


THIS IS A TWO-SIDED DOCUMENT

 <p>NEW YORK STATE OF OPPORTUNITY.</p> <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 and Project Order 2024-0052</p>
<p>In the Matter of the Application of</p> <p>NEW YORK STATE ELECTRIC & GAS, GEORGE T. MOORE and JOHN E. MOORE Permittees</p> <p>for a permit pursuant to Sections 809 and 814 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: June 20, 2024</p>
	<p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <ol style="list-style-type: none">1. New York State Electric & Gas2. George T. Moore3. John E. Moore

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision and electrical utility infrastructure in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map in the Town of Long Lake, Hamilton County.

This authorization shall expire unless recorded in the Hamilton 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 Hamilton County Clerk's Office. The Agency will consider the project in existence when the permit has been recorded.

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 portion of Tax Map Section 52.006, Block 2, Parcel 2.111 located on the south side of NYS Route 28 in the Town of Long Lake, Hamilton County, in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map. The site is described in a deed from Phyllis L. Margrey to John E. Moore and George T. Moore, dated July 17, 1989, and recorded July 17, 1989 in the Hamilton County Clerk's Office at Book 198, Page 9. The project site includes lands within the NYS Route 28 highway boundary.

The project site contains wetlands. Additional wetlands not described herein or depicted on the Project Plans may be located on or adjacent to the project site.

The project site was created by subdivision as authorized by Agency Permit 2022-0288.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision to create a 0.271-acre parcel of land for the construction of a new electrical utility substation and supporting infrastructure. Existing overhead electrical distribution lines will be installed including new utility poles greater than 40 feet in height within the NYS Department of Transportation (NYSDOT) highway boundary.

The project is shown on the "Project Plans" consisting of an Erosion and Sediment Control Plan titled "NYSEG Raquette Lake Substation," prepared by Avangrid Engineering and dated April 1, 2024, and a work plan depicting the pole shifts to take place within the NYSDOT highway boundary.

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 any subdivision involving a wetland in the Adirondack Park.

The proposal involves new land use and development on NYS Department of Transportation lands within the Adirondack Park pursuant to § 814 of the Adirondack Park Agency Act, 9 NYCRR § 579.1 and 9 NYCRR § 4.150 (Executive Order 150).

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 Hamilton 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. 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 amends and supersedes Permit 2022-0288 in relation to the project site. The terms and conditions of Permit 2022-0288 shall no longer apply to the project site.
5. Subject to the conditions stated herein, this permit authorizes a two-lot subdivision as depicted on the Project Plans. Any subdivision of the project site not depicted on the Project Plans shall require prior written Agency authorization.
6. This permit authorizes the construction of a new electrical utility substation and related development in the location shown and as depicted on the Project Plans. Any change to the location, dimensions, or other aspect of the authorized development shall require prior written Agency authorization.
7. Installation of any poles or other structure greater than 40 feet in overall height above grade not authorized herein, or any activity involving wetlands shall require a new or amended Agency permit.
8. Any new free-standing or building-mounted outdoor lights associated with the electrical utility infrastructure shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward NYS Route 28 or adjoining property.
9. Within 50 feet of the edge of right-of-way of NYS Route 28 no trees, shrubs or other woody-stemmed vegetation may be cut or otherwise removed on the 0.53-acre parcel without prior written Agency authorization, except for the removal of 1) an area up to 50 feet in width for driveway construction and utility installations, and 2) dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
10. 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 Hamlet land use area;
- c. will be consistent with the overall intensity guidelines for the Hamlet 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; and
- 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.

PERMIT issued this 20th day
of June, 2024.

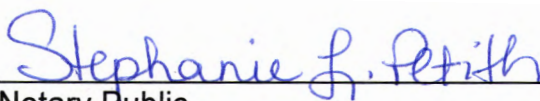
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 20th day of June 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.

Stephanie L. Petith
Notary Public, State of New York
Reg. No 01PE6279890
Qualified in Franklin County
Commission Expires April 15, 2026


Notary Public