

APPENDIX 8

ARTICLE 15 PERMIT APPLICATION



JOINT APPLICATION FORM



For Permits/Determinations to undertake activities affecting streams, waterways, waterbodies, wetlands, coastal areas and sources of water supply.

New York State

You must separately apply for and obtain separate Permits/Determinations from each involved agency prior to proceeding with work. Please read all instructions.

US Army Corps of Engineers (USACE)

<p>APPLICATIONS TO</p> <p>1. NYS Department of Environmental Conservation</p> <p>Check all permits that apply:</p> <table border="0"> <tr> <td><input type="checkbox"/> Stream Disturbance</td> <td><input type="checkbox"/> Coastal Erosion Management</td> </tr> <tr> <td><input type="checkbox"/> Excavation and Fill in Navigable Waters</td> <td><input type="checkbox"/> Wild, Scenic and Recreational Rivers</td> </tr> <tr> <td><input type="checkbox"/> Docks, Moorings or Platforms</td> <td><input type="checkbox"/> Water Supply</td> </tr> <tr> <td><input type="checkbox"/> Dams and Impoundment Structures</td> <td><input type="checkbox"/> Long Island Well</td> </tr> <tr> <td><input type="checkbox"/> 401 Water Quality Certification</td> <td><input type="checkbox"/> Aquatic Vegetation Control</td> </tr> <tr> <td><input type="checkbox"/> Freshwater Wetlands</td> <td><input type="checkbox"/> Aquatic Insect Control</td> </tr> <tr> <td><input type="checkbox"/> Tidal Wetlands</td> <td><input type="checkbox"/> Fish Control</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Incidental Take of Endangered/Threatened Species</td> </tr> </table> <p><input type="checkbox"/> I am sending this application to this agency.</p>	<input type="checkbox"/> Stream Disturbance	<input type="checkbox"/> Coastal Erosion Management	<input type="checkbox"/> Excavation and Fill in Navigable Waters	<input type="checkbox"/> Wild, Scenic and Recreational Rivers	<input type="checkbox"/> Docks, Moorings or Platforms	<input type="checkbox"/> Water Supply	<input type="checkbox"/> Dams and Impoundment Structures	<input type="checkbox"/> Long Island Well	<input type="checkbox"/> 401 Water Quality Certification	<input type="checkbox"/> Aquatic Vegetation Control	<input type="checkbox"/> Freshwater Wetlands	<input type="checkbox"/> Aquatic Insect Control	<input type="checkbox"/> Tidal Wetlands	<input type="checkbox"/> Fish Control		<input type="checkbox"/> Incidental Take of Endangered/Threatened Species	<p>2. US Army Corps of Engineers</p> <p>Check all permits that apply:</p> <p><input type="checkbox"/> Section 404 Clean Water Act</p> <p><input type="checkbox"/> Section 10 Rivers and Harbors Act</p> <p><input type="checkbox"/> Nationwide Permit(s) - Identify Number(s):</p> <p>_____</p> <p>_____</p> <p>Preconstruction Notification - <input type="checkbox"/> Y / <input type="checkbox"/> N</p> <p><input type="checkbox"/> I am sending this application to this agency.</p>	<p>3. NYS Office of General Services</p> <p>Check all permits that apply:</p> <p><input type="checkbox"/> State Owned Lands Under Water</p> <p><input type="checkbox"/> Utility Easement (pipelines, conduits, cables, etc.)</p> <p><input type="checkbox"/> Docks, Moorings or Platforms</p> <p><input type="checkbox"/> I am sending this application to this agency.</p>	<p>4. NYS Department of State</p> <p>Check if this applies:</p> <p><input type="checkbox"/> Coastal Consistency Concurrence</p> <p><input type="checkbox"/> I am sending this application to this agency.</p>
<input type="checkbox"/> Stream Disturbance	<input type="checkbox"/> Coastal Erosion Management																		
<input type="checkbox"/> Excavation and Fill in Navigable Waters	<input type="checkbox"/> Wild, Scenic and Recreational Rivers																		
<input type="checkbox"/> Docks, Moorings or Platforms	<input type="checkbox"/> Water Supply																		
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<input type="checkbox"/> Tidal Wetlands	<input type="checkbox"/> Fish Control																		
	<input type="checkbox"/> Incidental Take of Endangered/Threatened Species																		

5. Name of Applicant (use full name)		Applicant must be:
Mailing Address		
Post Office City		Taxpayer ID (If applicant is NOT an individual):
State	Zip Code	
Telephone (daytime)	Email	
		<input type="checkbox"/> Owner <input type="checkbox"/> Operator <input type="checkbox"/> Lessee (check all that apply)

6. Name of Facility or Property Owner (if different than Applicant)	
Mailing Address	
Post Office City	
State	Zip Code
Telephone (daytime)	Email

7. Contact/Agent Name	
Company Name	
Mailing Address	
Post Office City	
State	Zip Code
Telephone (daytime)	
Email	

8. Project / Facility Name		Property Tax Map Section / Block / Lot Number	
Project Location - Provide directions and distances to roads, bridges and bodies of waters:			
Street Address, if applicable		Post Office City	State NY Zip Code
Town / Village / City		County	
Name of USGS Quadrangle Map		Stream/Water Body Name	
Location Coordinates: Enter NYTMs in kilometers, OR Latitude/Longitude			
NYTM-E	NYTM-N	Latitude	Longitude

For Agency Use Only	DEC Application Number:	USACE Number:
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JOINT APPLICATION FORM - PAGE 2 OF 2
Submit this completed page as part of your Application.

9. Project Description and Purpose: Provide a complete narrative description of the proposed work and its purpose. Attach additional page(s) if necessary. Include: description of current site conditions and how the site will be modified by the proposed project; structures and fill materials to be installed; type and quantity of materials to be used (i.e., square ft of coverage and cubic yds of fill material and/or structures below ordinary/mean high water) area of excavation or dredging, volumes of material to be removed and location of dredged material disposal or use; work methods and type of equipment to be used; pollution control methods and mitigation activities proposed to compensate for resource impacts; and where applicable, the phasing of activities. **ATTACH PLANS ON SEPARATE PAGES.**

This permit application is for five (5) elevated, boardwalk-style golf cart crossings (bridges) totaling 28 feet of stream crossing. Bridges will be installed on helical piers that will be installed outside the bed of the affected streams. The attached drawing 1 shows the locations of the 5 bridges. Drawing 2 is enlargements of each of the 5 crossings. Drawings 2.1 through 2.5 are scaled plan and section view plans for each of the 5 crossings. Drawing 3 includes site details for bridge construction and sediment and erosion control. The involved streams are tributaries 2 and 3 of Emory Brook (D-70-80-12-2 & -3) Both are Class B streams.

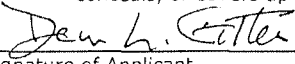
- Crossing 1 - A15-1 - Trib 2 - 10 feet wide
- Crossing 2 - A15-2 - Trib 2 - 8 feet wide
- Crossing 3 - A15-3 - Trib 2 - 4 feet wide
- Crossing 4 - A15-4 - Trib 2 - 4 feet wide
- Crossing 5 - A15-5 - Trib 3 - 2 feet wide

Proposed Use: <input type="checkbox"/> Private <input type="checkbox"/> Public <input checked="" type="checkbox"/> Commercial	Proposed Start Date: 2012	Estimated Completion Date: 2014
Has Work Begun on Project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain.		
Will Project Occupy Federal, State or Municipal Land? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please specify.		

10. List Previous Permit / Application Numbers (if any) and Dates:
0-9999-00096/00001, 00003, 00005, 0007, 00009, and 00011 December, 2005

11. Will this project require additional Federal, State, or Local Permits including zoning changes? Yes No If yes, please list:
See the attached list of required approvals.

12. Signatures. If applicant is not the owner, both must sign the application.
I hereby affirm that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. Further, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from said project. In addition, Federal Law, 18 U.S.C., Section 1001 provides for a fine of not more than \$10,000 or imprisonment for not more than 5 years, or both where an applicant knowingly and willingly falsifies, conceals, or covers up a material fact; or knowingly makes or uses a false, fictitious or fraudulent statement.

	Dean L. Gitter	Managing Member	03/31/2011
Signature of Applicant	Printed Name	Title	Date
Signature of Owner	Printed Name	Title	Date
Signature of Agent	Printed Name	Title	Date

For Agency Use Only	DETERMINATION OF NO PERMIT REQUIRED		
_____ (Agency Name)	Agency Project Number _____	has determined that No Permit is required from this Agency for the project described in this application.	
Agency Representative: Name (printed) _____	Title _____		
Signature _____	Date _____		



PERMISSION TO INSPECT PROPERTY

By signing this permission form for submission with an application for a permit(s) to the Department of Environmental Conservation ("DEC"), the signer consents to inspection by DEC staff of the project site or facility for which a permit is sought and, to the extent necessary, areas adjacent to the project site or facility. This consent allows DEC staff to enter upon and pass through such property in order to inspect the project site or facility, without prior notice, between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday. If DEC staff should wish to conduct an inspection at any other times, DEC staff will so notify the applicant and will obtain a separate consent for such an inspection.

Inspections may take place as part of the application review prior to a decision to grant or deny the permit(s) sought. By signing this consent form, the signer agrees that this consent remains in effect as long as the application is pending, and is effective regardless of whether the signer, applicant or an agent is present at the time of the inspection. In the event that the project site or facility is posted with any form of "posted" or "keep out" notices, or fenced in with an unlocked gate, this permission authorizes DEC staff to disregard such notices or unlocked gates at the time of inspection.

The signer further agrees that during an inspection, DEC staff may, among other things, take measurements, may analyze physical characteristics of the site including, but not limited to, soils and vegetation (taking samples for analysis), and may make drawings and take photographs.

Failure to grant consent for an inspection is grounds for, and may result in, denial of the permit(s) sought by the application.

