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 **2023-0023**

Date Issued: September 7, 2023

In the Matter of the Application of

SEBASTIAN GAUDREAU WILLIAM EATON Permittees

for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578 To the County Clerk: Please index this permit in the grantor index under the following names:

- 1. Sebastian Gaudreau
- 2. William Eaton

SUMMARY AND AUTHORIZATION

This permit authorizes the improvement of an existing access driveway in wetlands in an area classified Moderate Intensity on the Adirondack Park Land Use and Development Plan Map in the Town of Wilmington, 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 work authorized herein begins on the driveway.

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 3,000-square-foot area located on a 13.97±-acre parcel of land located on Wilderness Way in the Town of Wilmington, 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 26.1, Block 1, Parcel 6.110, and is described in a deed from Jean M. Stewart and Theresa A. Heider to William Eaton, dated August 21, 2006, and recorded August 24, 2006 in the Essex County Clerk's Office at Book 1500, Page 263.

The project site contains deciduous and coniferous wetlands with a value of "2". Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the improvement of a driveway crossing through wetlands.

The project will involve the loss of 215± square feet of wetlands.

The project is shown on the following three-page plan prepared by North Woods Engineering PLLC, and dated June 26, 2023:

- The location and profile of the driveway and location of the erosion and sediment controls are depicted on "Sheets C-101 & C-102, Site Plan" (Site Plan),
- Details of the erosion and sediment controls are depicted on "Sheet C-201" (Erosion and Sediment Control Plan).

Reduced-scale copies of the Site Plan and Erosion and Sediment Control Details 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 and Adirondack Park Agency regulations at 9 NYCRR Part 578, a permit is required from the Adirondack Park Agency prior to any deposit of fill in a wetland in the Adirondack Park.

CONDITIONS

THE PROJECT IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- 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. Copies of this permit and Site Plan and Erosion and Sediment Control 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 2023-0023, issued September 7, 2023, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
- 5. This permit authorizes the undertaking of the driveway improvement in the location shown and as depicted on the Site Plan. Any change to the location, dimensions, or other aspect of the driveway crossing the wetland shall require prior written Agency authorization.
- 6. The project shall be undertaken in compliance with the Site Plan and Erosion and Sediment Control Plan.
- 7. 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.
- 8. Any new free-standing or building-mounted outdoor lights associated with the driveway on the project site shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Wilderness Way or adjoining property.
- 9. The undertaking of any other activity involving wetlands shall require a new or amended permit.

CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, 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;

- 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;
- f. will secure the natural benefits of wetlands associated with the project, consistent with the general welfare and beneficial economic, social, and agricultural development of the state; and
- g. will result in minimal degradation or destruction of the wetland or its associated values, and is the only alternative which reasonably can accomplish the applicant's objectives.

PERMIT issued this 1th day of September, 2023.

ADIRONDACK PARK AGENCY

BY:

David J. Plante, AICP CEP

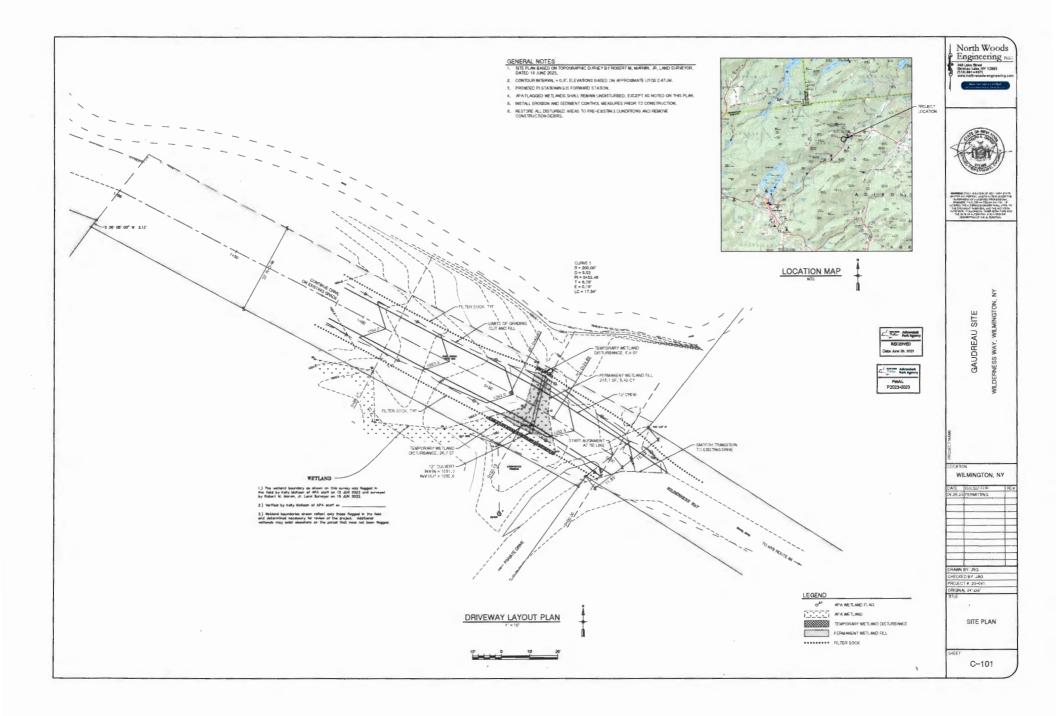
Deputy Director, Regulatory Programs

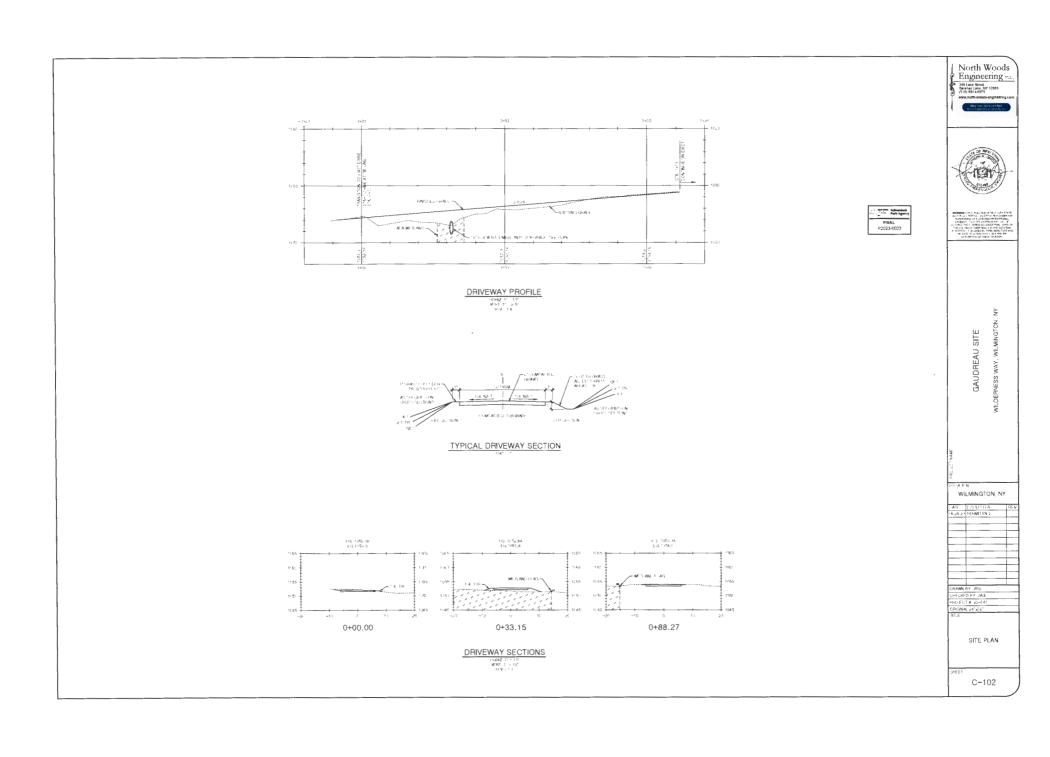
STATE OF NEW YORK COUNTY OF ESSEX

On the 7 day of September in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, 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.

