


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 2022-0213</p>
<p>In the Matter of the Application of</p> <p>RONALD W. AMELL and KATHRYN L. AMELL Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: June 13, 2024</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. Ronald W. Amell2. Kathryn L. Amell

SUMMARY AND AUTHORIZATION

This permit authorizes a three-lot subdivision in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Tupper Lake, 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 3.57±-acre parcel of land located on the west side of Pitchfork Pond Road in the Town of Tupper Lake, Franklin 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 480, Block 1, Parcel 2.150, and is described in a deed from Ronald W. Amell and Kathryn L. Amell to Ronald W. Amell and Kathryn L. Amell, dated November 24, 2020, and recorded February 18, 2021 in the Franklin County Clerk's Office as Instrument Number 2021-867.

The project site was created as "Lot E" in a nine-lot subdivision as authorized by Agency Permit 2019-0124.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a three-lot subdivision of 3.57± acres to create a 1.143±-acre lot (Lot E.1), a 1.174±-acre lot (Lot E.2), and a 1.252±-acre lot (Lot E.3), each for construction of one single family dwelling to be served by municipal water and sewer.

The owner of Lot E.1 will construct and maintain the driveway that will cross Lot E.2 to provide access to Lot E.1.

The project is shown on a map titled "Map Showing Three Lot Subdivision of Property for Ronald W. and Kathryn L. Amell," prepared by Leifheit & Littlefield Land Surveying, dated June 15, 2022, and received by the Agency on April 9, 2024 (Subdivision Map). A reduced-scale copy of the Subdivision Map 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 that results in the creation of 15 or more lots, parcels, or sites since May 22, 1973, in a Moderate Intensity Use land use area in the Adirondack Park.

Condition 4 of Permit 2019-0124 requires prior written Agency authorization for any subdivision of the project site not already authorized by that permit.

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 Subdivision Map 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 Permit 2019-0124 in relation to the project site. The terms and conditions of Permit 2019-0124 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 2022-0213, issued June 13, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. Subject to the conditions stated herein, this permit authorizes a three-lot subdivision as depicted on the Subdivision Map. Any subdivision of the project site not depicted on the Subdivision Map shall require a new or amended permit.
7. Any deed of conveyance for Lot E.2 as depicted on the Subdivision Map shall contain an easement providing access and utility rights for the benefit of Lot E.1 over the "driveway easement area" shown and described on the Subdivision Map.
8. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling and accessory structures on each of the three lots (E.1, E.2, and E.3) within the building envelopes shown on the Subdivision Map. The single family dwellings and accessory structures 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. Each single family dwelling shall be less than 3,000 square feet in footprint, including all attached porches, decks, exterior stairs, garages, and other attached structures. Each accessory structure shall be less than 1,250 square feet in footprint, including all attached structures. Any expansion beyond these dimensions shall require prior written Agency authorization.
9. The construction of any additional dwelling or other principal building on the project site shall require a new or amended Agency permit. The construction of any accessory structure on the project site outside of the building envelopes shown on the Subdivision Map shall require prior written Agency authorization.
10. All wastewater treatment infrastructure on the project site shall be connected to and served by the municipal wastewater treatment system.
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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.

12. 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 Pitchfork Pond Road or adjoining property.
13. Outside of the limits of clearing shown on the Subdivision Map, no trees, shrubs or other woody-stemmed vegetation may be cut, culled, 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.
14. There shall be no more than one principal building located on Lot E.1 at any time. The single family dwelling authorized herein constitutes a principal building.
15. There shall be no more than one principal building located on Lot E.2 at any time. The single family dwelling authorized herein constitutes a principal building.
16. There shall be no more than one principal building located on Lot E.3 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 and 9 NYCRR Part 574. The Agency hereby finds that the subdivision and single family dwellings 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.

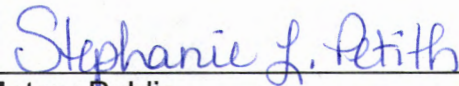
PERMIT issued this 13th day
of June, 2024.

