


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 2022-0258</p>
	<p>Date Issued: December 15, 2022</p>
<p>In the Matter of the Application of</p> <p>THOMAS J. MAZZURCO Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Thomas J. Mazzurco</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a 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 Keene, Essex County.

This authorization shall expire unless recorded in the Essex 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 the foundation of the dwelling 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 4.237±-acre parcel of land located on Owl's Head Road in the Town of Keene, Essex County. It is identified on Town of Keene Tax Map Section 53.6, Block 1 as Parcel 5.312. The project site is described in a deed from Scott B. Daley to Thomas J. Mazzurco which was recorded May 12, 2021 in the Essex County Clerk's Office as Instrument #2021-2404 in Liber 2034 of Deeds at Page 177.

The project site was created as "Lot 20" in a 27-lot subdivision as authorized by Agency Project 1978-0146 and Order/Permit 1978-0318 and amended by Order/Permit 1978-0318A.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the construction of a two-story, three-bedroom, 1250-square-foot (footprint) single-family dwelling including an attached garage and a 635-square-foot deck. The dwelling will be served by on-site water and on-site wastewater treatment systems. Access to the dwelling will be from a new 300-foot-long driveway originating from Owl's Head Lane.

The project is shown on:

- "Map of Survey Showing Certains Lands of Michael B. Christie and Patrick I. Christie to be Conveyed to Scott Daley," prepared by Daniel H. Elder, L.S., dated July 14, 2006 and last revised March 27, 2007 (Survey);
- "Floorplan Sketch" submitted by the applicant and received by the Agency on October 18, 2022 (Floor Plan); and
- An eight-page set of plans (Project Plans):
 - Four plan sheets titled "Mazzurco Septic System; Owl's Head Lane; Tax Map 53.6-1-5.312; Keene, NY," prepared by Mark Buckley, P.E., and dated July 30, 2022.
 - Sheet 1 – Site Plan;
 - Sheet 2 – X-Sections;
 - Sheet 3 – X-Sections and Specifications; and
 - Sheet 4 – Specifications;
 - Four plan sheets titled "Mazzurco Single-family Dwelling; Owl's Head Lane; Tax Map 53.6-1-5.312; Keene, NY," prepared by Mark Buckley, P.E., and dated July 30, 2022.
 - Sheet 5 – Road Cross Sections and Specs;
 - Sheet 6 – Culvert Cross Section and Specs;
 - Sheet 7 – Road/Driveway Specifications; and
 - Sheet 8 – Driveway Centerline X-Section.

A reduced-scale copy of Sheet 1 (Site Plan) of the Project Plans 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 20 or more lots, parcels, or sites since May 22, 1973, in a Rural land use area in the Adirondack Park.

Condition O of Order/Permit 1978-0318A required the project sponsor to submit a plat plan depicting the proposed development for the project site.

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 Essex 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, the Survey, Floor Plan, and 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, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
4. This permit amends and supersedes Order/Permit 1978-0318A in relation to the project site. The terms and conditions of Order/Permit 1978-0318A 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 2022-0258, issued December 15, 2022, 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 with attached garage, porch, and related development on the project site in the location and footprint as depicted on the Survey, Project Plans, and Floor Plan. The single family dwelling and attached structures shall be no more than 24 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 the authorized structure shall require prior written Agency authorization.

7. The undertaking of any new land use or development on the project site within one-eighth mile of the Sentinel Wilderness area shall require a new or amended permit.
8. Construction of any guest cottage on the project site shall require prior written Agency approval.
9. 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.

10. Prior to any ground disturbance on the project site, silt fence shall be installed in the location shown on the Project Plans. The silt fence shall be properly installed parallel to the existing contours and shall be embedded into the earth a minimum of 6 inches. The silt fence shall be maintained throughout construction and shall not be removed until after all disturbed soils are stabilized, to prevent erosion and sedimentation. The silt fence fabric shall be inspected at least once a week and after every major storm event to ensure the fabric and supports are intact and to remove accumulated sediments so as to maintain the fence in a functional manner.
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 Owl's Head Lane, the Sentinel Range Wilderness area or adjoining property.
13. All exterior building materials, including roof, siding and trim, of the dwelling and attached garage on the project site shall be a dark shade of green, grey, or brown.
14. Outside of the Clearing Limit shown on the Project Plans, no trees greater than 4 inches in diameter at breast height may be cut, culled, trimmed, pruned or otherwise removed or disturbed on the project site without prior written Agency authorization, except for an area up to 25 feet in width for driveway construction, utility installations, and dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.

- 15. There shall be no more than one principal building located on the project site 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 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; 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 15th day of December, 2022.

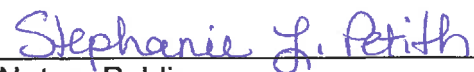
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 15th day of December in the year 2022, 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.

