

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 5 Burro Hall LLC

Telephone Numbers (include area code)

Mailing Address P.O. Box 3021

Home _____

Shelter Island Heights, N.Y. 11965

Business _____

Email [REDACTED]

Cell [REDACTED]

Description of work to be done **Perform minor repairs to existing dock by:**

Redecking 36' of the inshore end with open grate decking and the remaining 86' of the offshore end with 5/4"x6" purple heart decking. Remove and dispose of existing 5'x20' and 6'x10' floats. Construct a new 5'x20' float and a new 6'x10' float in-kind, in-place. Replace 3 anchor piling securing the floating docks.

Property Location/Street Address (include tax map number) SCTM #700-14-2-60.9

5 Burro Hall Lane Shelter Island Heights N.Y. 11965

Name, Address, Telephone # of Contractor Costello Marine Contracting Corp.

P.O. 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.

8/15/2023
Date

John Costello
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.

8/15/2023

Date



Signature of Applicant



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/15/2023

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: Beth Hoffman PHONE (A/C, No, Ext): (914) 939-1200 E-MAIL ADDRESS: bhoffman@rosen-co.com FAX (A/C, No): (914) 939-4657	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Chubb National Insurance Co.	NAIC # 10052
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	
INSURED 5 Burro Hall LLC 5 Burro Hall Lane Shelter Island NY 11964			

COVERAGES

CERTIFICATE NUMBER: CL2381509253


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 <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> 3, Special Form GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			1366177227	06/08/2023	06/08/2024	EACH OCCURRENCE \$ 1000000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 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)

CERTIFICATE HOLDER**CANCELLATION**

Town of Shelter Island 38 Ferry Road Shelter Island NY 11964	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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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

August 3, 2023

5 Burro Hall Lane LLC
PO Box 3021
Shelter Island Heights, NY 11965

Re: Permit No. 1-4732-00313/00005
5 Burro Hall Lane LLC Property – 5 Burro Hall Ln, Shelter Island Heights, NY 11965
SCTM # 700-14-2-60.9

Dear Permittee:

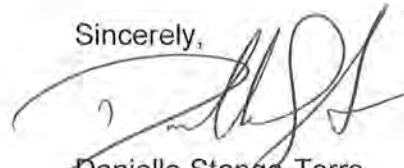
In conformance with the requirements of the State Uniform Procedures Act (Article 70, ECL) and its implementing regulations (6NYCRR, Part 621) we are enclosing your permit for the referenced activity. Please carefully read all permit conditions and special permit conditions contained in the permit to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

In addition, please be advised that DEC has documented the summer occurrence of the Northern Long Eared Bat (NLEB) (*Myotis septentrionalis*), a species listed as “endangered” by both New York State and the US Fish & Wildlife Service, within 1.5 miles of the project location. We have determined that tree cutting at this location between March 1st and November 30th of any calendar year may result in the “take” of these endangered/threatened species or their habitat within the meaning of Environmental Conservation Law (ECL) §11-535. The term “take” is defined in part as the direct killing or injury of individual members of a protected species, interference with critical breeding, foraging, migratory or other essential behaviors, or the adverse modification of the species’ habitat. The “take” of a species listed as endangered or threatened is prohibited in the absence of a permit from this Department issued pursuant to ECL §11-535.

Therefore, we recommend that no tree cutting activities be conducted at the project site between the dates of March 1 and November 30 of any calendar year.

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,



Danielle Stango-Torre
Environmental Analyst



Department of
Environmental
Conservation



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:

5 BURRO HALL LLC
PO BOX 3021
SHELTER ISLAND HEIGHTS, NY 11965-3021
[REDACTED]

Facility:

5 BURRO HALL LANE LLC PROPERTY
5 BURRO HALL LN|SCTM# 700-14-2-60.9
SHELTER ISLAND, NY 11964

Facility Application Contact:

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

Facility Location: in SHELTER ISLAND in SUFFOLK COUNTY

Facility Principal Reference Point: NYTM-E: 722.173 NYTM-N: 4549.455
Latitude: 41°03'57.7" Longitude: 72°21'20.8"

Authorized Activity:

Reconstruction or repair of existing, legally-constructed, functional open-pile catwalks up to 4 feet in width, install or replace ramps and floats with associated float pilings and up to 2 mooring piles. All work shall be in strict conformance with the attached plans prepared by Costello Marine on 5/10/2023 and stamped "NYSDEC Approved" on 8/2/2023. **SAP 1-9-11 das**

Permit Authorizations

Tidal Wetlands - Under Article 25

Permit ID 1-4732-00313/00005

New Permit

Effective Date: 8/2/2023

Expiration Date: 8/1/2028



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: SHERRI L AICHER, Regional Permit Administrator
Address: NYSDEC Region 1 Headquarters
SUNY @ Stony Brook|50 Circle Rd
Stony Brook, NY 11790 -3409

Authorized Signature:

Sherri L. Aicher

Date 8/2/2023

Distribution List

COSTELLO MARINE CONTRACTING CORP
Bureau of Marine Habitat Protection
DANIELLE A STANGO-TORRE

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

**NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following
Permits: TIDAL WETLANDS**

1. Regulated Activities Authorized By This Permit This permit authorizes only those regulated activities / structures identified under the section Description of Authorized Activity. NYSDEC 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 NYSDEC.

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 on 5/10/23, and stamped NYSDEC Approved on 8/2/23.



- 3. 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.
- 4. 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.
- 5. Failure to Meet Permit Conditions** Failure of the permittee to meet all the conditions of this permit is a violation of this permit and grounds for an order to immediately cease the permitted activity at the project site.
- 6. Open-Grate Decking** Any catwalks reconstructed in vegetated tidal wetland areas must be built with open-grate decking material. The open-grate decking material used must have a minimum open space specification of 60 percent. Any such open-grate catwalks must be constructed at least 2 feet above the grade of the marsh.
- 7. Surveyor Must Document Water Depth For Float** Any float installed or replaced under the authority of this permit must be located in water with a minimum depth of 2.5 feet at mean low low water (-2.5 MLLW) as depicted on a signed, sealed survey with depth contours prepared by a licensed surveyor.
- 8. Seasonal Dock Removal** The portion of the dock seaward of the catwalk may be removed and replaced seasonally at the permittee's discretion to prevent ice damage to the structure and damage to the tidal wetlands from ice and storm debris. The permittee will be responsible for restoring any tidal wetland areas that are damaged by any portion of the authorized structure that has not been removed for the winter season upon notification and written approval (permit, modification or amendment) from the department.
- 9. No Floats, Ramps in Vegetated Tidal Wetlands** Floats and ramps may not rest on or be stored in any vegetated tidal wetland.
- 10. Dock Reconstruction or Replacement** With the exception of the use of open-grate decking material, dock reconstruction or replacement or seasonal installation shall not involve expansion or substantial modification of existing structures or facilities.
- 11. Repairs to Structures** With the exception of the use of open-grate decking material, all repairs to existing structures shall be confined to replacement of existing elements with no change in design, dimension or materials, unless specifically authorized by this permit.
- 12. Use of Treated Wood** The use of wood treated with 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.
- 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 Prop Dredging Prop dredging, or the act of utilizing and/or directing the propeller or propulsion system of a motorized vessel and/or the water-borne forces created by said propeller or propulsion system, to excavate or displace existing bottom sediment and benthic habitat for the direct or indirect purpose of establishing or increasing water depth, is a regulated activity and is not authorized by this permit. Prop dredging is strictly prohibited without further written authorization (permit, modification or amendment) from the department.

15. Docks at Property Lines Docks/catwalks/floats must not:

- a. extend laterally beyond property lines,
- b. interfere with navigation, or
- c. interfere with other landowners riparian rights.

16. Pilings at Property Lines Pilings shall not:

- a. extend laterally beyond property lines,
- b. interfere with navigation, or
- c. interfere with other landowners riparian rights.

17. No Permanent Structures on Dock No permanent structures shall be installed on dock/catwalk/float without first obtaining written Department approval (permit, modification, or amendment).

