


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 2023-0208</p>
<p>In the Matter of the Application of</p> <p>JOHN MORRIS 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. John Morris</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a new commercial use in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Lewis, 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 Essex County Clerk's Office. The Agency will consider the project in existence when a foundation is installed for the building authorized herein.

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 2.8-acre parcel of land located on Cutting Road in the Town of Lewis, 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 55.2, Block 1, Parcel 19.212, and is described in a deed from John M. Chesnut and Cheryl G. Chesnut to John Morris, dated August 17, 2023, and recorded October 16, 2023 in the Essex County Clerk's Office at Book 2141, Page 21.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the construction of a building for a new commercial use heating and plumbing business. The 3200-square-foot building proposed will be a storage/delivery location for tools and materials with a parking area for up to four vehicles.

The project is shown on the following plan:

- Details of the commercial use building and on-site wastewater treatment system are depicted on Sheet number C1 - "Proposed Development lands of John Morris" (Site Plan), prepared by Upstate Design Associates, LLC, and dated October 10, 2023.

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 the establishment of any commercial use on Low Intensity Use lands 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, for as long as the commercial use remains on the site. Copies of this permit and 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. 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 2023-0208, issued January 17, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. This permit authorizes the construction of up to a 4000-square-foot building in the location shown and as depicted on the Site Plan. The building shall be no more than 40 feet in height, as measured from the highest point of the structure to the lower of either existing or finished grade. Any change to the location, dimensions, or other aspect of the commercial use building shall require prior written Agency authorization.
6. Operation shall only occur between 7am and 5pm, Monday through Friday, year-round.
7. If installed within five years of the date of issuance of this permit, the on-site wastewater treatment system shall be constructed in conformance with the location and design shown on the Site Plan. Construction of the system shall be supervised by a design professional (licensed engineer or registered architect). Within 30 days of complete system installation and prior to its utilization, the design professional shall provide written certification to the Agency that the system was built in compliance with the approved plans.

No on-site wastewater treatment system shall be installed on the project site more than five years after the date of issuance of this permit except pursuant to written authorization from the Agency.

8. 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.
9. Any new free-standing or building-mounted outdoor lights on the project site shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Cutting Road or adjoining property.
10. All signs associated with the commercial use on the project site shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3].
11. Outside of the limits of clearing shown on the Site Plan, no trees greater than 6 inches in diameter at breast height may be cut or otherwise removed between the commercial use building and Cutting Road 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.
12. Between April 1 and October 31, no trees shall be removed or disturbed on the project site without prior written Agency authorization.

13. All trees depicted on the Site Plan shall be planted no later than the first spring or fall planting season after final grading related to the construction of the commercial use building on the project site. Trees that do not survive shall be replaced annually until established in a healthy growing condition.
14. The undertaking of any activity involving wetlands shall require a new or amended permit.
15. There shall be no more than one principal building(s) located on the project site at any time. The commercial use building authorized herein constitutes a principal building.

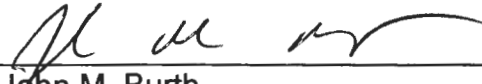
CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act and 9 NYCRR Part 574. The Agency hereby finds that the project 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.

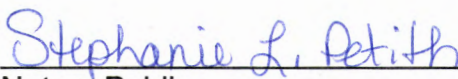
PERMIT issued this 17th day
of January, 2024.

ADIRONDACK PARK AGENCY

BY: 
John M. Burth
Environmental Program Specialist 3 (EPS3)

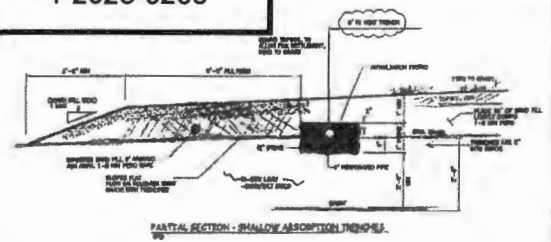
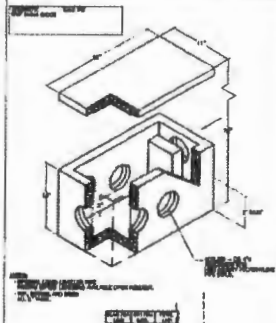
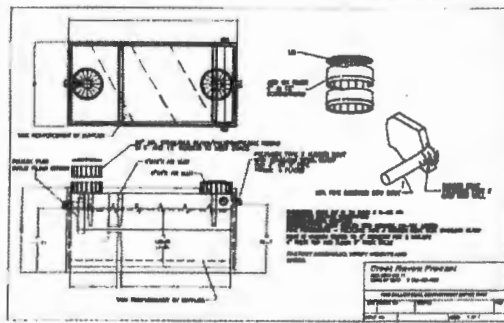
STATE OF NEW YORK
COUNTY OF ESSEX

On the 17th day of January in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, 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

FINAL P2023-0208



1. ALL INSTALLATION OF THIS PLAN SHALL BE IN ACCORDANCE WITH THE DECISION OF THE LICENSED ENGINEER, TO ASSURE THE PROTECTION OF THE SOILS AND WATER RESOURCES.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

