


THIS IS A TWO-SIDED DOCUMENT

 <p><b>NEW YORK STATE</b> <b>Adirondack Park Agency</b> P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov</p>	<p><b>DRAFT</b> APA Permit <b>2025-0015</b></p>
<p>In the Matter of the Application of</p> <p><b>CATALYZE AUSABLE GROVE STREET MICROGRID LLC</b> <b>Permittee</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: <b>XXXX</b></p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s):</p> <ol style="list-style-type: none"><li><b>1. Catalyze Ausable Grove Street Microgrid LLC</b></li><li><b>2. Claude Ouellette</b></li><li><b>3. Matthew Dion</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes construction of a commercial solar generation facility in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of AuSable, Clinton County.

This authorization shall expire unless recorded in the Clinton 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 Clinton County Clerk's Office. The Agency will consider the project in existence when the authorized solar generation facility has been constructed.

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 located in the Town of AuSable, Clinton County, in an area classified Low Intensity Use and Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The project site consists of a 64.81-acre parcel of land located on Grove Street entirely within Low Intensity Use, and an adjoining 19.88-acre parcel of land located on NYS Route 22 that is classified as Low Intensity Use and Moderate Intensity Use. The site is further identified as follows:

- The 64.81-acre parcel is identified as Tax Map Section 305, Block 6, Parcel 1.9, and is described in a deed from Gill Ouellette to Claude Ouellette, dated June 22, 1976, and recorded July 7, 1976 in the Clinton County Clerk's Office at Book 580, Page 520 (Parcel 1.9); and
- The 19.88-acre parcel is identified as Tax Map Section 315, Block 2, Parcel 7 and is described in a deed from Suzanne Dion to Matthew Dion dated June 25, 2014, and recorded July 1, 2025 in the Clinton County Clerk's Office under Instrument Number 2014-00265440 (Parcel 7).

Parcel 1.9 is vacant with existing access to Grove Street and was commercially logged approximately 10-12 years ago. Current vegetative cover consists of fragmented young forest, with extensive all-terrain vehicle (ATV) trails throughout.

Parcel 7 is vacant and included in the project site for the purposes of access to NYS Rt. 22.

The project site contains a utility right-of-way improved by an existing overhead electrical transmission line operated by New York State Electric & Gas (NYSEG). The project area is defined by gentle slopes and sandy soils. Southwick Brook is located to the east of the project area and a wetland feature exists near the property boundary of Parcel 1.9 that extends onto adjoining land to the north.

Parcel 1.9 was created as "Lot 9" in a 16-lot residential subdivision as authorized by Agency Permit 2010-0235, issued September 24, 2018.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves construction and operation of a 5.0 MWAC commercial solar generating facility on approximately 35 acres. The facility will be enclosed within a 26.65-acre fenced area located on Parcel 1.9 and includes a 20-foot-wide gravel access drive and associated vegetated swale extending 1,229 feet from NYS Rt. 22 over an easement held by the applicant on Parcel 7.

All solar infrastructure, including racks, panels, equipment pads, underground electric lines, generator disconnect, reclosers, fencing and stormwater management practices will be located on Parcel 1.9. Overhead electrical line will extend from the pole-mounted utility recloser along the access drive to NYS Rt. 22 where the project will interconnect with existing overhead electrical utilities within the highway right-of-way.

The owner and operator of the facility will maintain the access drive that will cross Parcel 7 to provide continued access to Parcel 1.9.

The project is shown on the following maps, plans, and reports (Project Plans):

- A 16-sheet set of site plans titled “Catalyze Ausable Grove Street Microgrid,” prepared by LaBella Associates (LaBella), dated June 3, 2025 (Site Plans);
- A “Construction Phasing Plan,” prepared by LaBella, dated July 7, 2025
- A Stormwater Pollution Prevention Plan, prepared for Catalyze Ausable Grove Street Microgrid, LLC, submitted by LaBella, titled “Keeseville Solar,” dated May 2025 (SWPPP);
- An Operation and Maintenance Plan titled “Catalyze Ausable Grove Street Microgrid, LLC,” prepared by Catalyze, dated June 23, 2025;
- A set of Photo Simulations, Figures A1 – A10, titled “Catalyze Solar Project,” prepared by Saratoga Associates, received by the Agency July 7, 2025; and
- A Decommissioning Plan titled “Keeseville (5.0 MW AC) Community Solar Project,” prepared by Sophia Mazurek, Catalyze Ausable Grove Street Microgrid, LLC, dated December 11, 2024.

Reduced-scale copies of Drawing Numbers C130 and C131 of the Site Plans for the project are attached as a part of this permit for 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 construction of any major public utility use on Low Intensity Use or Moderate Intensity 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 Clinton 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 the 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 conditions in Permit 2010-0235 remain in full force and effect.
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 2025-0015, issued **XXXX**, the conditions of

which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees.”

6. Any deed of conveyance for Parcel 7 shall contain an easement providing access to the array area on Parcel 1.9 over the easement area shown and described on the Site Plans.
7. Subject to the conditions stated herein, this permit authorizes the construction of a solar generation facility and associated site development in the location shown and as depicted on the Site Plans. Any change to the location, dimensions, or other aspect of the solar generation facility, associated site development, or Point of Interconnection with the existing overhead utilities shall require prior written Agency authorization.
8. The project shall be undertaken in compliance with the SWPPP and the Construction Phasing Plan. Any change to the Construction Phasing Plan shall require prior written Agency authorization.
9. The project shall be undertaken in compliance with the Erosion and Sediment Control Plan shown on Drawing Number C150 of the Site Plans.
10. 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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.
11. Any new outdoor lights associated with the authorized development shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward NYS Rt. 22, Grove Street, or adjoining property.
12. Outside of the Limit of Tree Clearing and Soil Disturbance shown on the Site Plans, 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.
13. Between April 1 and October 31, no trees shall be removed or disturbed on the project site without prior written Agency authorization.
14. All vegetation depicted and described on the Landscaping Plan shown on Drawing Numbers C160 and C161 of the Site Plans shall be planted no later than the first spring or fall planting season after final grading related to the construction of the authorized development on the project site. Vegetation that does not survive shall be replaced annually until established in a healthy growing condition.

15. Mowing within the Limit of Tree Clearing and Soil Disturbance shown on the Site Plans shall only occur between November 1 and May 1 of any year.
16. All vegetation management and infrastructure maintenance shall be undertaken as described in the Operation and Maintenance Plan. The application of any fertilizers, pesticides or herbicides within the project area shall require prior written Agency authorization.
17. The undertaking of any activity involving wetlands shall require a new or amended permit.
18. The Agency shall be provided with color photographs showing the completed project within 30 days of project completion. Photographs shall be taken at the project site and from the photo locations identified in the Photo Simulations. All photographs shall identify the date the picture was taken, the location of the photograph, and the lens size employed.
19. Except pursuant to written approval by the Agency, within one year of the solar generation facility ceasing to produce power, all infrastructure associated with the facility shall be removed and the site shall be restored to pre-development conditions at the owner's and/or operator's expense pursuant to the Decommissioning Plan.

#### **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 construction of the commercial solar generation facility 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 Low Intensity Use and Moderate Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Low Intensity Use and 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.

PERMIT issued this            day  
of                                    , 2025.

ADIRONDACK PARK AGENCY

BY: \_\_\_\_\_  
John M. Burth  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the            day of                                    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.

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Notary Public