


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 2022-0308</p>
<p>In the Matter of the Application of</p> <p>KAREN E SMITH Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: May 18, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s):</p> <p>1. Karen E. Smith</p>

SUMMARY AND AUTHORIZATION

This permit authorizes 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 Brighton, Franklin County.

This authorization shall expire unless recorded in the Franklin 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 Franklin 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 3.709-acre parcel of land located on Hobart Road in the Town of Brighton, Franklin 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 397, Block 1, Parcel 40, and is described in a deed from Paul Martin Smith and Karen Elisabeth Smith to Karen E. Smith, dated November 1, 2022, and recorded November 16, 2022 in the Franklin County Clerk's Office under Instrument Number 2022-6280.

The project site was created as "Lot 2A" in a two-lot subdivision as authorized by Agency Permit 2021-0295.

PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of a single family dwelling with related development.

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

- A six sheet plan set titled "Paul and Karen Smith" prepared by Saranac Engineering, dated last revised January 27, 2023 (Septic Plan);
- A hand sketched drawing titled "Attachment B Site Plan Map," prepared by Karen E. Smith, dated November 30, 2022 (Site Plan);
- A two-page plan set titled "Attachment C Plan View/Attachment C Elevation View," prepared by Karen E. Smith, undated (Dwelling Plan); and
- A one page narrative titled "Karen E. Smith APA Project 2022-0308" prepared by Karen E. Smith, received February 8, 2023 (Planting Plan).

A copy of the Site Plan 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.

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 ? 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 and Septic 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. This permit amends and supersedes Permit 2021-0295 in relation to the project site. The terms and conditions of Permit 2021-0295 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 2022-0308, issued May 18, 2023, 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 and attached garage on the project site in the location, footprint, and height shown and as described on the Site Plan and Dwelling Plan. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.
7. Construction of any guest cottage on the project site shall require prior written Agency approval.
8. 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 Septic 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.

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. 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 Hobart Road or adjoining property.
11. All exterior building materials, including roof, siding and trim, of any structure on the project site shall be a dark shade of green, grey, or brown.

- 12. All trees and shrubs described in the Planting Plan and depicted on the Site Plan shall be planted within the first growing season after construction of the dwelling authorized herein and maintained as described in the Planting Plan.
- 13. 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.

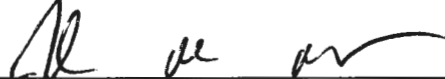
CONCLUSIONS OF LAW

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 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 18th day of May, 2023.

ADIRONDACK PARK AGENCY

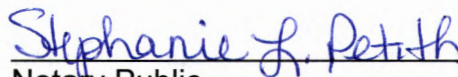
BY: 

John M. Burth
Environmental Program Specialist 3 (EPS3)

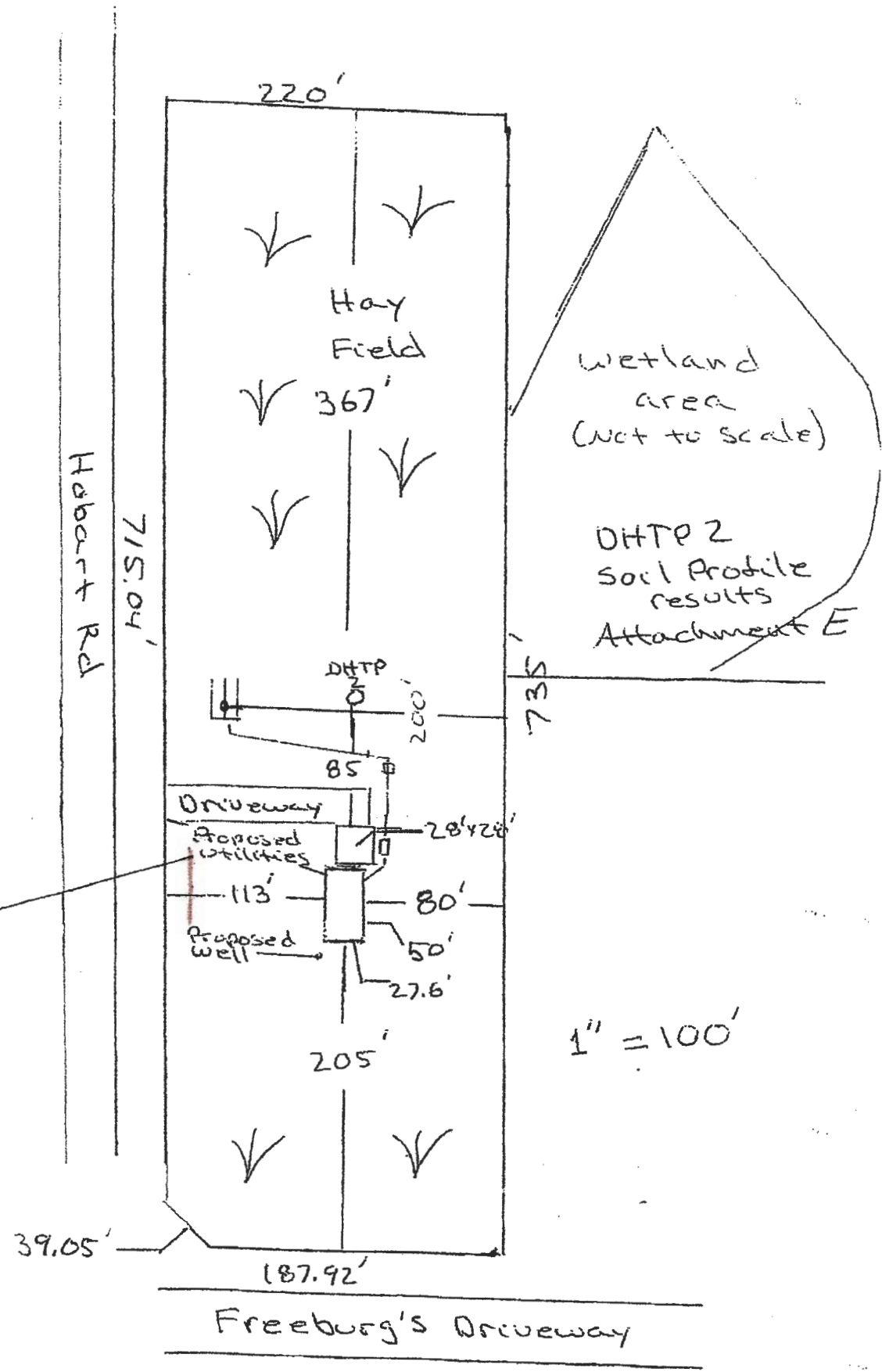
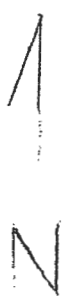
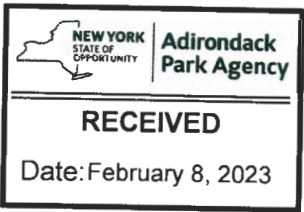
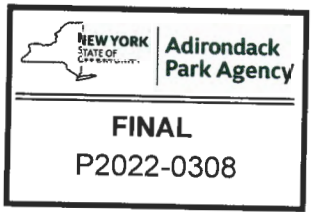
STATE OF NEW YORK
COUNTY OF ESSEX

On the 18th day of May 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.

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


Notary Public

Attachment B Site Plan Map



no local town zoning boundaries or required setbacks

Hedge row to screen house

Prepared by:
Karen E Smith
11/30/2022