


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 2024-0018</p>
<p>In the Matter of the Application of</p> <p>FRANCIS ATRIA RAVEN ATRIA Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: February 20, 2024</p>
	<p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <p>1. Barbara O'Hara</p>

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 Greig, Lewis County.

This authorization shall expire unless recorded in the Lewis 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 Lewis 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 31.1-acre parcel of land located on Partridgeville Road in the Town of Greig, Lewis County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map. The site includes Tax Map Section 263.00, Block 01, Parcel 20.100 and Parcels 20.200, and is described in a deed from Kenneth A. Burdick to Donald O'Hara and Barbara O'Hara, dated March 28, 1967, and recorded May 3, 1967 in the Lewis County Clerk's Office at Book 295, Page 425.

The project site contains wetlands associated with the shoreline of Otter Creek. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The project site is improved by a single family dwelling constructed in 1990 located on Tax Parcel 263-1-20.100 and a cabin located on 263-1-20.200 constructed in 1917.

PROJECT DESCRIPTION

Two-lot subdivision of tax parcel 263-1-20.100 to create a 4.2-acre parcel containing shoreline on Otter Creek to be merged with existing tax parcel 263.00-01-20.200 resulting in a 8.5-acre lot (Merged Lot). No new land use or development is proposed.

The project is shown on a survey titled "Maps Showing Lands of Donald & Barbara O'Hara," prepared by Kovach Land Surveying, P.C., and dated January 12, 2024 (Survey). A reduced-scale copy of the Survey 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 Lewis 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 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. Subject to the conditions stated herein, this permit authorizes a two-lot subdivision as depicted on the Survey.
5. Within 30 days of conveyance of the 8.5-acre Merged Lot, a new deed shall be filed in the Lewis County Clerk's office describing 4.2-acre lot and Tax Map Parcel 263-1-20.200 as a single, un-divided lot as depicted the Survey. Any future subdivision of this undivided lot shall require a new or amended permit.
6. Construction of any guest cottage on the project site shall require prior written Agency approval.
7. Prior to undertaking construction of any dock, boathouse or other shoreline access structure on the project site, written authorization of plans for the dock or boathouse including all attached upland structures, shall be obtained from the Agency.
8. No structures greater than 100 square feet in size shall be constructed within 75 feet, measured horizontally, of the mean high water mark of Otter Creek.
9. The undertaking of any activity involving wetlands shall require a new or amended permit.
10. There shall be no more than two principal buildings located on the 21.6-acre lot, in addition to the pre-existing single family dwelling or any replacement structure for this dwelling as allowed by Agency regulations. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
11. There shall be no more than one principal building located on 8.5-acre Merged Lot at any time. The single family dwelling constructed on the property in 1990 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 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;
- 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 20th day
of February, 2024.

