



NOTICE OF INCOMPLETE PERMIT APPLICATION
APA Project No.: 2025-0195

Project Sponsor: Zachary Layton Indian Brook Preserve, LLC 59 Middle Road Lake George, NY 12845	Authorized Representative: Matthew Huntington, P.E., Studio A Landscape Architecture and Engineering 74 Warren Street, Suite 1 Saratoga Springs, NY 12866
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Date Permit Application Received: October 9, 2025

Type of Project: residential subdivision

Location of Project: Town of Bolton, Warren County

Land Use Area: Low Intensity Use

Tax Map No.: 139-1-46.110

Dear Matthew Huntington:

Thank you for the permit application materials submitted to the Agency on August 20, 2025, and September 12, 2025. These materials and the application provided important information on the proposed project. Initial evaluation by Agency staff indicates that additional resource evaluation, reporting and mapping is necessary to proceed with review of the project.

The proposal involves development adjacent to wetlands, located in a large forest block, and located greater than 230 meters from existing development, indicating the need for a biological survey of the project site. This biological survey should encompass at least a full year of qualitative and quantitative observations. Further, some smaller wetlands shown in previous versions of the plans have been removed from the subdivision layout. Although they appear sub-acre and isolated, these areas will need to be investigated for vernal pool function and qualitative observations should be included for any breeding amphibians observed within these areas. The findings of this survey should be shown on the resource and existing features mapping inventory. Please submit a proposal for a biological survey to the Agency for review and approval prior to undertaking the required survey work.

There is a New York Natural Heritage Program record for tall hairy lettuce overlapping the northeastern part of the project site. A survey for this species during the growing season is also required and any populations of tall hairy lettuce observed should be shown on the resource and existing features mapping inventory.

On October 6, 2025, you provided the Agency with information regarding an active timber harvest on the project site, including:

- A combined forest management plan and timber harvest plan titled, "Forest Management Plan for Lands of Top Ridge Ventures, LLC," prepared by Kurt Koskinen, dated January 7, 2025;
- A Town of Bolton Land-Use & Development Permit Zoning Compliance Certificate, dated March 15, 2025; and
- A Warren County Department of Public Works Permit to Work in County Right-of-Way, of Route 11, dated April 30, 2025.

Please note that the timing of the harvest raises several resource considerations with implications on Agency review. Any future submission should include mapping of existing and proposed limits of clearing and accounting for any recently cleared areas, including haul roads, skid trails and landings. Further, an additional site visit by Agency staff is required to review on-site resources and existing conditions. Please contact EPS Korn to schedule the site visit.

Please note, your preferred subdivision layout alternative currently presented to the Agency may need to be revised pending further staff review of the site and any additional resource analysis observed or provided in response to this or future notices.

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 as necessary, including but not limited to the following:

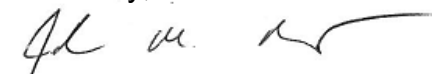
- all pertinent subdivision details, including subdivision road and driveway designs;
- complete on-site wastewater treatment system (OSWTS) designs with all supporting soils information, utilizing the appropriate standards;
- a Stormwater Pollution Prevention Plan, including Erosion and Sediment Control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

Please submit your response to this notice by e-mail to Environmental Program Specialist 2 (EPS2) Devan Korn at devan.korn@apa.ny.gov and reference Project Number 2025-0195 in the subject line.

The proposal may not be undertaken until a permit has been issued by the Agency. "Undertake" means any commencement of a material disturbance of land preparatory to the proposed project, including but not limited to road construction, grading, installation of utilities, excavation, clearing of building sites, or other landscaping, or in the case of subdivision, the conveyance of any lots.

If you have any questions regarding this Notice of Incomplete Permit Application or the project review process, please contact EPS Korn.

Sincerely,



John M. Burth
Deputy Director, Regulatory Programs