



SHELTER ISLAND TOWN BOARD

P.O. Box 1549
Shelter Island, New York 11964-1549
tel: 631-749-1166
e-mail: townclerk@shelterislandtown.gov

WETLANDS PERMIT APPLICATION

**NOTE: THE WORK COVERED BY THIS APPLICATION MAY NOT BE STARTED
UNTIL BOTH WETLANDS AND BUILDING PERMITS ARE ISSUED.**

**IMPORTANT: PLEASE READ INSTRUCTIONS (AT END) BEFORE COMPLETING THIS
APPLICATION**

A. CONTACT INFORMATION

Owner: _____ Date: _____

1. Address and Tax Map Number of Property seeking approval:

Mailing Address: _____

Telephone Numbers: _____

Email Address: _____

2. Applicant/Representative: _____

Mailing Address: _____

Telephone Numbers: _____

Email Address: _____

3. Name of Attorney (If applicable): _____

Mailing Address: _____

Telephone Numbers: _____

Email Address: _____

4. Name of Design Professional: _____

Mailing Address: _____

Telephone Numbers: _____

Email Address: _____

B. DESCRIBE THE PROJECT

1. State exactly what you plan to do. Attach twenty(20) copies of a plan showing the project.

Before filing this application, you need a Letter of Disapproval from the Building Department. It will give you the information to answer the next two questions.

2. What Zoning District is this property located in? _____

3. Is the property located within the Near Shore and Peninsular Overlay District? _____

Site Characteristics:

4. Parcel Size (in acres or square feet) _____

5. What are the predominant soil types on the property?

Sand Loam Clay Fill Other (specify) _____

Please give the approximate depth to groundwater. _____ feet.

6. Provide an estimate of the depth of the water table on the property. _____ feet.

7. Are there areas on your property where water regularly puddles or runs off? Please explain:

8. Do hunting, fishing or shell fishing opportunities presently exist on or adjacent to the property?

Yes No

9. Does the property contain any species of plant or animal life listed as rare, threatened or endangered by New York State, the New York State Natural Heritage Program or the United States of America? Yes No

If yes, please identify each species and its status as classified by New York State, the New York State Natural Heritage Program or the United States.

10. Has the property ever been used for disposal of solid waste or hazardous waste?

Yes No

Project Information:

11. Existing Square Footage: Building (all floors) _____ Deck/Patio _____

Proposed Square Footage: Building (all floors) _____ Deck/Patio _____

12. Number of Structures Proposed _____

Type _____ Dimensions _____

13. Setbacks of Structures from Wetlands Property Lines

14. What kinds of materials will be used during construction?

15. What measures will the contractor take to prevent runoff during and after construction?

16. If the project is a residence, how many bedrooms will the residence contain when the project is complete? _____

17. If the project is an addition/renovation to an existing structure, how many bedrooms does the existing structure contain? _____

18. How much, if any, natural vegetation will be cleared or removed for the project?

_____ acres _____ square feet

19. Type of Vegetation to be Cleared (include photos of existing vegetation):

Wetlands _____ Mature Trees and Forest _____ Brush _____

Open Fields _____ Other _____

20. How much of the following items will be removed as part of this project:

Soil _____ cubic yards Sand _____ cubic yards

Dredge Spoil _____ cubic yards Gravel _____ cubic yards

21. How much fill will be deposited on site: _____ cubic yards

How much fill will be deposited in connection with septic system: _____ cubic yards

22. Identify any existing or proposed sediment/erosion control structures, bulkheads, jetties and docks on the property.

23. When was the original Septic System installed? _____

When was the last improvement to the septic system? _____

Describe the septic system on the property today: _____

24. Does property have a buried oil tank? _____ Size? _____

25. If this project involves a swimming pool, please indicate:

Salt water pool Salt cell chlorinator Fresh water pool

Please describe the proposed pool fence and make sure its location is marked on the survey:

Please be sure the location of pool drywells is marked on the survey.

26. Identify any other significant aspect of the Proposed Action

C. STATUS OF APPROVALS

1. Have any wetlands permits under Chapter 129 of the Shelter Island Town Code been issued with respect to this property? Yes No

If so, give date(s) and number(s) of permit(s).

2. Has a wetlands permit or a letter of No-Jurisdiction been obtained from the New York State Department of Environmental Conservation for this project? Yes _____ No _____

If so, please attach a copy.

