


THIS IS A TWO-SIDED DOCUMENT

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|  <p><b>Adirondack<br/>Park Agency</b></p> <p>P.O. Box 99, 1133 NYS Route 86<br/>Ray Brook, New York 12977<br/>Tel: (518) 891-4050<br/>www.apa.ny.gov</p> | <p>APA Permit<br/><b>2024-0081</b></p>   |
| <p>In the Matter of the Application of</p> <p><b>JACLYN E. SULLIVAN and<br/>TRAVIS J. STEWART</b><br/>Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack<br/>Park Agency Act</p>  | <p>Date Issued: May 1, 2024</p> <p>To the County Clerk: Please<br/>index this permit in the grantor<br/>index under the following names:<br/><b>1. Jaclyn E. Sullivan<br/>2. Travis J. Stewart</b></p> |

**SUMMARY AND AUTHORIZATION**

This permit authorizes construction of a single family dwelling in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Black Brook, Clinton County.

This authorization shall expire unless recorded in the Clinton 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 1.70±-acre parcel of land located on Soucy Road in the Town of Black Brook, Clinton 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 272, Block 1, Parcel 5.2, and is described in a deed from Patricia Villeneuve as Executrix of the Estate of Joan C. Villeneuve to Travis J. Stewart and Jaclyn E. Sullivan, dated December 15, 2011, and recorded December 20, 2011 in the Clinton County Clerk's Office under Instrument Number 2011-00244875.

The project site is partially located within the designated North Branch Saranac River Study River Critical Environmental Area.

The project site is improved by one single family dwelling constructed in 1974 as authorized by Agency Permit 74-79.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves the construction of one single family dwelling.

The project site constituted a portion of a larger property on the May 22, 1973, enactment date of the Adirondack Park Land Use and Development Plan, and was created by subdivision from this larger property in 1974. As this subdivision involved resulted in the creation of a parcel containing less than 7.35 acres on Rural Use lands, it appears that an Agency permit was required for its undertaking. Agency records indicate that no permit was obtained. By issuance of this permit, the project site shall be recognized as lawful for Agency purposes.

The project is shown a one-sheet un-titled sketch map, prepared by Travis J. Stewart, and dated March 9, 2024 (Site Plan Map).

A reduced-scale copy of the Site Plan Map 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 the construction of any single family dwelling on lands located within any designated study 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 Clinton 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 Map 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 74-79 in relation to the project site. The terms and conditions of Permit 74-79 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 2024-0081, issued May 1, 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 the construction of one single family dwelling on the project site in the location shown on the Site Plan Map. Any construction of the authorized dwelling in a different location on the project site shall require prior written Agency authorization.

The single family dwelling 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 dwelling shall be less than 2,200 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 one-quarter mile of the North Branch Saranac River shall require a new or amended permit.
8. Construction of any guest cottage on the project site shall require prior written Agency approval.
9. Installation of any replacement or expanded on-site wastewater treatment system on the project site shall require prior written Agency approval.
10. Prior to any ground disturbance on the project associated with the authorized development, silt fence shall be installed in the locations depicted on the Site Plan Map and maintained until all disturbed soils are stabilized with native, non-invasive vegetation.

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 Soucy Road or adjoining property.
13. All exterior building materials, including roof, siding and trim, of the authorized dwelling shall be a dark shade of green, grey, or brown.
14. There shall be no principal buildings located on the project site other than the dwelling authorized herein.

### **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 1<sup>st</sup> day  
of may, 2024.

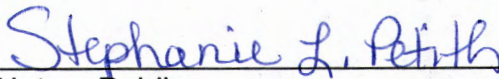
ADIRONDACK PARK AGENCY

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

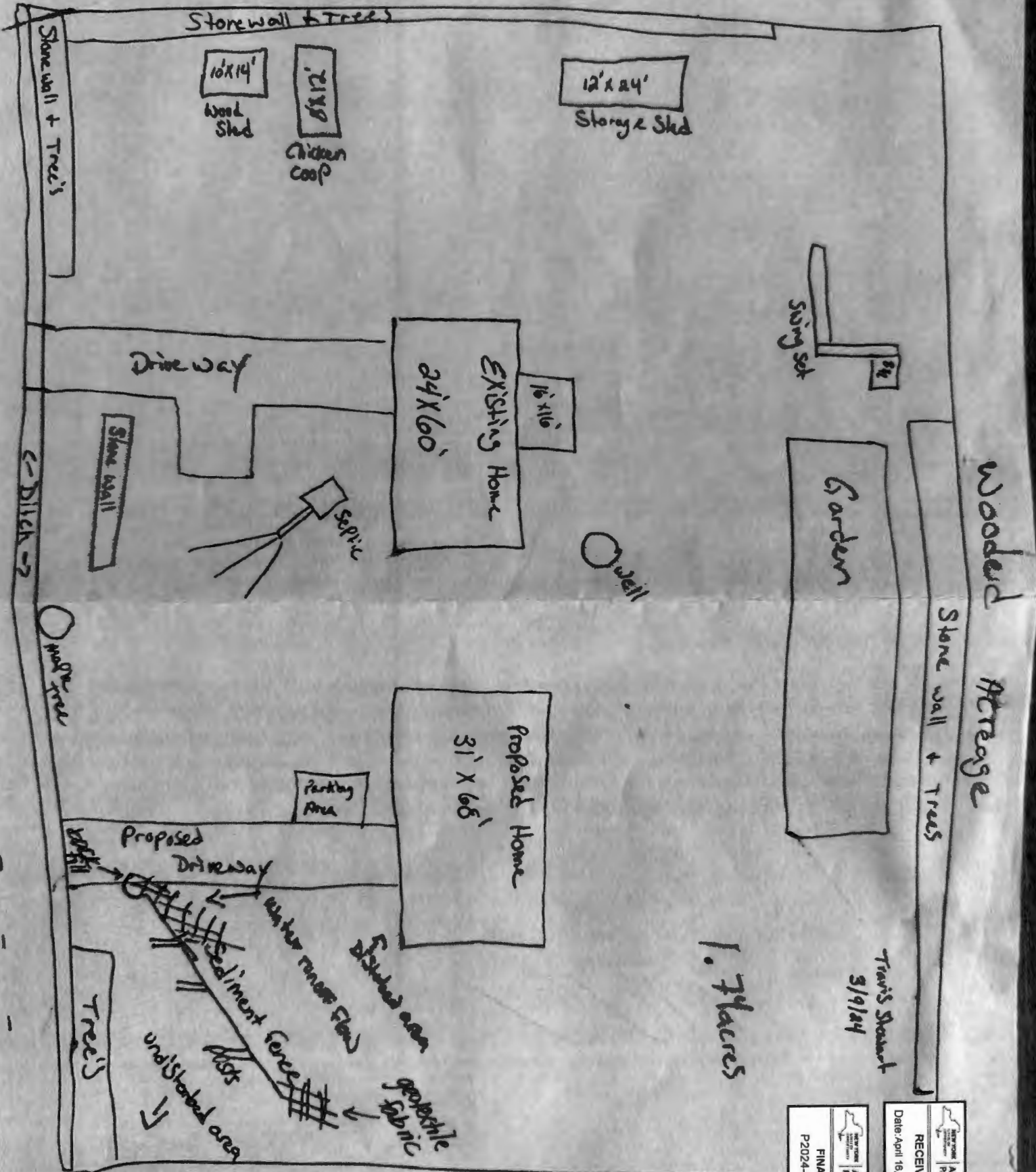
STATE OF NEW YORK  
COUNTY OF ESSEX

On the 1<sup>st</sup> 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

Wooded acreage



Wooded Acreage

Stone wall + Trees

Travis Stewart  
3/9/24

1.7 Acres

Adirondack Park Agency  
RECEIVED  
Date: April 16, 2024

Adirondack Park Agency  
FINAL  
P2024-0081

Wooded acreage

North