

THIS IS A TWO-SIDED DOCUMENT

 <p><b>NEW YORK STATE</b> <b>Adirondack Park Agency</b></p> <p>P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov</p>	<p>APA Permit <b>2025-0006</b></p>
<p>In the Matter of the Application of</p> <p><b>VILLAGE OF SARANAC LAKE</b> <b>Permittee</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: April 2, 2025</p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s): <b>1. Village of Saranac Lake</b></p>

**SUMMARY AND AUTHORIZATION**

This permit authorizes the operation of a commercial sand and gravel extraction in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of St. Armand, 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 extraction operations commence at the project site.

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 160±-acre parcel of land located on NYS Route 3 in the Town of St. Armand, Essex County, in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. It is identified on Town of St. Armand Tax Map Section 23.003, Block 1 as Parcel 19. The project site is described in a deed from Harry E. Duso, Jr. and Jeanne B. Duso to The Village of Saranac Lake dated December 31, 2002 which was recorded in the Essex County Clerk's Office in Liber 1347 of Deeds at Page 0101.

The project site contains shoreline on the Saranac River and is partially located within the designated Saranac River Recreational River area. The site is located within the Wilderness Critical Environmental Area (CEA) of the Mckenzie Mountain Wilderness area approximately 1,300 feet southeast of NYS Route 3 and approximately 350 feet from the Saranac River at its closest point. There are wetlands on the project site and the access road to the site is a pre-existing road through wetlands.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves the operation of commercial sand and gravel extraction having a Life of Mine area of 11.6± acres and containing a total of approximately 408,000 cubic yards of material. The extraction includes a projected 40 year Life of Mine and an average production of 8,000 cubic yards of sand and 2,000 cubic yards of Item #4 and #2 processed stone for a maximum of 10,000 cubic yards of material annually.

The commercial sand and gravel extraction was previously approved by Agency Permit 2014-0137, but never undertaken.

The NYS Department of Environmental Conservation issued a permit on January 14, 2025.

The project is shown on the following maps, plans, and reports:

- The life of mine, erosion controls and active extraction area are depicted on a map titled "Mining Plan Map" (Mining Plan), prepared by Barton and Loguidice, P.C., dated May 2014 and received by the Agency August 14, 2014.
- Reclamation of the mine is depicted on a map titled "Reclamation Plan Map" (Reclamation Plan), prepared by Barton and Loguidice, P.C., dated February 2014 and received by the Agency August 14, 2014.
- Mine cross-sections are depicted on a two-page set of plans titled "Sections 1 & 2" and "Sections 3 & 4" (Cross Sections), prepared by Barton and Loguidice, P.C., dated November 2014 and received by the Agency January 8, 2015.

The project is also detailed in the following documents:

- A nine-page plan titled "Life of Mine Mined Land-Use Plan" (Mined Land-Use Plan), prepared by Barton and Loguidice, P.C., dated August 2014.
- A document titled "Proposed Sand and Gravel Mine, Village of Saranac Lake, Essex County, New York, Stormwater Pollution Prevention Plan," (SWPPP) prepared by Barton and Loguidice, dated November 2014.

A reduced-scale copy of the Mining Plan for the project is attached as a part of this permit for easy reference. The original, full-scale maps and plans described in this paragraph are the official plans for the project, with copies available upon request from Adirondack Park Agency headquarters in Ray Brook, New York.

### **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 establishment of any commercial sand and gravel extraction on Resource Management lands or within any Wilderness CEA in the Adirondack Park.

Pursuant to Adirondack Park Agency regulations at 9 NYCRR Part 577, a permit is required from the Adirondack Park Agency prior to any new land use or development on Resource Management lands within any designated Recreational river area 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 sand and gravel extraction continues on the site. Copies of this permit and Site Plan, Reclamation Plan and Mined Land Use 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, Wild, Scenic and Recreational Rivers System 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 2025-0006, issued April 2, 2025, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."

### **Project Operations**

5. This permit authorizes the undertaking of the sand and gravel extraction described herein in the location shown and as depicted on the Mining Plan Map. Any change to the location, dimensions, or other aspect of the sand and gravel extraction shall require a new or amended permit.

