

PERMIT WRITING FORM – P2021-0054

Assigned EPS: Devan Korn Reviewed by: /s/JMB Date: 7/6/2021

APPLICANT

Project Sponsor(s): Homestead Development Corp.

Landowner(s): Fawn Ridge, LLC

Authorized Representative: North Woods Engineering, Joseph Garso, P.E.

PROJECT SITE

Town/Village: North Elba County: Essex

Road and/or Water Body: Wesvalley Road

Tax Map #(s): 42.157-1-1 and 42.157-1-2.1 in Hamlet; and 42.10-1-20 and 42.10-1-42 in Moderate
Deed Ref: A deed from Patricia Jones Edgerton as trustee of the Nettie Marie Jones Trust to Fawn
Ridge, LLC, dated June 3, 2006, and recorded June 13, 2006 in the Essex County Clerk's Office at
Book 1492, Page 176.

Land Use Area(s): H MIU LIU RU RM IU

Project Site Size: 25.15± acres

Same as Tax Map #(s) identified above

Only the H MIU LIU RU RM IU portion of the Tax Map #(s) identified above

Other (describe): Lot 43 of Agency Permits 2015-0159 and 2015-0159A

Lawfully Created? Y N Pre-existing subdivision: NA

River Area: Y N If Yes: Wild - Scenic - Recreational Name of River: NA

CEAs (include all): Wetland - Fed Hwy - State Hwy - State Land - Elevation - Study River

PROJECT DESCRIPTION

An eight-lot subdivision of the 25.15-acre project site to create: one vacant 22.06- acre lot; six 4,800 square-foot building lots for the construction of one, three-bedroom single family dwelling each; and a 2.43-acre common lot for the construction of four multiple-family dwellings. Each multiple family dwelling will include four, two-bedroom units. An access road will be constructed from Wesvalley Road and a motion was made on as described in a Certification of Minutes dated April 13, 2021 indicating that the Town of North Elba intends to accept the access road as a Town road once constructed to the Town's specifications. A homeowners' association will be responsible for parking areas, multiple family dwellings and common space maintenance. On-site parking for 36 vehicles will be provided and the development will be served by municipal sewer, water and electrical infrastructure.

JURISDICTION (including legal citation)

810(1)(b)(1)(b) – Subdivision involving wetlands in MIU;

810(1)(b)(3) – Subdivision in MIU resulting in 75 or more lots, parcels, or sites since May 22, 1973;

810(1)(b)(5) – Construction of a structure in excess of 40 feet in height;

810(2)(a)(2)(b) - Subdivision of MIU resulting in non-shoreline lots less than 0.92 Ac.; and Pursuant to Condition 2 of P2015-0159A.

PRIOR PERMITS / SETTLEMENT AGREEMENTS BEING SUPERSEDED

P87-28, P90-102, P2015-0159 and P2015-0159A

FINDINGS OF FACT – ENVIRONMENTAL SETTING

Lakes, Ponds, Navigable Rivers and Streams

Check if none

Water Body Name: Outlet Brook (Cold Brook)

Length of Existing Shoreline (feet): 1,800

Minimum Lot Width: 100

Structure Setback (APA Act): 50

Structure Setback (River Regs): NA

MHWM determ: Y N

Meets standard: Y N

Meets standard: Y N

Meets standard: Y NA

Y N Cutting proposed within 6 ft of MHWM?

If Yes, < 30% vegetation? Y NA

Y N Cutting proposed within 35 ft of MHWM?

If Yes, < 30% trees 6" dbh? Y NA

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

Non-Navigable Streams in proximity to development

Check if none

Permanent Stream

Intermittent Stream

Classified? Y

N

[DEC Environmental Resource Mapper](#) stream classification: NA

Wetlands

Y N Jurisdictional wetland on property

If Y: Associated with Outlet Brook and shown on project plans

If Yes, RASS biologist consulted

→ Covertypes: forested with needle-leaved evergreen tree species

→ Proposed development involves wetlands

Y N

→ If Y, value rating: 2

Wildlife

Y N Rare/threatened/endangered species

RASS ecologist consulted

Y N R/T/E or other unique species habitat

RASS ecologist consulted

Y N Northern Long-Eared Bat occurrences in Town

RASS ecologist consulted

Y N Forest management plan existing or proposed

RASS forestry analyst consulted

Y N Biological Survey required by RASS ecologist

If Yes, completed

Ecological / Special Districts

Y N Natural Heritage Sites

RASS ecologist consulted

Y N Aquifer

RASS engineer consulted

Y N Agricultural District

Slopes

RASS engineer consulted

Existing slope range: 0 – 15% Building area(s) if authorizing development: < 15%

Soils

Y NA Deep-hole test pit completed? (Necessary for every building lot)

