


THIS IS A TWO-SIDED DOCUMENT

 <p>Adirondack Park Agency</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 1997-0196A</p>
<p>In the Matter of the Application of</p> <p>CAROLYN TRUDEAU Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Parts 578 and 577</p>	<p>Date Issued: June 20, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following name: 1. Carolyn Trudeau</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a subdivision in an area classified Low Intensity Use 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 an authorized lot has been conveyed to an outside party, or a new deed has been filed for an authorized lot.

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 7.57-acre parcel of land located on NYS Route 3 in the Town of St. Armand, Essex County, in an area classified Low Intensity Use and Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as follows:

- Tax Map Parcels 23.2-1-30.000 and 23.2-1-31.000 as described in a deed from Upstate Broadcasting Corporation to Richard Trudeau and Carolyn Trudeau, dated August 10, 2006 and recorded August 14, 2006 in the Essex County Clerck's Office as Document Number 2006-00005139; and
- Tax Parcel 23.2-1-15.001 as described in a deed from Edwina D. Cormier and Jeanne Andrea Gibson to Richard Trudeau and Carolyn Trudeau, dated July 24, 2006 and recorded August 31, 2006 in the Essex County Clerck's Office as Document Number 2006-00005577.

The project site contains shoreline on the Saranac River and is located within the Saranac River Recreational River area. The project site also contains wetlands associated with the Saranac River. Additional wetlands not described herein or depicted on the Project Plans may be located on or adjacent to the project site.

The project site is improved by an existing single family dwelling constructed in 1898.

The project site was created by a two-lot subdivision as authorized by Agency Permit 97-196.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a boundary line adjustment between Tax Map Parcels 23.2-1-15.001 and 23.2-1-31 as shown on a sketch map titled "Sketch Map for Boundary Adjustment," prepared by Norfolk Beier, PLLC dated May 7, 2024 (Sketch Map) and a merger of Tax Map Parcels 23.2-1-15.001 and 23.2-1-30.000 to result in the lot configuration shown on the survey map titled "Map Showing Boundary Adjustment," prepared by John H. Martino, L.S., and dated May 26, 2023 (Survey Map).

A reduced-scale copy of the Survey Map is 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 subdivision involving wetlands 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 subdivision of Low Intensity Use lands located within any designated recreational river area in the Adirondack Park.

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to any subdivision of Low Intensity Use lands that results in the creation of a non-shoreline lot smaller than 2.75 acres in size 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. Copies of this permit and Survey Map 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. This permit amends and supersedes Permit 97-196 in relation to the project site. The terms and conditions of Permit 97-196 shall no longer apply to the project site.
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 1997-0196A, issued June 20, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. Subject to the conditions stated herein, this permit authorizes a boundary line adjustment subdivision as depicted on the Sketch Map. Any subdivision of the project site not depicted on the Sketch Map shall require prior written Agency authorization.
7. Within 30 days of conveyance of Tax Map Parcel 23.2-1-31, a new deed shall be filed in the Essex County Clerk's office describing Tax Map Parcels 23.2-1-15.001 and 23.2-1-30.000 as a single, un-divided lot. Any future subdivision of this un-divided lot shall require a new or amended permit. The Rural Use portion of the un-divided lot shall not be conveyed separately from the Low Intensity Use portion.
8. The deed of conveyance for Tax Map Parcel 23.2-1-31 shall contain a covenant restricting the property against the construction of any single family dwelling, mobile home, or other principal building as that term is defined under the Adirondack Park Agency Act. The deed shall state that the covenant shall run with, touch and concern the land, and that the covenant shall be enforceable by the Adirondack Park Agency and the State of New York.

9. The undertaking of any new land use or development on the project site shall require a new or amended permit. The undertaking of any activity involving wetlands shall also require a new or amended permit.
10. There shall be no boathouses or boathouses on Tax Map Parcel 23.2-1-30.
11. Pursuant to the Adirondack Park Agency Act and Agency regulations implementing the Wild, Scenic and Recreational Rivers System Act, new structures are prohibited within 150 feet, measured horizontally, of the mean high water mark of the Saranac River.

Fences, poles, lean-tos, and bridges are also excepted from this requirement, except that no fence, pole, lean-to, or bridge greater than 100 square feet in size may be located within 75 feet of the mean high water mark.
12. Construction of any new or replacement on-site wastewater treatment systems on the project site shall require prior written Agency authorization.
13. Within 150 feet of the mean high water mark of the Saranac River, no trees, shrubs or other woody-stemmed vegetation may be cut or otherwise removed or disturbed 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.
14. There shall be no more than one principal building located on the single, un-divided lot comprised of Tax Map Parcels 23.2-1-15.001 and 23.2-1-30, in addition to the pre-existing single family dwelling or any replacement structure for this dwelling as allowed by Agency regulations. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
15. There shall be no principal building(s) located on Tax Map Parcel 23.2-1-31.

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, the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision/single family dwelling 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 land use area;
- c. will be consistent with the overall intensity guidelines for the Low 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 be compatible with preservation of the entire wetland and will not result in degradation or loss of any part of the wetland or its associated values;
- 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 20th day of June, 2024.

