



Public Notice

Applicant: 5653 Lake Road, LLC, Sturgeon Point Home Owners Association, and Mary C. Hymes
Date: Published: April 12, 2004
Expires: May 11, 2004

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

In Reply Refer To:

Buffalo District **CELRB-TD-R RE:** 2003-02297(0), 91-492-10(2), and 2004-00023(0) **Section:** OH 10 and 404

**Application for Permit under Authority of
Section 10 of the Rivers and Harbors Act of 1899 and
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Mr. Sam Fagnilli, on behalf of 5653 Lake Road, LLC, 625 East Main Street, Geneva, Ohio 44041, Sturgeon Point Home Owners Association, 5635 Lake Road, Geneva-on-the-Lake, Ohio 44041, and Ms. Mary C. Hymes, 233 Wilshire Drive, Colona, Illinois 61241, have each applied for a Department of the Army Permit to discharge rock fill material into Lake Erie for the construction of shoreline erosion protection structures. The projects are located at 5653 Lake Road, 5635 Lake Road, and 5609 Lake Road, respectively, in the City of Geneva-on-the-Lake, Ashtabula County, Ohio.

Separate Department of the Authorization (DA) is required for each of the following proposed projects:

1. 5653 Lake Road, LLC (DA No. 2003-02297(0)) has proposed the construction of an off-shore breakwater, the placement of new armor stone along the face of two existing concrete module breakwaters, and the pre-filling of a beach area with sand, as follows:
 - a. The off-shore breakwater will occupy 1,320 square feet of lake bottom and have a basal length of 55 linear feet and a basal width of 27 feet, a top width of six feet, and side slopes of 3H:2V. Approximately 127 cubic yards of 3-5 ton armor stone will be placed below the ordinary high water elevation (OHW) of Lake Erie, which is 573.4 International Great Lakes Datum 1985 (IGLD85).
 - b. A total of 70 cubic yards of 3-5 ton armor stone will be placed below OHW for installing new facing on the existing two modular breakwaters.
 - c. The discharge of approximately 100 cubic yards of sand below OHW along 130 feet of shoreline between the two existing module breakwaters. This would raise the bottom elevation

by approximately 1.0 foot.

2. The Sturgeon Point Home Owners Association (DA No. 91-492- 10(2)) has proposed the construction of four detached stone breakwaters approximately 60 feet off the existing shoreline. Each breakwater will have a basal length of 55 linear feet, a basal width of 27 linear feet, and a top width of six feet. They will be 20 linear feet apart with a top elevation of 573.0 IGLD85. A total of 508 cubic yards of rock fill will be placed below OHW and above the existing grade along 220 linear feet of shoreline. The project will occupy approximately 5,280 square feet of lake bottom.

3. Ms. Mary C. Hymes (DA No. 2004-00023(0)) has proposed the construction of a single off-shore breakwater located approximately 60 feet lakeward of the existing shoreline. It will have a basal length of 55 linear feet and a basal width of 27 linear feet, a top width of six feet, and side slopes of 3H:2V. There are two existing concrete block groins extending at an angle off the shoreline. No work is proposed on these structures. A total of 127 cubic yards of 3-5 ton armor stone will be placed below OHW for this structure. The proposed structure will occupy a total of 1,320 square feet of lake bottom.

The applicants' stated purpose for the proposed projects is to maintain and protect the existing sand beach along the shoreline.

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 Scott L. Schlueter, who can be contacted by calling (716) 879-4325, or by e-mail at: scott.l.schlueter@usace.army.mil

The applicant has certified that the proposed activity complies with Ohio's approved Coastal Zone Management Program and will be conducted in a manner consistent with that program. Any comments on the consistency of the proposed activity with Ohio's Coastal Zone Management Program should be forwarded to:

Ms. Mindy Bankey
Ohio Department of Natural Resources
Consistency Coordinator
Office of Legislative Services
1930 Belcher Drive, Bldg D-3
Columbus, Ohio 43224-1387
Telephone (614) 265-6836
FAX (614) 261-9601
e-mail: mindy.bankey@dnr.state.oh.us

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 do not appear to be any properties listed in, or eligible for listing in, the National Register of Historic Places within the permit area as shown on Sheet 3 of 10. This notice constitutes initiation of consultation with the Ohio Historic Preservation Office (SHPO) per Section 106 of the National Historic Preservation Act. All currently available historic resource information pertaining to this proposed project, if any, 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 forward that information to the SHPO for their review.

In addition, available evidence indicates that the work proposed may affect 3 species proposed or designated by the U.S.

Department of the Interior as threatened or endangered, and it may 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 14207-3199, and should be marked to the attention of Scott L. Schlueter, or by e-mail at: scott.l.schlueter@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.

