


THIS IS A TWO-SIDED DOCUMENT

 <p><b>NEW YORK</b> STATE OF OPPORTUNITY.</p> <p><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>2011-0008C</b></p>
<p>In the Matter of the Application of</p> <p><b>LECLERC BUILDERS LLC</b> Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: July 25, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: <b>1. Leclerc Builders LLC</b></p>

**SUMMARY AND AUTHORIZATION**

This permit authorizes the construction of a single family dwelling in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of North Elba, 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 the authorized 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 a 10.41±-acre parcel of land located on Old Military Road (County Route 35) in the Town of North Elba County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 42.1, Block 3, Parcel 1.000, and is described in a deed from H. Thomas Connors and Adele P. Connors as Trustees of the H. Thomas Connors Family Trust and as Trustees of the Adele P. Connors Family Trust to Leclerc Builders LLC, dated January 29, 2024, and recorded February 2, 2024 in the Essex County Clerk's Office under Instrument Number 2024-352 and at Book 2152, Page 327.

The project site was created as "Lot 9" in an eight-lot subdivision as authorized by Agency Permit 2011-8.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves the construction of a single family dwelling, attached garage, patio, un-covered exterior stairs, and a covered outdoor deck with a total footprint of 5,410± square feet.

The project is shown on a one-sheet plan titled, "John & Sue Leclerc – New Residence," prepared by Architectural & Engineering Design Associates, P.C., dated June 27, 2024, and last revised July 15, 2024 (Site Plan Map).

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

## **AGENCY JURISDICTION**

Agency Permit 2011-8 required a permit from the Adirondack Park Agency pursuant to Section 809(2)(a) of the Adirondack Park Agency Act as a subdivision that resulted in the creation of five or more lots, parcels, or sites since May 22, 1973, in a Rural Use land use area in the Adirondack Park.

Condition 6 of Agency Permit 2011-8 authorized the construction of a single family dwelling on the project site not to exceed a footprint of 3,500 square feet including all covered and uncovered attached porches, decks, exterior stairs and accessory structures (such as an attached garage). This permit amends Condition 6 of Permit 2011-8.

## **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 Site Plan 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, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
4. This permit amends and supersedes Permit 2011-8 in relation to the project site. The terms and conditions of Permit 2011-8 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 2011-0008C, issued July 25, 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 the construction of one single family dwelling and attached garage on the project site in the location, footprint, and height shown and as described on the Site Plan Map. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.
7. The construction of any accessory structure on the project site outside of the limits of clearing shown on the Site Plan Map shall require prior written Agency authorization.
8. Construction of any guest cottage on the project site shall require prior written Agency approval.
9. Any on-site wastewater treatment system 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 as depicted on the Site Plan Map. 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.
10. 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.

11. 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 Old Military Road or adjoining property.
12. All exterior building materials, including roof, siding and trim, of any structure on the project site shall be a dark shade of green, grey, or brown.
13. Outside of the limits of clearing shown on the Site Plan Map, and within 100 feet of the centerline of Old Military Road, 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 1) an area up to 25 feet in width for driveway construction and utility installations, and 2) 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 project site at any time. The single family dwelling authorized herein constitutes a principal building.

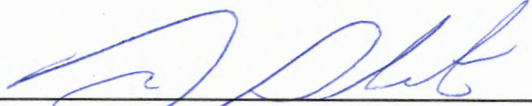
#### **CONCLUSIONS OF LAW**

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 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 land use area;
- c. will be consistent with the overall intensity guidelines for the Rural Use land use area;
- d. will comply with the shoreline restrictions of § 806 of the Adirondack Park Agency Act; and
- 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.

PERMIT issued this 25<sup>th</sup> day  
of July, 2024.

