

PERMIT WRITING FORM – P2022-0163

Assigned EPS: **T. Fravor, A. Ziemann** Reviewed by: [Click or tap here to enter text.](#) Date: [Click or tap to enter a date.](#)

APPLICANT

Project Sponsor(s): **Lyme Timber Company**
Landowner(s): **Lyme Adirondack Timberlands II, LLC**
Authorized Representative: **Sean Ross**

PROJECT SITE

Town/Village: **Lake Pleasant County: Hamilton**
Road and/or Water Body: **Perkins Clearing Road, Mud Lake Road**
Tax Map #(s): **104.000-1-1.100**
Deed Ref: [Click or tap here to enter text.](#)

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

Project Site Size: **824± acres**

☐ Same as Tax Map #(s) identified above

☐ Only the ☐H ☐MIU ☐LIU ☐RU ☐RM ☐IU portion of the Tax Map #(s) identified above

☒ Other (describe): **824 acres within 14,379-acre Perkins Clearing Tract**

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

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

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

PROJECT DESCRIPTION

Timber harvest of 824 acres within Lyme Timber Company's 14,379-acre Perkins Clearing Tract, consisting of two treatment areas: a) 103-acre free thinning harvest to focus growth on future crop trees, and; b) 721-acre shelter wood removal harvest, with reserves, to release a young age class of healthy, desirable species

JURISDICTION (including legal citation)

The project requires an Agency permit pursuant to Section 810 (1)(e)(11) of the Adirondack Park Agency Act [Executive Law, Article 27] and 9 NYCRR Section 573.7 of the Adirondack Park Agency Rules and Regulations because it involves timber harvesting that includes a proposed clearcutting of a single unit of land more than 25 acres in size on lands classified as Resource Management.

PRIOR PERMITS / SETTLEMENT AGREEMENTS BEING SUPERSEDED

NONE

FINDINGS OF FACT – ENVIRONMENTAL SETTING

Lakes, Ponds, Navigable Rivers and Streams

Check if none ☒

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

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

MHWM determ: ☐Y ☐N

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

Meets standard: ☐Y ☐N

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

Meets standard: ☐Y ☐N

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

Meets standard: ☐Y ☐N

☐Y ☐N Cutting proposed within 6 ft of MHWM?

If Yes, < 30% vegetation? ☐Y ☐N

☐Y ☐N Cutting proposed within 35 ft of MHWM?

If Yes, < 30% trees 6" dbh? ☐Y ☐N

☐Y ☐N Cutting proposed within 100 ft of river area? (If Yes, include under jurisdiction)

Non-Navigable Streams in proximity to development

Check if none ☒

☐Permanent Stream

☐Intermittent Stream

Classified? ☐Y

☐N

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

Wetlands

☒Y ☐N Jurisdictional wetland on property, or

☐Y ☒N Wetlands are a basis of development jurisdiction ☐ If Yes, RASS biologist consulted

→ If Y, covertype: [Click or tap here to enter text.](#)

→ If Y, value rating: [Click or tap here to enter text.](#)

☐Y ☐N Draining, dredging, excavation of wetland

Area of wetland loss: [Click or tap here to enter text.](#) Permanent? ☐Y ☐N

☐Y ☐N Fill/structure in wetlands

Fill/structure area: [Click or tap here to enter text.](#)

☐Y ☐N Shading of wetland

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

☐Y ☐N Clearcutting >3 acres of wetland *RASS forester consulted

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

☐Y ☐N Untreated stormwater discharge into wetland

☐Y ☐N Pollution discharge into wetland

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

☐Y ☐N Pesticide/Herbicide application in wetland

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

Ecological / Wildlife

☐Y ☒N Natural Heritage Sites/listed species or habitat present, including bat

☒Y ☐N Forest management plan existing or proposed ☒ If Yes, RASS forestry analyst consulted

☐Y ☒N Biological Survey required by RASS Biologist 2 or Supervisor ☐ If Yes, completed

