



# PUBLIC NOTICE

US Army Corps  
of Engineers  
New York District  
Jacob K. Javits Federal Building  
New York, N.Y. 10278-0090  
ATTN: Regulatory Branch

**In replying refer to:**

Public Notice Number: NAN-2011-00272-EST  
Issue Date: January 30, 2012  
Expiration Date: February 29, 2012

**To Whom It May Concern:**

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Village of Tarrytown  
One Depot Plaza  
Tarrytown, NY 10591

ACTIVITY: Construction of Pierson Park pier extension, construction of kayak launch at Losee Park, and Andre Brook restoration.

WATERWAY: Hudson River

LOCATION: Village of Tarrytown, Westchester County, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information

**PLEASE USE THE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE**

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PUBLIC NOTICE NO. NAN-2011-00272-EST

necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agencies to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. New York State Department of State has concurred with the applicant's certification. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

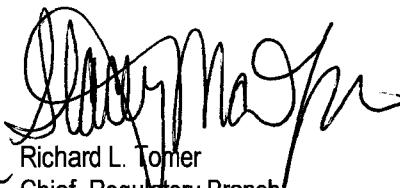
- New York State Department of Environmental Conservation

In order for us to better serve you, please complete our Customer Service Survey located at:  
<http://www.nan.usace.army.mil/business/buslinks/regulat/index.php?survey> .

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8533 and ask for Leo Strogach.

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PUBLIC NOTICE NO. NAN-2011-00272-EST

For more information on New York District Corps of Engineers programs, visit our website at  
<http://www.nan.usace.army.mil>



Richard L. Tomer  
Chief, Regulatory Branch

Enclosures

### **WORK DESCRIPTION**

The applicant, Village of Tarrytown, has requested Department of the Army authorization for construction of an extension to an existing fishing pier at Pierson Park, construction of kayak launch at Losee Park, and restoration of Andre Brook in and along the Hudson River, in the Village of Tarrytown, Westchester County, New York.

The proposed project would incorporate the following scope of work:

**Fishing pier at Pierson Park:** Construction of an approximately 6-foot-wide by 10.5-foot-long walkway which would connect the existing fishing pier with the proposed 12-foot-wide by 30-foot-long fishing pier extension. The extension would be supported by twelve (12) 12-inch-diameter timber piles driven to a minimum embedment of 40 feet.

**Kayak launch at Losee Park:** Construction of a gravel beach area (0.05 acres) and two wings (combined 0.04 acres) of rip-rap placed at approximately a 1:2.5 slope in layers on geotextile fabric. The gravel beach would have 9 CY of stone being placed below spring high water (SHW) elevation; the two wings rip-rap area would have a total of approximately 125 CY placed below SHW. Also, an estimated 143 CY would be dredged below MHW elevation.

**Restoration of Andre Brook:** The proposed brook would retain the same width of 25 feet for the first 140 feet south of the culvert and a 185-foot-long area closest to the shore. The middle 250 foot-long section of the brook would be widened to an average of 60 feet with 68 feet at its widest point. The proposed restoration would increase the area of intertidal habitat by 0.26 acres for a new total of 0.56 acres below SHW elevation.

The main flow of water in the stream is intended to stay in its same channel along the eastern bank. The proposed stream course would create riffles and pools that are to provide more diverse habitat than a silted bottom. It would be narrowed or pinched at two locations with boulders extending from the bank to increase the rate of flow and allow the stream to self-scour and maintain deeper channels. An estimated 120 CY of fill with approximately 60 CY below SHW elevation would be placed within the existing limits of the stream to achieve this modification to the stream banks. The banks of the stream would be graded at slopes between 1:2 and 1:3. Primarily, the banks would be covered with erosion control fabric and planted with riparian zone vegetation. The area west of the existing channel would be planted as salt marsh habitat. Low salt marsh vegetation would be planted in an area between the elevation 0 and the elevation 1.8.

On the western bank of the bridge south of the footbridge approximately 1,415 CY of fill with approximately 645 CY below SHW elevation would be placed in the stream to create a habitat for high marsh vegetation. In total, 0.21 acres of low marsh vegetation would be planted and 0.054 acres of high marsh vegetation would be created.

Stormwater from the adjacent commuter parking lots would now be guided into vegetated swales where pollutants would be filtered out. Within the existing area of the brook the plans propose to cut 340 cubic yards of material and fill 430 cubic yards of material for a net increase of 90 cubic yards of fill for the bioswales.

As indicated the brook would be greatly expanded in size in an area currently used for commuter parking. Approximately 0.23 acres of asphalt and 0.03 acres of concrete impervious surface would be removed and replaced with 0.26 acres of intertidal habitat and native vegetation.

The existing pedestrian 4-foot-wide bridge would be replaced with a 6-foot-wide bridge. The

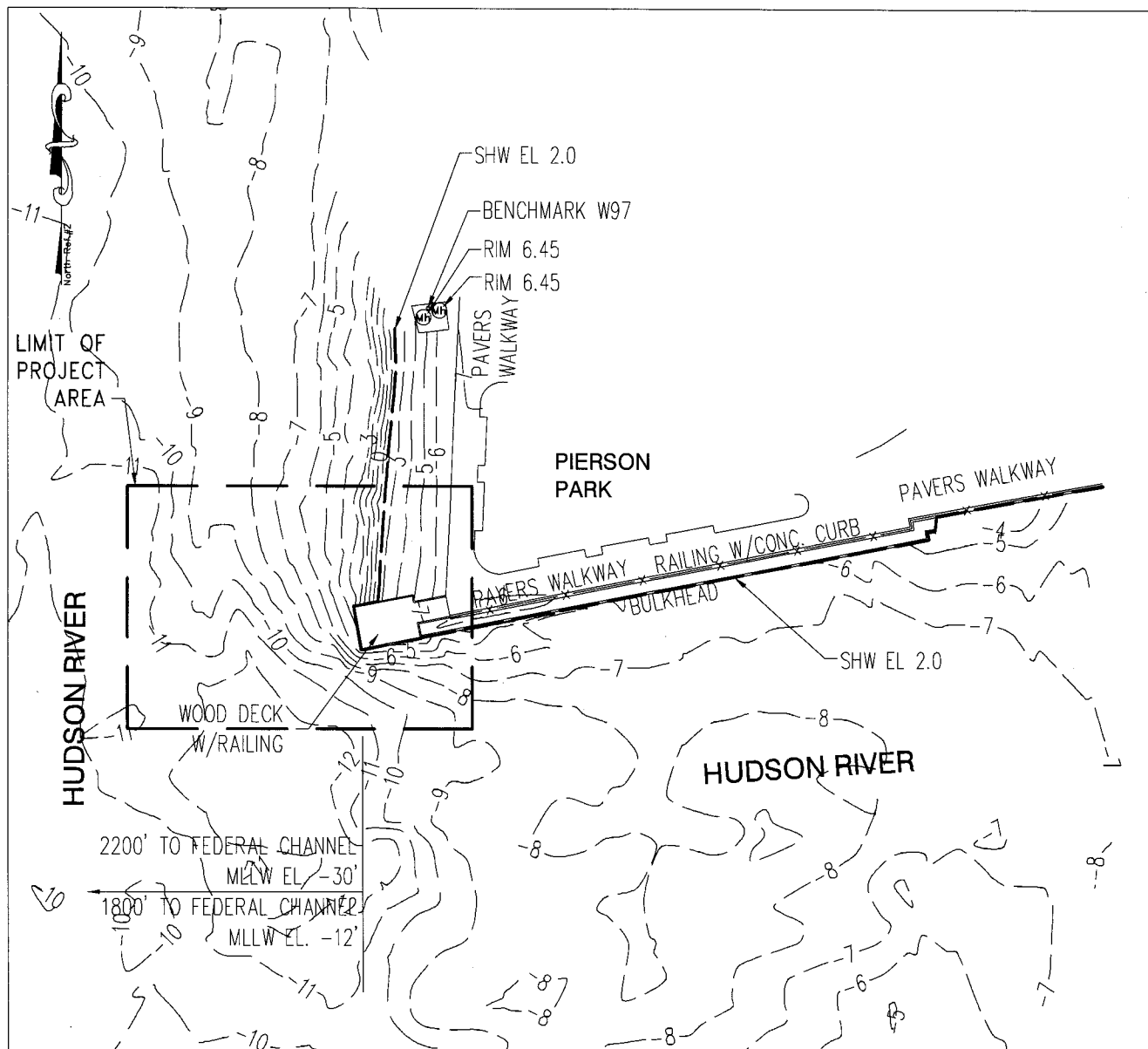
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PUBLIC NOTICE NO. NAN-2011-00272-EST

proposed bridge would have an increase in over-water cover of 44 sf.

