



June 10, 2020

Town of Hyde Park Zoning Board of Appeals
4383 Albany Post Road
Hyde Park, NY 12538

**RE: 135 Old Post Road
"The Locust on Hudson LLC" Land Recontouring
Tax ID # 6167-01-117843**

Dear Chairman and Board Members:

On behalf of our client, please accept this letter as a request for an area variance as a corrective measure and as well to complete the effort of land recontouring and beatification that was undertaken in October and November of 2019.

This work is reported by the Owner to have been an extension of area cleanup and desire to restore land to an original condition to contain a pond, as it had been a neglected area for decades and the area had filled in becoming unsightly and un-usable. The owner was not aware permits were necessary to do this work.

In late November 2019, the Town issued stop-work orders on this and the abutting parcel across Penny Lane for these efforts, and this application to the Town ZBA is to address the intrusion of the work within 100' of the North Staatsburg Creek which would require a variance be issued under Town Code section 108-4.3 (G) (2); while all the original intrusion has been reseeded, stabilized and planted, a small additional area near the intersection with the Creek is required to be improved to complete stabilization and function. These areas are shown on the map provided with this application.

Once the violation notices were issued, the Owner retained our firm to review the situation and work with the Town to rectify.

From that date a land survey was conducted, wetland limits were mapped and used for the development of a Stormwater Pollution Prevention Plan (SWPPP) document as application for Erosion and Sediment Control Permit from the Town – these documents are under review by the Town Engineer and Zoning Administrator at this time.

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Also from that date, our firm began conducting weekly erosion and sedimentation inspections and has worked with the site contractor to stabilize, revegetate and replant these areas to the extent possible – this is an ongoing effort and the Town has been provided with weekly SWPPP reports since that time.

Our firm along with Ecological Solutions, LLC has prepared and submitted an application to the Army Corp of Engineers for the appropriate permit to conduct the final stabilization work at the intersection of the Creek and the feed into the pond area; this permit application was filed on April 28, 2020, and due to the area of impact being approx. 1,600sf and less than 1/10th acre, ACOE approval for the work is anticipated on or near June 12, 2020.

The subject property is not located within 500' of land identified as being located within an Agricultural District, therefore an Ag. Data Statement has not been submitted.

We respectfully request that this matter be placed on the upcoming June 24, 2020 Zoning Board of Appeals agenda.

Thank you.

Sincerely,
The LRC Group

A handwritten signature in black ink, appearing to read 'Rod Morrison', written over a horizontal line.

By _____
Rod Morrison, PE