


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 2023-0233</p>
<p>In the Matter of the Application of</p> <p>ANTHONY GOUDREAU, KRISTINA ALDI, AND AMY LUDWIN 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. Anthony Goudreau2. Kristina Aldi3. Amy Ludwin

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 Broadalbin, Fulton County.

This authorization shall expire unless recorded in the Fulton 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 Fulton County Clerk's Office. The Agency will consider the project in existence when the 2.75-acre lot authorized herein has been merged with the adjoining lot.

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 92±-acre parcel of land (Lot 3.5) located on Vunk Road and County Highway 110 and a 1.65±-acre parcel of land (Lot 3.12) located on County Highway 110, both in the Town of Broadalbin, Fulton County, in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. The parcels are identified as Tax Map Section 91.3, Block 1, Parcels 3.5 and 3.12. Lot 3.5 is described in a deed from Dean B. Briggs and Patricia Briggs to Anthony J. Goudreau, Sr., dated July 10, 2015, and recorded July 13, 2015 in the Fulton County Clerk's Office under Instrument Number 2015-32723. Lot 3.12 is described in a deed from Linda J. Busto fka Linda J. Blanchard to Kristina Aldi and Amy Ludwin, dated October 17, 2022, and recorded November 4, 2022 in the Fulton County Clerk's Office under Instrument Number 2022-77892.

The project site contains several forested wetland complexes as depicted on the Project Plans. Additional wetlands not described herein or depicted on the Project Plans may be located on or adjacent to the project site.

Lot 3.5 was created in a two-lot merge of Tax Map Parcel 91.01-1-12.2 and 91.03-1-3.111 as required by Agency Settlement Agreement E2007-0007.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of 92± acres (Lot 3.5) to create a 2.75-acre parcel to be conveyed and a 89±-acre parcel to be retained. The 2.75-acre parcel will be merged with a neighboring 1.65±-acre parcel (Lot 3.12), creating a 4.4±-acre parcel to be improved by a single-family dwelling and on-site wastewater treatment system as depicted in the Project Plans. No new land use and development is proposed on the 89-acre parcel to be retained.

The project is shown on the following maps, plans, and reports (Project Plans):

- A plan sheet titled "Plan of Lot Line Adjustments For Lands of Anthony Goudreau Deed Inst. No. 2015-032723 ~ Tax ID. No. 91.3-1-3.5 No. 173 Vunk Rd./Co.Hwy. 110 and Lands of Kristina Aldi & Amy Ludwin Deed Inst. No. 2022-077892 ~ Tax ID. No. 91.3-1-3.12 No. 1218 Co. Hwy. 110 Town of Broadalbin, Fulton County, NY," prepared by Northeast Land Survey & Land Development Consultants, P.C., and dated November 27, 2023 (Site Plan); and
- A survey map depicting previous wetland delineations on Lot 3.5, untitled, undated, and received by the Agency on January 9, 2024 (Wetland Survey).

A reduced-scale copy of the Site Plan and Wetland Survey 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 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 Fulton 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 Project 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. This permit supersedes Settlement Agreement E2007-0007. The terms and conditions of E2007-0007 shall no longer apply to the project site.
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 2023-0233, issued February 15, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. Subject to the conditions stated herein, this permit authorizes a two-lot subdivision as depicted on the Site Plan. Any subdivision of the project site not depicted on the Site Plan shall require prior written Agency authorization.
7. Within 30 days of conveyance of the 2.75-acre lot, a new deed shall be filed in the Fulton County Clerk's office describing Lot 3.12 and the 2.75-acre lot as a single, un-divided lot.
8. The undertaking of any new land use or development not authorized herein, including the construction of accessory structures, within 100 feet of wetlands on the project site shall require prior written Agency authorization.
9. The construction of more than one additional principal building on the Lot 3.5 site shall require prior written Agency authorization.
10. The construction of any guest cottage on the project site shall require prior written Agency authorization.
11. The undertaking of any activity involving wetlands shall require a new or amended permit.

12. Prior to construction of any on-site wastewater treatment system(s) on Lot 3.5, written authorization shall be obtained from the Agency for plans prepared by a New York State design professional (licensed engineer or registered architect) that comply with New York State Department of Health's "Wastewater Treatment Standards for Individual Household Systems" (10 NYCRR Appendix 75 A), the Agency's Project Guidelines for Residential On-Site Wastewater Treatment, and with Agency standards in 9 NYCRR Appendix Q4.

Installation of the approved plans shall be under the supervision of a licensed design professional. Within 30 days of complete system installation and prior to utilization, the design professional shall provide the Agency with written certification that the system was installed in compliance with the Agency authorized plan set.