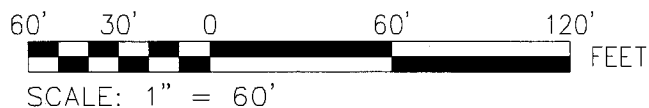
The applicant has stated that restoration of Andre Brook would improve the ecological function of the brook by creating wetland in riparian areas which would provide important habitat for fish and benthic invertebrates as well as forage for birds. The applicant also have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable by: limiting construction to the smallest area practicable and reducing the volume of fill placed below SHW elevation to the maximum extent practicable.

The stated purpose of this project is to further develop two waterfront parks in Tarrytown, NY for public recreation.





## PIERSON PARK EXISTING PLAN



PURPOSE: PARK RENOVATION

DATUM: NAVD 88

ADJACENT OWNERS:

1. HUDSON HARBOR, LLC & NATIONAL RE/SOURCES, LLC

PIERSON PARK PIER, KAYAK  
LAUNCH, & ANDRE BROOK  
REHABILITATION

APPLICANT: ONE DEPOT PLAZA  
21 WILDEY ST  
TARRYTOWN, NY 10591

AGENT: M.G. McLAREN, P.C.  
100 SNAKE HILL ROAD  
WEST NYACK, N.Y. 10994

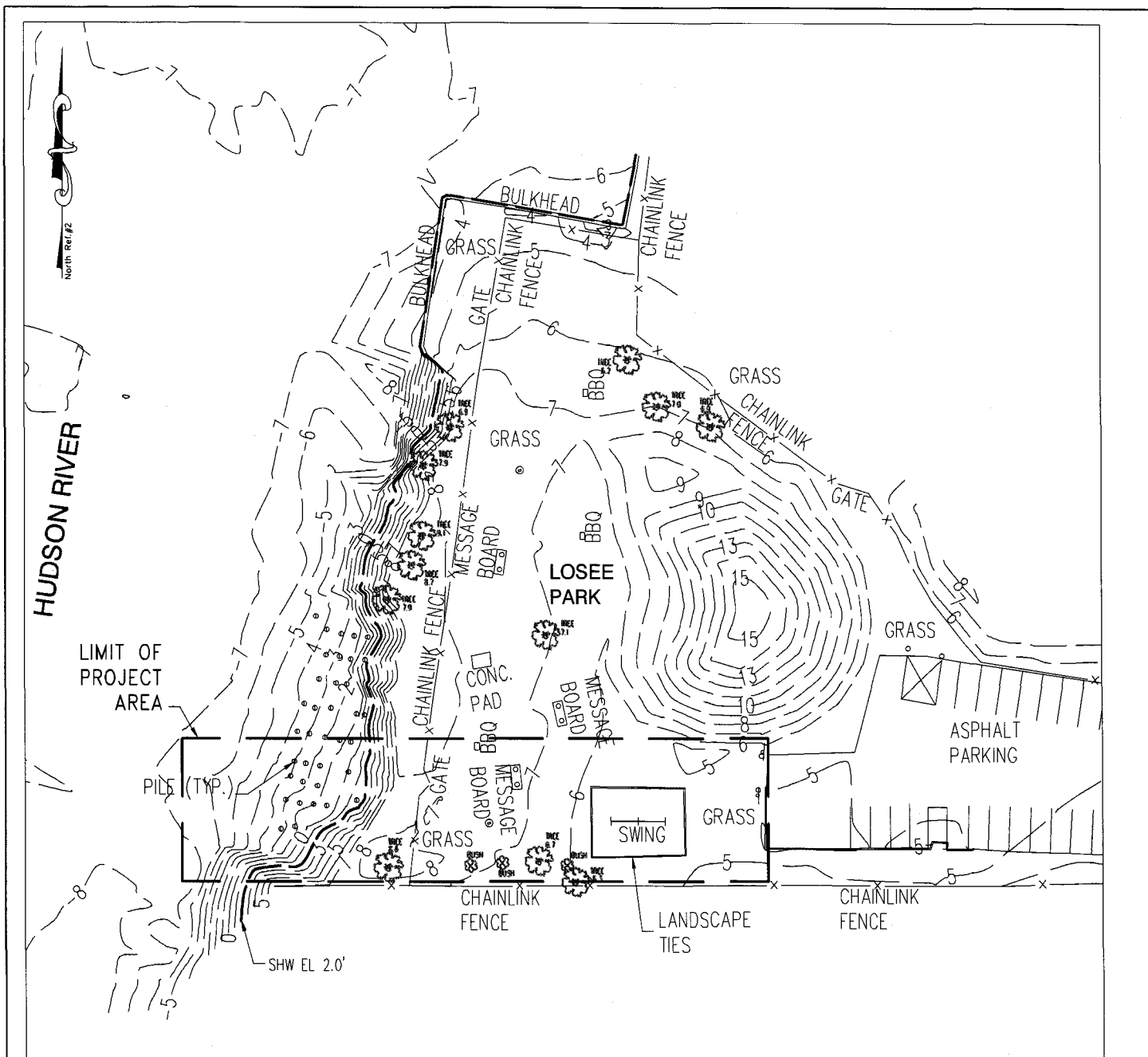
PIERSON PARK  
EXISTING PLAN

IN: TARRYTOWN, NY  
AT: PIERSON PARK  
COUNTY OF: WESTCHESTER  
STATE: NY

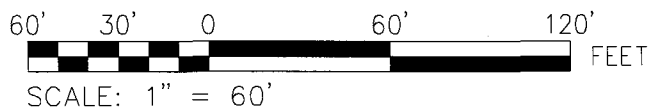
SHT **2** OF **13**

May 2011

*Amended 2011-00272-EST*



## LOSEE PARK EXISTING PLAN



PURPOSE: PARK RENOVATION

DATUM: NAVD 88

ADJACENT OWNERS:

1. HUDSON HARBOR, LLC & NATIONAL RE/SOURCES, LLC

PIERSON PARK PIER, KAYAK  
LAUNCH, & ANDRE BROOK  
REHABILITATION

APPLICANT: ONE DEPOT PLAZA

21 WILDEY ST

TARRYTOWN, NY 10591

AGENT: M.G. McLAREN, P.C.

