


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 2020-0269</p>
<p>In the Matter of the Application of</p> <p>DAVID KALTENBACH ANDREW KALTENBACH Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: March 21, 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. David Kaltenbach2. Andrew Kaltenbach

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision and construction of a single family dwelling in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Forestport, Oneida County.

This authorization shall expire unless recorded in the Oneida 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 County Clerk's Office. The Agency will consider the project in existence when an authorized lot has been conveyed to an outside party.

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 2.591-acre parcel of land located on Long Lake Road in the Town of Forestport, Oneida 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 8.003, Block 1, Parcel 1.2, and is described in a deed from David Kaltenbach, Joseph P. Kaltenbach and Andrew C. Kaltenbach to David Kaltenbach and Andrew C. Kaltenbach, dated October 7, 2014, and recorded October 9, 2014 in the Oneida County Clerk's Office under Instrument Number 2014-014441.

The project site is improved by a pre-existing single family dwelling and associated accessory structures.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision creating a 1.982-acre shoreline parcel containing existing development (Lot 1) and a 0.609-acre non-shoreline parcel to be improved by a single family dwelling and related development (Lot 2).

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

- A map titled "Survey Map Showing Site Plan David & Andrew Kaltenbach," prepared by Duane C. Frymire, LS, dated December 11, 2020, last revised January 9, 2021 (Survey Map); and
- A four-sheet plan set titled "Kaltenbach – Long Lake Road," prepared by Kenneth J. Roberts, PE, dated 1-2023, stamped by the engineer 2-27-23 (Septic Plan).

A reduced-scale copy of Drawing Number 4 of 4 of the Septic Plan for the project (Site Plan) is attached as a part of this permit for reference.

AGENCY JURISDICTION

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 Moderate Intensity Use lands that results in the creation of a non-shoreline lot smaller than 0.92 acres in size 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 Oneida 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 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 2020-0269, issued March 21, 2023, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. Subject to the conditions stated herein, this permit authorizes a two-lot subdivision as depicted on the Survey Map. Any subdivision of the project site not shown on the Survey Map shall require prior written Agency authorization.
6. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling on Lot 2 in the location and footprint shown on the Site Plan. The single family dwelling 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 change to the location or dimensions of any authorized structure shall require prior written Agency authorization.
7. Construction of any guest cottage on Lot 2 shall require prior written Agency approval.
8. Any boathouse constructed on lot 1 must be used only for the storage of boats and associated equipment, not contain sanitary plumbing of any kind, not exceed a single story in that the roof rafters rest on the top plate of the first floor wall, and have a footprint of 1200 square feet or less and a height of fifteen feet or less.
9. Any dock constructed on Lot 1 must be a floating or fixed structure no more than eight feet in width, including at its attachment to a shoreline or boathouse, and must be used for securing and/or loading or unloading water craft and/or for swimming or water recreation. Any supporting structure established to hoist or suspend the dock above water level for storage must be no greater than 100 square feet in size, including all parts. A dock stored above water level must remain parallel with the water, unless the dock and supporting structure combined measure less than 100 square feet in size.
10. No structures greater than 100 square feet in size shall be constructed on Lot 1 within 50 feet, measured horizontally, of the mean high water mark of Long Lake. Boathouses and docks, as defined under 9 NYCRR § 570.3 are excepted from this requirement.
11. Any on-site wastewater treatment system on Lot 2 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 Septic 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 Lot 2 more than five years after the date of issuance of this permit except pursuant to written authorization from the Agency.

12. 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.
13. 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 Long Lake, Long Lake Road or adjoining property.
14. Within 50 feet of the centerline of Long Lake Road no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed on Lot 2 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.
15. There shall be no principal buildings located on Lot 1 other than the pre-existing single family dwelling or any replacement structure for this dwelling as allowed by Agency regulations.
16. There shall be no more than one principal building located on Lot 2. The the 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 authorized as conditioned herein:

- a. will be consistent with the land use and development plan;
- b. will be compatible with Moderate Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Moderate Intensity 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 21st day
of March, 2023.

