


THIS IS A TWO-SIDED DOCUMENT

 Adirondack Park Agency P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov	APA Permit 2024-0098
In the Matter of the Application of SKYE NOTCH LODGE, LLC Permittee for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578	Date Issued: December 17, 2024 To the County Clerk: Please index this permit in the grantor index under the following names: 1. Skye Notch Lodge, LLC

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Schroon, 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 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 Essex 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 165.7±-acre parcel of land located on Loch Muller Road in the Town of Schroon, Essex 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 134, Block 3, Parcels 25 and 26, and is described in a deed from Skye Notch, LLC to Skye Notch Lodge, LLC, dated February 21, 2020, and recorded February 25, 2020 in the Essex County Clerk's Office in Book 1982 at Page 1 as Instrument No. 2020-781.

The project site contains shoreline on Warren's Pond and is partially located within one-eighth mile of State Land classified wilderness (the Hoffman Notch Wilderness). The project site also contains shrub and forested wetlands located near Warren's Pond and a stream, as well as emergent marsh wetlands within Warren's Pond. Additional wetlands not described herein or depicted on the Subdivision Plan may be located on or adjacent to the project site.

The project site is improved by a pre-existing single family dwelling constructed in the early 1900s and a detached garage constructed in 2021, both on Lot 1, and a single family dwelling constructed in 2005 on Lot 2.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of 165.7± acres to create a 31.5±-acre lot (Lot 1) and a 134.2±-acre lot (Lot 2).

The project is shown on a map titled "Sketch Map Proposed 2 Lot Subdivision, a Portion of Lands of Skye Notch Lodge, LLC," prepared by All – Points Land Survey, PLLC, dated February 15, 2024, and last revised November 1, 2024 (Subdivision Plan). A reduced-scale copy of the Subdivision 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 and Adirondack Park Agency regulations at 9 NYCRR Part 578, a permit is required from the Adirondack Park Agency prior to any subdivision involving wetlands in the Adirondack Park.

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 one-eighth mile of State Land classified wilderness 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. Copies of this permit and the Subdivision 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 2024-0098, issued December 17, 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 two-lot subdivision as depicted on the Subdivision Plan. Any subdivision of the project site not depicted on the Subdivision Plan shall require a new or amended permit.
6. Any deed of conveyance for Lot 1 as depicted on the Subdivision Plan shall contain an easement providing access to Lot 2 over the 30-foot-wide easement area shown and described on the Subdivision Plan.
7. The undertaking of any new land use or development on the project site within one-eighth mile of the Hoffman Notch Wilderness area shall require a new or amended permit. The undertaking of any activity involving wetlands shall also require a new or amended permit.
8. Prior to undertaking construction of any boathouse on the project site, written authorization of plans for the boathouse, including all attached docks or walkways, shall be obtained from the Agency. Due to the presence of wetlands, the Agency makes no assurances that a boathouse can be approved.
9. 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. Due to the presence of wetlands, the Agency makes no assurances that a dock can be approved.
10. No structures greater than 100 square feet in size shall be constructed within 75 feet, measured horizontally, of the mean high water mark of Warren's Pond. Boathouses and docks, as defined under 9 NYCRR § 570.3 are excepted from this requirement.

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. Within 100 feet of the mean high water mark of Warren's Pond, no vegetation (woody or herbaceous) 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.
13. There shall be no more than four principal buildings located on Lot 1, 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.
14. There shall be no more than twelve principal buildings located on Lot 2 at any time. The single family dwelling constructed on the property in 2005 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, the Freshwater Wetlands Act and 9 NYCRR Part 578, 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 secure the natural benefits of wetlands associated with the project, consistent with the general welfare and beneficial economic, social, and agricultural development of the state; and
- g. will be compatible with preservation of the entire wetland and will not result in degradation or loss of any part of the wetland or its associated values.

PERMIT issued this 17th day
of December, 2024.

