs sooner.

Width of Docks

-A private dock, exclusive of floats, but including walkways and ramps shall be no wider than five (5) feet; the deck area of floats shall be no greater than two hundred (200) square feet.

-A commercial dock, exclusive of floats, but including walkways and ramps shall be no wider than ten (10) feet; floats shall be no wider than twelve (12) feet.

Any waterways illumination whether dock mounted or shore mounted, shall be focused downward and shall not directly light an area more than ten (10) feet beyond the foreshore or the footprint of the dock.

Private dock installations to store or convey fuel or sewage shall not be permitted.

Acceptance of a permit shall constitute an agreement that it shall be the owner's responsibility to ensure proper usage of the dock at all times, and to maintain the dock and all appurtenances and equipment in conformance with the Town of Shelter Island Dock Law and in the interests of public safety and protection of the waterways.

Other Water Control Structures

No person shall construct, repair, replace or reconstruct or place any bulkhead, pile, float, building, pier, wharf, jetty, groin, dolphin, dike, dam or other water control device or other structure, any part of which is embedded in or attached to land above or below water, in or on any Town waters, Town lands under water, foreshore or state or county lands under water within the geographical limits of the Town, nor shall any person remove or move any sand, gravel or other

material from such lands in the Town of Shelter Island without first obtaining a permit from the Shelter Island Town Board.

The validity of any permits issued shall be conditioned on the issuance of permits from other governmental or municipal authorities as may be required.

In issuing a permit, the Town Board may impose such reasonable conditions and restrictions as will prevent the obstruction or interference with navigation, the public use of Town waters or lands under Town waters, or shall be in furtherance of the public interest.


Dock Application Statement

(must be signed by applicant, not agent or contractor)

The undersigned certifies the following:

1. The materials and design of the dock will meet all pertinent federal, state, county and town regulations.
2. Acceptance of the permit shall constitute an agreement that the permittee:
 - a) will indemnify and hold the Town of Shelter Island and its authorized representatives harmless from any liability in connection with any property damage or bodily injury that may occur as a result of the issuance of a permit under the Town of Shelter Island Dock Local Law, nor is the Town responsible for the loss, damage or theft to boats and/or their contents;
 - b) consents to the entry on the property by the Dock Inspector or other authorized representative of the Town in order to make such inspections as the Town may deem necessary to ensure compliance with the terms and conditions of the permit.

Date



Signature of Applicant

To: Shelter Island Town Board
New York State Department of Environmental Conservation
New York State Department of State
Army Corps of Engineers

AUTHORIZATION

The undersigned, as owner of property located at 3 Oak Tree Lane, Shelter Island, NY 11964 SCTM #700-25-1-19.1, here by authorizes Costello Marine Contracting Corp. to act as agent to process all permit applications needed at my property.

Dated: 3/1/23

Sign Here: N. Daraviras

Printed Name: Nicholas Daraviras

SWORN TO BEFORE ME THIS 1ST DAY OF MARCH 2023

Salina L. Chan
Notary Public Signature

Salina L. Chan
Notary Public, State of New York
Registration # 01CH6078912
Qualified in New York County
Commission Expires September 24 2026

THE EXISTENCE OF RIGHTS OF WAY AND/OR EASEMENTS OF RECORD IF ANY, NOT SHOWN ARE NOT GUARANTEED.

Fast Brander Parkway

Survey of Described Property

situate in the
Town of Shelter Island
 Suffolk County, New York
 District 700 Section 25 Block 1 Lots 19.1 & 21
 Scale 1" = 50' Surveyed January 10, 2019
 Updated November 4, 2020

Avenue

Oak Tree Lane

Premises also known as a part of "Reservation Area"
 Map Entitled (Revised May 13, 1929):
 MAP OF SECTION ONE, SILVER BEACH
 FILED JULY 27, 1929, FILE NO. 191

Parcel 1
 Area = 79,816 s.f.
 or 1.83 Acres
 (AREA TO HWL LINE)

Parcel 2
 Area = 15,012 s.f.
 (AREA TO HWL LINE)

West Neck Harbor

Shelter Island Sound

Test Hole Data
 Provided by: Shawn M. Barron MS
 11-9-20

4.9'	SM	SANDY LOAM WITH GRAVEL	EL=5.5
6'	ML	SANDY SILT WITH GRAVEL	
7.1'	ML	WATER IN SANDY SILT WITH GRAVEL	GW EL= -1.6'
14'	SP	WATER IN MIXED SAND WITH GRAVEL	

Test Hole Data at GW Monitor Well
 Provided by: Shawn M. Barron MS
 11-9-20

4.4'	SM	SANDY LOAM WITH GRAVEL	EL=6.2
6.5'	ML	SANDY SILT WITH GRAVEL	
7.5'	ML	WATER IN SANDY SILT WITH GRAVEL	GW EL= -0.9
14'	SP	WATER IN MIXED SAND WITH GRAVEL	

ELEVATIONS REFER TO NAVD 1988.

Premises known as:
 # 3 & # 4 Oak Tree Lane,
 Shelter Island

GUARANTEES INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENT AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. GUARANTEES ARE NOT TRANSFERABLE.

DRAWN MM CHECKED MM REVISED APRIL 30, 2021 DRAWING & JOB NO. 21-401

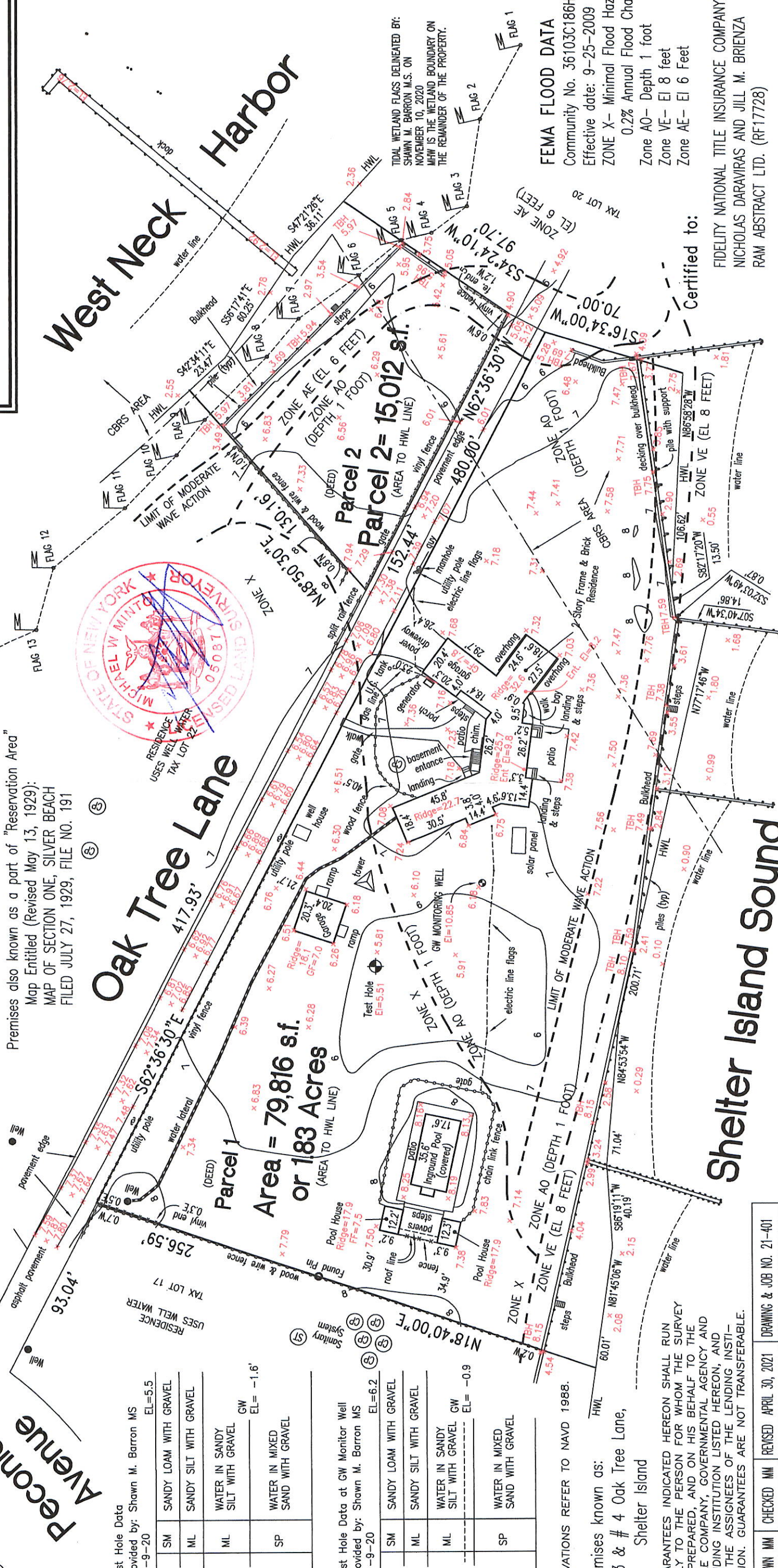
UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW.

COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S INKED SEAL OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY.

TIDAL WETLAND FLAGS #11 TO #17 DELINEATED BY: SHAWN M. BARRON M.S. ON APRIL 28, 2021 (Located May 1, 2021)



Michael W. Minto, L.S.P.C.
 LICENSED PROFESSIONAL LAND SURVEYOR
 NEW YORK STATE LICENSE NUMBER 050871
87 Woodview Lane
Centereach, N.Y. 11720
 PHONE/FAX: (631) 580-1202
 CELLULAR: (631) 766-9714
 EMAIL: mikemintolspc@gmail.com



TIDAL WETLAND FLAGS DELINEATED BY:
 SHAWN M. BARRON M.S. ON
 NOVEMBER 10, 2020
 MHW IS THE WETLAND BOUNDARY ON
 THE REMAINDER OF THE PROPERTY.

FEMA FLOOD DATA
 Community No. 36103C186H
 Effective date: 9-25-2009
 ZONE X- Minimal Flood Hazard
 0.2% Annual Flood Chance
 Zone AO- Depth 1 foot
 Zone VE- El 8 feet
 Zone AE- El 6 Feet

Certified to:

FIDELITY NATIONAL TITLE INSURANCE COMPANY
 NICHOLAS DARAVIRAS AND JILL M. BRIENZA
 RAM ABSTRACT LTD. (RF17728)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 1
SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790
P: (631) 444-0365 | F: (631) 444-0360
www.dec.ny.gov

May 31, 2023

Nicholas Daraviras and Jill Brienza
169 East 69th Street, Unit 18A
New York, NY 10021

Re: Application ID# 1-4732-00072/00015
Daraviras Property – 3 Oak Tree Lane
SCTM# 700-25-1-19.1

Dear Permittee:

In conformance with the requirements of the State Uniform Procedures Act (Article 70, ECL) and its implementing regulations (6NYCRR, Part 621) we are enclosing your permit for the referenced activity. Please carefully read all permit conditions and special permit conditions contained in the permit to ensure compliance during the term of the permit. If you are unable to comply with any conditions please contact us at the above address.

Enclosed is a permit sign which is to be conspicuously posted at the project site and protected from the weather and a Notice of Commencement/Completion of Construction.

Sincerely,



Kim Lamiroult
Environmental Analyst

cc: Costello Marine Contracting Corp
BMHP
File



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:

NICHOLAS DARAVIRAS
169 E 69TH ST UNIT 18A
NEW YORK, NY 10021

Facility:

DARAVIRAS PROPERTY
3 OAK TREE LN|SCTM 700-25-1-19.1
SHELTER ISLAND HTS, NY 11965

JILL BRIENZA

169 E 69TH ST UNIT 18A
NEW YORK, NY 10021

Facility Application Contact:

COSTELLO MARINE CONTRACTING CORP
PO BOX 2124
GREENPORT, NY 11944-0976
(631) 477-1199

Facility Location: in SHELTER ISLAND in SUFFOLK COUNTY

Facility Principal Reference Point: NYTM-E: 722.696 NYTM-N: 4546.786
Latitude: 41°02'30.7" Longitude: 72°21'01.9"

Project Location: Shelter Island Sound & West Neck Harbor

Authorized Activity: Remove and reconstruct bulkhead in place of existing and construct parallel capping boardwalk landward of bulkhead. All work shall be done in accordance with the plans prepared by Costello Marine Contracting Corp., dated 02/17/2023, and stamped, 'NYSDEC Approved' on 5/31/2023. KLL (SAP 1-08-10)

Permit Authorizations

Tidal Wetlands - Under Article 25

Permit ID 1-4732-00072/00015

New Permit

Effective Date: 5/31/2023

Expiration Date: 5/30/2028

Water Quality Certification - Under Section 401 - Clean Water Act

Permit ID 1-4732-00072/00016

New Permit

Effective Date: 5/31/2023

Expiration Date: 5/30/2028

Excavation & Fill in Navigable Waters - Under Article 15, Title 5

Permit ID 1-4732-00072/00017

New Permit

Effective Date: 5/31/2023

Expiration Date: 5/30/2028



NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: LAURA F STAR, Deputy Regional Permit Administrator
Address: NYSDEC Region 1 Headquarters
SUNY @ Stony Brook|50 Circle Rd
Stony Brook, NY 11790 -3409

Authorized Signature: _____

Date 5/31/23

Distribution List

COSTELLO MARINE CONTRACTING CORP
Bureau of Marine Habitat Protection
File

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

WATER QUALITY CERTIFICATION SPECIFIC CONDITION

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: TIDAL WETLANDS; WATER QUALITY CERTIFICATION; EXCAVATION & FILL IN NAVIGABLE WATERS

1. Regulated Activities Authorized By This Permit This permit ONLY authorizes those regulated activities / structures identified under the section titled "SAP Authorized Activity". The Department does not issue after-the-fact or as-built permits. This permit does not authorize activities, or legitimize the existence of structures, which would have required a permit but for which no permit or other authorization has been granted by the Department.

2. Conformance With Plans All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by Costello Marine Contracting Corp., dated 02/17/2023.



- 3. Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
- 4. Notice of Commencement** At least 48 hours prior to commencement of the project, the permittee and contractor shall sign and return the top portion of the enclosed notification form certifying that they are fully aware of and understand all terms and conditions of this permit. Within 30 days of completion of project, the bottom portion of the form must also be signed and returned, along with photographs of the completed work.
- 5. No Work Window** The proposed project is within 500 feet of potential/documented piping plover and least tern nesting area. For the duration of the permit no work should be conducted from April 1st through August 31st.
- 6. Excavation for Bulkhead/Structure** Prior to any construction or removal of bulkheads and other shoreline stabilization structures all backfill shall be excavated landward of the structure and retained so as not to enter the waterway, tidal wetland or protected buffer area.
- 7. Replacement Bulkhead Maximum Height** The top elevation of the replacement bulkhead shall be no more than 18 inches higher than the existing bulkhead.
- 8. No Seaward Extension of Bulkhead** The new bulkhead shall be constructed in place of the existing bulkhead with no seaward extension of the outermost bulkhead face.
- 9. Jet-in Bulkhead** Bulkheads constructed directly adjacent to vegetated tidal wetlands shall be hand driven or jetted in with no disturbance to the tidal wetland. Trenching is strictly prohibited.
- 10. Backfilling** The installation of the approved replacement bulkhead shall be completed prior to the placement of any fill material behind the structure.
- 11. Clean Fill Only** All fill shall consist of clean sand, gravel, or soil (not asphalt, slag, flyash, broken concrete or demolition debris).
- 12. No Beach Excavation For Fill** No excavation of the beach is authorized for the purpose of obtaining fill or stone materials.
- 13. No Dredging or Excavation** No dredging, excavating or other alteration of shoreline or underwater areas is authorized by this permit, nor shall issuance of this permit be construed to suggest that the Department will issue a permit for such activities in the future.
- 14. No Runoff Over or Through Bulkhead or into Wetland** Upon completion of the bulkhead replacement authorized herein, there shall be no discharge of runoff or other effluent over or through the structure or into any tidal wetland or protected buffer area.
- 15. Use of Treated Wood** The use of wood treated with creosote, pentachlorophenol or other wood treatment not specifically approved by the department for use in wetlands and/or marine waters, is strictly prohibited in the construction of structures that will be in contact with tidal waters.



