


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 2023-0063</p>
<p>In the Matter of the Application of</p> <p>JASON REDMOND Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: August 1, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Jason Redmond</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision into sites, construction of one new single-family dwelling, and after-the-fact construction of one single-family dwelling in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Saranac, Clinton County.

This authorization shall expire unless recorded in the Clinton 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 Agency will consider the project in existence when the permit has been recorded.

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 95.5±-acre parcel of land located on the north side of True Brook Road and the east side of Number 37 Road in the Town of Saranac, Clinton 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 226.1, Block 1, Parcel 30.211, and is described in deed from Arthur V. Carter to Jason Redmond, dated October 11, 2018 and recorded October 16, 2018 in the Clinton County Clerk's Office under Instrument Number 2018-00297185.

The project site is improved by an existing 650-square-foot single-family dwelling constructed in 2021 and served by an on-site water supply and on-site wastewater treatment system.

The project site was created as "Lot 1" in a two-lot subdivision as authorized by Agency Permit 2018-0115 and Agency Settlement Agreement E2019-0172, both recorded December 20, 2019 in the Clinton County Clerk's Office.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the following:

- Construction in 2021 of a single-story, 650-square-foot single-family dwelling with on-site water supply and an on-site wastewater treatment system. Access to the existing dwelling is along an existing 800±-foot-long gravel access drive that originates from True Brook Road.
- Construction of a new single-story, 1800-square-foot single-family dwelling with on-site water supply and an on-site wastewater treatment system and construction of a detached, single-story, two car garage. Access to the new dwelling site is along an existing 200±-foot-long gravel access drive that originates from Number 37 Road.

The existing single-family dwelling was constructed on the project site in 2021. As Condition 7 of Agency Permit 2018-0115 (issued April 11, 2019 and recorded December 20, 2019) states that construction of any additional dwelling or other principal building requires an Agency permit, it appears that an Agency permit was required for its construction. Agency records indicate that no permit was obtained. By issuance of this permit, the existing single-family dwelling shall be recognized as lawful for Agency purposes.

The project is shown on the following:

- A single plan sheet titled "Clinton County GIS Map" (Location Plan) depicting the existing 2021 dwelling (labelled as "3-season camp") and the proposed new dwelling (labelled as "home site"), prepared by Jason Redmond, dated January 26, 2023, and received by the Agency on April 5, 2023.
- A five page report titled "Clinton County Health Department Individual Sewage Treatment System Certificate of Acceptance" (After-the-Fact Septic Report), issued by the Clinton County Health Department, and received by the Agency on June 27, 2023. The on-site wastewater treatment system described and depicted in the After-the-Fact Septic Report serves the single-family dwelling constructed in 2021.

- A single plan sheet titled "Site Plan" (Site Plan), prepared by Jason Redmond, dated May 1, 2023, and received by the Agency on May 5, 2023. The Site Plan depicts and describes the location of the proposed development on the project site.
- A six page report titled "Individual Sewage Treatment System Construction Permit Application" (Septic Plans), approved by the Clinton County Health Department on January 23, 2023 as CCHD Permit # 2023-006. The six pages of Septic Plans include two plan sheets titled "Redmond Residence Sewage Treatment System - Site Plan (C1) and Details (C2)," prepared by Moser Engineering, dated January 18, 2023, and received by the Agency on April 5, 2023. The on-site wastewater treatment system described and depicted in the Septic Plans will serve the proposed new single-family dwelling.

Copies of the Site Plan and Location Plan are 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 any subdivision that results in the creation of four or more lots, parcels, or sites since May 22, 1973 in a Rural Use land use area in the Adirondack Park.

Pursuant to Condition 7 in Agency Permit 2018-0115, the construction of any additional dwelling or other principal building on the project site requires an Agency Permit.

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 Clinton 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 Location Plan, After-the-Fact Septic Report, Site Plan, and 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. This permit amends and supersedes Permit 2018-0115 and Settlement Agreement 2019-0172 in relation to the 95.5±-acre project site. The terms and conditions of Permit 2018-0115 and Settlement Agreement 2019-0172 shall no longer apply to the project site except as amended herein.

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 2023-0063, issued August 1, 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 into sites as depicted on the Location Plan. Any further subdivision of the project site shall require a new permit from the Agency.
7. Subject to the conditions stated herein, this permit authorizes the construction of one single-family dwelling, after-the-fact, on the project site in the location shown and labelled as "3-season camp" on the Location Plan.

The existing single-family dwelling shall be no more than 20 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade. The single-family dwelling shall not exceed 650 square feet in footprint, including all attached porches, decks, exterior stairs, garages, and other attached structures. Any expansion beyond these dimensions shall require prior written Agency authorization.

8. Subject to the conditions stated herein, this permit authorizes the construction of one new single-family dwelling and detached garage on the project site in the location shown and labeled as "home site" on the Location Plan and shown in greater detail on the Site Plan.

The new single-family dwelling shall be no more than 22 feet in height and the new detached garage shall be no more than 18 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade. The single-family dwelling shall not exceed 1800 square feet in footprint and the detached garage shall not exceed 800 square feet in footprint, including all attached porches, decks, exterior stairs, garages, and other attached structures. Any expansion beyond these dimensions shall require prior written Agency authorization.

9. The construction of any additional dwelling or other principal building on the project site shall require a new or amended permit.
10. Construction of any hunting and fishing cabin or guest cottage on the project site shall require a new or amended permit.
11. The construction of any accessory structure on on the project site and within 100 feet of wetlands or on slopes greater than 15 percent shall require prior written Agency authorization.
12. Any on-site wastewater treatment system 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 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.

