


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 2024-0115</p>
<p>In the Matter of the Application of</p> <p>PATRICIA McLEAN Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: June 25, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Patricia McLean</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map in the Town of Ausable, 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 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 Clinton 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 1.42±-acre parcel of land located on US Route 9 in the Town of Ausable, Clinton County, in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 316.10, Block 1, Parcel 7, and is described in a deed from Patricia McLean as Executrix of the Last Will and Testament of George McLean to Patricia McLean, dated April 12, 2000, and recorded May 25, 2000 in the Clinton County Clerk's Office under Instrument Number 122121.

The project site contains wetlands along the western boundary of the project site. 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 three pre-existing structures – a single family dwelling, detached garage, and commercial use (restaurant) – and is served by municipal water and sewer.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of a 1.42±-acre parcel to create Lot 1, a 0.45±-acre parcel improved by a pre-existing commercial use, and Lot 2, a 0.97±-acre parcel improved by a pre-existing single family dwelling and detached garage.

The project is shown on a Subdivision Map titled "Survey Map Showing Patricia McLean Subdivision 2024," prepared by Pawlowski Land Surveying, dated April 2024, and received by the Agency on April 25, 2024. A reduced-scale copy of the Subdivision 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 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 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 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 2024-0115, issued June 25, 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. Construction of any guest cottage on Lot 2 shall require prior written Agency approval.
7. Construction of any principal building or accessory structure on the project site and within 50 feet of wetlands shall require prior written Agency approval.
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.

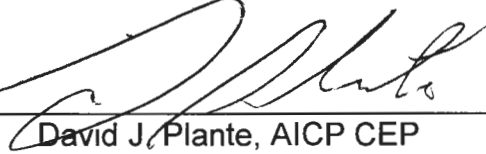
CONCLUSIONS OF LAW

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 Hamlet land use area;
- c. will be consistent with the overall intensity guidelines for the Hamlet 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 25th day
of June, 2024.

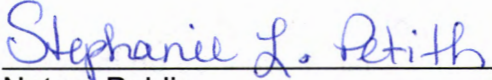
ADIRONDACK PARK AGENCY

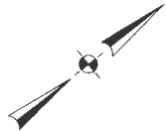
BY: 
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 25th day of June 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

