

July 6<sup>th</sup>, 2022

Re: Permit & Processing progress report sample  
 Project addresses: Sample Address  
 Project initiation date: 6/15/2022

Legend	Completion
C-Complete	63%
IP- In Progress	
R- Required	
NR- Not Received	









































































Application Department of Buildings (DOB)	Status	Department	Required	Description	Notes
Town of Southampton (TOS) Building Application	C	TOS	Completed with SCTM #	Application	started
Surveys	C	Surveyor	Original signed and stamped	3 originals	received on 10/25
Plans	R	Architect	Original signed and stamped	2 sets	received on 10/25
Certificate Of Occupancy	C	TOS	Copy is okay	TOS prints for \$1	receive at counter in TOS
Workers Compensation	C	TOS	Copy is okay	Certificate	
Owners endorsement	C	Owner	Original	Letter	
Open Government Disclosure form	C	Owner/ Agent	Original	Letter	
Permit Fee	R	Owner	Blank Check	payment for application	request bank checks from client
Electrical Permit	C	Electrician-Subcontractor	Original		received 10/19
Plumbing application	C	Plumbing Subcontractor	Original		
Board of Health (original survey)	C	DOH	Original w/ Red Stamp	original survey w/ RED stamp from health dep	received on 10/19
Affidavit of Exemption	IP	TOS	Original		waiting on signature from client
Energy Compliance Certification	C	Energy Consultants	Original	3rd party testing	
HERS Certificate	C	Energy Consultants	Copy is okay	Originally certified HERS rater version 15.4.1 & 2 copies of manual 1/5/D	have not heard back from amj energy solutions
RES Check	C	Energy Consultants	Copy is okay	Residential Energy Score, 2 copies	
Elevation Certificate	IP		Original		
Fill composition Certification	C	TOS	Original		
Swimming Pool Certification	IP	FACT/ Pool Subcontractor	Original		waiting on signature from client
Pool Addendum	IP	FACT/ Pool Subcontractor	Original		sent on 10/21
Itemized	C	TOS	Original	to building permit application: New swimming pool construction	
Planning approval	C		Original and stamped	Written estimated cost from Vendor on their Letterhead	
Conservation approval	C	Conservation & Wetlands	Original w/ stamped approved survey	(Resolution and STAMPED approved site plan approval)	
ARB	C	FACT	Original	Permit or letter of NJ	
BZA Variance approval	R	TOS	Original	Architect Review Board Form	waiting on Bob to send original 10/24
Engineering	C	Highway	Original	w/ STAMPED approved survey	submitted, waiting on results
House Floor Plans	C		Original	Dept of Highway approval (Permit w/STAMPED approved Survey)	
Request to Extinguish	R	Director Of Planning	Copy is okay	Project floors plans	call client to follow up
Road Usage	R	Highway	Copy is okay	Dept right approval for affordable Accessory Apt. from Director of Planning	need client to sign
Hold Harmless	R	TOS	Signed/Notarized by Everyone on Deed	form (signed and notarized)	need client to sign
Certified copy of most recent DEED	R	Suffolk county Clerk	original raised seal		visit Suffolk county clerk office
PSEG Disconnect Approval	C	TOS	Original		received on 10/22
National Grid Disconnect Approval	C	TOS	Original		
Landmarks & Historical Data District committee Application	R	TOS	Original	ALL Required documentation	called John on 10/22
Proof Of Corporation	C	Owner	Original Opinion letter	(ie. Operating agreement or Minutes listing members)	
Death Certificate	R	Owner/Attorney	signed and notarized		sent out follow up 10/25
Proof of LEGATEE	R	Owner/Attorney	signed and notarized	Letter	mailed on 10/23
239f	R	Suffolk county Dept of Public Works	Original		emailed on 10/19, left voicemail 10/25
Submittal Receipt	NR	TOS	all items on list meet requirements	FACT receives after submittal of application	

