JOINT APPLICATION FORM

For Permits for activities affecting streams, waterways, waterbodies, wetlands, coastal areas, sources of water, and endangered and threatened species.

You must separately apply for and obtain Permits from each involved agency before starting work. Please read all instructions.

1. Applications To:

   >NYS Department of Environmental Conservation
   Check all permits that apply:
   - Stream Disturbance
   - Excavation and Fill in Navigable Waters
   - Docks, Moorings or Platforms
   - Dams and Impoundment Structures
   - 401 Water Quality Certification
   - Freshwater Wetlands
   - Tidal Wetlands
   - Water Withdrawal
   - Wild, Scenic and Recreational Rivers
   - Coastal Erosion Management
   - Incidental Take of Endangered / Threatened Species

   Check here to confirm you sent this form to NYSDEC.

   >US Army Corps of Engineers
   Check all permits that apply:
   - Section 404 Clean Water Act
   - Section 10 Rivers and Harbors Act
   Is the project Federally funded? Yes No
   If yes, name of Federal Agency:
   General Permit Type(s), if known:
   Preconstruction Notification: Yes No

   Check here to confirm you sent this form to USACE.

   >NYS Office of General Services
   Check all permits that apply:
   - State Owned Lands Under Water
   - Utility Easement (pipelines, conduits, cables, etc.)
   - Docks, Moorings or Platforms

   Check here to confirm you sent this form to NYSOGS.

   >NYS Department of State
   Check if this applies: Coastal Consistency Concurrence

   Check here to confirm you sent this form to NYSDOS.

2. Name of Applicant
   BAY PARTNERS, LLC
   Mailing Address
   c/o LARRY BAUM 51 MASHOMUCH DRIVE
   Telephone (646) 920-2090
   Email LBAUM@BAYSTREETADVISORSLLC.COM

   Taxpayer ID (if applicant is NOT an individual)
   Post Office / City
   State Zip
   Applicant Must be (check all that apply):
   - Owner
   - Operator
   - Lessee

3. Name of Property Owner (if different than Applicant)
   Mailing Address
   Post Office / City
   State Zip
   Telephone Email

For Agency Use Only
Agency Application Number:

JOINT APPLICATION FORM 08/16
4. Name of Contact / Agent
COSTELLO MARINE CONTRACTING CORP.
Mailing Address
PO BOX 2124
Telephone (631) 477-1199
Email jnane@costellomarine.com

5. Project / Facility Name
Property Tax Map Section / Block / Lot Number:
901-3-2-56
Project Street Address, if applicable
59 MASHOMUCH DRIVE
Post Office / City
SAG HARBOR
State Zip
NY 11963
Provide directions and distances to roads, intersections, bridges and bodies of water

[] Town [] Village [] City County
NORTH HAVEN VILLAGE SUFFOLK
Stream/Waterbody Name
SHELTER ISLAND SOUND
Project Location Coordinates: Enter Latitude and Longitude in degrees, minutes, seconds:
Latitude: 41° 01' 28.70"
Longitude: 72° 18' 12.99"

6. Project Description: Provide the following information about your project. Continue each response and provide any additional information on other pages. Attach plans on separate pages.

a. Purpose of the proposed project:
TO GAIN ACCESS TO NAVIGABLE WATER BY CONSTRUCTING A DOCK STRUCTURE THAT WILL ALLOW THE ABILITY TO BERTH A SMALL BOAT.

b. Description of current site conditions:
WATERFRONT RESIDENTIAL PROPERTY IMPROVED WITH A SINGLE FAMILY HOUSE, STONE DRIVEWAY, DECK, RETAINING WALLS, WOOD WALKWAY AND ROCK JETTY.

c. Proposed site changes:
CONSTRUCT A 4X180° FIXED DOCK WITH TWO 2-PILE MOORING DOLPHINS. INSTALL ONE SWIM LADDER AT OFFSHORE END.

d. Type of structures and fill materials to be installed, and quantity of materials to be used (e.g., square feet of coverage, cubic yards of fill material, structures below ordinary mean high water, etc.):
ALL MATERIALS WILL BE UNTREATED.
PILING: 10" GREENHEART; CAPS: 4"X6" TROPICAL HARDWOOD; STRINGERS: 4"X6" TROPICAL HARDWOOD; DECK: OPEN GRATE STYLE; HARDWARE: HD GALVANIZED; FASTERNERS: STAINLESS STEEL.