Permission is granted for inspection of property located at the following address(es):

Modified Belleaire Resort at Catskill Park Property

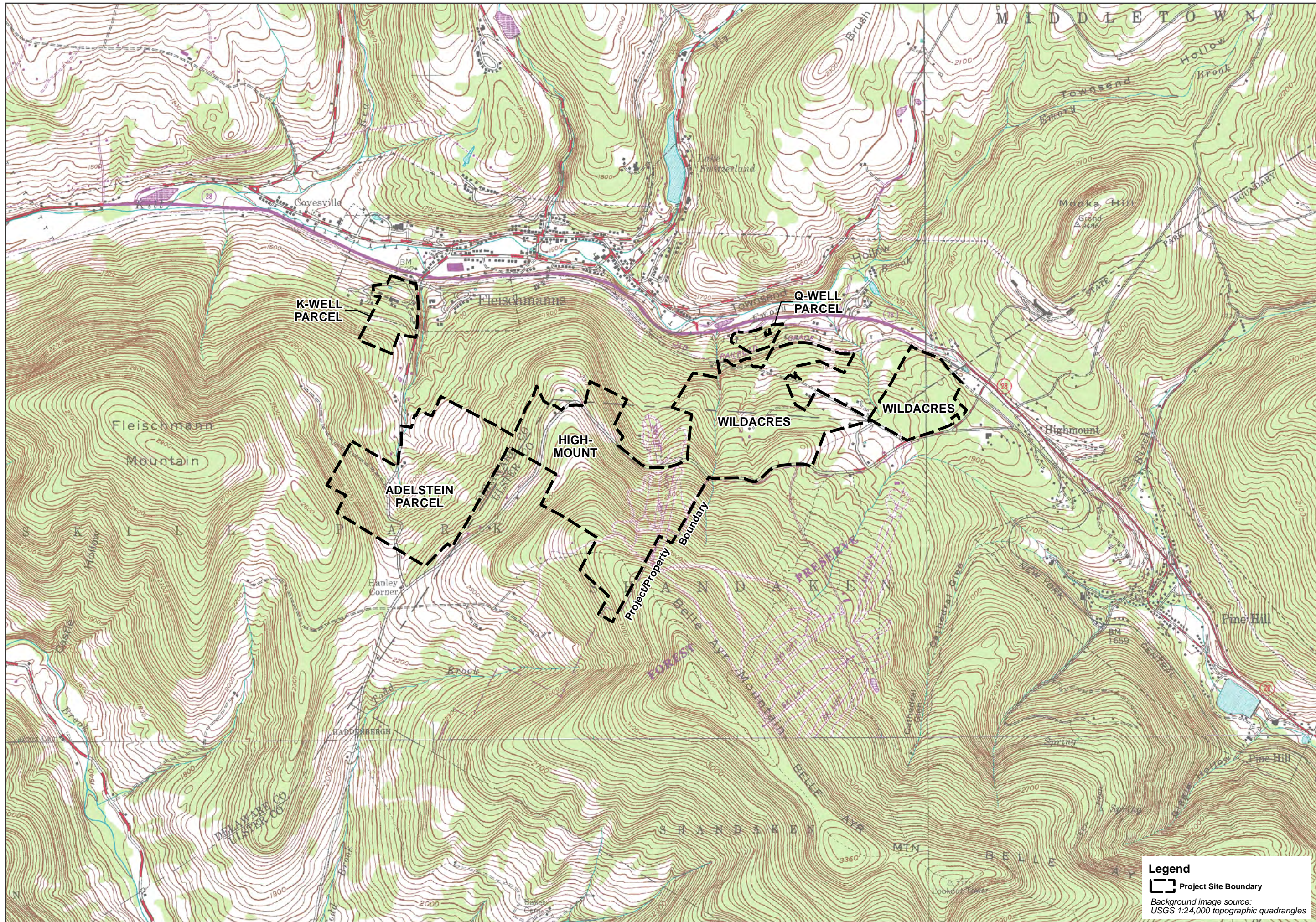
County Route 49A, Highmont, NY 12441

*By signing this form, I affirm under penalty of perjury that I am authorized to give consent to entry by DEC staff as described above. I understand that false statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.**

<u>Dean Gitler, Managing Partner</u>	<u>Dean L. Gitler</u>	<u>03/31/2011</u>
Print Name and Title	Signature	Date

*The signer of this form must be an individual or authorized representative of a legal entity that:

- owns fee title and is in possession of the property identified above;
- maintains possessory interest in the property through a lease, rental agreement or other legally binding agreement; or
- is provided permission to act on behalf of an individual or legal entity possessing fee title or other possessory interest in the property for the purpose of consenting to inspection of such property.



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PREPARED FOR:
 Crossroads Ventures, L.L.C.
 P.O. Box 267
 Mt. Tremper, NY 12457

The Modified Belleayre Resort at Catskill Park

Wildacres Resort & The Highmount Spa Resort
 Towns of Shandaken & Town of Middlestown, New York

Title
 USGS Site Location Map



Scale: 1:24,000
 0 1,000 2,000
 Feet

Project: 07074
 Date: 03/09/2011

Figure:

1-2

Legend
 Project Site Boundary
 Background image source:
 USGS 1:24,000 topographic quadrangles

REQUIRED PERMITS AND APPROVALS

The following permits and approvals are required for the Modified Belleayre Resort Project.

Local

Town of Shandaken Planning Board
Special Use Permit
Site Plan Approval

Town of Shandaken Town Board
Approval to Form Transportation Corporation(s)

Town of Middletown Planning Board
Special Use Permit
Site Plan Approval

Town of Middletown Town Board
Approval to Form Transportation Corporation(s)

Ulster and Delaware County

Health Department (Ulster only)
Water Supply Infrastructure
Wastewater Disposal Infrastructure
Food service
Hotels
Swimming Pools
Department of Public Works Bridges and Highways Division
Road Improvements and Driveways

Regional

NYCDEP
Wastewater Treatment Plant Connection
Stormwater Pollution Prevention and Impervious Surfaces

Delaware River Basin Committee
Groundwater Withdrawal Approval

State

NYSDEC
Streambank Disturbance (golf cart bridge crossings)
Water Supply Application
Individual SPDES Permits for Stormwater Discharges associated with
Construction and Operations

Petroleum Bulk Storage Registration
Chemical Bulk Storage Registration
Sewer and Water System Infrastructure Signoffs

NYSDOH (Delaware County Facilities)

Water Supply
Sewer System Infrastructure Signoffs
Food Service for Delaware County Portion
Hotels
Swimming Pools

NYSDOT

NY Route 28 Improvements
Speed Signage Approvals

Federal

US Army Corps of Engineers
Federal Wetlands/Waters of the US Jurisdictional Determination



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Drawn MJT/UTS

Checked KJF/SJA

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Submission:

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APPROVALS ONLY

PREPARED FOR:
Crossroads Ventures, L.L.C.
PO Box 267
Mt. Tremper, NY 12457

The Modified Belleayre Resort at Catskill Park
Supplemental Draft Environmental Impact Statement
The Article 15 Permit Application
Stream Crossing Locations



Revisions

Project: 07074

Date: 03/13/2012

Drawing

1.0

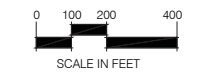
LEGEND

PROPERTY BOUNDARY - - - - -

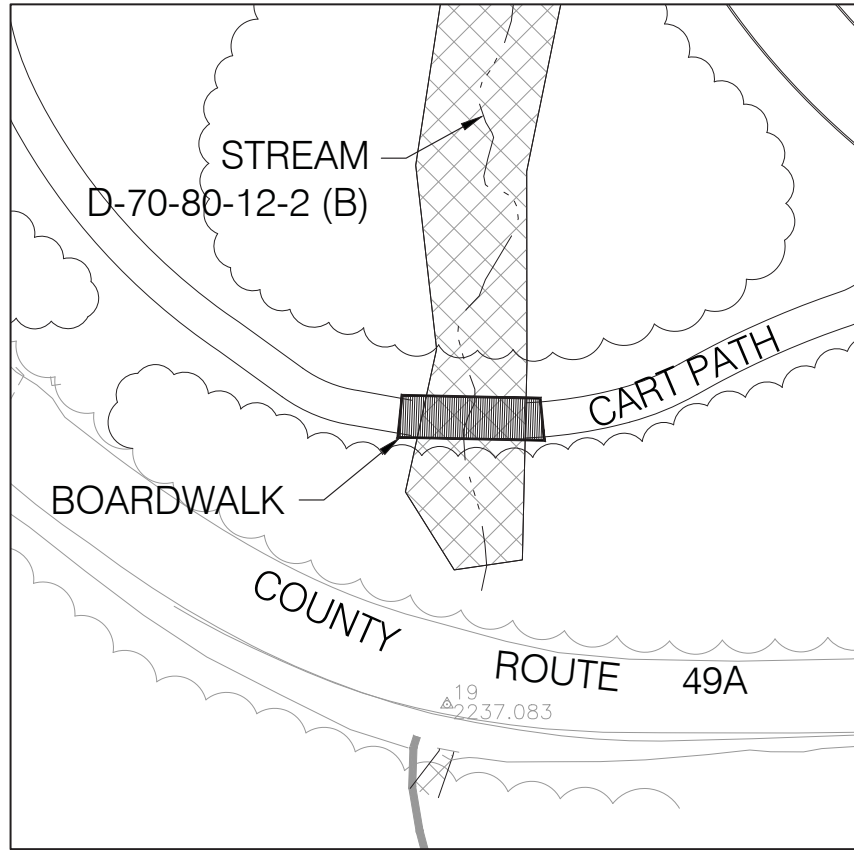
STREAM - - - - -

USACOE WETLAND [Hatched Box]