Legend	Completion
C-Complete	67%
IP- In Progress	
R- Required	
NR- Not Received	

Application Department of Buildings (DOB)	Status	Department	Required	Description	Notes
Town of Southampton (TOS) Building Application	C	FACT	Completed with SCTM #	Application- Started	
Surveys	R	Surveyor	Original Stamp & signed	7 originals	FACT left voicemail on 7/20 & email on 7/28 am
Plans	C	Curtis- Architect	Original Stamp & signed	2 sets	
Certificate Of Occupancy	IP	TOS	Copy is okay	TOS prints for \$1	will be picked up at counter of TOS during submittal
Workers Compensation	IP	TOS	Copy is okay	Certificate - from Ken	given date of august 6th as to when renewed form will be given (on 7/27)
Open Government Disclosure form	C	Owner	Original	Letter	
Open Government Disclosure form	C	FACT	Original	Letter	
Permit Fee	IP	Owner	Blank Check	Blank check from client prior to submittal	once surveys are in request blank checks from client
Owner's Endorsement	C	Owner/Agent	Original signed & notarized	Letter	
Certified copy of Deed	C	Suffolk county Clerk	Original raised seal	can only be received at county clerks office	picked up by FACT on 7/19
Receipt	NR	TOS	all items on list meet requirements	FACT receives this after submittal of application	

Legend	Completion
C-Complete	79%
IP- In Progress	
R- Required	
NR- Not Received	

Application Department of Buildings (DOB)	Status	Department	Required	Description	Notes
Town of Southampton (TOS) Building Application	C	TOS	Completed with SCTM #	Application- Started	
Surveys	C	Surveyor	Original Stamp & signed	3 originals	called survey office- waiting for new stamped docs 7/19
Plans	R	Architect	Original Stamp & signed	2 sets	emailed Bob on 7/19, follow up call on 7/25
Certificate Of Occupancy	C	TOS	Copy is okay	TOS prints for \$1	
Workers Compensation	C	TOS	Copy is okay	Certificate	mailed on 7/21- received on 7/23
Owners endorsement	C	Owner	Original	Letter	signed by client on 7/19
Open Government Disclosure form	C	Owner/ Agent	Original	Letter	
Permit Fee- Blank Check	R	Owner	Blank Check	Check based on construction costs	request blank checks from client
Board of Health (original survey)	C	DOH	Original w/ Red Stamp	original survey w/ RED stamp from health dep	called for ooriginal on 7/20- received on 7/24
Certified copy of most recent DEED	C	Suffolk county Clerk	Original raised seal	can only be received at county clerks office	picked up by FACT on 7/19
Proof Of Corporation (LLC)	C	Owner	Original opinion letter	(ie. Operating agreement or Minutes listing members)	
Submittal Receipt	NR	TOS	all items on list meet requirements	FACT receives this after submittal of application	

-   [Application for a Commercial Project \(WWM-004\).pdf](#)
-   [Application for a New Single-Family Residence \(WWM-059\).pdf](#)
-   [Application for a Subdivision \(WWM-023 \).pdf](#)
-   [Application for an Accessory Apartment \(WWM-105\).pdf](#)
-   [Application for an Addition or Renovation to an Existing Single-Family Residence \(WWM-057\).pdf](#)
-   [Application for Garbage Carters \(WWM-064\).pdf](#)
-   [Application For Public Access To Records \(WWM-074\).pdf](#)
-   [Application for Variance or Waiver Form \(WWM-061 BOR Variance Application 8-5-21\).pdf](#)
-   [Application to Register an I-A System \(WWM-304\).pdf](#)
-   [Application to Update an Existing Commercial Project \(WWM-081\).pdf](#)
-   [Application to Update an Existing Residential Project \(WWM-104\).pdf](#)
-   [Certification of Constructed Works by Design Professional \(WWM-073\).pdf](#)
-   [Certification of Existing Sanitary and Water Supply for a Commercial Project \(WWM-084\).pdf](#)
-   [Certification of Existing Sanitary and Water Supply for a Single-family Residence \(WWM-072\).pdf](#)
-   [Certification of Sewage Disposal System Abandonment \(WWM-080\).pdf](#)
-   [Certification of Sewage Disposal System by Installer \(WWM-078\) 6-19.pdf](#)
-   [Certification of Well Water Analysis Form \(WWM-150\).pdf](#)
-   [Checklist for a Commercial Application \(WWM-201\).pdf](#)
-   [Checklist for a Residential Application \(WWM-202\).pdf](#)
-   [Checklist for a Subdivision Application \(WWM-203\).pdf](#)
-   [Fee Schedule.pdf](#)
-   [Form for Design Professional Claiming Exemption \(WWM-083\) .pdf](#)
-   [Form for Design Professional Claiming Exemption \(WWM-083\).pdf](#)
-   [Instruction Sheet for Filing a Commercial Application \(WWM-003\).pdf](#)
-   [Instruction Sheet for Filing a Subdivision Application \(WWM-022\).pdf](#)
-   [Instruction Sheet for Obtaining Final Approval for a Commercial Project \(WWM-019\).pdf](#)
-   [Instruction Sheet for obtaining Final Approval for a Residential Project \(WWM-041\).pdf](#)
-   [PIN Request Form for Accela Citizen Access to Existing Applications \(WWM-305\).pdf](#)
-   [Short Environmental Assessment Form.pdf](#)
-   [SPDES Application Form D.pdf](#)
-   [SPDES Form Continuation Page.pdf](#)
-   [SPDES General Conditions.pdf](#)
-   [Test Well Procedures \(WWM-070\).pdf](#)
-   [Transfer of Development Rights Data Sheet \(WWM-121\).pdf](#)
-   [Well Water Analysis Reporting Form \(WWM-151\) \[8-15\].pdf](#)
-   [WWM-306.Major.Reconstruction. 8-9-21.pdf](#)