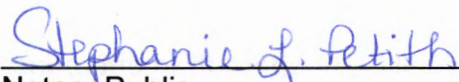
ADIRONDACK PARK AGENCY

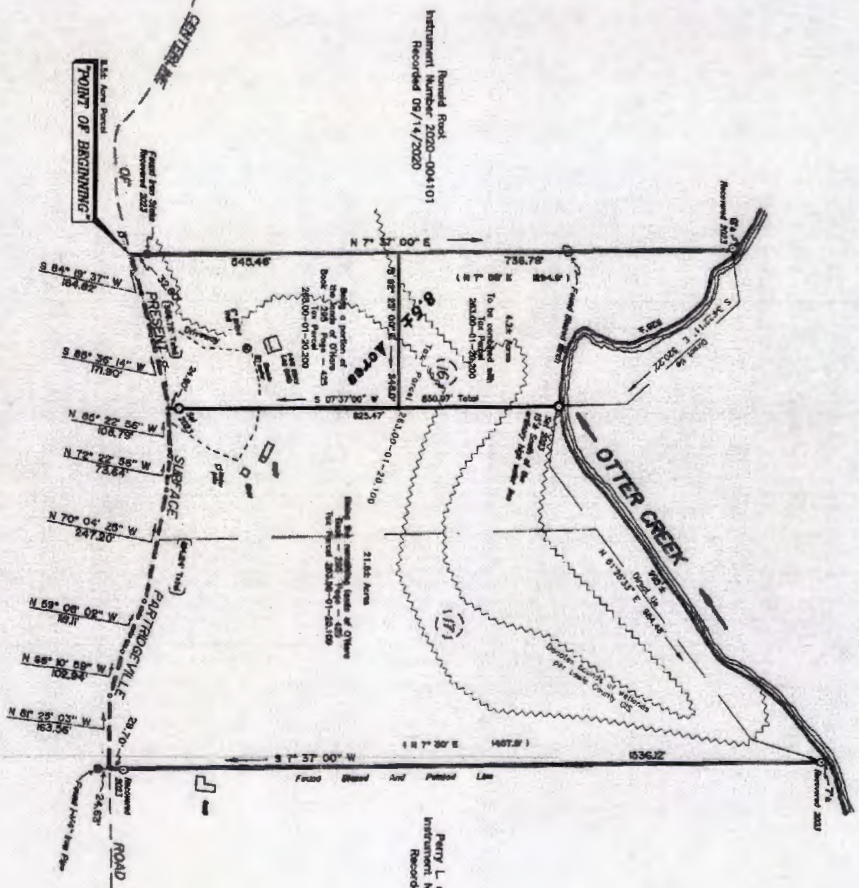
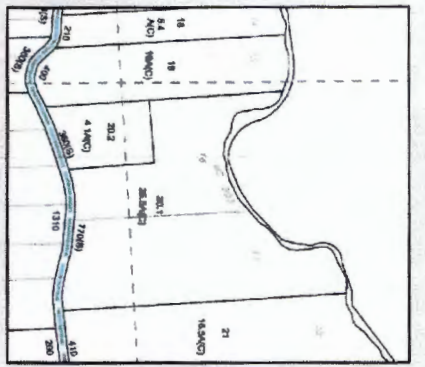
BY: 
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 20th 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



- NOTES:
- 1) Field work for this survey was completed on 02/28/2024.
 - 2) All adjoining shown hereon are per the Lewis County Real Property Tax Services Department.
 - 3) This map was prepared without the benefit of the official records of the Lewis County Office of the Planning and Zoning Commission. All rights, restrictions or covenants of record, expressed or implied by usage or custom, or otherwise, are hereby acknowledged.
 - 4) The lands shown hereon are subject to any violation of Section 2209, sub-division 2 of the New York State Education Law.

DEED REFERENCE:
 Kenneth A. Burdick
 To: DONALD & BARBARA O'HARA
 Dated: March 28, 1967
 Recorded: May 3, 1967
 Liber: 295 Page: 425
 Cottage Lot Nos. 16 and 17

⊙ - Denotes 5/8" Iron Pin
 ⊙ - Denotes 1/2" Iron Pin
 ⊙ - Denotes Utility Pole

MAP REFERENCE:
 Map Showing Eastern Section of
 Game Lands Owned by the Fisher
 Forestry & Realty Company - By Wood,
 Radstock and Forrest, Civil Engineers, Dated
 September 1937.

Revisions
 Lot Line
 Adjustment
 02/28/2024

Address: Adirondack Park Agency
 RECEIVED
 Date: January 22, 2024
 Adirondack Park Agency
 FINAL
 P2024-0018



Print Approved: _____
 Town of Ogdensburg
 Planning Board Chairman
 Dated: _____

Tax Parcels 28320-01-20100 & 283100-01-20280
DONALD & BARBARA O'HARA
 MAP SHOWING LANDS OF
N LOTS 70 & 88 - BRANTINGHAM TRACT
 Town of Ogdensburg - Lewis County - New York
 Scale 1" = 200'

ROVACHE LAND SURVEYING, P.C.
 7587 South Street Lawrenceville, New York 13957
 518-252-8522
 2-5-24