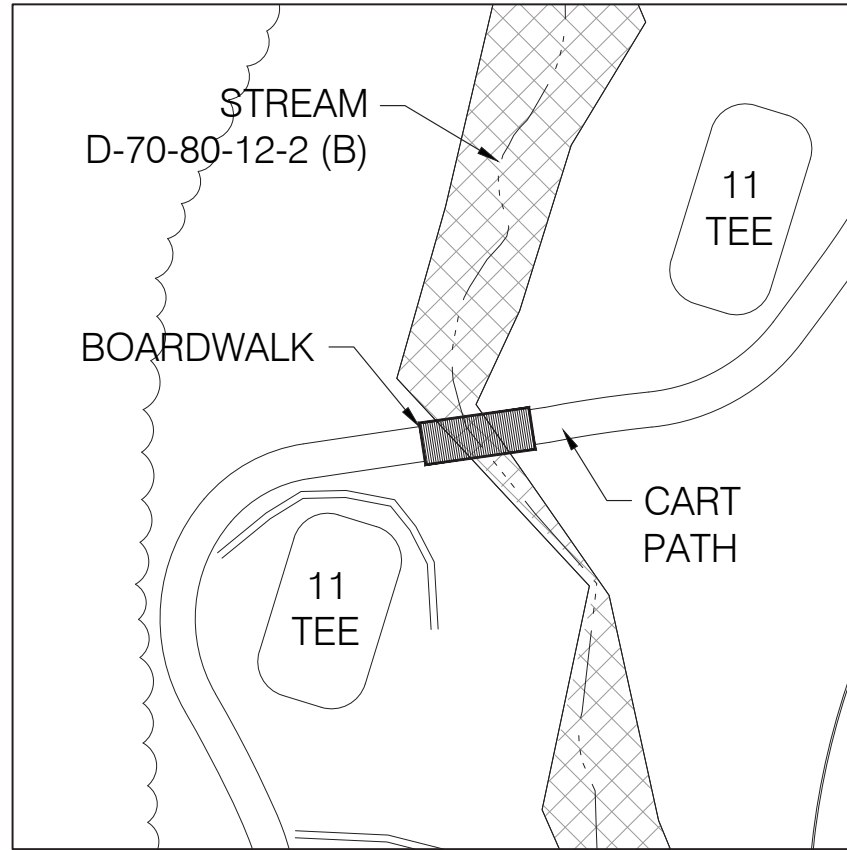
STREAM CROSSING A15-x [Circle with cross]



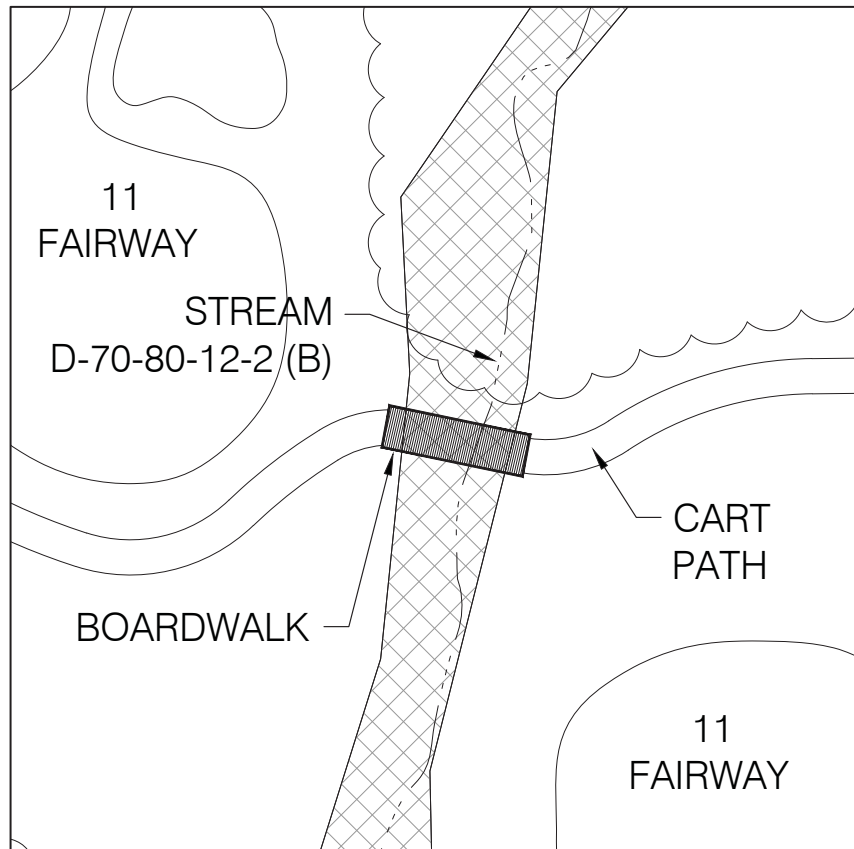
Prepared by: AJE/SJA/UTS
 Date: 03/13/2012
 Project: 07074
 Drawing: 1.0



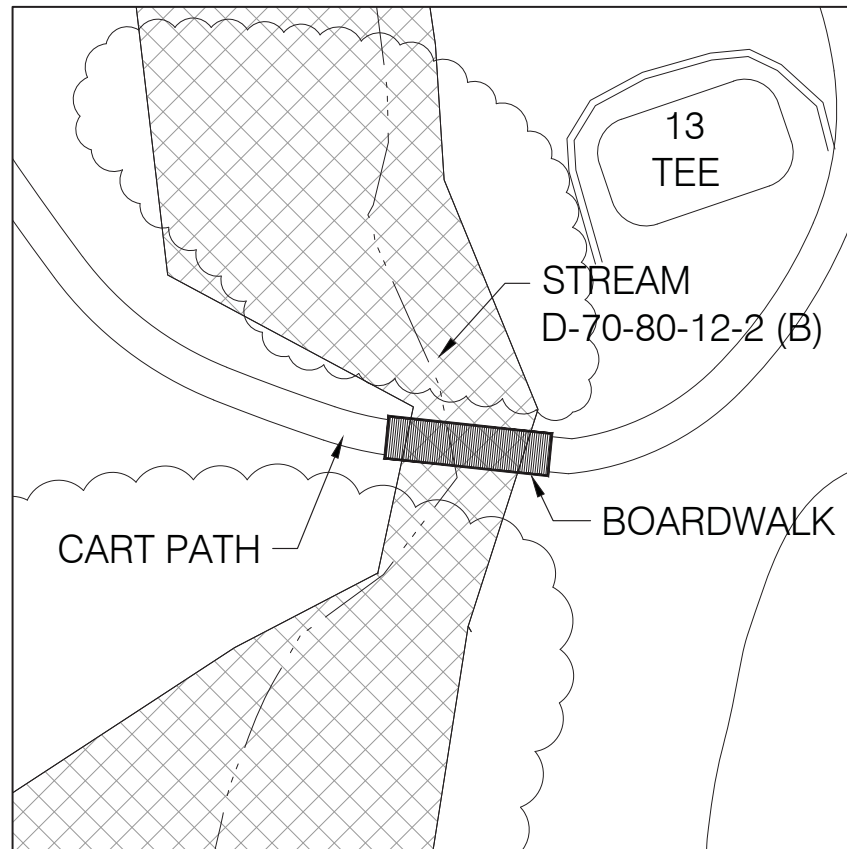
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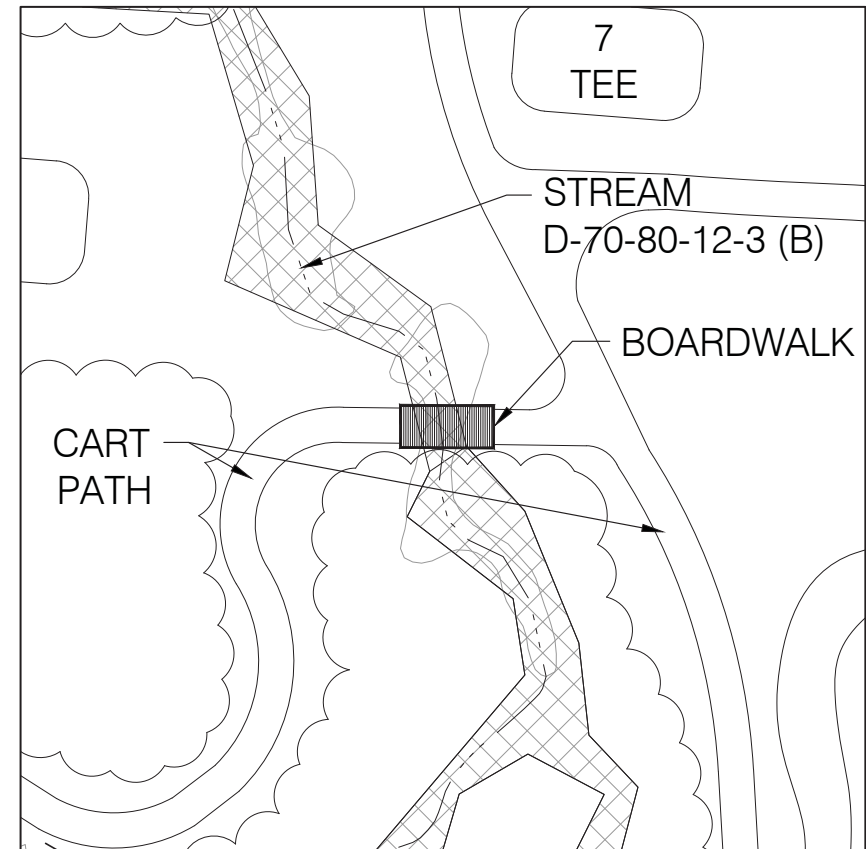
CROSSING A15-2



CROSSING A15-3



CROSSING A15-4



CROSSING A15-5

LEGEND

PROPERTY BOUNDARY - - - - -

STREAM - - - - -

USACOE WETLAND [Cross-hatched box]



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PREPARED FOR:
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PO Box 267
Mt. Tremper, NY 12457

The Modified Belleayre Resort at Catskill Park
Supplemental Draft Environmental Impact Statement
The Article 15 Permit Application
Stream Crossing Enlargements



Revisions

Project: 07074
Date: 03/13/2012
Drawing



A15-1

Photographed November 3, 2011 during
NYSDEC inspection with Brian Drumm
and Mike Flaherty NYSDEC Region 3.

