


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 2021-0020</p>
<p>In the Matter of the Application of</p> <p>R.L. VALLEE, INC. Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: June 21, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. R.L. Vallee, Inc.</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a greater than 25 percent expansion of an existing commercial use in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of AuSable, Clinton County.

This authorization shall expire unless recorded in the Clinton 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 Clinton County Clerk's Office. The Agency will consider the project in existence when the convenience store/gas station has been constructed.

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 66.06±-acre parcel of land located on State Route 9N (a/k/a Pleasant Road) in the Town of AuSable, Clinton County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 326, Block 1, Parcel 8, and is described in a deed from Sandri Realty, Inc. to R.L. Vallee, Inc., dated May 1, 2015, and recorded May 5, 2015 in the Clinton County Clerk's Office under Instrument Number 2015-00271468.

The project site contains shoreline on the Main Branch AuSable River. The project site also contains a value "2" wetland complex with hardwood swamp, shrub swamp and emergent marsh covertypes, located between the development site and the river. Additional wetlands not described herein or depicted on the Project Plans may be located on or adjacent to the project site.

The project site is improved by a pre-existing commercial use including a convenience store/gas station building, canopy with three fuel pumps, on-site wastewater treatment system, building-mounted signs, a free-standing sign, and a pole sign.

The project site is subject to Agency Permit 1995-0339.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a greater than 25 percent expansion of an existing commercial use including replacement of an existing convenience store/gas station (1,600± sq ft store plus 1,750± sq ft detached gas canopy) with a new convenience store/gas station (4,800± sq ft plus 3,300± sq ft detached gas canopy), as well as expansion of the number of fuel pumps and parking spaces and replacement of the existing on-site wastewater treatment system with a new system.

Existing access to the project site is from State Route 9N at two locations (two curb cuts).

The project is shown on the following maps, plans, and reports:

- 28 sheets of plans titled "Proposed Site Improvements, 271 US Route 9N, Keeseville, NY," prepared by Civil Engineering Associates, Inc. and Robert M. Sutherland, PC., and last dated March 7, 2023 (Project Plans);
- four sheets of plans titled "Maplefields, Keeseville, NY," prepared by Antonio Leo Architect, and last dated June 13, 2022 (Building Plans);
- three sheets of plans titled "Keeseville Proposed Signage," received by the Agency on July 27, 2022 (Sign Plans), including:
 - A building mounted sign (15 sq ft in area) depicted in a drawing prepared by Watson Sign Co. and dated July 1, 2022; and
 - A free standing sign (38 sq ft in area) depicted in a drawing prepared by Everbrite and dated June 1, 2022;
- a set of 8 photographic renderings received by the Agency on March 9, 2023 (Renderings); and
- A report titled "Stormwater Management Report for Keeseville Maplefields," prepared by Robert M. Sutherland, PC, and dated April 6, 2022 (Stormwater Report).

A reduced-scale copy of Sheet C1.1 (Proposed Conditions Plan) of the Project Plans and Sheet A-103 (Perspectives) of the Building 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 expansion by more than 25% of any commercial use on Moderate Intensity 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 Clinton 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 use continues on the site. Copies of this permit and the Project Plans, Building Plans, Sign Plans, Renderings, and Stormwater Report 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 1995-0339 in relation to the project site. The terms and conditions of Permit 1995-0339 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 2021-0020, issued June 21, 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 commercial use (i.e., convenience store/gas station) in the location shown and as depicted on the Project Plans, Building Plans, and Renderings. Any change to the location, dimensions, or other aspect of the commercial use shall require prior written Agency authorization.
7. The commercial use may operate year-round, 7 days a week, 24 hours a day.

8. If installed within five years of the date of issuance of this permit, the on-site wastewater treatment system shall be constructed in conformance with the location and design shown on the Project Plans. Construction of the system shall be supervised by a design professional (licensed engineer or registered architect). Within 30 days of complete system installation and prior to its utilization, the design professional shall provide written certification to the Agency that the system was built in compliance with the approved plans.