16. Parallel Capping Boardwalk The width of the parallel capping boardwalk shall not exceed six (6) feet. No portion of the boardwalk shall extend seaward of the most seaward face of the bulkhead sheathing.

17. No Structures on Reconstructed Bulkhead or Pilings No structures, other than structures specifically authorized by this permit, shall be constructed on the reconstructed bulkhead or pilings without further authorization from the Department (new permit, modified permit).

18. Storage of Equipment, Materials The storage of construction equipment and materials shall be confined to the upland area landward of the bulkhead or on a barge.

19. No Disturbance to Vegetated Tidal Wetlands There shall be no disturbance to vegetated tidal wetlands or protected buffer areas as a result of the permitted activities.

20. No Construction Debris in Wetland or Adjacent Area Any debris or excess material from construction of this project shall be completely removed from the adjacent area (upland) and removed to an approved upland area for disposal. No debris is permitted in wetlands and/or protected buffer areas.

21. Seeding Disturbed Areas All areas of soil disturbance resulting from the approved project shall be stabilized with appropriate vegetation (grasses, etc.) immediately following project completion or prior to permit expiration, whichever comes first. If the project site remains inactive for more than 48 hours or planting is impractical due to the season, then the area shall be stabilized with straw or hay mulch or jute matting until weather conditions favor germination.

22. Temporary Mulch, Final Seeding If seeding is impracticable due to the time of year, a temporary mulch shall be applied and final seeding shall be performed at the earliest opportunity when weather conditions favor germination and growth but not more than six months after project completion.

23. No Interference With Navigation There shall be no unreasonable interference with navigation by the work herein authorized.

24. State Not Liable for Damage The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

25. State May Order Removal or Alteration of Work If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.



26. Precautions Against Contamination of Waters All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

27. State May Require Site Restoration If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

WATER QUALITY CERTIFICATION SPECIFIC CONDITIONS

1. Water Quality Certification The authorized project, as conditioned pursuant to the Certificate, complies with Section 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act, as amended and as implemented by the limitations, standards, and criteria of state statutory and regulatory requirements set forth in 6 NYCRR Section 608.9(a). The authorized project, as conditioned, will also comply with applicable New York State water quality standards, including but not limited to effluent limitations, best usages and thermal discharge criteria, as applicable, as set forth in 6 NYCRR Parts 701, 702, 703, and 704.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires.



Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC Region 1 Headquarters
SUNY @ Stony Brook|50 Circle Rd
Stony Brook, NY11790 -3409

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Excavation & Fill in Navigable Waters, Tidal Wetlands, Water Quality Certification.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.



Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, 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 for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: 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 that are authorized by this permit.

Item D: 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 the permit.



**Department of
Environmental
Conservation**

NOTICE

The Department of Environmental Conservation (DEC) has issued permit(s) pursuant to the Environmental Conservation Law for work being conducted at this site. For further information regarding the nature and extent of work approved and any Departmental conditions on it, contact the Regional Permit Administrator listed below. Please refer to the permit number shown when contacting the DEC.

**Regional Permit Administrator
SHERRI AICHER**

Permit Number: 1-4732-00072/00015

Expiration Date: 05/30/2028

NYSDEC Region 1 Environmental Permits
50 Circle Road
Stony Brook, NY 11790-3409
Email: dep.r1@dec.ny.gov

Note: This notice is **NOT** a permit

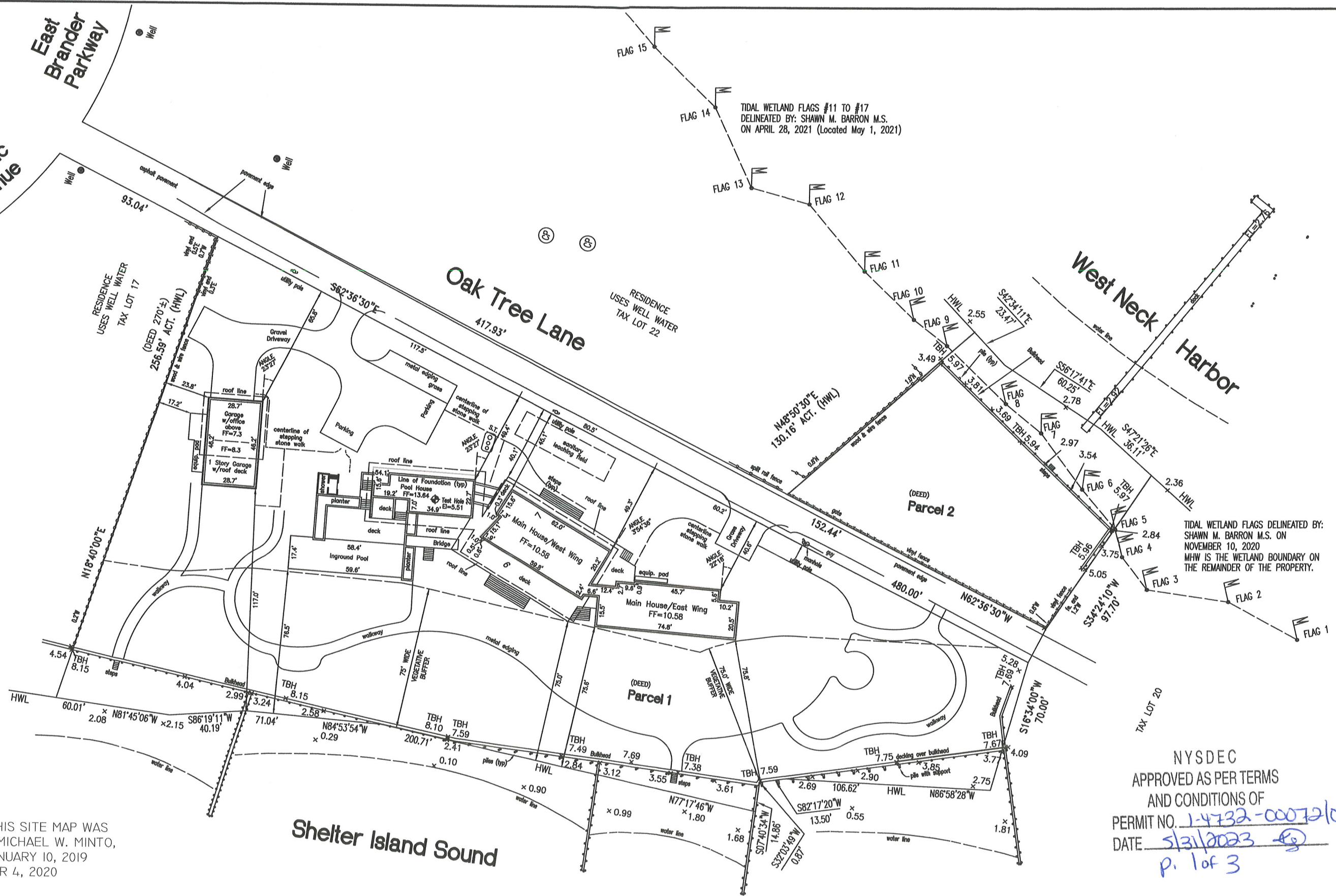


Peconic Avenue

East Brander Parkway

Oak Tree Lane

West Neck Harbor



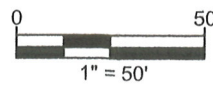
TIDAL WETLAND FLAGS #11 TO #17
DELINEATED BY: SHAWN M. BARRON M.S.
ON APRIL 28, 2021 (Located May 1, 2021)

TIDAL WETLAND FLAGS DELINEATED BY:
SHAWN M. BARRON M.S. ON
NOVEMBER 10, 2020
MHW IS THE WETLAND BOUNDARY ON
THE REMAINDER OF THE PROPERTY.

