


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 2024-0024</p>
<p>In the Matter of the Application of</p> <p>RICKY JOSEPH ADRAGNA and RENE HELENE ADRAGNA Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: April 2, 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. Ricky Joseph Adragna2. Rene Helene Adragna

SUMMARY AND AUTHORIZATION

This permit authorizes a commercial use in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Wilmington, Essex County.

This authorization shall expire unless recorded in the Essex 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 14.11±-acre parcel of land located on NYS Route 86 in the Town of Wilmington, Essex County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 16.19, Block 2, Parcel 45.000, and is described in a deed from Frank J. Fenlon Jr. and Veronica M. Fenlon to Ricky Joseph Adragna and Rene Helene Adragna, dated May 24, 2018, and recorded June 4, 2018 in the Essex County Clerk's Office at Book 1915, Page 148.

The project site is improved by an existing barn constructed in 2020.

PROJECT DESCRIPTION

The project as conditionally approved herein involves authorization of a 2,240±-square-foot commercial use wedding venue constructed in 2020. The venue will operate seasonally from May-October and will hold no more than 10 weddings a season. The venue will host one wedding per weekend on Saturdays only, and has a max capacity of 120 people.

The commercial use was undertaken on the project site in 2023. As this commercial use is located on Moderate Intensity Use lands, it appears that an Agency permit was required for its undertaking. A review of Agency records indicates that no permit was obtained. By issuance of this permit, the commercial use shall be recognized as lawful for Agency purposes.

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

- A one-sheet plan titled "Adragna Subdivision 2023," prepared by Ralph C. Schissler, L.S., Adirondack Surveying PLLC, dated September 8, 2023, and last revised December 14, 2023. (Survey Map); and
- A two-page report titled "The Barn at Pinestone, IST Evaluation," prepared by Thomas J. LaBombard, PE, dated June 19, 2023. (Engineer Report)

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 the establishment any commercial use on Moderate Intensity Use lands 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 Essex 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, for as long as the commercial use continues on the site. 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 2024-0024, issued April 2, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. This permit authorizes the undertaking of a commercial use wedding venue in the location shown and as depicted on the Survey Map. Any change to the location, dimensions, or other aspect of the commercial use shall require prior written Agency authorization.
6. The undertaking of any activity involving wetlands also requires a new or amended permit.
7. The commercial use shall only operate on Saturdays during May, June, July, August, September and October. There shall be no more than 10 events a season, with no more than one event per weekend taking place between the hours of 8 AM and 10:30 PM. Any operation of the commercial use outside these parameters shall require prior written Agency authorization.
8. Prior to any increase in occupancy of the commercial use or replacement of any on-site wastewater treatment systems, written authorization shall be obtained from the Agency for plans prepared by a New York State design professional (licensed engineer or registered architect). The on-site wastewater treatment system(s) plans shall comply with the Agency's Project Guidelines for Residential on-Site Wastewater Treatment, and with Agency standards in 9 NYCRR Appendix Q-4.
9. Any new free-standing or building-mounted outdoor lights associated with the commercial use on the project site shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward NYS Route 86 or adjoining property.
10. All signs associated with the commercial use on the project site shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3].

11. Outside of the existing limits of clearing shown on the Survey Map, 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.
12. There shall be no more than 11 principal buildings located on the project site at any time. The commercial use structure authorized herein constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

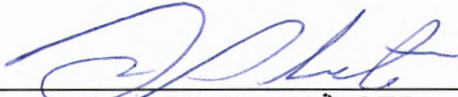
CONCLUSIONS OF LAW

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 project 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 Moderate Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Moderate Intensity 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 2nd day
of April, 2024.

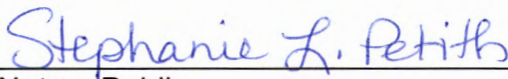
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 2nd day of April 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 Notes:

- Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's seal is a violation of section 7309, sub-section 2 of the New York State Education Law.
- Only copies from the original of this Boundary Survey marked with an original of the Land Surveyor's embossed seal shall be considered valid true copies. (mylar prints shall be stamped with the surveyor's seal with an original signature)
- Conditions indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors, Inc. The certification is limited to the persons for whom the Boundary Survey is prepared, to the title company, to the governmental agency, and to the lending institution listed on this Boundary Survey map and to the assignees of the lending institution. These certifications are not transferable to additional institutions or subsequent owners.
- This map may not be used in connection with a "Survey Affidavit" or similar document, statement, or mechanism to obtain title insurance for any subsequent or future grantee.
- Copyright 2023, Adirondack Surveying P.L.L.C. All rights reserved.
- The location of underground improvements or encroachments are not always known and often must be estimated. If any underground improvement or encroachment is not shown, the improvements or encroachments are not covered by this certification.
- North arrow and bearings based on Grid North - NAD83 NYS East Zone(2101), NAVD83 (Geoid 03).
- Building offsets, as shown on this map, are not to be used for construction purposes.
- Subject to any and all right of ways and easements of record, if any.
- Survey was performed without the benefit of an Abstract of Title and is subject to any findings one may show or those discovered by inspection.
- Assumed road line, shown hereon, based upon a 4' road Right-of-Way in reference to Chapter 67 of the Laws of 1817 and Chapter 33 of the Laws of 1813.
- Parcel is located within the "Moderate Intensity, Adirondack Park Agency Land Use Classification and was deemed Non-Jurisdictional per Jurisdictional Determination 2023-0647 dated July 19, 2023.

