

# 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-2020-00519-WRY

Issue Date: July 1, 2020

Expiration Date: July 31, 2020

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**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 404 of the Clean Water Act (33 U.S.C. 1344).

**APPLICANT:** Brennan Residence LLC  
Attn: Murray Brennan  
2200 Saw Mill River Road  
Yorktown Heights, NY 10598

**ACTIVITY:** Discharge of fill material for the rehabilitation of an existing dam.

**WATERWAY:** Hallock's Mill Brook (East-of-Hudson River Watershed)

**LOCATION:** Town of Yorktown, 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.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. Comments provided will become part of the public record for this permit application. All written comments, including contact information, will be made a part of the administrative record, available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet

**CENAN-OP-RW**  
**PUBLIC NOTICE NO. NAN-2020-00519-WRY**

web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information 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 agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

Based upon a review of the GIS resources map on the N.Y.S. Office of Parks, Recreation and Historic Preservation (SHPO) website, the project site is located within areas identified by the SHPO as an "Archaeologically Sensitive Area." There are no known sites eligible for, or included in, the National Register of Historic Places within the permit area. Further consultation with SHPO regarding the "Archaeologically Sensitive Area" is being conducted and will be concluded prior to the final decision.

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.

In addition to any required water quality certificate, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation Dams and Impoundment Structures Permit

ALL COMMENTS REGARDING THIS PERMIT APPLICATION MUST BE PREPARED IN WRITING AND E-MAILED TO THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity. Emailed comments must include this public notice's number, NAN-2020-00519-WRY.

The email inbox for written comments is: Alexandra.ryan@usace.army.mil

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) 790-8518 and ask for Alexandra Ryan.

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>.

