May 26, 2026

Devan Korn
Adirondack Park Agency
P.O. Box 99
Ray Brook, NY 12977

RE: Essex BOCES Facility
Public Comment Response
APA Project ID: 2026-0063

Dear Mr. Korn:

Lansing Engineering is pleased to submit this letter in response to the April 19, April 20, and May 19, 2026 emails submitted to the Adirondack Park Agency (APA) regarding the above noted project. The following summarizes the primary topics contained in each email followed by our response.

Intensity of Use

1. **Comment:** Both comment emails expressed concern regarding the intensity of the proposed use, stating that the project is incompatible with "…the existing rural character of Plank Road" and is "…disproportionate to the surrounding environment". One email acknowledged the importance of educational facilities but stated that smaller, distributed educational centers would result in less environmental and community impact. The email also stated that the size of the project may make it feel imposed on the community, leading to "…community resistance and unintended social impacts".

***Response: The existing CV-TEC campus is located approximately one-half mile north of the project and was originally constructed in 1969. Although approximately 47,000 SF larger, the proposed Essex BOCES facility, which will offer similar services to the same segment of the area population, will function in the same manner as the existing CV-TEC facility that has been integrated into the community for over five (5) decades.***

***The Moriah Central Schools campus is an example of a large-scale educational facility in close proximity to the proposed project. The campus is located less than three (3) road miles from the proposed Essex BOCES facility. The school has a total footprint of approximately 175,000 square feet (SF) and serves approximately 700 students and staff (250 SF/occupant). By comparison, the proposed 107,600 SF Essex BOCES facility will serve up to 463 students and staff (232 SF/occupant), representing a nearly identical scale and intensity of use as the Moriah Central Schools campus that is only a five (5) minute drive from the project parcel.***

***Additionally, the nearby Moriah Ventures manufacturing, bottling, and shipping facility consists of approximately 13 buildings totaling over 180,000 SF. The total gross floor area of this manufacturing facility is therefore larger than the proposed Essex BOCES building.***

***Per the Adirondack Park Land Use and Development Plan map, the project parcel is located in a moderate intensity area. Immediately adjacent and north of the project is a relatively dense residential neighborhood consisting of more than 100 single-family homes. Further north and south of the project is the most intense and least restrictive Hamlet land classification, and a parcel classified for industrial use is east of, and immediately adjacent to, the project parcel. The land use classifications present in the surrounding area represent the most intense land use classifications within the Adirondack Park and are indicative of the fact that the project is appropriately located.***

***Attempting to disperse the offerings provided by the BOCES facility across multiple smaller facilities would present economical and logistical challenges for BOCES, it's 16 component school districts and therefore all of the taxpaying public in the Clinton, Essex, Warren, and Washington County areas. By consolidating the services into a single location, the facility can provide a wider ranger of offerings to students, staff and students can more easily support one another, and the facility can be administered in a more economically efficient manner.***

***Considering that the project will replace an existing and aging facility that is one-half mile away and has been a part of the community for several decades, that similarly scaled educational facilities are located within a five minute drive from the project parcel, that the land use classifications for the project parcel and the surrounding area cover the most intensive uses permitted in the Adirondack Park, and the economical and logistical benefits realized by consolidating the services offered by the facility at a single location are significant, the project is compatible with the character of the area and appropriately located.***

<u>Environmental/Ecological</u>

2. **Comment:** Commenters expressed concerns about the project's potential to disrupt the natural landscape, fragment wildlife habitat (specifically mentioning wild turkeys and deer), and impacting roosting and foraging bat habitat potentially present on site. Commenters stated that the Adirondack Park is defined by "…it's relatively low-density development, and introducing a structure of this magnitude could set a concerning precedent for future large-scale projects".