Top of Bank at Proposed Spanned Crossing





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Supplemental Draft Environmental Impact Statement
Article 15 Permit Application
Stream Crossing Detail - A15-1

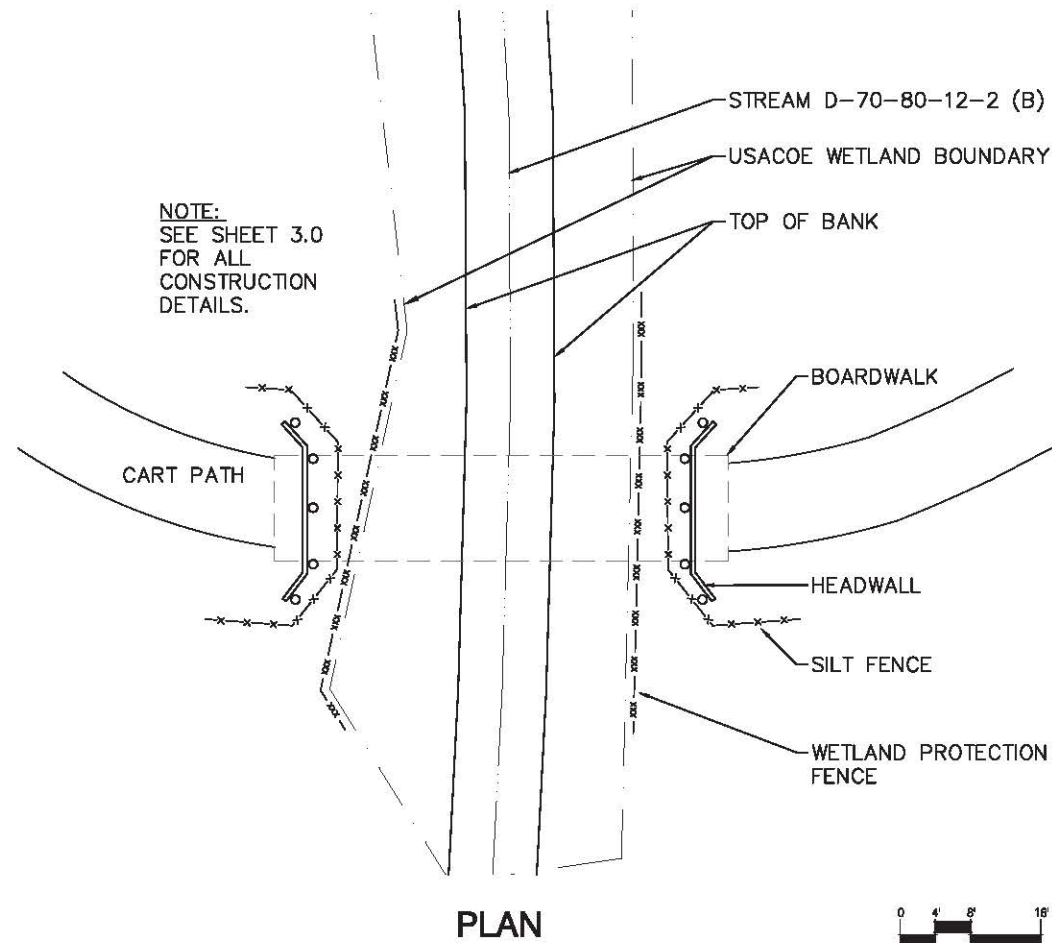
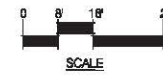
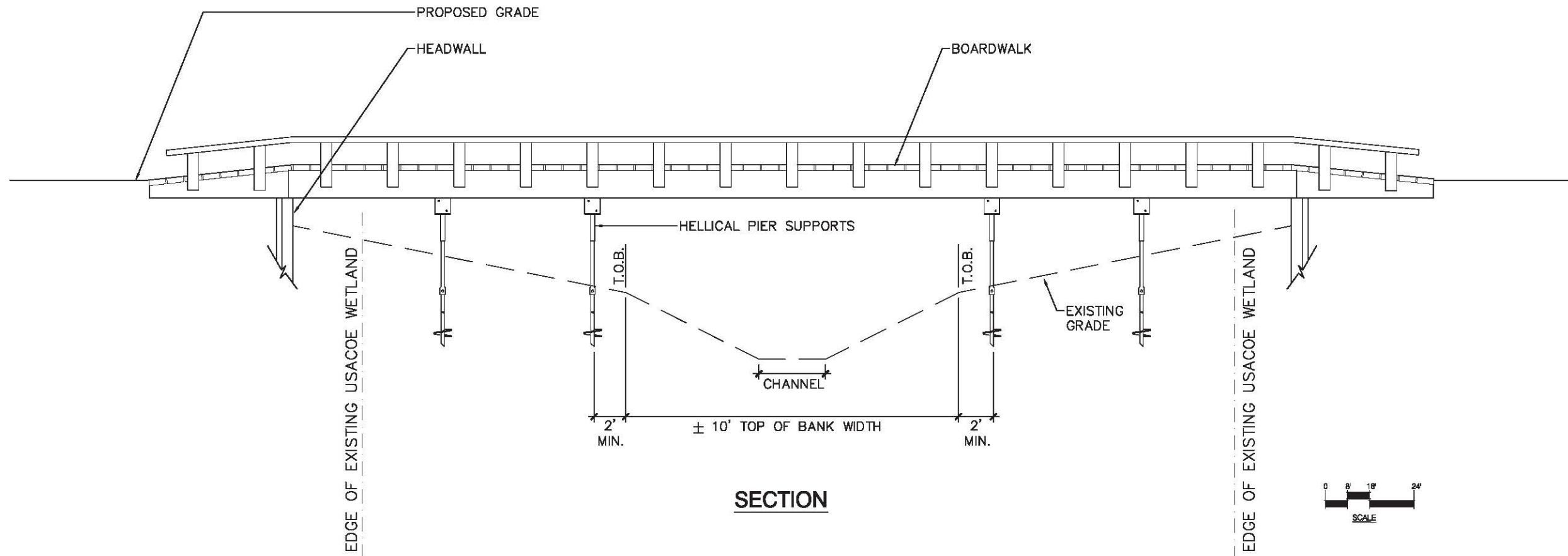


Revisions

Project: 07074
Date: 03/13/2012

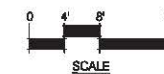
Drawing

2.1



NOTES:

1. WITHIN USACOE WETLAND, FLUSH CUT WOODY VEGETATION AS NEEDED TO INSTALL BRIDGE.
2. DO NOT GRUB STUMPS.
3. REMOVE CUT WOODY VEGETATION BY HAND TO AREA OUTSIDE OF USACOE WETLAND.
4. OPERATION OF MACHINERY BETWEEN TOP OF BANKS IS PROHIBITED.
5. SEE DRAWING 3.0 FOR EROSION AND SEDIMENT CONTROL DETAILS.
6. STABILIZE EXPOSED SOILS BY SEEDING WITH NON-INVASIVE, SHADE TOLERANT GRASSES APPLIED AT THE MANUFACTURER'S RECOMMENDED RATE, AND MULCHING WITH STRAW, WOOD CELLULOSE, BONDED FIBER MATRIX OR APPROVED EQUAL.

