


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 2023-0051</p>
<p>In the Matter of the Application of</p> <p>DEENA L. SISCO and MARGARET L. WEBBER Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: January 23, 2024</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. Deena L. Sisco2. Margaret L. Webber

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision and boundary-line adjustment in an area classified Low Intensity Use and Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Bleecker, Fulton County.

This authorization shall expire unless recorded in the Fulton 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 Fulton County Clerk's Office. The Agency will consider the project in existence when this permit has been filed.

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 7.201±-acre parcel of land located on County Road 112 and County Road 309 in the Town of Bleecker, Fulton County, in an area classified Low Intensity Use and Rural Use on the Adirondack Park Land Use and Development Plan Map and is identified as follows:

- Tax Map Section 85, Block 1, Parcel 44, described in a deed from Harley D. Webber and Esther J. Webber to Harley D. Webber, Esther J. Webber, and Dewey L. Webber, dated July 17, 1972, and recorded July 18, 1972 in the Essex County Clerk's Office at Book 519, Page 540;
- Tax Map Section 85, Block 1, Parcel 45 and 46, described in a deed from Toni Johnson to Deena L. Sisco, dated September 3, 2021, and recorded September 7, 2021 in the Fulton County Clerk's Office under Instrument Number 2021-69631;
- Tax Map Section 85, Block 1, Parcel 47, described in a deed from Dewey L. Webber to Dewey L. Webber and Margaret L. Webber, dated November 4, 1997, and recorded November 6, 1997 in the Fulton County Clerk's Office at Liber 798, Page 106; and
- Tax Map Section 85, Block 1, Parcel 48, described in a deed from Esther J. Webber to Dewey Webber dated April 7, 1989, and recorded April 10, 1989 in the Fulton County Clerk's Office at Book 646, Page 225.

The project site contains wetlands that run parallel to County Road 309 across the middle of the project site. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The project site is improved by a commercial use restaurant constructed in 2001, one single family dwelling constructed in 1974, one pre-existing mobile home, and a swimming pool.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision and boundary-line adjustment to create a 1.997±-acre lot containing the existing commercial use restaurant (Lot A-B) and a 5.024±-acre lot, improved by the existing single family dwelling and mobile home (Lot C).

The project is shown on a one-sheet plan titled "Survey Map And Boundary Line Adjustment Of Lands Of Webber and Sisco," prepared by J. Christopher Foss, Ferguson & Foss Land Surveyors, PC, dated October 4, 2022, and last revised December 14, 2023 (Site Plan).

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.

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 of Low Intensity Use lands that results in the creation of a non-shoreline lot smaller than 2.75 acres in size 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 Fulton 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. 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 2023-0051, issued January 23, 2024, 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 and boundary line adjustment as depicted on the Site Plan. Any subdivision of the project site not depicted on the Site Plan shall require a new or amended permit.
6. Within 30 days of conveyance of Lot B a new deed shall be filed in the Fulton County Clerk's office describing Lot A and Lot B as a single, un-divided lot. Any future subdivision of this un-divided lot shall require a new or amended permit.
7. Within 30 days of conveyance of Lot C a new deed shall be filed in the Fulton County Clerk's office describing Lot C, Tax Map Parcel 85.-1-47, and Tax Map Parcel 85.-1-48 as a single, un-divided lot. Any future subdivision of this un-divided lot shall require a new or amended permit.
8. The Rural Use portion of Lot C shall not be conveyed separately from the Low Intensity Use portion of Lot C.
9. The construction of any additional dwelling or other principal building on the project site shall require prior written Agency authorization.

10. Installation of any replacement on-site wastewater treatment system on Lot A-B shall require prior written Agency authorization.
11. Prior to any ground disturbance, silt fence shall be installed in the locations depicted on the Site Plan and maintained until all disturbed soils are stabilized with native, non-invasive vegetation.
12. The project shall be undertaken in compliance with the Post Fill Seeding and Mulching Plan.
13. 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.
14. Outside of the limits of clearing shown on the Site Plan, no trees, shrubs or other woody-stemmed vegetation may be cut or otherwise removed or disturbed on Lot A-B 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.
15. Except as authorized herein, the undertaking of any activity involving wetlands shall require a new or amended permit.
16. There shall be no more than one principal building located on Lot A-B at any time. The commercial use restaurant replacement structure constructed on the property in 2001 constitutes a principal building.
17. There shall be no more than one principal building located on Lot C, in addition to the pre-existing mobile home, and the single family dwelling constructed in 1974, 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.


