



Public Notice

Applicant:

River's Edge Properties,
LLC

Date:

Published: April 28, 2004

Expires: May 27, 2004

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District **CELRB-TD-R RE:** 2003-02249(1) **Section:** OH 404

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

River's Edge Properties, LLC, 4064 Shenandoah Parkway, Brunswick, Ohio 44212, has requested a Department of the Army permit to fill wetlands and impact streams during the construction of the River's Edge residential subdivision. The proposed project is located southeast of Bennett Road and south of Edgerton Road, in the City of North Royalton, Cuyahoga County, Ohio.

The approximately 62 acre project site contains 17 wetlands totalling 8.580 acres. The wetland delineation for the site was verified on December 31, 2003. Approximately 8.566 acres of wetlands (Wetlands A, B, C, D, E, F, G, I, II, J, JJ, KK, and LL) are adjacent to or contiguous with a complex of drainageways eventually leading to Furnace Brook and are therefore subject to regulation by the Department of the Army.

Approximately 4.48 acres of water of the U.S. subject to Federal jurisdiction will be filled. In addition, approximately 810 linear feet of intermittent and perennial stream will be impacted by the project. The proposed fills and culverting are associated with the construction of residential homes, garages, driveways, roadways, utilities, and landscaping. Culverts will be installed across Stream Nos. 1 and 2, and Stream 3 will be piped alongside sideyards from the eastern edge of the property to the Block C preservation area. The project avoids 40% of the wetlands on the property.

As mitigation for the federal wetlands impacts, the applicant proposes to purchase 9 acres of credit from the North Coast Regional Council of Park Districts. Compensation for the stream impacts will be made by protecting approximately 2,318 feet of the East Branch of the Rocky River, its riparian corridor, and 938 feet of tributary streams encompassing a total of 27 acres of green space. This preservation area will be donated to the Cleveland Metroparks, linking the area to two other protected areas - the Cleveland Metroparks' Rocky River Reservation and U.S. Homes' Greenbriar at River Valley conservation area to the south (D.A. File No. 96-494-0047(2)).

The stated purpose of the project is to construct a residential subdivision in order to expand the residential housing in the City of

North Royalton to keep pace with the growing economy and housing needs of the region.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Pauline D. Thorndike, who can be contacted by calling (716) 879-4237, or by e-mail at: pauline.d.thorndike@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

Based on preliminary findings, there appears to be one archeological site located near or within the proposed preservation area on the project site, and is listed as CU0160. The archeological site and immediate surrounding area is not likely to be disturbed as a result of this project because it is located in an area to be preserved. The applicant conducted a Phase I archeological survey on the eastern half of the site where disturbance and development is proposed to occur, and no archeological sites were found on that portion of the property. The Phase I report will be forwarded to the Ohio Historic Preservation Office (SHPO) upon receipt. This notice is intended to initiate consultation with the Ohio SHPO per Section 106 of the National Historic Preservation Act. All currently available historic resource information pertaining to this proposed project has been provided to the SHPO. Additional information concerning historic properties should be submitted to the Corps before the end of the comment period of this notice. The Corps will then forward that information to the SHPO for their review.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, and should be marked to the attention of Pauline D. Thorndike, or by e-mail at: pauline.d.thorndike@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

