


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 2022-0250</p>
<p>In the Matter of the Application of</p> <p>MICHAEL O’GORMAN Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: January 4, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Michael O’Gorman</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a four-lot subdivision in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Parishville, St. Lawrence County.

This authorization shall expire unless recorded in the St. Lawrence 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 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 vacant 166.09± acre parcel of land located on Raquette River Road in the Town of Parishville, St. Lawrence County, in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 121, Block 2, Parcel 2.13, and is described in a deed from Land Management and Development, Inc. to Michael O’Gorman, dated December 1, 1999, and recorded February 10, 2000 in the Franklin County Clerk’s Office under Instrument Number 2000-00002603.

The project site contains lands within 100 feet of the shoreline of Rainbow Falls Reservoir. The project site also contains an emergent wetland consisting of a mix of coniferous and broad-leaved scrub/shrub that follows an intermittent stream on Lot 3 and is shown on the Site Plan referenced below. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a four-lot subdivision of the project site to create a 3.17±-acre lot (Lot 1), a 61.18±-acre lot (Lot 2), a 63.81±-acre lot (Lot 3) and a 37.93±-acre lot (Lot 4). No new land use and development is proposed or authorized.

The project is shown on a map entitled “Michael O’Gorman Proposed Subdivision” prepared by Shepard Land Surveying and dated August 2022 (Site Plan). 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, a permit is required from the Adirondack Park Agency prior to any subdivision in a Resource Management land use 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 St. Lawrence 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 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 2022-0250, issued January 4, 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. The construction of any dwelling or other principal building on the project site shall require a new or amended permit. The construction of any accessory structure on the project site shall require prior written Agency authorization.
7. No structures greater than 100 square feet in size, shall be constructed within 100 feet, measured horizontally, of the mean high water mark of Rainbow Falls Reservoir.
8. Installation of any on-site wastewater treatment system on the project site shall require a new or amended permit.
9. 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.
10. There shall be no more than one principal building located on each of the four Lots 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 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 Resource Management land use area;
- c. will be consistent with the overall intensity guidelines for the Resource Management 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 ^{4th} day
of January, 2023.

ADIRONDACK PARK AGENCY

BY: 
John M. Burth
Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK
COUNTY OF ESSEX

On the ^{4th} day of January in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, 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