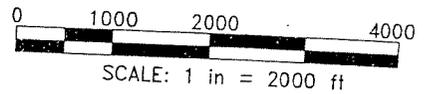
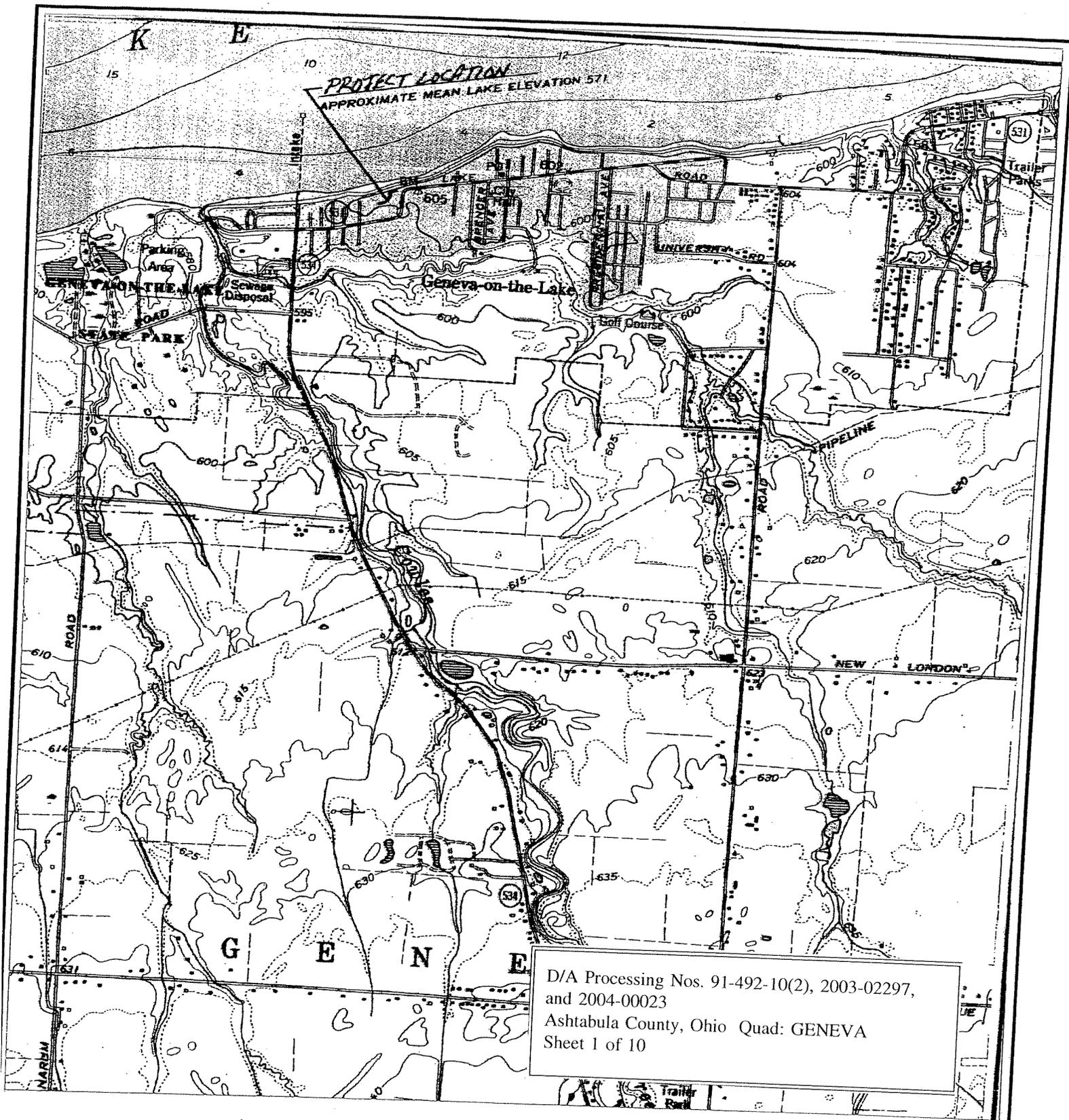
The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine 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.



PREPARED BY:
Matrix Engineering, Inc.

ADJACENT PROPERTY OWNERS:
Sturgeon Point Home Owners Association
5635 Lake Road, Geneva on the Lake OH 44041
M. Pera Woodward Trust
P.O. Box 310, Geneva OH 44041

LOCATION MAP

ARMOR STONE BREAKWATERS
GENEVA on the LAKE, OHIO

APPLICANT:

MARY C. HYMES
233 WILSHIRE DRIVE
COLONA, IL 61241

SHEET 1 OF 5

8/25/03

D/A Processing Nos. 91-492-10(2), 2003-02297,
and 2004-00023
Ashtabula County, Ohio Quad: GENEVA
Sheet 2 of 10

PREPARED BY:
Matrix Engineering, Inc.

ADJACENT PROPERTY OWNERS:

Sturgeon Point Home Owners Association
5635 Lake Road, Geneva on the Lake OH 44041
M. Pera Woodward Trust
P.O. Box 310, Geneva OH 44041

EXISTING CONDITIONS
PROJECT SITE PLAN

ARMOR STONE BREAKWATERS
GENEVA on the LAKE, OHIO

APPLICANT:

MARY C. HYMES
233 WILSHIRE DRIVE
COLONA, IL 61241

SHEET 2 OF 6

8/25/03

5653 LAKE PROPERTIES, LLC.
5653 LAKE ROAD
GENEVA on the LAKE
OH 44041

5635 LAKE ROAD
STURGEON POINT HOME OWNERS ASSOC.
GENEVA on the LAKE, OH 44041

STATE OF OHIO
REGISTERED PROFESSIONAL ENGINEER
JOHN MATRICARDI
E-044003
8/25/03

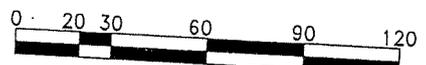
LAKE ERIE

CONCRETE CYLINDERS
AND BLOCK GROINS

ARMOR STONE
REVTMENT

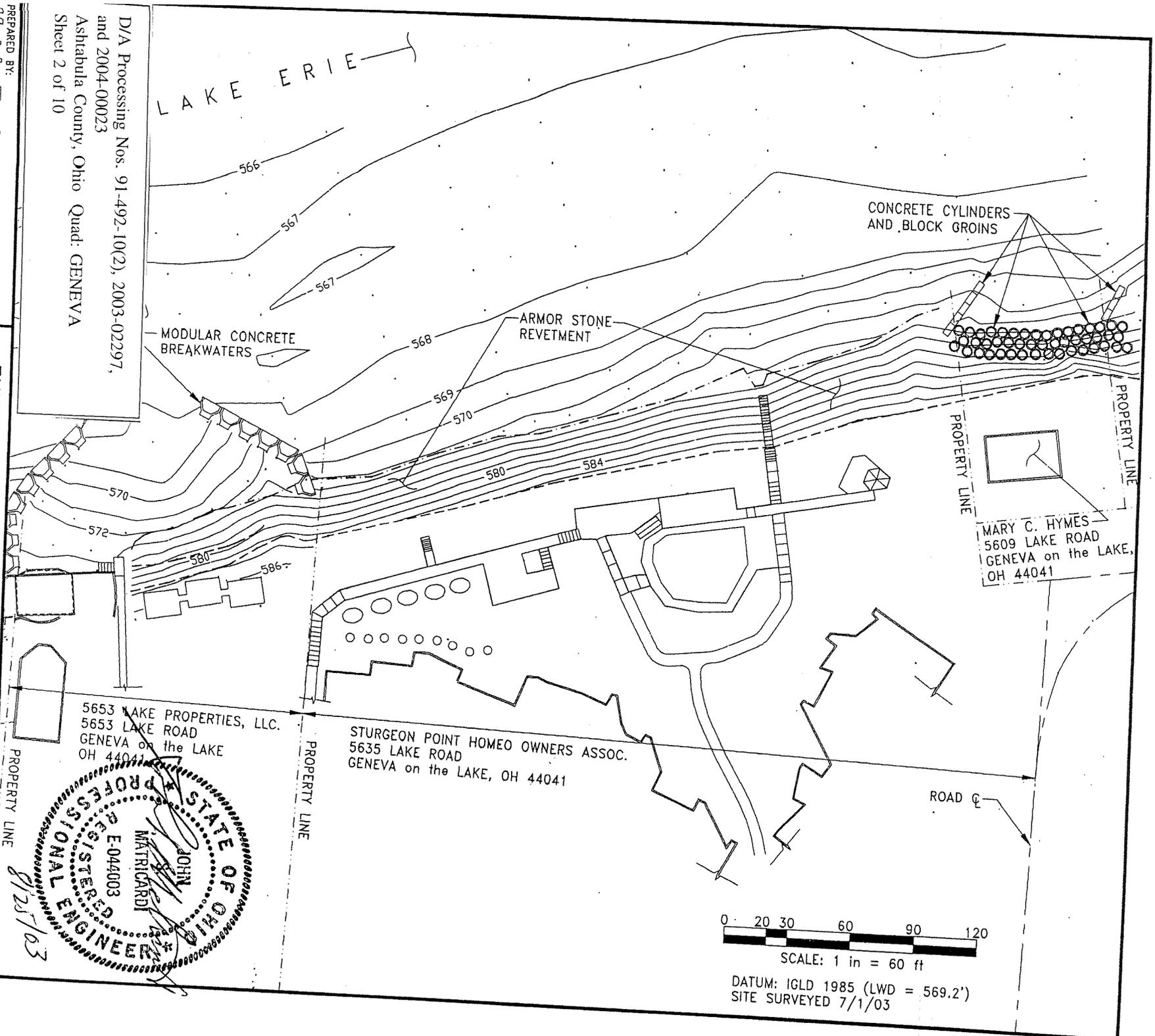
MODULAR CONCRETE
BREAKWATERS

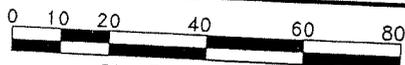
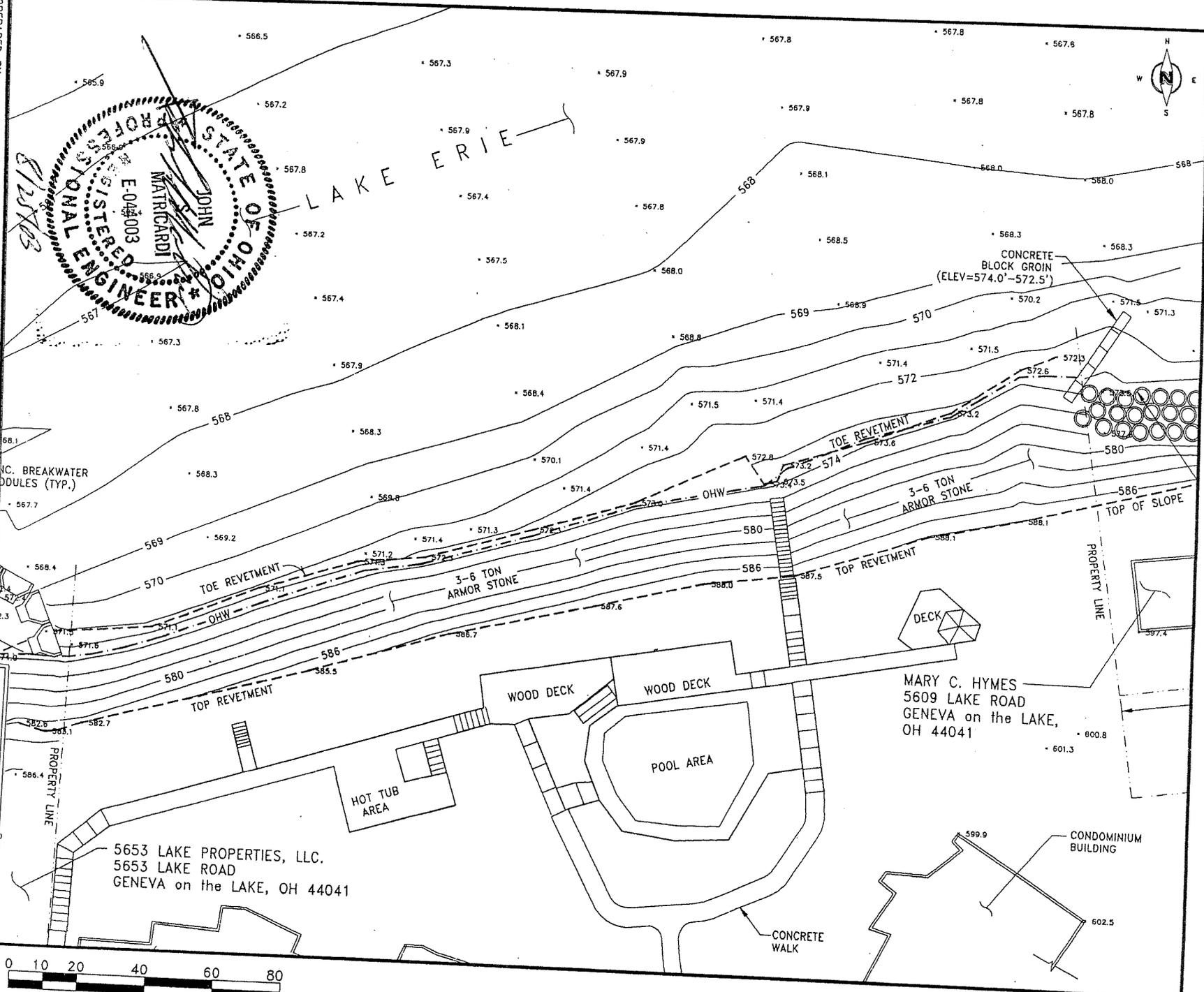
MARY C. HYMES
5609 LAKE ROAD
GENEVA on the LAKE,
OH 44041



SCALE: 1 in = 60 ft

DATUM: IGLD 1985 (LWD = 569.2')
SITE SURVEYED 7/1/03





SCALE: 1 in = 40 ft

DATUM: IGLD 1985 (LWD = 569.2')
SITE SURVEYED 7/1/03

PREPARED BY:

Matrix Engineering, Inc.

