



PUBLIC NOTICE

US Army Corps
of Engineers

New York District, CENAN-OP-R
Upstate Regulatory Field Office
1 Buffington Street, Bldg. 10, 3rd Floor
Watervliet, New York 12189-4000

In replying refer to:

Public Notice Number: NAN-2006-3106-WCO
Issue Date: January 18, 2008
Expiration Date: February 18, 2008

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: SARCOM Land Development, Inc.
393 Church Street
P.O. Box 3425
Saratoga Springs, New York 12866

ACTIVITY: Discharge fill material into 0.17 acres of waters of the United States, including wetlands and 986 linear feet of streams, maintain previous discharges of fill material in 1.29 acres of wetlands, and provide mitigation, to complete an existing residential development known as "Greenfield Estates"

WATERWAY: unnamed tributary to Kayaderosseras Creek (Hudson River Watershed)

LOCATION: Town of Greenfield, Saratoga 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 THE ATTENTION OF MR. JOHN CONNELL AT THE ABOVE ADDRESS, OR SENT VIA ELECTRONIC MAIL TO john.r.connell@usace.army.mil TO REACH THIS OFFICE BY THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

CENAN-OP-RW
PUBLIC NOTICE NO. NAN-2006-3106-WCO

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.

By letter dated May 4, 2005, the U.S. Fish and Wildlife Service (FWS) indicated that except for occasional transient individuals, no Federally-endangered or threatened species, or currently designated or proposed critical habitat, are known to exist within the project impact area. In their letter dated May 4, 2005, the FWS also indicated that if the proposed project is not completed within one year of the date of this letter, the applicant should contact the FWS to ensure that the listed species presence/absence information for the project is current. Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer will continue to consult with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

By letter dated February 25, 1999, the New York State Office of Parks, Recreation and Historic Preservation (SHPO) indicated that the project (98PR3907) would have no effect on cultural resources in or eligible for inclusion in the National Register of Historic Places (Register). A recent review of the SHPO website indicated that there are no Register sites in the vicinity of the proposed undertaking, and the project site is not located within an archeo-sensitive area. This office will continue to consult with the SHPO, if necessary, to ensure the requirements of Section 106 of the National Historic Preservation Act are met.

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:

Freshwater Wetlands Permit from the New York State Department of Environmental Conservation

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) 266-6357 and ask for John Connell.

