


**THIS IS A TWO-SIDED DOCUMENT**

 <p><b>NEW YORK</b> STATE OF OPPORTUNITY.</p> <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>2023-0127</b></p>
<p>In the Matter of the Application of</p> <p><b>TOWN OF FINE</b> <b>Permittee</b></p> <p>for a permit pursuant to 9 NYCRR Part 578</p>	<p>Date Issued: December 21, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <p><b>1. Town of Fine</b></p>

**SUMMARY AND AUTHORIZATION**

This permit authorizes the replacement of culverts on Young's Road over the Little River in an area classified State Land on the Adirondack Park Land Use and Development Plan Map in the Town of Fine, St. Lawrence County.

This authorization shall expire unless recorded in the St. Lawrence 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 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 a section of Youngs Road as it crosses the Little River in the Town of Fine, St. Lawrence County, in an area classified State Land on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 233, Block 1, Parcel 2, and is described in a deed recorded in the St. Lawrence County Clerk's Office at Book 172C, Page 1657.

The project site contains shoreline on the Little River. The project site also contains wetlands on the eastern and western sides of Youngs Road as well as in the open water of the Little River. Wetland cover types on the project site consist of coniferous forested, deciduous forested, and shrub swamp with a value rating of "1". Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves replacing the existing culverts with a bridge on Youngs Road as it crosses over the Little River.

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

- A two-page Project Description entitled "Youngs Road over Little River Culvert Replacement" received by the Agency on October 10, 2023 (Project Description).
- A 15-page set of maps and plans entitled "Replacement of Youngs Road Bridge Over Little River" prepared by Barton & Loguidice and dated August 2023 (Project Plans).

A reduced-scale copy of the Site Plan for the project, shown on Page 10 of the Project Plans and dated August 2023, is attached as a part of this permit for reference.

## **AGENCY JURISDICTION**

Pursuant to regulations at 9 NYCRR Part 578, a permit is required from the Adirondack Park Agency prior to any deposit of fill or excavation of 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 St. Lawrence 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. 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 2023-0127, issued December 21, 2023, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. This permit authorizes the removal of the existing culverts under Youngs Road and the construction of a bridge in the location shown and as depicted on the Project Plans. Any change to the location, dimensions, or other aspect of the culvert removal and bridge construction shall require a new or amended permit.
6. The work authorized herein shall not occur during major storm events, spring runoff, or thawing conditions.
7. The project shall be undertaken in compliance with the Erosion and Sediment Controls included in the Project Plans.
8. 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.
9. Outside of areas of tree removal 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.
10. All trees and shrubs and vegetation described and depicted on the Project Description and Project Plans shall be planted no later than the first spring or fall planting season after final grading related to the construction of the bridge on the project site. Trees and shrubs that do not survive shall be replaced annually until established in a healthy growing condition. All vegetation shall be native species to the Northeast.

**CONCLUSIONS OF LAW**

The Agency has considered all statutory and regulatory criteria for project approval set forth in 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 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        day  
of                               , 2023.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK  
COUNTY OF ESSEX

On the        day of                                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.

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Notary Public