


THIS IS A TWO-SIDED DOCUMENT

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|  <p><b>Adirondack<br/>Park Agency</b></p> <p>P.O. Box 99, 1133 NYS Route 86<br/>Ray Brook, New York 12977<br/>Tel: (518) 891-4050<br/>www.apa.ny.gov</p> | <p>APA Permit<br/><b>2022-0214</b></p>   |
| <p>In the Matter of the Application of</p> <p><b>JASON M. GANDER</b><br/>Permittee</p> <p>for a permit pursuant to 9 NYCRR Part 577</p>   | <p>Date Issued: July 26, 2023</p> <p>To the County Clerk: Please<br/>index this permit in the grantor<br/>index under the following names:<br/><b>1. Jason M. Gander</b></p> |

**SUMMARY AND AUTHORIZATION**

This permit authorizes the construction of a single family dwelling in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Benson, 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 the single family dwelling authorized herein 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 a 0.3±-acre parcel of land located on River Road in the Town of Benson, 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 150.016, Block 1, Parcel 12, and is described in a deed from County Hamilton to Jason M. Gander, dated July 20, 2016, and recorded July 21, 2016 in the Hamilton County Clerk's Office under Instrument Number 2016-1089. The project site is located within the designated Main Branch Sacandaga River Recreational River area.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves the construction of a single family dwelling with a maximum footprint of 24 feet by 24 feet and a maximum height of 30 feet, a driveway, and an on-site wastewater treatment system on a pre-existing lot of record.

The project is shown on the following plans and reports:

- A plan sheet titled "Plan of Sewage Disposal System for Jay Gander, T. Benson Hamilton County, River Road, Northville, NY, Tax Map No. 154.016-1-12, APA Project No. 2022-0214," prepared by Charles R. Ackerbauer, PE, PLS, received by the Agency on July 19, 2023 (Site Plan); and
- A 9-page report titled "Stormwater Prevention Plan for Jason Gander, Town of Hope, Hamilton County, 2735 County Hwy 6, Northville, NY 12134" prepared by Charles R. Ackerbauer, PE, PLS, and dated June 28, 2023 (StormwaterPlan).

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 Adirondack Park Agency regulations at 9 NYCRR Part 577, a permit is required from the Adirondack Park Agency prior to the construction of a single family dwelling on Rural Use lands located within any designated recreational river area 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. 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, Wild, Scenic and Recreational Rivers System 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 2022-0214, issued July 26, 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 the construction of one single family dwelling and driveway the project site in the location, footprint, and height shown and as described on the Site Plan. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization. The construction of accessory structures on slopes greater than 15% shall require prior written Agency authorization.
6. The undertaking of any new land use or development not authorized herein on the project site shall require a new or amended permit.
7. Construction of any guest cottage on the project site shall require prior written Agency authorization.
8. Pursuant to the Adirondack Park Agency Act and Agency regulations implementing the Wild, Scenic and Recreational Rivers System Act, new structures are prohibited within 150 feet, measured horizontally, of the mean high water mark of the Main Branch Sacandaga River.

Docks and boathouses as defined under 9 NYCRR § 570.3 are excepted from this requirement. Fences, poles, lean-tos, and bridges are also excepted from this requirement, except that no fence, pole, lean-to, or bridge greater than 100 square feet in size may be located within 75 feet of the mean high water mark.

9. Any on-site wastewater treatment system(s) 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. 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.

10. Stormwater management and erosion and sediment control measures shall be implemented as depicted and described in the Stormwater Plan and Site Plan.
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. 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 River Road, the Main Branch Sacandaga River, or adjoining property.
13. All exterior building materials, including roof, siding and trim, of the dwelling authorized herein shall be a dark shade of green, grey, or brown.
14. Within 100 feet of the mean high water mark of the Main Branch Sacandaga River, no trees 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.
15. There shall be no principal buildings located on the project site other than the single family dwelling authorized herein.

#### **CONCLUSIONS OF LAW**

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, 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 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;
- 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 be consistent with the purposes and policies of the Wild, Scenic and Recreational Rivers System Act;
- g. will comply with the restrictions and standards of 9 NYCRR § 577.6; and
- h. will not cause an undue adverse impact upon the natural, scenic, aesthetic, ecological, botanical, fish and wildlife, historic, cultural, archeological, scientific, recreational or open space resources of the river area, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived therefrom.

