

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 Bradley & Margaret Tolkin

Telephone Numbers (include area code) \_\_\_\_\_

Mailing Address 1000 S. Pointe Drive Apt. 2602

Home \_\_\_\_\_

Miami Beach FL

Business \_\_\_\_\_

Email [REDACTED]

Cell [REDACTED]

Description of work to be done

**10 year maintenamce dredge of an 1.324 sqft. area tp -4.0' below mean low water removing approximately 120 cubic yards of material. All dredged spoils to be removed off site to an approved location.**

Property Location/Street Address (include tax map number) SCTM #700-23-1-24.6

6 Charlie's Lane Shelter Island NY 11964

Name, Address, Telephone # of Contractor COSTELLO MARINE CONTRACTING CORP.

PO BOX 2124, GREENPORT, NY 11944 PHONE (631) 477-1199 FAX (631) 477-0005

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.

6/20/2023

Date

[Signature]  
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**

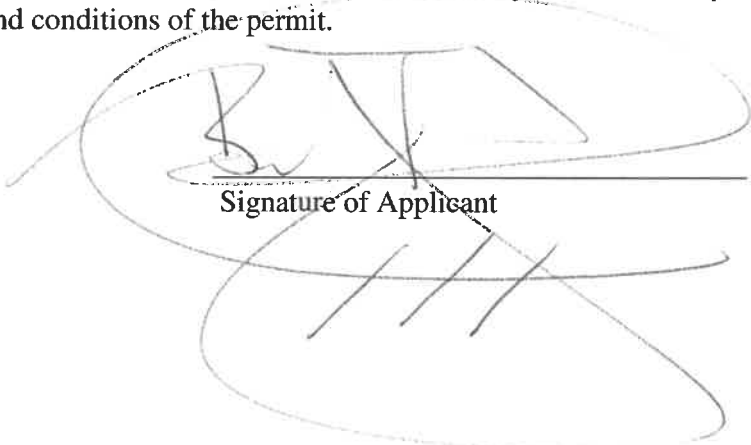
(must be signed by applicant, not agent or contractor)

The undersigned certifies the following:

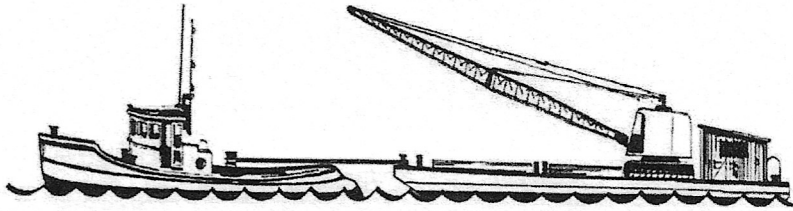
1. The materials and design of the dock will meet all pertinent federal, state, county and town regulations.
2. Acceptance of the permit shall constitute an agreement that the permittee:
  - a) will indemnify and hold the Town of Shelter Island and its authorized representatives harmless from any liability 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.

6/20/2023

Date



Signature of Applicant



# COSTELLO MARINE CONTRACTING CORP

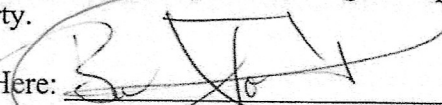
DOCKS • BULKHEADS • ROCK REVETMENTS • JETTY REPAIR • DECKS • BLUFF STAIRS • PILE INSTALLATION

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

## AUTHORIZATION

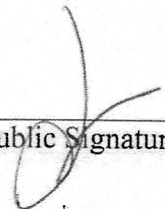
The undersigned, as owner of property located at 6 Charlie's Lane, Shelter Island, NY 11964 SCTM #700-23-1-24.6 here by authorizes Costello Marine Contracting Corp. to act as agent to process all permit applications needed to construct a dock at my property.

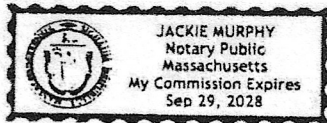
Dated: 5/8/2023

Sign Here: 

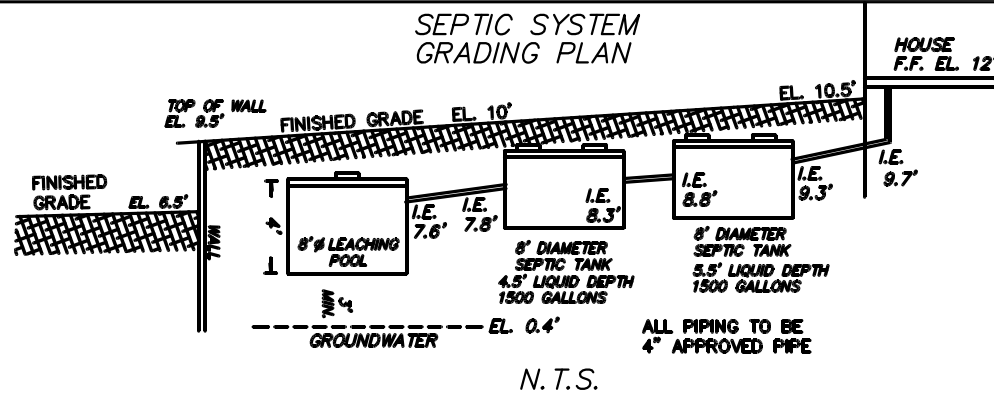
Printed Name: BRADLEY TURKIN

SWORN TO BEFORE ME THIS 8<sup>th</sup> DAY OF MAY 2023

  
Notary Public Signature



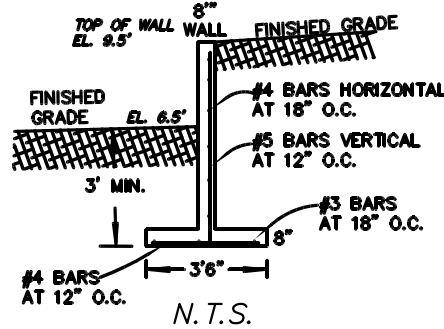
**SEPTIC SYSTEM GRADING PLAN**



N.T.S.



**RETAINING WALL CROSS SECTION**



N.T.S.

**RAIN RUNOFF CALCULATIONS**

PROPOSED, HOUSE, PORCHES, GARAGE & CABANA 7,428 SQ. FT.  
DRIVEWAY (PERVIOUS) 4,949 SQ. FT.

$7,428 \times 1 \times 0.17 = 1263$  CU. FT.  
 $4,949 \times 0.7 \times 0.17 = 841$  CU. FT.  
 $2104 / 68.4 = 30.7$  VF  
PROVIDE 10 DRYWELLS 10' DIAMETER x 3' DEEP OR EQUAL  
(DRYWELLS TO BE 2' MIN. ABOVE GROUNDWATER)

POOL DRYWELLS TO BE 3' DEEP x 8' DIAMETER

**LOT COVERAGE**

(HOUSE, PORCHES, GARAGE, POOL & CABANA)  
 $9,455 / 72,057 \times 100 = 13.1\%$

**PROPOSED SEPTIC SYSTEM**

MAXIMUM 9 BEDROOMS PER S.C.D.H.S. GENERAL GUIDANCE MEMORANDUM NUMBER 19 PLUS CABANA  
[2] 8' DIAMETER SEPTIC TANKS (10' TOTAL LIQUID DEPTH) (1500 GALLONS)  
[7] 8' DIAMETER x 4' DEEP LEACHING POOLS

EXISTING SEPTIC SYSTEM TO BE REMOVED IN ACCORDANCE WITH SCDHS STANDARDS

EXISTING HOUSE, GARAGE AND POOL TO BE REMOVED

**SURVEY OF PROPERTY AT SHELTER ISLAND TOWN OF SHELTER ISLAND SUFFOLK COUNTY, N.Y.**

700-23-01-24.6

SCALE: 1"=30'

