



M E M O R A N D U M

TO: Terry Martino
FROM: Daniel M. Spada
DATE: December 21, 2012
RE: RASS Division Report for December 2012

Projects

Field visits were conducted for those enforcement cases preceded by an asterisk (*).

*P2012-0199 Sharlow Campground, Town of Hopkinton: This project is for the construction of a 38 site campground with water supply and septic service to all sites. The site involves wetlands along with the shoreline of a navigable waterway. NYSDOH will have jurisdictional review over the project and Agency staff desire to conduct a coordinated review. A reply from the applicant is expected to the outstanding NIPA along with additional information being requested resulting from issues discovered during the site visit. Other involved Agency staff: McSherry. Other involved agencies or municipalities: NYS DOH. (Bendell, O'Dell, Ziemann)

*P2012-0194 Wells, Town of Ticonderoga: This two lot subdivision involves the continued operation of a driving range and construction of a miniature golf course. Soils were investigated to determine the suitability for the installation of an on-site wastewater treatment system. Stormwater issues were discussed as the parking area will be increased and runoff from the miniature golf course is to be determined. The applicant was urged to contact the LGPC to initiate their process for obtaining a stormwater permit. Other involved Agency staff: S. Parker. (Bendell, O'Dell, Ziemann)

P2012-0202 Roda, Joe Indian Lake, Town of Parishville: Proposal includes a single family dwelling on a previously approved lot with shoreline on Joe Indian Lake. An on-site wastewater treatment system design prepared by a licensed engineer was

approved. In addition, shoreline cutting issues were addressed in the review. (LaLonde/McNamara)

P2012-0142 Paradox Brewery, Town of Schroon: Reviewed NIPA response for proposed micro brewery. Additional issues to be addressed prior to completion include adequacy of on-site water supply and wastewater treatment. (LaLonde/Lynch)

P2012-0216, Ariel Ministries, Town of Chesterfield: The proposal includes changing the operation of the group camp from seasonal to year-round and a >25% expansion. Several construction projects are also proposed as part of the expansion. Issues include, on-site wastewater treatment, coordination with the Town (Approved Program), DEC and DOH, stormwater management. (LaLonde/McSherry)

P2012-0196 Verizon Wireless Tower, Town of Minerva: This project is for the construction of a cellular tower within the hamlet of Minerva currently without cell phone service. The proposed tower location may be in immediate proximity to a vernal pool and the location of the access road may need to be investigated to determine if an alternative location would be more suitable or desirable. A tentative site visit was canceled and the Agency is awaiting a new date hopefully before snow cover. (Bendell)

*P2012-0199 Sharlow, Town of Hopkinton: Project is a proposed campground with tent and RV sites. RASS attention for deep-hole test pit examination, wetland delineation and navigability of stream on project site. RASS staff performed three deep-hole test pit examinations, approving locations for standard depth conventional absorption systems. Other involved Agency staff: McSherry. (Ziemann, O'Dell, Bendell)

P2012-0203, Dowling, Town of Greig: Fill, retaining wall and dock in wetlands. Reviewed application and provided NIPA questions. We will schedule a site visit in the near future at which time we will discuss alternatives with the applicant. Other involved Agency staff: Saehrig. (Rooks)

P2012-0205, Miller, Town of North Elba: 4-lot subdivision involving wetlands. Reviewed application and provided NIPA questions. Will review NIPA response later. Other involved Agency staff: Darrah. (Rooks)

*P2012-0209, Sinclair Heights Corporation, Town of Edinburg: Stocking of sterile grass carp in 2 small ponds to control Eurasian watermilfoil. RASS staff completed site visit and verified that both ponds were choked with EWM. The applicant

will be required to install a fish barrier on the outlet and complete water quality testing prior to the release of carp (Snizek)

P2005-0261, Lowes, Town of Ticonderoga: RASS staff reviewed annual mitigation report. It was satisfactory and complied with permit conditions. Other involved Agency staff: C. Parker. (Rooks)

*P2012-0262 CHC Trust, Town of Black Brook: The project involves a two lot subdivision with existing development on one of the lots and a new single family dwelling being proposed on the other. The lot contains wetlands and the shoreline of a navigable brook. Soils were investigated for the installation of an on-site wastewater treatment system along with all associated development. The Agency has received updated site plans and is close to deeming the application complete. Other involved Agency staff: McSherry. (Bendell, O'Dell, Ziemann)

Pre-Application

Field visits were conducted for those pre-application meetings preceded by an asterisk (*).

*A2012-0019, Benson, Town of Waverly: Proposal is a three lot subdivision creating one vacant lot to be deed restricted as a non-building lot, one lot to be potentially developed with an SFD and onsite wastewater treatment system, and one lot containing existing development. RASS attention for deep-hole test pit examination, slopes analysis and wetland delineation. RASS staff performed one deep-hole test pit examination, approving one location for an onsite wastewater treatment system on the lot to be developed. Other involved Agency staff: Lynch. (Ziemann, Bendell, O'Dell)

*A2012-0203, Bird, Town of Long Lake: Pre-application involves a two lot subdivision creating the fifth lot in Rural Use, and the construction of one new single family dwelling with onsite wastewater treatment system. Project site is boat access only, with shoreline on Raquette Lake. RASS attention for DHTP soils analysis. RASS staff performed three deep-hole test pit examinations and numerous soil auger borings in a continuing effort to locate suitable locations for onsite wastewater treatment systems. To date, no suitable locations have been identified. Site has steep slopes and shallow depth to bedrock. Other involved Agency staff: Darrah. (Ziemann)

Jurisdiction

Field visits were conducted for those projects preceded by an asterisk (*).