Special Districts

☐Y ☒N Agricultural District

Slopes

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

Existing slope range: 0-25% Building area(s) if authorizing development: [Click or tap here to enter text.](#)

Soils

☐Y ☐N Deep-hole test pit completed? (Necessary for every building lot)

Check if N/A ☒

☐ If Yes, soil data information determined or approved by RASS soil analyst?
NRCS Mapped Soil Series or Other Comments: [Click or tap here to enter text.](#)

Stormwater

☐Y ☐N Greater than 1 acre disturbance, or
☐Y ☐N Proposed ground disturbance < 100 feet from wetlands
☐ If Yes, stormwater management reviewed and approved by RASS engineer
Setback to wetlands: [Click or tap here to enter text.](#)

Character of Area

Nearby (include all): ☐Residential ☐Commercial ☐Industrial ☐Agricultural ☒Forested

Adjoining Land Uses / State Land: [Click or tap here to enter text.](#)

Is nearby development visible from road? ☐Y ☒N

→ If Y, name road and describe visible development: [Click or tap here to enter text.](#)

Additional Existing Development (ex: dam on site, etc.): [Click or tap here to enter text.](#)

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

FINDINGS OF FACT – COORDINATED REVIEW

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

PERMIT CONDITIONS AND IMPACT ANALYSIS

Merger

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

Deed Covenant

Non-building lot being created? ☐ Y ☒ N

If Yes and lot is not being merged by condition, no PBs? Or no structures at all? Justification: [Click or tap here to enter text.](#)

Easement

Easement proposed or required? ☐ Y ☒ N

If Y, consult with Legal for conditions. Justification: [Click or tap here to enter text.](#)

Construction Location and Size (may be different for each subdivision lot)

Is new development (other than oswts) being authorized without further Agency review? ☐Y ☒N

→ If Y: Structure height limit and justification: [Click or tap here to enter text.](#)

Structure footprint limit and justification: [Click or tap here to enter text.](#)

→ If N:

→ Acceptable development sites identified for all subdivision lots with PB allocation? ☐Y ☐N

→ Review of future development required? ☐Y ☐N

→ If Y, justification: [Click or tap here to enter text.](#)

Guest Cottages (if authorizing a dwelling)

Proposed and reviewed? ☐Y ☐N

If N, guest cottages potentially allowed? ☐Y ☐N

→ Justification for any conditions: [Click or tap here to enter text.](#)

Boathouses (if project site contains shoreline)

Proposed and reviewed? ☐Y ☐N

If N, boathouses potentially allowed? ☐Y ☐N

→ If N, justification: [Click or tap here to enter text.](#)

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

→ If Y, justification: [Click or tap here to enter text.](#)

Docks (if project site contains shoreline)

Proposed and reviewed? ☐Y ☐N

If N, docks potentially allowed? ☐Y ☐N

→ If N, justification: [Click or tap here to enter text.](#)

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

→ If Y, justification: [Click or tap here to enter text.](#)

Outdoor Lighting (if authorizing development)

Plan proposed and reviewed? ☐Y ☐N

Building Color (if authorizing development)

If color condition required, justification: [Click or tap here to enter text.](#)

Tree Cutting / Vegetation Removal

Town with Northern Long-Eared Bat occurrences? ☐Y ☒N

Indiana Bat habitat indicated on Lookup? ☐Y ☒N

Vegetative cutting restrictions required? ☒Y ☐N

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

☐within [Click or tap here to enter text.](#) feet of limits of clearing

☐within [Click or tap here to enter text.](#) feet of road

☐within [Click or tap here to enter text.](#) feet of river/lake/etc

☐within [Click or tap here to enter text.](#) feet of wetlands

☒Other: [As proposed in Timber Harvest Plan](#)

OR ☐on entire site outside limits of clearing

Extent of cutting restriction necessary within the area noted above:

- ☐ Cutting of all vegetation prohibited
- ☐ Cutting of trees of [Click or tap here to enter text.](#) diameter dbh prohibited
- ☐ Other: [Click or tap here to enter text.](#)

