

#### PERMIT WRITING FORM - P2024-0270

Assigned EPS: ADL Reviewed by: Click or tap here to enter text. Date: Click or tap to enter a date.

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Project Sponsor(s): Sunset Bay RV Park, Inc. – c/o Rick Becker

Landowner(s): Pine Grove Associates Inc., Paradise 88420, LLC, Sunset Bay Vacation Resort, LLC,

and Bellwood Corp. – all c/o Rick Becker

Authorized Representative: Environmental Design Partnership, LLP – Travis Mitchell

PROJECT SITE
Town/Village: Mayfield County: Fulton
Road and/or Water Body: NY State Route 30 & Paradise Point Road
Tax Map #(s): 884-18; 884-20; 884-21; 884-37.12; 884-53
Deed Ref: Book 781 Page 241 (Parcel 18); Instrument 2019-57049 (Parcel 20); Book 1116 Page 333
(Parcel 21); Book 625 at Page 246 (Parcel 37.12); Book 1124 Page 176 (Parcel 53)
Land Use Area(s): □H □MIU ⊠LIU □RU □RM □IU
Project Site Size: 89.95± 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):
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

Expansion of the Sunset Bay RV Resort through the addition of a 357±-unit RV campground adjacent to the existing resort. The existing resort and campground expansion are under common ownership and will share some utilities and amenities. The expansion includes construction of three bathhouses, two office/registration buildings, one community building & pool house, two sport courts, and one outdoor amphitheater. The expansion will have an on-site water supply well and connect to a new municipal sewer system.

### JURISDICTION (including legal citation)

APA Act Sections 809 & 810(2)(b)(20) - expansion by more than 25% of any campground on Low Intensity Use lands,

APA Act Sections 809 & 810(1)(c)(1)(b) and 9 NYCRR Part 578.3(n)(1) - deposit of fill in / excavation of a wetland (for road/culvert improvements: 101 SF permanent wetland disturbance, 102 SF temporary wetland disturbance)

#### PRIOR PERMITS / SETTLEMENT AGREEMENTS BEING SUPERSEDED

none

# FINDINGS OF FACT – ENVIRONMENTAL SETTING Lakes Ponds Navigable Rivers and Streams

Lakes, Ponds, Navigable Rivers and Streams	Check it none
Water Body Name: site adjoins state land administered	I by the Hudson River Black River Regulating
District (HRBRRD) on Great Sacandaga Lake	
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
$\square$ Y $\boxtimes$ N Cutting proposed within 35 ft of MHWM?	If Yes, < 30% trees 6" dbh? $\Box$ Y $\Box$ N
□Y □N Cutting proposed within 100 ft of river are	a? (If Yes, include under jurisdiction) n/a
Non-Navigable Streams in proximity to developmen	nt Check if none 🗆
⊠Permanent Stream □Intermittent Stream	n Classified? □Y ⊠N
DEC Environmental Resource Mapper stream classification	ation: none
Stream is in middle of project site, along eastern side of Parcel 884-21	f Parcel 884-37.12 and western side of
Wetlands	
$\boxtimes Y$ $\square N$ Jurisdictional wetland on property, or	
$\boxtimes Y$ $\square N$ Wetlands are a basis of development juris	sdiction 🗵 If Yes, RASS biologist consulted
→ If Y, covertype: deciduous swamp (Wetland a	rea 5), stream associated (Wetland area 4)
→ If Y, value rating: Value 2 (Wetland area 5), V	/alue 3 (Wetland area 4)
$\Box$ Y $\Box$ N Draining, dredging, excavation of wetland	
Area of wetland loss: Temporary wetland loss 1	02 square feet (Wetland area 5, Value 2)
Permanent? □Y ⊠N	
Fill/structure area: Permanent wetland loss 101	square feet (Wetland area 5, Value 2)
□Y ⊠N Shading of wetland	
Area of shading:	
☐Y ☒N Clearcutting >3 acres of wetland *RASS for	prester consulted
Clearcut area:	
☐Y ☒N Untreated stormwater discharge into wet	land
□Y ⊠N Pollution discharge into wetland	
Pollution type:	
□Y ⊠N Pesticide/Herbicide application in wetland	d
Pollution type:	
☐Y ☒N OSWTS within 100 feet of a wetland	
Distance to Wetland:	

Wetlands are shown on Sheet 3 of the Project Plans referenced in the permit, and on a "Map of Wetlands, Boundary and Topographic Survey Prepared for Sunset Bay Vacation Resort, LLC," prepared by Northeast Land Survey & Land Development Consultants, PC, dated January 27, 2021 with a "print date" of September 16, 2021.

