

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

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>.

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

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.

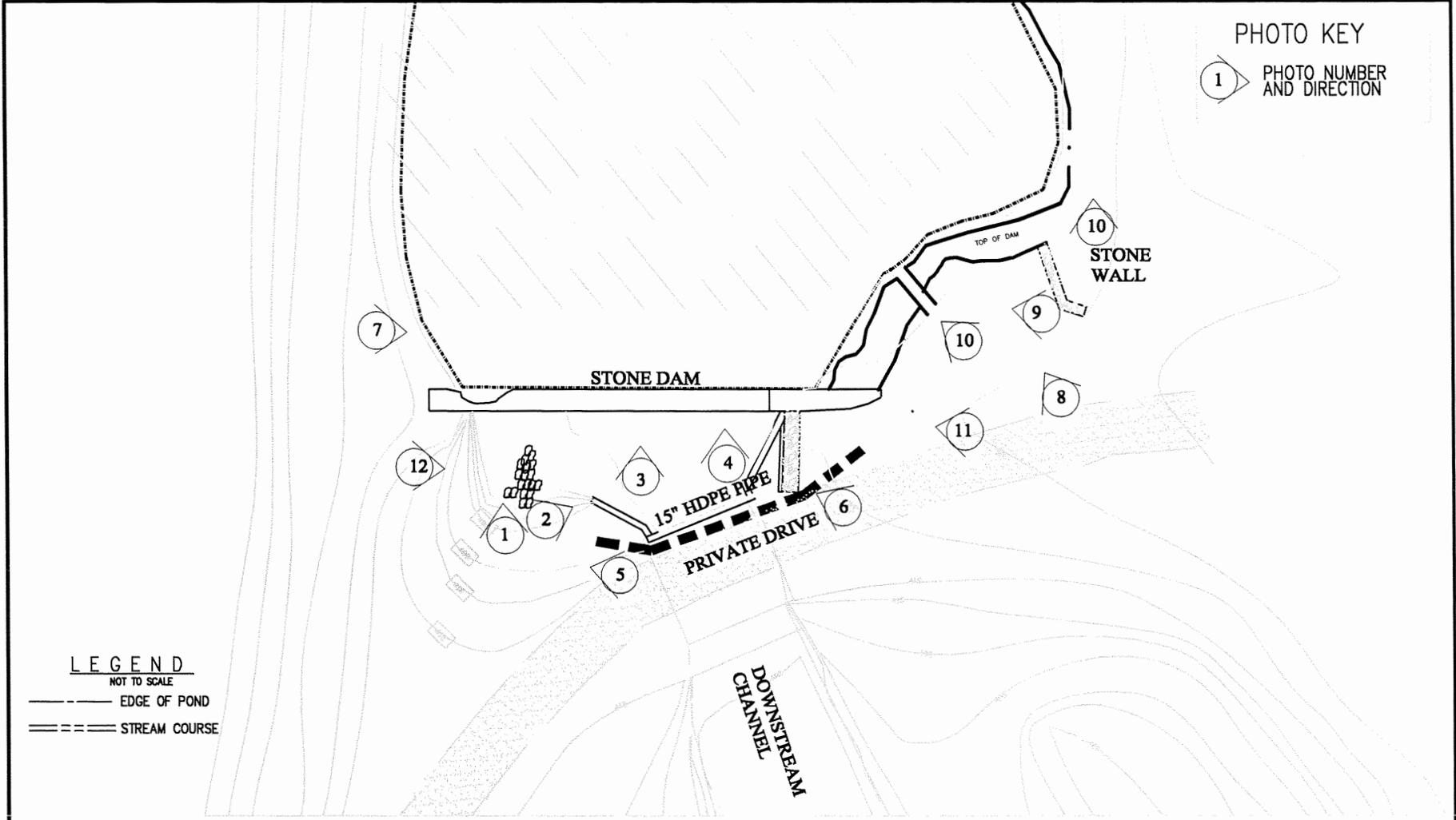
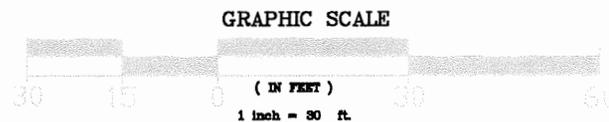
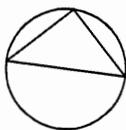