## Conservation Board

## Applications & Forms

## HAB Modeling (PDF)

[Home](#) > [Government](#) > [Departments](#) > [Conservation & Environment](#) > [Applications & Forms](#)

## Applications & Forms



If you require further assistance in the preparation and submittable of an application to the Board, Conservation Board staff can be consulted Monday through Friday, from 8:30 a.m. - 4 p.m., at Town Hall, 116 Hampton Road, Southampton, NY 11968, or by telephone at 631-287-5710.

### Environment Division Fee Schedule

- [Wetlands Application Fee Schedule \(PDF\)](#)

### Notice of Commencement of Construction

- [Notice of Commencement- Administrative Wetlands Permit \(PDF\)](#)
- [Notice of Commencement- Conservation Board Wetlands Permit \(PDF\)](#)

### Owners Endorsement & Open Government Disclosure Forms

- [Owner Endorsement Form \(PDF\)](#)
- [Open Government Disclosure Form \(PDF\)](#)
- [Permission to Inspect \(PDF\)](#)

### Conservation Applications & Forms

- [Wetlands Permit Application - Town \(PDF\)](#)
- [Modification of an Administrative Wetlands Permit \(PDF\)](#)
- [Application for Modification/Renewal of Wetlands Permit \(PDF\)](#)
- [Application for Sign \(PDF\)](#)
- [Conservation Board Adjournment Application \(PDF\)](#)
- [Application for Re-Noticing Public Hearing \(PDF\)](#)
- [Conservation Management Plan and Easement Interpretation Application \(PDF\)](#)
- [Wetland Boundary & Jurisdictional Appeal \(PDF\)](#)

## Contact Us

### Janice Scherer

Town Planning and  
Development Administrator  
[Email Janice Scherer](#)

### Martin E. Shea

Chief Environmental Analyst  
[Email Martin E. Shea](#)

### Town Hall

116 Hampton Road  
Southampton, NY 11968

Ph: 631-287-5710  
Fx: 631-287-5706

### Hours

Monday - Friday  
8:30 a.m. - 4:00 p.m.

[Staff Directory](#)

## Quick Links

- [Environmental Assessment Form FAQs](#)
- [Expedited Building Permit Review](#)
- [Hamlets](#)
- [Industrial & Commercial Incentive Plan](#)
- [Zoning Maps](#)
- [Town Code](#)
- [Section 302 NYS Swimming Pools, Spas and Hot Tubs](#)

[View All](#)

