


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 2023-0158</p>
<p>In the Matter of the Application of</p> <p>POV DOCK, LLC Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: October 19, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. POV Dock, LLC</p>

SUMMARY AND AUTHORIZATION

This permit authorizes two, two-lot subdivisions in an area classified Hamlet and Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Bolton, Warren County.

This authorization shall expire unless recorded in the Warren 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 Warren 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 50.79± acre parcel of land located on Shallow Beach Road and Homer Point Road in the Town of Bolton, Warren County, in an area classified Hamlet and Resource Management on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 186.18, Block 1, Parcel 31, and is described in a deed from The Simonson Family Living Trust to POV Dock, LLC, dated June 25, 2021, and recorded in the Warren County Clerk's Office under Book 6400, Page 107.

The project site contains shoreline on Lake George. The project site also contains wetlands associated with Lake George. Additional wetlands not described herein or depicted on the Subdivision Plan may be located on or adjacent to the project site.

The project site is vacant and is utilized for shared shoreline access.

PROJECT DESCRIPTION

The project as conditionally approved herein involves subdivisions to create:

- Lot 1, a 5.01 acre lot vacant lot comprised of Hamlet and Resource Management land use areas with existing shared shoreline access;
- Lot 2, a 0.48 acre vacant Hamlet shoreline access lot; and
- Lot 3, a 45.3± acre vacant Resource Management lot.

The project is shown on the following map and plan: "Map of a Proposed Subdivision made for POV Dock, LLC," prepared by Van Dusen & Steves Land Surveyors, dated October 2, 2023, and received by the Agency on October 6, 2023 (Subdivision Plan). A reduced-scale copy of the 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 Warren 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 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, 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 2023-0158, issued October 19, 2023, 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 three-lot subdivision as depicted on the Subdivision Plan. Any subdivision of the project site not depicted on the Subdivision Plan shall require prior written Agency authorization.
6. Any deed of conveyance for Lot 1 as depicted on the Subdivision Plan shall contain an easement providing ingress and egress to Lot 2 over the "Proposed Right-Of-Way" depicted on the Subdivision Plan.
7. The Hamlet portion of Lot 1 shall not be conveyed separately from the Resource Management portion of Lot 1 without a new or amended permit.
8. Prior to undertaking construction of any boathouse on the project site, written authorization of plans for the boathouse, including all attached docks or walkways, shall be obtained from the Agency.
9. Prior to undertaking modification of any existing dock or construction of any new dock on the project site, written authorization of plans for the dock, including all attached upland structures, shall be obtained from the Agency.
10. The undertaking of any activity involving wetlands not authorized herein shall require a new or amended permit.

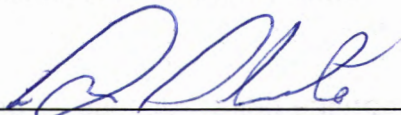
CONCLUSIONS OF LAW

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 subdivision authorized as conditioned herein:

- a. will meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Bolton;
- b. 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;
- c. 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
- d. 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 19th day
of October, 2023.

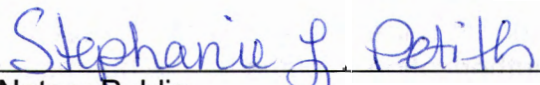
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 19th day of October 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