No on-site wastewater treatment system shall be installed on the project site more than five years after the date of issuance of this permit except pursuant to written authorization from the Agency.

9. The project shall be undertaken in compliance with the Project Plans and Stormwater Report, including all stormwater and erosion control features and practices.
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.
11. All exterior building materials, including roof, siding and trim, of the convenience store/gas station and fuel pump canopy shall be a dark shade of green, grey, or brown.
12. All lighting associated with the commercial use on the project site shall comply with the Sheets L1.0 (Proposed Landscaping and Lighting Plan) and L2.0 (Landscaping and Lighting Details) of the Project Plans. Any change to this lighting shall require prior written Agency authorization. In addition, there shall be no change to the existing illumination of the pre-existing pole sign without prior written Agency authorization, except that the decrease or removal of existing illumination is allowed without prior review.
13. When the commercial use is closed to the public, all outdoor canopy and free-standing (parking lot) lights shall be turned off and all indoor lighting shall be reduced to the maximum extent possible while still providing the minimum lighting needed for employee and building safety.
14. All signs associated with the commercial use on the project site shall comply with the location shown on the Project Plans and with the specifications and dimensions shown on the Sign Plans. The pre-existing pole sign shall not increase in height or sign area. Any change to this signage shall require prior written Agency authorization.
15. Outside of the edge of "woods" shown Project Plans, no trees, shrubs, or 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.

16. Between April 1 and October 31, no trees shall be removed or disturbed on the project site without prior written Agency authorization.
17. All trees and shrubs depicted on Sheets L1.0 (Proposed Landscaping and Lighting Plan) and L2.0 (Landscaping and Lighting Details) of the Project Plans shall be planted and maintained as described on those plans.

Planting shall occur no later than the first spring or fall planting season after final grading related to the construction of the commercial use on the project site. Plantings that do not survive shall be replaced annually until established in a healthy growing condition.

18. There shall be no more than 49 principal buildings located on the project site at any time in addition to the commercial use convenience store/gas station building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

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

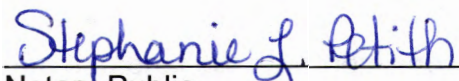
PERMIT issued this 21st day
of June, 2023.

