


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 2023-0232</p>
<p>In the Matter of the Application of</p> <p>ROBIN L. CONROE 2023 TRUST, MICHAEL W. HOLLEY AND STEPHANIE T. HOLLEY REVOCABLE TRUST, ANDREW C. TRIOLO REVOCABLE TRUST, and CHRISTINE M. SCHULTZBANK Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: December 17, 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. Robin L. Conroe, Trustee of the Robin L. Conroe 2023 Trust2. Michael W. Holley, Trustee of the Michael W. Holley and Stephanie T. Holley Revocable Trust3. Stephanie T. Holley, Trustee of the Michael W. Holley and Stephanie T. Holley Revocable Trust4. Andrew C. Triolo, Trustee of the Andrew C. Triolo Revocable Trust5. Christine M. Schultzbank

SUMMARY AND AUTHORIZATION

This permit authorizes the construction of a dock through wetlands in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Chester, Warren County.

This authorization shall expire unless recorded in the Warren 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 Warren County Clerk's Office. The Agency will consider the project in existence when the dock has been installed.

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 2.17±-acre parcel of land located on Murphy Road in the Town of Chester, Warren County, in an area classified Moderate Intensity on the Adirondack Park Land Use and Development Plan Map.

The site is identified as Tax Map Section 120.6, Block 1, Parcel 7.12. The project site is described in four deeds with owners each having an interest in the property. These deeds are described as:

- A deed from John D. Conroe and Robin L. Conroe to Robin L. Conroe, Trustee of the Robin L. Conroe 2023 Trust dated November 13, 2023, and recorded November 17, 2023 in the Warren County Clerk's Office under Instrument Number 2023-6192;
- A deed from Michael Holley and Stephanie Holley to Michael W. Holley and Stephanie T. Holley, as Trustees of the Michael W. Holley and Stephanie T. Holley Revocable Trust, dated February 23, 2018, and recorded March 8, 2018 in the Warren County Clerk's Office under Instrument Number 2018-1440;
- A deed from M. Eric Neils and Suzanne Neils, David Eric Neils, and Lynn Cheryl Wallace to Christine M. Schultzbank, dated July 27, 2015, and recorded July 29, 2015 in the Warren County Clerk's Office under Instrument Number 2015-4801; and
- A deed from Andrew Triolo to Andrew C. Triolo as Trustee of the Andrew C. Triolo Revocable Trust, dated March 15, 2018, and recorded April 30, 2018 in the Warren County Clerk's Office under Instrument Number 2018-2559.

The project site contains shoreline on Friends Lake. The project site also contains emergent marsh and shrub wetlands with a value rating of "2", both above and below the mean high water mark of Friends Lake. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The project site was created as "Lot 6" or "Beach Lot" in a six-lot subdivision, four lots of which were authorized by Agency Permit 2002-0292. Lot 6 is described in Permit 2002-0292 as a shoreline access lot with existing beach easements previously granted.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the installation of a 4-foot-wide by 40-foot-long fixed aluminum dock.

The project will involve the loss of 7.11 square feet of wetlands and shading of 160 square feet of wetlands.

The project is shown on the following maps, plans, and reports: Two un-titled sheets depicting the dock size, location, and water depth, received November 15, 2024 (Site Plan). A reduced-scale copy of both sheets of the Site Plan for the project are 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 erecting any structure in a wetland 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 Warren 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 dock remains on the site. 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. All conditions in Permit 2002-0292 remain in full force and effect.
5. 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 2002-0292, issued July 2, 2003, and Adirondack Park Agency Permit 2023-0232, issued December 17, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. This permit authorizes the construction of a fixed dock in the location shown and as depicted on the Site Plan. Any change to the location, dimensions, or other aspect of the dock shall require a new or amended permit.
7. 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.
8. Prior to undertaking construction of any boathouse or additional dock on the project site, written authorization of plans for the structure, including all attached docks, walkways, and attached upland structures shall be obtained from the Agency.

- 9. Any new free-standing or building-mounted outdoor lights associated with the dock on the project site shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky, toward Friends Lake, or adjoining property.
- 10. Except as authorized herein, the undertaking of any activity involving wetlands 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, the Freshwater Wetlands Act and 9 NYCRR Part 578, and 9 NYCRR Part 574. The Agency hereby finds that the project authorized as conditioned herein:

- a. will meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Chester;
- b. 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;
- c. 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
- d. will result in minimal degradation or destruction of the wetland or its associated values, and is the only alternative which reasonably can accomplish the applicant's objectives.