100 SNAKE HILL ROAD

WEST NYACK, N.Y. 10994

LOSEE PARK  
EXISTING PLAN

IN: TARRYTOWN, NY

AT: PIERSON PARK

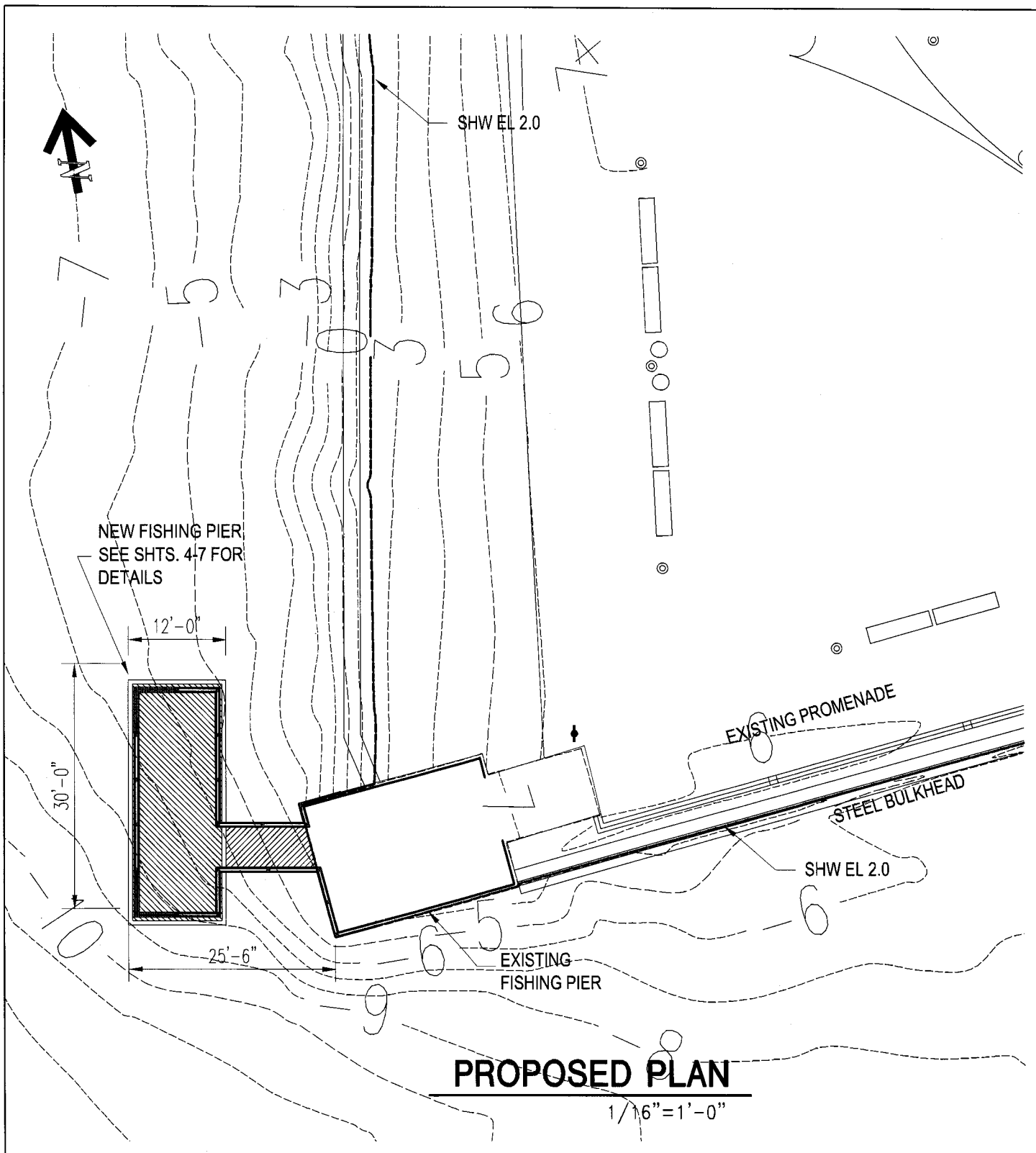
COUNTY OF: WESTCHESTER

STATE: NY

SHT **3** OF **13**

May 2011





PURPOSE: PARK RENOVATION

DATUM: NAVD 88

ADJACENT OWNERS:

1. HUDSON HARBOR, LLC & NATIONAL RE/SOURCES, LLC

PIERSON PARK PIER, KAYAK  
LAUNCH, & ANDRE BROOK  
REHABILITATION

APPLICANT: ONE DEPOT PLAZA

21 WILDEY ST

TARRYTOWN, NY 10591

AGENT: M.G. McLAREN, P.C.

100 SNAKE HILL ROAD

WEST NYACK, N.Y. 10994

FISHING PIER EXTENSION

IN: TARRYTOWN, NY

AT: PIERSON PARK

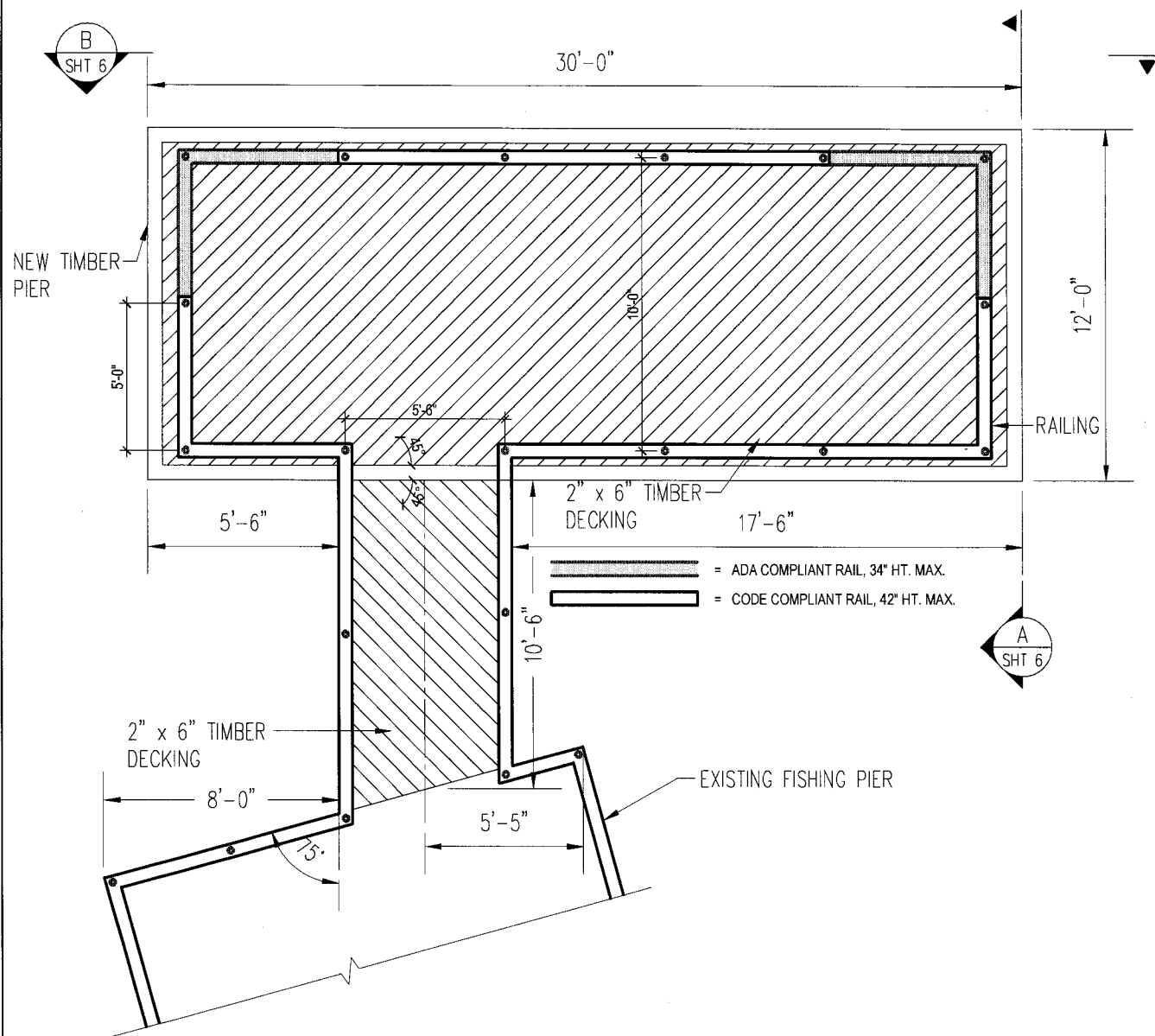
COUNTY OF: WESTCHESTER

STATE: NY

SHT 4 OF 13

May 2011

APR 2011-00272-EST



# **A PIER PLAN** SHT 4 3/16"=1'-0"

NOTE:  
SEE ARCHITECTURAL DRAWINGS  
FOR RAILING DETAILS.