e. Area of excavation or dredging, volume of material to be removed, location of dredged material placement:
N/A

f. Is tree cutting or clearing proposed? [ ] Yes [ ] No
Timing of the proposed cutting or clearing (month/year): N/A
Number of trees to be cut: N/A
Acreage of trees to be cleared: N/A
q. Work methods and type of equipment to be used:
SITE WILL BE ACCESS BY BARGE EQUIPPED WITH A CRANE, GENERATOR, PUMP, PILE DRIVER;
MISCELLANEOUS HAND TOOLS, ALL MATERIALS AND DUMPSTER. THE BARGE WILL REMAIN ONSITE FOR THE
DURATION OF THE PROJECT. THE WORK MEN WILL ACCESS THE SITE DAILY VIA TRUCK.

h. Describe the planned sequence of activities:
THE DOCK LINE WILL BE ESTABLISHED. THE INSIDE PILING WILL BE SET. THE CAPS THEN STRINGERS WILL BE
INSTALLED. THEN THE DECKING WILL BE INSTALLED. ALL OUTSIDE DOCK PILING AND MOORING PILING WILL BE
INSTALLED AND BANDED. THE LADDER WILL BE INSTALLED.

i. Pollution control methods and other actions proposed to mitigate environmental impacts:
OUR PROPOSAL WILL NOT CREATE A SOURCE OF POLLUTION. ALL PROPOSED MATERIALS ARE NON-TREATED SO
NO CHEMICAL LEACHING WILL OCCUR.

j. Erosion and silt control methods that will be used to prevent water quality impacts:
OUR PROPOSAL WILL NOT INCREASE EROSION OR SITATION RESULTING IN NEGATIVE IMPACTS ON THE WATER
QUALITY. DURING THE INSTALLATION OF PILING, THE BOTTOMLANDS WILL BE DISTURBED. THE AREA WILL
IMMEDIATELY RECLAIM ITSELF ONCE THE CONSTRUCTION IS COMPLETE. NO LONG TERM ADVERSE IMPACTS ARE
EXPECTED.

k. Alternatives considered to avoid regulated areas. If no feasible alternatives exist, explain how the project will
minimize impacts:
THE UPLAND PROPERTY OWNERS WISH TO UTILIZE THEIR RIPARIAN RIGHTS TO ACCESS NAVIGABLE WATERS.
THERE ARE NO FEASIBLE ALTERNATIVES TO AVOID REGULATED AREAS. ALTERNATIVES SUCH AS UTILIZING AN
OFFSHORE MOORING CREATES SAFETY CONCERNS AND LEASING A SLIP AT A LOCAL MARINA IS DIFFICULT DUE TO
THE LACK OF SUPPLY TO SUPPORT THE LOCAL DEMAND.

l. Proposed use:  ☑ Private  ☐ Public  ☐ Commercial

m. Proposed Start Date:  [SPRING 2019]  Estimated Completion Date:  [2 WEEKS AFTER START]

n. Has work begun on project?  ☑ Yes  If Yes, explain below.  ☐ No

o. Will project occupy Federal, State, or Municipal Land?  ☑ Yes  If Yes, explain below.  ☐ No
STATE UNDERWATER LANDS

p. List any previous DEC, USACE, OGS or DOS Permit / Application numbers for activities at this location:
UNKNOWN

q. Will this project require additional Federal, State, or Local authorizations, including zoning changes?
☑ Yes  If Yes, list below.  ☐ No
ARMY CORPS OF ENGINEERS, NYSDEC, NYSDOH, VILLAGE OF NORTH HAVEN
7. Signatures.
Applicant and Owner (If different) must sign the application.
Append additional pages of this Signature section if there are multiple Applicants, Owners or Contact/Agents.

I hereby affirm that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief.

Permission to Inspect - I hereby consent to Agency inspection of the project site and adjacent property areas. Agency staff may enter the property without notice between 7:00 am and 7:00 pm, 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, Agency staff may still enter the property. Agency staff may take measurements, analyze site physical characteristics, take soil and vegetation samples, sketch and photograph the site. I understand that failure to give this consent may result in denial of the permit(s) sought by this application.