PERMIT issued this 26<sup>th</sup> day of July, 2023.

ADIRONDACK PARK AGENCY

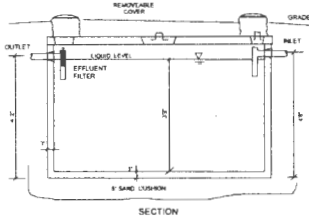
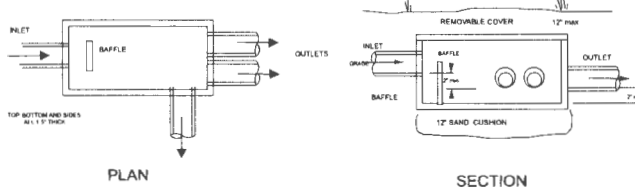
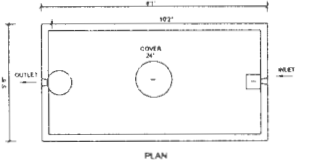
BY: [Signature]  
David J. Plante, AICP CEP  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 26<sup>th</sup> day of July 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.

[Signature]  
Notary Public

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

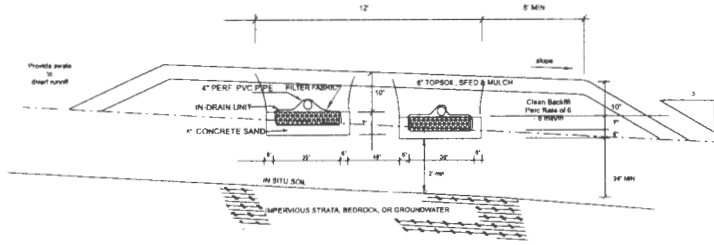


1000 GALLON CONCRETE SEPTIC TANK DETAIL

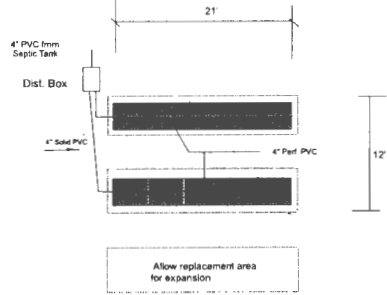
- The septic tank must be inspected for leakage
1. Seal the tank
  2. Fill with water
  3. Ink stand for 24 hours
  4. refill tank
- The tank is approved if water level is held for 1 hour

1. PIPE JOINTS TO BE SEALED WITH ASPHALTIC MATERIAL OR EQUAL.
2. INVERT END OF ALL OUTLET PIPES MUST BE EQUAL. USE SPREAD LEVELERS.
3. THE SLOPE OF OUTLET PIPES BETWEEN THE DIST. BOX AND TRENCH LATERALS SHOULD BE AT LEAST 1/4" PER FOOT.

DISTRIBUTION BOX DETAIL



IN - DRAIN ABSORPTION TRENCH CROSS SECTION



IN - DRAIN ABSORPTION LAYOUT

- NOTES
1. The design and construction requirement complies with Appendix 75-A and local health department regulations.
  2. This design complies with and must be installed with the most current Esso New York Design and Installation Manual.
  3. This system is not designed for use with a garbage disposal and not designed for backwash from a water softener.
  4. Organic material that can restrict flow must be removed for a bed system. The soil must be scarified to provide deep channels for the sand. A powered interface on contour is recommended to prepare the soil for fill placement.
  5. If any amended surface prior to fill placement.
  6. Fill material shall meet or exceed State of New York Code requirements. All fill material shall be clean bank run sand, free of topsoil, humus, and "fined" directly beneath the GSF system.
  7. ASTM C33 Specified Sand with less than 10% passing the #100 sieve and less than 5% passing the #200 sieve shall be placed below and around the GSF system modules in trench configuration. In bed systems, use 6" minimum underneath the modules with 12" minimum between module rows and 12" minimum around the perimeter of the modules.
  8. Even provided geotextile cover fabric shall provide proper tension and orientation of the fabric around the sides of the perforated pipe on top of the GSF modules. Fabric shall be neither too loose nor too tight. The correct tension of the cover fabric is set by:
    - a) Spreading the cover fabric over the top of the module and down both sides of the module with the cover fabric latched over the top of the perforated distribution pipe.
    - b) Place shovel fulls of Specified Sand directly over the pipe area allowing the cover fabric to form a mostly vertical orientation along the sides of the pipe. Repeat the step moving down the pipe.
    - c) Backfill material shall be clean with no rocks or stones larger than 2 inches in any dimension to a minimum depth of 8 inches over the GSF modules and final cover for vegetation of 4 inches to 6 inches of clean loam.
    - d) Any system which is more than 18 inches below finished grade as measured from the top of the module shall be vented.