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 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 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
- g. will be compatible with preservation of the entire wetland and will not result in degradation or loss of any part of the wetland or its associated values.

PERMIT issued this 23rd day of January, 2024.

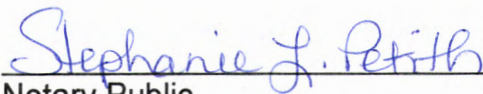
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

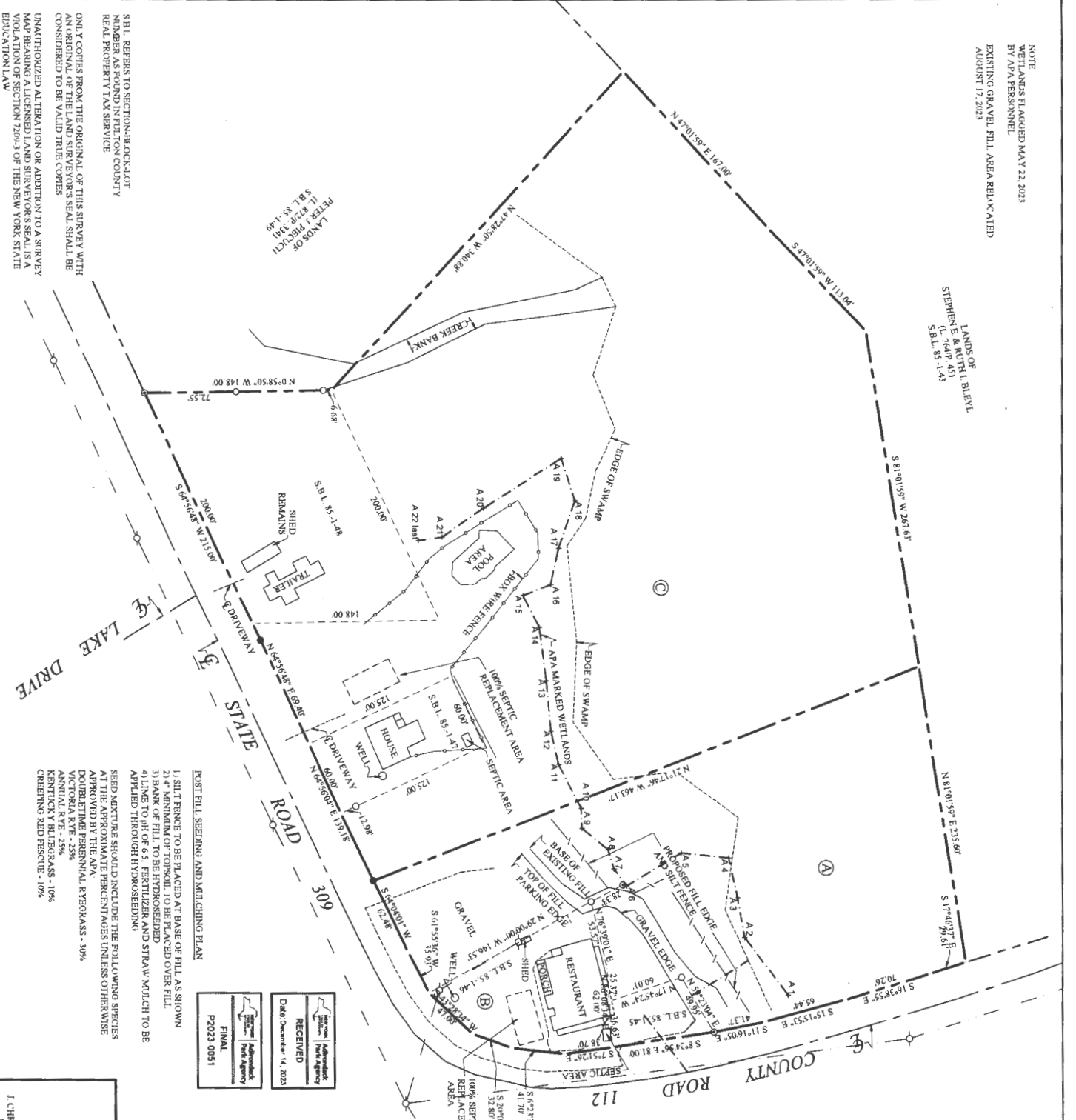
On the 23rd day of January in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and 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.