PERMIT issued this 17th day of December, 2024.

ADIRONDACK PARK AGENCY

BY: Ariel Lynch
Ariel Lynch
Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK
COUNTY OF ESSEX



On the 17th day of December in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Ariel Lynch, 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.

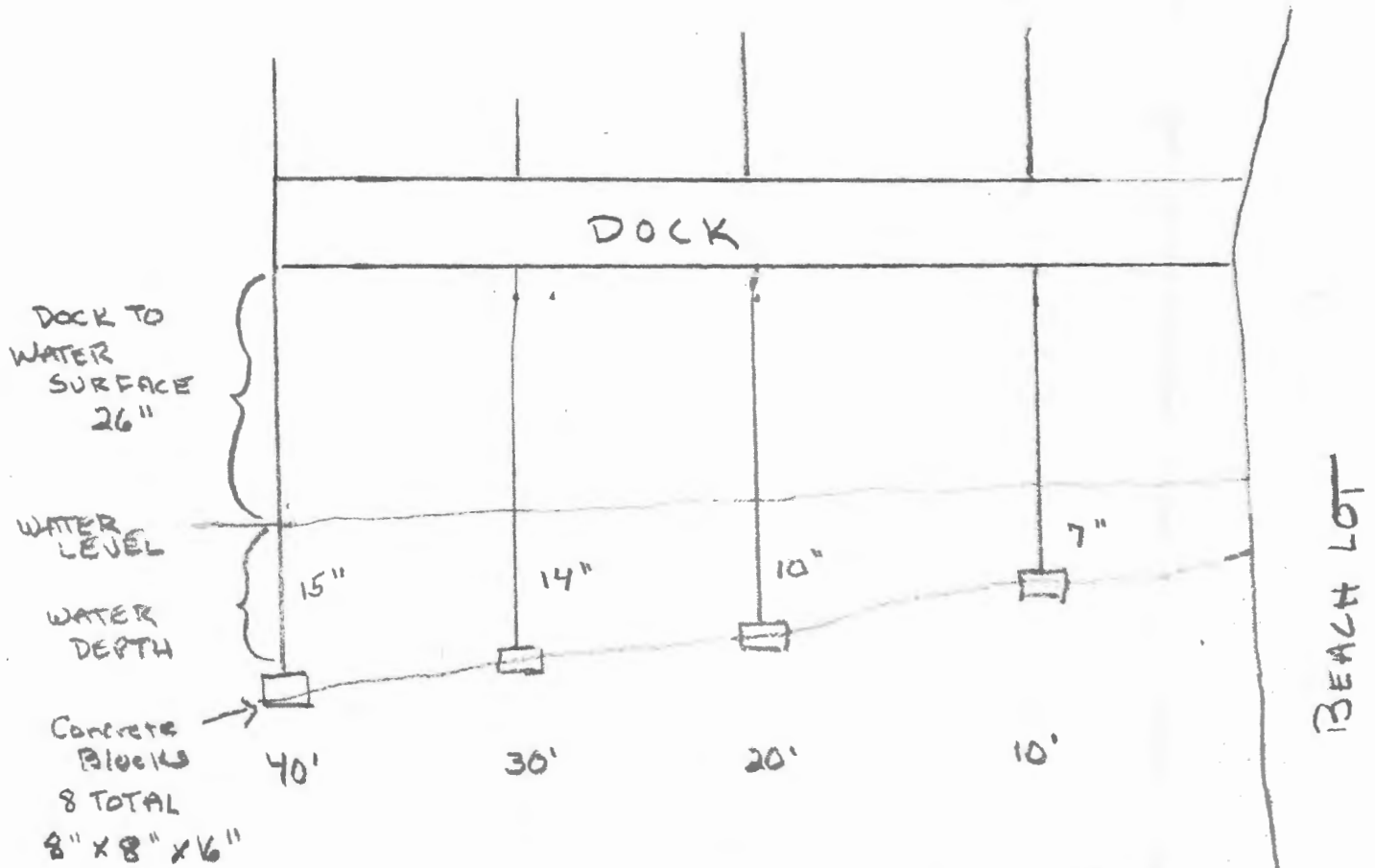
Stephanie L. Petith
Notary Public, State of New York
Reg. No. 01PE6279890
Qualified in Franklin County
Commission Expires April 15, 2025


Stephanie L. Petith
Notary Public



- #### Stream
- open waterfront
- ⊙ wooded wetlands

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APA PROJECT
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