PHOTO KEY
 1 PHOTO NUMBER AND DIRECTION

LEGEND
 NOT TO SCALE
 --- EDGE OF POND
 === STREAM COURSE

EXISTING CONDITIONS

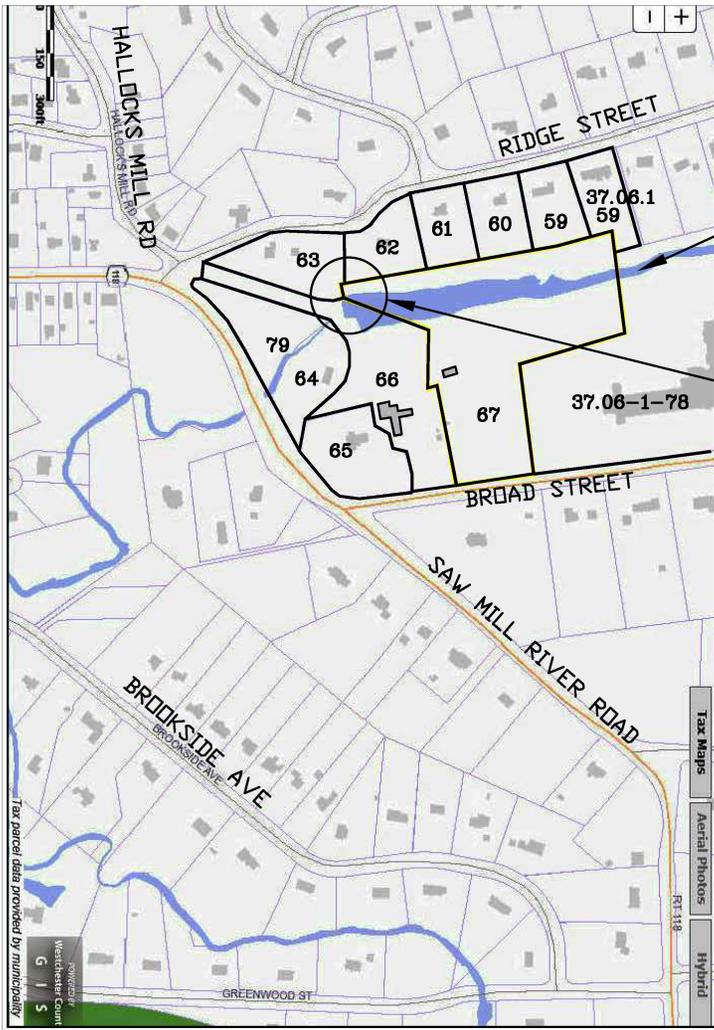


P. W. SCOTT	
ENGINEERING & ARCHITECTURE, P.C.	
3871 ROUTE 6	
BREWSTER, NY 10509 845-278-2110	

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 STREER
 YORKTOWN HGTS., NY 10598

37.10-2-59
 DAVID & HEIDI BROOKS
 2210 RIDGE STREER
 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

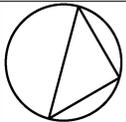
37.10-2-62
 SALVATORE SICILLANO
 2164 RIDGE STREET
 PORT CHESTER, NY 10573

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

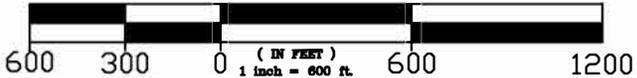
37.06-1-78
 CENTRAL SCHOOL DISTRICT
 2285 BROAD STREET



