



**SECOND NOTICE OF INCOMPLETE PERMIT APPLICATION**  
**APA Project No.: 2021-0248**

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| <b>Project Sponsor:</b><br>Eric Stackman<br>PO Box 402422<br>Miami Beach, FL 33141 | <b>Authorized Representatives:</b><br>Roberta Alba<br>6540 NW 170 <sup>TH</sup> Terrace<br>Miami, FL 33015<br><br>Christopher G. Berga, Berga Law PA<br>121 Alhambra Plaza, Suite 1500<br>Coral Gables, FL 33134 |
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**Type of Project:** Large-scale Subdivision

**Location of Project:** Town of Jay, Essex County

Land Use Area: Low Intensity Use and Hamlet

Tax Map Nos.: 17.2-1-4, 17.2-1-5.1 & 17.2-1-20.111

Dear Eric Stackman:

Thank you for the recent submission in relation to APA Project No. 2021-0248, received by the Agency on September 7, 2022. The submission provided important information in response to the Agency's August 23, 2022 correspondence requesting further clarification on the materials received in response to the Agency's December 23, 2021 Notice of Incomplete Permit Application.

Based upon staff review of your proposal and the information submitted in response to the Agency's December 23, 2021 Notice of Incomplete Permit Application, the following questions must be addressed in order to review your application.

Please note that additional information and studies, as well as professionally prepared plans for all aspects of the proposed development, will be required for a complete application. You will receive a Notice in writing informing you when staff has received the information necessary to complete the application.

The proposal may not be undertaken until a permit has been issued by the Agency. "Undertake" means any commencement of a material disturbance of land preparatory to the proposed project, including but not limited to road construction, grading, installation of utilities, excavation, clearing of building sites, or other landscaping, or in the case of subdivision, the conveyance of any lots.

If you have any questions regarding this Notice of Incomplete Permit Application or the project review process, please contact Environmental Program Specialist Devan Korn.

September 22, 2022  
Date

/s/ John M. Burth  
John M. Burth  
Environmental Program Specialist 3

Attachment: List of Requested Information

**REQUESTED INFORMATION**  
**APA Project No. 2021-0248**

**Please submit your response to this notice by e-mail to [devan.korn@apa.ny.gov](mailto:devan.korn@apa.ny.gov). All application submissions should be in PDF or similar format and be legible. Electronic copies of plans must be fully scalable. Upon receipt and review of a complete response to the following, additional information may be required.**

1. Please submit a revised site design that depicts all proposed vegetative clearing, development, and soil disturbance:
  - Located at least 100 feet from all wetland boundaries;
  - Located on slopes less than 25%;
  - Located within 230 meters of either Route 9N, neighboring residential development, or the well-established existing road that runs north-to-south through the project site and is currently used as the primary site access; and
  - Located outside of the mapped unique natural communities and large forest blocks (other than the proposed cul-de-sac area in the northeastern portion of the site).

Please submit a revised proposed trail system map that clearly differentiates between existing and proposed trails. A minimum of a 100-foot buffer must be provided between all new trails and the wetlands and waterbodies (stream).

Please note that if the final proposal does not meet the parameters described above, additional wetland delineations, visual and slopes analyses, and other studies will be required, in addition to the information listed below. A biological survey prepared by a qualified biologist and spanning multiple seasons will also be required. This biological survey will need to include a report detailing potential impacts to the mapped forest resources, unique natural communities, wetlands, fish/amphibians, and wildlife, and an assessment of how wildlife dependent on the forest blocks and unique communities will be impacted by the proposal, particularly area-sensitive and edge-affected species such as interior forest birds, American marten, and wide-ranging mammals.

2. Please submit a consultation to the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) for the project through the [Cultural Resource Information System](#) and include the necessary details for the Carnes Barn and abandoned granite quarry on the project site. When submitting the consultation, please include **Devan Korn** as an additional contact for the project. A determination from OPRHP on potential cultural and or historical impacts that may result from the project is required for a complete application. Additional information may be required pending this determination.
3. Please note the following information that will be required, along with additional studies and analysis as necessary, once a final site design is received:
  - A description of the anticipated ownership configuration and maintenance responsibilities of the proposed access roads, utilities, open space and trail system, and other amenities such as employee housing.

- Confirmation from New State Electric & Gas Company (NYSEG) that the proposed utilities and anticipated electrical loading can be accommodated.
- Information regarding proposed water and wastewater services, including an evaluation of whether a municipal water supply and municipal sewer extension is feasible and, if so, written correspondence and confirmations from the Town of Jay Water District and/or the Au Sable Forks Sewer District. If determined not feasible, design plans prepared by a NYS licensed design professional that meet Agency standards and guidelines will be required for any proposed on-site wastewater treatment system.
- If any of the proposed roads or infrastructure are anticipated to be conveyed to the Town of Jay or any other entity, documentation confirming willingness to accept the development.
- Confirmation from the local police, fire, and emergency medical services stating that they have the capacity to meet the anticipated needs of the proposed development.
- Submission of applications to the New York State Departments of Health, Transportation, and Environmental Conservation, as necessary, to allow for a coordinated review. As previously noted, please remember that the DEC general permit application for stormwater discharges from construction activities requires that a construction activity not disturb greater than 5 acres of soil at any one time without prior written authorization from DEC. Accordingly, prior written authorization will be required from the DEC for any phasing proposal that will disturb greater than 5 acres of soil.
- A forest management plan that details the proposed uses of the proposed open space and trail system and includes a description of the specific forest resources present on the property and allows for sustainable use of those resources.
- A more detailed description of and plans for all proposed activities and development, including building plans and elevation drawings.
- Additional information related to any ground-mounted solar arrays.

cc: Robbe Baer, Town of Jay Code Enforcement Officer