


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 2020-0213</p>
<p>In the Matter of the Application of</p> <p>THOMAS P. LOONIE AND AMY WEN Permittees</p> <p>for a permit pursuant to 9 NYCRR Part 578</p>	<p>Date Issued: August 15, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Thomas P. Loonie 2. Amy Wen</p>

SUMMARY AND AUTHORIZATION

This permit authorizes installation of an on-site wastewater treatment system involving wetlands in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Chester, 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 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 0.596 acres of land located on Birchwood Drive in the Town of Chester, Warren County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 86.13, Block 2, Parcel 20 (the project site), and is described as a portion of a deed from Lawrence C. Canro to Thomas P. Loonie and Amy Wen, dated March 2, 2018, and recorded in the Warren County Clerk's Office under Book 5718, Page 3.

The project site contains shoreline on Loon Lake and consists of coniferous swamp and deep water marsh covertypes with a value rating of "3". Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The project site is "Lot 14" in Agency pre-existing subdivision PES-0116.

PROJECT DESCRIPTION

The project as conditionally approved herein involves installation of an on-site wastewater treatment system on the project site.

The project is described and depicted on the following maps, plans, and reports: "Loonie Property Site Plan," in four sheets prepared by Winchip Engineering, PC, dated February 13, 2023, and received by the Agency on April 19, 2023 (Site Plans). A reduced-scale copy of Sheet 1 of the Site Plans for the project is attached as a part of this permit for reference.

AGENCY JURISDICTION

Pursuant to Adirondack Park Agency regulations at 9 NYCRR § 578.2, a permit is required from the Adirondack Park Agency prior to the establishment of the absorption field of any on-site wastewater treatment system within 100 feet of any wetland in the Adirondack Park.

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 the Site 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. 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 2020-0213, issued August 15, 2023, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. 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 Site Plans. 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.
6. Prior to any soil disturbance, the "Proposed Silt Fence" shall be installed on the project site as depicted and described on the Site Plans.
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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.
8. Any increase in the total number of bedrooms in any structure(s) on the project site, shall require prior Agency review and approval.
9. The undertaking of any activity involving wetlands not authorized herein 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 Freshwater Wetlands Act and 9 NYCRR Part 578. 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 Chester;
- 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;
- c. 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
- d. will result in the minimum possible degradation or destruction of any part of the wetland or its associated values, is the only alternative which reasonably can accomplish the applicant's objectives, and will, weighing the benefits of the activity against its cost and the wetland values lost, provide a net social and/or economic gain to the community.

PERMIT issued this 15th day of August, 2023.

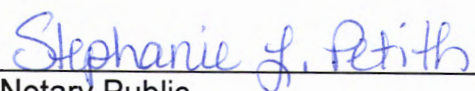
ADIRONDACK PARK AGENCY

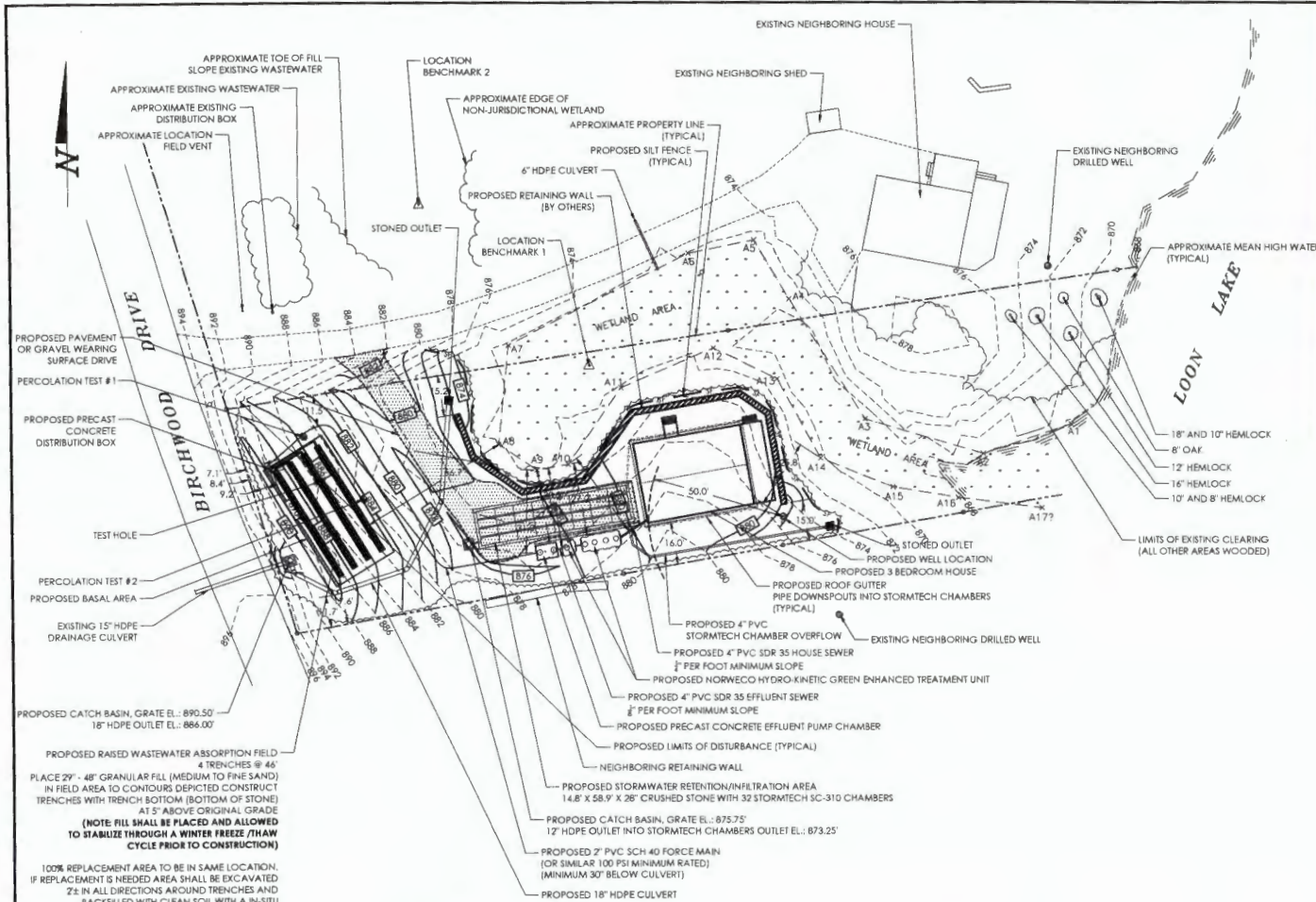
BY: 
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 15th day of August 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.