Check if N/A

If Yes, soil data information determined or approved by RASS soil analyst

NRCS Mapped Soil Series or Other Comments: Monadnock fine sandy loam

Character of Area

Nearby (include all): Residential Commercial Industrial Agricultural Forested

Adjoining Land Uses / State Land: **Private**

Is nearby development visible from road? Y N

→ If Y, name road and describe visible development: **Private residential and commercial land uses are visible from Wesvalley Road**

Additional Existing Development (ex: dam on site, etc.): **Existing municipal sewer infrastructure passes through the project site below grade within the area to be developed.**

Three Individual Lot Development Worksheets attached for the 22.06-acre vacant lot, Lots M1 – M6, and the 2.34-acre common lot.

FINDINGS OF FACT – COORDINATED REVIEW

- Y N Archeologically Sensitive Area, according to OPRHP If Yes, OPRHP consulted
- Y N Structures > 50 years old on or visible from site If Yes, OPRHP consulted
- Y N Within Lake George Park If Yes, LGPC consulted / application submitted
- Y N Greater than 1 acre disturbance / SWPPP required If Yes, 1.9Ac. DEC consulted
- Y N Public water supply If Yes, DEC / DOH consulted
- Y N Greater than 1,000 gpd wastewater If Yes, DEC consulted
- 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 consulted
- Y N Army Corps involvement If Yes, ACOE consulted
- Y N Agency-approved Local Land Use Program If Yes, Town/Village consulted
- Y N Local Land Use Program 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: **NA**

Easement

Easement proposed or required? Y N

If Y, consult with Legal for conditions. Justification: **NA.**

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: **As proposed and reviewed. Minimize off-site visual impacts.**

Structure footprint limit and justification: **As proposed and reviewed. Will comply with stormwater management controls.**

→ If N:

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

→ Review of future development required? Y N

→ If Y, justification: **Ensure undue adverse impacts to wetlands and nearby land uses are avoided.**

Guest Cottages (if authorizing a dwelling)

Proposed and reviewed? Y N

If N, guest cottages potentially allowed? Y N

→ Justification for any conditions: **Prior review required to ensure wetlands are protected and compliance with OIG and stormwater management measures**

Boathouses (if project site contains shoreline)

Proposed and reviewed? Y N

If N, boathouses potentially allowed? Y N

→ If N, justification: **Avoid impacts to wetlands**

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

→ If Y, justification: **NA**

Docks (if project site contains shoreline)

Proposed and reviewed? Y N

If N, docks potentially allowed? Y N

→ If N, justification: **NA**

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

→ If Y, justification: **Ensure protection of wetlands and minimize potential impacts to nearby and adjoining land uses**

Outdoor Lighting (if authorizing development)

Plan proposed and reviewed? Y N

Building Color (if authorizing development)

If color condition required, justification: **As proposed and reviewed. Minimize visual impacts to nearby and adjoining land uses**

Tree Cutting / Vegetation Removal

Town with Northern Long-Eared Bat occurrences? Y N

If Y, consult with RASS for conditions. Justification: **NA**

Vegetative cutting restrictions required? Y N

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

on entire site outside limits of clearing

within **NA** feet of limits of clearing

within **NA** feet of road

within **NA** feet of river/lake/etc

Other: **NA**

Extent of cutting restriction necessary within the area noted above:

Cutting of all vegetation prohibited

Cutting of trees of NA diameter dbh prohibited

Other: No trees, shrubs, or other woody stemmed vegetation may be cut or otherwise removed or disturbed on the project site without prior written Agency authorization, except for the removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard

Justification: Ensure off-site visual impacts are minimized and reduce potential for sedimentation of wetlands and waterbodies.

Plantings

Plan proposed and reviewed? Y N

If N, plantings required? Y N

→ If Y, species, number, location, and time of year: (9) 7' Sugar Maples, (5) 5' Hemlocks and (14) 2' Red-Osier Dogwoods. Disturbed areas will receive topsoil and seed.