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

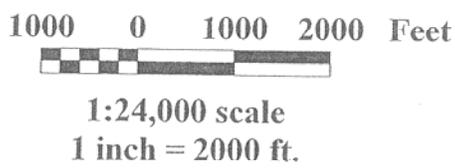
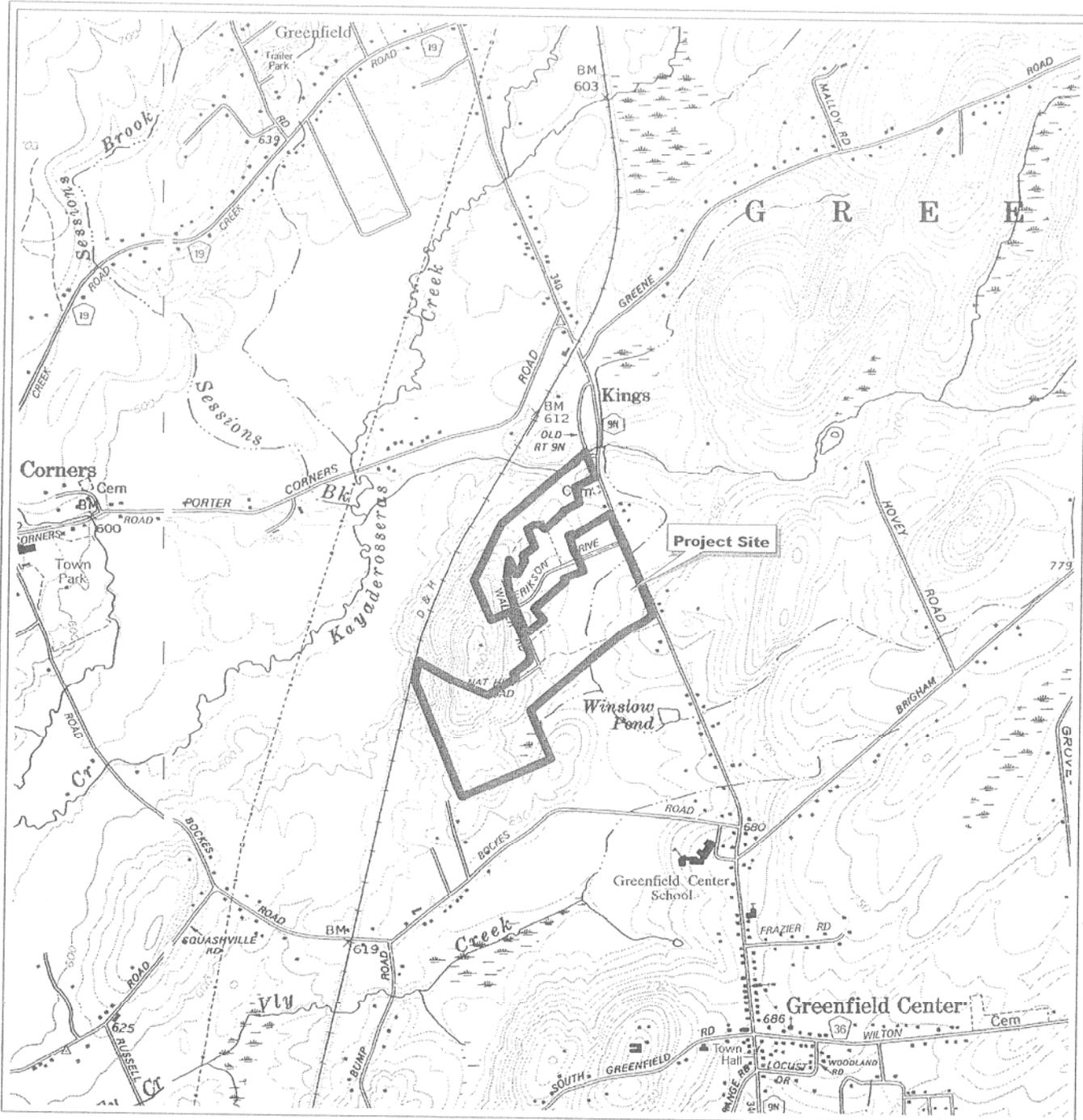
WORK DESCRIPTION

The applicant, SARCOM Land Development, is requesting authorization to discharge fill material into 0.17 acres of wetlands to complete an existing residential development known as "Greenfield Estates". The proposed discharge would facilitate the development of residential homes and attendant features on 19 lots of the development; and

The applicant previously discharged fill material in 1.66 acres of waters of the United States, including wetlands and 80 linear feet of streams, to develop 16 residential lots in the initial phases of the Greenfield Estates development. The applicant proposes to maintain previous discharges of fill material in 1.29 acres of wetlands and streams. As mitigation for the proposed and existing impacts to aquatic resources, the applicant has proposed the establishment of 1.90 acres of wetlands from uplands, the restoration of 0.37 acres of wetlands previously filled, and the preservation of 38.3 acres of lands, including the establishment areas, restored areas, 25.53 acres of existing wetlands and 6.2 acres of upland buffer areas, all on the project site.

Appl. No. 2006-3106 by SARCOM Land Development

SHEET 1 OF 11

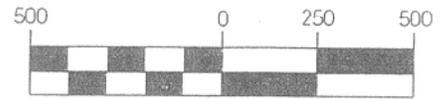


Base map is from the Corinth, NY topographic quadrangle, digital raster version, published by the New York State Department of Transportation.

the LA group
Landscape Architecture
and Engineering, P.C.

