


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>2025-0300</b></p>
<p>In the Matter of the Application of</p> <p><b>UPSTONE MATERIALS, INC.</b> <b>Permittee</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: <b>March 9, 2026</b></p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s): <b>1. Upstone Materials, Inc.</b></p>

**SUMMARY AND AUTHORIZATION**

This permit authorizes expansion of a commercial sand and gravel extraction in an area classified Industrial Use on the Adirondack Park Land Use and Development Plan Map in the Town of Colton, 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 name listed above and in the names of all owners of record of any portion of the project site on the recordation date. 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 an approximately 200-acre parcel of land located on NYS Route 56 in the Town of Colton, St. Lawrence County, in an area classified Industrial Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map

Section 136, Block 3, Parcel 24, and is described in a deed from Graymont Materials (NY) Inc. to Upstone Materials Inc., dated May 12, 2017, and recorded May 23, 2017 in the St. Lawrence County Clerk's Office under Instrument Number R-2017-00006716.

The northern portion of the project site contains wetlands associated with a stream as depicted on the Project Plans. Other isolated areas of wetlands appear to have formed as a result of historic mining activities. Additional wetlands not described herein or depicted on the Project Plans may exist on or adjacent to the project site.

The project site contains a pre-existing commercial sand and gravel extraction with a life of mine area of 13 acres and a haulage way extending south from NYS Route 56 approximately 0.85 miles into the existing extraction and stockpile area.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves an increase in the current 13-acre life of mine area by 19 acres. Approximately 5.7 acres will be disturbed and one acre will be reclaimed within the next five years.

A permit modification from the NYS Department of Environmental Conservation is required for the commercial sand and gravel extraction authorized herein (6-4028-00025).

The project is described in a Mined Land Use Plan titled "Cold Brook (Huggard) Mine, NYSDEC Mine ID# 60057," prepared by David A. Shank, P.G., dated March 2025 and includes the following maps and plans:

- A Mine Plan Map titled "Cold Brook (Huggard) Pit, NYSDEC Mine ID# 60057," prepared by David A. Shank, P.G. and last revised March 18, 2025;
- A Reclamation Plan Map titled "Cold Brook (Huggard) Pit, NYSDEC Mine ID# 60057," prepared by David A. Shank, P.G. dated March 18, 2025; and
- Typical Sections titled "Cold Brook (Huggard) Pit, NYSDEC Mine ID# 60057," prepared by David A. Shank, P.G. dated March 18, 2025.

A reduced-scale copy of the Mine Plan Map 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 prior to the expansion by more than 25% of any commercial sand and gravel extraction on Industrial 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 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, for as long as the commercial sand and gravel extraction continues on the site.

Copies of this permit and Mined Land Use 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 2025-0300, issued March 9, 2026, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. This permit authorizes operation and expansion of the commercial sand and gravel extraction in the location shown on the Mine Plan Map and as described and depicted in the Mined Land Use Plan. Any change to the location, dimensions, or other aspect of the commercial sand and gravel extraction shall require prior written Agency authorization. Any change to the operations, including increased trucking, crushing, or blasting, shall also require prior written Agency authorization.
6. Within 150 feet of the NYS Route 56 highway right-of-way, no trees, shrubs, or other woody stemmed vegetation may be cut or otherwise removed 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.
7. 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.
8. Reclamation shall occur according to the Reclamation Plan and as described in the Mined Land-Use Plan. Any change to the Reclamation Plan or Reclamation Method shall require prior written Agency authorization.

**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 meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Colton; and
- b. 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.

Dated: March 9th, 2026

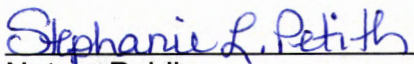
Ray Brook, New York

**ADIRONDACK PARK AGENCY**

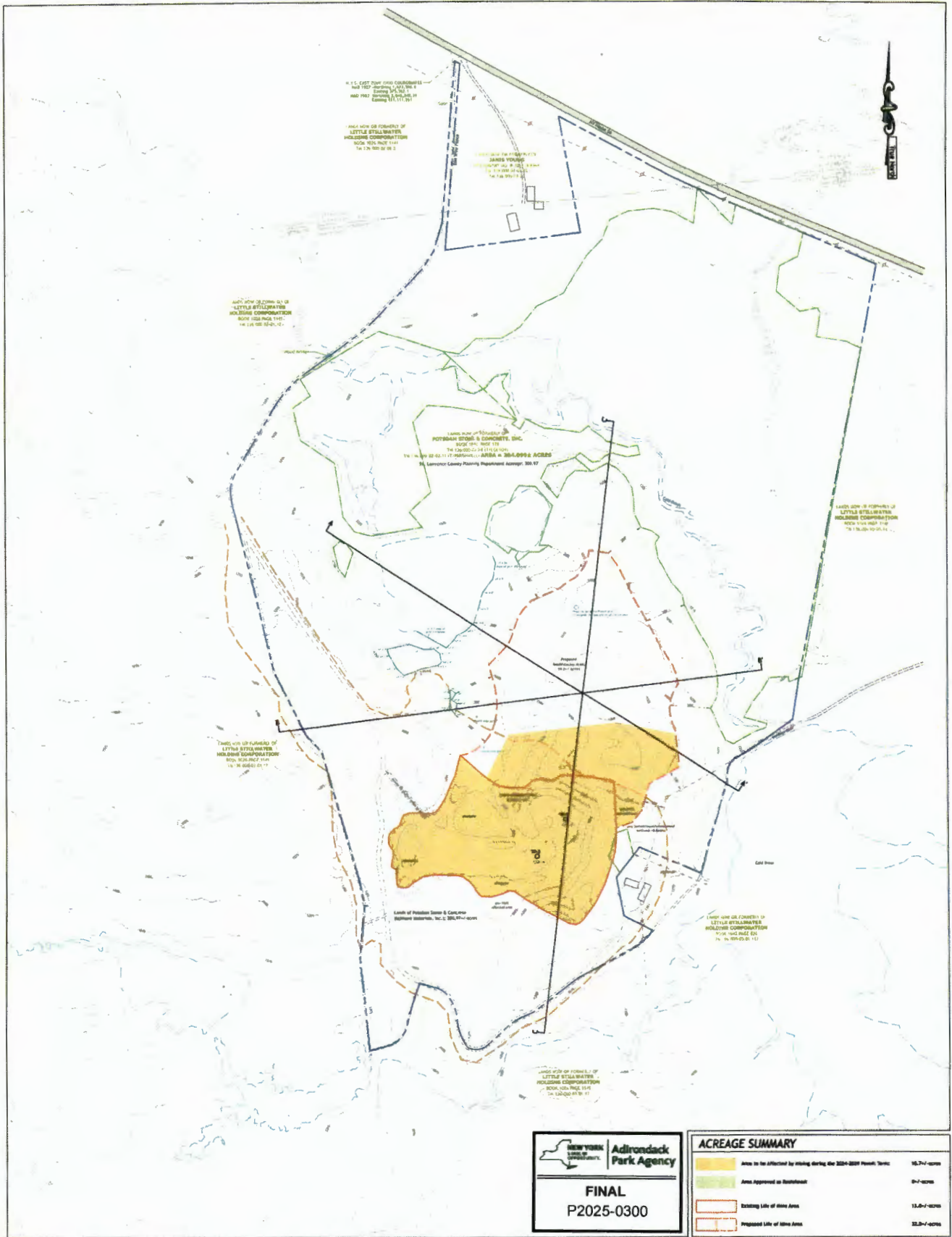
By:   
 John M. Burth  
 Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX





On the 9th day of March 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.


  
Notary Public

STEPHANIE PETITH  
Notary Public, State of New York  
Reg. No. 01PE6279890  
Qualified in Essex County  
Commission Expires April 15, 2029




**Adirondack Park Agency**  
**FINAL**  
**P2025-0300**

ACREAGE SUMMARY	
	Area to be affected by mining during the 2024-2027 Permit Term 16.747 acres
	Area Approved as Disturbance 24.42 acres
	Existing Life of Mine Area 13.247 acres
	Proposed Life of Mine Area 32.247 acres

**MINE PLAN MAP**  
**Cold Brook (Huggard) Pit**  
 NYDEC Mine ID: 68027  
**Upstone Materials, Inc.**  
 Town of Colton/Lake Placid, NY  


**DETAILS**

- Issue November 27, 2025
- Horizontal Scale: 1" = 300'
- Vertical Scale: Not to Scale
- USGS 2.5 Minute Quad: 2004, NY
- Contour Interval: 5 feet
- Authored by: B&B

RECEIVED  
 ADIRONDACK PARK AGENCY  
 DEC 16 2025

**REVISIONS**

Date	Description	By
11/20/2025	Approved for 2024-2027 M&P permit	BBB
12/16/2025	Final mine plan to add 19.247 acres to the life of mine area.	BBB

**LEGEND**

- Property Line (C.T. Mine No. - 2027)
- Existing Life of Mine Boundary
- Proposed Life of Mine Disturbance Area
- Appropriation extent of area affected before 1975
- Neighborhood Boundary
- Contour Line 2'
- Contour Line 5'
- Edge of Road/Stream
- Waterbody (P&W)
- Waterbody (P&W) (Submerged)
- Road - Road
- Road - Right-of-Way
- Overhead Utility

**SCALE**

1" = 300'

**NOTES**

1. Mine map: "MINE PLAN MAP" by B&B, Inc. dated March 17, 2024, last revised December 16, 2025.
2. Mine Map: "ADIRONDACK PARK AGENCY LAND TITLE SURVEY LANDS NOW OR FORMERLY OF POTOMAC STONE & CONCRETE, INC. (Project # P20) by C.T. M&P Associates, dated April 24, 2025.
3. Contour map (contour interval 5-foot) and high resolution aerial orthorectification available from the NYDEC Data Catalog (NYDEC).
4. Structure numbers from NYDEC State Characteristics LRAM dataset (P&W Positional, LRAM 2024-2027).