False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the NYS Penal Law. Further, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from said project. In addition, Federal Law, 18 U.S.C., Section 1001 provides for a fine of not more than $10,000 or imprisonment for not more than 5 years, or both where an applicant knowingly and willingly falsifies, conceals, or covers up a material fact; or knowingly makes or uses a false, fictitious or fraudulent statement.

Signature of Applicant

[Signature]

Applicant Must be (check all that apply): [ ] Owner [ ] Operator [ ] Lessee

Date [11/21/18]

Printed Name

LAWRENCE BAUM

Title

MANAGING MEMBER

Signature of Owner (if different than Applicant)

[Signature]

Date

Printed Name

Title

Signature of Contact/Agent

[Signature]

Date [11/21/18]

Printed Name

Jane P. Costello for Costello Marine Contracting Corp.

Title

Permit Manager

For Agency Use Only

DETERMINATION OF NO PERMIT REQUIRED

Agency Application Number [ ]

(Agency Name) has determined that No Permit is required from this Agency for the project described in this application.

Agency Representative:

Printed Name

Title

Signature

Date
617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part I - Project Information. The applicant or project sponsor is responsible for the completion of Part I. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part I. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<table>
<thead>
<tr>
<th>Part I - Project and Sponsor Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name of Action or Project:</strong> DOCK PROPOSAL</td>
</tr>
<tr>
<td><strong>Project Location (describe, and attach a location map):</strong> 59 MASHOMUCK DRIVE, Sag Harbor, NY 11963</td>
</tr>
<tr>
<td><strong>Brief Description of Proposed Action:</strong> CONSTRUCT A 4'X160' FIXED DOCK WITH TWO 2-PILE MOORING DOLPHINS. INSTALL ONE SWIM LADDER AT OFFSHORE END.</td>
</tr>
</tbody>
</table>

| **Name of Applicant or Sponsor:** BAY PARTNERS, LLC c/o LAWRENCE BAUM |
| **Telephone:** (646) 920-2090 |
| **E-Mail:** ibaum@baysstreetadvisorsllc.com |
| **Address:** 51 MASHOMUCK DRIVE |
| **City/PO:** Sag Harbor |
| **State:** NY |
| **Zip Code:** 11963 |

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? NO YES
   If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.

2. Does the proposed action require a permit, approval or funding from any other governmental Agency? NO YES
   PERMITS ARE REQUIRED FROM ARMY CORPS OF ENGINEERS, NYS DOS, NYS DEC, VILLAGE OF NORTH HAVEN

3. a. Total acreage of the site of the proposed action? 1.7042 acres
   b. Total acreage to be physically disturbed? 0.016 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1.7042 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
   - [ ] Urban
   - [ ] Rural (non-agriculture)
   - [ ] Industrial
   - [ ] Commercial
   - [X] Residential (suburban)
   - [ ] Forest
   - [ ] Agriculture
   - [X] Aquatic
   - [ ] Other (specify): ____________________________
   - [ ] Parkland

Page 1 of 4
5. Is the proposed action,
   a. A permitted use under the zoning regulations?  ☑ NO ☐ YES ☐ N/A
   b. Consistent with the adopted comprehensive plan?  ☑ NO ☐ YES ☐ N/A

6. Is the proposed action consistent with the predominant character of the existing built or natural
   landscape?  ☐ NO ☑ YES

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?
   If Yes, identify: ____________________________  ☑ NO ☐ YES

8. a. Will the proposed action result in a substantial increase in traffic above present levels?  ☑ NO ☐ YES
   b. Are public transportation service(s) available at or near the site of the proposed action?  ☑ NO ☐ YES
   c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?  ☑ NO ☐ YES

9. Does the proposed action meet or exceed the state energy code requirements?
   If the proposed action will exceed requirements, describe design features and technologies:  ☑ NO ☐ YES

10. Will the proposed action connect to an existing public/private water supply?
    If No, describe method for providing potable water: ____________________________  ☑ NO ☐ YES

11. Will the proposed action connect to existing wastewater utilities?
    If No, describe method for providing wastewater treatment: ____________________________  ☑ NO ☐ YES

OUR PROPOSAL DOES NOT INVOLVE THE PRODUCTION OF WASTEWATER.

