


THIS IS A TWO-SIDED DOCUMENT

 <p><b>NEW YORK</b> STATE OF OPPORTUNITY.</p> <p><b>Adirondack Park Agency</b></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 <b>2022-0091</b></p>
<p>In the Matter of the Application of</p> <p><b>TODD HOLLROCK KESTER HOLLROCK Permittees</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: June 8, 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"><li><b>1. Todd Hollrock</b></li><li><b>2. Kester Hollrock</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes a four-lot subdivision and construction of four single family dwellings in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Harrietstown, Franklin County.

This authorization shall expire unless recorded in the Franklin 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 Franklin 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 18±-acre parcel of land located on the south side of Kiwassa Lake Road in the Town of Harrietstown, Franklin County, in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 457, Block 4, Parcel 24.100, and is described in a deed from Todd Holrock and Brad Hollrock to Todd Hollrock and Kester Hollrock, dated November 5, 2021, and recorded November 12, 2021 in the Franklin County Clerk's Office under Instrument Number 2021-6089. The approximately 10,000-square-foot portion of Parcel 24.100 located on the north side of Kiwassa Lake Road and in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map is not a part of the project site.

The project site contains palustrine, forested, emergent, and scrub-shrub wetlands. 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 improved by a logging road from Kiwassa Lake Road that runs south through the property.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves a four-lot subdivision of 18± acres to create a 3.27±-acre lot (Lot 1), a 6.74±-acre lot (Lot 2), a 4.04±-acre lot (Lot 3), and a 3.89±-acre lot (Lot 4) each for construction of one single family dwelling and an associated on-site wastewater treatment system. One driveway will be constructed to access all four lots from Kiwassa Lake Road.

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

- one sheet of plans titled "Hollrock Subdivision Driveways, Kiwassa Lake Road, Saranac Lake, NY – Sheet C10, Overall Site Plan," prepared by North Woods Engineering, PLLC, and dated March 15, 2023 (Site Plan);
- a 14-page report/plan titled "Engineering Report and Plans for a 4 Lot Subdivision, Proposed Wastewater Treatment Systems, Kiwassa Lake Road, Harrietstown [T], Franklin [C]," prepared by D.A. Corliss, P.E., and stamped and dated April 6, 2022 (Septic Plan);
- five sheets of plans titled "Hollrock Subdivision Driveways, Kiwassa Lake Road, Saranac Lake, NY," prepared by North Woods Engineering, PLLC (Profile Plan):
  - Sheet C11, Lot 1 Plan & Profile, last dated March 15, 2023;
  - Sheet C12, Lot 2 Plan & Profile, last dated March 15, 2023;
  - Sheet C13, Lot 3 Plan & Profile, last dated March 15, 2023;
  - Sheet C14, Lot 4 Plan & Profile, last dated March 15, 2023; andn
  - Sheet C20, Details, last dated January 23, 2023.

A reduced-scale copy of the Site Plan for the project is attached as a part of this permit for reference.

**AGENCY JURISDICTION**

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act and Adirondack Park and 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.

**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 Franklin 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 Plan, Septic Plan, and Profile 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 2022-0091, issued June 8, 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 four-lot subdivision as depicted on the Site Plan. Any subdivision of the project site not depicted on the Site Plan shall require a new or amended permit.
6. Any deed of conveyance for Lot 1 as depicted on the Site Plan shall contain an easement providing access to Lots 2, 3, and 4 over the easement area shown and described on the Site Plan.
7. Any deed of conveyance for Lot 2 as depicted on the Site Plan shall contain an easement providing access to Lots 3 and 4 over the easement area shown and described on the Site Plan.
8. Any deed of conveyance for Lot 3 as depicted on the Site Plan shall contain an easement providing access to Lot 4 over the easement area shown and described on the Site Plan.

9. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling on each of Lots 1-4 in the location and footprint shown and as described on the Site Plan. The single family dwellings 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.
10. There shall be no guest cottages on the project site.
11. Any on-site wastewater treatment systems 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 Plan and 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 the project site more than five years after the date of issuance of this permit except pursuant to written authorization from the Agency.

12. The access road, driveways, and the erosion and stormwater control measures for the project shall be undertaken in compliance with the Profile Plan.
13. 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.
14. 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, toward Kiwassa Lake Road or onto adjoining properties.
15. All exterior building materials, including roof, siding and trim, of the dwellings shall be a dark shade of green, grey, or brown.
16. Outside of the limits of clearing shown on the Site Plan and Profile Plan, no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed on the project site without prior written Agency authorization, except for the removal of a) trees for firewood, or b) dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
17. The undertaking of any activity involving wetlands shall require a new or amended permit.

