



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:
Public Notice Number: 2006-247-WDA
Issue Date: June 12, 2007
Expiration Date: July 11, 2007

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S. C. 1344).

APPLICANT: BTL Properties, Inc.
90 Campbell Road
Schenectady, New York 12306

ACTIVITY: Discharge fill material into 0.70 acres of waters of the United States

WATERWAY: Wetlands associated with an unnamed tributary to Beckers Brook in the Hudson River basin

LOCATION: Town of Rotterdam, Schenectady County, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

CENAN-OP-RW
PUBLIC NOTICE NO. 2006-247-WDA

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

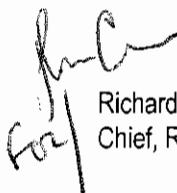
Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

In addition to any required water quality certificate, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

Town of Rotterdam
New York State Department of Environmental Conservation SPDES

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (518) 270-0588 and ask for Andrew Dangler.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>



Richard L. Tomer
Chief, Regulatory Branch

Enclosures

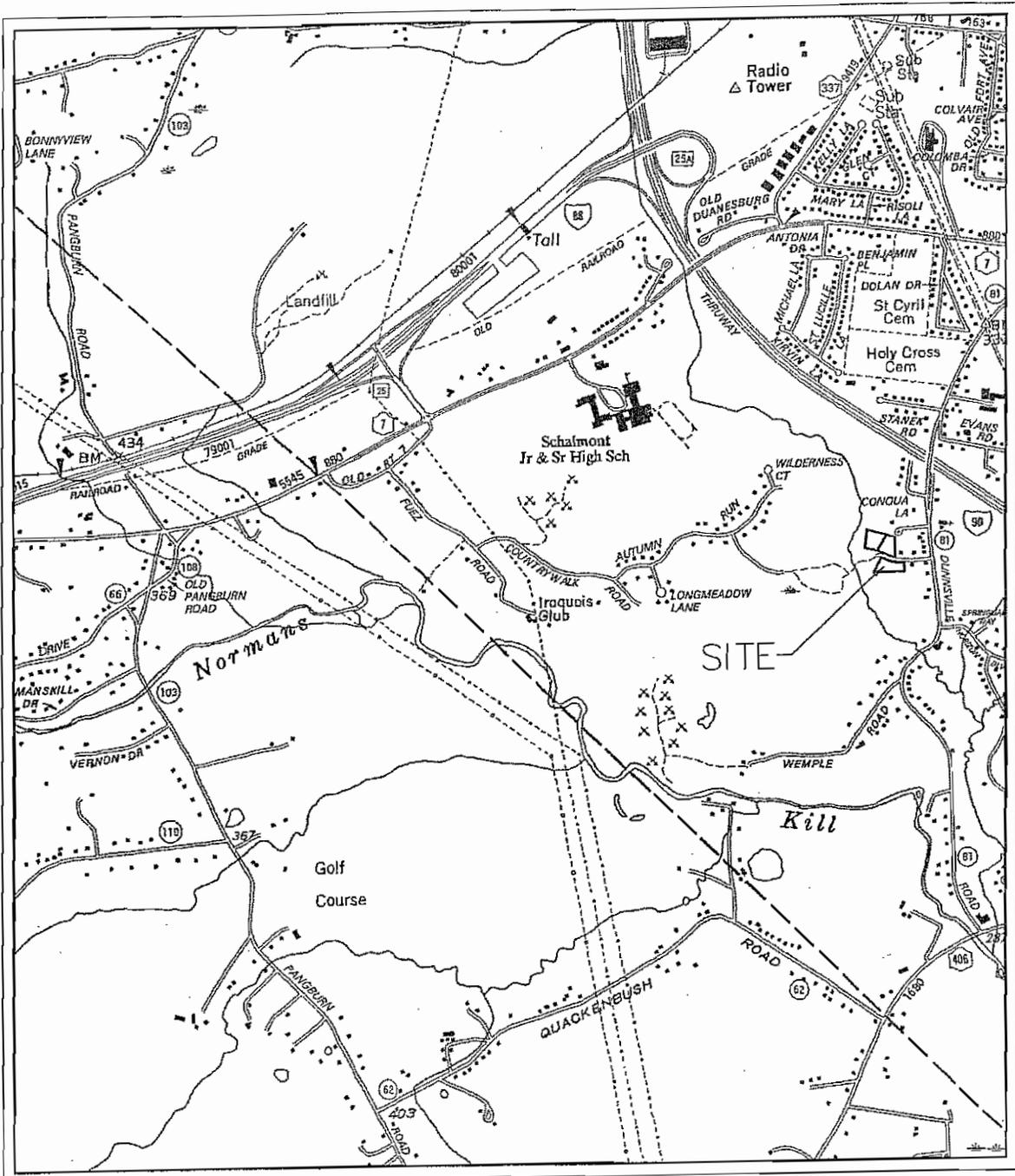
WORK DESCRIPTION

The applicant, BTL Properties, Inc., has requested a Department of the Army permit for the discharge of fill material into waters of the United States to facilitate the completion of the fifth and final phase of a residential subdivision known as "Beckers Crossing". The three lots comprise a total of 2.78 acres and are located within the Hudson River watershed, along Dunnsville Road in the in the Town of Rotterdam, Schenectady County, New York.