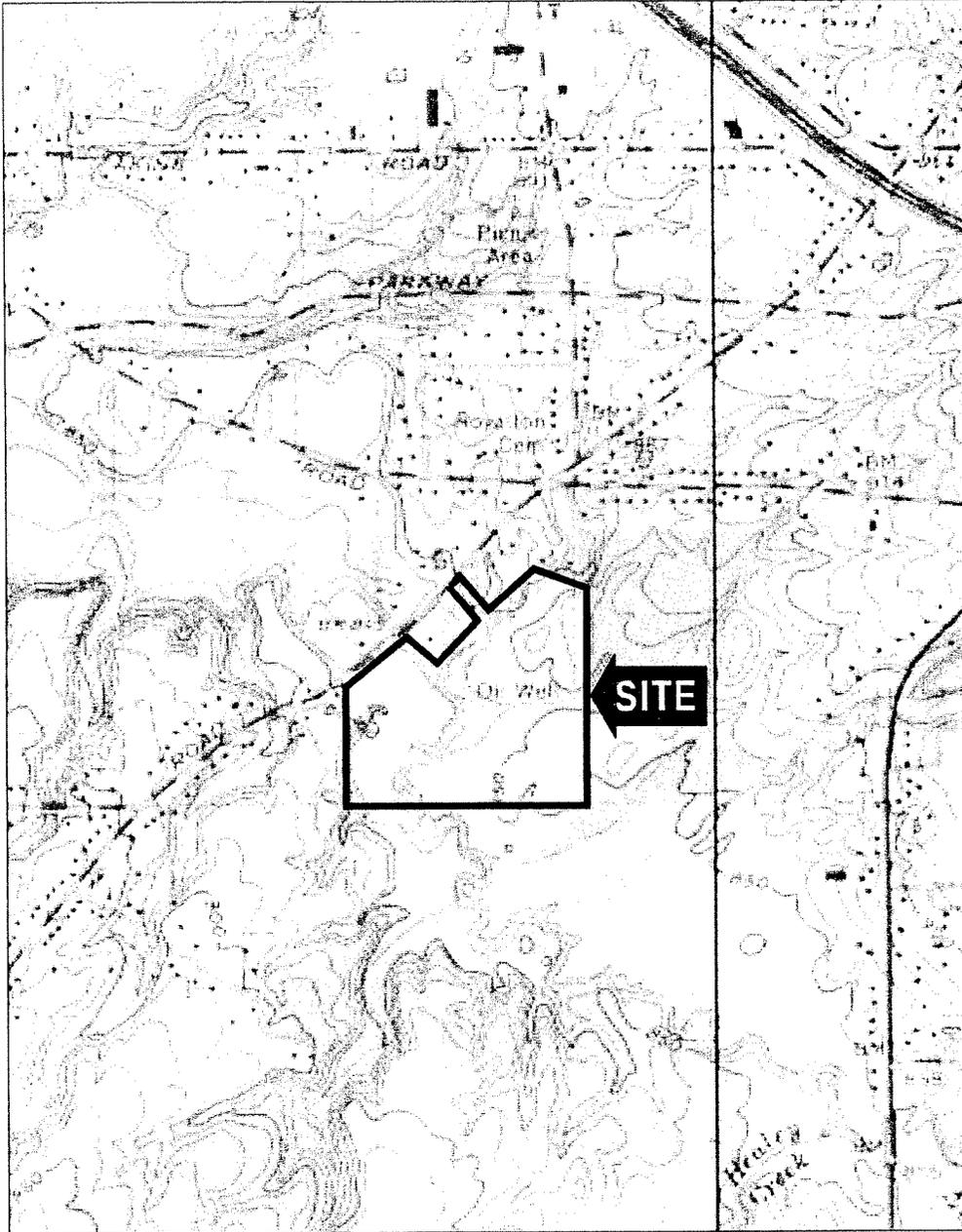
The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

SIGNED

Philip D. Frapwell
Acting Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

PROJECT No: 03171



RIVER'S EDGE PROPERTIES, LLC
D/A Processing No. 2003-02249(1)
Cuyahoga County, Ohio Quad: BEREA
Sheet 1 of 5



