


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 2022-0059</p>
<p>In the Matter of the Application of</p> <p>LAKE PLEASANT REALTY, LLC Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: September 28, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Lake Pleasant Realty, LLC</p>

SUMMARY AND AUTHORIZATION

This permit authorizes expansion of a commercial use boat storage facility in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Lake Pleasant, Hamilton County.

This authorization shall expire unless recorded in the Hamilton 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 Hamilton County Clerk's Office. The Agency will consider the project in existence when one of the authorized boat storage structures 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 an approximately 8-acre parcel of land located on NYS Route 8 in the Town of Lake Pleasant, Hamilton 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 113.017, Block 1, Parcel 15, and is described in a deed from Thomas H. Dorr to Lake Pleasant Realty, LLC, dated November 7, 2001, and recorded November 20, 2001 in the Hamilton County Clerk's Office at Book 225, Page 285.

The project site is partially located within the NYS Route 8 Highway Critical Environmental Area. The project site also contains wetlands along the northern property boundary. Additional wetlands not described herein or depicted on the Site Plan may be located adjacent to the project site.

The project site was created by subdivision pursuant to Agency Permit 82-7 and is improved by an existing single family dwelling and a 9,000-square-foot boat storage building authorized by Agency permits 2003-0245 and 2003-0245A. A pre-existing commercial use building has been demolished and will be replaced on the project site by one of the boat storage structures authorized herein.

PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of two 11,900-square-foot boat storage structures each with an overall height of 47 feet, 9.75 inches. The structures will be located behind an existing 9,000-square-foot boat storage structure.

Existing access to the project site is from NYS Route 8.

The project is shown on the following Project Plans:

- A 12-sheet set of plans titled "Lake Pleasant Marine," prepared by CLA Site, and last revised August 10, 2023 (Site Plans);
- 11 technical construction drawings for the authorized boat storage buildings received by the Agency August 14, 2023 (Construction Drawings); and
- A Stormwater Pollution Prevention Plan title "Lake Pleasant Marine," prepared by CLA Site, and dated August 2023.

A reduced-scale copy of the Layout & Utility Plan for the project, shown on Sheet C-100, 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 the expansion by more than 25% of any commercial use on Rural Use lands 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 the construction of any structure in excess of 40 feet in height on Rural Use lands 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 Hamilton 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 structures remain on the site. Copies of this permit and the Project 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. This Permit amends and supersedes permits 82-7, 2003-0245 and 2003-0245A. The terms and conditions of permits 82-7, 2003-0245 and 2003-0245A 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 2022-0059, issued September 28, 2023, 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 two commercial use boat storage structures in the location shown and as depicted on the Project Plans. Any change to the location, dimensions, or other aspect of the commercial use boat storage structures or site conditions shall require prior written Agency authorization.
7. Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, the undertaking of any new land use or development not authorized herein on the project site within 150 feet of the right-of-way of NYS Route 8 will require a new or amended permit. The undertaking of any activity involving wetlands also requires a new or amended permit.
8. Any replacement or expansion of the existing on-site wastewater treatment system associated with the single family dwelling on the project site shall require prior written Agency authorization.
9. The project shall be undertaken in compliance with the Stormwater Pollution Prevention Plan.

10. The project shall be undertaken in compliance with the Grading, Erosion and Sediment Control Plan shown on Sheet C-200 of the Site Plans.
11. 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.
12. All exterior building materials, including siding, doors and trim, of the commercial use boat storage structures authorized herein shall be a dark shade of green, grey, or brown.
13. Any new free-standing or building-mounted outdoor lights associated with the commercial use boat storage facility 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 NYS Route 8 or adjoining property.
14. Any new signs associated with the commercial use boat storage facility on the project site shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3].
15. Outside of the construction/grading limit line shown on the Site Plans, no trees, shrubs, or other woody stemmed vegetation may be cut, 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.
16. All trees and other vegetation depicted on the Planting Plan shown on Sheet C-300 of the Site Plans shall be planted and maintained as described in the Planting Plan.
17. There shall be no more than three principal buildings located on the project site at any time. The existing single family dwelling constructed in 1975 constitutes a principal building. Each 11,000 square feet of commercial use boat storage constitutes a principal building. Prior to the construction of the second commercial use boat storage structure, the existing single family dwelling constructed in 1975 shall be removed from the project site as shown on the project plans.

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 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 28th day of September, 2023.

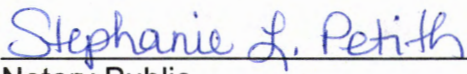
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 28th day of September 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

PARCEL INFORMATION:
 SECTION: 113.017
 BLOCK: 13.300
 PARCEL AREA: 8.82 AC
 OWNER: LAKE PLEASANT REALTY, LLC
 ZONING: BUSINESS RESIDENTIAL

LAYOUT STATISTICS:
 TREE CLEARING: 2.73 AC
 AREA OF DISTURBANCE: 4.86 AC
 SOIL GROUP: C-704
 PROPOSED IMPERVIOUS AREA: 1,938 ± AC

113.017-1-28
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Lake Pleasant Marine
 Town of Lake Pleasant,
 Hamilton County, New York
 Layout & Utility Plan

Date	Revision	Drawn
08/24/23	001	SEM
	002	SEM
	003	SEM

Copyright 2023, C.A. Hill Landscape Architecture, Engineering, & Planning
 113.017-1-28
 Unincorporated Additions to This Document As Per Article 145 And 147

Drawn By: SEM
 Project No: 340-965
 Date: 8/10/2023
 Checked By: PAL

C-100