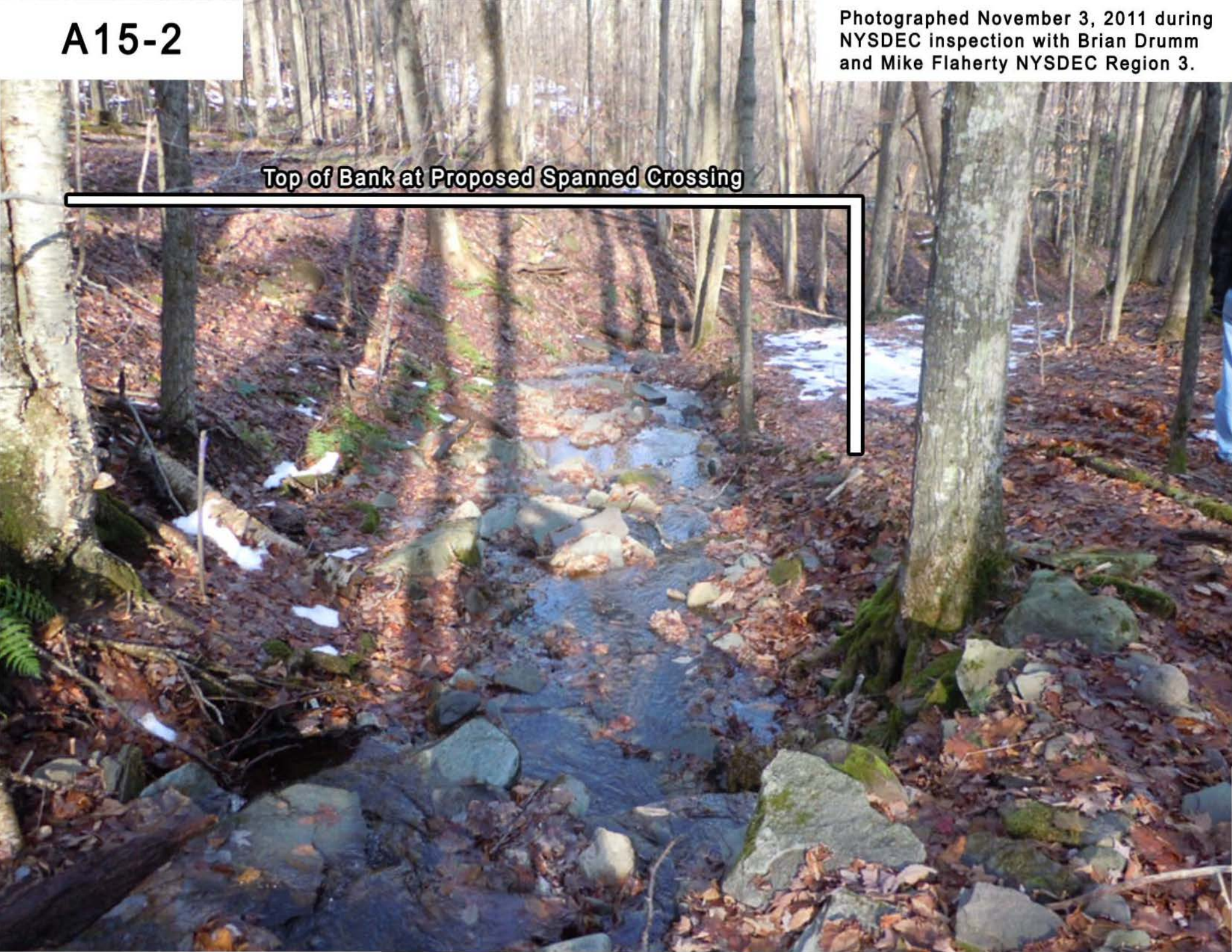


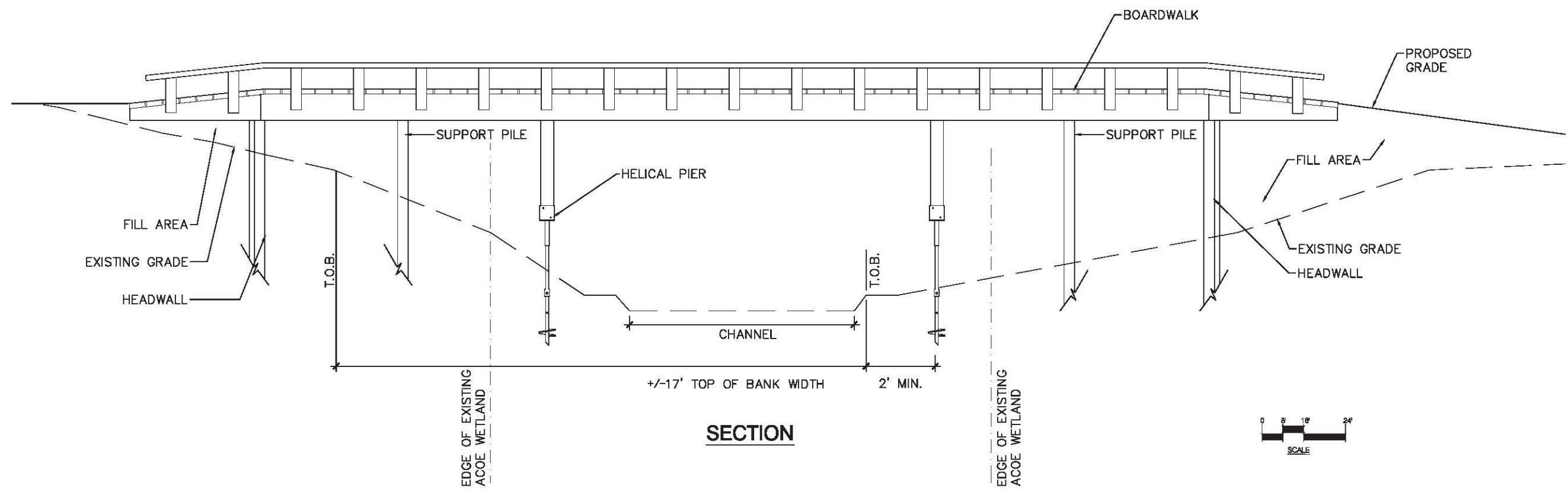
STREAM CROSSING: A15-1

A15-2

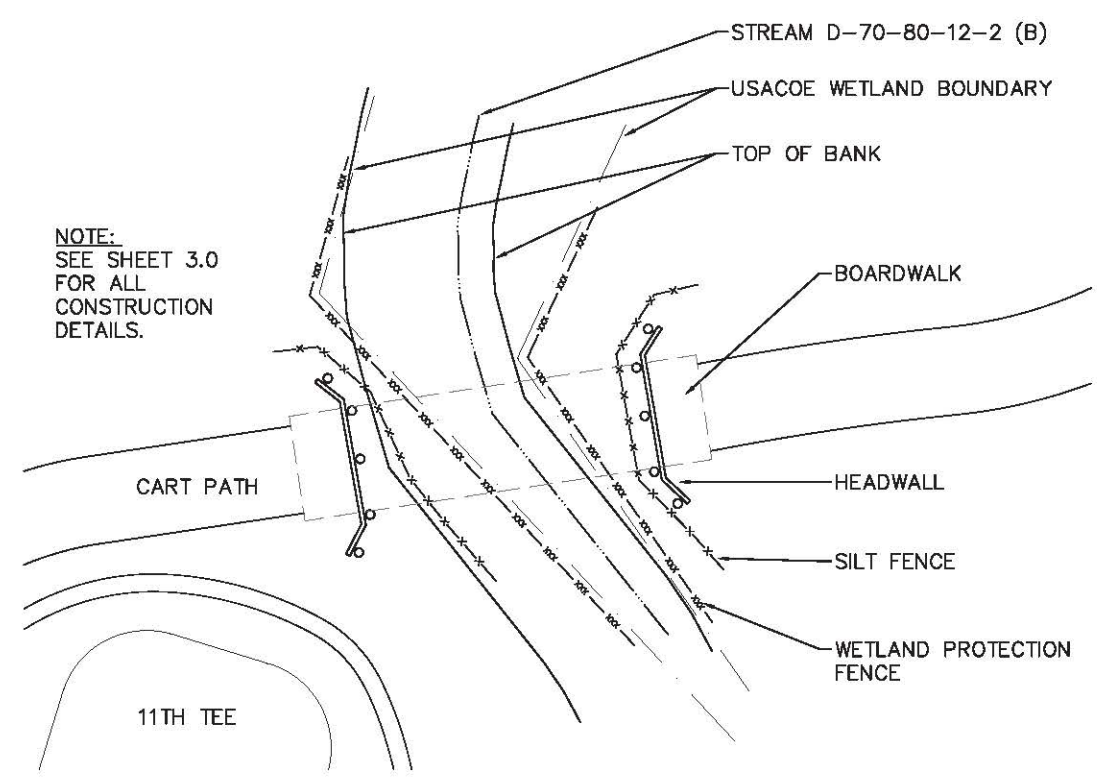
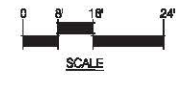
Photographed November 3, 2011 during
NYSDEC inspection with Brian Drumm
and Mike Flaherty NYSDEC Region 3.

Top of Bank at Proposed Spanned Crossing



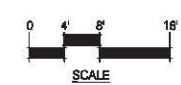


SECTION



NOTE:
 SEE SHEET 3.0
 FOR ALL
 CONSTRUCTION
 DETAILS.

PLAN



NOTES:

1. WITHIN USACOE WETLAND, FLUSH CUT WOODY VEGETATION AS NEEDED TO INSTALL BRIDGE.
2. DO NOT GRUB STUMPS
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STREAM CROSSING: A15-2

03/13/2012 10:00 AM C:\Users\mit\Documents\The Modified Belleayre Resort at Catskill Park\Stream Crossing Detail\A15-2.dwg

A15-3

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and Mike Flaherty NYSDEC Region 3.