JUNE 12, 2012

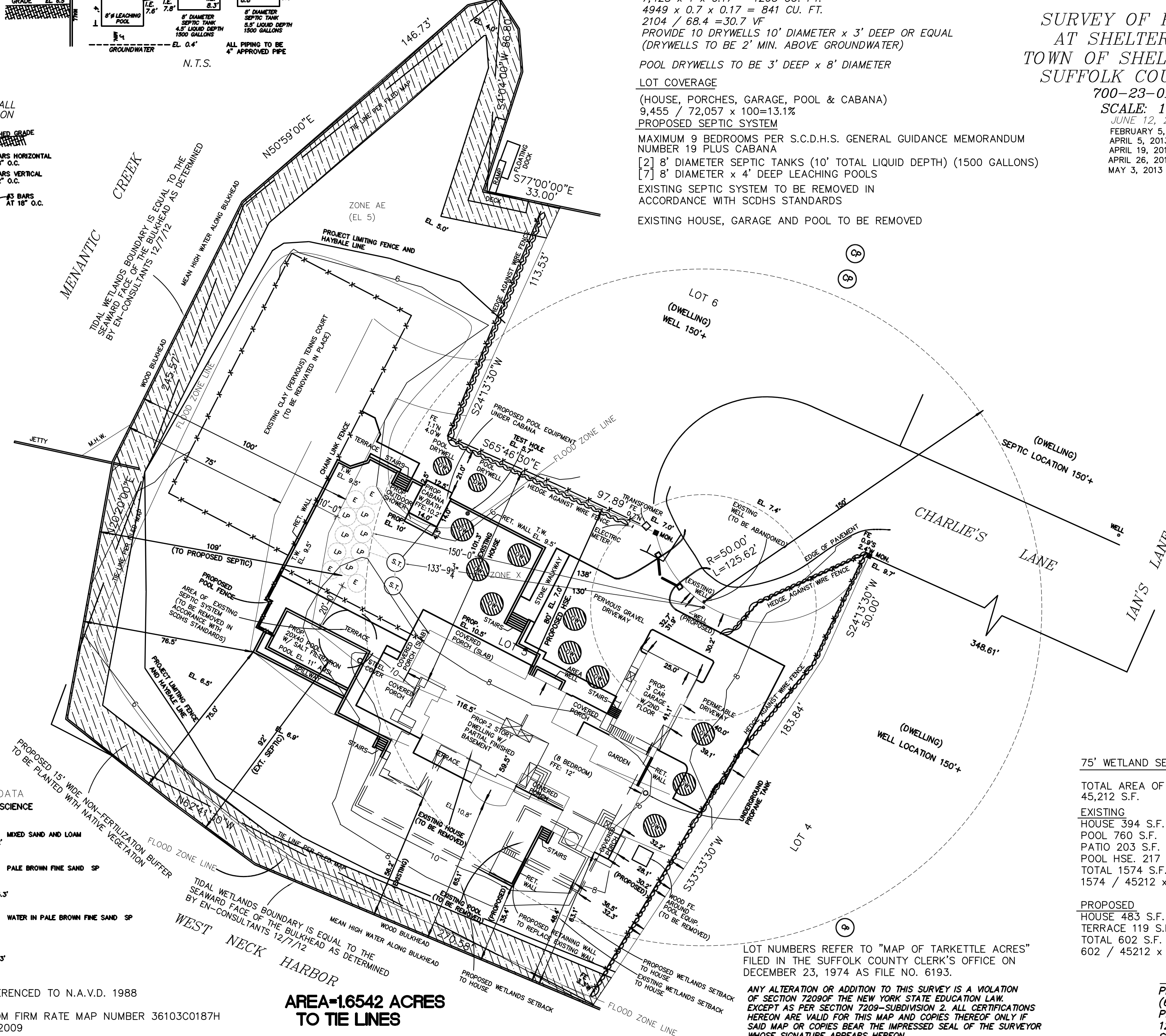
FEBRUARY 5, 2013 (UPDATE & PROPOSED HOUSE)

APRIL 5, 2013 (REVISIONS)

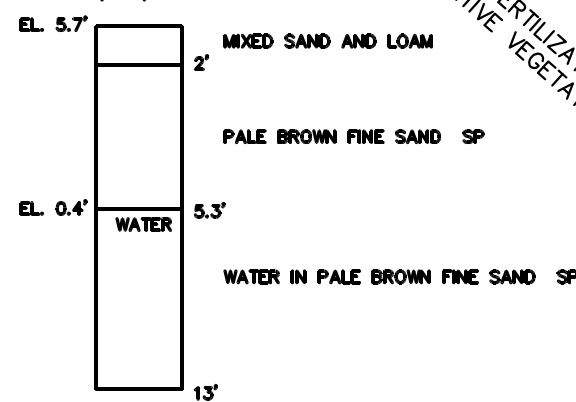
APRIL 19, 2013 (REVISIONS)

APRIL 26, 2013 (REVISIONS)

MAY 3, 2013 (ADJACENT DWELLING'S WELL & SEPTIC LOC.)



**TEST HOLE DATA BY McDONALD GEOSCIENCE 1/21/13**



ELEVATIONS REFERENCED TO N.A.V.D. 1988

FLOOD ZONE FROM FIRM RATE MAP NUMBER 36103C0187H SEPTEMBER 25, 2009

**AREA=16542 ACRES TO TIE LINES**

LOT NUMBERS REFER TO "MAP OF TARKETLE ACRES" FILED IN THE SUFFOLK COUNTY CLERK'S OFFICE ON DECEMBER 23, 1974 AS FILE NO. 6193.

ANY ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. EXCEPT AS PER SECTION 7209-SUBDIVISION 2. ALL CERTIFICATIONS HEREON ARE VALID FOR THIS MAP AND COPIES THEREOF ONLY IF SAID MAP OR COPIES BEAR THE IMPRESSED SEAL OF THE SURVEYOR WHOSE SIGNATURE APPEARS HEREON.

**75' WETLAND SETBACK LOT COVERAGE**

TOTAL AREA OF LOT WITHIN 75' WETLAND SETBACK= 45,212 S.F.

EXISTING HOUSE 394 S.F.  
POOL 760 S.F.  
PATIO 203 S.F.  
POOL HSE. 217 S.F.  
TOTAL 1574 S.F.  
 $1574 / 45212 \times 100 = 3.5\%$

