



**Department of
Environmental
Conservation**

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OCT 22 2025

TOWN OF QUEENSBURY
PLANNING OFFICE

KATHY HOCHUL
Governor

AMANDA LEFTON
Commissioner

Sent Via Email Only

October 22, 2025

Stuart Baker
Town of Queensbury
742 Bay Road
Queensbury, NY 12804
stuartb@queensburyny.gov



**RE: SEQR LEAD AGENCY COORDINATION RESPONSE
Woods at West Mountain Planned Resort Development
Queensbury (T), Warren County**

Dear Stuart Baker:

Thank you for your October 15, 2025, lead agency communication for the above project, pursuant to the State Environmental Quality Review Act (SEQR).

DEC Position: Based on the information provided, DEC agrees with the Town of Queensbury Town Board serving as SEQR lead agency for this project. Please be advised of the following permitting requirements associated with this project.

Freshwater Wetland Jurisdictional Determination

Portions of New York State regulated freshwater wetlands and their adjacent areas may be located in the project area. Although some limited activities are exempt from permitting, most activities that involve disturbance within a wetland or its 100-foot adjacent area require an Environmental Conservation Law (ECL) Article 24, Freshwater Wetlands permit from the DEC. Information on regulated activities within freshwater wetlands and adjacent areas is available on DEC's website (see [Regulated Activities](#)), which contains examples of regulated activities and those exempt from wetland permits.

DEC's amended Article 24, Freshwater Wetlands Jurisdiction and Classification regulations (6 NYCRR Part 664) went into effect on January 1, 2025. To determine whether the property contains regulated freshwater wetlands the project sponsor must submit a request for a Parcel Jurisdictional Determination (Parcel JD). A Parcel JD is a determination made by DEC whether a property contains regulated freshwater wetlands or adjacent areas within the parcel boundary.

Please use the attached link to request a Parcel JD for the project site:

<https://dec.ny.gov/nature/waterbodies/wetlands/freshwater-wetlands-program/freshwater-wetland-jurisdictional-determination> . If you have any problems submitting the Parcel JD request, please email: fwwjurisdiction@dec.ny.gov .

Division of Environmental Permits, Region 5

232 Golf Course Road

Warrensburg, NY 12885 | www.dec.ny.gov | P: (518) 623-1200 | F: (518) 623-3603

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If the property contains regulated freshwater wetlands or adjacent areas, further delineation of the wetland boundaries and a Project Jurisdictional Determination (Project JD) may be required. A Project JD is a determination made by the regional DEC office about whether a proposed activity within a parcel containing regulated freshwater wetlands or adjacent areas requires an Article 24 Freshwater Wetlands permit. Project JD requests should be sent to the regional Bureau of Ecosystem Health (BEH) in the region where the project is located. Regional BEH email addresses and a link to a map of regional offices are also provided on the DEC website using the jurisdictional determination link provided above.

If regulated freshwater wetlands or adjacent areas are present, all efforts must be made to first avoid disturbing the wetland and adjacent area. If disturbance to the wetland and/or adjacent area cannot be avoided, the project sponsor must submit a Freshwater Wetland permit application and obtain a permit to conduct a regulated activity. In accordance with DEC's Freshwater Wetlands Permit Requirements Regulations (6 NYCRR Part 663), the applicant would need to justify the disturbance, discuss alternatives and minimize impacts as part of the Freshwater Wetlands permit application. More information on application procedures and permit issuance standards is available on DEC's website at: <https://dec.ny.gov/regulatory/permits-licenses/waterways-coastlines-wetlands/freshwater-wetlands#Determine>.


State Pollutant Discharge Elimination System (SPDES)

Wastewater: In accordance with 6 NYCRR Part 750-1.4, a SPDES permit is required if the project involves constructing or using a wastewater treatment system that discharges to surface waters or ground waters of the state. Only treatment systems with a design flow or discharges to ground water of less than 1,000 gallons per day (GPD) of wastewater containing no industrial or other non-sewage wastes are exempt.

Stormwater (Construction): If the project will involve soil disturbance of one or more acres, the owner or operator must obtain coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity before commencing construction.

Thank you for the opportunity to review the proposed project. Please continue to coordinate with our office as the SEQR review commences and feel free to contact me at (518) 623-1283 or beth.magee@dec.ny.gov with any questions.

Sincerely,



Digitally signed by Beth A. Magee
Date: 2025.10.22 11:35:37 -04'00'

Beth A. Magee
Deputy Regional Permit Administrator

BAM:tlc