


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 2006-0167B</p>
<p>In the Matter of the Application of</p> <p>RAJRE, LLC Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: October 12, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. RAJRE, LLC</p>

SUMMARY AND AUTHORIZATION

This permit authorizes construction of an airplane hangar in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map in the Town of Johnsburg, Warren County.

This authorization shall expire unless recorded in the Warren 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 Warren County Clerk's Office. The Agency will consider the project in existence when the airplane hangar 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 a 102.55±-acre parcel of land located on Airport Road in the Town of Johnsbury, Warren County, in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 66, Block 1, Parcel 49.1, and is described in a deed from Tall Timbers at North Creek, LLC and North Creek Aviation at Bennett's Field, LLC to RAJRE, LLC, dated July 20, 2022, and recorded August 26, 2022 in the Warren County Clerk's Office at Book 6680, Page 305.

The project site was created as "Parcel C" in a three-lot subdivision as authorized by Agency Permit 2006-0167.

PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of an airplane hangar in the vicinity of existing airplane hangars, serviced by the adjacent Bennett's Airport.

The project is shown on the following Project Plans:

- Un-titled and un-dated single-sheet site plan, prepared by Ryan Whitson, and received by the Agency on September 18, 2023 (Site Plan); and
- Un-titled and un-dated four-page structure plans, preparer unknown, and received by the Agency on September 6, 2023 (Structure Plans).

Copies of the Site Plan and Sheet 1 of the Structure Plans are attached as a part of this permit for reference.

AGENCY JURISDICTION

Condition 7 of Agency Permit 2006-0167 required a new or amended permit for any new land use or development on the 102.55±-acre lot.

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 Warren 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 2006-0167 in relation to the project site. The terms and conditions of Permit 2006-0167 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 2006-0167B, issued October 12, 2023, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. This permit authorizes the construction of an airplane hangar in the location shown on the Site Plans and with the dimensions shown on the Structure Plans. Any change to the location, dimensions, or other aspect of the airplane hangar shall require prior written Agency authorization.
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 airplane hangar shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward adjoining property.
9. The undertaking of any activity involving wetlands shall require a new or amended permit.

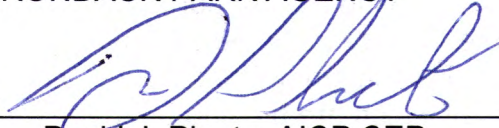
CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act and 9 NYCRR Part 574. The Agency hereby finds that the project 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 Johnsburg; 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.

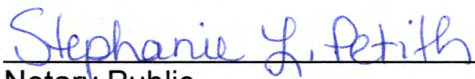
PERMIT issued this 12th day
of October, 2023.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 12th day of October 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.


Notary Public

Stephanie L. Petith
Notary Public, State of New York
Reg. No 01PE6279890
Qualified in Franklin County
Commission Expires April 15, 2025

Maps from <https://warrencountyny.maps.arcgis.com> on August 2, 2023

NEW YORK STATE OF OPPORTUNITY | Adirondack Park Agency
RECEIVED
Date: September 18, 2023

NEW YORK STATE OF OPPORTUNITY | Adirondack Park Agency
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NEW YORK
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RECEIVED
Date: September 6, 2023

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