


THIS IS A TWO-SIDED DOCUMENT

 <p>NEW YORK STATE OF OPPORTUNITY.</p> <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 2014-0181RB</p>
<p>In the Matter of the Application of</p> <p>CHRISTOPHER BULLIS and JOLENE BULLIS Permittees</p> <p>for a permit pursuant to §809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: May 11, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <ol style="list-style-type: none">1. Christopher Bullis2. Jolene Bullis

SUMMARY AND AUTHORIZATION

This permit authorizes a 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 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 Agency will consider the project in existence when the permit has been recorded.

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 3.37-acre parcel of land located on the west side of Elmer Brown Road in the Town of Northampton, Fulton County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as a portion of Tax Map Section 61.1, Block 4, Parcel 1, and is described in a deed from MGH

Estates LLC to Christopher Bullis and Jolene Bullis, dated June 17, 2022, and recorded June 24, 2022 in the Fulton County Clerk's Office as Instrument Number 2022-75419.

There are wetlands located 100± feet from the westerly property line of the 3.37-acre parcel, which then extend for several hundred feet toward Great Sacandaga Lake. The "Limits of Wetlands" are shown on the Site Plan referenced below. The wetlands consist of deciduous and coniferous forested, emergent marsh and scrub shrub covertypes.

The project site is improved by a partially-constructed single family dwelling and a fully-constructed driveway, on-site water supply (well), and accessory structure (shed).

The project site was created as "Lot 3" in an 11-lot subdivision known as the MGH Estates Subdivision, as authorized by Agency Permit 2014-0181R. The landowners of the project site have common access to Great Sacandaga Lake across Lot 7 of the MGH Estates Subdivision (Town of Northampton tax map number 61.1-4-2).

PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of a single family dwelling, driveway, on-site water supply (well), accessory structure (shed), and rain garden, and prospective construction of an on-site wastewater treatment system, underground utilities, and additional accessory structure (detached garage). The project also involves implementation of a stormwater management plan and planting plan.

The project is shown on the following maps, plans, and reports:

- One plan sheet titled "Site Plan, General Plan, GP-01" prepared by Quiri Engineering, stamped by Daniel Mark Quiri, PE, and last dated March 22, 2023 (Site Plan);
- Four plan sheets titled "Bullis Residence, Bordeau Builders, Inc.," prepared by DHC Drafting and Design LLC, stamped by William H. Smart, PE, and dated July 2022 (Dwelling Plans);
- Five plan sheets titled "Onsite Wastewater Treatment System Design, Chris Bullis, 130 Elmer Brown Road, Northville, NY 12134," prepared by Quiri Engineering, stamped by Daniel Mark Quiri, PE and last dated October 10, 2022 (Wastewater Plan); and
- A report titled "Stormwater Narrative for a Residential Site Plan at 130 Elmer Brown Road, Town of Northampton, NY," prepared by Empire Engineering PLLC, and dated January 18, 2023 (Stormwater Narrative).

A reduced-scale copy of the Site Plan for the project is attached as 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.

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 that results 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.

This permit amends Conditions 6, 12, 15, and 17 of Permit 2014-0181R.

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 Site Plan, Dwelling Plans, Wastewater Plan, and Stormwater Narrative 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 2014-0181R in relation to the project site. The terms and conditions of Permit 2014-0181R 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 2014-0181RB, issued May 11, 2023, 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 two accessory structures (shed and detached garage) on the project site in the locations, footprints, and heights shown and as described on the Site Plan and Dwelling Plans. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.

Each accessory structure shall be no more than 24 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade. As described in the Stormwater Narrative, the detached garage shall not exceed 480 square feet in footprint, including all attached porches, decks, exterior stairs, garages, and other attached structures. Any expansion beyond these dimensions shall require prior written Agency authorization.

7. The construction of any additional accessory structure on the project site shall require prior written Agency authorization.
8. 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 design shown on the Wastewater 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.

9. The project shall be undertaken in compliance with the Stormwater Narrative. Installation of the stormwater practices under the supervision of a licensed design professional. Within 30 days of complete stormwater practices installation, the design professional shall provide the Agency with written certification that the stormwater practices were built in compliance with the Stormwater Narrative.
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 Great Sacandaga Lake, Elmer Brown Road, or adjoining property.
12. All exterior building materials, including roof, siding and trim, of the dwelling and accessory structures 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, no trees, shrubs or other 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.