Greenfield Estates Subdivision
Town of Greenfield
Saratoga County, New York

Figure 1
Site Location Map



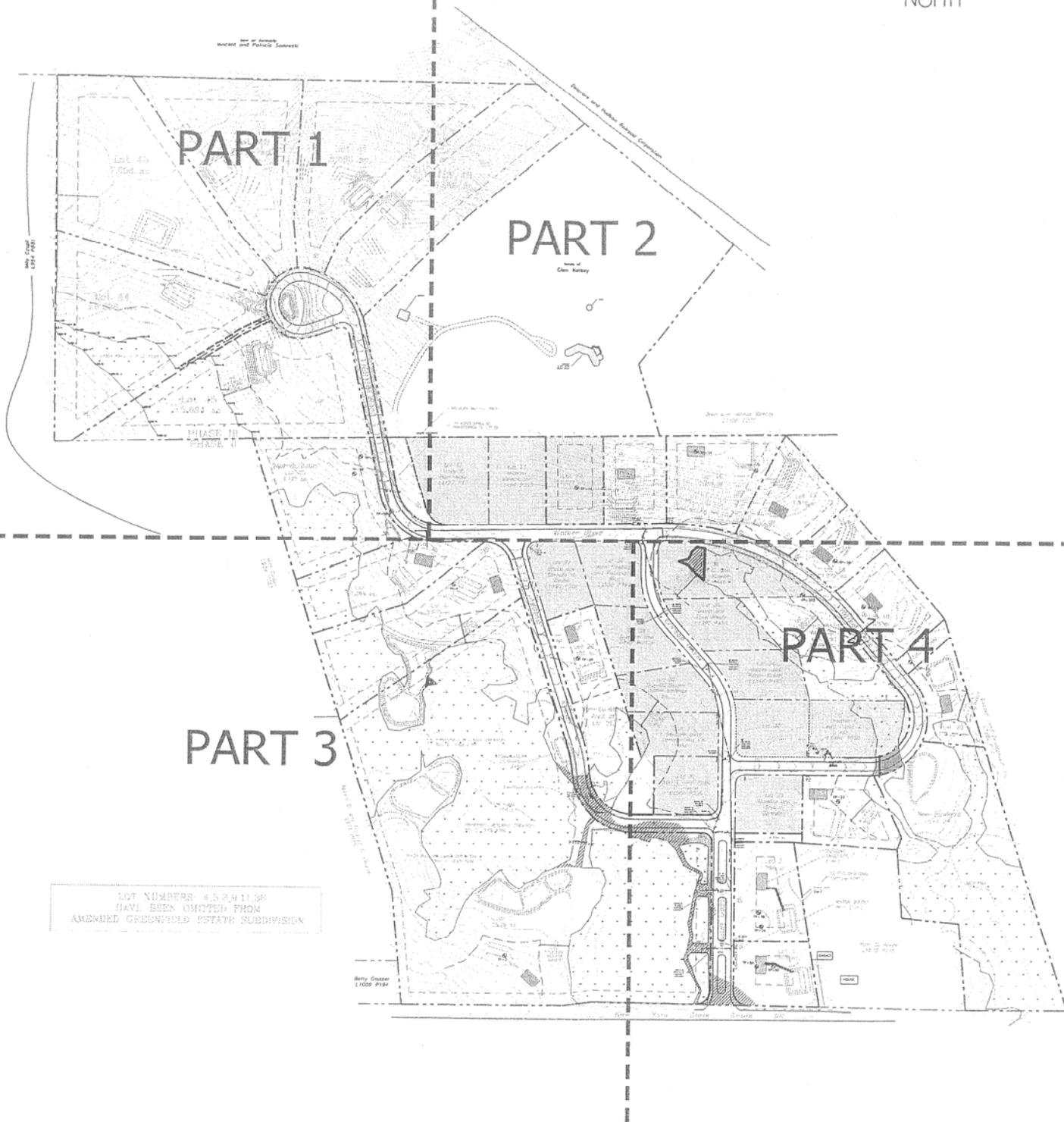
Scale: 1"=500' (IN FEET)



North

Appl. No. 2006-3106 by SARCOM Land Development

SHEET 2 OF 11



LOT NUMBERS 4, 5, 9, 11, 36
HAVE BEEN OMITTED FROM
AMENDED GREENFIELD ESTATES SUBDIVISION

Appl. No. 2006-3106 by SARCOM Land Development
SHEET 3 OF 11

PROPOSED IMPACTS AND MITIGATION LEGEND

-  EXISTING WETLAND AREAS
-  PROPOSED WETLANDS TO BE CREATED
-  EXISTING WETLAND FILL TO REMAIN
-  PROPOSED WETLAND FILL
-  EXISTING WETLAND FILL TO BE REMOVED
-  LOTS SOLD IN PHASE 1 OF THE SUBDIVISION
-  LOCATION AND VIEW DIRECTION OF PHOTOGRAPHS IN WETLAND PERMIT APPLICATION
- SF — FILTER FABRIC SILT FENCE

MAP NOTES:

1. WETLAND BOUNDARIES INDICATED ON THIS MAP WERE DELINEATED BY RICHARD FUTYMA AND ROGER CASE OF THE L.A. GROUP, P.C. ON JUNE 1 AND 2, 1998.
2. THE LOCATION FOR THE LINES THAT REPRESENT THE ESTIMATED LOCATION OF PRE-1988 WETLANDS BOUNDARY WAS PROVIDED BY RICHARD FUTYMA OF THE L.A. GROUP, P.C.