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

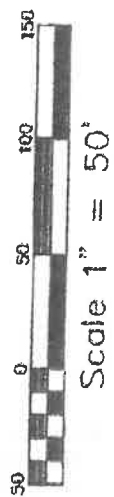
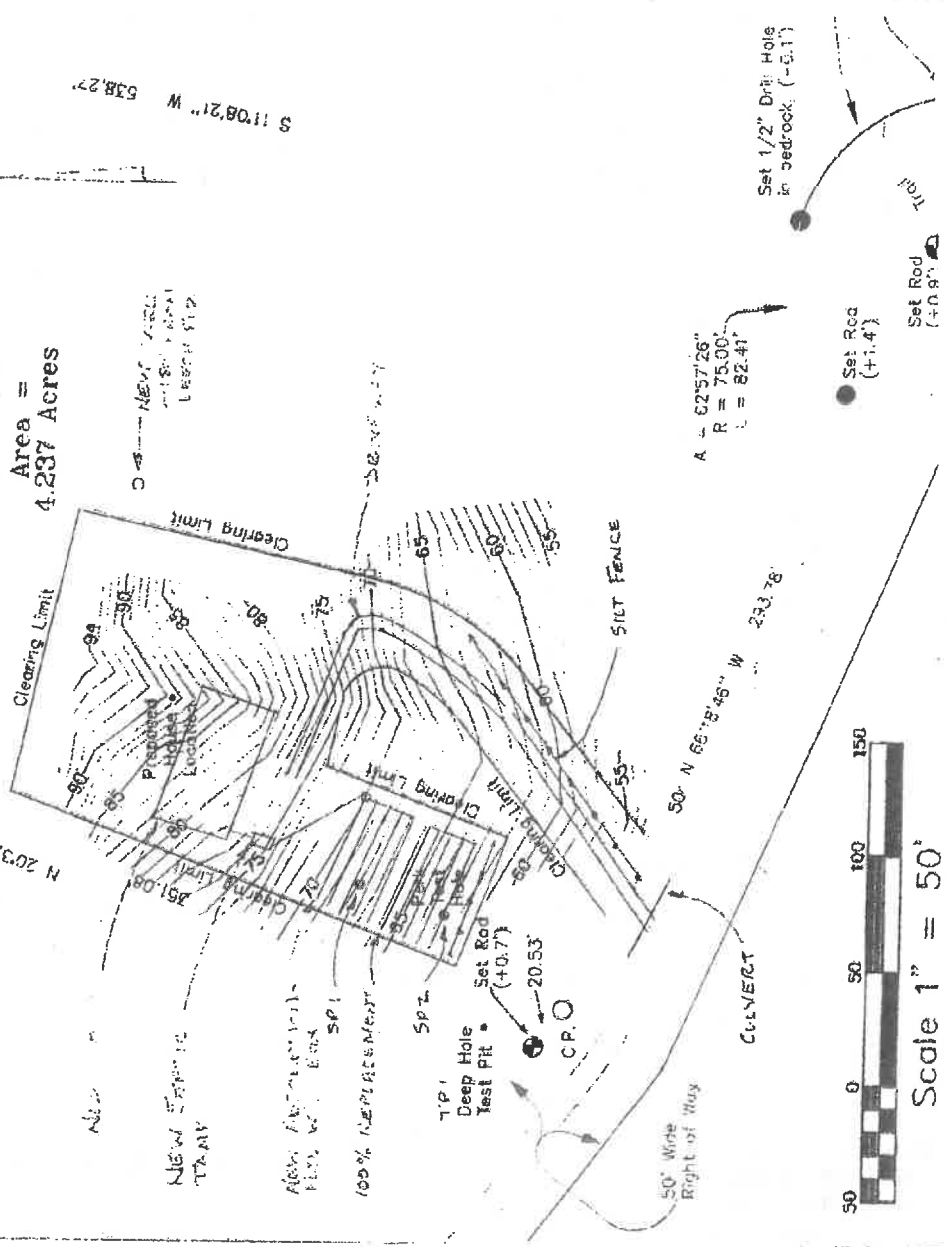
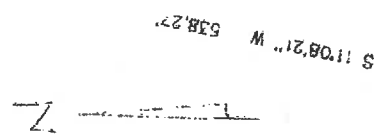

Notary Public

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Adirondack Park Agency
RECEIVED
 Date: October 28, 2022

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Adirondack Park Agency
FINAL
 P2022-0258



Lot 20
 Area = 4.237 Acres



Scale 1" = 50'

APA PROJECT NO: 2019-0026
 MAZZURCO SEPTIC SYSTEM
 DIVLS HEAD LANE
 TAX MAP #53.6-1-5312
 KEENE, NY
 SITE PLAN

DATE	7-30-22
MARK J. BUCKLE P.E. REG. NO. 06289 WILLSBORO, N.Y.	
SCALE	NOTE
	1