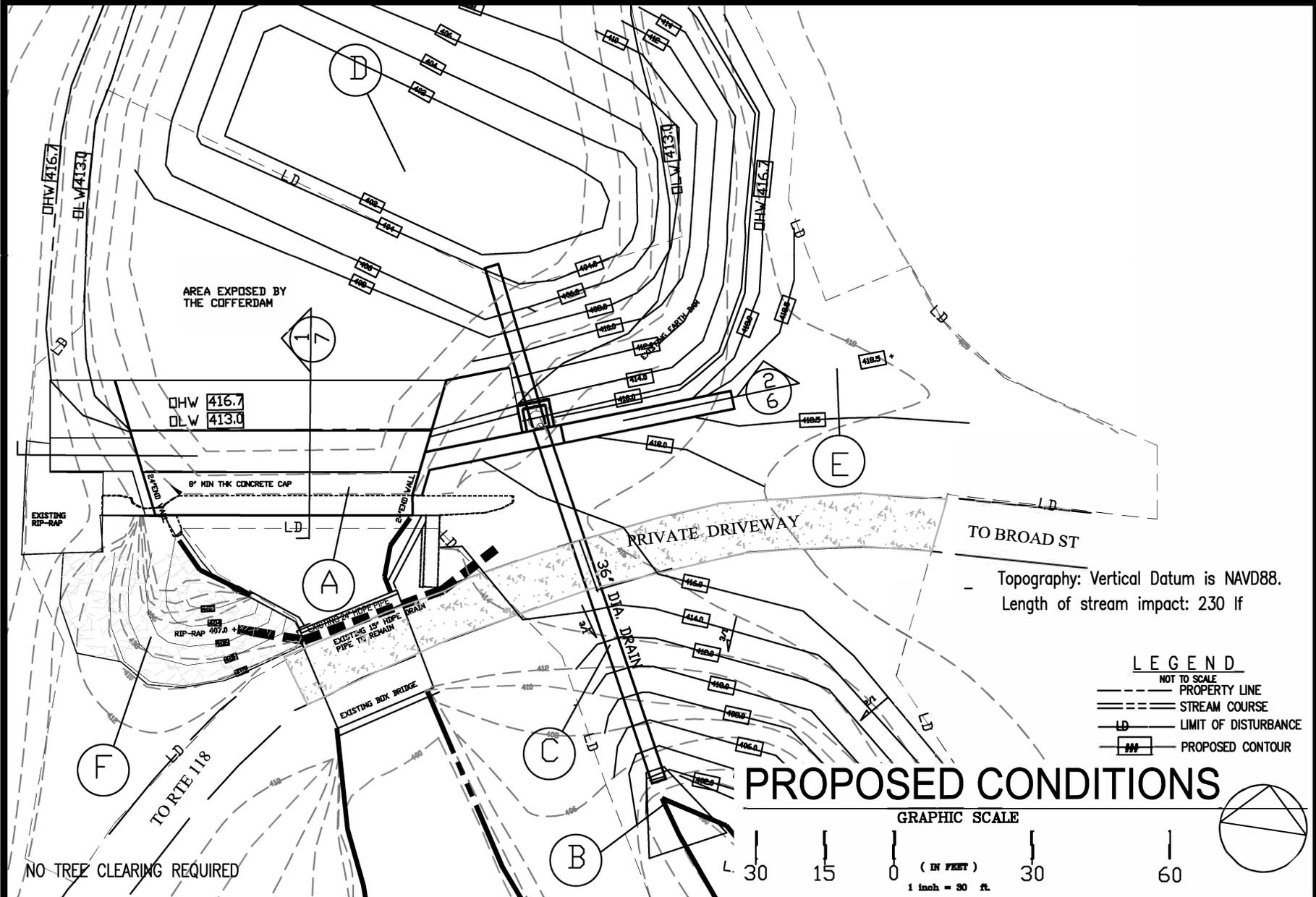
VICINITY MAP

MAP Reference:
 TOWN OF YORKTOWN TAX MAP

GRAPHIC SCALE



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



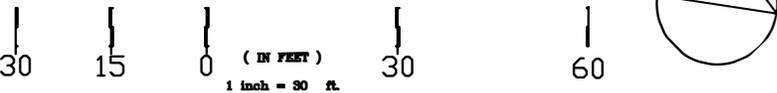
Topography: Vertical Datum is NAVD88.
 Length of stream impact: 230 lf

