


**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>2023-0143</b></p>
<p>In the Matter of the Application of</p> <p><b>CHRIS D. HERMANS &amp; BONITA S. HERMANS</b> <b>Permittees</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: November 16, 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"><li><b>1. Chris D. Hermans</b></li><li><b>2. Bonita S. Hermans</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes the expansion of a dock in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Fort Ann, Washington County.

This authorization shall expire unless recorded in the Washington 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 Washington County Clerk's Office. The Agency will consider the project in existence when the authorized dock has been constructed.

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 0.37-acre parcel of land located on Echo Bay Lane in the Town of Fort Ann, Washington County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 73.13, Block 1, Parcel 11, and is described in a deed from Echo Lodge, LLC and Ruama A. Noakes to Chris D. Hermans and Bonita S. Hermans, dated August 9, 2013, and recorded August 22, 2013 in the Washington County Clerk's Office under document number 2013-00086375.

The project site contains shoreline on Echo Bay of Lake George and deepwater marsh wetlands with a value rating of "3" exist below mean high water mark. Additional wetlands not described herein or depicted on the Dock Plan may be located on or adjacent to the project site. The project site is improved by an existing single-family dwelling and 8' x 48' post-supported dock.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves the replacement and expansion of an existing 8' x 48' post-supported dock in wetlands with a covered U-shaped crib dock also located within wetlands consisting of an 8' x 48' dock, 4' x 36' dock, and 4' x 11' dock. The U-shaped dock will be covered with a 16' x 32' sun deck, accessed by a 3-foot-wide staircase measuring less than 100 square feet. The dock decking will be installed at a fixed height of 1.5 feet above mean high lake elevation. The structure will be supported by six crib structures totaling 200 square feet.

The project is shown on four drawings titled "Hermans Dock and Sun Deck Project," prepared by Chris Hermans, and received by the Agency on September 26, 2023 (Dock Plan). A reduced-scale copy of the Dock 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 deposit of fill in a wetland 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 Washington 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 dock remains on the site. Copies of this permit and Dock 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 2023-0143, issued November 16, 2023, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. This permit authorizes the construction of a covered U-shaped dock in the location shown and as depicted on the Dock Plan. Any change to the location, dimensions, or other aspect of the dock shall require prior written Agency authorization.
6. All deck boards of the U-shaped dock shall be installed with a minimum 3/8" spacing between boards. This requirement does not apply to the staircase or sun deck.
7. 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.
8. Any new free-standing or building-mounted outdoor lights associated with the dock 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 Lake George, Echo Bay Lane, or adjoining property.
9. Prior to undertaking construction of any additional dock or boathouse on the project site, written authorization of plans for the structure, including all attached docks, walkways, and attached upland structures shall be obtained from the Agency.
10. Except for as authorized herein, the undertaking of any activity involving wetlands shall require a new or amended permit.

### **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 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 Moderate Intensity Use land use area;

- c. will be consistent with the overall intensity guidelines for the Moderate 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 result in the minimum possible degradation or destruction of any part of the wetland or its associated values, is the only alternative which reasonably can accomplish the applicant's objectives, and will, weighing the benefits of the activity against its cost and the wetland values lost, provide a net social and/or economic gain to the community.

PERMIT issued this 16<sup>th</sup> day of November, 2023.

