


THIS IS A TWO-SIDED DOCUMENT

 <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 2023-0180</p>
<p>In the Matter of the Application of</p> <p>CASSANDRA A. PARTYKA AND OLIVIA BARTOLI (PARTYKA), CO-EXECUTRIXES OF THE ESTATE OF FREDERICK A. PARTYKA II Permittees</p> <p>for a permit pursuant to §809 of the Adirondack Park Agency Act</p>	<p>Date Issued: November 1, 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. Estate of Frederick A. Partyka II2. Cassandra A. Partyka, co- executrix3. Olivia Bartoli (Partyka), co- executrix

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Mayfield, Fulton County.

This authorization shall expire unless recorded in the Fulton 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 Fulton 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 10.22±-acre parcel of land located on Partyka Drive, a private drive off North Second Avenue, in the Town of Mayfield, Fulton County, in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 137.1, Block 3, Parcel 1, and is described in a deed from Clare Partyka to Frederick A. Partyka, II and Karen A. Partyka, dated April 23, 1998, and recorded April 27, 1998 in the Fulton County Clerk's Office in Book 806 at Page 107.

The project site is improved by a single family dwelling and detached garage constructed in 1980, with an on-site wastewater treatment system and on-site water supply well.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of 10.22± acres to create a 1.16±-acre lot with an existing single family dwelling (Lot 1) and a 9.06±-acre vacant lot (Lot 2). Access to both lots is over Partyka Drive (private) from North Second Avenue (public).

The project is shown on a map titled "A Proposed Subdivision Prepared for the Frederick A. Partyka Estate, Town of Mayfield, Fulton Co., NY," prepared by Carpenter Associates, PC, stamped by Arthur C. Carpenter, LS, and last dated October 4, 2023 (Subdivision Map). A reduced-scale copy of the Subdivision Map 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 any subdivision of Low Intensity Use lands that results in the creation of a non-shoreline lot smaller than 2.75 acres in size 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 Fulton 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 Subdivision Map 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 2023-0180, issued November 1, 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 two-lot subdivision as depicted on the Subdivision Map. Any subdivision not depicted on the Subdivision Map shall require prior written Agency authorization.
6. Any deed of conveyance for Lot 2 as depicted on the Subdivision Map shall contain an easement providing access to Lot 1 over Partyka Drive.
7. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling and accessory structures on Lot 2 within 200 feet of the test pit location shown on the Subdivision Map.

The single family dwelling and any accessory structures shall be no more than 40 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade.

8. The construction of any dwelling or other principal building on Lot 2 greater than 200 feet from the test pit location shown on the Subdivision Map shall require prior written Agency authorization.
9. Construction of any guest cottage on Lot 2 shall require prior written Agency approval.
10. Prior to construction of any on-site wastewater treatment system(s) on Lot 2, written authorization shall be obtained from the Agency for plans prepared by a New York State design professional (licensed engineer or registered architect) that comply with New York State Department of Health's "Wastewater Treatment Standards for Individual Household Systems" (10 NYCRR Appendix 75 A), the Agency's Project Guidelines for Residential On-Site Wastewater Treatment, and with Agency standards in 9 NYCRR Appendix Q-4.

Installation of the approved plans shall be under the supervision of a licensed design professional. Within 30 days of complete system installation and prior to utilization, the design professional shall provide the Agency with written certification that the system was installed in compliance with the Agency authorized plan set.

11. 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.

12. There shall be no more than one principal building(s) located on Lot 1 at any time. The single family dwelling constructed on the property in 1980 constitutes a principal building.
13. There shall be no more than two principal buildings located on Lot 2. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

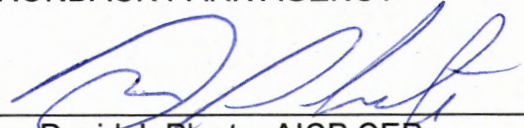
CONCLUSIONS OF LAW

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 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 Low Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Low Intensity Use 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.

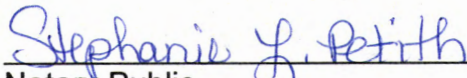
PERMIT issued this 1st day
of November, 2023.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 1st 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.


