



MEMORANDUM

TO: Town of Amenia Planning Board

FROM: John V. Andrews, Jr., P.E.

PROJECT: Longobardo Timber Harvest
Town of Amenia

SUBJECT: Review Comments

JOB NO.: 24-352-128

DATE: September 5, 2024

Pursuant to your request, we have reviewed the following documents submitted in support of the above-described project:

1. Letter to Town of Amenia Planning Board-prepared by Lower Hudson Forestry Services, LLC dated August 8, 2022.
2. Town of Amenia Planning Board- Land Use Application-Longobardo Timber Harvest dated July 22, 2024.
3. Town of Amenia Planning Board -Authorization of Agent- Longobardo Timber Harvest, dated July 22, 2024.
4. Town of Amenia Planning Board-Escrow for Professional Services- Longobardo Timber Harvest.
5. Town of Amenia Planning Board- Agricultural Data Statement- Longobardo Timber Harvest.
6. Short Environmental Assessment Form- Longobardo Timber Harvest, dated July 30, 2024.
7. New York State Department of Environmental Conservation- Permit Jurisdiction Request- Longobardo Timber Harvest, dated July 30, 2024.
8. Letter to Lower Hudson Forestry Services- DEC Longobardo Timber Harvest-from New York State Parks, Recreation and Historic Preservation, dated July 31, 2024.
9. Lands of Longobardo-Volume Report dated July 8, 2024.
10. Maps (3)-Lands of Longobardo.
11. Stand Reports (4).
12. Forest Land Classification and Treatment Report-Longobardo dated September 2023.
13. New York State Department of Environmental Conservation Certificate of Approval-Longobardo dated October 26, 2023.

The Project is located in the Suburban Residential (SR) and Rural Agricultural (RA) zoning districts. The Stream Corridor Overlay runs through minor portions of the property along the northerly and easterly sections. A small area of the harvest involves land in the Stream Corridor Overlay. The westerly and southerly portions of the property are located in the Scenic Protection Overlay. The harvest area is predominately, if not entirely outside the Scenic Protection Overlay. The property is located in both the Primary Valley Bottom Aquifer and the Upland Aquifer. The harvest area is in the Upland Aquifer. The timber harvesting activities are not expected to impact the Overlay areas.

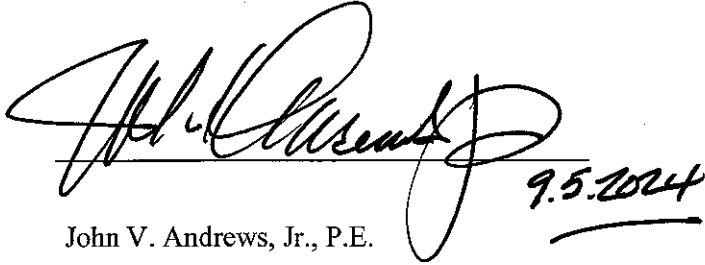
The project involves the selective timber harvest of approximately 120.0 acres out of a total of approximately 201.6 acres. The Project involves Tax Parcel 7166-00-368150. The harvest involves mature and overmature timber as well as salvage of hemlock that area declining due to hemlock wooly adelgid. A total of 1279 sawtimber and 318 firewood trees are being harvested on 120 acres, approximately 13 trees per acre from stands that average 68 trees per acre. One landing area internal to the site is proposed. Access to the site and the landing area is via an existing gravel road from Old Route 22. No Town Roads will be impacted by the harvest operation.

The following comments are offered for your consideration:

1. Under Zoning Code Section 121.47, timber harvesting is permitted by right, subject to site plan review, in all districts. Site plan submission requirements can be satisfied by a Forest Management Plan prepared by a qualified professional forester. The application material submitted did contain such a Forest Management Plan. Additionally, this parcel is enrolled in the NYSDEC Forest Tax Law 480a program and is being managed for the long-term production of forest products. A NYSDEC Certificate of Approval for the plan was included in the application materials.
2. As further required by the applicable code section, the submitted materials were reviewed by the Town's Consulting Forester, Brent E Feldweg. A copy of his review, dated August 23, 2024, is included in the project record. Mr Feldweg concludes that the proposed Timber Harvest is "well thought out and appropriately scheduled. It is consistent with and respectful of Town land use regulations in place and consistent with the preservation characteristics of the lands involved." Based on this plan acceptance by the Forester, we recommend that the Planning Board waive all site plan requirements not relevant to forest management and timber harvesting and accept the Forest Management Plan as submitted in lieu thereof.
3. The Agricultural Data Statement should be revisited. Based on a check of the current tax rolls suggests that the majority of the properties to east of the parcel are within Ag District 21 and should be notified. The form should be amended prior to circulation.
4. The project is subject to review under SEQRA. The action does not fit the criteria for a Type II action for which no review is necessary. The action does not appear to rise to the level of a Type I action. It would appear, subject to confirmation by the Planning Board Attorney, that this should be classified as an unlisted action and can be subject to uncoordinated review as the Planning Board is the only agency involved in this application. A Short Environmental Assessment Form (SEAF) was submitted. The SEAF submitted is suitable for review.
5. The submitted material included a letter from the NYSDEC dated July 30, 2024 which indicates that so long as the timber harvest takes place between November 1 and March 31, the guidance offered, and best management practices are incorporated into the action no impacts to Endangered or Threatened Species are likely to occur. Our review of the submission indicates that the requirements have been addressed in the proposal.
6. The submitted material includes a letter from the NYSOPRHP dated July 31, 2024 indicating No Impact to archeological and/or historic resources.
7. Timber harvesting activities are exempt from the typical Stormwater Pollution Prevention Plan requirements. They are not exempt from any municipal requirements. Erosion control measures are described in the application material. We take no exception to the erosion and sediment control provisions referenced in the plan which include implementation of NY BMPs for timber harvesting.

8. Zoning Code Section 121-47 contains provisions for a performance guarantee to ensure proper erosion control, stormwater management, reforestation maintenance and protection of roads on and off site from damage relating to the timber harvest, stormwater, or trucking. We recommend a performance guarantee in the amount of **Five Thousand dollars (\$5000.00)**.

We trust the comments herein are satisfactory for your purposes.

A handwritten signature in black ink, appearing to read "John V. Andrews, Jr.", is written over a horizontal line. To the right of the signature, the date "9.5.2024" is handwritten and underlined.

John V. Andrews, Jr., P.E.

cc: Paul Van Cott, Esq