ADIRONDACK PARK AGENCY

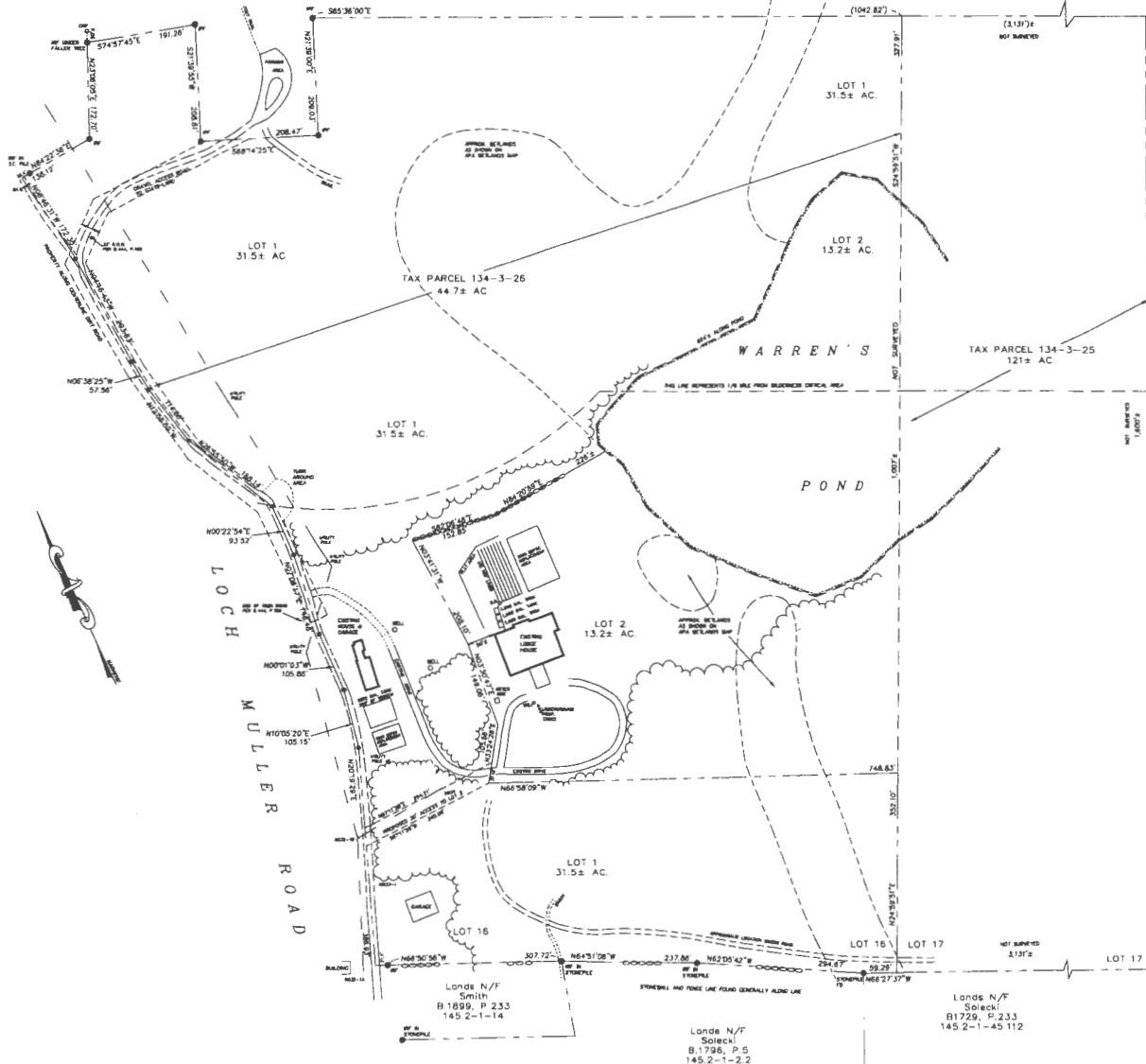
BY: Ariel Lynch
Ariel Lynch
Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK
COUNTY OF ESSEX

On the 17th day of December in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Ariel Lynch, 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

Stephanie L. Petith
Notary Public



MAP NOTES

1. NORTH ORIENTATION IS PER MAP REFERENCE NUMBER ONE.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE OR UP TO DATE TITLE REPORT AND IS THEREFORE SUBJECT TO ANY STATEMENTS OF FACT SUCH DOCUMENTS MAY DISCLOSE.
3. THIS SURVEY WAS CONDUCTED UNDER WATER CONDITIONS. SOME PHYSICAL FEATURES MAY HAVE BEEN OVERLOOKED.
4. THE MAJORITY OF LOT 1 AND LOT 2 ARE WOODED AND WILL REMAIN AS SUCH.
5. THE SURVEYED PARCEL MAY BE SUBJECT TO THE RIGHT, TITLE AND INTEREST OF THE TRAVELING PUBLIC, TOWN OF SCHROON, COUNTY OF ESSEX OR STATE OF NEW YORK OVER THE TRAVELLED WAY OF LOCH MULLER ROAD OR TO ANY RIGHT OF WAY OF RECORD.