Jurisdictional wetlands are limited to Wetland area 5 (4.18 ac) and the southerly part of Wetland area 4 (0.12 ac), extending from the existing road crossing to the wetland consultant's flag labelled 4-46, as shown on the 2021 Map of Wetlands. The remainder of Wetland area 4 is not a wetland, but rather a stream.

Wetland area 1 is 0.59 acres in size and isolated and does not support breeding amphibians.

Ecological / Wildlife         □Y       ⊠N       Natural Heritage Sites/listed species or habitat present, including bat         □Y       ⊠N       Forest management plan existing or proposed       □ If Yes, RASS forestry analyst consulted         □Y       ⊠N       Biological Survey required by RASS Biologist 2 or Supervisor       □ If Yes, completed
Special Districts  ⊠Y □N Agricultural District
A portion of the project site, Parcel 884-20 (6.19+/- ac), is in the Fulton Co Agricultural District. The landowner is in the process of having it removed from the agricultural district.
<b>Slopes</b> $\square$ RASS engineer consulted if structure proposed on >15%, driveway on >12%, or wwts on >8/15% Existing slope range: $3-50\%$ Building area(s) if authorizing development: < 3% to 16% for all buildings and the sport courts; 30% for the amphitheater area
Soils  □Y ☑N 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: No soils data required. Connection to municipal wastewater system proposed.
Stormwater  ⊠Y □N Greater than 1 acre disturbance, or  ⊠Y □N Proposed ground disturbance < 100 feet from wetlands ≥  □ If Yes, stormwater management reviewed and approved by RASS engineer  Setback to wetlands: ≥ 100 ft, except in two locations: for the water supply well and improvements to one existing road/culvert that crosses wetlands
Character of Area  Nearby (include all): ⊠Residential □Commercial □Industrial ⊠Agricultural □Forested  Adjoining Land Uses / State Land: Low Intensity Use and Moderate Intensity Use, State Land  administered by the HRBRRD  Is nearby development visible from road? □Y □N  → If Y, name road and describe visible development: Yes, residential development and one home for people with developmental disabilities is visible on Paradise Point Road. Residential development is also visible along NYS Route 30.
Additional Existing Development (ex: dam on site, etc.): Pre-existing campground

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

$\bowtie$ Y	$\sqcup$ N	Archeologically Sensitive Area, according to OPRHP	
$\boxtimes Y$	$\square N$	Structures > 50 years old on or visible from site	⊠ If Yes, APA AHPO consulted
$\Box Y$	$\boxtimes N$	Solar Project > 50 acres requiring ZVI & historic inventor	Ty $\square$ If Yes, APA AHPO consulted
$\Box Y$	$\boxtimes N$	Within Lake George Park ☐ If Yes, Lo	GPC consulted / application submitted
$\boxtimes Y$	$\square N$	Public water supply	es, DEC / DOH application submitted
$\boxtimes Y$	$\square N$	Greater than 1,000 gpd wastewater	$\square$ If Yes, DEC application submitted
$\Box Y$	$\boxtimes N$	Disturbing bed or bank of classified/navigable water bod	y $\Box$ If Yes, DEC application submitted
$\Box Y$	$\boxtimes N$	Disturbing 300 LF or more of a stream (temp + perm)	$\square$ If Yes, DEC application submitted
$\Box Y$	$\boxtimes N$	Disturbing ¼ acre of Corps wetlands (temp + perm)	$\square$ If Yes, DEC application submitted
$\Box Y$	$\boxtimes N$	Creating 5 or more lots less than 5 acres each	$\square$ If Yes, DOH application submitted
$\Box Y$	$\boxtimes N$	Army Corps involvement *	$\Box$ If Yes, ACOE consulted
$\Box Y$	$\boxtimes N$	Agency-approved Local Land Use Program	$\square$ If Yes, Town/Village consulted

The project is in the Town of Mayfield's Mixed-Use and Agricultural 2 Zoning Districts and an RV Park / Campground is an allowed use within both Zoning Districts. The project requires Site Plan Review and a Special Use Permit from the Town of Mayfield. The Town of Mayfield Planning Board has been discussing the project since 2024, including public hearings over multiple meetings.

