


THIS IS A TWO-SIDED DOCUMENT

 <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>2024-0348</b></p>
<p>In the Matter of the Application of</p> <p><b>ADIRONDACK SITE DEVELOPMENT, LLC</b> <b>Permittees</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: February 26, 2025</p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s): <b>1. Adirondack Site Development, LLC</b></p>

**SUMMARY AND AUTHORIZATION**

This permit authorizes continued operation of a previously authorized commercial sand and gravel extraction in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Crown Point, 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 Essex County Clerk's Office. The Agency will consider the project in existence when the permit is recorded in the County Clerk's Office.

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 40.48±-acre parcel of land located on NYS Route 9N/22 in the Town of Crown Point, Essex County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 117.2, Block 1, Parcel 16.110, and is described in a deed from Harold B. Bigalow to Adirondack Site Development, LLC, dated July 7, 2010, recorded July 12, 2010, under Instrument Number 2010-2795 in the Essex County Clerk's Office.

## **PROJECT DESCRIPTION**

The project as originally proposed, previously amended, and conditionally approved herein involves a commercial sand and gravel extraction having a life-of-mine area of 26 acres. Approved operations will affect 15 acres over the permit term. There have been 17.4 acres affected to date, with 2.4 acres re-claimed at the mine site. The affected acreage is a portion of the 26-acre life-of-mine area, as identified in the approved Mining Plan.

The extraction is operating under New York State Department of Environmental Conservation Permit #5-1522-00001/00001, issued December 12, 2024, with an expiration date of December 11, 2029.

The project as authorized herein was originally approved and previously amended by Agency permits 1994-0273, 2000-0035, 2009-0219 and 2009-0219A. Permit 2009-0219A has since expired.

The project is shown on a map titled "Adirondack Site Development, LLC Adirondack Sand & Gravel Pit DEC Mine ID# 50113," prepared by Griggs-Lang Consulting, and dated May 15, 2023 (Mining Plan).

A copy of the Mining Plan for the project is attached as a part of this permit for easy reference. The original, full-scale map described in this paragraph is the official plan for the project, with copies available upon request from Adirondack Park Agency headquarters in Ray Brook, New York.

## **AGENCY JURISDICTION**

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency for the operation of any commercial sand and gravel extraction on Rural 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 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 commercial sand and gravel extraction continues on the site. Copies of this permit and Mining 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, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
4. 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 2024-0348, issued February 26, 2025, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."

### **Development**

#### **Construction Location and Size**

5. This permit authorizes operation of the commercial sand and gravel extraction in the location shown and as depicted on the Mining Plan. Any change to the location, dimensions, or other aspect of the commercial sand and gravel extraction shall require prior written Agency authorization.
6. Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, the undertaking of any new land use or development not authorized herein on the project site within 150 feet of NYS Route 9N/22 will require a new or amended permit. The undertaking of any activity involving wetlands also requires a new or amended permit.

#### **Outdoor Lighting**

7. Any new free-standing or building-mounted outdoor lights associated with the commercial sand and gravel extraction 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 9N/22 or adjoining property.

#### **Signage**

8. All signs associated with the commercial sand and gravel extraction on the project site shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3].

#### **Plantings/Tree Cutting/Vegetation Removal**

9. Within 100 feet of the centerline of NYS Route 9N/22 and Harper Road, 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 an area not to exceed 25 feet in width for maintenance of the existing access road or the removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.

10. Between April 1 and October 31, no trees shall be removed or disturbed on the project site without prior written Agency authorization.
11. Prior to moving the excavation face and berms from the locations depicted on the Mining Plan closer to NYS Route 9N/22, written authorization shall be obtained from the Agency for a revised plan to maintain visual screening of mine operations from NYS Route 9N/22 and Harper Road.

### **Project Operations**

12. All mining, reclamation and associated activities (including but not limited to: excavating, grading, processing operations, stockpiling operations, trucking, and maintenance operations) shall be limited to the following times: Monday through Friday 6am to 6pm and Saturdays 8am to 2pm. Operation of the mine is prohibited on Sundays and the following legal holidays: New Year's Day, Memorial Day, Independence Day (July 4th), Labor Day, Thanksgiving and Christmas.

### **Blasting**

13. Blasting is prohibited on the project site.

### **Trucking**

14. There shall be no more than 54 truck trips per day Monday through Friday and no more than 36 truck trips per day on Saturdays.

### **Permit Term**

15. This permit shall expire upon the expiration date of any Mined Land Reclamation Permit issued by the New York State Department of Environmental Conservation (DEC), unless the Mined Land Reclamation Permit has been re-issued or a new permit issued by the DEC and written authorization for continued operation has been obtained from the Agency prior to that date.

### **Waste Disposal**

16. No wastes or other materials from off-site locations, including land clearing debris, shall be stockpiled, processed, or disposed of on the project site without prior written Agency authorization.

### **Reclamation**

17. Reclamation shall occur in accordance with the Mining Plan.

### **Stormwater Management**

- 18. All silt laden water and storm water generated on, or running across, the life-of-mine area shall be retained within the project site.

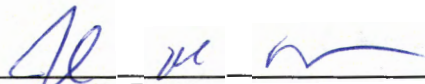
**CONCLUSIONS OF LAW**

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;
- 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 26<sup>th</sup> day of February, 2025.

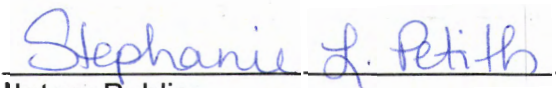
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 26<sup>th</sup> day of February in the year 2025, 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.

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

  
Notary Public



True North



**Advanced Site Development, LLC**  
 Advanced Road & Creek Mts.  
 2005 State St. #1111  
 Town of Chenoweth, New York

**MINING PLAN MAP**

New York State Department of Environmental Conservation



**MAP REVISIONS**

NO.	DESCRIPTION	DATE

**DATA**

Scale: 1" = 200'
North Arrow: True
Projection: UTM
Zone: 18N
Datum: NAD 83
Units: Feet
Color: Yellow, Green, Purple, Blue, Red, Black

**LEGEND**

Symbol / Color	Description
Yellow Area	Land to be purchased by owner for 50% to 100% (see notes)
Green Area	Land to be purchased by owner for 50% to 100% (see notes)
Purple Area	Land to be purchased by owner for 50% to 100% (see notes)
Blue Area	Land to be purchased by owner for 50% to 100% (see notes)
Red Area	Land to be purchased by owner for 50% to 100% (see notes)
Black Area	Land to be purchased by owner for 50% to 100% (see notes)

**PROPERTY LINES**

Symbol / Color	Description
Red Line	Owner's Property Line
Blue Line	Adjacent Property Line
Black Line	Other Property Line

**ROADS**

Symbol / Color	Description
Red Line	Proposed Road
Black Line	Existing Road
Blue Line	Other Road

**UTILITIES**

Symbol / Color	Description
Blue Line	Water Line
Red Line	Gas Line
Black Line	Electric Line
Green Line	Other Utility Line

**OTHER FEATURES**

Symbol / Color	Description
Blue Area	Water
Red Area	Rock
Black Area	Other Feature