12. a. Does the site contain a structure that is listed on either the State or National Register of Historic
    Places?  ☑ NO ☐ YES
   b. Is the proposed action located in an archeological sensitive area?  ☑ NO ☐ YES

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain
    wetlands or other waterbodies regulated by a federal, state or local agency?  ☑ NO ☐ YES
   b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?
   If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: ____________________________

THE PROPOSED DOCK IS 840 SQUARE FEET AND WILL BE LOCATED WITHIN SHELTER ISLAND BOUND.

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
   ☑ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
   ☑ Wetland ☐ Urban ☐ Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed
    by the State or Federal government as threatened or endangered?  ☑ NO ☐ YES

16. Is the project site located in the 100 year flood plain?  ☑ NO ☐ YES

17. Will the proposed action create storm water discharge, either from point or non-point sources?
    If Yes,
    a. Will storm water discharges flow to adjacent properties?  ☑ NO ☐ YES
    b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?  ☑ NO ☐ YES
    If Yes, briefly describe: ____________________________
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?
If Yes, explain purpose and size:

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?
If Yes, describe:

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?
If Yes, describe:

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: LAWRENCE BAUM, MANAGING MEMBER

Signature: [Signature]

Date: 11/21/18

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions, the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

<table>
<thead>
<tr>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td></td>
</tr>
</tbody>
</table>

| 2. Will the proposed action result in a change in the use or intensity of use of land? |   |   |

| 3. Will the proposed action impair the character or quality of the existing community? |   |   |

| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? |   |   |

| 5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? |   |   |

| 6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? |   |   |

| 7. Will the proposed action impact existing: a. public/private water supplies? |   |   |
| b. public/private wastewater treatment utilities? |   |   |

| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? |   |   |

| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? |   |   |
Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

Title of Responsible Officer

Signature of Preparer (if different from Responsible Officer)
**Instructions for Completing**

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

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<td><strong>Project Location (describe, and attach a location map):</strong> 59 MASHOMUCK DRIVE, SAG HARBOR, NY 11963 SCTM #801-3-2-56 LAT/LONG: 41.025/-72.304</td>
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<td><strong>Brief Description of Proposed Action:</strong> CONSTRUCT A 4X180' FIXED DOCK WITH TWO 2-PILE MOORING DOLPINS. INSTALL ONE SWIM LADDER AT OFFSHORE END.</td>
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<td><strong>Address:</strong> 51 MASHOMUCK DRIVE</td>
</tr>
<tr>
<td><strong>City/PO:</strong> SAG HARBOR</td>
</tr>
<tr>
<td><strong>Telephone:</strong> (646) 620-2050</td>
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1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?  
   If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.  
   1. NO 2. YES

2. Does the proposed action require a permit, approval or funding from any other governmental Agency?  
   If Yes, list agency(s) name and permit or approval: PERMITS ARE REQUIRED FROM ARMY CORPS OF ENGINEERS, NYS DOS, NYSDEC, VILLAGE OF NORTH HAVEN  
   1. NO 2. YES

3. a. Total acreage of the site of the proposed action?  
   b. Total acreage to be physically disturbed?  
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?  
   1.7042 acres  
   0.016 acres  
   1.7042 acres

4. Check all land uses that occur on, adjoining and near the proposed action.  
   - [ ] Urban  
   - [ ] Rural (non-agriculture)  
   - [ ] Industrial  
   - [ ] Commercial  
   - [X] Residential (suburban)  
   - [ ] Forest  
   - [ ] Agriculture  
   - [X] Aquatic  
   - [ ] Other (specify):  
   - [ ] Parkland

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<td></td>
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<td>☑</td>
<td>☐</td>
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<td></td>
<td></td>
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<td>12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?</td>
<td></td>
<td>☑</td>
<td>☐</td>
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<td></td>
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<tr>
<td>b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:</td>
<td></td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>THE PROPOSED DOCK IS 640 SQUARE FEET AND WILL BE LOCATED WITHIN SHELTER ISLAND SOUND</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:</td>
<td></td>
<td></td>
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<td>☑ Shoreline</td>
<td>☐ Forest</td>
<td>☐ Agricultural/grasslands</td>
<td>☐ Early mid-successional</td>
</tr>
<tr>
<td>☑ Wetland</td>
<td>☐ Urban</td>
<td>☐ Suburban</td>
<td></td>
</tr>
<tr>
<td>15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?</td>
<td></td>
<td>☑</td>
<td>☐</td>
</tr>
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<td>16. Is the project site located in the 100 year flood plain?</td>
<td></td>
<td>☑</td>
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If Yes, explain purpose and size: ____________________________________________________________________________
☐ NO ☐ YES

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?
If Yes, describe: ____________________________________________________________________________
☐ NO ☐ YES

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?
If Yes, describe: ____________________________________________________________________________
☐ NO ☐ YES

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Applicant/sponsor name: LAWRENCE BAUM, MANAGING MEMBER Date: 11/21/18

Signature: [Signature]

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

<table>
<thead>
<tr>
<th>Question</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>7. Will the proposed action impact existing:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. public / private water supplies?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b. public / private wastewater treatment utilities?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>No, or small impact may occur</td>
<td>Moderate to large impact may occur</td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>----------------------------------</td>
<td></td>
</tr>
<tr>
<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should be completed in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

Title of Responsible Officer

Signature of Preparer (if different from Responsible Officer)
AUTHORIZATION FORM

I, LAWRENCE BAUM owner of BAY PARTNERS, LLC
located at 59 MASHOMUCK DRIVE, NORTH HAVEN

do hereby give Costello Marine Contracting Corp. the authority to act as agent in my
behalf in applying for all of the necessary permits for work to be completed at my above
referenced property.

11/21/18
Date

Signature
NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM
Federal Consistency Assessment Form

An applicant, seeking a permit, license, waiver, certification or similar type of approval from a federal agency which is subject to the New York State Coastal Management Program (CMP), shall complete this assessment form for any proposed activity that will occur within and/or directly affect the State's Coastal Area. This form is intended to assist an applicant in certifying that the proposed activity is consistent with New York State's CMP as required by U.S. Department of Commerce regulations (15 CFR 930.57). It should be completed at the time when the federal application is prepared. The Department of State will use the completed form and accompanying information in its review of the applicant's certification of consistency.

A. APPLICANT (please print)
1. Name: Bay Partners LLC
2. Address: 284 W. 11TH STREET NEW YORK NY 10014
3. Telephone: Area Code: 646-920-2040

B. PROPOSED ACTIVITY
1. Brief description of activity:
   CONSTRUCT A 4'X100' FIXED PIERS (100' FROM MEAN LOW WATER) WITH TWO 10'6" TWO PILE MOORING DOCKS.
   INSTALL ONE SWIM LADDER AT OFF SHORE END.
2. Purpose of activity:
   PROVIDE BOAT DOCKAGE AND ACCESS TO SAME AT APPLICANT'S RESIDENCE
3. Location of activity:
   County
   Suffolk
   City, Town, or Village
   North Haven
   Street or Site Description
   59 Mashomuck Drive
4. Type of federal permit/license required: ACOE
5. Federal application number, if known: UNKNOWN
6. If a state permit/license was issued or is required for the proposed activity, identify the state agency and provide the application or permit number, if known:
   NYS DEC, NYS DOS
C. **COASTAL ASSESSMENT** Check either "YES" or "NO" for each of these questions. The numbers following each question refer to the policies described in the CMP document (see footnote on page 2) which may be affected by the proposed activity.

1. Will the proposed activity **result** in any of the following? **YES NO**
   
   a. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement? (11, 22, 25, 32, 37, 38, 41, 43) ................. — ✔
   
   b. Physical alteration of more than two acres of land along the shoreline, land under water or coastal waters? (2, 11, 12, 20, 28, 35, 44) ................. — ✔
   
   c. Revitalization/renovation of a deteriorated or underutilized waterfront site? (1) ................. — ✔
   
   d. Reduction of existing or potential public access to or along coastal waters? (19, 20) ................. — ✔
   
   e. Adverse affect upon the commercial or recreational use of coastal fish resources? (9, 10) ................. — ✔
   
