### THIS IS A TWO-SIDED DOCUMENT

NEW YORK STATE OF OPPORTUNITY. Park Agency	APA Permit 2023-0107
P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov	Date Issued: August 31, 2023
In the Matter of the Application of COUNTY OF FRANKLIN SOLID WASTE MANAGEMENT AUTHORITY Permittee	To the County Clerk: Please index this permit in the grantor index under the following names: 1. County of Franklin Solid Waste Management Authority
for a permit pursuant to § 809 of the Adirondack Park Agency Act	

# SUMMARY AND AUTHORIZATION

This permit authorizes a new public/semi-public building in an area classified Industrial Use on the Adirondack Park Land Use and Development Plan Map in the Town of Harrietstown, Franklin County.

This authorization shall expire unless recorded in the Franklin 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 Franklin County Clerk's Office. The Agency will consider the project in existence when the foundation of the new building has been 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 the 8.7±-acre Industrial Use portion of a 17.24±-acre parcel of land located on Dump Road in the Town of Harrietstown, Franklin County, in an area classified Industrial Use and Resource Management on the Adirondack Park Land Use and Development Plan Map. The Resource Management portion is not part of the project site. The site is identified as Tax Map Section 422, Block 3, Parcel 21, and is described in a deed from Paul Smith's College of Arts and Sciences to The County of Franklin Solid Waste Management Authority, dated April 11, 1994, and recorded April 12, 1994 in the Franklin County Clerk's Office in Book 608 at Page 306.

The project site is improved by the Lake Clear Transfer Station, a municipal solid waste transfer facility authorized by Agency Permit 93-53 that accepts only mixed municipal solid waste, recyclables, and compostable yard waste. The future construction and demolition debris landfill anticipated in Permit 93-53 was never undertaken. Existing access to the project site is from Dump Road, off the east side of State Route 30.

### PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of a new public/semipublic building at the Lake Clear Transfer Station. Specifically, the project involves removal of an existing compactor building and recycling building (~800 square feet and ~400 square feet) and construction of a new grade separated transfer building of preengineered metal (5,920 square feet in footprint, 52.5 feet in height) to facilitate top loading of full-sized trailers.

The project is shown on 28 sheets of plans titled "County of Franklin Solid Waste Management Authority, Lake Clear Transfer Station Improvements," prepared by Barton & Loguidice, dated May 2023 Contract Drawings (Project Plans).

A reduced-scale copy of Sheet C100 (Layout Plan) and Sheet A002 (Perspective View) of the Project Plans 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 a public or semi-public building on Industrial Use 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 Franklin County Clerk's Office.

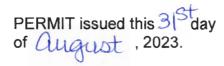
- 2. This permit is binding on the permittee, all present and future owners or lessees of the project site, and all persons undertaking all or a portion of the project, for as long as the public/semi-public building remains on the site. Copies of this permit and the Project Plans shall be furnished by 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, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
- 4. This permit amends and supersedes Permit 93-53 in relation to the project site. The terms and conditions of Permit 93-53 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 2023-0107, issued August 31, 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 public/semi-public building (i.e., transfer building) in the location shown and as depicted on the Project Plans. Any change to the location, dimensions, or other aspect of the building shall prior written Agency authorization. The buildings to be removed, as depicted on the Project Plans, shall be removed within six months of completion of the new building.
- 7. The municipal solid waste transfer station shall operate only between 8am and 3:30pm, Monday, Tuesday, and Thursday through Saturday, year-round, except holidays. Access shall be controlled by gate and on-site manager.
- 8. Properly functioning mufflers shall be maintained on all on-site municipal vehicles and equipment.
- 9. A 1,500-gallon holding tank shall be installed on the project site as depicted on the Project Plans. All on-site leachate shall be transported by a NYS Department of Environmental Conservation (DEC) licensed hauler and treated at a DEC licensed facility. No on-site wastewater treatment system shall be installed on the project site without a new or amended Agency permit.
- 10. Water shall be used to control dust on the access road and any un-paved, drivable areas.
- 11. The project shall be undertaken in compliance with the Erosion and Sediment Control Plan and the Stormwater Management Plan as depicted on the Project Plans.

- 12. 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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.
- 13. All lighting associated with the public/semi-public building (i.e., transfer building) on the project site shall comply with the Lighting Plan contained within the Project Plans. Any change to this lighting shall require prior written Agency authorization.
- 14. Any new free-standing or building-mounted outdoor lights associated with the municipal solid waste transfer facility 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 Dump Road, NY Route 30, the Saranac Lake Wild Forest, or adjoining property.
- 15. All signs associated with the municipal solid waste transfer facility on the project site shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3].
- 16. Outside of the existing limits of clearing shown on the Project Plans, 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 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 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 Industrial Use land use area;
- c. will be consistent with the overall intensity guidelines for the Industrial Use land use area;
- d. will comply with the shoreline restrictions of § 806 of the Adirondack Park Agency Act; and
- 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



ADIRONDACK PARK AGENCY

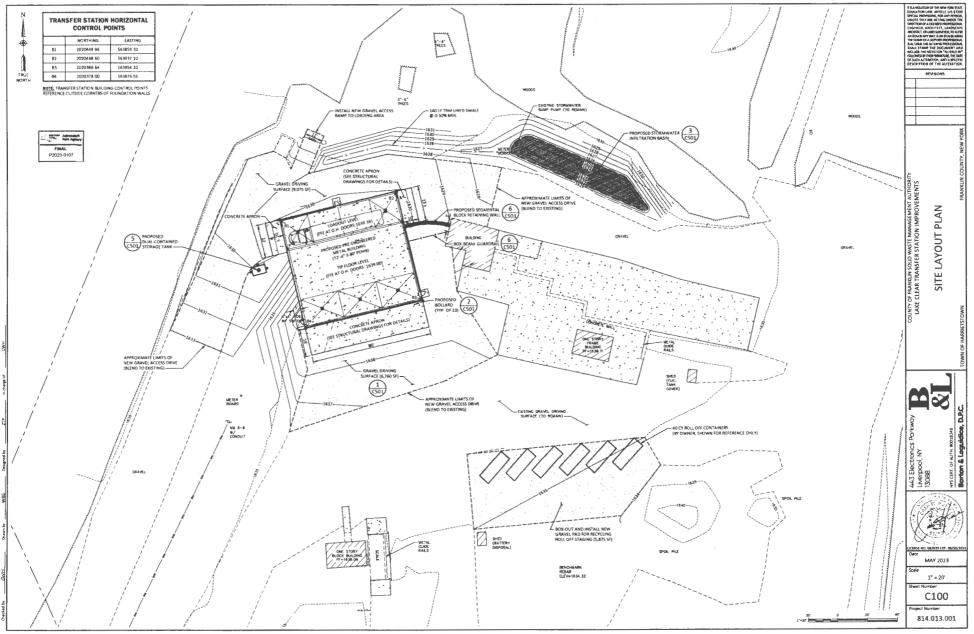
BY:

David J. Plante, AICP CEP Deputy Director, Regulatory Programs

#### STATE OF NEW YORK COUNTY OF ESSEX

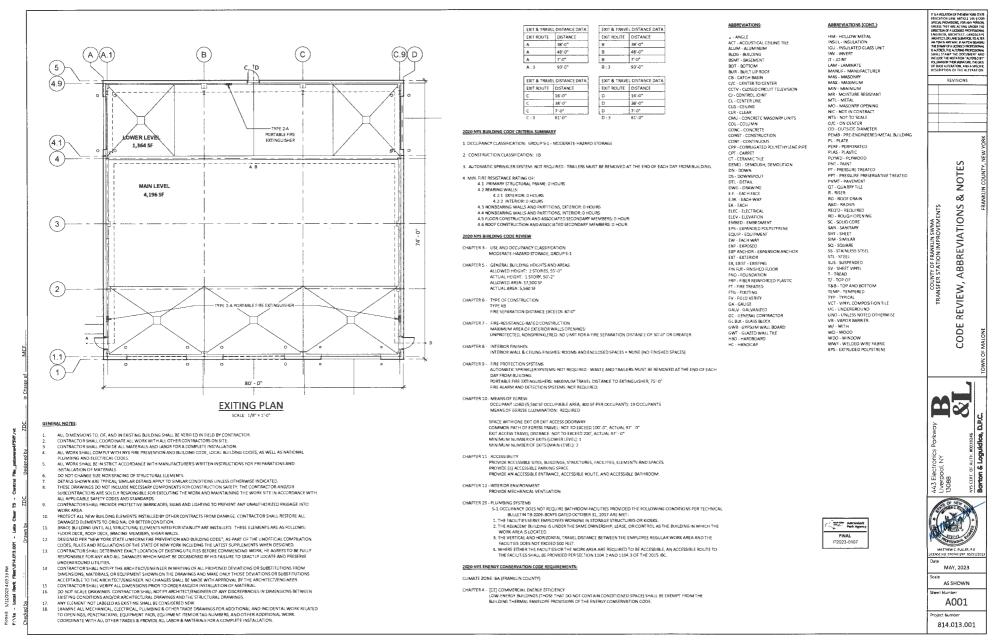
On the 31<sup>SI</sup> day of *angust* in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument 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.

Stephanie L. Petith Notary Public, State of New York Reg. No 01PE6279890 Qualified in Franklin County Commission Expires April 15. 20



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