Stephanie L Petith
Notary Public, State of New York
Reg. No 01PE6279890
Qualified in Franklin County
Commission Expires April 15, 20

Notary Public





CONSTRUCTION SPILL PREVENTION AND CONTROL PLAN

MATERIAL HANDLING PROCEDURES AND STORAGE REQUIREMENTS

- RELYCLE RELIAM, OF REUSE PROCESS MATERIALS, THEREBY RECOVERS THE AMOUNT OF PROCESS MATERIALS THAT ARE BENUTED LINGUIE.
- 2. INDITATIONAL OF HIS BUNDEWICED CHERE, DWICCONTROLS, AND DIVERSION BERMS WHEN AFFROMRIATE,
- 5. DESCONDECT ANY DRIVING FROM AREAS THAT LEAD TO THE SHANDAGE OF STORMWATER SYSTEM.
- 4. PART TRAVERS TO CAR SERVICE SAVES CONTRACTOR SERVICES OF THE TRAVERS OF THE TR
- 5. 197 PROPER MATERIAL TRANSFER PROCEDURES OR FLUTING PROCEDURES FOR LARKS AND LITTER COLUMNING.
- 6 CURSTITUTE JESS OR NON-FORD MATERIALS FOR TOXIC MATERIALS.

SPILL RESPURSE

- FREVENT THE DISCHARGE OF FOLL/"ANTIGEROM CPILLS AND LEAKS AND IMPLEMENT CHEMICA, ICTLI, AND LEAK PREVENTION
 AND REPRINCE PROCEDURES.
- 2. IN THE EVENT OF A SPILL FOLLOW CONTAINMENT PROCEDURED CONTINUED IN THE "SON: "GUETION WAS TEMANAGEMENT FLAG.
- FOR HAZARGOUD MATERIALS, FOLLOW CLEARUP INSTRUCTIONS ON FACKAGE, USE AN AUGORDEAT MATERIAL SUCH AS ZAMDUCT OR KITTY LITTER TO CONTAIN THE SIST.
- 4. IN THE EXIST OF A SELL, NOTES PHOLECT SEPERINTMOENT ENGINEER, AND LOCAL HIGHWAY DELASMENT STAFF, IN THE EXIST OF A HAZARGOG MATERIAL PILL ALBEN OFFS THE NYO DEPARTMENT OF ENHIONMENTAL CONCEPTATION THE INYO FIRITE, AND THE COLD FINE OPERATION.

CONSTRUCTION WASTE MANAGEMENT PLAN

STORAGE AND DISPOSAL OF CONCIPUL TION SITE WASTES.

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- ENDURE THAT CONTAINED HAVE UTY OF THEY CAN BE ID IVERED BEFORE FERRORS OF RAIN, AND KEEP CONTAINERS IN A
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- ALL CONSIDER WASTE CITED TO A TO PROVEN CONTAINED FROM DIVERSION S.
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 FLANCE PER PLAZARDOUS MATERIAL, FOLLOW DE AN PLOCH PLOTTONG ON THE PACKAGE, LIST, AN ART CREENT MATERIAL STURAS CAMPUTOR OF MITHER THE TO INTERNIT OF STELL.
- 5. COLLECT, REMOVE AND DISPORT OF ALL GOND BUILDING SEE WASTES AT ALCHORIZED DISPORAL AREAS.
- 6. WASTEWATER FROM THE WASHING OF CONUPERS CHAIL SECTION TANED IN A SUCEDIANCE WITH STANDARD DETAIL DEWATERING.
- LISCHARICE FROM DEWATERING ACTIVITIES CHALL BE MANAGED BY APPROPRIATE CONTRIC MEANINES.

DISPUSAL OF HAZARDOUS MATERIALS.

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- 2. TO PREVENT JEARCHEMOTY AND A DANIANY HAZARLO JO WASTED ONTAINING BEFORE THEY ARE DISPOSED OF
- THE CHARMAL PROCLET LABLE SHOULD IN WINTER HOW WASTERS HER DE CHARMAN AT IT ON AN IMPROVEMENTAL CHIEF INCOMATION, FOLLOW THE MANUA WITHOUT PLACED WINDOWS HE HERZ HERDOLD. WHICH SHALL FIRE FORT TO BY THE AST.
- 4. IF EXCIDE PRODUCTS AFECTORIES, CORDS FOR THE ZONES IT AFFER REMIXED SURING IS USED, UNLOCATES OF STRUCK AFFER REMIXED SURING IS USED, UNLOCATES OF STRUCK AFFER REMIXED SURING IS USED.