ADIRONDACK PARK AGENCY

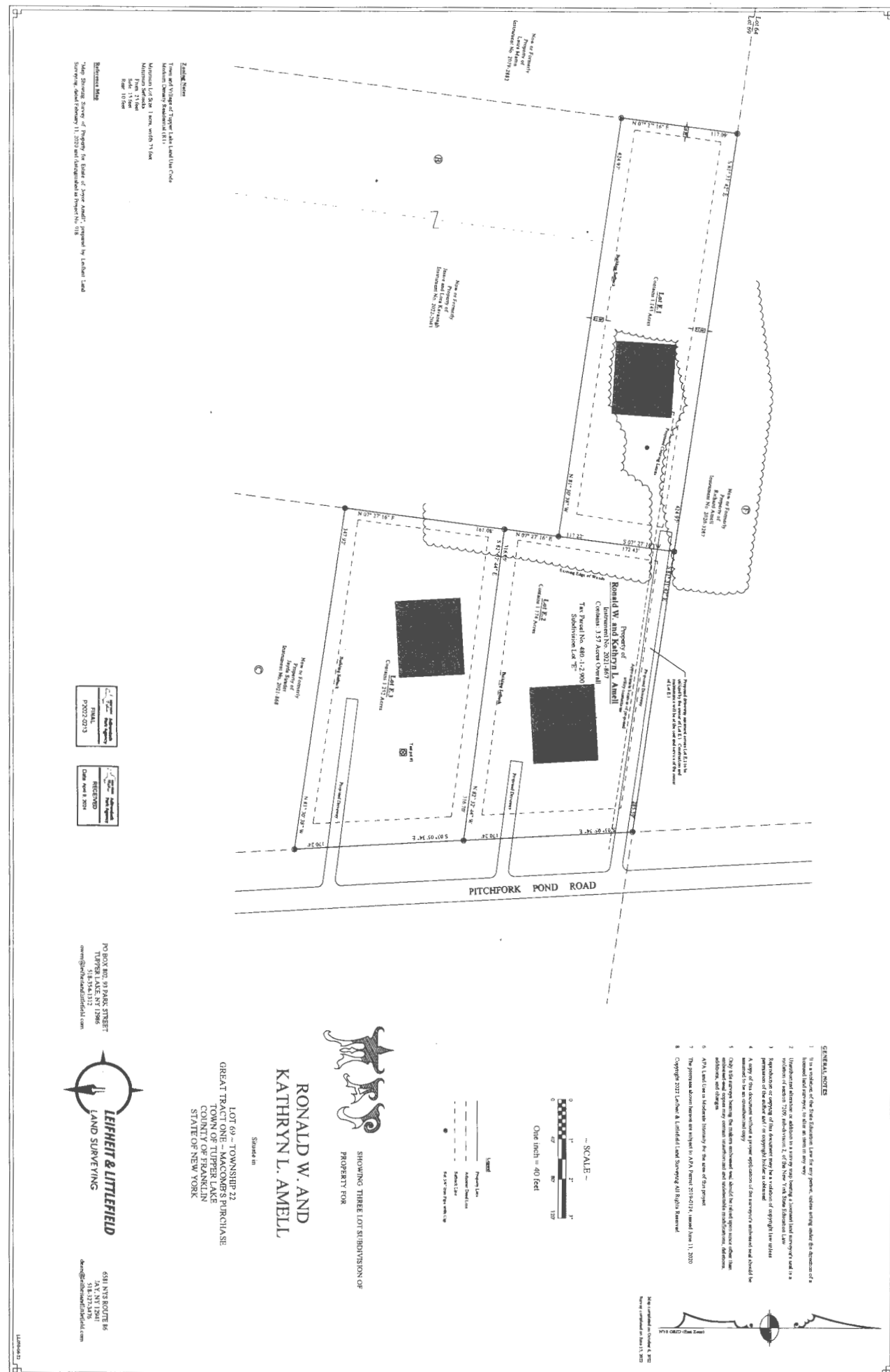
BY: 
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 13th day of June in the year 2024, 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



Zoning Notes
 Town and Village of Tupper Lake Land Use Code
 Medium Density Residential (M-2)
 Minimum Lot Size 1 Acre, width 75 feet
 Minimum Front Setback
 Side 15 feet
 Rear 15 feet

Reference Note
 Map Showing Survey of Property for Estate of Joyce Amell, prepared by Leland Land Surveying, dated February 11, 2019 and designated as Project No. 178

FINAL
 P2023-0713

RECEIVED
 CDM April 8, 2024

PO BOX 802, 91 PARK STREET
 TUPPER LAKE, NY 12986
 518-535-1111
 onell@leffertandlittelfield.com



LEFFERT & LITTELFIELD
 LAND SURVEYING

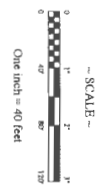
6341 NYS ROUTE 86
 T.A. NY 12981
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 dcm@leffertandlittelfield.com

LOT 69 - TOWNSHIP 22
 GREAT TRACT ONE - MACCONE'S PURCHASE
 TOWN OF TUPPER LAKE
 COUNTY OF FRANKLIN
 STATE OF NEW YORK

Shows in

**RONALD W. AND
 KATHRYN L. AMELL**

SHOWING THREE LOT SUBDIVISION OF
 PROPERTY FOR



- GENERAL NOTES**
1. This is a subdivision of the Big Slide tract, as per the plat, shown within under the direction of a duly qualified surveyor, and is subject to the provisions of the Real Property Law and the provisions of sections 1205 and 1206 of the Real Property Law.
 2. The boundaries of the lots are shown by the bearings and distances, and the area of each lot is shown in acres and hundredths of an acre.
 3. Reproduction of any part of this document may be a violation of copyright law unless permission of the author and/or copyright holder is obtained.
 4. A copy of this document, without a proper application of the surveyor's seal and should be returned to the surveyor.
 5. Only the survey bearing the seal of the surveyor and should be returned to the surveyor.
 6. This document is not a contract and should be returned to the surveyor.
 7. The provisions shown herein are subject to the provisions of the Real Property Law and the provisions of sections 1205 and 1206 of the Real Property Law.
 8. Copyright © 2023, Leland & Littelfield Land Surveying, All Rights Reserved.

Map completed on October 8, 2023
 Date of Landmark on May 11, 2023