WETLAND IMPACTS AND MITIGATION

PREVIOUS, EXISTING, AND PROPOSED WETLAND IMPACTS

STREAM CHANNELS RELOCATED, CULVERTED PRIOR TO 1992:

80 LINEAR FEET

EXISTING WETLAND IMPACTS

72,224 S.F. (1.66 ACRES)

PROPOSED WETLAND FILLING FOR ROADWAY CROSSINGS:

7,250 S.F. (0.17 ACRE)

TOTAL OF PROPOSED AND PREVIOUS IMPACTS FROM FILLING:

79,474 S.F. (1.82 ACRES)

PROPOSED MITIGATION MEASURES

RESTORATION OF PREVIOUSLY FILLED WETLANDS

16,010 S.F. (0.37 ACRE)

CREATION OF NEW WETLANDS

82764 S.F. (1.90 ACRES)

TOTAL OF PROPOSED WETLAND RESTORATION AND CREATION

98,774 S.F. (2.27 ACRES)

WETLAND PRESERVATION THROUGH DEED RESTRICTIONS

1,112,087 S.F. (25.53 ACRES)

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SHEET 4 OF 11



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Saratoga Springs
New York 12866
518/587-8100

Amended Greenfield Estates Subdivision

Proposed Impacts & Mitigation Plan

Drawing 2

Date: 9/6/07

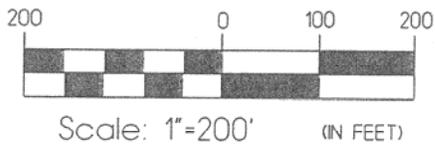
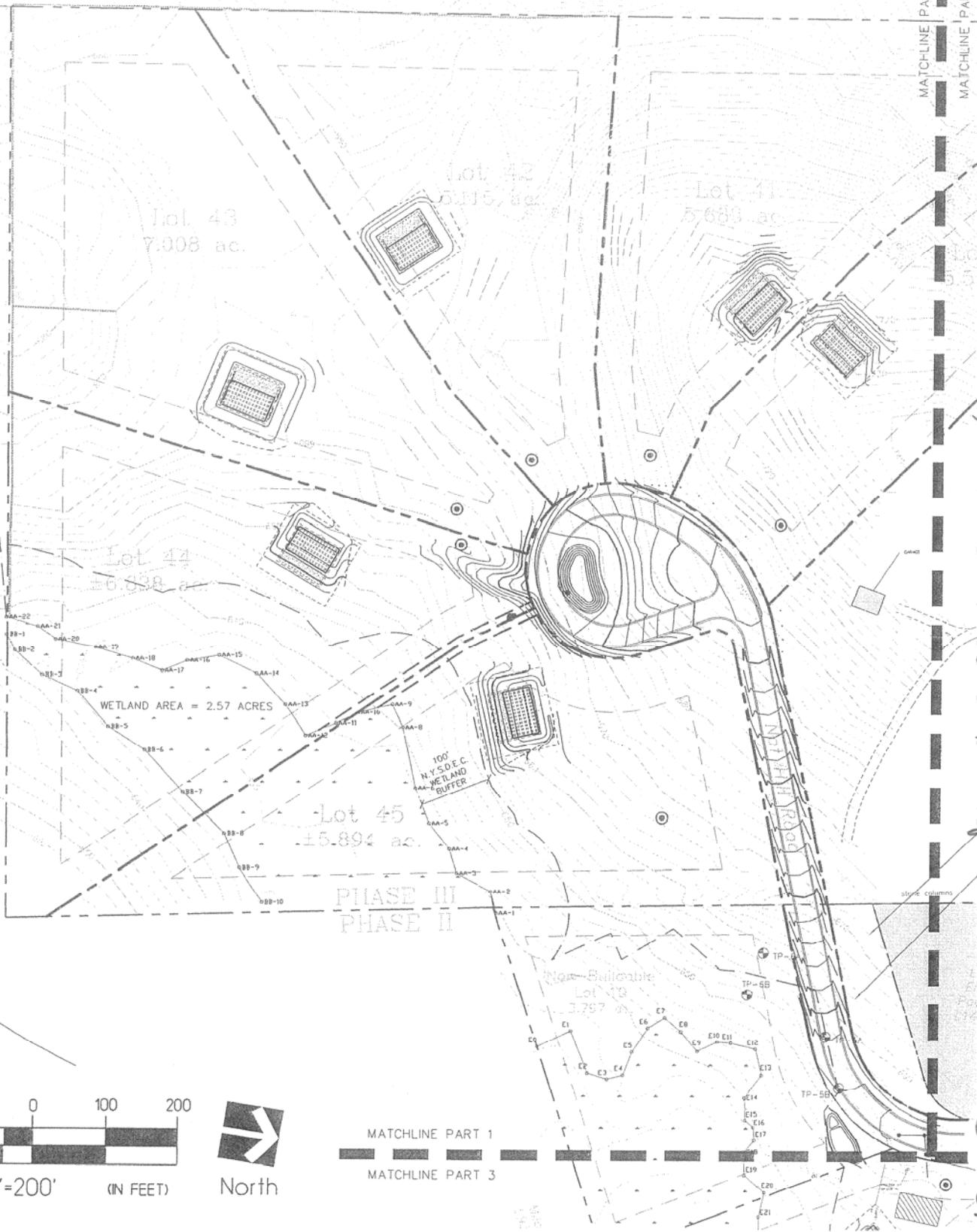
Project: 98072