18. No Structures on Pilings No structures, other than structures specifically authorized by this permit, shall be constructed on pilings without further authorization from the department (permit, modification or amendment).

19. 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.

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. 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.

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



23. 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.

24. 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.

25. 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.

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 I 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: Tidal Wetlands.

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.

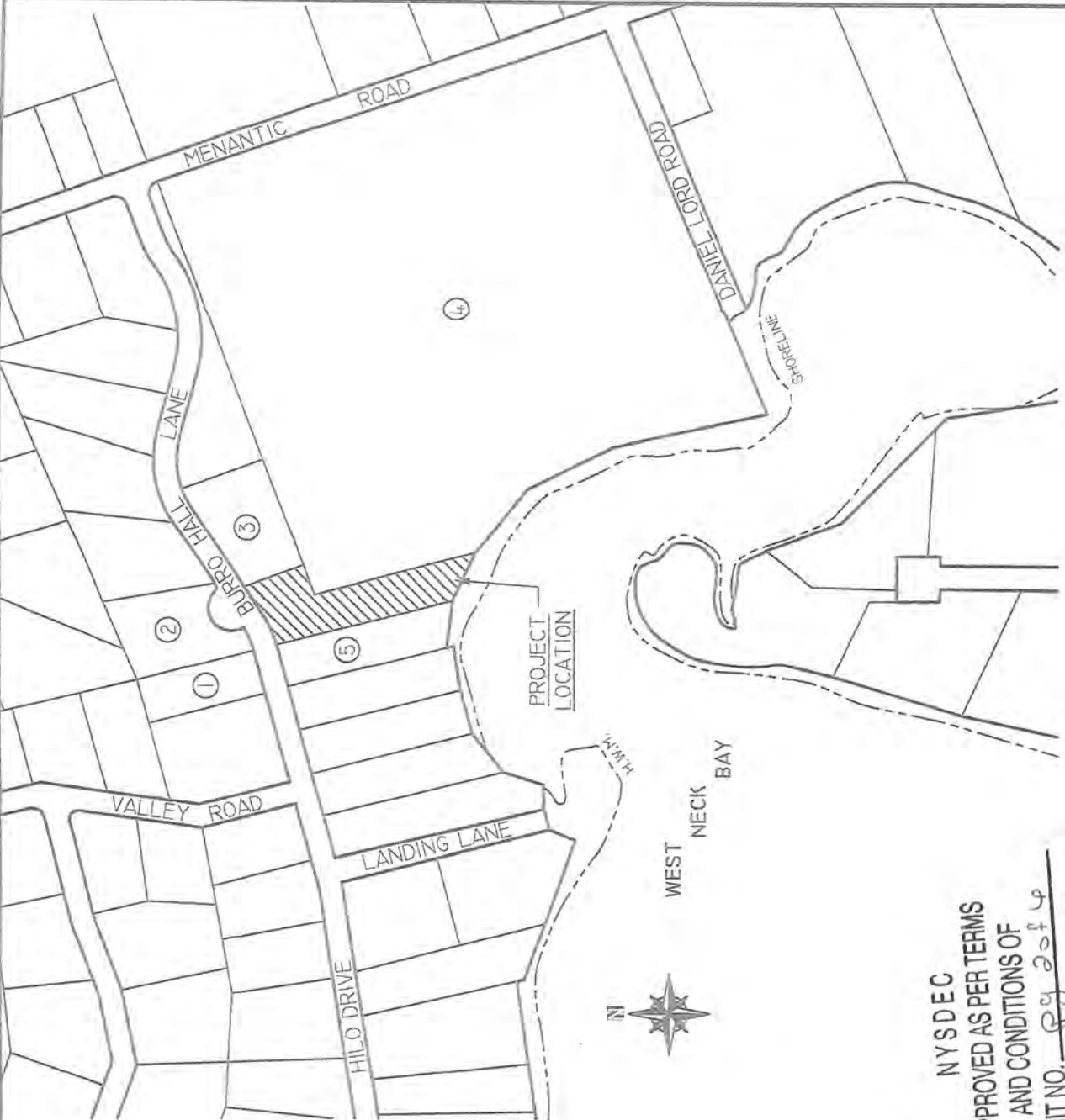
Item D: No Right to Trespass or Interfere with Riparian Rights

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.

ADJACENT PROPERTY OWNERS

- ① CAROLYN BARON
303 E. 57TH STREET, APT. 38-F
NEW YORK, NY 10022
(29 HILO DRIVE)
(SCTM# 700-14-2-59)
- ② CHARLES & CAROL TIERNAN
P.O. Box 203
SHELTER ISLAND HEIGHTS, NY 11965
(12 BURRO HALL LANE)
(SCTM# 700-14-2-60.8)
- ③ 3 BURRO HALL LANE LLC
P.O. Box 3021
SHELTER ISLAND HEIGHTS, NY 11965
(3 BURRO HALL LANE)
(SCTM# 700-14-2-60.10)
- ④ DANIEL LORD ROAD LLC
C/O ESTI MANAGEMENT
P.O. Box 3021
SHELTER ISLAND HEIGHTS, NY 11965
(6 DANIEL LORD ROAD)
(SCTM# 700-18-2-19)
- ⑤ JANET L. & DOUGLAS I. KAFTEN
P.O. Box 455
SHELTER ISLAND HEIGHTS, NY 11965-0455
(46 HILO DRIVE)
(SCTM# 700-18-4-17)

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



NYSDEC
APPROVED AS PER TERMS
AND CONDITIONS OF
PERMIT NO. 892014
DATE _____

LOCATION MAP
N41° 3' 58" W72° 21' 21"
(SHEET 2 OF 6)

APPLICANT: 5 BURRO HALL LLC
ADDRESS: P.O. Box 3021
SHELTER ISLAND HEIGHTS, NY 11965
JOB SITE: 5 BURRO HALL LANE
SHELTER ISLAND, NY 11964
SCTM#: 700-14-2-60.9
DATE: 05/10/23

PROPOSED

- PERFORM MINOR REPAIRS TO EXISTING DOCK BY REDECKING 36' OF THE INSHORE END WITH OPEN GRATE DECKING AND THE REMAINING 86' OF THE OFFSHORE END WITH 5/4"x6" PURPLEHEART DECKING.
- REMOVE AND DISPOSE OF EXISTING 5'X20' AND 6'X10' FLOATS.
- CONSTRUCT A NEW 5'X20' FLOAT AND A NEW 6'X10' FLOAT IN-KIND, IN-PLACE.
- REPLACE 3 ANCHOR PILING SECURING THE FLOATING DOCKS.

MATERIALS:

DECKING:

- SURE STEP OPEN GRATE
- 5/4"x6" PURPLEHEART
- HARDWARE: STAINLESS STEEL DECK FASTENERS

FLOATING DOCK:

- PILING: 10"Ø
- FRAMING: 4"x6" STRINGERS
4"x6" CROSS BRACING
4"x6" CAPS
- DECKING: 5/4"x6" PURPLEHEART
- FLOAT: BLACK BOX FLOATATION
- HARDWARE: STAINLESS STEEL DECK FASTENERS

ACCESS:

BY WATER VIA BARGE AND BY LAND THROUGH APPLICANT'S PROPERTY

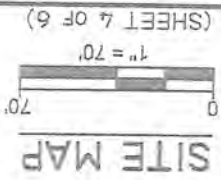
PREPARED BY: KS
COSTELLO MARINE CONTRACTING CORP.
P.O. BOX 2124, GREENPORT, N.Y. 11944
(631)477-1199

