

THIS IS A TWO-SIDED DOCUMENT

 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 2022-0158A
In the Matter of the Application of DONALD P. VOGEL and VOGEL EXCAVATION CO., INC. Permittees for a permit pursuant to § 809 of the Adirondack Park Agency Act	Date Issued: June 10, 2026 To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Donald P. Vogel 2. Vogel Excavation Co., Inc.

SUMMARY AND AUTHORIZATION

This permit authorizes a commercial sand and gravel extraction in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Lake Pleasant, Hamilton County.

This authorization shall expire unless recorded in the Hamilton 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 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 19.9±-acre parcel of land located west of Tamarack Road and on the northern and southern sides of Woodmere Lane in the Town of Lake Pleasant, Hamilton

County, in an area classified Moderate Use on the Adirondack Park Land Use and Development Plan Map. The site is identified on Town of Lake Pleasant Tax Map Section 112.019, Block 1 as Parcel 35.112 and is described in a deed from Paul K. Vogel to Vogel Excavation Co., Inc. dated February 6, 1986 which was recorded March 20, 1986 in Liber 189 of deeds at Page 923 in the Hamilton County Clerk's Office.

The project site contains wetlands and is improved by an existing commercial sand and gravel extraction as authorized by Agency Permit 2022-0158.

PROJECT DESCRIPTION

The project as conditionally approved herein involves continued operation of the existing commercial sand and gravel extraction for an additional five year term.

The facility is subject to NYS Department of Environmental Conservation Mined Land Reclamation Permit MLF50341.

The project is shown on the following Project Plans:

- Two narratives titled "Mining Plan, Vogel Pit," and "Mining Reclamation Plan, Vogel Pit," prepared by Don Vogel and dated December 2025 (Mine Plan Narratives);
- "Don Vogel – Gravel Pit, Mining Plan," Page 1 of 3, drawn by Leonard Croote, date December 2025 (Mining Plan);
- Reclamation Plan and Cross Sections titled "Don Vogel – Gravel Pit #1," pages 2 and 3, drawn by Leonard Croote and dated December 2020 (Reclamation Plan); and
- An Erosion / Sediment Control Plan titled "Vogel Gravel Pit #1," prepared by James E. Hutchins, P.E., sealed November 15, 2006.

The Mine Plan Narratives and a reduced-scale copy of the Mining Plan are attached as a part of this permit for easy reference.

AGENCY JURISDICTION

The project was originally authorized by Agency Permit 2006-0304 pursuant to Section 809(2)(a) of the Adirondack Park Agency Act for the expansion by more than 25% of a pre-existing commercial sand and gravel extraction on Moderate Intensity Use lands in the Adirondack Park.

Condition 10 of Agency Permit 2022-0158 authorized a five year operation term from the date it was recorded in the Hamilton County Clerk's office and requires an amended permit term for continued operation.

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 Hamilton 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 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. This permit amends and supersedes Agency Permit 2022-0158. The terms and conditions of Agency Permit 2022-0158 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 2022-0158A, issued June 10, 2026, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. This permit shall expire five years from the date it is recorded in the Hamilton County Clerk's office unless a request for an amended permit term is received by the Agency prior to that date.
7. This permit authorizes the undertaking of the commercial sand and gravel extraction in the location shown and as depicted on the Project Plans and as described in the Mine Plan Narratives. Any change to the location, dimensions, or other aspect of the commercial sand and gravel extraction shall require prior written Agency authorization.
8. Outside of the Tree Line shown on the Mining Plan, 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.
9. All activities associated with the extraction shall occur as described in the Mining Plan Narrative except that no activities associated with the extraction shall occur on any NYS Legal Holiday.
10. There shall be no more than 24 loaded truck trips leaving the facility on any operating day without prior written Agency authorization.
11. The project shall be undertaken in compliance with the Project Plans and Mine Plan Narrative. There shall be no access to or from Tamarack Road without prior written Agency authorization.

12. Reclamation shall occur according to the Reclamation Plan and as described in the Mine Plan Narrative.
13. The undertaking of any activity involving wetlands shall require a new or amended permit. Any removal of sand and gravel within 100 feet of wetlands 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:

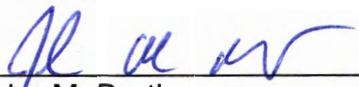
- a. will be consistent with the land use and development plan;
- b. will be compatible with the character description and purposes, policies, and objectives of the Moderate Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Moderate Intensity Use land 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.

Dated: June 10th, 2026

Ray Brook, New York

ADIRONDACK PARK AGENCY

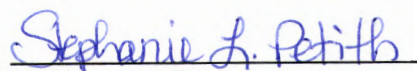
By:


John M. Burth

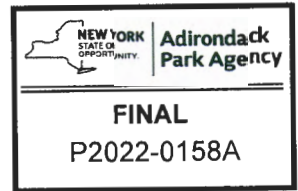
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 10th day of June 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 16, 2029



MINING PLAN
Vogel Pit
Don Vogel
Town of Lake Pleasant, Hamilton County
December 2025

Introduction

Pit Location: The pit is located in the Town of Lake Pleasant.

Location of mine: The mine is located northwest and northeast of the intersection of Woodmere Lane and Tamarack Road.

Adjacent land use features: The adjacent land is forest/woodland.

Existing conditions of the land

Past Mining History: The life of this pit encompasses a total area of 14 acres. The area affected since 1975 is 11.6 acres and an additional 2.4 acres will be disturbed over the next 5-year permit term for a total of 14 acres.

Area to be Reclaimed: There is 2.1 acres in the process of being reclaimed currently.

Previous land use: The previous land use was private forest/woodland.

Vegetation: The primary vegetation in this area are northern deciduous trees such as beech, birch, and maple with association with a few conifers like balsam fir and spruce.

Topography: There are no special topographic land features on this site.

Drainage: Due to the natural grade of the land runoff flows in a northerly direction and eventually entering tributaries that flow into Sacandaga Lake.

Man-made features: There are no man-made features at or near this site.

Description of Mineral and Mining Method

Type of deposit: The soils at this site are classified by the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) as Berkshire very bouldery sandy loam 8-15 percent slope (70C).

Name of mineral: Sand and gravel will be the main material mined from this site.

Mining operations: The mining operation will consist of surface unconsolidated sand and gravel.

Mining Method: Mining operations will be during the months of May through November, Monday through Friday limited to the hours between 7:00am – 5:00pm, and Saturday from 8:00am to 1:00pm. Permitted extraction of material will be done primarily using a front-end loader, backhoe excavator, and dump trucks. There will also be a portable sand and gravel screener in use on site. There is approximately 100,000 cubic yards of material over the life of the pit or until resources are expended. Removal of 7,000 cubic yards of material will occur per year leaving the estimated life of mine for 14 years. Stumps and rock spoil will be stockpiled on site, and the buried with 2 feet of cover as it is graded to a 2:1 slope when the mining in the area is complete. Any topsoil stripped from the surface will be stockpiled on site and used for reclamation.

Mining sequence (directions mining will progress into): The mining will occur primarily on the south and southwest side of the pit. However, mining may occur within the entire permitted area.

Grading, sloping: The mining floor will remain relatively level. There will be a vegetated berm constructed along the intermittent streams and will be graded away from the stream. Pit faces will not be greater than 20-foot vertical. Pit faces greater than 20 feet will be terraced or graded at a two-foot horizontal, one-foot vertical slope.

Property setbacks (and/or distance to property lines): The life of mine sits within at least 25' offset inside the property boundary. The nearest residence is approximately 100' away from the proposed mining operation.

Location of mine floor (elevation): Sacandaga Lake rest at an elevation of 525.8m. The pit floor elevation is approximately 532m.

Processing (crushing, screening, etc.): There will be a portable screener on site therefore material processing will occur.

Haulage ways: The active haulage way extends from Woodmere Lane going through the pit and connecting to Pit Road (see mining map 12/25). There will be a branch off the main haulage way that crosses the intermittent stream located on the west side of the pit. At the point where the haulage way intersects the stream a culvert will be installed, the inlet and outlet will be rip-rap and a berm will be constructed on each side of the haulage way to minimize sediments entering the stream.

Disposition of stockpiles and waste materials: There will be no permanent stockpiles of sand and gravel material on site. Stripped vegetation, stumps, and unused boulders from the site will be set aside in an inactive part of the pit and incorporated into the pit face during reclamation.

Stormwater Runoff

Natural drainage within and adjacent to permitted area: Due to the natural grade of the land runoff flows in a northerly direction, eventually entering tributaries that flow into Sacandaga Lake.

Constructed water erosion and sediment control structures: *There* are several Stormwater control measures in effect to help prevent erosion entering a water system. Many of these control measures are addressed in the Stormwater Pollution Prevention Plan (SWPPP).

