

PERMIT WRITING FORM – P2007-0320R3

Assigned EPS: BHH Reviewed by: [Click or tap here to enter text.](#) Date: [Click or tap to enter a date.](#)

APPLICANT

Project Sponsor(s): Saverio D. Ruffolo

Landowner(s): Saverio D. Ruffolo

Authorized Representative: N/a

PROJECT SITE

Town/Village: Bolton County: Warren

Road and/or Water Body: South Trout Lake Road

Tax Map #(s): 185.-1-2.1 and 185.-1-2.8

Deed Ref: 1205/18

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

Project Site Size: 9.15± 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): Of the 80.28 contiguous acres owned by the project sponsor, only the 9.15 acres within the two tax map numbers above are part of the project.

Lawfully Created? Y N Pre-existing subdivision: [Click or tap here to enter text.](#)

River Area: Y N If Yes: Wild - Scenic - Recreational Name of River: [Click or tap here to enter text.](#)

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

PROJECT DESCRIPTION

The conveyance and development of two lots (i.e., Lot 1 and the Subdivision Road Lot) as part of an eight-lot residential subdivision encompassing the entire parcel. Lot 1 (Parcel 2.1, 7.06± acres) includes an area currently developed by a pre-existing single-family dwelling which is accessed by a driveway off “Kathy’s Crossing,” a private graveled road forming the southerly boundary of the subdivision site. This dwelling is served by an individual on-site well and a wastewater treatment system of uncertain age which, to date, shows no sign of failure. The location of a future replacement system is depicted on the project plans. The Subdivision Road Lot (Parcel 2.8, 2.09± acres) will include the subdivision road, 1,300± feet in length, end in a cul-de-sac, and will provide access to the other seven residential lots. This road will be two lanes wide except for a one-lane portion in the area of a proposed wetland fill, approximately 130 square feet in size.

JURISDICTION (including legal citation)

Wetlands subdivision; Sections 809(9) and 810 (1)(d)(1)(b) of the Adirondack Park Agency Act and a regulated activity requiring a wetlands permit pursuant to 9 NYCRR Sections 578.2 (a) and 578.3(n)(1)(i),(iii) and (iv).

PRIOR PERMITS / SETTLEMENT AGREEMENTS BEING SUPERSEDED

[Click or tap here to enter text.](#)

FINDINGS OF FACT – ENVIRONMENTAL SETTING

Lakes, Ponds, Navigable Rivers and Streams

Check if none

Water Body Name: [Click or tap here to enter text.](#)

Length of Existing Shoreline (feet): [Click or tap here to enter text.](#)

MHWM determ: Y N

Minimum Lot Width: [Click or tap here to enter text.](#)

Meets standard: Y N

Structure Setback (APA Act): [Click or tap here to enter text.](#)

Meets standard: Y N

Structure Setback (River Regs): [Click or tap here to enter text.](#)

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

Permanent Stream

Intermittent Stream

Classified? Y

N

[DEC Environmental Resource Mapper](#) stream classification: [Click or tap here to enter text.](#)

Wetlands

Y N Jurisdictional wetland on property

Y N Proposed ground disturbance < 100 feet of wetlands If Yes, stormwater management, including erosion and sediment control, reviewed and approved by RASS engineer

Y N Wetlands are a basis of development jurisdiction

→ If Y, covertype: [Hardwood swamp and wet meadow](#)

→ If Y, value rating: [2](#)

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

Slopes

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

Existing slope range: [0-15%](#) Building area(s) if authorizing development: [0-15%](#)

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: [Soils from 11 DHTP's reviewed as part of P2007-0320 in 2008. Soils are in the Bice soils series.](#)

Stormwater

Y N Greater than 1 acre disturbance

Y N Wetland < 100 ft of proposed ground disturbance

Character of Area

Nearby (include all): Residential Commercial Industrial Agricultural Forested
Adjoining Land Uses / State Land: **A mix of privately owned forest, residential homes, and a dog sitting business nearby.**

Is nearby development visible from road? Y N

→ If Y, name road and describe visible development: **South Trout Road**

Additional Existing Development (ex: dam on site, etc.): **One single family dwelling**

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

FINDINGS OF FACT – COORDINATED REVIEW

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

PERMIT CONDITIONS AND IMPACT ANALYSIS

Merger

Justification if merger required: **Click or tap here to enter text.**

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: **Subdivision Road Lot will be used as access road.**

Easement

Easement proposed or required? Y N

If Y, consult with Legal for conditions. Justification: **Click or tap here to enter text.**

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: **Click or tap here to enter text.**

Structure footprint limit and justification: **Click or tap here to enter text.**

→ 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: **Review of any new development is required to protect wetland resources.**

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 of guest cottages needed to evaluate for visual impacts and for potential septic impacts to wetlands.**

Boathouses (if project site contains shoreline) N/A

Proposed and reviewed? Y N

If N, boathouses potentially allowed? Y N

→ If N, justification: **Click or tap here to enter text.**

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

→ If Y, justification: **Click or tap here to enter text.**

Docks (if project site contains shoreline) N/A

Proposed and reviewed? Y N

If N, docks potentially allowed? Y N

→ If N, justification: **Click or tap here to enter text.**

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

→ If Y, justification: **Click or tap here to enter text.**

Outdoor Lighting (if authorizing development)

Plan proposed and reviewed? Y N

Building Color (if authorizing development) N/A

If color condition required, justification: **Click or tap here to enter text.**

Tree Cutting / Vegetation Removal

Town with Northern Long-Eared Bat occurrences? Y N

Indiana Bat habitat indicated on Lookup? Y N

Vegetative cutting restrictions required? Y N

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

within **Click or tap here to enter text.** feet of limits of clearing

within **100** feet of road

within **Click or tap here to enter text.** feet of river/lake/etc

within **Click or tap here to enter text.** feet of wetlands

Other: **Click or tap here to enter text.**

OR on entire site outside limits of clearing

Extent of cutting restriction necessary within the area noted above:

Cutting of all vegetation prohibited

Cutting of trees of **Click or tap here to enter text.** diameter dbh prohibited

Other: **Cutting of trees/shrubs/woody-stemmed vegetation restricted, except for 25 ft for driveway construction.**

Justification: **Limiting clearing will allow for driveway access and screen future development from South Trout Lake Road.**

Plantings

Plan proposed and reviewed? Y N

If N, plantings required? Y N

→ If Y, species, number, location, and time of year: [Click or tap here to enter text.](#)

Justification: [Click or tap here to enter text.](#)

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: [Click or tap here to enter text.](#)

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

Extinguishing PBs? Y N If Y, number: [Click or tap here to enter text.](#)

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. Condition required if authorizing development within 100 feet of wetlands or greater than 1 acre disturbance; condition possibly required in other circumstances too.

Justification: [Following the stormwater plan will protect wetlands.](#)

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: [Following the erosion control plan will protect wetlands and intermittent streams during the construction process.](#)

Infrastructure Construction (if authorizing development)

Construction necessary before lot conveyance: [Click or tap here to enter text.](#)

Justification: [Click or tap here to enter text.](#)

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

Explain why no condition is needed: [No new single family dwellings proposed are jurisdictional to the Agency.](#)

Additional Site / Project-Specific Concerns / Conditions Needed

[Click or tap here to enter text.](#)

Justification: [Click or tap here to enter text.](#)

Y N **Public comments received** **If Yes, #:** Four comment letters were received as part of the original project, citing concerns with wetlands fill, and impacts to plants, animals, and flood control benefits.

Y N **Applicant submitted response (notes, if any)** [Click or tap here to enter text.](#)

INDIVIDUAL LOT DEVELOPMENT REVIEW – P#2007-0320R3

If a subdivision: **Lot #1 (7.06± acres)**

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Existing Development

PRINCIPAL BUILDINGS

Structure	-	Pre-existing (Y/N)?	-	Lawfully constructed (Y/N)?
Single Family Dwelling		Y		Y

ACCESSORY STRUCTURES

Structure	-	Pre-existing (Y/N)?	-	Lawfully constructed (Y/N)?

[Click or tap here to enter text.](#)

Proposed Development

N/A

Check if portions or all below are NJ

PRINCIPAL BUILDINGS

Check if proposed as a non-building lot:

Structure	Footprint	Height	# Bedrooms	Slopes

[Click or tap here to enter text.](#)

Have necessary density? Y N

remaining potential principal buildings = [Click or tap here to enter text.](#) from survey or estimate

ACCESSORY STRUCTURES

Structure	Footprint	Height	Slopes

[Click or tap here to enter text.](#)

ACCESS

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

Driveway is existing / proposed Length: 350 ft Width: 25 ft

Sight distance evaluated? Y N Slopes: 0%

Need Clearing/Grading? Y N Comments: Driveway is existing with access off Kathy Xing Way (Note if HOA or shared maintenance involved)

Need hwy access permit? Y N

Need easement? Y N

Need signs? Y N

VISUAL / AESTHETIC

Y N Proposed development visible from public areas (list) South Trout Lake Road

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

WATER SUPPLY

- Individual on-site Municipal
- Y N 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 N < 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#2007-0320R3

If a subdivision: Lot #Subdivision Road Lot (2.09± acres)

Assigned EPS:BHH Reviewed by: [Click or tap here to enter text.](#) Date: [Click or tap to enter a date.](#)

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

[Click or tap here to enter text.](#)

Have necessary density? Y N

remaining potential principal buildings = [Click or tap here to enter text.](#) from survey or estimate

ACCESSORY STRUCTURES

Structure Footprint Height Slopes

[Click or tap here to enter text.](#)

ACCESS

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

Driveway is existing /proposed Length: +/-1,300 ft Width: 15-24 ft

Sight distance evaluated? Y N Slopes: 0-10.4%

Need Clearing/Grading? Y N Comments: Lot will serve as the access road to lots 2-7. (Note if HOA or shared maintenance involved)

Need hwy access permit? Y N

Need easement? Y N

Need signs? Y N

VISUAL / AESTHETIC

Y N Proposed development visible from public areas (list) South Trout Lake Road

Y N Existing topography / vegetation will screen, if retained

Y N Planting plan proposed

If Yes, RASS forestry analyst consulted

WASTEWATER TREATMENT (WWTS)

N/A *Consult RASS engineer for engineered plans

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

WATER SUPPLY

N/A

- Individual on-site Municipal
- Y N 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?
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UTILITIES

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