The Fulton County Planning Board reviewed the project pursuant to General Municipal Law 239-m and recommended approval at their November 19, 2024 meeting with the following comments: support for taking the current septic system offline and connecting to Fulton County Sewer District #5, support for moving the site entrance to NYS Route 30, recommend establishing a turn lane on both sides of NYS Route 30, and recommend vegetative screening remains along NYS Route 30.

The project requires approval from the NYS Department of Health as a Campground under NYS Sanitary Code Subpart 7-3 as well as approval for a public water supply. The applicant submitted both applications to DOH on April 25, 2025. The DOH approved the new well location in a July 7, 2025 letter.

The project will require a construction stormwater permit from the NYS Department of Environmental Conservation.

The project plans to connect to Fulton County Sewer District No. 5. A January 16, 2025 letter from Fulton County Planning Department affirms that "existing infrastructure, and future infrastructure, serving Fulton County Sewer District No. 5: NY30/30A has been, and will continue to be, designed to accommodate sanitary sewer flows from the existing Sunset Bay RV Park and future expansion of said RV Park of approximately 375 sites."

The application contains a "Traffic Impact Study Technical Report," prepared by OSPA Engineering Services, PC, last revised March 2025. On May 5, 2025, the applicant submitted their application for a Commercial Access Highway Work Permit and one streetlight to the NYS Department of Transportation.

<sup>\*-</sup> Review the Pre-Construction Notification (PCN) thresholds for the <u>Buffalo District</u> and the <u>New York District</u> to help determine if an application (PCN) needs to be submitted to the Corps. Additionally, review the <u>Section 10 waters list</u> to determine if a Section 10 Navigable Waters permit might be required from the Corps.

The NYS Office of Parks, Recreation and Historic Preservation issued a "no effect" letter on July 23, 2025 for PR#: 24PR07966: "It is therefore the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project, with the condition that the above-stated Site Avoidance stipulations [related to the Dennie Family Burying Ground] are implemented."

## PERMIT CONDITIONS AND IMPACT ANALYSIS

<b>Merger</b> Justification if merger required: n/a
<b>Deed Covenant</b> 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: n/a
Easement Easement proposed or required? □Y     ⊠N If Y, consult with Legal for conditions. Justification: n/a
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 in the permit application to minimize any off-site visual impacts: 3 bathhouses (each max 25 ft), 2 office/registration buildings (each max 32 ft), 1 community building/pool house (max 32 ft), 2 sport courts (fence height is max 4 ft), 1 outdoor amphitheater (max 32 ft)
Structure footprint limit and justification: As proposed in the permit application to align with the plans for vegetation removal and stormwater management: 3 bathhouses (each max 600 SF), 2 office/registration buildings (each max 480 SF), 1 community building/pool house (max 2400 SF), 2 sport courts (each max 880 SF), 1 outdoor amphitheater (max 7500 SF)
<ul> <li>→ If N:</li> <li>→ Acceptable development sites identified for all subdivision lots with PB allocation? □Y □N</li> <li>→ Review of future development required? □Y □N</li> <li>→ If Y, justification:</li> </ul>
Guest Cottages (if authorizing a dwelling) n/a Proposed and reviewed? □Y □N If N, guest cottages potentially allowed? □Y □N → Justification for any conditions:
Boathouses (if project site contains shoreline) n/a  Proposed and reviewed? □Y □N  If N, boathouses potentially allowed? □Y □N  → If N, justification:
→ If Y, review required (beyond definition limits)? □Y □N → If Y, justification:

Docks (if project site contains shoreline) n/a Proposed and reviewed?  If N, docks potentially allowed?	□Y □Y	□ N □ N
<ul> <li>→ If N, justification:</li> <li>→ If Y, review required (beyond definition limits)?</li> <li>→ If Y, justification:</li> </ul>	□Y	$\Box$ N
Outdoor Lighting (if authorizing development) Plan proposed and reviewed? ⊠Y □N		
Building Color (if authorizing development) If color condition required, justification: The color condand the community/pool house building because they from public areas off-site (i.e., Paradise Point Road).		• •
Tree Cutting / Vegetation Removal  Town with Northern Long-Eared Bat occurrences? □  Indiana Bat habitat indicated on Lookup? □Y ⊠N	] <b>Y</b>	⊠N
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 □within feet of wetlands ⊠Other: within the "areas where mature existing vegetations"	getatio	n shall remain" shown on Sheet 10 of the
Project Plans  AND ⊠on entire site outside limits of clearing	gotatio	Tonair Tennair Shewir en eneet 10 of the
Extent of cutting restriction necessary within the area ☐ Cutting of all vegetation prohibited ☐ Cutting of trees of diameter dbh prohibited ☐ Other: cutting of trees and shrubs  Justification: Trees and shrubs within the mature vegetaring are needed to provide visual screening, mitig sequester carbon.	getatio	n retention areas and outside the limits of
Plantings Plan proposed and reviewed? ⊠Y □N If N, plantings required? ⊠Y □N → If Y, species, number, location, and time of year: Justification: To provide visual screening and mitigal carbon		•
Density (may be different for each subdivision lot Located in Town with ALLUP? ☐Y ☒N Authorizing PB on substandard-sized lot created pre-	•	(If Y, STOP, Town oversees density.) with no permit? $\Box$ Y $\boxtimes$ N