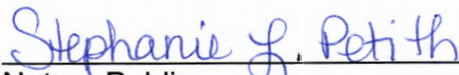
ADIRONDACK PARK AGENCY

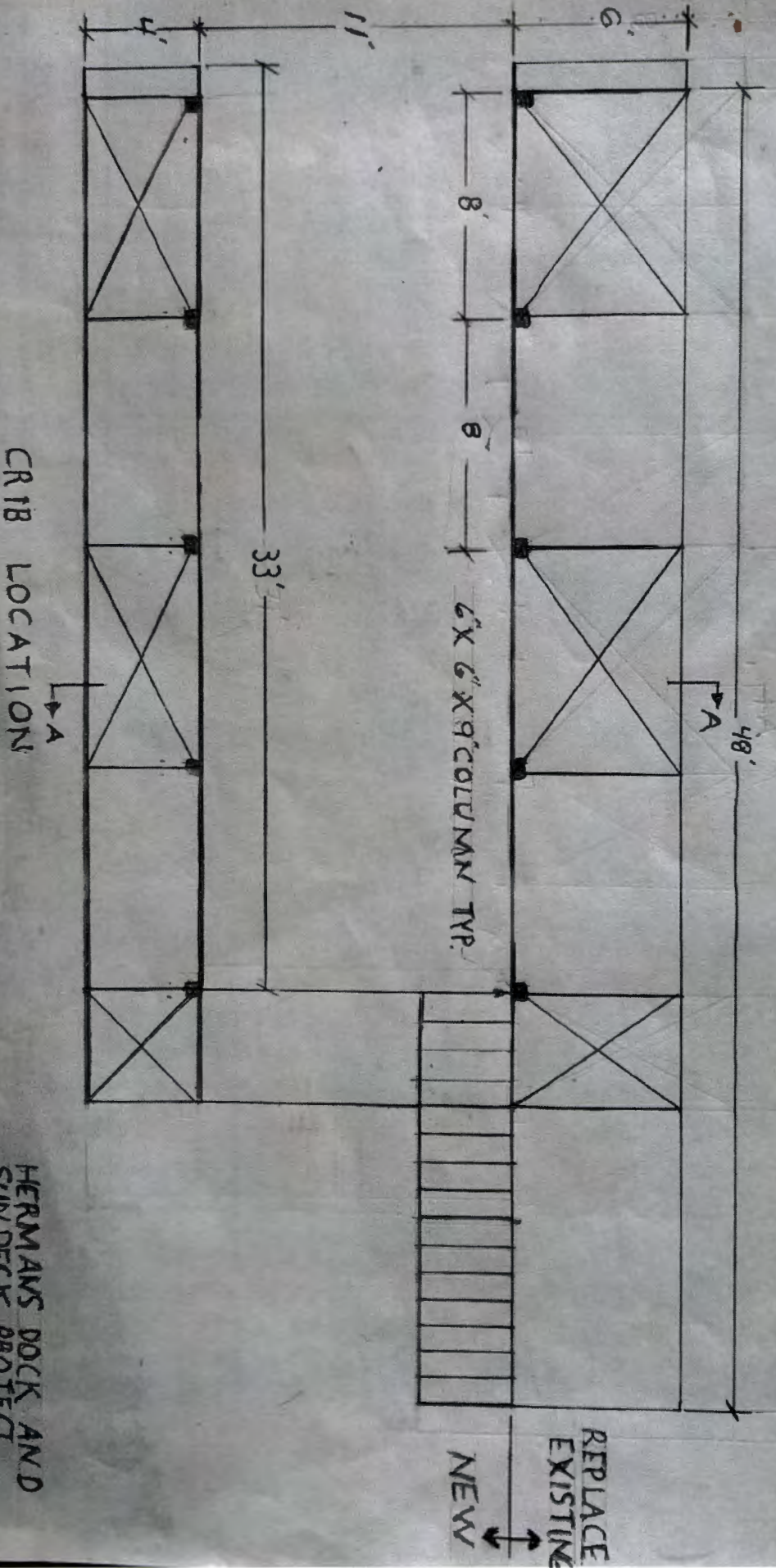
BY:   
David J. Plante, AICP CEP  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 16<sup>th</sup> day of November 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



CRIB LOCATION

6" X 6" X 9" COLUMN TYP.

REPLACE  
EXISTING  
NEW

HERMANS DOCK AND  
SUN DECK PROJECT  
SCALE: 3/16" = 12"  
DRAWN BY: C. HERMANS  
PAGE: 1 OF 4

NEW YORK STATE  
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NEW YORK STATE  
Adirondack Park Agency  
RECEIVED  
Date: September 26, 2023



