



# PLANNING BOARD SITE PLAN REVIEW APPLICATION

236 Third Street, Greenport, New York, 11944

(631) 477-0248

[www.villageofgreenport.org](http://www.villageofgreenport.org)

Date of Application 4-27-22

All information below is to be completed by the applicant. This completed application is to be accompanied by the proposed Site Plan, Copies of Covenants and/or Restrictions, where applicable, Environmental Assessment Form, building plans showing elevations, setbacks, floor plans, room dimensions, current survey and quality of material, where applicable.

**THE OWNER OF THE PROPERTY IS: (PLEASE PRINT CLEARLY)**  
200 ATLANTIC AVE REALTY LLC

First Name	Last Name	Business Name, if applicable	
[REDACTED]	[REDACTED]	[REDACTED]	
Mailing Address	City/ Town/ Village	State	Zip
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Phone #	E-Mail Address		
[REDACTED]	[REDACTED]		

**CONTACT PERSON (if different from owner)**  
*The person to receive all correspondence:*  
PAY L BETANCOURT, MEMBER

First Name	Last Name	Business Name, if applicable	
[REDACTED]	[REDACTED]	[REDACTED]	
Mailing Address	City/ Town/ Village	State	Zip
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Phone #	E-Mail Address		
[REDACTED]	[REDACTED]		

**IF ANYONE OTHER THAN THE OWNER COMPLETES THIS APPLICATION, WRITTEN CONSENT FROM THE OWNER MUST BE SUBMITTED WITH THIS APPLICATION.**

**Location:** 1001-02-02-35

Suffolk County Tax Map Number: 1001 Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot \_\_\_\_\_

Street Address: 200 ATLANTIC AVENUE Greenport, New York, 11944

Zoning District:  WC  R1  R2  PD  CR  CG

Is property located within the Historic District?  Yes  No



## PLANNING BOARD SITE PLAN REVIEW APPLICATION

236 Third Street, Greenport, New York, 11944

(631) 477-0248

[www.villageofgreenport.org](http://www.villageofgreenport.org)

### Project Information:

Residential  Commercial

Proposed Starting Date: MAY 15, 2022

### Project Description:

Please describe project in detail. (Use an additional sheet if necessary)

CONSTRUCT PROPOSED 4' WIDE X 32' LONG FIXED DOCK, 30" WIDE X 14' LONG ALUMINUM RAMP & 6' WIDE BY 20' LONG FLOATING DOCK SUPPORTED WITH 2 - 10' DIA. PILES ON EXISTING DOCK AS SHOWN ON PLANS.

### Please check the following boxes for permits this project will require:

Building Permit

Wetlands Permit

Suffolk County Planning Board

New York State D.E.C.

United States Army Corps of Engineers

Suffolk County Health Department

New York State Department of State Coastal Flood Management

Does this application require a Zoning Board of Appeals Variance?  Yes  No

# AFFIDAVIT

Village of Greenport )  
Town of Southold )  
County of Suffolk ) ss  
State of New York )

I swear that to the best of my knowledge and belief that the statements contained in this application, together with the plans and specifications submitted, are true and complete statements of proposed work to be done on the described premises and that all provisions of the Building Code, Zoning Code, and all other laws pertaining to the proposed work shall be complied with, whether specified or not, and that such work and inspections are authorized by the owner. The Village of Greenport is hereby granted permission to enter the property listed as the "Location" for the purposes of inspecting my property for a site visit. I understand that if approved, Site Plan approval will be granted and accepted on condition that the provisions of Federal, State and Local rules and regulations, and any additional requirements of the Site Plan are complied with. I understand that any approval granted will be deemed null and void if any information pertaining to restrictions and/or covenants prior to the date of this application are discovered after Site Plan approval is granted. Any violation of all applicable codes, or deviations from the approved Site Plan will result in the immediate revocation of this Site plan approval & legal action will be taken against me. No responsibility rests upon the Village of Greenport, Code Enforcement Official or the Fire Department by reason of this application and permit.

Sworn to be before this 27<sup>th</sup> day  
of April 20 22

Signature   
Owner or Applicant

  
Notary Public, Suffolk County, New York

MORGANT W. FIEDLER  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02FI6304179  
Qualified in Suffolk County  
My Commission Expires 05-27-2022

DEC

PERMIT

10/21/20 to 10/20/25

PIER 200

# 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

October 21, 2020

200 Atlantic Ave Realty LLC  
200 Atlantic Avenue  
Greenport, NY 11944

Re: Permit ID 1-4738-03505/00005  
200 Atlantic Ave Realty LLC  
200 Atlantic Avenue  
Greenport  
SCTM # 1001-2-2-35  
Expiration Date: 10/20/2025

Dear Permittee:

In conformance with the requirements of the State Uniform Procedures Act (Article 70, ECL) and its implementing regulations (6 NYCRR, Part 621) we are enclosing your permit. Please carefully read all permit conditions contained in the permit to ensure compliance during the term of the permit. If you are unable to comply with any conditions, please contact us at the above address.

Also enclosed is a permit sign which is to be conspicuously posted at the project site and protected from the weather and a Notice of Commencement / Completion of Construction form. Please note, the permit sign and form are sent to either the permittee or the facility application contact, not both.