LEGEND

- NOT TO SCALE
- - - - - PROPERTY LINE
- ==== STREAM COURSE
- LD - - - - - LIMIT OF DISTURBANCE
- ▭▭▭▭ PROPOSED CONTOUR

PROPOSED CONDITIONS

GRAPHIC SCALE



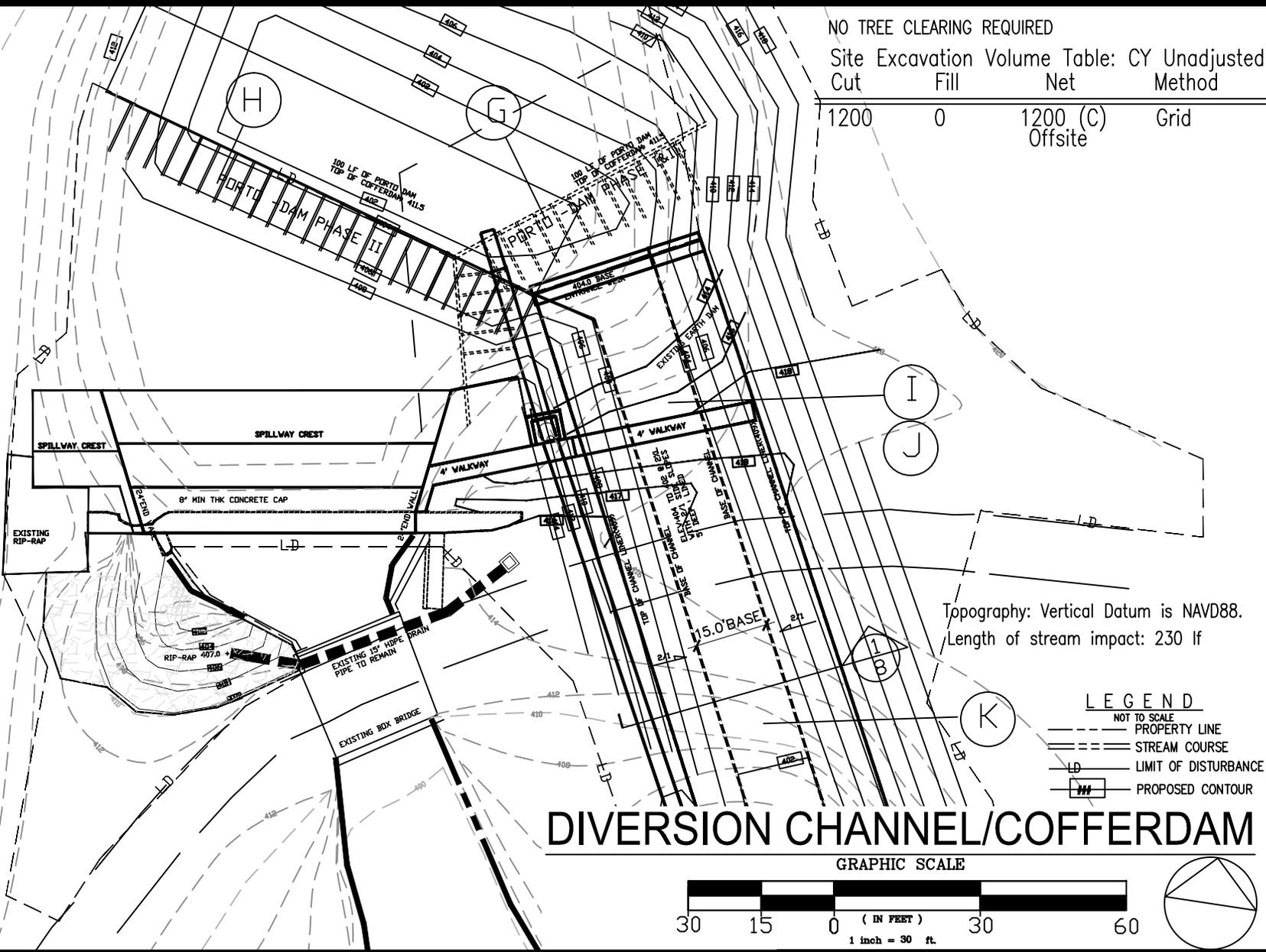
FILL & EXCAVATION CHART

- A- CONCRETE DAM: 1342 CY CONC.
- B- RIP-RAP OUTLET APRON
96 CY RIP-RAP
- C- 36" STL PIPE: 122 LF
- D- POND DREDGE: 350 CY
- E- POND BERM FILL: 1200 CY- EARTH
- F- BANK STABILIZATION: 180 CY RIP-RAP
- REFER TO SHEET 4 FOR TEMP CHANNEL & COFFERDAM

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 # 3 OF # 9 DATE: MAY 12, 2020

NO TREE CLEARING REQUIRED
 Site Excavation Volume Table: CY Unadjusted

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

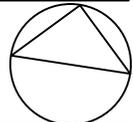
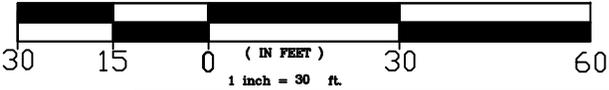


Topography: Vertical Datum is NAVD88.
 Length of stream impact: 230 lf

- LEGEND**
- NOT TO SCALE
 - - - - - PROPERTY LINE
 - ==== STREAM COURSE
 - LD- LIMIT OF DISTURBANCE
 - ▨ PROPOSED CONTOUR