Adirondack Park Agency

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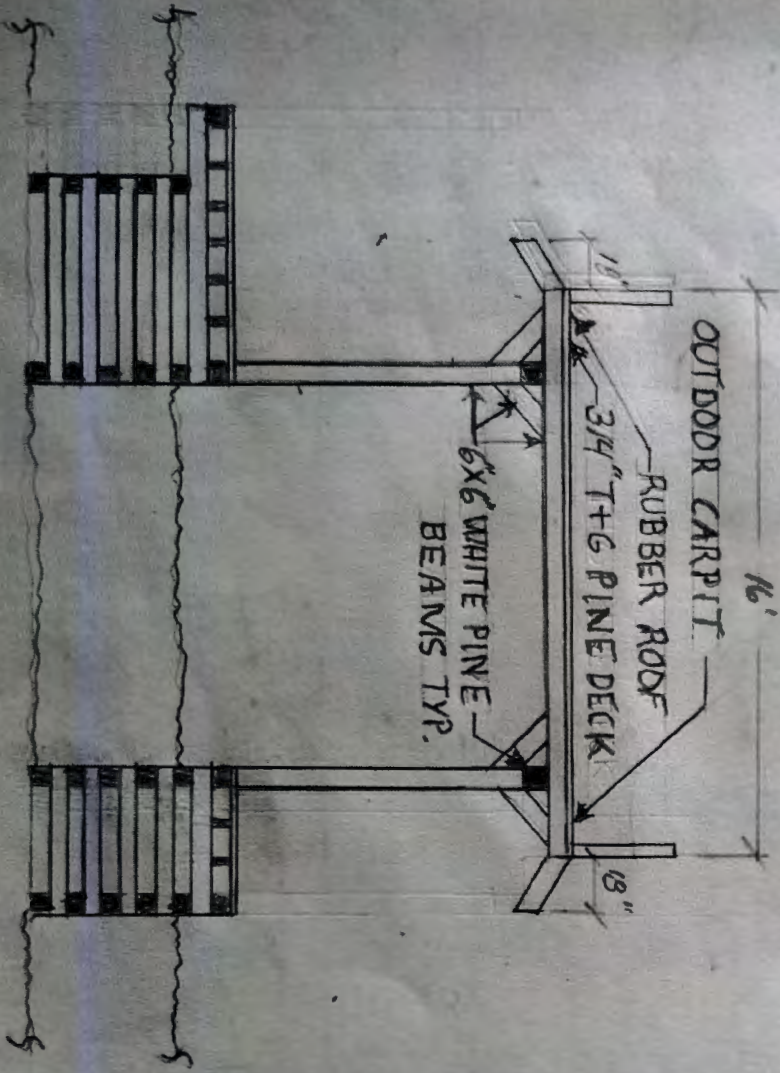
Date: September 26, 2023



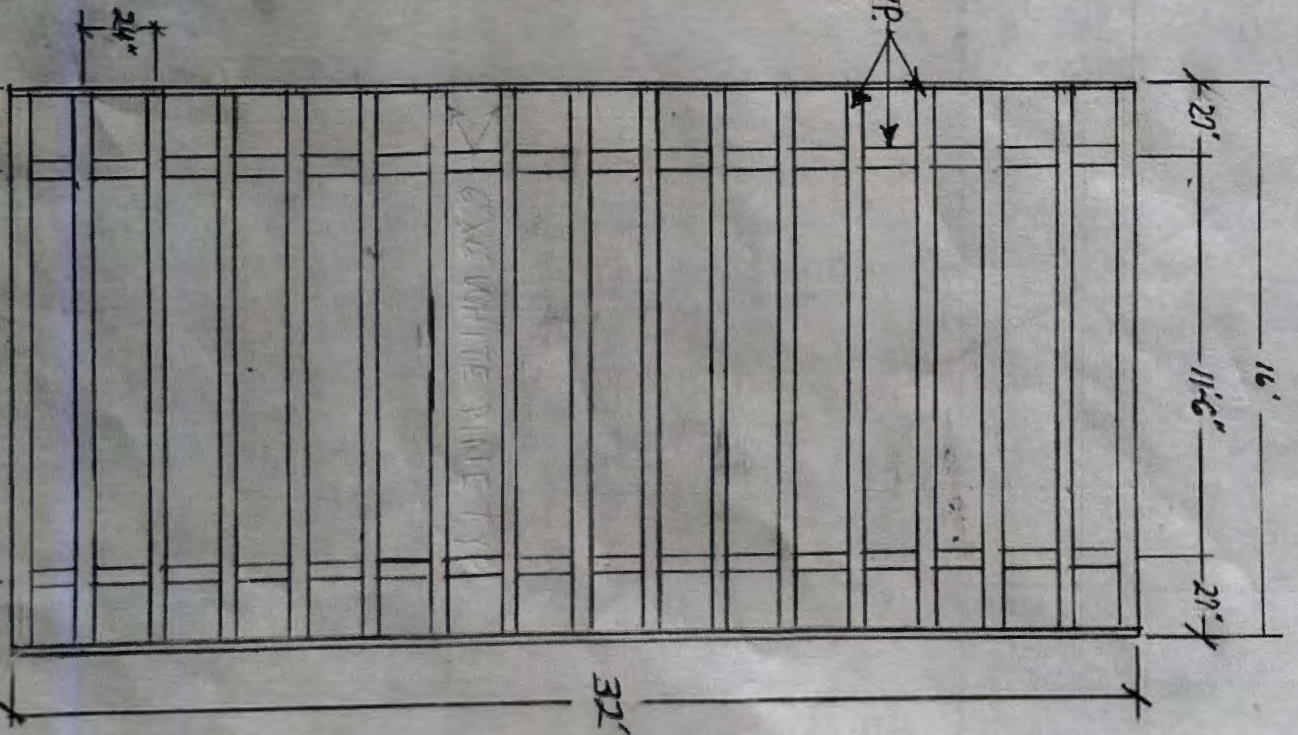
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6" X 6" WHITE PINE BEAMS TYP.