ADJACENT PROPERTY OWNERS:

5653 Lake Properties, LLC.
625 East Main Street, Geneva OH 44041
Mary C. Hymes
233 Wilshire Drive, Colono IL 61241

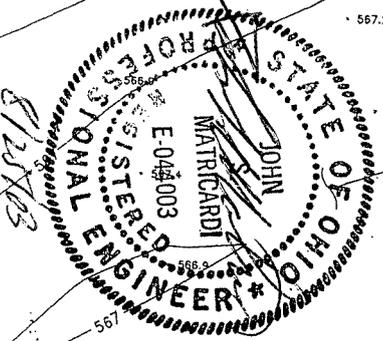
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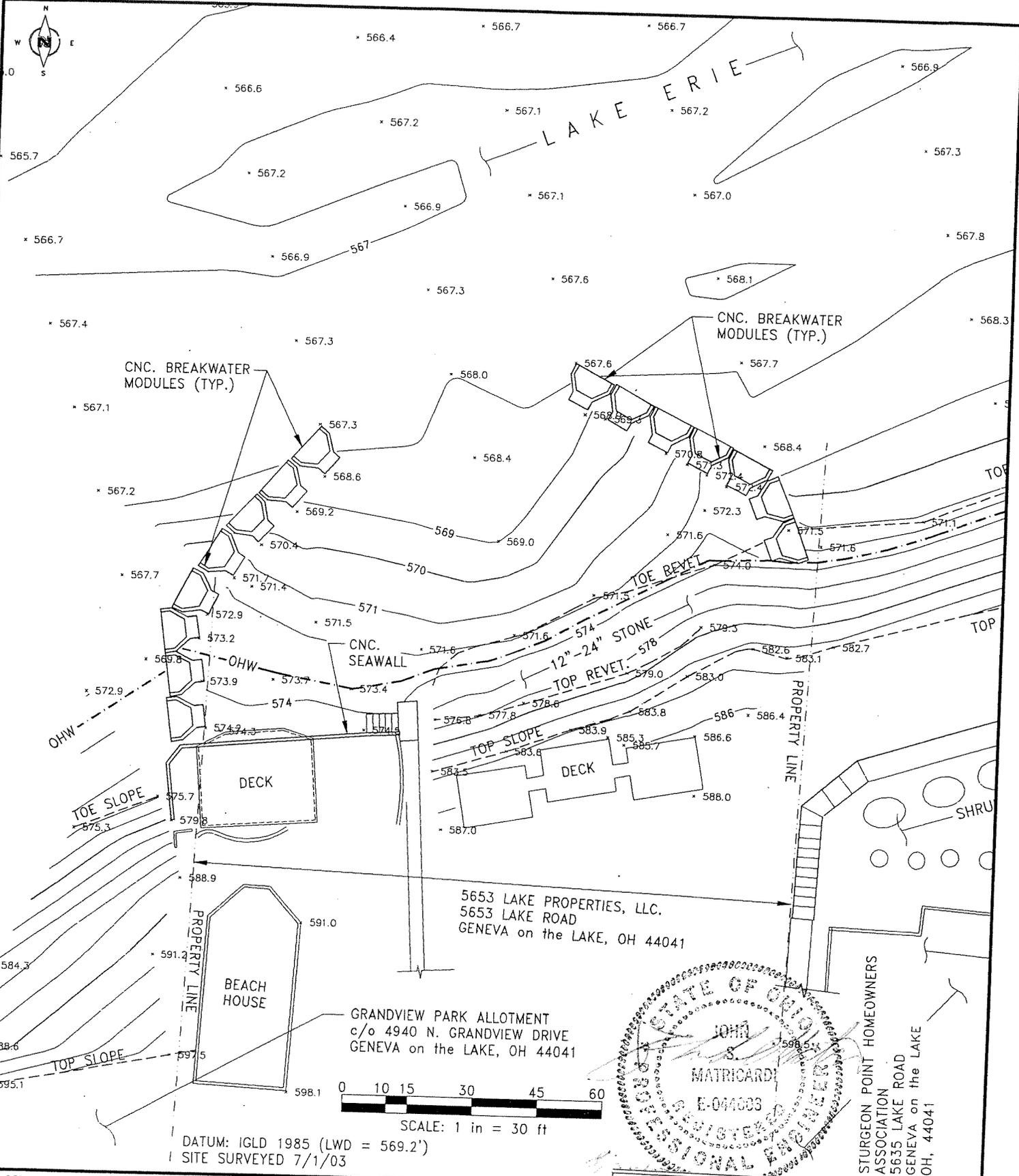
ARMOR STONE BREAKWATERS
GENEVA on the LAKE, OHIO

D/A Processing Nos. 91-492-10(2), 2003-02297,
and 2004-00023
Ashabula County, Ohio Quad: GENEVA
Sheet 3 of 10