14. All trees and shrubs depicted on the Site Plan shall be planted no later than the first spring or fall planting season after final grading related to the construction of the single family dwelling on the project site. Trees and shrubs that do not survive shall be replaced annually until established in a healthy growing condition.
15. The undertaking of any activity involving wetlands shall require a new or amended permit.
16. 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

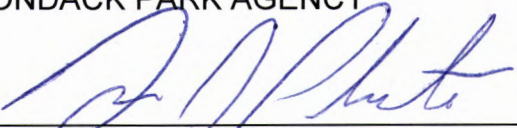
The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision authorized as conditioned herein:

- 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;
- 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 11th day
of May, 2023.

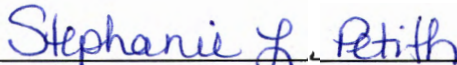
ADIRONDACK PARK AGENCY

BY: _____

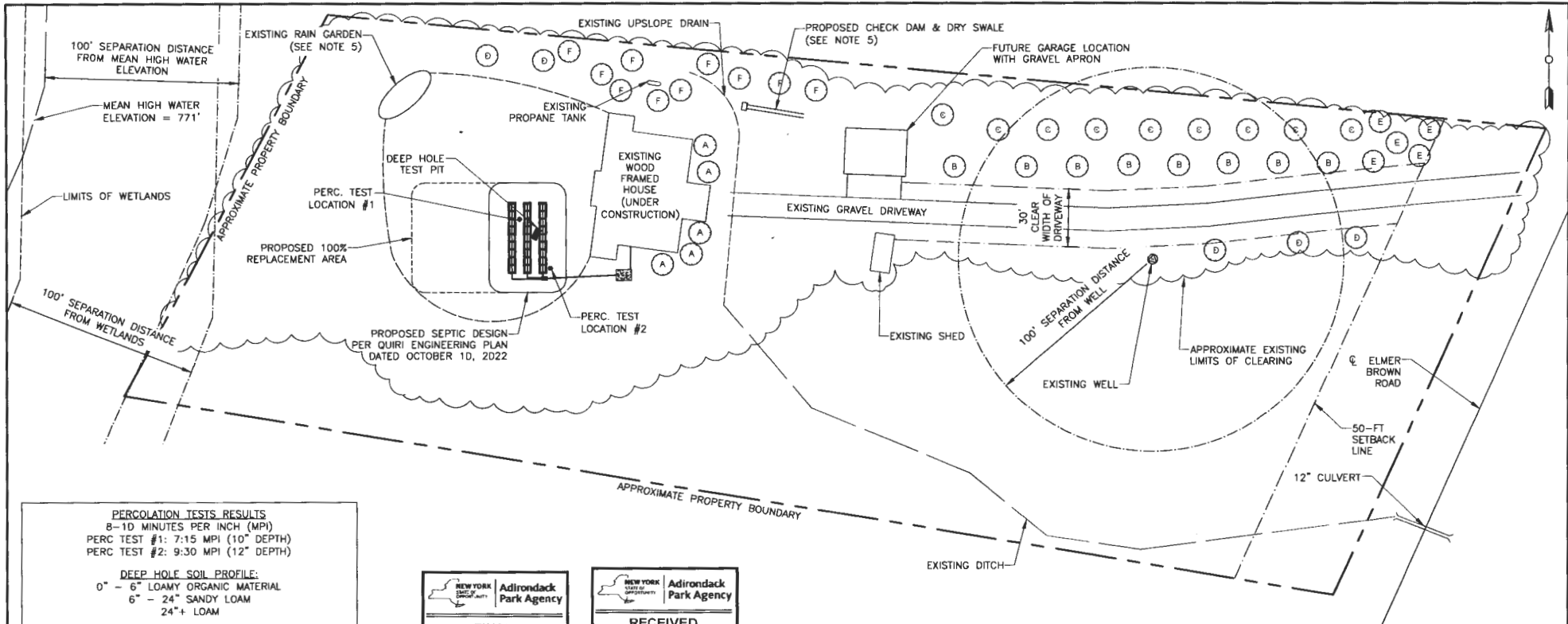

David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 11th day of May 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