NOTE:
INFORMATION IN THIS SITE MAP WAS
REFLECTED FROM MICHAEL W. MINTO,
L.S.P.C. DATED JANUARY 10, 2019
UPDATED NOVEMBER 4, 2020

PREPARED BY: KS
COSTELLO MARINE CONTRACTING CORP.
P.O. BOX 2124, GREENPORT, N.Y. 11944
(631)477-1199

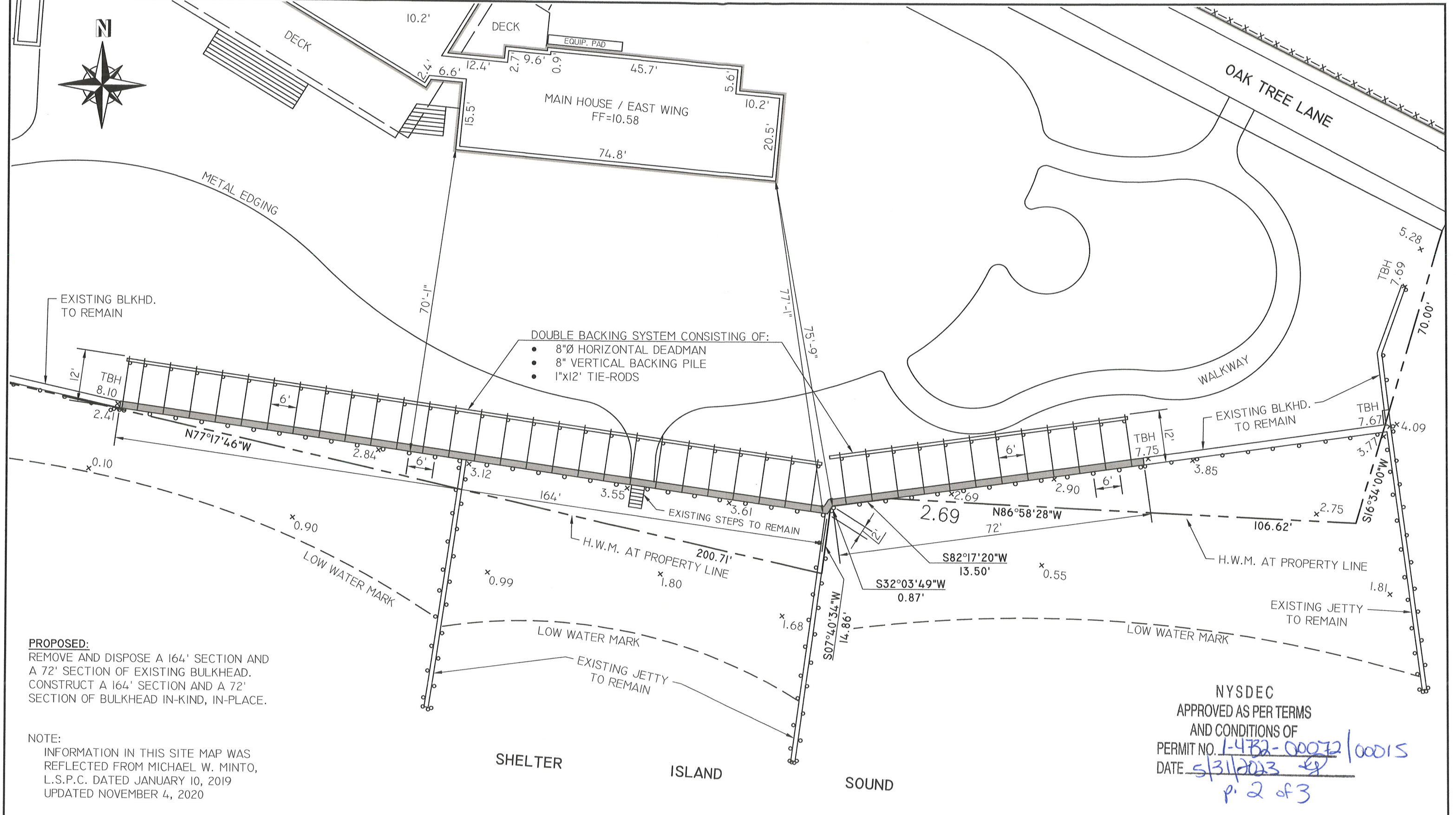
SITE MAP



(SHEET 4 OF 6)

NYSDEC
APPROVED AS PER TERMS
AND CONDITIONS OF
PERMIT NO. 1-4732-00072/00015
DATE 5/31/2023
p. 1 of 3

APPLICANT: JILL B. BRIENZA & NICHOLAS DARAVIRAS
ADDRESS: 169 E. 69TH STREET APT. 18A
NEW YORK, NY 10021
JOB SITE: 3 OAK TREE LANE
SHELTER ISLAND, NY 11964
SCTM#: 700-25-1-19.1
DATE: 02/17/2023

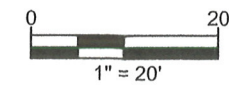


PROPOSED:
 REMOVE AND DISPOSE A 164' SECTION AND A 72' SECTION OF EXISTING BULKHEAD. CONSTRUCT A 164' SECTION AND A 72' SECTION OF BULKHEAD IN-KIND, IN-PLACE.

NOTE:
 INFORMATION IN THIS SITE MAP WAS REFLECTED FROM MICHAEL W. MINTO, L.S.P.C. DATED JANUARY 10, 2019 UPDATED NOVEMBER 4, 2020