   f. Siting of a facility essential to the exploration, development and production of energy resources in coastal waters or on the Outer Continental Shelf? (29) ................. — ✔
   
   g. Siting of a facility essential to the generation or transmission of energy? (27) ................. — ✔
   
   h. Mining, excavation, or dredging activities or the placement of dredged or fill material in coastal waters? (15, 35) ................. — ✔
   
   i. Discharge of toxic, hazardous substances or other pollutants into coastal waters? (8, 15, 35) ................. — ✔
   
   j. Draining of stormwater runoff or sewer overflows into coastal waters? (33) ................. — ✔
   
   k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (36, 39) ................. — ✔
   
   l. Adverse affect upon land or water uses within the State's small harbors? (4) ................. — ✔

2. Will the proposed activity **affect** or be **located** in, on, or adjacent to any of the following? **YES NO**
   
   a. State designated freshwater or tidal wetland? (44) ................. — ✔
   
   b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17) ................. — ✔
   
   c. State designated significant fish and/or wildlife habitat? (7) ................. — ✔
   
   d. State designated significant scenic resource or area? (24) ................. — ✔
   
   e. State designated important agricultural lands? (26) ................. — ✔
   
   f. Beach, dune or barrier island? (12) ................. — ✔
   
   g. Major ports of Albany, Buffalo, Ogdensburg, Oswego or New York? (3) ................. — ✔
   
   h. State, county, or local park? (19, 20) ................. — ✔
   
   i. Historic resource listed on the National or State Register of Historic Places? (23) ................. — ✔

3. Will the proposed activity **require** any of the following? **YES NO**
   
   a. Waterfront site? (2, 21, 22) ................. — ✔
   
   b. Provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (5) ................. — ✔
   
   c. Construction or reconstruction of a flood or erosion control structure? (13, 14, 16) ................. — ✔
   
   d. State water quality permit or certification? (30, 38, 40) ................. — ✔
   
   e. State air quality permit or certification? (41, 43) ................. — ✔

4. Will the proposed activity **occur within** and/or **affect** an area covered by a State approved local waterfront revitalization program? (see policies in local program document) ................. — ✔
D. ADDITIONAL STEPS

1. If all of the questions in Section C are answered "NO", then the applicant or agency shall complete Section E and submit the documentation required by Section F.

2. If any of the questions in Section C are answered "YES", then the applicant or agent is advised to consult the CMP, or where appropriate, the local waterfront revitalization program document*. The proposed activity must be analyzed in more detail with respect to the applicable state or local coastal policies. On a separate page(s), the applicant or agent shall: (a) identify, by their policy numbers, which coastal policies are affected by the activity, (b) briefly assess the effects of the activity upon the policy, and, (c) state how the activity is consistent with each policy. Following the completion of this written assessment, the applicant or agency shall complete Section E and submit the documentation required by Section F.

E. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with the State's CMP or the approved local waterfront revitalization program, as appropriate. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program, or with the applicable approved local waterfront revitalization program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: COSTELLO MARINE CONTRACTING CORP.

Address: P.O. Box 2184 GREENPORT, N.Y. 11944

Telephone: Area Code (631) 477-1199

Applicant/Agent's Signature: __________________________ Date: 11/19/10

F. SUBMISSION REQUIREMENTS

1. The applicant or agent shall submit the following documents to the New York State Department of State, Division of Coastal Resources, 41 State Street - 8th Floor, Albany, New York 12231.

   a. Copy of original signed form.
   b. Copy of the completed federal agency application.
   c. Other available information which would support the certification of consistency.

2. The applicant or agent shall also submit a copy of this completed form along with his/her application to the federal agency.

3. If there are any questions regarding the submission of this form, contact the Department of State at (518) 474-6000.

*These state and local documents are available for inspection at the offices of many federal agencies, Department of environmental Conservation and Department of State regional offices, and the appropriate regional and county planning agencies. Local program documents are also available for inspection at the offices of the appropriate local government.
Coastal Policy #44: Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.

All precautions will be taken to protect tidal wetlands during construction process. The proposed dock will be constructed in a manner approved by governing agencies to allow for continued growth of wetland vegetation.

Coastal Policy #22: Development, when located adjacent to the shore, will provide for water-related recreation, whenever such use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.