13. Prior to any ground disturbance related to construction of a single family dwelling, silt fence shall be properly installed parallel to the existing contours between the proposed development and the nearest wetlands and/or streams in a location that maximizes the distance to the wetlands and streams. The silt fence shall be embedded into the earth a minimum of 6 inches. The silt fence shall be maintained throughout construction and shall not be removed until after all disturbed soils are stabilized with vegetation to prevent erosion and sedimentation of wetlands and water resources. The permittees or their successors in interest shall inspect the fabric at least once a week and after every major storm event to ensure the fabric and supports are intact and to remove accumulated sediments so as to maintain the fence in a functional manner.
14. 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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.
15. 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 Number 37 Road, True Brook Road, or adjoining property.
16. All exterior building materials, including roof, siding and trim, of the dwellings and detached garage on the project site shall be a dark shade of green, grey, or brown.
17. Within 100 feet of the centerline of True Brook Road and Number 37 Road, 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 1) within an area up to 25 feet in width for driveway maintenance and utility installations, and 2) dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
18. The undertaking of any activity involving wetlands shall require a new or amended permit.
19. There shall be no more than 16 principal buildings located on the project site at any time. The existing single-family dwelling constructed in 2021 and the new single-family dwelling authorized herein each constitute a principal building. 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 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 1st day of August, 2023.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 1st 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.

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


Notary Public

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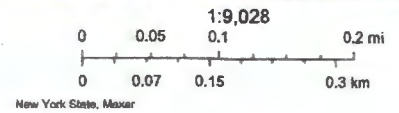
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Clinton County GIS Map



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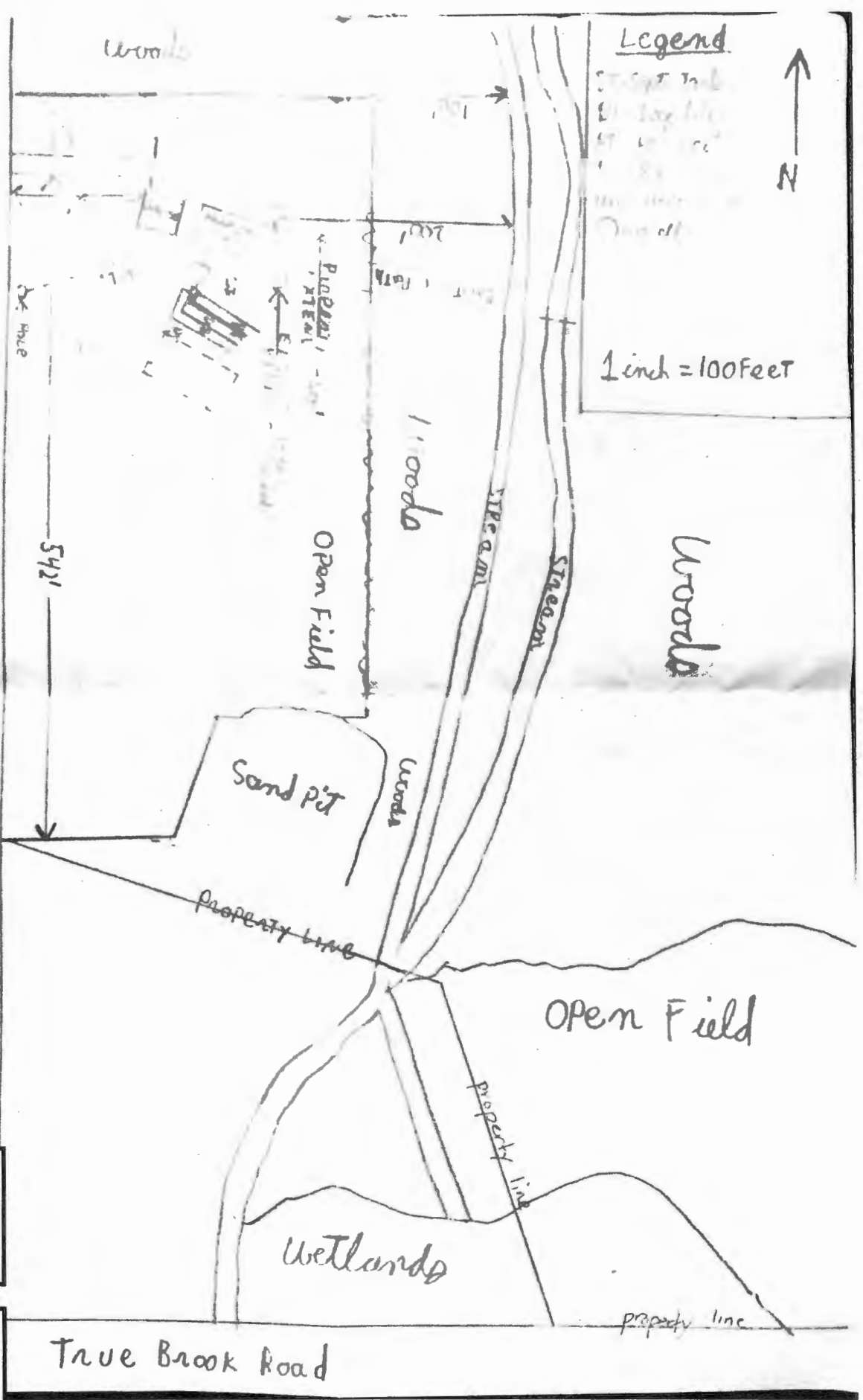
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Clinton County
New York State, Maxar

SITE PLAN
 prepared by Tison Redmond 511123
 APA Project # P2023-0063

Number 37 Road



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 Adirondack Park Agency
RECEIVED
 Date: May 5, 2023

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