MAP REFERENCES

1. A SURVEY MAP OF A PORTION OF LANDS OF SKYE NOTCH, LLC, PREPARED BY JAMES P. HUGHES, LAND SURVEYOR, DATED AUGUST 7, 2006, PROVIDED BY THE CLIENT.
2. MAP OF SURVEY, A PORTION OF LANDS OF HENRY A. SWACK ESTATE, PREPARED BY MARTIN S. THOMPSON, LAND SURVEYOR, DATED 12/19/14 AND FILED IN THE ESSEX COUNTY CLERK'S OFFICE AS MAP #7099.

NEW YORK STATE OF OPPORTUNITY
Adirondack Park Agency

FINAL
P2024-0098

NEW YORK STATE OF OPPORTUNITY
Adirondack Park Agency

RECEIVED
 Date: November 22, 2024

LEGEND

--- (dashed)	CARRIED FROM ROD SET
--- (dotted)	IRON PILE FOUND
--- (dash-dot)	CONCRETE FOUND
--- (long-dash)	CONCRETE FOUND - 10 FT
--- (short-dash)	CONCRETE FOUND - 20 FT
--- (dash-dot-dot)	CONCRETE FOUND - 30 FT
--- (dotted)	CONCRETE FOUND - 40 FT
--- (dash-dot-dot-dot)	CONCRETE FOUND - 50 FT
--- (dotted)	CONCRETE FOUND - 60 FT
--- (dash-dot-dot-dot-dot)	CONCRETE FOUND - 70 FT
--- (dotted)	CONCRETE FOUND - 80 FT
--- (dash-dot-dot-dot-dot-dot)	CONCRETE FOUND - 90 FT
--- (dotted)	CONCRETE FOUND - 100 FT
--- (dash-dot-dot-dot-dot-dot-dot)	CONCRETE FOUND - 110 FT
--- (dotted)	CONCRETE FOUND - 120 FT
--- (dash-dot-dot-dot-dot-dot-dot-dot)	CONCRETE FOUND - 130 FT
--- (dotted)	CONCRETE FOUND - 140 FT
--- (dash-dot-dot-dot-dot-dot-dot-dot-dot)	CONCRETE FOUND - 150 FT
--- (dotted)	CONCRETE FOUND - 160 FT
--- (dash-dot-dot-dot-dot-dot-dot-dot-dot-dot)	CONCRETE FOUND - 170 FT
--- (dotted)	CONCRETE FOUND - 180 FT
--- (dash-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot)	CONCRETE FOUND - 190 FT
--- (dotted)	CONCRETE FOUND - 200 FT
--- (dash-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot)	CONCRETE FOUND - 210 FT
--- (dotted)	CONCRETE FOUND - 220 FT
--- (dash-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot)	CONCRETE FOUND - 230 FT
--- (dotted)	CONCRETE FOUND - 240 FT
--- (dash-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot)	CONCRETE FOUND - 250 FT
--- (dotted)	CONCRETE FOUND - 260 FT
--- (dash-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot)	CONCRETE FOUND - 270 FT
--- (dotted)	CONCRETE FOUND - 280 FT
--- (dash-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot-dot)	CONCRETE FOUND - 290 FT
--- (dotted)	CONCRETE FOUND - 300 FT

PRINTS WITHOUT THE SURVEYOR'S ORIGINAL SEAL AND ORIGINAL SIGNATURE ARE CONSIDERED PRELIMINARY AND UNAUTHORIZED PRINTS.

DATE	REASON FOR WORK	BY	CHK	APPV
8/27/2024	AREA BARRIER DRINKING AREA, BEVERLY BEHAVIOR	J.P.		
8/27/2024	AREA BARRIER DRINKING AREA, BEVERLY BEHAVIOR	J.P.		
8/27/2024	GENERAL REVISION ALONG ROAD & BUILT UP AREA	J.P.		

ATTACHMENT B
 SKETCH MAP
Proposed 2 Lot Subdivision
 A PORTION OF LANDS OF
Skye Notch Lodge, LLC

ALL - POINTS
Land Survey, PLLC

146 GAGE HILL ROAD
 LAKE LUZERNE, NEW YORK 12845
 Phone: 518-696-7272