


THIS IS A TWO-SIDED DOCUMENT

 <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 2024-0034</p>
<p>In the Matter of the Application of</p> <p>LOUIS E. MAINE AND SANDRA R. MAINE Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 577</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: 1. Louis E. Maine 2. Sandra R. Maine</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision and the construction of an accessory garage in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Hopkinton, 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.

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 73.57-acre parcel of land located on Sylvan Falls Road in the Town of Hopkinton, 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 93.002, Block 1, Parcel 24, and is described in a deed from Louis E. Maine and Sandra R. Maine to Louis E. Maine and Sandra R. Maine, dated August 29, 2017, and recorded August 30, 2017 in the St. Lawrence County Clerk's Office under Instrument Number 2017-00011496.

The project site contains shoreline on the West Branch St. Regis River and is partially located within the designated West Branch St. Regis River Recreational River area. 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 pre-existing single family dwelling, accessory barn, accessory survey shop and a single family dwelling authorized by Agency Permit 2021-0165.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of the 73.57-acre project site to create a 9.8-acre parcel improved by a single family dwelling (Proposed Parcel A) and a 63.77-acre parcel improved by a pre-existing single family dwelling, accessory barn and accessory survey shop (Parcel A). The project also includes the construction of an accessory garage on Proposed Parcel A.

The project is shown on a map entitled "1150 Sylvan Falls Road Large Scale Map of 2 Lot Sub" prepared by Maine Land Surveying, P.C., dated August 27, 2016, and last revised on February 6, 2024 (Site Plan).

An enlarged portion of the Site Plan for the project is attached as a part of this permit for reference.

AGENCY JURISDICTION

Pursuant to Adirondack Park Agency regulations at 9 NYCRR Part 577, a permit is required from the Adirondack Park Agency prior to any subdivision of Rural Use lands located within any designated Recreational river area in the Adirondack Park.

Pursuant to Adirondack Park Agency regulations at 9 NYCRR Part 577, a permit is required from the Adirondack Park Agency prior to any new land use and development on Rural Use lands located within any designated Recreational river 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 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 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, Wild, Scenic and Recreational Rivers System Act, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
4. This permit amends and supersedes Permit 2021-0165 in relation to the project site. The terms and conditions of Permit 2021-0165 shall no longer apply to the project site.
5. 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 2024-0034, issued March 26, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. Subject to the conditions stated herein, this permit authorizes a two-lot subdivision as depicted on the Site Plan. Any subdivision of the project site not depicted on the Site Plan shall require a new or amended permit.
7. Subject to the conditions stated herein, this permit authorizes the construction of one accessory garage on Proposed Parcel A in the location and footprint shown on the Site Plan. The garage shall not exceed 40 feet in height, as measured from the highest point on the structure to the lower of either original or finished grade.
8. The undertaking of any new land use or development not authorized herein on the project site within one-quarter mile of the West Branch St. Regis River shall require a new or amended permit. The undertaking of any activity involving wetlands shall also require a new or amended permit.
9. Construction of any guest cottage on the project site shall require prior written Agency approval.
10. There shall be no boathouses on the project site.
11. Prior to undertaking construction of any dock on the project site, written authorization of plans for the dock, including all attached upland structures, shall be obtained from the Agency.

12. Pursuant to the Adirondack Park Agency Act and Agency regulations implementing the Wild, Scenic and Recreational Rivers System Act, new structures are prohibited within 150 feet, measured horizontally, of the mean high water mark of the West Branch St. Regis River.

Docks and boathouses as defined under 9 NYCRR § 570.3 are excepted from this requirement. Fences, poles, lean-tos, and bridges are also excepted from this requirement, except that no fence, pole, lean-to, or bridge greater than 100 square feet in size may be located within 150 feet of the mean high water mark.
13. Installation of any new on-site wastewater treatment system on the project site shall require prior written Agency approval.
14. 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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.
15. 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 the West Branch St. Regis River or adjoining property.
16. Within 150 feet of the mean high water mark of West Branch St. Regis River, no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed 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.
17. There shall be no principal buildings located on Proposed Parcel A other than the existing single family dwelling.
18. There shall be no more than six principal buildings located on Parcel A, 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.

CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act and the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, 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 be consistent with the purposes and policies of the Wild, Scenic and Recreational Rivers System Act;
- g. will comply with the restrictions and standards of 9 NYCRR § 577.6; and
- h. will not cause an undue adverse impact upon the natural, scenic, aesthetic, ecological, botanical, fish and wildlife, historic, cultural, archeological, scientific, recreational or open space resources of the river area, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived therefrom.