PROPOSED HOUSE 483 S.F.  
TERRACE 119 S.F.  
TOTAL 602 S.F.  
 $602 / 45212 \times 100 = 1.3\%$

N.Y.S. LIC. NO. 49618

PECONIC SURVEYORS, P.C.  
(631) 765-5020 FAX (631) 765-1797  
P.O. BOX 909  
1230 TRAVELER STREET SOUTHOLD, N.Y. 11971

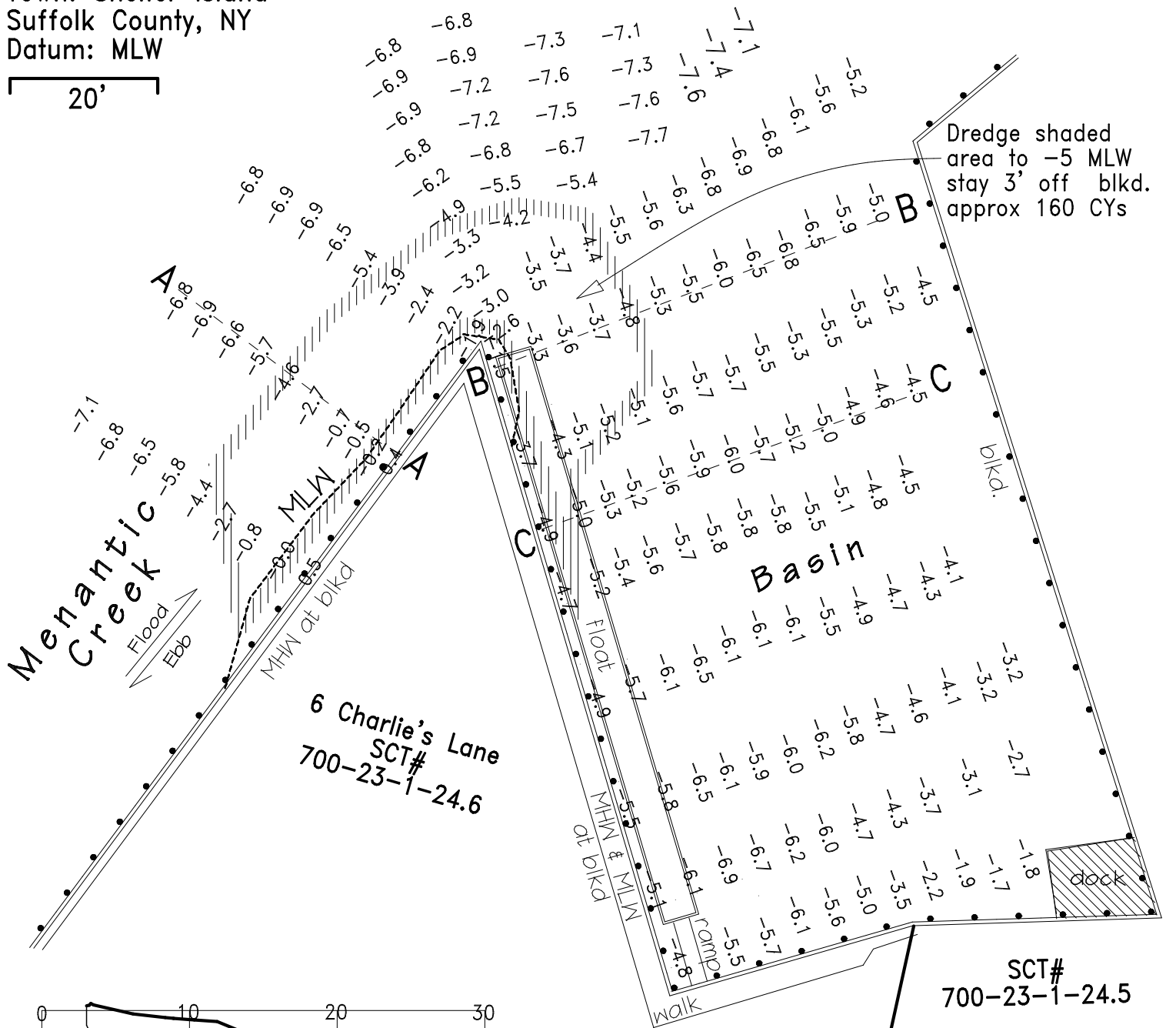
88-440

# Hydrographic Map

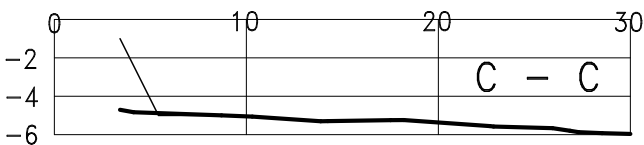
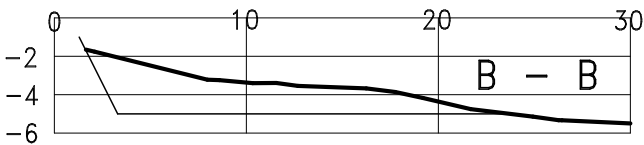
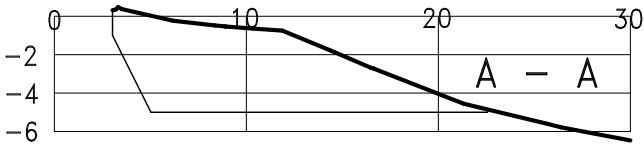
Surveyed: 10 May 2022  
 Situate: Menantic Creek  
 Town: Shelter Island  
 Suffolk County, NY  
 Datum: MLW



20'



Dredge shaded area to -5 MLW stay 3' off blkd. approx 160 CYs



Dredge shaded area to -5 MLW stay 3' off blkd. approx 160 CYs

ROBERT H. FOX  
 NYS PLS # 50197  
 P. O. BOX 366  
 AQUEBOGUE, NY 11931



# INSURANCE BINDER

HANHE1

DATE (MM/DD/YYYY)  
06/23/2023**THIS BINDER IS A TEMPORARY INSURANCE CONTRACT, SUBJECT TO THE CONDITIONS SHOWN ON PAGE 2 OF THIS FORM.**

AGENCY <b>Nathan Butwin Company, Inc.</b> 60 Cutter Mill Rd. Ste. 414 Great Neck, NY 11021		COMPANY <b>Cincinnati Insurance Company</b>		BINDER # <b>18640</b>	
PHONE (A/C, No., Ext): <b>(516) 466-4200</b>		FAX (A/C, No.): <b>(516) 466-4213</b>		THIS BINDER IS ISSUED TO EXTEND COVERAGE IN THE ABOVE NAMED COMPANY PER EXPIRING POLICY #: <b>H02 0909385</b>	
CODE: <b>31139</b>		SUB CODE:		DESCRIPTION OF OPERATIONS / VEHICLES / PROPERTY (Including Location) <b>Loc 1, 6 CHARLIES LN, SHELTER ISLAND, NY 11964-0000</b>	
AGENCY CUSTOMER ID: <b>TOLKINBR01</b>		INSURED AND MAILING ADDRESS  <b>Bradley Tolkin &amp; Margaret Tolkin</b> <b>1000 S'Pointe Dr Apt 2602</b> <b>Miami Beach, FL 33139-7393</b>			

**COVERAGES****LIMITS**

TYPE OF INSURANCE	COVERAGE / FORMS	DEDUCTIBLE	COINS %	AMOUNT
<b>PROPERTY</b> CAUSES OF LOSS <input type="checkbox"/> BASIC <input type="checkbox"/> BROAD <input type="checkbox"/> SPEC	<b>Dwelling</b> <b>Other structures</b> <b>Personal property</b>	<b>50,000</b>		<b>\$6,394,000.00</b> <b>\$710,445.00</b> <b>\$703,340.00</b>
<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> PERSONAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR	RETRO DATE FOR CLAIMS MADE:			<b>500,000</b> EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES \$ MED EXP (Any one person) \$ <b>25,000</b> PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$
<b>VEHICLE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$ MEDICAL PAYMENTS \$ PERSONAL INJURY PROT \$ UNINSURED MOTORIST \$
<b>VEHICLE PHYSICAL DAMAGE</b> DED <input type="checkbox"/> COLLISION: _____ <input type="checkbox"/> OTHER THAN COL: _____	<input type="checkbox"/> ALL VEHICLES <input type="checkbox"/> SCHEDULED VEHICLES			ACTUAL CASH VALUE STATED AMOUNT \$
<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EACH ACCIDENT \$ AGGREGATE \$
<b>EXCESS LIABILITY</b> <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM	RETRO DATE FOR CLAIMS MADE:			EACH OCCURRENCE \$ AGGREGATE \$ SELF-INSURED RETENTION \$ PER STATUTE
<b>WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY</b>				E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
<b>SPECIAL CONDITIONS / OTHER COVERAGES</b> <b>Named hurricane - 5.0000%;</b>				FEES \$ TAXES \$ <b>ESTIMATED TOTAL PREMIUM \$ 14,815.00</b>

**NAME & ADDRESS**

<b>Town of Shelter Island</b> <b>38 Ferry Road</b> <b>Shelter Island, NY 11964</b>	<input type="checkbox"/> MORTGAGEE <input type="checkbox"/> LOSS PAYEE	<input checked="" type="checkbox"/> ADDITIONAL INSURED <b>Additional Interest</b>
	LOAN #: AUTHORIZED REPRESENTATIVE	



## CONDITIONS

This Company binds the kind(s) of insurance stipulated on page 1 of this form. The Insurance is subject to the terms, conditions and limitations of the policy(ies) in current use by the Company.