Justification: Vegetative cutting will be undertaken in compliance with the approved harvest plan, incorporating standards of the forest management plan and NYS Best Management Practices for water quality. The project site is situated within 14,379 acres of actively managed industrial timberlands and will not be visible from offsite locations. The proposed harvest is consistent with Lyme's landscape-scale management goal, as described in the Forest Management Plan, to establish 5% young forest on each of its management tracts. The purpose of this goal is to create and maintain a mosaic of available habitats across the forested landscape to ensure existence of suitable habitat for both early and late successional dependent species. In addition to the 5% goal, the Forest Management Plan states that Lyme's forest managers strive to increase stands of shade intolerant pioneer species hardwoods, an important compositional feature of wildlife and species diversity under-represented in Adirondack forests. The proposed retention of cavity, nest and den trees as well as standing snags will provide habitat for nesting birds, small mammals and insects. Buffers to wetlands and waterbodies created by the delineated boundary, as well as Lyme's standard 100-foot Riparian Management Zone adjacent to wetlands, will ensure that a minimally disturbed zone for wildlife access is maintained. Potential erosion impacts will be mitigated by application of the NYS Forestry Best Management Practices for Water Quality, as well as Lyme's soil disturbance guidelines in the establishment of skidder trails. Extensive rutting from machinery activity is unlikely given the generally well-drained soils on the project site and avoidance of wetland areas in establishment of the harvest boundary and buffer zones. The stumps of removed trees will remain in place, providing soil retention and runoff protection.

Plantings

Plan proposed and reviewed? ☐Y ☒N

If N, plantings required? ☐Y ☒N

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

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

Density (may be different for each subdivision lot)

Located in Town with ALLUP? ☐Y ☒N

(If Y, STOP, Town oversees density.)

Authorizing PB on substandard-sized lot created pre-2000 with no permit? ☐Y ☒N

If N and N, list existing PBs, including whether they are pre-existing/year built: [Click or tap here to enter text.](#)

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

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

Wastewater (if authorizing construction of a new PB without further review)

Municipal system connection approved?

☐Y ☐N

Community system connection approved by RASS?

☐Y ☐N

Proposed on-site system designed by engineer and approved by RASS?

☐Y ☐N

If N, has RASS field-verified location for conventional standard trench system?

☐Y ☐N

If N, has RASS field-verified location for conventional shallow trench system?

☐Y ☐N

Suitable 100% replacement area confirmed for existing / proposed system?

☐Y ☐N

Consult with RASS for additional conditions.

Stormwater Management (if authorizing development)

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

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

Erosion and Sediment Control (if authorizing development)

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

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

Infrastructure Construction (if authorizing development)

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

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

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

Explain why no condition is needed: [Click or tap here to enter text.](#)

Additional Site / Project-Specific Concerns / Conditions Needed

4. Authorization for the proposal described herein shall only remain valid so long as the permittee maintains a current Forest Stewardship Council or Sustainable Forestry Initiative Certification.

5. This permit authorizes the timber harvest described in the Timber Harvest Plan. Any change to the harvest shall require prior written Agency authorization.

6. The timber harvest shall comply with the standards contained within the Forest Management Plan and the "New York State Forestry Best Management Practices for Water Quality." The harvest shall be supervised by a professional forester.

7. Upon completion of the timber harvesting project authorized herein, the permittee shall submit to the Agency a post-harvest assessment form documenting compliance with the Timber Harvest Plan, Forest Management Plan and best management practices.

Justification: The Agency recognizes that compliance with the Forest Stewardship Council and Sustainable Forestry Initiative certification programs requires landowners to meet strict standards for forest management that include assured regeneration of harvested areas, establishment and maintenance of sustainable harvest yields, protection of soils and water resources including establishment of riparian buffers, attention to aesthetic impacts, conservation of biological diversity and protection of species and habitats of concern.

