



New York State
Adirondack
Park Agency

Carver Sand & Gravel, LLC.

P2022-0037

October 10, 2023

Presentation Overview

- Jurisdiction
- Conclusions of Law
- Project Location
- Existing Conditions
- Proposed Project
- Public Comment & Review by Others
- Staff Recommendation
- Q & A



Jurisdiction

- APA Act § 809
 - Class A Regional Project
 - Sand & Gravel Extraction in Resource Management Lands.
 - Mineral Extraction in Resource Management Lands
 - Proposed changes to the conditions of an existing permit.
- APA Act § 805
 - Sand & Gravel Extractions and Mineral Extractions are Secondary Uses
 - “generally compatible with Resource Management area depending upon their particular location and impact upon nearby uses and conformity with the overall intensity guideline”



Conclusions of Law

- Development authorized:
 - Consistent with land use and development plan
 - Compatible with character description and purposes policies, and objectives of each land use area
 - Consistent with overall intensity guidelines
 - Complies with shoreline restrictions
 - No undue adverse impact on resources of the Park

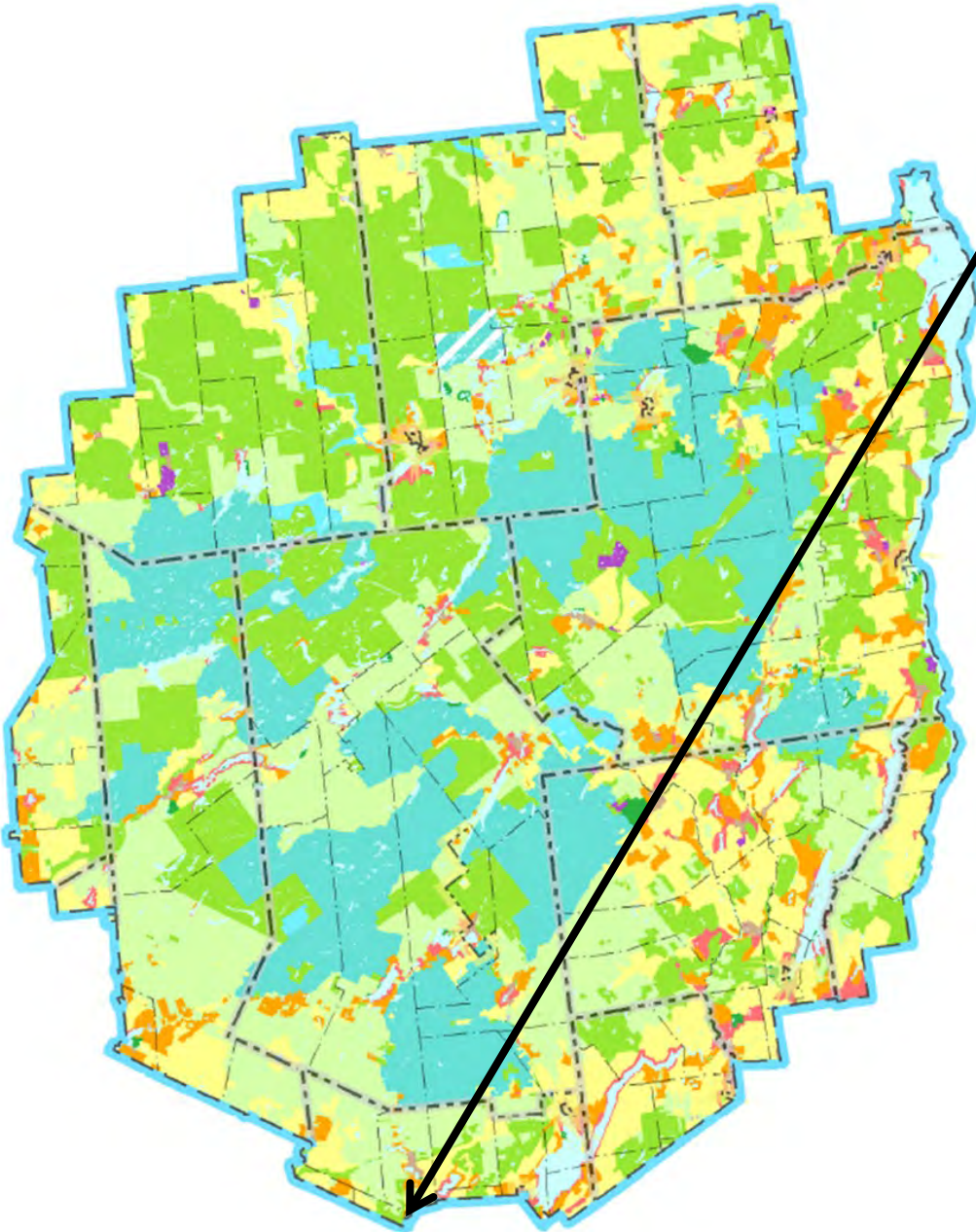


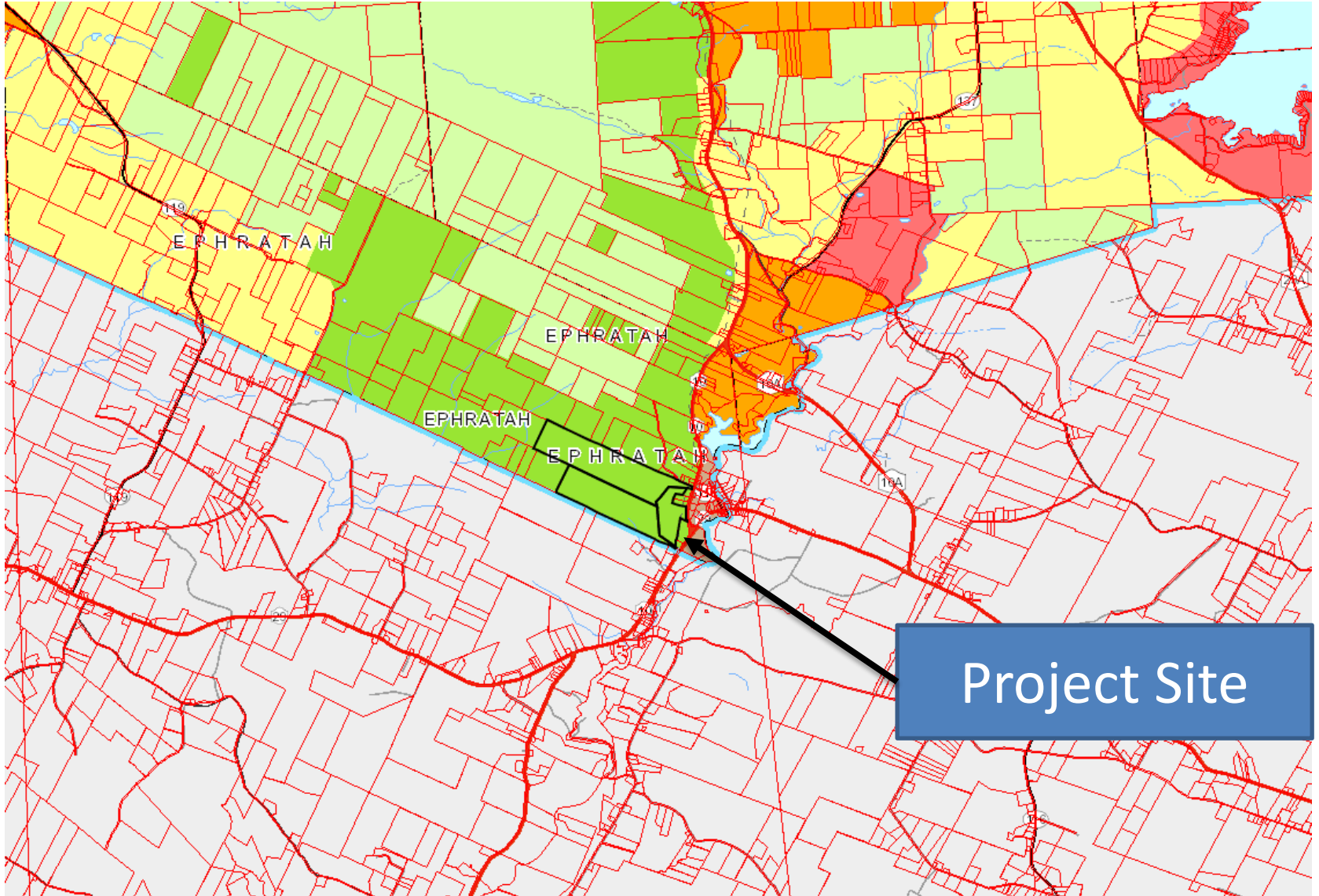
Project Location

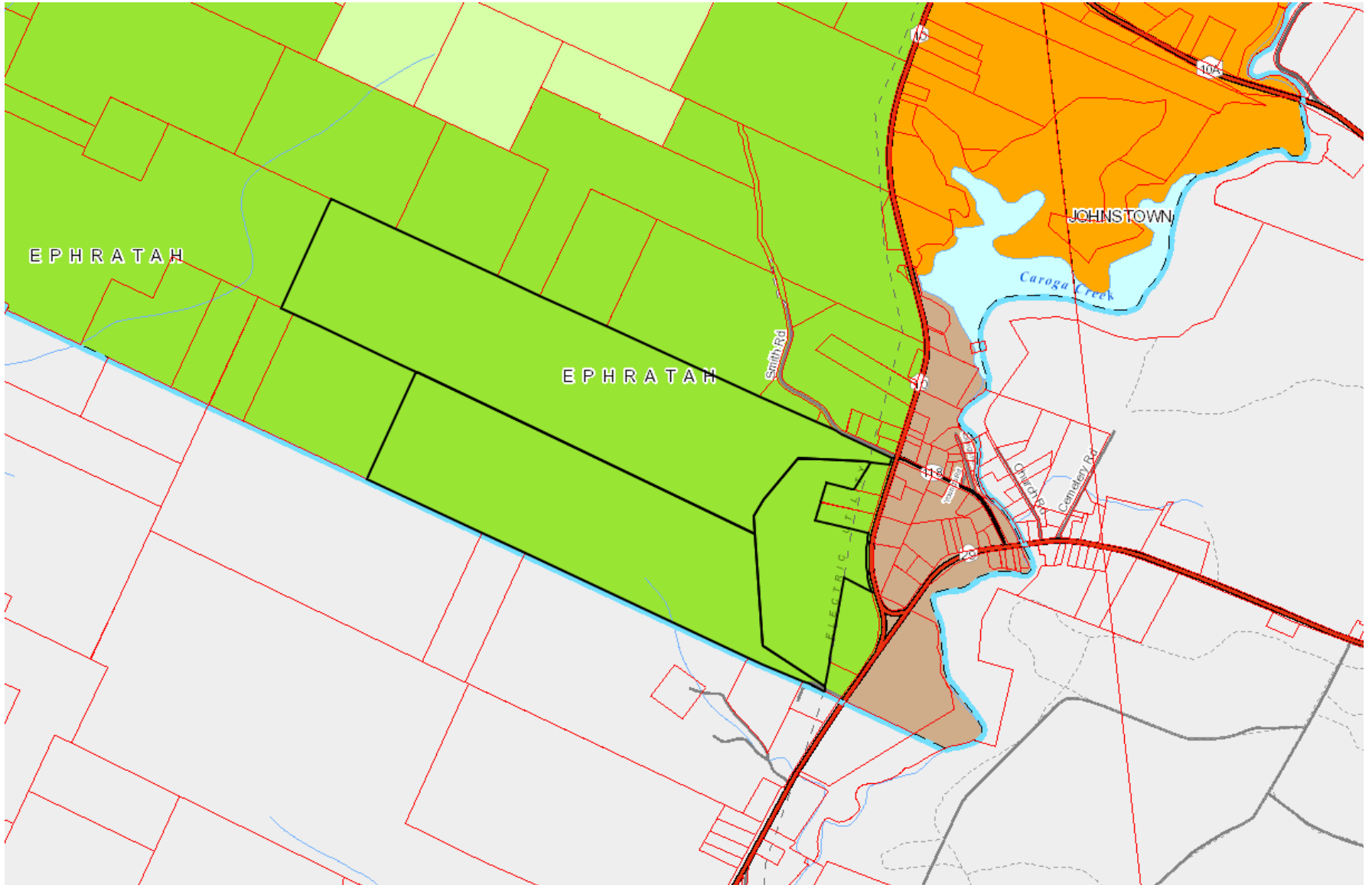


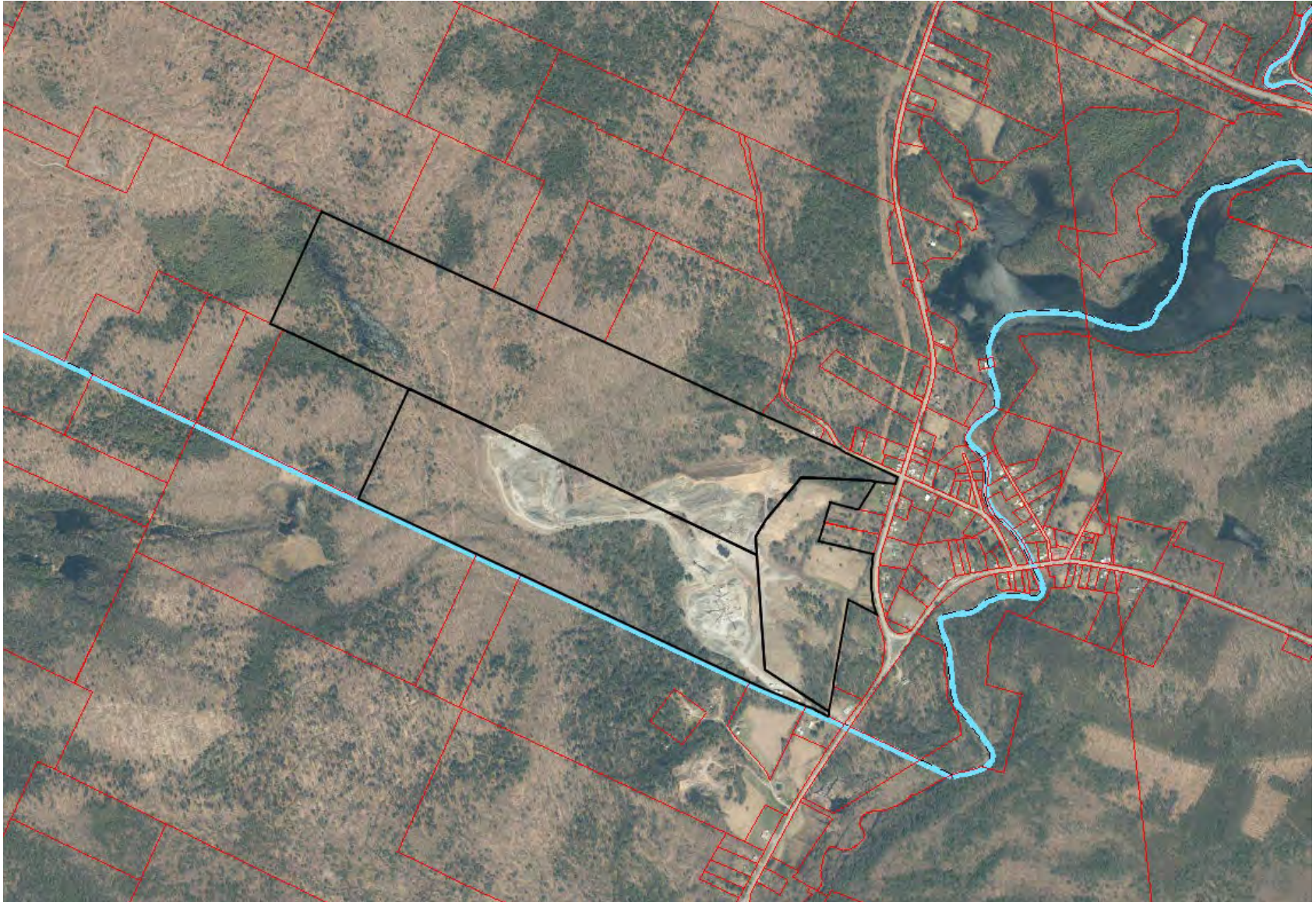
Project Location

Town of Ephratah
Fulton County









Existing Conditions







Emergency Exit

Garage

SFD

Crusher

Scales

Entrance

N



06.15.2022



06.15.2022



06.15.2022



04.19.2021





Emergency Exit

Garage

SFD

Crusher

Scales

N

Entrance

EPHRATAH

10

29

2

1

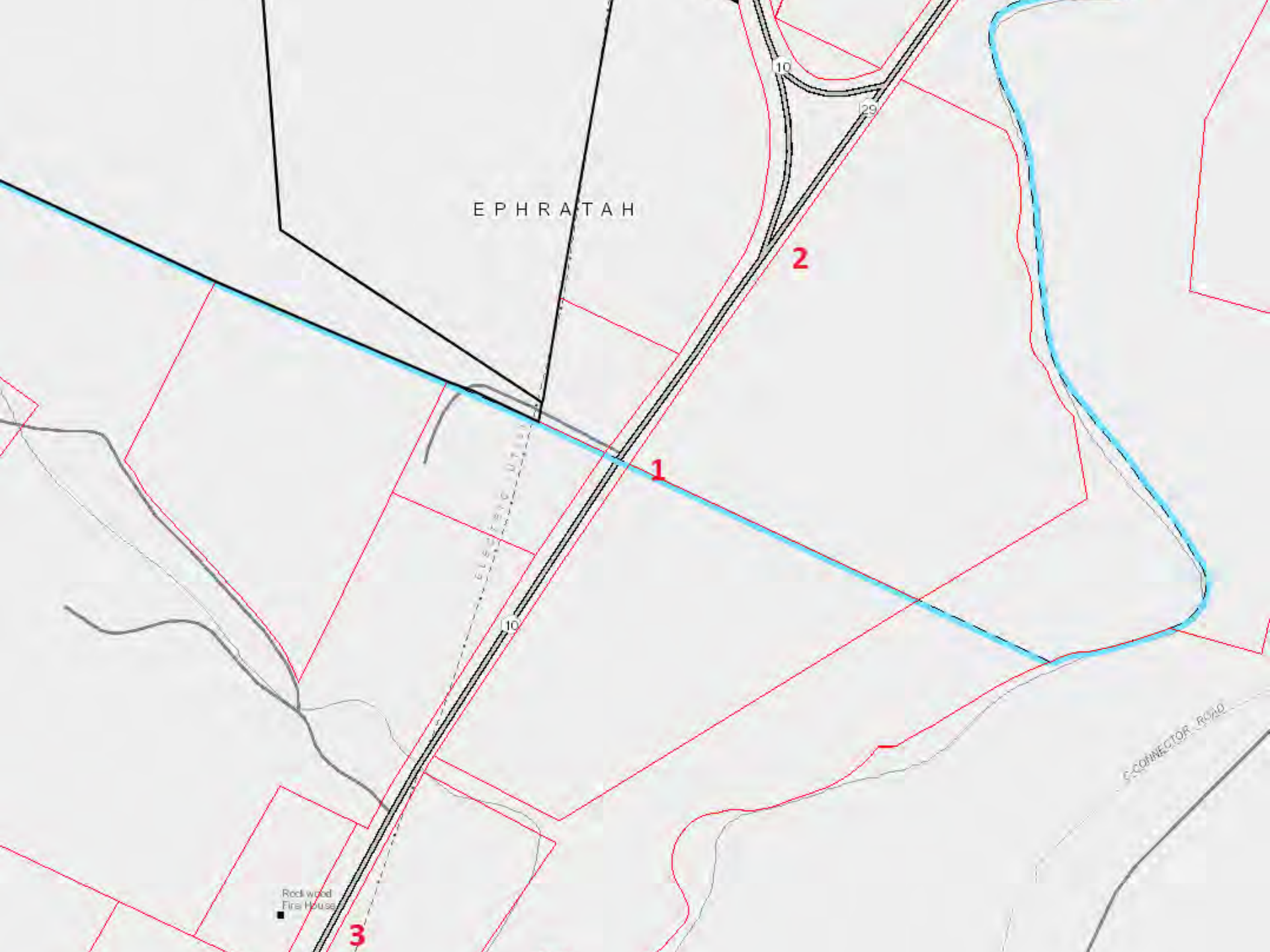
ELECTRIC UTILITIES

10

G-CONNECTOR ROAD

Rockwood
Fire House

3













EPHRATAH

10

29

2

1

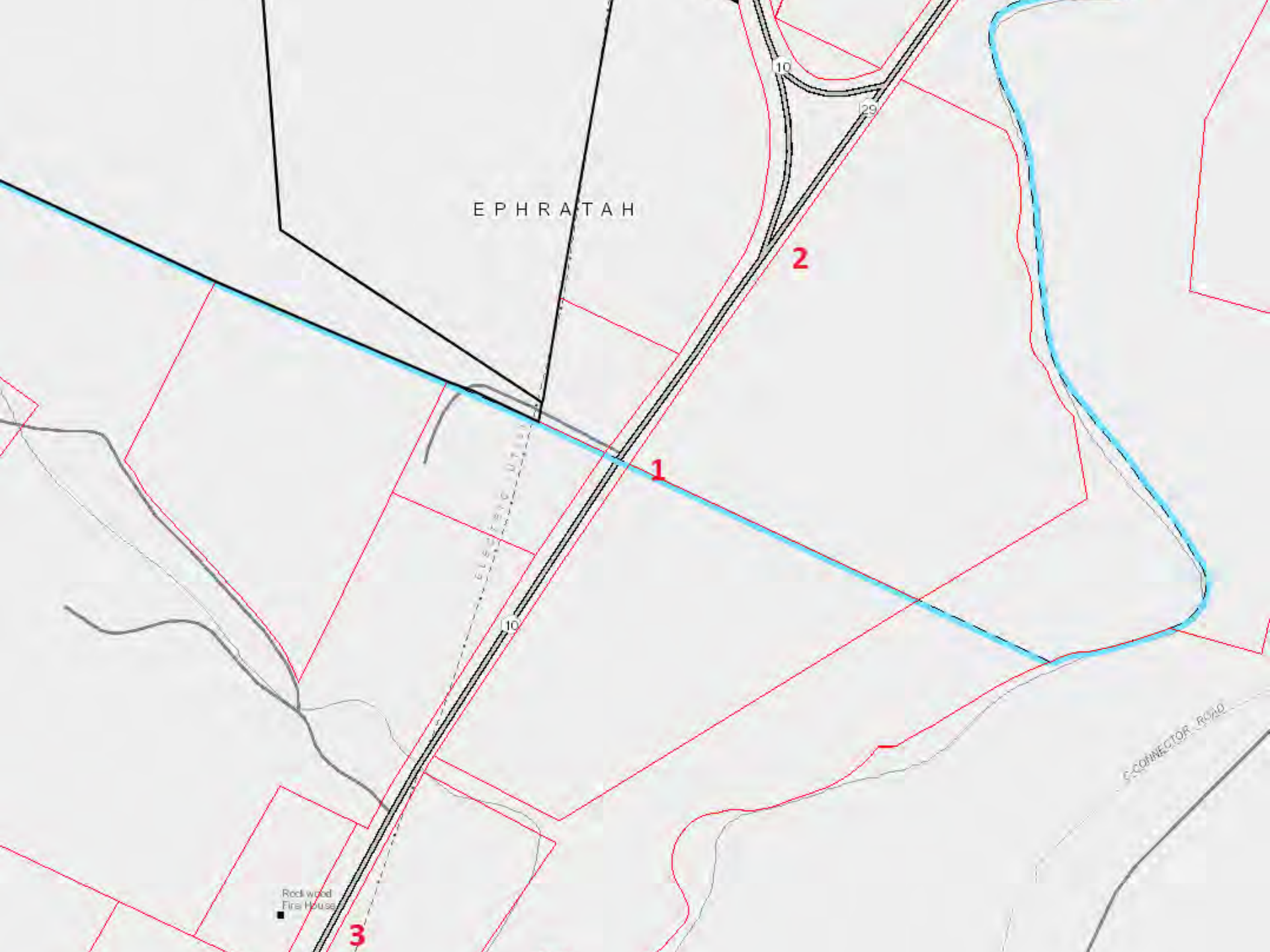
Electric Utility

10

Rockwood
Fire House

3

G-CONNECTOR ROAD





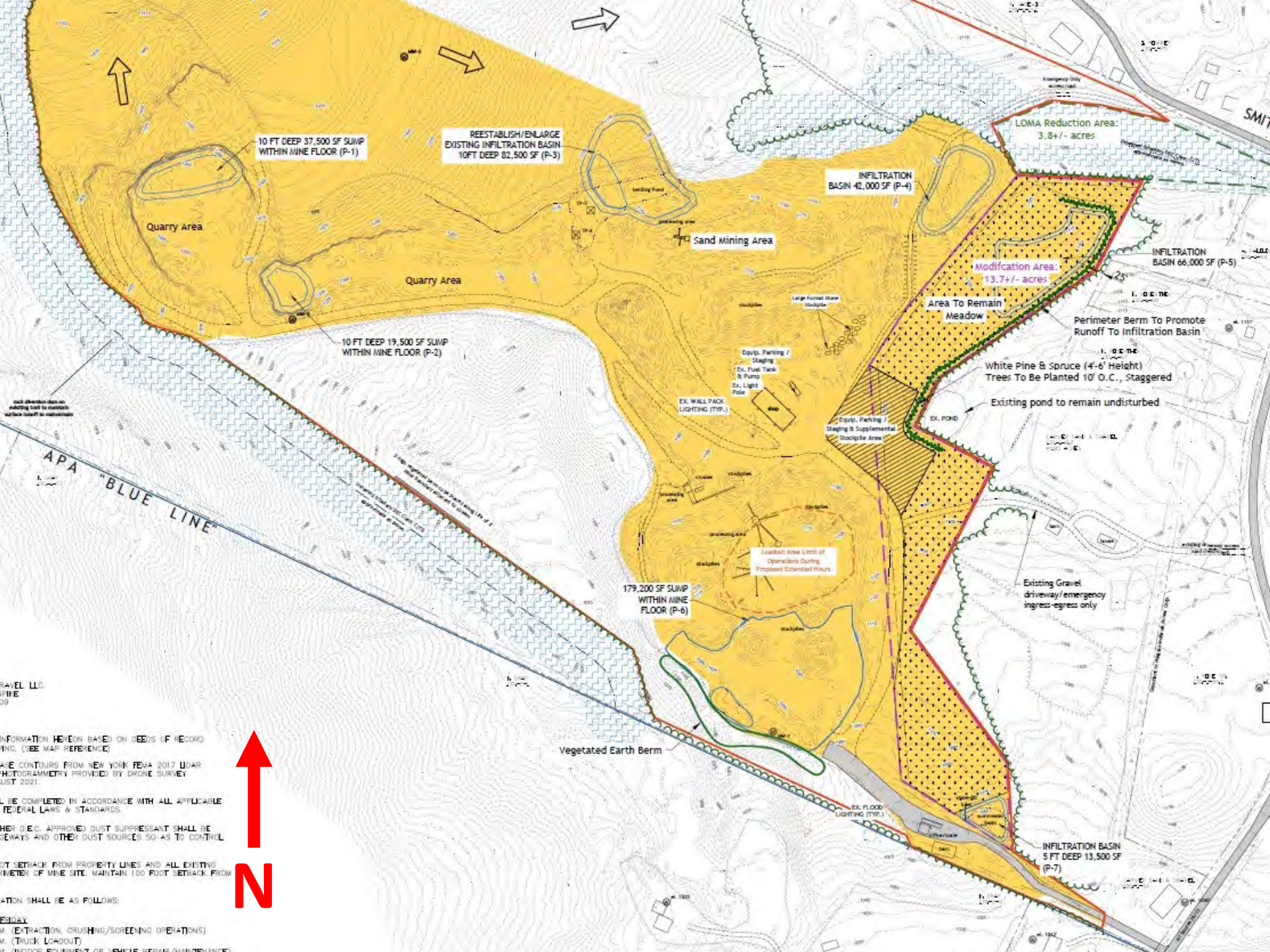












N

10 FT DEEP 37,500 SF SUMP WITHIN MINE FLOOR (P-1)

REESTABLISH/ENLARGE EXISTING INFILTRATION BASIN 10FT DEEP 82,500 SF (P-3)

INFILTRATION BASIN 42,000 SF (P-4)

LOMA Reduction Area: 3.8+/- acres

Modification Area: 13.7+/- acres

INFILTRATION BASIN 66,000 SF (P-5)

10 FT DEEP 19,500 SF SUMP WITHIN MINE FLOOR (P-2)

179,200 SF SUMP WITHIN MINE FLOOR (P-6)

INFILTRATION BASIN 5 FT DEEP 13,500 SF (P-7)

APA "BLUE LINE"

INFORMATION HEREON BASED ON DEEDS OF RECORD
 (SEE MAP REFERENCE)
 ARE CONTOURS FROM NEW YORK FEMA 2017 UOAR
 PHOTOGRAMMETRY PROVIDED BY DRONE SURVEY
 JUST 2021.
 BE COMPLETED IN ACCORDANCE WITH ALL APPLICABLE
 FEDERAL LAWS & STANDARDS.
 HER (E.C. APPROVED) DUST SUPPRESSANT SHALL BE
 AREWAYS AND OTHER DUST SOURCES SO AS TO CONTROL
 NOT SETBACK FROM PROPERTY LINES AND ALL EXISTING
 PERIMETER OF MINE SITE. MAINTAIN 100 FOOT SETBACK FROM
 ATION SHALL BE AS FOLLOWS:
 ESIDAY
 W (EXTRACTION, CRUSHING/SCREENING OPERATIONS)
 W (TRUCK LOAUBOUT)
 W (TRUCKS EQUIPMENT OR VEHICLE REPAIR MAINTENANCE)

such alteration does not
 reducing soil to enhance
 surface runoff to infiltration

Perimeter Berm To Promote
 Runoff To Infiltration Basin
 White Pine & Spruce (4'-6'
 Height)
 Trees To Be Planted 10'
 O.C., Staggered
 Existing pond to remain undisturbed

EX. WALL PACK
 LIGHTING (TYP.)

Equip. Parking /
 Staging
 Staging & Supplemental
 Stockpile Area

Equip. Parking /
 Staging
 Ex. Fuel Tank & Pump
 Ex. Light
 Pole

Loadout Area Limit of
 Operations During
 Proposed Extended Hours

Vegetated Earth Berm

EX. FLOOR
 LIGHTING (TYP.)

Existing Gravel
 driveway/emergency
 ingress-egress only

EX. WALL PACK
 LIGHTING (TYP.)

Sand Mining Area

Quarry Area

Quarry Area

Area To Remain
 Meadow

Emergency City
 Access Road

Properly Installed Stormwater
 Infiltration System

1. O.C. TRE

1. O.C. TRE

1. O.C. TRE

1. O.C. TRE

1. O.C. TRE

1. O.C. TRE

1. O.C. TRE

1. O.C. TRE

1. O.C. TRE

Project History



Permit 2008-0246, issued 2009 (May 2009 Board Meeting)

- authorized a new mineral extraction and > 25% expansion of an existing sand and gravel extraction
- authorized the current life of mine

Permit 2008-0246A, issued 2011

- authorized after-the-fact changes to haul road locations within the mine

Permit 2008-0246B, issued 2015

- extended permit term for another four years

Permit 2008-0246C, issued 2021

- allowed for maximum of 75 truck trips/day, and maximum of 100 trips/day on 10 days/year
- prior to this permit, there was no condition limiting total daily truck trips

Application P2021-0049

- proposed to expand life of mine similar to what is proposed today, but in a slightly larger footprint

Enforcement case E2021-0129, resolved 2021

- resolved through settlement agreement and fine after finding the mine had exceeded monthly blasting limits, trucked outside of permitted hours, and begun expanding into the adjoining lot
- some additional stabilization was done outside of permitted areas where work had already occurred to stop dust from spreading off site



Proposed Project

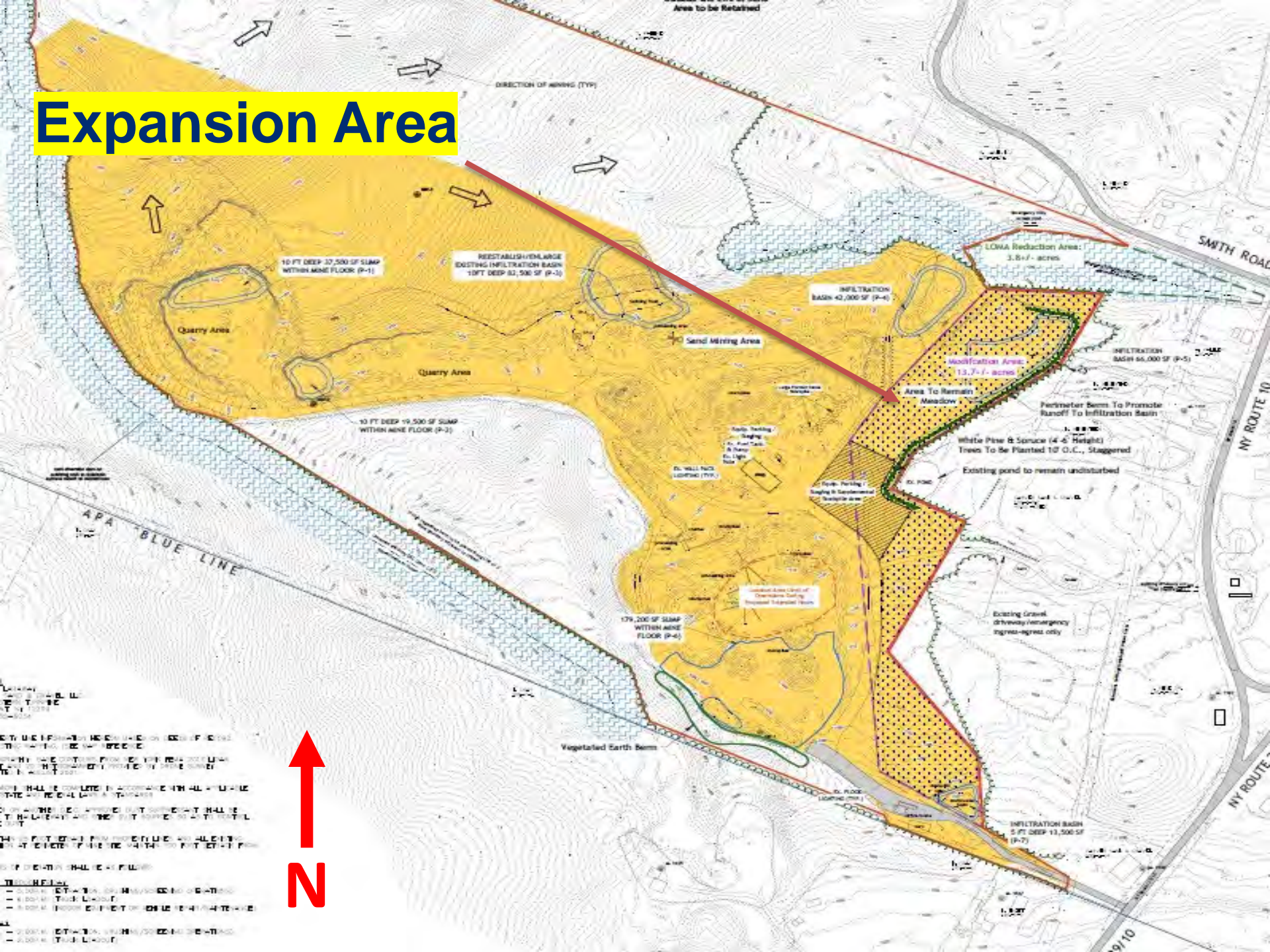


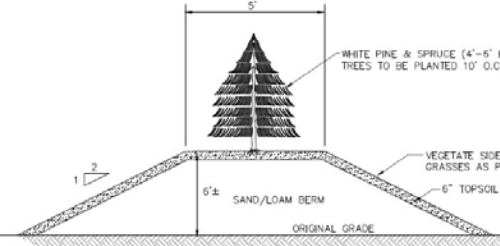
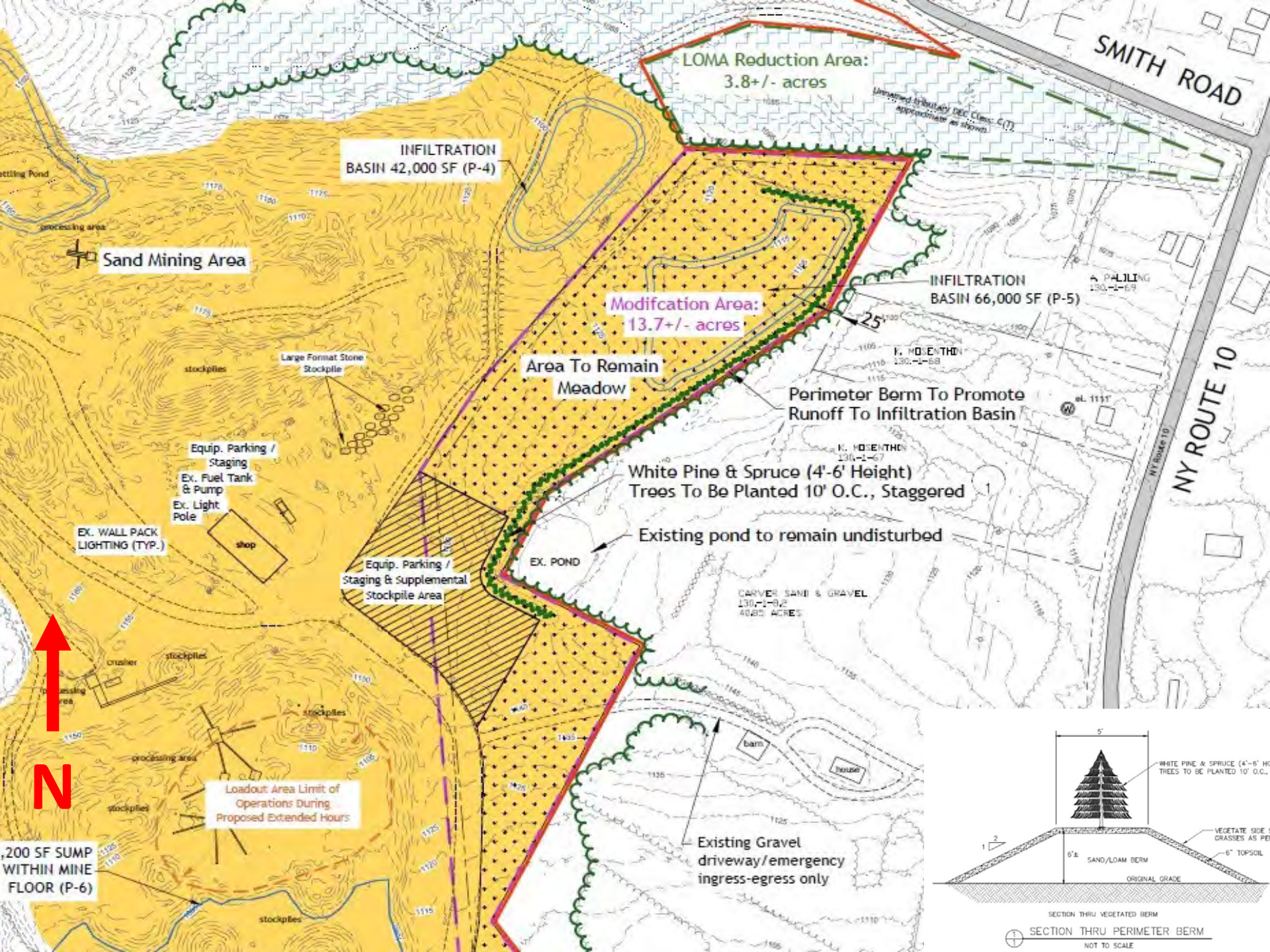
Three Pieces of this proposal:

- Expansion of mine related activities (Life of Mine) onto an adjoining lot.
- Proposed changes to conditions of the existing mine.
- Extension of the permit term for another five years.



Expansion Area





SECTION THRU VEGETATED BERM
SECTION THRU PERIMETER BERM
NOT TO SCALE



2017



2021



04.19.2021

2021



04.19.2021



2022

N

Rocky

Caroga Creek

2021



04.19.2021

2022



06.15.2022

2022



06.15.2022

2021



04.19.2021

2022



06.15.2022

2022



06.15.2022

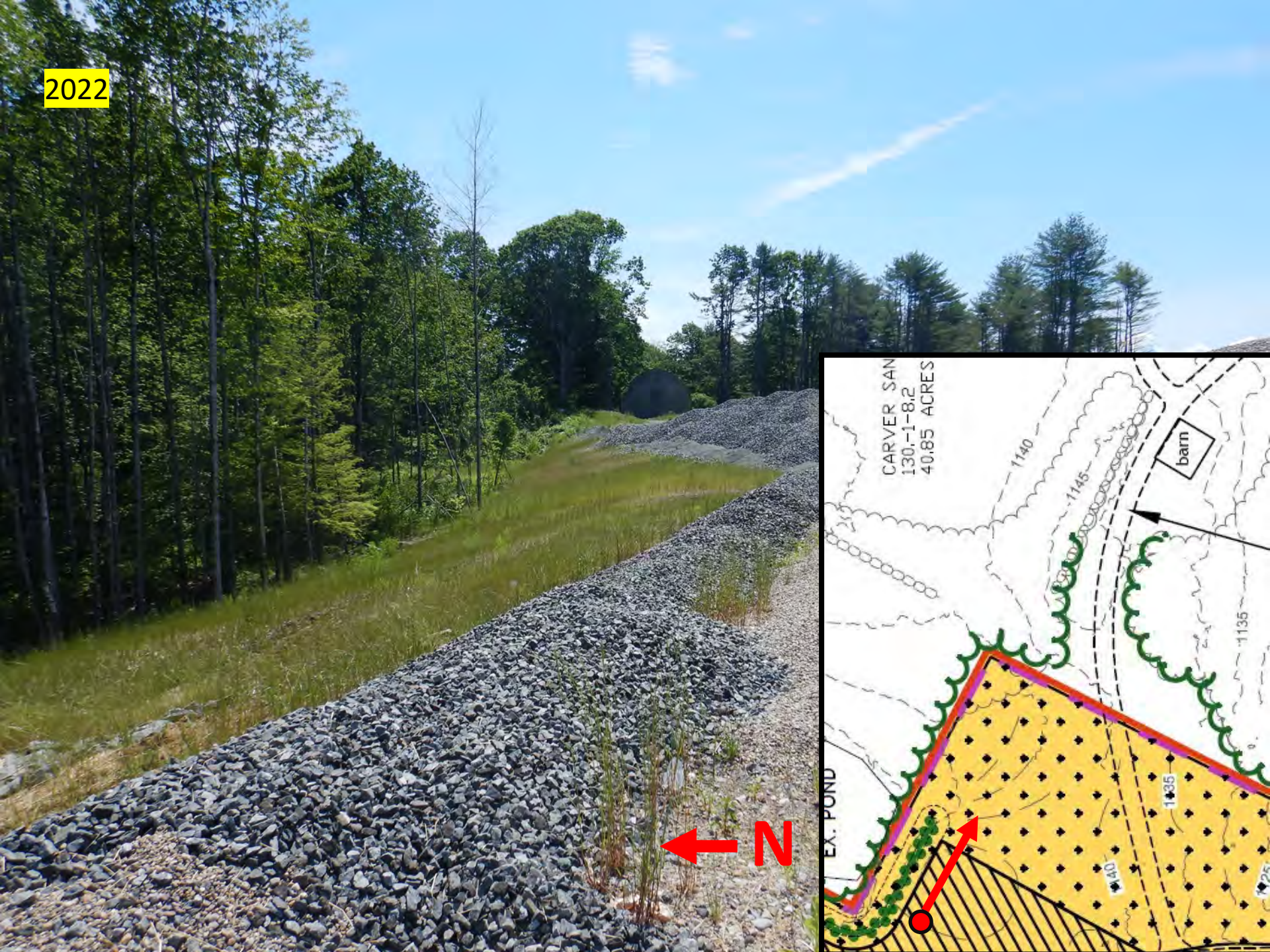
2022



← N



2022



← N

2022



06.15.2022

2022

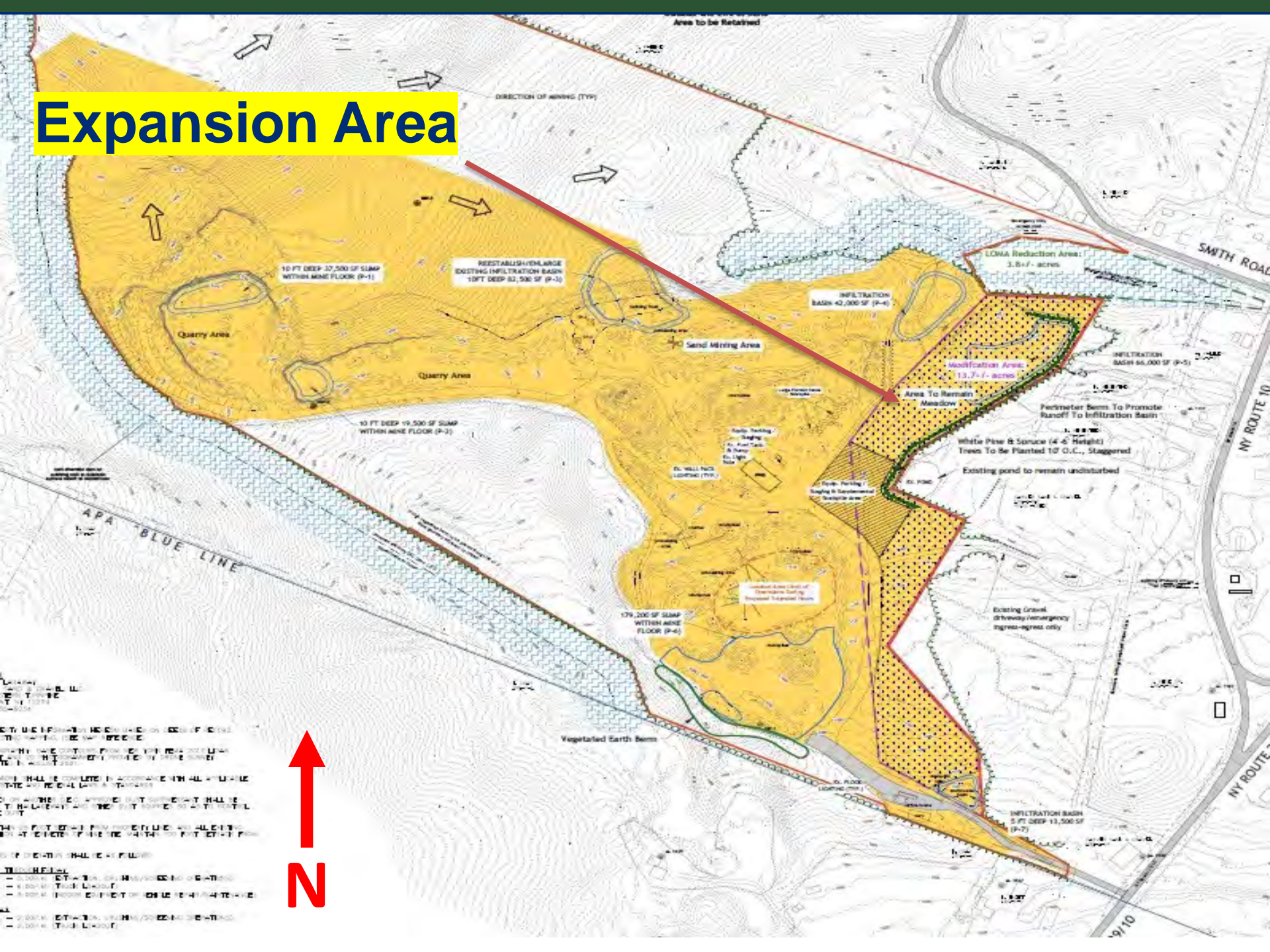


06.15.2022

2022



Expansion Area



Loadout Area Limit of Operations During Proposed Extended Hours

Existing Gravel driveway/emergency ingress-egress only

existing driveway access load (restricted)

stockpiles

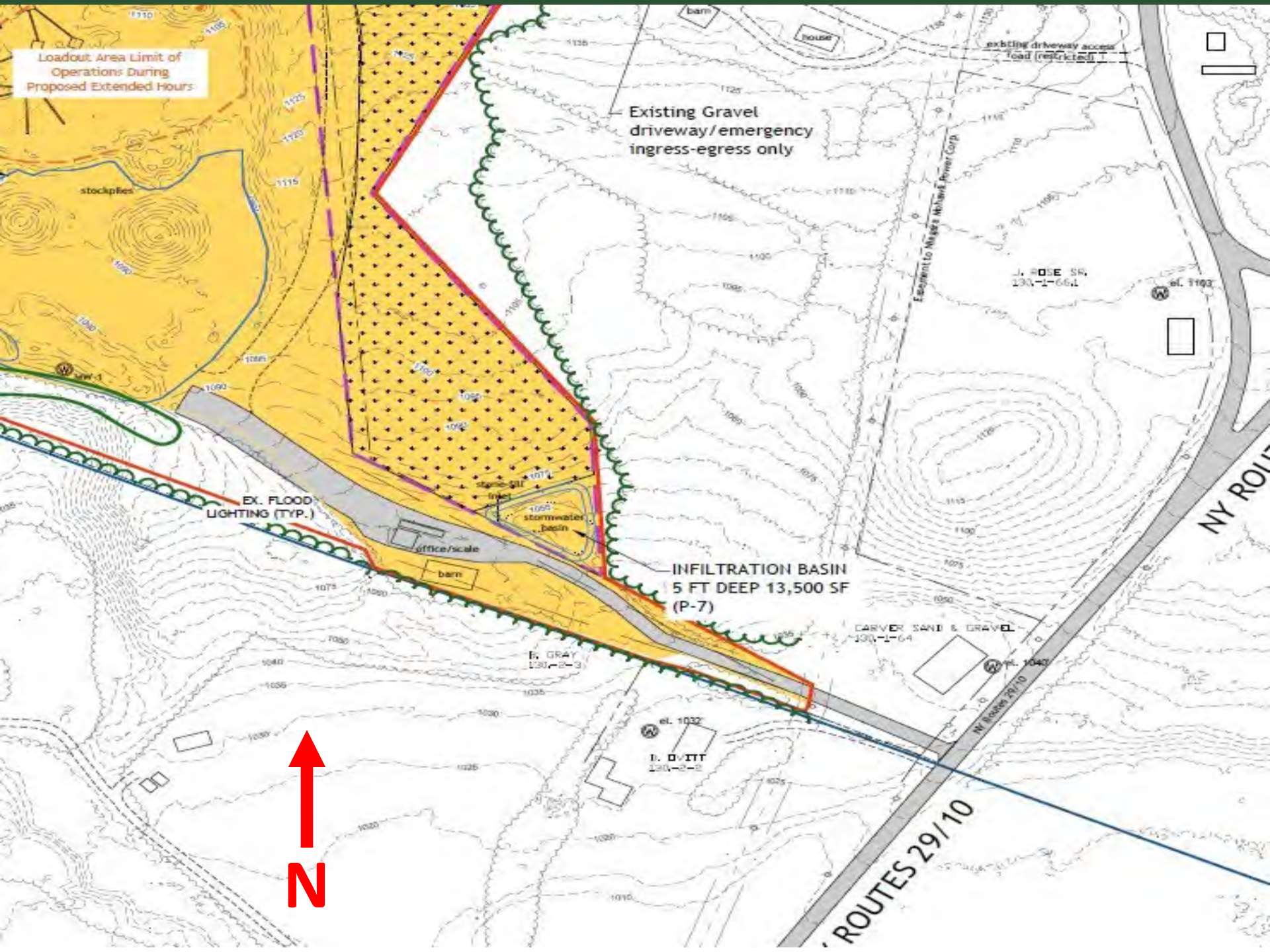
EX. FLOOD LIGHTING (TYP.)

INFILTRATION BASIN
5 FT DEEP 13,500 SF
(P-7)



ROUTES 29/10

NY ROUTE



2022



06.15.2022

Proposed Permit Condition Changes

Hours of Operation	(Trucking)
Current:	Proposed:
M-F: 7 am to 5 pm Saturday: 8 am-2 pm	M-F: 6 am-6 pm Saturday: 8 am-2 pm
Hours of Operation	(Maintenance Operations)
Current:	Proposed:
M-F: 7 am to 5 pm Saturday: 8 am-2 pm	M-Sat: 6 am to 9 pm
Daily Truck Trips	
Current:	Proposed
Up to 75 trips per day Up to 100 per day, ten days a year	Up to 200 trips per day
Blasting	
Current	Proposed
2 per month 18 per year March 1 – November 30	Up to 3 per month Up to 30 per year

Existing Permit Conditions Not Changing

Mine extraction, crushing, screening	
Monday through Friday	7 am to 5 pm
Saturday	8 am to 2 pm

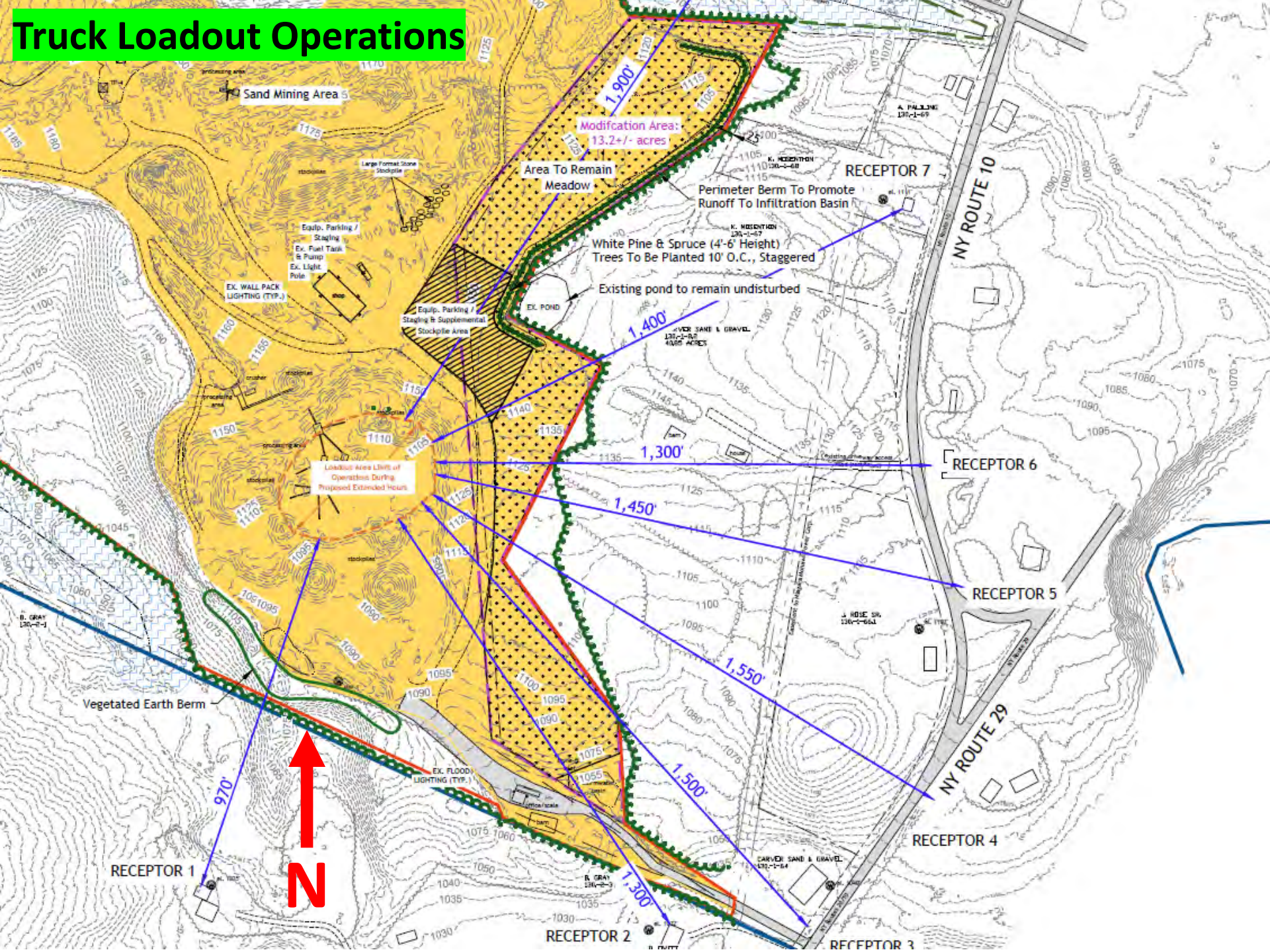
Blasting hours	
Monday through Friday	11 am to 3 pm
Saturday	None

No operations, including those proposed to change, will occur on Sundays or legal holidays.

The areas used for mineral extraction and sand and gravel extraction will not change and remain the same as originally authorized in 2009.



Truck Loadout Operations



Ambient Values From May 19, 2023 Compared to Calculated Noise Levels - Weekdays 5:00PM to 6:00PM - Loadout Only

Location	Ambient Data for Weekdays from 5:00PM to 6:00PM [dBA]	Calculated Noise Level for Loadout Only (81dBA)* [dBA]	Attenuation from Surrounding Vegetation and Topography	Calculated Noise Levels After Attenuation** [dBA]	Difference Between Ambient and Calculated Noise Levels	Loadout Noise Levels Plus Ambient [dBA]	Increase Above Ambient
Receptor #1* (Gray Residence)	55	55.2	8	47.2	7.8	56.0	1.0
Receptor #2 (Route 29, 600' South of Site Entrance, Ovitt Residence)	64	52.7	0	52.7	11.3	64.0	0.0
Receptor #3 (Route 29, Site Entrance, Ovitt Residence)	65	51.5	5	46.5	18.5	65.0	0.0
Receptor #4 (Route 29, 300' North of Entrance)	67	51.2	8	43.2	23.8	67.0	0.0
Receptor #5 (Route 29 & Route 10)	64	51.8	9	42.8	21.2	64.0	0.0
Receptor #6 (Route 10)	62	52.7	10	42.7	19.3	62.0	0.0
Receptor #7 (Mosenthin & Route 10)	61	52.1	11	41.1	19.9	61.0	0.0
Receptor #8* (Smith Road @ Emergency Entrance, Mowrey/Jasewicz Residences)	52	50.6	13	37.6	14.4	52.0	0.0

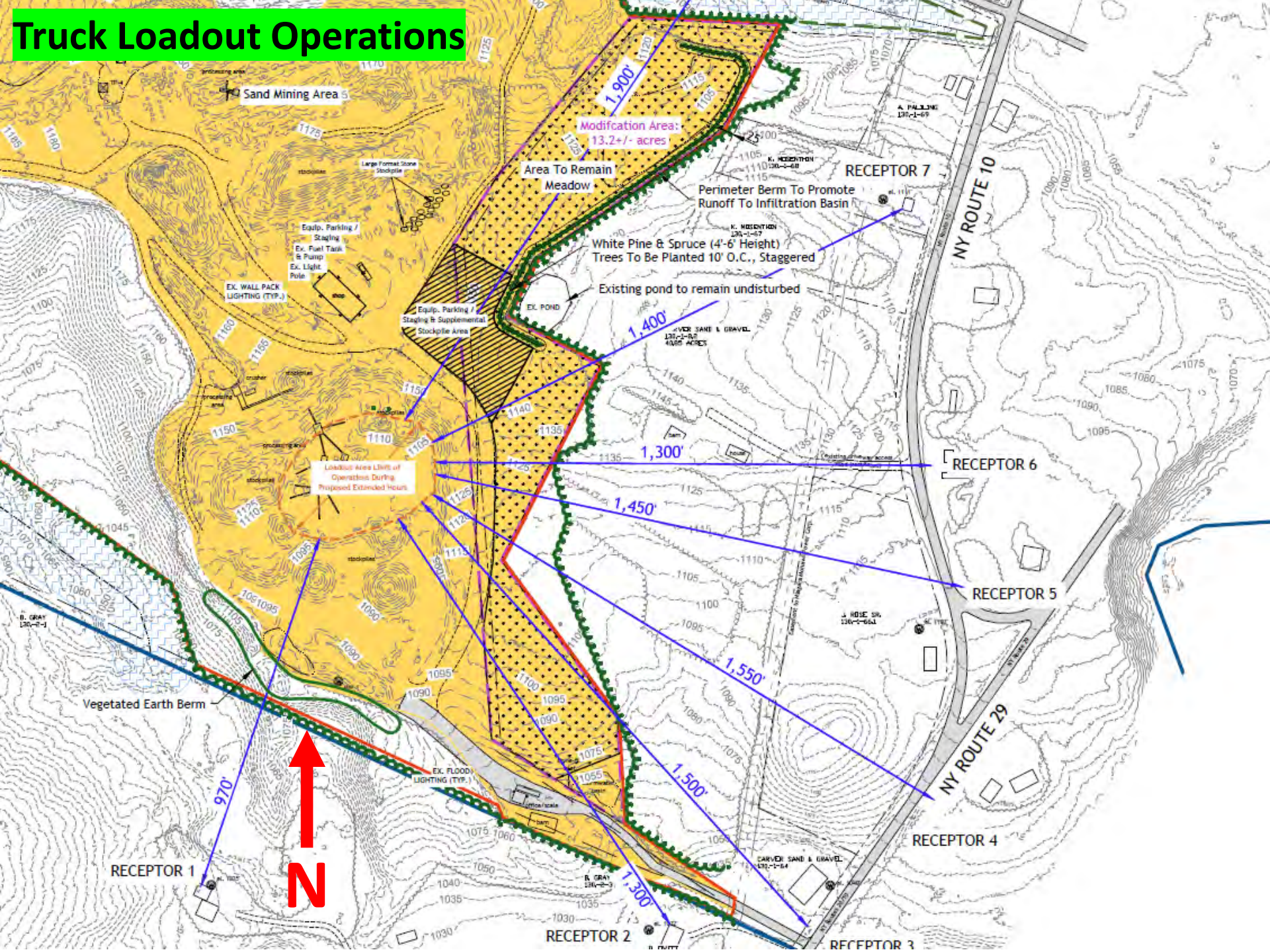


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Truck Loadout Operations



Daily Trucking Limit

- The current trucking limit is 75 truck trips a day, allowing for up to ten days a year to reach 100 truck trips.
- The proposed trucking limit will allow for a maximum of 200 trips a day.
- The mine considers a truck trip to be any vehicle picking up product. This includes pickup trucks, dump trucks, and flat bed trucks for the larger rock.
- For some projects, such as the Living Breakwaters project along Staten Island, large stone is required, and a flat bed truck can sometimes only take two rocks at a time.



Friday, June 4, 2021	70	Wednesday, December 1, 2021	75
Saturday, June 5, 2021	10	Thursday, December 2, 2021	36
Monday, June 7, 2021	93	Friday, December 3, 2021	68
Tuesday, June 8, 2021	102	Saturday, December 4, 2021	43
Wednesday, June 9, 2021	75	Monday, December 6, 2021	70
Thursday, June 10, 2021	69	Tuesday, December 7, 2021	72
Friday, June 11, 2021	66	Wednesday, December 8, 2021	68
Saturday, June 12, 2021	2	Thursday, December 9, 2021	55
Monday, June 14, 2021	72	Friday, December 10, 2021	73
Tuesday, June 15, 2021	55	Saturday, December 11, 2021	33
Wednesday, June 16, 2021	63	Monday, December 13, 2021	63
Thursday, June 17, 2021	96	Tuesday, December 14, 2021	53
Friday, June 18, 2021	69	Wednesday, December 15, 2021	61
Monday, June 21, 2021	71	Thursday, December 16, 2021	53
Tuesday, June 22, 2021	92	Friday, December 17, 2021	52
Wednesday, June 23, 2021	83	Saturday, December 18, 2021	19
Thursday, June 24, 2021	74	Monday, December 20, 2021	66
Friday, June 25, 2021	63	Tuesday, December 21, 2021	72
Monday, June 28, 2021	29	Wednesday, December 22, 2021	74
Tuesday, June 29, 2021	39	Thursday, December 23, 2021	86
Wednesday, June 30, 2021	74		

Maintenance Operations (non-mining activities)

- Proposed 6 am to 9 pm Monday through Saturday
- Maintenance operations are considered general equipment services such as oil changes, filter changes, safety inspections, and replacing minor parts.
- These operations will primarily take place inside the existing garage and any operations outside of the garage will primarily involve moving the equipment into this garage.
- Any major repairs or fabrication will occur at another off-site property.



Blasting

Blasting	
Current	Proposed
2 per month 18 per year March 1 – November 30	Up to 3 per month Up to 30 per year

Blasting hours (Not Changing)	
Monday through Friday	11 am to 3 pm
Saturday	None

- Additional blasting is to accommodate the increased demand in product, as well as micro blasting to create the larger rock used in some projects.
- Although the increased number of blasts may be for micro blasts, the applicant does not want a restriction of micro vs. macro blasts, so all blasts should be considered as macro for the purpose of evaluating impacts.



Blasting continued

- Carver is unable to predict which type of product will be needed on a year-to-year basis.
- Larger stone is created from multiple small blasts instead of a single larger blast.
- All blasts will fall under US Bureau of Mine standards and will not exceed 133 dBA at the nearest receptors as conditioned by the Department of Environmental Conservation.
- Prior to all blasts, landowners in the area will be notified of the date and time. The mine reached out to landowners in 2022 by certified mail to allow landowners the opportunity to participate and identify their preferred contact method.
- Blasting reports are available to the Agency to review, with information collected from nearby receptors located along the property boundary.



The Need for Proposed Changes

- Additional need for trucking and blasting comes from the additional demand for larger rock. Only a few large rocks fit on a truck, requiring more truck trips. Projects require a large number of rocks.
- In order to create this larger rock, additional micro blasts are necessary that create larger rock. Meaning more blasts to fulfill demand.
- Projects begin early and often have to be delayed until materials arrive because the mine is not yet open.
- Need for additional space to store the large rock while awaiting delivery.
- Projects include the Living Breakwaters project off of Staten Island for hurricane recovery and climate change resiliency.
- Contracted for offshore wind turbine projects off the coast of Long Island, for scour protection. (Empire Wind I and II Project)



Public Comment and Review by Others



Public Comment

- All notices are sent to adjoining landowners, Town and County officials, and the Local Government Review Board when an application is received and when complete.
- When an application is complete, notices are also posted to the Environmental Notice Bulletin and on the Agency website.

- Comment Letters
 - 8 comments received after notification was provided that an application was received.
 - 4 comments received during the comment period when the application was complete.
 - All comments are against or have concerns about the proposal.



Public Comment (continued)

- Comment Concerns Included:
 - Increased road traffic
 - Additional noise from earlier start and end times
 - Existing mine noise is disruptive
 - Existing dust issues
 - Blasts rattling homes, foundation, well damage
 - Radiation issues (Radon gas)
 - Trespass issues
 - Request to access the property



Applicant Response

- Emphasized that changes to mine hours are only for trucking loadout and maintenance operations.
- Emphasized that the expansion of the mine is mostly for stormwater and buffer areas and would result in decreased dust and noise coming from the mine.
- Additional dust suppression features have been installed recently throughout the mine and on the crusher.
- The crusher has been replaced and enclosures installed to reduce noise from the crusher. (110 dB(A) vs 85 dB(A) at 50 feet)
- NYSDOT controls road speeds on NYS Route 29, but they emphasize to drivers to maintain safe speeds.
- Mine closures and market for specialty rocks has put additional demand on the mine, necessitating the increased trucking hours and daily maximum.
- Not aware of any requests to access the mines property.
- Nearest well is 2500 feet from blasting area and following DEC permit conditions and USBM standards, the chance of blasting impacting wells is “virtually nil.”



Review by Others

- Department of Environmental Conservation
 - Mine operating under an existing DEC permit.
 - DEC is reviewing the same proposal presented here today.
 - DEC comment period ended September 15, 2023.



Staff Recommendation: Approve with Conditions



Conclusions of Law

- Development authorized:
 - Consistent with land use and development plan
 - Compatible with character description and purposes policies, and objectives of the Resource Management land use area
 - Consistent with overall intensity guidelines
 - No undue adverse impact on resources of the Park



Draft Permit Conditions

- Extraction shall continue as authorized in the Site Plan.
- No clearing outside of the limits of clearing.
- Reclamation shall be undertaken as outlined in the Reclamation Plan.
- 100-foot buffer to all streams
- Follow Stormwater and Erosion Control plan
- Trees shall be planted as shown on the Site Plan.
- Excavation, blasting, maintenance, and trucking shall be undertaken as outlined in the permit.
- Reports shall be provided to the Agency upon request.



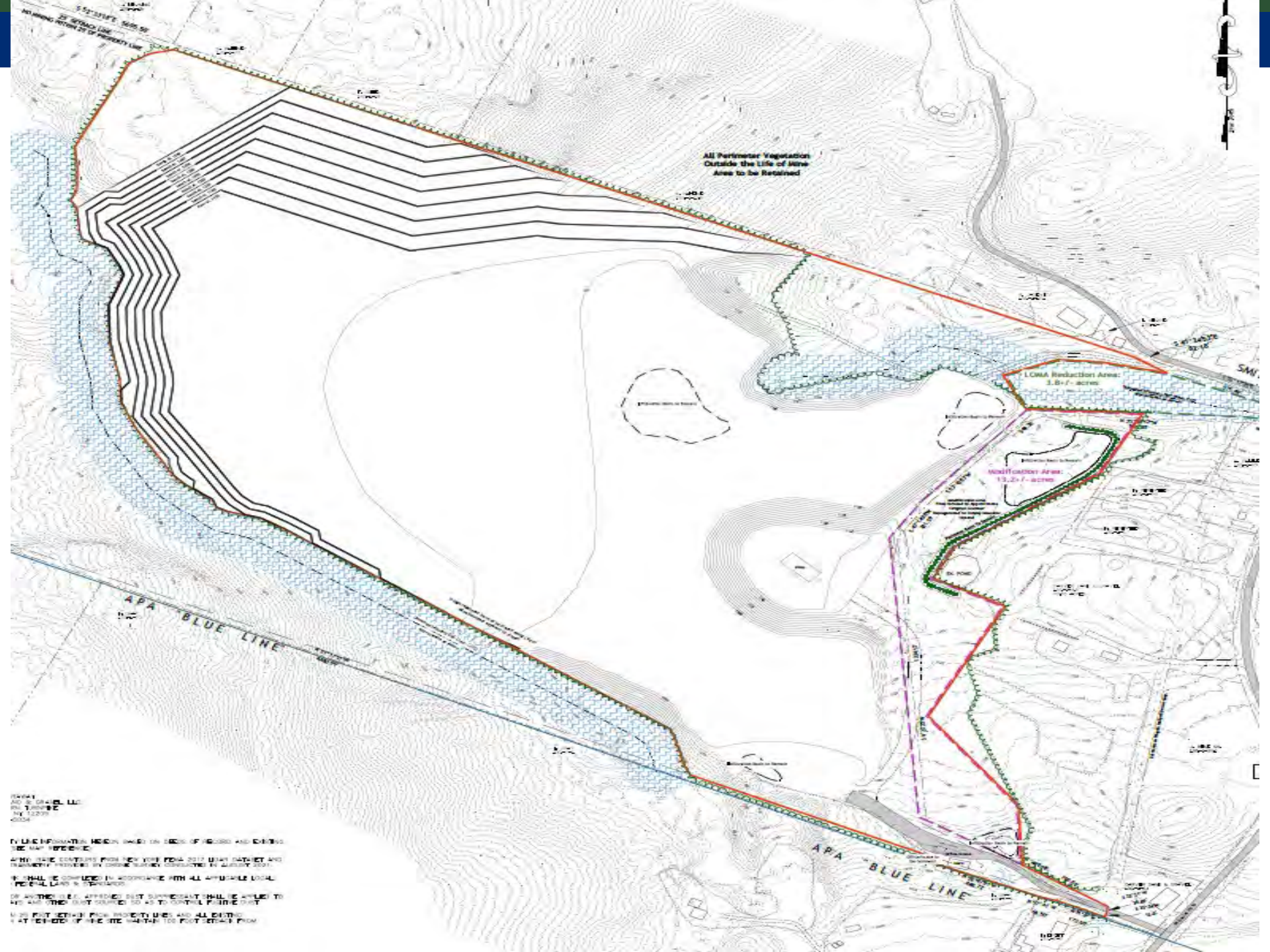


New York State
Adirondack
Park Agency

Carver Sand & Gravel, LLC

P2022-0037

October 10, 2023



All Perimeter Vegetation
Outside the Life of Mine
Area to be Retained

LCMA Reduction Area:
3.81 +/- acres

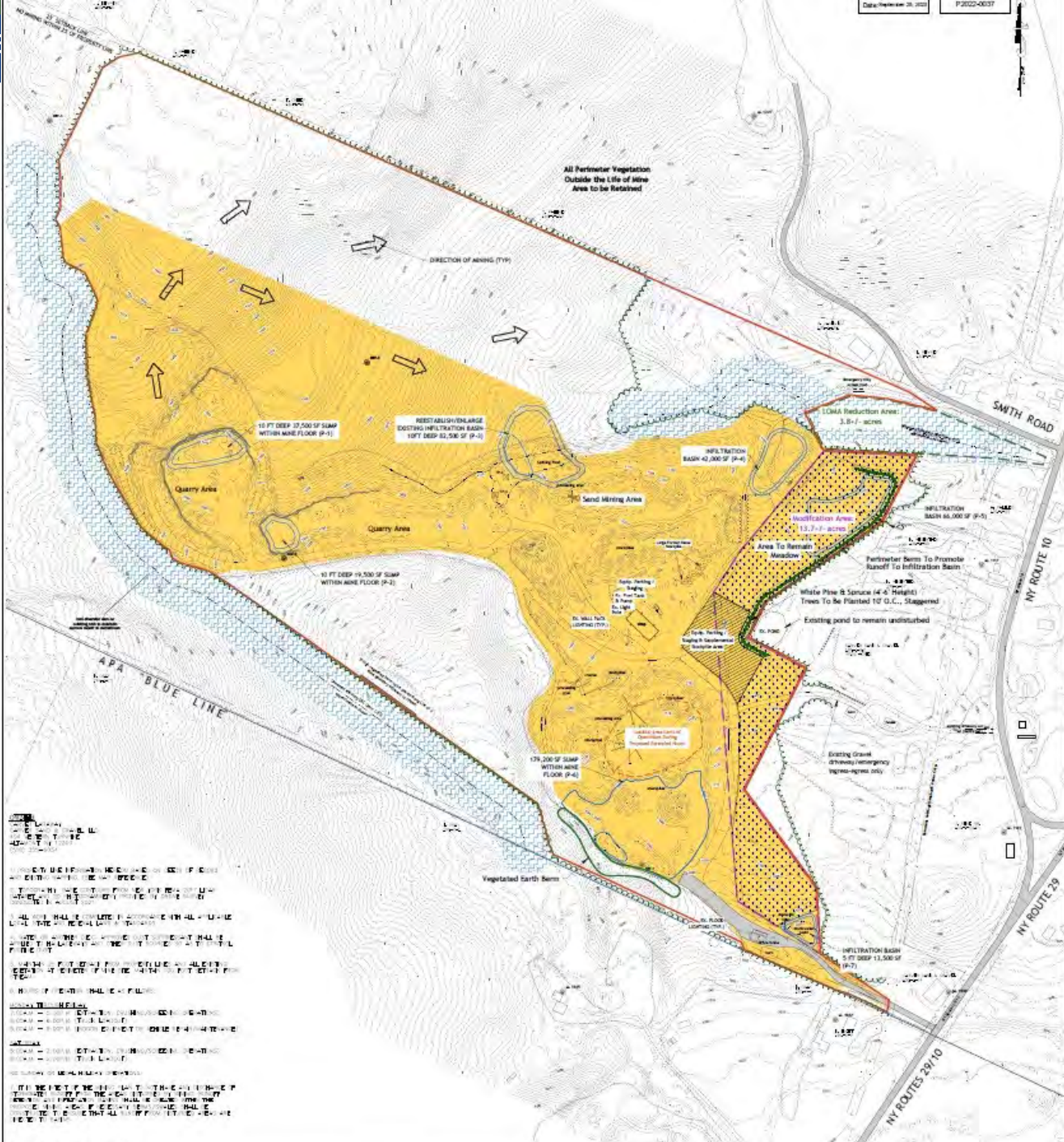
Modification Area:
13.21 +/- acres

APA
BLUE LINE

APA
BLUE LINE

03/24/11
MCM CONSULTING, LLC
10101
10101
03/24/11

THIS INFORMATION HAS BEEN OBTAINED FROM RECORDS OF RECORD AND OTHER
MAP RECORDS.
THIS DRAWING CONTAINS INFORMATION FROM THE PUBLIC DOMAIN AND
IS NOT TO BE CONSIDERED AS A GUARANTEE OF ACCURACY.
IT SHALL BE OBTAINED IN ACCORDANCE WITH ALL APPLICABLE LOCAL,
STATE AND FEDERAL LAWS.
IF ANY OTHER LEGAL APPLICABLE DIST. SUPPLEMENT SHALL BE APPLIED TO
THIS AND THIS DIST. SHALL BE OBTAINED SO AS TO CONTROL PUBLIC DIST.
IT IS NOT INTENDED FOR PROPERTY USE AND ALL OTHER
LAW ENFORCEMENT OF THE SITE IS THE RESPONSIBILITY OF THE DISTRICT.



ACREAGE SUMMARY

Code	Description	Area (Acres)
01000	2.0000 ACRES	2.0000
02000	4.0000 ACRES	4.0000
03000	8.0000 ACRES	8.0000
04000	2.0000 ACRES	2.0000
05000	4.0000 ACRES	4.0000
06000	8.0000 ACRES	8.0000
07000	2.0000 ACRES	2.0000
08000	4.0000 ACRES	4.0000
09000	8.0000 ACRES	8.0000
10000	2.0000 ACRES	2.0000
11000	4.0000 ACRES	4.0000
12000	8.0000 ACRES	8.0000
13000	2.0000 ACRES	2.0000
14000	4.0000 ACRES	4.0000
15000	8.0000 ACRES	8.0000
16000	2.0000 ACRES	2.0000
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18000	8.0000 ACRES	8.0000
19000	2.0000 ACRES	2.0000
20000	4.0000 ACRES	4.0000
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22000	2.0000 ACRES	2.0000
23000	4.0000 ACRES	4.0000
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28000	2.0000 ACRES	2.0000
29000	4.0000 ACRES	4.0000
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59000	4.0000 ACRES	4.0000
60000	8.0000 ACRES	8.0000
61000	2.0000 ACRES	2.0000
62000	4.0000 ACRES	4.0000
63000	8.0000 ACRES	8.0000
64000	2.0000 ACRES	2.0000
65000	4.0000 ACRES	4.0000
66000	8.0000 ACRES	8.0000
67000	2.0000 ACRES	2.0000
68000	4.0000 ACRES	4.0000
69000	8.0000 ACRES	8.0000
70000	2.0000 ACRES	2.0000
71000	4.0000 ACRES	4.0000
72000	8.0000 ACRES	8.0000
73000	2.0000 ACRES	2.0000
74000	4.0000 ACRES	4.0000
75000	8.0000 ACRES	8.0000
76000	2.0000 ACRES	2.0000
77000	4.0000 ACRES	4.0000
78000	8.0000 ACRES	8.0000
79000	2.0000 ACRES	2.0000
80000	4.0000 ACRES	4.0000
81000	8.0000 ACRES	8.0000
82000	2.0000 ACRES	2.0000
83000	4.0000 ACRES	4.0000
84000	8.0000 ACRES	8.0000
85000	2.0000 ACRES	2.0000
86000	4.0000 ACRES	4.0000
87000	8.0000 ACRES	8.0000
88000	2.0000 ACRES	2.0000
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95000	4.0000 ACRES	4.0000
96000	8.0000 ACRES	8.0000
97000	2.0000 ACRES	2.0000
98000	4.0000 ACRES	4.0000
99000	8.0000 ACRES	8.0000
100000	2.0000 ACRES	2.0000