SHEET 3 OF 6

8/25/03

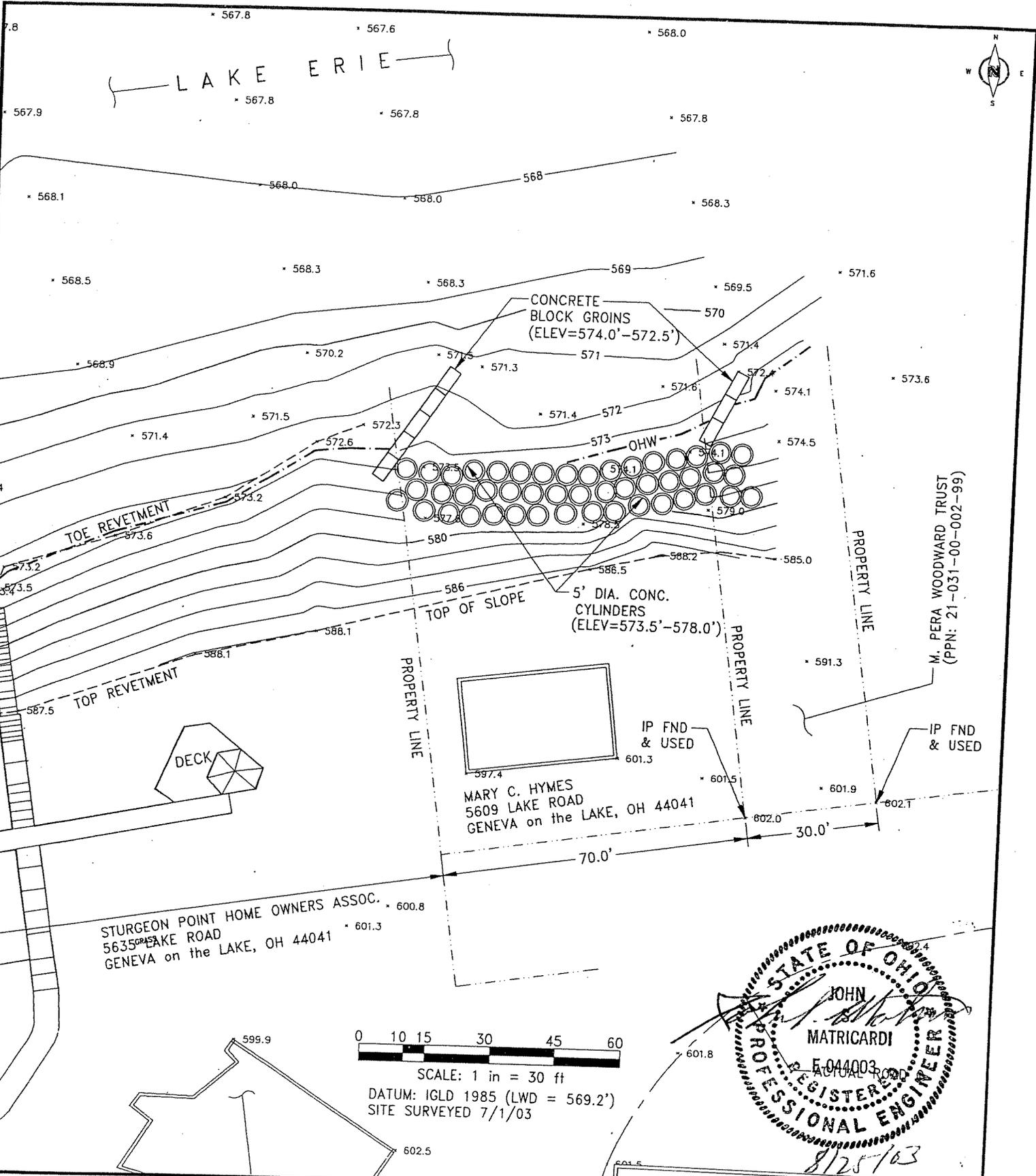




PREPARED BY:
Matrix Engineering, Inc.
 ADJACENT PROPERTY OWNERS:
 Grandview Park Allotment, 4940 N. Grandview Drive, Geneva on the Lake OH 44041
 Sturgeon Point Home Owners Association
 5635 Lake Road, Geneva on the Lake OH 44041

EXISTING SITE PLAN
 ARMOR STONE BREAKWATERS
 GENEVA on the LAKE, OHIO

D/A Processing Nos. 91-492-10(2), 2003-02297, and 2004-00023
 Ashtabula County, Ohio Quad: GENEVA
 Sheet 4 of 10
SHEET 3 OF 6
 8/25/03



PREPARED BY:
Matrix Engineering, Inc.

ADJACENT PROPERTY OWNERS:
Sturgeon Point Home Owners Association
5635 Lake Road, Geneva on the Lake OH 44041
M. Pera Woodward Trust
P.O. Box 310, Geneva OH 44041

EXISTING SITE PLAN

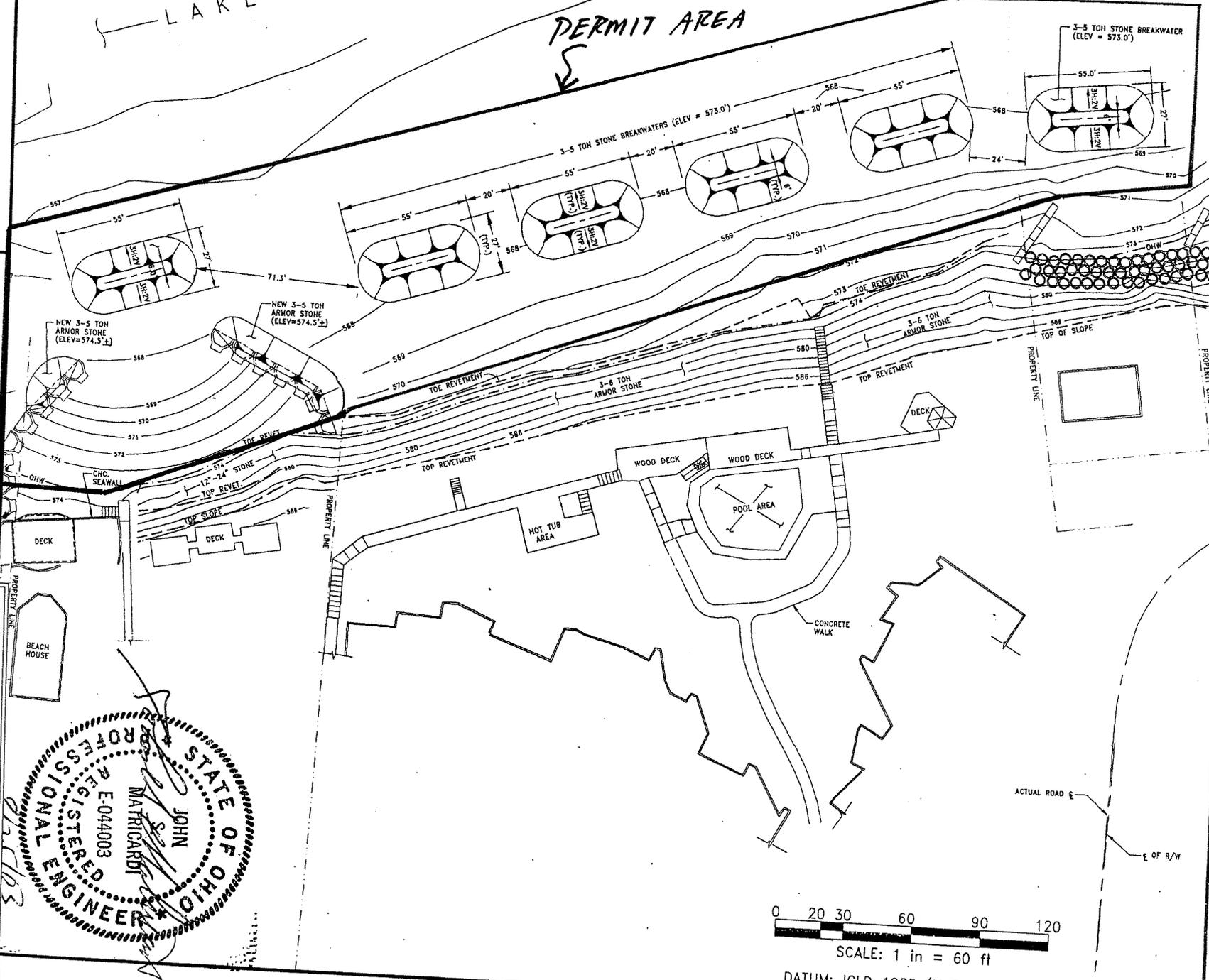
ARMOR STONE BREAKWATERS
GENEVA on the LAKE, OHIO

