


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 2023-0015</p>
<p>In the Matter of the Application of</p> <p>DONALD J. STADLER FAMILY TRUST JOHN BRADWAY Permittees</p> <p>for a permit pursuant to §809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: March 21, 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. Donald J. Stadler Family Trust2. John Bradway

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Chester, 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 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 91.31±-acre parcel of land located on Perry Road in the Town of Chester, 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 51, Block 1, Parcel 12.1, and is described in a deed from Donald J. Stadler to Donald J. Stadler, Trustee of the Donald J. Stadler Family Trust, dated January 13, 2016, and recorded January 14, 2016 in the Warren County Clerk's Office at Book 5296, Page 73.

The project site is improved by an existing single-family dwelling and accessory structure shed. The site contains forested needle leaved deciduous wetlands with a value of "4". 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 by subdivision as authorized by Agency Permit 2020-0237.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision to create an 8.54±-acre parcel improved by the existing single family dwelling and shed (Lot 1) and an 82.76±-acre vacant parcel (Lot 2).

The project is shown on the following plan:

- "Map of a Proposed 2 Lot Subdivision between the Stadler Family Trust and John Bradway" (Site Plan), prepared by Darrah Land Surveying, PLLC dated January 6, 2022.

A reduced-scale copy of the Site Plan for the project is attached as a part of this permit for reference.

AGENCY JURISDICTION

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act and Adirondack Park Agency regulations at 9 NYCRR Part 578, a permit is required from the Adirondack Park Agency prior to any subdivision involving wetlands in the Adirondack Park.

This permit amends Condition 5 of Permit 2020-0237.

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 and 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, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
4. This permit amends and supersedes Permit 2020-0237 in relation to the project site. The terms and conditions of Permit P2020-0237 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 2023-0015, issued March 21, 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 a two-lot subdivision as depicted on the Site Plan. Any subdivision of the project site not depicted on the Site Plan shall require prior written Agency authorization.
7. The deed of conveyance for Lot 2 shall contain a covenant restricting the property against the construction of any single family dwelling, mobile home, or other principal building as that term is defined under the Adirondack Park Agency Act. The deed shall state that the covenant shall run with, touch and concern the land, and that the covenant shall be enforceable by the Adirondack Park Agency and the State of New York.
8. The undertaking of any activity involving wetlands shall require a new or amended permit.
9. There shall be no on-site wastewater treatment system(s) located on Lot 2.
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 Perry Road or adjoining property.

CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision authorized as conditioned herein:

- a. will meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Chester;
- b. 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;
- c. will secure the natural benefits of wetlands associated with the project, consistent with the general welfare and beneficial economic, social, and agricultural development of the state; and
- d. is the only alternative which reasonably can accomplish the applicant's objectives.

PERMIT issued this 21st day
of March, 2023.

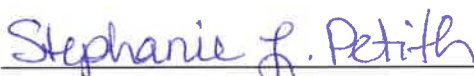
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 21st day of March 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

RECEIVED
Date: January 23, 2023

FINAL
P2023-0015



SITERAP
(not to scale)

NOTES:

1. This site is located within the Perry Road Corridor as shown on the attached map.
2. This site is bounded to the north by the Perry Road Corridor, to the east by the Perry Road Corridor, to the south by the Perry Road Corridor, and to the west by the Perry Road Corridor.
3. The site is bounded to the north by the Perry Road Corridor, to the east by the Perry Road Corridor, to the south by the Perry Road Corridor, and to the west by the Perry Road Corridor.
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6. The site is bounded to the north by the Perry Road Corridor, to the east by the Perry Road Corridor, to the south by the Perry Road Corridor, and to the west by the Perry Road Corridor.

LEGEND:

- 1. Proposed Lot 1
- 2. Proposed Lot 2
- 3. Proposed Lot 3
- 4. Proposed Lot 4
- 5. Proposed Lot 5
- 6. Proposed Lot 6
- 7. Proposed Lot 7
- 8. Proposed Lot 8
- 9. Proposed Lot 9
- 10. Proposed Lot 10
- 11. Proposed Lot 11
- 12. Proposed Lot 12
- 13. Proposed Lot 13
- 14. Proposed Lot 14
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- 16. Proposed Lot 16
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- 18. Proposed Lot 18
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- 46. Proposed Lot 46
- 47. Proposed Lot 47
- 48. Proposed Lot 48
- 49. Proposed Lot 49
- 50. Proposed Lot 50



Lands Now or Formerly of
Nancy Traylor
Book 493 Page 235
51-1-0

Lands Now or Formerly of
John Bradley
Book 1490 Page 301
51-1-10

Lands Now or Formerly of
Arthur and Kristina Perryman
Book 1021 Page 67
51-1-11

Proposed Lot 2
Area: 1.8276 acres
Original Total Area: 51.39 Acres

PROGRESS PRINT ONLY

Lands Now or Formerly of
Freedom
Book 508 Page 148
51-1-10.8

Lands Now or Formerly of
John Bradley
Book 1215 Page 160
51-1-20

Lands Now or Formerly of
John and Patricia Bilbweith
Book 1218 Page 28
51-1-14

ADDITIONAL NOTES:

1. 100' x 100' x 100' x 100'	200'
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74. 100' x 100' x 100' x 100'	200'
75. 100' x 100' x 100' x 100'	200'



Perry Road

Map of a Proposed 2 Lot Subdivision

Stadler Family Trust and John Bradley

ROBIN OF CHESTER

Darrah Land Surveying, PLLC
10000 Perry Road
Perry, NY 14550
PH: 315 526-4662
or (609) 651-4448

21326-1
SHEET 1 OF 1
PAGE NO. 2 OF 2

REVISIONS RECORD/DESCRIPTION	DATE
MICHAEL E. MCNEEMA PLS 105870	

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