



Adirondack Park Agency

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

Project Sponsor: Eric Stackman PO Box 402422 Miami Beach, FL 33141	Authorized Representatives: Roberta Alba 6540 NW 170 TH Terrace Miami, FL 33015 Christopher G. Berga, Berga Law PA 121 Alhambra Plaza, Suite 1500 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 Mr. Stackman:

Thank you for your permit application for subdivision and development of the above-referenced property.

Part I of the Large-scale Subdivision Application requests maps depicting resources and existing features, a project narrative, and conceptual design drawings of the proposal and potential alternatives. As listed below, initial evaluation indicates that the Part I materials provided do not adequately depict the important resources and features on the project site or provide adequate information to allow for conceptual design analysis by Agency staff.

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 2 (EPS2) **Devan Korn**.

December 23, 2021
Date

/s/ John M. Burth
John M. Burth
Environmental Program Specialist 3 (EPS3)

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
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 provide a copy of the maps requested under Item 7 of the application at a scale of 1" = 300', as follows:
 - A Project Site Base Map of existing conditions depicting the boundaries of the project site, permanent and intermittent streams, lakes or ponds, wetlands, roads, and skidder trails (distinguished from roads).
 - A Soils Map.
 - A Slope Map shaded and labeled to show the slope categories of 0 to 8%, 8 to 15%, 15 to 25%, and greater than 25%.
 - A Critical Areas Map depicting: the boundaries of the project site; all streams, ponds, and wetlands; a 100-foot buffer from all streams, ponds, and wetlands; the boundary of the designated recreational river area; any 100-year flood plains; any unique features; any rare or valuable ecosystems; any significant wildlife habitats (including deer wintering areas and waterfowl nesting areas); designated archeological areas, areas of the site visible from public viewing locations; and any aquifer or aquifer recharge areas beneath the site.
 - A Site Analysis Map depicting the areas potentially suitable for development based on the wetlands, soils, slope, and critical areas maps. Please note that additional information not depicted on the wetlands, soils, slope, and critical areas maps may preclude development within the areas shown as potentially suitable on the Site Analysis Map.
2. Please provide a comprehensive narrative of the New York Natural Heritage Program report as requested by the application that details occurrences of rare, threatened, endangered, or vulnerable plants, and threatened, endangered, and special concern animals. Include known unique natural communities and significant wildlife habitats on the project site and the surrounding area within three miles of the project site.
3. Please provide a list of bird species expected to be on the project site based on habitat requirements and geographical distribution. Please consult the 2000-2005 New York State Breeding Bird Atlas for a listing of species expected to be present.
4. Please provide a map that indicates areas of historic or recent logging activities.
5. Please provide additional conceptual design sketch map alternatives that avoid and/or minimize impacts to resources. Alternatives should address the feasibility of extending municipal sewer and water from the AuSable Forks Sewer District and Town of Jay Water District. Alternatives should also involve minimizing the proposed area of disturbance by limiting the proposed number of access roadways and shortening their lengths, with all development located closer to

Route 9 and in a more centralized location. Additionally, as currently proposed, the clubhouse is approximately 1,000 feet from the guest homes, and approximately 2,000 feet from the closest set of duplexes. Please provide an alternative locating the clubhouse at lower elevation and closer to the proposed residential development. Alternatives should also include revising the proposed trail system to avoid crossing the wetlands and stream on the site, with a minimum 100-foot buffer between all trails and the wetlands and stream. In addition, the alternative of installing rooftop solar panels in lieu of free-standing panels should be considered, to minimize necessary site disturbance.

Please also confirm the proposed phasing for each alternative, ensuring that each phase involves less than 5 acres of disturbance. Note that the NYS Department of Environmental Conservation's SPDES general permit application for stormwater discharges from construction activities requires that the owner or operator of a construction activity not disturb greater than 5 acres of soil at any one time without prior written authorization.

Please also ensure that all terminology regarding the proposal ("mansions," "guesthouses," etc.) is consistent throughout each alternative and through all narratives.

6. The current deed of record for tax parcel 17.2-1-20.11 indicates that there is an existing right-of-way "over and across the property... to the state highway along the route of an old road..." During the October 19, 2021 site visit, staff noted that the project site is not heavily posted nor is the existing access gated. Impacts to wetlands were also observed associated with an existing and well-used un-improved roadway. Please describe the current use(s) of the property in terms of any existing access agreements and how the project as proposed may impact any adjoining land use with existing legal access.
7. The required initial public comment period concluded on December 3, 2021. Please feel free to provide a summary to these comments, including any explanation of how any changes to the proposal or responses to requested information may address the issues raised by the public comments. Please note that, at the time the application is deemed complete, there will be an additional public comment period and the required time period for Agency action on the proposed project will begin.

cc: Robbe Baer, Town of Jay Code Enforcement Officer