


THIS IS A TWO-SIDED DOCUMENT

 <p>Adirondack Park Agency</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 2024-0023</p>
<p>In the Matter of the Application of</p> <p>NATIONAL GRID Permittee</p> <p>for a permit pursuant to § 810 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: March 26, 2024</p>
	<p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. National Grid</p>

SUMMARY AND AUTHORIZATION

This permit authorizes installation of a new midspan utility pole structure in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Franklin, 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 authorized utility pole has been installed.

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 located within an existing transportation and utility right-of-way located on the Southern shoulder of Gabriels-Onchiota Road (Franklin County) adjacent to Tax Map Parcel 353.-2.43, in the Town of Franklin, Franklin County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map.

The project site contains a shrub swamp/emergent marsh/coniferous swamp wetland along the edge of roadway fill. The wetland complex is associated with John Thomas Brook and has a value rating of "1".

PROJECT DESCRIPTION

The project as conditionally approved herein involves the installation of one new midspan utility pole along an existing electricity distribution line within the Gabriels-Onchiota Road transportation and utility right-of-way. The pole will be 34 feet above grade.

The project is shown on the following Project Plans:

- A plan sheet titled "National Grid USA 24-23-30817126," prepared by Sean Robinson, National Grid, and dated November 11, 2023 (Site Plan);
- A one-page narrative titled "New pole install" un-signed, and received by the Agency on February 1, 2024 (Work Plan); and
- A one-page narrative titled "Adirondack Seed Mix" un-signed and received by the Agency on February 9, 2024 (Seed Plan).

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

AGENCY JURISDICTION

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act and Adirondack Park Agency regulations at 9 NYCRR Part 578, a permit is required from the Adirondack Park Agency prior to erecting any structure in a wetland 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 authorized structures remain on the site. Copies of this permit and 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 authorizes the installation of Structure 83-3.5 in the location shown and as depicted and described in the Project Plans. Any changes to the location, dimensions, or other aspect of the authorized structure shall require prior written Agency authorization.
5. Any lighting associated with the authorized structure shall require prior written Agency authorization.
6. The project shall be undertaken in compliance with the Erosion and Sediment Control Plan.
7. All seeding depicted on the Seed Plan shall be planted as described in the Planting Plan.
8. The undertaking of any activity involving wetlands shall require a new or amended permit.
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.

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, 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 Rural Use land use area;
- c. will be consistent with the overall intensity guidelines for the Rural Use land use area;
- 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.

PERMIT issued this 26th day
of March, 2024.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 26th day of March in the year 2024, 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.



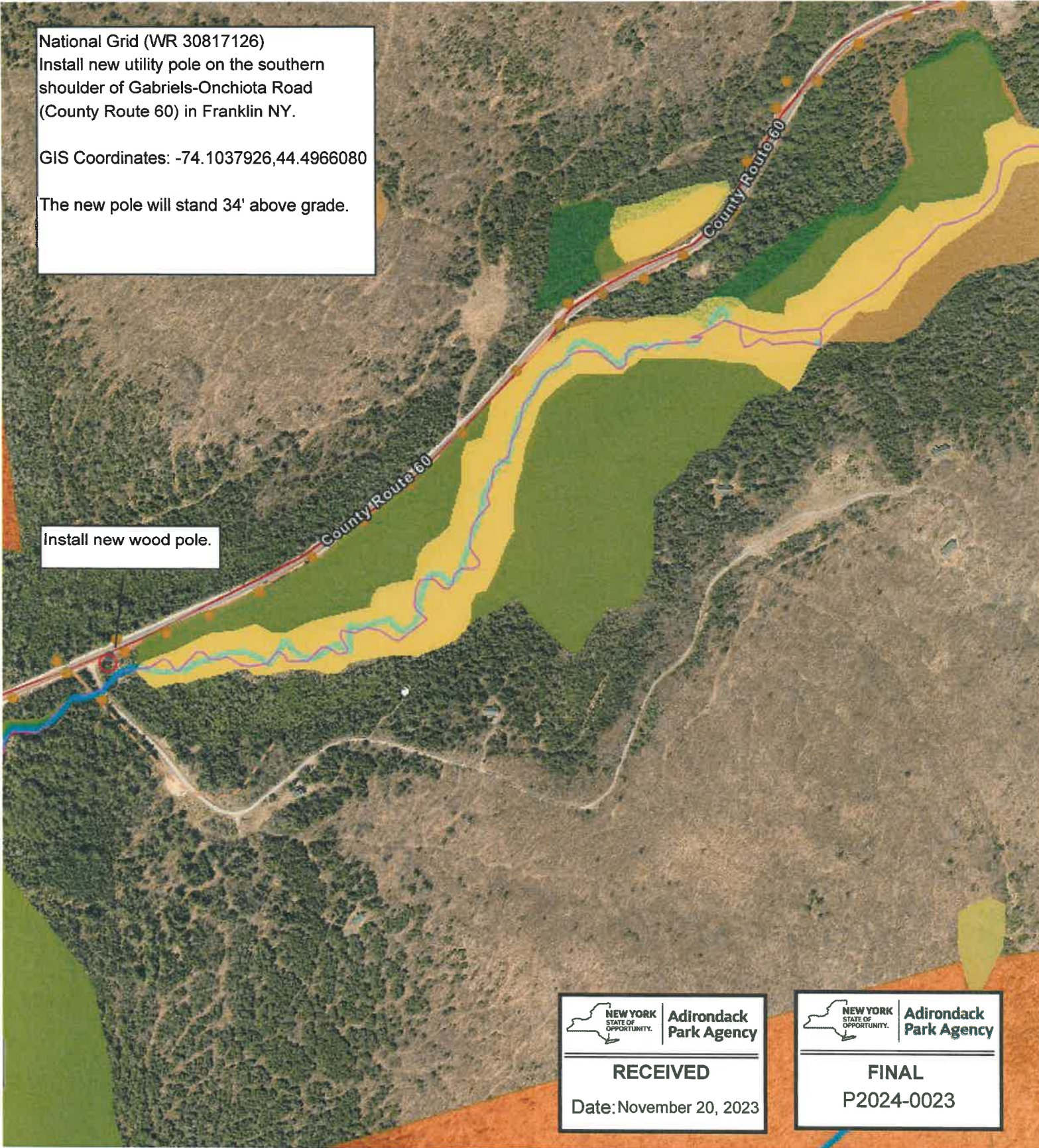

Notary Public

National Grid (WR 30817126)
Install new utility pole on the southern
shoulder of Gabriels-Onchiota Road
(County Route 60) in Franklin NY.

GIS Coordinates: -74.1037926,44.4966080

The new pole will stand 34' above grade.

Install new wood pole.

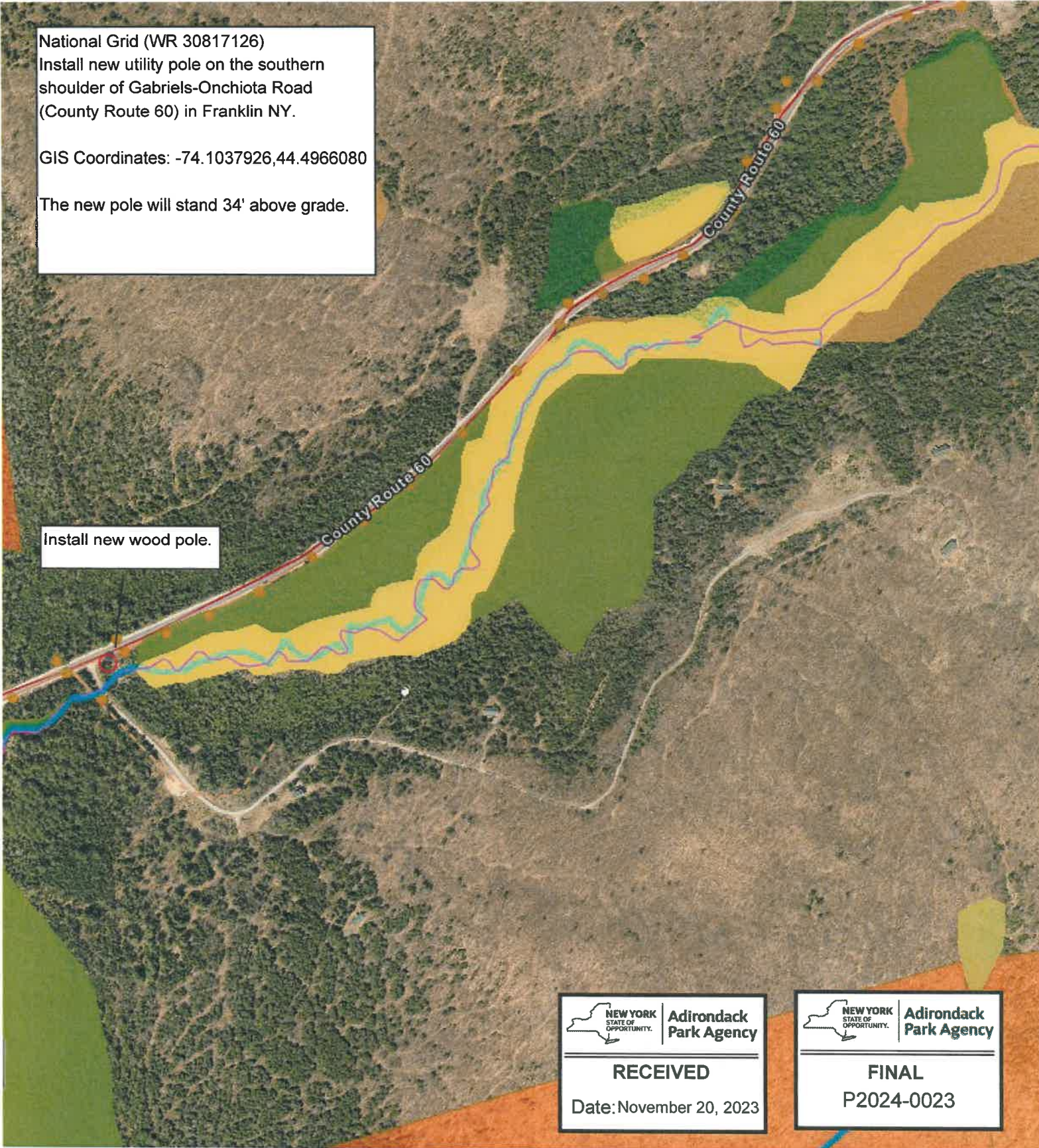


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RECEIVED

Date: November 20, 2023



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