ADIRONDACK PARK AGENCY

BY: [Signature]
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

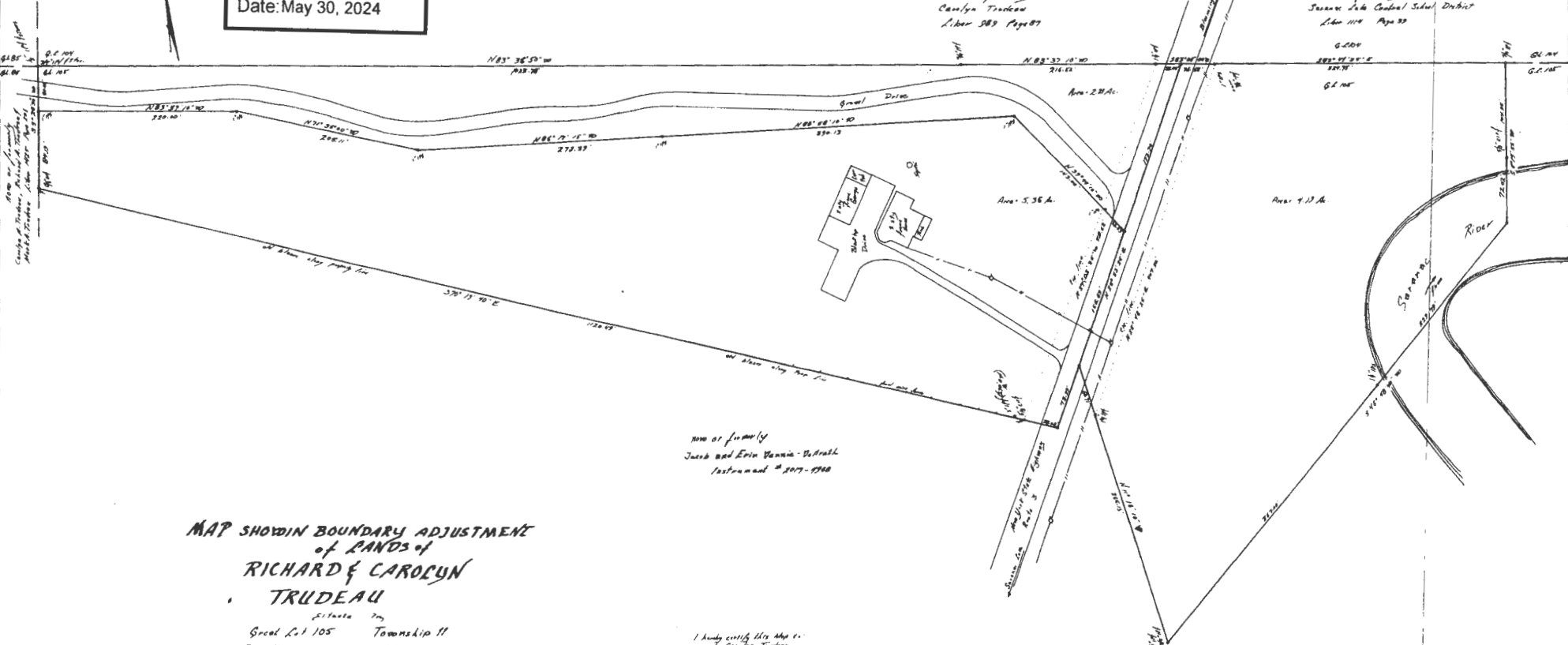
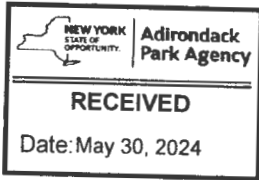
STATE OF NEW YORK
COUNTY OF ESSEX

On the 20th day of June in the year 2024, 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, 2025

[Signature]
Notary Public

1st. iron pin found
1921 iron pipe set
Circ. copper iron rod found



**MAP SHOWING BOUNDARY ADJUSTMENT
OF LANDS OF
RICHARD & CAROLYN
TRUDEAU**

Situate in
Great Lot 105 Township 11
Richard's Survey Old Military Tract
Town of St. Armand Essex County
State of New York
Scale: 1 inch = 50 feet

Deed References: 1. Edwin D. Cannon and James Andrew Gibson
vs. Richard and Carolyn Trudeau by deed recorded in April 21st 1909
in 21st 100th of page 181.
2. Marjorie Broadbent's Conveyance to Richard and
Carolyn Trudeau by deed recorded in April 19th 1908 in 21st 100th
of page 87.

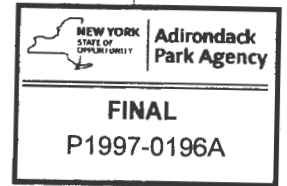
Map Reference: A Survey Map Part of Property of James F. Zoeger
20.24.21st by C. M. Stone, July 24th 1909.

I hereby certify that this map is
a true and correct copy of the
original as shown to me by
Richard and Carolyn Trudeau.

That this Map and Survey was prepared for the parties
and purposes indicated herein. Any extension of the same beyond
the purposes agreed to between the client and the Surveyor exceeds
the scope of the engagement.

1900 or formerly
Eric J. and Mahala L. Fall
Instrument # 297-5785

Note: 1. Copy certified from the original of this survey, signed and
sealed to the job and placed with an original of the deed
Surveyor's Subsequent deed, shall be considered to be the
evidence of the deed survey.
2. It is a violation of the State Election Law for any
person, whether acting under the direction of a licensed
land surveyor, to alter an item in any way.



Survey Completed: April 19th 2023
Map Completed: May 24th 2023
John H. Morrison, Jr. - S. N. 49725

John H. Morrison, Jr.
5/24/23