PURPOSE: PARK RENOVATION

DATUM: NAVD 88

ADJACENT OWNERS:

1. HUDSON HARBOR, LLC & NATIONAL RE/SOURCES, LLC

PIERSON PARK PIER, KAYAK  
LAUNCH, & ANDRE BROOK  
REHABILITATION

APPLICANT: ONE DEPOT PLAZA  
21 WILDEY ST  
TARRYTOWN, NY 10591

AGENT: M.G. McLAREN, P.C.  
100 SNAKE HILL ROAD  
WEST NYACK, N.Y. 10994

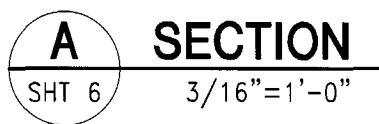
PIER PLAN

IN: TARRYTOWN, NY  
AT: PIERSON PARK  
COUNTY OF: WESTCHESTER  
STATE: NY

SHT 5 OF 13

May 2011

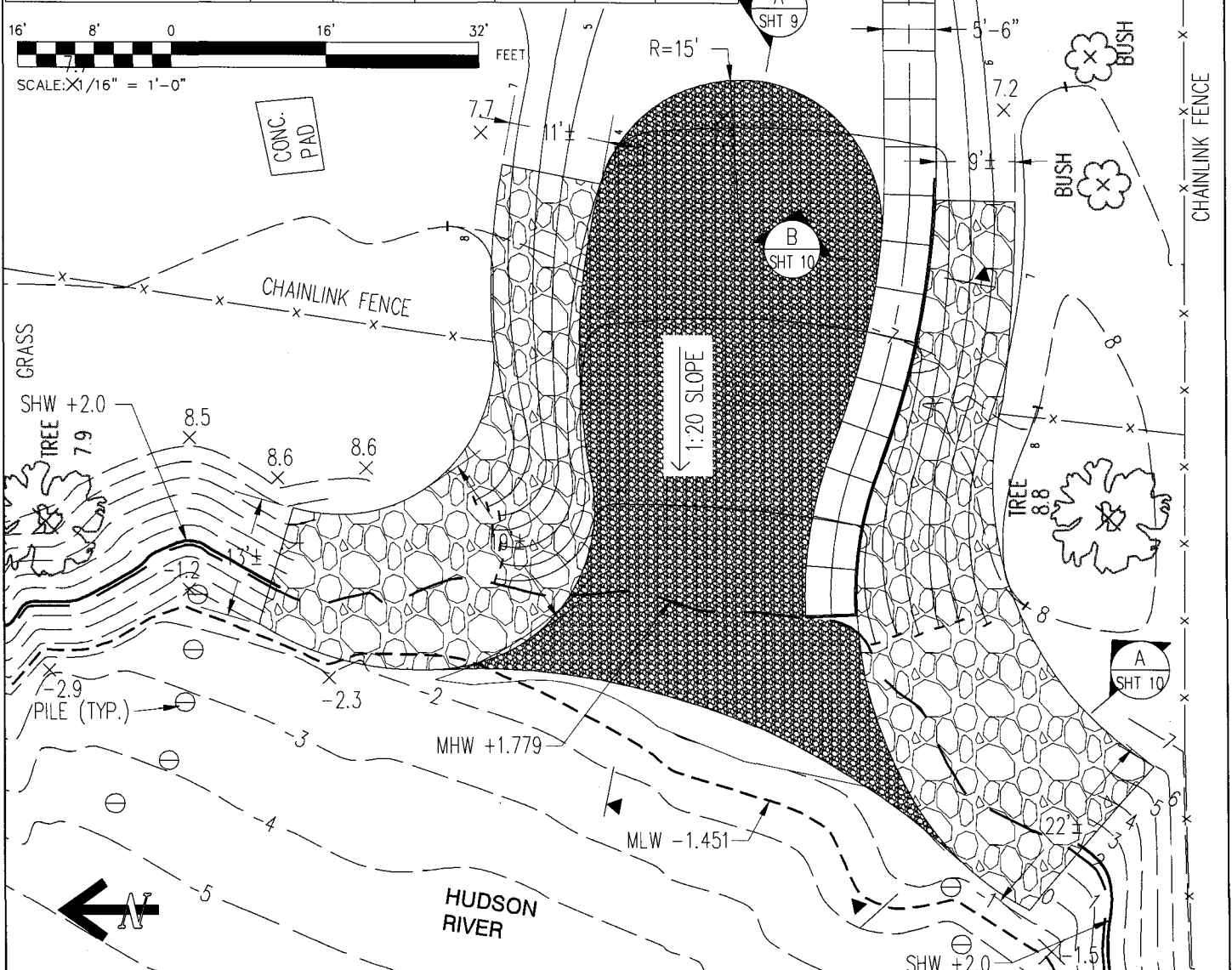
APP # 2011-00272-ESD



AMM/ST 2011-00272-TSV

# CUT AND FILL SUMMARY

DESCRIPTION	BEACH AREA		RIP-RAP AREA		COMBINED TOTAL	
		TOTAL ON-SITE		TOTAL ON-SITE		TOTAL ON-SITE
DISTURBED AREA	450 SF (BELOW SHW)	1950 SF	410 SF (BELOW SHW)	1920 SF	860 SF (BELOW SHW)	3870 SF
VOLUME MISCELLANEOUS MATERIAL EXCAVATED	-20 CY (BELOW MHW)	-227 CY	-123 CY (BELOW MHW)	-468 CY	-143 CY (BELOW SHW)	-695 CY
VOLUME GRAVEL/ROCK FILLED	9 CY (BELOW SHW)	37 CY	15 CY (BELOW SHW)	36 CY	24 CY (BELOW SHW)	73 CY
VOLUME 50LB ROCK FILLED	-	-	32 CY (BELOW SHW)	142 CY	32 CY (BELOW SHW)	142 CY
VOLUME 500LB ROCK FILLED	-	-	76 CY (BELOW SHW)	213 CY	76 CY (BELOW SHW)	213 CY
NET FILLED	-11 CY (BELOW SHW)	-190 CY	0 CY (BELOW SHW)	-77 CY	-11 CY (BELOW SHW)	-267 CY



PURPOSE: PARK RENOVATION

DATUM: NAVD 88

ADJACENT OWNERS:

1. HUDSON HARBOR, LLC & NATIONAL RE/SOURCES, LLC

## PIERSON PARK PIER, KAYAK LAUNCH, & ANDRE BROOK REHABILITATION

APPLICANT: ONE DEPOT PLAZA  
21 WILDEY ST  
TARRYTOWN, NY 10591

AGENT: M.G. McLAREN, P.C.  
100 SNAKE HILL ROAD  
WEST NYACK, N.Y. 10994

## PROPOSED KAYAK LAUNCH PLAN

IN: TARRYTOWN, NY  
AT: PIERSON PARK  
COUNTY OF: WESTCHESTER  
STATE: NY

SHT 7 OF 13

May 2011

ADD # 2011-00272-ES

PURPOSE: PARK RENOVATION

DATUM: NAVD 88

ADJACENT OWNERS:

1. HUDSON HARBOR, LLC & NATIONAL RE/SOURCES, LLC

PIERSON PARK PIER, KAYAK  
LAUNCH, & ANDRE BROOK  
REHABILITATION

APPLICANT: ONE DEPOT PLAZA

21 WILDEY ST  
TARRYTOWN, NY 10591

AGENT: M.G. McLAREN, P.C.

100 SNAKE HILL ROAD  
WEST NYACK, N.Y. 10994

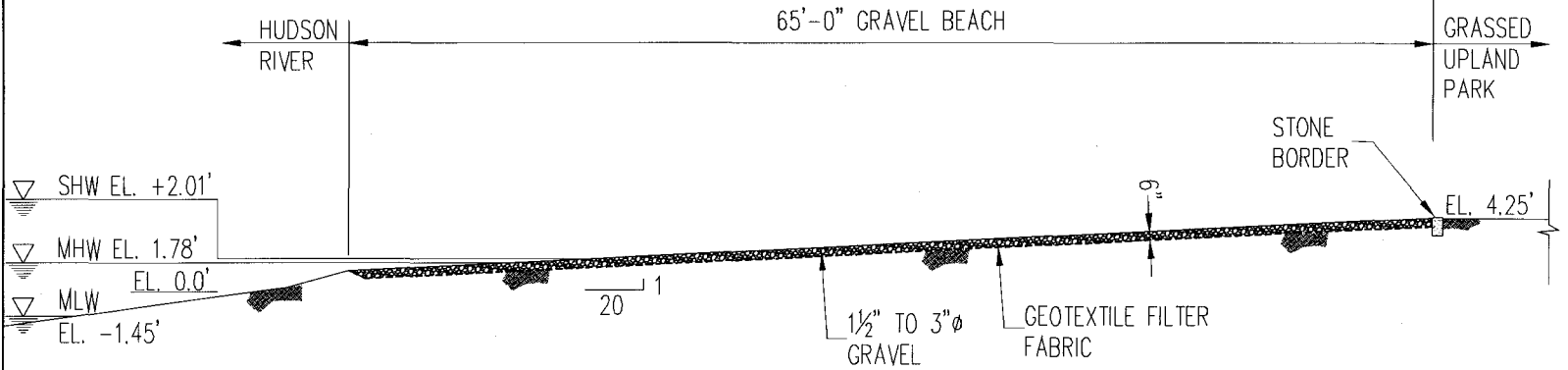
GRAVEL BEACH

IN: TARRYTOWN, NY

AT: PIERSON PARK

COUNTY OF: WESTCHESTER  
STATE: NY

SHT 8 OF 13 May 2011



A

SHT 9

## SECTION - GRAVEL BEACH

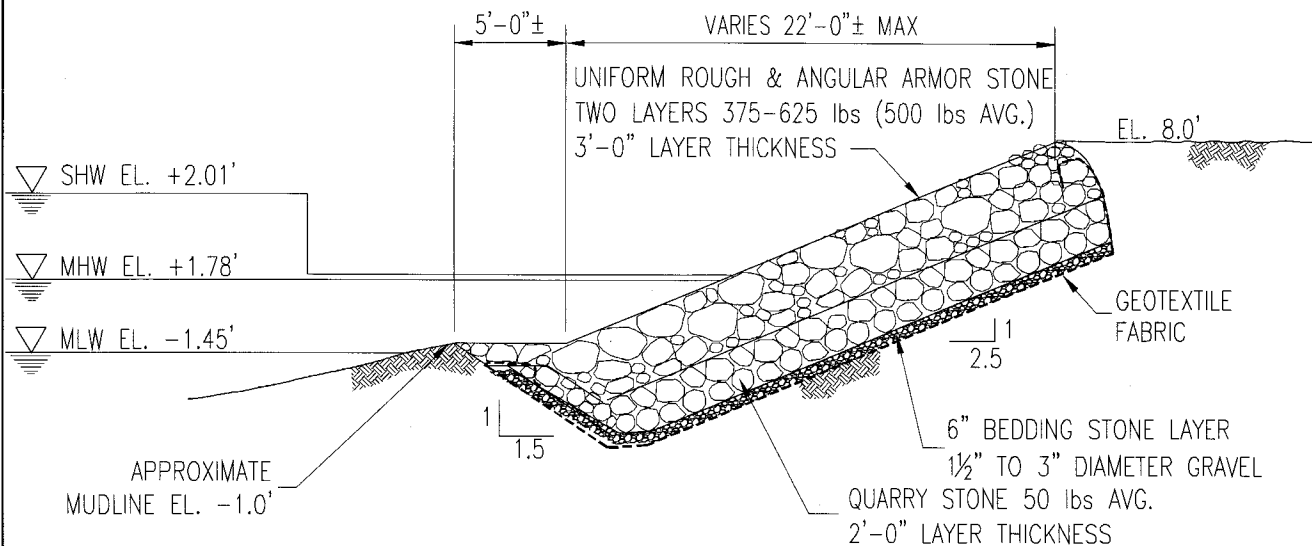
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NOTE:  
ALL ELEVATIONS REFERENCE NAVD 88.

### CUT AND FILL SUMMARY

DESCRIPTION	BEACH AREA		RIP-RAP AREA		COMBINED TOTAL	
		TOTAL ON-SITE		TOTAL ON-SITE		TOTAL ON-SITE
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VOLUME GRAVEL/ROCK FILLED	9 CY (BELOW SHW)	37 CY	15 CY (BELOW SHW)	36 CY	24 CY (BELOW SHW)	73 CY
VOLUME 50LB ROCK FILLED	-	-	32 CY (BELOW SHW)	142 CY	32 CY (BELOW SHW)	142 CY
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NET FILLED	-11 CY (BELOW SHW)	-190 CY	0 CY (BELOW SHW)	-77 CY	-11 CY (BELOW SHW)	-267 CY

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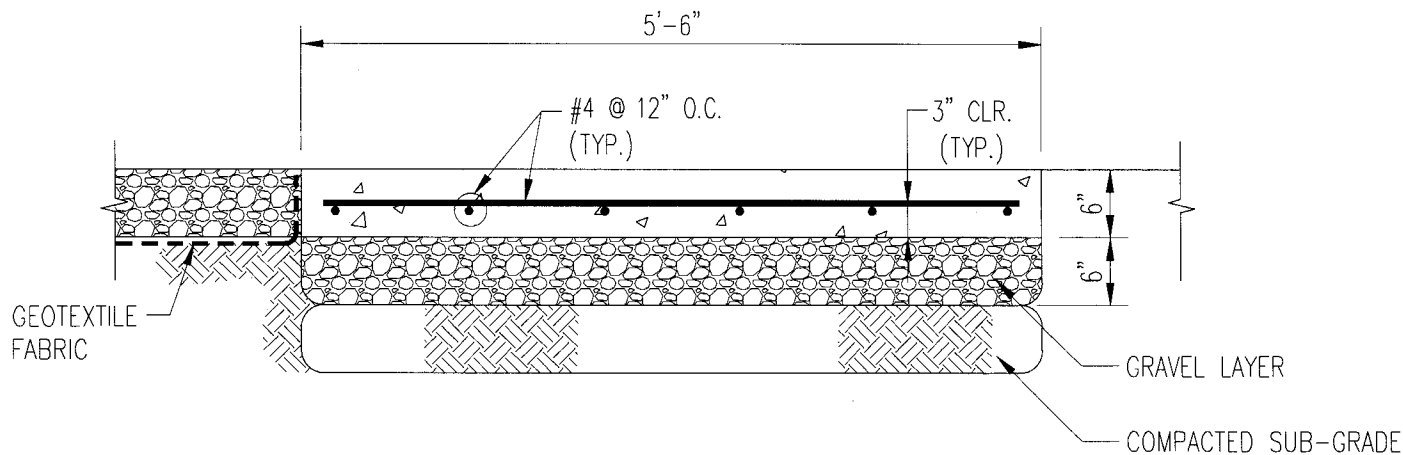


**A**  
SHT 10

## PROPOSED RIPRAP SECTION

Scale: 1/8"=1'-0"

NOTE:  
ALL ELEVATIONS REFERENCE NAVD 1988.



**B**  
SHT 10

## CONCRETE WALKWAY SECTION

Scale: 3/4"=1'-0"

NOTE:  
RAILING NOT SHOWN FOR CLARITY.  
SEE ARCHITECTURAL DRAWINGS FOR  
RAILING DETAILS.

PURPOSE: PARK RENOVATION

DATUM: NAVD 88

ADJACENT OWNERS:

1. HUDSON HARBOR, LLC & NATIONAL RE/SOURCES, LLC

PIERSON PARK PIER, KAYAK  
LAUNCH, & ANDRE BROOK  
REHABILITATION

APPLICANT: ONE DEPOT PLAZA  
21 WILDEY ST  
TARRYTOWN, NY 10591

AGENT: M.G. McLAREN, P.C.  
100 SNAKE HILL ROAD  
WEST NYACK, N.Y. 10994

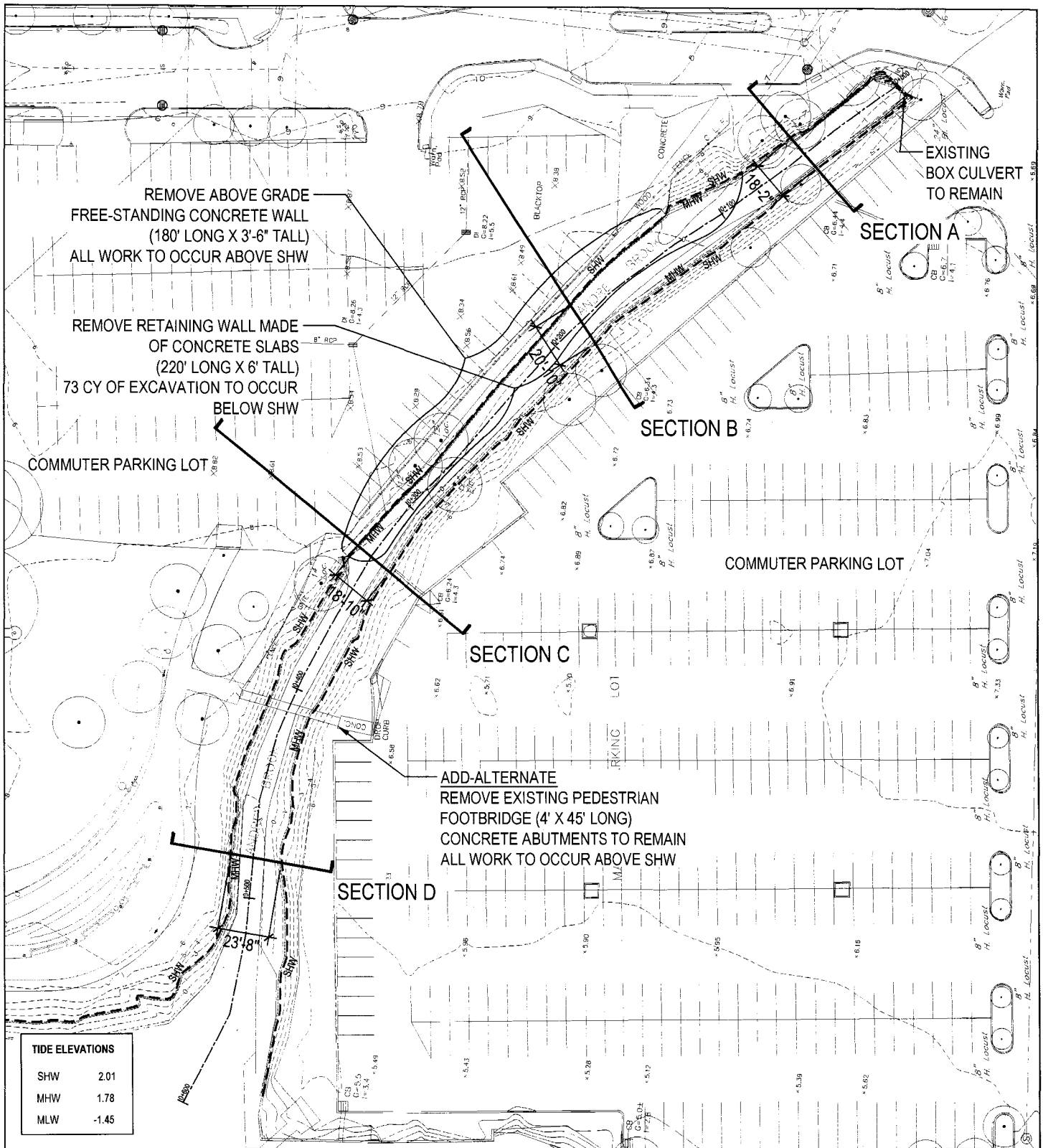
RIPRAP AND  
WALKWAY DETAILS

IN: TARRYTOWN, NY  
AT: PIERSON PARK  
COUNTY OF: WESTCHESTER  
STATE: NY

SHT 4 OF 13

May 2011

*Sheet A 2011-00772-ES1*



PURPOSE: PARK RENOVATION

DATUM: N.A.V.D. 88

ADJACENT OWNERS:

1. TARRYTOWN BOAT CLUB
2. VILLAGE OF TARRYTOWN REC AND SENIOR CENTER

# PIERSON PARK PIER, KAYAK LAUNCH, & ANDRE BROOK REHABILITATION

APPLICANT: VILLAGE OF TARRYTOWN  
21 WILDEY ST  
TARRYTOWN, NY 10591

AGENT: M.G. McLAREN, P.C.  
100 SNAKE HILL ROAD  
WEST NYACK, N.Y. 10994

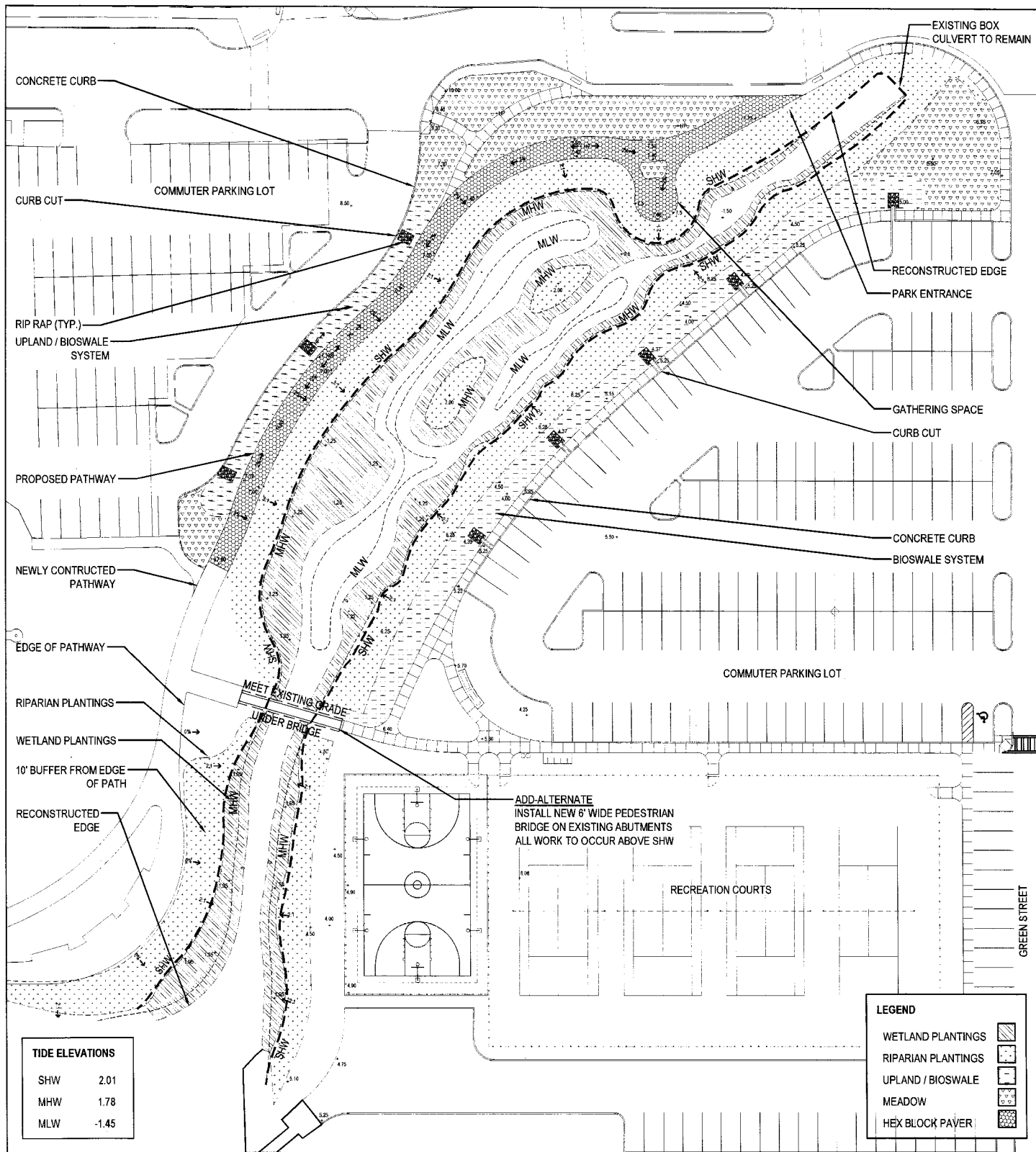
ANDRE BROOK EXISTING  
CONDITIONS AND CROSS SECTIONS  
SCALE: 1"=60'