Top of Bank at Proposed Spanned Crossing



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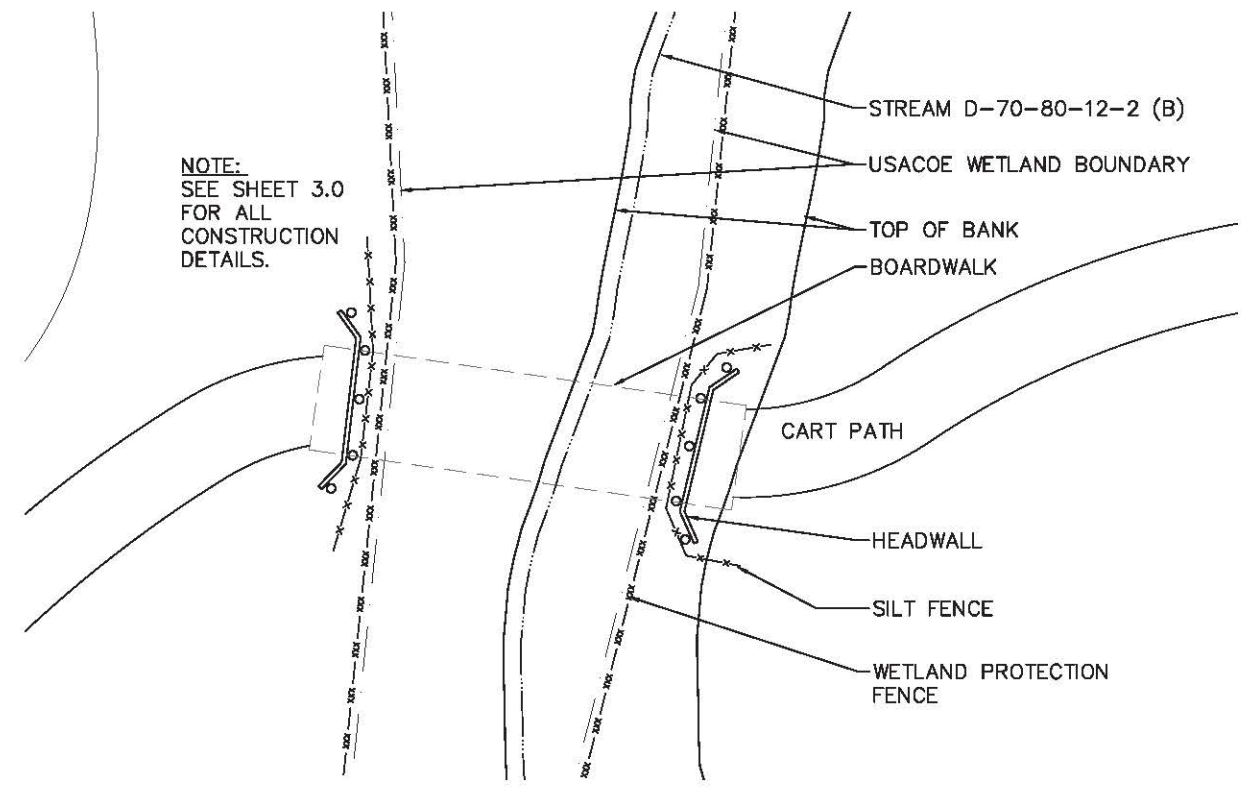
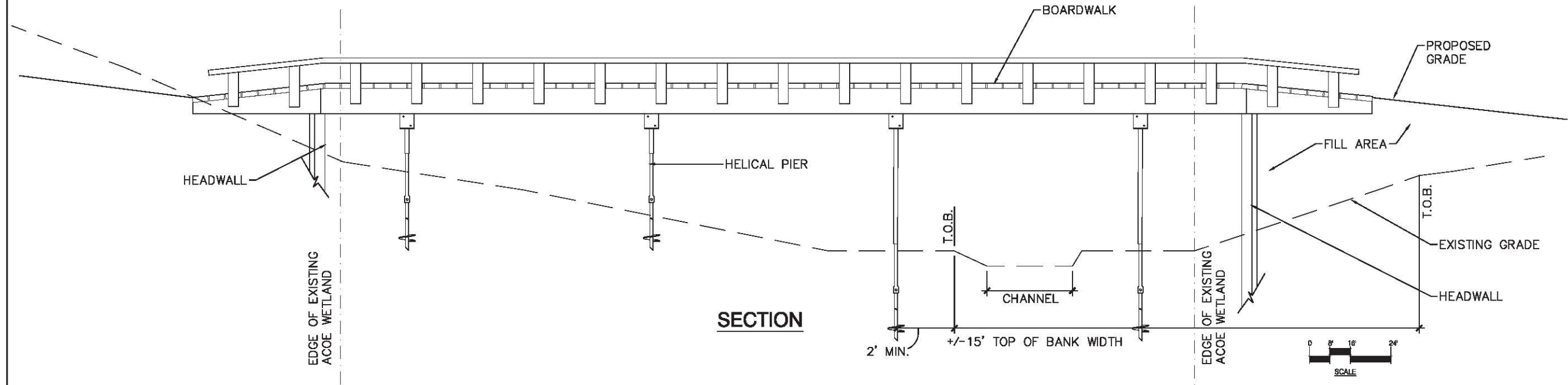
The Modified Belleayre Resort at Catskill Park
 Supplemental Draft Environmental Impact Statement
 Article 15 Permit Application
 Stream Crossing Detail - A15-3



Revisions
 07/19/2012

Project: 07074
 Date: 03/13/2012

Drawing
 2.3



NOTE:
 SEE SHEET 3.0
 FOR ALL
 CONSTRUCTION
 DETAILS.

- NOTES:**
1. WITHIN USACOE WETLAND, FLUSH CUT WOODY VEGETATION AS NEEDED TO INSTALL BRIDGE.
 2. DO NOT GRUB STUMPS.
 3. REMOVE CUT WOODY VEGETATION BY HAND TO AREA OUTSIDE OF USACOE WETLAND.
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STREAM CROSSING: A15-3

SCALE
 0 4 8 16

A15-4

Photographed November 3, 2011 during
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Top of Bank at Proposed Spanned Crossing





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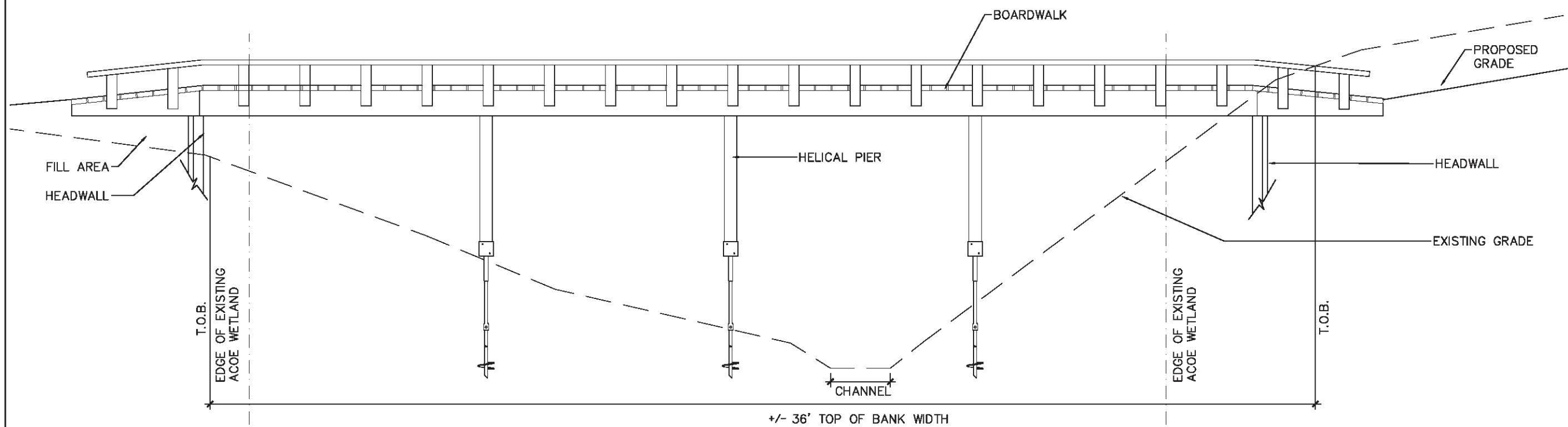
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Stream Crossing Enlargement



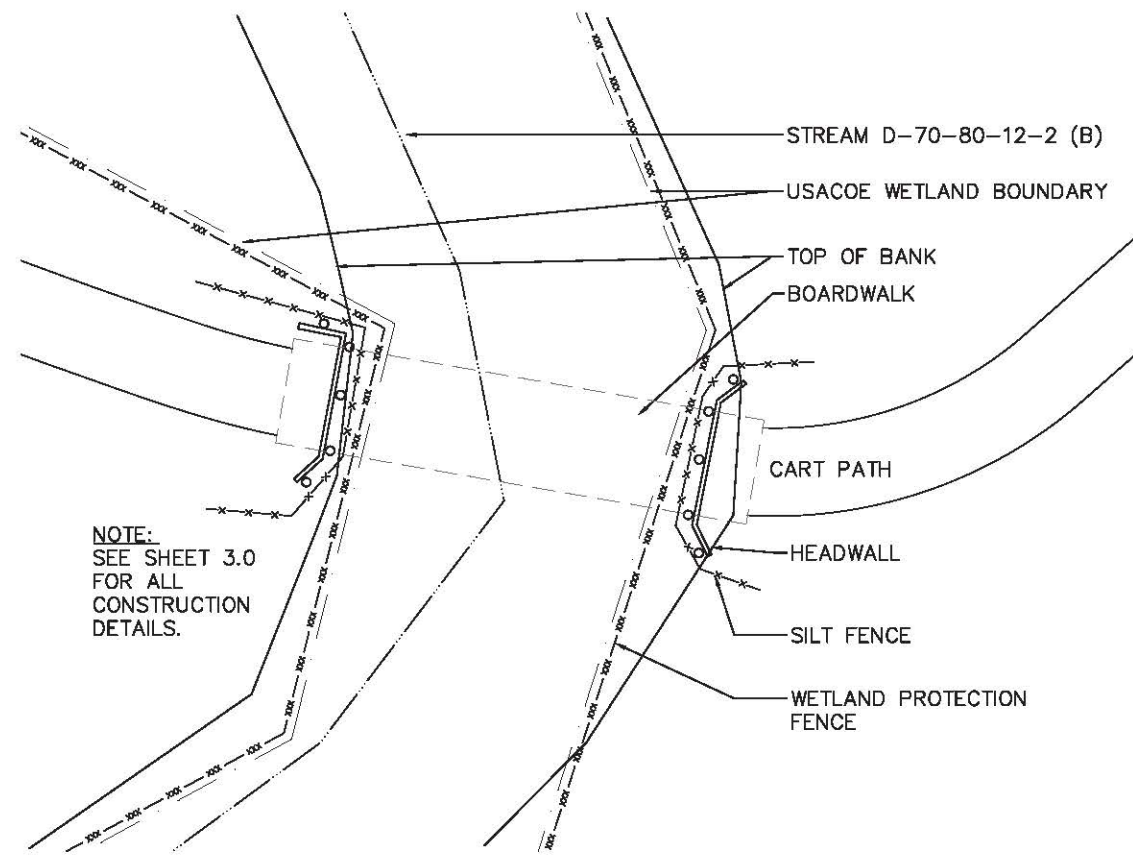
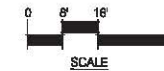
Revisions
07/19/2012

Project: 07074
Date: 03/13/2012

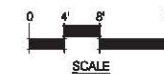
Drawing



SECTION



PLAN



NOTES:

1. WITHIN USACOE WETLAND, FLUSH CUT WOODY VEGETATION AS NEEDED TO INSTALL BRIDGE.
2. DO NOT GRUB STUMPS.
3. REMOVE CUT WOODY VEGETATION BY HAND TO AREA OUTSIDE OF USACOE WETLAND.
4. OPERATION OF MACHINERY BETWEEN TOP OF BANKS IS PROHIBITED.
5. SEE DRAWING 3.0 FOR EROSION AND SEDIMENT CONTROL DETAILS.
6. STABILIZE EXPOSED SOILS BY SEEDING WITH NON-INVASIVE, SHADE TOLERANT GRASSES APPLIED AT THE MANUFACTURER'S RECOMMENDED RATE, AND MULCHING WITH STRAW, WOOD CELLULOSE, BONDED FIBER MATRIX OR APPROVED EQUAL.