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

Sincerely,



Matthew R. Penski  
Environmental Analyst

Distribution List:

Jeffrey Patanjo  
BMHP  
File



Department of  
Environmental  
Conservation





**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**Permittee and Facility Information**

**Permit Issued To:**  
200 ATLANTIC AVE REALTY LLC  
200 ATLANTIC AVE  
GREENPORT, NY 11944

**Facility:**  
200 ATLANTIC AVE REALTY LLC  
200 ATLANTIC AVE SCTM #1001-2-2-35  
GREENPORT, NY 11944

**Facility Application Contact:**  
JEFFREY PATANJO  
PO BOX 582  
BOHEMIA, NY 11716-0582  
(631) 484-9332

**Facility Location:** in SOUTHOLD in SUFFOLK COUNTY **Village:** Greenport  
**Facility Principal Reference Point:** NYTM-E: 721.574 NYTM-N: 4554.466  
Latitude: 41°06'40.6" Longitude: 72°21'39.9"

**Project Location:** Stirling Basin, Zoned W-C

**Authorized Activity:** Install a fixed dock, ramp and float onto the existing dock assembly. All work shall be done in accordance with the plans prepared by Jeffrey Patanjo last dated 9-3-20, and stamped NYSDEC Approved on 10/21/2020.

**Permit Authorizations**

**Tidal Wetlands - Under Article 25**  
Permit ID 1-4738-03505/00005

New Permit

Effective Date: 10/21/2020

Expiration Date: 10/20/2025

**NYSDEC Approval**

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: JOHN A WIELAND, Deputy Regional Permit Administrator  
Address: NYSDEC Region 1 Headquarters  
SUNY @ Stony Brook 150 Circle Rd  
Stony Brook, NY 11790-3409

Authorized Signature: \_\_\_\_\_

Date 10/22/2020



**Distribution List**

JEFFREY PATANJO  
Marine Habitat Protection  
Environmental Permits

**Permit Components**

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

**NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following  
Permits: TIDAL WETLANDS**

1. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by Jeffrey Patanjo last dated 9-3-20, and stamped NYSDEC Approved on 10/21/2020.
2. **Notice of Commencement** At least 48 hours prior to commencement of the project, the permittee and contractor shall sign and return the top portion of the enclosed notification form certifying that they are fully aware of and understand all terms and conditions of this permit. Within 30 days of completion of project, the bottom portion of the form must also be signed and returned, along with photographs of the completed work.
3. **Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
4. **Storage of Equipment, Materials** The storage of construction equipment and materials shall be confined within the project work area, on a barge, and/or upland areas greater than 75 linear feet from the tidal wetland boundary.
5. **Dock, Catwalk Size** Dock or catwalk shall not exceed 4 feet in width and shall be a minimum of 4 feet above grade (as measured from ground to bottom of dock/catwalk decking) over tidal wetland areas.
6. **Docks at Property Lines** Docks/catwalks/floats must not:
  - a. extend laterally beyond property lines,
  - b. interfere with navigation, or
  - c. interfere with other landowners riparian rights.



7. **No Permanent Structures on Dock** No permanent structures shall be installed on dock/catwalk/float without first obtaining written Department approval (permit, modification, or amendment).
8. **No Structures on Pilings** No structures, other than structures specifically authorized by this permit, shall be constructed on pilings without further authorization from the department (permit, modification or amendment).
9. **Pilings at Property Lines** Pilings shall not:
  - a. extend laterally beyond property lines,
  - b. interfere with navigation, or
  - c. interfere with other landowners riparian rights.
10. **Float Installation** The float shall be installed only at the approved location with a minimum water depth of 2½ feet, measured at apparent low tide.
11. **No Floats, Ramps in Vegetated Tidal Wetlands** Floats and ramps may not rest on or be stored in any vegetated tidal wetland.
12. **Wood Preservatives**
  - a. Pressure treated wood used for construction of in-water structures must have undergone a treatment process approved (stamped or otherwise marked as certified) by the American Wood Preservative Association.
  - b. Wood treated with Pentachlorophenol (PCP) must not be used in marine or brackish waters. Wood treated with PCP must be aged in the open air for at least three months prior to in-water use.
  - c. The use of creosote treated wood is prohibited both in the water and upland areas.
  - d. Chromated Copper Arsenate (CCA) pressure treated wood must be clean and free of CCA surface deposits. Wood with surface deposits must be washed for at least 5 minutes under running water prior to use. The washing must occur greater than 100 feet landward of any regulated wetland and/or water body. (Note "E." below for handling wash water.)
  - e. Any wood debris such as sawdust or wash water must not enter any water body, including wetlands or protected buffer areas.
13. **No Prop Dredging** Prop dredging, or the act of utilizing and/or directing the propeller or propulsion system of a motorized vessel and/or the water-borne forces created by said propeller or propulsion system, to excavate or displace existing bottom sediment and benthic habitat for the direct or indirect purpose of establishing or increasing water depth, is a regulated activity and is not authorized by this permit. Prop dredging is strictly prohibited without further written authorization (permit, modification or amendment) from the department.





**14. No Dredging or Excavation** No dredging, excavating or other alteration of shoreline or underwater areas is authorized by this permit, nor shall issuance of this permit be construed to suggest that the Department will issue a permit for such activities in the future.

**15. No Disturbance to Vegetated Tidal Wetlands** There shall be no disturbance to vegetated tidal wetlands or protected buffer areas as a result of the permitted activities.

**16. Incidental Disturbance to Vegetation** It is the responsibility of the applicant to remedy any incidental disturbances resulting in damage or removal of wetland vegetation. Upon completion of construction activities, any disturbed areas shall be planted with the appropriate marsh vegetation. Please contact the Bureau of Marine Habitat at (631)444-0295 for more information.

**17. Materials Disposed at Upland Site** Any demolition debris, excess construction materials, and/or excess excavated materials shall be immediately and completely disposed of in an authorized solid waste management facility. These materials shall be suitably stabilized as not to re-enter any water body, wetland or wetland adjacent area.

**18. No Construction Debris in Wetland or Adjacent Area** Any debris or excess material from construction of this project shall be completely removed from the adjacent area (upland) and removed to an approved upland area for disposal. No debris is permitted in wetlands and/or protected buffer areas.

**19. State Not Liable for Damage** The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

**20. State May Order Removal or Alteration of Work** If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

**21. State May Require Site Restoration** If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.



**22. Precautions Against Contamination of Waters** All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

**GENERAL CONDITIONS - Apply to ALL Authorized Permits:**

**1. Facility Inspection by The Department** The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**2. Relationship of this Permit to Other Department Orders and Determinations** Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**3. Applications For Permit Renewals, Modifications or Transfers** The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator  
NYSDEC Region 1 Headquarters  
SUNY @ Stony Brook|50 Circle Rd  
Stony Brook, NY11790 -3409

**4. Submission of Renewal Application** The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Tidal Wetlands.

**5. Permit Modifications, Suspensions and Revocations by the Department** The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;



- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**6. Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

## NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

### **Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

### **Item B: Permittee's Contractors to Comply with Permit**

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

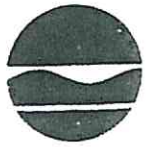
### **Item C: Permittee Responsible for Obtaining Other Required Permits**

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

### **Item D: No Right to Trespass or Interfere with Riparian Rights**

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

**NOTICE OF COMMENCEMENT OF CONSTRUCTION**



RETURN THIS FORM TO: COMPLIANCE

Or Fax to: 631-444-0297

Bureau of Marine Habitat Protection - NYSDEC  
50 Circle Road  
Stony Brook, NY 11790-3409

PERMIT NUMBER: \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_

PERMITTEE NAME & PROJECT ADDRESS: \_\_\_\_\_

CONTRACTOR NAME & ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

Dear Sir: \_\_\_\_\_

Pursuant to the special conditions of the referenced permit, you are hereby notified that the authorized activity shall commence on \_\_\_\_\_. We certify that we have read the referenced permit and approved plans and fully understand the authorized project and all permit conditions. We have inspected the project site and can complete the project as described in the permit and as depicted on the approved plans. We can do so in full compliance with all plan notes and permit conditions. The permit, permit sign, and approved plans will be available at the site for inspection in accordance with General Condition No. 1. (Both signatures required)

PERMITEE: \_\_\_\_\_ DATE \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_ DATE \_\_\_\_\_

*THIS NOTICE MUST BE SENT TO THE ABOVE ADDRESS AT LEAST TWO DAYS PRIOR TO COMMENCEMENT OF THE PROJECT AND /OR ANY ASSOCIATED ACTIVITIES. FAILURE TO RETURN THIS NOTICE, POST THE PERMIT SIGN, OR HAVE THE PERMIT AND APPROVED PLANS AVAILABLE AT THE WORK SITE FOR THE DURATION OF THE PROJECT MAY SUBJECT THE PERMITEE AND/OR CONTRACTOR TO APPLICABLE SANCTIONS AND PENALTIES FOR NON-COMPLIANCE WITH PERMIT CONDITIONS.*

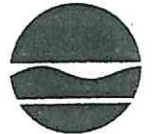
Cut along this line X                    X                    X                    X                    X                    X                    X

**NOTICE OF COMPLETION OF CONSTRUCTION**

RETURN THIS FORM TO: COMPLIANCE

Or Fax to: 631-444-0297

Bureau of Marine Habitat Protection - NYSDEC  
50 Circle Rd.  
Stony Brook, NY 11790-3409



PERMIT NUMBER: \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_

PERMITTEE NAME & PROJECT ADDRESS: \_\_\_\_\_

CONTRACTOR NAME & ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

Pursuant to special conditions of the referenced permit, you are hereby notified that the authorized activity was completed on \_\_\_\_\_. We have fully complied with the terms and conditions of the permit and approved plans. (Both signatures required)

PERMITEE: \_\_\_\_\_ DATE \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_ DATE \_\_\_\_\_

*THIS NOTICE, WITH PHOTOGRAPHS OF THE COMPLETED WORK AND/OR A COMPLETED SURVEY, AS APPROPRIATE, MUST BE SENT TO THE ABOVE ADDRESS WITHIN 30 DAYS OF COMPLETION OF THE PROJECT.*



**Department of  
Environmental  
Conservation**

# NOTICE

The Department of Environmental Conservation (DEC) has issued permit(s) pursuant to the Environmental Conservation Law for work being conducted at this site. For further information regarding the nature and extent of work approved and any Departmental conditions on it, contact the Regional Permit Administrator listed below. Please refer to the permit number shown when contacting the DEC.

Regional Permit Administrator

Permit Number 1-4738-03505/00005

**SUSAN ACKERMAN**

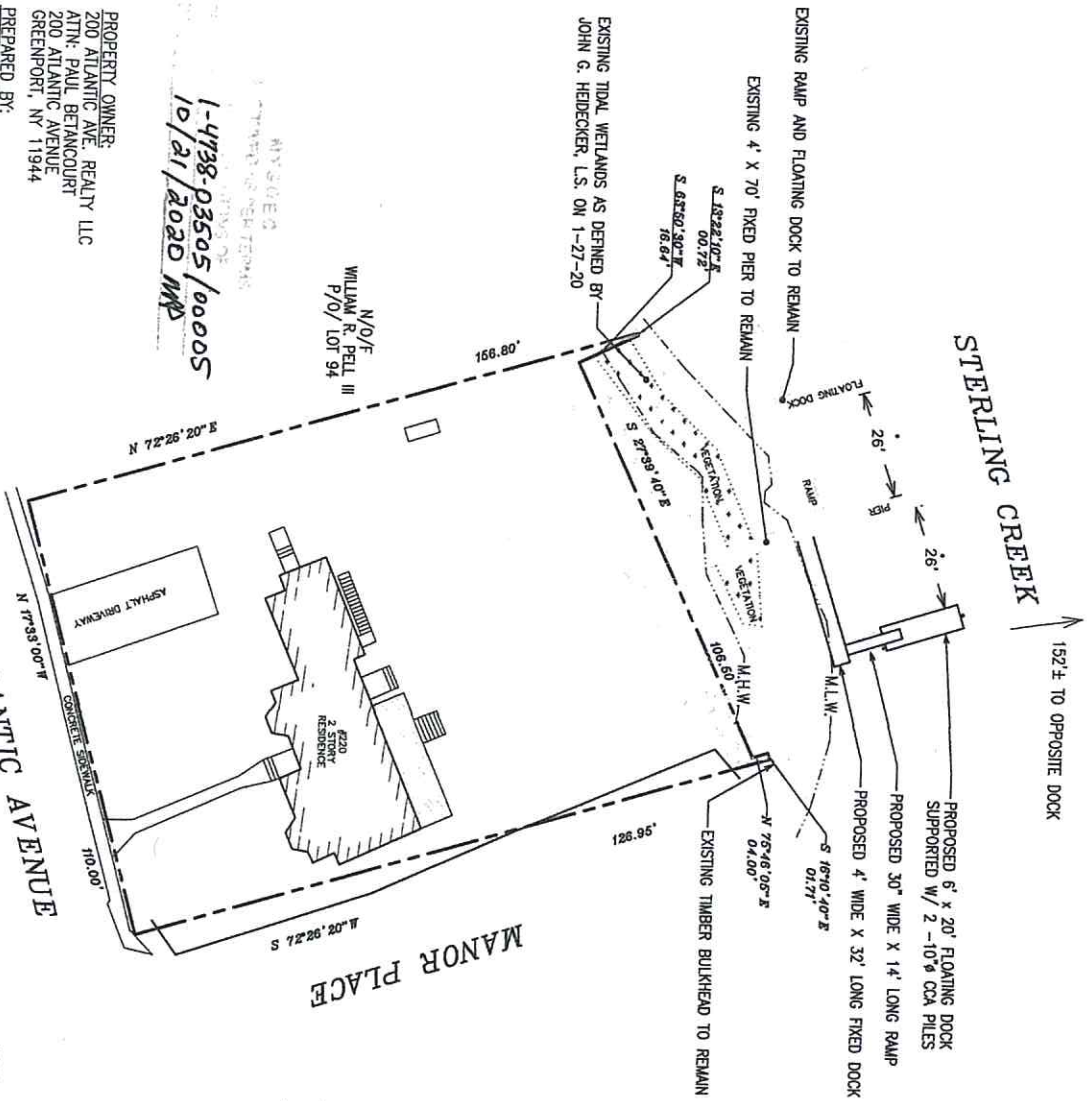
Expiration Date 10/20/2025

NOTE: This notice is **NOT** a permit

PROPERTY OWNER:  
 200 ATLANTIC AVE. REALTY LLC  
 ATTN: PAUL BELMOCOURT  
 200 ATLANTIC AVENUE  
 GREENPORT, NY 11944

PREPARED BY:  
 JEFFREY PATANNO  
 P.O. BOX 582  
 BOHEMIA, NY 11716  
 631-484-9332  
 JIPATANNO@GMAIL.COM

1-4738-03505/00005  
 10/21/2020 MJD



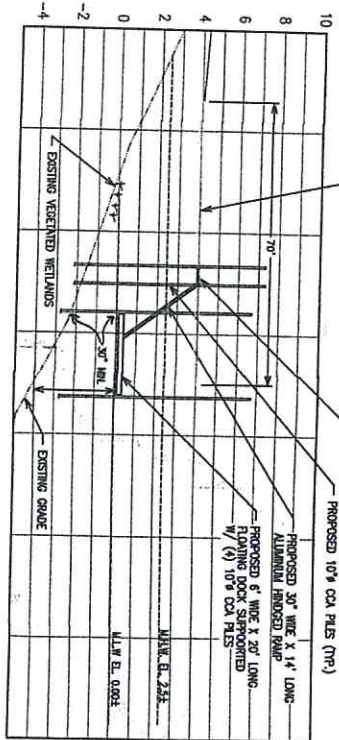
ATLANTIC AVENUE

MANOR PLACE

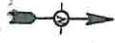
STERLING CREEK

152'± TO OPPOSITE DOCK

- NOTES:
- ELEVATIONS REFER TO N.G.V.D. 1929 DATUM
  - LOT AREA: 16,480.24 S.F. / .378 ACRES
- 1-2 WATER DEPTH REFERRED TO M.L.W AS MEASURED BY J. HEIDECCKER, L.S.



LOCATION MAP  
 N.T.S.



<b>Proposed Dock Permit Plans</b> <b>PROPOSED PLAN, DETAILS AND LOCATION MAP</b>		SCALE: 1"=30' DATE: 8-5-20 9-3-20
200 ATLANTIC AVENUE GREENPORT, TOWN OF SOUTHOLD SUFFOLK COUNTY, NY TAX MAP NO. 1001-02-02-86		SHEET: 1 OF 1



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT  
JACOB K. JAVITS FEDERAL BUILDING  
26 FEDERAL PLAZA  
NEW YORK NEW YORK 10278-0090

REGULATORY BRANCH

October 29, 2021

SUBJECT: Department of the Army Permit Number NAN-2021-00093  
By 200 Atlantic Avenue Realty LLC

200 Atlantic Avenue Realty LLC  
200 Atlantic Avenue  
Greenport, NY 11944  
914-282-6088

Dear Water Gate LLC:

We have completed our review of Application Number NAN-2021-00093-EKO.