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



**for:** Stephan A. Ryba  
Chief, Regulatory Branch

Enclosures

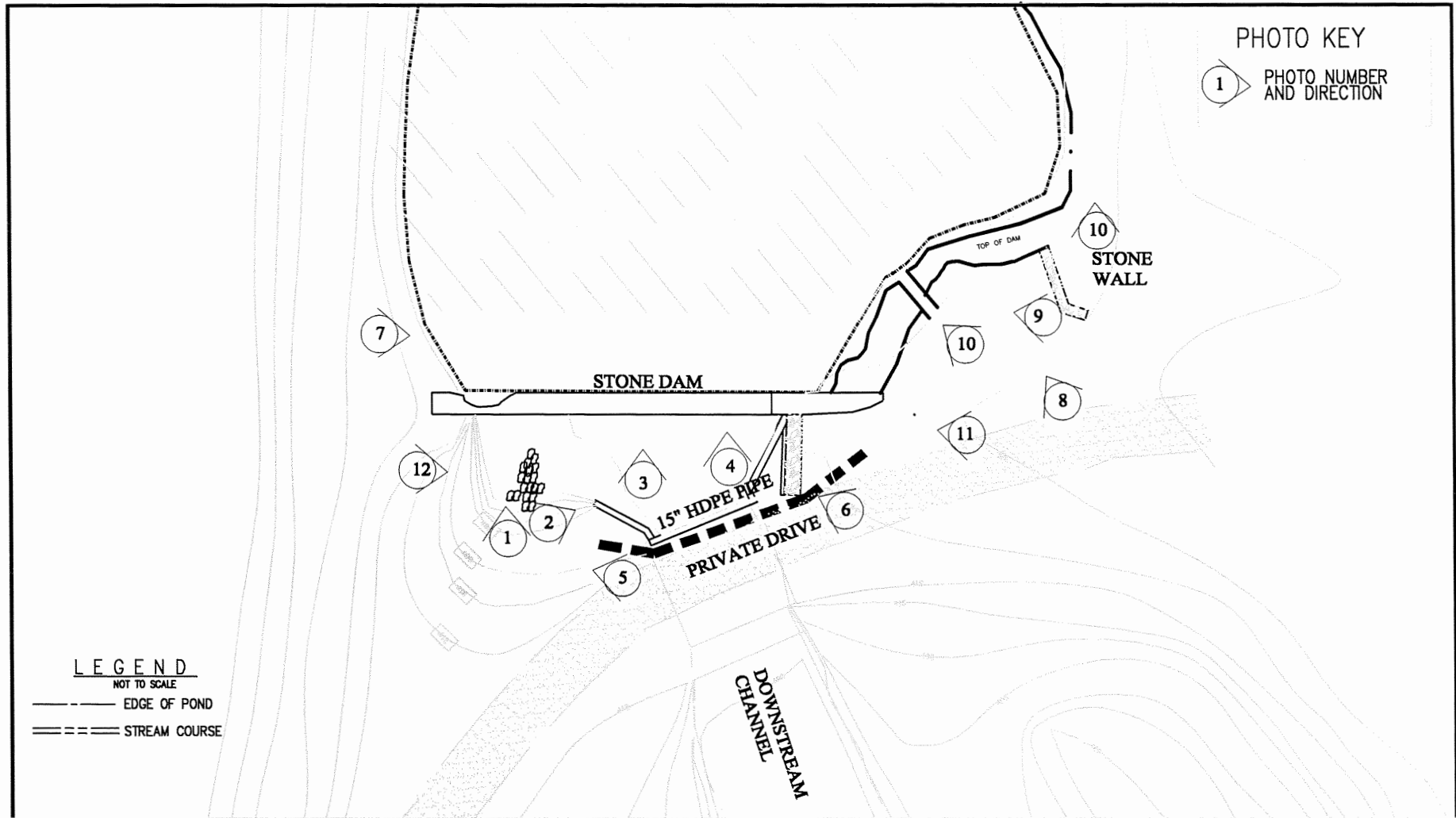
## **WORK DESCRIPTION**

The applicant, Brennan Residence, LLC, has requested Department of the Army authorization for the discharge of fill material into approximately 0.22 acre of waters of the United States for the construction of a support dam upstream of an existing dam in Hallock's Mill Brook, Town of Yorktown, Westchester County, New York.

The work would involve the construction of a new concrete dam approximately 5-feet upstream of the existing structure. The existing dam is a large stone gravity wall with layers of compacted clay on the upstream side. Layers of clay would be carefully excavated and a concrete gravity dam, approximately 20-feet wide and 20.5-feet high, would be installed. A concrete spillway would connect from the proposed dam to the top of the existing structure, allowing the existing stone dam to be visible from downstream. The cavity between the existing dam and the proposed concrete dam would then be filled with concrete to further stabilize the dam façade. Approximately 1,342 cubic yards (CY) of concrete would be placed upstream of the existing stone structure (0.0671 acre). Additionally, a 122-foot-long steel drain down pipe with a 36-inch diameter would be installed on the eastern side of the dam, extending from the pond to a new 96-CY riprap outlet apron. The new concrete dam, drain down pipe and outlet apron would cover a 0.091 acre area.

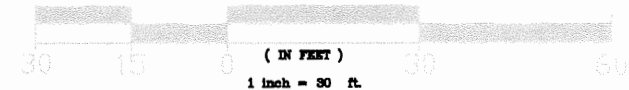
A temporary Porto-Dam Inc. cofferdam would be installed, over 0.12 acre, in phases to divert and dewater the immediate project area, allowing construction to occur in dry conditions while water flows around the site. Approximately 350 CY of sediments would be removed from the pond to provide a solid base for the Porto-Dam. These sediments would be placed at an approved upland location. A temporary rubber lining would be placed in an existing drain down channel located along the eastern side of the Hallock's Mill Brook to allow the diverted water to flow uninterrupted back into the brook.

The stated purpose of this project is to rehabilitate an existing dam and maintain the reservoir for recreation.



## EXISTING CONDITIONS

GRAPHIC SCALE



P. W. SCOTT

ENGINEERING & ARCHITECTURE, P.C.

3871 ROUTE 6

BREWSTER, NY 10509 845-278-2110

REFERENCE: NAN-

APPLICANT: Brennan Residence LLC.

