

THIS IS A TWO-SIDED DOCUMENT



**Adirondack
Park Agency**

P.O. Box 99, 1133 NYS Route 86
Ray Brook, New York 12977
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APA Permit
2025-0211

Date Issued: **January 6, 2026**

In the Matter of the Application of

**TOWN OF ELIZABETHTOWN
Permittee**

for a permit pursuant to § 809 of the Adirondack
Park Agency Act

To the County Clerk: Please index
this permit in the grantor index
under the following name(s):
1. Town of Elizabethtown

SUMMARY AND AUTHORIZATION

This permit authorizes the operation of a commercial sand and gravel extraction in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Lewis, 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 extraction operations commence at the project site.

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 consists of a 5±-acre sand and gravel extraction site located off Bronson Way in the town of Lewis, Essex County, in an area classified Resource Management and Rural Use on the Adirondack Park Land Use and Development Plan Map.

The sand and gravel extraction site is located on Tax Map Section 55, Block 2, Parcel 10.000, and is described in a deed from Water District No. 1 of the Town of Elizabethtown to Water District No. 3 of the Town of Elizabethtown dated February 17, 1989 and recorded in Book 937 of Deeds at Page 74.

Wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The project site is improved by an existing sand and gravel extraction.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the continued operation of a commercial sand and gravel extraction. An average of 750 cubic yards of sand will be extracted annually from the 5-acre life of mine area.

A mined land permit from the NYS Department of Environmental Conservation is required for this project.

The project as authorized herein was originally approved by Agency Permit 2013-0101. The project was undertaken but Permit 2013-0101 has expired.

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

- The life of mine and active mining areas are depicted on “Map of Boundary & Topography of the Bronson Way Pit,” prepared by Kevin A. Hall, L.S., dated February 7, 2025 and received by the Agency September 5, 2025 (Site Plan).
- An overview of the active mine areas as well as cross sections of the pit are depicted on a three page set of plans titled “Mine Site Plan Overview,” prepared by Engineering Ventures, PC, with a final revision date of October 30, 2025 (Cross Section Plan).
- Maps depicting the full project site as well as the Mining plan and Reclamation Plan are located in a 15-page plan titled “Town of Elizabethtown Mine,” prepared by Engineering Ventures, PC, dated March 2025 and received by the Agency September 5, 2025 (Mining and Reclamation Plan).

A reduced-scale copy of the Site Plan for the project, is attached as a part of this permit for easy reference. The original, full-scale maps and plans described in this paragraph are the official plans 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 any commercial sand and gravel extraction on Resource Management 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 Site Plan, Cross Section Plan and Mining and Reclamation 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 2025-0211, issued January 6, 2026, 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 the undertaking of the commercial sand and gravel extraction in the location shown on the Site Plan and as described in the Mining and Reclamation Plan. Any change to the location, dimensions, or other aspect of the commercial sand and gravel extraction shall require prior written Agency authorization.

Outdoor Lighting

6. Any new free-standing or building-mounted outdoor lights associated with the 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 Bronson Road or adjoining property.

Signage

7. All signs associated with the 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].

Tree Cutting/Vegetation Removal

8. Within 100 feet of the centerline of Roscoe Road, no vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed. This condition shall not be deemed to prevent the removal of dead or diseased vegetation or of rotten or damaged trees or of other vegetation that presents a safety or health hazard.

Wetlands

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

Project Operations

Excavation/Stockpiling/Grading/Trucking

10. Excavation and operation activities shall only occur between 7am and 5pm, Monday through Friday, year round, with a maximum annual removal of 2,000 cubic yards of sand and gravel.

Crushing

11. Crushing activities shall only occur between 7am and 5pm, Monday through Friday. Crushing will occur no more than every other year by mobile crusher brought to the site on an as needed basis.

Reclamation

12. Reclamation shall be an on-going process, whereby all areas no longer needed for the extraction shall be promptly and successfully reclaimed according to the Reclamation Plan and Mined Land Use Plan.

Stormwater Management/Erosion Control

13. The project shall be undertaken in compliance with the conditions stated herein. All stormwater runoff shall be contained within the Life of Mine boundary as shown on the Site Plan.

Permit Term

14. 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.

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 Resource Management land use area;
- c. will be consistent with the overall intensity guidelines for the Resource Management 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 6th day
of January, 2026.

ADIRONDACK PARK AGENCY

BY: _____


John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 6th day of January in the year 2026, 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, 2024

Stephanie L. Petith
Notary Public