NYSDEC
APPROVED AS PER TERMS
AND CONDITIONS OF

PERMIT NO. 89 3010
DATE _____

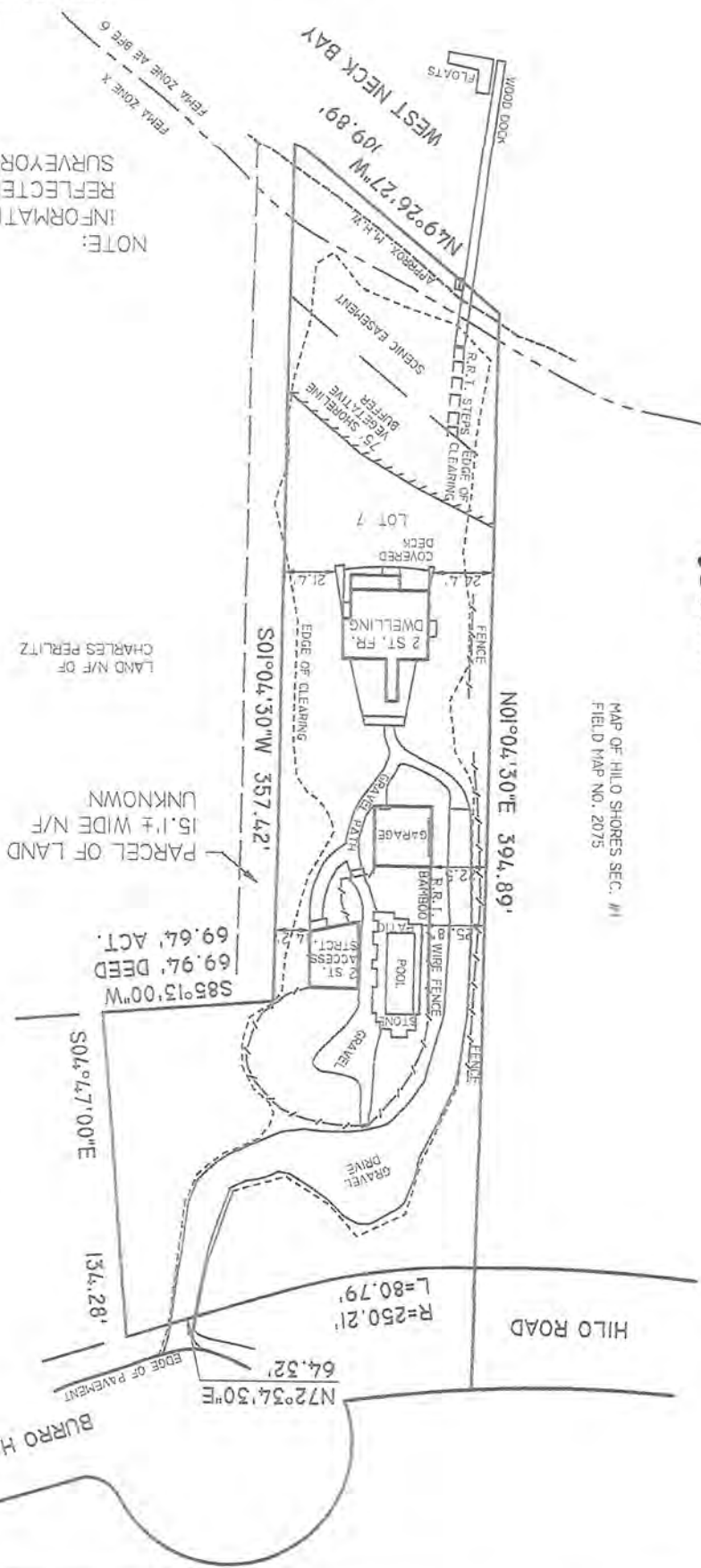
APPLICANT: 5 BURRO HALL LLC
ADDRESS: P.O. Box 3021
SHELTER ISLAND HEIGHTS, NY 11965
JOB SITE: 5 BURRO HALL LANE
SHELTER ISLAND, NY 11964
SCTM#: 700-14-2-60.9
DATE: 05/10/23

PREPARED BY: KS
 COSTELLO MARINE CONTRACTING CORP.
 P.O. BOX 2124, GREENPORT, N.Y. 11944
 (631)77-1199



APPLICANT: 5 BURRO HALL LLC
 ADDRESS: P.O. Box 3021
 SHELTER ISLAND HEIGHTS, NY 11965
 JOB SITE: 5 BURRO HALL LANE
 SHELTER ISLAND, NY 11964
 SCTM#: 700-14-2-60.9
 DATE: 05/10/23

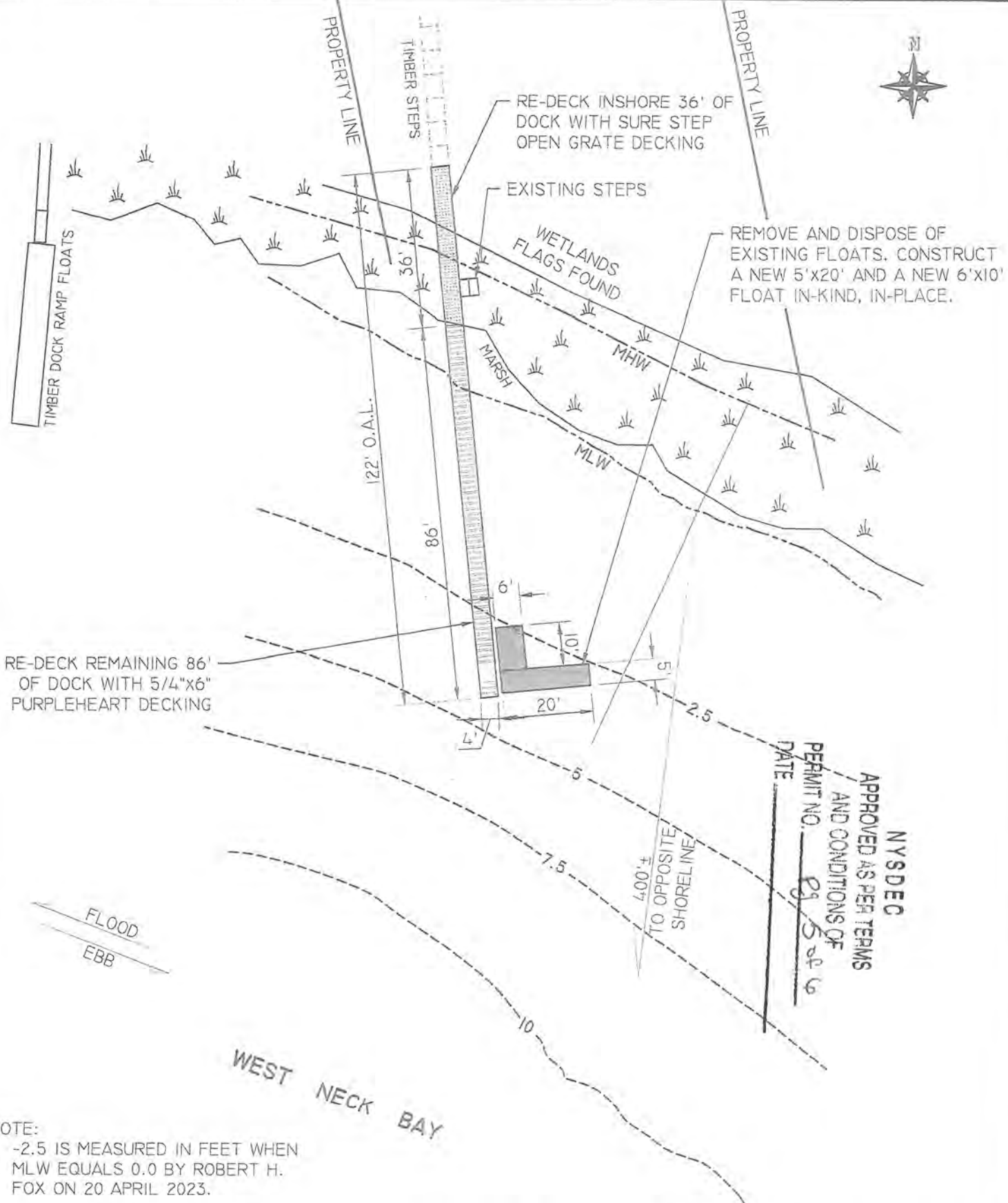
NOTE:
 INFORMATION IN THIS SITE MAP WAS
 REFLECTED FROM JAMES P. WALSH LAND
 SURVEYOR, P.C. DATED SEPTEMBER 14, 2021



NYSDEC
 APPROVED AS PER TERMS
 AND CONDITIONS OF
 PERMIT NO. PS 404
 DATE _____

MAP OF HILO SHORES SEC. 11
 FIELD MAP NO. 2075





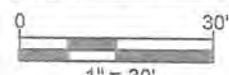
NYSDEC
 APPROVED AS PER TERMS
 AND CONDITIONS OF
 PERMIT NO. 89506
 DATE 05/10/23

NOTE:
 -2.5 IS MEASURED IN FEET WHEN
 MLW EQUALS 0.0 BY ROBERT H.
 FOX ON 20 APRIL 2023.