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


Notary Public

NOTE
 WETLANDS FLAGGED MAY 22, 2023
 BY APA PERSONNEL
 EXISTING GRAVEL FILL AREA BELINEATED
 AUGUST 17, 2023

LANDS OF
 STEPHEN E. & RUTH L. BLECKER
 D. 764P. 431
 S.B.L. 85-1-43



LEGEND

- IRON PIPE FOUND
- IRON ROD SET
- IRON ROD FOUND
- OVERHEAD UTILITY LINE

TOTAL AREA: 7.021 ACRES

LOT A: LANDS OF HARLEY D. ESTHER J. & DEWEY L. WEBBER TO BE CONVEYED TO DENA L. SISCO AND ADDED TO EXISTING PARCELS S.B.L. 85-1-45 & 46 PART OF S.B.L. 85-1-44 AREA: 1.997 ACRES

LOT B: LANDS OF DENA L. SISCO ORIGINAL RESTAURANT PARCEL (INST. NO. 2021 - 696511) S.B.L. 85-1-46 AREA: 0.240 ACRES

LOT C: ENLARGED PARCEL 47, LANDS OF HARLEY D. ESTHER J. DEWEY L. & MARGARET WEBBER S.B.L. 85-1-47 S.B.L. 85-1-48 PART OF S.B.L. 85-1-44 AREA: 5.024 ACRES

WEBBER & SISCO

TOWN OF BLECKER
 COUNTY OF FULTON
 STATE OF NEW YORK

SCALE: 1" = 50'
 OCTOBER 4, 2022
 REVISED OCTOBER 17, 2022
 REVISED FEBRUARY 1, 2023
 REVISED APRIL 27, 2023
 REVISED JUNE 9, 2023
 REVISED AUGUST 21, 2023
 REVISED SEPTEMBER 5, 2023
 REVISED SEPTEMBER 14, 2023
 REVISED DECEMBER 14, 2023

FERGUSON & FOSS
 PROFESSIONAL LAND SURVEYORS, P.C.
 P.O. BOX 599 - DANMORSTON, NY 12023 518-762-9997
 EMAIL: dfo@fergusonandfoss.com

I CHRISTOPHER FOSS
 P.L.S. 59044

RECEIVED
 Dated December 14, 2023

FINAL
 P2023-0051

- POST FILL SEEDING AND MULCHING PLAN
- 1) SILT FILL TO BE PLACED AT BASE OF FILL AS SHOWN
 - 2) 4" MINIMUM OF TOPSOIL TO BE PLACED OVER FILL
 - 3) BANK OF FILL TO BE HYDROSEEDED
 - 4) LIME TO pH OF 6.5, FERTILIZER AND STRAW MULCH TO BE APPLIED THROUGH HYDROSEEDING
- SEED MIXTURE SHOULD INCLUDE THE FOLLOWING SPECIES AT THE APPROXIMATE PERCENTAGES UNLESS OTHERWISE APPROVED BY THE APA
- DOUBLIN LIME PERENNIAL RYEGRASS - 30%
 - ANNUL RYE - 25%
 - KENTUCK BLUEDGRASS - 10%
 - CHELTENAM RED FESCUE - 10%

S.B.L. REFERS TO SECTION-BLOCK-LOT NUMBER AS FOUND IN FULTON COUNTY REAL PROPERTY TAX SERVICE

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY WITH AN ORIGINAL OF THE LAND SURVEYOR'S SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAY BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7205-3 OF THE NEW YORK STATE EDUCATION LAW