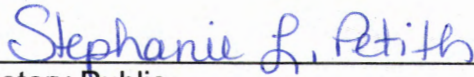
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK  
COUNTY OF ESSEX

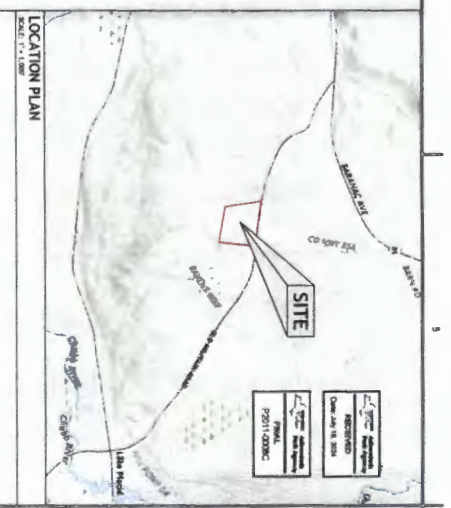
On the 25<sup>th</sup> day of July in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument 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



D1 SITE PLAN  
SCALE: 1" = 40'



**PLAN REFERENCE NOTE**

PROJECT FINANCING PROVIDED BY STATE OF NORTH CAROLINA THROUGH THE NORTH CAROLINA INVESTMENT BANKING CORPORATION (NCIBC). THE PROJECT IS FINANCED BY THE NCIBC THROUGH THE STATE OF NORTH CAROLINA. THE PROJECT IS FINANCED BY THE NCIBC THROUGH THE STATE OF NORTH CAROLINA. THE PROJECT IS FINANCED BY THE NCIBC THROUGH THE STATE OF NORTH CAROLINA. THE PROJECT IS FINANCED BY THE NCIBC THROUGH THE STATE OF NORTH CAROLINA.

**ZONING SCHEDULE**

DESCRIPTION	REQUIREMENTS	NOTES
<b>1-3</b> SINGLE-FAMILY RESIDENTIAL	3200 S.F. MINIMUM LOT AREA	RESIDENTIAL ZONING DISTRICTS
<b>2</b> SINGLE-FAMILY RESIDENTIAL	3200 S.F. MINIMUM LOT AREA	RESIDENTIAL ZONING DISTRICTS
<b>1-1.5</b> SINGLE-FAMILY RESIDENTIAL	3200 S.F. MINIMUM LOT AREA	RESIDENTIAL ZONING DISTRICTS
<b>1-2</b> SINGLE-FAMILY RESIDENTIAL	3200 S.F. MINIMUM LOT AREA	RESIDENTIAL ZONING DISTRICTS
<b>1-1</b> SINGLE-FAMILY RESIDENTIAL	3200 S.F. MINIMUM LOT AREA	RESIDENTIAL ZONING DISTRICTS
<b>1-4</b> SINGLE-FAMILY RESIDENTIAL	3200 S.F. MINIMUM LOT AREA	RESIDENTIAL ZONING DISTRICTS
<b>1-3.5</b> SINGLE-FAMILY RESIDENTIAL	3200 S.F. MINIMUM LOT AREA	RESIDENTIAL ZONING DISTRICTS

**SITE LIGHTING NOTE**

ALL NEW LIGHTING TO BE SPECIFIED, INSTALLED AND MAINTAINED BY THE CLIENT. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TOWN OF NORTH CAROLINA. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TOWN OF NORTH CAROLINA. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TOWN OF NORTH CAROLINA. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TOWN OF NORTH CAROLINA.

**REVISIONS**

NO.	DATE	DESCRIPTION
1	07-15-24	ISSUED FOR PERMITTING

**HATCH LEGEND**

- NEW PAVEMENT
- NEW CONCRETE RETAINMENT
- NEW BUILDING CONTIGUOUS
- NEW OPEN SPACE
- NEW ADDITIONAL STRUCTURE

**REVISION NOTES**

NOTE: ALL REVISIONS TO BE MADE BY THE CLIENT. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TOWN OF NORTH CAROLINA. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TOWN OF NORTH CAROLINA. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TOWN OF NORTH CAROLINA. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE TOWN OF NORTH CAROLINA.