PERMIT issued this 26th day
of March, 2024.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 26th day of March 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

RECEIVED
Date: February 12, 2024

FINAL
2024-0934

1000 GAL SEPTIC
leachfield
STAX MAP # 93.001-2-25
EQUITY TRUST COMPANY,
INST. NO. 2018-4344
SHED AND PRIVY
1148 SYLVAN FALLS RD
1148 SYLVAN FALLS RD

LOUIS & SANDRA MAINE
INST NO. 2017-11496,
AUGUST 30, 2017
93.002-1-24
SUBJECT TO APA PERMITS

PROPOSED PARCEL A
9.8 Acres TOTAL
0.8 Acres WATER

LOUIS & SANDRA MAINE
INST NO. 2017-11496,
AUGUST 30, 2017

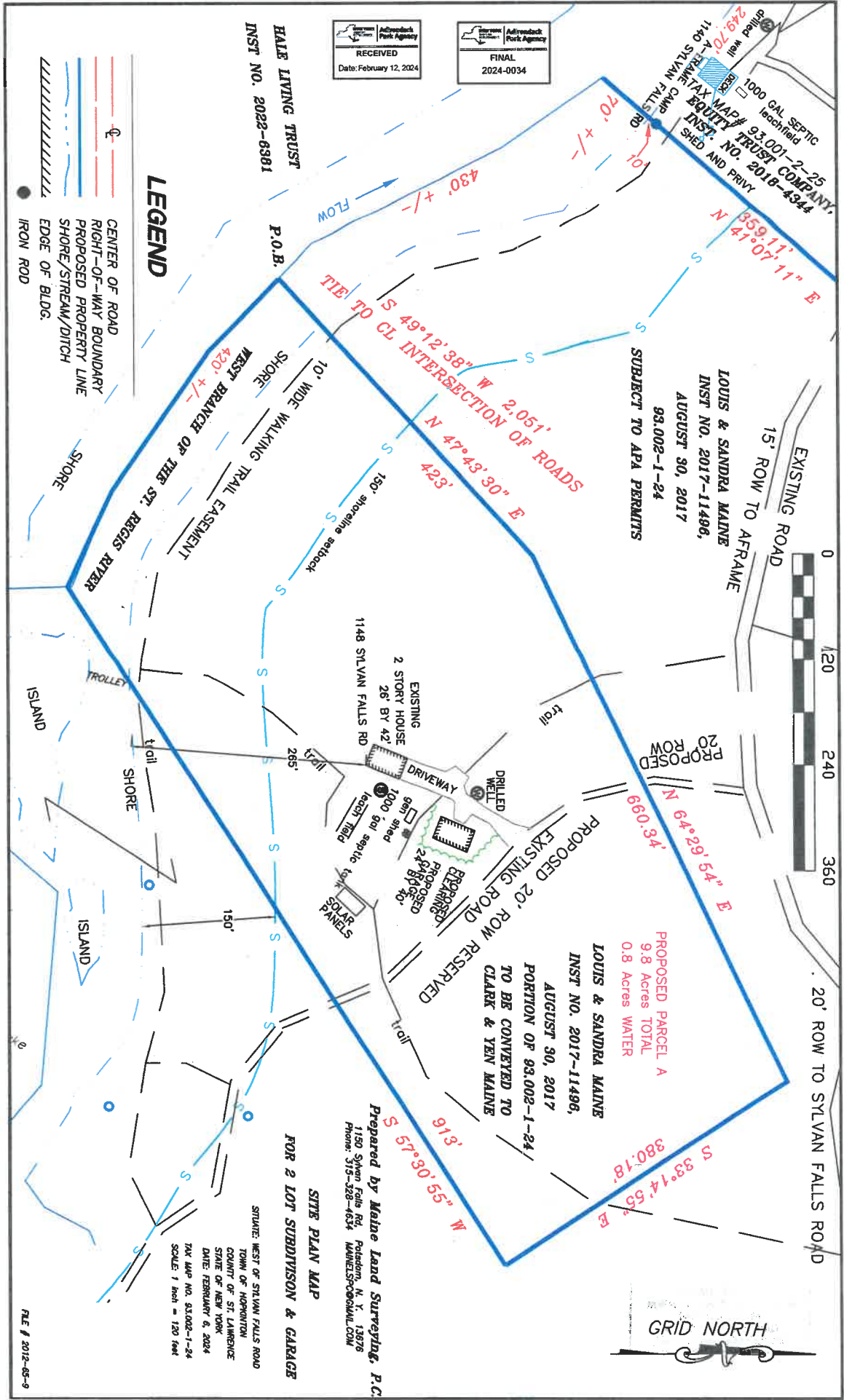
PORTION OF 93.002-1-24
TO BE CONVERTED TO
CLARK & YEN MAINE

Prepared by Maine Land Surveying, P.C.
1180 Sylvan Falls Rd, Portland, N.Y. 13078
Phone: 315-328-4654 MAINEPS@COMcast.COM

SITE PLAN MAP
FOR 2 LOT SUBDIVISION & GARAGE

SITUAITE: WEST OF SYLVAN FALLS ROAD
TOWN OF HOPKINTON
COUNTY OF ST. LAWRENCE
STATE OF NEW YORK
DATE: FEBRUARY 6, 2024
TAX MAP NO. 93.002-1-24
SCALE: 1 inch = 120 feet

FILE # 2012-05-9



LEGEND
 CENTER OF ROAD
 RIGHT-OF-WAY BOUNDARY
 PROPOSED PROPERTY LINE
 SHORE/STREAM/DITCH
 EDGE OF BLDG.
 IRON ROD