ADJACENT PROPERTY OWNERS:  
 REFER TO SHEET #2 OF 9

LOCATION: 2400 SAW MILL RIVER ROAD  
TOWN OF YORKTOWN

LAT/LONG: 41-16-58/73-46-57

PROPOSED PROJECT: Brennan Dam Repair

Halleck's Mill Dam #213-0413

IN WATERBODY: 864.1-466: NYSDEC #H-31-P44-14-1

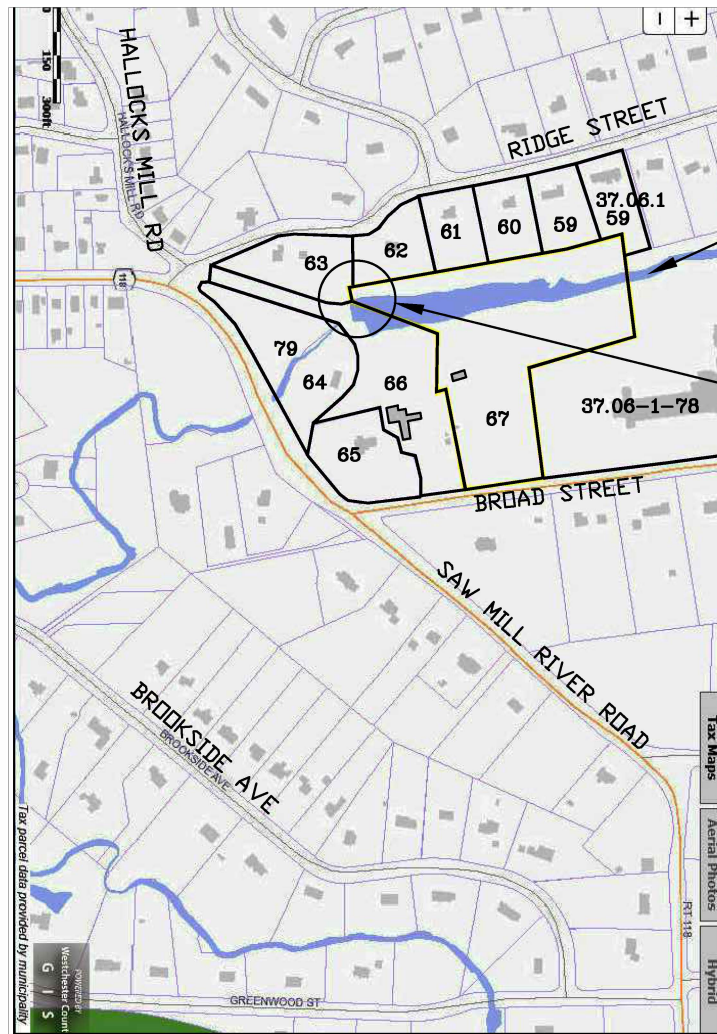
NEAR/AT: YORKTOWN

IN: WESTCHESTER

STATE: NY

SHEET # 1 OF # 9

DATE: MAY 12, 2020



HALLECKS MILL BROOK  
TABLE 864.6 TABLE 1#466  
NYSDEC ID#H-31-P44-14-1  
R4SBC: CLASS B

PROJECT AREA  
LAT: 41-16-58  
LONG: 73-46-57

37.06-1-59  
ALFRED STEINDORFF  
2222 RIDGE STREET  
YORKTOWN HGTS., NY 10598

37.10-2-59  
DAVID & HEIDI BROOKS  
2210 RIDGE STREET  
YORKTOWN HGTS., NY 10598

37.10-2-60  
THOMAS & JOY BROWN  
2194 RIDGE STREET  
YORKTOWN HGTS., NY 10598

37.10-2-61  
LINDA DOERR  
2180 RIDGE STREET  
WHITE PLAINS, NY 10601

37.10-2-62  
SALVATORE SICILLANO  
2164 RIDGE STREET  
PORT CHESTER, NY 10573

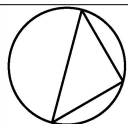
37.10-2-63  
ERICK EISENBERG  
2130 RIDGE STREET  
PORT CHESTER, NY 10573

37.10-2-64, 65, 66  
BRENNAN RESIDENCE, LLC  
2200 SAW MILL RIVER RD.  
YORKTOWN HGTS., NY 10598

37.10-2-67  
BRENNAN HHH, LLC  
2285 BROAD STREET  
YORKTOWN HGTS., NY 10598

37.06-1-78  
CENTRAL SCHOOL DISTRICT  
2285 BROAD STREET

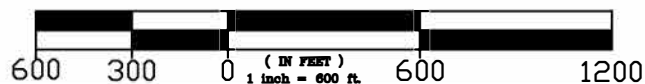
Reference: Brennan Residence LLC  
Contact Name: P.W. Scott Engineering & Architecture, P.C.  
PROPOSED PROJECT: Brennan Residence Dam:  
Holleck's Mill Dam #213-0413  
PARCEL ID: TOWN OF YORKTOWN  
37.10-2-66,67  
LOCATION: 2400 Saw Mill River Road  
Town of Yorktown  
SHEET # 2 OF 9 DATE: May 12, 2020



## VICINITY MAP

MAP Reference:  
TOWN OF YORKTOWN TAX MAP

GRAPHIC SCALE



### GRAPHIC SCALE

( IN FEET )

1 inch = 30 ft.