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403), you are hereby authorized by the Secretary of the Army:

ACTIVITY: Perpendicular to and from the north side of an existing four-foot-wide by 70-foot-long fixed pier install a new approximately four-foot-wide by 32-foot-long fixed pier extension approximately 38 feet from the landward edge of the existing fixed pier. From the new fixed pier extension install a new approximately 2.5-foot-wide by 14-foot-long ramp in an "L" shape configuration extending seaward with a new approximately six-foot-wide by 20-foot-long float. The proposed structures will extend into the waterway, approximately 32 linear feet measured from the plane of Mean Low Water. The dock structures on the south side of the existing pier will remain in place.

All work shall be done in accordance with the attached plans, subject to Special Conditions A through B, which are hereby made part of this permit.

WATERWAY: Sterling Creek, tributary of Greenport Harbor

LOCATION: 200 Atlantic Avenue in Greenport, Town of Southold, Suffolk County, New York

The activity authorized herein must be completed within three years of the date of this permit. This authorization is subject to the enclosed conditions. Please find enclosed two forms to be used to submit to this office, as required, the dates of commencement and completion for the authorized activity.

SUBJECT: Department of the Army Permit Number NAN-2021-00093  
By 200 Atlantic Avenue Realty LLC

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**This authorization is conditional on the applicant's receipt of the required coastal zone management concurrence or waiver from the New York State Department of State (NYS DOS). No work may be accomplished until the required approval from NYS DOS has been obtained.**

This letter contains an initial proffered permit for your activity. If you object to this permit decision because of certain terms and conditions therein, you may request that the permit be modified accordingly under Corps regulations at 33 CFR 331. Enclosed you will find a combined Notification of Appeal Process (NAP) and Request for Appeal (RFA) form. If you object to this permit decision you must submit a completed RFA form to the New York District Office at:

Stephan A. Ryba  
Chief, Regulatory Branch  
USACE Operations/Regulatory 16-406  
c/o PSC Mail Center  
26 Federal Plaza  
New York, New York 10278

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the District Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by December 28, 2021. Additionally, send an electronic copy of the RFA form to Zachary.J.Kocsik@usace.army.mil. It is not necessary to submit an RFA form to the District Office if you do not object to the permit decision in this letter.

The authorized activity must be performed in accordance with the enclosed plans. *If any material changes in the location or plans of the subject work are found necessary, revised plans should be submitted to the District Engineer. These plans must receive the approval required by law before work begins.*

Notice is hereby given that the permittee should recognize that a possibility exists that the structures permitted herein may be subject to wavewash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structures permitted herein and the safety of boats moored thereto from damage by wavewash and the permittee shall not hold the United States liable for any such damage.

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.



REGULATORY BRANCH


October 29, 2021

SUBJECT: Department of the Army Permit Number NAN-2021-00093  
By 200 Atlantic Avenue Realty LLC

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If any questions should arise concerning this matter, please contact Zachary Kocsik, of my staff, at [Zachary.J.Kocsik@usace.army.mil](mailto:Zachary.J.Kocsik@usace.army.mil) or (917) 790-8521.

Sincerely,

 Date:  
2021.10.29  
19:29:31 -04'00'

**FOR AND IN BEHALF OF**  
Matthew W. Luzzatto  
Colonel, U.S. Army  
Commander and District Engineer

Encls

October 29, 2021

PERMITTEE: 200 Atlantic Avenue Realty LLC  
PERMIT NO.: NAN-2021-00093

**PERMIT CONDITIONS:**

NOTE: The term "you" and its derivatives, as used in this permit means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or appropriate official of that office acting under the authority of the commanding officer.

**GENERAL CONDITIONS:**

1. The time limit for completing the work authorized ends within three years of the date of this permit. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least four months before the date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party upon written notification to this office. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions:**

- (A) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be

made against the United States on account of any such removal or alteration.

- (B) The permittee shall utilize best management practices to minimize turbidity during all in-water work activities as well as prevent construction materials, including debris, from entering any waterway to become drift or pollution hazards.

**Further Information:**

1. Limits of authorization.

- a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

2. Limits to Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

October 29, 2021

4. **Reevaluation of Permit Decision:** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of the permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 3 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

