


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 2023-0163</p>
<p>In the Matter of the Application of</p> <p>GEORGE SWIFT, MAUREEN CARTER and VILLAGE MOTORSPORTS, INC Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: October 12, 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">1. Village Motorsports, Inc.2. Maureen Carter

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map in the Town of Lake Pleasant, Hamilton County.

This authorization shall expire unless recorded in the Hamilton 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 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 Hamilton 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 8.06-acre parcel of land located on Elliot Road in the Town of Lake Pleasant, Hamilton County, in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map. The project site includes two separate tax parcels as follows:

- Tax Map Section 113.041, Block 3, Parcel 3.222, described in a deed from Moose Creek Holdings, LLC and Village Motorsports, Inc. dated April 10, 2021, and recorded in the Hamilton County Clerk's Office as Instrument Number 2021-759 on May 19, 2021 (6.49 acres); and
- Tax Map Section 113.048, Block 2, Parcel 11.100, described in a deed from Amanda Elaine Craven and Claire H. Craven to Maureen K. Carter dated October 13, 2020, and recorded in the Hamilton County Clerk's Office as Instrument Number 2020-1265 on November 10, 2020 (1.57 acres).

The project site contains wetlands as shown on the Survey referenced herein. Additional wetlands not described herein or depicted on the Survey may be located on or adjacent to the project site.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of tax map parcel 113.041-3-3.222 to create a 1.05-acre parcel to be merged with tax map parcel 113.048-2-11.100.

The subdivision is shown on a survey titled, "Map Showing Lands of Moose Creek Holdings, LLC," prepared by Blanchard Land Surveying, and dated November 2, 2020 (Survey). A reduced scale copy of the Survey is attached to 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 Hamilton 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 Boundary Line Adjustment 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. Subject to the conditions stated herein, this permit authorizes a two-lot subdivision as depicted on the Survey. Any subdivision of the project site not depicted on the Site Plan shall require prior written Agency authorization.
5. Within 30 days of conveyance of the 1.05-acre Boundary Line Adjustment Parcel shown on the Survey, a new deed shall be filed in the Hamilton County Clerk's office describing the Boundary Line Adjustment Parcel and tax parcel 113.048-2-11.100 as a single, un-divided lot.
6. The undertaking of any activity involving wetlands shall require a new or amended permit. Any new land use or development within 100 feet of wetlands shall require prior written Agency authorization.


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 Hamlet land use area;
- c. will be consistent with the overall intensity guidelines for the Hamlet 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 12th day
of October, 2023.

