



**FOURTH NOTICE OF INCOMPLETE PERMIT APPLICATION**  
**APA Project No. 2021-0248**

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| <b>Project Sponsor:</b><br>Eric Stackman<br>PO Box 402422<br>Miami Beach, FL 33141 | <b>Authorized Representatives:</b><br>Roberta Alba<br>6540 NW 170 <sup>TH</sup> Terrace<br>Miami, FL 33015 |
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**Type of Project:** Large-Scale Residential Subdivision

**Location of Project:** Town of Jay, Essex County

Land Use Area: Low Intensity Use and Hamlet

Tax Map Nos.: 17.2-1-4, 17.2-1-5.1 & 17.2-1-20.111

Dear Roberta Alba:

Thank you for the recent submission in relation to APA Project No. 2021-0248, received by the Agency on September 4, 2025. The submission provided important information in response to the Agency's April 28, 2023 Third Notice of Incomplete Permit Application (3<sup>rd</sup> NIPA).

Based upon staff review of your proposal and the information submitted in response to the Agency's 3<sup>rd</sup> NIPA, the following deficiencies must be addressed to review your application.

The concept plan of your preferred alternative submitted with the recent response remains largely unchanged from the initial proposal. Therefore, staff continue to have concerns about impacts to resources that may result from the development of the property as proposed. If the scale and configuration of the project is not reduced and revised to address and avoid the resource concerns listed below, it does not appear that staff would recommend approval of the project to the Agency Board.

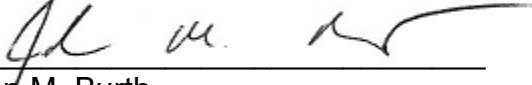
As you are aware, professionally prepared plans for all aspects of any proposed development will be required for a complete application once the project has been revised to meet the appropriate requirements, including but not limited to the following:

- all pertinent subdivision details, including subdivision road and driveway designs;
- complete on-site wastewater treatment system (OSWTS) designs with all supporting soils information utilizing the appropriate standards;
- a Stormwater Pollution Prevention Plan, including Erosion and Sediment Control and associated construction phasing plan;
- building plans for all proposed structures, including elevation details;
- lighting plan; and
- comprehensive visual analysis.

If you have any questions regarding this Notice or the project review process, please contact APA Environmental Program Specialist (EPS) Devan Korn, who is assigned to review your project.

**September 19, 2025**

Date

  
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John M. Burth  
Deputy Director, Regulatory Programs

**Please submit any response to this notice by e-mail to [devan.korn@apa.ny.gov](mailto:devan.korn@apa.ny.gov)  
All application submissions should be in PDF or similar format and be legible.  
Electronic copies of plans must be fully scalable.**

**Please include any previously submitted items that are referenced directly in any future responses submitted to the Agency. All attachments and appendices should be individually labelled, and duplicate documents and cross-references should be avoided.**

**Upon receipt and review of a complete response to the following, additional information may be required. As noted above, any revised project plans must avoid impacts to resources and address the following:**

1. The proposal fails to avoid mapped natural communities and large forest blocks. The project plans show fragmentation and destruction of the northerly patch of the mapped oak-pine forest community, and buildings and trails are located within the pine-northern hardwood forest. The Critical Habitats & Natural Communities Map submitted mislabels the habitat types and omits the southerly patch of pine-northern hardwood forest on the site.
2. The proposed project does not locate all disturbance and development at least 100 feet from wetlands, including the proposed boardwalks, trails, portions of two estate homes, and three on-site wastewater treatment systems. An alternative location for the trail system to access the southwestern corner of the property was identified by Agency staff during a 2021 site visit that would only involve a stream crossing without involving wetlands. Additional documentation and verification of wetland features and function may be required for any revised proposal.
3. A plan that includes the anticipated scope and methodology of the biological survey and analysis was not provided for Agency review prior to beginning the survey as recommended in the 3<sup>rd</sup> NIPA. Please note the following regarding the documents titled "Natural Resources Inventory Report," dated August 2023, and "Supplement 1.0 to Natural Resources Inventory Report," dated April 2024:
  - a) Precise survey dates, times or person-hours were not provided;
  - b) Mammal surveying was insufficient and limited to two track tubes in vaguely described locations, two camera traps in unknown locations and no winter tracking study was provided;
  - c) No intentional point counts were conducted to survey birds and no waterfowl survey was undertaken;
  - d) Lists of species were provided with no associated location information, except for those locations associated with listed plant species;
  - e) No location information was provided for the observed Houghton's sedge occurrence;
  - f) No precise locations were provided for areas where breeding amphibians were identified;
  - g) A map of the ecological communities characterized in accordance with Gregory Edinger's Natural Communities of New York State (2014) was not provided; and
  - h) The scope of the survey did not account for the proposed helicopter landing area or identify the reach of associated noise.

4. "Supplement 1.0 to Natural Resources Inventory Report," dated April 2024 also highlights an area where hydrology has changed and is supporting breeding amphibians but does not include the precise locations of vernal pools and other areas where breeding amphibians were found. Trails are proposed within 100 feet of these features.
5. Please note, the site analysis map submitted with the initial application is outdated. It does not contain all the identified resources, and some of the resources shown have been more precisely mapped since it was created.
6. The 230 meter delineation shown on the "Existing Trails Map & 230 Meter Delineation Zone," dated July 2023, does not appear to accurately depict the parameters outlined in the 2nd NIPA.
7. The 39-page report titled, "Forest Management Plan for Eric Stackman," prepared by Deborah Boyce of Northwoods Forest Consultants, LLC, dated December 2023, does not discuss the applicant's development intentions and potential clearing associated with development. Four appendices referenced in this document were not provided, as follows: Forest Type Map-topo; Forest Type Map-aerial, Soil Type Map (available elsewhere in the application materials); and Special Sites and Invasive Species Map.
8. The 12-sheet set of plans titled "Stackman Property Concept," prepared by Engineering Ventures PC and dated June 21, 2023, does not include sufficient soils and slope information to support the proposed residential development on-site wastewater treatment designs.  
  
Sheet C506 titled "Erosion and Sediment Control Details," references the use of hay mulch and seeding with non-native grass species. Soil stabilization efforts and revegetation of disturbed areas should utilize only straw mulch and include native seed mixes and other native plantings and/or an annual species that will not persist.
9. The New York State Department of Transportation (DOT) appears to have concerns with the location of the proposed road access to NYS Route 9N, including limited sight distances and other potential impacts to DOT infrastructure resulting from increased stormwater runoff and pedestrian traffic associated with the proposal.
10. The provided Trail Narrative includes a map of the existing trail network and a separate map that also incorporates proposed new trails, including both multi-use trails and hiking trails. The intended uses of each trail type are not defined and the symbology used for the trail features does not clearly distinguish multi-use trails from hiking trails.
11. No information was provided regarding the private helicopter landing area, or any associated Federal Aviation Administration required improvements.  
  
No supporting documentation or evaluation of alternatives to the proposed private helicopter landing area was provided, nor an explanation of why any alternatives do not meet the applicant's objectives. Such alternatives may include landing in an existing nearby municipal or commercial airport instead of the proposed landing area.  
  
No noise assessment report for the proposed private helicopter landing area has been provided to document potential impacts to wildlife or nearby and adjoining land uses.