PREPARED BY: KS
 COSTELLO MARINE CONTRACTING CORP.
 P.O. BOX 2124, GREENPORT, N.Y. 11944
 (631)477-1199

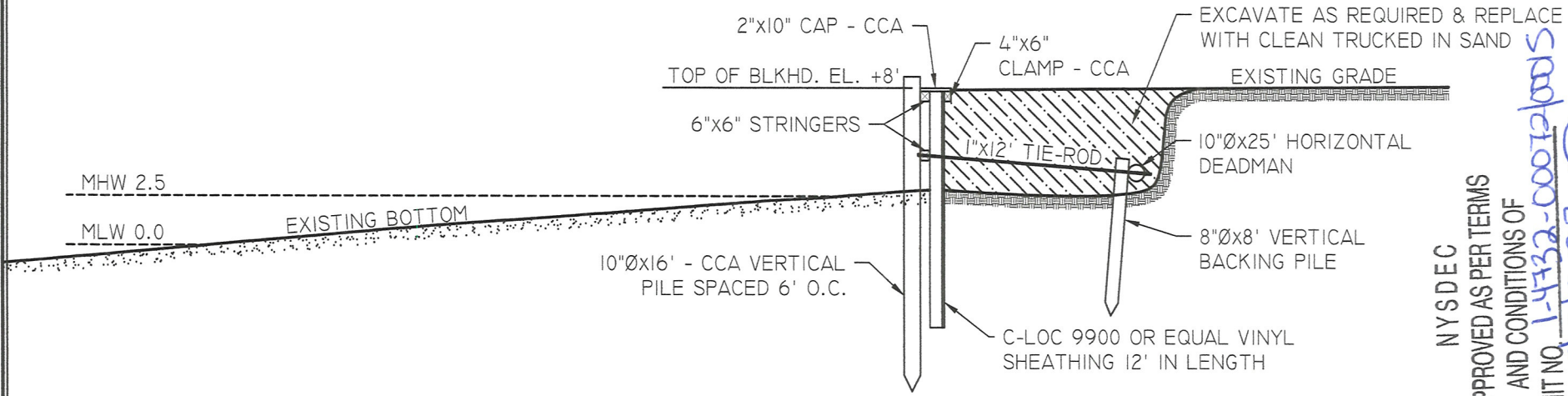
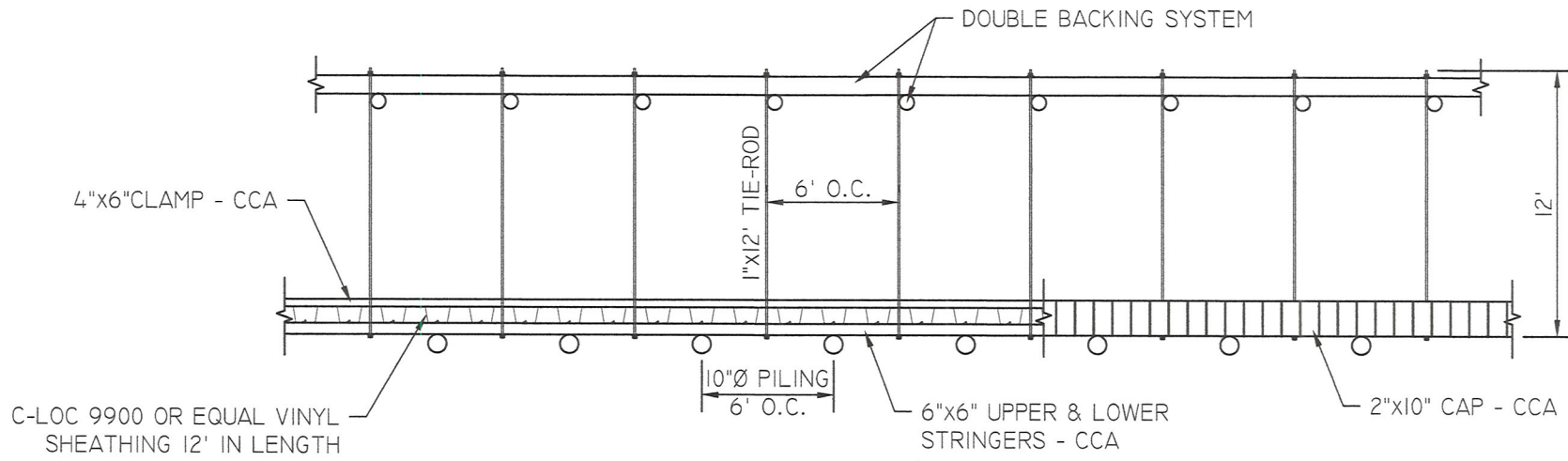
SITE PLAN



(SHEET 5 OF 6)

NYSDEC
 APPROVED AS PER TERMS
 AND CONDITIONS OF
 PERMIT NO. 1-4732-00072/00015
 DATE 5/31/2023
 p. 2 of 3

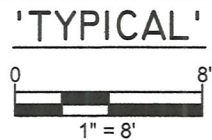
APPLICANT: JILL B. BRIENZA & NICHOLAS DARAVIRAS
 ADDRESS: 169 E. 69TH STREET APT. 18A
 NEW YORK, NY 10021
 JOB SITE: 3 OAK TREE LANE
 SHELTER ISLAND, NY 11964
 SCTM#: 700-25-1-19.1
 DATE: 02/17/2023



NYSDEC
 APPROVED AS PER TERMS
 AND CONDITIONS OF
 PERMIT NO. 1-432-0007-1005
 DATE 5/31/2023 *KG*
 p. 3 of 3

PROPOSED:
 REMOVE AND DISPOSE A 164' SECTION AND
 A 72' SECTION OF EXISTING BULKHEAD.
 CONSTRUCT A 164' SECTION AND A 72'
 SECTION OF BULKHEAD IN-KIND, IN-PLACE.

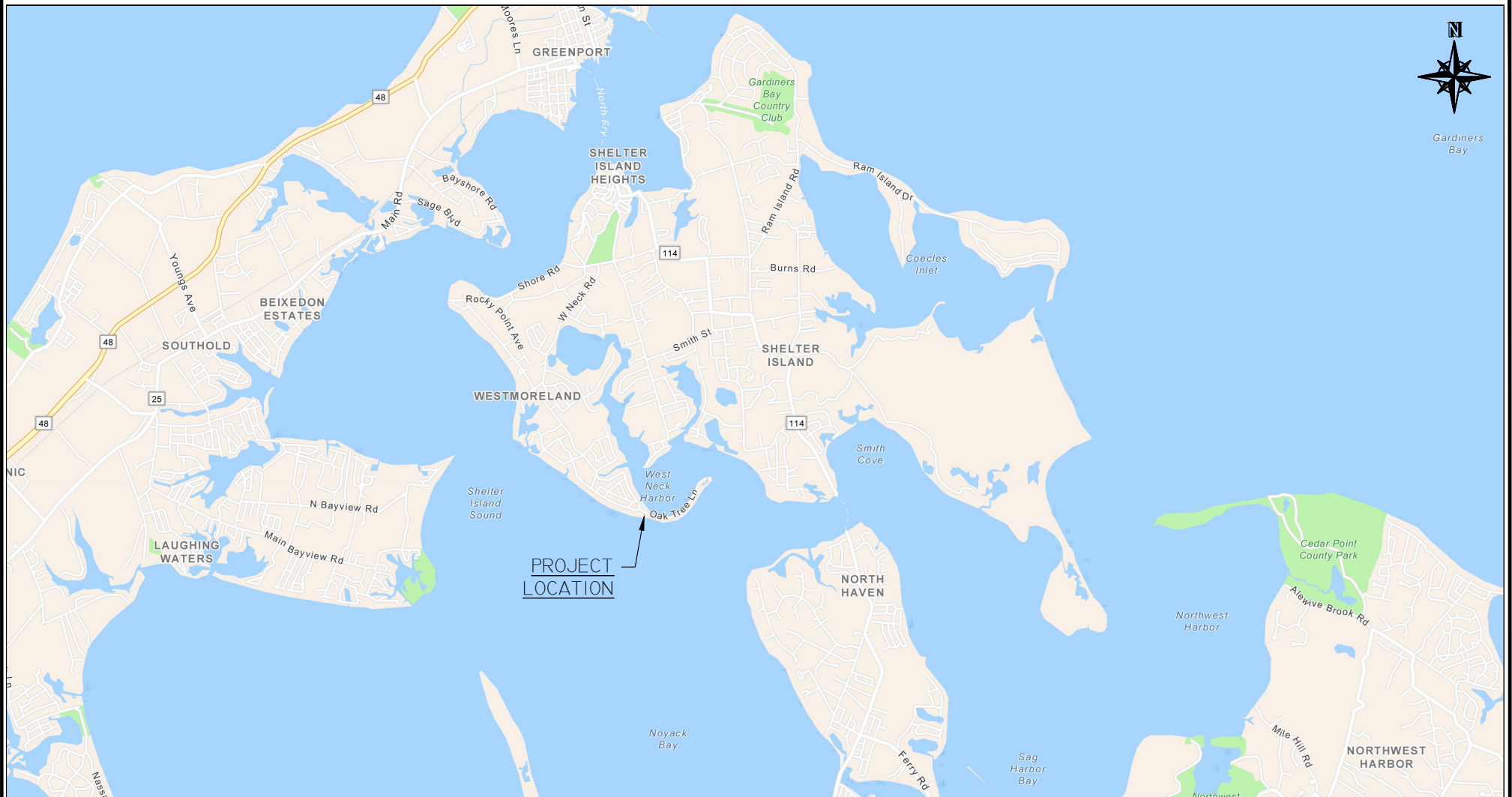
BULKHEAD DETAIL



(SHEET 6 OF 6)