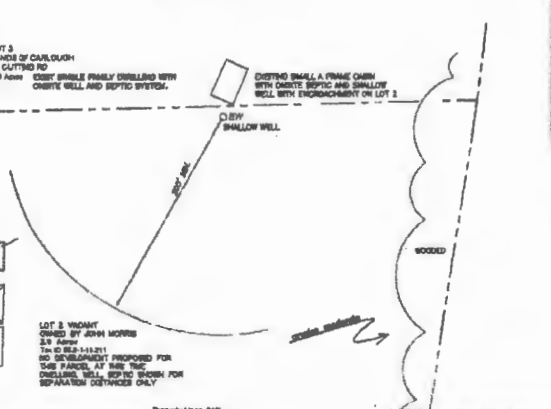
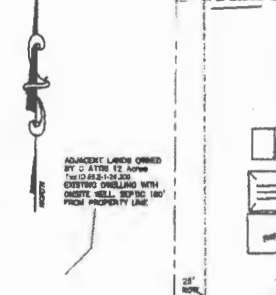
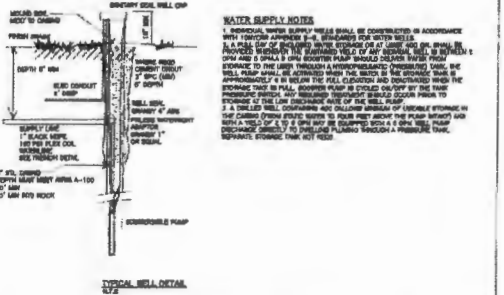
16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

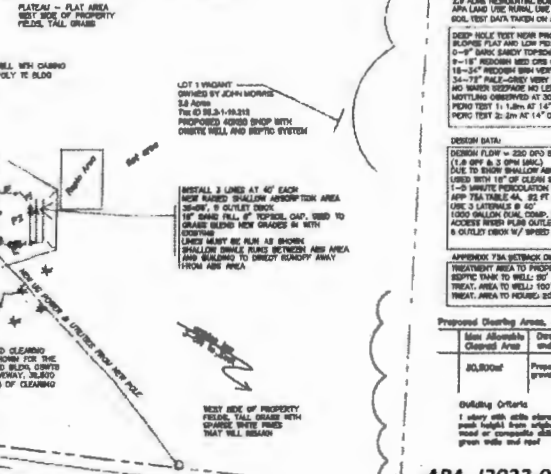
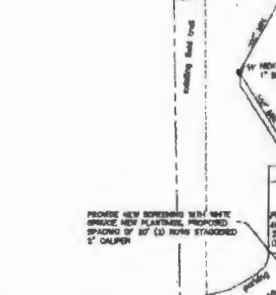
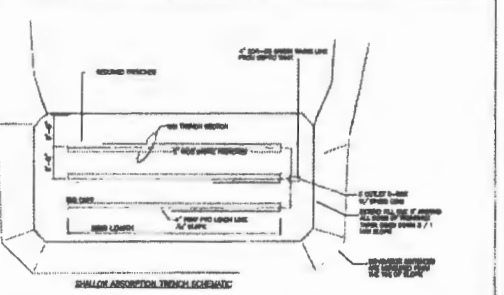
18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



RECEIVED ADIRONDACK PARK AGENCY OCT 30 2023



Proposed Development
Name of JOHN MORRIS
- 2023 -
Town of Lewis
State of New York

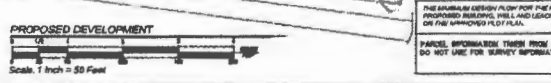
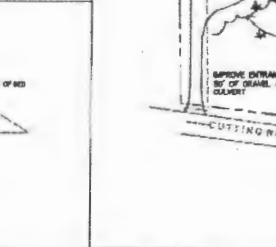
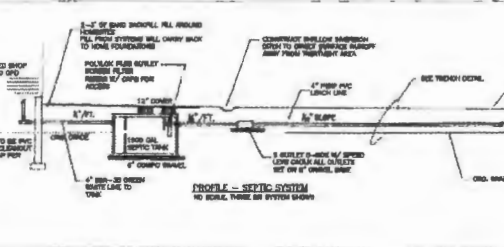
DESIGN DATA:
DESIGN FLOW = 200 GPD @ 15' / MIN STANDARD RETURN (1.8 GPD @ 3 GPM LMG)
DUE TO SHALLOW ABSORPTION TRENCHES SHOULD BE LINED WITH 1/2" OF CLEAN SAND FILL
1-3" ABSORPTION TRENCH WIDTH
USE 3" LATERALS @ 40'
1000 GPD PER LINE, COMP. SEPTIC TANK AND POLY-LOK ACCESS RISER PLUS OUTLET FILTER, TEE HANDLE & OUTLET CHECK VALVE/SHUT OFF

APPROXIMATE DISTANCE:
TREATMENT AREA TO PROPERTY LINE 10'
SEPTIC TANK TO WELL 30'
TREAT. AREA TO WELL 100'
WELL AREA TO HOUSE 25'

Proposed Clearing Area, and Building Criteria
Min Allowable Clearing Area
30,000 sq ft
Proposed 40' dia, 8' dia, and ground clearance

Building Criteria
1 story with eaves 32' max
max height 12' max
max wind resistance 50 mph, 30 mph or green code and roof

Proposed Development
Scale 1 inch = 50 Feet



APR 12023-0417
THE APPLICANT AGREES TO FUND THE PROPOSED DEVELOPMENT AT HIS OWN RISK.
PROPOSED DEVELOPMENT SHALL BE SUBJECT TO ALL APPLICABLE REGULATIONS AND ORDINANCES.
PARCEL INFORMATION TAKEN FROM SEWER MAP AND TAX MAP
DO NOT USE FOR SURVEY INFORMATION

PROJECT: JOHN MORRIS
CLIENT: JOHN MORRIS
LOCATION: CUTTING ROAD, LEWIS NY
DATE: OCTOBER 10, 2023
DRN BY: RUB

SHEET No. 1