The proposed work would involve the discharge of fill material into 0.70 acres of waters of the United States to facilitate the construction of three single-family homes and attendant features on Lots 6 through 8. The stated purpose of the project is to complete the final Phase of the "Beckers Crossing" residential subdivision.

Previous impacts to waters of the United States associated with the construction of Phases I-IV of the subdivision occurred between 1995 through 1999, and totaled 1.26 acres. These impacts were authorized by the New York District under Nationwide Permit 26. To mitigate for these impacts, the permittee established 0.63 acres of wetlands, enhanced 0.85 acres of wetlands, and placed a restrictive covenant on 0.43 acres of wetlands and 0.84 acres of upland buffer on a parcel of land known as "Becker's Farm". The cumulative impacts associated with the past and proposed phases of this development total 1.76 acres.

To mitigate for the proposed impacts to the aquatic environment, the applicant proposes to preserve, in perpetuity, the remaining wetlands on Lots 6 and 7, and a 9.35 acre parcel located to the south of the project site. The parcel includes 4.03 acres of wetlands and 5.32 acres of upland buffer within the Becker's Brook watershed. In addition, the applicant proposes to construct an educational trail through the parcel and donate the entire 9.35 acre area to the Schalmont Central School District.



ingalls & associates, LLP
engineers / surveyors

2603 GUILDERLAND AVENUE
SCHENECTADY, N.Y. 12306
PHONE: (518) 393-7725
FAX: (518) 393-3761

SITE LOCATION

SCALE: 1" = 2000'

USGS QUADRANGLE: ROTTERDAM JUNCTION

LEGEND

- PROPERTY LINE
- SETBACK LINE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- PERCOLATION TEST LOCATION
- TEST PIT LOCATION
- FEDERAL WETLAND BOUNDARY
- WETLAND IMPACT

WETLAND IMPACT		IMPACT TYPE
IMPACT AREA (S.F.)	(ACRES)	
A	11,846.00	SEPTIC SYSTEM & LOT GRADING
B	5,547.62	SEPTIC SYSTEM & LOT GRADING
C	13,060.84	SEPTIC SYSTEM & LOT GRADING

TOTAL IMPACT = 30,454.46 S.F. (0.70± ACRES)