OPERATION AND MAINTENANCE

All tanks, pumps, distribution devices, piping and absorption facilities shall be inspected and serviced in accordance with Chapters 8 and 12 of the NYSDEC Residential Onsite Wastewater Treatment Systems Design Handbook (2012).

DESIGN DATA

- DAILY FLOW = 220 GPD max.
- DESIGN PERC RATE = 6-8 MIN/INCH
- USE 1000 GALLON CONCRETE SEPTIC TANK. INSTALL EFFLUENT FILTER
- USE 10 IN DRAIN SECTIONS AS REQUIRED BY FLL PERCOLATION RATE

All sewage disposal and water supply systems must be constructed in conformance with New York State Department of Health standards.

PERCOLATION TEST 11/6/2022  
Percolation Test 1" drop in 6 min.

SOIL DATA

SOIL PROFILE  
723D Becket fine sandy loam  
Well Drained

Test Pit #1 453-397200 N - 74-235400 W  
Date: September 13, 2022  
Mapped Soil Series: Becket sandy loam  
Distance to nearest jurisdictional well = 100'  
Distance to nearest existing or proposed well > 100'  
Distance to nearest water body > 100'  
Length to Seasonal High Groundwater Table = 25'  
Depth to bedrock or refuse = 100'  
Depth of test pit = 50'  
Slope < 2% at TP location = 25% uptake of TP  
Absorption System: Conventional Shallow Absorption

| Horizon | Depth (feet) | USDA Texture    | Munsell Color                  | Ridgomorphic Features  |
|---------|--------------|-----------------|--------------------------------|--|
| A       | 0-9          | Fine sandy loam | 10YR 3/3, dark yellowish brown | No   |
| Bs      | 9-25         | Silt loam       | 10YR 4/4, dark yellowish brown | No   |
| Bc      | 25-46        | Fine sandy loam | 10YR 6/1, yellowish brown      | Yes @ 25' 10YR 5/1, gray depletion; 6YR 5/6, yellowish red (10YR 5/5/2)... |
| C       | 46-48+       | Fv sand         | 10YR 5/2, grayish brown        | Yes  |

ALL TANKS SHALL BE CONSTRUCTED OF CONCRETE WITH WATER TIGHT CONNECTIONS AND JOINTS

- Wall Thickness: 3" min.
- Concrete: 4000 psi min.
- Reinforcement: ASTM A615 - Grade 60
- ASTM A185 - Grade 65
- Entrained Air: 5.0% - 8.0%
- Shall meet ASTM Standard C680

ALL PIPE TO TANK CONNECTIONS TO BE SEALED WITH KORN-BEAL OR EQUAL TO INSURE A WATER TIGHT CONNECTION  
ALL TANK JOINTS TO BE SEALED WITH O-RING JOINT SEALANT  
SEAL ALL TANKS WITH A BITUMINOUS COATING

