

**New York State Department of Environmental Conservation**  
**Division of Environmental Permits**

NYSDEC Region 3 Headquarters  
21 S Putt Corners Rd  
New Paltz, NY 12561  
(845) 256-3054

March 05, 2021

LAVISH INC  
PO BOX 313  
WASSAIC, NY 12592

Re: DEC ID # 3-1356-00314/00001  
WAPPINGERS FARMS SUBDIVISION

Dear Applicant :

Please be advised that your application for a DEC permit(s) is complete and a technical review has commenced. Notice and the opportunity for public comment is required for this application. Enclosed is a Notice of Complete Application for your project. Please have the Notice published in the newspaper identified below once during the week of 3/8/2021 on any day Monday through Friday.

The official newspaper of the Town (City) of WAPPINGER.  
Contact the Town (City) Clerk's office to confirm the official newspaper.

On the Notice of Complete Application, that information presented between the horizontal lines, on the enclosed page(s) should be published. Do not print this letter or the information contained below the second horizontal line. Please request the newspaper publisher to provide you with a Proof of Publication for the Notice. Upon receipt of the Proof of Publication promptly forward it to this office. You must provide the Proof of Publication before a final decision can be rendered on your application. You are responsible for paying the cost of publishing the Notice in the newspaper.

Notification of this complete application is also being provided by this Department in the NYSDEC Environmental Notice Bulletin.

This notification does not signify approval of your application for permit. Additional information may be requested from you at a future date, if deemed necessary to reach a decision on your application. Your project is classified major under the Uniform Procedures Act. Accordingly, a decision is due within 90 days of the date of this notice unless a public hearing is held, which may extend this time frame. If a public hearing is necessary, you will be notified.

If you have any questions please contact me at the above address or phone number above.

Sincerely,



KATHERINE T COFFIN  
Division of Environmental Permits

**THIS IS NOT A PERMIT**

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**New York State Department of Environmental Conservation  
Notice of Complete Application**

*Date:* 03/05/2021

*Applicant:* LAVISH INC  
PO BOX 313  
WASSAIC, NY 12592

*Facility:* WAPPINGERS FARMS SUBDIVISION  
105 ROBINSON LN  
WAPPINGER, NY 12590

*Application ID:* 3-1356-00314/00001

*Permits(s) Applied for:* 1 - Article 11 Endangered/Threatened Species (Incidental Take)

*Project is located:* in WAPPINGER in DUTCHESS COUNTY

*Project Description:*

The applicant proposes adverse modification of 8.96 acres of suitable habitat; with a loss of 5.71 acres of suitable nesting habitat for the Blanding's turtle (*Emdoidea blandingii*), a NYS-listed threatened species, associated with a 12-lot subdivision on 61.9 acres of occupied Blanding's turtle habitat, located in the Town of Wappinger. Net Conservation Benefit will be achieved by 12 acres of nesting area enhancements, 12 acres set aside in the declaration of easement, deed restrictions, and NYSDEC access for future study. Additional avoidance, minimization, and mitigation measures include no impacts to the wetland or its associated adjacent area, implementation of a time of year restriction for some activities, clustering of houses near to existing roadway, use of stormwater features, development of an Education and Encounter Plan, installation of temporary barriers during construction, and the use of a DEC licensed monitor.

*Availability of Application Documents:*

Filed application documents, and Department draft permits where applicable, are available for inspection during normal business hours at the address of the contact person. To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person.

*State Environmental Quality Review (SEQR) Determination*

Project is a Type I action and will not have a significant effect on the environment. A coordinated review with other involved agencies was performed and a Negative Declaration is on file.

*SEQR Lead Agency* Wappinger Town Planning Board

*State Historic Preservation Act (SHPA) Determination*

Cultural resource lists and maps have been checked. The proposed activity is not in an area of identified archaeological sensitivity and no known registered, eligible or inventoried archaeological sites or historic structures were identified or documented for the project location. No further review in accordance with SHPA is required.

*DEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29)*

It has been determined that the proposed action is not subject to CP-29.

*Availability For Public Comment*

Comments on this project must be submitted in writing to the Contact Person no later than 03/25/2021 or 15 days after the publication date of this notice, whichever is later.

*Contact Person*

KATHERINE T COFFIN  
NYSDEC  
21 S Putt Corners Rd  
New Paltz, NY 12561

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**CC List for Complete Notice**

LAVISH INC  
Lisa Masi, DEC Wildlife  
Derek Day, Day Stokosa Engineering PC  
Town of Wappinger Planning Board  
Michael Nowicki, Ecological Solutions LLC  
MARK A DAY  
ENB  
File