If N and N, list existing PBs, including whether they are pre-existing/year built: cottage on Parcel 88.-4-53 was constructed in 1950 and is used for storage Mathematically available # of new PBs (in addition to existing or replacement): 18 Extinguishing PBs? □Y ⊠N If Y, number: ---Wastewater (if authorizing construction of a new PB without further review) Municipal system connection approved?  $\boxtimes Y \square N$ Community system connection approved by RASS?  $\square Y \boxtimes N$ Proposed on-site system designed by engineer and approved by RASS?  $\square Y \boxtimes N$ If N, has RASS field-verified location for conventional standard trench system?  $\square Y \boxtimes N$ If N, has RASS field-verified location for conventional shallow trench system?  $\square Y \boxtimes N$ Suitable 100% replacement area confirmed for existing / proposed system?  $\square Y \boxtimes N$ Consult with RASS for additional conditions

### **Stormwater Management (if authorizing development)**

Consult with RASS for conditions. Condition required if authorizing development within 100 feet of wetlands or greater than 1 acre disturbance; condition possibly required in other circumstances too. Justification: Protection of wetlands and water quality post-development

#### **Erosion and Sediment Control (if authorizing development)**

Consult with RASS for conditions. Condition required if authorizing development within 100 feet of wetlands or greater than 1 acre disturbance; condition possibly required in other circumstances too. Justification: Protection of wetlands and water quality during development

### Infrastructure Construction (if authorizing development)

Construction necessary before lot conveyance: n/a

Justification: no subdivision proposed

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

Explain why no condition is needed: n/a, conditions are included

#### Additional Site / Project-Specific Concerns / Conditions Needed

The campground shall only operate from May through October.

All recreational vehicles or trailers in the expansion area shall be readily moveable.

Fencing shall be installed in the location and as depicted on the Project Plans.

Standard condition for invasive species spread prevention.

Justification: May through October campground operation was proposed and reviewed.

The RVs need to remain readily moveable to fit the APA Act's definition of a campground, which specifies transient occupancy and temporary shelter, and because permanent hookups/structures/use of RVs and trailers was not proposed or reviewed.

Fencing installed along Paradise Point Road will help campground guests to recognize and respect the limits of the campground.

Standard condition will help to prevent the spread of invasive species.

concern about the project and 3 were neutral

☑Y □N Public comments received If Yes, #: 35
 ☑Y □N Applicant submitted response (notes, if any) 3 letters received between application receipt and application completion, 32 letters received after application completion and during comment period ending September 11, 2025; of the total 35 letters, 32 were opposed to / expressed



# **INDIVIDUAL LOT DEVELOPMENT REVIEW – P#**2024-0270

If a subdivision: Lot #project	site <b>(</b> 89.95 <b>± acr</b>	es)		
Assigned EPS:ADL Reviewed date.	by: Click or tap here	to enter text.Date:	Click or tap to enter	a
<b>Existing Development</b>				
PRINCIPAL BUILDINGS				
•	-existing (Y/N)?	-	Lawfully constru	cted (Y/N)
cottage used for storage	Y (1950)		Y	
ACCESSORY STRUCTURES				
	-existing (Y/N)?	-	Lawfully constru	
The pre-existing campground h treatment plant, and a wastewa HRBRRD state land.				
Proposed Development PRINCIPAL BUILDINGS		Check if pro	portions or all below oposed as a non-bui	lding lot:
Structure	Footprint	Height	# Bedrooms	Slopes
none  Have necessary density? ⊠Y  # remaining potential principal k		e from ⊠survey o	r □estimate	
<b>ACCESSORY STRUCTURES</b>				
Structure	Footprint	Height	Slopes	
3 x bathhouse	each 600 SF max	25 ft max	< 3%, 8%, 16%	, o
2 x office/registration buildings	each 480 SF max	32 ft max	3%, 6%	
1 x community building / pool h	ouse 2400 SF max	32 ft max	5%	
2 x sport courts	each 880 SF max	4 ft max (fe	nce) < 3%	
1 x outdoor amphitheater	7500 SF max	32 ft max	30%	
ACCESS *Consult RAS Driveway is ⊠existing /⊠prop way road / 12 ft one-way road	S engineer for driveway > oosed Length: 240		RASS ecologist for drivention building Width:	
Sight distance evaluated? □Y	' $⊠$ N Slopes: < 1:	2%		
Need Clearing/Grading? ⊠Y will be re-located on the same r from NYS Route 30. And a new	road. A new main en	trance to the expar		nstructed