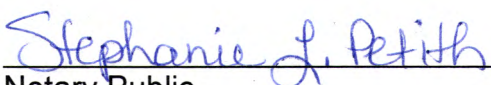
ADIRONDACK PARK AGENCY

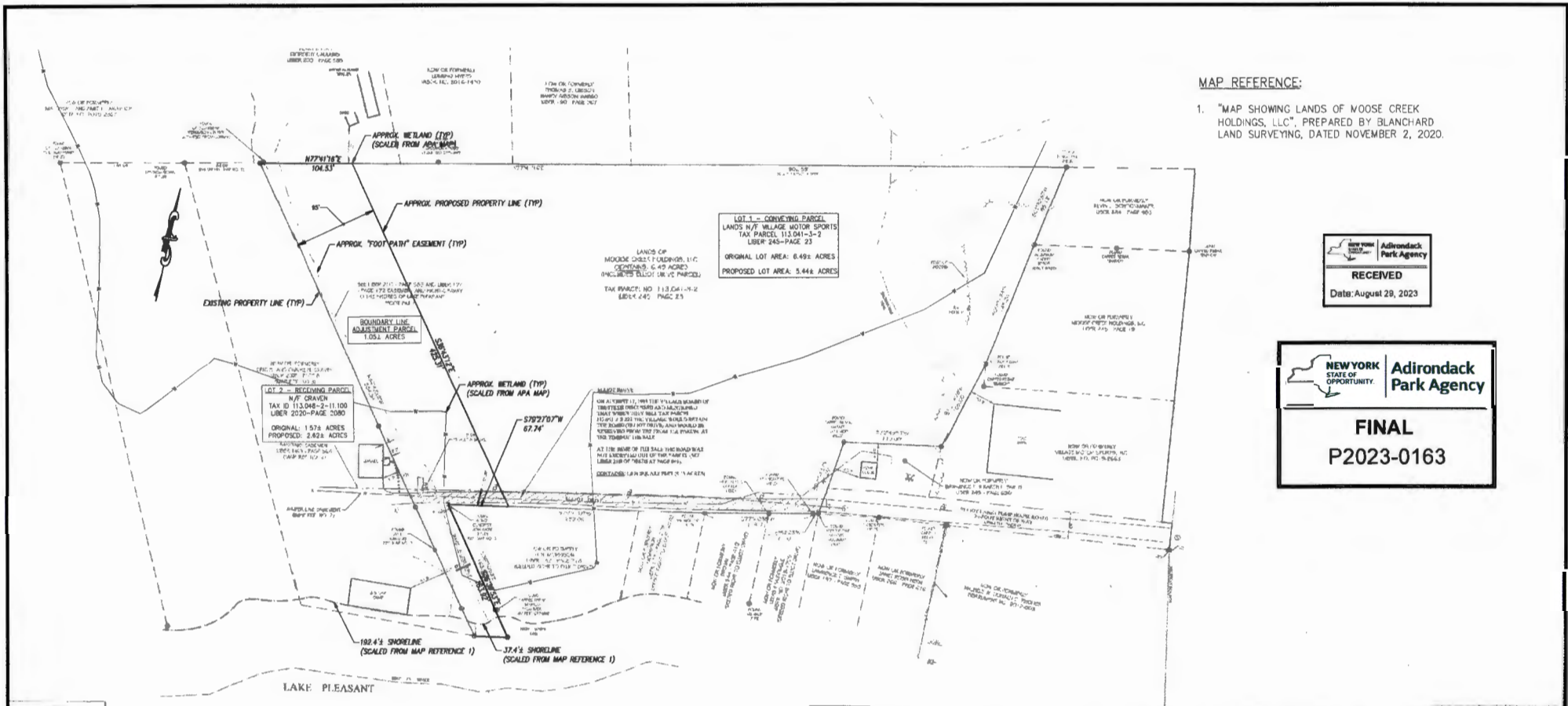
BY: 
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 12th 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




MAP REFERENCE:

1. "MAP SHOWING LANDS OF MOOSE CREEK HOLDINGS, LLC", PREPARED BY BLANCHARD LAND SURVEYING, DATED NOVEMBER 2, 2020.



RECEIVED

 Date: August 29, 2023



Adirondack Park Agency

FINAL

P2023-0163



IT IS A VIOLA TON OF SECTION 2209, 540 DIVISION 2 OF THE NYS "WORK STATE EDUCATION LAW FOR ANY PERSON UNLAWFULLY ACTING UNDER THE JURISDICTION OF A LICENSED LAND SURVEYOR, TO ALTER IT OR OCCUPY IT IN ANY WAY"

Blanchard Land Surveying
 711 Old State Road
 Poland, New York
 845-546-4924

Drawn by: BRL
 Date: 11/2/2020
 Scale: 1" = 30'
 NY 2020-096



MAP SHOWING LANDS OF
MOOSE CREEK HOLDINGS, LLC
 TAX PARCEL NO. 113.041-3-3.222
 TOWN OF LAKE PLEASANT, VILLAGE OF
 SPECULATOR, COUNTY OF HAMILTON
 STATE OF NEW YORK

B.S.

NOTES:

1. THIS SCHEMATIC PLAN IS INTENDED TO CONVEY INFORMATION ABOUT THE PROJECT AND IS NOT A SURVEY.
2. A LICENSED SURVEYOR WILL BE RETAINED TO PREPARE A FINAL MAP AFTER JURISDICTIONAL MAPPING REQUIREMENTS ARE DEFINED.

ENGINEER: DONALD C. RHODES, P.E. 423 DEVILS LANE BALLSTON SPA, NY 12020 TEL: 518-424-7492	NO	DATE	REVISION	SCHEMATIC SITE PLAN MAP
DATE: AUGUST 28, 2023 SCALE: 1"=50' SHEET: 1 OF 1				