IN: TARRYTOWN, NY  
AT: PIERSON PARK  
COUNTY OF: WESTCHESTER  
STATE: NY

SHT 10 OF 13

MAY 2011

Am1/2011-00272-EST



PURPOSE: PARK RENOVATION

DATUM: N.A.V.D. 88

ADJACENT OWNERS:

1. TARRYTOWN BOAT CLUB
2. VILLAGE OF TARRYTOWN REC AND SENIOR CENTER

## PIERSON PARK PIER, KAYAK LAUNCH, & ANDRE BROOK REHABILITATION

APPLICANT: VILLAGE OF TARRYTOWN  
21 WILDEY ST  
TARRYTOWN, NY 10591

AGENT: M.G. McLAREN, P.C.  
100 SNAKE HILL ROAD  
WEST NYACK, N.Y. 10994

ANDRE BROOK RESTORATION PLAN  
SCALE: 1"=60'

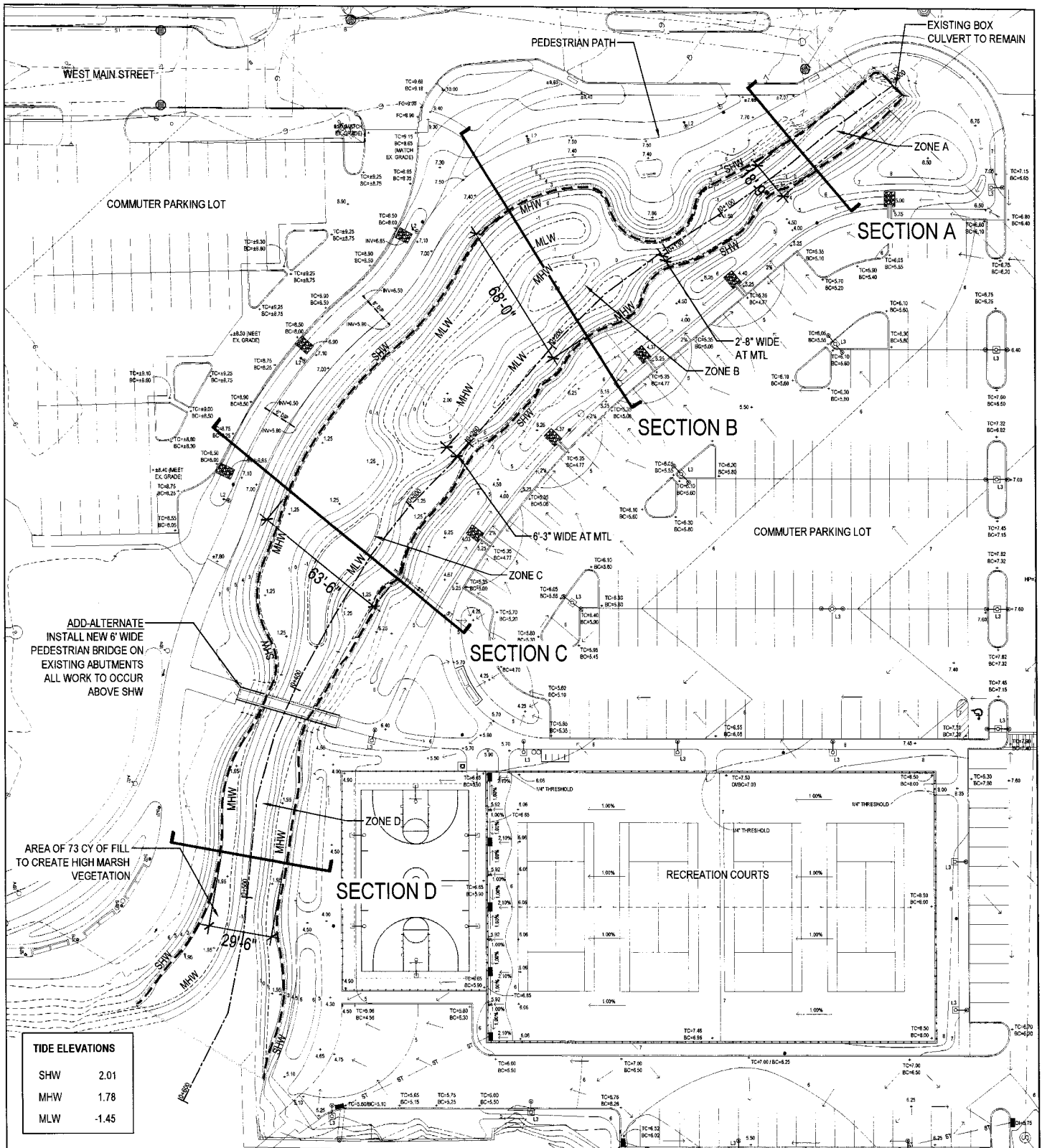
IN: TARRYTOWN, NY  
AT: PIERSON PARK  
COUNTY OF: WESTCHESTER  
STATE: NY

SHT 11 OF 13

MAY 2011

ADD / 2011-00272-EST





PURPOSE: PARK RENOVATION

DATUM: N.A.V.D. 88

ADJACENT OWNERS:

1. TARRYTOWN BOAT CLUB
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AGENT: M.G. McLAREN, P.C.  
100 SNAKE HILL ROAD  
WEST NYACK, N.Y. 10994

ANDRE BROOK PROPOSED  
CONDITIONS AND CROSS SECTIONS  
SCALE: 1"=60'

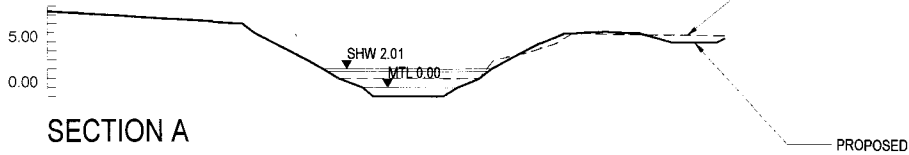
IN: TARRYTOWN, NY  
AT: PIERSON PARK  
COUNTY OF: WESTCHESTER  
STATE: NY

SHT 12 OF 13

MAY 2011

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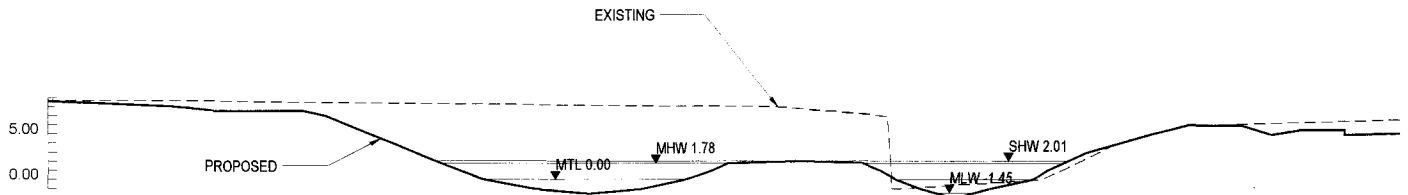
NOTE: ALL QUANTITIES ARE IN CUBIC YARDS.  
QUANTITIES TAKEN FROM BELOW ELEVATION  
2.01 AND WITHIN SHW ZONE