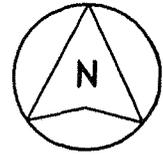
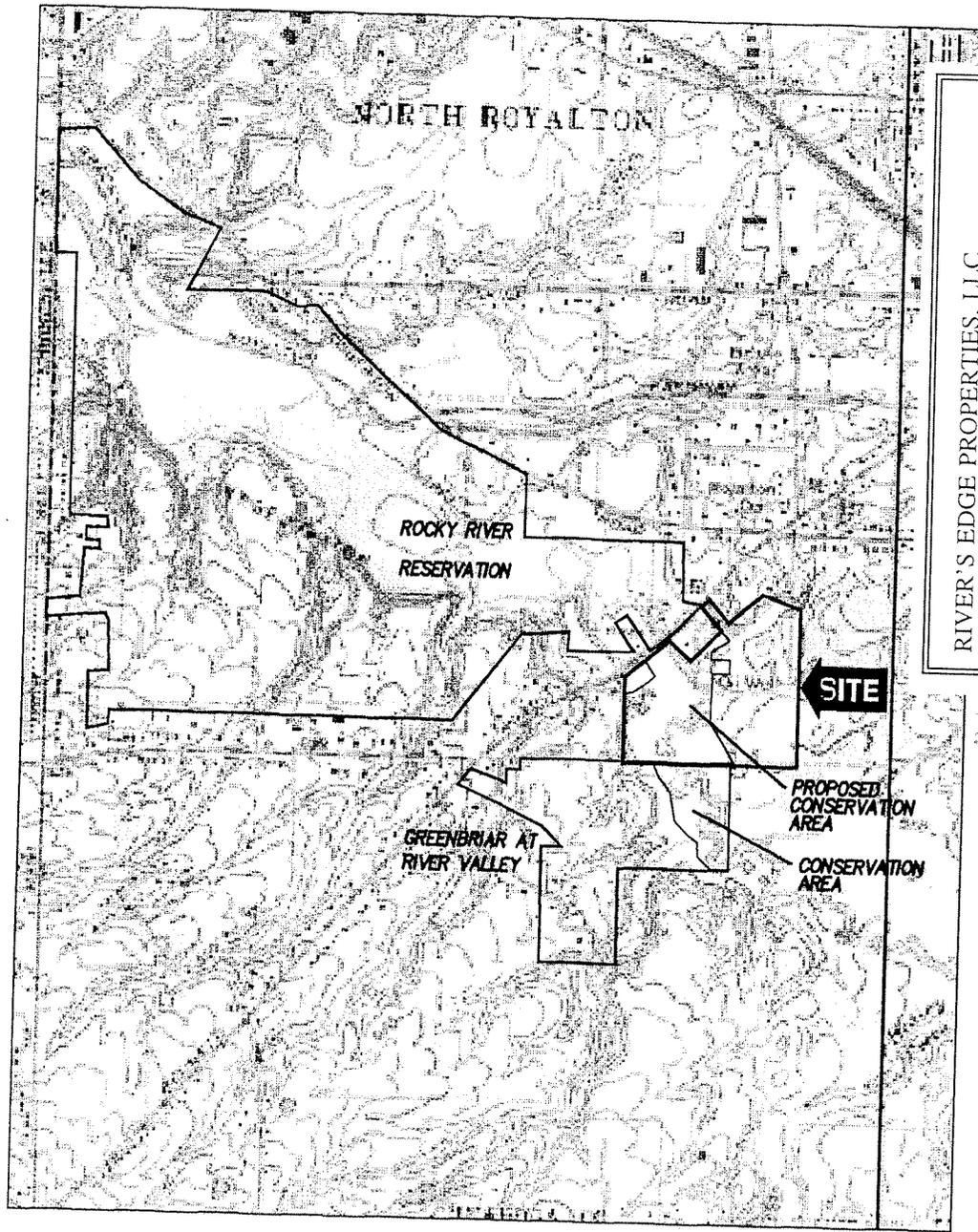
QUADRANGLE LOCATION

BEREA QUADRANGLE
OHIO - CUYAHOCA
7.5 MINUTE SERIES (TOPOGRAPHIC)

PROJECT: RIVER'S EDGE SUBDIVISION
LOCATION: NORTH ROYALTON, OHIO

 CHAGRIN VALLEY
ENGINEERING, LTD.