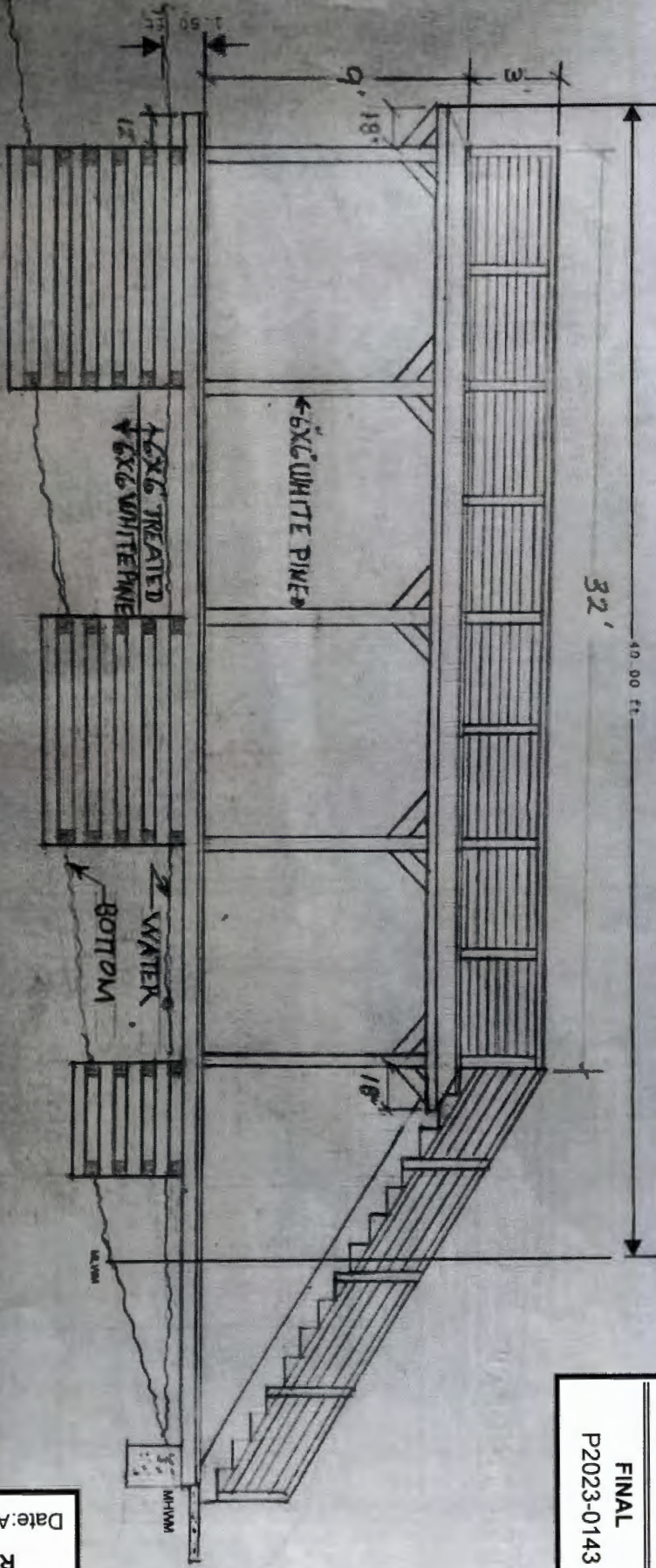


SECTION A-A

SUNDECK FRAMING


PAGE: 4 OF 4

Roof Eave Incl to Excavd 40' + MLWM



SIDE ELEVATION


 NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
**Adirondack Park Agency**  
**FINAL**  
 P2023-0143

RECEIVED  
 Date: August 21, 2023  

 NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
**Adirondack Park Agency**

11/10/14 Site Inspection JT, KF  
Parcel 73.13-1-11, Town of Fort Ann

NEW YORK  
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AUG 02 2023