3. This application is made because of the presence of one or more of the following natural features on or adjacent to the site (please circle all that apply):

Tidal Wetlands

Freshwater Wetlands

4. Are there any rights-of-way, easements or restrictive covenants which encumber the property?

Yes _____ No _____

If so, please indicate the nature of these restrictions and supply copies of the legal instrument (i.e., deed, covenant, conservation easement, etc.) which created this restriction.

5. Was Suffolk County Health Department approval required for this project? Yes _____ No _____

What is the permit number of the approval given this project by the Suffolk County Health Department? _____

(Attach Twenty (20) paper & a pdf copy emailed to townclerk@shelterislandtown.gov)

6. Is a permit required from any other agency? Yes _____ No _____

If so, please name agency and date of permit _____

D. JUSTIFICATION FOR PERMIT

1. Identify aspects of this project that do not meet the recommended setbacks set forth in Chapter 129, Wetlands, of the Town Code and state the proposed setback.

2. Explain why this project does not or cannot be located outside the vegetative buffer and/adjacent regulated area.

3. Explain why you believe that the project will not impair the function and value of the wetlands and buffer.

4. What steps have you taken to ensure that the project will not have a negative impact on the quantity and quality of groundwater?

5. What can you show to prove that the project will not create a net increase in the risk of runoff?

E. MITIGATION MEASURES

1. List at least three specific mitigation measures that you will include in your project to offset the potential adverse environmental impacts of this project. These can include upgrades in septic processing, removal of structures from regulated areas, addition of vegetative buffers, covenants to maintain portions of the property as open space or other activity. Be as specific as possible.

- a. _____
- b. _____
- c. _____
- d. _____

_____ I am the owner of this property and submit this application.

_____ I am the agent for the applicant and submit this application (with attached owner's endorsement).

I affirm that the above statements are true to the best of my knowledge.

Dated _____

Applicant's Signature

OWNER'S ENDORSEMENT
To be Signed by Applicant(s)/Owner(s)

STATE OF NEW YORK)
COUNTY OF SUFFOLK) ss:

_____, being by me duly sworn, deposes and says:

I reside at _____,
in the
County of _____ and the State of _____, and I
am the (owner in fee) (officer of the Corporation which is the owner in fee) of the premises
described in the
foregoing and that I have authorized _____ to
make the foregoing application as described herein.

Signature(s): _____

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

Please print name (s): _____

Notary Public

CERTIFICATION

To be Signed by Applicant(s)/Owner(s)

STATE OF NEW YORK)
COUNTY OF SUFFOLK) ss:

_____, being by me duly sworn, deposes and says:

1. I am interested in an application for a Wetlands Permit now pending before the Shelter Island Town Board.

2. I reside at _____

3. The nature of my interest in the aforesaid application as follows (circle answer): I am the:
Owner Tenant Bank Other: _____

4. It is my understanding that the Shelter Island Town Board has determined that public policy requires a full, frank and complete disclosure of all persons having an interest, direct or indirect, in all applications to the Shelter Island Town Board or other agencies of Town Government, to ensure that no question of conflict of interest or favoritism may arise. The following Town officials have an interest in this property: _____

5. To the best of my knowledge, information and belief, there are no other persons, firms or corporations interested in this application, except as hereafter set forth (If either corporation or company, etc., list all officers): _____

6. By signing this form, I authorize the Town Board members and staff to inspect the property(s). Members and staff may enter the property without notice between 7:00am and 7:00pm, Monday – Friday. Inspection may occur without the owner, applicant or agent present. If the property is posted with “keep out” signs or fenced with an unlocked gate, members and staff may still enter the property. Members and staff may take measurements, analyze site physical characteristics, sketch and photograph the site. I understand that failure to give this consent may result in denial of the application.

Signature(s): _____

Sworn to before me this _____

day of _____, 20_____

Please print name (s): _____

Notary Public

NOTICE TO ADJACENT PROPERTY OWNERS

In The Matter of the Petition of _____ to the Town Board of the Town of Shelter Island

TO: _____

YOU ARE HEREBY GIVEN NOTICE:

1. That the undersigned has petitioned the Town Board of the Town of Shelter Island to request a Wetlands Permit to:

2. That the property which is the subject of the Petition is located within two hundred feet of your property and is designated as follows:

3. That the property which is the subject of such Petition is located in the following Zoning District: _____

4. That by such Petition, the undersigned will request the following relief:

5. That the provisions of Chapter 129, Wetlands, of the Code of the Town of Shelter Island, applicable to the relief sought by the undersigned are Article _____ Section _____

6. That a written Petition requesting the relief specified above has been filed in the Town Board Clerk's Office at 38 North Ferry Road, Shelter Island, New York, and you may examine same at any time during regular office hours.

