


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 2006-0134A
In the Matter of the Application of SHAWN MCKENNA Permittee for a permit pursuant to § 809 of the Adirondack Park Agency Act	Date Issued: October 15, 2024 To the County Clerk: Please index this permit in the grantor index under the following names: 1. Shawn McKenna

SUMMARY AND AUTHORIZATION

This permit authorizes a three-lot subdivision and construction of three single family dwellings in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Indian Lake, Hamilton County.

This authorization shall expire unless recorded in the Hamilton 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 Hamilton County Clerk's Office. The Agency will consider the project in existence when either 1) an authorized lot has been conveyed to an outside party, or 2) an authorized single family dwelling has been constructed.

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 the 12.36±-acre Moderate Intensity Use portion of a 38.5±-acre parcel of land located on New York State Route 30 in the Town of Indian Lake, Hamilton County classified Moderate Intensity Use and Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. Tax Map Section 65.010, Block 1, Parcel 22.120, and is described in a deed from Lisa A. Moore to Shawn McKenna, dated August 24, 2024, and recorded September 3, 2024 in the Hamilton County Clerk's Office under Instrument Number 2024-893.

The project site was created as "Lot 2" in a four-lot subdivision as authorized by Agency Permit 2006-0134.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a three-lot subdivision of the Moderate Intensity Use portion of Tax Map Parcel 65.010-1-22.120 to create two 1.31±-acre building lots and one 9.74±-acre building lot. Each lot is to be improved by a single family dwelling, on-site wastewater treatment system and individual water supply well.

The project is shown on the following maps, plans, and reports (Project Plans):

- A one-sheet plan titled "Map of a Proposed Subdivision Lands to be Conveyed to Shawn McKenna," prepared by Darrah Land Surveying, PLLC, dated July 18, 2024 (Site Plan Map); and
- A one-sheet plan titled "On-Site Sewage Disposal System Typical Details-Notes-Test Pit Logs," prepared by Wales Engineering dated July 3, 2024, and last revised August 5, 2024 (On-Site Wastewater Treatment System Plans).

A reduced-scale copy of the Site Plan Map for the project is attached as a part of this permit for reference.

AGENCY JURISDICTION

Condition 14 of Agency Permit 2006-0134 states in part that prior to undertaking any further subdivisions or new land use or development on Lot 2, detailed site plans showing all proposed activities shall be submitted to the Agency for prior review and approval.

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 Hamilton 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 Project Plans 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 Permit 2006-0134 in relation to the project site. The terms and conditions of Permit 2006-0134 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 2006-0134A, issued October 15, 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 three-lot subdivision as depicted on the Site Plan Map. Any subdivision of the project site not depicted on the Site Plan shall require prior written Agency authorization.
7. Subject to the conditions stated herein, this permit authorizes the construction of three single family dwellings in the locations shown on the Site Plan Map.

The single family dwellings shall be no more than 40 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade. Any expansion beyond these dimensions shall require prior written Agency authorization.
8. The construction of any additional dwellings or other principal building on the project site not shown on the Site Plan Map shall require prior written Agency authorization.
9. Construction of any guest cottage on the project site shall require prior written Agency authorization.
10. Any on-site wastewater treatment system(s) on the project site installed within five years of the date of issuance of this permit shall be constructed in conformance with the location and design shown on the On-site Wastewater Treatment System Plan. Construction of the system shall be supervised by a New York State design professional (licensed engineer or registered architect). Within 30 days of complete system installation and prior to its utilization, the design professional shall provide written certification to the Agency that the system was built in compliance with the approved plans.

No on-site wastewater treatment system shall be installed on the project site more than five years after the date of issuance of this permit except pursuant to written authorization from the Agency.

11. 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.
12. Any new free-standing or building-mounted outdoor lights shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward NYS Route 30 or adjoining property.
13. All exterior building materials, including roof, siding and trim, of the dwellings shall be a dark shade of green, grey, or brown.
14. Outside of the limits of clearing shown on the Site Plan Map, within 50 feet of the centerline of NYS Route 30, no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned 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.

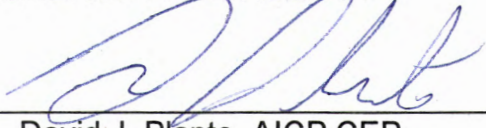
CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision/single family dwelling authorized as conditioned herein:

- a. will meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Indian Lake; and
- b. 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.

PERMIT issued this 15th day
of October, 2024.

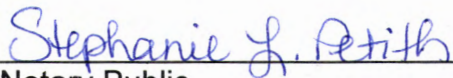
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 15th day of October 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