WETLANDS DELINEATED BY
 ROBERT H. FOX ON 20 APRIL 2023.

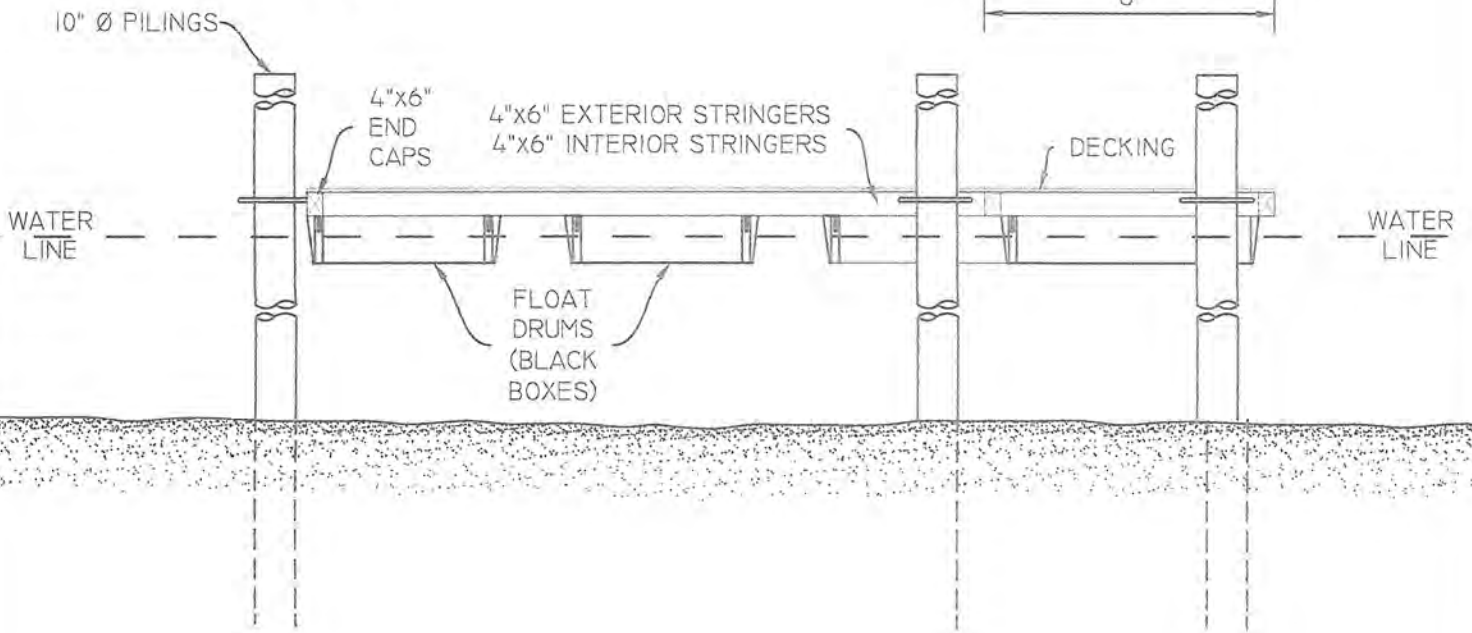
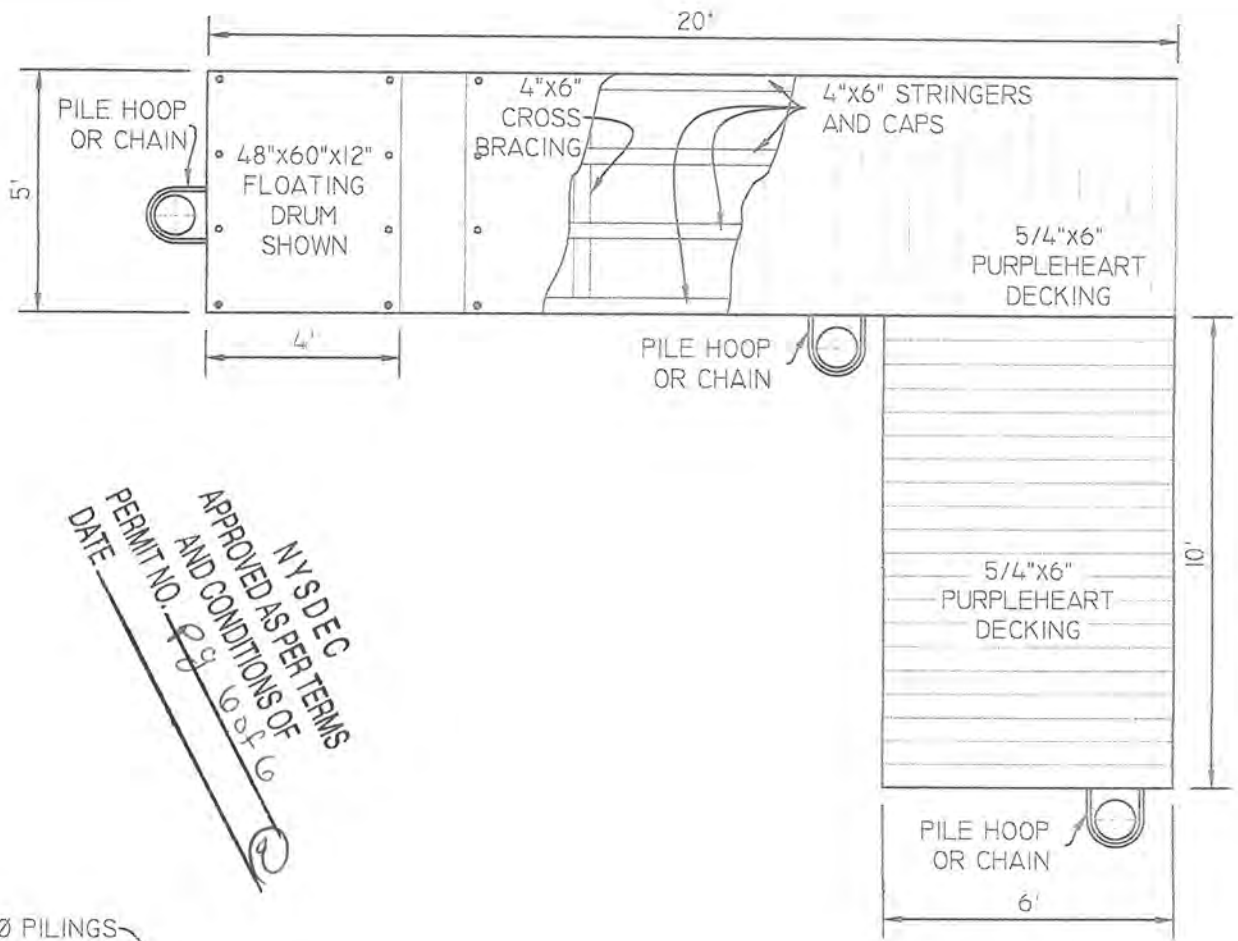
PREPARED BY: KS
 COSTELLO MARINE CONTRACTING CORP.
 P.O. BOX 2124, GREENPORT, N.Y. 11944
 (631)477-1199

SITE PLAN

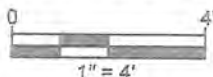


(SHEET 5 OF 6)

