


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>2023-0089</b></p>
<p>In the Matter of the Application of</p> <p><b>STEVEN G. FISK</b> <b>Permittee</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: July 20, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: <b>1. Steven G. Fisk</b></p>

**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 Hopkinton, St. Lawrence County.

This authorization shall expire unless recorded in the St. Lawrence 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 St. Lawrence 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 240±-acre parcel of land located on the west side of Beebe Road in the Town of Hopkinton, St. Lawrence 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 79.002, Block 2, Parcel 16, and is described in a deed from Gary Acres as Trustee of Beebe Road Orchard Land Trust to Steven G. Fisk, dated October 22, 2019, and recorded October 22, 2019 in the St. Lawrence County Clerk's Office under Instrument Number 2019-00015287. The approximately 2,600-square-foot portion of Parcel 16 located in the southeast of the parcel and running along Beebe Road is in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map and is not a part of the project site.

The project site contains wetlands throughout the property, running parallel to Beebe Road. Additional wetlands not described herein or depicted on the Site Plan and Subdivision Plan may be located on or adjacent to the project site.

The project site was created as "Lot 1" in a two-lot subdivision as authorized by Agency Permit 2009-0288.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves a two lot subdivision, creating a vacant 100±-acre lot (Lot B) and a vacant 140±-acre lot (Lot C).

The project is shown on the following maps, plans, and reports:

- "Fisk Subdivision," prepared by Carl Gelardi, and dated June 2, 2023 (Site Plan).
- "Deedplot of A 140± Acre Parcel C," prepared by Maine Land Surveying, P.C., and dated April 18, 2023 (Subdivision Plan).

A reduced-scale copy of the Site Plan and Subdivision 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.

## **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 St. Lawrence 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 and Subdivision 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 2009-0288 in relation to the project site. The terms and conditions of Permit 2009-0288 shall no longer apply to the project site. Permit 2012-0036 has expired and is no longer valid.
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 2023-0089, issued July 20, 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 Subdivision Plan. Any subdivision not depicted on the Subdivision Plan shall require a new or amended permit.
7. 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.
8. The development of the "deep hole test site A" area shown on the Site Plan or on either "building site" shown on the Subdivision Plan, including construction of any structure or installation of any on-site wastewater treatment system or pit privy, shall require submittal of additional maps and plans and a new or amended permit.
9. 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.
10. There shall be no more than 12 principal building(s) located on Lot B. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
11. There shall be no more than 16 principal building(s) located on Lot C. 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 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;
- 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 20<sup>th</sup> day of July, 2023.

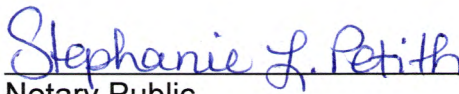
ADIRONDACK PARK AGENCY

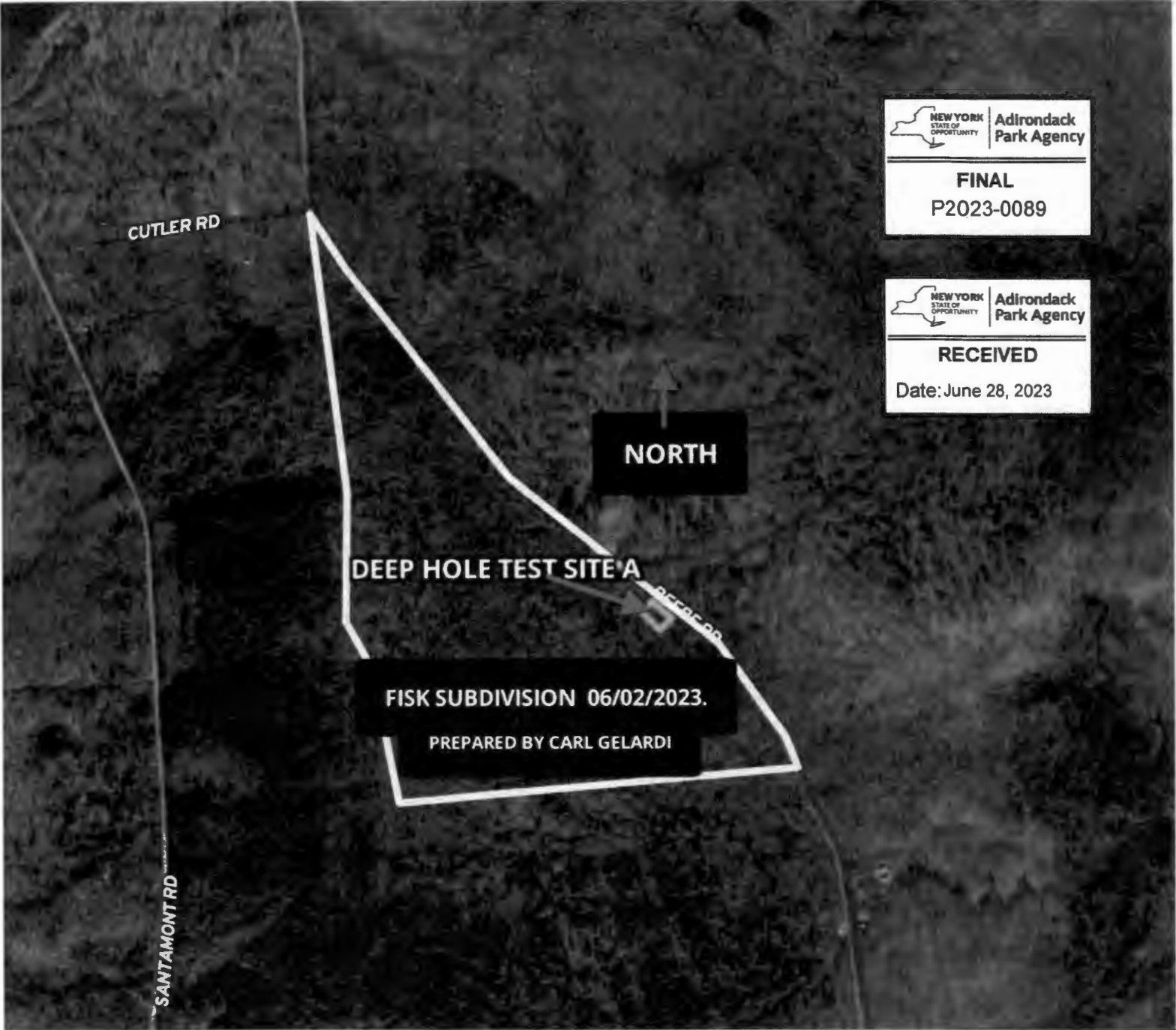
BY:   
David J. Plante, AICP CEP  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 20<sup>th</sup> day of July 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



CUTLER RD

SANTAMONT RD

NORTH

DEEP HOLE TEST SITE A

RCCOC RD

FISK SUBDIVISION 06/02/2023.

PREPARED BY CARL GELARDI

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FINAL  
P2023-0089

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RECEIVED  
Date: June 28, 2023

