


THIS IS A TWO-SIDED DOCUMENT

 <p><b>Adirondack Park Agency</b></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 <b>2022-0307</b></p>
<p>In the Matter of the Application of</p> <p><b>ADIRONDACK MT LAND, LLC</b> <b>Permittee</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: August 24, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <p><b>1. Adirondack Mt Land, LLC</b></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 Stony Creek, Warren County.

This authorization shall expire unless recorded in the Warren 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 Warren County Clerk's Office. The Agency will consider the project in existence when the foundation for 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 5.84-acre parcel of land located on Lanfear Road in the Town of Stony Creek, Warren 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 234, Block 3, Parcel 4.3, and is a portion of lands described in a deed from Joseph O. Rossi, Jr., Ellen Rossi and Antoinette Fratino to Adirondack Mt Land, LLC, dated February 3, 2021, and recorded in the Warren County Clerk's Office under Book 6364, Page 78.

### **PROJECT DESCRIPTION**

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

The project is shown on the following maps, plans, and reports:

- "Adirondack MT. Land LLC," prepared by Mark J. Buckley including two sheets, dated July 24, 2023, and received by the Agency on July 25, 2023 (Site Plans), and "X-Sections And Specifications," in three sheets, dated June 15, 2023, and received by the Agency on June 26, 2023 (Septic Plans); and
- "Attachment C – Single Family Dwelling," un-dated sketch plans, received by the Agency on December 23, 2023 (Dwelling Plans).

A reduced-scale copy of Sheet 2 of the Site Plans for the project, is attached as a part of this permit for reference.

### **AGENCY JURISDICTION**

This permit amends Condition 6 of Agency Permit 2021-0140.

### **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 Warren 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 Site Plans and the Septic 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. 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 2022-0307, issued August 24, 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 on the project site in the location, footprint, and height depicted and described on the Site Plans and Dwelling Plans.

Any accessory structure constructed on the project site shall be no greater than 1,000 square feet in footprint and shall be located inside the "Proposed Edge of Clearing" as depicted on the Site Plans.

Any structure on the project site shall be no more than 25 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 any authorized structure shall require prior written Agency authorization.

6. Construction of any guest cottage on the project site shall require prior written Agency approval.
7. 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 Plans and Septic 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.

8. 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.
9. 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 Lanfear Road or adjoining properties.
10. All exterior building materials, including roof, siding and trim, of the any structure on the project site shall be a dark shade of green, grey, or brown.

11. Outside of the Proposed Edge of Clearing as depicted on the Site Plans, 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.
12. The undertaking of any activity involving wetlands shall require a new or amended permit.
13. 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 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.

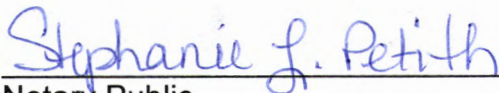
PERMIT issued this 24<sup>th</sup> day  
of August, 2023.

ADIRONDACK PARK AGENCY

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


STATE OF NEW YORK  
COUNTY OF ESSEX


On the 24<sup>th</sup> day of August 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.

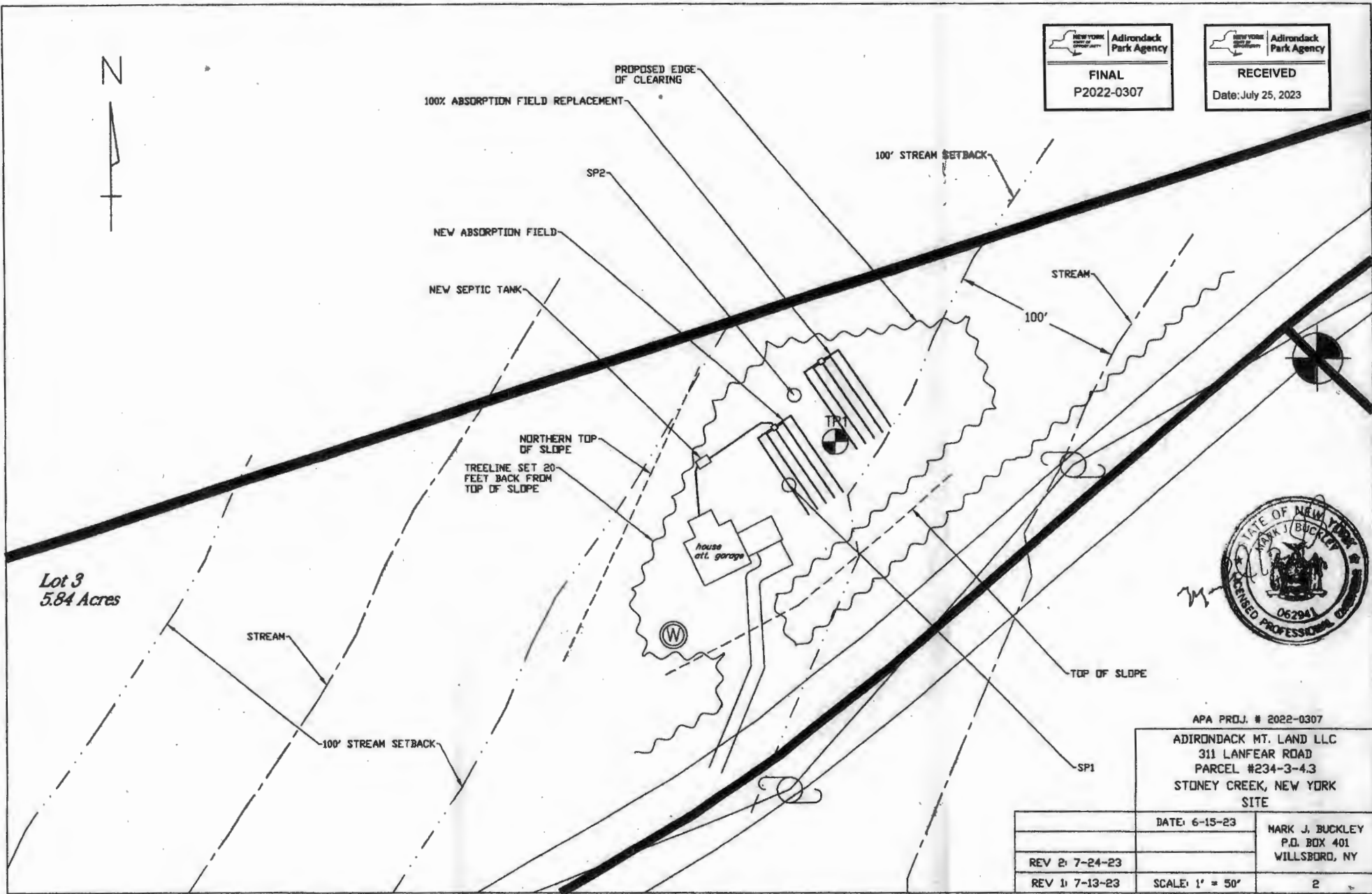
  
Notary Public

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




 Adirondack  
 Park Agency  
**FINAL**  
 P2022-0307


 Adirondack  
 Park Agency  
**RECEIVED**  
 Date: July 25, 2023



APA PROJ. # 2022-0307  
 ADIRONDACK MT. LAND LLC  
 311 LANFEAR ROAD  
 PARCEL #234-3-4.3  
 STONEY CREEK, NEW YORK  
 SITE

	DATE: 6-15-23	MARK J. BUCKLEY P.O. BOX 401 WILLSBORO, NY 2
REV 2: 7-24-23		
REV 1: 7-13-23	SCALE: 1" = 50'	