APPLICANT: 5 BURRO HALL LLC
 ADDRESS: P.O. Box 3021
 SHELTER ISLAND HEIGHTS, NY 11965
 JOB SITE: 5 BURRO HALL LANE
 SHELTER ISLAND, NY 11964
 SCTM#: 700-14-2-60.9
 DATE: 05/10/23



FLOAT DETAIL



(SHEET 6 OF 6)

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

APPLICANT: 5 BURRO HALL LLC
 ADDRESS: P.O. Box 3021
 SHELTER ISLAND HEIGHTS, NY 11965
 JOB SITE: 5 BURRO HALL LANE
 SHELTER ISLAND, NY 11964
 SCTM#: 700-14-2-60.9
 DATE: 05/10/23



**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: 1-4732-00313/00005

NYSDCEC Region 1 Environmental Permits

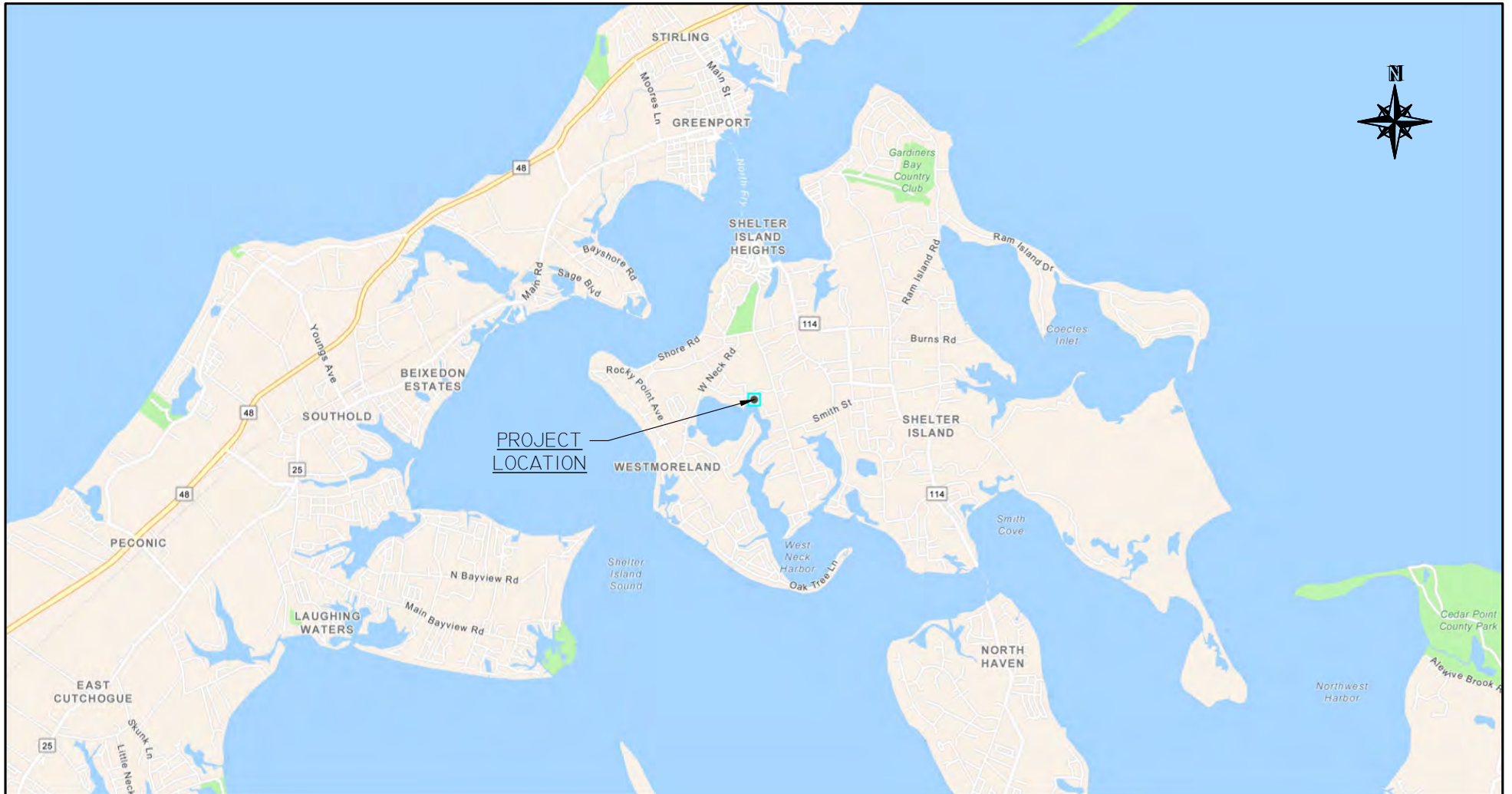
50 Circle Road

Stony Brook, NY 11790-3409

Email: dep.r1@dec.ny.gov

Expiration Date: 8/1/2028

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



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

VICINITY MAP
 N41° 3' 58" W72° 21' 21"
 (SHEET 1 OF 6)

APPLICANT: 5 BURRO HALL LLC
 ADDRESS: P.O. Box 3021
 SHELTER ISLAND HEIGHTS, NY 11965
 JOB SITE: 5 BURRO HALL LANE
 SHELTER ISLAND, NY 11964
 SCTM#: 700-14-2-60.9
 DATE: 05/10/23

ADJACENT PROPERTY OWNERS

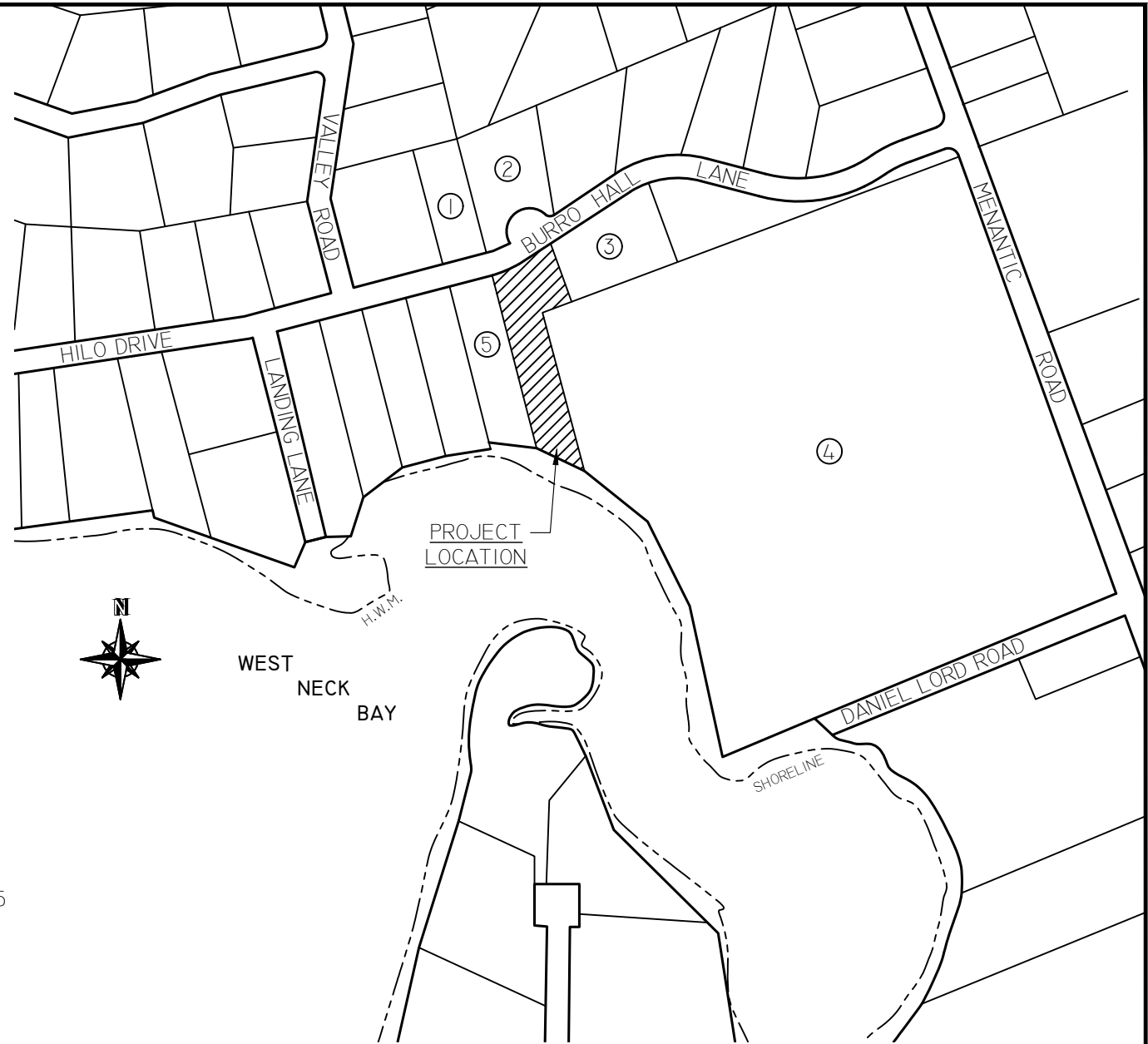
- ① CAROLYN BARON
303 E. 57TH STREET, APT. 38-F
NEW YORK, NY 10022
(29 HILO DRIVE)
(SCTM# 700-14-2-59)