PROJECT No: 03171



RIVER'S EDGE PROPERTIES, LLC
 D/A Processing No. 2003-02249(1)
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 Sheet 2 of 5



QUADRANGLE LOCATION

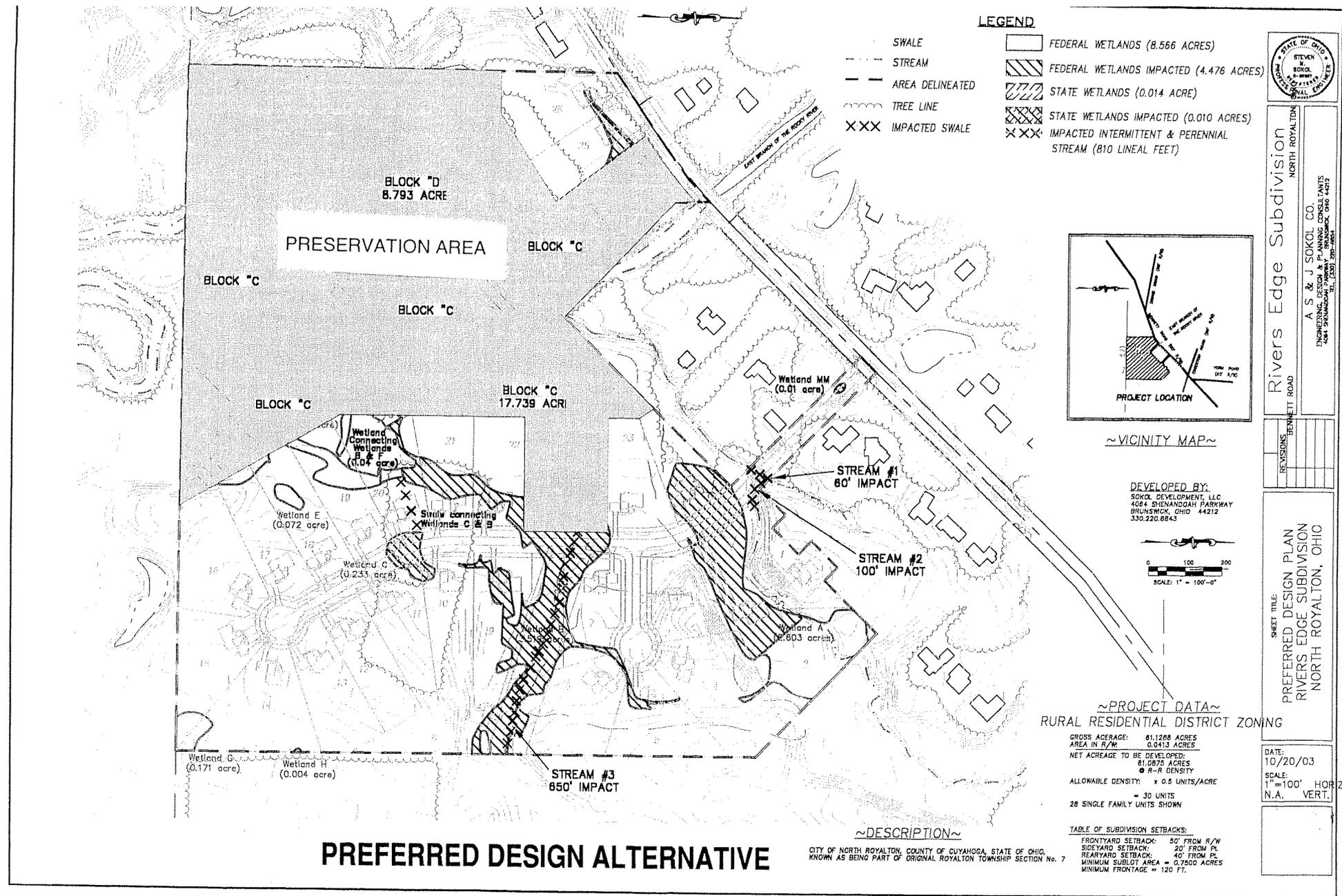
BEREA QUADRANGLE
 OHIO - CUYAHOGA
 7.5 MINUTE SERIES (TOPOGRAPHIC)

**ADJOINING & PROPOSED
 CONSERVATION AREAS**

PROJECT: RIVER'S EDGE SUBDIVISION
 LOCATION: NORTH ROYALTON, OHIO



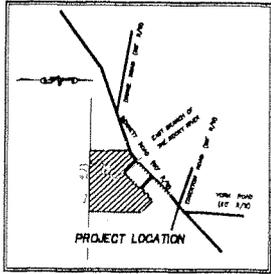
CHAGRIN VALLEY
 ENGINEERING, LTD.