D/A Processing Nos. 91-492-10(2), 2003-02297,
and 2004-00023
Ashtabula County, Ohio Quad: GENEVA
Sheet 5 of 10



LAKE ERIE

PERMIT AREA

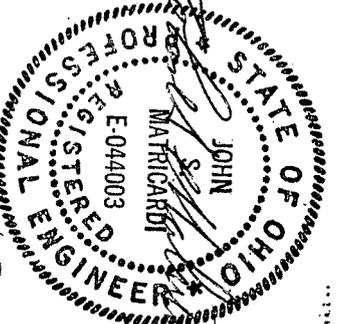


PREPARED BY:
Matrix Engineering, Inc.
 ADJACENT PROPERTY OWNERS:
 Sturgeon Point Home Owners Association
 1635 Lake Road, Geneva on the Lake OH 44041
 4. Pera Woodward Trust
 10 Box 310, Geneva OH 44041

**PROPOSED CONDITIONS
 PROJECT SITE PLAN**

**ARMOR STONE BREAKWATERS
 GENEVA on the LAKE, OHIO**

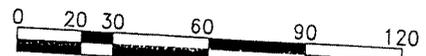
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 and 2004-00023
 Ashtabula County, Ohio Quad: GENEVA
 Sheet 6 of 10



0125103

SHEET 4 OF 6

8/25/03



SCALE: 1 in = 60 ft
 DATUM: IGLD 1985 (LWD = 569.2')



LAKE ERIE

3-5 TON
BREAKWATER
(ELEV=573.0')

NEW 3-5 TON
ARMOR STONE
(ELEV=574.5'±)

NEW 3-5 TON
ARMOR STONE
(ELEV=574.5'±)

PRE-FILLED BEACH AREA
(1' INCREASE IN GRADE
TO PRE-PROJECT
570'-572' CONTOURS)

CNC. SEAWALL

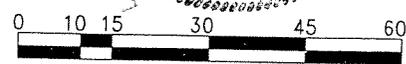
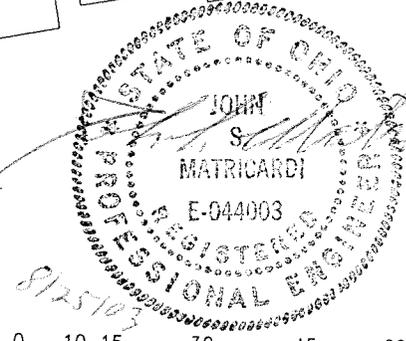
12"-24" STONE
TOP REVET.

DECK

DECK

BEACH HOUSE

SHRU



SCALE: 1 in = 30 ft

DATUM: IGLD 1985 (LWD = 569.2')

PREPARED BY:
Matrix Engineering, Inc.

ADJACENT PROPERTY OWNERS:
Grandview Park Allotment, 4940 N. Grandview Drive, Geneva on the Lake OH 44041
Sturgeon Point Home Owners Association
5635 Lake Road, Geneva on the Lake OH 44041

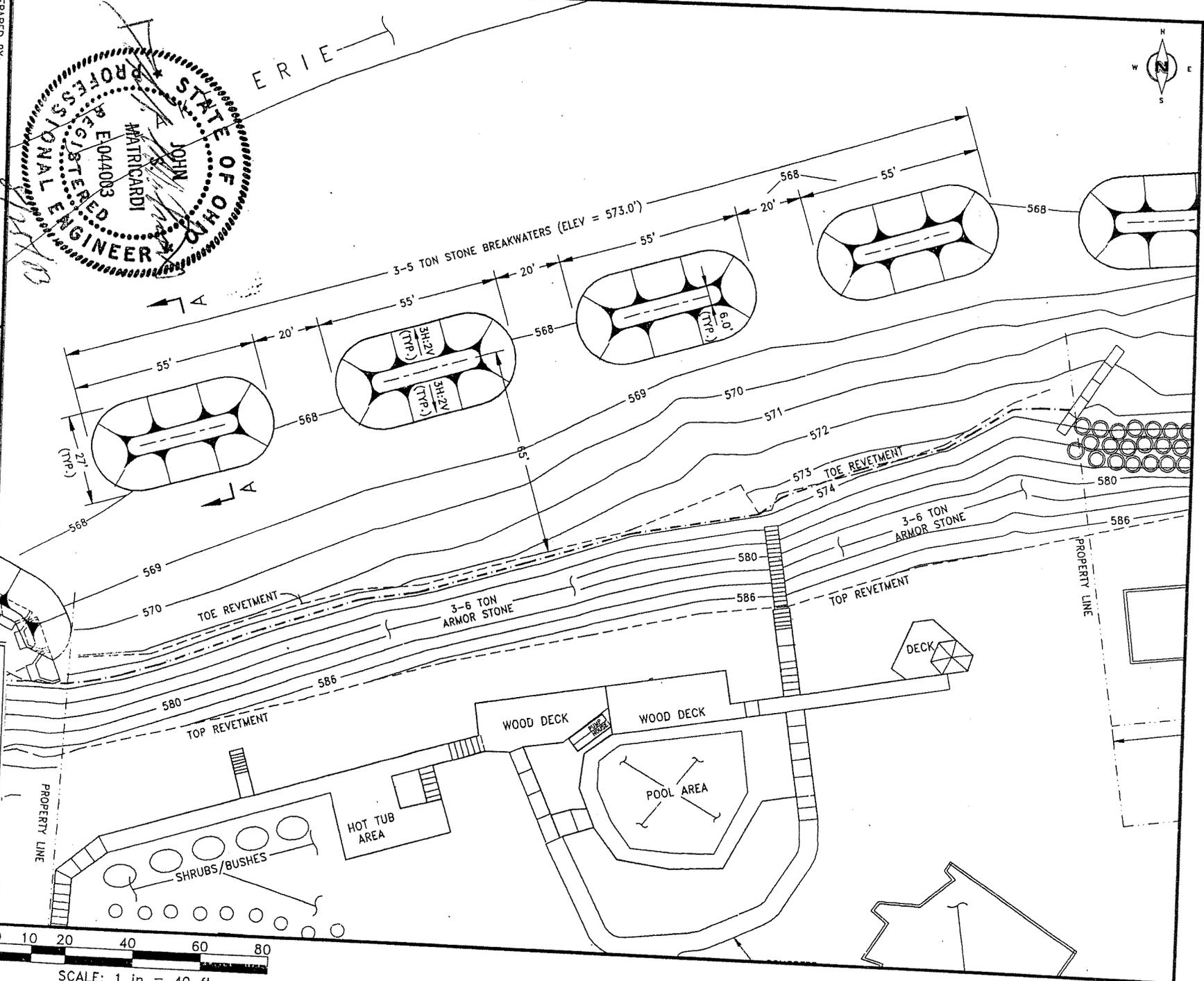
PROPOSED SITE PLAN

ARMOR STONE BREAKWATERS
GENEVA on the LAKE, OHIO.

