


THIS IS A TWO-SIDED DOCUMENT

 <p><b>NEW YORK</b> STATE OF OPPORTUNITY.</p> <p><b>Adirondack Park Agency</b></p> <p>P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov</p>	<p>APA Permit <b>2022-0267</b></p>
<p>In the Matter of the Application of</p> <p><b>TOWN OF ESSEX</b> <b>Permittee</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: January 10, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: <b>1. Town of Essex</b></p>

**SUMMARY AND AUTHORIZATION**

This permit authorizes a municipal sand and salt storage structure in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Essex, Essex County.

This authorization shall expire unless recorded in the Essex County Clerk's Office within 60 days of issuance of a signed and notarized permit. The signed and notarized permit shall be recorded in the names of all persons listed above and in the names of all owners of record of any portion of the project site on the recordation date.

The project shall not be undertaken or continued unless the project authorized herein is in existence within five years of the date the permit is recorded in the County Clerk's Office. The Agency will consider the project in existence when the salt/sand storage structure is completed.

The project shall be undertaken in compliance with all conditions stated herein. Failure to comply with this permit is a violation and may subject the permittee, successors, and assigns to civil penalties and other legal proceedings.

This permit does not convey any right to trespass upon the lands or interfere with the riparian rights of others in order to undertake the authorized project, nor does it authorize the impairment of any easement, right, title or interest in real or personal property.

Nothing contained in this permit shall be construed to satisfy any legal obligations of the permittee to comply with all applicable laws and regulations or to obtain any governmental approval or permit from any entity other than the Agency, whether federal, State, regional, or local.

### **PROJECT SITE**

The project site is a 4.2-acre parcel of land located on NYS Route 22 in the Town of Essex, Essex County, in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 49.1, Block 1, Parcel 32.210, and is described in a deed from Clarence G. Whitcomb to The Town of Essex, dated February 7, 1990, and recorded February 7, 1990 in the Essex County Clerk's Office at Book 961, Page 266.

The project site is partially located within the designated Bouquet River Recreational River area and is partially located within 150 feet of NYS Route 22. The project site also contains wetlands not described herein or depicted on the Site Plan.

The project site was created as a "4±-acre lot" in a two-lot subdivision as authorized by Agency Permit 2000-0104.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves the construction of a sand and salt storage structure that is 40 feet wide by 42 feet long and a height of 25 feet, 6 inches. The project will utilize the existing access to NYS Route 22 and require less than 1 acre of ground disturbance.

The project is shown on the following maps and plans:

- An 11-page set of plans entitled "42' CC Series 406740 CC42x40 RO" prepared by Calhoun Super Structures, LLC and dated March 15, 2022 (Structure Plans).
- A one-page site plan entitled "Essex County DPW Route 22 Essex, NY 12936 Salt Shed Site Plan" prepared by SRA Engineers and dated October 18, 2022 (Site Plan).

A reduced-scale copy of the Site Plan for the project is attached as a part of this permit for reference.

### **AGENCY JURISDICTION**

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to the construction of any public use on Resource Management lands in the Adirondack Park.

### **CONDITIONS**

#### **THE PROJECT IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The project shall not be undertaken until this permit has been recorded in the Essex County Clerk's Office.
2. This permit is binding on the permittee, all present and future owners or lessees of the project site, and all persons undertaking all or a portion of the project, for as long as the authorized structure remains on the site. Copies of this permit,

Structure Plans, and Site Plan shall be furnished by the permittee to all subsequent owners or lessees of the project site prior to sale or lease, and by the permittee and/or any subsequent owner or lessee to all persons undertaking any development activities authorized herein.

3. In addition to complying with all terms and conditions of this permit, all future activities on the project site shall be undertaken in compliance with the requirements of New York State's Adirondack Park Agency Act, Freshwater Wetlands Act, Wild, Scenic and Recreational Rivers System Act, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
4. This permit amends and supersedes Permit 2000-0104 in relation to the project site. The terms and conditions of Permit 2000-0104 shall no longer apply to the project site.
5. All deeds conveying all or a portion of the lands subject to this permit shall contain references to this permit as follows: "The lands conveyed are subject to Adirondack Park Agency Permit 2022-0267, issued January 10, 2023, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. This permit authorizes the construction of a salt storage structure in the location shown and as depicted on the Site Plan and Structure Plans. Any change to the location, dimensions, or other aspect of the authorized structure shall require prior written Agency authorization.
7. The undertaking of any new land use or development not authorized herein on the project site will require a new or amended permit.
8. Silt fencing shall be installed down gradient of the proposed storage structure as shown on the Site Plan prior to commencing construction.
9. When brought from off-site, all equipment, including but not limited to trucks, excavators, tractors, etc., and hand excavation tools such as shovels, rakes, and picks, to be used on the project site shall be clean and free of soil, mud, or other similar material. If washed on the project site, equipment shall be washed in one location to prevent the distribution of propagules among different wash sites.
10. Any new free-standing or building-mounted outdoor lights associated with the authorized structure on the project site shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward NYS Route 22 or adjoining property.
11. Within 200 feet of the centerline of NYS Route 22, no trees, shrubs, or other woody stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed on the project site without prior written Agency authorization, except for the removal of 1) an area up to 25 feet in width for driveway and utility maintenance, and 2) dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.


### **CONCLUSIONS OF LAW**

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, and 9 NYCRR Part 574. The Agency hereby finds that the project authorized as conditioned herein:

- a. will be consistent with the land use and development plan;
- b. will be compatible with the character description and purposes, policies, and objectives of the Resource Management land use area;
- c. will be consistent with the overall intensity guidelines for the Resource Management land use area;
- d. will comply with the shoreline restrictions of § 806 of the Adirondack Park Agency Act;
- e. will not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational or open space resources of the Park or upon the ability of the public to provide supporting facilities and services made necessary by the project;
- f. will secure the natural benefits of wetlands associated with the project, consistent with the general welfare and beneficial economic, social, and agricultural development of the state;
- g. will be compatible with preservation of the entire wetland and will not result in degradation or loss of any part of the wetland or its associated values;
- h. will be consistent with the purposes and policies of the Wild, Scenic and Recreational Rivers System Act;
- i. will comply with the restrictions and standards of 9 NYCRR § 577.6; and
- j. will not cause an undue adverse impact upon the natural, scenic, aesthetic, ecological, botanical, fish and wildlife, historic, cultural, archeological, scientific, recreational or open space resources of the river area, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived therefrom.

PERMIT issued this 10<sup>th</sup> day  
of January, 2023.

ADIRONDACK PARK AGENCY

BY:   
John M. Burth  
Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 10<sup>th</sup> day of January in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public

Stephanie L. Petith  
Notary Public, State of New York  
Reg. No 01PE6279890  
Qualified in Franklin County  
Commission Expires April 15, 2025



**PROJECT LOCATION**

**RECEIVED**  
DATE: October 26, 2022

**FINAL**  
PROJECT: 2022

APPROX. LOCATION  
EXIST. OVERHEAD WIRE

APPROX. LOCATION  
EXIST. GRAVEL DRIVE  
TO SALT SHED

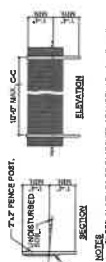
PROP. SILT FENCE SEE  
DETAIL, THIS SHEET.

PROP. SALT SHED-SEE  
GENERAL PLANS FOR  
DETAILS.

APPROX. LOCATION  
EXIST. UTILITY POLES  
(TYPE)

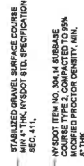
EXIST. VEGETATION BASED ON  
AERIAL MAPPING

EXIST. RAILROAD



**SILT FENCE DETAIL**  
N.T.S.

NOTE: FENCE CLOTH TO BE FASTENED SECURELY TO POSTS WITH  
STAPLES ON THE P-PILE SPACING. PROVIDE EACH OTHER  
3. THE SILT SHALL BE COVERED BY 6\"/>



**TYPICAL GRAVEL PAVEMENT DETAIL**  
N.T.S.

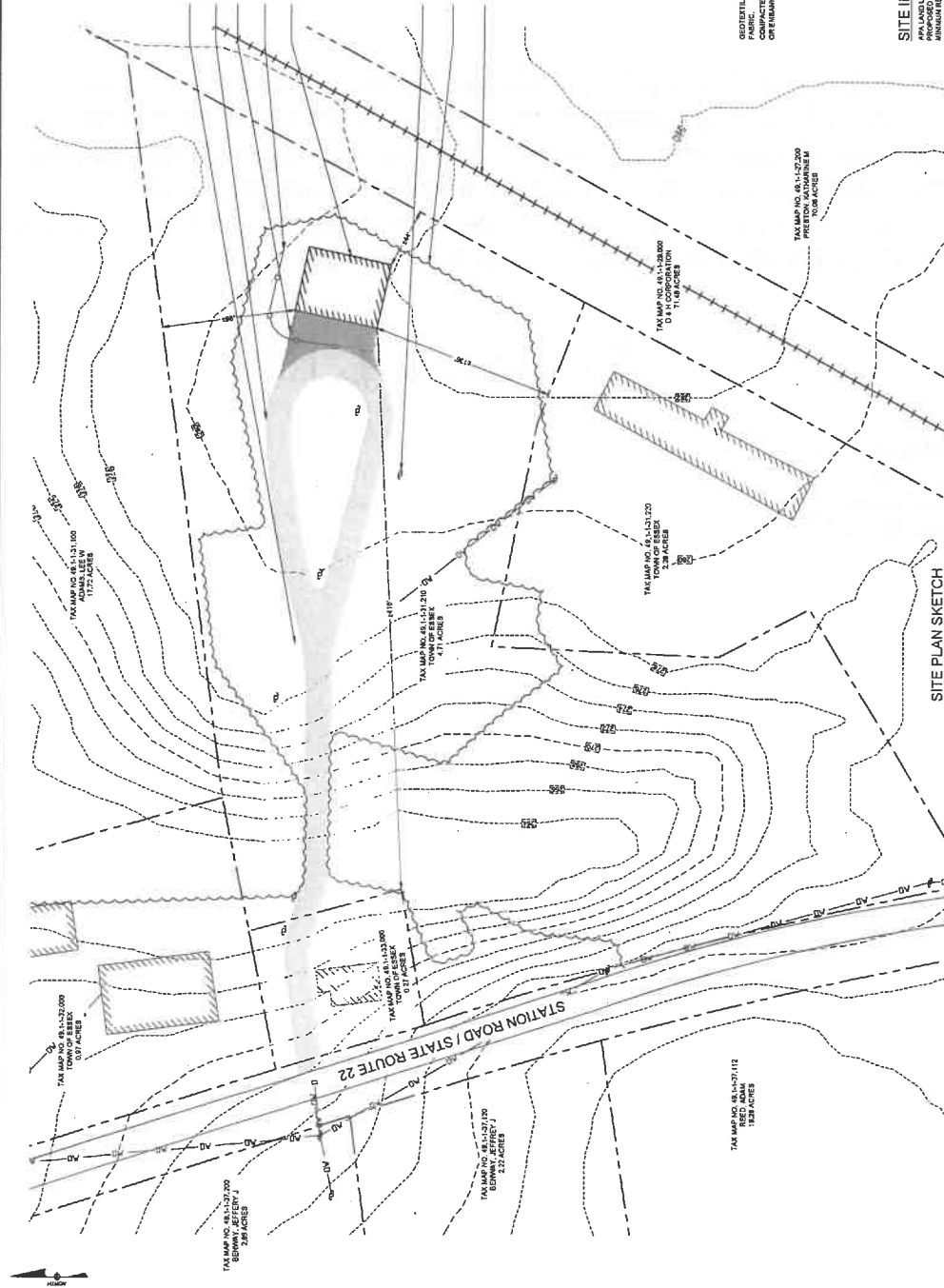
**SITE INFORMATION**

PER LAND USE CLASSIFICATION, REQUIRE MANAGEMENT PLAN  
PROPOSED USE: SALT SHED (PUBLIC USE)  
TAX MAP NO. 48-14-0112-10 7.4 ACRES - 4.71 ACRES PROVIDED.  
TOTAL NEW PROPOSED BUILDING AREA: 14,978 SQ. FT.

EXISTING AREA (SQ. FT.)	EXISTING LOT AREA (SQ. FT.)	EXISTING LOT FRONTAGE (FT.)	EXISTING LOT DEPTH (FT.)	EXISTING LOT AREA (SQ. FT.)
4,147	4,147	144	118	11,118
14,978	14,978	144	118	14,978
19,125	19,125	144	118	19,125
23,272	23,272	144	118	23,272

**GENERAL AND MAPPING NOTES**

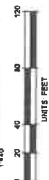
- THIS SITE PLAN SWITCH HAS BEEN DEVELOPED FOR THE PURPOSE OF OBTAINING PERMITS FROM THE STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR THE CONSTRUCTION OF A SALT SHED FOR THE TOWN OF ESSEX HIGHWAY DEPARTMENT.
- BASE MAPPING DEVELOPED FROM AVAILABLE AERIAL MAPPING AND ESSEX COUNTY TAX MAPS. THIS SITE PLAN DOES NOT CONSTITUTE A SURVEY BY A LICENSED LAND SURVEYOR.
- PHYSICAL TOPOGRAPHIC SURVEY DATA OBTAINED FROM DISTRICT ENGINEERS AND SURVEYORS FROM U.S. GEOLOGICAL SURVEY PROVIDED BY CORNELL UNIVERSITY (CORNELL INFORMATION REPOSITORY) (CORNELL, NEW YORK) STATE OF MASSACHUSETTS (1999).



**EROSION AND SEDIMENT CONTROL NOTES**

- ALL EXPOSED CUT AND FILL SURFACES SHALL BE COVERED WITH 4\"/>

**SITE PLAN SKETCH**



**LEGEND**

- EXIST. UNRES. CONT.
- EXIST. MAINT. CONT.
- PROPERTY LINE
- SILT FENCE
- WOODS EDGE
- OVERHEAD WIRE
- EDGE OF GRAVEL
- UTILITY POLE
- RAILROAD

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 1707-B, SUBSECTION 1 OF THE NEW YORK STATE EROSION CONTROL LAW.

**SRA ENGINEERS**  
Evergreen Professional Park  
483 Dixon Road, Suite 7, Bldg. 3  
Queensbury, New York 12804  
TEL: 518-751-1515 FAX: 518-751-1516  
SCALE: AS SHOWN (SCALE OF 1\"/>

**REV. DATE DESCRIPTION**  
A HISTORY FOR PERMITS

**PROJ. NO.** 20223  
**CADD BY:** EJA  
**DATE:** 10/16/2022  
**ENR BY:** EJA

**CUSTOMER:** TOWN OF ESSEX, NEW YORK  
**ADDRESS:** 2313 MAIN ST., BOX 355  
ESSEX, NY 12886

**DRAWING TITLE:** ESSEX COUNTY DWG  
ESSEX, NY 12886

**SALT SHED SITE PLAN**  
SHEET NO. **C-101** OF 1  
REV. \_\_\_\_\_