PERCOLATION TESTS RESULTS
 8-10 MINUTES PER INCH (MPI)
 PERC TEST #1: 7:15 MPI (10" DEPTH)
 PERC TEST #2: 9:30 MPI (12" DEPTH)

DEEP HOLE SOIL PROFILE:
 0" - 6" LOAMY ORGANIC MATERIAL
 6" - 24" SANDY LOAM
 24"+ LOAM

MOTTLING WAS FOUND AT A 24" DEPTH AND ROOTS WERE OBSERVED TO 20", SUGGESTING THE SEASONAL HIGH WATER IS AT A DEPTH OF 24". A SHALLOW ABSORPTION TRENCH SYSTEM IS RECOMMENDED.

NEW YORK STATE
Adirondack Park Agency
FINAL
P2014-0181RB

NEW YORK STATE
Adirondack Park Agency
RECEIVED
Date: March 22, 2023

GENERAL NOTES:

1. WETLAND AND MEAN HIGH WATER ELEVATION INFORMATION IS REFERENCED TO PROPOSED SUBDIVISION PLAN: APA PROJECT NO. 2014-181 - MGH ESTATES, LLC DATED 9/28/17.
2. TAPE SURVEY CONDUCTED BY ENGINEER ON MARCH 2, 2023.
3. PROPOSED SEPTIC SYSTEM COMPONENTS SHALL CONFORM TO MINIMUM SEPARATION DISTANCES AS SPECIFIED IN TABLE 1 OF THE QUIRI ENGINEERING SEPTIC PLAN DATED OCTOBER 10, 2022.
4. PRIMARY ABSORPTION FIELD AND 100% REPLACEMENT AREA SHALL BE PLACED A MINIMUM OF 100-FT FROM WETLANDS AND THE MEAN HIGH WATER ELEVATION.
5. SEE EMPIRE ENGINEERING MAP DR-1 FOR DETAILS REGARDING PROPOSED DRAINAGE.



TREE SCHEDULE					
SYMBOL	BOTANICAL NAME	COMMON NAME	TYPE	SIZE	QUANTITY
A	AMELANCHIER ARBOREA	SERVICEBERRY	ORNAMENTAL / DECIDUOUS TREE	4-6 FT	5
B	ACER RUBRUM X FREEMANII	MAPLE AUTUMN BLAZE RED	ORNAMENTAL / DECIDUOUS TREE	4-6 FT	8
C	ACER SACARUM	MAPLE SUGAR 2 TO 2.5"	ORNAMENTAL / DECIDUOUS TREE	4-6 FT	9
D	ACER RUBRUM	MAPLE RED, OCTOBER GLORY	ORNAMENTAL / DECIDUOUS TREE	4-6 FT	5
E	PICEA GLAUCA	WHITE SPRUCE	EVERGREENS	4-6 FT	5
F	THUJA OCCIDENTALIS	ARBORVITAE	EVERGREENS	5-6 FT	10

PREPARED BY: DANIEL MARK QUIRI, P.E.
 ON MARCH 22, 2023



IT IS A VIOLATION OF NEW YORK STATE EDUCATION LAW FOR ANY PERSON TO ALTER THESE PLANS, SPECIFICATIONS OR REPORTS IN ANY WAY UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL (ARCHITECT, ENGINEER, LANDSCAPE ARCHITECT, SURVEYOR)

01	1/10/23	RAIN GARDEN ADDED	DMQ
02	3/05/23	APA SECOND AMENDED PERMIT INFO REQUEST	DMQ
03	3/20/23	APA THIRD AMENDED PERMIT INFO REQUEST	DMQ
REV	DATE	DESCRIPTION	BY

CLIENT: CHRIS BULLIS
 ADDRESS: 130 ELMER BROWN ROAD
 NORTHVILLE, NY 12134
 TAX PARCEL 61.1-4-1 LOT 3
 TOWN: NORTHAMPTON COUNTY: FULTON

DESIGNED BY: DMQ
 PROJECT INFO: 22-026_ELMERBROWN
 SCALE: 1" = 50'
 DATE: MARCH 22, 2023

GENERAL PLAN
GP-01
 SHEET NO. 1 OF 1