There are no major developments in the project area. The area is residential and our proposal is consistent and reasonable for the area. Our project is minor in nature and minimal in design to meet local governing agency requirements.
COASTAL POLICY #12: ACTIVITIES OR DEVELOPMENT IN THE COASTAL AREA WILL BE UNDERTAKEN SO AS TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION BY PROTECTING NATURAL PROTECTIVE FEATURES INCLUDING BEACHES, DUNES, BARRIER ISLAND AND BLUFFS.

THE LOCATION OF THE PROPOSED DOCK WILL NOT DAMAGE ANY NATURAL FEATURE ALONG THE SHORELINE. THE BEACH WILL REMAIN UNDISTURBED. ACCESS TO THE BEACH REMAINS UNCHANGED. BLUFFS, DUNES AND BARRIER ISLANDS DO NOT EXIST AT THIS SITE. THE PROPOSED DOCK IS CONSISTENT WITH COASTAL POLICY #12.
ENvironmentAL QUESTIONNAIRE

This is intended to supplement ENG Form 4323, Application for Department of the Army Permit, or the Joint Application for Permit used in the State of New York. Please provide complete answers to all questions below which are relevant to your project. Any answers may be continued on separate sheet(s) of paper to be attached to this form.

PRIVACY ACT STATEMENT

The purpose of this form is to provide the Corps of Engineers with basic information regarding your project. This information will be used to facilitate evaluation of your permit application and for public dissemination as required by regulation. Failure to provide complete information may result in your application being declared incomplete for processing, thereby delaying processing of your application.

GENERAL—APPLICABLE TO ALL PROJECTS

1. Explain the need for, and purpose of, the proposed work.

   Provide by: Documentation and Access to Site at Applicant's Residence.

2. Provide the names and addresses of property owners adjacent to your work site (if not shown on the application form or project drawings).

   Shown and noted on Project Drawings.

   (Please note that depending upon the nature and extent of your project, you may be requested to provide the names and addresses of additional property owners proximate to your project site to ensure proper coordination.)

3. Photographs of the project site should be submitted. For projects in tidal areas, photographs of the waterway vicinity should be taken at low tide. Using a separate copy of your plan view, indicate the location and direction of each photograph as well as the date and time at which the photograph was taken. Provide a sufficient number of photographs so as to provide a clear understanding of conditions on and proximate to your project site.

   See attached Photos

4. Provide a copy of any environmental impact statement, or any other environmental report which was prepared for your project.

   See attached

   (continued on next page)
5. Provide a thorough discussion of alternative to your proposal. This discussion should include, but not necessarily be limited to, the “no action” alternative and alternative(s) resulting in less disturbance to waters of the United States. For filling projects in waters of the United States, including wetlands, your alternatives discussion should demonstrate that there are no practical alternatives to your proposed filling and that your project meets with current mitigation policy (i.e. avoidance, minimization and compensation).

**Moorings Are Not Authorized At This Site.**

**There Are No Marinas In The Near Proximity.**

**DREDGING PROJECTS**

Answer the following if your project involves dredging.

1. Indicate the estimated volume of material to be dredged and the depth (below mean low water) to which dredging would occur. Would there be overdepth dredging?

2. You can apply for a ten-year permit for maintenance dredging. If you wish to apply for a ten-year permit, please provide the number additional dredging events during then-year life of the permit and the amount of material to be removed during future events.

3. Indicate of your drawings the dewatering area (if applicable) and disposal site for the dredged material (except landfill sites). Submit a sufficient number of photographs of the dewatering and disposal sites as applicable so as to provide a clear indication of existing conditions. For ten-year maintenance dredging permits, indicated the dewatering/disposal sites for future dredging events, if known.

4. Describe the method of dredging (i.e. clamshell, dragline, etc.) and the expected duration of dredging.

5. Indicate the physical nature of the material to be dredged (i.e. sand, silt, clay, etc.) and provide estimated percentages of the various constituents if available. For beach nourishment projects, grain size analysis data is required.

(continued on next page)
6. Describe the method of dredged material containment (i.e. hay bales, embankment, bulkhead, etc.) and whether return flow from the dewatering/disposal site would reenter any waterway. Also indicate if there would be any barge overflow.