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- 2. IMMEDIATE MICONTAIN AND CLEAN UP ANY SPILL DIAMY ABSORDENT MATCHIAL.
- 3. PARE EQUIPMENT AVAILABLE IN FUEL STUPAGE AREAS AND IN VEHICLE TO CONTAIN AN LIGHTAN HINDS DIVINITIONAL CONTRACTORS. SCE OF RESTRICTED.
- 1. FOLDWIAL FEDERAL STATE AND COLUMN SHAPE AND TROPIC FEDERAL PRODUCTION STATE AND LINE SHAPE AND LINES.
- 2. CONDICTION AS THE MATERIALS ANY MORE THAN NESS COARS.
- 3. Intoke restrictions in Approximation of April.
- 4. CONSTRUCT OF RECORDINGS TO CONTAIN FESTIGIOED IN CASE OF SELECTED.
- 5. FOLLOW THE PERSONMENSES WEST ASSUNDANCE AND METHOD.
- HAW SCURPMENT AND ASCURBENT MATERIAGO AVALAGE. IN ASCIAS WHERE PER TUDGES AND CITABLE AND LODGE IN ORDER TO CONTAN AND CLEANUR AND STEED HAS LODGER.
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- WORK THE PERTILIZER DEEPLY INTO THE SUIL TO REQUISE EXPOSURE OF NUTRIENTS TO STORMWA (HIR NOT).
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- EXPRESSION AND REPORT WITHOUT ONLY DECIDE WITH CLEANWAIGH, THE DOTHARDS CHAIN NOT WOUNTS WAIGHT DIA ITY STANDARDS.

MULCH STABILIZATION NOTES

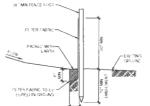
- MULCH STABILIZATION SHALL BE COMPLETED WITHIN 14 DAYS OF FIRST LIST, ARBANIE AND IMMEDIATELY AFTER COMPLETION OF ROUGH GRACIENS ASSIMILES.
- 2. APPLY MULDHING MATERIAL, MULCHICHAY: BEYNATIOR WHEAT STRAW, FREE FIRM WEEDS OR FOREIGN MATTER DETRIMENTAL TO PLANTITIES, AND DRY.
- J. IN MID-SUMMER, LATE FALL, OR WINTER: AFFLY FOLUS FER TOO SE, PLUS TACKFIER, IN CERING OR LARLY FAL. APPLY 45 , 8 PER LIKES TACKFIER.
- NOTA I JUTE MATTING WITH OFFN WEAVE FOR CLOPED GREATER "YAW" FIREBUT LESS. "HAN 14. FOR SLOPED GREATER THAN 13 INSTALL QUELTX LOUBLY ACCORDANDED BOOK.

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- PEMO√F FORFILIN MATERIA U. WEFOG, AND UNCEDRAGLE PLANTS AND THEIR 90°CTS,
- 3. CPREAD TOPOOR TO A WINIMUM DEPTH OF 41 OVER AFEA TO BE DEEDEL.
- 4. LYFICA, SEED MIDES
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- GENERAL RESIDERATION 53-77% FINE FESCUE 15-407 PEREMILA PREGRADY 5-157 ANNUAL RYEGHADS 5-107 WHITE CLOVER
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- 6. ACTES LOCTORER INDICIDE AN ADDITIONAL 125 MAJOR WINTER RIVE TO ALROW DEED MIXED.
- A GLY MULDHNO MATRIAL TO SEST AREA, MULDHISHALL RE DAT ON WHILATISTRAY, FRET FROM WEED OR HIREDIN MATLES DETRIMENTAL TO FLAMTIFF, AND DRY, REFER TO MULCHIST REALIZATION NUTS: FOR A FULCATION REQUIREMENTS.
- 8. FOR CLORES GREATER THAN THE INSTALL THE FOLLOWING AN PROPER STABILIZATION MAT.
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- H.2. 13 TO 1.2 CURLEXI BY AEC 8,8. - 1.9 TO 1.1,5 CURLEXILEY AEC
- 8,4, 11,510 11 CASEXIII BY 46:
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- C. KEEP NOW I REFLIGHT TO 31 41.



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- 4. INSECT AFTER FACH NEW PRINTIPE EVENT AND DAILY OF RING PROLONGED PAN FALL, CHECK FOR BREAKS, BUILDES, CVERTOPPING, AND UNDERWINNING, REPAIR IMMEDIATE, Y AS NEEDED.



North Woods

Engineering :

348 Lake Street Seranec Lake, NY 12983 (518) 891 = 4975

ż SITE WILMIN GAUDREAU

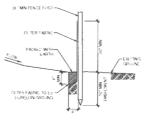
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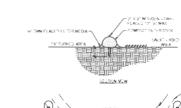
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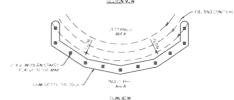
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NOTES

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