Justification: Minimize impacts to adjoining land uses and soften the appearance of the development from nearby land uses

Wetlands

Consult with RASS for conditions. Justification: Minimize impacts to nearby wetlands

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: NA

Mathematically available # of new PBs (in addition to existing or replacement): 44

Extinguishing PBs? Y N If Y, number: NA

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

Municipal system connection approved?

Y N

Community system connection approved by RASS?

Y NA

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 NA

If N, has RASS field-verified location for conventional shallow trench system?

Y NA

Suitable 100% replacement area confirmed for existing / proposed system?

Y NA

Consult with RASS for additional conditions.

Stormwater Management (if authorizing development)

Consult with RASS for conditions. Justification: Avoid increased surface runoff resulting from new impervious areas and minimize the potential for sedimentation of nearby wetlands and waterbodies.

Erosion and Sediment Control (if authorizing development)

Consult with RASS for conditions. Justification: Minimize the potential for sedimentation of nearby wetlands and waterbodies resulting from construction and developed site conditions.

Infrastructure Construction (if authorizing development)

Construction necessary before lot conveyance: **Yes**

Justification: **All necessary water supply system infrastructure and sanitary sewer infrastructure shall be completed and installed prior to the occupancy of any authorized unit to ensure protection of resources.**

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

Explain why no condition is needed: **NA**

Additional Site / Project-Specific Concerns / Conditions Needed

Access, Parking, Signage, Construction activities, Invasive Species Control

Justification: **Ensure impacts to nearby and adjoining land uses are reduced and minimize the spread of invasive species to, and within the project site.**

Y **N** **Public comments received** **If Yes, #: 3**

Y **N** **Applicant submitted response (notes, if any)** **Three letters of concern were submitted in response to being notified of the application. Concerns raised included increased traffic and density, and potential impacts to wetlands, wildlife, and forest resources.**



INDIVIDUAL LOT DEVELOPMENT REVIEW – P#2021-0054

If a subdivision: **Common Lot (2.43 ± acres)**

Assigned EPS: **Devan Korn** Reviewed by: **/s/JMB** Date: **7/6/2021**

Existing Development
PRINCIPAL BUILDINGS

Structure - Pre-existing (Y/N)? - Lawfully constructed (Y/N)?
None

ACCESSORY STRUCTURES

Structure - Pre-existing (Y/N)? - Lawfully constructed (Y/N)?
None

Proposed Development
PRINCIPAL BUILDINGS

Check if portions or all below are NJ

Check if proposed as a non-building lot:

Structure	Footprint	Height	# Bedrooms	Slopes
Multiple Family Dwellings (4)	1,792 SF	33'7" – 42'1"	8 (4 units, 2-BR each)	< 8%

Have necessary density? Y N

remaining potential principal buildings = **0** from survey or estimate

ACCESSORY STRUCTURES

Structure	Footprint	Height	Slopes
Bus Shelter	< 250 SF	< 12 Feet	3%
Retaining walls (2)	As required for final grading		< 8%
Dumpster Enclosure	12x16 (192 SF)	< 12 Feet	< 3%

ACCESS

**Consult RASS engineer for driveway > 12% slope / *consult RASS ecologist for driveway > ¼ mile*

Driveway is existing /proposed Length: **< 500 Feet** Width: **22 Feet**

Sight distance evaluated? Y N Slopes: **3 – 9.5%**

Need Clearing/Grading? Y N Comments: **Road into project site from Wesvalley Road will be within a 50-foot Right-of-Way to be accepted by North Elba as a Town road. A Homeowners' Association will be responsible for maintenance of the parking areas, multiple family dwellings and common space areas.**

Need hwy access permit? Y NA (Wesvalley Road is within the Village of Lake Placid)

Need easement? Y N

Need signs? Y N

VISUAL / AESTHETIC

Y N Proposed development visible from public areas (list) **The bus shelter will be located adjacent to Wesvalley Road and the proposed paved access road. Multiple family dwellings will be partially visible from Wesvalley Road as viewed down the access road.**