## Environment Applications & Forms

- [Administrative Wetlands Permit Application \(PDF\)](#)
- [Administrative Wetlands Permit Renewal Application \(PDF\)](#)
- [Modification of an Administrative Wetlands Permit \(PDF\)](#)
- [Application for Transfer of Town Wetlands Permits \(PDF\)](#)
- [Lot Inspection Application \(PDF\)](#)
- [Wetland Boundary Flagging Application \(PDF\)](#)
- [Application for Certificate of Wetlands Compliance \(PDF\)](#)
- [Full Environmental Assessment Form - Part I \(PDF\)](#)
- [PDC Request to be Added to Agenda \(PDF\)](#)

## Coastal Erosion Applications

- [Application for Certificate of Coastal Compliance - Town \(PDF\)](#)
- [Coastal Erosion Hazard Area-Dune Restoration \(PDF\)](#)
- [Emergency Measures Permitted Along the Oceanfront \(PDF\)](#)

## Village of Sagaponack Applications

- [Administrative Wetlands Permit Application-Village \(PDF\)](#)
- [Administrative Wetlands Permit Application Renewal- Village \(PDF\)](#)
- [Conservation Board Wetlands Permit Application - Village\(PDF\)](#)
- [Conservation Board Permit Modification/Renewal Application - Village \(PDF\)](#)
- [Conservation Board Adjournment Application - Village \(PDF\)](#)
- [Conservation Board Public Hearing Re-Notice Application - Village \(PDF\)](#)
- [Conservation Management Plan and Easement Interpretation Application - Village \(PDF\)](#)
- [Certificate of Wetlands Compliance - Village \(PDF\)](#)
- [Coastal Erosion Hazard Area - Dune Restoration Application - Village \(PDF\)](#)
- [Certificate of Coastal Compliance - Village \(PDF\)](#)
- [Lot Inspection/Letter of Non-Jurisdiction - Village \(PDF\)](#)
- [Wetland Boundary Jurisdictional Appeal Application - Village \(PDF\)](#)
- [Wetland Boundary Flagging - Village \(PDF\)](#)
- [Wetland Permit Transfer Application - Village \(PDF\)](#)

**[Sample/Template to use if attaching a Legal Description  
of the Wetlands Preservation Area and Buffer]**

**DECLARATION OF COVENANTS**

**THIS DECLARATION**, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, residing at \_\_\_\_\_, hereinafter referred to as “DECLARANT”;

**WITNESSETH**

**WHEREAS**, the DECLARANT, is the owner of a certain plot, piece, and parcel of land situate at \_\_\_\_\_, within the Town of Southampton, County of Suffolk, and the State of New York, known and designated as SCTM No. 900-\_\_\_\_\_, being more particularly bounded and described as set forth in Schedule “A”, annexed hereto and incorporated for reference, and also shown on the survey prepared by \_\_\_\_\_, on \_\_\_\_\_, 20\_\_\_\_, and last revised \_\_\_\_\_, 20\_\_\_\_, which is on file in the office of the Southampton Town Environment Division as the “Approved Survey” (hereinafter referred to as the “Approved Survey”).

**WHEREAS**, the DECLARANT made application to the Conservation Board of the Town of Southampton, 116 Hampton Road, Southampton, New York, 11968, for a permit pursuant to the Wetlands Law of the Town of Southampton to permit certain activities which were approved by the Conservation Board by a resolution dated \_\_\_\_\_, a copy of which is annexed hereto as Exhibit “B” (*\* instead of attaching the resolution you may insert the description of the approved activities exactly as set forth in the resolution*), and which activities are also shown on the Approved Survey; and

**WHEREAS**, in consideration of the granting of the Wetlands Permit necessary to construct the permitted activities, the Conservation Board and the DECLARANT, agree that it is in the best interest of the DECLARANT and any future owner of the property that the within declaration and covenant be imposed.

