


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 2023-0007</p>
<p>In the Matter of the Application of</p> <p>GREGORY A. DENTON, TERENCE P. STAPLETON, SHARON O. HASELTINE, CHRISTOPHER HASELTINE and ALONNA RUDOLPH Permittees</p> <p>for a permit pursuant to 9 NYCRR Part 577</p>	<p>Date Issued: February 15, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <ol style="list-style-type: none">1. Gregory A. Denton2. Terence P. Stapleton3. Sharon O. Haseltine4. Christopher Haseltine5. Alonna Rudolph

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Elizabethtown, 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 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 16.86± acres of land consisting of three parcels of land located on County Route 8 in the Town of Elizabethtown, Essex County, in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map as follows:

- A 2.56±-acre parcel of land improved by a pre-existing single-family dwelling identified as Tax Map Section 56.1, Block 1, Parcel 7.100, and is described in a deed from Gregory A. Denton and Terence P. Stapleton to the Gregory A. Denton and Terence P. Stapleton Irrevocable Trust, dated November 17, 2017, and recorded November 27, 2017 in the Essex County Clerk's Office at Book 1896, Page 53;
- A 9.1±-acre parcel of land improved by a pre-existing single-family dwelling identified as Tax Map Section 56.1, Block 1, Parcel 6.000, and is described in a deed from Peter Hatcher and Eleanor Tutton to Gregory Denton, Terence P. Stapleton and Sharon Haseltine, dated October 12, 2022, and recorded November 28, 2022 in the Essex County Clerk's Office at Book 2107, Page 130; and
- A 5.2±-acre parcel of land improved by a pre-existing single-family dwelling identified as Tax Map Section 56.1, Block 1, Parcel 3.200, and is described in a deed from Sharon O. Haseltine to Alonna Rudolph and Alonna Rudolph in trust for Christopher Haseltine, dated July 16, 2018, and recorded August 27, 2018 in the Essex County Clerk's Office at Book 1924, Page 216.

The project site contains shoreline on the Boquet River and is located entirely within the designated Boquet River Recreational River Area. 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 two-lot subdivision of a 9.1±-acre parcel (56.1-1-6.000), to create a 4.7±-acre lot and a 4.4±-acre lot. The 4.7±-acre lot will be merged by deed with the adjacent 2.56±-acre lot (56.1-1.7.100) to create a 7.3±-acre lot. The 4.4±-acre lot will be merged by deed with the adjacent 5.2±-acre lot (56.1-1-3.200) to create a 9.6±-acre lot.

The project is shown on a site plan titled "Map of a Survey Prepared for Gregory A. Denton and Terence P. Stapleton and Sharon O. Haseltine and Christopher Haseltine and Alonna Rudolph," prepared by Kevin Hall, L.S., and dated January 18, 2023. A reduced-scale copy of the Site Plan is attached as a part of this permit for reference.

AGENCY JURISDICTION

Pursuant to Adirondack Park Agency regulations at 9 NYCRR Part 577, a permit is required from the Adirondack Park Agency prior to any subdivision of Low Intensity Use lands located within any designated Recreational River 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 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 and the 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, Wild, Scenic and Recreational Rivers System 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 2023-0007, issued February 15, 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 two-lot subdivision as depicted on the Site Plan. Any subdivision not depicted on the Site Plan shall require a new or amended permit.
6. Within 30 days of this permit being recorded in the Essex County Clerk's Office, a new deed shall be filed in the Essex County Clerk's office describing the 4.7±-acre lot and TM#56.1-1-7.100 as a single, un-divided 7.3±-acre lot.
7. Within 30 days of this permit being recorded in the Essex County Clerk's Office, a new deed shall be filed in the Essex County Clerk's office describing the 4.4±-acre lot and TM#56.1-1-3.200 as a single, un-divided 9.6±-acre lot.
8. The undertaking of any new land use or development on the project site shall require a new or amended permit. The undertaking of any activity involving wetlands shall also require a new or amended permit.
9. Construction of any guest cottage on the project site shall require prior written Agency authorization.
10. Pursuant to the Adirondack Park Agency Act and Agency regulations implementing the Wild, Scenic and Recreational Rivers System Act, new structures are prohibited within 150 feet, measured horizontally, of the mean high water mark of the Boquet

River. Fences, poles, lean-tos, and bridges are excepted from this requirement, except that no fence, pole, lean-to, or bridge greater than 100 square feet in size may be located within 75 feet of the mean high water mark.

11. There shall be no docks or boathouses on the project site without prior written Agency authorization.
12. Installation of any on-site wastewater treatment system(s) on the project site shall require prior written Agency authorization.
13. There shall be no more than one principal building located on the 7.3±-acre lot, in addition to the two pre-existing single family dwellings or any replacement structures for these dwellings as allowed by Agency regulations. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
14. There shall be no more than two principal buildings located on the 9.6±-acre lot, in addition to the pre-existing single family dwelling or any replacement structure for this dwelling as allowed by Agency regulations. The Agency makes no assurances that the maximum development mathematically allowed can be approved.


CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, 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 Low Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Low Intensity Use land use area;
- d. will comply with the shoreline restrictions of § 806 of the Adirondack Park Agency Act;
- 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;
- f. will be consistent with the purposes and policies of the Wild, Scenic and Recreational Rivers System Act;
- g. will comply with the restrictions and standards of 9 NYCRR § 577.6; and
- h. will not cause an undue adverse impact upon the natural, scenic, aesthetic, ecological, botanical, fish and wildlife, historic, cultural, archeological, scientific, recreational or open space resources of the river area, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived therefrom.

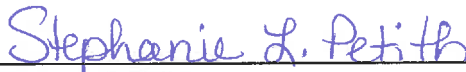
PERMIT issued this 15th day
of February, 2023.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 15th day of February 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