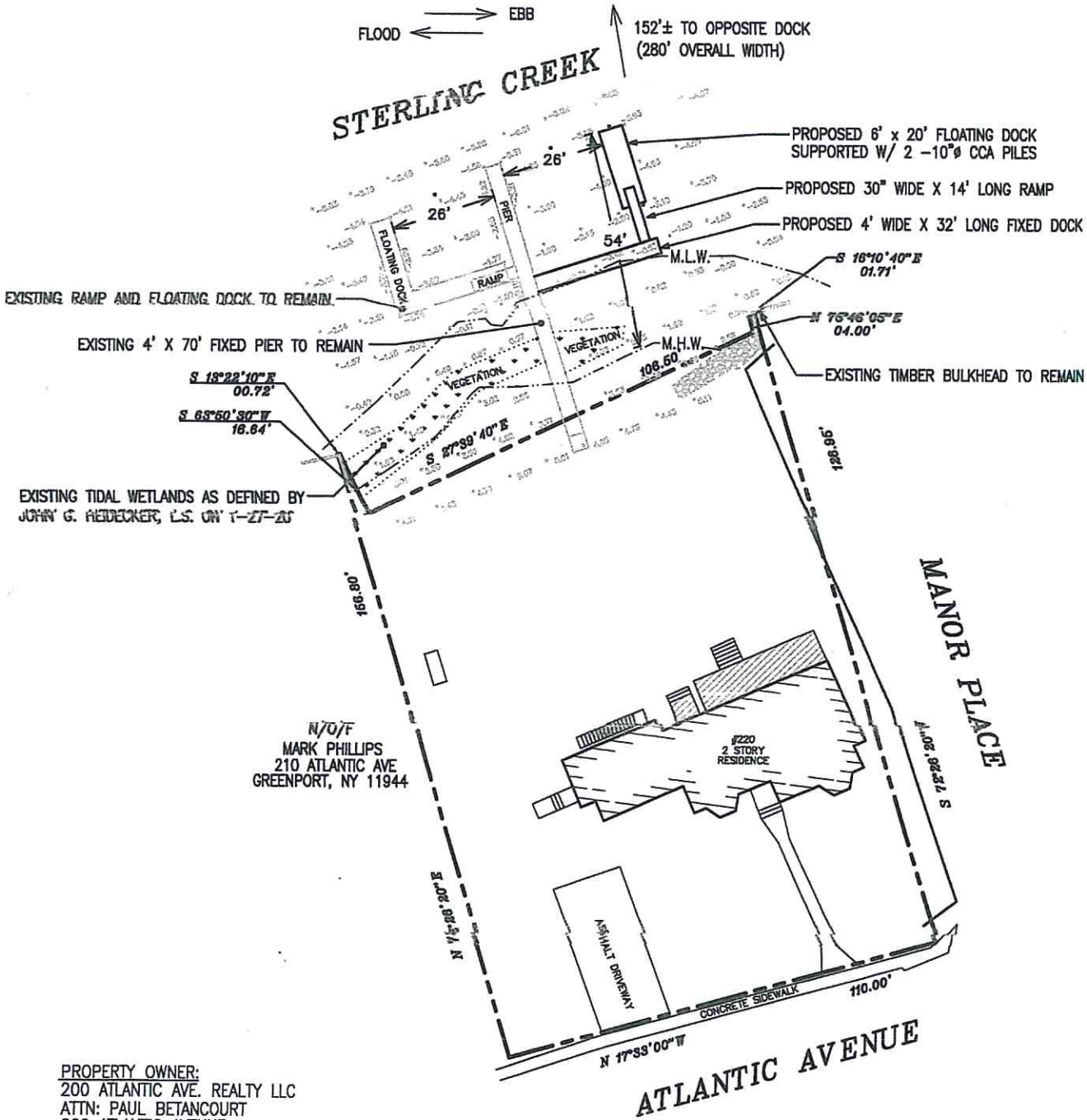
Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

5. **Extensions.** General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.



# LOCATION MAP

N.T.S.



PROPERTY OWNER:  
200 ATLANTIC AVE. REALTY LLC  
ATTN: PAUL BETANCOURT  
200 ATLANTIC AVENUE  
GREENPORT, NY 11944

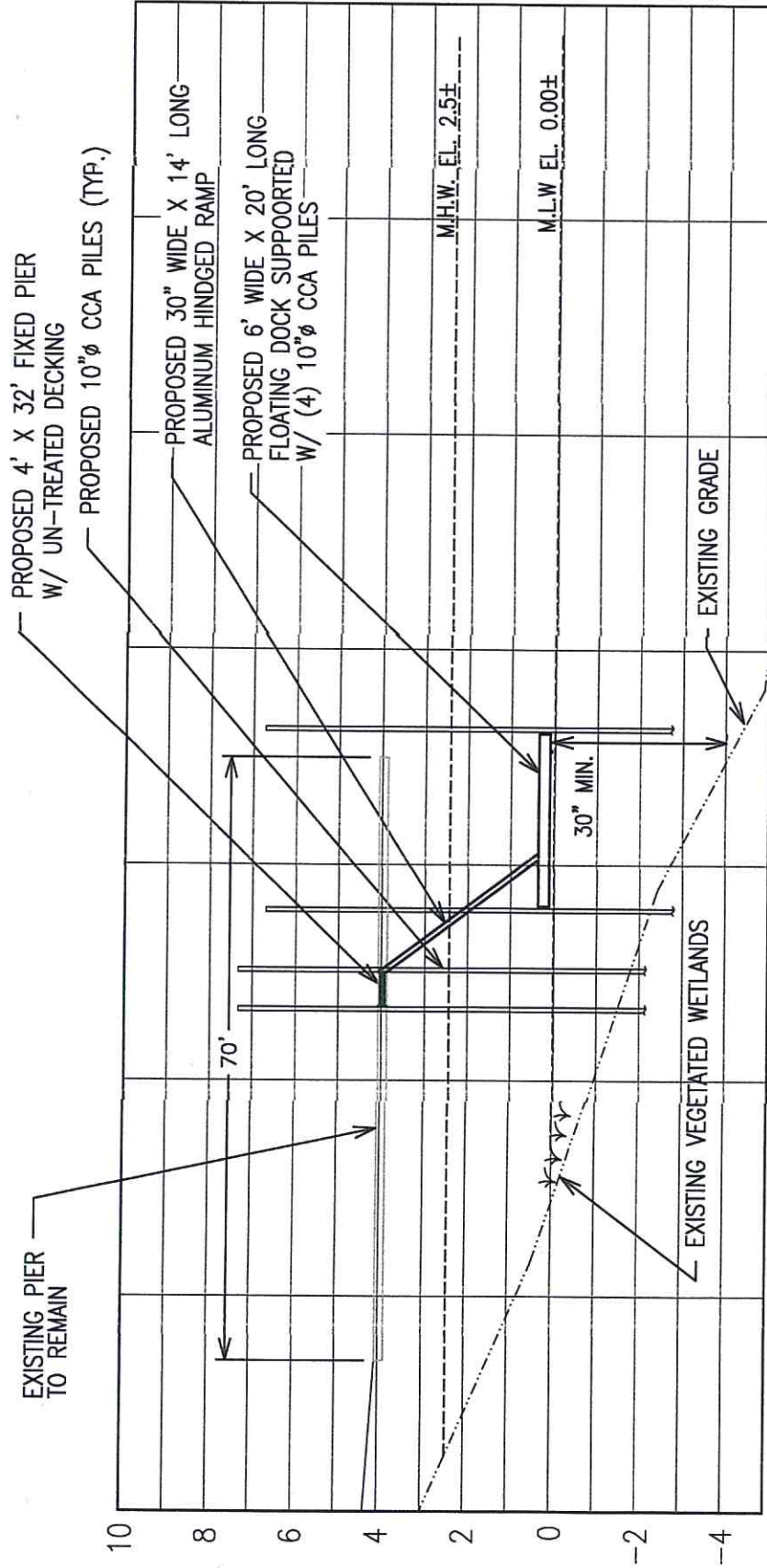
PREPARED BY:  
JEFFREY PATANJO  
P.O. BOX 582  
BOHEMIA, NY 11716  
631-484-9332  
JJPATANJO@GMAIL.COM