6. Except for maintenance activities and access to and from the site by employees, all mining and trucking activities shall only occur between 7am and 5pm weekdays. There shall be no mining or trucking activities on State holidays. Any temporary or permanent change to the hours of operation shall require prior written Agency approval. There shall be no blasting without prior Agency review and approval.
7. Removal of greater than 10,000 cubic yards of material from the extraction annually shall require prior written Agency approval.
8. Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act and 9 NYCRR § 577.4, the undertaking of any new land use or development not authorized herein on the project site within one quarter mile of the Saranac River or within 660 feet of the State Land boundary will require a new or amended permit. The undertaking of any activity involving wetlands also requires a new or amended permit.

### **Tree Cutting/Vegetation Removal**

#### **State Land Wilderness CEA and Recreational River Area**

9. Only vegetation within the limits of clearing shown on the approved plans may be cut, culled, trimmed, pruned or otherwise removed or disturbed. No trees shall be cut, culled, trimmed, pruned or otherwise removed or disturbed on the project site within one quarter mile of the Saranac River or within 660 feet of the State Land boundary except as shown on the approved plans, without prior Agency review and approval. This condition shall not be deemed to prevent the removal of dead or diseased vegetation or of rotten or damaged trees or of other vegetation that presents a safety or health hazard on Village owned lands.

### **Wetlands**

10. Prior to any earth disturbance within 50 feet of the 100-foot wetlands buffer shown on the approved plans, silt fence shall be installed at the 100 foot buffer boundary as shown on the plans. The silt fence shall remain in place and be maintained until reclamation is completed and soils are stabilized with established vegetation.

### **Stormwater Management/Erosion Control**

11. The project shall be undertaken in compliance with the Stormwater Pollution Prevention Plan referenced herein.

### **Outdoor Lighting**

12. Any new free-standing or building-mounted outdoor lights 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 the Saranac River or adjoining property.

### **Signage**

13. All signs associated with the commercial sand and gravel extraction on the project site shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3].

### **Permit Term**

14. This permit shall expire upon the expiration date of any Mined Land Reclamation Permit issued by the New York State Department of Environmental Conservation (DEC), unless the Mined Land Reclamation Permit has been re-issued or a new permit issued by the DEC and written authorization for continued operation has been obtained from the Agency prior to that date.

### **Reclamation**

15. Reclamation shall occur according to the Reclamation Plan and be an on-going process whereby areas no longer needed for extraction purposes shall be promptly and successfully reclaimed according to the reclamation maps and plans.

### **Reports**

16. At the request of the Agency, the permittee or the permittee's successor shall report in writing the status of the project, including details of compliance with any terms and conditions of this permit.

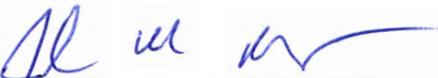
### **CONCLUSIONS OF LAW**

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, 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 Resource Management land use area;
- c. will be consistent with the overall intensity guidelines for the Resource Management 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;
- h. will be consistent with the purposes and policies of the Wild, Scenic and Recreational Rivers System Act;
- i. will comply with the restrictions and standards of 9 NYCRR § 577.6; and
- j. will not cause an undue adverse impact upon the natural, scenic, aesthetic, ecological, botanical, fish and wildlife, historic, cultural, archeological, scientific, recreational or open space resources of the river area, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived therefrom.

PERMIT issued this 2<sup>nd</sup> day  
of April, 2025.