The NYS Sustainable Forestry Conservation Easement allows for recreational use by leaseholders, but clearly establishes sustainable forestry as the primary use of the encumbered lands, allowing for compatible private recreation so long as those uses do not interfere with forest management activities. Area closures are used during harvest operations.

The Forest Management Plan includes a physical description of the area and forest types as well as

forest management goals, objectives and strategies. The plan addresses the maintenance and protection of biodiversity as well as conservation zones and protection areas. Soil disturbance, aesthetic guidelines, an integrated forest pest management plan and implementation of “New York State Forestry Best Management Practices for Water Quality” are also included in the plan.

- ☒Y ☐N **Public comments received** If Yes, #: [Click or tap here to enter text.](#)
☐Y ☐N **Applicant submitted response (notes, if any)** [Click or tap here to enter text.](#)

INDIVIDUAL LOT DEVELOPMENT REVIEW – P#2022-0163

If a subdivision: Lot # [Click or tap here to enter text.](#) (Click or tap here to enter text. ± acres)

Assigned EPS: T. Fravor, A. Ziemann Reviewed by: [Click or tap here to enter text.](#) Date: [Click or tap to enter a date.](#)

Existing Development **PRINCIPAL BUILDINGS**

Structure - Pre-existing (Y/N)? - Lawfully constructed (Y/N)?
[Click or tap here to enter text.](#)

ACCESSORY STRUCTURES

Structure - Pre-existing (Y/N)? - Lawfully constructed (Y/N)?
[Click or tap here to enter text.](#)

Proposed Development **PRINCIPAL BUILDINGS**

Check if portions or all below are NJ ☐

Check if proposed as a non-building lot: ☐

Structure Footprint Height # Bedrooms Slopes
[Click or tap here to enter text.](#)

Have necessary density? ☐Y ☐N

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

ACCESSORY STRUCTURES

Structure Footprint Height Slopes
[Click or tap here to enter text.](#)

ACCESS

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

Driveway is ☐existing / ☐proposed Length: [Click or tap here to enter text.](#) Width: [Click or tap here to enter text.](#)

Sight distance evaluated? ☐Y ☐N Slopes: [Click or tap here to enter text.](#)

Need Clearing/Grading? ☐Y ☐N Comments: [Click or tap here to enter text.](#) (Note if HOA or shared maintenance involved)

Need hwy access permit? ☐Y ☐N

Need easement? ☐Y ☐N

Need signs? ☐Y ☐N

VISUAL / AESTHETIC

☐Y ☒N Proposed development visible from public areas (list) [Click or tap here to enter text.](#)

- ☒Y ☐N Existing topography / vegetation will screen, if retained
☐Y ☒N Planting plan proposed ☐ If Yes, RASS forestry analyst consulted

WASTEWATER TREATMENT (WWTS) **Consult RASS engineer for engineered plans*

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

WATER SUPPLY

- ☐ Individual on-site ☐ Municipal
☐Y ☐N All water supplies, on-site and off-site, > 100 feet WWTS? (If No, need DOH waiver)

STORMWATER / EROSION & SEDIMENT CONTROL **Consult RASS engineer*

- ☐Y ☐N Does proposed development maintain existing drainage patterns?
☐Y ☐N < 1 acre disturbance proposed (May need E&S Control Plan if water/slope/soil resources at risk)
☐Y ☐N > 1 acre disturbance proposed (SWPPP required, which includes E&S Control Plan)

UTILITIES

- | | | | |
|--------------------|---|-----------------------------------|--------------------------------------|
| Available on site? | <input type="checkbox"/> Y <input type="checkbox"/> N | <input type="checkbox"/> Overhead | <input type="checkbox"/> Underground |
| Available at road? | <input type="checkbox"/> Y <input type="checkbox"/> N | <input type="checkbox"/> Overhead | <input type="checkbox"/> Underground |
| Proposed for site? | <input type="checkbox"/> Y <input type="checkbox"/> N | <input type="checkbox"/> Overhead | <input type="checkbox"/> Underground |