18. There shall be no more than two principal buildings located on the Low Intensity Use portion of Lot 1 at any time. The single family dwelling authorized herein constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
19. There shall be no more than one principal buildings located on Lot 2 at any time. The single family dwelling authorized herein constitutes a principal building.
20. There shall be no more than two principal buildings located on Lot 3 at any time. The single family dwelling authorized herein constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
21. There shall be no more than one principal buildings located on Lot 4 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 Low Intensity Use and Hamlet land use areas;
- c. will be consistent with the overall intensity guidelines for the Low Intensity Use and Hamlet land use areas;
- 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 8<sup>th</sup> day  
of June, 2023.

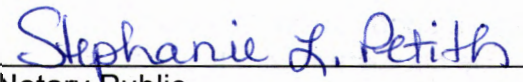
ADIRONDACK PARK AGENCY

BY: \_\_\_\_\_

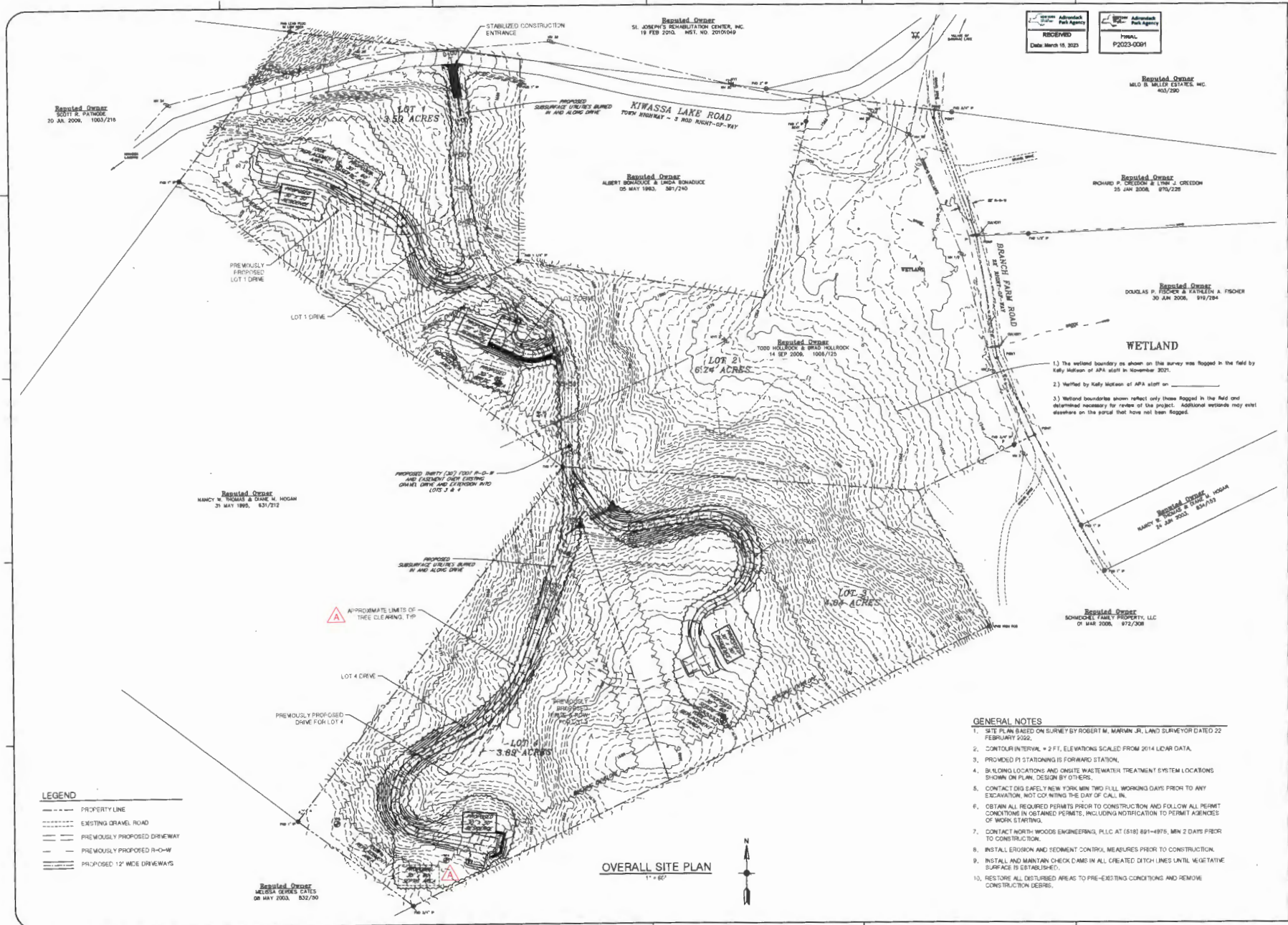
  
David J. Plante, AICP CEP  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 8<sup>th</sup> day of June 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