ADIRONDACK PARK AGENCY

BY: 
John M. Burth
Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK
COUNTY OF ESSEX

On the 21st day of March in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, 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

Test Pit #1
 Date: January 6, 2021
 Mapped Soil Series: Becklet - Sherry
 Distance to nearest jurisdictional wetland > 100'
 Distance to nearest existing or proposed well > 100'
 Depth to Seasonal High Groundwater Table = 27'
 Depth to bedrock = 48'
 Slope = 8%
 Acceptable System: Conventional Shallow Absorption

Horizon	Depth (inches)	USDA Texture	Munsell Color	Redoxymorphic Features
O/A	0-8	Fine sandy loam	10YR 2/2, very dark brown	No
Bs	8-24	Loam	10YR 3/4, dark yellowish brown	No
BC	24-28	Fine sandy loam	10YR 4/3, brown	Yes @ 27' (10YR 6/1, gray depletions; 2.5YR 3/3, dark yellowish brown concentrations)
C	28-48+	Sand	10YR 4/2, dark grayish brown	Yes

Notes: Test Pit #1 was conducted in the approximate location shown on the attached map. Bedrock was encountered at a depth of 48'. Agency standards for installation of a shallow absorption system require a minimum vertical separation of 48" between trench bottoms and bedrock.

SYSTEM INSTALLATION/CONSTRUCTION NOTES:

- Roof gutters, footing drains, floor drains, garage floor drains, cellar drains, etc. shall not be connected to this system.
- Damage gratings/drainage are not allowed into this system.
- Do not dispose of any flammable products, condense, wet systems, flush (from the "habitable" area) into the septic system.
- Coordinate with any fireplaces, hot water radiators and their drains are not allowed into the septic system.
- This system shall not be constructed on frozen ground.
- Final grade system and site for storm drainage away from the system.
- All pipes or conduits to be abandoned (if/when applicable) shall have their ends capped or plugged.
- Prior to construction, the contractor shall be responsible for locating, marking and protecting all underground and overhead utilities in the project area.
- All disturbed turf areas shall be graded and seeded.
- The septic system area is not for storage and is not for parking lot overflow. No large vehicles or heavy equipment is allowed in the septic system area.
- The contractor shall be responsible at all times for carrying out this project in a safe and prudent manner so that all people and property will be protected from harm. This includes all excavations left open overnight or during non-work days.
- The contractor shall insure that all local, state and federal codes, rules and regulations are followed and all required permits and/or approvals are obtained.
- The contractor shall provide an As-Built drawing upon completing the work.