This binder may be cancelled by the Insured by surrender of this binder or by written notice to the Company stating when cancellation will be effective. This binder may be cancelled by the Company by notice to the Insured in accordance with the policy conditions. This binder is cancelled when replaced by a policy. If this binder is not replaced by a policy, the Company is entitled to charge a premium for the binder according to the Rules and Rates in use by the Company.

### Applicable in Arizona

Binders are effective for no more than ninety (90) days.

### Applicable in California

When this form is used to provide insurance in the amount of one million dollars (\$1,000,000) or more, the title of the form is changed from "Insurance Binder" to "Cover Note".

### Applicable in Colorado

With respect to binders issued to renters of residential premises, home owners, condo unit owners and mobile home owners, the insurer has thirty (30) business days, commencing from the effective date of coverage, to evaluate the issuance of the insurance policy.

### Applicable in Delaware

The mortgagee or Obligee of any mortgage or other instrument given for the purpose of creating a lien on real property shall accept as evidence of insurance a written binder issued by an authorized insurer or its agent if the binder includes or is accompanied by: the name and address of the borrower; the name and address of the lender as loss payee; a description of the insured real property; a provision that the binder may not be canceled within the term of the binder unless the lender and the insured borrower receive written notice of the cancellation at least ten (10) days prior to the cancellation; except in the case of a renewal of a policy subsequent to the closing of the loan, a paid receipt of the full amount of the applicable premium, and the amount of insurance coverage.

Chapter 21 Title 25 Paragraph 2119

### Applicable in Florida

Except for Auto Insurance coverage, no notice of cancellation or nonrenewal of a binder is required unless the duration of the binder exceeds 60 days. For auto insurance, the insurer must give 5 days prior notice, unless the binder is replaced by a policy or another binder in the same company.

### Applicable in Maryland

The insurer has 45 business days, commencing from the effective date of coverage to confirm eligibility for coverage under the insurance policy.

### Applicable in Michigan

The policy may be cancelled at any time at the request of the insured.

### Applicable in Nevada

Any person who refuses to accept a binder which provides coverage of less than \$1,000,000.00 when proof is required: (A) Shall be fined not more than \$500.00, and (B) is liable to the party presenting the binder as proof of insurance for actual damages sustained therefrom.

### Applicable in Oklahoma

All policies shall expire at 12:01 a.m. standard time on the expiration date stated in the policy.

### Applicable in Oregon

Binders are effective for no more than ninety (90) days. A binder extension or renewal beyond such 90 days would require the written approval by the Director of the Department of Consumer and Business Services.

### Applicable in the Virgin Islands

This binder is effective for only ninety (90) days. Within thirty (30) days of receipt of this binder, you should request an insurance policy or certificate (if applicable) from your agent and/or insurance company.

# 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](http://www.dec.ny.gov)

June 5, 2023

Bradley Tolkin  
1000 S Pointe Dr  
Apt 2602  
Miami Beach, FL 33139

Re: Permit No. 1-4732-00910/00007  
Facility: 6 Charlie's Ln, Shelter Island, NY  
SCTM#700-23-1-24.6  
Waterbody: Menantic Creek

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.

Also 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,



Mary A MacKinnon  
Deputy Regional Permit Administrator

cc: Costello Marine Contracting Corp, Bureau of Marine Habitat Protection, File



**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**Permittee and Facility Information**

**Permit Issued To:**

BRADLEY TOLKIN  
1000 S POINTE DR APT 2602  
MIAMI BEACH, FL 33139

**Facility:**

TOLKIN PROPERTY  
6 CHARLIE'S LN|SCTM# 700-23-01-24.6  
SHELTER ISLAND, NY 11964

MARGARET TOLKIN  
1000 S POINTE DR APT 2602  
MIAMI BEACH, FL 33139

**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: 723.293 NYTM-N: 4547.905  
Latitude: 41°03'06.4" Longitude: 72°20'34.8"

**Project Location:** 6 CHARLIE'S LN, SHELTER ISLAND SCTM#700-23-1-24.6 MENANTIC CREEK

**Authorized Activity:** Maintenance dredge along the corner of the northeast area of boat basin to the northwest area of bulkhead along Menantic Creek (approximately 1,324 square feet), 10-20 feet wide x 4 feet below mean low water yielding approximately 120 cubic yards of spoil. Dredged spoil will be removed off-site to an approved NYSDEC location. All work must be done in accordance with the three-page plan prepared by Costello Marine Contracting Corp last revised 5/24/2023 and stamped NYSDEC approved 6/5/2023. (ARNO-DEP)

**Permit Authorizations**

**Tidal Wetlands - Under Article 25**

Permit ID 1-4732-00910/00007

New Permit

Effective Date: 6/5/2023

Expiration Date: 6/4/2033

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

Permit ID 1-4732-00910/00008

New Permit

Effective Date: 6/5/2023

Expiration Date: 6/4/2033

**Water Quality Certification - Under Section 401 - Clean Water Act**

Permit ID 1-4732-00910/00009

New Permit

Effective Date: 6/5/2023

Expiration Date: 6/4/2033



**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: MARY A MACKINNON, DEPUTY REGIONAL PERMIT ADMINISTRATOR  
Address: NYSDEC Region 1 Headquarters  
SUNY @ Stony Brook|50 Circle Rd  
Stony Brook, NY 11790 -3409

Authorized Signature: Mary A MacKinnon Date 6/5/2023

**Distribution List**

COSTELLO MARINE CONTRACTING CORP  
Bureau of Marine Habitat Protection  
File  
Mary MacKinnon

**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; EXCAVATION & FILL IN NAVIGABLE WATERS; WATER QUALITY CERTIFICATION**

- 1. 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.
- 2. 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.



**3. Notice of Maintenance Dredging** For maintenance dredging projects, the permittee shall submit a Notice of Commencement prior to each dredging occurrence, specifying the disposal site (including an updated site plan). Upon completion, a Notice of Completion shall be submitted to the address indicated on that notice form, including the amount of material dredged and deposited at the approved disposal site.

**4. 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 last revised 5/24/2023 and stamped NYSDEC approved 6/5/2023.

**5. Off-Site Disposal of Dredged Material** Off-site, upland disposal of dredged material beyond NYSDEC Tidal Wetland Jurisdiction requires additional guidance from the Division of Materials Management (631) 444-0375 and is NOT covered by this permit.

**6. Restrict Spillage, Use Closed Bucket** During the dredging operation, the permittee and his contractor shall prevent spillage of sediment during excavation and haulage. Dredging shall be accomplished with a clam shell or other closed bucket equipment or hydraulic dredge equipment.

**7. No Side-casting or Temporary Storage** Excavated sediments shall be placed directly into the approved disposal site/dewatering site or conveyance vehicle. No side-casting (double-dipping) or temporary storage of excavated sediments is authorized.

**8. Leave a Uniform Bottom Elevation** All dredging shall be conducted so as to leave a uniform bottom elevation free of mounds or holes.

**9. Dragline Prohibited** The use of a dragline for dredging is strictly prohibited.

**10. Filter Fabric Curtain Around Dredging Area** A filter fabric (turbidity) curtain weighted across the bottom and suspended at the top by floats shall be positioned to enclose the work site before commencing dredging. The curtain shall remain in place and in functional condition during all phases of the dredging operations and remain in place for two hours after dredging termination and turbidity inside the curtain no longer exceeds ambient levels.

**11. Dredging Once Per Year** Dredging shall be undertaken no more than once in any calendar year unless specifically authorized by the department.