One intermittent stream flow to the northwest on the west side of the pit. This minor surface flow will be isolated by a vegetative berm to be constructed along both sides of the channel and reclaimed for 30 feet to act as a buffer zone between the pit and the stream. The entire content of the stream that flows within the pit boundary will be rip-rap to reduce erosion during concentrated flow. This channel will be directed out of the pit into a series of sediment basins and check dams to filter out. Stoned outlet, rock lined, and other erosion and sediment control best management practices are installed as depicted in the SWPPP. The sediment basin will be maintained and inspected on a monthly basis by the Hamilton County Soil and Water Conservation District and/or the Department of Environmental Conservation.

A second 30-foot vegetated buffer will be constructed along both sides of the intermittent channel located on the southeast side of the pit. This channel will then flow into a sediment basin to help settle out the sediment in the channel.

The area towards the center of the pit will be vegetated and left untouched due to the wet nature of the pit floor. There is also a collection basin that collects the surface runoff and is transported to a sediment basin through a series of culverts approximately 250 feet. (French Drain)

Noise/Visual pollution control

Location nearest receptors (include roads, residences, businesses and public use area): The nearest receptors to the permitted area of the pit are Tamarack Road that borders the northern edge of the property and Woodmere Lane that divides the pit property in half.

Distance to nearest receptors (include line of site cross sections): Since the pit life of mine is setback 25' from the edge of the property the receptors are 25' away from the operation of the pit.

Impact of noise at property lines & nearest receptors: The impact of noise will be minimal due to the mining practices that are occurring in the pit.

Noise and Visual mitigation techniques: There will be a tree border that encompasses the entire pit and the trees on the Northeast side shall remain untouched to minimize the visual impact and buffer the noise from the receptors. The pit face will be maintained in a southern direction from the northern pit entrance to minimize noise levels.

Pollution Control and Prevention of Environmental Damage

Dust pollution control at mine face, stripped areas and haulage ways;

Potential for dust at site: The potential for dust control at this site is low due to the distance between the pit operation and the nearest receptor.

Plan for dust controls: If dust control is needed, the haulage way will have stone applied, and the use of a water trucks will be implemented along with other control measures.

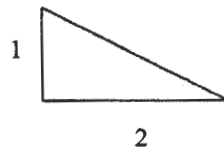
MINING RECLAMATION PLAN
 Vogel Pit
 Town of Lake Pleasant, Hamilton County
 December 2025

Final Land Use Objectives

The ultimate reclamation objective is to seed the area to a field condition.

Reclamation Method

Final grade and slope: When the mining operation is completed all pit and disposal area faces will be sloped to a 2 foot horizontal to 1 foot vertical.



Disposition of waste: All tree, brush, stripped ground cover and boulders may be incorporated into the bank face and covered with a minimum of 2 feet of soil. Brush waste may be burned after obtaining a DEC permit.

Disposition of residual material: Any residual materials, indigenous to the site, will be removed, incorporated into or utilized as cover material for waste finally covered with soil in preparation for seeding. Topsoil stripped from the site will be stockpiled at the site and used in the reclamation process.

Disposition of trash: All trash not indigenous to the site will be removed from the site and disposed of in the appropriate manner.

Disposition of personal property: All personal property will be removed from the site.

Treatment of haulage ways: All access roads at the site will be shaped and covered with soil and seeded consistent with the designated reclamation seeding practice

Treatment of water impoundment: The intermittent stream located on the west side of the pit will have the erosion control structures left in operational order. Rest of the site will be sloped and graded in a manner that will not allow impoundment of water.

Final drainage: Slopes and grades are to be proportional to the perimeter lay of the land. Constructed berms should remain and sloped to a 2 foot horizontal to 1 foot vertical.

Revegetation (grass mixtures, seeding rates, fertilizer rates): The entire disturbed area will be covered with a loamy soil and limed to a pH of 5.5 and fertilized with 600 lbs./acre of 5-10-10 commercial fertilizer, or the equivalent.

All disturbed areas will be seeded with the following warm season grass mix or another suitable grass mixture:

- 3 lbs./acre Switchgrass (Blackwell/Shelter)
- 4 lbs./acre Big Bluestem (Niagara)
- 2 lbs./acre Little Bluestem (Aldous/Camper)
- 2 lbs./acre Sand Lovegrass (NE 27/Bend)
- 3 lbs./acre Coastal Panicgrass (Atlantic)
- 14 lbs./acre Total Mix (inoculated at 2 times the normal rate)

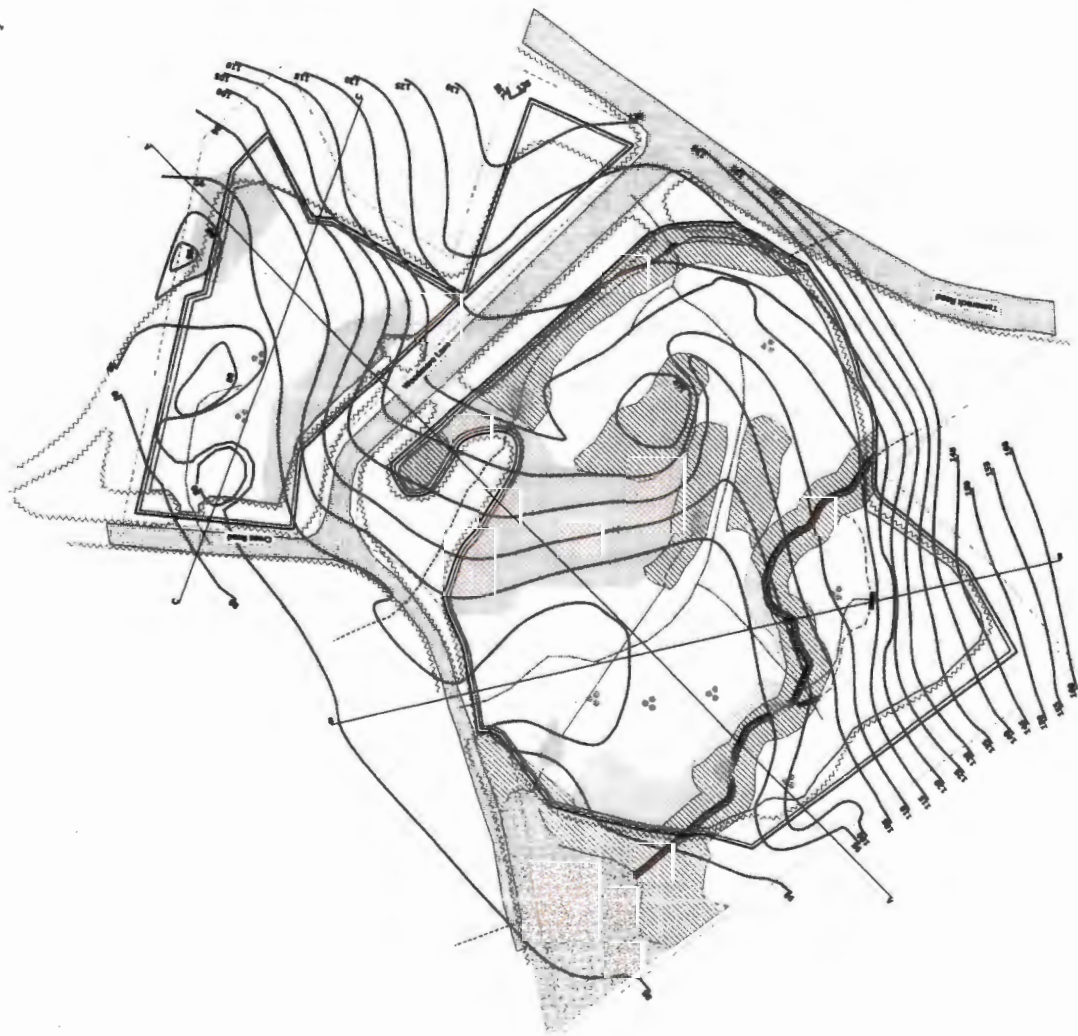
The seeded area will be tracked in with bulldozer and mulched with 1 ½ to 2 tons/acre of old hay or straw.

Reclamation Schedule

Phases of reclamation (concurrent or at termination):

Reclamation of the sand and gravel pit will take place at the termination of the mining operation.

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Legend

Contours	1' Contour	Additional Buffer
Shading Limit - 1/4" of Slope (1.4 acres)	2' Contour	Additional Buffer
Area to be Retained after 5-year Forest Plan (2.8 acres)	3' Contour	Additional Buffer
Area affected after April 1, 2006 (12.8 acres)	4' Contour	Additional Buffer
Property Boundary	5' Contour	Additional Buffer
Area being Reclaimed (2.1 acres)	6' Contour	Additional Buffer
Shaded Sloped Area (6.3 acres)	7' Contour	Additional Buffer
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Don Vogel - Gravel Pit
 Mining Plan
 Scale: 1" = 50'
 Town of Little Plaines, Hamilton County, New York
 Driven by Leonard Corbett (12/25)
 pg. 1 of 2

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