- ② CHARLES & CAROL TIERNAN
P.O. Box 203
SHELTER ISLAND HEIGHTS, NY 11965
(12 BURRO HALL LANE)
(SCTM# 700-14-2-60.8)

- ③ 3 BURRO HALL LANE LLC
P.O. Box 3021
SHELTER ISLAND HEIGHTS, NY 11965
(3 BURRO HALL LANE)
(SCTM# 700-14-2-60.10)

- ④ 6 DANIEL LORD ROAD LLC
C/O ESTI MANAGEMENT
P.O. Box 3021
SHELTER ISLAND HEIGHTS, NY 11965
(6 DANIEL LORD ROAD)
(SCTM# 700-18-2-19)

- ⑤ JANET L. & DOUGLAS I. KAFTEN
P.O. Box 455
SHELTER ISLAND HEIGHTS, NY 11965-0455
(46 HILO DRIVE)
(SCTM# 700-18-4-17)



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

LOCATION MAP
N41° 3' 58" W72° 21' 21"
(SHEET 2 OF 6)

APPLICANT: 5 BURRO HALL LLC
ADDRESS: P.O. Box 3021
SHELTER ISLAND HEIGHTS, NY 11965
JOB SITE: 5 BURRO HALL LANE
SHELTER ISLAND, NY 11964
SCTM#: 700-14-2-60.9
DATE: 05/10/23

PROPOSED

- PERFORM MINOR REPAIRS TO EXISTING DOCK BY REDECKING 36' OF THE INSHORE END WITH OPEN GRATE DECKING AND THE REMAINING 86' OF THE OFFSHORE END WITH 5/4"x6" PURPLEHEART DECKING.
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4"x6" CROSS BRACING
4"x6" CAPS
- DECKING: 5/4"x6" PURPLEHEART
- FLOAT: BLACK BOX FLOATATION
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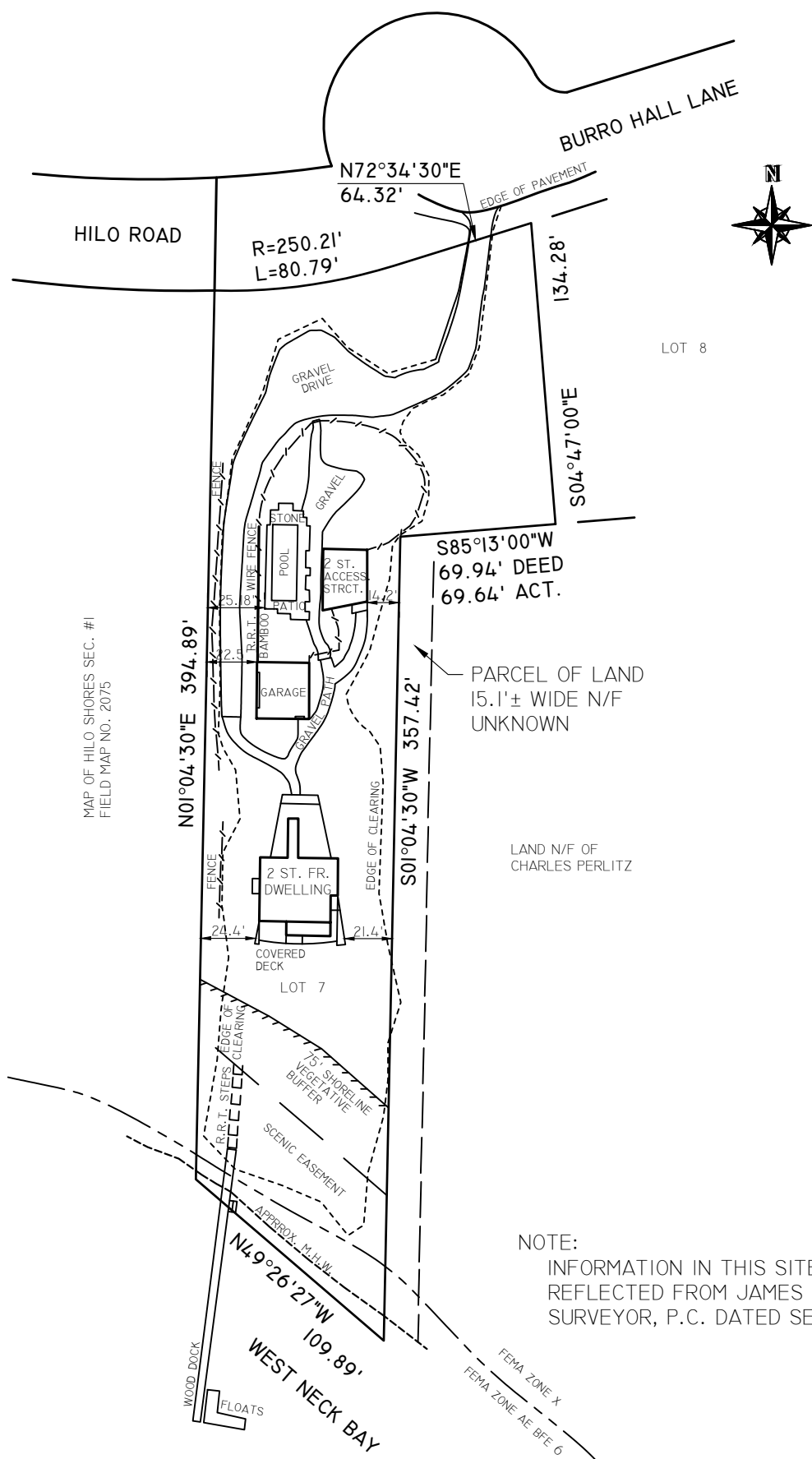
ACCESS:

BY WATER VIA BARGE AND BY LAND THROUGH APPLICANT'S PROPERTY

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

(SHEET 3 OF 6)

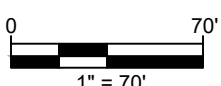
APPLICANT: 5 BURRO HALL LLC
ADDRESS: P.O. Box 3021
SHELTER ISLAND HEIGHTS, NY 11965
JOB SITE: 5 BURRO HALL LANE
SHELTER ISLAND, NY 11964
SCTM#: 700-14-2-60.9
DATE: 05/10/23