**NOW, THEREFORE**, the within DECLARANT does hereby covenant and agree as follows:

1. All on-site wetlands shall be preserved in their natural state. In addition, there shall be maintained on the subject premises a “Wetland Preservation Area” and a “Naturally Vegetated Wetland Non-Disturbance/Non-Fertilization Buffer” (the “Buffer”), over a portion of the subject premises in accordance with the Approved Survey and more particularly bounded and described in Schedule “C” [or B], annexed hereto and incorporated for reference. In the aforesaid Wetlands Preservation Area and Buffer, there shall be no use of any fertilizers whatsoever, and this area shall not be disturbed, except as allowed herein. The following shall be adhered to in the Wetlands Preservation Area and Buffer:

a. No construction, clearing, cutting, filling, fertilization, or mowing of vegetation except as permitted by the Conservation Board or the Chief Environmental Analyst;

b. No topsoil, loam, sand, gravel, rock, or minerals shall be excavated or removed therefrom;

c. No streets, roadways, or other rights of way or easements for vehicular use shall be constructed or granted therein;

d. No trees, plants, or vegetation shall be artificially transplanted into said Wetlands Preservation Area and Buffer, except with the consent of the Conservation Board or the Chief Environmental Analyst;

e. No liquid or sewage waste or other objectionable or offensive material or refuse shall be permitted to be discharged into said Wetlands Preservation Area and Buffer nor shall any portion thereof be used as a leaching field for sewage disposal or for the placement, construction, or maintenance of individual shared septic systems;

f. No dumping, placement, storage, or burning of any liquid or solid waste, garbage, ashes, sawdust, trash, rubbish, refuse, or other objectionable, unsightly, or offensive structures including, but not limited to, walls, fences, and/or berms, shall be permitted; and

g. Said Wetlands Preservation Area and Buffer shall be forever kept in a natural state, open and free of all buildings and other structures, except as herein provided.

2. Notwithstanding anything to the contrary contained herein, nothing shall preclude the DECLARANT or his/her successors and/or assigns from engaging in a wetlands restoration project. Nothing herein shall be construed as precluding the DECLARANT from instituting necessary conservation measures to protect and conserve the natural resources and features which are the subject of this covenant, provided that said conservation measures are part of a Conservation Management Plan or Wetlands Restoration Plan, which must be submitted to and approved by the Southampton Town Chief Environmental Analyst or its designee. Said plan may include, but not be limited to, the removal of noxious, dead, or decayed vegetation and shrubbery, including tree trunks and limbs, the clearing of walkways and paths, and/or the placement of compatible plantings, shrubs, and trees.

3. **[OMIT IF PROPERTY IS NOT WATERFRONT PROPERTY]**  
Notwithstanding anything to the contrary herein, nothing shall preclude the DECLARANT, his/her successors, and assigns from maintaining a single four-foot (4') wide pervious pedestrian path through the Buffer and Wetlands Preservation Area in order to reach the water, or from erecting, constructing and maintaining a dock or any other structure permitted by the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton (the "Trustees"), upon receipt of permits from the Trustees and any other necessary involved regulatory agencies.



4. This Declaration of Covenants shall run with the land and shall bind the DECLARANT, his/her heirs, assigns, purchasers, and/or successors in interest.

5. This covenant may not be changed except by a vote of a majority, plus one, of the Conservation Board of the Town of Southampton, or its authorized representative, or any successor board or any person and/or agency having jurisdiction over wetlands regulated by the Town of Southampton.

**IN WITNESS WHEREOF**, the DECLARANT has duly executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
*(Type Name of Declarant)*

STATE OF NEW YORK     )  
  ) ss  
COUNTY OF \_\_\_\_\_ )

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, a Notary Public in and for the State of New York, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed this instrument.

\_\_\_\_\_  
Notary Public

## **DECLARATION OF COVENANTS**

**THIS DECLARATION**, made this 17th day of December 2020, by \_\_\_\_\_,  
residing at 100 Old Route 25A, Northport, NY 11768, hereinafter referred to as “DECLARANT”;

### **WITNESSETH**

**WHEREAS**, the DECLARANT, is the owner of a certain plot, piece, and parcel of land situate at \_\_\_\_\_ East Quogue NY 11942, within the Town of Southampton, County of Suffolk, and the State of New York, known and designated as SCTM No. 900-3 -

0, being more particularly bounded and described as set forth in Schedule “A”, annexed hereto, and also shown on the survey prepared by \_\_\_\_\_ Land Surveying, on December 04, 2020, and last revised December 04, 2020, a reduced copy of which is annexed hereto as Schedule “B”, both of which are incorporated for reference.