Y N Existing topography / vegetation will partially screen, if retained

Y N Planting plan proposed If Yes, RASS forestry analyst consulted

WASTEWATER TREATMENT (WWTS) *Consult RASS engineer for engineered plans

- Individual on-site Municipal is available Community
- Y NA Slope suitable for WWTS (i.e., ≤8% shallow, ≤15% conventional)?
- Y NA Soil suitable for WWTS (i.e., depth to SHGW and bedrock)?
- Y NA All water bodies or streams > 100 feet WWTS? (If No, needs variance – from Town if ALLUP)
- Y NA If fast perc (1-3 min/in), water > 200 feet WWTS? (If No, amended soils required)
- Y NA All jurisdictional wetlands > 100 feet WWTS? (If No, counts as permit jurisdiction)
- Y NA Suitable 100% replacement area identified?
- Y NA Existing and proposed to remain (needs suitable 100% replacement area)

WATER SUPPLY

- Individual on-site Municipal is available
- Y NA All water supplies, on-site and off-site, > 100 feet WWTS? (If No, need DOH waiver)

STORMWATER / EROSION & SEDIMENT CONTROL *Consult RASS engineer

- Y N Does proposed development maintain existing drainage patterns?
- Y NA < 1 acre disturbance proposed (May need E&S Control Plan if water/slope/soil resources at risk)
- Y N > 1 acre disturbance proposed (SWPPP required, which includes E&S Control Plan)

UTILITIES

- Available on site? Y N Overhead Underground
- Available at road? Y N Overhead Underground
- Proposed for site? Y N Overhead Underground



INDIVIDUAL LOT DEVELOPMENT REVIEW – P#2021-0054

If a subdivision: Lots H1 – H6 (4,800 Square-Feet each; or 0.14 ± acres)

Assigned EPS: Devan Korn Reviewed by: /s/JMB Date: 7/6/2021

Existing Development
PRINCIPAL BUILDINGS

Structure - Pre-existing (Y/N)? - Lawfully constructed (Y/N)?
None

ACCESSORY STRUCTURES

Structure - Pre-existing (Y/N)? - Lawfully constructed (Y/N)?
None

Proposed Development
PRINCIPAL BUILDINGS

Check if portions or all below are NJ

Check if proposed as a non-building lot:

Structure	Footprint	Height	# Bedrooms	Slopes
Single Family Dwellings (6)	780 SF	26'4" – 31'8"	3	< 8%

Have necessary density? Y N

remaining potential principal buildings = 0 from survey or estimate

ACCESSORY STRUCTURES

Structure Footprint Height Slopes
None

ACCESS

*Consult RASS engineer for driveway > 12% slope / *consult RASS ecologist for driveway > ¼ mile

Driveway is existing /proposed Length: 50 Feet or less Width: < 12 Feet

Sight distance evaluated? Y NA Slopes: 3 – 9.5%

Need Clearing/Grading? Y N Comments: Road into project site from Wesvalley Road will be within a 50-foot Right-of-Way located adjacent to Lots H1 – H6 and is to be accepted by North Elba as a Town road. The individual lot owners will be responsible for all maintenance on their individual lot.

Need hwy access permit? Y NA (Proposed paved access drive will be accepted as a Town road)

Need easement? Y N

Need signs? Y N

VISUAL / AESTHETIC

Y N Proposed development visible from public areas (list) The single family dwellings will be visible from the proposed paved access road and partially from Wesvalley Road.

Y(Partially) N Existing topography / vegetation will screen, if retained

Y N Planting plan proposed

If Yes, RASS forestry analyst consulted

WASTEWATER TREATMENT (WWTS) *Consult RASS engineer for engineered plans

- Individual on-site Municipal Community
- Y NA Slope suitable for WWTS (i.e., ≤8% shallow, ≤15% conventional)?
- Y NA Soil suitable for WWTS (i.e., depth to SHGW and bedrock)?
- Y NA All water bodies or streams > 100 feet WWTS? (If No, needs variance – from Town if ALLUP)
- Y NA If fast perc (1-3 min/in), water > 200 feet WWTS? (If No, amended soils required)
- Y NA All jurisdictional wetlands > 100 feet WWTS? (If No, counts as permit jurisdiction)
- Y NA Suitable 100% replacement area identified?
- Y NA Existing and proposed to remain (needs suitable 100% replacement area)

WATER SUPPLY

- Individual on-site Municipal
- Y NA All water supplies, on-site and off-site, > 100 feet WWTS? (If No, need DOH waiver)

STORMWATER / EROSION & SEDIMENT CONTROL *Consult RASS engineer

- Y N Does proposed development maintain existing drainage patterns?
- Y NA < 1 acre disturbance proposed (May need E&S Control Plan if water/slope/soil resources at risk)
- Y N > 1 acre disturbance proposed (SWPPP required, which includes E&S Control Plan)