Site Statistics

now or formerly
Vincent and Patricia Sadowski

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SHEET 5 OF 11

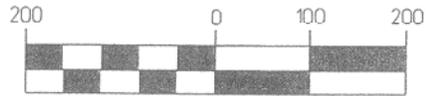
Milo Czupil
L954 P881



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Amended Greenfield Estates Subdivision
Proposed Impacts & Mitigation Plan

Drawing 2
Date: 9/6/07
Project: 98072
Part 1 of 4

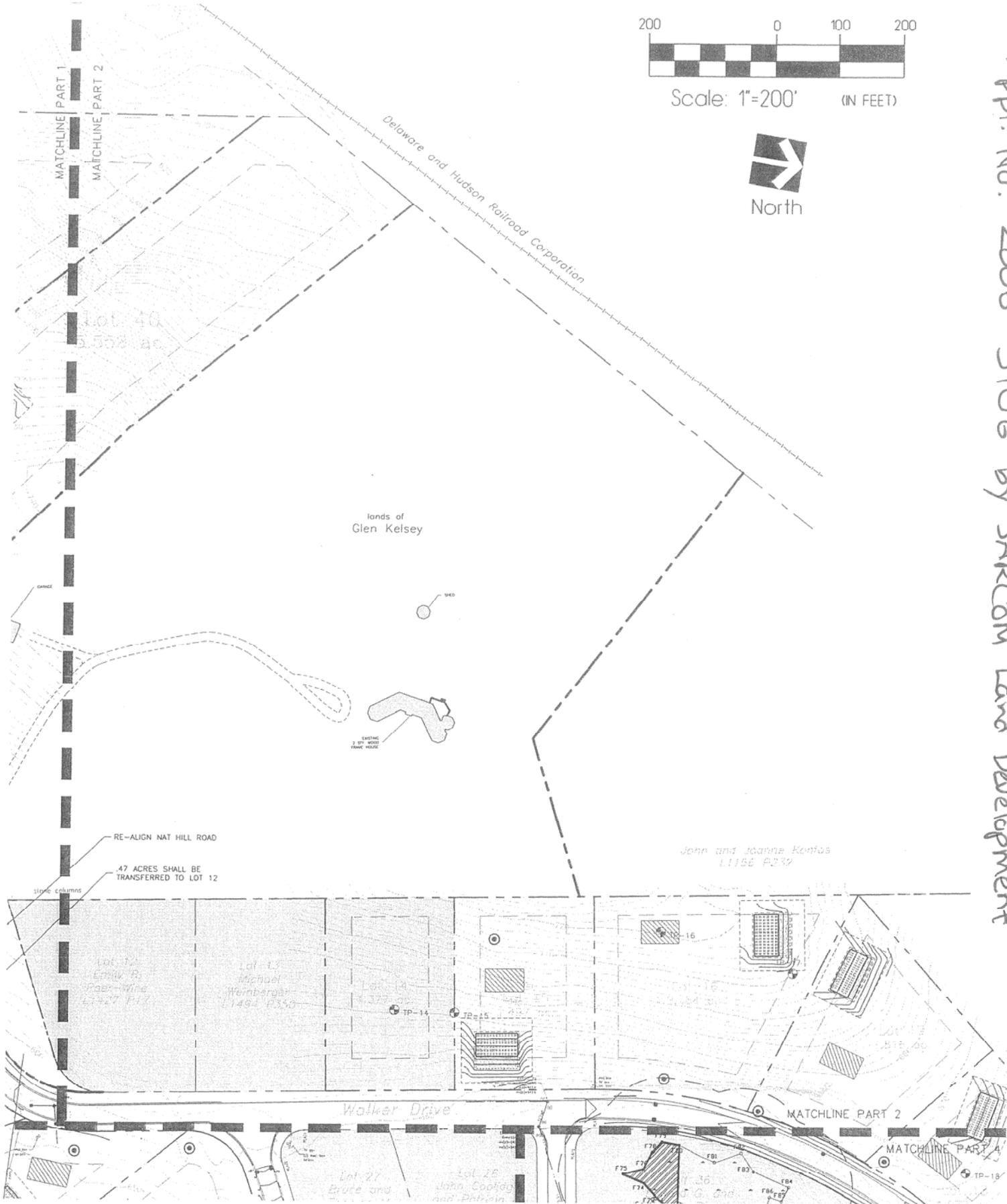


Scale: 1"=200' (IN FEET)



App'l. No. 2006-3106 by SARCOM Land Development

SHEET 6 OF 11




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Amended Greenfield Estates Subdivision
 Proposed Impacts & Mitigation Plan

Drawing 2
 Date: 9/6/07
 Project: 98072
 Part 2 of 4

MATCHLINE PART 1

MATCHLINE PART 3

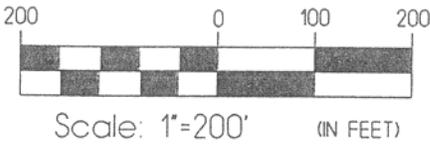
Walker Drive

Appl. No. 2006-3106 by SARCOM Land Development

Sheet 7 of 11



LOT NUMBERS: 4,5,8,9,11,30
HAVE BEEN OMITTED FROM
AMENDED GREENFIELD ESTATE SUBDIVISION




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Amended Greenfield Estates Subdivision
 Proposed Impacts & Mitigation Plan

Drawing 2
 Date: 9/6/07
 Project: 98072
 Part 3 of 4

200 0 100 200



Scale: 1"=200' (IN FEET)



