


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 2023-0205</p>
<p>In the Matter of the Application of</p> <p>JEFFREY B. DOBBS and SHARON M. DOBBS Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: December 7, 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. Jeffrey B. Dobbs2. Sharon M. Dobbs

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 Schroon, Essex County.

This authorization shall expire unless recorded in the Essex 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 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 74.7-acre parcel of land located on Shore Road in the Town of Schroon, Essex 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 136.4, Block 1, Parcel 16.100, and is described in a deed from Frederick B. Dobbs to Jeffrey B. Dobbs, dated January 19, 2009, and recorded February 23, 2009 in the Essex County Clerk's Office Book 1598 , Page 128.

The project site contains shoreline on Paradox Lake and wetlands. Additional wetlands not described herein or depicted on the Survey may be located on or adjacent to the project site.

The project site is improved by a single family dwelling constructed in 1950, a garage and shed constructed in 1970, a barn constructed in 2006, and a single family dwelling and on-site wastewater treatment system constructed in 2009.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of tax parcel 136.4-1-16.100 to result in a 2.7-acre shoreline lot containing the existing single family dwelling constructed in 2009, and a 72-acre shoreline lot containing the single family dwelling constructed in 1950, the garage and shed constructed in 1970, a the barn constructed in 2006. No new land use or development is proposed or authorized herein.

The project is shown on a survey titled "Dobbs Subdivison II," prepared by Kevin Hall Land Surveyor, and dated October 20, 2023 (Survey). A reduced-scale copy of the Survey 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 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 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. 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 2023-0205, issued December 7, 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 Survey. Any subdivision of the project site not depicted on the Survey shall require prior written Agency authorization.
6. Any deed of conveyance for Lot 1 as depicted on the Site Plan shall contain an easement providing a 30-foot-wide easement to provide access from North Shore Road to Lot 4 over the easement area shown and described on the Survey.
7. Construction of any guest cottage on the project site shall require prior written Agency authorization.
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 construction of any dock on the project site, written authorization of plans for the dock, including all attached upland structures, shall be obtained from the Agency.
10. No structures greater than 100 square feet in size shall be constructed within 75 feet, measured horizontally, of the mean high water mark of Paradox Lake.
11. The undertaking of any activity involving wetlands shall require a new or amended permit.
12. There shall be no more than 22 principal buildings located on Lot 1, in addition to the pre-existing single family dwellings or any replacement structures for these dwellings as allowed by Agency regulations. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
13. There shall be no more than one principal building located on Lot 4. The single family dwelling constructed on the property in 2009 constitutes a principal building.

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 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;
- 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 7th day
of December, 2023.

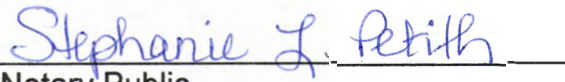
ADIRONDACK PARK AGENCY

BY:


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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 7th day of December 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, 2026

