

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 2024-0021</p>
<p>In the Matter of the Application of</p> <p>MICHAEL J. BLACK and ADIRONDACK MT. LAND LLC Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: July 9, 2024</p>
	<p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Adirondack Mt. Land LLC</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a four-lot subdivision and construction of four single family dwellings in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Piercefield, St. Lawrence County.

This authorization shall expire unless recorded in the St. Lawrence 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 St. Lawrence County Clerk's Office. The Agency will consider the project in existence when an authorized lot has been conveyed to an outside party or an authorized single family dwelling 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 51.60±-acre parcel of land located on NYS Route 3 in the Town of Piercefield, St. Lawrence County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 195.000, Block 4, Parcel 40.1, and is described in a deed from Jennifer Gale Smith to Adirondack Mt. Land LLC, dated November 22, 2023, and recorded December 27, 2023 in the St. Lawrence County Clerk's Office under Instrument Number R-2023-00016241.

The project site is partially located within a designated state highway critical environmental area.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a four-lot subdivision to create a 14.03±-acre lot (Lot 1), a 12.17±-acre lot (Lot 2), an 11.65±-acre lot (Lot 3), and a 13.75±-acre lot (Lot 4). One single family dwelling and on-site wastewater treatment system will be constructed on each lot.

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

- A one-sheet plan titled "Map Of A Survey Prepared For Adirondack Mt Land LLC," prepared by Sheppard Land Surveying, dated July 31, 2023, and received by the Agency on February 24, 2024 (Survey Map); and
- 20 sheets of plans titled "Septic System Childwold Subdivision, Lots 1-4," prepared by Mark J. Buckley, dated December 29, 2024, and last revised January 4, 2024 (Site Plans).

A reduced-scale copy of the Survey 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, a permit is required from the Adirondack Park Agency prior to any subdivision of Rural Use lands within 150 feet of the edge of the right-of-way of any state highway 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 St. Lawrence 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. 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 2024-0021, issued July 9, 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 four-lot subdivision as depicted on the Survey Map. Any subdivision of the project site not depicted on the Survey Map shall require a new or amended permit.
6. Subject to the conditions stated herein, this permit authorizes the construction of four single family dwellings and four detached garages within the building envelopes shown on the Survey Map.

The single family dwellings and detached garages 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. The single family dwellings shall be less than 3,800 square feet in footprint, including all attached porches, decks, exterior stairs, garages, and other attached structures. The detached garages shall be no more than 1,300 square feet in footprint. Any expansion beyond these dimensions shall require prior written Agency authorization.

7. The undertaking of any new land use or development not authorized herein on the project site within 150 feet of the right of way of NYS Route 3 shall require a new or amended permit.
8. The construction of any additional dwelling, other principal building or guest cottage on the project site shall require prior written Agency authorization.
10. Any on-site wastewater treatment system(s) on the project site 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 Project Plans. 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 NYS Route 3 or adjoining property.
13. All exterior building materials, including roof, siding and trim, of any dwelling or structure on the project site shall be a dark shade of green, grey, or brown.
14. Outside of the limits of clearing shown on the Project Plans no trees may be cut or otherwise removed 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.
15. There shall be no more than two principal buildings located on Lot 1 at any time. The single family dwelling authorized herein constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
16. There shall be no principal buildings located on Lot 2 other than the dwelling authorized herein.
17. There shall be no principal buildings located on Lot 3 other than the dwelling authorized herein.
18. There shall be no more than two principal buildings located on Lot 4 at any time. The single family dwelling authorized herein constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

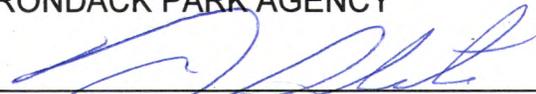
CONCLUSIONS OF LAW

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/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 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 9th day
of July, 2024.

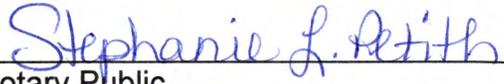
ADIRONDACK PARK AGENCY

BY: 

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 9th day of July 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