***Response: As previously noted, the project is appropriately located and will act to meet the rapidly expanding demand for this type of educational facility that has been demonstrated by the rising enrollment at the existing CV-TEC Mineville Campus. There is nothing to indicate that there are unique aspects to the project parcel that would make it suitable habitat for any threatened or endangered species. While wild turkeys and deer are important species in the Adirondack Park, they are also known to be very adaptable to environmental changes to their habitat. Regarding potential impacts to bat roosting and foraging habitat, tree clearing operations will be performed between***

***November 1st and March 31st as is typically required by the New York State Department of Environmental Conservation (NYSDEC) and the United States Fish & Wildlife Service.***

***The project has been designed to minimize environmental impacts to the greatest extent possible. The developed portion of the parcel has been located as close to Plank Road as possible to minimize the length of the project driveway and the amount of clearing needed for construction. Construction of the project will comply with NYSDEC requirements and recommendations for erosion and sediment control. Also, the project will not impact the on-site NYSDEC wetlands nor the associated 100' adjacent area buffer.***

Traffic/Sight Distance

3. **Comment:** The comment emails stated that the project will significantly increase the daily traffic volumes. Commenters also stated that the driveway is located on portion of the road that they referred to as a "blind hill" with limited visibility and a posted speed limit of 45 mph. The comment emails stated that the project drive would result in an increased risk for collisions. One commenter stated that the increased risk to public safety associated with traffic and the project driveway has not been adequately addressed.

***Response: The Traffic Impact Evaluation prepared for the Essex BOCES project provides an evaluation of the site generated trips associated with the proposed facility. The traffic evaluation examined the number of trips generated by the site during the morning arrival (7:45 a.m.-8:45 a.m.) and afternoon departure (2:15 p.m-3:15 p.m.) times, as these are the times when the highest volume of traffic will be generated by the site due to student and staff arrivals and departures. The study notes that the project involves the relocation and expansion of the existing CV-TEC Mineville Campus, located approximately one-half mile north of the proposed development. Due to this fact, the study notes that a significant portion of the traffic associated with the project is already present on the local roadway system. When the trips generated by the existing facility are accounted for, the proposed Essex BOCES facility will result in the generation of an additional 24 trips during the AM peak hour (22 entering, 2 exiting) and 41 trips (2 entering, 39 exiting) during the PM peak hour than what is currently experienced from the existing CV-TEC campus.***

***The New York State Department of Transportation (NYSDOT) and the Institute of Traffic Engineers (ITE) agencies use a peak hour trip threshold of the generation of 100 vehicle trips on a single intersection approach to determine if a detailed analysis of an off-site intersection is warranted due to traffic generated by a development. The 100-trip agency threshold is used as a tool to identify projects with the potential to negatively impact the surrounding road network while screening out those that are unlikely to generate a sufficient magnitude of new trips to require off-site mitigation. When fully occupied, the total number of new peak hour trips generated by the project is less than half the threshold to require additional study of an off-site intersection, and that is without accounting for the distribution of those trips to the local roadways. As such, the project will not result in a significant increase to the daily traffic volumes***

***and the additional traffic generated by the project can be accommodated by the existing roadway network.***

***The traffic report includes an evaluation of the available sight distances at the location of the proposed driveway. Both the Stopping Sight Distance (SSD) and Intersection Sight Distance (ISD) were evaluated at the location for the proposed driveway and were compared to the guidelines published by the American Association of State Highway and Transportation Officials (AASHTO) in "A Policy on Geometric Design of Highways and Streets, 7th Edition". Field measurements were performed in accordance with AASHTO standards for both buses and passenger cars, as each vehicle type has unique criteria for evaluating sight distances. Although the posted speed limit is 40 miles per hour (mph), an 85th percentile speed of 50 mph was used to establish the guideline sight distances, which results in an increased minimum required sight distance.***

***The field measurements indicate that the available SSD exceeds the AASHTO guidelines for passenger cars and buses in both the northbound and southbound directions. The available ISD for passenger cars and buses exceeds the AASHTO guidelines for the left-turn out, right-turn out, and left-turn in turning movements. It was noted that the sight distance measurements were taken during the leaf-off condition and trimming of existing vegetation within the County right-of-way was recommended to ensure that measured available sight distances are maintained during the growing season.***

