


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 2023-0225</p>
<p>In the Matter of the Application of</p> <p>WAYNE IGNATUK & DONNA IGNATUK Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: February 15, 2024</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. Wayne Ignatuk2. Donna Ignatuk

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision and construction of a single family dwelling in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Jay, 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 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 192.3±-acre parcel of land located on Trumbulls Road/Jay Mountain Road in the Town of Jay, Essex County, in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. The site is identified as the Resource Management portion of Tax Map Section 36, Block 1, Parcel 45.211, and is described in the following two deeds:

- William James Trumbull, Robert O. Trumbull & Howard I. Trumbull to Wayne R. Ignatuk & Donna A. Ignatuk, dated October 21, 1993 and recorded October 28, 1993 in the Essex County Clerk's Office at Book 1050, Page 013.
- Lynn Clausen & Joan M. Whitlock to Wayne R. Ignatuk & Donna A. Ignatuk, dated November 28, 2005 and recorded December 2, 2005 in the Essex County Clerk's Office at Book 1470, Page 326.

The project site also contains wetlands associated with Otis Brook. Additional wetlands not described herein may be located on or adjacent to the project site.

The project site is improved by a pre-existing single family dwelling and barn. The project site is also improved by two sheds, an on-site wastewater treatment system and a water supply well.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision and construction of a single family dwelling that will utilize the existing on-site wastewater treatment system and water supply well.

The project is shown on a Site Plan titled, "Map of Survey of Certain Lands of Wayne R. Ignatuk and Donna A. Ignatuk," prepared by Adirondack Surveying, PLLC, dated November 16, 2023 and last revised January 22, 2024. A reduced-scale copy of the Site Plan 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.

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 in a Resource Management land use area 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 the construction of any single family dwelling on Resource Management 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. 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 2023-0225, issued February 15, 2024, 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 Site Plan. Any subdivision not depicted on the Site Plan shall require a new or amended permit.
6. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling on the 44.7±-acre lot in the location shown on the Site Plan. The single family dwelling 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. The single family dwelling shall be less than 3,000 square feet in footprint, including all attached porches, decks, exterior stairs, garages, and other attached structures. Any expansion beyond these dimensions shall require prior written Agency authorization.
7. The construction of any additional dwelling or other principal building on the project site shall require a new or amended permit.
8. Construction of any guest cottage on the 44.7±-acre lot shall require prior written Agency authorization.
9. Installation of any new or replacement on-site wastewater treatment system on the 44.7±-acre lot shall require prior written Agency authorization.

10. 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.
11. 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 Trumbulls Road/Jay Mountain Road.
12. All exterior building materials, including roof, siding and trim, of the single family dwelling on the 44.7±-acre lot shall be a dark shade of green, grey, or brown.
13. The undertaking of any activity involving wetlands shall require a new or amended permit.
14. There shall be no more than three principal buildings located on the 147.6±-acre lot at any time, in addition to the single family dwelling constructed on the property in 1930 or any replacement structure for this dwelling as allowed by Agency regulations.
15. There shall be no more than one principal building located on the 44.7±-acre lot at any time. The single family dwelling authorized herein constitutes a principal building.

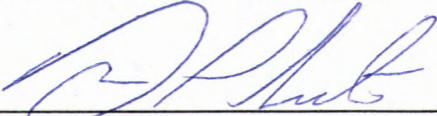
CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision/single family dwelling 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;
- 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 15th day
of February, 2024.

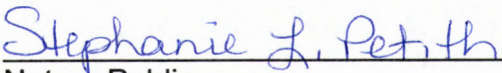
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 15th day of February 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

Map Notes:

- Unrecorded alterations or additions to a survey map bearing a Licensed Land Surveyor's seal is a violation of section 7205, subdivisions 2 of the New York State Education Law. Only copies from the original of this Boundary Survey marked with an original of the Land Surveyor's seal and that is recorded with the County Clerk shall be considered valid. Copies which are not so marked shall be disregarded with the surveyor's seal with an original signature.
- Notations indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. The certification is limited to the purpose for which the Boundary Survey is prepared, to the site boundary, to the government agency, and to the existing boundary lines and the boundary lines used in the preparation of the existing lot plan. These certifications are not transferable to additional subdivisions or subsequent surveys.
- This map may not be used in connection with a "Survey Affidavit" or other document, statement, or mechanism to obtain title insurance for any subsequent or future purchase.
- Copyright ©2023, Adirondack Surveyors P.L.L.C. All rights reserved.
- The location of underground improvements or encroachments are not always known and shall not be indicated. If any underground improvement or encroachment is or was shown, the improvements or encroachments are not covered by this certification.
- South areas and bearings based on GDA North - NAD83 N1787 East Zone(2011) NAVD83 (Closed DG).
- Building details, as shown on this map, are not to be used for construction purposes.
- Subject to any and all right of ways and easements of record, if any.
- Survey was performed without the benefit of an Abstract of Title and is subject to any findings which may show or reveal discrepancies by inspection.
- Survey subject to any right, title or interest the public may have in and to that portion of 7777777 used for highway purposes.
- Parcel is located within the Resource Management Adirondack Park Agency Land Use Classification.
- Contours, as indicated hereon, are fair generated and were obtained from the NYSD DG Contourings. These have not been field verified and are for planning and review purposes only.

