

APPENDIX E

Wetland Delineation Report

**TIM
MILLER
ASSOCIATES, INC.**

10 North Street, Cold Spring, NY 10516 (845) 265-4400 265-4418 fax www.timmillerassociates.com

March 31, 2005

Mr. Frank Nussbaum
Labrador Properties, LLC
45 West 60th Street
Suite 29F
New York, New York 10023

RE: Wetlands Delineation
Route 17M
Town of Chester, Orange County

Dear Mr. Nussbaum:

At your request, the wetlands at the referenced property on Route 17M was delineated on March 23 & 31, 2005 in accordance with the 1987 ACOE delineation manual. The flags were placed as indicated on the attached field map for use. The edge of the regulated wetlands were flagged with consecutively numbered pink ribbons.

The wetland areas are associated with hillside seepage, groundwater and perched water. Approximately 83 flags were placed on the site, marking the wetlands as extending as generally shown on the enclosed field map.

The wetland areas support several species of hydrophytic vegetation typically associated with wetland and transitional areas including, soft rush, tussock sedge, purple loosestrife, and phragmites. Woody species include arrow-wood, pussy willow and redtwig dogwood. Adjacent upland areas were agricultural in nature near the wetland areas.

Soils in the wetland area were identified during the site inspection as exhibiting saturation and/or signs of reducing conditions including low chroma colors, and saturated conditions. According to the USDA's Soil Survey of Orange County, these soils are mapped under the classification of Erie gravelly silt loam (ErB). These soils are somewhat poorly drained on the lower parts of slopes, which is consistent with the characteristics of the soils observed on this site. Soil colors were Munsell 10YR3/1 at the surface, with 10YR5/1 below 3 inches with mottling.

Wetland hydrology is provided by hillside seepage and few springs. On the day of the field inspection, soils were saturated in the upper twelve inches throughout these areas.

Mr. Nussbaum
03/31/05

The areas as defined are regulated by the Army Corps of Engineers. Army Corps involvement is not required if no activities are proposed within the delineated wetland.

I hope this answers any questions you may have about the wetlands on this property. Feel free to call if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Bates', with a stylized flourish at the end.

James Bates
Environmental Scientist / Wetland Specialist
TIM MILLER ASSOCIATES, INC.

Attached for your use:

Wetland field map copy
Wetland datasheets

Job # 05009

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: Chester Applicant/Owner: Mr. Nussbaum Investigators: James Bates	Project No: 05009	Date: 23-Mar-2005 County: Orange State: New York Plot ID: Wetland A
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Do Normal Circumstances exist on the site? Is the site significantly disturbed (Atypical Situation:)? Is the area a potential Problem Area? (If needed, explain on the reverse side)	<input checked="" type="radio"/> Yes <input type="radio"/> Yes <input type="radio"/> Yes	<input type="radio"/> No <input checked="" type="radio"/> No <input checked="" type="radio"/> No	Community ID: PSS - Wet meadow Transect ID: Field Location: Wetland A
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VEGETATION (USFWS Region No. 1)

Dominant Plant Species(Latin/Common)	Stratum	Indicator	Plant Species(Latin/Common)	Stratum	Indicator
<i>Carex stricta</i>	Herb	OBL	<i>Phragmites australis</i>	Herb	FACW
Sedge,Uptight			Reed,Common		
<i>Carex crinita</i>	Herb	OBL	<i>Comus stolonifera</i>	Shrub	FACW+
Sedge,Fringed			Dogwood,Red-Osier		
<i>Verbena hastata</i>	Herb	FACW+	<i>Salix discolor</i>	Shrub	FACW
Vervain,Blue			Willow,Pussy		
<i>Juncus effusus</i>	Herb	FACW+	<i>Rosa multiflora</i>	Shrub	FACU
Rush,Soft			Rose,Multiflora		
<i>Lythrum salicaria</i>	Herb	FACW+			
Loosestrife,Purple					

Percent of Dominant Species that are OBL, FACW or FAC: (excluding FAC-) 8/9 = 88.89%	FAC Neutral: 8/9 = 88.89% Numeric Index: 18/9 = 2.00
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Remarks:

HYDROLOGY

<u>YES</u> Recorded Data(Describe in Remarks): <u>NO</u> Stream, Lake or Tide Gauge <u>YES</u> Aerial Photographs <u>NO</u> Other <u>NO</u> No Recorded Data Field Observations Depth of Surface Water: <= 1 (in.) Depth to Free Water in Pit: N/A (in.) Depth to Saturated Soil: N/A (in.)	Wetland Hydrology Indicators Primary Indicators <u>YES</u> Inundated <u>YES</u> Saturated in Upper 12 Inches <u>NO</u> Water Marks <u>NO</u> Drift Lines <u>NO</u> Sediment Deposits <u>YES</u> Drainage Patterns in Wetlands Secondary Indicators <u>YES</u> Oxidized Root Channels in Upper 12 Inches <u>NO</u> Water-Stained Leaves <u>NO</u> Local Soil Survey Data <u>YES</u> FAC-Neutral Test <u>NO</u> Other(Explain in Remarks)
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Remarks:

Hydrology provided by springs and hillside seepage

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SOILS

Map Unit Name (Series and Phase): Erie gravelly silt loam, 3 to 8 percent slopes						
Map Symbol: ErB Drainage Class: Somewhat poorly drained				Mapped Hydric Inclusion?		
Taxonomy (Subgroup):				Field Observations Confirm Mapped Type? <input checked="" type="radio"/> Yes No		
Profile Description						
Depth (inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Color (Munsell Moist)	Mottle Abundance/Contrast		Texture, Concretions, Structure, etc
0-3	A	10YR3/1	N/A	N/A	N/A	Loam
3+	B	10YR5/1	2.5YR3/6	Common	Distinct	Silt loam
Hydric Soil Indicators: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <u>NO</u> Histosol <u>NO</u> Histic Epipedon <u>YES</u> Sulfidic Odor <u>NO</u> Aquic Moisture Regime <u>NO</u> Reducing Conditions <u>YES</u> Gleyed or Low Chroma Colors </div> <div style="width: 45%;"> <u>NO</u> Concretions <u>NO</u> High Organic Content in Surface Layer in Sandy Soils <u>NO</u> Organic Streaking in Sandy Soils <u>NO</u> Listed on Local Hydric Soils List <u>NO</u> Listed on National Hydric Soils List <u>NO</u> Other (Explain in Remarks) </div> </div>						
Remarks:						

WETLAND DETERMINATION

Hydrophytic Vegetation Present? <input checked="" type="radio"/> Yes No Wetland Hydrology Present? <input checked="" type="radio"/> Yes No Hydric Soils Present? <input checked="" type="radio"/> Yes No	Is the Sampling Point within the Wetland? <input checked="" type="radio"/> Yes No
Remarks:	

**TIM
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September 21, 2005

Mr. Brain Orzel, Western Permits
Regulatory Branch, New York District
US Army Corps of Engineers
26 Federal Plaza
New York, NY 10278-0090

RE: Wetlands Determination Request
Proposed Residential Development
Town of Chester, Orange County, NY

Dear Mr. Orzel:

Enclosed please find the following items in support of a wetland delineation performed in accordance with the 1987 Corps of Engineers Delineation Manual.

1. A copy of the data forms for the Routine Determination Method;
2. A survey depicting the wetland flags locations
3. A USGS quad vicinity map;
4. A Orange County soils map showing the project area;
5. An Aerial photo with;
6. Photographs of some of the Wetlands on-site.

Potential impacts to the regulated wetland areas are not known at this time since the plan is still in the development phase.

Please review this material and schedule a member of your staff for a site visit at your earliest convenience in order to issue a jurisdictional determination. Additional information will be provided at your request.

Sincerely yours,



James A. Bates
Environmental Scientist / Wetland Specialist
TIM MILLER ASSOCIATES, INC.