13. Installation of any on-site wastewater treatment system(s) on the 4.4±-acre merged lot in a different location than depicted on the Site Plan shall require prior written Agency authorization.
14. 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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.
15. Outside of the limits of clearing shown on the Site Plan, no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed within 100 feet of wetlands on the project site 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.
16. There shall be no more than 27 principal building(s) located on Lot 3.5 at any time. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
17. There shall be no more than one principal building(s) located on the 4.4±-acre merged lot at any time. The single family dwelling depicted on the Site Plan constitutes a principal building.

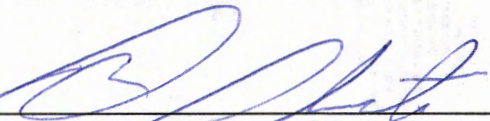
CONCLUSIONS OF LAW

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 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 15th day of February, 2024.

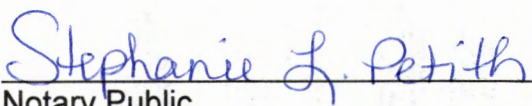
ADIRONDACK PARK AGENCY

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

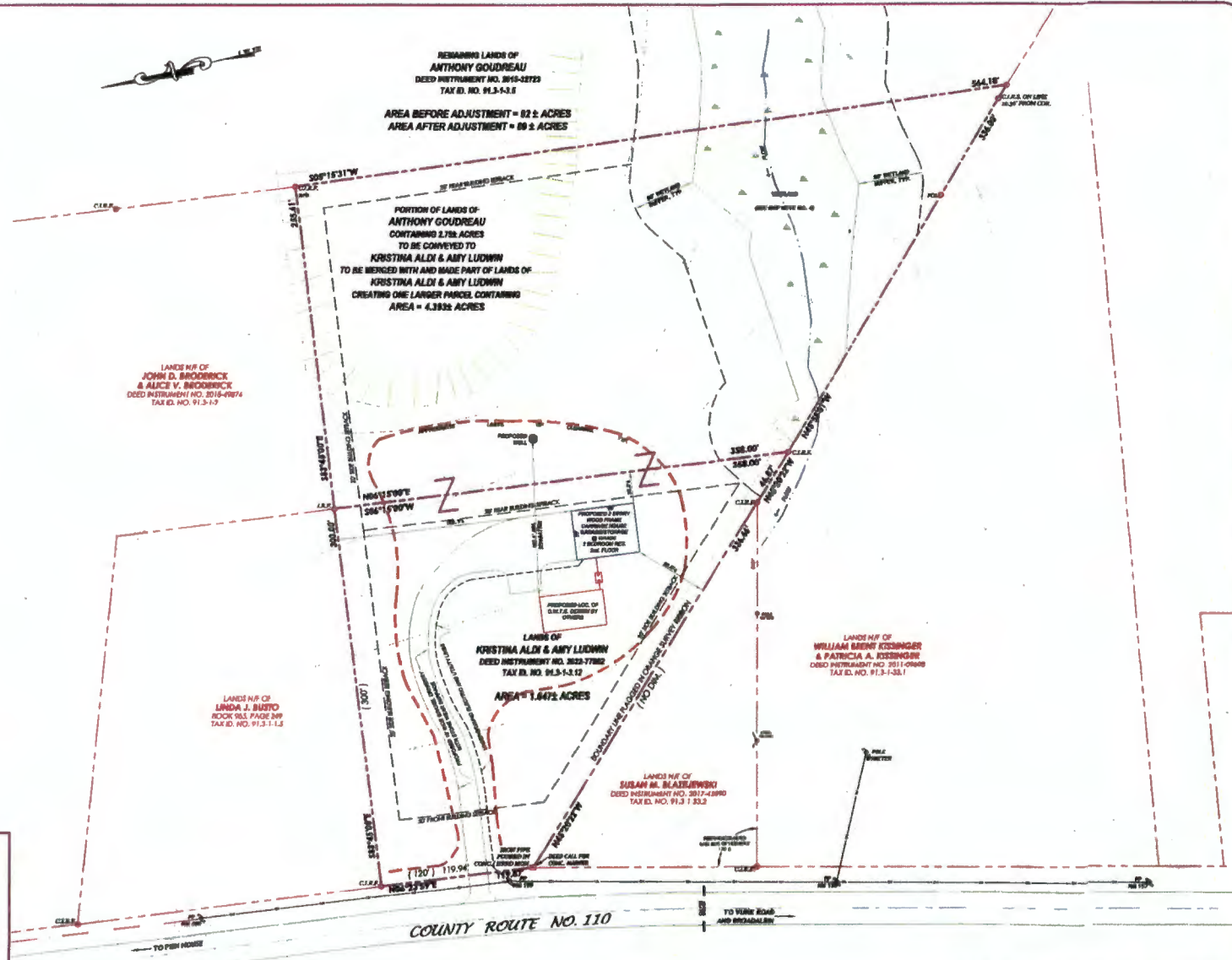
MAP REFERENCES:

1. "SURVEY OF LANDS OF DANIEL V. ROTH, DEED INSTRUMENT NO. 2011-10336, TAX MAP ID NO. 91.3-1-33.2, TO BE CONVEYED TO SUSAN M. BLAZIEWSKI", PREPARED BY NORTHEAST LAND SURVEY & LAND DEVELOPMENT CONSULTANTS, P.C., DATED DECEMBER 13, 2012 AND BEARING DRAWING NO. 12-127 OF SAID CORPORATION.

2. "MAP OF SURVEY OF LANDS OF BRIDGE, TOWN OF BROADALBIN, COUNTY OF FULTON, STATE OF NEW YORK", PREPARED BY STEPHEN P. WILMATH, L.S. LAND SURVEYING & LAND PLANNING, DATED NOVEMBER 7, 2007 AND BEARING DRAWING NO. 07123-1 OF SAID CORPORATION.

MAP NOTES:

1. NORTH ORIENTATION AND BEARINGS ARE REFERENCED TO DATA DEPICTED ON MAP REFERENCE NO. 1
2. THIS SURVEY WAS PREPARED WITHOUT AN ABSTRACT OF TITLE OR TITLE REPORT AND IS THEREFORE SUBJECT TO ANY STATEMENT OR FACT SUCH DOCUMENTS MAY DISCLOSE.
3. THE SUBJECT PROPERTIES LIE WITHIN THE BOUNDARIES OF THE AERONAUTIC PARK. REFERENCE IS MADE TO JURISDICTIONAL INQUIRY 2023-0282.
4. WETLANDS DEPICTED HEREON WERE PLOTTED BY APA INCORPORATED MARY O'NEILL, CREGA 2008.
5. REGARDING THE SEPTIC SYSTEM DESIGN, REFERENCE IS MADE TO DRAWINGS PREPARED BY CHARLES S. HANCOX, JR., PE LICENSE NO. 068886 ENTITLED "ALDS-SEPTIC SYSTEM DESIGN 1318 COUNTY ROUTE NO. 110, BROADALBIN, NY 12027, SHEETS 1-3 OF 3, DATED OCTOBER 26, 2023.



THE TOWN OF BROADALBIN ZONING DEPARTMENT APPROVAL

APPROVED BY RESOLUTION OF THE TOWN OF BROADALBIN, NEW YORK ON THE DAY OF _____ 20____, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGES, ERRORS, MODIFICATIONS, OR REVISIONS OF THIS PLAN, AS APPROVED, SHALL VOID THIS APPROVAL.

SIGNED 116 _____ DAY OF _____ BY _____

PLANNING DEPARTMENT

LEGEND

BCI	DEVELOPMENT
W	WETLANDS
C	CONCRETE
F	FLOOR
100' x 100'	CONCRETE PAD
100' x 100'	CONCRETE PAD WITH FLOOR
100' x 100'	CONCRETE PAD WITH 100' x 100' FLOOR
100' x 100'	CONCRETE PAD WITH 100' x 100' FLOOR AND 100' x 100' FLOOR
100' x 100'	CONCRETE PAD WITH 100' x 100' FLOOR AND 100' x 100' FLOOR AND 100' x 100' FLOOR
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177 PRRICAL 107 NUMBER PER MAP SET, NO. 1



FINAL
P2023-0233

RECEIVED
Date: November 29, 2023

PLAN OF LOT LINE ADJUSTMENTS FOR LANDS OF ANTHONY GOUDREAU
DEED INSTRUMENT NO. 2016-4974 - TAX MAP NO. 91.3-1-9
AND LANDS OF KRISTINA ALDI & AMY LUDWIN
DEED INSTRUMENT NO. 2022-7782 - TAX MAP NO. 91.3-1-3-12
AND LANDS OF JOHN D. BRODERICK & ALICE V. BRODERICK
DEED INSTRUMENT NO. 2016-4974 - TAX MAP NO. 91.3-1-9
AND LANDS OF WILLIAM BRENT KESSINGER & PATRICIA A. KESSINGER
DEED INSTRUMENT NO. 2011-10990 - TAX MAP NO. 91.3-1-33.1
AND LANDS OF LINDA J. BURRO
DEED INSTRUMENT NO. 91.3-1-1.3
AND LANDS OF SUSAN M. BLAZIEWSKI
DEED INSTRUMENT NO. 2017-4890 - TAX MAP NO. 91.3-1-33.2

