

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
2003-0140A

Date Issued: May 14, 2024

In the Matter of the Application of

**DAVID P. COHEN, STACY J. COHEN, JOSEPH
GARRONBONE, and SHIRLEY MINETT
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. **David P. Cohen**
2. **Stacy J. Cohen**
3. **Joseph Garronbone**
4. **Shirley Minett**

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in areas classified as Rural Use and Resource Management on the Adirondack Park Land Use and Development Plan Map in the Towns of Mayfield and Northampton, Fulton County.

This authorization shall expire unless recorded in the Fulton 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 Fulton County Clerk's Office. The Agency will consider the project in existence when an authorized lot has been conveyed to an outside party.

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 includes a 33.42±-acre parcel of land located on NYS Route 30 in the towns of Mayfield and Northampton, Fulton County, in areas classified as Rural Use and Resource Management on the Adirondack Park Land Use and Development Plan Map. The parcel is identified as Tax Map Section 59.3, Block 1, Parcel 19.11 (Northampton) and Tax Map Section 59.3, Block 2, Parcel 2.11 (Mayfield), and is described in a deed from Michael J. Poulin and Karen M. Poulin to David P. Cohen and Stacy J. Cohen dated March 23, 2022 and recorded April 4, 2022 in the Fulton County Clerk's Office as Instrument #2022-73974 (Cohen Parcel).

The project site also includes an adjoining 5.1±-acre parcel of land located on NYS Route 30 in the Towns of Mayfield and Northampton, Fulton County, in areas classified as Rural Use and Resource Management on the Adirondack Park Land Use and Development Plan Map. The parcel is identified as Tax Map Section 59.3, Block 1, Parcel 19.2 (Northampton) and Tax Map Section 59.3, Block 2, Parcel 2.2 (Mayfield), and is described in a deed from A & L Holmes, Inc. to Joseph J. Garronbone and Shirley A. Minett dated April 30, 2021 and recorded May 17, 2021 in the Fulton County Clerk's Office as Instrument #2021-67410 (Garronbone/Minett Parcel).

The project site is partially located within 150 feet of the edge of right of way of NYS Route 30. The project site also contains value "1" wetlands located on the northern half of the project site and associated with Cranberry Creek. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The Cohen Parcel (33.42± acres) was created as "Lot 2" in a two-lot subdivision as authorized by Agency Permit 2003-0140, which was a re-subdivision of "Lot B" created in a two-lot subdivision authorized by Agency Permit 2001-62. The Cohen Parcel is vacant.

The Garronbone/Minett Parcel (5.1± acres) was created as "Lot A" in a two-lot subdivision as authorized by Agency Permit 2001-0062 and contains a pre-existing single-family dwelling and shed.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of the Cohen Parcel to create a 32.81±-acre lot (Lot 1) and a 0.612±-acre lot (Lot 2). Lot 2 will be merged with the adjoining Garronbone/Minett Parcel (5.1± acres), resulting in a new 5.712±-acre parcel.

The proposed subdivision is shown on a Subdivision Plan titled "Survey Map of Lands of Joseph Garronbone and Shirley Minett," prepared by Ferguson & Foss Professional Land Surveyors, PC, dated January 4, 2023, and received by the Agency on February 27, 2024. A reduced-scale copy of the Subdivision Plan 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 Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to any subdivision of Rural Use lands that results in the creation of a non-shoreline lot smaller than 7.35 acres in size in the Adirondack Park, and prior to any subdivision in a Resource Management land use area in the Adirondack Park.

This permit amends Condition 5 of Permit 2003-0140.

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 Fulton 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 Subdivision 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. This permit amends and supersedes Permits 2001-0062 and 2003-0140 in relation to the Cohen Parcel. The terms and conditions of Permits 2001-0062 and 2003-0140 shall no longer apply to the Cohen Parcel except as amended herein.
5. This permit amends and supersedes Permit 2001-0062 in relation to the Garronbone/Minett Parcel. The terms and conditions of Permit 2001-0062 shall no longer apply to the Garronbone/Minett Parcel.
6. 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 2003-0140A, issued May 14, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."