STREAM CROSSING: A15-4

A15-5

Photographed November 3, 2011 during
NYSDEC inspection with Brian Drumm
and Mike Flaherty NYSDEC Region 3.

Top of Bank at Proposed Spanned Crossing





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Submission:
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PREPARED FOR:
Crossroads Ventures, L.L.C.
PO Box 267
Mt. Tremper, NY 12457

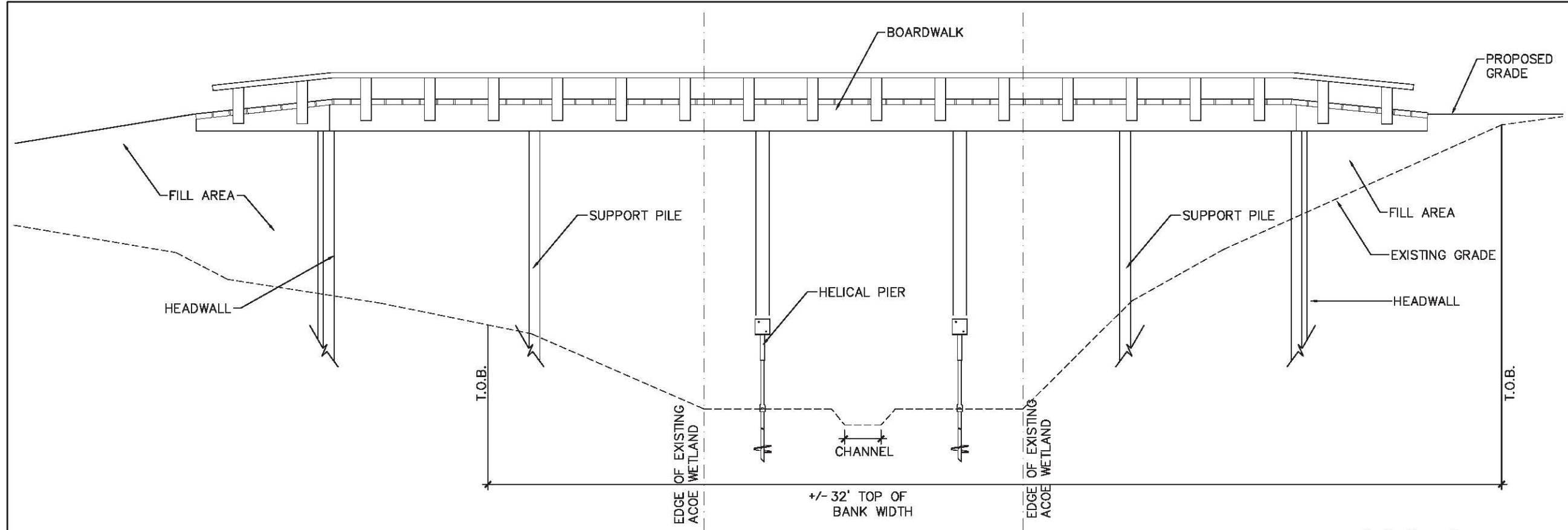
The Modified Belleayre Resort at Catskill Park
Supplemental Draft Environmental Impact Statement
Article 15 Permit Application
Stream Crossing Detail: A15-5



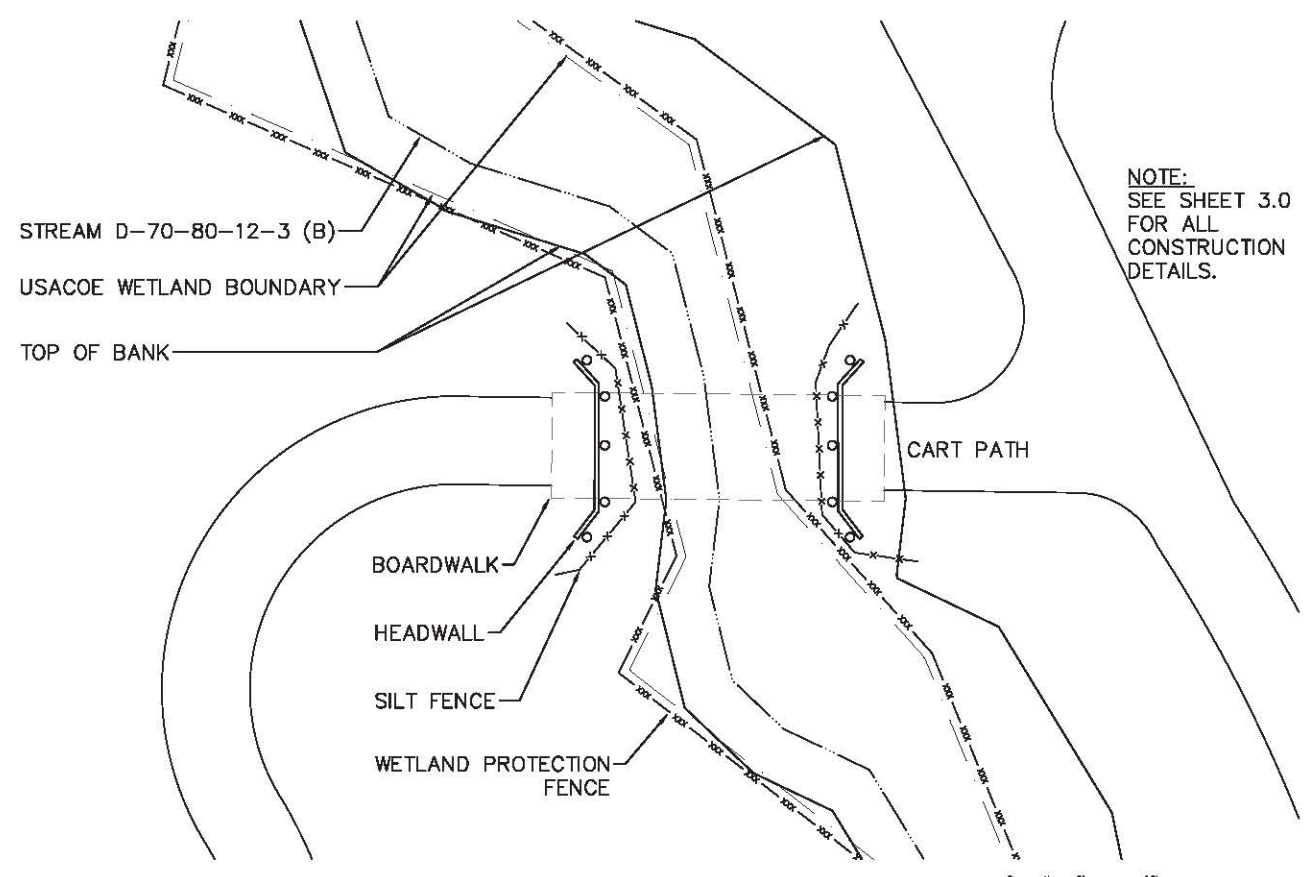
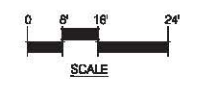
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Project: 07074
Date: 03/13/2012

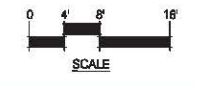
Drawing
2.5



SECTION



PLAN



STREAM CROSSING: A15-5



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Design
Drawn JTS
Checked KJF/RPF

