


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 2022-0250A</p>
<p>In the Matter of the Application of</p> <p>DAVID J. BENDER Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: March 5, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. David J. Bender</p>

SUMMARY AND AUTHORIZATION

This permit authorizes the construction of a single family dwelling 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 St. Lawrence County Clerk's Office. The Agency will consider the project in existence when the authorized single family dwelling is complete.

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 63.81±-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 121.002, Block 3, Parcel 18, and is described in a deed from Michael O’Gorman to David Joseph Bender, dated November 20, 2023, and recorded December 22, 2023 in the St. Lawrence County Clerk’s Office under Instrument Number 2023-00016180.

The project site contains an emergent wetland consisting of a mix of coniferous and broad-leaved scrub/shrub that follows an intermittent stream and is shown on the Site Plan. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The project site was created as “Lot 3” in a four-lot subdivision as authorized by Agency Permit 2022-0250.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the construction of a single-family dwelling.

The project is shown on a 13-page set of plans entitled “David Bender APA Project 2022-0250A,” prepared by Vincent M. Kavanagh, P.E, and dated January 29, 2024 (Project Plans). A reduced-scale copy of the Site Plan for the project, shown on Page 3 of the Project Plans and dated January 29, 2024, 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 construction of any single family dwelling on Resource Management lands in the Adirondack Park.

This permit amends Condition 6 of Permit 2022-0250.

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 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 Permit 2022-0250 in relation to the project site. The terms and conditions of Permit 2022-0250 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 2022-0250A, issued March 5, 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 the construction of one single family dwelling on the project site in the location shown on the Site Plan.

The single family dwelling 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 expansion beyond these dimensions shall require prior written Agency authorization.

7. The undertaking of any new land use or development not authorized herein on the project site shall require prior written Agency authorization.
8. Any on-site wastewater treatment system 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 Project Plans. 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.

9. The project shall be undertaken in compliance with the Erosion and Sediment Control Plan as shown on Page 5 of the Project Plans.
10. 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.

11. Any 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 Rainbow Falls Reservoir or adjoining property.
12. Between the Planned Driveway Location and wetlands depicted on the Site Plan, no trees, shrubs or other woody-stemmed vegetation may be cut or otherwise removed 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.
13. The undertaking of any activity involving wetlands shall require a new or amended permit.
14. There shall be no principal buildings located on the project site other than the 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 and 9 NYCRR Part 574. The Agency hereby finds that the subdivision/single family dwelling 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.

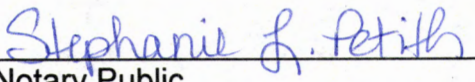
PERMIT issued this 5th day
of March, 2024.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

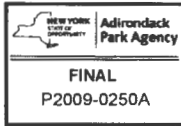
On the 5th day of March in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged 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

SITE PLAN KEY NOTES

- A. POTENTIAL WELL LOCATION
- B. FUTURE YEAR ROUND RESIDENCE BUILDING ENVELOPE, PROSPECTIVELY A TWO STORY, 2000 S.F. HOUSE WITH GARAGE UNDERNEATH
- C. COMBINATION 1000 GALLON SEPTIC TANK AND 500 GALLON PUMP TANK
- D. PLANNED DRIVEWAY LOCATION
- E. FORCEMAIN
- F. SOIL PERCOLATION TEST HOLE #1
- G. 100% REPLACEMENT AREA
- H. PROPOSED CONCRETE DISTRIBUTION BOX & SOIL ABSORPTION BED
- I. SOIL PERCOLATION TEST HOLE #2
- J. BENDER DHTP #1
- K. APA TEST PIT 1



NOTE:

- 5% SITE SLOPE RUNS PARALLEL WITH THE STREAM AND PLANNED DRIVEWAY.
- THIS PROPERTY DOES NOT HAVE SHORELINE. THE SHORELINE ITSELF IS OWNED BY ERIE BOULEVARD HYDROPOWER, LP, AND CONSISTS OF A BUFFERING PARCEL.