7. Subject to the conditions stated herein, this permit authorizes a two-lot subdivision as depicted on the Subdivision Plan. Any subdivision of the project site not depicted on the Subdivision Plan shall require a new or amended permit.
8. Within 30 days of conveyance of Lot 2, a new deed shall be filed in the Fulton County Clerk's office describing Lot 2 and the Garronbone/Minett Parcel as a single, undivided lot. Any future subdivision of this undivided lot shall require a new or amended permit.
9. On the project site, the Rural Use portion of Lot 1 or Lot 2 shall not be conveyed separately from the Resource Management portion of Lot 1 or Lot 2 without a new or amended permit.
10. The undertaking of any new land use or development within 150 feet of the right of way of NYS Route 30 shall require a new or amended permit.
11. The construction of any dwelling or other principal building on the Cohen Parcel shall require a new or amended permit.
12. There shall be no more than one principal building located on the Rural Use portion of Lot 1 and no more than one principal building located on the Resource Management portion of Lot 1 at any time. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
13. There shall be no principal buildings located on the Rural Use portion of the single, undivided parcel resulting from the merger of Lot 2 and the Garronbone/Minett Parcel, other than the pre-existing single family dwelling or any replacement structure for this dwelling as allowed by Agency regulations. There shall be no principal buildings located on the Resource Management portion of the single, undivided parcel resulting from the merger of Lot 2 and the Garronbone/Minett Parcel.
14. 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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.

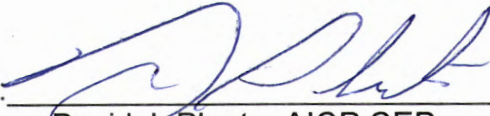
CONCLUSIONS OF LAW

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 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 Rural Use and Resource Management land use areas;
- c. will be consistent with the overall intensity guidelines for the Rural Use and Resource Management land use areas;
- 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.

PERMIT issued this 14th day of May, 2024.

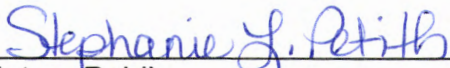
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 14th day of May 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


Notary Public

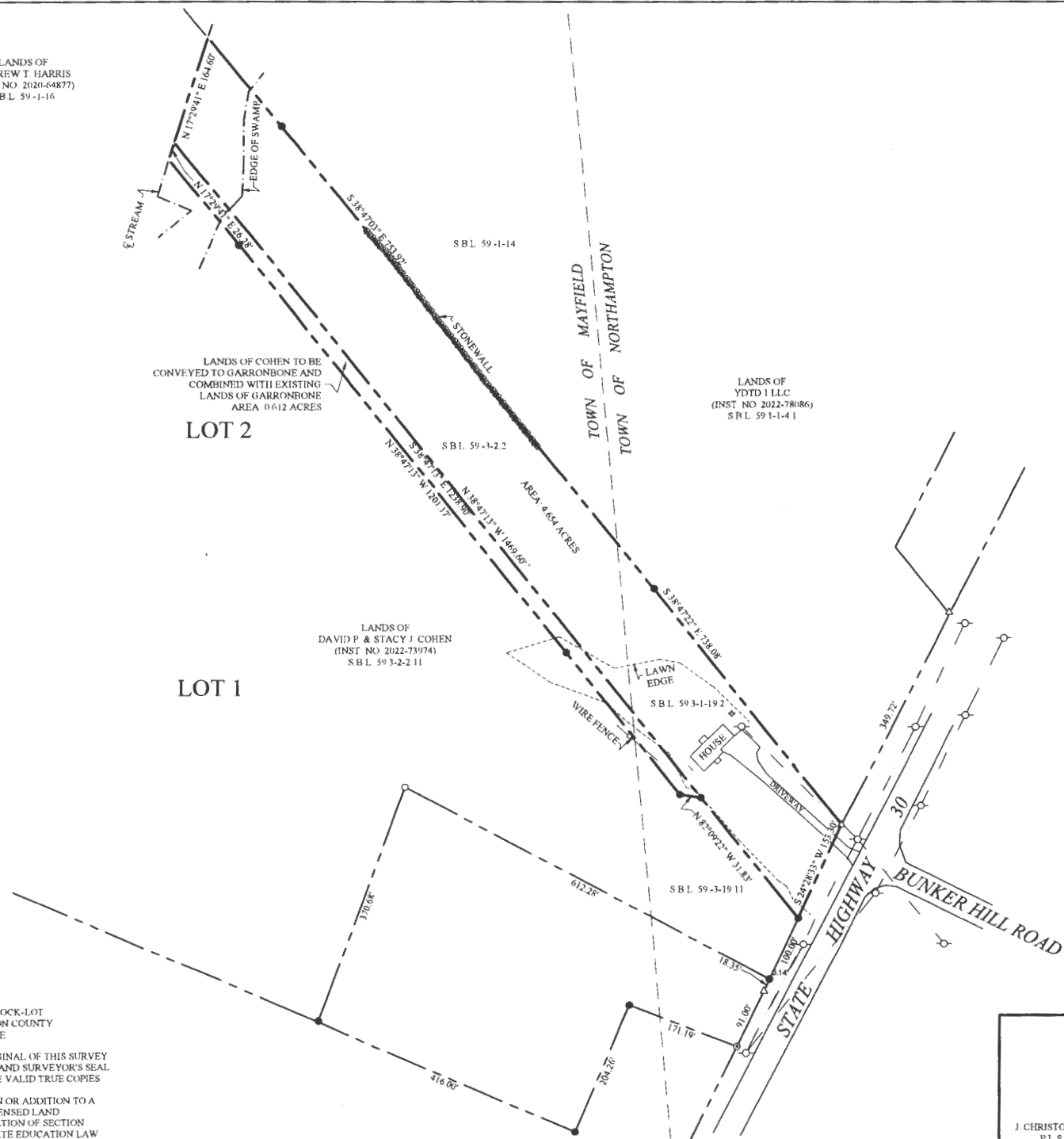
Adirondack Park Agency
RECEIVED
 Date February 27, 2024

