


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 2023-0190</p>
<p>In the Matter of the Application of</p> <p>DEVIN WARREN BECK AND KRISTI LYN BECK Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: January 17, 2024</p>
	<p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <p>1. Devin Warren Beck 2. Kristi Lyn Beck</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a three-lot subdivision in an area classified Low 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 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 10.34± acres of land located on Taylor Woods Road and Copeland Pond Road in the Town of Fort Ann, Washington County, in an area classified Low Intensity Use and Rural Use on the Adirondack Park Land Use and Development Plan Map. The project site includes:

- 2.66± acres in an area classified Low Intensity Use, identified as Tax Map Section 101, Block 2, Parcel 58.1 (Parcel 58.1) and described in a deed from Robert Wendell Beck to Devin Warren Beck and Kristi Lyn Beck, dated February 14, 2018, and recorded in the Washington County Clerk's Office under Book 3895, Page 93; and
- 7.68± acres in an area classified Low Intensity Use and Rural Use, identified as Tax Map Section 101, Block 2, Parcel 58.7 (Parcel 58.7), and described in a deed from Leslie W. Beck and Jennifer L. Shippee to Leslie W. Beck, Jennifer L. Shippee and Ruth A. Esperti to Devin Warren Beck and Kristi Lyn Beck, dated April 12, 2012, and recorded under Book 3095, Page 54.

The creation of the project site by subdivision was authorized by Agency Permit 2011-0162. Condition 4 of Agency Permit 2011-0162 authorizes two potential principal buildings on Parcel 58.1.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a three-lot subdivision of Parcel 58.1 to create:

- an 0.11± acre vacant lot to be merged with Parcel 58.7;
- 1.28± acre vacant lot (Lot 1); and
- 1.27± acre vacant lot (Lot 2).

The project is shown on the following maps and plans:

- "Map of a Subdivision Made for the Ruth C. Beck Estate," prepared by David J. Bolster, LLS, dated January 15, 2012, and recorded under Instrument 7765; and
- "Sketch Plan" received by the Agency on November 15, 2023 (Site Plan).

A reduced-scale copy of the Site 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, 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.

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 that results in the creation of 10 or more lots, parcels, or sites since May 22, 1973, in a Low Intensity Use land use area in the Adirondack Park.

This permit amends Conditions 1, 4, 5, 6, 14, 16 and 17 of Permit 2011-0162 in relation to Parcel 58.1.

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. Copies of this permit and the Site 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 2011-0162 in relation to the Parcel 58.1 portion of the project site. The terms and conditions of Permit 2011-0162 shall no longer apply to the Parcel 58.1 portion of the project site.
5. All conditions of Permit 2011-0162 remain in full force and effect in relation to the Parcel 58.7 portion of the project site.
6. 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 2023-0190, issued January 17, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
7. Subject to the conditions stated herein, this permit authorizes a three-lot subdivision as depicted on the Site Plan. Any subdivision of Parcel 58.1 not depicted on the Site Plan shall require a new or amended permit.
8. Within 30 days of conveyance of the 0.11±-acre lot, a new deed shall be filed in the Washington County Clerk's office describing the merger of the 0.11±-acre lot and Parcel 58.7 as a single, un-divided lot. Any future subdivision of this undivided lot shall require a new or amended permit.
9. The deed of conveyance for the 0.11±-acre lot shall contain a covenant restricting the 0.11±-acre lot against the construction of any single family dwelling, mobile home, or other structure as defined under the Adirondack Park Agency Act. The deed shall state that the covenant shall run with, touch and concern the land, and that the covenant shall be enforceable by the Adirondack Park Agency and the State of New York.

10. The construction of any single family dwelling or other principal building on Lot 1 or Lot 2 shall require prior written Agency authorization.

Any single family dwelling or accessory structures on Lot 1 or Lot 2 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

11. Construction of any guest cottage on Lot 1 or Lot 2 shall require prior written Agency approval.
12. Prior to construction of any on-site wastewater treatment system(s) on Lot 1 or 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 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.

13. Any new free-standing or building-mounted outdoor lights shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Taylor Woods Road, Copeland Pond Road, Hadlock Pond Road or adjoining properties.
14. All exterior building materials, including roof, siding and trim, of any structure on Lot 1 or Lot 2 shall be a dark shade of green, grey, or brown.
15. Within 100 feet of the centerline of Taylor Woods Road and Copeland Pond Road no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed on the project site without prior written Agency authorization, except for the removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
16. Between April 1 and October 31, no trees shall be removed or disturbed on the project site without prior written Agency authorization.
17. 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.
18. Prior to any land disturbance in preparation for development on Lot 1 or Lot 2, a planting plan shall be submitted for Agency review and approval. The plan shall depict the planting of native trees and shrubs to provide a vegetated buffer between the development locations.

- 19. There shall be no principal building located on the 0.11±-acre lot.
- 20. There shall be no more than one principal building located on Lot 1.
- 21. There shall be no more than one principal building located on Lot 2.

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 17th day
of January, 2024.

ADIRONDACK PARK AGENCY

BY:

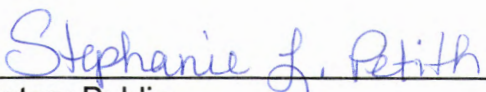


David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 17th day of January in the year 2024, 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

