


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 2024-0099</p>
<p>In the Matter of the Application of</p> <p>ROBERT RABE & BETHANY RABE Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: July 18, 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. Robert Rabe2. Bethany Rabe

SUMMARY AND AUTHORIZATION

This permit authorizes the construction of a single family dwelling in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Clifton, 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 the single family dwelling has been constructed.

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 2.128-acre parcel of land located on Tooley Pond Road in the Town of Clifton, St. Lawrence County, in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 205.070, Block 1, Parcel 1, and is described in a deed from Mary Tesmer to Robert Rabe and Bethany Rabe, dated August 15, 2023, and recorded August 23, 2023 in the St. Lawrence County Clerk's Office under Instrument Number R-2023-00010450.

The project site is located within the Main Branch Oswegatchie Study River Area, and there are wetlands on the eastern side of the project site.

The project site is improved by an existing water supply well, an existing parking area and an existing driveway.

PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of a single family dwelling and on-site wastewater treatment system.

The project is shown on the following Project Plans:

- A single-sheet map titled "Map Showing Boundary Survey of Property of Robert and Bethany Rabe," prepared by Leifheit & Littlefield Land Surveying, PLLC, last dated June 6, 2024 and received by the Agency on June 26, 2024 (Survey Map); and
- A seven-sheet plan set titled "Robert & Bethany Rabe: Storage Barn with Studio Apartment Above, New On-Site Wastewater Treatment System," prepared by Vincent M. Kavanagh, P.E., dated May 23, 2024 and received by the Agency on June 17, 2024 (Septic Plans).

A reduced-scale copy of the Survey Map 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 any new land use or development within a Study River area 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 the construction of any single family dwelling on Resource Management 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 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 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 2024-0099, issued July 18, 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 the construction of one single family dwelling on the project site in the location, footprint and height shown and described on the Survey Map. Any change to the location or dimensions of the single family dwelling shall require prior written Agency authorization.
6. Construction of any guest cottage on the project site shall require prior written Agency authorization.
7. Any on-site wastewater treatment system on the project site installed within five years of the date of issuance of this permit shall be constructed in conformance with the location and design shown on the Septic Plans. Construction of the system shall be supervised by a New York State design professional (licensed engineer or registered architect). Within 30 days of complete system installation and prior to its utilization, the design professional shall provide written certification to the Agency that the system was built in compliance with the approved plans.

No on-site wastewater treatment system shall be installed on the project site more than five years after the date of issuance of this permit except pursuant to written authorization from the Agency.

8. 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.

9. 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 Tooley Pond Road or adjoining property.
10. All exterior building materials, including roof, siding and trim, of the dwelling shall be a dark shade of green, grey, or brown.
11. Within 100 feet of the wetlands on the eastern side of the project site and shown on the Survey Map, 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 invasive species, dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
12. The undertaking of any activity involving wetlands shall require a new or amended permit.
13. There shall be no more than one principal building located on the project site at any time. The single family dwelling authorized herein constitutes a principal building.

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/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 Resource Management land use area;
- c. will be consistent with the overall intensity guidelines for the Resource Management 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 18th day
of July, 2024.

ADIRONDACK PARK AGENCY

BY: _____

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 18th day of July 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

Stephanie L. Petith
Notary Public, State of New York
Reg. No 01PE6279890
Qualified in Franklin County
Commission Expires April 15, 2025

Task Performed/Submitted:
 County of Clifton, NJ - Lawrence County, New York
 12 Trolley Pond Road
 1/11
 Surveyed by:
 Robert and Bethany Rabe
 International Surveying, LLC
 12 Trolley Pond Road
 Clifton, New York 12023
 Date of Survey: August 11, 2011

Map of Property:
 The County of Clifton
 12 Trolley Pond Road
 Clifton, New York 12023
 Tax Parcel No. 203 0701-1



- GENERAL NOTES**
1. North Arrow as shown references Grid North (GN) - Not Used
 2. It is a violation of the State Statutes to use any person, other than under the direction of a licensed land surveyor, to draw or use in any way.
 3. Unlabeled additions or omissions to a survey map, including a boundary and survey, and a violation of section 2004, subdivision 1, of the New York State Boundary Law.
 4. Substitution or copying of the statement may be a violation of copyright law when portions of the title and/or copyright data is obtained.
 5. A copy of this instrument and paper equivalent of the survey instrument and should be maintained in the office of the surveyor and should be available for inspection.
 6. The survey was completed under the best of an interest of this and is subject to such laws and regulations.
 7. The original hard copy shall be retained by representatives of the A/S, as hereon, and shall include ETC (E) and surveying instruments.
 8. Copyright 2011 Labeled a Labeled Land Surveying, All Rights Reserved



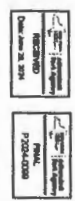
ROBERT AND BETHANY RABE

12 TROLLEY POND ROAD
 Bristol, NJ
 MACONERS PURCHASE GREAT TRACT 2
 GREAT LOT 1
 TOWN OF CLIFTON
 COUNTY OF ST. LAWRENCE
 STATE OF NEW YORK

PO BOX 21, 12 TROLLEY POND ROAD
 CLIFTON, NY 12023
 518-354-1212
 www.international-surveying.com

INTERNATIONAL SURVEYING, LLC
 LAND SURVEYING

CLIFTON, NY 12023
 518-354-1212
 518-354-1212
 www.international-surveying.com



HEAVYWORKS CERTIFICATION
 The undersigned certifies that the boundary survey and the field survey were conducted in accordance with the provisions of the Professional Land Surveying Law, Title 2004 of the State of New York, and that the survey was conducted in accordance with the provisions of the Professional Land Surveying Law, Title 2004 of the State of New York.

Survey 1 Labeled Land Surveying, No. 020975

SCALE
 One Inch = 30 Feet

REFERENCES
 "Map of Clifton, New York by International Surveying, LLC, Clifton, New York, August 11, 2011"