**NOTES:**

1. ELEVATIONS REFER TO N.G.V.D. 1929 DATUM
2. LOT AREA: 16,480.24 S.F. / .378 ACRES

-1.2 WATER DEPTH REFERENCED TO MLW AS MEASURED BY J. HEIDECKER, L.S.

<b>Proposed Dock Permit Plans</b>		SCALE: 1"=30'
<b>PROPOSED PLAN, DETAILS AND LOCATION MAP</b>		DATE: 8-5-20 9-3-20 3-15-21
200 ATLANTIC AVENUE GREENPORT, TOWN OF SOUTHOLD SUFFOLK COUNTY, NY TAX MAP NO. 1001-02-02-35		SHEET: 1 OF 1



# TYPICAL SECTION

SCALE: H: 1"=30'  
V: 1"=3'

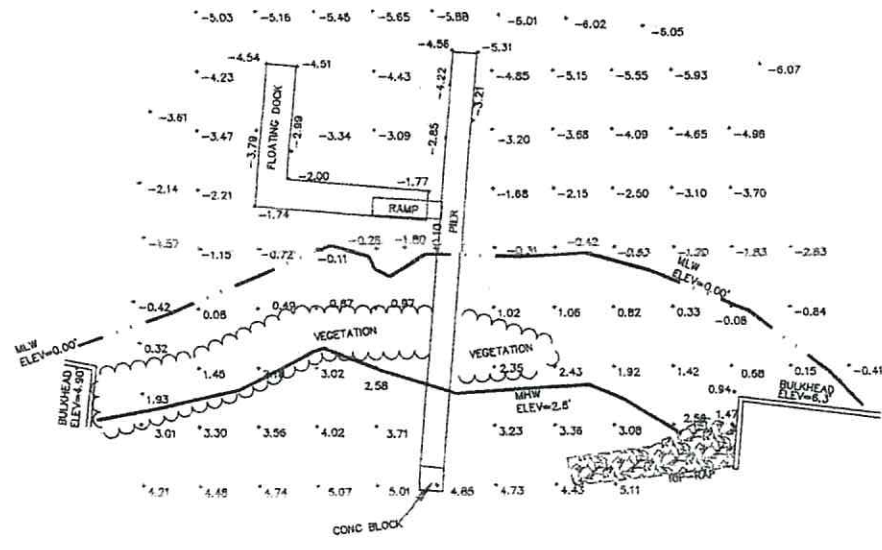


Unauthorized alteration or addition to this survey is a violation of section 7200, subdivision 2, of the New York State Education Law. Copies of this survey map not bearing the land surveyor's initial or embossed seal shall not be considered to be a valid copy.

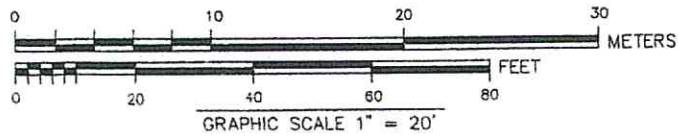
October 29, 2021



### STIRLING BASIN



SECTION 2-BLOCK 2-LOT 35  
(#200 ATLANTIC AVENUE)



**NOTES**

1. FIELD WORK WAS CONDUCTED JANUARY 23, 2020 BY HEIDECKER LAND SURVEYING, PLLC AND ALL MEASUREMENTS WERE TAKEN ON THE GROUND.
2. NORTH ARROW IS BASED UPON GPS OBSERVATIONS CONDUCTED BY HEIDECKER LAND SURVEYING, PLLC.
3. ELEVATIONS SHOWN REFERENCE MEAN LOW WATER DATUM.