PREPARED BY: KS
 COSTELLO MARINE CONTRACTING CORP.
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 (631)477-1199

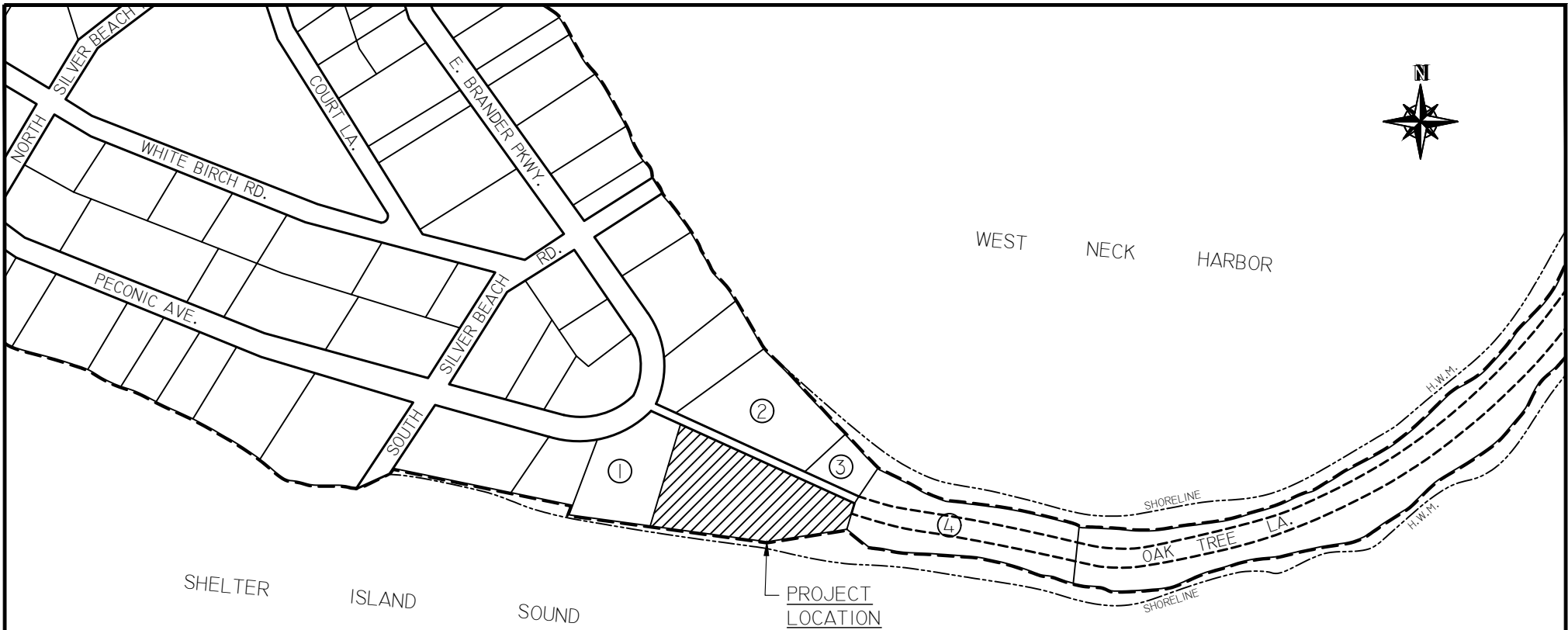
APPLICANT: JILL B. BRIENZA & NICHOLAS DARAVIRAS
 ADDRESS: 169 E. 69TH STREET APT. 18A
 NEW YORK, NY 10021
 JOB SITE: 3 OAK TREE LANE
 SHELTER ISLAND, NY 11964
 SCTM#: 700-25-1-19.1
 DATE: 02/17/2023



PREPARED BY: KS
 COSTELLO MARINE CONTRACTING CORP.
 P.O. BOX 2124, GREENPORT, N.Y. 11944
 (631)477-1199

VICINITY MAP
 N41° 02' 30" W72° 21' 01"
 (SHEET 1 OF 6)

APPLICANT: JILL B. BRIENZA & NICHOLAS DARAVIRAS
 ADDRESS: 169 E. 69TH STREET APT. 18A
 NEW YORK, NY 10021
 JOB SITE: 3 OAK TREE LANE
 SHELTER ISLAND, NY 11964
 SCTM#: 700-25-1-19.1
 DATE: 02/17/2023



ADJACENT PROPERTY OWNERS

- | | | | |
|--|---|--|---|
| <p>① 102 PECONIC AVE. SI, LLC
102 PECONIC AVENUE
SHELTER ISLAND, NY 11964
(102 PECONIC AVENUE)
(SCTM# 700-25-1-17)</p> | <p>② GENE A. & LINDA V. BRIENZA
1507 CROPSY AVENUE
BROOKLYN, NY 11228
(6 OAK TREE LANE)
(SCTM# 700-25-1-22)</p> | <p>③ JILL B. BRIENZA & NICHOLAS DARAVIRAS
169 E. 69TH STREET
APT. 18A
NEW YORK, NY 10021
(4 OAK TREE LANE)
(SCTM# 700-25-1-21)</p> | <p>④ S B S I ASSOC., INC.
P.O. Box 442
SHELTER ISLAND HEIGHTS, NY 11965
(2 OAK TREE LANE)
(SCTM# 700-25-1-20)</p> |
|--|---|--|---|

PREPARED BY: KS
COSTELLO MARINE CONTRACTING CORP.
P.O. BOX 2124, GREENPORT, N.Y. 11944
(631)477-1199

LOCATION MAP

N41° 02' 30" W72° 21' 01"

(SHEET 2 OF 6)

APPLICANT: JILL B. BRIENZA & NICHOLAS DARAVIRAS
ADDRESS: 169 E. 69TH STREET APT. 18A
NEW YORK, NY 10021
JOB SITE: 3 OAK TREE LANE
SHELTER ISLAND, NY 11964
SCTM#: 700-25-1-19.1
DATE: 02/17/2023

PROPOSED

REMOVE AND DISPOSE A 164' SECTION AND A 72' SECTION OF EXISTING BULKHEAD.
CONSTRUCT A 164' SECTION AND A 72' SECTION OF BULKHEAD IN-KIND, IN-PLACE.

MATERIALS:

PILING: 10"Øx16' - CCA
STRINGERS: TWO 6"x6" - CCA
CLAMP: 4"x6" - CCA
SHEATHING: C-LOC 9900 OR EQUAL 12' IN LENGTH - VINYL INTERLOCKING
BACKING: 1"x12' TIE-RODS CONNECTED TO A DOUBLE BACKING SYSTEM

