

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 2021-0234A</p>
<p>In the Matter of the Application of</p> <p>PASTORE RENTAL EQUIPMENT, INC Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: November 15, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Pastore Rental Equipment, Inc.</p>

SUMMARY AND AUTHORIZATION

This permit authorizes the construction of a 4,000±-square foot pole barn associated with a commercial use in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Fort Ann, Washington County.

This authorization shall expire unless recorded in the Washington 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 Washington 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 a 2.38-acre parcel of land located on Crawford Lane in the Town of Fort Ann, Washington 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 119, Block 2, Parcel 43, and is described in a deed from Three Horse Properties, LLC to Pastore Rental Equipment, INC., dated December 16, 2021, and recorded December 22, 2021, in the Washington County Clerk's Office under Instrument Number 2021-7935.

The project site is improved by an existing 5,672±-square foot commercial use garage/store front for equipment rentals and repairs as authorized by Agency Permit 2021-0234.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the construction of a 4,000±-square foot pole barn associated with the existing commercial use.

The project is shown and described on Page 3 of the four-page Permit Amendment Request application received by the Agency on November 4, 2024 (Site Plan). A copy of the Site Plan for the project is attached as a part of this permit for reference.

AGENCY JURISDICTION

The existing commercial use required a permit pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, as a permit is required from the Adirondack Park Agency prior to the establishment of any commercial use on Moderate Intensity Use lands in the Adirondack Park.

This permit amends Condition 6 of Permit 2021-0234.

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 Washington 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, for as long as the commercial use continues on the site. 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].


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 be consistent with the land use and development plan;
- b. will be compatible with the character description and purposes, policies, and objectives of the 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.

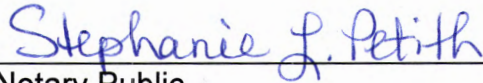
PERMIT issued this 15th day of November, 2024.

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 November in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared David 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.

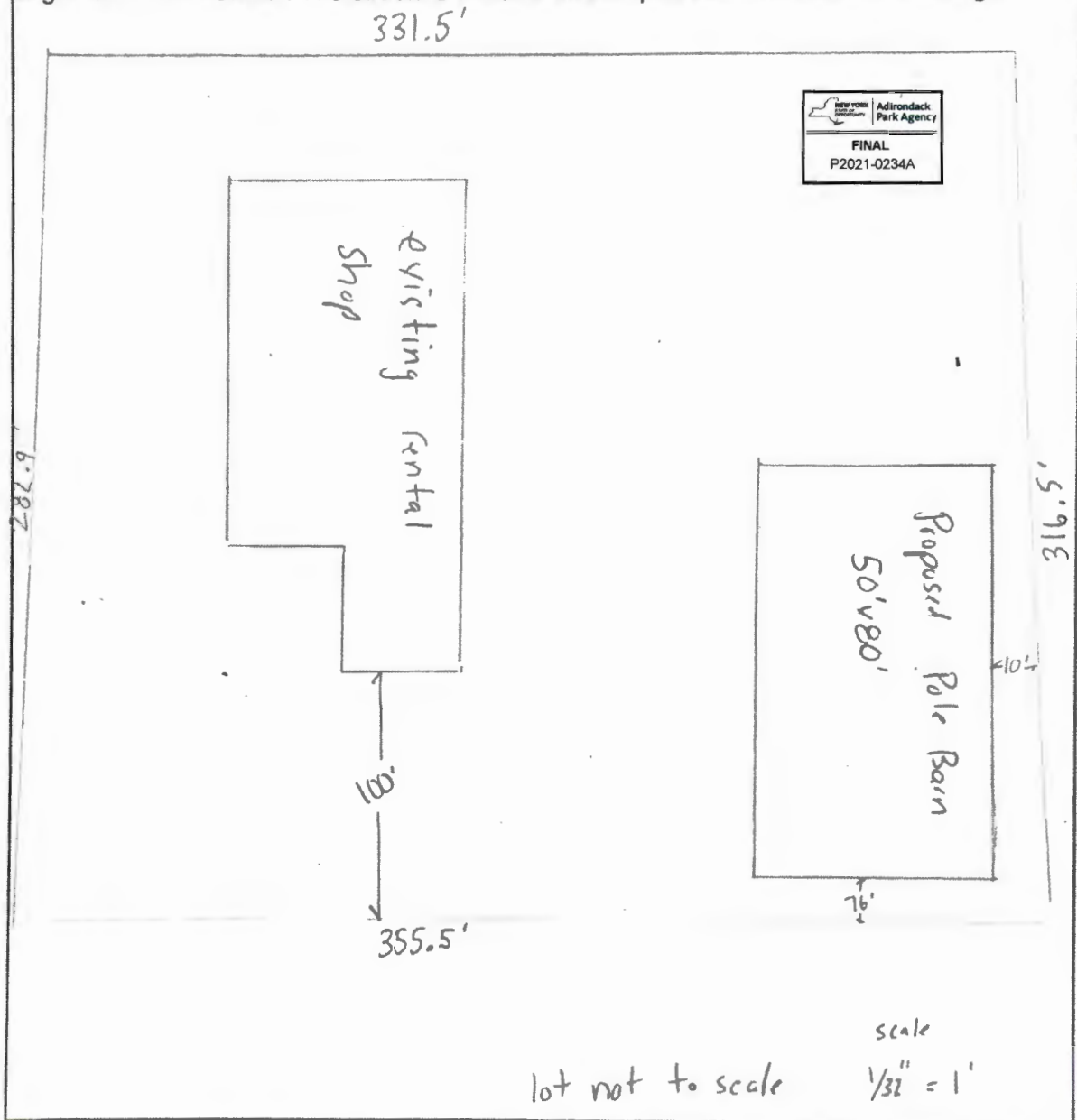

Notary Public

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

4. This permit amends and supersedes Permit 2021-0234 in relation to the project site. The terms and conditions of Permit 2021-0234 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 2021-0234A, issued November 15, 2024, 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 a 4,000±-square foot pole barn that is no more than 30 feet in height in the location shown and as depicted on the Site Plan. Any change to the location, dimensions, or other aspect of the commercial use pole barn shall require prior written Agency authorization.
7. The commercial use shall only operate between 8am and 7pm Monday through Friday, and between 8am and 3pm Saturday and Sunday.
8. 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.
9. Any new free-standing or building-mounted outdoor lights associated with the commercial use on the project site shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Crawford Lane or adjoining property.
10. All signs associated with the commercial use on the project site shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3].
11. There shall be no more than two principal building(s) located on the project site at any time. The existing garage/store front constitutes a principal building and the pole barn authorized herein constitutes a principal building.

9. Identify the specific term(s) or condition(s) in the permit that you request to be changed. Describe in detail why and how you want the permit to be amended and provide supporting site plans, construction details and documents, including proposals to avoid or mitigate potential impacts.

We are currently in the process of completing a building permit for the Town of Fort Ann. At 23 Crawford Lane Fort Ann NY there is one permanent steel building that our business is currently run out of. We would like to put a pole barn up for cold storage of our equipment/attachments to get out of the weather. The structure will be a 50'x80' pole barn with concrete footings.



10. Please provide a site plan map or subdivision map that is drawn to-scale and labeled with the map scale, north arrow, date of preparation, and name of preparer. The map must depict all existing and proposed development and/or subdivision.