


THIS IS A TWO-SIDED DOCUMENT

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|  <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 2023-0241</p> |
| <p>In the Matter of the Application of</p> <p>SHAWN HARRINGTON & CAMILLA TULK-HART Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p> | <p>Date Issued: September 5, 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. Shawn Harrington2. Camilla Tulk-Hart |

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision and construction of a multi-family dwelling in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map in the Town of Johnsburg, 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 either 1) an authorized lot has been conveyed to an outside party or 2) the authorized structure has been constructed.

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 2.13±-acre parcel of land located on Main Street in the Town of Johnsbury, Warren County, in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 66.18, Block 1, Parcel 10, and is described in a deed from Lorrie Porter Bedard to Shawn Harrington & Camilla Tulk-Hart, dated November 27, 2023, and recorded January 23, 2024 in the Warren County Clerk's Office at Liber 6888, Page 98.

The project site also contains wetlands on the southeastern portion of the property associated with an intermittent stream. Additional wetlands not described herein or depicted on the Site Plan Map may be located on or adjacent to the project site.

The project site is improved by one single family dwelling constructed in 1918, one accessory use garage constructed in 1920, and one storage shed constructed in 1920.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision to create a 1.055±-acre lot improved by a pre-existing single family dwelling (Lot 1), and a 0.952±-acre lot to be improved by a two-unit multi-family dwelling (Lot 2).

The project is shown on a two-sheet plan titled "Harrington Subdivision," prepared by Winchip Engineering, PC, dated June 6, 2024, and last revised July 25, 2024 (Site Plan Map).

A reduced-scale copy of the Site Plan Map 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 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. Copies of this permit and Site Plan Map 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 2023-0241, issued September 5, 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 Map. Any subdivision of the project site not depicted on the Site Plan Map shall require prior written Agency authorization.
6. Any deed of conveyance for Lot 1 as depicted on the Site Plan Map shall contain an easement providing access to Lot 2 over the easement area shown and described on the Site Plan Map.
7. Subject to the conditions stated herein, this permit authorizes the construction of one two-unit multi-family dwelling on Lot 2 in the location shown and as depicted on the Site Plan.

The two-unit multi-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. Any expansion beyond these dimensions shall require prior written Agency authorization.

8. Construction of any additional dwelling on Lot 1 or Lot 2 shall require prior written Agency authorization.
9. Construction of any guest cottage on the project site shall require prior written Agency authorization.
10. Any on-site wastewater treatment system on Lot 2 installed within five years of the date of issuance of this permit shall be constructed in conformance with the location and design shown on the Site Plan Map. Construction of the system shall be supervised by a New York State 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.

11. 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.
12. 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 Main Street or adjoining property.
13. The undertaking of any activity involving wetlands shall require a new or amended permit.

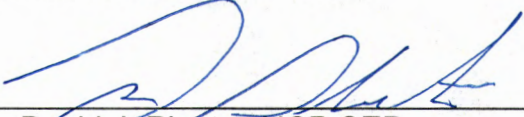
CONCLUSIONS OF LAW

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 subdivision/single family dwelling 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 Johnsburg;
- 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 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.

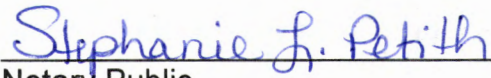
PERMIT issued this 5th day
of September, 2024.

ADIRONDACK PARK AGENCY

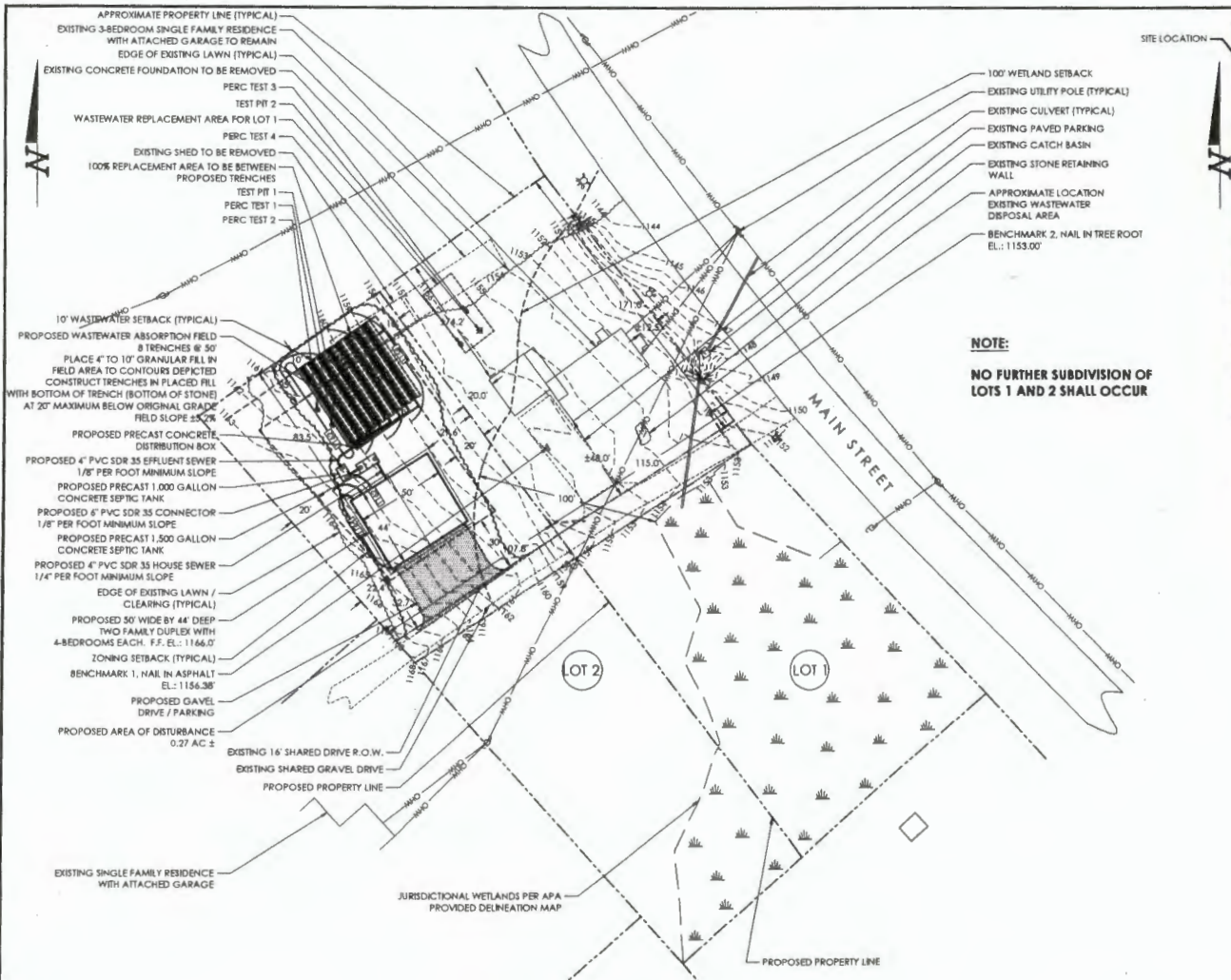
BY: 
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 5th day of September 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.