***Finally, it should be noted that the project sponsor submitted a permit application to the Essex County Department of Public Works (DPW) for construction of the proposed driveway. The permit application submission included copies of the project plans and the Traffic Impact Evaluation report. Upon review of the application documents and completion of a site visit to inspect the location of the proposed project driveway, the Essex County DPW granted a permit for construction of the driveway. Issuance of the permit indicates the DPW's acknowledgement that project driveway has been properly located and designed so as to not result in an increased risk to the public, which the project will coordinate as necessary.***

<u>Stormwater</u>

4. **Comment:** One commenter stated that the "…installation of large culverts to support a driveway capable of handling this level of traffic raises questions about how water flow will be managed along Plank Road". The commenter stated that altering drainage patterns as the result of construction "…could result in increased runoff, erosion, or flooding". The commenter also stated that the potential downstream impacts on the roadway and surrounding properties remain a major concern.

***Response: The diameter of the culvert needed for the new driveway is unrelated to the "level of traffic". The pipe diameter is controlled by the volume of runoff that the culvert must convey. Assuming that the "level of traffic" is in reference to the load imparted by a vehicle crossing the culvert, any pipe that is rated for HS-20 loading would be sufficient to support the loads generated by the anticipated vehicles that will***

***be entering and exiting the site. Furthermore, the project is located on County Road 7, which is owned and maintained by the Essex County Department of Public Works (DPW). The Essex County DPW "Right of Way Permit Form", which is used by the County for the review and approval of new driveways and all work performed within the County right-of-way, states "The Engineering staff will specify the diameter, length, and type of pipe to be used". The project sponsor has already submitted the Right of Way Permit application to the Essex County DPW. Upon reviewing the permit application documents and performing a site visit, the Essex County DPW granted approval for the project to install the project driveway on Plank Road. The permit approval document, a copy of which is attached, includes conditions stipulating the required diameter, length, material, and installation specifications for the culvert. By issuing the permit for the project driveway, the Essex County DPW is acknowledging that the runoff will be effectively managed along Plank Road provided that the permit conditions are met.***

***Finally, all runoff from the site will be treated and mitigated on-site in accordance with State and local stormwater management regulations as demonstrated in the project-specific Stormwater Pollution Prevention Plan (SWPPP). The post-construction runoff peak discharge rates are required to and will be equal to or less than the existing conditions. As such, there are no proposed downstream impacts to the roadway or the surrounding properties. Erosion and sediment control measures will be installed during construction in accordance with all NYSDEC requirements.***

Pedestrian Infrastructure/Sidewalks

5. **Comment:** One comment email stated that there are no sidewalks along the section of Plank Road, which would create an unsafe condition for staff or students attempting to walk to or from the facility.

***Response: Students and staff will arrive at the facility via personal vehicles, parent drop-off, or by bus. Students will remain on campus for the duration of their scheduled session. Similarly, staff are anticipated to use their personal vehicles for traveling to and from the facility. As such, the lack of sidewalks along Plank Road is not anticipated to be an issue.***

Utility Infrastructure

6. **Comment:** One of the comment emails questioned if there was sufficient water and sanitary sewer infrastructure in the Mineville area to support the project. The email stated that any upgrades to the existing utility infrastructure, if required, could "…strain local resources and alter the rural character of the community. These impacts may outweigh the anticipated benefits, particularly if they require costly upgrades or long-term maintenance burdens for local residents".