**12. 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.

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

**14. 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.



**15. 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.

**16. 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.

**17. 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.

## 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.





NOTE:

INFORMATION IN THIS SITE MAP WAS REFLECTED FROM PECONIC SURVEYORS, P.C. DATED JUNE 12, 2012 & UPDATED MAY 3, 2013

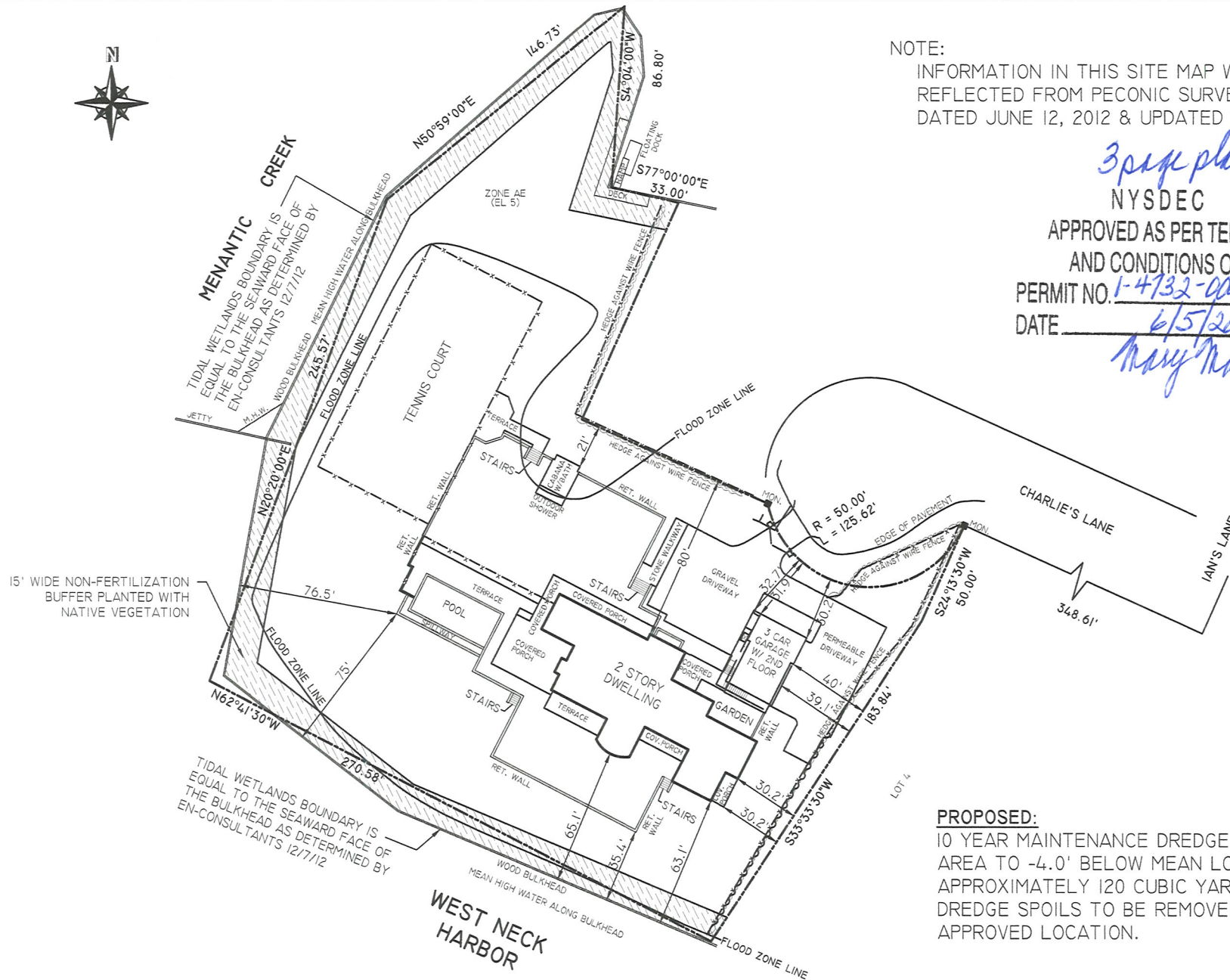
1/3

3 pages plus  
NYSDEC

APPROVED AS PER TERMS  
AND CONDITIONS OF

PERMIT NO. 1-4732-00910/00007

DATE 6/5/2023  
*Mary MacKinnon*

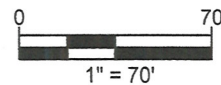


**PROPOSED:**

10 YEAR MAINTENANCE DREDGE OF AN 1,324 SQ.FT. AREA TO -4.0' BELOW MEAN LOW WATER REMOVING APPROXIMATELY 120 CUBIC YARDS OF MATERIAL. ALL DREDGE SPOILS TO BE REMOVED OFF SITE TO AN APPROVED LOCATION.

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

**SITE MAP**

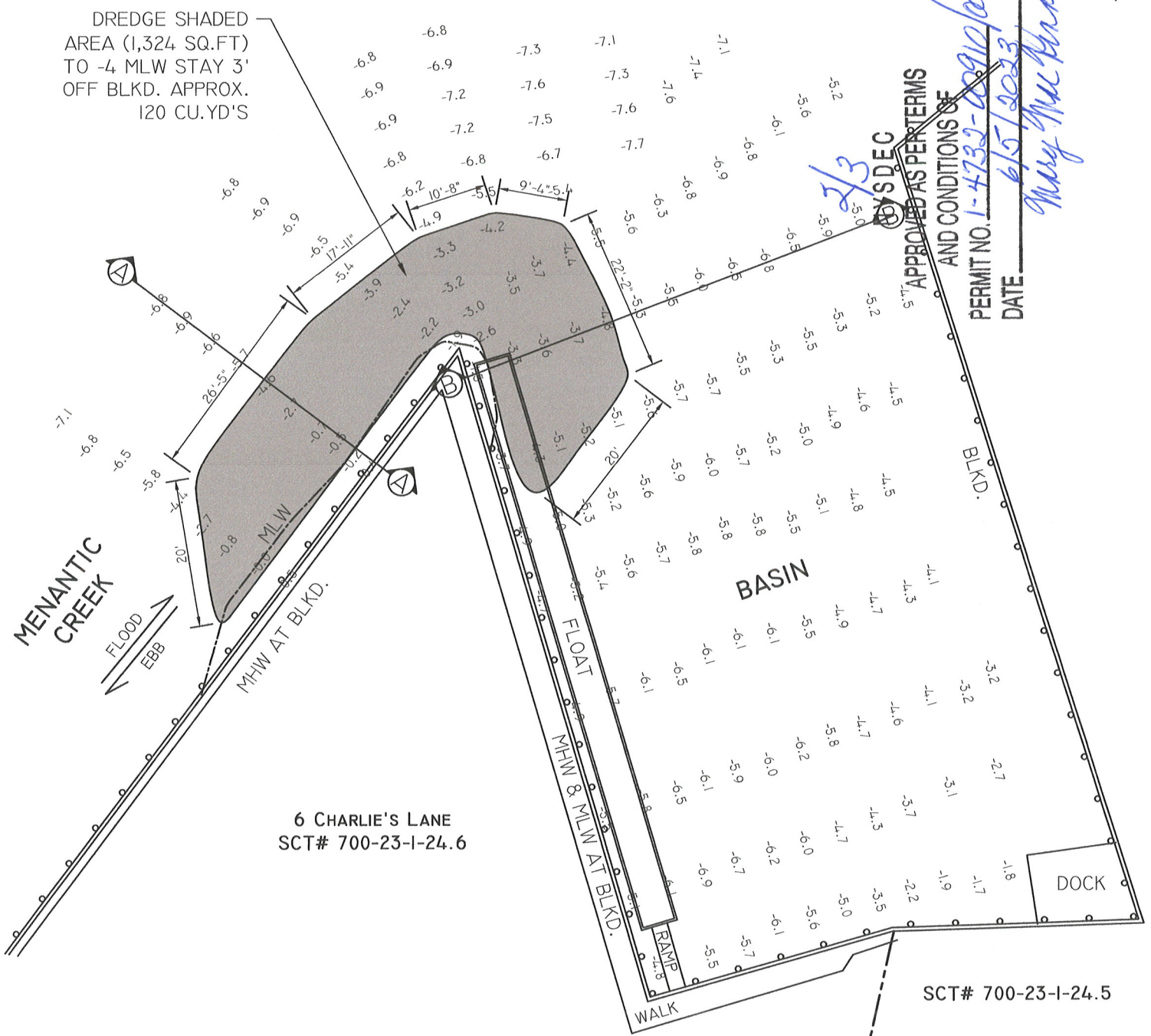


(SHEET 4 OF 6)