LEGEND

NOT TO SCALE

— — — — — PROPERTY LINE

==== STREAM COURSE

~~LD~~ ——— LIMIT OF DISTURBANCE

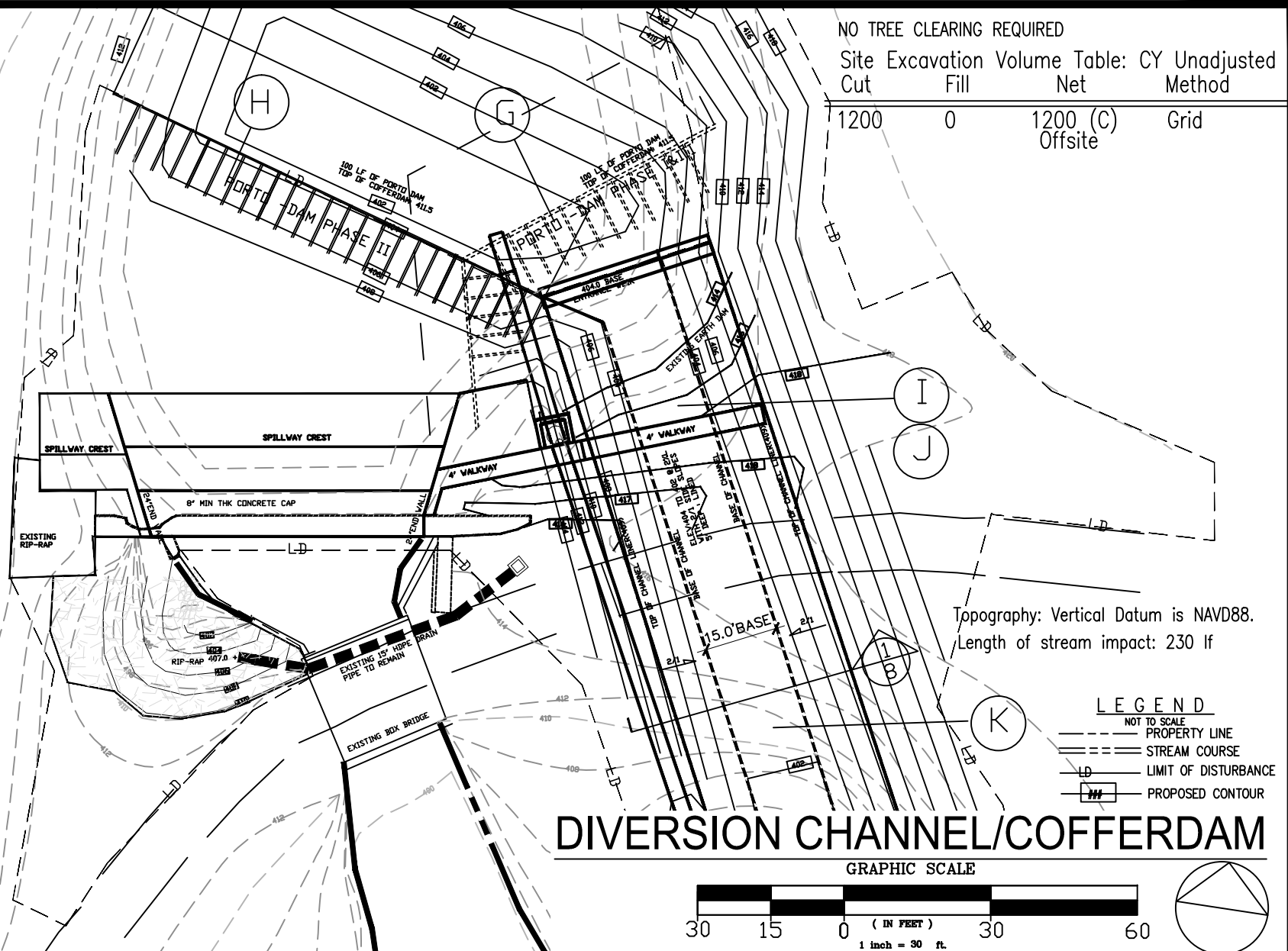
 PROPOSED CONTOUR

DATE: MAY 12, 2020

NO TREE CLEARING REQUIRED

Site Excavation Volume Table: CY Unadjusted

Cut	Fill	Net	Method
1200	0	1200 (C) Offsite	Grid



FILL & EXCAVATION CHART  
G- PORTO-DAM PHASE I-94 LF

H- PORTO DAM PHASE II-104 LF

I- TEMP CHANNEL EXCAVATION  
1200 CY EARTH

J- TEMP CHANNEL BACKFILL: 1200 CY- EARTH

K- TEMP CHANNEL LINER: 5064 SF

Reference: Brennan Residence LLC

Contact Name: P.W. Scott Engineering & Architecture, P.C.

PROPOSED PROJECT: Brennan Residence Dam:

Holleck's Mill Dam #213-0413

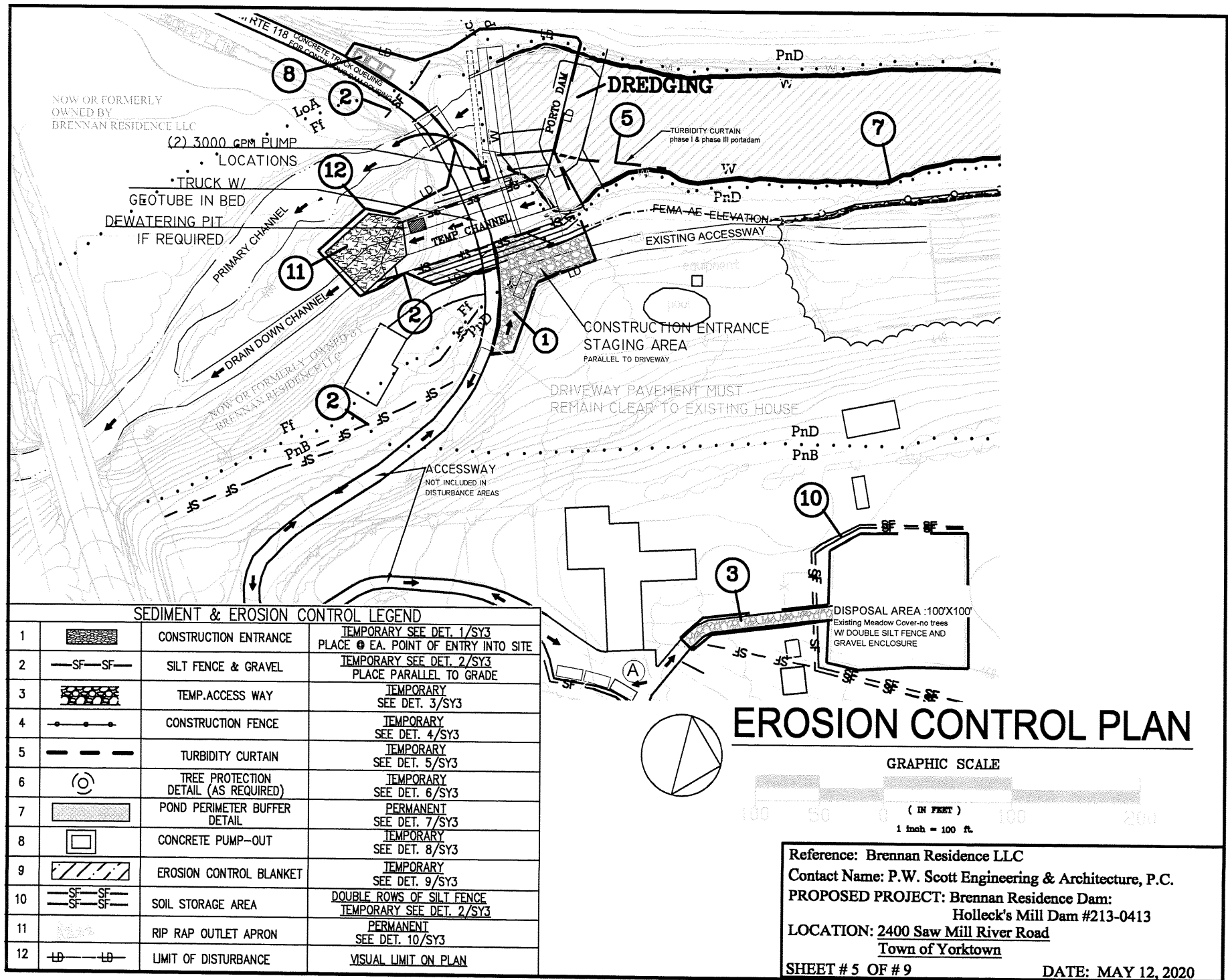
LOCATION: 2400 Saw Mill River Road

Town of Yorktown

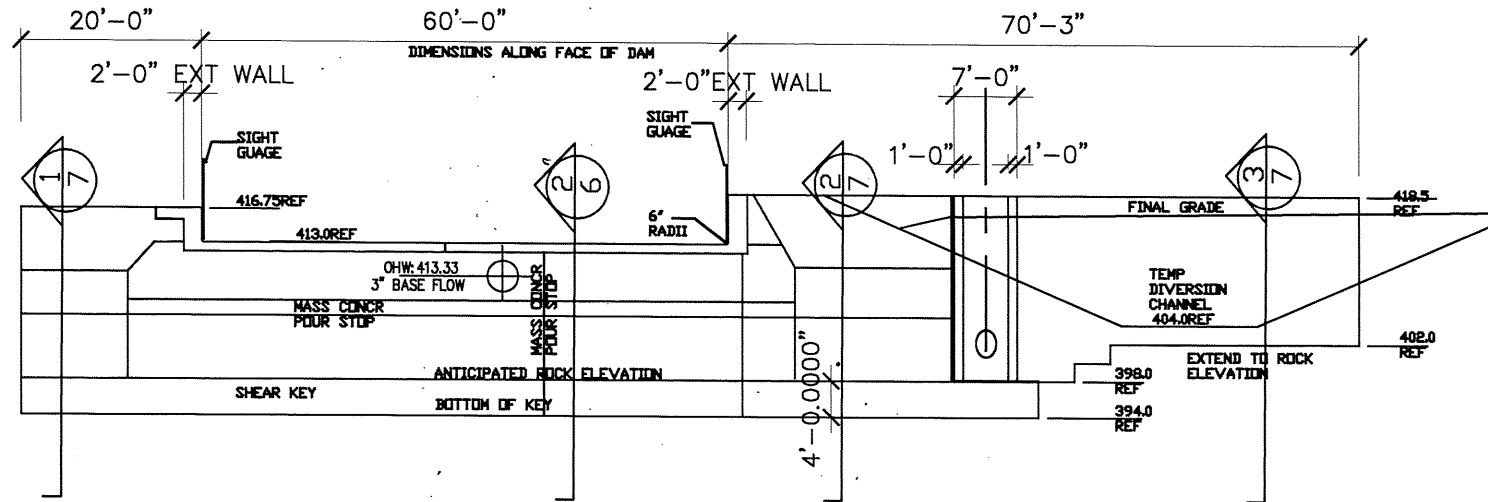
SHEET # 4 OF # 9

DATE: MAY 12, 2020

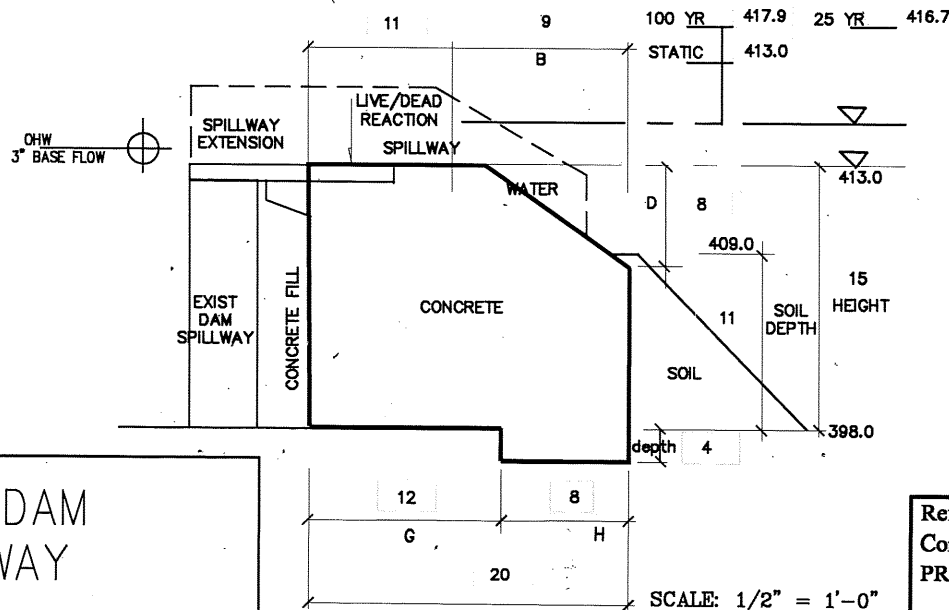




## ELEVATION LOOKING UPSTREAM



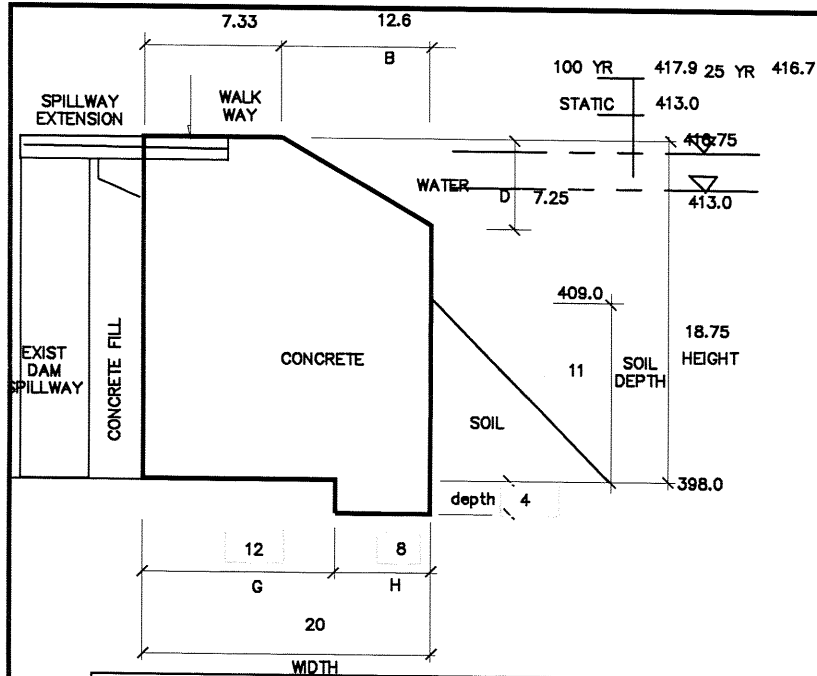