LANDS OF
 ANDREW T HARRIS
 (INST. NO. 2020-64877)
 S.B.L. 59-1-16

LEGEND	
△	CONCRETE MONUMENT
○	IRON PIPE FOUND
⊙	IRON ROD FOUND
●	IRON ROD SET
◆	WELL
○	OVERHEAD UTILITY LINE



TOTAL AREA: 5.266 ACRES



LANDS OF COHEN TO BE
 CONVEYED TO GARRONBONE AND
 COMBINED WITH EXISTING
 LANDS OF GARRONBONE
 AREA 0.612 ACRES

LOT 2

LANDS OF
 YDTD 1 LLC
 (INST. NO. 2022-78086)
 S.B.L. 59-1-4-1

LANDS OF
 DAVID P & STACY J COHEN
 (INST. NO. 2022-73974)
 S.B.L. 59-3-2-11

LOT 1

Adirondack Park Agency
FINAL
 P2003-140A

SURVEY MAP OF LANDS OF
**JOSEPH GARRONBONE &
 SHIRLEY MINETT**

(INST. NO. 2021-67410)

TOWN OF NORTHAMPTON
 TOWN OF MAYFIELD
 COUNTY OF FULTON
 STATE OF NEW YORK

SCALE 1" = 100'

JANUARY 4, 2023

S.B.L. REFERS TO SECTION-BLOCK-LOT
 NUMBER AS FOUND IN FULTON COUNTY
 REAL PROPERTY TAX SERVICE

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY
 WITH AN ORIGINAL OF THE LAND SURVEYOR'S SEAL
 SHALL BE CONSIDERED TO BE VALID TRUE COPIES

UNAUTHORIZED ALTERATION OR ADDITION TO A
 SURVEY MAP BEARING A LICENSED LAND
 SURVEYOR'S SEAL IS A VIOLATION OF SECTION
 7209-3 OF THE NEW YORK STATE EDUCATION LAW

J CHRISTOPHER FOSS
 P.L.S. 50044

FERGUSON & FOSS
 PROFESSIONAL LAND SURVEYORS, PC
 P.O. BOX 356 JOHNSTOWN, NY 12095 518-762-9997
 EMAIL: chris@fergusonandfoss.com