***Response: There is an existing water main on the west side of Plank Road and an existing sanitary gravity sewer main on the east side. The Average Day and Maximum Day water demands were calculated to be 5,556 gallons per day (gpd) and 9,168 gpd, respectively. Additionally, a hydrant flow test was performed by the Town of Moriah Water and Sewer Department to evaluate the ability of the existing water supply to***

***meet the fire flow demands for the facility, which will include a sprinkler system. Based on discussions with the Town of Moriah Water and Sewer Department, there is sufficient water supply to meet the anticipated domestic and fire flow demands of the project, with no additional upgrades needed.***

***The Design Average Daily Flow for wastewater and the Cumulative Peak Hour Wastewater Flow for the project were calculated to be 5,556 gpd and 15.39 gallons per minute (gpm), respectively. The existing 8" sewer main on the east side of Plank Road has a capacity of approximately 1,275 gpm. Therefore, the Cumulative Peak Hour Wastewater Flow generated by the project represents only 1.21% of the total capacity of the existing gravity sewer main and is therefore negligible. The existing gravity sewer conveys wastewater to the Port Henry Wastewater Treatment Plant. Based on discussions with the Town of Moriah Water and Sewer Department, both the existing sewer main and the wastewater treatment plant have sufficient capacity to handle the anticipated wastewater flow generated by the proposed project.***

***All new water and sanitary sewer piping and subsurface structures located on the project site will be owned, operated, and maintained by the project owner. Therefore, no additional maintenance burdens will be placed on the Town to service the proposed project.***

<u>BOCES Operations/Financial</u>

7. **Comment:** One comment email questioned the long-term sustainability of the facility, referencing operational costs, energy consumption, and ongoing maintenance as concerns. The commenter stated that the facility "…risks becoming underutilized or financially burdensome over time" if consistent funding and responsible management are not in place.

***Response: The long-term sustainability of the project is supported by both the current and projected demand for BOCES programs and services. Champlain Valley Educational Services (CVES) currently maintains waitlists for students seeking access to our educational programming, demonstrating that existing facilities are already operating at or near capacity. Expanding the facility will allow additional students to receive the programs and services they need while also generating additional revenue to support ongoing operational costs.***

***In addition, BOCES as an educational model has demonstrated long-term stability and value throughout New York State for decades. BOCES have existing since 1949, and CVES has successfully served the region for 77 years. The New York State funding structure continues to incentivize the use of shared educational services through BOCES aid, making participation financially advantageous for component school districts.***

***As the educational and financial landscape continues to evolve, particularly in rural regions such as Essex County, school districts are increasingly relying on BOCES services to achieve financial efficiency, program access, and operational stability. This trend is expected to continue driving demand for CVES programming and the use of this facility well into the future.***

***Furthermore, the project has been planned with long-term operational responsibility in mind, including consideration of facility efficiency, utilization, and sustainability to ensure the building remains a valuable regional educational asset for decades to come.***

<u>469 Switchback Road</u>

8. **Comment:** Per the May 19, 2026 email from Faye Henry: "I have several comments/questions. Can you show immediate neighbors property lines in relation to the facility? Your map doesn't indicate how close we will be to potential noise or vehicle pollution. I'm sure this is public information you can share. Also, there is a rumor that there will be a driveway on the backside side of the facility entering from Switchback. If this is correct, how much traffic do you anticipate? Switchback is already being abused by many drivers speeding and littering and by 4x4 and snowmobile users. Speeding is a daily problem and the fear of losing pets and wildlife is already a major issue for some of us. It is a known route for intoxicated people to drive and throw out their empties to avoid police. Now there is virtually no law enforcement presence after Art Brassard retired. Lastly, will any of the school busses be using a Switchback entry for drop offs or pickups? Will any of these students be allowed to walk home on Switchback as it can be a very dangerous road?".

***Response: The nearest area of disturbance in relation to 469 Switchback Road is greater than approximately 700' in distance. The nearest project-related on-site vehicle activity, consisting of parking, parent and bus drop-off/pick-up, and vehicle circulation is located greater than approximately 1,000 feet from 469 Switchback Road as measured in a straight-line distance across the site. Existing trees and vegetation outside of the construction project area of disturbance indicated on the plans is not intended to be impacted. There is no driveway or physical connection to Switchback Road proposed as part of this project. All project-related access will occur exclusively via a new driveway off Plank Road. Students and staff will arrive at the facility via personal vehicles, parent drop-off, or by bus.***

If additional information is required, please contact our office at your earliest convenience. Thank you.