OWNER

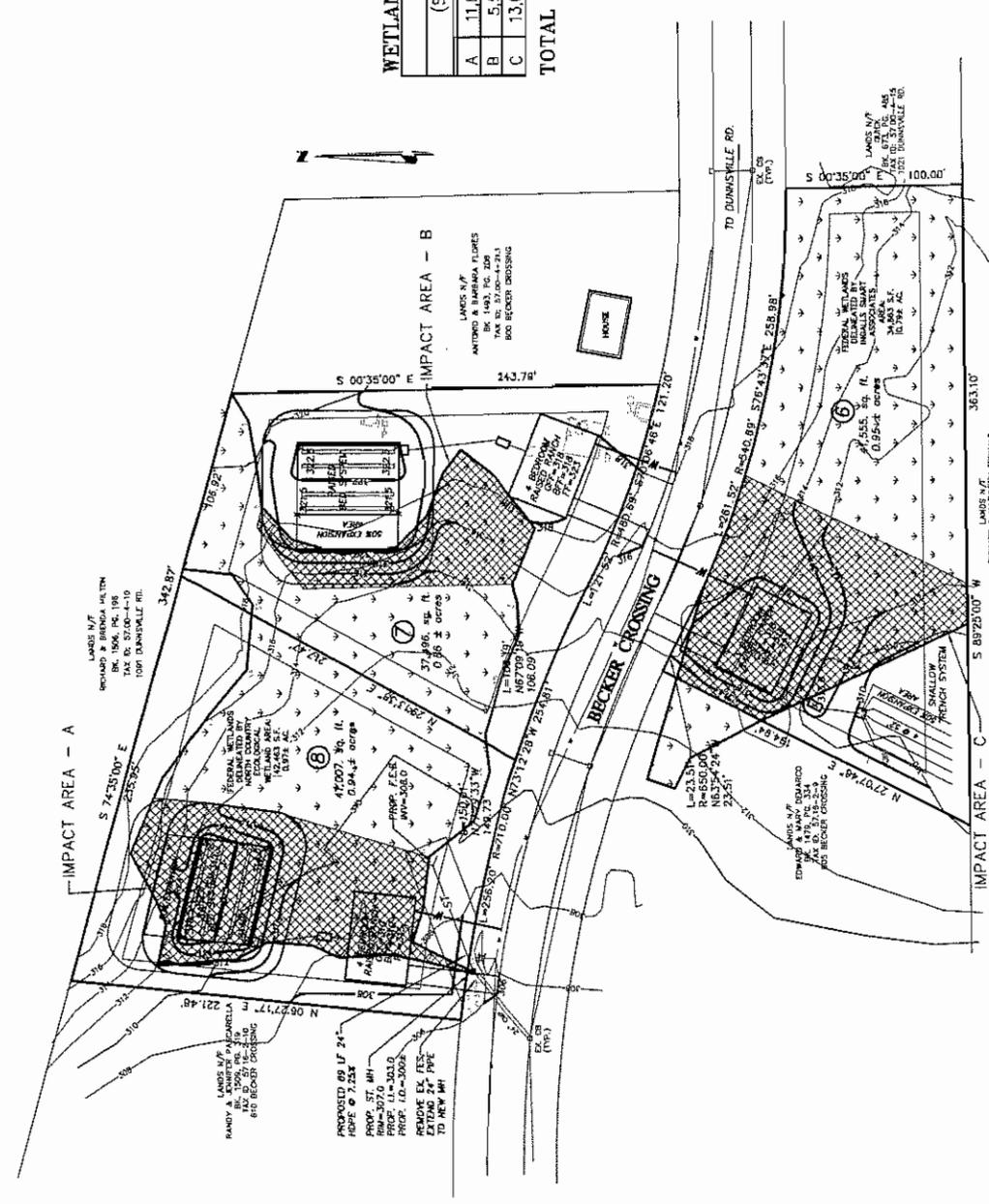
BTL PROPERTIES, INC.
90 CAMPBELL ROAD
ROTERDAM, NY 12206

APPLICANT

CHARLEW CONSTRUCTION CO., INC.
TIMOTHY LARNED, ROBERT IONANELLA
S/O ROBERT IONANELLA
S/O CAMPBELL ROAD
ROTERDAM, NY 12206

LATITUDE/LONGITUDE

N43° 46' 58"
W74° 00' 25"





ingalls & associates, llp
engineers / surveyors
688 CLEVELAND AVENUE
SCHEENCTADY, N.Y. 12206
PHONE: (518) 393-7725
FAX: (518) 393-3761

WETLAND IMPACT PLAN
BECKER'S CROSSING
ROTERDAM STATE OF NEW YORK

SCHEENCTADY CHECKED BY: D.F.I. SCALE: 1" = 100'
DRAWN BY: M.P.H. CADD FILE: 05-075 JOB NO. 05-075
DATE: DECEMBER 22, 2005 SHEET 1 OF 1

2006-247-wda, BTL Properties, Inc., Drawing 2 of 3

LEGEND

- PROPERTY LINE
- TYPICAL SETBACK LINE
- N/O
- EXISTING STONE WALL
- EXISTING TREE LINE
- EXISTING FENCE LINE
- CAPPED IRON ROD TO BE SET
- CONCRETE MONUMENT TO BE SET
- JURISDICTIONAL WETLANDS DELINEATED BY I & A
- JURISDICTIONAL WETLANDS DELINEATED BY I & A ON 11-13-06

MAP REFERENCES:

"FINAL SUBDIVISION PLAN, ELDORADO ACRES, PHASE I, TOWN OF ROTTERDAM, NY" PREPARED BY E. DANIEL FULLER, L.S. OF THE ENVIRONMENTAL DESIGN PARTNERSHIP DATED SEPTEMBER 14, 1987, LAST REVISED DECEMBER 16, 1988, AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON APRIL 18, 1989 AS MAPS 23D THRU 243 IN MAP CABINET H.

"FEDERAL WETLAND DELINEATION MAP" PREPARED BY THE ENVIRONMENTAL DESIGN PARTNERSHIP, DATED SEPTEMBER 25, 1992, LAST REVISED APRIL 9, 1993 AND FILED IN THE OFFICE OF THE SCHENECTADY COUNTY CLERK AS MAP NO. 220 IN CABINET 1.

