


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 2024-0066</p>
<p>In the Matter of the Application of</p> <p>DAVID EGLIN COWBOY UP RESTAURANT & SALOON, INC. Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: May 29, 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. David Eglin2. Cowboy Up Restaurant & Saloon, Inc.

SUMMARY AND AUTHORIZATION

This permit authorizes expansion of an existing commercial use in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Broadalbin, Fulton County.

This authorization shall expire unless recorded in the Fulton 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 Fulton County Clerk's Office. The Agency will consider the project in existence when construction of the pavilion authorized herein is complete.

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 an 18.1-acre parcel of land located on Stevers Mills Road in the Town of Broadalbin, Fulton 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 138.1, Block 2, Parcel 9.5, and is described in a deed from David Eglin and Patricia Eglin to Cowboy Up Restaurant & Saloon, Inc., dated February 8, 2024, and recorded February 12, 2024 in the Fulton County Clerk's Office under Instrument Number 2024-84975.

The project site is comprised of former parcels identified as Tax Map Section 138.1, Block 2, Parcels 8.1, 9 and 10.

PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of a 33,600-square-foot exhibition building to cover an existing outdoor arena.

The project is shown on a six-sheet plan set titled "Cowboy Up Saloon and Restaurant, 230 Stevers Mills Road, Agriculture Exhibition Building," prepared by Larry J. Ruzycky, P.E. and dated February 1, 2024 (Project Plans). A reduced-scale copy of Sheet 2 of the Project Plans (Site Plan), 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 expansion by more than 25% of any commercial use on Rural 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 Fulton 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 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 2024-0066, issued May 29, 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 construction of a 33,600-square-foot agriculture exhibition building in the location shown and as depicted on the Project Plans. Any change to the location, dimensions, or other aspect of the agriculture exhibition building shall require written Agency authorization.
6. The eight portable toilets depicted on the Site Plan shall be installed prior to use of the agriculture exhibition building.
7. 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.
8. Any new free-standing or building-mounted outdoor lights associated with the agriculture exhibition building 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 Stevers Mills Road or adjoining property.

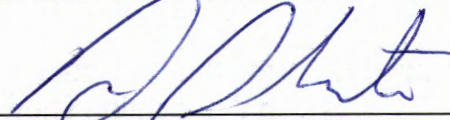
CONCLUSIONS OF LAW

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 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 29th day
of May, 2024.

