


**THIS IS A TWO-SIDED DOCUMENT**

 <p><b>NEW YORK</b> STATE OF OPPORTUNITY.</p> <p><b>Adirondack Park Agency</b></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><b>APA Permit 2024-0012</b></p>
<p>In the Matter of the Application of</p> <p><b>ERIN BETH MCGRATH AKA ERIN BETH CONNOLLY AND MARK E. MCGRATH Permittee</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: March 26, 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"><li><b>1. Erin Beth McGrath aka Erin Beth Connolly</b></li><li><b>2. Mark E. McGrath</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes a two-lot subdivision in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Warrensburg, 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 Agency will consider the project in existence when the permit has been recorded.

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 47± acre parcel of land located on Cloverleaf Drive in the Town of Warrensburg, Warren County, in an area classified Hamlet and Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 210.2, Block 1, Parcel 21.1 (Parcel 21.1) and Block 2, Parcel 44 (Parcel 44); and is described in a deed from DKC Holding, Inc. to Erin Beth Connolly, dated July 15, 2015, and recorded in the Warren County Clerk's Office under Book 5197, Page 270.

The project site contains wetlands on Parcel 21.1. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The Parcel 44 portion of the project site is improved by a single family dwelling constructed in 2014.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves a two-lot subdivision of the project site to create:

- a 37±-acre lot comprised of a 4± acres of Rural Use lands and 33± acres of Hamlet lands (Lot 1); and
- a 10±-acre lot comprised of 7.25± acres of Rural Use lands and 2.58± acres of Hamlet lands (Lot 2).

The Rural Use portion of the project site constituted a portion of a larger property on the May 22, 1973, enactment date of the Adirondack Park Land Use and Development Plan, and was created by subdivisions from this larger property in 2015. As these subdivisions resulted in the creation of a parcel containing less than 7.35 acres on Rural Use lands and resulted in the creation of the 5th parcel from the larger property, it appears that an Agency permit was required for its undertaking. Agency records indicate that no permit was obtained. By issuance of this permit, the project site shall be recognized as lawful for Agency purposes.

The project is shown on annotated tax map plan titled "44 Clover Leaf Dr," and received by the Agency on January 11, 2024 (Sketch Plan). A reduced-scale copy of the Sketch 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 any subdivision of Rural Use lands that results in the creation of a non-shoreline lot smaller than 7.35 acres in size 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 that results in the creation of five or more lots, parcels, or sites since May 22, 1973, in a Rural Use land use area 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 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 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 2024-0012, issued March 26, 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 of the Rural Use portion of Parcel 21.1 as depicted on the Sketch Plan. Any subdivision of the Rural Use portion of the project site not depicted on the Sketch Plan shall require a new or amended permit.
6. Construction of any dwelling or other principal building on the Rural Use portion of Lot 2 shall require a new or amended permit. Any activity involving wetlands shall require a new or amended permit.
7. The Rural Use portion of Lot 1 shall not be conveyed separately from the Hamlet portion of Lot 1.
8. The Rural Use portion of Lot 2 shall not be conveyed separately from the Hamlet portion of Lot 2.
9. There shall be no principal buildings located on the Rural Use portion of Lot 1.
10. There shall be no more than one principal building located on the Rural Use portion of Lot 2. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

**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 subdivision 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 Rural Use land use area;
- c. will be consistent with the overall intensity guidelines for the Rural 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 <sup>26<sup>th</sup></sup> day of <sup>March</sup>, 2024.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK  
COUNTY OF ESSEX

On the \_\_\_\_\_ day of \_\_\_\_\_ 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.

ANGELA BATES  
Notary Public - State of New York  
No. 01BA6427440  
Qualified in Essex County  
My Commission Expires Dec. 27, 2025

  
Notary Public

44 CLOVER LEAF DR

X Q

Show search results for 44 CLOVER L...

NEW YORK STATE OFFICIALS  
Adirondack Park Agency

RECEIVED

Date: January 11, 2024

NEW YORK STATE OFFICIALS  
Adirondack Park Agency

FINAL

P2024-0012

Leaving 34 ± Acres

7.25 ± Acres  
NEW LOT  
PARALLEL BE W/  
EXISTING LOT

210.2-1-21.1 CONNOLLY, ERIN BETH

210.2-2-44 CONNOLLY, ERIN BETH

210.2-2-43 DKC HOLDING, INC

210.2-2-45 DKC HOLDING, INC

210.2-2-47 MARIOTTI, ANTONIO

210.2-2-48 MATTOCKS, DANIEL

210.2-2-42 LEMBO, CHRISTOPHER T

210.2-2-51 DKC HOLDING, INC

210.2-2-52 DKC HOLDING, INC

210.2-2-34 RUSHIA, JASON P

210.2-2-35 RAUSCH, CHRISTOPHER R

210.2-2-38 SACCHI, DOUGLAS W

210.2-2-37 LICATA, ANTHONY

210.2-2-12 WARNER, GLEN CHARLES

210.2-2-11 MILLER, WILLIAM

210.2-2-9 SEMON, MARK

210.2-2-20 BROWN, NATHAN M

210.2-2-18 BELANGER, BERTHAR

210.2-2-30 RICHARD

210.2-2-25 ALLEN, MATTHEW E

210.2-2-17 MORGAN, JOHN

210.2-2-16 SMITH, GARY BIDARLENE

210.2-2-13 HILL, TIMOTHY

210.2-2-10 WARREN, JOHN

210.2-2-8 ALLEN, ELIZABETH J

210.2-2-7 KENNISON, PATRICIA

210.2-2-6 FISH, RICKY

210.2-2-5 RUSHIA, JASON P

210.2-2-4 LILLEY, DALE

210.2-1-121.1 TOWN OF WARREN

210.2-1-111 TOWN OF WARRENSBURG

210.2-1-121.1 TOWN OF WARREN

210.2-1-13 RUVUND, BRYAN

210.2-1-2 TOWN OF WARRENSBURG

210.2-1-41

210.2-1-5 COUNTY OF W/