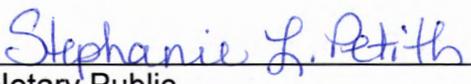
ADIRONDACK PARK AGENCY

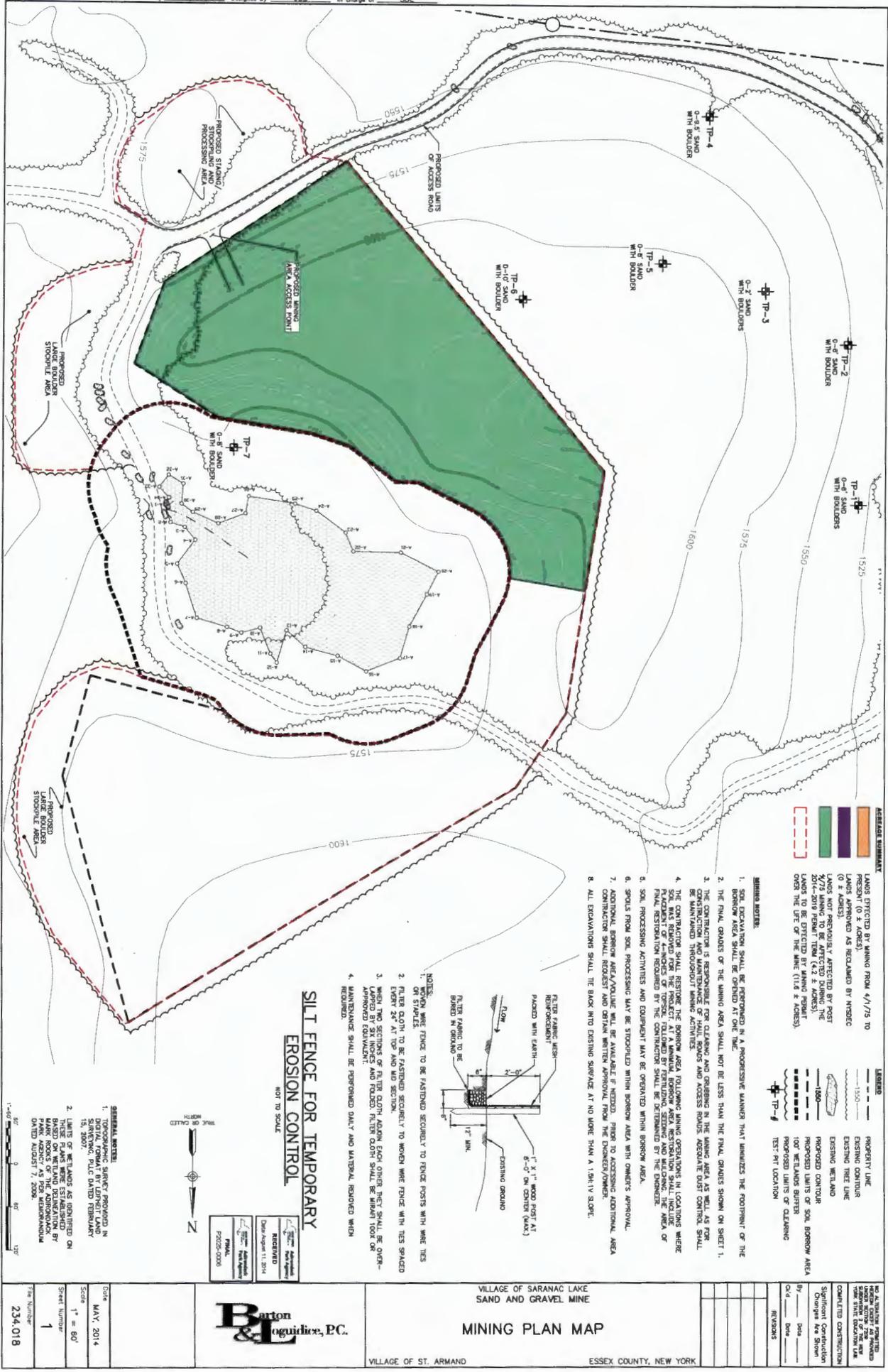
BY:   
John M. Burth  
Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 2<sup>nd</sup> day of April 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.