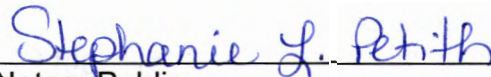
ADIRONDACK PARK AGENCY

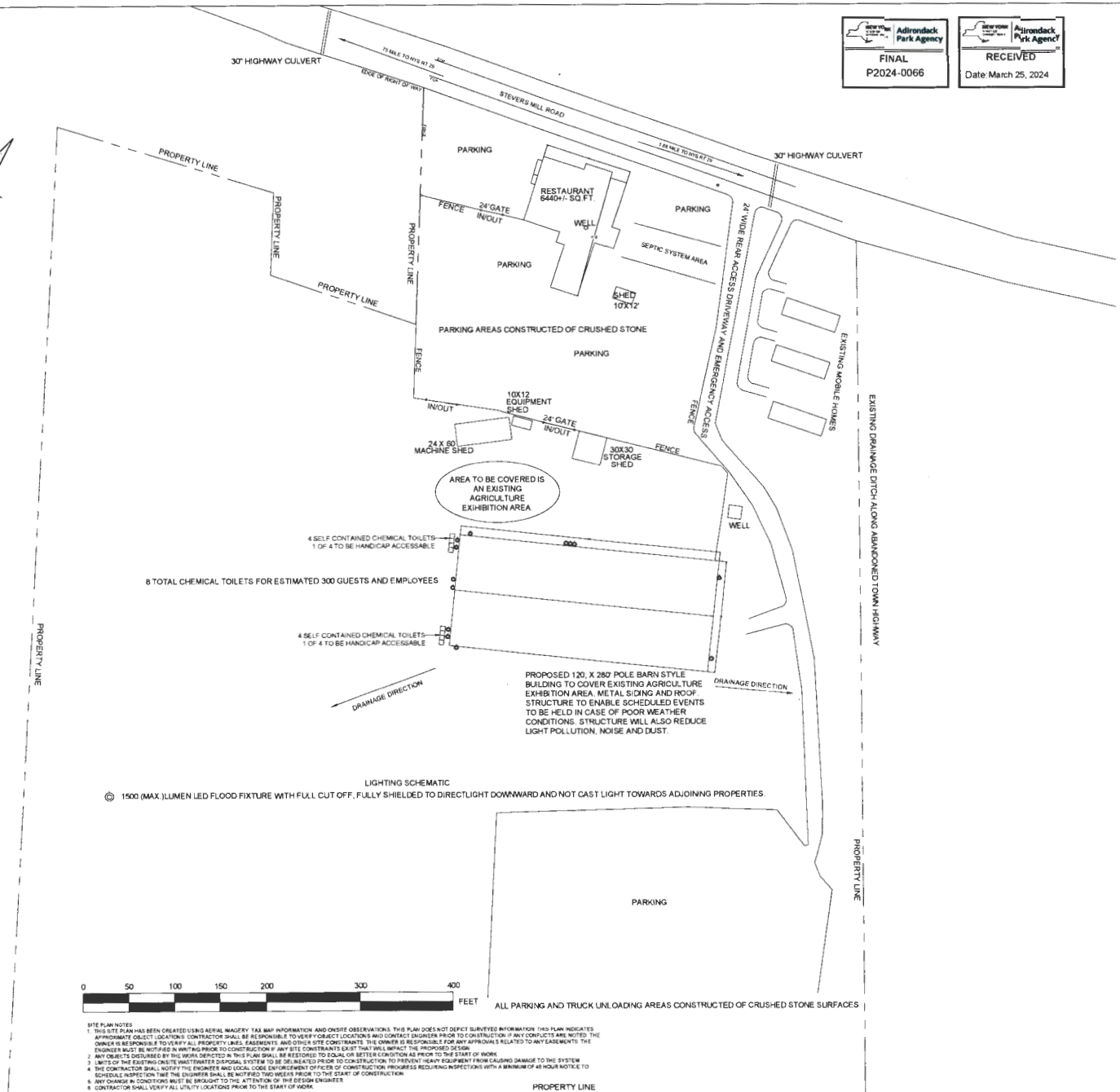
BY: 
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 29th day of May 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



General Notes

CONTRACTOR TO VERIFY ALL DIMENSIONS.
PARCEL APA CLASSIFICATION: RURAL USE.

No	Revision/Issue	Date
2	ADD SPOTLIGHTS	3-5-2024
3	ADD TOILETS	3-22-2024

COWBOY UP SALOON AND RESTAURANT
230 STEVERS MILLS ROAD

TOWN OF BROADALBIN
FULTON COUNTY
S.B.L. 138.1-2-9

POLE BUILDING

Project	PLOT PLAN	Sheet	2
Date	FEBRUARY 1, 2024	OF	6
Scale	1" = 75'		

LARRY J RUZYCKY, P.E.
484 COUNTY HIGHWAY 138
BROADALBIN, NEW YORK
518-620-1261
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For all plans, specifications, and reports to which the seal of a professional engineer has been applied, it is a violation of law for any person to alter these documents in any way, unless acting under the direction of a licensed professional engineer. If a document bearing the seal of an engineer is altered, the altering engineer shall affix to the document their seal and the notation "altered by" followed by their signature and the date of such alteration, and a specific description of the alteration. Only copies of this plan marked with an original engineer's embossed seal shall be considered valid true copies.