## DAM ELEVATION: 1-6

SCALE:  $\frac{3}{64}" = 1'-0"$ CONCRETE DAM  
AND SPILLWAY  
ELEVATION

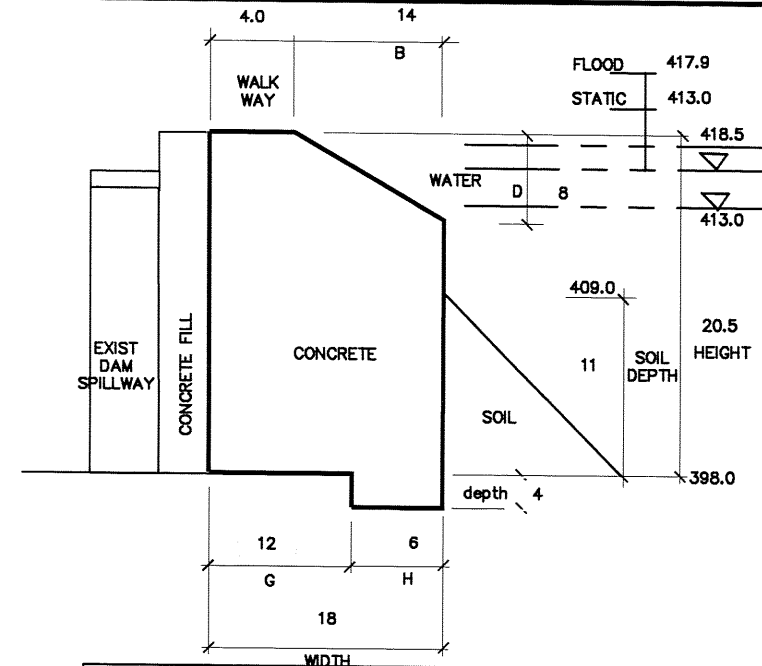
## SPILLWAY SECTION: 2-6

Concrete Dam Description  
 Overall Width: 150'  
 Overall Height: 15' @ spillway  
 Spillway Section: 60' long  
 Concrete fill @ 2:658 cy.