PRESERVATION PARCEL:

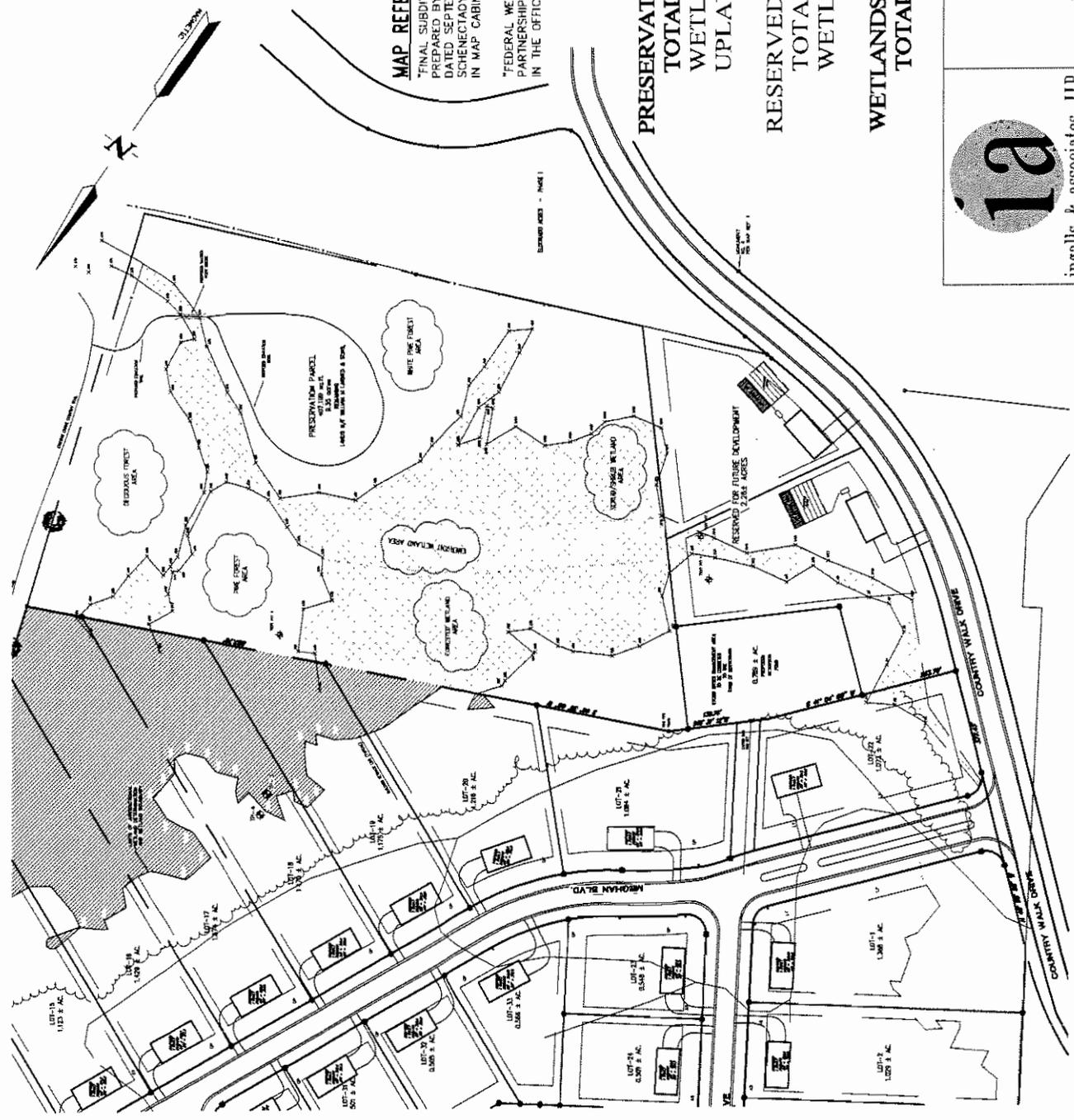
TOTAL AREA = 9.35 +/- ACRES
 WETLAND AREA = 3.68 +/- ACRES
 UPLAND AREA = 5.67 +/- ACRES

RESERVED FUTURE DEVELOPMENT PARCEL:

TOTAL AREA = 2.26 +/- ACRES
 WETLAND AREA = 0.31 +/- ACRES

WETLANDS TO BE PRESERVED:

TOTAL AREA = 3.99 +/- ACRES



ingalls & associates, LLP
 engineers / surveyors
 2603 GULLERLAND AVENUE
 SCHENECTADY, N.Y. 12306
 PHONE: (518) 393-7725
 FAX: (518) 393-3761

PRESERVATION PLAN
 BTL PROPERTIES, INC.
 COUNTRY WALK

SCHENECTADY STATE OF NEW YORK	
DRAWN BY: M.P.H.	CHECKED BY: D.F.I.
CADD FILE: 96169	JOB NO. 05-075
DATE: JANUARY 3, 2006	SCALE: 1" = 200'
SHEET 1 OF 1	

2006-2477-wat, BTL Properties, Inc. Drawing 243