ADIRONDACK PARK AGENCY

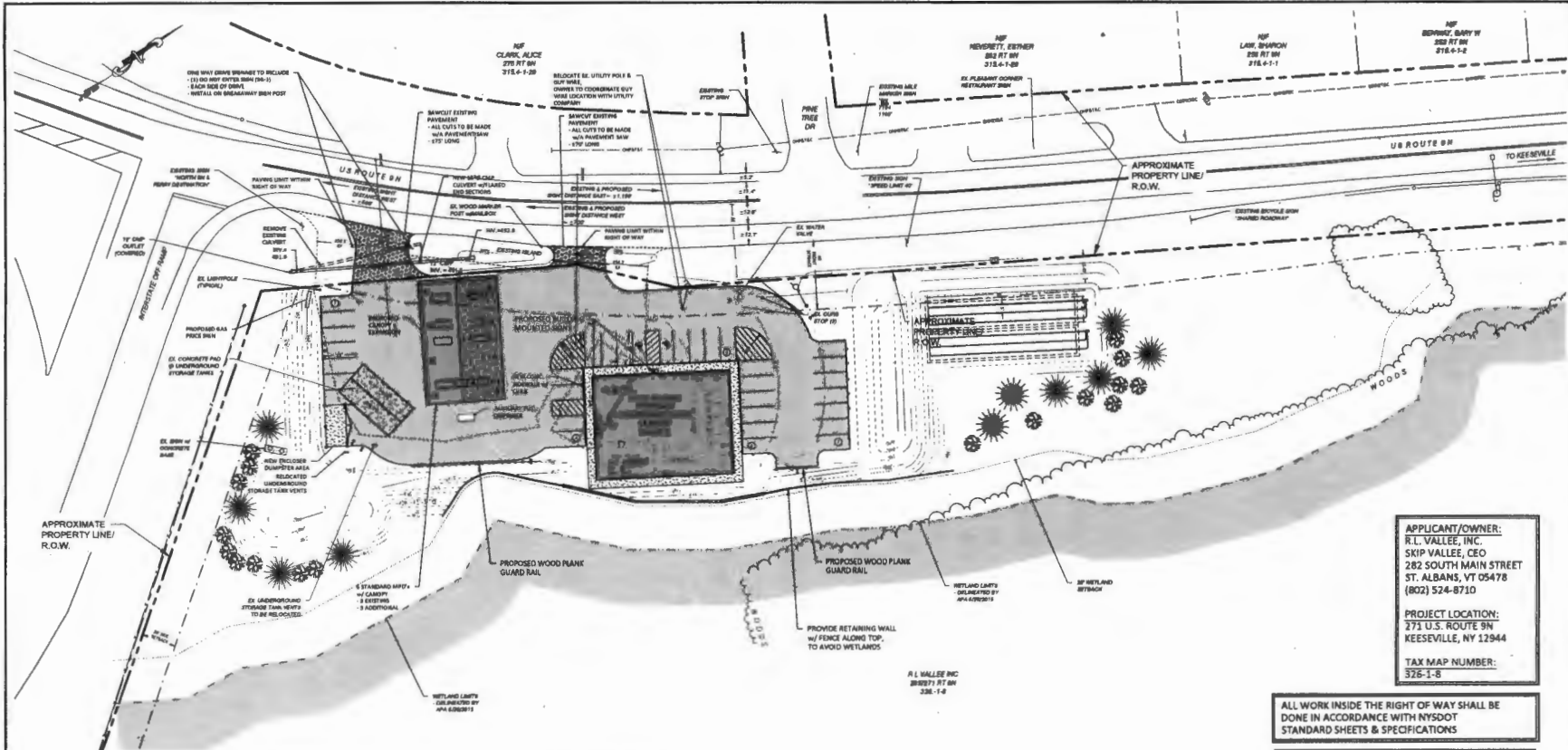
BY: 
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs


STATE OF NEW YORK
COUNTY OF ESSEX

On the 21st day of June 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.


Notary Public

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



SITE ENGINEER:

 CIVIL ENGINEERING ASSOCIATES, INC.
 10 HANFORD NEW LANE, SOUTH BURLINGTON, VT 05403
 800-848-8482 FAX 802-249-1241 WWW.CEASOCIATES.COM
 COPYRIGHT © 2011 - ALL RIGHTS RESERVED
 PJM
 CHECKED
 CJG
 APPROVED
 BCE

R.L. VALLEE,
 INC.
 282 SOUTH MAIN STREET
 P.O. BOX 192
 ST. ALBANS
 VERMONT 05478

PROJECT:
PROPOSED SITE IMPROVEMENTS
 271 U.S. ROUTE 9N
 KEESVILLE, NY

APPLICANT/OWNER:
 R.L. VALLEE, INC.
 SKIP VALLEE, CEO
 282 SOUTH MAIN STREET
 ST. ALBANS, VT 05478
 (802) 524-8710
 PROJECT LOCATION:
 271 U.S. ROUTE 9N
 KEESVILLE, NY 12944
 TAX MAP NUMBER:
 326-1-8

ALL WORK INSIDE THE RIGHT OF WAY SHALL BE DONE IN ACCORDANCE WITH NYSDOT STANDARD SHEETS & SPECIFICATIONS

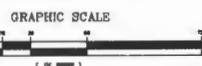
CONTRACTOR IS RESPONSIBLE FOR COORDINATING WORK ZONE TRAFFIC CONTROL MEASURES AND ALL WORK INSIDE THE RIGHT OF WAY WITH NYSDOT 619 STANDARD SHEETS AND SPECIFICATIONS

RMS
 ENGINEERS • PLANNERS • SURVEYORS
 SOIL & MATERIAL TESTING
 11 HADDONSBURY STREET, PLUTAUAN, NY 13851
 610.881.8100 FAX 610.881.8101
 WWW.RMS-PC.COM

LEGEND

- | | | | |
|-----|---------------------------|-----|-----------------------------|
| --- | APPROXIMATE PROPERTY LINE | --- | PROPOSED CONTOUR |
| --- | APPROXIMATE SETBACK LINE | --- | PROPOSED CURB |
| --- | EXISTING CONTOUR | --- | PROPOSED PAVEMENT |
| --- | EXISTING CURB | --- | PROPOSED GUARD RAIL |
| --- | EXISTING FENCE | --- | PROPOSED FORECATCH |
| --- | EXISTING DRIVEWAY | --- | PROPOSED SANITARY SEWER |
| --- | EXISTING PAVEMENT | --- | PROPOSED WATER |
| --- | EXISTING GUARD RAIL | --- | PROPOSED UTILITY POLE |
| --- | EXISTING ELECTRIC | --- | PROPOSED LIGHT POLE |
| --- | EXISTING FORECATCH | --- | PROPOSED EDGE OF BRUSHWOODS |
| --- | EXISTING GAS | --- | TYPICAL PAVEMENT |
| --- | EXISTING ATM | --- | NYSDOT R.O.W. PAVEMENT |
| --- | EXISTING SANITARY SEWER | --- | |
| --- | EXISTING TELEPHONE | --- | |
| --- | EXISTING WATER | --- | |
| --- | EXISTING SHALE | --- | |
| --- | STREAM | --- | |
| --- | WETLANDS | --- | |
| --- | EXISTING UTILITY POLE | --- | |
| --- | EXISTING LIGHT POLE | --- | |
| --- | EXISTING GUY WIRE POLE | --- | |
| --- | EXISTING DEFOLIATED TREE | --- | |
| --- | EXISTING CONIFEROUS TREE | --- | |
| --- | EDGE OF BRUSHWOODS | --- | |
| --- | BROWN ROD/PIPE FOUND | --- | |
| --- | CONCRETE MONUMENT FOUND | --- | |
| --- | PROJECT BENCHMARK | --- | |

THE CONTRACTOR SHALL COORDINATE ALL WORK IN THE STATE & LOCAL RIGHT OF WAY WITH THE APPLICABLE STANDARDS & DETAILS



ZONING REQUIREMENTS
ZONING DISTRICT: MODERATE INTENSITY

CATEGORY	REQUIRED	EXISTING	PROPOSED
MIN. LOT SIZE	1.3 AC.	66 ± AC.	66 ± AC.
MAX. LOT COVERAGE	N/A	<1%	2%
SETBACKS			
FRONT	40'	20'	20'
SIDE	20'	104'	84'
REAR	75'	1,395'	1,292'
MIN. FRONTAGE	100'	1,390'	1,390'
BUILDING HEIGHT	40'	N/A	N/A

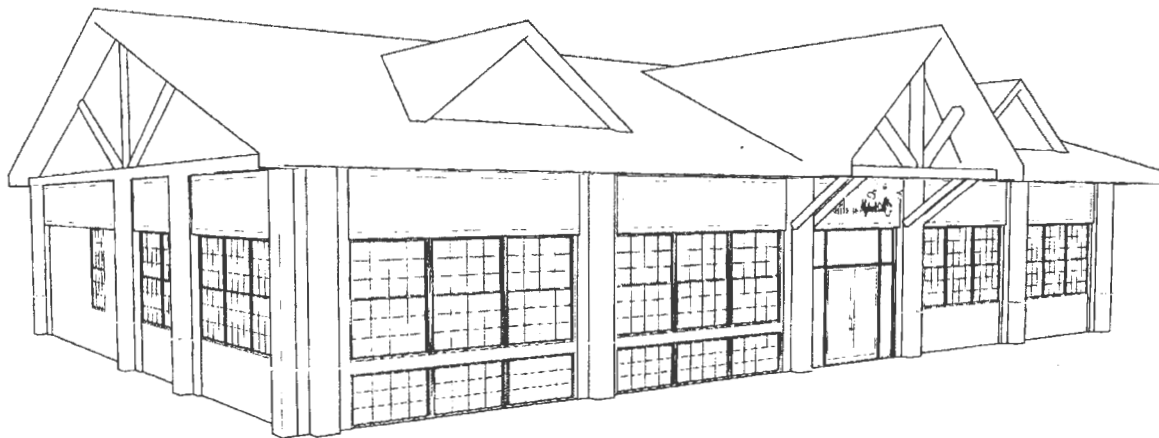
GENERAL NOTES

- UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED PREMISES. EXISTING UTILITY LOCATIONS ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL FIELD VERIFY ALL UTILITY LOCATIONS. ALL DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER. THE CONTRACTOR SHALL CONTACT D&S (800-344-7333) PRIOR TO ANY CONSTRUCTION.
- ALL EXISTING UTILITIES NOT INCORPORATED INTO THE FINAL DESIGN SHALL BE REMOVED OR ABANDONED AS INDICATED ON THE PLANS OR DIRECTED BY THE ENGINEER.
- THE CONTRACTOR SHALL MAINTAIN AS-BUILT PLANS (WITH TIES) FOR ALL UNDERGROUND UTILITIES. THOSE PLANS SHALL BE SUBMITTED TO THE OWNER AT THE COMPLETION OF THE PROJECT.
- ALL GRABBED AREAS SHALL BE MAINTAINED UNTIL FULL VEGETATION IS ESTABLISHED.
- MAINTAIN ALL TREES OUTSIDE OF CONSTRUCTION LIMITS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK NECESSARY FOR COMPLETE AND OPERABLE UTILITIES AND LINES.
- THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS FOR ALL ITEMS AND MATERIALS INCORPORATED INTO THE SITE WORK. SHOP DRAWINGS SHALL NOT BEGIN ON ANY ITEM UNTIL SHOP DRAWINGS APPROVAL IS OBTAINED.
- IN ADDITION TO THE REQUIREMENTS SET IN THESE PLANS AND SPECIFICATIONS, THE CONTRACTOR SHALL COMPLETE THE WORK IN ACCORDANCE WITH ALL PERMITS, CONDITIONS AND ANY LOCAL PUBLIC WORKS STANDARDS.
- THE TOLERANCE FOR FINISH GRADES FOR ALL PAVEMENT, TALKWAYS AND LAWN AREAS SHALL BE 0.1 FEET.
- ANY DEMOLITION NECESSARY FOR THE COMPLETION OF THE NETWORK SHALL BE CONSIDERED AS PART OF THE CONTRACT AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
- THE CONTRACTOR SHALL COORDINATE ALL WORK WITH TOWN ROAD A.O.C. WITH TOWN AUTHORITIES.
- THE CONTRACTOR SHALL INSTALL THE ELECTRICAL, CABLE AND TELEPHONE SERVICES IN ACCORDANCE WITH THE UTILITY COMPANIES REQUIREMENTS.
- EXISTING PAVEMENT AND TREE STUMPS TO BE REMOVED SHALL BE DISPOSED OF AT AN APPROVED OFF-SITE LOCATION. ALL PAVEMENT CUTS SHALL BE MADE WITH A PAVEMENT SAW.
- IF THERE ARE ANY CONFLICTS OR INCONSISTENCIES WITH THE PLANS OR SPECIFICATIONS, THE CONTRACTOR SHALL CONTACT THE ENGINEER FOR VERIFICATION BEFORE WORK COMMENCES ON THE ITEM IN QUESTION.
- PROPERTY LINE INFORMATION IS APPROXIMATE AND BASED ON EXISTING TAX MAP INFORMATION. THIS PLAN IS NOT A BOUNDARY SURVEY AND IS NOT INTENDED TO BE USED AS ONE. DOCUMENTATION RECOVERED IS CONSISTENT WITH RECORDED DOCUMENTS.
- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING TESTING AND INSPECTION SERVICES INDICATED IN THE CONTRACT DOCUMENTS, TYPICAL FORM CONCRETE AND SOIL TESTING.
- THE CONTRACTOR IS RESPONSIBLE FOR ALL LAYOUT AND FIELD ENGINEERING REQUIRED FOR COMPLETION OF THE PROJECT. CIVIL ENGINEERING ASSOCIATES WILL PROVIDE AN AUTOCAD FILE WHERE APPLICABLE.

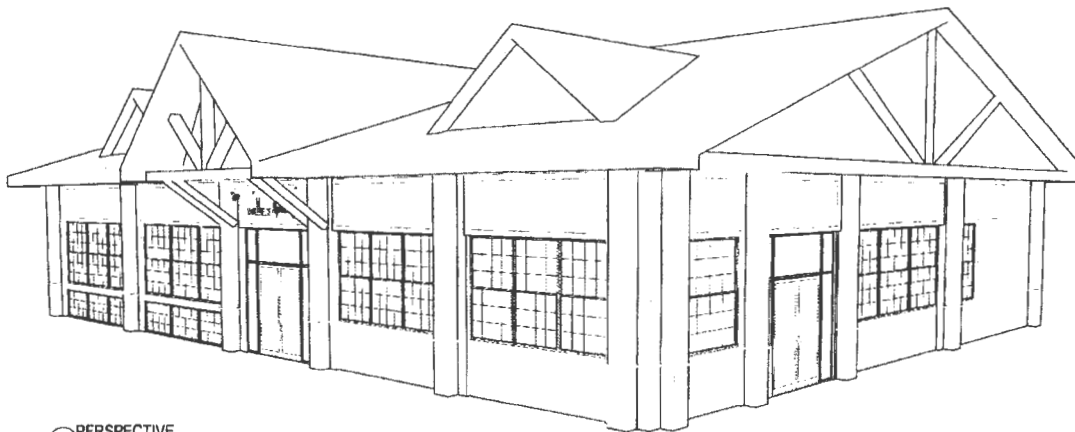
DATE	REVISION	REVISION
08/02/2012	010	APR SUBMITTAL
12/14/12	010	PRELIMINARY POST-PROJECT REVIEW
10/03/13	010	RE-SUBMITTAL POST-PROJECT REVIEW
04/03/14	010	RE-SUBMITTAL POST-PROJECT REVIEW
08/03/14	010	RE-SUBMITTAL POST-PROJECT REVIEW

PROPOSED CONDITIONS PLAN

DATE: 01/08/2022
 SHEET: 1" = 30'
 FILE: PL 12253
C1.1



1 PERSPECTIVE
SCALE: NTS



2 PERSPECTIVE
SCALE: NTS

Adirondack
Park Agency
FINAL
P2021-0000

OWNER
R.L. VALLEE
280 SOUTH MAIN STREET
ST. ALBA NY

ARCHITECT

REVISED DATE REVISION

1 NOTES REVISIONS FOR REVIEW
2 REVISIONS FOR REVIEW
3 REVISIONS FOR REVIEW

ANTONIO LEO ARCHITECT
3 GIFFORD STREET
TUCUMCOCO, NY 12157
514-337-4770 TEL

PROJECT
**MAPLEFIELDS
KEESEVILLE NY**

DRAWING TITLE
PERSPECTIVES

DATE: 08/22/21	DATE: 08/22/21
PROJECT NO. 10000	PROJECT NO. 10000
DRAWN BY: AL	DRAWN BY: AL
SCALE: AS NOTED	SCALE: AS NOTED
A-103	