


**THIS PERMIT AMENDS PERMIT 2023-0195, ISSUED NOVEMBER 17, 2023
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 style="text-align: center;">APA Project Permit 2023-0195A</p>
<p>In the Matter of the Application of</p> <p>LACY FAMILY LLC Permittee</p> <p>for a permit amendment pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: July 10, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Lacy Family LLC</p>

SUMMARY AND AUTHORIZATION

Adirondack Park Agency Permit 2023-0195 authorized a two-lot subdivision in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. This permit amends Permit 2023-0195, as conditioned below, to authorize Lot 1A as a non-building lot.

The amendment authorized herein on a survey titled "Map of Limited Survey," prepared by Kevin Hall, and dated Jun 4, 2024 (Survey).

A reduced-scale copy of the Survey is attached as a part of this permit for easy reference. The original, full-scale maps and plans described in this paragraph are the official plans for the project, with copies available upon request from Adirondack Park Agency headquarters in Ray Brook, New York.

This permit amendment 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 amendment 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 located on Bartlett Road and Clifford Falls Lane in the Town of Keene, Essex County, in an area classified Resource Management on the Adirondack

Park Land Use and Development Plan Map. The site contains an existing single family dwelling and includes the following tax parcels:

- 44.3-1-23.100 (67.80 acres);
- 44.-1-12.100 (234.74 acres);
- 44.-1-15.000 (85 acres); and
- 44.-1-16.000 (155.70 acres).

The project site (Lot 1) is associated with Agency Permits 2014-0158 and 2014-0205 and is described in a deed from BNY Mellon, N.A. to Lacy Family LLC, dated July 28, 2014, and recorded August 4, 2014 in the Essex County Clerk's Office under Instrument Number 2014-3073 at Book 1774, Page 3.

The project site is partially located within the Sentinel Range Wilderness critical environmental area. The project site also contains wetlands and is bordered on the west by Clifford Brook. Additional wetlands not described herein or depicted on the Survey Map may be located on or adjacent to the project site.

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 Essex 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 site plan map referenced 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. Conditions 8 and 9 of Permit 2023-0195 are hereby amended to authorize the subdivision of Tax Map 44.3-1-23.100 to create a 9.38-acre lot (Lot 1A) in the location shown and as depicted on the Survey. Any change to the acreage, or other aspect of the subdivision shall require a new or amended permit.
5. This permit amends and supersedes permits 2014-0158, 2014-0205, and 2023-0195 in relation to the project site. The terms and conditions of permits 2014-0158, 2014-0205, and 2023-0195 shall no longer apply to 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 2023-0195A, issued July 10, 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 two-lot subdivision of Lot 1 as depicted on the Survey. Any subdivision of the project site not depicted on the Survey Map shall require a new or amended permit.
8. The undertaking of any new land use or development on Lot 1 within one-eighth mile of the Sentinel Range Wilderness shall require a new or amended permit. The undertaking of any activity involving wetlands shall also require a new or amended permit.
9. There shall be no principal buildings associated with Lot 1A unless a new or amended permit is received from the Agency.
10. There shall be no more than 12 principal buildings located on Lot 1, in addition to the pre-existing single family dwelling or any replacement structure for this dwelling as allowed by Agency regulations. The Agency makes no assurances that the maximum development mathematically allowed can be approved. The construction of any additional dwelling or other principal building on Lot 1 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, 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 Resource Management land use area;
- c. will be consistent with the overall intensity guidelines for the Resource Management 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 Amendment issued this 10th day
of July, 2024.

ADIRONDACK PARK AGENCY

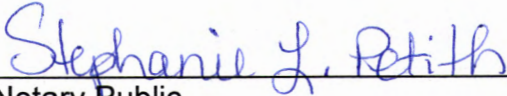
BY: _____


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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 10th day of July 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

