

THIS IS A TWO-SIDED DOCUMENT

 <p>P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov</p>	<p>DRAFT APA Permit 2026-0063</p>
<p>In the Matter of the Application of</p> <p>CIDC ESSEX, LLC & AARON TUR Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: XXXX</p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s):</p> <p>1. Aaron Tur</p>

SUMMARY AND AUTHORIZATION

This permit authorizes the construction of an educational facility in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Moriah, 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 the authorized development is undertaken.

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 38.75-acre parcel of land located on Plank Road in the Town of Moriah, Essex County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 96.2, Block 1, Parcel 23.1, and a portion of Tax Map Section 96.2, Block 1, Parcel 25 as further described in two deeds dated September 25, 2021, from William J. Brennan, Jr. and Joseph R. Brennan to Aaron F. Tur, recorded March 24, 2022 in the Essex County Clerk's Office as Instruments 2022-1528 and 2022-1531.

The project site is vacant forested land and contains wetlands in the southeast corner. Additional wetlands not described herein or depicted on the Project Plans extend onto adjacent property south of the project site. The proposed project will not involve wetlands.

PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of an educational facility including an approximately 107,600 square-foot building, a sugar house, salt shed, operations & maintenance garage and greenhouse. A parking lot will be constructed for students and staff and additional parking for fleet vehicles, buses, and tractor trailers will be provided. A 1.48-acre parcel will be created from 96.2-1-25.000 and merged with 96.2-1-23.1 for construction of a driveway to access the site from Plank Road. The facility will be served by existing municipal water and sewer infrastructure along Plank Road.

The project is shown on the following Project Plans:

- 20 sheets of plans titled "Essex BOCES Facility," prepared by Lansing Engineering and dated 2/25/2026 (Site Plans);
- Sheets A1.1 and A3.1 titled "Champlain Valley Educational Services," prepared by WCGS Architects and printed on 3/16/2026, showing Building Elevations and Floor Plan, (Building Elevations and Floor Plan); and
- A Stormwater Pollution Prevention Plan titled "Essex BOCES Facility," prepared by Lansing Engineering and dated 3/16/2026 (SWPPP).

A reduced-scale copy of the project layout shown on Sheet LM-1 of the Site Plans, is attached as a part of this permit for reference.

AGENCY JURISDICTION

Pursuant to Sections 809 and 810 of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to the construction of a public or semi-public building greater than 40 feet in height on 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 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 authorized development remains 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. 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 2025-0063, issued **XXXX**, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. Within 30 days of conveyance of the 1.48-acre proposed area of lot line adjustment shown on Sheet LLA-1 of the Site Plans, a new deed shall be filed in the Essex County Clerk's office describing the 1.48-acre proposed area of lot line adjustment and 96.2-1-23 as a single, undivided lot. Any future subdivision of this undivided lot shall require prior written Agency authorization.
6. This permit authorizes the construction and operation of an educational facility in the location shown and as depicted on the Project Plans. Any change to the location, dimensions, or other aspect of the authorized development shall require prior written Agency authorization.
7. Between April 1 and November 30, no trees shall be removed or disturbed on the project site without prior written Agency authorization.
8. Outside of the Proposed Treeline 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.
9. 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.
10. The project shall be undertaken in compliance with the submitted Stormwater Pollution Prevention Plan.

11. The project shall be undertaken in compliance with the Erosion and Sediment Control Plan shown on Sheet ESC-1 of the submitted Site Plans.
12. All wastewater treatment infrastructure on the project site shall be connected to and served by the municipal wastewater treatment system.
13. All lighting associated with the authorized development on the project site shall comply with the Lighting Plan shown on Sheet LT-1 of the Site Plans. Any change to this lighting shall require prior written Agency authorization.
14. All signs associated with the authorized development shall comply with the Project Plans. Any change to this signage shall require prior written Agency authorization.
15. All seed mixes, trees and shrubs depicted on the Planting Plan prepared by Studio A, shown on Sheet LS-1 of the Site Plans, shall be planted no later than the first spring or fall planting season after final grading related to the authorized development. Vegetation that does not survive shall be replaced annually until established in a healthy growing condition.
16. The undertaking of any activity involving wetlands shall require a new or amended permit.
17. The project authorized herein constitutes 10 principal buildings. Any change to the number of principal buildings on the project site shall require prior written authorization from the Agency.

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. is consistent with the Adirondack Park Land Use and Development Plan;
- b. is compatible with the character description and purposes, policies, and objectives of the Moderate Intensity Use land use area;
- c. is consistent with the overall intensity guidelines for the Moderate Intensity Use land use area;
- d. complies with the shoreline restrictions of Section 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, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived from the project.

Dated:

Ray Brook, New York

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 _____, 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