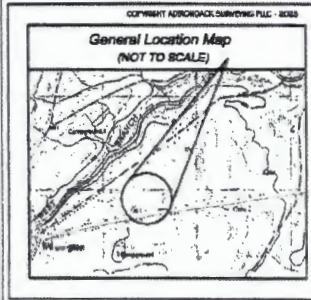
30' wide Access Easement courses:

LINE	BEARING	DISTANCE
E1	N 0°00'00" W	250.00'
E2	N 0°00'00" W	250.00'
E3	N 0°00'00" W	250.00'
E4	N 0°00'00" W	250.00'
E5	N 0°00'00" W	250.00'
E6	N 0°00'00" W	250.00'
E7	N 0°00'00" W	250.00'
E8	N 0°00'00" W	250.00'
E9	N 0°00'00" W	250.00'
E10	N 0°00'00" W	250.00'
E11	N 0°00'00" W	250.00'
E12	N 0°00'00" W	250.00'
E13	N 0°00'00" W	250.00'
E14	N 0°00'00" W	250.00'
E15	N 0°00'00" W	250.00'
E16	N 0°00'00" W	250.00'
E17	N 0°00'00" W	250.00'
E18	N 0°00'00" W	250.00'
E19	N 0°00'00" W	250.00'
E20	N 0°00'00" W	250.00'

Zoning Information:

LOCATION: 5827 New York State Route 86
 ZONE: Moderate Intensity (R-1)
 USE: Single Family Dwelling

ITEM	REQUIREMENTS
MINIMUM LOT AREA	1.0 acres
MINIMUM LOT WIDTH	100 feet
MINIMUM FRONT SETBACK	60 feet
MINIMUM SIDE SETBACK	30 feet
MINIMUM REAR SETBACK	30 feet
MAXIMUM BUILDING HEIGHT	40 feet
MAXIMUM LOT COVERAGE	30%



Reference Deed:

Frank J. Fenlon, Jr. and Veronica M. Fenlon to Ricky Joseph Adragna and Rene Helene Adragna by deed dated May 24, 2016 and recorded in Deed Book 1915 at page 149 on June 04, 2016 in the Essex County Clerk's Office

Reference Maps:

- "Map of Survey prepared for Christmas & Associates, Inc." prepared by Dana L. Drake, L.S. dated October 28, 1998 and filed in the Essex County Clerk's Office as map # 6427
- "Map of Survey prepared for Grosvenor Shyne and James Aubert prepared by Kevin A. Hall, L.S. dated April 28, 2000 and filed in the Essex County Clerk's Office as map # 6223
- "Map of Survey of certain lands of Timothy J. Devine and Virginia G. Devine showing Devine Subdivision 2019" prepared by Ralph C. Schuster III, L.S. of Adirondack Surveying P.L.L.C. dated April 16, 2019 and filed in the Essex County Clerk's Office as map # 7279

Tax Map Reference:

Section 16.19 - Block 2 - Lot 45
 Town of Wilmington - County of Essex

Legend:

- ⊙ 40' radius (50' of plastic survey cap) (to be set)
- ⊙ Found Property Substances (to be removed)
- ⊙ Computed corner
- ⊙ File system
- ⊙ Utility pole
- ⊙ Station grade
- ⊙ Above grade
- New lot boundary
- Property line
- Overhead utility line
- Existing road/track line
- Edge of woods



THIS PLAN HAS BEEN SUBMITTED REVIEWED AND APPROVED BY THE TOWN OF WILMINGTON PLANNING BOARD. ANY CONDITIONS OF APPROVAL ARE ATTACHED.

CHAIRMAN PLANNING BOARD: DATE

RECEIVED
 ADIRONDACK PARK AGENCY

FEB 02 2024

Adirondack Park Agency
 FINAL
 P2024-0024

Scale: 1 inch = 100 Feet

Map of Survey
 of certain lands of
RICKY JOSEPH ADRAGNA
 and
RENE HELENE ADRAGNA
 showing
ADRAGNA
SUBDIVISION 2023



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 Jay, New York 12941
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 ADIRONDACKSURVEYING.COM
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Lot 03 of Jay Tract
 Town of Wilmington Essex County State of New York

Project No.	Scale	Revision Date	Revision Description	Revision Date	Revision Description
2023-003	1" = 100'				
Drawn by: R. Adragna	Checked by: R. Adragna	Additional revision information			
Date of Map: 09/2023					

PROJECT SURVEYOR
 Ralph C. Schuster III, L.S.
 NYS License No. 65049

Approved:
 Real Property Tax Service Agency