



Adirondack Park Agency

ANDREW M. CUOMO
Governor

TERRY MARTINO
Executive Director

PERMIT WRITING FORM – P#2019-123

Form Finalized: Lead Reviewer _____ Date _____ Supervisor _____ Date _____

APPLICANT

Project Sponsor(s): **Lyme Timber Company**
Landowner(s): **Lyme Adirondack Timberlands I, LLC**
Authorized Representative: **Sean Ross, Eric Ross**

PROJECT SITE

Town/Village: **Westport**
County: **Essex**
Road and/or Water Body: **Mountain Springs Road, Stacy Brook**
Tax Map #(s): **75.2-2-2.00**
Deed Ref: **SP Forests LLC to Lyme Adirondack Timberlands I, LLC, dated August 16, 2006, and recorded August 31, 2006 in the Essex County Clerk's Office at Book 1502, Page 1.**
Land Use Area/s: H MIU LIU **RU** **RM** IU
Project Site Size: **547** ± acres
[] Same as Tax Map #(s) identified above
[] Only the H / MIU / LIU / RU / RM / IU portion of the Tax Map #(s) identified above
[**X**] Other (describe): **Timber Harvest Plan**
Lawfully Created? **Y** N [] Pre-existing subdivision:
River Area: Y **N** If Yes: Wild - Scenic - Recreational Name of River:
CEAs (include all): Wetland - Fed Hwy - State Hwy - State Land - Elevation - Study River

PROJECT DESCRIPTION

A material amendment of Agency Permit 2017-0070, which authorized timber harvesting on a 450±-acre project site. This project is an expansion of the timber harvest to also include an adjacent 97± acres, consisting of two silvicultural treatments: (1) Clearcutting with reserves (57± acres) to capture value in a mature overstory, establish desirable understory composition, and decrease beech component - white and yellow birch seed trees and well-formed sugar maple poles will be reserved; and (2) Free thinning (40± acres) to remove mature and undesirable stems to favor abundant crop trees. A 60-square-foot basal area per acre of pole to medium-sized saw timber will be left to grow. The property is subject to a NYS Working Forest Conservation Easement and is certified to FSC and SFI standards.

JURISDICTION (including legal citation)

The project requires an Agency permit pursuant to Sections 809(2)(a), 810(1)(d)(10), and 810 (1)(e)(11) of the Adirondack Park Agency Act [Executive Law, Article 27] and 9

NYCRR Section 573.7 of the Adirondack Park Agency Rules and Regulations because it involves timber harvesting that includes a proposed clearcutting of a single unit of land of more than 25 acres on lands classified as Resource Management and Rural Use.

Pursuant to Agency regulations at §573.7, the total area of the jurisdictional project site, 547± acres, has been calculated by aggregation of patch cuts greater than 8 acres in size which have been harvested within the past ten years. The harvest authorized herein will include cutting within the previously designated 300 foot uncut buffer areas between patch cuts.

PRIOR PERMITS / SETTLEMENT AGREEMENTS BEING SUPERSEDED

FINDINGS OF FACT – ENVIRONMENTAL SETTING

Lakes, Ponds, Navigable Rivers and Streams

Check if none [**X**]

Water Body Name:

Length of Existing Shoreline (feet):

MHWM determ: Y N

Minimum Lot Width:

Meets standard: Y N

Structure Setback (APA Act):

Meets standard: Y N

Structure Setback (River Regs):

Meets standard: Y N

Y N Cutting proposed within 6 ft of MHWM? If Yes, < 30% vegetation? Y N

Y N Cutting proposed within 35 ft of MHWM? If Yes, < 30% trees 6" dbh? Y N

Y N Cutting proposed within 100 ft of river area? (If Yes, include under jurisdiction)

Non-Navigable Streams in proximity to development

Check if none []

[**X**] Permanent Stream [] Intermittent Stream Classified? Y N

DEC Environmental Resource Mapper stream classification: **C (Stacy Brook)**

Wetlands

Y **N** Jurisdictional wetland on property

If Y: [] If Yes, RASS biologist consulted

→ Covertypes:

→ Located < 200 ft from proposed development or along shoreline Y N

→ If Y, value rating:

Wildlife

Y N Rare/threatened/endangered species (**NLEB**) [**X**] If Yes, RASS ecologist consulted

Y **N** R/T/E or other unique species habitat [] If Yes, RASS ecologist consulted

Y N Northern Long-Eared Bat occurrences in Town [**X**] If Yes, RASS ecologist consulted

Y N Forest management plan existing or proposed [**X**] If Yes, RASS forestry analyst consulted

Y **N** Biological Survey required by RASS ecologist [] If Yes, completed

Ecological / Special Districts

Y **N** Natural Heritage Sites [] If Yes, RASS ecologist consulted

Y **N** Aquifer [] If Yes, RASS engineer consulted

Y **N** Agricultural District

Slopes

[] RASS engineer consulted if structure proposed on >15%, driveway on >12%, or wwts on >8/15%

Existing slope range: **8->40** Building area(s) if authorizing development: **NA**

The project site is situated on the south slope of Harper Mountain, and in the valley of the Stacy Brook. The maximum elevation of the proposed harvest is approximately 1580 feet, and the lowest elevation is approximately 680 feet. The terrain ranges from nearly flat to steep.

Soils

Y N Deep-hole test pit completed? (Necessary for every building lot) [X] Check if N/A
[] If Yes, soil data information determined or approved by RASS soil analyst

NRCS Mapped Soil Series or Other Comments:

The soils on the project site are classified in several soil series complexes, including Monadnock-Tunbridge, Tunbridge-Lyman, Becket-Tunbridge, and Mondanock-Tunbridge. In moderately sloped areas, the soils are deep and well drained. Upslope, the soils are well drained, but become shallower as the slope increases.

Character of Area

Nearby (include all): Residential – Commercial – Industrial – Agricultural – **Forested**

Adjoining Land Uses / State Land:

Is nearby development visible from road? Y N (Private lands in the vicinity are primarily used for seasonal camps and open space forest uses.)

→ If Y, name road and describe visible development:

Additional Existing Development (ex: dam on site, etc.):

*** Attach Individual Lot Development Worksheet (if a subdivision, attach one for each lot)

FINDINGS OF FACT – COORDINATED REVIEW

- Y N Archeologically Sensitive Area, according to OPRHP [] If Yes, APA APO consulted
- Y N Structures > 50 years old on or visible from site [] If Yes, APA AHPO consulted
- Y N Within Lake George Park [] If Yes, LGPC consulted / application submitted
- Y N Greater than 1 acre disturbance / SWPPP required [] If Yes, DEC application submitted
- Y N Public water supply [] If Yes, DEC / DOH application submitted
- Y N Greater than 1,000 gpd wastewater [] If Yes, DEC application submitted
- Y N Disturbing bed or bank of water body [] If Yes, DEC application submitted
- Y N Creating 5 or more lots less than 5 acres each [] If Yes, DOH application submitted
- Y N Army Corps involvement [] If Yes, ACOE consulted
- Y N Agency-approved Local Land Use Program [X] If Yes, Town/Village consulted

PERMIT CONDITIONS AND IMPACT ANALYSIS

Merger

Justification if merger required: **NA**

Deed Covenant

Non-building lot being created? Y N

If yes and lot is not being merged by condition, no PBs? Or no structures at all? Justification:

Easement

Easement proposed or required? Y N

If Y, consult with Legal for conditions. Justification:

Construction Location and Size (may be different for each subdivision lot)

Is new development (other than oswts) being authorized without further Agency review? Y N

→ If Y: Structure height limit and justification:

Structure footprint limit and justification:

→ If N:

→ Acceptable development sites identified for all subdivision lots with PB allocation? NA

→ Review of future development required? Y N

→ If Y, justification:

Guest Cottages (if authorizing a dwelling)

Proposed and reviewed? Y N

If N, guest cottages potentially allowed? Y N

→ Justification for any conditions:

Boathouses (if project site contains shoreline)

Proposed and reviewed? Y N

If N, boathouses potentially allowed? Y N

→ If Y, review required (beyond definition limits)? Y N

→ If Y, justification:

Docks (if project site contains shoreline)

Proposed and reviewed? Y N

If N, docks potentially allowed? Y N

→ If Y, review required (beyond definition limits)? Y N

→ If Y, justification:

Outdoor Lighting (if authorizing development)

Plan proposed and reviewed? Y N

Building Color (if authorizing development)

If color condition required, justification:

Tree Cutting / Vegetation Removal

Town with Northern Long-Eared Bat occurrences? Y N

If Y, consult with RASS for conditions. Justification: **Forestry use. Within 5 miles of known hibernacula, not within 1/4 mile of hibernacula. No conversion of land use proposed. Snag trees will be retained in accordance with management plan and as proposed.**

Vegetative cutting restrictions required? Y N

If Y, restrictions required (choose all that apply):

[] within feet of limits of clearing

[] within feet of road

within _____ feet of river/lake/etc
 Other: **entire project site**
OR on entire site outside limits of clearing

Extent of cutting restriction necessary within the area noted above: **As proposed in harvest plan and on site plan map**

Cutting of all vegetation prohibited
 Cutting of trees of _____ diameter dbh prohibited
 Other:
Justification:

The project site is situated within 23,641 acres of actively managed industrial timberlands. If undertaken as proposed, any visual impacts associated with the harvest would not contrast significantly with surrounding land uses. The form, texture, color, and pattern of the harvest areas would be visible but not readily apparent. The potential impact to aesthetic resources will also be temporary in nature and consistent with historic and existing management of working forests in the area.

The proposed harvest is consistent with Lyme's landscape-scale management goal, as described in the Forest Management Plan, to establish 5% young forest on each of its management tracts. The purpose of this goal is to create and maintain a mosaic of available habitats across the forested landscape to ensure existence of suitable habitat for both early and late successional dependent species.

In addition to the 5% goal, the Forest Management Plan states that Lyme's forest managers strive to increase stands of shade intolerant pioneer species hardwoods, an important compositional feature of wildlife and species diversity under-represented in Adirondack forests.

The proposed retention of cavity, nest, and den trees as well as standing snags will provide habitat for nesting birds, small mammals, and insects.

Buffers to wetlands and water bodies created by the delineated harvest boundary, as well as Lyme's standard 100-foot Riparian Management Zone adjacent to wetlands, will ensure that a minimally disturbed zone for wildlife access is maintained.

Potential erosional impacts will be mitigated by application of the NYS Forestry Best Management Practices for Water Quality, as well as Lyme's soil disturbance guidelines in the establishment of skidder trails.

Extensive rutting from machinery activity is unlikely given the generally well-drained soils on the project site and avoidance of wetland areas in establishment of the harvest boundary and buffer zones.

The stumps of removed trees will remain in place, providing soil retention and runoff protection.

Plantings

Plan proposed and reviewed? Y N
If N, plantings required? Y N
→ If Y, species, number, location, and time of year:
Justification:

Wetlands

Consult with RASS for conditions. Justification:

Density (may be different for each subdivision lot)

Located in Town with ALLUP? Y N (If Y, stop. Town oversees density.)
Authorizing PB on substandard-sized lot created pre-2000 with no permit? Y N
If N and N, list existing PBs, including whether they are pre-existing/year built: **Working Forest Conservation Easement – No development potential exists**

Mathematically available # of new PBs (in addition to existing or replacement):
Extinguishing PBs? Y N If Y, number:

Wastewater (if authorizing construction of a new PB without further review)

Municipal system connection approved? Y N
Community system connection approved by RASS? Y N
Proposed on-site system designed by engineer and approved by RASS? Y N
If N, has RASS field-verified location for conventional standard trench system? Y N
If N, has RASS field-verified location for conventional shallow trench system? Y N
Suitable 100% replacement area confirmed for existing / proposed system? Y N
Consult with RASS for additional conditions.

Stormwater Management (if authorizing development)

Consult with RASS for conditions. Justification:

Erosion and Sediment Control (if authorizing development)

Consult with RASS for conditions. Justification:

Infrastructure Construction (if authorizing development)

Construction necessary before lot conveyance:
Justification:

For permits that will not include conditions related to Building Color, Vegetation Removal, or Plantings

Explain why no condition is needed: **No buildings authorized; vegetation will be managed through the forest management plan**

Additional Site / Project-Specific Concerns / Conditions Needed

Justification: