

THIS IS A TWO-SIDED DOCUMENT

 NEW YORK STATE Adirondack Park Agency P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov	APA Permit 2025-0145
In the Matter of the Application of TOWN OF DUANE STEPHEN AND ELIZABETH FISH Permittees for a permit pursuant to § 809 of the Adirondack Park Agency Act	Date Issued: October 28, 2025 To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Town of Duane 2. Stephen Fish 3. Elizabeth Fish

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision by lease and continuation and expansion of an existing sand and gravel extraction in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Duane, 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 permit is 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 37.35±-acre parcel of land located on County Route 26 in the Town of Duane, Franklin 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 229, Block 5, Parcel 11, and is described in a deed from The Town of Duane to The Town of Duane, dated January 22, 2022, and recorded January 25, 2002, in the Franklin County Clerk's Office at Book 793, Page 176.

The project site also includes an adjoining 37.0±-acre parcel of land identified as Tax Map Section 229, Block 5, Parcel 8, and described in a deed from Evelyn Pfenninger to Stephen L. Fish and Elizabeth A. Fish dated April 12, 2011, and recorded May 2, 2011, in the Franklin County Clerk's Office at Instrument Number 2011-2200.

Tax Map Parcel 229-5-11 is improved by an existing sand and gravel extraction.

Tax Map Parcel 229-5-8 is improved by a single-family dwelling that was constructed in 1985.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision by lease of Tax Map Parcel 229-5-8 to create a 1.7-acre lease lot to allow for the continued operation of the existing Town of Duane sand and gravel extraction and the expansion of the Life of Mine area from 6.8 acres to 8.5 acres.

The extraction includes primarily sand that will be screened and stored on-site to be used for winter highway use. Screenings that consist of gravel will also be stored on-site.

The New York State Department of Environmental Conservation issued a Mining Permit on October 22, 2025.

The project as authorized herein was originally approved by Agency Permit 2001-127. Agency Permit 2001-127 expired on August 1, 2006.

The project is shown on a 44-page set of documents entitled "Mining Permit Renewal/Modification, County Route 26 Sand Pit, Town of Duane, Franklin County New York," prepared by Blue Mountain Engineering, PLLC last revised June 9, 2025, and received by the Agency on July 1, 2025 (Mining Plans).

A reduced-scale copy of the Mining & Reclamation Plan for the project, shown on page 42 and updated in May 2025 is attached as a part of this permit for easy 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 continuation of any sand and gravel extraction on Rural Use lands in the Adirondack Park.

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to any subdivision of Rural Use lands that results in the creation of a non-shoreline lot less than 7.35 acres in size 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 sand and gravel extraction continues on the site. Copies of this permit and Mining 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 2025-0145, issued October 28, 2025, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."

Project Operations

5. This permit authorizes the continued operation of the sand and gravel extraction in the location shown and as depicted on the Mining Plans. Any change to the location, dimensions, or other aspect of the sand and gravel extraction shall require prior written Agency authorization.
6. All excavation, screening and trucking activities shall only occur on weekdays (holidays excluded) between the hours of 8am to 4pm. Any change to the hours of operations shall require prior written Agency authorization.
7. Operation of the sand and gravel extraction shall not exceed 20 days per year without prior written Agency authorization.
8. There shall be no blasting, crushing or washing of the mined material on the project site without prior written Agency authorization.

Permit Term

9. 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.

Tree Cutting/Vegetation Removal

10. Outside of the limits of clearing shown on the Mining & Reclamation Plan, 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.

Reclamation

11. Reclamation shall occur according to the Mining Plans. The plan shall be an on-going process whereby areas no longer needed for extraction purposes shall be promptly and successfully reclaimed according to the Mining Plans.

Stormwater Management/Erosion Control

12. The project shall be undertaken in compliance with the Mining Plans.

Outdoor Lighting

13. Any new free-standing or building-mounted outdoor lights 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 County Route 26 or adjoining property.

Signage

14. Any new signs on the project site shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3].

Wetlands

15. The undertaking of any activity involving wetlands shall require a new or amended permit.

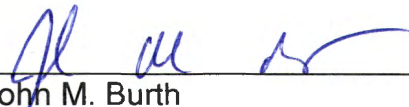
CONCLUSIONS OF LAW

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 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; 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 28th day
of October, 2025.

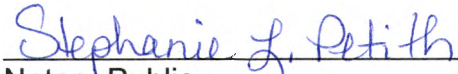
ADIRONDACK PARK AGENCY

BY: 
John M. Burth
Deputy Director of Regulatory Programs

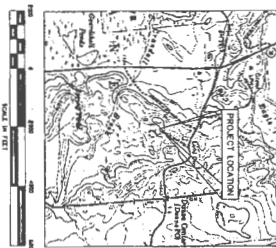
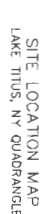
STATE OF NEW YORK
COUNTY OF ESSEX

On the 28th day of October 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 PETITH
Notary Public, State of New York
Reg. No. 01PE6279890
Qualified in Essex County
Commission Expires April 15, 2029


Notary Public

FINAL
P2025-0145



Abstract The use of the word "I" (child's name) in the beginning of the sentence is a common feature of the language of children. The purpose of this study was to investigate the use of the word "I" in the beginning of the sentence in the language of children. The study was conducted with 10 children aged 3-5 years. The results showed that the use of the word "I" in the beginning of the sentence was more frequent in the language of children aged 3-4 years than in the language of children aged 4-5 years. The results also showed that the use of the word "I" in the beginning of the sentence was more frequent in the language of children who were in the middle of the sentence than in the language of children who were in the beginning of the sentence. The results also showed that the use of the word "I" in the beginning of the sentence was more frequent in the language of children who were in the middle of the sentence than in the language of children who were in the beginning of the sentence.

ABOUT ONE TO ONE AND ONE-HALF ACTING OR PART-TIME LISTS CONTRIBUTED THE HIGHEST NUMBER OF ACTING OR PART-TIME LISTS TO THE COMB IN 2019, AND IS CONSIDERED "HIGHLY" ACTIVE AND IMPROVED FROM THE COMB IN 2019.

All stormwater runoff will be contained on site, the on-site storage area of the same capacity serves as a potential water source and will continue to be used following the completion of land-use activities.

MO-3 NO CONTRACTIONS WERE OBSERVED DURING 6-HYPERCALCAEMIA. PART 3B6 SHALL BE COMPLETED AT THE EARLIEST DATE. EXHAUST, HARD FLU, CONCENTRATIONS OF UNIONIZED SODIUM, POTASSIUM, AND OTHER ADIPIC ACID, PLASMA

AND LAND CLAIMING DEBATES MAY BE USED TO ESTABLISH FINAL OUTCOMES.

MO-5
ALL MATERIALS, SPECIFICATIONS, AND METHODS OF CONSTRUCTION SHALL BE SUBJECT TO THE DISCRETION OF THE ARCHITECT. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE SELECTION OF MATERIALS, SPECIFICATIONS, AND METHODS OF CONSTRUCTION. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE SELECTION OF MATERIALS, SPECIFICATIONS, AND METHODS OF CONSTRUCTION. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE SELECTION OF MATERIALS, SPECIFICATIONS, AND METHODS OF CONSTRUCTION.

MD-7 WATER OR ANOTHER APPROVED FLUID SPRAYED SHALL BE APPLIED TO EXPOSED SURF AND ALL OTHER AREAS OF EXPOSED BASE, JOINTS, AND TOPCHAM WHICH ARE NECESSARY TO PREVENT FURTHER CRACKING A MEASURE TO OBTAIN OR MAINTAIN A WATER-TIGHT JOINT SHALL BE OBTAINED OR MAINTAINED BY THE JOINT.

MO-3 No preplacement STODOLSKY'S shall be used within the LOMA TAMPABAY STODOLSKY'S at the SITE shall be used on GRAVEL and RECYCLED ASPHALT with the help of the WRT. No preplacement subconcrete shall be installed on the SITE without proper evaluation. All CONCRETE and subconcrete shall be PORTLAND and REMOVED FROM THE SITE AFTER 28 DAYS. STODOLSKY'S shall be approved by the NYS/DOEC.

MO-9 AS EACH SECTION OF THE PULL FACTOR AND IN EACH OF THE BAND IS COMPLETED, IT SHOULD BE GUARDED. THE PULL FACTOR OR ALL REPORTS SHALL NOT BE CLASSIFIED CONFIDENTIAL UNTIL ONE YEAR AFTER 11/27/81 (V).

Case	Age	Sex	Site	Time
1	10	F	10	10
2	10	F	10	10
3	10	F	10	10
4	10	F	10	10
5	10	F	10	10
6	10	F	10	10
7	10	F	10	10
8	10	F	10	10
9	10	F	10	10
10	10	F	10	10
11	10	F	10	10
12	10	F	10	10
13	10	F	10	10
14	10	F	10	10
15	10	F	10	10
16	10	F	10	10
17	10	F	10	10
18	10	F	10	10
19	10	F	10	10
20	10	F	10	10
21	10	F	10	10
22	10	F	10	10
23	10	F	10	10
24	10	F	10	10
25	10	F	10	10
26	10	F	10	10
27	10	F	10	10
28	10	F	10	10
29	10	F	10	10
30	10	F	10	10
31	10	F	10	10
32	10	F	10	10
33	10	F	10	10
34	10	F	10	10
35	10	F	10	10
36	10	F	10	10
37	10	F	10	10
38	10	F	10	10
39	10	F	10	10
40	10	F	10	10
41	10	F	10	10
42	10	F	10	10
43	10	F	10	10
44	10	F	10	10
45	10	F	10	10
46	10	F	10	10
47	10	F	10	10
48	10	F	10	10
49	10	F	10	10
50	10	F	10	10
51	10	F	10	10
52	10	F	10	10
53	10	F	10	10
54	10	F	10	10
55	10	F	10	10
56	10	F	10	10
57	10	F	10	10
58	10	F	10	10
59	10	F	10	10
60	10	F	10	10
61	10	F	10	10
62	10	F	10	10
63	10	F	10	10
64	10	F	10	10
65	10	F	10	10
66	10	F	10	10
67	10	F	10	10
68	10	F	10	10
69	10	F	10	10
70	10	F	10	10
71	10	F	10	10
72	10	F	10	10
73	10	F	10	10
74	10	F	10	10
75	10	F	10	10
76	10	F	10	10
77	10	F	10	10
78	10	F	10	10
79	10	F	10	10
80	10	F	10	10
81	10	F	10	10
82	10	F	10	10
83	10	F	10	10
84	10	F	10	10
85	10	F	10	10
86	10	F	10	10
87	10	F	10	10
88	10	F	10	10
89	10	F	10	10
90	10	F	10	10

[illegible]