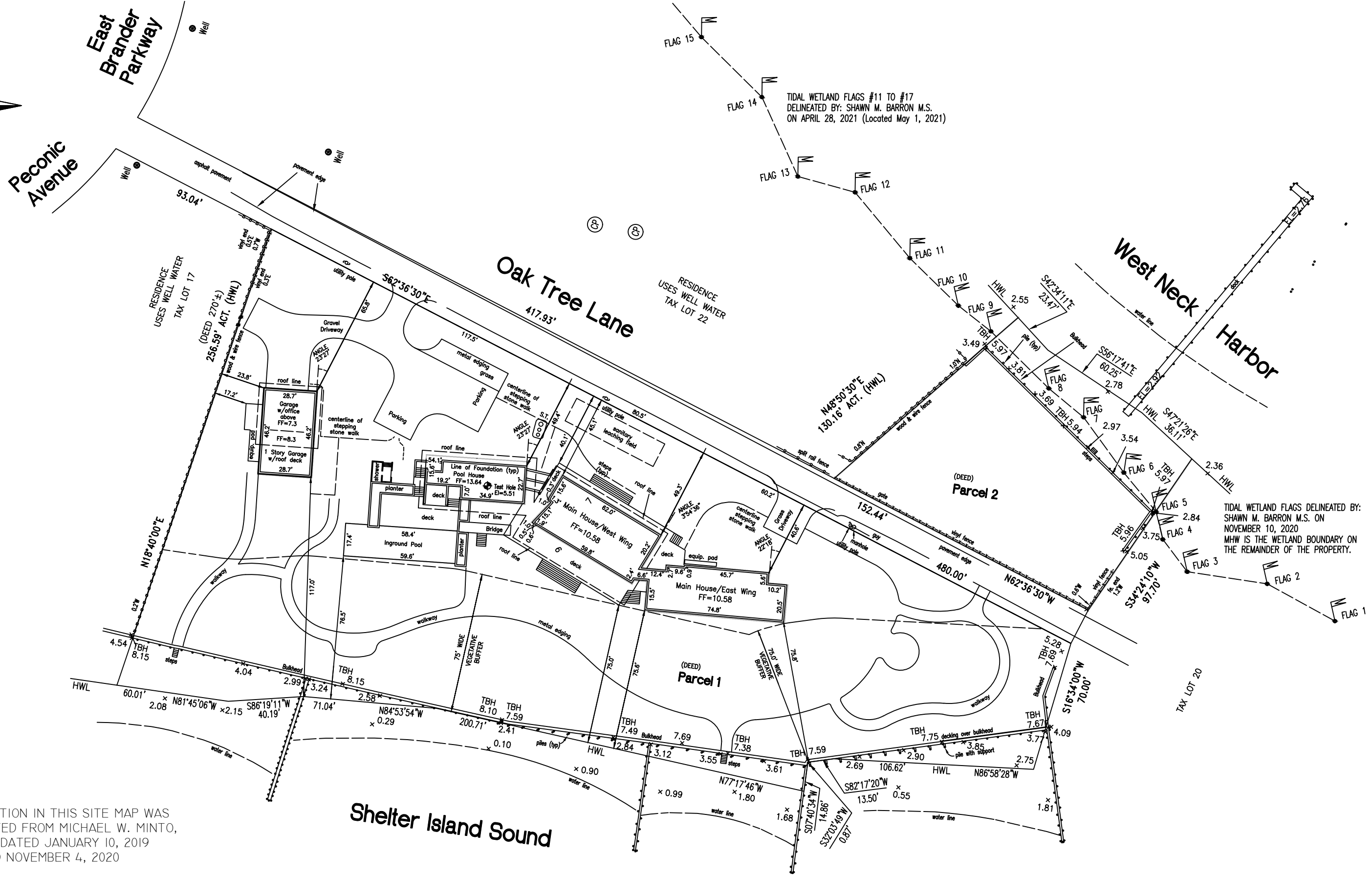
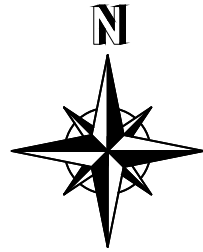
ACCESS:

BY WATER VIA BARGE AND BY LAND THROUGH APPLICANTS' PROPERTY

PREPARED BY: KS
COSTELLO MARINE CONTRACTING CORP.
P.O. BOX 2124, GREENPORT, N.Y. 11944
(631)477-1199

(SHEET 3 OF 6)

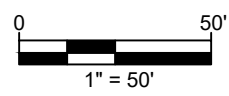
APPLICANT: JILL B. BRIENZA & NICHOLAS DARAVIRAS
ADDRESS: 169 E. 69TH STREET APT. 18A
NEW YORK, NY 10021
JOB SITE: 3 OAK TREE LANE
SHELTER ISLAND, NY 11964
SCTM#: 700-25-1-19.1
DATE: 02/17/2023



NOTE:
 INFORMATION IN THIS SITE MAP WAS
 REFLECTED FROM MICHAEL W. MINTO,
 L.S.P.C. DATED JANUARY 10, 2019
 UPDATED NOVEMBER 4, 2020

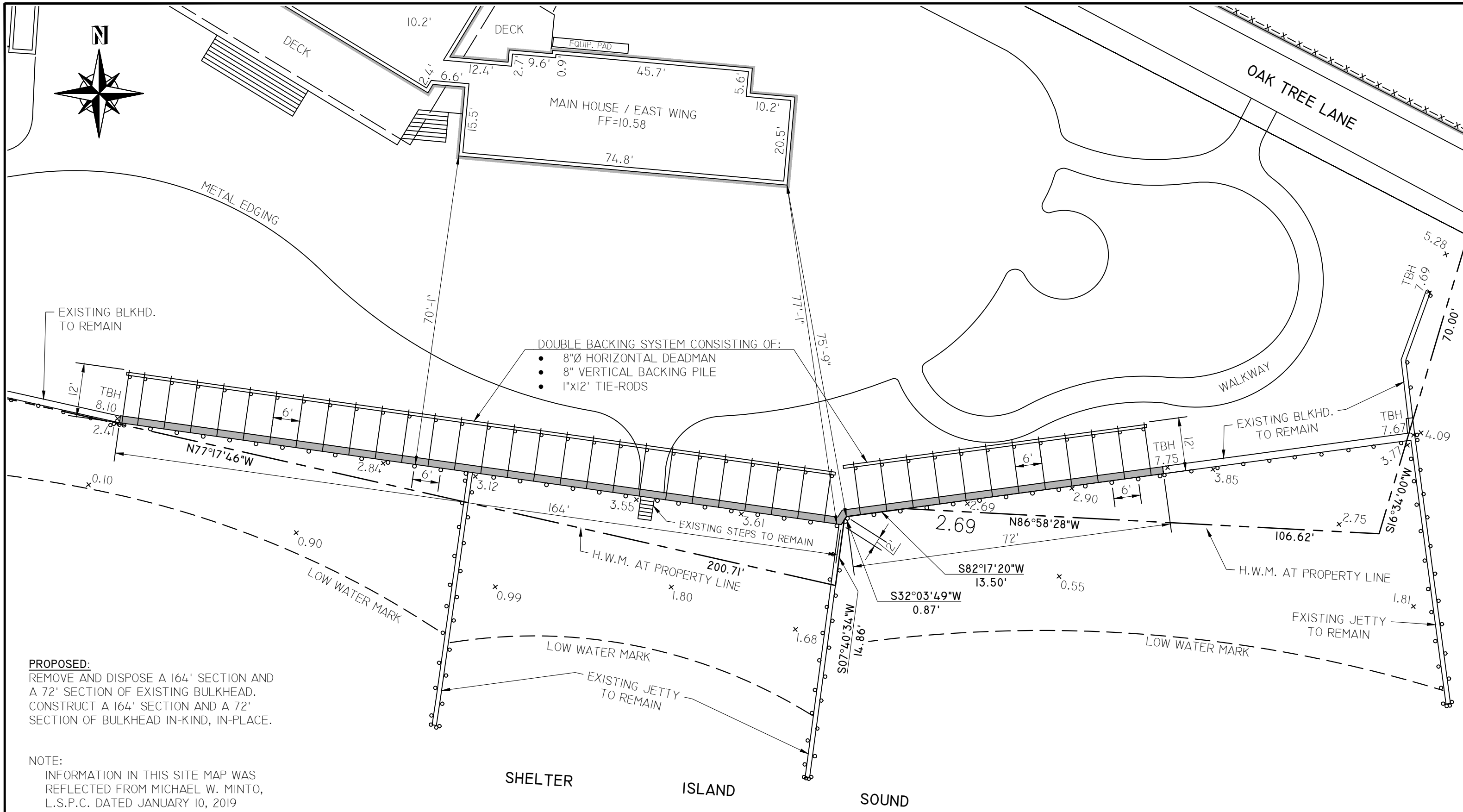
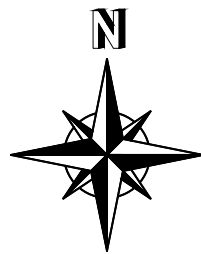
PREPARED BY: KS
 COSTELLO MARINE CONTRACTING CORP.
 P.O. BOX 2124, GREENPORT, N.Y. 11944
 (631)477-1199

SITE MAP



(SHEET 4 OF 6)

APPLICANT: JILL B. BRIENZA & NICHOLAS DARAVIRAS
 ADDRESS: 169 E. 69TH STREET APT. 18A
 NEW YORK, NY 10021
 JOB SITE: 3 OAK TREE LANE
 SHELTER ISLAND, NY 11964
 SCTM#: 700-25-1-19.1
 DATE: 02/17/2023



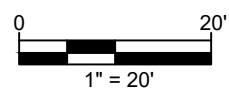
- DOUBLE BACKING SYSTEM CONSISTING OF:
- 8"Ø HORIZONTAL DEADMAN
 - 8" VERTICAL BACKING PILE
 - 1"x12' TIE-RODS

PROPOSED:
 REMOVE AND DISPOSE A 164' SECTION AND A 72' SECTION OF EXISTING BULKHEAD.
 CONSTRUCT A 164' SECTION AND A 72' SECTION OF BULKHEAD IN-KIND, IN-PLACE.