MAP OF HILO SHORES SEC. #1
FIELD MAP NO. 2075

NOTE:
INFORMATION IN THIS SITE MAP WAS
REFLECTED FROM JAMES P. WALSH LAND
SURVEYOR, P.C. DATED SEPTEMBER 14, 2021

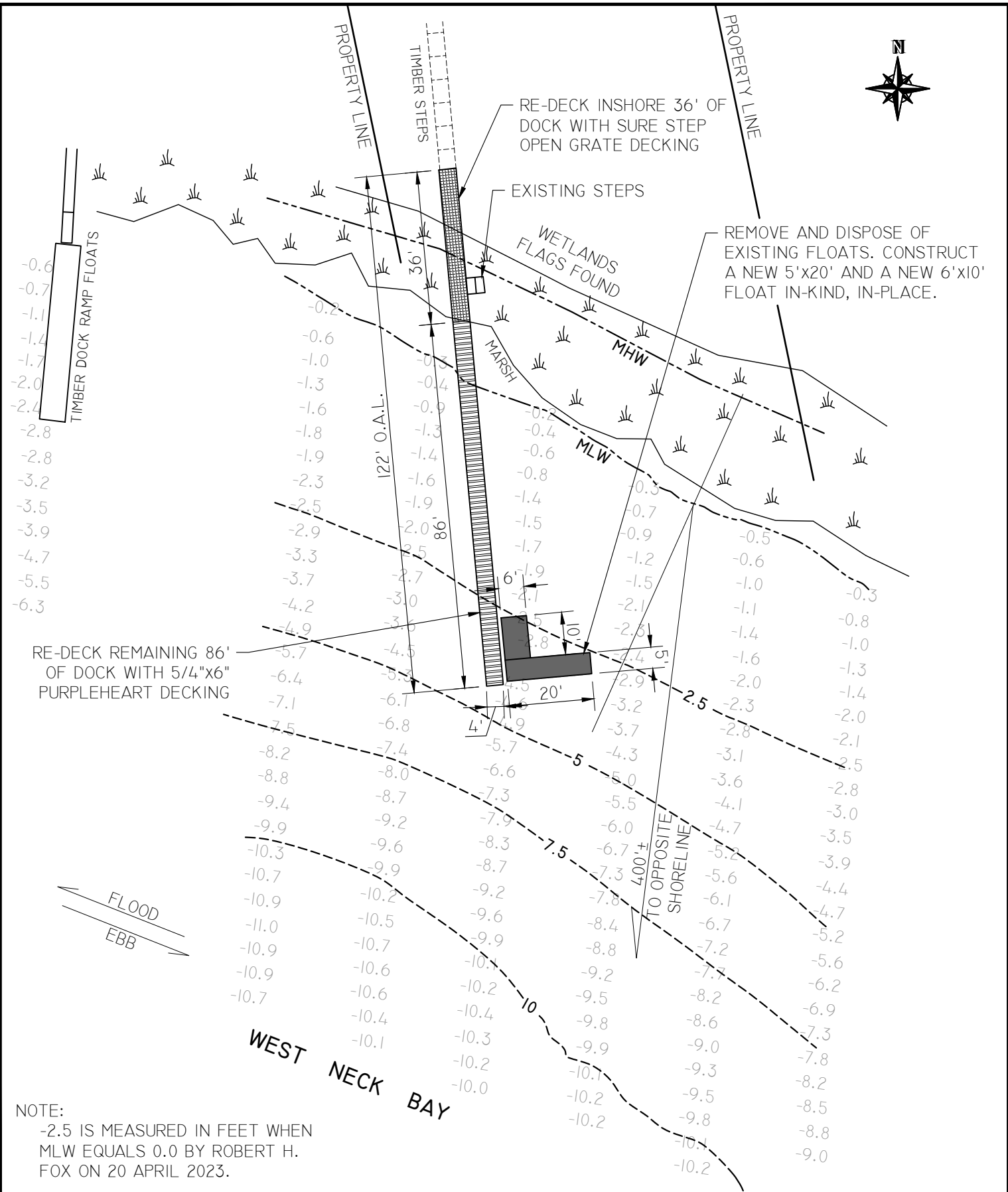
SITE MAP



(SHEET 4 OF 6)

APPLICANT: 5 BURRO HALL LLC
 ADDRESS: P.O. Box 3021
 SHELTER ISLAND HEIGHTS, NY 11965
 JOB SITE: 5 BURRO HALL LANE
 SHELTER ISLAND, NY 11964
 SCTM#: 700-14-2-60.9
 DATE: 05/10/23

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

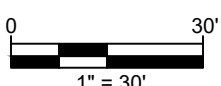


NOTE:
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WETLANDS DELINEATED BY
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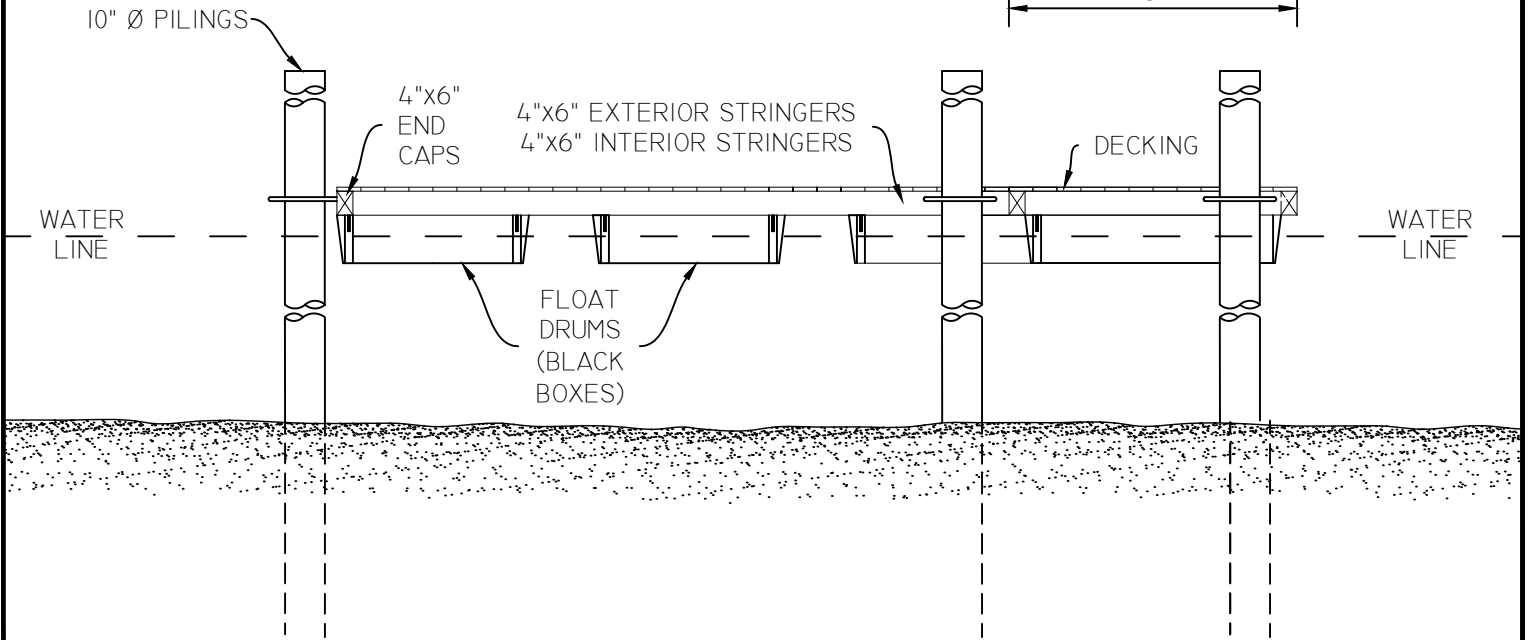
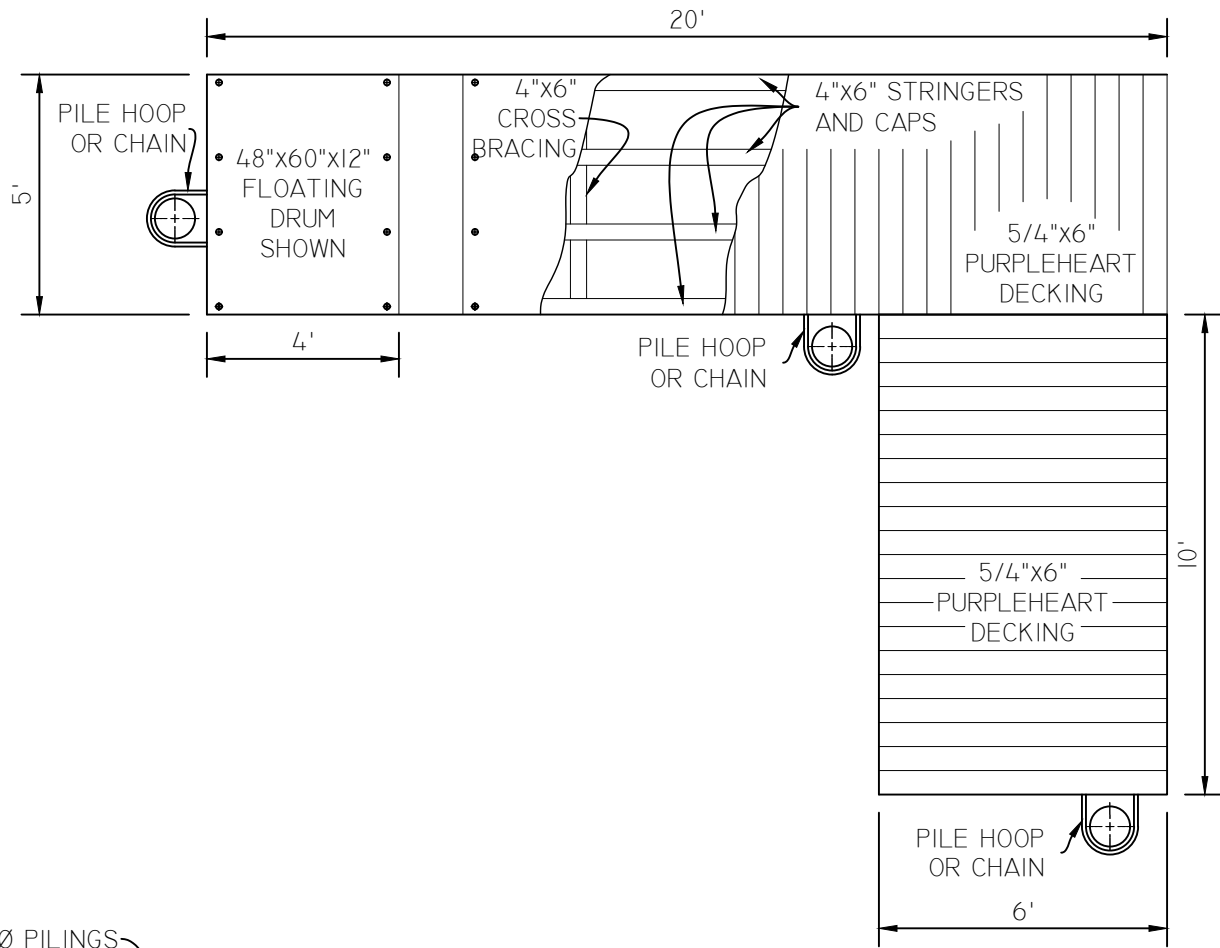
PREPARED BY: KS
 COSTELLO MARINE CONTRACTING CORP.
 P.O. BOX 2124, GREENPORT, N.Y. 11944
 (631)477-1199