UTILITIES

- | | | | | |
|--------------------|---------------------------------------|---------------------------------------|-----------------------------------|---|
| Available on site? | <input type="checkbox"/> Y | <input checked="" type="checkbox"/> N | <input type="checkbox"/> Overhead | <input type="checkbox"/> Underground |
| Available at road? | <input checked="" type="checkbox"/> Y | <input type="checkbox"/> N | <input type="checkbox"/> Overhead | <input checked="" type="checkbox"/> Underground |
| Proposed for site? | <input checked="" type="checkbox"/> Y | <input type="checkbox"/> N | <input type="checkbox"/> Overhead | <input checked="" type="checkbox"/> Underground |



INDIVIDUAL LOT DEVELOPMENT REVIEW – P#2021-0054

If a subdivision: Remaining lands (22.06 ± acres)

Assigned EPS: Devan Korn Reviewed by: /s/JMB Date: 7/6/2021

Existing Development
PRINCIPAL BUILDINGS

Structure - Pre-existing (Y/N)? - Lawfully constructed (Y/N)?
None

ACCESSORY STRUCTURES

Structure - Pre-existing (Y/N)? - Lawfully constructed (Y/N)?
None

Proposed Development
PRINCIPAL BUILDINGS

Check if portions or all below are NJ

Check if proposed as a non-building lot:

Structure Footprint Height # Bedrooms Slopes
None

Have necessary density? Y N

remaining potential principal buildings = 22 from survey or estimate

ACCESSORY STRUCTURES

Structure Footprint Height Slopes
None

ACCESS

*Consult RASS engineer for driveway > 12% slope / *consult RASS ecologist for driveway > ¼ mile

Driveway is existing /proposed Length: NA Width: NA

Sight distance evaluated? Y NA Slopes: Overall site 0 - <25%

Need Clearing/Grading? Y NA Comments: No development is proposed and no improved access currently exists. This lot is potentially accessible from Wesvalley Road in multiple locations.

Need hwy access permit? Y NA

Need easement? Y NA

Need signs? Y NA

VISUAL / AESTHETIC

Y NA Proposed development visible from public areas (list) No development is proposed

Y NA Existing topography / vegetation will screen, if retained

Y NA Planting plan proposed If Yes, RASS forestry analyst consulted

WASTEWATER TREATMENT (WWTS) *Consult RASS engineer for engineered plans

- Individual on-site Municipal is available Community
- Y NA Slope suitable for WWTS (i.e., ≤8% shallow, ≤15% conventional)?
- Y NA Soil suitable for WWTS (i.e., depth to SHGW and bedrock)?
- Y NA All water bodies or streams > 100 feet WWTS? (If No, needs variance – from Town if ALLUP)
- Y NA If fast perc (1-3 min/in), water > 200 feet WWTS? (If No, amended soils required)
- Y NA All jurisdictional wetlands > 100 feet WWTS? (If No, counts as permit jurisdiction)
- Y NA Suitable 100% replacement area identified?
- Y NA Existing and proposed to remain (needs suitable 100% replacement area)

WATER SUPPLY

- Individual on-site Municipal is available
- Y NA All water supplies, on-site and off-site, > 100 feet WWTS? (If No, need DOH waiver)

STORMWATER / EROSION & SEDIMENT CONTROL *Consult RASS engineer

- Y NA Does proposed development maintain existing drainage patterns?
- Y NA < 1 acre disturbance proposed (May need E&S Control Plan if water/slope/soil resources at risk)
- Y NA > 1 acre disturbance proposed (SWPPP required, which includes E&S Control Plan)

UTILITIES

- | | | | | |
|--------------------|---------------------------------------|---------------------------------------|--|--------------------------------------|
| Available on site? | <input type="checkbox"/> Y | <input checked="" type="checkbox"/> N | <input type="checkbox"/> Overhead | <input type="checkbox"/> Underground |
| Available at road? | <input checked="" type="checkbox"/> Y | <input type="checkbox"/> N | <input checked="" type="checkbox"/> Overhead | <input type="checkbox"/> Underground |
| Proposed for site? | <input type="checkbox"/> Y | <input checked="" type="checkbox"/> N | <input type="checkbox"/> Overhead | <input type="checkbox"/> Underground |