DIVERSION CHANNEL/COFFERDAM

GRAPHIC SCALE



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

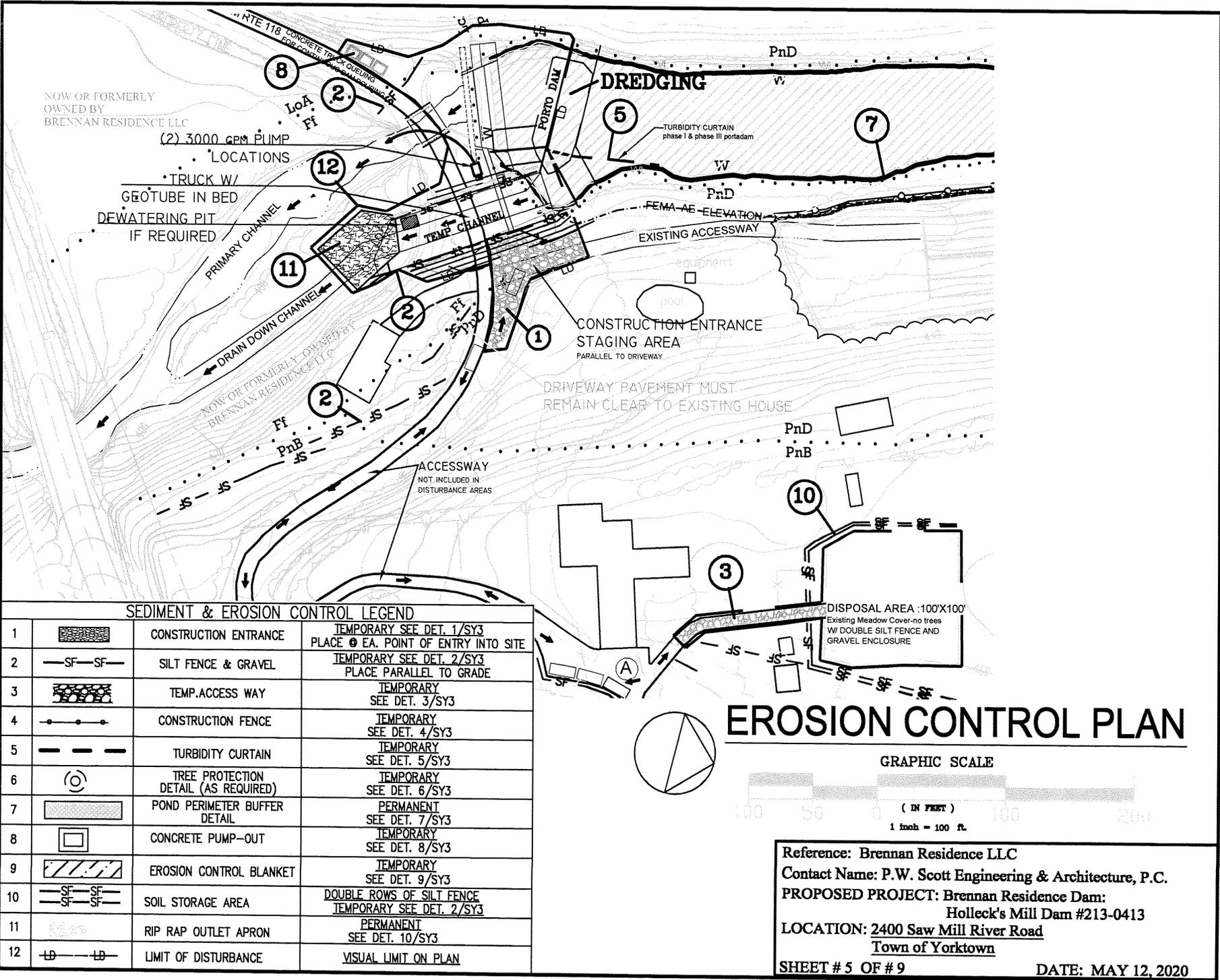
H- PORTO DAM PHASE II-104 LF

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

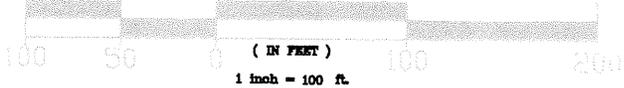


SEDIMENT & EROSION CONTROL LEGEND

1		CONSTRUCTION ENTRANCE	TEMPORARY SEE DET. 1/SY3 PLACE @ EA. POINT OF ENTRY INTO SITE
2		SILT FENCE & GRAVEL	TEMPORARY SEE DET. 2/SY3 PLACE PARALLEL TO GRADE
3		TEMP. ACCESS WAY	TEMPORARY SEE DET. 3/SY3
4		CONSTRUCTION FENCE	TEMPORARY SEE DET. 4/SY3
5		TURBIDITY CURTAIN	TEMPORARY SEE DET. 5/SY3
6		TREE PROTECTION DETAIL (AS REQUIRED)	TEMPORARY SEE DET. 6/SY3
7		POND PERIMETER BUFFER DETAIL	PERMANENT SEE DET. 7/SY3
8		CONCRETE PUMP-OUT	TEMPORARY SEE DET. 8/SY3
9		EROSION CONTROL BLANKET	TEMPORARY SEE DET. 9/SY3
10		SOIL STORAGE AREA	DOUBLE ROWS OF SILT FENCE TEMPORARY SEE DET. 2/SY3
11		RIP RAP OUTLET APRON	PERMANENT SEE DET. 10/SY3
12		LIMIT OF DISTURBANCE	VISUAL LIMIT ON PLAN

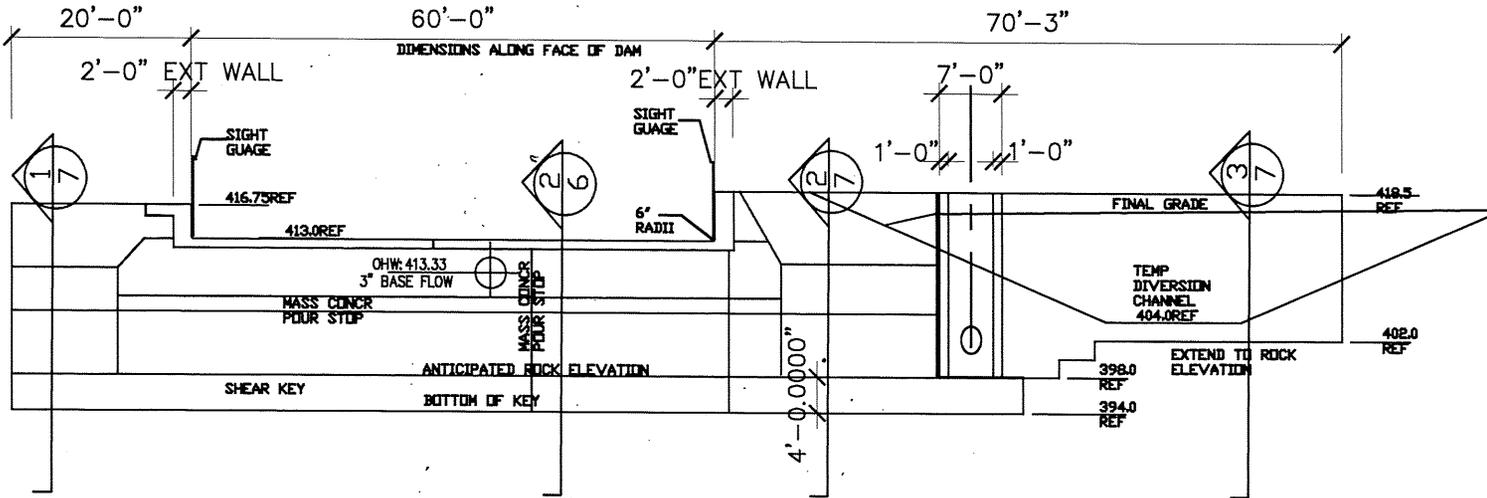
EROSION CONTROL PLAN

GRAPHIC SCALE



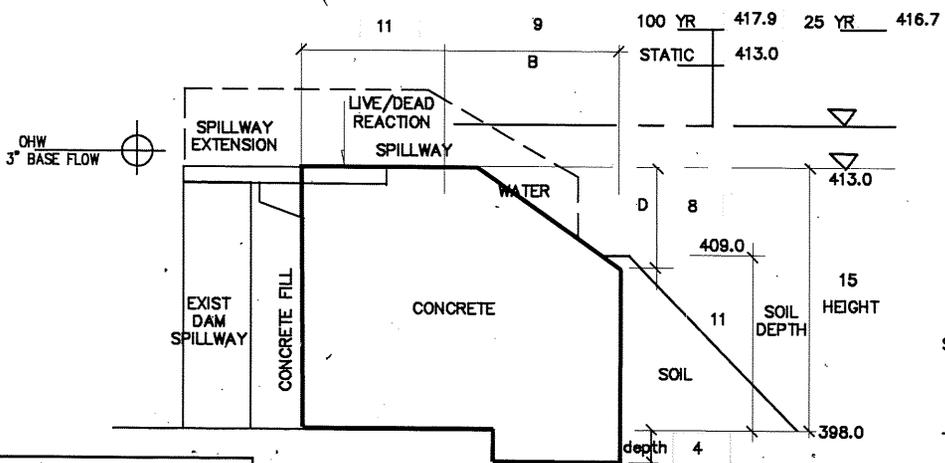
Reference: Brennan Residence LLC
 Contact Name: P.W. Scott Engineering & Architecture, P.C.
 PROPOSED PROJECT: Brennan Residence Dam:
 Holleck's Mill Dam #213-0413
 LOCATION: 2400 Saw Mill River Road
 Town of Yorktown
 SHEET # 5 OF # 9 DATE: MAY 12, 2020

ELEVATION LOOKING UPSTREAM



DAM ELEVATION: 1-6

SCALE: 3/64" = 1'-0"



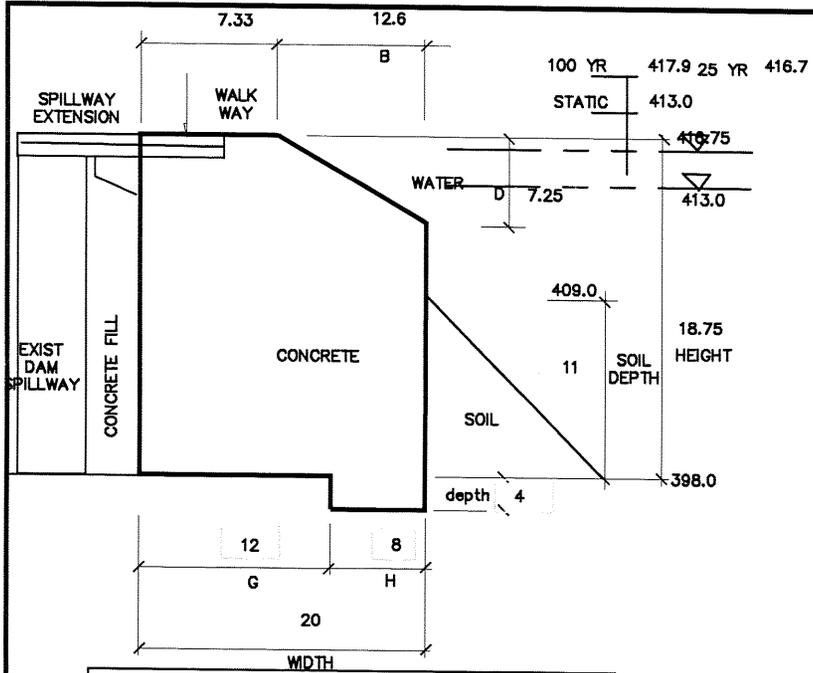
Concrete Dam Description
 Overall Width: 150 ft
 Overall Height: 15' @ spillway
 Spillway Section: 60' long
 Concrete fill @ 2:658 cy.

CONCRETE DAM AND SPILLWAY ELEVATION

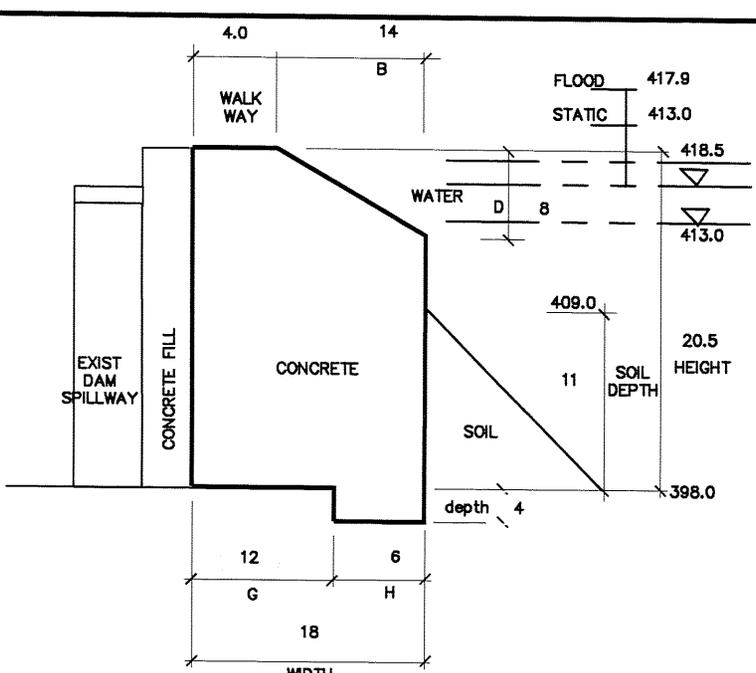
SPILLWAY SECTION: 2-6

SCALE: 1/2" = 1'-0"

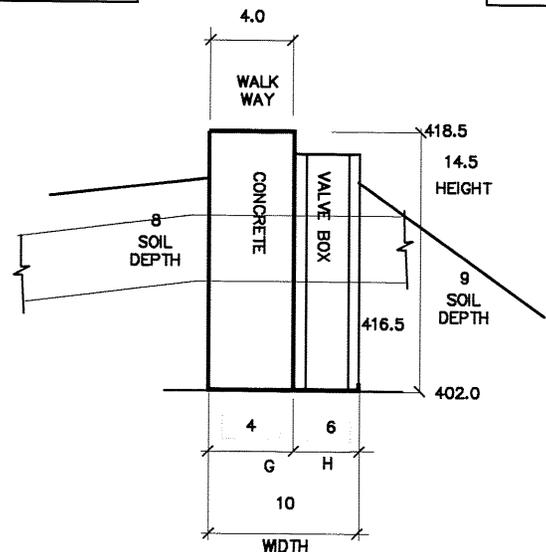
Reference: Brennan Residence LLC
 Contact Name: P.W. Scott Engineering & Architecture, P.C.
 PROPOSED PROJECT: Brennan Residence Dam:
 Holleck's Mill Dam #213-0413
 LOCATION: 2400 Saw Mill River Road
 Town of Yorktown
 SHEET # 6 OF # 9 DATE: MAY 12, 2020



SPILLWAY SECTION: 1-7



SPILLWAY SECTION: 2-7



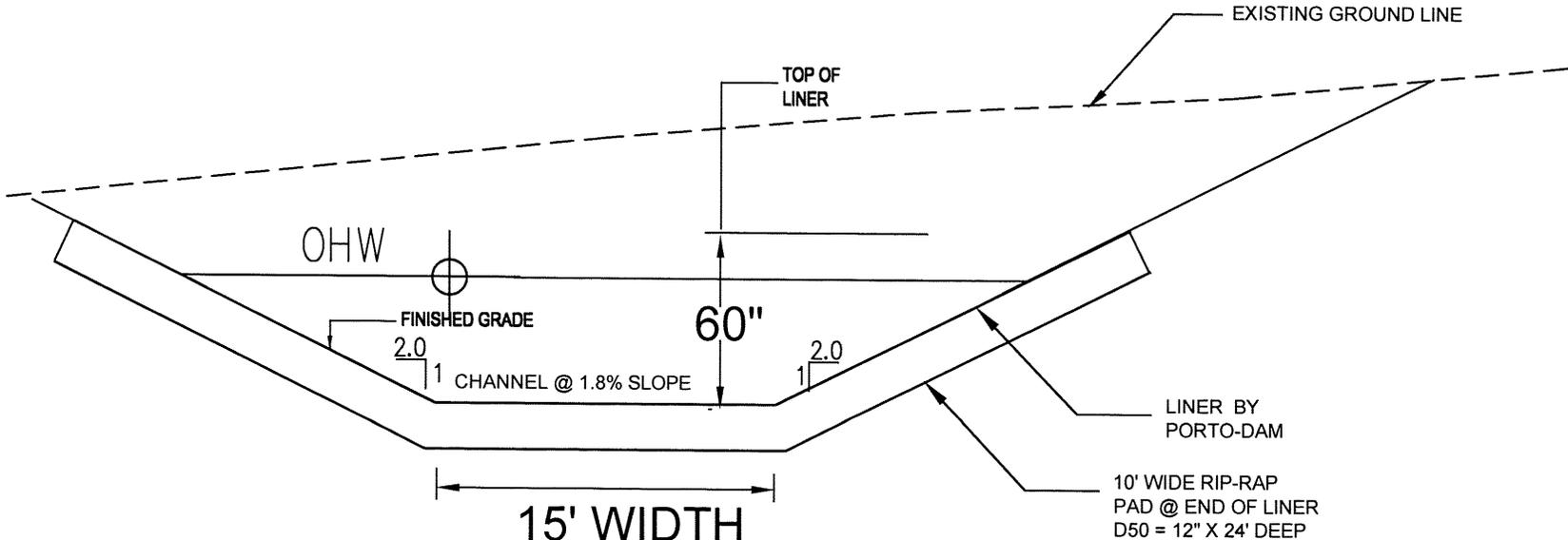
SPILLWAY SECTION: 3-7

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.

CONCRETE DAM SECTIONS

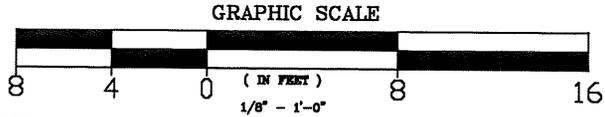
Reference: Brennan Residence LLC
 Contact Name: P.W. Scott Engineering & Architecture, P.C.
 PROPOSED PROJECT: Brennan Residence Dam:
 Holleck's Mill Dam #213-0413
 LOCATION: 2400 Saw Mill River Road
 Town of Yorktown
 SHEET # 7 OF # 9 DATE: MAY 12, 2020

SECTION LOOKING UPSTREAM



15' WIDTH
 OVERALL LENGTH: 140.0 FEET
 10 MIL LINER BY PORTO-DAM
 EXCAVATION&REFILL: 1200 CY

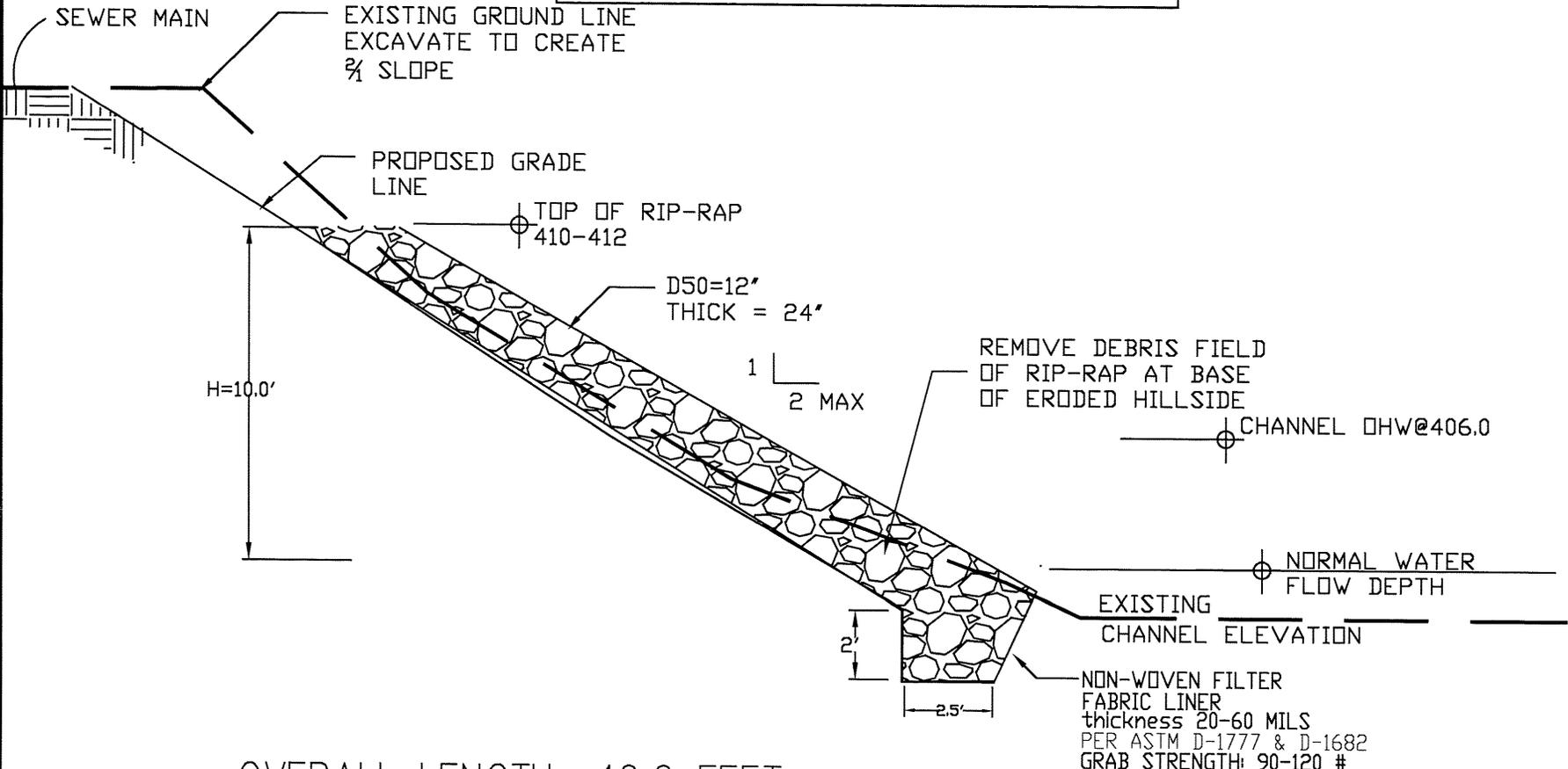
LINER BY PORTO-DAM
 10' WIDE RIP-RAP PAD @ END OF LINER
 D50 = 12" X 24' DEEP



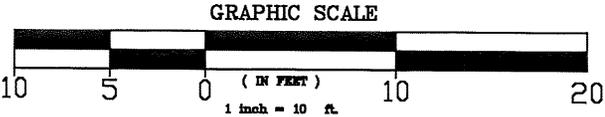
Reference: Brennan Residence LLC
 Contact Name: P.W. Scott Engineering & Architecture, P.C.
 PROPOSED PROJECT: Brennan Residence Dam:
 Holleck's Mill Dam #213-0413
 LOCATION: 2400 Saw Mill River Road
 Town of Yorktown
 SHEET # 8 OF # 9 DATE: MAY 12, 2020

TEMPORARY LINED
 BI-PASS CHANNEL

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