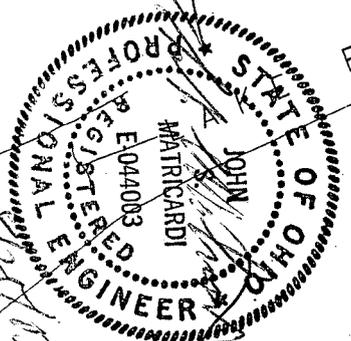
D/A Processing Nos. 91-492-10(2), 2003-02297,
and 2004-00023
Ashtabula County, Ohio Quad: GENEVA
Sheet 8 of 10

SHEET 5 OF 6

8/25/03



0 10 20 40 60 80
 SCALE: 1 in = 40 ft
 DATUM: IGLD 1985 (LWD = 569.2')



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 Mary C. Hymes
 233 Wilshire Drive, Colona IL 61241

PROPOSED SITE PLAN

**ARMOR STONE BREAKWATERS
 GENEVA on the LAKE, OHIO**

D/A Processing Nos. 91-492-10(2), 2003-02297,
 and 2004-00023
 Ashabula County, Ohio Quad: GENEVA
 Sheet 7 of 10

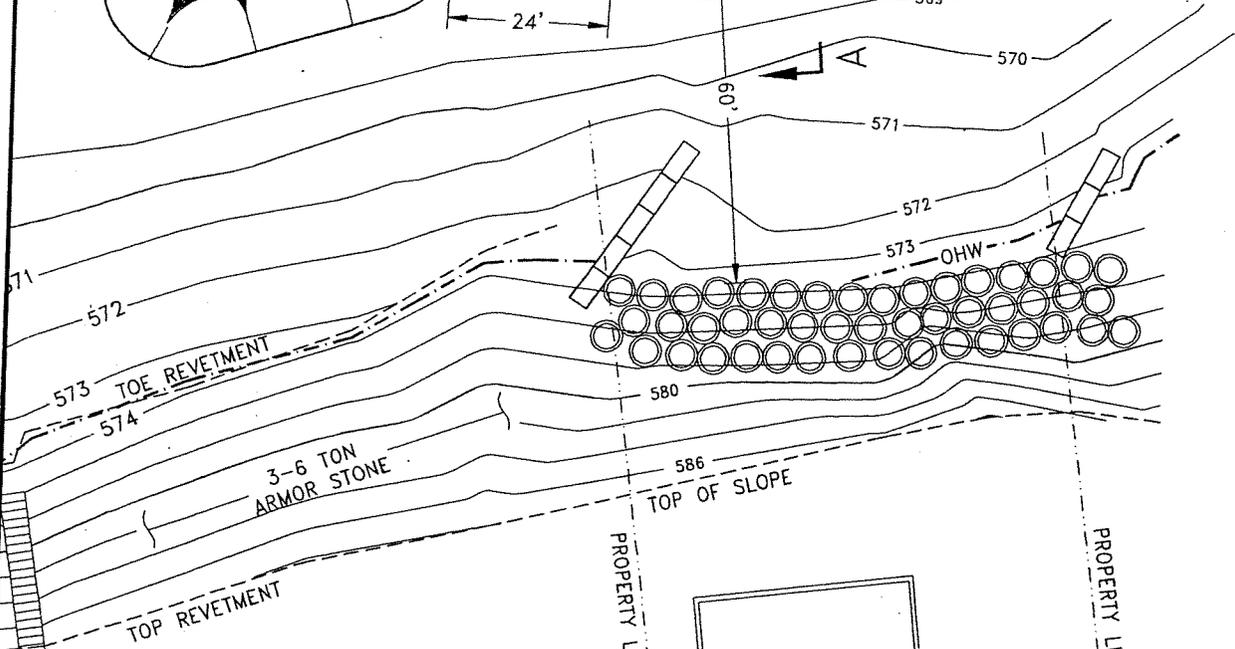
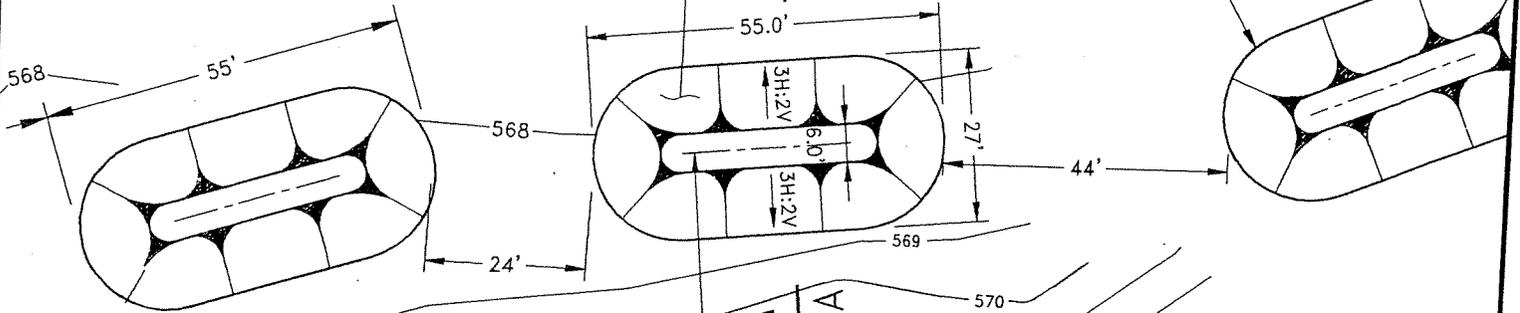
SHEET 5 OF 6
 8/25/03



LAKE ERIE

3-5 TON STONE BREAKWATER
(ELEV = 573.0')

EXISTING (COE and ODNR
AUTHORIZED) BREAKWATER



PROPERTY LINE

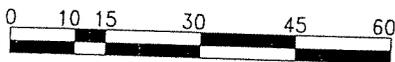
PROPERTY LINE

PROPERTY LINE

3-6 TON
ARMOR STONE

TOP REVETMENT

TOP OF SLOPE



SCALE: 1 in = 30 ft

DATUM: IGLD 1985 (LWD = 569.2')



ACTUAL ROAD C

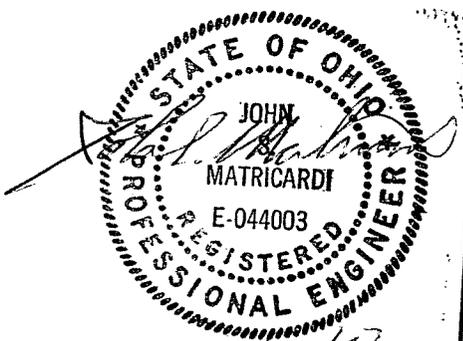
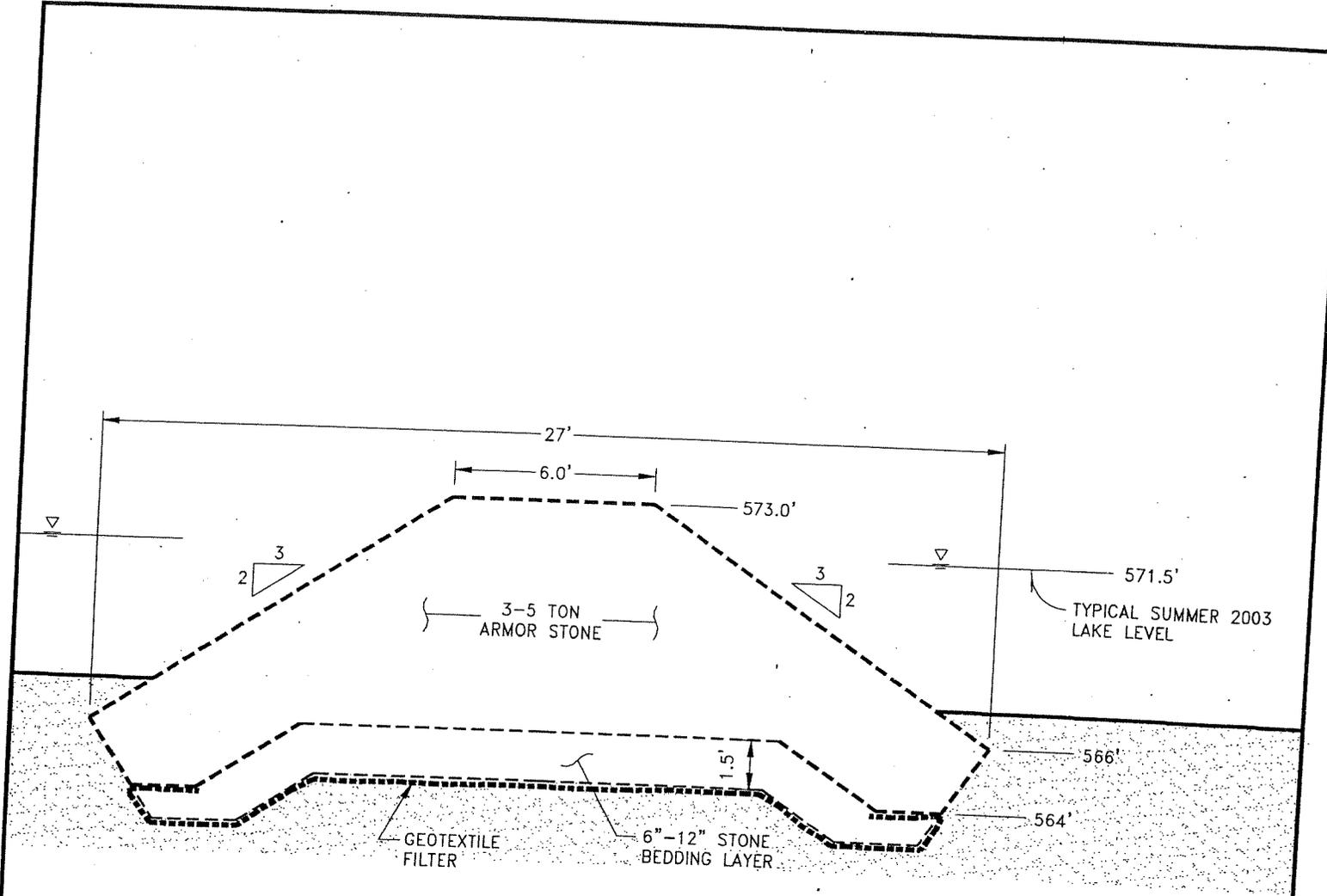
PREPARED BY:
Matrix Engineering, Inc.

ADJACENT PROPERTY OWNERS:
Sturgeon Point Home Owners Association
5635 Lake Road, Geneva on the Lake OH 44041
M. Pera Woodward Trust
P.O. Box 310, Geneva OH 44041

PROPOSED SITE PLAN

ARMOR STONE BREAKWATERS
GENEVA on the LAKE, OHIO

D/A Processing Nos. 91-492-10(2), 2003-02297,
and 2004-00023
Ashtabula County, Ohio Quad: GENEVA
Sheet 9 of 10



Notes:

1. Armor stone shall be rough, angular and free from cracks; place armor stone so that voids are minimized and stone to stone surface contact is maximized; place smaller stones at interior and larger stones at exterior with largest available stones at toe.
2. Geotextile Filter, Properties: Geotextile filter shall be placed as indicated in the drawings. Geotextile filter shall be woven, polypropylene and shall have the following minimum mechanical properties: wide width tensile strength (ASTM D 4595) = 270 lbs/in; grab tensile strength (ASTM D 4632) = 425 lbs; burst strength (ASTM D 3786) = 695 psi; puncture strength (ASTM D 4833) = 165 lbs; apparent opening size (AOS) (ASTM D 4751) = 0.425 mm.
3. 6" - 12" stone bedding layer shall be eliminated if base of armor stones are placed on hard (shale or stiff clay) bottom. If bedding layer is eliminated, excavate trench for toe stone around perimeter of breakwater having minimum depth of 2 feet.

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 ADJACENT PROPERTY OWNERS:
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 - Pera Woodward Trust
 P.O. Box 310, Geneva OH 44041

SECTION A-A
 SCALE: 1" = 5'
 (Elevations in feet IGLD85)
 ARMOR STONE BREAKWATERS
 GENEVA on the LAKE, OHIO

D/A Processing Nos. 91-492-10(2), 2003-02297,
 and 2004-00023
 Ashtabula County, Ohio Quad: GENEVA
 Sheet 10 of 10