### SECTION A

#### VOLUME - ZONE A

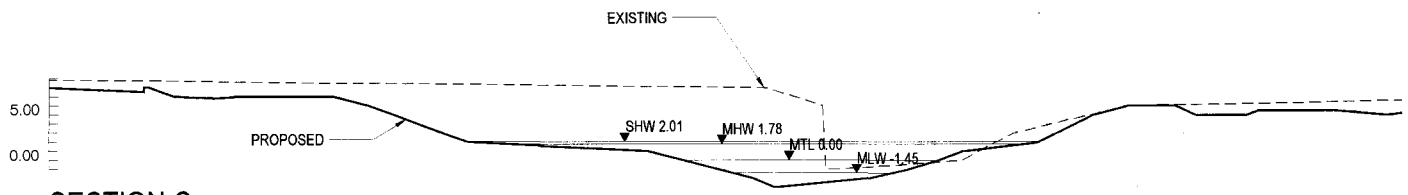
	AVG CUT	AVG FILL
SOIL	25	15
STONE	-	-
PLANTING MEDIUM	-	10



### SECTION B

#### VOLUME - ZONE B

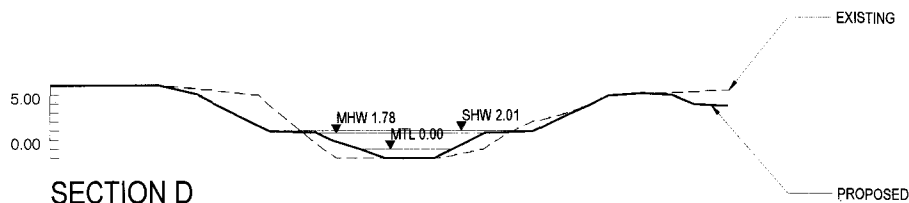
	AVG CUT	AVG FILL
SOIL	556	50
STONE	52	27
PLANTING MEDIUM	-	213



### SECTION C

#### VOLUME - ZONE C

	AVG CUT	AVG FILL
SOIL	568	37
STONE	38	31
PLANTING MEDIUM	-	218



### SECTION D

#### VOLUME - ZONE D

	AVG CUT	AVG FILL
SOIL	76	73
STONE	-	2
PLANTING MEDIUM	-	29

#### TOTAL CUT & FILL FOR ANDRE BROOK

	CUT	FILL	NET
SOIL	1225	175	-
STONE	90	60	-
PLANTING MEDIUM	-	470	-
TOTAL	1315	705	610

#### LEGEND:

SHW - SPRING HIGH WATER  
MHW - MEAN HIGH WATER  
MTL - MEAN TIDE LEVEL  
MLW - MEAN LOW WATER

PURPOSE: PARK RENOVATION

DATUM: N.A.V.D. 88

ADJACENT OWNERS:

1. TARRYTOWN BOAT CLUB
2. VILLAGE OF TARRYTOWN REC AND SENIOR CENTER

PIERSON PARK PIER, KAYAK  
LAUNCH, & ANDRE BROOK  
REHABILITATION

APPLICANT: VILLAGE OF TARRYTOWN  
21 WILDEY ST  
TARRYTOWN, NY 10591

AGENT: M.G. McLAREN, P.C.  
100 SNAKE HILL ROAD  
WEST NYACK, N.Y. 10994

CROSS SECTIONS OF EXISTING  
AND PROPOSED CONDITIONS  
SCALE: 1' = 20'

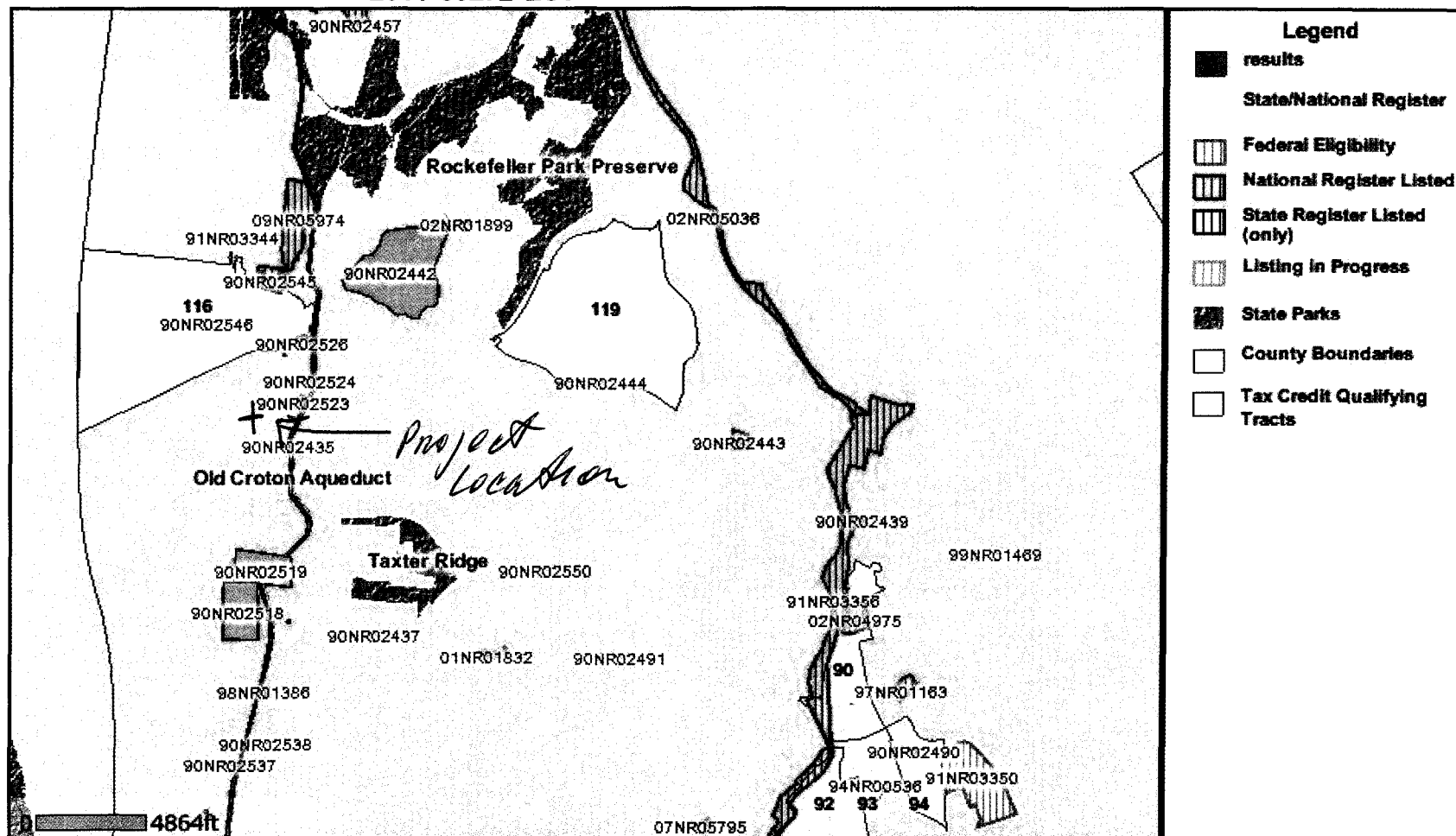
IN: TARRYTOWN, NY  
AT: PIERSON PARK  
COUNTY OF: WESTCHESTER  
STATE: NY

SHT 13 OF 13

MAY 2011

APR 19 2011 - 00272-ESR

2011-00272-EST



January 26, 2012

Disclaimer: This map was prepared by the New York State Parks, Recreation and Historic Preservation National Register Listing Internet Application. The information was compiled using the most current data available. It is deemed accurate, but is not guaranteed.