**WHEREAS**, the DECLARANT made application to the Conservation Board of the Town of Southampton, 116 Hampton Road, Southampton, New York, 11968, for a permit pursuant to the Wetlands Law of the Town of Southampton to permit certain activities which were approved by the Conservation Board by a resolution dated August 27, 2019 a copy of which is annexed hereto as Exhibit “C” to demolish and remove an existing one story single family dwelling, with a footprint of 1,651 square feet, located approximately 50 feet from the seaward face of the bulkhead, which represents the town regulated wetland boundary; to demolish and remove 92 square feet of porch, located approximately 50 feet from wetlands; to remove 63 square feet of shed, located approximately 42 feet from wetlands; to demolish and remove grade-level decks, located 30 feet from wetlands; to abandon an existing sanitary system, by pumping the system clean, by removing the system, and by backfilling with clean compatible uncontaminated sand, in accordance with Suffolk County Department of Health Services (SCDHS) requirements, located landward of wetlands; to remove an existing driveway, located approximately 84 feet from wetlands; to construct a new FEMA compliant two story four bedroom single family dwelling, on piles with a footprint of 1,997 square feet, including 252 square feet of attached garage, located 41.3 feet from wetlands; to construct 476 square feet of covered deck, inclusive of front and rear decks, located, at their closest point, approximately 35.3 feet from wetlands; to construct uncovered rear deck, located 22.5 feet from wetlands; to install French drains, at the north and south sides of the new dwellings, for catchment and recharge of roof runoff, located, at their closest point, 48 feet from wetlands; to install an innovative alternative on-site wastewater treatment system (I/A OWTS), in accordance with SCDHS requirements, located 86 feet from wetlands; to deposit and grade approximately 50 cubic yards of compatible uncontaminated sand or soil , for the purposes of elevating the I/A OWTS, located approximately 71 feet from wetlands; to construct deck steps, located 29 feet from wetlands; to construct northerly house steps, located 53 feet from wetlands; to construct a new driveway, located approximately 83 feet from wetlands; and to construct front entry steps, located 87 feet from wetlands, at existing residentially developed bulkheaded property fronting the Shinnecock Bay and associated tidal wetlands, within the private community of \_\_\_\_\_, in East Quogue, Town of Southampton, Suffolk County, New York.



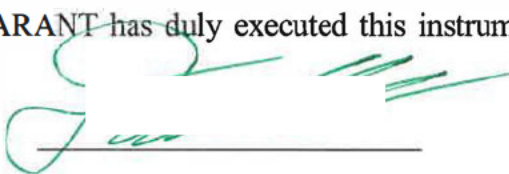
2. Notwithstanding anything to the contrary contained herein, nothing shall preclude the DECLARANT or his/her successors and/or assigns from engaging in a wetlands restoration project. Nothing herein shall be construed as precluding the DECLARANT from instituting necessary conservation measures to protect and conserve the natural resources and features which are the subject of this covenant, provided that said conservation measures are part of a Conservation Management Plan or Wetlands Restoration Plan, which must be submitted to and approved by the Southampton Town Chief Environmental Analyst or its designee. Said plan may include, but not be limited to, the removal of noxious, dead, or decayed vegetation and shrubbery, including tree trunks and limbs, the clearing of walkways and paths, and/or the placement of compatible plantings, shrubs, and trees.

3. Notwithstanding anything to the contrary herein, nothing shall preclude the DECLARANT, his/her successors, and assigns from maintaining a single four-foot (4') wide pervious pedestrian path through the Buffer and Wetlands Preservation Area in order to reach the water, or from erecting, constructing and maintaining a dock or any other structure permitted by the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton (the "Trustees"), upon receipt of permits from the Trustees and any other necessary involved regulatory agencies.

4. This Declaration of Covenants shall run with the land and shall bind the DECLARANT, his/her heirs, assigns, purchasers, and/or successors in interest.

5. This covenant may not be changed except by a vote of a majority, plus one, of the Conservation Board of the Town of Southampton, or its authorized representative, or any successor board or any person and/or agency having jurisdiction over wetlands regulated by the Town of Southampton.

30th IN WITNESS WHEREOF, the DECLARANT has duly executed this instrument this  
day of December, 2020.



