


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 2024-0112</p>
	<p>Date Issued: May 14, 2024</p>
<p>In the Matter of the Application of</p> <p>PATRICIA A. TENNANT, EXECUTOR OF ESTATE OF JEFFREY B. TENNANT</p> <p>Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <p>1. Jeffrey B. Tennant</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Franklin, Franklin County.

This authorization shall expire unless recorded in the Franklin 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 Franklin 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 27.5-acre parcel of land located on Camp Road in the Town of Franklin, Franklin County, in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 352, Block 2, Parcels 9 & 10, and is described in a deed from Winthrop Rutherford Jr to Jeffrey B. Tennant, dated May 8, 2001, and recorded May 14, 2001 in the Franklin County Clerk's Office at Book 775, Page 96.

The project site contains shoreline on Rainbow Lake and wetlands. Additional 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 and on-site wastewater treatment system, a pre-existing boathouse, a lean-to, and pit privy.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of the project site to create:

- A 7.5-acre property containing shoreline on Rainbow Lake and improved by the pre-existing single family dwelling, on-site wastewater treatment system, and pre-existing boathouse (Lot 9).
- A 20-acre property improved by the lean-to and pit privy.

The project is shown on the map entitled " Map Showing A Portion of a Parcel of Land of Jeffrey B. Tennant" prepared by John Martino, LS and dated as completed March 25, 2024 (Site Plan). A reduced-scale copy of the Site Plan for the project 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.

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 Franklin 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, 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 2024-0112, issued May 14, 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 Site Plan. Any subdivision of the project site not depicted on the Site Plan shall require a new or amended permit.
6. This permit authorizes the replacement of the existing boathouse on Lot 9 in the location as depicted on the Site Plan.
7. The construction of any additional dwelling or other principal building on the project site shall require a new or amended permit. The undertaking of any activity involving wetlands shall also require a new or amended permit.
8. Construction of any guest cottage on Lot 9 shall require prior written Agency approval.
9. Prior to undertaking construction of any new boathouse on Lot 9, written authorization of plans for the boathouse, including all attached docks or walkways, shall be obtained from the Agency.
10. Prior to undertaking construction of any new dock on Lot 9, written authorization of plans for the dock, including all attached upland structures, shall be obtained from the Agency.
11. No structures greater than 100 square feet in size shall be constructed within 75 feet, measured horizontally, of the mean high water mark of Rainbow Lake. Boathouses and docks, as defined under 9 NYCRR § 570.3 are excepted from this requirement.
12. Installation of any on-site wastewater treatment system on the project site shall require prior written Agency approval.
13. There shall be no more than two principal buildings located on Lot 9, 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 six principal buildings located on Lot 10. 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/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 Low Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Low Intensity 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 14th day of may, 2024.

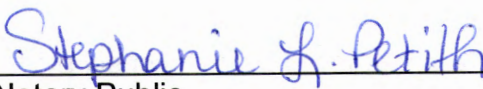
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