7. That before the relief sought may be granted, a public hearing must be held on the matter by the Town Board; that a notice of such hearing must be published at least thirty (30) days prior to the date of such hearing in the Shelter Island Reporter, the official newspaper of the Town of Shelter Island and designated for the publication of such notices; and that you or your representative have the right to appear and be heard at such hearing.

Dated: _____

Petitioner

Address

AFFIDAVIT OF MAILING OF NOTICE

(Attached Certified Mail Receipts)

Names & Addresses:

STATE OF NEW YORK)
COUNTY OF SUFFOLK) ss:

_____, residing at _____
_____, being duly sworn, deposes and says that on
the ____ day of _____, 20__
deponent mailed a true copy
of

the Notice To Adjacent Property Owners, directed to each of the above named persons at the addresses specified; that the addresses indicated are the addresses of said persons as shown on the current assessment roll of the Town of shelter Island; that said notices were mailed at the United States Post Office at _____, and that said Notices were mailed to each of said persons by certified mail.

Signature

Sworn to before me this _____
day of _____ 20 _____

Notary Public

(This Affidavit is not required to be transmitted to adjoining property owners.)

AFFIDAVIT OF POSTING OF SIGNS

STATE OF NEW YORK
COUNTY OF SUFFOLK
TOWN OF SHELTER ISLAND

_____, being duly sworn, deposes and says,
that he/she has complied with Section 129-4 of the Shelter Island Town Code by
displaying the required sign(s) concerning the Wetlands Application filed with the
Town Board for the following application:

Owner _____

Location of Property _____

Suffolk County Tax Map Number _____

Date sign(s) was/were posted: _____

Affiant

Sworn to before me this _____
day of _____ 20 _____

Notary Public

INSTRUCTIONS

Please note that submission of an accurate, thorough application with all necessary information supplied is a prerequisite to the processing of the application and the timely scheduling of a public hearing. **AN INCOMPLETE APPLICATION MAY BE RETURNED TO YOU FOR COMPLETION AND WILL DELAY THE REVIEW OF YOUR APPLICATION.**

Chapter 129 of the Shelter Island Town Code sets forth the process and standards for issuance of a wetlands permit. Upon receipt of an application in proper form, the application will be forwarded to the Town Board for review for compliance with the Code and with the letter of disapproval. The Town Board reserves the right to request additional information not specifically required by this application form as may be necessary to make a fair, reasonable and informed decision on this application. Once deemed complete, the application is referred to the Conservation Advisory Council for a 45-day comment period. The matter is then set for a public hearing, requiring applicant to give mailed notice to adjacent property owners. Applicant shall also file a radius map before the commencement of the public hearing. The Applicant or his agent shall also erect or cause to erect a sign or signs (available in the Town Board Clerk's Office) which shall be displayed on the parcel upon which the application is made, facing each public street on which the property abuts, giving notice that an application has been made to the Town Board, and stating the time and place where the public hearing will be held. The sign(s) shall not be located more than ten (10) feet from the street line, and shall not be less than two (2) nor more than six (6) feet above the natural grade at the street line. The sign(s) shall be displayed for not less than thirty (30) days immediately preceding the public hearing date. The applicant shall also file an Affidavit of Posting of Signs which states that (s)he has complied with this provision. Failure to submit such affidavit shall result in the adjournment of the public hearing. A decision will be made within 60 days following the public hearing.

Please be advised that Town officials may be visiting the property to review the application and make appropriate recommendations.

This form is an application for a Wetlands Permit. It must be **fully** completed, either typed or printed in ink, and meet all requirements set forth below. **Twenty (20) copies collated into packets and one pdf** of the completed application, along with the requirements listed below, shall be submitted to the Town Board Clerk. The pdf copy should be emailed to townclerk@shelterislandtown.gov.