[illegible]

On the 30 day of December, 2020, before me, the undersigned, a Notary Public in and for the State of New York, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed this instrument.

**Notary Public**

and which activities are also shown on Schedule "B"; and

**WHEREAS**, in consideration of the granting of the Wetlands Permit necessary to construct the permitted activities, the Conservation Board and the DECLARANT, agree that it is in the best interest of the DECLARANT and any future owner of the property that the within declaration and covenant be imposed.

**NOW, THEREFORE**, the within DECLARANT does hereby covenant and agree as follows:

1. All on-site wetlands shall be preserved in their natural state. In addition, there shall be maintained on the subject premises a "Wetland Preservation Area" and a "Naturally Vegetated Wetland Non-Disturbance/Non-Fertilization Buffer" (the "Buffer"), all of which shall be in accordance with the Survey approved by the Conservation Board in Schedule "B". In the aforesaid Wetlands Preservation Area and Buffer, there shall be no use of any fertilizers whatsoever, and this area shall not be disturbed, except as allowed herein. The following shall be adhered to in the Wetlands Preservation Area and Buffer:

a. No construction, clearing, cutting, filling, fertilization, or mowing of vegetation except as permitted by the Conservation Board or the Chief Environmental Analyst;

b. No topsoil, loam, sand, gravel, rock, or minerals shall be excavated or removed therefrom;

c. No streets, roadways, or other rights of way or easements for vehicular use shall be constructed or granted therein;

d. No trees, plants, or vegetation shall be artificially transplanted into said Wetlands Preservation Area and Buffer, except with the consent of the Conservation Board or the Chief Environmental Analyst;

e. No liquid or sewage waste or other objectionable or offensive material or refuse shall be permitted to be discharged into said Wetlands Preservation Area and Buffer nor shall any portion thereof be used as a leaching field for sewage disposal or for the placement, construction, or maintenance of individual shared septic systems;

f. No dumping, placement, storage, or burning of any liquid or solid waste, garbage, ashes, sawdust, trash, rubbish, refuse, or other objectionable, unsightly, or offensive structures including, but not limited to, walls, fences, and/or berms, shall be permitted; and

g. Said Wetlands Preservation Area and Buffer shall be forever kept in a natural state, open and free of all buildings and other structures, except as herein provided.

**New York State Department of Environmental Conservation**  
**Division of Environmental Permits, Region 1**  
**SUNY @ Stony Brook**  
50 Circle Road, Stony Brook, NY 11790-3409  
**Phone:** (631) 444-0365 • **Fax:** (631) 444-0360  
**Website:** [www.dec.ny.gov](http://www.dec.ny.gov)



Joe Martens  
Commissioner

**LETTER OF NO JURISDICTION**  
**TIDAL WETLANDS ACT**

**Re:**

Dear Mr.

Based on the information you submitted, the New York State Department of Environmental Conservation has determined that the portion of the parcel located landward of the existing functional bulkhead greater than 100 feet in length, as shown on the site plan prepared by the last revised 07/30/2019, and survey prepared by Land Surveying, last revised 12/20/2018, which was constructed prior to August 20, 1977 as evidenced on the aerial photo AGC 67075 dated 04/06/1976, and Tidal Wetland Map # 706-522 is beyond the jurisdiction of the Article 25 Tidal Wetlands Act. Therefore, in accordance with the current Tidal Wetlands Land Use Regulations (6NYCRR Part 661), no permit is required to conduct regulated activities landward of that bulkhead.

Be advised, no construction, sedimentation, or disturbance of any kind may take place seaward of the tidal wetlands jurisdictional boundary, as indicated above, without a permit. It is your responsibility to ensure that all precautions are taken to prevent any sedimentation or disturbance within Article 25 jurisdiction which may result from your project. Such precautions may include maintaining adequate work area between the jurisdictional boundary and your project (i.e. a 15' wide construction area) or erecting a temporary fence, barrier, or haul bay berm.

This letter shall remain valid unless site conditions change.

Please note that this letter does not relieve you of the responsibility of obtaining any necessary permits or approvals from other agencies or local municipalities.

Sincerely,

Kevin Kispert

Permit Administrator

cc: NYSDEC- MHP