



Appendix G

Description

New York State Department of Environmental Conservation(NYSDEC) Tidal Wetland Jurisdictional Determination (Issued December 29, 2017 and February 26, 2018)

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

December 29, 2017

Kathryn Sommo
Roux Associates Inc.
209 Shafter Street
Islandia, NY 11749

Re: Application #1-2820-00917/00031
Woodmere Club LLC Property, 99 Woodmere Drive

Dear Ms. Sommo;

The Department of Environmental Conservation (DEC) has reviewed your client's jurisdictional inquiry for the property located at 99 Woodmere Drive, and we have made the following determinations.

Woodmere Basin is a regulated tidal wetland. Tidal Wetlands Act (Article 25) jurisdiction extends 300 feet landward from any tidal wetland boundary unless it is limited by a substantial man made structure (i.e. bulkhead, seawall, roadway) that is a minimum of 100 feet in length, has existed since 1977, and has remained functional. At this site we find that there is a substantial bulkhead along the western shoreline and a portion of the northern shoreline that has existed since 1977 which limits Article 25 jurisdiction. In addition, pre-existing roadways south-west of the basin and north-east of the basin also limit Article 25 jurisdiction. We also find that the existing concrete and stone shoreline stabilization along some portions of the shoreline are not considered "substantial" structures as defined in the Tidal Wetlands Land Use Regulations (6NYCRR Part 661) and they did not exist in 1977 in some areas. Therefore, Article 25 jurisdiction extends 300 feet landward along the southern portion of the basin and a portion of the northern part of the property. In these areas any construction activities, disturbance activities and the subdivision of land will require a DEC permit and must comply with the development restrictions listed in section 661.6.

I have enclosed a sketch highlighting the areas of Article 25 jurisdiction, the black line shows the limits of jurisdiction.

There are no regulated freshwater wetlands at or near the site.

If you wish DEC to further evaluate this site, you must submit a completed and signed application form. This application will remain incomplete until this item is addressed.

Do not hesitate to contact me at 631-444-0374 if you have any questions or wish to discuss this matter further.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Carrara".

Mark Carrara
Deputy Permit Administrator

CC: Woodmere Club LLC
Town of Hempstead
File



Approximate 300 Ft.
line

300 Ft
300 Ft

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February 26, 2018

Kathryn Sommo
Roux Associates Inc.
209 Shafter Street
Islandia, NY 11749

Re: Application #1-2820-00917/00031
Woodmere Club LLC Property, 99 Woodmere Drive

Dear Ms. Sommo;

The Department of Environmental Conservation (DEC) has completed a review of your recent submission to support your client's jurisdictional inquiry for the above property, and we have made the following determinations.

Woodmere Basin is a regulated tidal wetland. Tidal Wetlands Act (Article 25) jurisdiction extends 300 feet landward from any tidal wetland unless it is limited by a substantial man made structure (i.e. bulkhead, seawall, roadway) that is a minimum of 100 feet in length, has existed since 1977, and has remained functional.

We find that there is a substantial bulkhead, that has existed since 1977, along the western shoreline and a portion of the northern shoreline which limits Article 25 jurisdiction. In addition, **pre-existing roadways surrounding the basin also limit Article 25 jurisdiction.**

In addition, we found that the existing concrete and stone stabilization along some portions of the shoreline are not "substantial" structures as defined in the Tidal Wetlands Land Use Regulations (6NYCRR Part 661) and or they did not exist in 1977. Therefore, Article 25 jurisdiction extends 300 feet landward along the southern portion of the basin and a portion of the northern basin up to the pre-existing roadway. In these areas any regulated activities, including the subdivision of land, will require a DEC permit, and must comply with the development restrictions listed in section 661.6.

Enclosed is an aerial sketch showing the approximate limit of Article 25 jurisdiction, the black line shows the limits of jurisdiction.

There are no regulated freshwater wetlands at or near the site.

This application will be withdrawn on **March 30 2018** unless your client wishes to pursue a permit for development activities within areas of DEC jurisdiction. If your client's wishes to pursue a permit, you must submit a completed and signed application including all the items listed in our application checklist.

Do not hesitate to contact me at 631-444-0374 if you have any questions or wish to discuss this matter further.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Carrara". The signature is fluid and cursive, with the first name being more prominent.

Mark Carrara
Deputy Permit Administrator

CC: Woodmere Club LLC
File