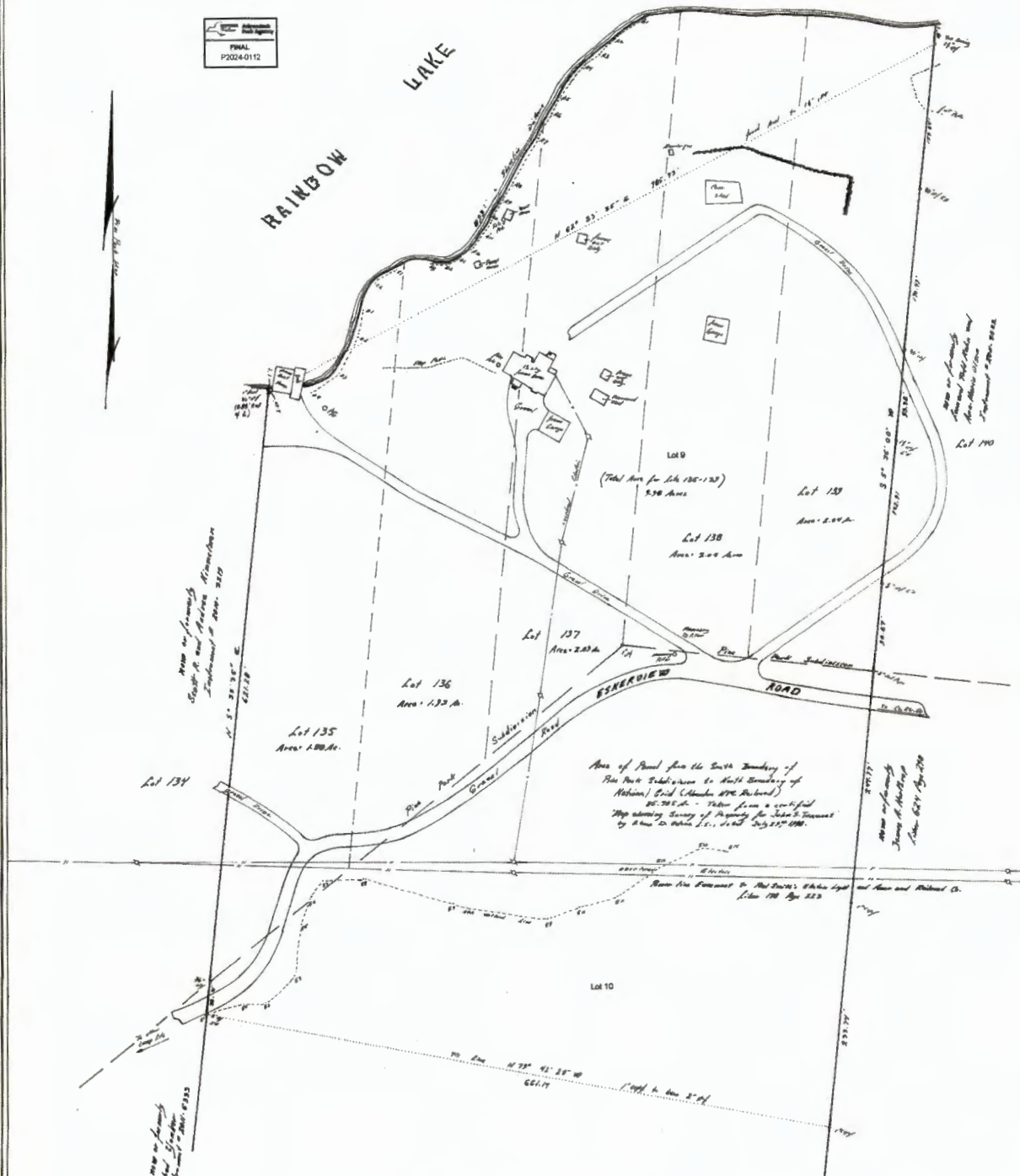
On the 14th day of may in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged 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

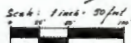
10 ft. - 1000 ft. front
 10 ft. - 1000 ft. front

FINAL
 P2024-0112



**MAP SHOWING A PORTION OF A
 PARCEL OF LAND OF
 JEFFREY B. TENNANT**

Scale 2 in.
 Great Lot 331 Township 10
 Old Military Tract
 Town of Franklin County of Franklin
 State of New York



Notes:
 1. Only copies from the original of this survey, signed and sealed in full lot and marked with an original of the Seal Surveyor's Commission Seal, shall be considered to be the original of this Survey.
 2. It is a violation of the State Education Law for any person, without authority under the direction of a licensed Land Surveyor, to alter in any way.

1 acre equals to:
 43,560 square feet

That this Map and Survey were prepared for the parties and purposes indicated herein, the signatures of the surveyor and the parties appeared to authorize the same and the Surveyor executed the same in the presence of the parties.

Field Notes: Drafting Book, L.S. Jeffrey B. Tennant by and recorded May 17, 1900 in Case 796 of books of page 56.
 Map Notes: "The Park is the Subdivision belonging to the Parkers Lake Club (Incorporated Co.) Situated on Parkers Lake" by W. M. Marshall, L.S., dated Dec. 12, 1900 and Jan. 1901.

Survey Completed: November 10, 1900
 Map Completed: March 27, 1901
 John H. Martin, P.S. - L.S. M. WISE