Notary Public

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



SITE PLAN
1" = 30'



LOCATION MAP
1" = 1000'

NOTE:
NO FURTHER SUBDIVISION OF
LOTS 1 AND 2 SHALL OCCUR

RECEIVED
 Date: August 6, 2024
 FINAL
 P2023-0241

NOTE:
 FOR COMPLETE SURVEY INFORMATION SEE:
 MAP OF A SURVEY MADE FOR
 TOWN OF JOHN SBURG
 TOWN OF JOHN SBURG, COUNTY OF WARREN, STATE OF NEW YORK
 BY
 RUSSELL E. HOWARD
 LICENSED AND SURVEYING
 DATED 04/20/2024

LEGEND
 - - - - - EXISTING CONTOUR
 [Symbol] PROPOSED CONTOUR

NOT FOR CONSTRUCTION
PRELIMINARY
FOR REVIEW AND APPROVAL ONLY

| | | | |
|-----------------------------|----------|------------------|-----|
| RELEASED FOR APA SUBMISSION | 07-25-24 | BWW | BWW |
| PRELIMINARY | 06-27-24 | BWW | BWW |
| REVISIONS | | | |
| NOTE: | NOTE: | SCALE: 1" = 30' | |
| | | DWN. BY: BWW | |
| | | CHK'D BY: BWW | |
| | | DATE: 06-06-24 | |
| | | SHEET NO. 1 OF 2 | |

| ZONE | SCHEDULE B | MAXIMUM AVERAGE DENSITY | MINIMUM LOT SIZE | MINIMUM HIGHWAY FRONTAGE | MINIMUM LOT WIDTH | REQUIRED FRONT YARD SETBACK | REQUIRED REAR YARD SETBACK | REQUIRED SIDE YARD SETBACK | PROPOSED TOTAL LOT SIZE | AREA OF WETLANDS | TOTAL AREA - WETLANDS = BUILDABLE AREA | PROPOSED HIGHWAY FRONTAGE | PROPOSED LOT WIDTH | PROPOSED FRONT YARD SETBACK | PROPOSED REAR YARD SETBACK | PROPOSED SIDE YARD SETBACK |
|------|---|-------------------------|------------------|--------------------------|-------------------|-----------------------------|----------------------------|----------------------------|-------------------------|------------------|--|--------------------------------------|--------------------------------------|-----------------------------|----------------------------|-------------------------------------|
| HR | LOT 1 - SINGLE FAMILY DWELLING, MOBILE HOME | N/A | 0.517 AC | 25 FT | 75 FT | 30 FT | 25 FT | 15 FT | 1.055 AC | 0.436 AC | 0.619 AC | 171.0 FT EXISTING, 115.0 FT PROPOSED | 171.0 FT EXISTING, 115.0 FT PROPOSED | 212.5 FT, 248.0 FT EXISTING | N/A | 274.2 FT EXISTING, 20.0 FT PROPOSED |
| HR | LOT 2 - TWO FAMILY DWELLING | N/A | 0.689 AC | 25 FT | 75 FT | 30 FT | 25 FT | 20 FT | 0.952 AC | 0.097 AC | 0.855 AC | 107.8 FT | 107.8 FT | 32.7 FT | 83.5 FT | 29.6 FT, 22.4 FT |

PROJECT: HARRINGTON SUBDIVISION
SITE PLAN
 TOWN OF JOHN SBURG, WARREN COUNTY, NY

P.O. Box 116, 36 Cougar Lane
 Cheffertown, New York 12817
 Phone: (518) 494-2555
 Fax: (518) 494-2566

PROJECT NO. **24-002**
 SHEET NO. **ST-001**

DATE: