

**Town of Stony Creek**  
**Design of Stony Creek Community Center**  
**DOS CONTRACT NO. C1000561**

*Tasks Number 45, 46, 47, and 49*

*March 25, 2020*



*Prepared by:*



*“This document was prepared for the New York State Department of State with funds provided under Title II of the Environmental Protection Fund Act”*



## Stony Creek Community Center

### Task 45: Site Reconnaissance and Schematic Designs

Cedarwood Engineering Services, PLLC, has conducted a site-specific reconnaissance for the Stony Creek Community Center Project in preparation for design. The specific reconnaissance work included the following:

- Ownership/grant/lease status of all lands to be incorporated into the design
- Manmade structures, buildings, or facilities on or adjacent to the site
- Above and below ground infrastructure, including stormwater treatment structures
- Transportation/circulation systems (truck, car, bus, ferry, train, pedestrian, bicycle, etc.) that serve or are located near the site
- Adjacent land and water uses
- Historic and archeological resources
- Soil and, as appropriate, core sampling to determine site stability
- Topography and hydrology
- Natural resources, including location of mature trees
- View corridors
- Zoning and other applicable designations
- Analysis of site constraints, needs and opportunities

**Ownership of Lands.** All land included this project is owned by the Town of Stony Creek. Attached is a Real Property GIS tax map that shows the proposed project is located within parcels of land owned by the Town. The site is located within the Adirondack Park and the land classified is low intensity use.

**Manmade Structures.** The attached GIS satellite image shows the “manmade” structures adjacent to the site. The structures are two single family residences, one Town owned two story structure, and the Dean Farm Historical Association Building & Heritage Trails.

**Above and Below Ground Infrastructure.** Currently the only on-site infrastructure is a residential on-site sewer system and a well for the two-story structure owned by the town. These utilities will not be part of this project.

**Transportation/Circulation Systems.** Warren County Highway 76 is borders the northern property line. The Dean Farm Heritage Trail is immediately adjacent to the North of the project site. See attached trail map.

**Adjacent Land and Water Uses.** Stony Creek is located immediately west of the project site.

Stony Creek is a recreational waterway that is used for fishing, kayaking/canoeing, and swimming.

**Soil.** The soil type is predominantly HnB- Hinckley cobbly sandy loam with 3 to 8% slopes. This type of soil typically has a bearing capacity of 2000psf or greater. Soil boring work will be performed to determine actual structural characteristics prior to foundation design.

**Topography and Hydrology.** The topography of the site is open land that slopes to the south with a grade of approx. 2 to 6% A property survey was performed showing the topography of the site. The survey is attached. Average precipitation  $\pm$ 40 inches per year. Depth to groundwater in the immediate area of the project site  $\pm$ 20 feet.

**Natural Resources.** The 4.81 acre parcel borders Stony Creek. There is 650 feet of shoreline along Stony Creek. There are mature trees along the east and west property boundaries.

**View Corridors.** This project includes a single building that will be less than 30 feet in height and will not views from any of the surrounding properties.

**Zoning/Land Designations** – The parcel is zoned residential (Res. Dist. 6-R1). The Parcel is also located in the Adirondack Park and is classified as low intensity use.

**Site Constraints, Needs and Opportunities.** The Town of Stony Creek needs a community center/library. There is no existing community center and the existing library is in poor condition. This site and location are ideal for the proposed use. It is located close to Stony Creek's business district and will to enhance and complement its recreation/Dean Farm tourist area. There are no obvious constraints relating to this project.

#### TASK 46

### **Public Meeting**

Held on February 18, 2020 – see attached Meeting Minutes

#### TASK 47

### **Construction Requirement Analysis**

December 10, 2019

The proposed Stony Creek Community Center Project (Project) has been evaluated to determine which jurisdictional agencies and departments will be involved with this project and what permits and approvals will be required. Based on the Project location, size, type of use, ownership, required utilities, and other factors, Cedarwood Engineering Services, PLLC (Cedarwood) has prepared the following table indicating what will be required by the jurisdictional agencies and departments.

<b>Agency/Department</b>	<b>Requirement</b>
Adirondack Park Agency (APA)	<ul style="list-style-type: none"> <li>• Class B Project – APA Permit will be required. See attached APA Letter.</li> <li>• SEQR in accordance with APA Reg. Part 586</li> </ul>
NYS Department of Health	<ul style="list-style-type: none"> <li>• Temporary Food Service Establishment Permit</li> <li>• Public Water Supply Permit</li> <li>• Wastewater System Permit</li> </ul>
NYS Department of Environmental Conservation	<ul style="list-style-type: none"> <li>• State Pollutant Discharge Elimination System Permit (Discharge &gt;1000gpd)</li> </ul>
Warren County Building Code	<ul style="list-style-type: none"> <li>• Building/ Energy Code Permit</li> </ul>
Stony Creek Town Board	<ul style="list-style-type: none"> <li>• Town Approval</li> </ul>
Warren County Highway Dept.	<ul style="list-style-type: none"> <li>• Driveway Permit</li> </ul>
NYS Dept. of State	<ul style="list-style-type: none"> <li>• General Project Approval(s)</li> </ul>

Project applications for all required permits and approvals will be completed by Cedarwood for the Town of Stony Creek.

Based on the preliminary design completed by Cedarwood, the location selected, and a review of existing subsurface disposal systems and potable water wells in the area of this project, Cedarwood believes this is a viable project and all permits and approvals should be obtainable.

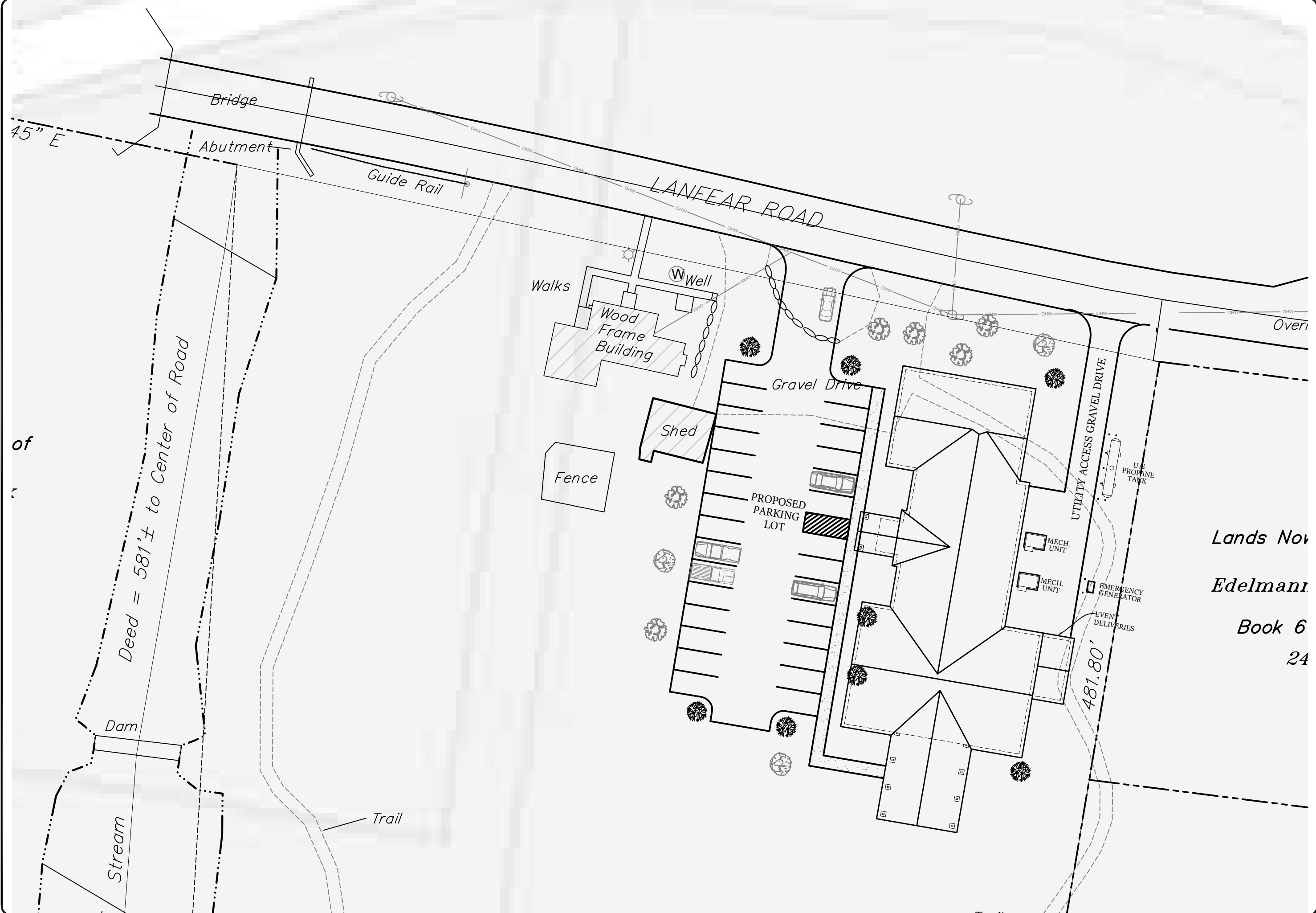
TASK 48

**Not Addressed at this Time**

TASK 49

**10% Preliminary Design**

See attached Drawings Binder



45" E

Bridge

Abutment

Guide Rail

LANFEAR ROAD

Walks

Wood Frame Building

Well

Shed

Fence

PROPOSED PARKING LOT

Gravel Drive

UTILITY ACCESS GRAVEL DRIVE

MECH. UNIT

MECH. UNIT

U.G. PROpane TANK

EMERGENCY GENERATOR

EVEN DELIVERIES

481.80'

Over

Lands Nov

Edelman

Book 6

24

Dam

Stream

Trail

PROJECT INFORMATION:	
DATE:	05/01/2018
SCALE:	AS SHOWN
DESIGNED BY:	TS
DRAWN BY:	GF
REVIEWED BY:	TS
PROJECT NO.:	00-000
SHEET:	1 OF 1

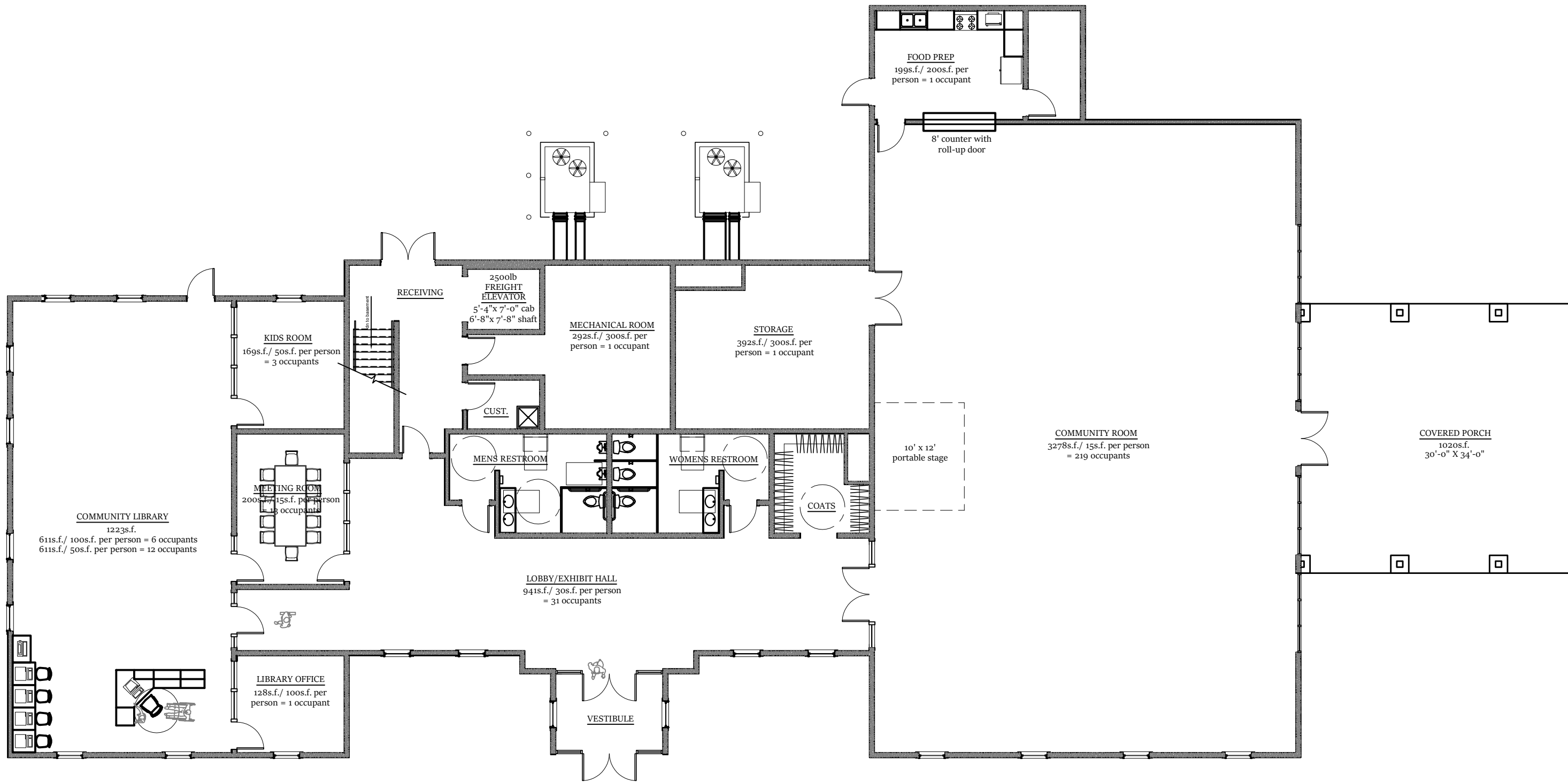
NO.	DATE	DESCRIPTION

**TOWN OF STONY CREEK**  
**STONY CREEK, NEW YORK**

**STONY CREEK**  
**COMMUNITY CENTER**  
**PROPOSED FLOOR PLAN**



3003 Main Street, Westport, NY 12885, (518) 662-5000  
P.O. Box 1000, Westport, NY 12885, (518) 662-5000  
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## PROPOSED FLOOR PLAN - OPTION FIVE

CLASSIFICATION GROUP A-3 - ONE STORY W/ BASEMENT  
 CONSTRUCTION CLASSIFICATION = TYPE 2 COMBUSTIBLE  
 FIRE PROTECTION - Automatic sprinkler system required  
 OCCUPANT LOAD = 96  
 TOTAL BUILDING = First Floor = 8400 s.f. - Basement = 2618 s.f. - Total = 10,860 s.f.

### COST ESTIMATE:

- Site Preparation (site clearing/final grading) = \$21,500.00
- Concrete sidewalk = \$8,300.00
- Gravel access drive as shown = \$4,500.00
- Gravel parking lot as shown = \$19,500.00
- Well (including pump/equipment) = \$12,000.00
- Septic (grease trap/tank/absorption field) = \$30,000.00
- Building 10,860 = \$2,558,150.00
- Front entrance canopy = \$9,800.00
- Side covered porch = \$85,000.00
- Library furniture = \$18,500.00
- Approximate Cost = \$2,767,250.00

PROJECT INFORMATION:	
DATE:	05/01/2018
SCALE:	AS SHOWN
DESIGNED BY:	TS
DRAWN BY:	GF
REVIEWED BY:	TS
PROJECT NO.:	00-000
SHEET:	1 OF 1

NO.	DATE	DESCRIPTION

**TOWN OF STONY CREEK**  
**STONY CREEK, NEW YORK**

**STONY CREEK**  
**COMMUNITY CENTER**  
**PROPOSED FLOOR PLAN**

# Stony Creek Comm. Center



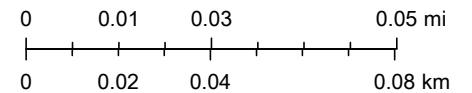
March 20, 2020



**Department of State**

*This document was prepared for the NYSDOS with funds provided under Title 11 of the Environmental Protection Fund Act*

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NYS ITS GIS Program Office, Westchester County GIS

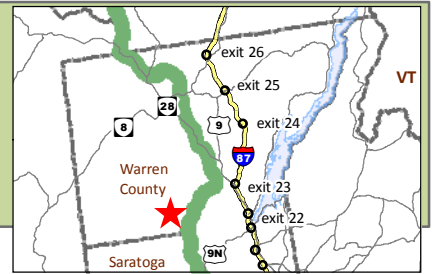


# First Wilderness Heritage Corridor

## Hiking Trails

# Dean Farm Heritage Trails

TOWN OF STONY CREEK, NY



**Surface Type:** boardwalk/crushed stone/unimproved  
**Difficulty:** easy through challenging  
**Length:** 3.6 miles total, 13 trails - see chart below  
**Time to Complete:** 1-3 hours; varies based on trail selection  
**Trailhead Coordinates:** -73 55.63 43 25.84  
**Trail Notes:** Well-marked, professionally designed and constructed trails featuring beautiful scenery through meadows, water side, and woodlands. Numerous interpretive signs highlight the flora and fauna of the area. Trails range in ability from easy through challenging, and offer scenic vistas, benches, and picnic spots. Trails on the west side of Murray Road are ADA accessible.

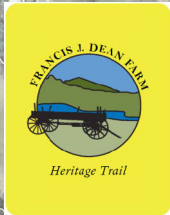
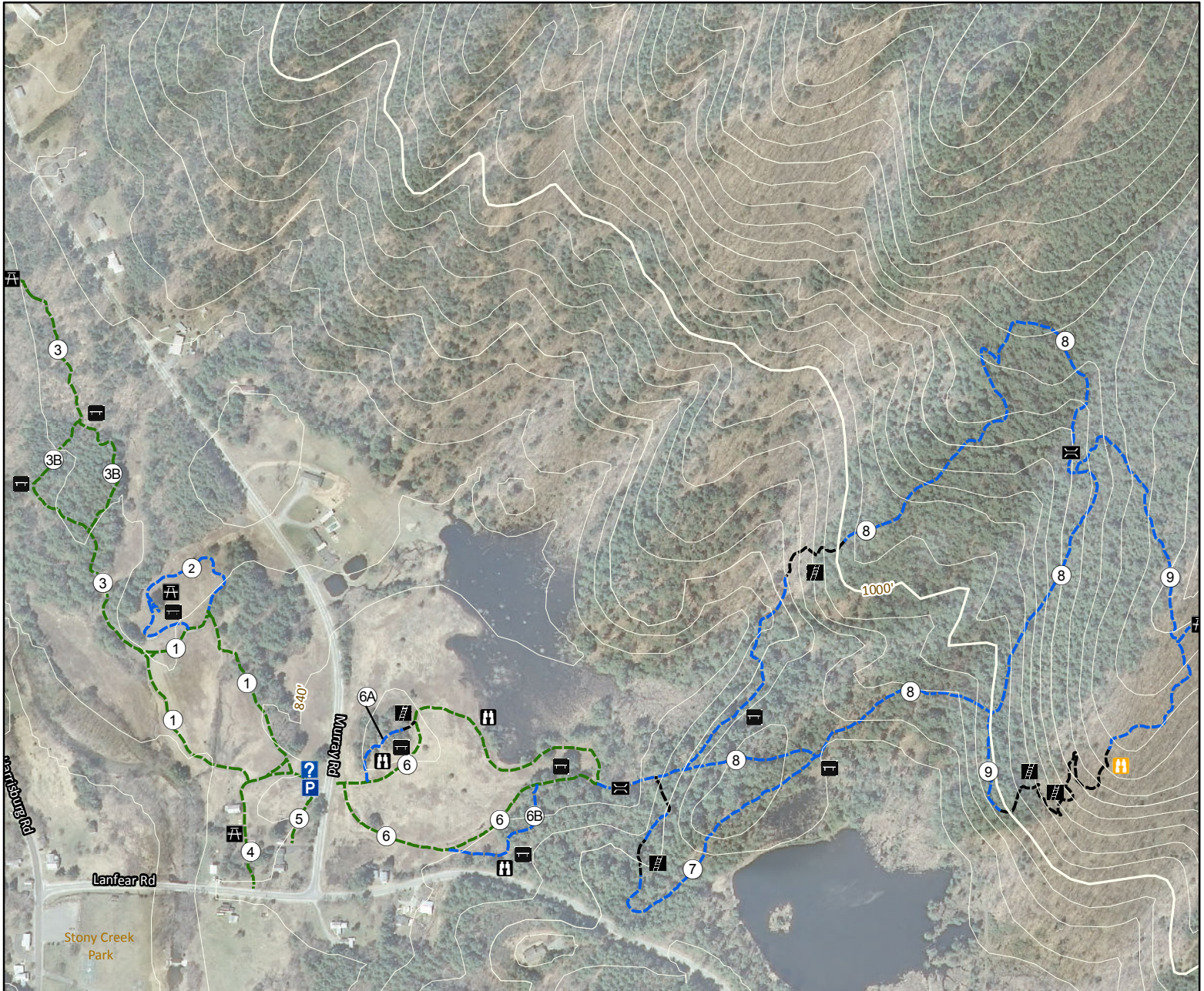


### Directions and Parking:

From exit 23 of the Northway, turn west and then right onto Rt 9. Turn left to cross Judd Bridge and then turn right onto River St (NY 418W) for 3.9 mi. Continue onto W Stony Creek/Warrensburg Rd for 8.6 mi to the center of Stony Creek. Turn right onto Harrisburg Rd for 0.4 mi. Turn right onto Lanfear Rd for 0.2 mi. Turn left onto Murray Rd. Trailhead and parking will be on your left.

### Things to Do Nearby:

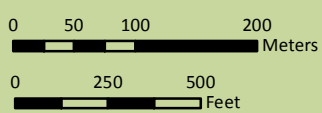
Visit the Dean Homestead Museum adjacent to the trails. Check out Stony Creek park, across Lanfear Rd to the south, which offers ball fields, a playground, picnic facilities and a beach, as well as summer concerts on Tuesday evenings. Catch the scenic train a few miles away at Stony Creek Ranch.



This document was prepared for the NYSDOS with funds provided under Title 11 of the Environmental Protection Fund Act

## Trail Key

Number	Trail Name	ADA Accessible	Type	Difficulty	Length
①	Meadow Ramble West	yes	crushed stone/boardwalk	●	0.36mi/0.59k
②	Picnic Point	yes	crushed stone	■	0.17mi/0.3k
③	Woods and Water	yes	crushed stone/boardwalk	●	0.23mi/0.37k
③A	Evergreen Alley	yes	crushed stone/boardwalk	●	0.1mi/0.16k
③B	Deer Run	yes	crushed stone/boardwalk	●	0.1mi/0.16k
④	Barn Yard	yes	crushed stone	●	0.07mi/0.12k
⑤	Homestead	yes	crushed stone	●	0.03mi/0.06k
⑥	Meadow Ramble West		crushed stone/boardwalk	●	0.36mi/0.59k
⑥A	Sled Hill		crushed stone/unimproved	■/◆	0.06mi/0.1k
⑥B	Bald Head View		unimproved	■	0.1mi/0.16k
⑦	Streamside		unimproved	■/◆	0.27mi/0.43k
⑧	Woodland Loop		unimproved/boardwalk	■/◆	1.08mi/1.74k
⑨	Enchanted Forest		unimproved	■/◆	0.57mi/.91k



- ① Trail Number
- Bench
- Scenic View (Winter)
- Easier Trail
- map prepared by Warren County GIS
- P Parking
- Picnic Table
- Bridge
- Moderate Trail
- for NYSDOS with funds provided
- Ladder
- Scenic View
- 20' Contour
- Challenging Trail
- under Title 11 of the Environmental Protection Fund.



February 18, 2020

The regular Town Board meeting of the Town of Stony Creek was held on February 18, 2020. Supervisor Thomas called the meeting to order at 7:03 PM with members present:

Councilwoman Doreen Ryan

Councilman John Thomas

Councilman Philip Coletti

Absent: Councilman Nathan Thomas

Counsel to the Town

January 21, 2020 minutes

A motion was made by Councilman Coletti seconded by Councilwoman Ryan to accept the January 21, 2020 minutes. All in favor, motion carried.

045-20. A resolution was made by Councilman John Thomas seconded by Councilman Coletti to pay the General Fund December Final bills in the amount of \$4172.19. Roll call vote, all in favor.

046-20. A resolution was made by Councilman Coletti seconded by Councilwoman Ryan to pay the Highway Fund December Final bills in the amount of \$253.38. Roll call vote, all in favor.

047-20. A resolution was made by Councilwoman Ryan seconded by Councilman John Thomas to pay the General Fund bills in the amount of \$10,586.57. Roll call vote, all in favor.

048-20. A resolution was made by Councilman Coletti seconded by Councilwoman Ryan to pay the Highway Fund bills in the amount of \$56,666.86. Roll call vote, all in favor.

Town Clerk report:

Conservation license	\$ 1.38
Death copy	\$ 10.00
Copies	<u>\$ 0.50</u>
Total Town Clerk fees	\$ 11.88
Dog Licensing	<u>\$ 30.00</u>
Total Town Revenues to Supervisor	\$ 41.88
NYS Agriculture and Markets	\$ 6.00
NYS Environmental Conservation	<u>\$ 23.62</u>
Total disbursed	\$ 71.50

Correspondence:

Dog Control Log-January 2020

Bonnie Bills-Permission to use the park pavilion July 11, 2020 for a Wedding Reception.

Stony Creek Chamber of Commerce-permission to use the park pavilion July 31 to setup, August 1 and 2<sup>nd</sup>, 2020 for the Annual Mountain Festival.

Mr. Suozzo stated they are also designing it to be, as they call it hard armored. We know it's going to flood at least around the face. They don't want anything to be washed away.

Councilman John Thomas stated he thinks it's the best place for it.

If the survey will help with what they have to do with the dam we can use that. Mr. Suozzo stated they will set something up soon with DEC and APA and will ask all those questions.

They will let the Board know where the meeting is so if they want to attend.

Supervisor Thomas asked the board if they want them to go ahead and move forward to do this.

Mr. Suozzo stated they will send a proposal and steps. Mr. ~~Perry~~ <sup>Ferree</sup> stated they will send it after they get the questions answered.

Supervisor Thomas stated the Board will make a motion that Mr. Suozzo and Mr. ~~Perry~~ <sup>Ferree</sup> meet with DEC and APA and go from there. Mr. Suozzo stated once they do that and it looked good then they will have to get ahold of Chris Belden and Wayne LaMothe who will send the actual steps they will have to follow. The Pedestrian bridge plans were given to Supervisor Thomas for review.

#### Community Center:

Mr. ~~Perry~~ <sup>Ferree</sup> stated he has five options of building plans. The Town Board will have to pick one.

Option 1: is pretty much rectangular. It's the cheapest way to go. It's one ridge all metal.

There's a Community Library, Library Office, Meeting Room, Kids Room, Mechanical, Food Prep. Room, Community Room that seats 200 people. There's a Lobby Exhibit Hall and the required rest rooms to code. Mr. ~~Perry~~ <sup>Ferree</sup> did a cost estimate for each option.

Option 1 does not have a basement.

Option 2: is basically the same as Option 1 only there's a big storage room on the side. The cost estimate reflects the addition.

Option 3: is similar to Option 2 but changed the storage area and food prep. He made a bigger storage and interior storage.

Councilwoman asked if they were all one floor. Mr. ~~Perry~~ <sup>Ferree</sup> stated yes one floor, all ADA Accessible.

Option 4: is laid out differently. The big storage area is changed.

The reason why they don't put basements under the prefab metal buildings is where the supports are located and the pier which is all concrete and steel and they are down 4 foot 6 inches. So you can imagine going down and see how much concrete and reinforcing that is. Mr. Suozzo stated

Mr. ~~Perry~~ <sup>Ferree</sup> is saying if you had to go below the basement. Mr. ~~Perry~~ <sup>Ferree</sup> stated yes, if your putting a basement under it and then for the basement wall you have to off of it, because of the bearing weight of the footing. It's a lot of concrete which would make the cost increase. Councilman

John Thomas stated it's not like a normal building where you can just do the 4-foot 6 footing in the basement area and then run from steel up to match the steel they have, it has to be concrete.

Mr. ~~Perry~~ <sup>Ferree</sup> stated yes concrete, it gets a little bit more difficult because they have hairpins in the floor, that's for kick out reaction at the bottom of the column. So, to put the basement in they will have to do a lot more engineering to prevent that, a slab or grade. You put a slab and that holds it from kickout.

Option 5: has a basement and its only under the center part. If you start going past that you need another exit and it gets more complicated because if you use it for assembly then you need a lot more exits because you have to get the people out.

Option 5 has a covered patio which could be an alternate and that is for receptions and stuff. It has a room to over look the field. This is all stick built and the cost reflects that. This is Approx. 2.8 million. Option 1 basic shape is 1.8 million. It includes septic, all site work and well.

Option 5 is more Adirondack, fiber cement siding, metal roofing. Councilman John Thomas asked if it was a higher R-value then what you are getting on the metal buidings. Mr. ~~Perry~~<sup>Ferree</sup> stated this will have a higher R-value. Councilman John Thomas stated so the overall cost, heating and cooling is going to be less.

Mr. ~~Perry~~<sup>Ferree</sup> stated he can get more insulation in 2X6 walls. He uses rockwool and that's an R-19. It's a 3-inch scan. It passes the energy code but this is a lot better and he uses rockwool, which is 6in. R-23 already, plus its moisture resistant and fire rated. It will be a mechanical floor, you will have ducts for air condition and heating, it's forced hot air. Councilman John Thomas asked if he wouldn't have radiant on the outside sections where you don't have a basement? Mr. ~~Perry~~<sup>Ferree</sup> stated no it's all forced hot air. Councilman John Thomas asked why not. Mr. ~~Perry~~<sup>Ferree</sup> stated to keep the cost down, they can do radiant. Councilman John Thomas stated he thinks the overall cost in the long run, over time radiant will probably save the town because its not something they will keep at 70° all winter long, it's not going to be used every day. Councilwoman Ryan stated parts of it may. Mr. ~~Perry~~<sup>Ferree</sup> stated the good part about forced hot air is, where you have your central air already into the units and you have 200 people in the community center that's a lot of heat and if you have radiant floor heat it's hard to control that. He thinks the forced hot air is more controllable for the assembly areas and a little bit cheaper than radiant. They can do a 2000-gallon tank, emergency generator. So, it's self-efficient in case the power goes out.

Councilman John Thomas asked what kind of generator they would get. Because the Generac is nothing but trouble. It has well over a million complaints and they are all the same thing. It was suggested to get a Kohler because they don't have complaints. Mr. ~~Perry~~<sup>Ferree</sup> stated for commercials they try to use Kohler. Mr. Suozzo asked what the board thought about solar panels, if they considered using solar panels. Councilman John Thomas stated they talked about it but never made a move yet. Councilman Coletti asked if there is a lot of funding for solar. Supervisor Thomas stated some. Supervisor Thomas asked if you are talking solar for heating and for water. Mr. ~~Perry~~<sup>Ferree</sup> stated they can do it for lights. Councilwoman Ryan asked if it would on the roof or in the field. Mr. Suozzo stated his preference would be on the field. Mr. ~~Perry~~<sup>Ferree</sup> stated he prefers the one on the stand that follows the sun. The ones on the roof are ok until you have to replace the roof or something and the snow builds up behind them, it should last 50 years. They left the plans with Supervisor Thomas. Councilman John Thomas asked if we would have to do a geological survey on this because of the building code. Mr. ~~Perry~~<sup>Ferree</sup> stated they do need to do soils. Mr. Suozzo stated you guys live here and you know the soil is kind of homogeneous, they don't have to do every foundation to do a blow count, but they have to figure out the bearing capacity of the soil. So, they calculate all the load being put on those foundations. Supervisor Thomas stated the next step is to take whatever proposal to construction draws.

Mr. ~~Perry~~<sup>Ferree</sup> stated what will happen next is, the board looks at all the options and whatever options you choose, if you want to make changes to it he will make it and then he will get to a point where everybody is happy and the Supervisor signs off on it and then from that point that's where their contract will start. So, if you make a change on the options, they will charge extra during construction documents because they will have to redo some engineering calculations. Mr. Suozzo stated but if you get all dialed in beforehand and it doesn't change then there's no extra charge. Mr. ~~Perry~~<sup>Ferree</sup> isn't talking about if you want to move a door or a wall like three feet. Councilwoman Ryan asked if you want to take the porch idea from Option 5 and put it like on Option 1 will that be different. Mr. ~~Perry~~<sup>Ferree</sup> stated no. At this point you can interchange anything you want. Mr. Suozzo stated financing for this one, this isn't through Wayne LaMothe or the Department of State. Supervisor Thomas stated no. They had \$40,000.00 to do this, the concept. Mr. ~~Perry~~<sup>Ferree</sup> stated \$45,000.00. Mr. Suozzo stated he thinks this is going to be a tight one. Why he brings this up is it has the public component, 30-day notification and the whole everything. This is not in the hamlet so lighting becomes an issue, APA requirements, SEQR, etc. Mr. ~~Perry~~<sup>Ferree</sup> stated the cost does not reflect the parking lot lighting and the graveled parking lot. Supervisor Thomas stated the library is involved in this also.

Councilman Coletti stated he liked the idea with the bridge away from the dam. 25 feet isn't that far. Councilman John Thomas stated it is a good idea because if they have to do any work on the dam abutments they are not anywhere near the bridge.

#### Economic Growth and Development and Higher Education:

Supervisor Thomas stated that Mike Wild, Supervisor in the Town of Queensbury and is also Chairman of the Economic Growth and Development and Higher Education Committee. Supervisor Thomas stated he gave him a project to do at the first of the month to have the county come up with strategic economic plan to identify some industries that we can attract and one of the steps he wants to do is listen to what the towns wants or needs are and ask questions. Supervisor Wild stated it's a listening tour. He represents Queensbury, but he is one of four at-large people that serves the county. Supervisor Wild stated when the Supervisor asked him to do this the first thing he thought was, this is a pretty big job to do this. He really needs to understand what Economic Development is, not only what it is but what it means to the Board. He sees there is three distinct regions in the county. There's the uptown, that's over here, there's the Lake George Basin, then you have Queensbury and Glens Falls. Each have different needs, assets and capabilities that drove him to come up here and talk to the Board. He has spoken to people in Johnsbury. One of the things he also did was attend a conference in Albany about Economic Development and there was approximately 150-200 people there. All doing Economic Development for different towns, county and villages across the State and what he took out of that was, there was a lot of competition for them to get people. But through the discussions that they had and they had a number of sessions, people talking about Economic Development, how to do it and what for. One of the things that stuck him was one discussion about what is Economic Development and what he took away was, Economic Development is really what successful development really matches with the communities, what they are looking for, not necessarily the town but the community.

From the floor:

Mr. Plew stated water and sewer is what you need. He thought about doing something with the store, but you open a can of worms. You buy that (Floyds Mall) because of where the septic is for that place. It was like no septic; it's tied into the house next door. Councilman John Thomas agreed. Mr. Plew stated it's a can of worms, where if you had water and sewer, you can come in and plop a building somewhere between the lots. As long as you have water and sewer, it's a big. You may be able to put something in but without that. Supervisor Thomas stated it make everybody's property more valuable. Mr. Plew stated the Hamlet, everything is so close it's probably against regulations anyway. Without water and sewer its hard to bring anybody. Water and sewer, that would be super.

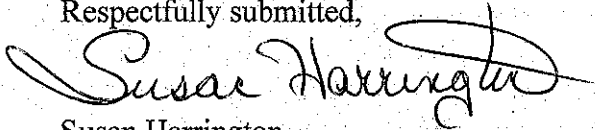
A motion was made by Councilman Coletti seconded by Councilwoman Ryan to adjourn the regular meeting at 8:39 PM and to open Settlement Day for the Supervisors, Town Justice, Town Clerk and Tax Collector books to be reviewed by the Town Board and public. All in favor, motion carried.

The Town Board found all the Town Officials books to be in order.

050-20. A resolution was made by Councilwoman Ryan seconded by Councilman Coletti on February 18, 2020 in compliance with Section 20 19a of the Uniform Justice Court Act the Stony Creek Town Board conducted the required examination and audit of the Town Courts Records and found them to be in order and complete. Roll call vote, all in favor.

A motion was made by Councilman Coletti seconded by Councilman John Thomas to adjourn Settlement Day at 8:47 PM. All in favor, motion carried.

Respectfully submitted,



Susan Harrington  
Town Clerk



## Adirondack Park Agency

**ANDREW M. CUOMO**  
Governor

**TERRY MARTINO**  
Executive Director

March 16, 2020

Frank Thomas, Supervisor  
Town of Stony Creek  
52 Hadley Road  
Stony Creek, NY 12878

Dear Mr. Thomas:

**RE: J2019-367B and J2020-0140**  
**Owner: Town of Stony Creek**  
**Town of Stony Creek, Warren County**  
**Tax Map Designation: 246-1-50 and 56**

By letter J2019-0367A we informed you that your proposed installation of a pedestrian bridge adjacent to the existing bridge would not require a permit or variance from the Agency. You have since revised the proposal and we can now advise that the proposed pedestrian bridge in a new location as described in the materials submitted on February 21, 2020 requires a variance from this Agency.

A variance is required from the Agency for the project as proposed, as the project does not comply with the shoreline restrictions set forth in §806 of the Adirondack Park Agency Act. Please note that requests for variances go before the Agency Board; the burden is on the applicant to submit sufficient information for the Board to make its decision. Enclosed is a document that helps to explain the Agency's variance process.

Also enclosed is a Shoreline Restrictions flyer. This flyer helps to explain activities that comply with the Agency's shoreline restrictions and therefore may be undertaken without a variance.

If you redesign your proposal so that it complies with the Agency's shoreline restrictions, please contact us for a revised determination. If you would instead prefer to apply for a variance for the current proposal, please contact the Regulatory Programs Division at the telephone number listed below for further information.

We received your Jurisdictional Inquiry Form on March 3, 2020 requesting a jurisdictional determination regarding your proposal to construct a new public use structure.

Frank Thomas, Supervisor  
March 16, 2020  
Page 2

A permit is required from the Agency for the project proposed.

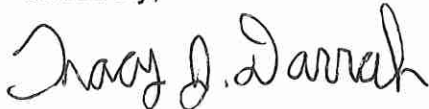
Pursuant to §810 of the Adirondack Park Agency Act new land use and development involving the construction of a public building constitutes a Class B project, and thus requires a permit from the Agency.

Please be aware that there may be additional reasons for Agency jurisdiction over the proposed project. No portion of the project may be started or undertaken<sup>1</sup> unless and until the required Agency permit has been obtained.

Enclosed you will find the appropriate permit application; please note that when completing the application, it is not necessary to duplicate any information already submitted to the Agency.

If you have any questions, please feel free to contact the Agency. Thank you for your cooperation.

Sincerely,



Tracy J. Darrah  
Project Administrator

TJD:DWM:mp

Enclosures: Variance Summary Guidance, Shoreline Restrictions flyer  
Application for Public Uses

cc: Cedarwood Engineering Services, PLLC (with attachments)  
Town of Stony Creek (via email)

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<sup>1</sup>"Undertaken" includes commencement of any part of the project including grading, clearing, excavation, or construction of a road, etc.



## Adirondack Park Agency

ANDREW M. CUOMO  
Governor

TERRY MARTINO  
Executive Director

Dear Applicant(s):

Thank you for contacting the Adirondack Park Agency regarding your variance request. The Adirondack Park Agency Act and Agency regulations implementing the NYS Wild, Scenic and Recreational Rivers System Act establish shoreline restrictions on lands associated with lakes, ponds, rivers, and streams. These laws set forth standards for protecting water quality and lands bordering waters of the Adirondack Park. A variance must be obtained from the Agency before undertaking any development activity that does not comply with these shoreline restrictions.

The standard for issuance of a variance is significantly higher than for issuance of an Agency permit, as a variance is a request to undertake development that is prohibited by the law. Staff's role is to guide applicants through the review process and to develop an objective and factual record on the variance request. Please see the Agency's Variance Process Summary for Applicants for additional information on the variance review process.

**Please note that the first step in the variance process should always be a site visit or pre-application meeting with Agency staff.** The site visit or meeting should occur even before submission of the application as they provide an opportunity for initial analysis of the proposal and potential alternatives that may eliminate the need for a variance. Meeting with staff will also aid in determining what information needs to be submitted should a variance be required.

Please contact the Agency's Regulatory Programs Division at the telephone number listed below to schedule a site visit or meeting, or if you have any questions concerning the variance application or process.

Sincerely,

Terry Martino  
Executive Director





**Adirondack  
Park Agency**

**ANDREW M. CUOMO**  
Governor

**TERRY MARTINO**  
Executive Director

## **VARIANCE PROCESS SUMMARY FOR APPLICANTS**

The Adirondack Park Agency Act and Agency regulations implementing the NYS Wild, Scenic and Recreational Rivers System Act establish shoreline restrictions on lands associated with lakes, ponds, rivers, and streams. A variance must be obtained from the Agency before undertaking any development activity that does not comply with these restrictions.

The goal of the Agency's variance review process is to gather the information necessary to decide whether a variance may be granted. In order to determine whether a variance request can be approved, the Agency must conduct a thorough analysis of the proposal, including any viable alternatives and the potential for impacts. Specifically, Agency regulations require consideration of the following for each proposal:

- Potential adverse consequences to the applicant resulting from denial of the variance;
- Whether the application requests the minimum variance necessary;
- Whether granting the variance will create substantial detriment to adjoining or nearby landowners;
- Whether the need for a variance can be avoided;
- How the need for a variance arose;
- Whether granting the variance will adversely affect water quality or natural, scenic, or open space resources; and
- Whether the inclusion of conditions in a variance order would limit or minimize any adverse impacts.

Agency staff's role is to assist the applicant in creating a record that will allow for a final decision based on analysis of the criteria listed above.

### ***THE VARIANCE APPLICATION PROCESS***

The first step in the variance process should always be a site visit or a pre-application meeting with staff. This site visit or meeting should occur even before an application is submitted, and will help determine what information needs to be submitted. Site visits and pre-application meetings may be scheduled by calling the Agency's Regulatory Programs Division.

The next step in the variance process is submission of an application to the Agency. Upon receipt of the application, Agency staff will review the information submitted, and may ask the applicant for additional information.

## ***THE VARIANCE HEARING PROCESS***

Agency regulations require a public hearing for each requested variance. Staff will publish a Notice of Variance Hearing in a local newspaper. The Notice of Variance Hearing will contain information about the requested variance and variance process, and list the hearing date and location. A copy of this notice will be mailed to the applicant, the property owner (if different than the applicant), landowners within 500 feet of the property, the Adirondack Local Government Review Board, the local planning board chairperson, and the town supervisor or village mayor. The hearing date will be at least 10 days from the date that the notice is published in the local newspaper. The Notice of Variance Hearing also establishes an official time period for the public to provide written comment on the variance request, although comments may be submitted at any point during the review process.

There are two types of public hearings the Agency may hold on a variance request. A hearing held under § 576.5 of Agency regulations is conducted either by an Agency staff member who is not involved in the review of the requested variance or an independent Administrative Law Judge. At the hearing, the applicant or their authorized representative will be asked to describe the variance request and explain how the request relates to the variance decision criteria. Agency staff may ask the applicant questions and may also present additional factual testimony and exhibits relating to the factors to be considered in the decision. The applicant may then ask Agency staff questions regarding their presentation. At the end of the hearing there will be an opportunity for any member of the public to make a statement regarding the variance proposal. The applicant will have the opportunity to respond to public comment, but is not required to do so.

A hearing conducted under § 576.6 of Agency regulations is held when the Deputy Director – Regulatory Programs intends to recommend approval of the variance and staff have no further questions. These “mini hearings” are run by the Project Review Officer, and in some cases the Agency’s Public Hearing Officer. The hearing is conducted solely to receive public comment. If new significant issues are raised during public comment, the Deputy Director – Regulatory Programs is required to schedule an additional hearing to address them.

All variance hearings are recorded and become part of the variance record.

## ***AGENCY BOARD ACTION ON THE VARIANCE REQUEST***

Most variance requests are decided by the Agency Board at a scheduled monthly meeting. In limited circumstances, the Board has delegated authority to the Deputy Director of Regulatory Programs to approve certain variance applications. In all cases, Agency action on the requested variance must occur within 45 days of the close of the hearing (generally the date of the hearing or close of public comment), unless a longer period of time is agreed to between Agency staff and the applicant. In most cases, Agency staff will prepare a written analysis of the variance request to the Agency Board. Agency staff may also use the written analysis to provide the Agency Board with a recommendation concerning the variance request, including a draft order granting or

denying the requested variance. The applicant will have an opportunity to submit a written response to staff's analysis and recommendation.

Prior to Agency Board consideration of the requested variance, Agency staff will send the information gathered through the application and hearing process to the Board, including hearing exhibits and a recording of the hearing, along with written public comments and any written statements from the applicant or Agency staff. The public may obtain copies of this information from the Agency through the Freedom of Information Law process.

The Agency Board considers and makes decisions on variance requests during its monthly meeting at the Agency's headquarters in Ray Brook, New York. The meeting and the Agency Board's deliberations concerning the requested variance are open to the public and can be viewed via webcast on the Agency's website at [www.apa.ny.gov](http://www.apa.ny.gov).

During the Agency meeting, the record for the requested variance is presented by Agency staff to the Agency Board's Regulatory Programs Committee. Committee members discuss the request, ask staff questions, and vote on a recommendation as to how the variance request should be decided. After the Committee meeting concludes, the full Agency Board convenes to consider and make a decision on the requested variance. Staff may be called upon again to present the record to the Agency Board and to respond to additional questions. The Agency Board then votes on whether to approve or deny the requested variance and will direct staff to issue an order consistent with its decision.

A copy of the Agency Board's Order will be sent to the applicant and to any other formal party to the hearing. The public may obtain copies of the Order pursuant to the Freedom of Information Law.

<p><b>ADIRONDACK PARK AGENCY</b>  <b>Division of</b>  <b>Regulatory Programs</b>          PO Box 99, 1133 NYS Route 86          Ray Brook, New York 12977          Telephone (518) 891-4050          www.apa.ny.gov</p>	 <p><b>NEW YORK</b>          STATE OF          OPPORTUNITY.</p> <p><b>Adirondack          Park Agency</b></p>	<p><b>APPLICATION FOR          PUBLIC USES</b></p>
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**Applicability:** This application is for an Adirondack Park Agency permit for a new or expanded public use, including any component building of a college, library, school, hospital, place of worship, museum, research center, rehabilitation center or similar facility, municipal facility or highway garage, fire station or community recreation facility.

**Instructions:** Please answer all of the questions in each numbered section and provide all applicable attachments. Type or print clearly in ink. **Submit three completed copies of this application and all required attachments to the Agency at the above address.** A site visit by Agency staff will also be required. The Agency may also request pertinent additional information based on the information contained in the application.

The Adirondack Park Agency Act provides that the time period for the review of this project will not begin until the Agency determines that the application is complete. If the application is not complete, a request for additional information will be issued within 15 days of receipt of the application, indicating which information is still required for a complete application. The proposed project may not be undertaken until an Agency permit has been issued.

**Assistance:** For assistance in completing this application or to request a pre-application meeting, please contact the Agency's Regulatory Programs division at the above address/telephone number and/or refer to the Agency's website.

<p><b>1. Project Sponsor(s)*:</b></p> <p>Name(s): _____</p> <p>Mailing Address: _____</p> <p>_____</p> <p>_____</p> <p>Telephone (Daytime): _____</p> <p>Fax/E-mail: _____</p>	<p><b>2. Current Property Owner(s)**: (if different than Project Sponsor)</b></p> <p>Name(s) _____</p> <p>Mailing Address: _____</p> <p>_____</p> <p>_____</p> <p>Telephone (Daytime): _____</p> <p>Fax/E-mail: _____</p>
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\* A project sponsor is a person having a legal interest in property who makes application to the Agency for the review of a project proposed on such property. Documentation demonstrating such legal interest must be provided, such as a current deed or purchase contract.

\*\* List all names on the current deed of record.

**3. Project Sponsor's Authorized Representative:**

By filling in the name and address below and signing this application, the project sponsor is authorizing the person named below to act as his/her agent in all matters relating to this permit application before the Adirondack Park Agency. The project sponsor acknowledges that all contact regarding the application will be through his/her Authorized Representative. The project sponsor is, however, ultimately responsible for the accuracy of the information contained in this application and for compliance with all terms and conditions of any permit issued to him/her by the Agency.

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone (daytime): \_\_\_\_\_ Fax/E-mail: \_\_\_\_\_

**4. Project Site Location/Identification** (a project site is generally considered to be all adjoining properties owned by the current landowner(s) including properties separated by a public road):

Road/Highway: \_\_\_\_\_  
Nearby Waterbody: \_\_\_\_\_  
Town(s): \_\_\_\_\_ County \_\_\_\_\_  
Size: \_\_\_\_\_ acres

Tax Map Designation (from the tax bill for the property):

Section: \_\_\_\_\_ Block: \_\_\_\_\_ Parcel: \_\_\_\_\_  
Section: \_\_\_\_\_ Block: \_\_\_\_\_ Parcel: \_\_\_\_\_  
Section: \_\_\_\_\_ Block: \_\_\_\_\_ Parcel: \_\_\_\_\_

**5. Project Sponsor's Legal Interest in Project Site** (check the one that applies):

owner       signed purchase agreement holder  
 lessee       option holder       other: (Identify: \_\_\_\_\_)

**6. Subdivision of Land:**

Will the project require the subdivision of land to create the building lot or building site?  
 No  
 Yes. If yes, please answer the following:

What is the size of all lots to be created?

Lot #1 \_\_\_\_\_ acres      Lot #2 \_\_\_\_\_ acres      \*Lot #3 \_\_\_\_\_ acres  
(\*May require separate application for 3 to 15 Lot Subdivisions)

**7. Prior Agency Contact:**

a) Has there been any previous contact or discussions with Agency staff regarding this project or project site, or has Agency staff visited the project site?  
 No  
 Yes. Staff person's name: \_\_\_\_\_  
Date of contact: \_\_\_\_\_

- b) Has the project or project site been the subject of a past Agency action (e.g., permit, variance, jurisdictional inquiry, enforcement case or wetland flagging)?  
\_\_\_\_\_ No  
\_\_\_\_\_ Yes. If yes, provide the number and date:

Permit/Variance/Order Number: \_\_\_\_\_ date: \_\_\_\_\_  
Jurisdictional Inquiry Number: \_\_\_\_\_ date: \_\_\_\_\_  
Enforcement Case Number: \_\_\_\_\_ date: \_\_\_\_\_  
Wetland Boundary Flagging\*: \_\_\_\_\_ date: \_\_\_\_\_

**\*If possible, seek consultation with Agency staff regarding the potential location of wetlands on the project site prior to submitting application form.**

## PROJECT PROPOSAL

### 8. Detailed Project Description:

- a) Provide a detailed written description of the intended activities or services to be provided:
- b) Provide a detailed written description of the major site development elements of the project (e.g., new building, parking for 32 cars):
- c) Provide a detailed written description of the need for the selected project design and describe what, if any alternatives were considered and the reasons for rejection of each alternative:

### 9. Operational Maintenance of the Site:

Identify who will be responsible for the operational maintenance of the proposed public use:

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_

### 10. Periods of Operation:

- a) Describe the hours, days of the week and seasons that you plan to operate your facility at the initial period of full operation:

- b) If you anticipate expanding your periods of operation within the next five years, please describe the probable future hours, days of the week and seasons that you may operate the facility:

**11. Planned Level of Activity at Full Operation:**

Complete the following table for anticipated numbers of customers/visitors at full operation.

Customers/Visitors	Spring	Summer	Fall	Winter
Maximum Number/Day				
Average Daily Total				
Season Total				

**12. Traffic:**

Complete the table for anticipated traffic at full operation during the busiest season.

Traffic	Monday to Friday	Saturday and Sunday
Peak Hours of Traffic		
Number of Cars/Trucks at Peak Period		
Number of Buses at Peak Period		

**13. Deliveries and Shipments:**

Will your facility be shipping or receiving any raw materials, supplies or other goods or products?

No

Yes. If yes, please answer the following questions:

- a) Type of materials, supplies or goods to be shipped/received: \_\_\_\_\_
- b) Type of shipping/delivery vehicles: \_\_\_\_\_
- c) Average number of deliveries per day: \_\_\_\_\_
- d) Hour of earliest delivery: \_\_\_\_\_
- e) Hour of latest delivery: \_\_\_\_\_
- f) Type and number of delivery vehicles that will stay on site overnight: \_\_\_\_\_
- g) Location on site where deliveries will be received: \_\_\_\_\_
- h) Location on site where deliveries will be stored: \_\_\_\_\_

**14. Project Employment and Other Benefits:**

- a) Construction: Describe the number of persons that will be employed in constructing the project and the average number of weeks workers will be employed:

Part-time \_\_\_\_\_ Avg. # Weeks \_\_\_\_\_  
Full-time \_\_\_\_\_ Avg. # Weeks \_\_\_\_\_

Please provide the anticipated payroll during construction: \_\_\_\_\_

- b) Operation/Occupancy: Describe the number of proposed part-time and full-time year-round and seasonal employees at full operation:

Year-round:

Part-time \_\_\_\_\_ Avg. # Weeks \_\_\_\_\_  
Full-time \_\_\_\_\_ Avg. # Weeks \_\_\_\_\_

Seasonal:

Part-time \_\_\_\_\_ Avg. # Weeks \_\_\_\_\_  
Full-time \_\_\_\_\_ Avg. # Weeks \_\_\_\_\_

Please provide the anticipated payroll at full operation/occupancy: \_\_\_\_\_

- c) Commercial, industrial, residential, recreational as well as other benefits may be derived by a project. For example, a new public use might provide benefits to the community by filling a need for specific goods or services not currently available, or by providing goods or services that support existing commercial uses. Please describe any potential benefits to be derived from the project including general service improvements to the community:

**15. Real Property Tax:**

- a) What is the current assessment of the project property? \$ \_\_\_\_\_
- b) Are any tax abatements proposed?  
\_\_\_\_ No  
\_\_\_\_ Yes

**16. Project Costs:**

Provide approximate cost estimates for the proposed project, including:

- a) site acquisition costs (if any): \_\_\_\_\_
- b) annual lease costs (if applicable): \_\_\_\_\_
- c) construction costs for site access and preparation, construction of principal buildings and associated accessory structures, parking areas, utilities, and other site development: \_\_\_\_\_
- d) annual maintenance and operation costs: \_\_\_\_\_



## 17. Site Plan Map:

A detailed, to-scale Site Plan Map is required for each public use application. The Site Plan Map may be combined with the survey or deed plot required by Section 33, as **Attachment D**. Site Plan Maps should be prepared by an appropriately qualified person to so act in the State (i.e., licensed surveyor, engineer, architect or landscape architect). The Site Plan Map is the best way to show what you propose to do on the project site.

Provide a Site Plan Map drawn to scale of one inch equals 20 or 40 feet, which is clearly labeled with the map scale, north arrow, date of preparation and name of preparer. Show and label all of the following within the proposed project limits for each area of proposed construction:

### a) Existing Conditions:

Natural resources, including all:

- 1) waterbodies, including ponds, rivers and permanent and intermittent streams;
- 2) wetlands (to be delineated by Agency staff or by trained professionals with review by Agency staff);
- 3) floodplain boundaries and elevation of the 100-year floodplain;
- 4) areas of bedrock at or near the surface;
- 5) boundaries of existing vegetation cover types (e.g., forested, field, agricultural);
- 6) topographic contours at 2-foot intervals;
- 7) natural swales and drainage features; and
- 8) any special plant or animal habitats contained on the NYSDEC Natural Heritage database.

Existing human-made resources, including all:

- 1) principal and accessory buildings (label size, use and materials);
- 2) retaining walls, fencing and other structures;
- 3) public roadways, bridges, railroads, and parking lots (label size and materials);
- 4) intersecting private roadways and driveways (label size and materials);
- 5) sidewalks, stairways and other pedestrian facilities (label size and materials);
- 6) boat docks, fishing piers and other waterfront facilities (label size and materials);
- 7) culverts, headwalls, ditches, settling basins and other stormwater management facilities (label size and materials);
- 8) overhead and underground public utilities located within the right-of-way (ROW);
- 9) guide rails and signs; and
- 10) property lines, lot lines and easement lines, and ROW lines of all municipal, county and State highways.

### b) Proposed Conditions, including all:

- 1) new principal and accessory buildings (label use, size, and materials);
- 2) retaining walls, fencing and other structures (label size and materials);
- 3) all new roadway and parking areas (label size and materials);
- 4) new sidewalks, stairways and other pedestrian facilities (label size and materials);
- 5) proposed property lines, lot lines, and easement lines;
- 6) construction limit lines;
- 7) grading limit lines and final grading shown at 2-foot intervals;
- 8) permanent stormwater management facilities (label size and materials);

- 9) new or re-located private and public utilities;
- 10) new guide rails and signs;
- 11) fuel and bulk chemical storage and dispensing facilities;
- 12) docks, bulkheads, piers and other waterfront facilities;
- 13) temporary access roads and work pads;
- 14) temporary stream diversions;
- 15) limits of vegetative cutting; and
- 16) new landscape development, limits of wetland fill and wetland mitigation areas.

**PROJECT DETAILS**

**18. Proposed Construction and Operation Dates:**

- a) Estimated Start of Construction Date: \_\_\_\_\_
- b) Estimated Construction Completion Date: \_\_\_\_\_
- c) Estimated Start of New or Expanded Public Use Date: \_\_\_\_\_

**19. Proposed Site Access:**

- a) Describe the location, type of material, and size of any proposed temporary construction access drives to the project site:

\_\_\_\_\_ No temporary access drives

- b) Describe the location, type of material, and size of any proposed permanent roads and driveways within the project site:

- c) Will the project require a highway work permit from county transportation departments or New York State Department of Transportation (NYSDOT)?

\_\_\_\_\_ No

\_\_\_\_\_ Yes. If yes, provide plans, details and specifications for all temporary and permanent roads and driveways. Attach a copy of the county or NYSDOT Highway Work Permit if one is required.

**20. Proposed Buildings and Structures:**

a) Are there buildings on the total contiguous landholding now owned by the present landowner?

No

Yes. If yes, provide the following information (attach additional sheets if necessary):

Date of Construction	Size (square feet)	Height (feet)	Type/Use (e.g., offices, classrooms, garage)

Describe any other structures which existed on the property as of August 1, 1973 which have since been removed or destroyed and their use (e.g., residential, commercial). Include the date that the structure was removed or destroyed:

Check if no buildings or structures have been removed or destroyed since August 1, 1973.

b) Will any buildings or other structures be demolished, replaced or constructed as part of this project?

No

Yes. If yes, describe:

c) Provide construction plans and details for all proposed public use, warehouse, storage and other accessory buildings; bulkheads, piers, docks or other waterfront facilities; or fencing, sidewalks, stairways or retaining walls that will be constructed as part of the project. Show plans and elevations and label dimensions, construction materials and exterior colors.

**21. Exterior Parking:**

a) Describe the number and location of *existing* vehicle, boat, trailer, or airplane parking spaces on the property:

b) Describe the number and location of all *proposed* vehicle, boat, trailer or airplane parking spaces:

- c) Show and label all existing and proposed parking areas on a separate parking plan or on the Site Plan Map. Provide construction plans and details for all parking areas.

**22. Proposed Outside Storage:**

Will the project involve outside storage of inoperable vehicles, construction materials, equipment, raw materials or finished goods after the project is constructed?

- No
- Yes. If yes, describe the type and location of materials or objects to be stored:

**23. Fuel Storage and Handling:**

Will the project involve the storage and dispensing of motor, heating, or jet fuels or bulk chemicals?

- No
- Yes. If yes, provide the following information:

- a) Describe the type, volume, method of storage (e.g., underground tank, aboveground tank) and location of all fuel and bulk chemical storage and dispensing facilities:
  
  
  
  
  
  
  
  
  
  
- b) Provide plans and details for all fuel storage and dispensing facilities. Show and label the facilities on the Site Plan Map. Provide a copy of the NYSDEC Tank Registration for each tank.

**24. Wastewater Treatment Systems:**

- a) Type of existing system:
  - None
  - Community
  - Municipal (Operating Entity) \_\_\_\_\_
  - Existing wastewater flows \_\_\_\_\_ gallons/day
  - Individual on-site system

Describe type and size of existing absorption area:

- b) Type of new, replacement or expanded wastewater treatment system:
  - None
  - Community
  - Municipal (Operating Entity) \_\_\_\_\_
  - Individual on-site system

Describe type and size of system:

- c) Provide detailed plans for any new, replacement or expanded wastewater treatment system(s) prepared by an engineer licensed in the State of New York. If an on-site system is proposed and unless otherwise instructed by Agency staff, show at a minimum:
  - 1) soils test pit location and data;
  - 2) percolation test hole location and results taken within the proposed absorption area(s);
  - 3) details on design of the system (application rate and number of bedrooms, etc.);
  - 4) size and type of septic tank;
  - 5) pumping station (if necessary);
  - 6) distribution box; and
  - 7) soil absorption system.

**25. Proposed Water Supply Systems:**

- a) Type of existing system:
  - None
  - Community
  - Municipal (Operating Entity) \_\_\_\_\_
  - Individual on-site system
  
- b) Type of new, replacement or expanded system:
  - None
  - Community
  - Municipal (Operating Entity) \_\_\_\_\_
  - Individual on-site system
  
- c) Show and label on the Site Plan Map, the location of any on-site well or, if a community or municipal system, the distribution piping.

**26. Other Public Utilities:**

- a) Type of other existing utilities:
  - Natural Gas (Operating Entity) \_\_\_\_\_
  - Electric (Operating Entity) \_\_\_\_\_
  - Telephone (Operating Entity) \_\_\_\_\_
  - Other (Operating Entity) \_\_\_\_\_
  
- b) Type of new, replacement or expanded system:
  - None
  - Type \_\_\_\_\_ (Operating Entity) \_\_\_\_\_
  - Type \_\_\_\_\_ (Operating Entity) \_\_\_\_\_
  
- c) Show and label on the Site Plan Map, all existing and proposed public utilities.

**27. Exterior Lighting:**

Will the project involve new exterior site lighting that will be freestanding or attached to existing or proposed buildings?

No

Yes. If yes, provide a Lighting Plan as follows:

- a) Show the location of and label all exterior light fixtures on the Site Plan Map or on a separate to-scale lighting or utility plan.
- b) Provide plan and elevation views and construction details of all freestanding light standards. Show the foundation, the light standard, the light fixtures, and any shielding that will restrict projected light from being seen off-site.
- c) Provide manufacturers specifications and details describing:
  - 1) the size, color, and type of light standards and light fixtures;
  - 2) bulb types and wattages;
  - 3) surface area lit by each light; and
  - 4) shields and reflectors.

**28. Exterior Signage:**

Will the project involve any new exterior signage?

No

Yes. If yes, provide a Sign Plan as follows (the sign plan must comply with 9 NYCRR Appendix Q-3 – Standards for Signs Associated with Projects):

- a) Show and label on the Site Plan Map, or on a separate Sign Plan, the number, location, and orientation of all exterior signs.
- b) Provide to-scale details and specifications for each proposed outdoor sign that includes at a minimum:
  - 1) width and height from ground surface to top of each sign;
  - 2) construction details and materials;
  - 3) proposed text, color scheme, logos or other graphics; and
  - 4) details of any raised foundations, planters or retaining walls.

**29. Proposed Landscape Development:**

Will the project involve landscape development (e.g., planting of trees and shrubs for screening, aesthetics or erosion control or establishment of turf areas)?

No

Yes. If yes, provide a Planting Plan as follows:

- a) Provide and label on the Site Plan Map or a separate plan the location of all proposed planting. Provide a keyed list that provides the species and common names, sizes, and whether the plants are nursery grown or field collected.  
(Note: The planting plan should only include native species or ornamental plants commonly found in the vicinity of the project site).

- b) Provide specification, typical planting details, and seed mixes for temporary and permanent grassed areas.
- c) Provide a plan for maintenance and care of all plantings during the initial period of establishment and during the post-construction warranty period.

**30. Use of Herbicides, Pesticides, Fertilizers, Sand and Salt:**

Will the operation of the project involve the use of herbicides, pesticides, fertilizers, sand or salt?

- No
- Yes. If yes, please provide the following information:

- a) Describe the type, proposed areas of use, storage and handling of all products:
  
- b) If using herbicides or pesticides, provide copies of all product labels.

**PROJECT SITE DOCUMENTATION**

**31. Deed(s):**

Provide, as **Attachment A**, a complete copy of the current recorded deed(s) for the project site containing the recording information. Copies are available from the County Clerk's Office. Also, if the project sponsor has an executed contract or agreement to purchase or lease the project site, please provide a copy in order to establish the sponsor's legal interest in the project site. (The purchase price and other confidential information may be blackened out.)

**32. Adjacent Properties:**

Provide, as **Attachment B**, a complete and current list of the names and addresses of all landowners whose property adjoins the project site with the tax map references (tax map section, block, and parcel numbers) based on the latest completed tax assessment roll. This list must include landowners whose property would otherwise adjoin the project site but is located across a public road or right-of-way from the site. Attached is a sheet which should be used to provide the required list of adjoining landowners. (This information is typically available from the Real Property Tax Services at County Offices or from the Town/Village assessors.)

**33. Project Site History:**

As part of its review of the project, Agency staff must understand the history of the project site. If the project site was part of a larger parcel on May 22, 1973 (the enactment date of the Adirondack Park Agency Land Use and Development Plan), the exact property boundaries of the larger parcel and the size of all buildings on that date must be established.

- a) State the current acreage of all connected lands owned by the current landowner, even if the parcels have different deeds and/or tax map numbers and even if they are larger than the project site: \_\_\_\_\_ acres

b) As of May 22, 1973, did the owner at that time own any adjoining property, including properties on the opposite sides of public roads?

No

Yes. If yes, provide the Tax Map References of these adjoining properties:

Section: \_\_\_\_\_ Block: \_\_\_\_\_ Parcel: \_\_\_\_\_

Section: \_\_\_\_\_ Block: \_\_\_\_\_ Parcel: \_\_\_\_\_

Section: \_\_\_\_\_ Block: \_\_\_\_\_ Parcel: \_\_\_\_\_

c) Has any portion of the total as it existed on May 22, 1973 been conveyed, sold, given away or otherwise subdivided since that date?

No

Yes. If yes, provide the following information for those lots or parcels (Use a separate 8-1/2" x 11" sheet of paper if necessary):

Lot Number (from current tax map)	Date of Conveyance	Lot Size (sq. ft. or acres)	Was Conveyance by Gift or Sale?

Provide, as **Attachment C**, a complete copy of all recorded deeds (not just abstracts) for the above conveyances back through May 22, 1973.

Provide, as **Attachment D**, a full scale copy of a survey map or the current real property tax map clearly showing the property boundaries of the project site and any tax parcel or lot that the project site was part of on May 22, 1973.

**34. Deed Restrictions and Easements:**

Describe and provide, as **Attachment E**, any current deed restrictions or easements associated with the project site.

Attach, as **Attachment F**, any proposed deed language that will restrict further subdivision or development on the project site and any other proposed deed restrictions or easements.

**PROJECT SITE RESOURCES**

**35. Historic Resources:**

Does the project site have any buildings that are more than 50 years old, or does the project site or surrounding area contain any structures or districts which are listed or deemed eligible to be listed on the State or National Register of Historic Places or does the project site involve any known archeological resources?

No

Yes to any of the above criteria



If yes, provide a location map, project description, site plan map, and recent photographs keyed to the location map, which the Agency will then submit to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) as part of consultation required by the State Historic Preservation Act. Please be advised that the Agency cannot deem an application as complete until the OPRHP's determination and/or recommendations for historic resource impact mitigation have been provided to the Agency.

**36. Character of the Area/Adjoining Land Uses:**

Describe the natural and human made character of the nearby and adjoining land uses including the type and density of existing commercial, industrial and residential development, roads, State lands, and public recreation /open space recreational facilities (e.g., hiking trails, boat launches):

**37. Shoreline:**

Shoreline means that line at which land adjoins waters of lakes or ponds or navigable (by boat or canoe) rivers and streams. There are minimum shoreline vegetation cutting restrictions, lot width, structure setbacks, sewage disposal system setback and shoreline access requirements under the Adirondack Park Agency Act and regulations implementing the NYS Wild, Scenic and Recreational Rivers System Act. These shoreline protection standards are measured from the mean high water mark (MHWM - the average of the annual high water levels). Please contact Agency staff for requirements. If the project site has shoreline and you propose construction of any kind within 100 feet of the shoreline (150 feet for Recreational Rivers, 250 feet for Scenic Rivers), the MHWM will have to be established and shown on a site plan map in order to have a complete application. At the project sponsor's request, Agency staff will determine the MHWM at the project site or you can have the determination made by a NYS licensed land surveyor. If you are unsure of navigability, please contact Agency staff.

- a) Does the project site contain any navigable water?  
 No (If no, go to Section 38-Wetlands)  
 Yes. Name of water body: \_\_\_\_\_  
Length of shoreline on the project site (as it winds and turns): \_\_\_\_\_ feet
  
- b) Is any portion of the shoreline currently being used or proposed for use by others for deeded or contractual access to the water body?  
 No  
 Yes. If yes, identify and describe all shoreline access parcels, the number of lots having access to each parcel and the dates access was granted. Also, please provide a complete copy of all deeds for all properties which have been granted access to the water body via a shoreline access parcel:

- c) Will any vegetation be cut or removed within 35 feet of a lake or pond or navigable river or stream or within 100 feet of a designated NYS Wild, Scenic or Recreational River? (If you are uncertain whether the shoreline is along a designated river, check on the Adirondack Park Land Use and Development Plan Map, or the APA Regulations Appendix Q-6, or contact Agency staff.)

No

Yes. If yes, describe type, amount and location of vegetation to be removed:

### 38. Wetlands:

Are there any wetlands on the project site?

No (If no, go to Section 39-Visual Impacts)

Yes. If yes, answer the following questions. The wetland boundaries as delineated and/or confirmed by Agency staff must be shown and labeled on the Site Plan Map.

- a) Are any of the activities listed below proposed to occur within the boundaries of a freshwater wetland?

No

Yes. If yes, check all that apply:

Draining; dredging; excavation; removing soil, peat, muck, sand, shells or gravel

Dumping or filling with soil, stone, sand, gravel, mud, or fill of any kind

Erecting structures, building roads or driveways, driving pilings, or placing any other obstructions

Clearcutting of more than three acres: state number of acres \_\_\_\_\_

Applying pesticides or fertilizers

Constructing a wastewater treatment system or discharging a sewer outfall

If yes, please also provide a detailed written description of the measures taken to avoid or minimize wetland impacts:

- b) Will the project result in the temporary or permanent loss of any wetland acreage by filling or draining?

No

Yes. If yes, amount of acreage to be lost: \_\_\_\_\_ square feet.

- c) Will any of the activities listed below occur within 100 feet of a wetland?

No

Yes. If yes, check all that apply:

Constructing a wastewater treatment leaching or absorption facility

Applying pesticides

Conducting other activities that could impair the functions or benefits derived from wetlands, including any diversion of water or change in hydrology, or substantial increase erosion or sedimentation.

If “Yes” was checked for any of the questions in this section, a compensatory wetland mitigation plan prepared in accordance with the “New York State Adirondack Park Agency Compensatory Mitigation Guidelines” may be required. A copy of these guidelines is available on the Agency’s website ([www.apa.ny.gov](http://www.apa.ny.gov)) or upon request.

**39. Visual Impacts:**

Will the project involve a building, tower or other structure greater than 40 feet in height?

No (If no, go to Section 40 – Erosion and Sediment Control Plan)

Yes. If yes, will the building, tower or other structure be visible from public roads, or publicly accessible open space or recreational facilities (e.g., hiking trails, parks, canoe routes)?

No

Yes. If yes, Agency staff may direct that you prepare a “Visual Resource Assessment” report that identifies:

- a) key viewpoints from publicly accessible areas;
- b) key viewer groups; and
- c) the type, distance and duration of the view.

You will also be asked to describe efforts to mitigate adverse visual impacts and may be required to prepare visual simulations showing how the proposed building or structure will appear after construction from selected viewpoints.

**40. Erosion and Sediment Control Plan:**

Will the project involve clearing, grading, grubbing or excavation?

No

Yes. If yes, provide an Erosion and Sediment Control Plan. The plan shall apply to all on-site and off-site construction work areas, staging areas, on-site or off-site detours, borrow areas, and wetland mitigation sites.

- a) Provide and label all temporary and permanent erosion and sediment control practices, including but not limited to silt fence, turbidity curtains, diversion structures, seeding, soil stabilization fabrics, and stone fill. Label the plan to show the type, size, and length of these measures.
- b) Provide and label typical details, special notes and specifications for all stormwater management and erosion and sediment control facilities and practices. Describe installation and maintenance requirements. Typical details shall show the type, size, materials, and installation methods.
- c) Identify temporary practices that will be converted to permanent facilities.
- d) Provide an implementation schedule for staging temporary erosion and sediment control practices, including the timing of initial placement and the duration each practice is to remain in place.

**41. Stormwater Management Plans:**

Will the project involve a cumulative disturbance of one or more acres of land area by clearing, grading, grubbing or excavation or does the project involve a stormwater discharge to Waters of the United States?

\_\_\_\_\_ No

\_\_\_\_\_ Yes. If yes, you may be required to obtain coverage under the NYSDEC Stormwater General Permit. Provide the Agency with a copy your Stormwater Management Plan required pursuant to the general permit.

**42. Construction Staging Areas:**

a) Describe (and show on the Site Plan Map) the location and proposed use of all on-site and off-site construction staging areas (e.g., for field office, equipment and materials storage, batch plants) for the project:

b) Describe how the staging areas will be restored after construction completion:

If the staging areas will be out of the right-of-way, provide tax map parcel numbers for each involved parcel:

Landowner Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Staging Area Site Location:

Street Address: \_\_\_\_\_ Town: \_\_\_\_\_ County: \_\_\_\_\_

Tax Map No: \_\_\_\_\_

Telephone Number (daytime): \_\_\_\_\_

**43. Solid Waste Disposal:**

Describe the type, estimated quantities, methods of disposal and on-site and off-site disposal locations of all waste materials generated from the project.

Type of Waste Material	Estimated Quantity	Disposal Method	Disposal Location
Trees, stumps and other grubbed materials			
Unsuitable and excavated existing soils			
Construction and demolition debris			
Asbestos, paint chips and other hazardous substances			

If waste disposal will occur off-site, provide the following information for each involved parcel. Please note that a separate permit may be required for each off-site waste area.

Landowner Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Staging Area Site Location:  
 Street Address: \_\_\_\_\_ Town: \_\_\_\_\_ County: \_\_\_\_\_  
 Tax Map No: \_\_\_\_\_  
 Telephone Number (daytime): \_\_\_\_\_

**44. Other Regulatory Permits and Approvals:**

The Agency cannot approve a project which has been denied a permit or which is a prohibited use under local zoning requirements and other local laws or ordinances. The Agency will also recognize community goals expressed in a formally adopted land use plan. The project should be designed to the regulatory requirements of other involved agencies.

- a) Local Government Notice Form:  
 Provide, as **Attachment G**, a completed copy of the enclosed Local Government Notice Form to the municipality in which your project is located. Have it filled out and signed by an appropriate official (e.g., Zoning Administrator, Planning Board Chairman or Supervisor, if no Zoning Administrator or Planning Board Chairman) and return it with the project application. Please read the form for instructions.
- b) Municipal Approval Documents:  
 If local approval has been obtained for the proposed project, then provide, as **Attachment H**, documentation (e.g., permit, site plan approval or final subdivision plat) to the Agency which confirms that the project has been approved pursuant to all applicable town and county laws including any necessary approvals from the planning and zoning boards. Also, please provide a copy of the relevant minutes of all local meetings at which the project has been discussed. (This last request is continuous; the information should be provided to the Agency as it becomes available.)
- c) State and Federal Agency Contacts:  
 Complete the following and indicate whether any of the following agencies or departments have been contacted. Your APA application may remain incomplete until all state agency applications are complete, to allow a coordinated review.

Agency	No	Yes	Date	Contact Person & Phone Number
NYS Department of Health				
NYS Department of Transportation				
NYS Department of Environmental Conservation				
NYS Office of Parks, Recreation and Historic Preservation				
NYS Department of Law				
US Army Corps of Engineers				
Lake George Park Commission				
Other				

- d) State and Federal Permits, Approvals and Determinations:  
 Provide, as **Attachment I**, copies of all permits, approvals and determinations received from the above agencies.

**45. Required Signatures:**

I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED IN THIS APPLICATION, INCLUDING ALL ATTACHMENTS. I BELIEVE THIS INFORMATION TO BE TRUE, ACCURATE AND COMPLETE. IN ADDITION, IN THE CASE OF ANY PROJECT SPONSOR, CORPORATION, LIMITED LIABILITY CORPORATION, PARTNERSHIP OR OTHER LEGAL ENTITY, I ALSO AFFIRM THAT I AM AUTHORIZED TO SUBMIT THIS APPLICATION ON BEHALF OF THAT ENTITY.

I HEREBY AUTHORIZE THE ADIRONDACK PARK AGENCY AND MEMBERS OF ITS STAFF TO ENTER ON THE PROPERTY DESCRIBED HEREIN FOR THE PURPOSES OF CONDUCTING SUCH INVESTIGATIONS, EXAMINATIONS, TESTS AND SITE EVALUATIONS AS IT DEEMS NECESSARY, AT REASONABLE TIMES AND WITH ADVANCE NOTICE WHERE POSSIBLE, TO VERIFY INFORMATION CONTAINED IN OR RELATED TO THIS APPLICATION FOR A PROJECT PERMIT.

**Signature of all Project Sponsors:** (if not the landowners)  
 (Required for all applications)

_____	_____	_____
_____	_____	_____
<b>Signature</b>	<b>Print Name/Title</b>	<b>Date</b>

**Signature(s) of all Landowner(s) from current deed:**  
 (Required for all applications)

_____	_____	_____
_____	_____	_____
<b>Signature</b>	<b>Print Name</b>	<b>Date</b>

**Signature of Authorized Representative:**  
 (Required if designated in Section 3 of this application)

_____	_____	_____
<b>Signature</b>	<b>Print Name</b>	<b>Date</b>

## Attachment B

Provide names, mailing addresses, and tax map references (tax map, block and parcels numbers) for all landowners with property adjoining the project site, including property across public roads and rights-of-way.

Example: 155-1-27 Mr. John Doe Main Street Jay, New York 12941		