Stephanie L. Petith  
Notary Public, State of New York  
Reg No 01PE6279890  
Qualified in Franklin County  
Commission Expires April 15 20<sup>25</sup>

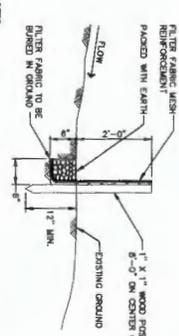
  
Notary Public



**LEGEND**

[Orange line]	PROPERTY LINE
[Black dashed line]	EXISTING CONTOUR
[Green dashed line]	EXISTING TREE LINE
[Blue hatched area]	EXISTING WETLAND
[Red dashed line]	PROPOSED LIMITS OF SOIL BORROW AREA
[Red dashed line]	100' WETLANDS BUFFER
[Red dashed line]	PROPOSED LIMITS OF CLEANING
[TP-1 symbol]	TP-1 AT LOCATION

- MINING NOTES:**
- SOIL EXCAVATION SHALL BE PERFORMED IN A PROGRESSIVE MANNER THAT MINIMIZES THE FOOTPRINT OF THE BORROW AREA SHALL BE OPENED AT ONE TIME.
  - THE FINAL GRADES OF THE MINING AREA SHALL NOT BE LESS THAN THE FINAL GRADES SHOWN ON SHEET 1.
  - THE CONTRACTOR IS RESPONSIBLE FOR CLEANING AND GRUBBING IN THE MINING AREA AS WELL AS FOR CONSTRUCTION AND MAINTENANCE OF HAUL ROADS AND ACCESS ROADS. ADEQUATE DUST CONTROL SHALL BE MAINTAINED THROUGHOUT MINING ACTIVITIES.
  - THE CONTRACTOR SHALL RESTORE THE BORROW AREA FOLLOWING MINING OPERATIONS IN LOCATIONS WHERE FINAL RESTORATION IS REQUIRED. RESTORATION SHALL BE PERFORMED TO THE ORIGINAL GRADE AND SHALL BE PLACED TO A DEPTH OF 4 INCHES OF TOPSOIL FOLLOWED BY FERTILIZING, SEEDING AND MULCHING. THE AREA OF FINAL RESTORATION REQUIRED BY THE CONTRACTOR SHALL BE DETERMINED BY THE ENGINEER.
  - SOIL PROCESSING ACTIVITIES AND EQUIPMENT MAY BE OPERATED WITHIN BORROW AREA.
  - SPILLS FROM SOIL PROCESSING MAY BE STORED WITHIN BORROW AREA WITH OWNER'S APPROVAL.
  - APPROPRIATE SOIL AND WATER TESTS WILL BE AVAILABLE TO VERIFY THE ADEQUACY OF RESTORATION. CONTRACTOR SHALL REQUEST AND OBTAIN WRITTEN APPROVAL FROM THE ENGINEER/OWNER.
  - ALL EXCAVATIONS SHALL BE BACK FILLED TO EXISTING SURFACE AT NO MORE THAN A 1:1 SH:1V SLOPE.



**SILT FENCE FOR TEMPORARY EROSION CONTROL**  
 NOT TO SCALE

**NOTES:**

- SECTION WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
- FILTER CLOTH TO BE FASTENED SECURELY TO WOODEN WIRE FENCE WITH NETS SPACED EVERY 24" AT TOP AND MID SECTION.
- WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED FILTER CLOTH SHALL BE SHOWN 100% FOR APPROVED EQUIVALENT.
- MAINTENANCE SHALL BE PERFORMED DAILY AND MATERIAL REMOVED WHICH ACCUMULATES.

**GENERAL NOTES:**

- THIS PLAN WAS PREPARED BY THE ENGINEER/OWNER AND IS SUBJECT TO THE TERMS AND CONDITIONS OF THE PROFESSIONAL ENGINEER'S AGREEMENT DATED FEBRUARY 15, 2011.
- LIMITS OF WETLANDS ARE DETERMINED ON BASIS OF WETLAND DELINEATION BY PAUL ADAMS, AS PER MEMORANDUM DATED AUGUST 7, 2009.

NO. APPROVED FOR THIS PROJECT	DATE
DATE	MAY, 2014
SCALE	1" = 60'
SHEET NUMBER	1
TITLE NUMBER	234.018



VILLAGE OF SARANAC LAKE  
 SAND AND GRAVEL MINE  
**MINING PLAN MAP**