SEPARATION DISTANCES FROM WASTE WATER SOURCES

| USE TYPE            | MIN. DIST. (FEET) | 10 MIN. MIN. (FEET) | MIN. DIST. (FEET) | MIN. DIST. (FEET) | MIN. DIST. (FEET) | MIN. DIST. (FEET) | MIN. DIST. (FEET) | MIN. DIST. (FEET) |
|---------------------|-------------------|---------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Public Water        | 100               | 100                 | 100               | 100               | 100               | 100               | 100               | 100               |
| Public Sewer        | 10                | 10                  | 10                | 10                | 10                | 10                | 10                | 10                |
| Public Fire Hydrant | 10                | 10                  | 10                | 10                | 10                | 10                | 10                | 10                |
| Public Fire Station | 10                | 10                  | 10                | 10                | 10                | 10                | 10                | 10                |
| Public Fire Truck   | 10                | 10                  | 10                | 10                | 10                | 10                | 10                | 10                |
| Public Fire Engine  | 10                | 10                  | 10                | 10                | 10                | 10                | 10                | 10                |
| Public Fire Hose    | 10                | 10                  | 10                | 10                | 10                | 10                | 10                | 10                |
| Public Fire Ladder  | 10                | 10                  | 10                | 10                | 10                | 10                | 10                | 10                |
| Public Fire Truck   | 10                | 10                  | 10                | 10                | 10                | 10                | 10                | 10                |
| Public Fire Engine  | 10                | 10                  | 10                | 10                | 10                | 10                | 10                | 10                |
| Public Fire Hose    | 10                | 10                  | 10                | 10                | 10                | 10                | 10                | 10                |
| Public Fire Ladder  | 10                | 10                  | 10                | 10                | 10                | 10                | 10                | 10                |
| Public Fire Truck   | 10                | 10                  | 10                | 10                | 10                | 10                | 10                | 10                |
| Public Fire Engine  | 10                | 10                  | 10                | 10                | 10                | 10                | 10                | 10                |
| Public Fire Hose    | 10                | 10                  | 10                | 10                | 10                | 10                | 10                | 10                |
| Public Fire Ladder  | 10                | 10                  | 10                | 10                | 10                | 10                | 10                | 10                |

ONLY COPIES FROM THE ORIGINAL OF THIS PLAN MARKED WITH AN ORIGINAL OF THE ENGINEER'S OR LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES  
UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN REMOVAL OF THE SEAL OF A LICENSED LAND SURVEYOR OR A PROFESSIONAL ENGINEER IS A VIOLATION OF SECTION 1206, SUB-DIVISION 2 OF THE NEW YORK STATE EDUCATION LAW

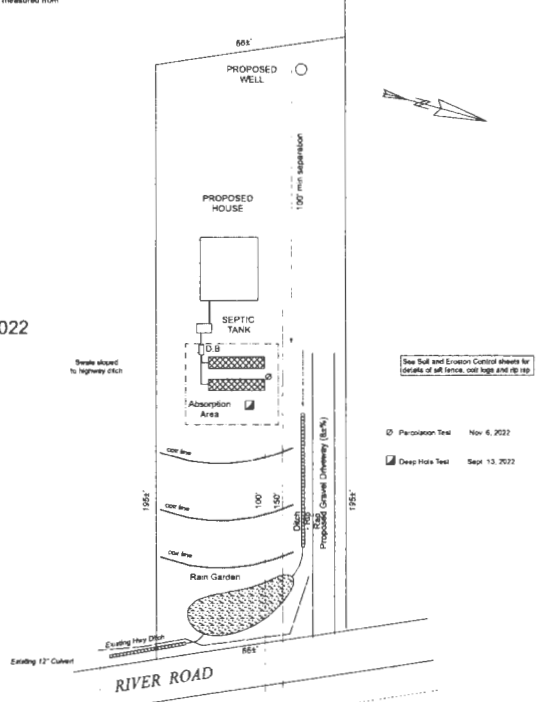
There shall be no deviation from these plans during construction without the prior approval of a licensed design professional and the Town of Benson Code Enforcement Officer.

All materials and procedures noted on these plans must be used unless alternatives have been approved in writing by the design professional and the Town Code Enforcement Officer.

A licensed design professional should supervise and inspect the installation and certify that the system has been constructed in accordance with the plans.

- Inspections of sanitary facility construction to be conducted by the Town Code Enforcement Officer and/or the design Engineer. Appropriate notices must be given by the owner or contractor to arrange inspection times.
- a) Prior to site development.
  - b) Prior to backfilling of pipes, tanks, lines.
  - c) After final grading and seeding.

No roof, floor, footing cooling water, backwash drains etc. shall be connected to the sewage treatment system and all discharges shall be directed away from the absorption area.  
No vehicular traffic over absorption area.



SITE PLAN  
1" = 20'

Plan of Sewage Disposal System for  
**JAY GANDER**  
T. BENSON HAMILTON COUNTY  
River Road  
Northville, NY  
Tax Map No. 154.016 - 1 - 12  
APA Project No. 2022-0214

JUNE 2, 2023 Scale: as shown

FINAL P2022-0214  
RECEIVED  
Date July 19, 2023

CHARLES R. ACKERBAUER, PE, PLS  
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Jonestown, NY 12096  
lernchas@gmail.com  
Revised 7/6/2023