Sincerely,

**LANSING** ENGINEERING, PC

Yates Scott Lansing, PE, CPESC, CPSWQ

CC:

ESSEX COUNTY
DEPARTMENT OF PUBLIC WORKS

8053 US Route 9 - Elizabethtown, New York 12932
518-873-6326 - Phone / 518-873-9195 - Fax

James E. Dougan, Superintendent James.Dougan@essexcountyny.gov

04/01/2026

Bryan Davis
BBL Construction Services
302 Washington Ave. Ext.
Albany, New York 12203

Dear Mr. Davis,

I received your Essex County DPW Right of Way permit application #26-03. Upon a site visit I am granting you an acceptance permit to install an entrance for the new BOCE's facility on at 2978 Plank Rd. (CR. 7)

- Please install an 18" x 80' HDPE smooth bore culvert. Leave 2' minimum on each end to slope back and add rock for stabilization.
- Ditch cleaning and grading may be necessary prior to pipe install.
- Maintain a minimum of 12" of Item 4 over the entrance culvert.
- Be sure to complete all pre-digging applications prior to the start of excavation, pertaining but not limited to dig safe. Also make sure to follow OSHA Construction Standard regulations 1926.650 - 652, for digging safety.
- Make sure no equipment or materials are left on the roadside except for in clear designated pull off areas and coned to prevent any accidents.
- Please regrade and compact ditch-line (if disturbed) to remove any debris from restricting flow or cause any unnecessary washouts on the edge of said roadways.
- Use proper Maintenance and Protection of Traffic when working on the shoulder of the road or road surface. Procedures for work zone traffic control can be found in the Federal Highway Administration Manual of Uniform Traffic Control Devices (MUTCD) and the New York State Supplement to this manual.
- Please notify Essex County DPW of the days you plan to work. Someone from DPW may visit the site during and after the project completion.

Read through all other conditions outlined in the Permit Application Form including insurance requirements.

Sincerely,

Cole Fernandez
Project Manager

# Essex County Department of Public Works - **Right of Way Permit Form**

| ☑ **Applicant** ☐ **Prop. Owner** | **County Permit to Install or Repair:** | | | | |
|---|---|---|---|---|---|
| Name: Bryan Davis | ☑ Driveway | ☐ Water Line | ☐ Sewer | ☐ Tel/Elec Cable | ☐ Other |
| Company: BBL Construction Service | Location: CR #7 | Road Name: Plank Road | | Town: Moriah | |
| Address: 302 Washington Ave. Ext | Description: The proposed project serves as a relocation & expansion | | | | |
| Town: Albany | for all instructional programs located at the CVES BOCES Mineville | | | | |
| Phone #: (518) 396-7641 | campus which serves six (6) component school districts. The project | | | | |
| **Contractor** | includes Rise Center for Success & CV-TEC Technical Education | | | | |
| Name: Bryan Davis | programming. The project includes a new one-story 107,600 +/- SF | | | | |
| Company: BBL Construction Servic | building with associated accessory buildings, site improvements & new | | | | |
| Address: 302 Washington Ave. Ext. | facility access driveway via Plank Road (CR 7). | | | | |
| Town: Albany | | | | | |
| Phone #: (518) 396-7641 | Project Begin Date: 11/1/26 | | Project End Date: 6/30/28 | | |

**Conditions**

Under Section 136 of the New York State Highway Law, any entity, whether public or private, desiring to work in the County Road right of way, must secure a permit. This permit shall be issued based upon the approval of the Superintendent of Highways prior to commencing the project. Conditions for this approval will be the following:

1. **General Conditions:**
   a. All work done in the County Road right of way shall be performed in a manner that is satisfactory to the Essex County Superintendent of Public Works.
   b. The location of the new or replaced installation is to be approved by the Superintendent prior to construction. Its placement shall be located to minimize its impact on the traveling public and not be a hazard to them.
   c. The applicant is to contact DigSafely New York at 1-800-962-7962, before commencing work, as mandated by New York State Law, Code Rule 753. Advanced notice of two full working days is required for this service.