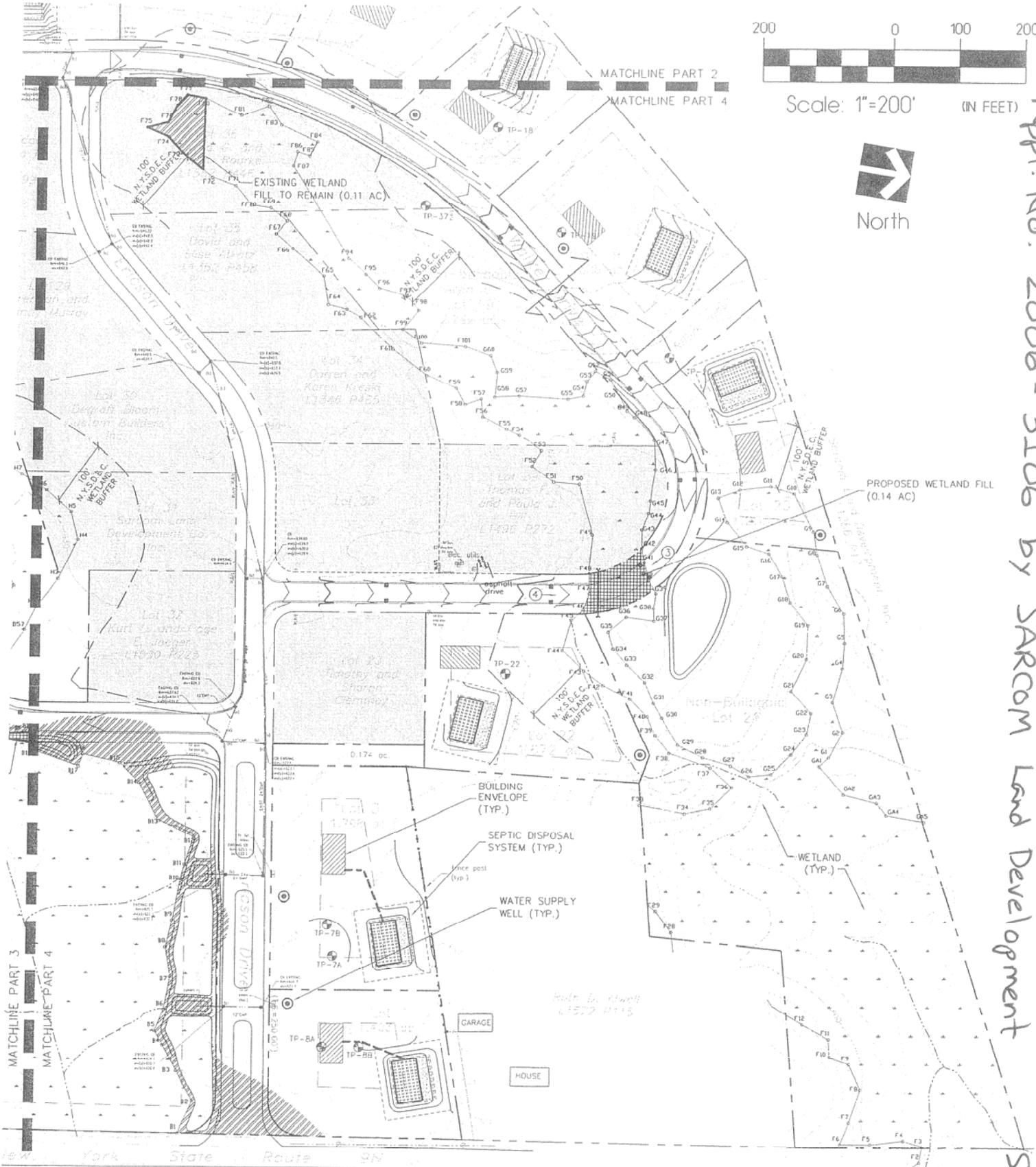
North

MATCHLINE PART 2

MATCHLINE PART 4

EXISTING WETLAND
FILL TO REMAIN (0.11 AC)

PROPOSED WETLAND FILL
(0.14 AC)



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MATCHLINE PART 3
MATCHLINE PART 4

New York State Route 9N

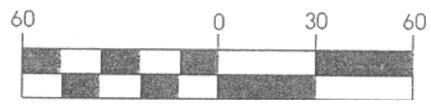
Sheet 8 of 11

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Amended Greenfield Estates Subdivision
Proposed Impacts & Mitigation Plan

Drawing 2
Date: 9/6/07
Project: 98072
Part 4 of 4

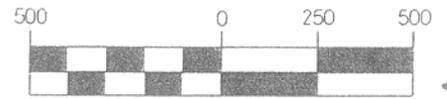
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 Sheet 9 of 11



Scale: 1"=60' (IN FEET)