JOHN GERD HEIDECKER N.Y. STATE LAND SURVEYOR LIC. # 050719  
751 COATES AVENUE  
HOLBROOK, NEW YORK 11741  
(831)-772-9804  
jheidecker@heideckers.com

DATE:

DATE: JANUARY 27, 2020  
DRAWN BY: B.M.  
CHK BY: J.H.  
SCALE: 1" = 20'

**BATHYMETRIC SURVEY**  
SECTION 2-BLOCK 2-TAX LOT 35  
#200 ATLANTIC AVENUE  
GREENPORT-TOWN OF SOUTHOLD  
SUFFOLK COUNTY, NEW YORK

SHEET NO. 1 OF 1  
PROJ. NO. 20HLS6  
CAD FILE: 20-LS6FP-096





DEPARTMENT OF THE ARMY  
 U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT  
 JACOB K. JAVITS FEDERAL BUILDING  
 26 FEDERAL PLAZA  
 NEW YORK NEW YORK 10278-0090

CENAN-OP-R

**IMPORTANT**

This letter must be completed and mailed to the Regulatory Branch at the above address prior to commencement of any work authorized under the permit.

Permittee: 200 Atlantic Avenue Realty LLC Permit No. NAN-2021-00093

Date Permit Issued: October 29, 2021 Expiration Date: October 21, 2024

Waterway: Sterling Creek

Project Location: 200 Atlantic Avenue in Greenport, Town of Southold, Suffolk County, New York

Work will commence on or about: \_\_\_\_\_

Name, Address & Telephone Number of Contractor:

\_\_\_\_\_  
 Signature of Permittee

\_\_\_\_\_  
 Date

Fold this form into thirds, with the bottom third facing outward. Tape it together and mail to the address below or FAX to (212) 264-4260.

\_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Place Stamp  
 Here

USACE Operations/Regulatory 16-406  
 c/o PSC Mail Center  
 26 Federal Plaza  
 New York, New York 10278



DEPARTMENT OF THE ARMY  
 U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT  
 JACOB K. JAVITS FEDERAL BUILDING  
 26 FEDERAL PLAZA  
 NEW YORK NEW YORK 10278-0090

CENAN-OP-R

**IMPORTANT**

This letter must be completed and mailed to the Regulatory Branch at the above address following completion or cancellation of work authorized under the permit.

Permittee: 200 Atlantic Avenue Realty LLC Permit No. NAN-2021-00093

Date Permit Issued: October 29, 2021 Expiration Date: October 21, 2024

Waterway: Sterling Creek

Project Location: 200 Atlantic Avenue in Greenport, Town of Southold, Suffolk County, New York

Check and complete applicable item(s) listed below:

- Work was completed on \_\_\_\_\_
- Work will not be performed on the project.
- Deviation from work authorized in permit is explained below.
- Other (explain) \_\_\_\_\_

- For dredging projects, list the volume of material dredged, and the amount placed at each disposal location (if more than one).  
 \_\_\_\_\_ cubic yards placed at \_\_\_\_\_  
 \_\_\_\_\_ cubic yards placed at \_\_\_\_\_  
 \_\_\_\_\_ cubic yards placed at \_\_\_\_\_

\_\_\_\_\_  
 Signature of Permittee

\_\_\_\_\_  
 Date

Fold this form into thirds, with the bottom third facing outward. Tape it together and mail to the address below or FAX to (212) 264-4260.

\_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Place Stamp  
 Here

USACE Operations/Regulatory 16-406  
 c/o PSC Mail Center  
 26 Federal Plaza  
 New York, New York 10278

## NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: 200 Atlantic Avenue Realty LLC	File Number: NAN-2021-00093	Date: October 29, 2021
Attached is:		See Section below
<input checked="" type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
<input type="checkbox"/>	PERMIT DENIAL	C
<input type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E

**SECTION I -** The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/appeals.aspx> or Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** *If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.*

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the *date of this notice*.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:

Mr. Stephan A. Ryba  
Chief, Regulatory Branch (CENAN-OP-R)  
USACE Operations/Regulatory 16-406  
c/o PSC Mail Center  
26 Federal Plaza  
New York, New York 10278

If you only have questions regarding the appeal process you may also contact:

Mr. James W. Haggerty, Regulatory Program Manager  
North Atlantic Division, U.S. Army Engineer Division  
Fort Hamilton Military Community  
General Lee Avenue, Building 301  
Brooklyn, NY 11252-6700  
Telephone number: (347) 786-1434

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

\_\_\_\_\_  
*Signature of appellant or agent.*

Date: \_\_\_\_\_

Telephone number: \_\_\_\_\_

617.20  
**Appendix C**  
**State Environmental Quality Review**  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
**For UNLISTED ACTIONS Only**

**PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)**

1. APPLICANT/SPONSOR <b>PAUL T BETANCOURT</b>	2. PROJECT NAME <b>200 ATLANTIC AVE REALTY LLC</b>
3. PROJECT LOCATION: Municipality <b>GREENPORT</b> County <b>Suffolk</b>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <b>200 ATLANTIC AVENUE, GREENPORT, NY 11944</b>	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <b>EXPAND EXISTING DOCK TO INCLUDE 2 ADDITIONAL SLIPS</b>	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres    Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: <b>2 family house with 4 BOAT SLIPS, ZONING WC</b>	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals: <b>DEC, ARMY CORP, GREENPORT TOWN</b>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals: <b>DEC, ARMY CORP, GREENPORT TOWN?</b>	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <b>PAUL T. BETANCOURT</b> Date: <b>4-27-22</b> Signature: <i>Paul T. Betancourt</i>	

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**





EXISTING BUILDING

ASPHALT PARKING

ATLANTIC AVENUE

90'-3"

20'-2"

19'-0"

12'-0"

19'-0"