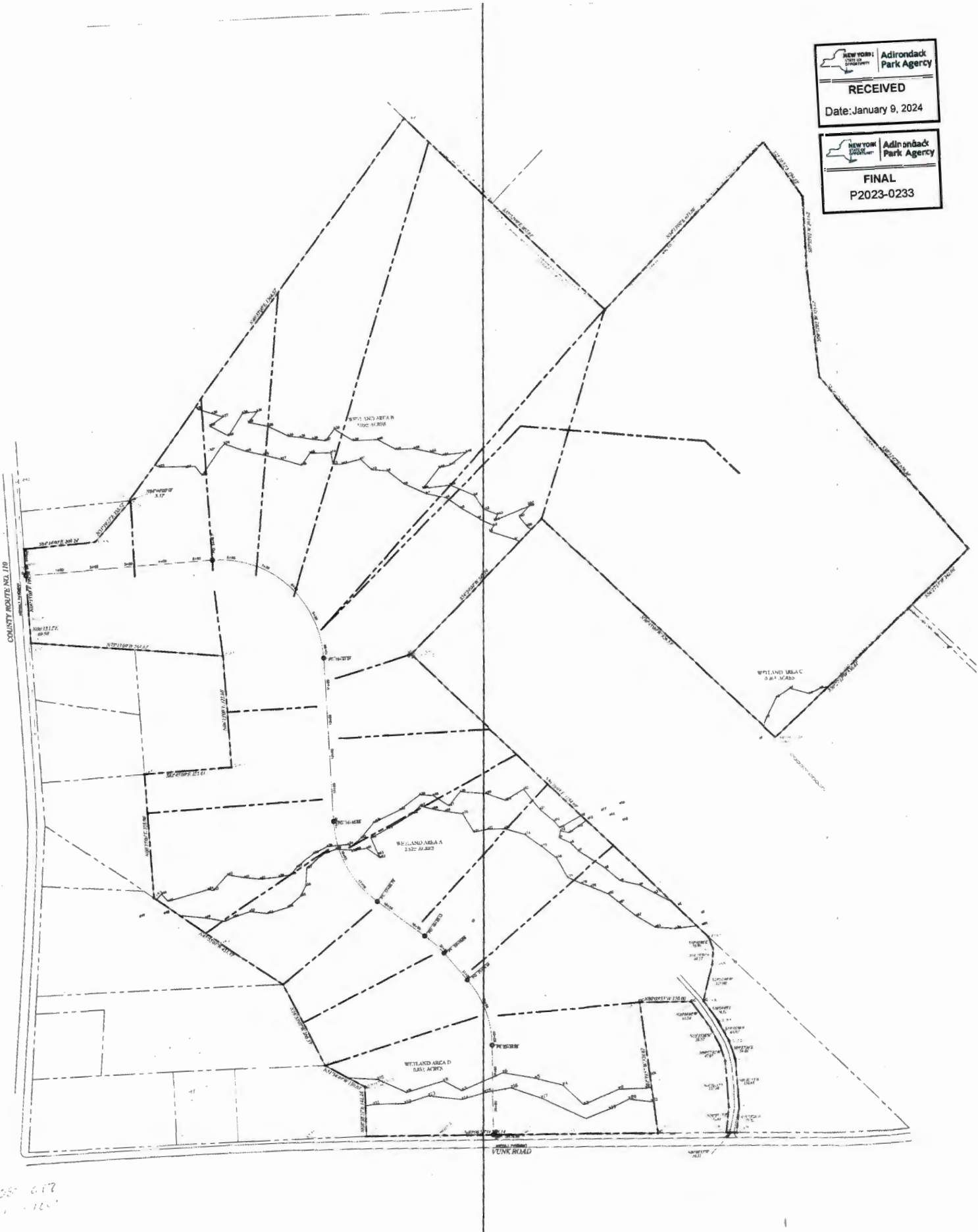
THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR ANY PURPOSES WITHOUT THE APPROVAL OF THE TOWN OF BROADALBIN. ANY CHANGES, ERRORS, MODIFICATIONS, OR REVISIONS OF THIS PLAN, AS APPROVED, SHALL VOID THIS APPROVAL.

NORTHEAST LAND SURVEY & LAND DEVELOPMENT CONSULTANTS, P.C.
70 DOTT 31 RD, WALTON, N.Y. 13282, PHASE 2023-0233
DANIEL B. GORTLAND @ DANIELB.GORTLAND.COM



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