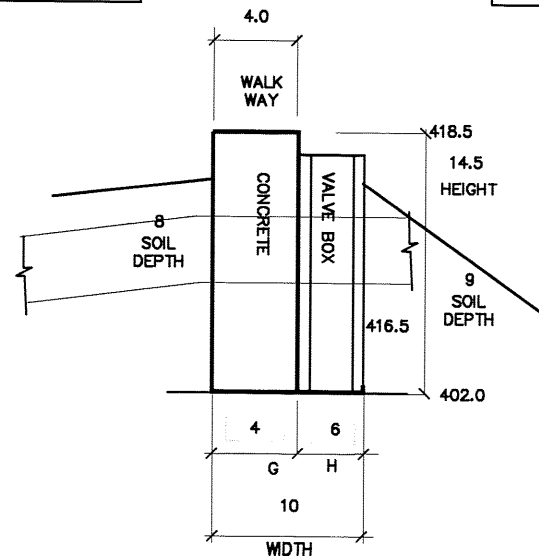
Reference: Brennan Residence LLC  
 Contact Name: P.W. Scott Engineering & Architecture, P.C.  
 PROPOSED PROJECT: Brennan Residence Dam:  
 Holleck's Mill Dam #213-0413  
 LOCATION: 2400 Saw Mill River Road  
 Town of Yorktown  
 SHEET # 6 OF # 9 DATE: MAY 12, 2020



SPILLWAY SECTION: 1-7



SPILLWAY SECTION: 2-7



SPILLWAY SECTION: 3-7

CONCRETE DAM  
SECTIONS

Dam Section@1: 20' long  
Concrete fill@1: 267 cy.

Dam Section@2: 24' long  
Concrete fill@2: 300 cy.

Dam Section@3: 45' long  
Concrete fill@3: 98 cy.

Reference: Brennan Residence LLC

Contact Name: P.W. Scott Engineering & Architecture, P.C.

PROPOSED PROJECT: Brennan Residence Dam:

Holleck's Mill Dam #213-0413

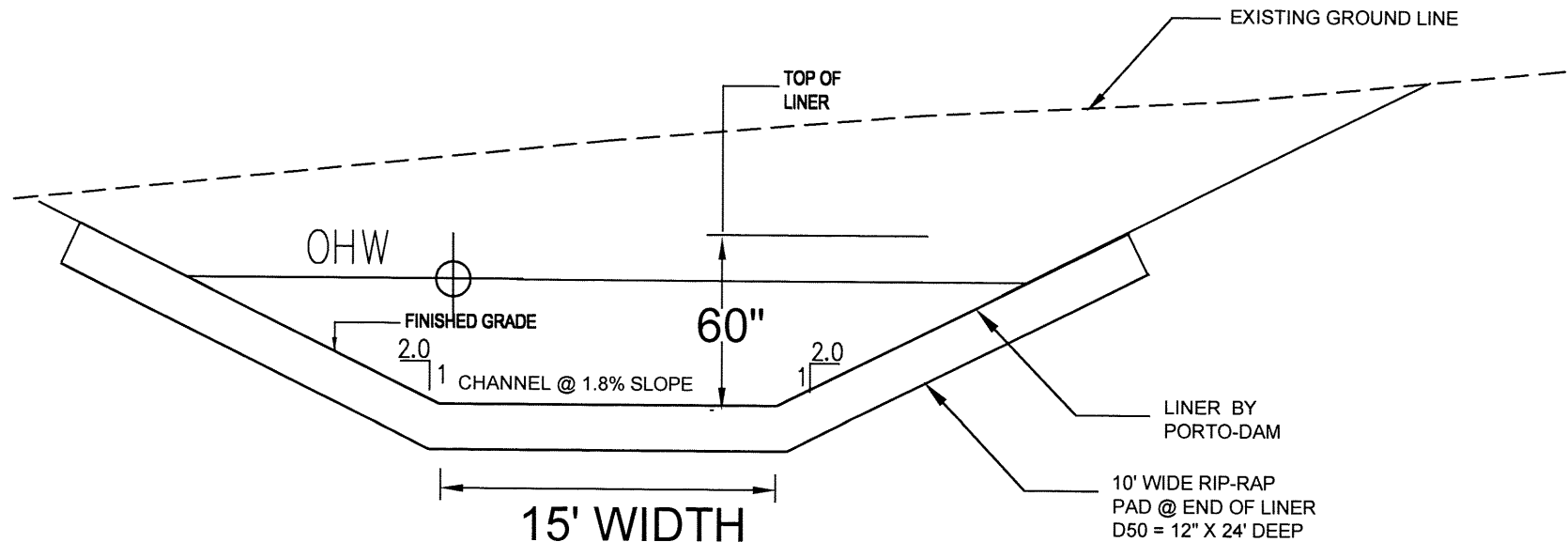
LOCATION: 2400 Saw Mill River Road

Town of Yorktown

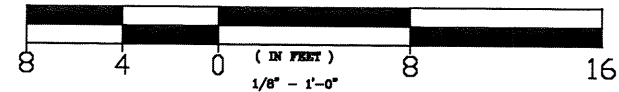
SHEET # 7 OF # 9

DATE: MAY 12, 2020

## SECTION LOOKING UPSTREAM



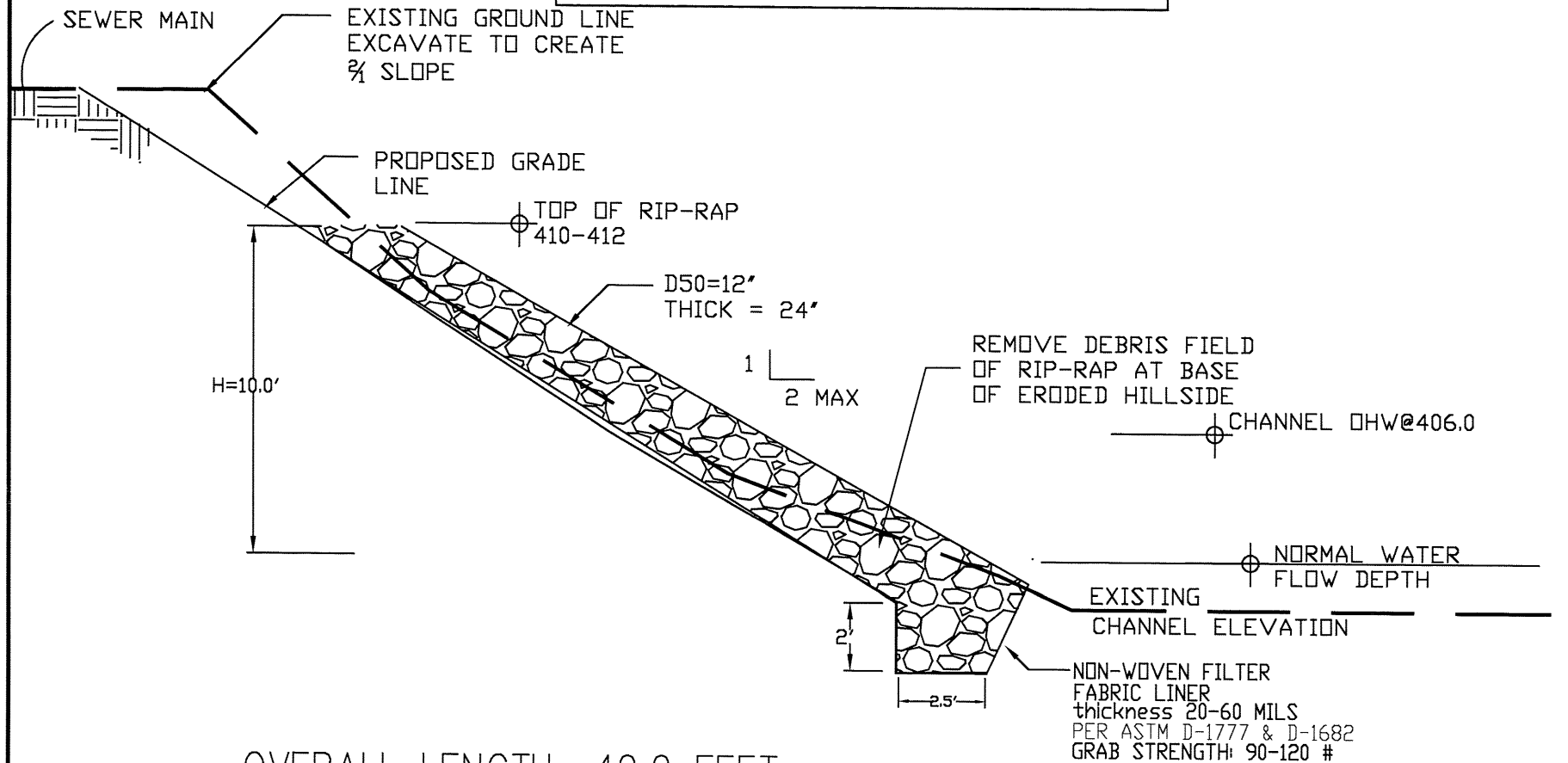
GRAPHIC SCALE



TEMPORARY LINED  
BI-PASS CHANNEL

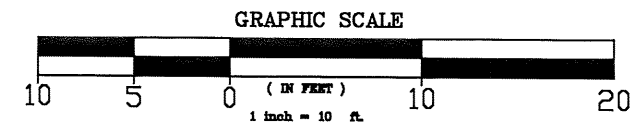
Reference: Brennan Residence LLC  
 Contact Name: P.W. Scott Engineering & Architecture, P.C.  
 PROPOSED PROJECT: Brennan Residence Dam:  
 Holleck's Mill Dam #213-0413  
 LOCATION: 2400 Saw Mill River Road  
 Town of Yorktown  
 SHEET # 8 OF # 9 DATE: MAY 12, 2020

# SECTION LOOKING UPSTREAM



OVERALL LENGTH: 40.0 FEET  
D50- 12" RIP-RAP FILL: 180 CY.

RIP-RAP POND BANK  
PROTECTION DETAIL  
BANK PROTECTION



Reference: Brennan Residence LLC  
Contact Name: P.W. Scott Engineering & Architecture, P.C.  
PROPOSED PROJECT: Brennan Residence Dam:  
Holleck's Mill Dam #213-0413  
LOCATION: 2400 Saw Mill River Road  
Town of Yorktown  
SHEET # 9 OF # 9 DATE: MAY 12, 2020