RECEIVED  
 Date: March 15, 2023

Registered Owner  
 MLO B. MILLER ESTATE, INC.  
 803/290

Registered Owner  
 3011 R. PATRICK  
 20 JAN 2006 1003/219

Registered Owner  
 ST. JOSEPH'S SCHOLASTIC CENTER, INC.  
 19 FEB 2010 REG. NO. 20101048

Registered Owner  
 ALBERT BONADUCE & LINDA BONADUCE  
 05 MAY 1983 391/240

Registered Owner  
 RICHARD P. GESSON & LINDA J. GESSON  
 25 JAN 2008 970/228

Registered Owner  
 1020 HOLLROCK & BRAD HOLLROCK  
 14 SEP 2006 1008/125

Registered Owner  
 DOUGLAS P. FISCHER & KATHLEEN A. FISCHER  
 30 JAN 2008 919/284

Registered Owner  
 NANCY M. THOMAS & DAVID M. HOGAN  
 29 MAY 1990 631/711

Registered Owner  
 NANCY M. THOMAS & DAVID M. HOGAN  
 29 MAY 1990 631/711

Registered Owner  
 SCHNEIDER FAMILY PROPERTY, LLC  
 01 MAR 2008 972/308

**LEGEND**  
 - - - - - PROPERTY LINE  
 - - - - - EXISTING GRAVEL ROAD  
 - - - - - PREVIOUSLY PROPOSED DRIVEWAY  
 - - - - - PREVIOUSLY PROPOSED R-O-W  
 - - - - - PROPOSED 12' WIDE DRIVEWAYS

**OVERALL SITE PLAN**  
 1" = 60'



- WETLAND**
- 1.) The wetland boundary as shown on the survey was flagged in the field by Kelly Mattson of APA staff in November 2021.
  - 2.) Verified by Kelly Mattson of APA staff on \_\_\_\_\_
  - 3.) Wetland boundaries shown reflect only those flagged in the field and determined necessary for review of the project. Additional wetlands may exist elsewhere on the parcel that have not been flagged.

**GENERAL NOTES**

1. SITE PLAN BASED ON SURVEY BY ROBERT M. MARVIN, JR., LAND SURVEYOR DATED 22 FEBRUARY 2022.
2. CONTOUR INTERVAL = 2 FT. ELEVATIONS SCALED FROM 2014 LIDAR DATA.
3. PROVIDED PI STATIONING IS FORWARD STATION.
4. BULKING LOCATIONS AND ONSITE WASTEWATER TREATMENT SYSTEM LOCATIONS SHOWN ON PLAN, DESIGN BY OTHERS.
5. CONTACT DOD SAFELY NEW YORK MIN TWO FULL WORKING DAYS PRIOR TO ANY EXCAVATION, NOT COUNTING THE DAY OF CALL IN.
6. OBTAIN ALL REQUIRED PERMITS PRIOR TO CONSTRUCTION AND FOLLOW ALL PERMIT CONDITIONS IN OBTAINED PERMITS, INCLUDING NOTIFICATION TO PERMIT AGENCIES OF WORK STARTING.
7. CONTACT NORTH WOODS ENGINEERING, PLLC AT (518) 891-4975, MIN 2 DAYS PRIOR TO CONSTRUCTION.
8. INSTALL EROSION AND SEDIMENT CONTROL MEASURES PRIOR TO CONSTRUCTION.
9. INSTALL AND MAINTAIN CHECK DAMS IN ALL CREATED DITCH LINES UNTIL VEGETATIVE SURFACE IS ESTABLISHED.
10. RESTORE ALL DISTURBED AREAS TO PRE-EXISTING CONDITIONS AND REMOVE CONSTRUCTION DEBRIS.

**North Woods Engineering, PLLC**  
 345 Lake Street  
 Saranac Lake, NY 12843  
 (518) 891-4975  
 www.northwoods-engineering.com



HOLLROCK SUBDIVISION DRIVEWAYS  
 KIWASSA LAKE ROAD, SARANAC LAKE, NY

PROJECT NAME		
HOLLROCK SUBDIVISION DRIVEWAYS		
LOCATION		
SARANAC LAKE, NY		
DATE	ISSUED FOR	REV
01.25.23	PERMITTING	
03.15.23	APA UPDATE	A
DRAWN BY: JRG		
CHECKED BY: JMB		
PROJECT # 22-044		
ORIGINAL 24"x36"		
TITLE		
OVERALL SITE PLAN		
SHEET		
C10		