



ESSEX COUNTY – STATE OF NEW YORK  
 CHELSEA M. MERRIHEW, COUNTY CLERK  
 7559 COURT ST, PO BOX 247, ELIZABETHTOWN, NY 12932

COUNTY CLERK'S RECORDING PAGE  
 \*\*\*THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH\*\*\*



Recording:

Cover Page	5.00
Recording Fee	45.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75

INSTRUMENT #: 2024-2006

Total: 70.00  
 \*\*\*\* NOTICE: THIS IS NOT A BILL \*\*\*\*

Receipt#: 2024286613  
 Clerk: WW  
 Rec Date: 06/18/2024 08:33:00 AM  
 Doc Grp: APA  
 Descrip: ADIRON PARK AGENCY  
 Num Pgs: 6  
 Rec'd Frm: JAMES CURRAN

Party1: A P A  
 Party2: CURRAN JAMES R  
 Town: MORIAH

I hereby certify that the within and foregoing was recorded in the Essex County Clerk's Office.


Chelsea M. Merrihew  
 Essex County Clerk

Record and Return To:

JAMES CURRAN  
 435 EDMONT RD  
 PORT HENRY NY 12974

**\*\*Notice\*\*** Information may change during the verification process and may not be reflected on this page

THIS IS A TWO-SIDED DOCUMENT

 <p><b>NEW YORK</b> STATE OF OPPORTUNITY.</p> <p><b>Adirondack Park Agency</b></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 <b>2023-0086</b></p>
<p>In the Matter of the Application of</p> <p><b>JAMES R. CURRAN, DAWN M. CURRAN, CATHY S. LAW-DAVENPORT, LEE TERRIER, LISA TERRIER, WADE TERRIER</b> Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: June 13, 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"><li>1. James R. Curran</li><li>2. Dawn M. Curran</li><li>3. Cathy S. Law-Davenport</li><li>4. Lee Terrier</li><li>5. Lisa Terrier</li><li>6. Wade Terrier</li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes a campground and tourist accommodation in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Moriah, 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 Essex County Clerk's Office. The Agency will consider the project in existence when the permit is 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 71.24± acres consisting of two parcels of land as follows:

- A 59.4±-acre parcel of land located on Cheney Road in the Town of Moriah, Essex 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 97.5, Block 6, Parcel 8.200, and is described in a deed from Marcia M. Erwin to James R. Curran, Dawn M. Curran, Mark W. Davenport, and Cathy S. Law-Davenport, dated August 28, 2019 and recorded September 24, 2019 in the Essex County Clerk's Office at Book 1965, Page 25. This parcel contains a 576-square-foot cabin and two 288-square-foot cabins.
- A vacant 11.8±-acre parcel of land located on Cheney Road in the Town of Moriah, Essex 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 104.4, Block 6, Parcel 11.200, and is described in a deed from Calvin Loven, Margene Loven, and Michael Loven to Lee Terrier, Lisa Terrier and Wade Terrier, dated February 29, 2020 and recorded May 6, 2020 in the Essex County Clerk's Office at Book 1987, Page 259.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves establishment of a campground and tourist accommodation consisting of three cabins and one tent site on tax map parcel 97.5-6-8.200. Access to the site will be from two existing pull-off parking areas, one on tax map parcel 97.5-6-8.200 and one on tax map parcel 97.5-6-11.200.

The project is shown on a Site Plan titled "Curran: APA Project No. 2023-0086," prepared by Gary Rancour, dated March 2024 (no day) and received by the Agency on March 26, 2024. A reduced-scale 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 establishment of any campground or tourist accommodation 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 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, for as long as the campground and/or tourist accommodation continues on the site.

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, 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 2023-0086, issued June 13, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. This permit authorizes the campground and tourist accommodation in the location shown and as depicted on the Site Plan. Any additional sites or cabins or any change to the location, dimensions, or other aspect of the campground and tourist accommodation shall require prior written Agency authorization.
6. Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, the construction of any dwelling or other principal building on the project site shall require a new or amended permit.
7. Construction of any leaching privy or on-site wastewater treatment system on the project site will require prior written Agency authorization.
8. All exterior building materials, including roof, siding and trim, of the three cabins shall remain a dark shade of green, grey, or brown.
9. Any new free-standing or building-mounted outdoor lights associated with the campground and tourist accommodation on the project site shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Cheney Road or adjoining property.
10. All signs associated with the campground and tourist accommodation on the project site shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3].
11. Within 100 feet of the three cabins and one tent site, no trees, shrubs, or other woody stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed on tax map parcel 97.5-6-8.200 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.
12. The undertaking of any activity involving wetlands shall require a new or amended permit.

- 13. There shall be no more than one principal building located on TM#97.5-6-8.200 at any time. 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 project 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 13<sup>th</sup> day of June, 2024.

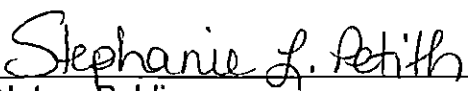
ADIRONDACK PARK AGENCY

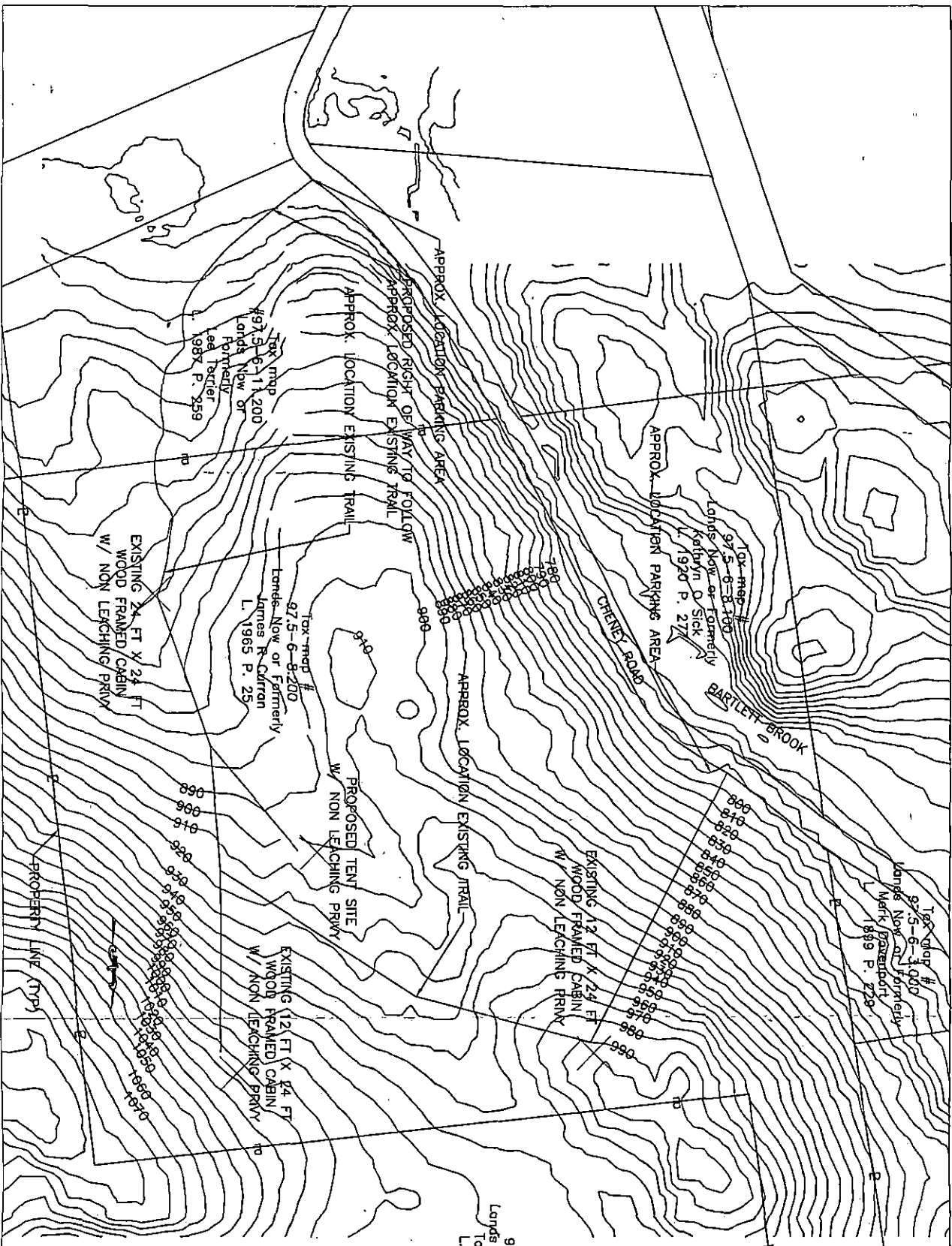
BY:   
David J. Plante, AICP CEP  
Deputy Director, Regulatory Programs

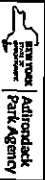
STATE OF NEW YORK  
COUNTY OF ESSEX

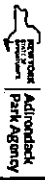
On the 13<sup>th</sup> day of June in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument 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

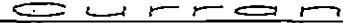
  
Notary Public




**RECEIVED**  
 Date: March 26, 2024


**FINAL**  
 P2023-0086

Tax map #  
 97.5-6-6.000  
 Lands Now or Formerly  
 Town Of Moriah  
 L. 404 P. 539

	DRAWN BY: GWR CK'D BY: GWR DATE: 3/2024 SCALE: 1"=200' SHEET 1 OF 1	APPR'D BY: APRVL DATE: REV: REV:
APA PROJECT NO. 2023-0086 CHENEY ROAD, MORIAH, NY SITE PLAN		