VINCENT M. KAVANAGH P.E.
PROFESSIONAL ENGINEER

177 MCCARTHY RD
BRASHER FALLS, NY 13613
C: 518-593-0403
VINKAV177@YAHOO.COM

DAVID BENDER
APA PROJECT 2022-0250A

NEW ON-SITE
WASTEWATER TREATMENT
SYSTEM

3 BEDROOM
SINGLE FAMILY RESIDENCE

SITE ADDRESS
TAX MAP NO: 121 000-2-2 13
LOT #3 - RAQUETTE RIVER ROAD
TOWN OF PARISHVILLE

CLIENT ADDRESS
160 RIVER DRIVE
MASSENA, NY 13662

CLIENT EMAIL ADDRESS
dbender53@gmail.com

ISSUE DATE & SCALE:
DATE: 1/29/24
SCALE: AS SHOWN

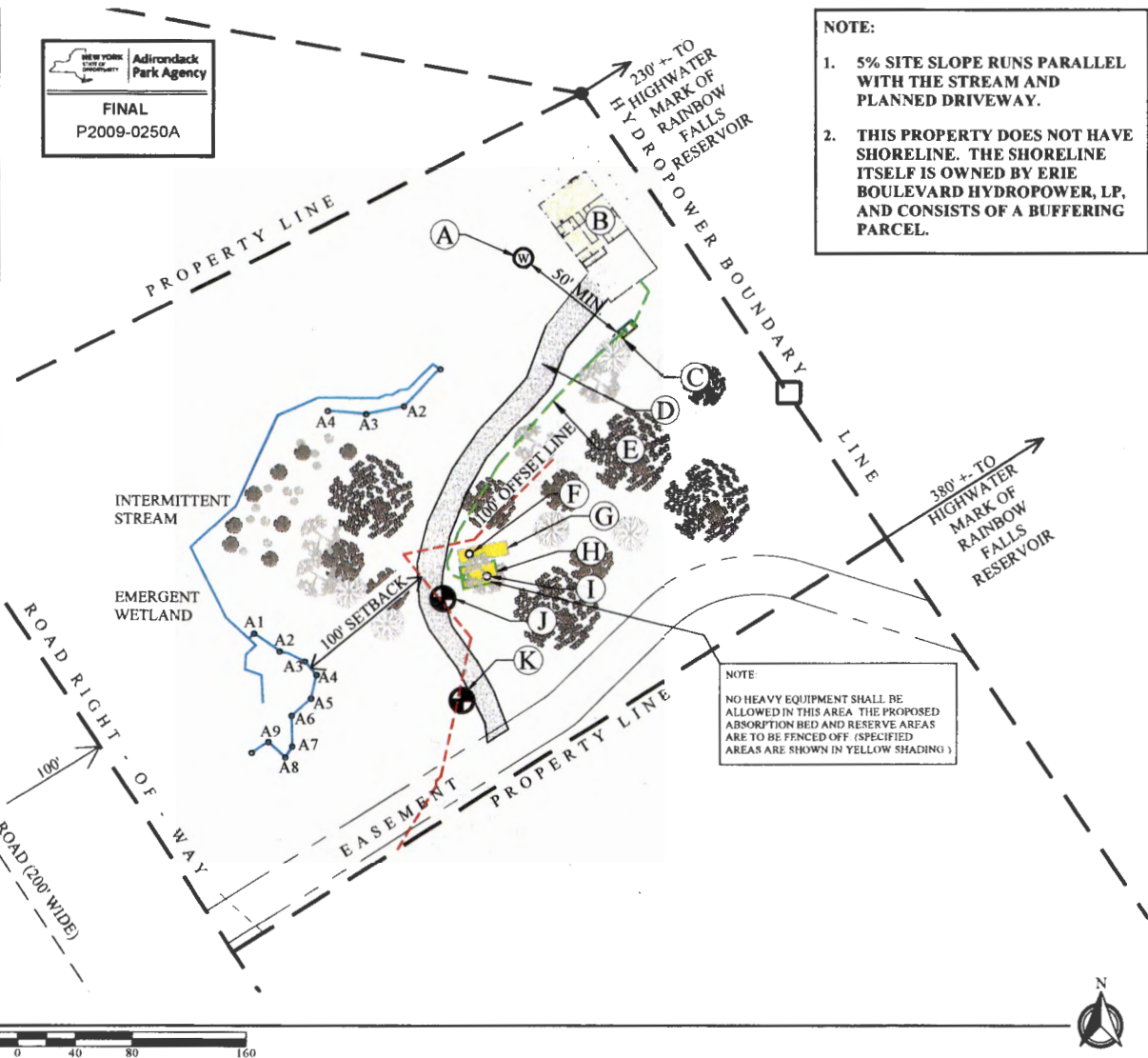
STAMP
/ SIGNATURE



TITLE
/ DRAWING NUMBER

SITE PLAN

C-1.10



NOTE:
NO HEAVY EQUIPMENT SHALL BE ALLOWED IN THIS AREA. THE PROPOSED ABSORPTION BED AND RESERVE AREAS ARE TO BE FENCED OFF (SPECIFIED AREAS ARE SHOWN IN YELLOW SHADING).