Job #05009

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(1987 COE Wetlands Delineation Manual)

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Rush, Soft			Rose, Multiflora		
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Loosestrife, Purple					

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Remarks:	

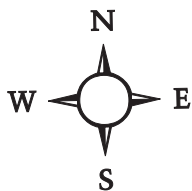
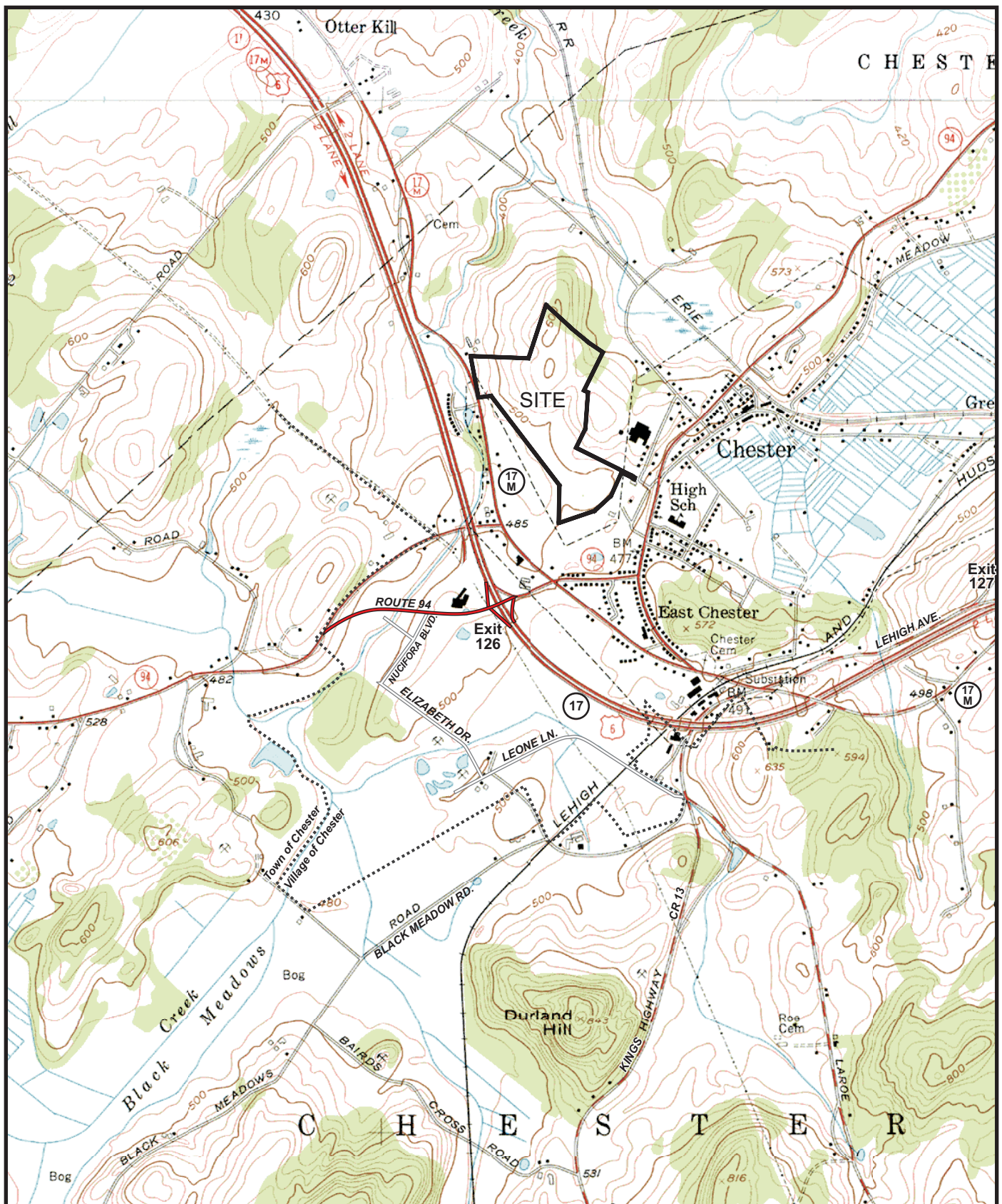
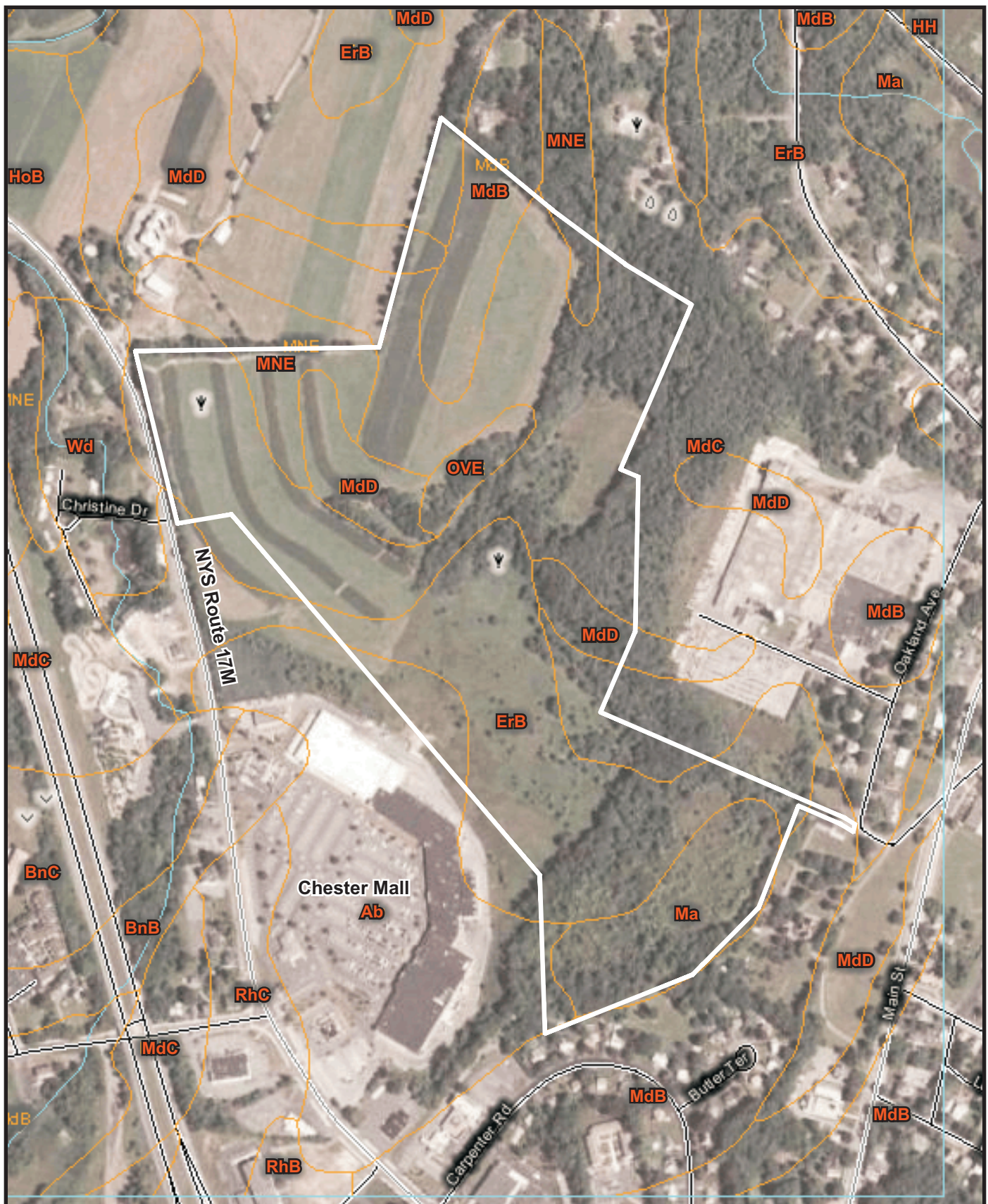