EXISTING WETLAND CONDITIONS LEGEND

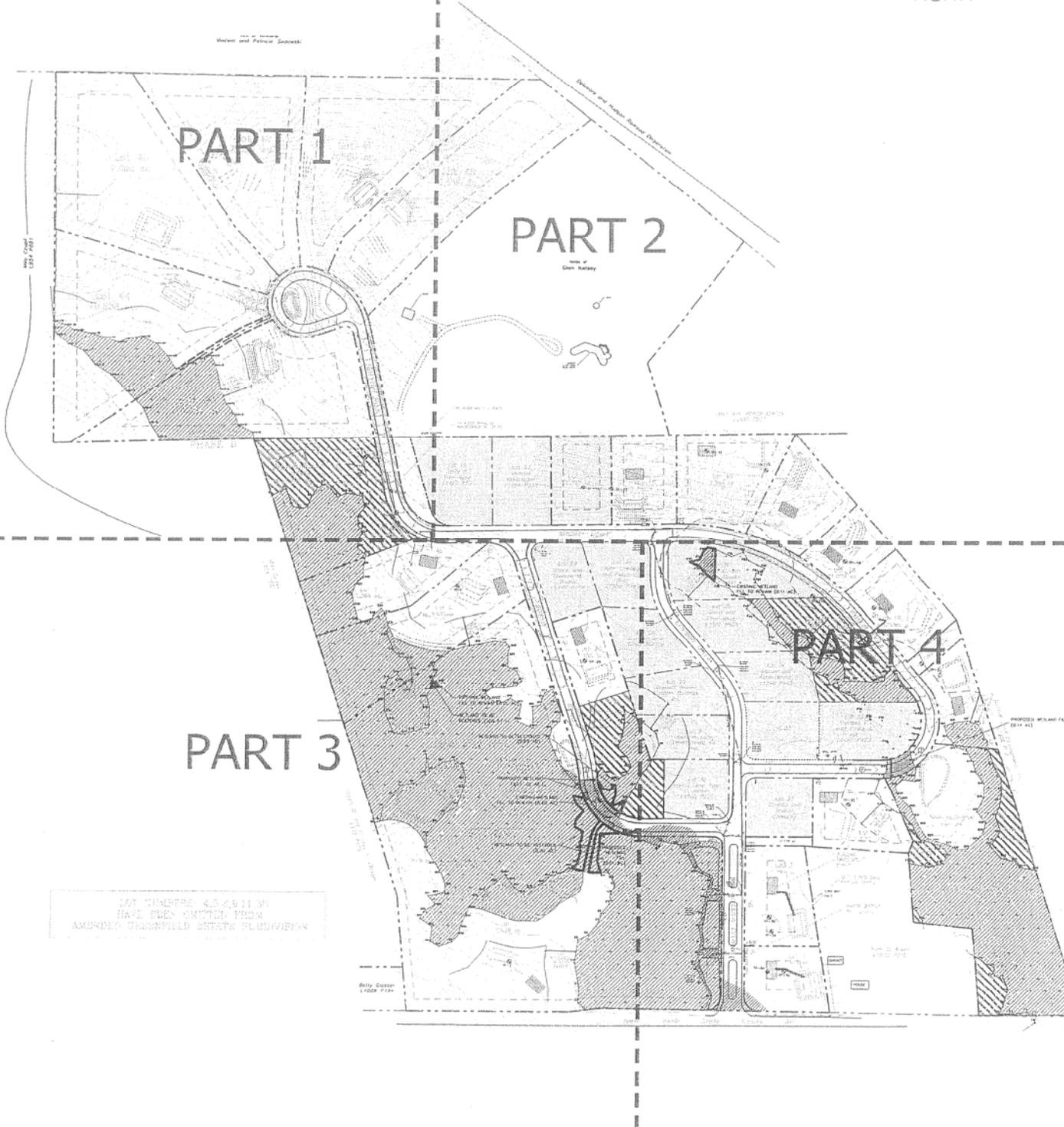
- EXISTING WETLAND AREAS
- PROPOSED WETLANDS TO BE CREATED
- EXISTING WETLAND FILL TO REMAIN
- EXISTING WETLAND FILL TO BE REMOVED
- EXISTING CONTOUR
- PROPOSED CONTOUR



Scale: 1"=500' (IN FEET)



Appl. No. 2006-3106 by SARCOM Land Development
 SHEET 1 OF 1



LOT NUMBERS 45-4911-34
 HAVE BEEN OMITTED FROM
 AMENDED GREENFIELD ESTATES SUBDIVISION

Appl. No. 2006-3106 by SARCOM Land Development SHEET 11 OF 11

PROPOSED PRESERVED WETLANDS AND UPLANDS



TOTAL WETLAND AREA TO BE PRESERVED (1,396,909 SF / 32.1 ACRES)



TOTAL UPLAND AREA TO BE PRESERVED (270,244 SF / 6.2 ACRES)

MAP NOTES:

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Amended Greenfield Estates Subdivision
Areas to be Preserved as Mitigation

Drawing 4
Date: 9/6/07
Project: 98072
Legend/Notes