APPLICANT: BRADLEY & MARGARET TOLKIN  
ADDRESS: 1000 S. POINTE DRIVE, APT. 2602  
MIAMI BRACH, FL 33139  
JOB SITE: 6 CHARLIE'S LANE  
SHELTER ISLAND, NY 11964  
SCTM#: 700-23-1-24.6  
DATE: 05/24/23, 04/19/23



DREDGE SHADED AREA (1,324 SQ.FT) TO -4 MLW STAY 3' OFF BLKD. APPROX. 120 CU.YD'S



2/3  
 BY SDEC  
 APPROVED AS PER TERMS  
 AND CONDITIONS OF  
 PERMIT NO. 1-4732-00910/0007  
 DATE 6/5/2023  
 Mary Ann Barr

6 CHARLIE'S LANE  
 SCT# 700-23-1-24.6

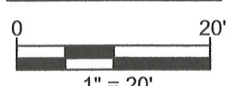
SCT# 700-23-1-24.5

NOTE:  
 -5 IS MEASURED IN FEET WHEN MLW EQUALS 0.0 BY ROBERT H. FOX ON 10 MAY 2022.

**PROPOSED:**  
 10 YEAR MAINTENANCE DREDGE OF AN 1,324 SQ.FT. AREA TO -4.0' BELOW MEAN LOW WATER REMOVING APPROXIMATELY 120 CUBIC YARDS OF MATERIAL. ALL DREDGE SPOILS TO BE REMOVED OFF SITE TO AN APPROVED LOCATION.

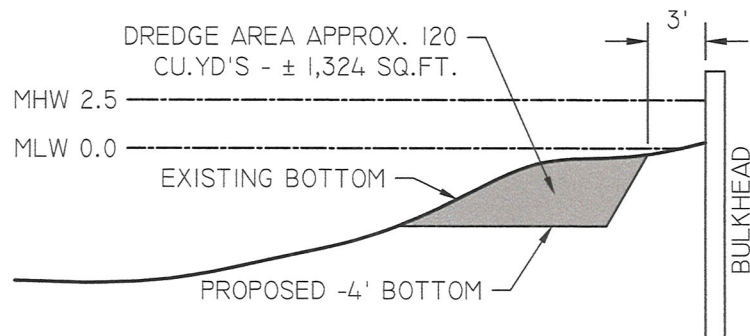
PREPARED BY: KS REVISED BY: KS  
 COSTELLO MARINE CONTRACTING CORP.  
 P.O. BOX 2124, GREENPORT, N.Y. 11944  
 (631)477-1199

**SITE PLAN**

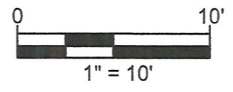


(SHEET 5 OF 6)

APPLICANT: BRADLEY & MARGARET TOLKIN  
 ADDRESS: 1000 S. POINTE DRIVE, APT. 2602  
 MIAMI BRACH, FL 33139  
 JOB SITE: 6 CHARLIE'S LANE  
 SHELTER ISLAND, NY 11964  
 SCTM#: 700-23-1-24.6  
 DATE: 05/24/23, 04/19/23

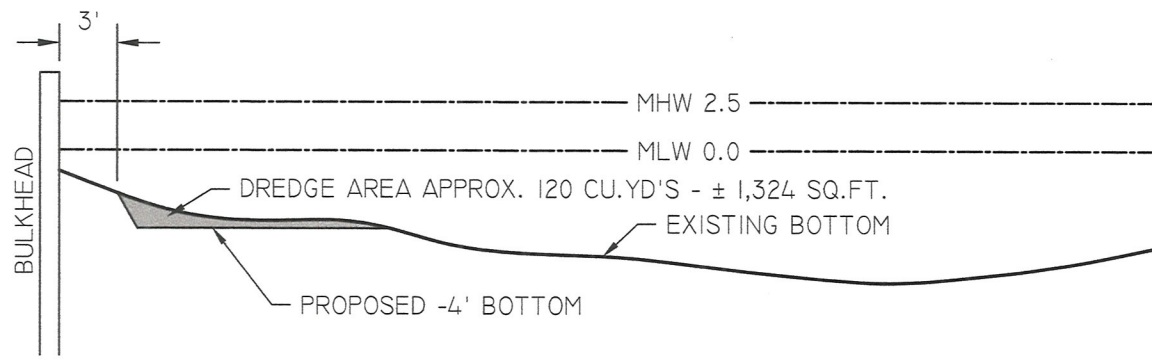


**CROSS SECTION A-A**

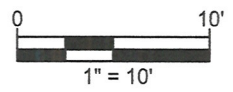


3/3

NYSDEC  
 APPROVED AS PER TERMS  
 AND CONDITIONS OF  
 PERMIT NO. 1-4732-00910/0007  
 DATE 6/5/2023  
*Mary MacKinnon*



**CROSS SECTION B-B**



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

APPLICANT: BRADLEY & MARGARET TOLKIN  
 ADDRESS: 1000 S. POINTE DRIVE, APT. 2602  
 MIAMI BRACH, FL 33139  
 JOB SITE: 6 CHARLIE'S LANE  
 SHELTER ISLAND, NY 11964  
 SCTM#: 700-23-1-24.6  
 DATE: 05/24/23, 04/19/23



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.

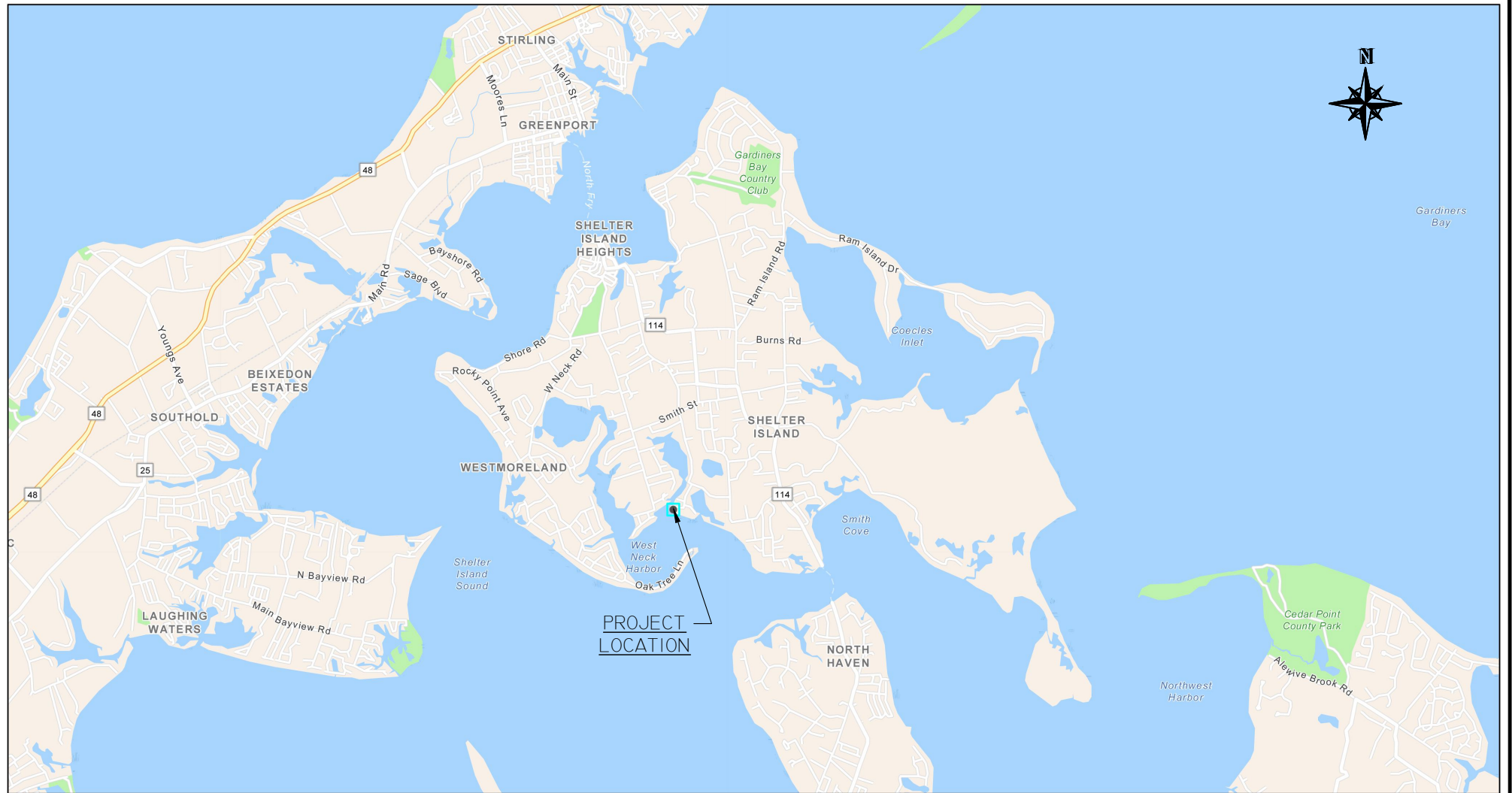
Regional Permit Administrator  
**SHERRI AICHER**

Permit Number: 1-4732-00910/00007

Expiration Date: 6/4/2033

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

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



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

**VICINITY MAP**  
 N41° 3' 6" W72° 20' 35"  
 (SHEET 1 OF 6)

APPLICANT: BRADLEY & MARGARET TOLKIN  
 ADDRESS: 1000 S. POINTE DRIVE, APT. 2602  
 MIAMI BRACH, FL 33139  
 JOB SITE: 6 CHARLIE'S LANE  
 SHELTER ISLAND, NY 11964  
 SCTM#: 700-23-1-24.6  
 DATE: 05/24/23, 04/19/23



ADJACENT PROPERTY OWNERS

① MARSH SI QUALIFIED PER RES TRUST  
20 INDIAN COVE ROAD  
MAMARONECK, NY 10543  
(4 CHARLIE'S LANE)  
(SCTM# 700-23-1-24.7)

② TARKETTLE ROAD, LLC  
C/O FRANCESCA BANG  
70 ROCKY POND ROAD  
BOYLSTON, MA 01505  
(5 CHARLIE'S LANE)  
(SCTM# 700-23-1-24.5)

③ PETER S. REICH  
P.O. Box 445  
SHELTER ISLAND HEIGHTS, NY 11965  
(3 CHARLIE'S LANE)  
(SCTM# 700-23-1-24.3)

PROJECT  
LOCATION



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

LOCATION MAP

N41° 3' 6" W72° 20' 35"

(SHEET 2 OF 6)

APPLICANT: BRADLEY & MARGARET TOLKIN  
ADDRESS: 1000 S. POINTE DRIVE, APT. 2602  
MIAMI BRACH, FL 33139  
JOB SITE: 6 CHARLIE'S LANE  
SHELTER ISLAND, NY 11964  
SCTM#: 700-23-1-24.6  
DATE: 05/24/23, 04/19/23

## PROPOSED

10 YEAR MAINTENANCE DREDGE OF A 1,324 SQ.FT. AREA TO -4.0' BELOW MEAN LOW WATER REMOVING APPROXIMATELY 120 CUBIC YARDS OF MATERIAL. ALL DREDGE SPOILS TO BE REMOVED OFF SITE TO AN APPROVED LOCATION.

### ACCESS:

BY WATER VIA BARGE

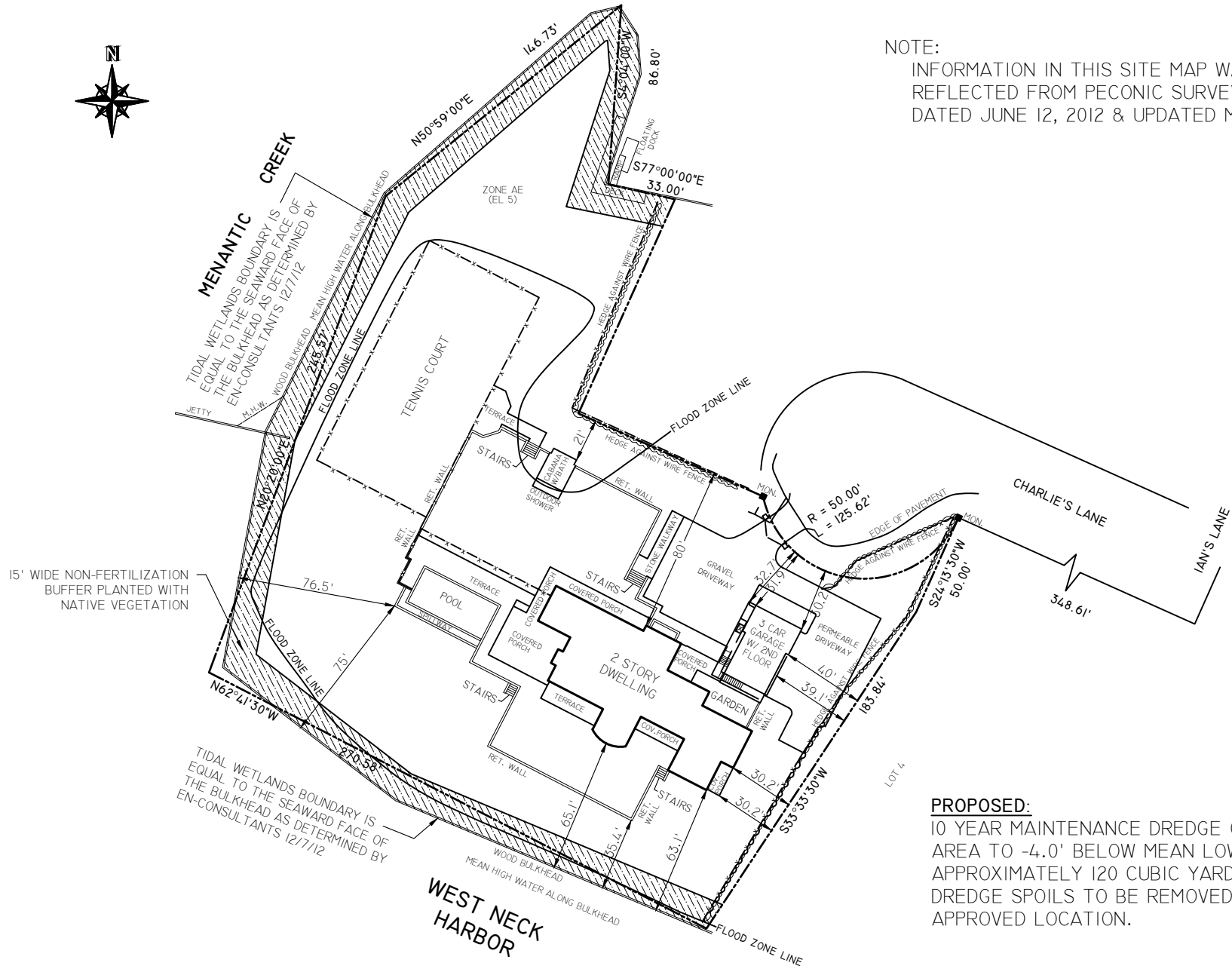
PREPARED BY: KS REVISED BY: KS  
COSTELLO MARINE CONTRACTING CORP.  
P.O. BOX 2124, GREENPORT, N.Y. 11944  
(631)477-1199

(SHEET 3 OF 6)

APPLICANT: BRADLEY & MARGARET TOLKIN  
ADDRESS: 1000 S. POINTE DRIVE, APT. 2602  
MIAMI BRACH, FL 33139  
JOB SITE: 6 CHARLIE'S LANE  
SHELTER ISLAND, NY 11964  
SCTM#: 700-23-1-24.6  
DATE: 05/24/23, 04/19/23



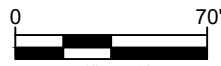
NOTE:  
 INFORMATION IN THIS SITE MAP WAS  
 REFLECTED FROM PECONIC SURVEYORS, P.C.  
 DATED JUNE 12, 2012 & UPDATED MAY 3, 2013



**PROPOSED:**  
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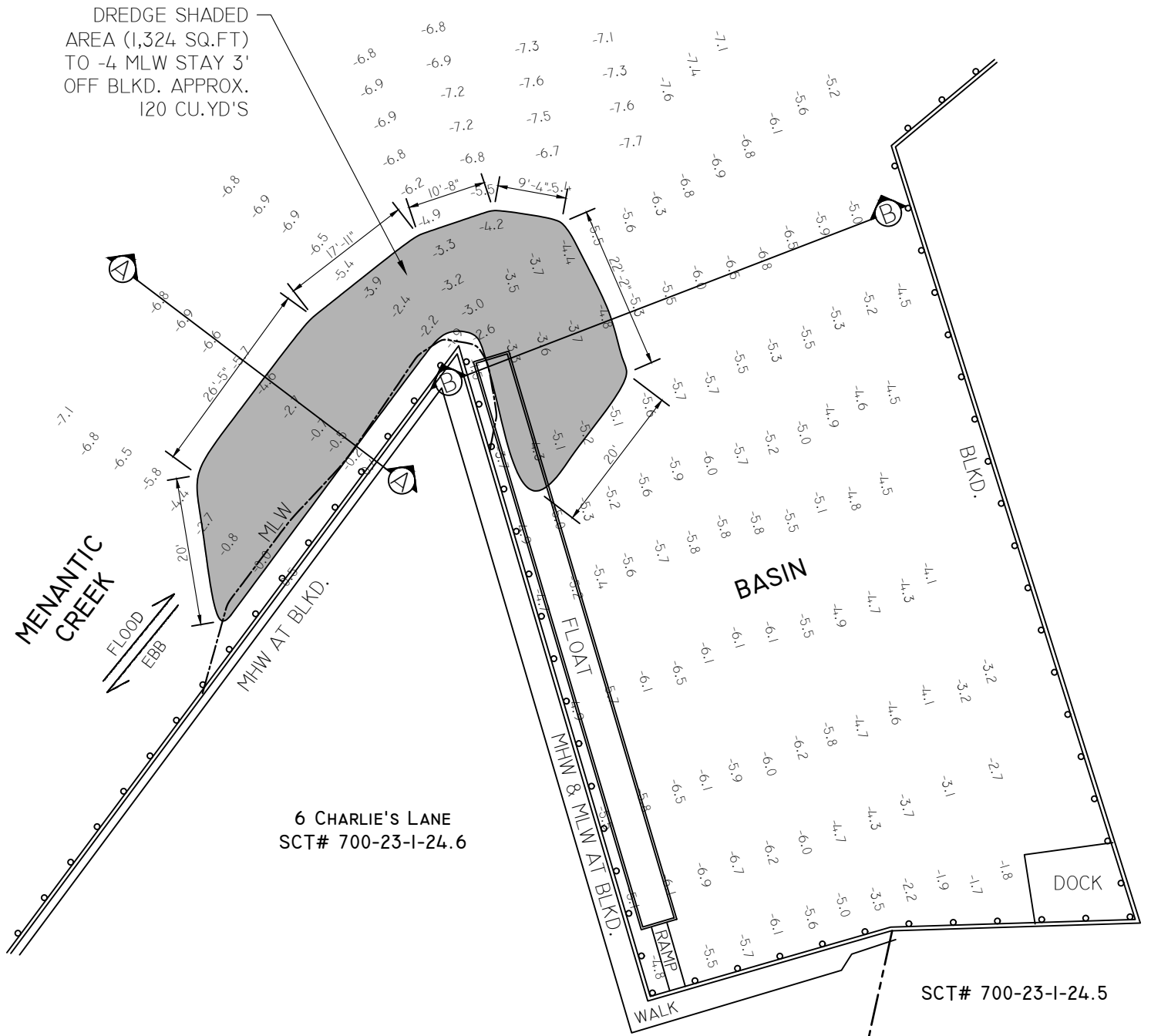
**SITE MAP**



(SHEET 4 OF 6)

**APPLICANT:** BRADLEY & MARGARET TOLKIN  
**ADDRESS:** 1000 S. POINTE DRIVE, APT. 2602  
 MIAMI BRACH, FL 33139  
**JOB SITE:** 6 CHARLIE'S LANE  
 SHELTER ISLAND, NY 11964  
**SCTM#:** 700-23-1-24.6  
**DATE:** 05/24/23, 04/19/23





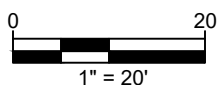
**NOTE:**

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**PROPOSED:**

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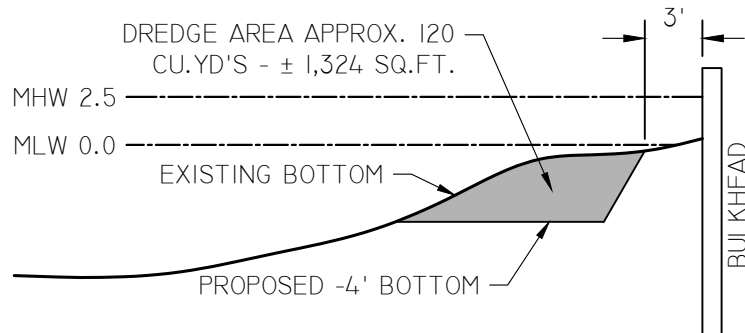
**SITE PLAN**



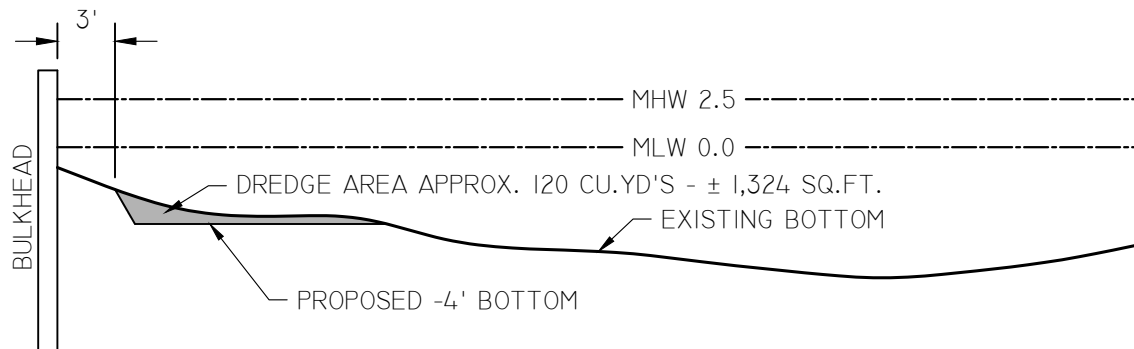
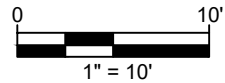
(SHEET 5 OF 6)

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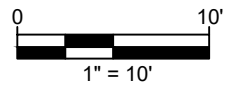
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SHELTER ISLAND, NY 11964  
**SCTM#:** 700-23-1-24.6  
**DATE:** 05/24/23, 04/19/23



**CROSS SECTION A-A**



**CROSS SECTION B-B**



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

APPLICANT: BRADLEY & MARGARET TOLKIN  
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