Figure 1: Location Map
BT Holdings - Chester
 Village of Chester, Town of Chester, Orange County, New York
 Base Map: USGS Topographic Map, Warwick Quad
 Scale: 1 inch = 2,000 feet



**Figure 3.1-3: Soils Map
BT Holdings - Chester**

Village of Chester, Town of Chester, Orange County, New York

Source: U.S. Dept of Agriculture, Natural Resources

Conservation Service Web Soil Survey

Scale: 1" = 475'

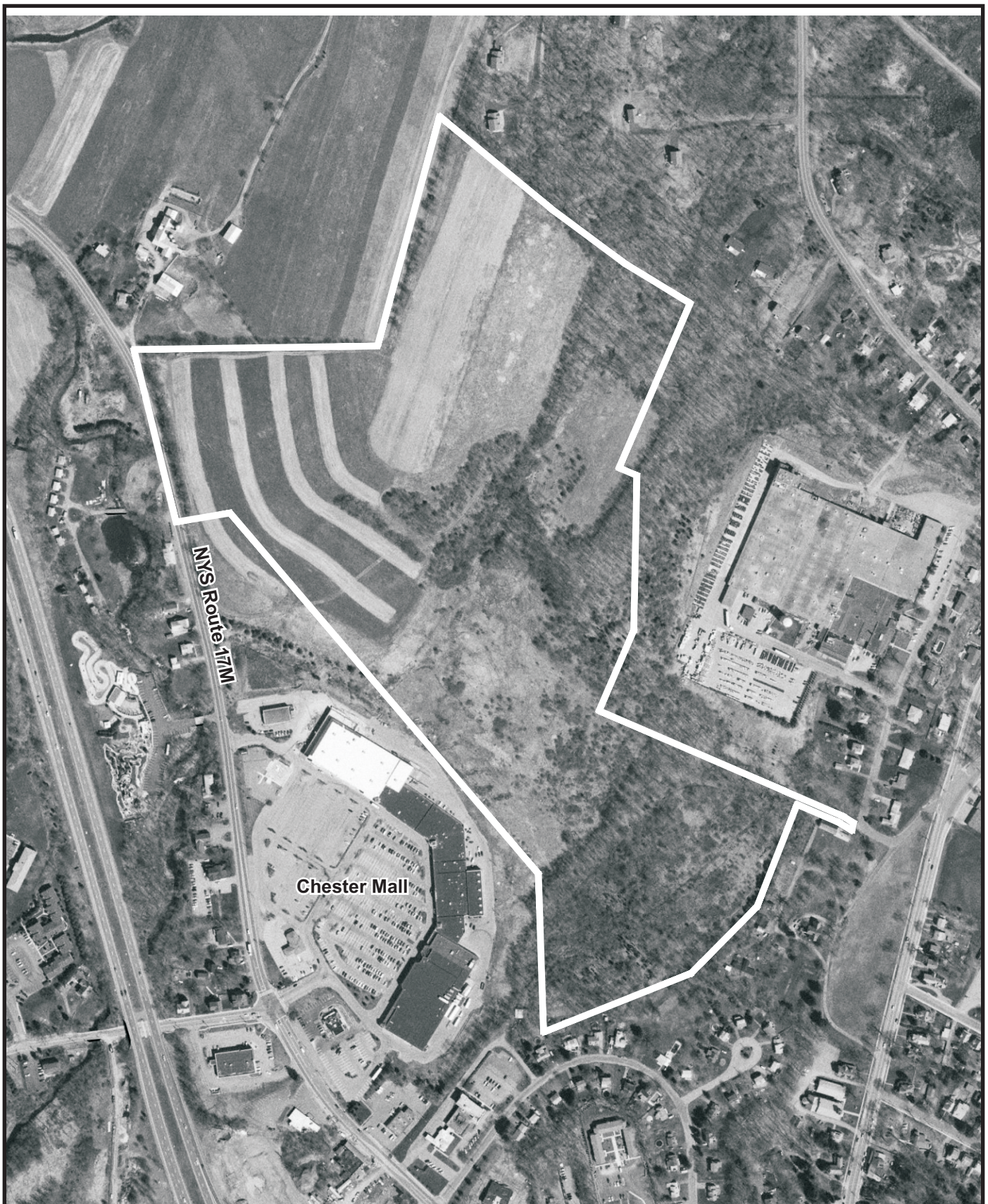


Figure 4: Site on Aerial Photograph
BT Holdings - Chester

Village of Chester, Town of Chester, Orange County, New York

Source: NYS GIS Clearinghouse, 2004 Aerial Photograph

Scale: 1" = 460'

BT Holding Property, Town of Chester, NY



1) Site location



2) View of Wetland Area by shopping plaza

BT Holding Property, Town of Chester, NY



3) View main wetland area.



4) View of wetland and adjacent upland area.