MOORING FACILITIES

Answer the following if your project includes the construction or rehabilitation of recreational mooring facilities.

1. It is generally recommended that any fixed piers and walk ramps be limited to four feet in width, and that floats be limited to eight feet in width and rest at least tow feet above the waterway bottom at mean low water. Terminal floats at private, non-commercial facilities should be limited to 20 feet in length. If you do not believe your proposal can meet with these recommendations, please provide the reason(s).

   Our proposal meets those requirements.

2. Using your plan view, show to scale the location(s), position(s) and size(s) (including length, beam and draft) of vessel(s) to be moored at the proposed facility, including those of transient vessel(s) if known.

   Not known at this time.

3. For commercial mooring sites such as marinas, indicate the capacity of the facility and indicated on the plan view the location(s) of any proposed fueling and/or sewage pumpout facilities. If pumpout facilities are not planned, please discuss the rationale below and indicate the distance to the nearest available pumpout station.

   Not applicable. This is a residential site.

4. Indicate on your plan view the distance to adjacent marine structures, if any are proximate and show the locations and dimensions of such structures.

   There is one similar dock structure 300' to the N/W of this site.

(continued on next page)
5. Discuss the need for wave protection at the proposed facility. Please be advised that if a permit is issued, you would be required to recognize that the mooring facility may be subject to wave action from wakes of passing vessels, whose operation would not be required to be modified. Issuance of a permit would not relieve you of ensuring the integrity of the authorization structure(s) and the United States would not be held responsible for damages to the structure(s) and vessels(s) moored thereto from wakes from passing vessels.

**BULKHEADING/BANK STABILIZATION/FILLING ACTIVITIES**

Answer the following if your project includes construction of bulkheading (also retaining walls and seawalls) with backfill, filling of waters/wetlands, or any other bank stabilization fills such as riprap, revetments, gabions, etc.

1. Indicate the total volume of fill (including backfill behind a structure such as a bulkhead) as well as the volume of fill to be placed into waters of the United States. The amount of fill in waters of the United States can be determined by calculating the amount of fill to be placed below the plane of spring high tide in tidal areas and below ordinary high water in non-tidal areas.

2. Indicate the source(s) and type(s) of fill material.

3. Indicate the method of fill placement (i.e. by hand, bulldozer, crane, etc.) Would any temporary fills be required in waterways or wetlands to provide access for construction equipment? If so, please indicate the area of such waters and/or wetlands to be filled and show on the plan and sectional views.

The foregoing requests basic information on the most common types of projects requiring Department of the Army permits. It is intended to obviate or reduce the need for requesting additional information; however, additional information may be requested above and beyond what is requested in this form.

Please feel free to add any additional information regarding your project which you believe may facilitate our review.
PROPOSED:

CONSTRUCT A 4' X 100' FIXED PIER (100' FROM MEAN LOW WATER) WITH TWO 10' X 6' DOCKING DOCKINGS. INSTALL ONE SWIM LADDER AT OFF SHORE END.

MATERIALS:

PILINGS: 10" X 8" GREENHORN-BANDED CAPS: 4" X 6" TROPICAL HARDWOOD STRINGERS: 4" X 4" TROPICAL HARDWOOD DECKING: OPEN GRATING STYLE HARDWARE: N.D.GALV.

ACCESS:

BY WATER USING BARGE AND BY LAND THROUGH APPLICANTS PROPERTY

APPLICANT:

BAY PARTNERS LLC
284 W. 11TH STREET
NEW YORK, N.Y. 10014
59 MASHOMUCK DRIVE
NORTH HAVEN, N.Y. 11775
SCM-901-3-2-50

NOV. 19, 2018

SHEET 1 OF 6
DOCK DETAIL

HARDWARE: H.D. GUY W. FASTENERS 3TH. STEEL

APPLICANT

BAY PARTNERS LLC
284 W. 11TH STREET
NEW YORK, N.Y. 10014
59 MASHOMUCK DRIVE
NORTH HAVEN, N.Y. 11771
5CTM 90F 3.3.56

PREPARED BY:
COSTELLO MARINE CONTRACTING CORP.
P.O. BOX 2124 GREENPORT, N.Y. 11744
(631) 477-1147

NOV. 19, 2018

SHEET 6 OF 6