NOTE:
 INFORMATION IN THIS SITE MAP WAS REFLECTED FROM MICHAEL W. MINTO, L.S.P.C. DATED JANUARY 10, 2019
 UPDATED NOVEMBER 4, 2020

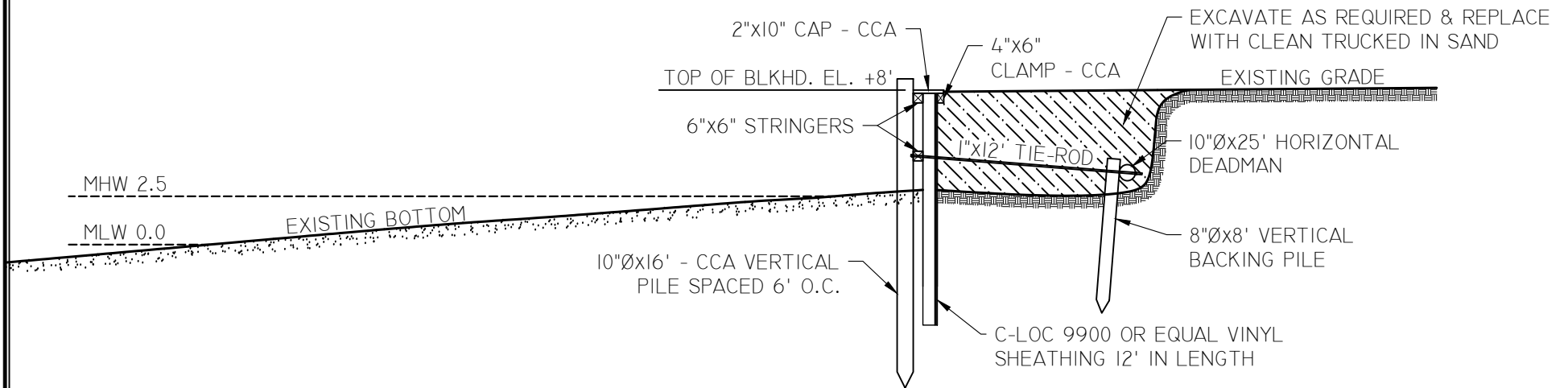
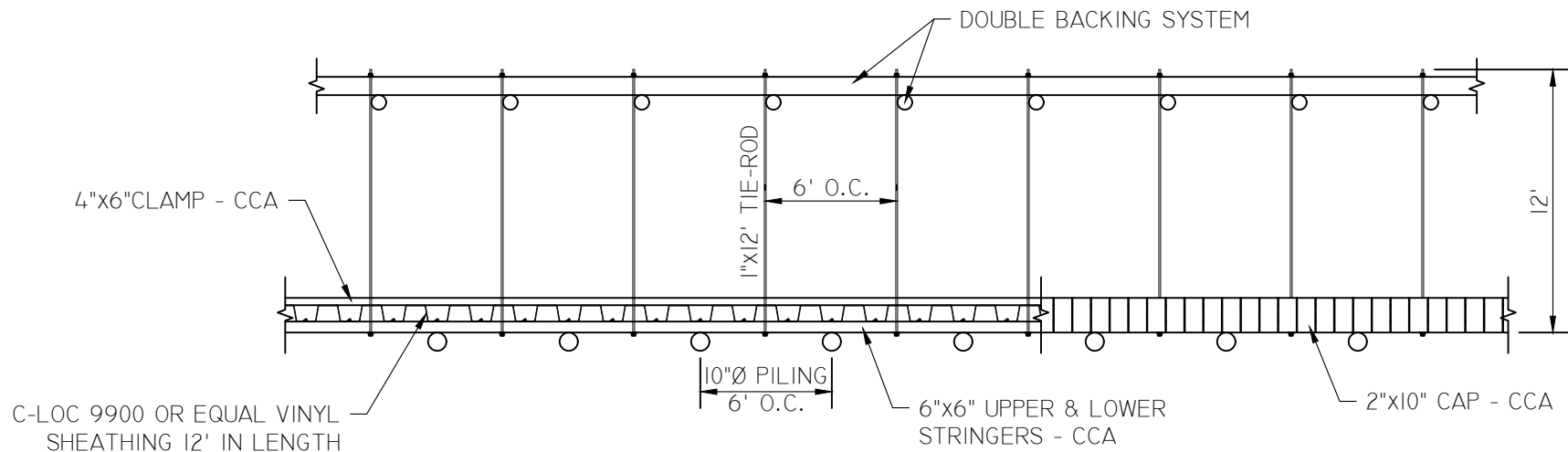
PREPARED BY: KS
 COSTELLO MARINE CONTRACTING CORP.
 P.O. BOX 2124, GREENPORT, N.Y. 11944
 (631)477-1199

SITE PLAN



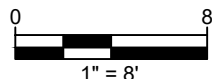
(SHEET 5 OF 6)

APPLICANT: JILL B. BRIENZA & NICHOLAS DARAVIRAS
 ADDRESS: 169 E. 69TH STREET APT. 18A
 NEW YORK, NY 10021
 JOB SITE: 3 OAK TREE LANE
 SHELTER ISLAND, NY 11964
 SCTM#: 700-25-1-19.1
 DATE: 02/17/2023



PROPOSED:
 REMOVE AND DISPOSE A 164' SECTION AND
 A 72' SECTION OF EXISTING BULKHEAD.
 CONSTRUCT A 164' SECTION AND A 72'
 SECTION OF BULKHEAD IN-KIND, IN-PLACE.

BULKHEAD DETAIL
'TYPICAL'



(SHEET 6 OF 6)

PREPARED BY: KS
 COSTELLO MARINE CONTRACTING CORP.
 P.O. BOX 2124, GREENPORT, N.Y. 11944
 (631)477-1199

APPLICANT: JILL B. BRIENZA & NICHOLAS DARAVIRAS
 ADDRESS: 169 E. 69TH STREET APT. 18A
 NEW YORK, NY 10021
 JOB SITE: 3 OAK TREE LANE
 SHELTER ISLAND, NY 11964
 SCTM#: 700-25-1-19.1
 DATE: 02/17/2023



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/28/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Rosen & Company, Inc. 145 Bedford Road Armonk NY 10504		CONTACT NAME: Susan Backer PHONE (A/C, No, Ext): (914) 939-1200 E-MAIL ADDRESS: shbacker@rosen-co.com FAX (A/C, No): (914) 939-4657	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Great Northern Insurance Co.	
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	
INSURED Nicholas Daraviras and Jill Brienza 169 East 69th St Apt 18a New York NY 10022		NAIC # 20303	

COVERAGES**CERTIFICATE NUMBER:** CL2362809210**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	COMMERCIAL GENERAL LIABILITY			1278561801	06/28/2023	06/28/2024	EACH OCCURRENCE	\$ 5,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$
	Comprehensive Personal Liability						MED EXP (Any one person)	\$ 50,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						PERSONAL & ADV INJURY	\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> OWNED AUTOS ONLY	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> HIRED AUTOS ONLY	<input type="checkbox"/> NON-OWNED AUTOS ONLY					PROPERTY DAMAGE (Per accident)	\$
	UMBRELLA LIAB						EACH OCCURRENCE	\$
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> OCCUR					AGGREGATE	\$
	DED	RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE	OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y <input type="checkbox"/> N	N/A				E.L. EACH ACCIDENT	\$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Premises of:
3 Oak Tree Lane, Shelter Island Heights, New York 11965

CERTIFICATE HOLDER**CANCELLATION**

Town of Shelter Island New York

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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