This application must be accompanied by each of the following. Check off all items submitted:

_____ **Application.** The application must have complete and correct owner's name and mailing address. A correct Suffolk County Tax Map Number and house number must be included within the application. The application must be signed by the owner of the property. Applicant must provide twenty (20) copies and one pdf copy of the application.

_____ **Application Fee.** Submission of an application fee of \$1,000 in the form of cash, check or money order made payable to the Town of Shelter Island, or credit card for a fee.

_____ **Letter of Disapproval from Building Department.** This is issued by the Building Permits Coordinator after an evaluation of the zoning, plans, wetlands regulations and property. It establishes the basis for permit review. Applicant must provide twenty (20) paper copies and one pdf copy of the letter of disapproval.

_____ **Site Plan.** Submission of twenty (20) copies and one pdf copy of Site Plan referencing current conditions, signed, giving a detailed layout of the lot or parcel, drawn to scale and clearly showing the following:

- A. Property Lines.** All property lines with directional bearings and distances, the property's relationship to adjoining premises and public streets, and lot area.
- B. Wetlands Lines.** The nature, size and location of any wetlands as defined in the Town Code,

as well as any natural features of the site within one hundred feet of the landward wetland boundary. You should mark both the regulated area (100 feet) line and the adjacent regulated area (75 feet) line. Both lines should be located and flagged by an Environmental Consultant before being placed on the survey, and the flagging should be left for review by Town officials, and not be more than five (5) years old.

- C. Topography.** Existing topography of the site at two-foot contour intervals as referred to the 1988 NAVD datum, the boundary line of mean high water where the parcel bounds on tidal waters, and water depth contours for fill projects or pond enlargements.
- D. Regrading.** Proposed topography of site contours after construction, in either a site plan or survey.
- E. Well and Septic.** Location of existing and proposed wells and septic systems, and the locations of adjacent wells and septic systems if within 150 feet of the subject property.
- F. Runoff Drywells.** Location of existing and proposed drywells for roof runoff, pool, driveway and other impermeable areas.
- G. Runoff retention.** Location of wire-backed silt fencing that will be installed to control runoff during construction.
- H. Work locations and dimensions.** The location of all existing and proposed buildings, structures and improvements (including driveways and parking areas) with setback dimensions to each proposed structure shown from all property lines and wetlands. (Closest point from wetlands boundary should be clearly marked depicting setbacks in linear feet.) The existing and proposed edge of clearing should also be demonstrated. Number of stories should also be specified.
- I. Pool Fence.** If a pool is proposed, please mark location of pool fence.
- J. Property easements.** The locations of all known easements, roads, trails, rights-of-way and utilities on, over or immediately adjacent to the site.
- K. Vehicle Access.** Indicate the area where vehicles will access the construction. Will all access be on applicant's property? Yes No
- L. Zoning.** The zoning district or districts and any zoning overlay districts in which the property is located, the Suffolk County Tax Map Number, and a directional arrow.
- M. Driveway.** Please indicate whether the driveway is permeable or impermeable and its construction materials.

_____ **Approvals.** Submit twenty (20) paper and one pdf copies for this project from other involved agencies such as the NYS Department of Environmental Conservation, Suffolk County Department of Health Services, Army Corps of Engineers, etc.

_____ **Letter of disapproval.** Submit twenty (20) paper and one pdf copies of the Denial Letter issued by the Building Department

_____ **Short Environmental Assessment Form. Part 1 – Project Information.**

_____ **Vegetation Plan.** A vegetation plan must be submitted for any proposal which involves new construction, showing the way in which the vegetative buffer will be affected, preserved, or replanted. The submission should include a list of plants (from the attached Conservation Advisory Council Lists), and clearly show the plans to mitigate runoff on the property. Photos of the existing vegetative buffer and existing sedimentation/erosion controls should be included. Submit twenty (20) copies and one pdf copy.

_____ **Floor Plans.** If the requested Wetlands Permit involves a building, please submit one (1) full size copy (1/4" scale) plus twenty (20) 11x17 copies and a pdf copy of the floor plans showing room use.

_____ **Building Elevations.** If the requested Wetlands Permit involves a building within the Regulated Area, please submit one (1) full size copy (1/4" scale) plus twenty (20) 11x17 copies and a pdf copy of the building elevations. The sub-mission should include a cross section showing any significant grade changes and elevations of swimming pools and other proposed structures.