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


Notary Public



LOCATION MAP
1" = 1000'±



RECEIVED
Date: April 19, 2023



FINAL
P2020-0213

NOT FOR CONSTRUCTION
PRELIMINARY
FOR REVIEW AND APPROVAL ONLY

SITE PLAN
1" = 20'

100% REPLACEMENT AREA TO BE IN SAME LOCATION. IF REPLACEMENT IS NEEDED AREA SHALL BE EXCAVATED 2: IN ALL DIRECTIONS AROUND TRENCHES AND BACKFILLED WITH CLEAN SOIL WITH AN IN-SITU PERCOLATION RATE OF 17/3 MINUTES TO 17/10 MINUTES. REPLACEMENT TRENCHES SHALL BE CONSTRUCTED IN SAME MANNER AS ORIGINALLY PROPOSED TRENCHES, INCLUDING STABILIZATION PERIOD

PROPOSED VARIANCE SCHEDULE				
SETBACK	REQUIRED DISTANCE	PROPOSED DISTANCE	PROPOSED VARIANCE	
			DISTANCE	PERCENT
PROPOSED HOUSE SEWER TO WETLAND*	50'	33.3'	16.7'	33.4%
PROPOSED SEPTIC TANK TO WETLAND	50'	27.2'	22.8'	45.6%
PROPOSED EFFLUENT SEWER TO WETLAND	50'	30.3'	19.7'	39.4%
PROPOSED PUMP CHAMBER TO WETLAND	50'	27.7'	22.3'	44.6%
PROPOSED FORCE MAIN TO WETLAND	50'	31.0'	19.0'	38.0%
PROPOSED WASTEWATER ABSORPTION FIELD TO WETLAND	100'	56.7'	43.3'	43.3%
PROPOSED WASTEWATER ABSORPTION FIELD TO WEST PROPERTY LINE	10'	9.2'	0.8'	8.0%
PROPOSED D-BOX TO WEST PROPERTY LINE	10'	8.4'	1.6'	16.0%
PROPOSED FORCE MAIN TO WEST PROPERTY LINE	10'	7.1'	2.9'	29.0%
SLOPE OF AREA FOR PROPOSED WASTEWATER ABSORPTION FIELD	15%	23.4%	8.4%	56.0%

NO.	REVISIONS	DATE	BY	CHK'D BY
1	PRELIMINARY TO LOCAL BOARD OF HEALTH	02-13-23	BWW	BWW
2	REVISED PER INZ DOH, SUBMITTED FOR SPECIFIC WAIVER	01-26-23	BWW	BWW
3	REVISED PER AIA/MPA DATED 02-09-23, LOCAL BOARD OF HEALTH FILING	07-27-23	ZNAM	BWW
4	REVISED PER AIA/MPA DATED 12-18-23, SHOW IF CULVERT	01-21-23	ZNAM	BWW
5	ADD EXISTING WASTEWATER, APPROXIMATE EDGE OF WETLAND	24-05-21	ZNAM	BWW
6	REVISE HOUSE PER CLIENT	08-30-20	ZNAM	BWW
7	REVISE HOUSE PER CLIENT	08-19-20	ZNAM	BWW
8	PRELIMINARY	08-17-20	ZNAM	BWW
9	DESCRIPTION	DATE	BY	CHK'D BY

NOTE: I, a duly qualified Professional Engineer, certify that I have prepared the drawings and specifications herein, and that I am a duly licensed Professional Engineer in the State of New York. I have not been convicted of a crime involving moral turpitude, and I have not been disciplined by the Board of Professional Engineers in the State of New York. I have not been convicted of a crime involving moral turpitude, and I have not been disciplined by the Board of Professional Engineers in the State of New York.



PROJECT: LOONIE PROPERTY
SITE PLAN
TOWN OF CHESTER, WARREN COUNTY, NY

WINCHIP ENGINEERING INC. P.O. Box 116, 36 Cougar Lane, Chestertown, New York 12817
Phone: (518) 494-2555 Fax: (518) 494-2566

PROJECT NO: 20-002
DATE: 08-17-20
SHEET NO. 1 OF 4
TAX MAP #06.13-2-20
DWN BY: INM
CHK'D BY: BWW
DATE: 08-17-20
ST-001

DATE: 02-13-23