PREFERRED DESIGN ALTERNATIVE

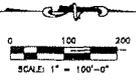
LEGEND

- SWALE
- STREAM
- AREA DELINEATED
- TREE LINE
- IMPACTED SWALE
- FEDERAL WETLANDS (8,566 ACRES)
- FEDERAL WETLANDS IMPACTED (4,476 ACRES)
- STATE WETLANDS (0.014 ACRE)
- STATE WETLANDS IMPACTED (0.010 ACRES)
- IMPACTED INTERMITTENT & PERENNIAL STREAM (810 LINEAL FEET)



~VICINITY MAP~

DEVELOPED BY:
 SOKOL DEVELOPMENT, LLC
 4084 SHENANOGAH PARKWAY
 BRUNSWICK, OHIO 44212
 330.220.8843



~PROJECT DATA~
 RURAL RESIDENTIAL DISTRICT ZONING

GROSS ACREAGE: 81,1288 ACRES
 AREA IN R/R: 0.0413 ACRES
 NET ACREAGE TO BE DEVELOPED: 81,0875 ACRES
 R-R DENSITY
 ALLOWABLE DENSITY: x 0.5 UNITS/ACRE
 = 30 UNITS
 28 SINGLE FAMILY UNITS SHOWN

TABLE OF SUBDIVISION SETBACKS:

FRONTYARD SETBACK:	40' FROM R/W
SIDEYARD SETBACK:	20' FROM PL
REARYARD SETBACK:	40' FROM PL
MINIMUM SUBLOT AREA:	0.2500 ACRES
MINIMUM FRONTAGE:	120 FT.

~DESCRIPTION~
 CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA, STATE OF OHIO,
 KNOWN AS BEING PART OF ORIGINAL ROYALTON TOWNSHIP SECTION No. 7



Rivers Edge Subdivision
 NORTH ROYALTON
 A S & J SOKOL, CO.
 ENGINEERING, DESIGN & PLANNING CONSULTANTS
 4084 SHENANOGAH PARKWAY
 BRUNSWICK, OHIO 44212
 TEL: (330) 220-8843