SITE PLAN



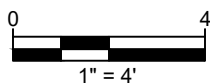
(SHEET 5 OF 6)

APPLICANT: 5 BURRO HALL LLC
 ADDRESS: P.O. Box 3021
 SHELTER ISLAND HEIGHTS, NY 11965
 JOB SITE: 5 BURRO HALL LANE
 SHELTER ISLAND, NY 11964
 SCTM#: 700-14-2-60.9
 DATE: 05/10/23



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

FLOAT DETAIL



(SHEET 6 OF 6)

APPLICANT: 5 BURRO HALL LLC
 ADDRESS: P.O. Box 3021
 SHELTER ISLAND HEIGHTS, NY 11965
 JOB SITE: 5 BURRO HALL LANE
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 SCTM#: 700-14-2-60.9
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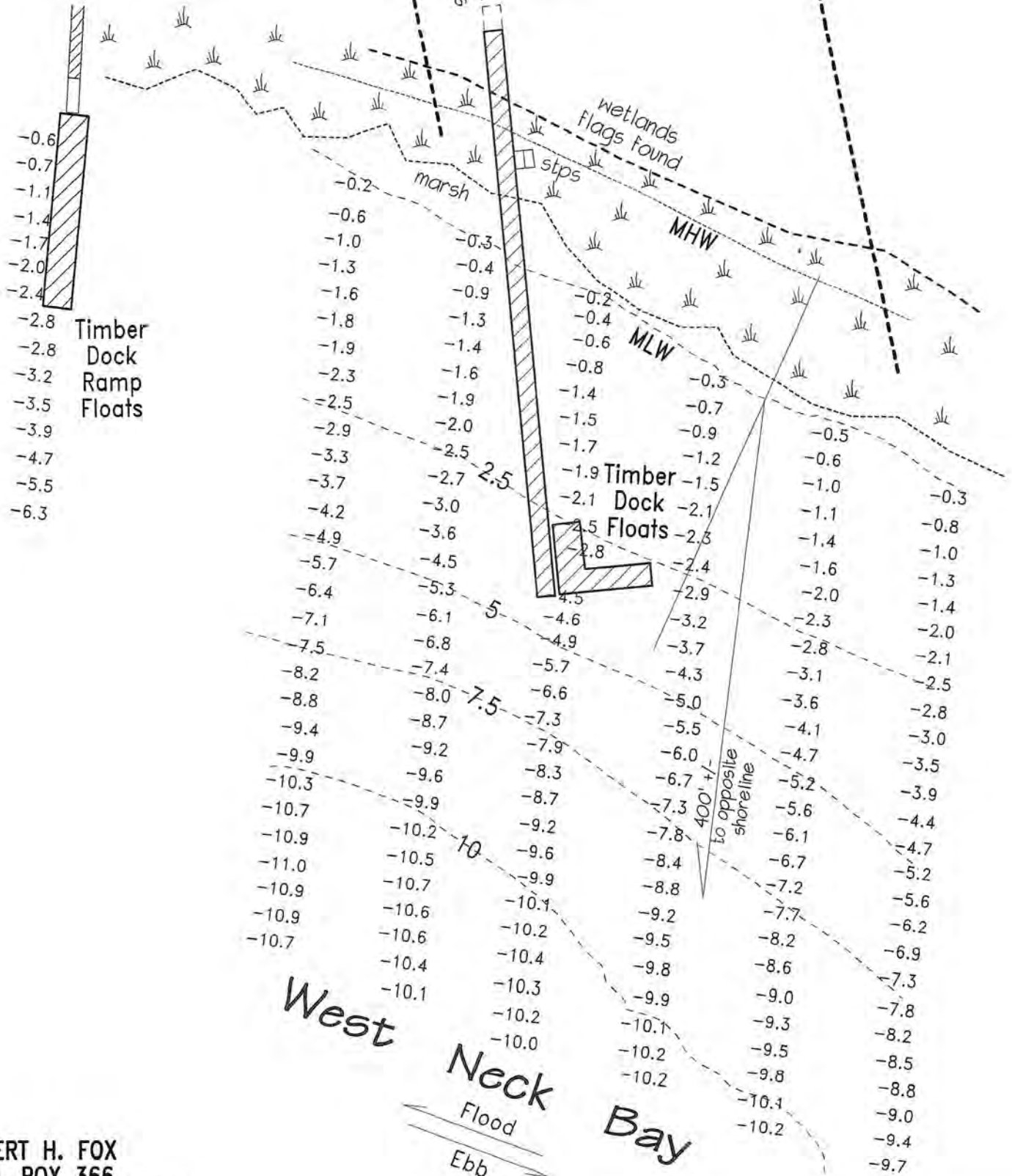
Bathymetric Map

Town: Shelter Island
 Suffolk County, NY
 Date: 20 April 2023
 Datum: MLW



30'

#5 Burro
 Hall Lane
 SCT#
 700-14-2-60.09



ROBERT H. FOX
 P. O. BOX 366
 AQUEBOGUE, NY 11931