Reference Deeds:

- William James Thurland, Robert D. Thurland and Vincent J. Thurland to Wayne R. Ignatuk and Donna A. Ignatuk by deed dated October 21, 1985 are recorded in Deed Book 568 at page 125 in the Essex County Clerk's Office.
- Lynn Chausen and Joan M. Winkless to Virginia R. Ignatuk and Donna A. Ignatuk by deed dated November 02, 2008 are recorded in Deed Book 1476 at page 558 on December 02, 2008 in the Essex County Clerk's Office.
- John R. Ripa and Ann G. Ripa to Wayne R. Ignatuk and Donna A. Ignatuk by deed dated November 14, 2009 are recorded in Deed Book 1408 at page 562 on December 18, 2009 in the Essex County Clerk's Office.

Reference Maps:

- "Map of Survey showing certain lands to be conveyed to Wayne R. Ignatuk and Donna A. Ignatuk" prepared by Robert H. Barry, L.L.S. dated October 19, 1985 - survey recorded by deed.
- "Map of Survey of certain lands of John Z. Adams and Colleen M. Moore" prepared by Ralph C. Bitterer Jr., L.S. of Adirondack Surveyors P.L.L.C. dated November 09, 2018 and filed in the Essex County Clerk's Office as map 8 7289.
- "Map of Survey prepared by William R. & Winifred Reppert, Trustee" recorded by North A. 1941, L.S. dated February 19, 2007 and filed in the Essex County Clerk's Office as map 8 7287.
- "Map of Survey of certain lands of Ellen Northampton-Heppert, Paul F. Katscher, Adam B. Katscher and Renee K. Bitterer" prepared by Ralph C. Bitterer Jr., L.S. of Adirondack Surveyors P.L.L.C. dated November 09, 2018, not dated January 18, 2023 and filed in the Essex County Clerk's Office as map 8 7232.

Tax Map Reference:

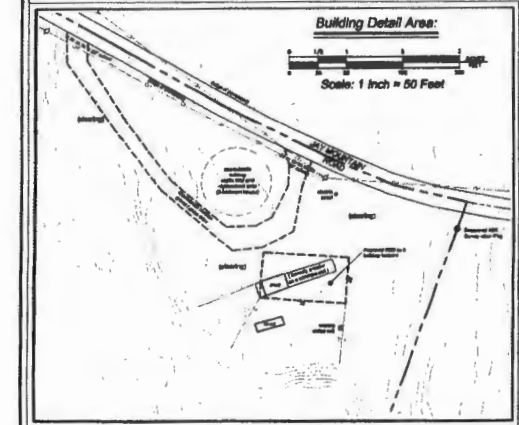
Section 22.1, Block 1, Lot 45.21
Town of Jay - County of Essex

ATTACHMENT D

Legend:

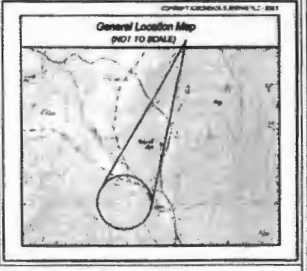
- See also 227 of plan "Reference" used as "Final Property Return"
- Contour lines
- Water well
- Utility pole
- Subsoil pipe
- Sewer pipe
- Road sign
- Near to number
- Proposed line
- Proposed property line
- Checked city line
- Strip of woods
- Building contour
- Stone wall
- Fence

OVERALL AREA 230.85 Acres	OVERALL AREA South side of road / Resource Management 182.39 Acres
AREA UNDEVELOPED LANDS 174.94 Acres	AREA LOT 1 (UNDEVELOPED LANDS) South side of road / Resource Management 147.74 Acres



RECEIVED
Date: January 28, 2024

FINAL
P2023-0225



Road Courses:

LINE	BEARING	DISTANCE
E1	S 89° 42' 00" E	138.50'
E2	S 89° 42' 00" E	131.11'
E3	S 89° 42' 00" E	131.11'
E4	S 89° 42' 00" E	131.11'
E5	S 89° 42' 00" E	131.11'
E6	S 89° 42' 00" E	131.11'
E7	S 89° 42' 00" E	131.11'
E8	S 89° 42' 00" E	131.11'
E9	S 89° 42' 00" E	131.11'
E10	S 89° 42' 00" E	131.11'

Approved: _____

Real Property Tax Services Agency

Town of Jay Approval

This map was completed in accordance with the Planning Board requirements and approved by the Planning Board on _____ as a minor _____ as a minor _____

Planning Board Chairman Date _____

REVISIONS

Date	Description
1/28/24	Added data with proposed building layout, details and survey

Map of Survey
of certain lands of
WAYNE R. IGNATUK
and
DONNA A. IGNATUK

- State -
Lot 115, 114 and 113
Essex Town, S.F. Henry's Survey
Town of Jay
Essex County
State of New York



ADIRONDACK SURVEYORS P.L.L.C.
703 New Street
PO Box 2084
SILVER SPRING, NY 12159
ADIRONDACKSURVEYS.COM
ADIRONDACKSURVEYS.COM

Project No. 2023-0225 Date 1/28/24
Date of Survey 1/28/24 Preparer R. Bitterer
City of Map 12159 Checked by R. Bitterer



Scale: 1 inch = 200 Feet