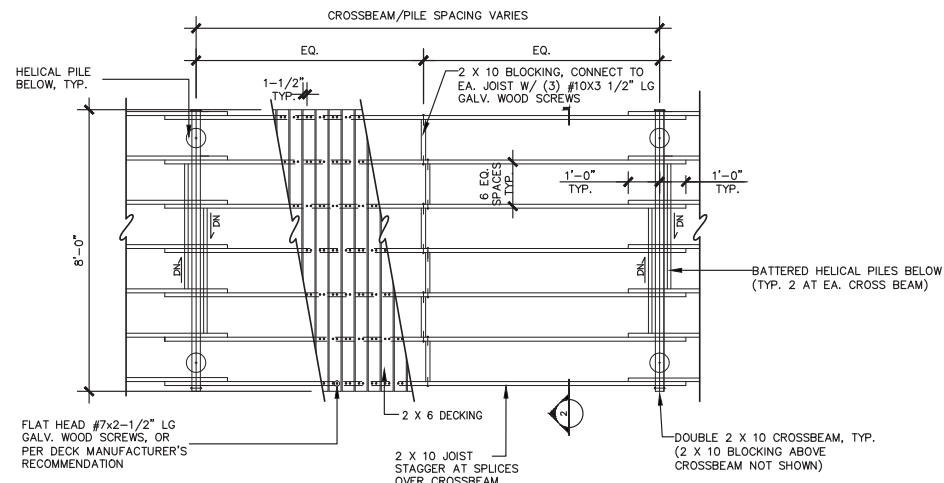
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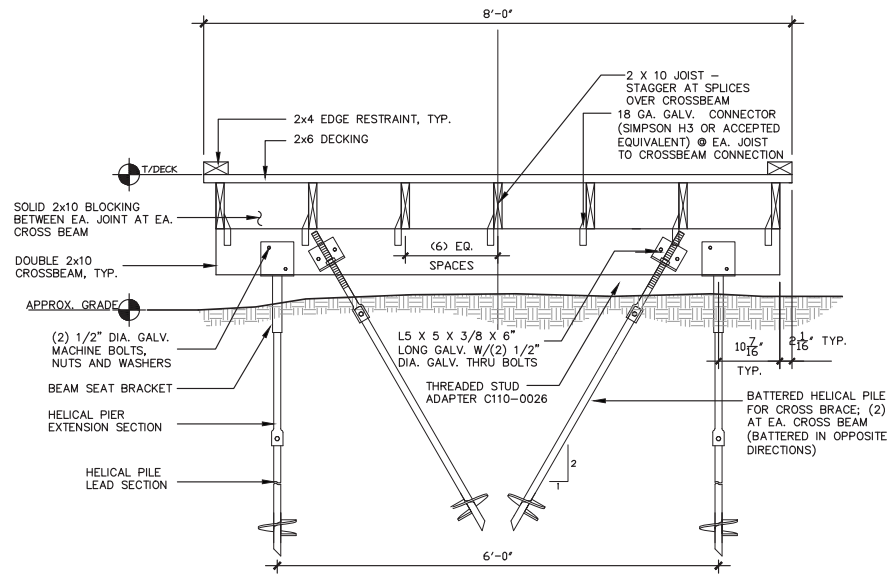
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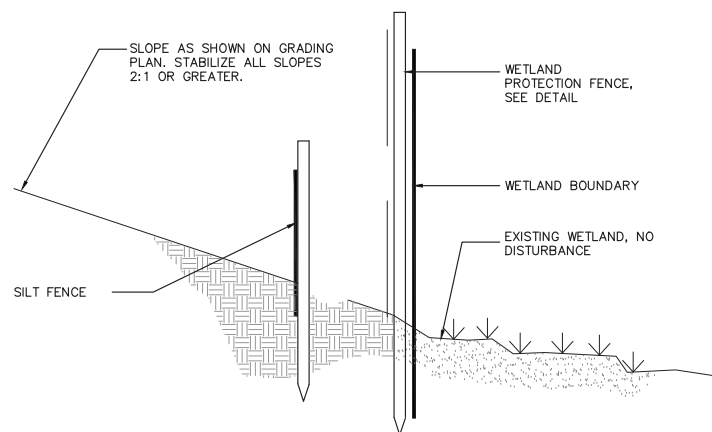
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Date: 03/13/2012
Drawing



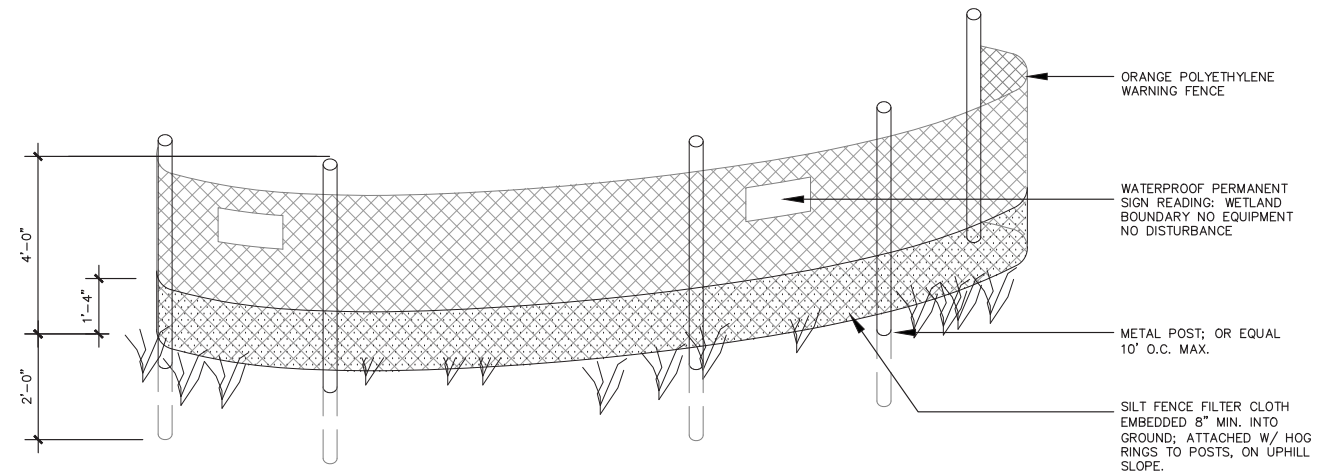
1 TYPICAL CART PATH PLAN



2 TYPICAL CART PATH SECTION

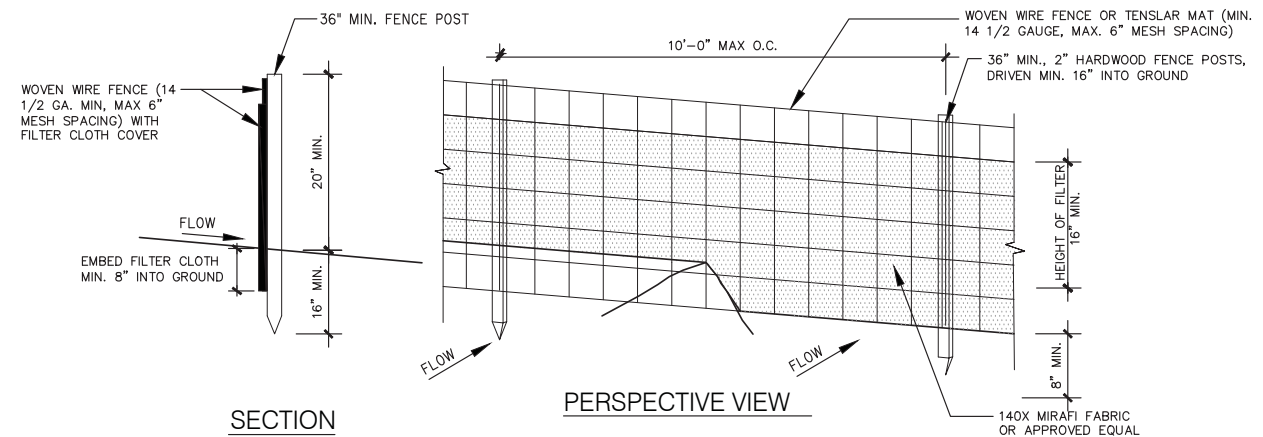


3 TYPICAL WETLAND PROTECTION DETAIL



CONTRACTOR SHALL INSTALL PROTECTION FENCE AT THE BEGINNING OF THE CONTRACT, AND MAINTAIN THROUGHOUT ITS DURATION. THE CONTRACTOR SHALL NOT DISTURB EXISTING WETLAND AREAS WITHIN THE FENCED AREAS.

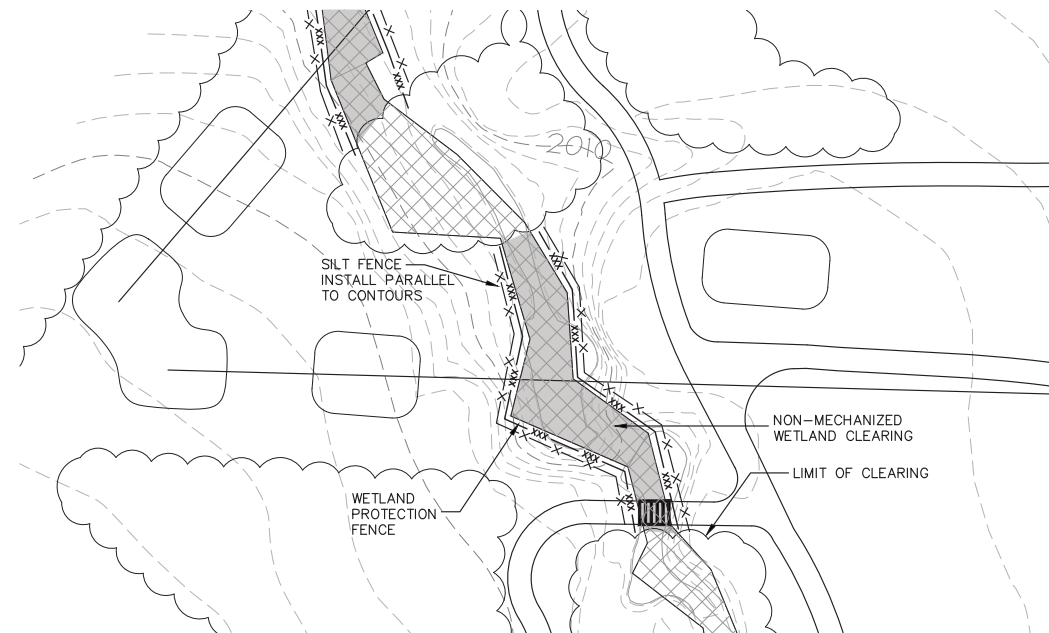
4 WETLAND PROTECTION FENCE DETAIL



CONSTRUCTION SPECIFICATIONS

WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL EITHER "I" OR "U" TYPE OR HARDWOOD. FILTER CLOTH TO BE TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION. FENCE SHALL BE WOVEN WIRE, 12 1/2 GAUGE, 6" MAXIMUM MESH OPENING. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINK A T140N, OR APPROVED EQUIVALENT. PREFABRICATED UNITS SHALL BE GEOFAB, ENVIROFENCE, OR APPROVED EQUIVALENT. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN 1/3 HEIGHT OF SILT FENCE IS REACHED OR WHEN "BULGES" DEVELOP IN THE SILT FENCE.

5 SUPER SILT FENCE



6 TYPICAL WETLAND PROTECTION- PLAN VIEW