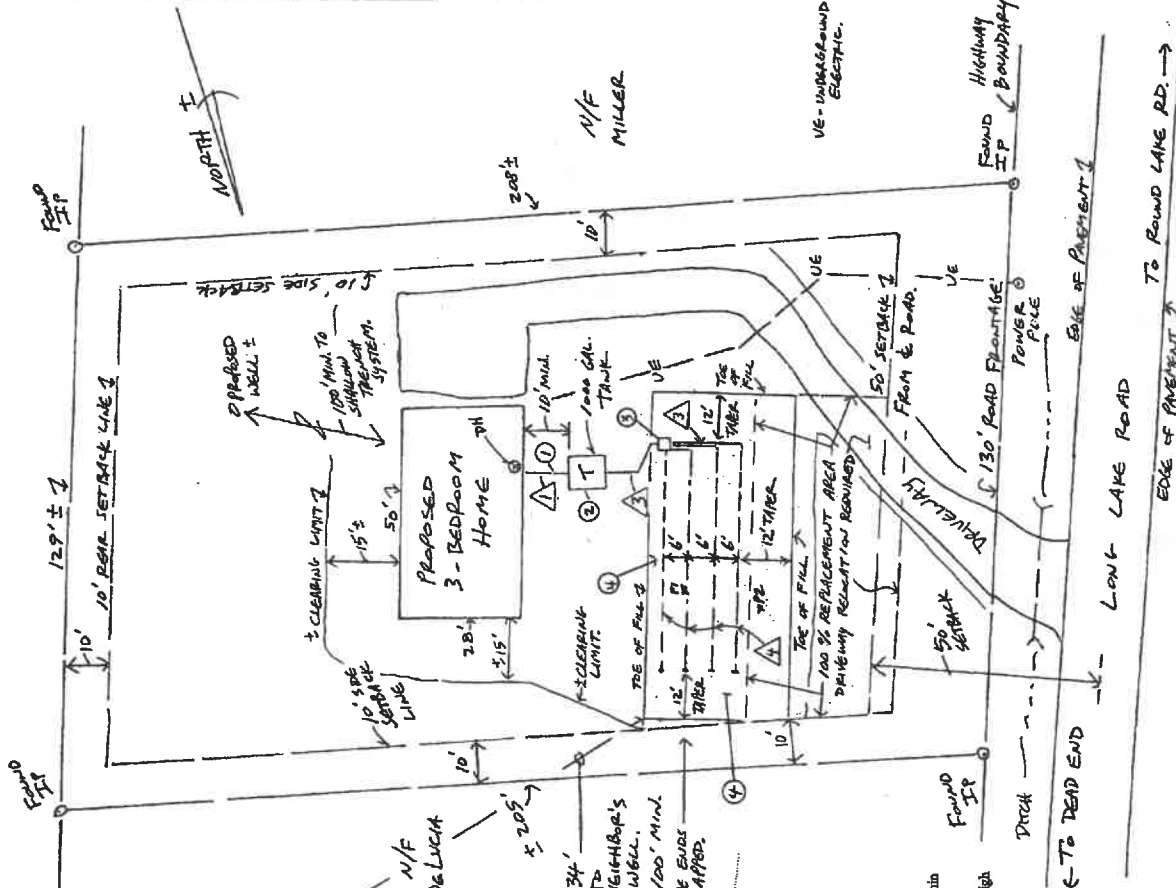
WARNING:
 THE STATE OF NEW YORK HAS A STATE EDUCATION LAW AND REGULATION WHICH REQUIRE THE PREPARATION OF A LICENSED PROFESSIONAL ENGINEER'S SEAL AND SIGNATURE ON ALL PLANS AND SPECIFICATIONS. THESE PLANS ARE REQUIRED, THE SIGNATURES SHALL BE MAILED IN ACCORDANCE WITH ARTICLE 14-A, SECTION 1702.1 OF THE NEW YORK STATE EDUCATION LAW.

Roberts Engineering, PLLC
 Kenneth J. Roberts, PE
 9753 River Rd
 Marcy, NY 13403



Phone: (315) 794-5339
 Email: robertsengineering@twentytr.com
 1/12/21 12-27-23

SCALE: As Shown	APPROVED BY:
DATE: 1-20-23	DRAWN BY: KJR
KALLENBACH - LONG LAKE RD.	
THREESTOP, ONEIDA Co.	
DRAWING NUMBER: 4 OF 4	



SKETCH PLAN VIEW
 SCALE: 1" = 20'
 SEE ATTACHED SHEETS FOR SYSTEM COMPONENTS.
 SEE PIPE N/Fs ON THIS SHEET.

- PIPE LEGEND:**
- 4" diam. solid Schedule 40 PVC at 2% slope
 - 4" diam. solid PVC ASTM 2728, 30008 at 1% slope
 - 4" diam. solid PVC ASTM 2728, 30008 at variable slope
 - 4" diam. perforated PVC ASTM 2729, 30008, set level

NOTE:
 - The proposed septic absorption system is to be constructed as a shallow trench system as shown on sheet 3 of 4.
 - The electrical supply to the proposed home is to be underground from the existing utility pole as shown on the plan view sheet 4 of 4.

NOTE:
 - The proposed shallow absorption trench system shown is located within 50' of the deep hole test and 100' minimum from all wells, wetlands and waterbodies.
 - A minimum of 2' of usable soil above bedrock and above seasonal high groundwater is to be provided.

NOTES:
 To the best of my knowledge, these plans conform to all methods, codes, rules and regulations contained in the State Instrumentation Code, including the Engineering Code, as enforced by New York State, effective 1/1/2020. All federal, state and/or local codes govern over drawings.