*J2012-0706, Foley, Town of Westport: Inquiry for a two or three lot subdivision, involving wetlands, and the construction of a single family dwelling with onsite wastewater disposal system and well. RASS attention needed for deep-hole test pit examination. Agency staff previously on project site for A2012-0001, for deep-hole test pit examinations which found unsuitable soils in one of the areas proposed for development. 12/10/2012 site visit to examine an additional test pit which also showed unsuitable soils. Applicant may be pursuing a non-jurisdictional alternative. Other involved Agency staff: Saehrig. (Ziemann)

*J2012-0683, Town of Long Lake Water Supply: A site visit was conducted on November 29, 2012 to assess wetland impacts associated with a subsurface diatomaceous earth filter backwash treatment system. Based upon staff's analysis no variance or permit was required for the proposed water supply improvements. (LaLonde/O'Dell/Miller)

J2012-0696, Haehl, First Lake, Town of Webb: Reviewed and determined that a proposed replacement onsite wastewater treatment system within 100 feet of First Lake provides enhanced treatment and otherwise meets the criteria of Section 575.7© of the regulations. As a result no variance is required. (LaLonde/Miller)

J2012-0684, Grimmke, Cranberry Lake, Town of Clifton: Reviewed a proposed shoreline retaining wall project and determined the proposed repair is a replacement in kind of an existing shoreline structure and does not represent an expansion. As a result, no variance is required. (LaLonde/Heath)

J2012-0667, Klockowski, First Lake, Town of Webb: Staff reviewed a previous JIF proposal and determined a variance was required for a proposed shoreline stabilization project. Subsequently, staff conducted a site visit on December 5, 2012 with the landowner, contractor and DEC. As a result of the site visit a revised proposal was submitted which incorporates existing vegetated and stabilized shoreline areas and takes a practical and environmentally responsible approach to shoreline stabilization. It was determined that no variance was required for the revised proposal. (LaLonde/Lynch/Miller)

Enforcement

Field visits were conducted for those projects preceded by an asterisk (*).

E2001-0031 Slaybaugh, Town of Bleecker: This file and associated details were included in last month's report. In an

effort to provide the latest information, the Agency has received confirmation from the town code enforcement officer that the on-site wastewater treatment system has been inspected and other site improvements requested by Agency staff have been executed. (Bendell)

Wetlands

Field visits were conducted for those jurisdictional inquiries preceded by an asterisk (*).

*W2012-0258, NYS DEC, Town of Harrietstown: Rebuilding the Second Pond boat launch. Examined proposed wetland impact for road widening and proposed mitigation area. Other involved Agency staff: Walrath, Prickett.
(Rooks)

RASS staff provided 15 air photo interpretations for wetland determinations or GIS projects for: JIFs, Landowners, Enforcement cases, Reg Program projects, and towns. (Mark Rooks, Mary O'Dell)

Legal

Reviewed and provided comment on proposed legal guidance regarding artificial waterbodies, wetland subdivision non-jurisdictional criteria, minor expansions, sub-acre wetlands and bodies of water, and dwelling units. (LaLonde/Reynolds)

Meetings/Events/Teleconferences Attended

12/18/12 Received telephone call from Chazy Lake Association member. No drawdown was done this fall. The lake association is still pursuing a deep drawdown (6 feet) and would like to meet with APA and DEC in April 2013 to discuss the project. The meeting would be a good opportunity for all parties to discuss the issues and possibly reach a consensus on using this as a study lake to further evaluate impacts of drawdowns on the aquatic environment. (Snizek)

12/12/12 Represented Agency at APIPP meeting. Dave Wick from the LGPC presented the proposed Lk George mandatory boat inspection program. Dave informed the group that representatives from the LGPC will be meeting with the Governor's office and DEC on 12/19/12 to present their recommendations for the mandatory boat inspection program. The presentation was followed by a discussion of the current Adirondack boat launch steward program and how to prioritize boat launches and possibly fund more wash stations in the future. (Snizek)

12/5/12 Attended monthly LCBP TAC meeting. The LCBP TAC voted on technical projects for 2013 budget consideration by the LCBP Steering Committee during the meeting. There were 30+ technical proposals submitted this year, including several good aquatic invasive species projects that would benefit NYS. The TAC membership is focused on phosphorous research and implementation projects and most of the projects supported involve stormwater management, Ag BMP effectiveness, etc. The Steering Committee is aware that AIS issues need to be addressed and they will be given a chance to review ALL project proposals prior to their final approval. (Snizek)

Technology Information Committee meeting. Discussed software needs for new computers and got an update on State IT consolidation. (Rooks, O'Dell, Ziemann)

Meeting at the Agency with Dan Plumley and Dave Gibson of Adirondack Wild regarding their concerns about the proposed Silviculture General Permit. (Ziemann, Spada)