2. **Hold Harmless Clause:** The applicant is to keep in good repair all pipes, hydrants and all other appurtenances which may be placed within the bounds of the highway under terms of this permit. He shall also indemnify and hold harmless the County of Essex from all damages which may accrue due to their installation and location in the Highway. Upon notice of the County Superintendent, he agrees to make any repairs required for the protection and preservation of the Highway and further consents that upon the failure of the applicant to make such repairs, they may be made by the County Superintendent at the expense of the applicant. Such expense shall be a prior lien upon land benefitted by the use of the Highway for such pipes, hydrants or appurtenances.

3. **Traffic:** While working in the County Road right of way, at least one lane of traffic is to remain open at all times, unless an exception is made by the Superintendent of Public Works ahead of time. Proper use of flagmen, cones, barricades and construction zone signs, etc. must be maintained at all times while working in the right of way.

4. **Driveway Entrances:** The installation of new driveway entrances will be evaluated by the Essex County Department of Public Works Engineering staff prior to commencing work, for adequate sizing, proper grade and location, and if a culvert is necessary. Although providing access to a property may be obligatory, there might be restrictions placed on the entrance due to unusual circumstances.

   If it is determined that a culvert is not warranted, the applicant is to backfill the driveway with a minimum of 6" of suitable compacted Item #4 gravel. Paving of the driveway apron may be necessary as conditions dictate. The Engineering staff will determine if this is necessary.

   When a new culvert is required, the property owner shall be responsible for its installation. The Engineering staff will



Permit No. 26-03
(Year.Number

specify the diameter, length, and type of pipe to be used. The standard residential driveway entrance will consist of one, 20-foot long pipe. In exceptional cases, longer pipes may be allowed. Suitable compacted backfill will be required over the culvert. If conditions are favorable, a larger diameter pipe than what was recommended may be used, provided that there will be enough cover material over the culvert. After installation by the applicant, maintenance of the pipe shall be the Essex County Department of Public Works' responsibility.

5. **Installation by Boring:** When feasible, the applicant shall install the new facility by the use of a boring machine and pushing the structure under the roadway.

6. **Installation by Trenching:** When boring is not possible and with the approval of the Superintendent of Public Works, trenching in the County Road will be allowed. Proper patching of this trench will be the applicant's responsibility.

7. **Depth of Installation:** Proper depth of installation of new wires, pipes, etc. is critical for future highway work. Unless specified elsewhere in this permit, the following minimum depths are to be achieved:
Telephone and Electric Cables - 24"; Sewer Pipes and Services - 36"; Water Pipes and Services - 60"

8. **Site Restoration:** Upon completion of the installation, the work area is to be left in a least the same condition as prior to the work being done. If Essex County has to repair the site, the property owner shall be charged for all costs associated with the restoration work.

9. **Insurance:** The applicant is to carry a general liability insurance policy in the event that an injury or damage to property results from the installation covered by this permit. Contractors hired to do the work shall have a minimum of $1,000,000 coverage per occurrence, $2,000,000 aggregate. In the event that an individual is doing the work himself, he is to secure a construction rider to his existing homeowner's policy containing a minimum of $250,000 for general liability insurance. If such a policy does not currently exist, coverage for the construction must be secured. In either case, one should check with his insurance agent on this matter.

10. **Violations; Penalties:** Any violations of the terms of this permit and/or Highway Law 136, the applicant shall be liable for a fine of not less than $25.00, nor more than $1,000 for each day of the violation. Such penalties shall be recovered by the County Highway Superintendent and paid to the County Treasurer to the credit of the County Road Fund for the construction, reconstruction and maintenance of County roads in accordance with the provisions of the Highway Law.

11. **Additional Comments/Conditions:**

**Project Sketch**

Reference submitted Site Plans.

Applicant's Signature — 3/25/202( Date

Superintendent's Signature — 4/1/26 Date



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