Notary Public

Stephanie L. Petith
Notary Public, State of New York
Reg No 01PE6279890
Qualified in Franklin County
Commission Expires April 15, 2025

Unauthorized alteration or addition to this map is a violation of Article 145, section 7809 sub-paragraph (2) of the New York State Education Law

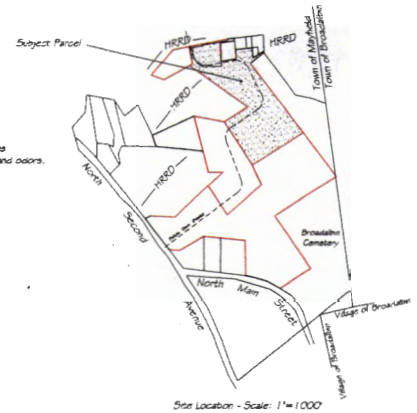
Subject Parcel:
 1) Deed: Clare Partyka to Frederick A. Partyka II and Karen A. Partyka in deed dated April 23, 1980 - Deed Book 806 Page 107
 Tax Map: Section 137-1 Block 3 Lot 1

- Notes:**
- 1) It is the policy of this state and this community to conserve, protect, and encourage the development and improvement of agricultural land for the production of food and other products and also for its natural and ecological value. This disclosure notice is to inform prospective residents that farming activities occur within the Town. Such activities may include but not be limited to activities that cause noise, dust, and odors.
 - 2) All on-site sanitation and water supply facilities shall be assigned to meet the minimum specifications of the State Department of Health.
 - 3) The deed from Clare A. Partyka to Douglas E. Bombard and Jacqueline L. Bombard dated May 22, 1991 and recorded in Deed Book 685 at Page 114 reserved a twenty-one foot wide easement across the southern portion of said lot and a twenty-one foot wide easement across the easterly portion of said lot.

Zoning: Lake Area 1
 Minimum Lot Size: 1 Acre # no Sewer
 Minimum Lot Width: 150'
 Minimum Front Yards: 15'
 Minimum Side Yards: 7'
 Minimum Rear Yards: 15'
 Minimum Year Spaced to H.R.R.D. Line: 5'

Legend:

- Capitol Iron Rod Set
- Edge of Woods
- Utility Pole
- Stone wall



Sacandaga Reservoir

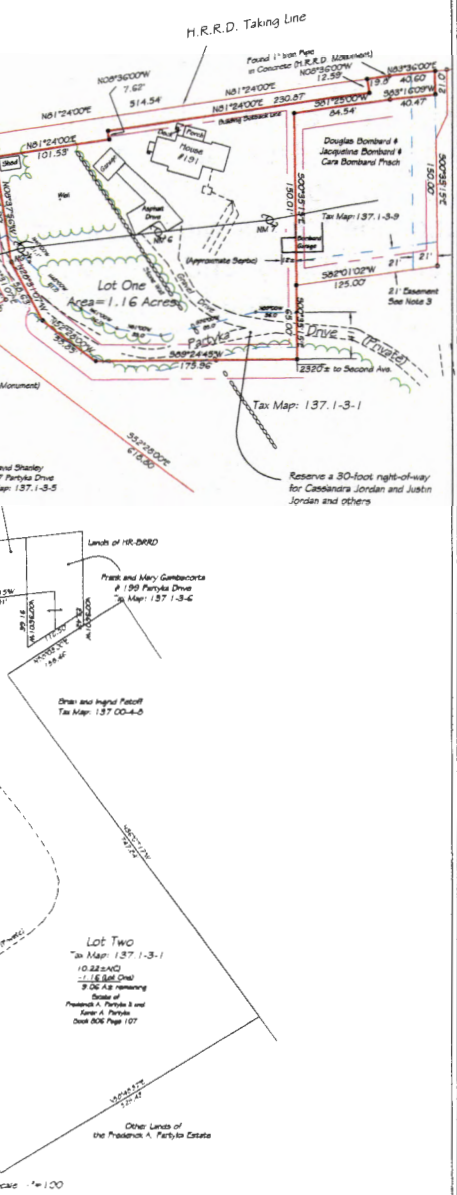
Joint Utility Easement: granted to Niagara Mohawk Power Corporation and General Telephone Company of Upstate New York, Inc with rights to Trim as Necessary, No worth stated November 1959 [76572]

RECEIVED
 Date October 17, 2023

FINAL
 P2023-0180

Test Pit #1
 Date: September 25, 2023
 Mapped Soil Series: Chamton Loam
 Distance to nearest jurisdictional wetland: > 100'
 Distance to nearest existing or proposed well: > 100'
 Distance to nearest water body: > 200'
 Depth to Seasonal High Groundwater Table: > 40'
 Depth to bedrock or refusal: > 72'
 Depth of test pit = 72'
 Slope: 1:38
 Acceptable System: Conventional Standard Absorption

Horizon	Depth (inches)	USDA Texture	Munsell Color	Redoximorphic Features
A	0-7	Loam	10YR 5/4, dark yellowish brown	No
B ₁	7-15	Loam	10YR 6/4, light yellowish brown	No
C	15-40+	Silt Loam	10YR 6/5, pale brown	No



A Proposed Subdivision Prepared for
 the Frederick A. Partyka Estate
 Town of Mayfield, Fulton Co., N.Y.
 Scale: 1"=50' 3 April 2023