from Paradise Point Road. The expansion area is connected to the pre-existing resort via internal driveways. (Note if HOA or shared maintenance involved)  Need hwy access permit? $\boxtimes Y$ $\square N$ Need easement? $\square Y$ $\boxtimes N$ Need signs? $\boxtimes Y$ $\square N$
VISUAL / AESTHETIC  ⊠Y □N Proposed development visible from public areas (list) NYS Route 30 (entrance only) and Paradise Point Rd (entrances and campground)
<ul> <li>□N Existing topography / vegetation will screen, if retained</li> <li>□N Planting plan proposed</li> <li>□N Planting plan proposed</li> <li>□N Planting plan proposed</li> </ul>
WASTEWATER TREATMENT (WWTS) *Consult RASS engineer for engineered plans  □ Individual on-site (existing) □ Municipal (proposed) □ Community □ N Slope suitable for WWTS (i.e., ≤8% shallow, ≤15% conventional)? □ N Soil suitable for WWTS (i.e., depth to SHGW and bedrock)? □ N All water bodies or streams > 100 feet WWTS? (If No, needs variance – from Town if ALLUP) □ N If fast perc (1-3 min/in), water > 200 feet WWTS? (If No, amended soils required) □ N All jurisdictional wetlands > 100 feet WWTS? (If No, counts as permit jurisdiction) □ N Suitable 100% replacement area identified? □ Existing and proposed to remain (needs suitable 100% replacement area) for pre-existing development  From permit application (wastewater narrative): "The existing Sunset Bay Resort makes use of a gravity collection system discharging to a package wastewater treatment plant with a permitted capacity of 25,000 gpd under NYSDEC SPDES Permit NY0022527. The proposed expansion will include a gravity collection system and central pump station discharging to a sanitary sewer forcemain owned and operated by the Fulton County Sewer District No. 5 (FCSD No. 5). Wastewater will be conveyed via FCSD No. 5 infrastructure to the City of Gloversville where it will flow to the Gloversville Johnstown Joint Wastewater Treatment Facility for treatment.
The proposed onsite infrastructure, gravity collection system, pump station and forcemain discharging to the FCSD No. 5, will be privately owned and operated with the common forcemain along State Route 30 owned and operated by the FCSD No. 5."
WATER SUPPLY  ⊠ Individual on-site □ Municipal  ⊠Y □N All water supplies, on-site and off-site, > 100 feet WWTS? (If No, need DOH waiver)
From permit application (water narrative): "The existing Sunset Bay Resort utilizes a private onsite potable water system and a private onsite wastewater treatment facility. The expanded facility will require an expansion of the existing water system. The expanded facility is expected to include a new drilled well, improvements to the existing water treatment facility, and an expanded water distribution system."
STORMWATER / EROSION & SEDIMENT CONTROL *Consult RASS engineer  ⊠Y □N Does proposed development maintain existing drainage patterns?  □Y □N < 1 acre disturbance proposed (May need E&S Control Plan if water/slope/soil resources at risk)

⊠Y □N > 1 a	cre dist	urbance prop	osed (SWPPP required, v	which includes E&S Control Plan) 40.5± acres	
The application includes a 235-page report titled "Stormwater Pollution Prevention Plan for Construction Activities at Sunset Bay RV Park Expansion, Town of Mayfield, NY," prepared by Environmental Design Partnership, LLP, dated October 2024 and last revised April 2025 (Stormwater Pollution Prevention Plan) and a phasing plan limiting areas of disturbance to less than 5 acres at any one time.					
UTILITIES					
Available on site?	$\boxtimes Y$	$\square N$	○ Overhead	□ Underground     □	
Available at road?	$\boxtimes Y$	$\square$ N		☐ Underground	
Proposed for site?	$\boxtimes Y$	$\square N$	☐ Overhead	□ Underground	