REVISIONS	BENNETT ROAD

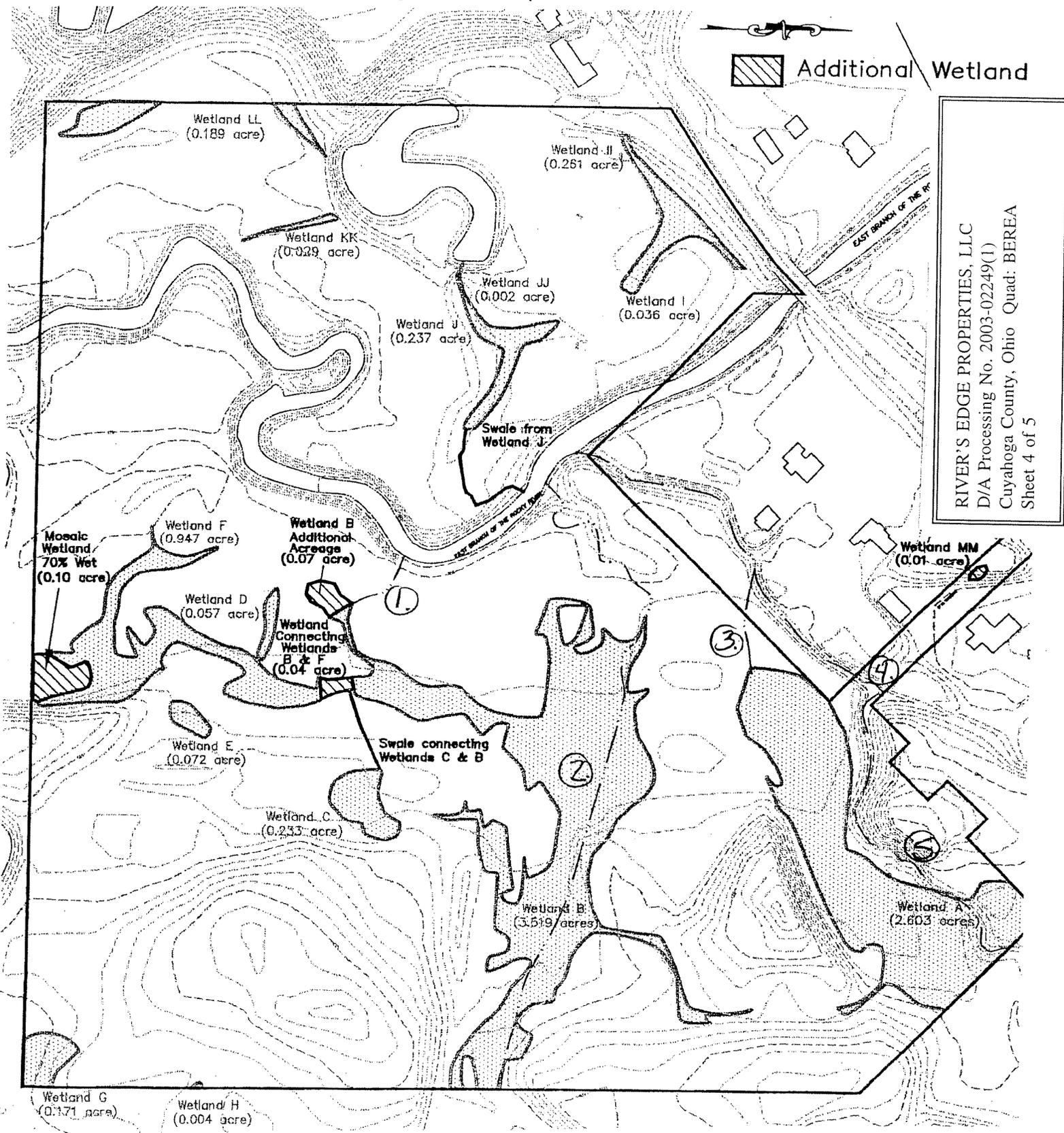
SHEET TITLE:
 PREFERRED DESIGN PLAN
 RIVERS EDGE SUBDIVISION
 NORTH ROYALTON, OHIO

DATE:
 10/20/03
 SCALE:
 1"=100' HORZ.
 N.A. VERT.

RIVER'S EDGE PROPERTIES, LLC
 D/A Processing No. 2003-02249(1)
 Cuyahoga County, Ohio Quad: BEREA
 Sheet 3 of 5

Wetland and Stream Locations shown as per USACOE
Map property of A.S. & J. Sokol Co.

Wetland Locations adjusted as per A.S. & J. Sokol Co.



RIVER'S EDGE PROPERTIES, LLC
D/A Processing No. 2003-02249(1)
Cuyahoga County, Ohio Quad: BERE A
Sheet 4 of 5

- 1) 144 L.F. dry swale
- 2) 1,385 L.F. intermittent
- 3) 109 L.F. swale
- 4) 60 L.F. perennial
- 5) 670 L.F. perennial

TOTAL TRIBUTARY: 4,433 L.F.
(1,385 L.F. intermittent, 730 L.F. perennial
2,318 L.F. Rocky River)

L.F. = Linear Feet

Rivers Edge Subdivision

WETLAND	ACRES
A	2.603
B	3.519
Wetland B Addition	0.070
Wetland B and F Connection	0.040
C	0.233
D	0.057
E	0.072
F	0.947
Mosaic F	0.100
G	0.171
H	0.004
I	0.036
II	0.261
J	0.002
JJ	0.237
KK	0.029
LL	0.189
MM	0.010
Total Wetland	8.580

Pond = 1.113 Acres

RIVER'S EDGE PROPERTIES, LLC
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Sheet 5 of 5