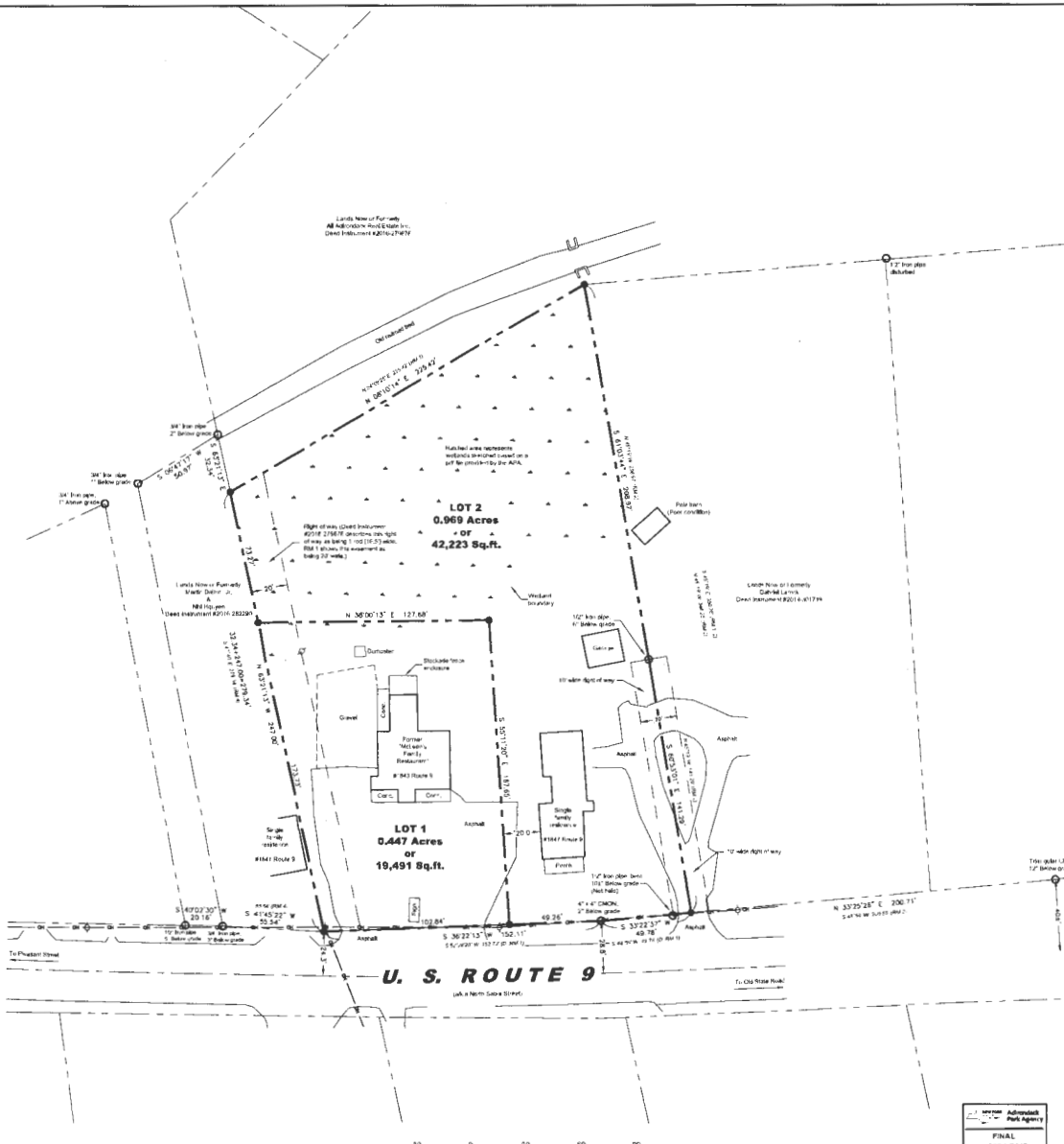


Adrian
 Pawlowski
 Surveyor
 Date April 25, 2024



REFERENCE DEED
 Patricia McLean
 (Folio 100, 17 Georgia McLean)
 Patricia McLean
 Made on 12/30/00. Rec. 08/29/2005
 Deed Instrument #2000-01917

- REFERENCE MAPS**
- MAP OF SURVEY SHOWING PARCELS S 107 FROM LANDS OF EDITH S. TURNER, dated 08/03/1952. Prepared by Stephen J. JANSON, L.S., 204 of the Clinton County Clerk's Office at New York.
 - MAP OF LAND BEING CONVEYED BY EDITH SAGE TURNER TO EDITH J. PERRETT, dated 07/21/56. Prepared by Paul E. CORRIGAN, P.E., 204 of the Clinton County Clerk's Office at New York.
 - SEVERAL OF LANDS OWNED BY EUGENE G. SANFORD & WANGARIE I. SANFORD, dated 10/22/1988. Shows the relationship and conveyance of land in the Clinton County Clerk's Office at New York.
 - SURVEY MAP SHOWING THREE PARCELS OF AND PARCELS HAVING BEEN CONVEYED TO OF ORPH MOORE, BY FLORENCE SANFORD, dated 10/01/88, prepared by JAMES C. HUBB, L.S., Filed in the Clinton County Clerk's Office at New York 11/17/88.
 - MAP OF SURVEY SHOWING QUARTER LOTS OF GEORGE MOORE MAP AND CERTAIN LANDS OF HILLSVILLE HOTEL CORP., dated 07/22/21. Prepared by GEORGE H. BISH, L.S., Filed in the Clinton County Clerk's Office at New York 08/21/21.

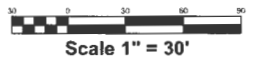


- LEGEND**
- Survey monument (i.e. P.D., Taper and corners, etc.) (not visible on this map)
 - Survey monument (not visible)
 - D Deed
 - CMON Corner monument
 - L.E.M.P. 1:24 Deed line and page
 - RM Reference map
 - 1/2" 100' = 1" 100' 0" Record measurement per this reference
 - Boundary line
 - Easement boundary
 - Utility pole with overhead wire

- NOTES**
- This subdivision is subject to all easements and rights of way shown on the map and to all other laws and regulations of the State of New York.
 - The boundaries shown on this map are based on the survey conducted by the Surveyor. The Surveyor is not responsible for any errors or omissions in the original survey or for any changes in the boundaries of the property after the date of the survey.
 - Conveyances of this boundary survey may apply that the map was prepared in accordance with the laws of the State of New York. The Surveyor is not responsible for any errors or omissions in the original survey or for any changes in the boundaries of the property after the date of the survey.
 - The location of underground monuments or monuments are not shown and they may be established if any underground monuments are not shown on the map. The Surveyor is not responsible for any errors or omissions in the original survey or for any changes in the boundaries of the property after the date of the survey.
 - North is indicated as shown on the map. The Surveyor is not responsible for any errors or omissions in the original survey or for any changes in the boundaries of the property after the date of the survey.
 - The location and terms indicated on the map are subject to all laws and regulations of the State of New York.

ZONING REQUIREMENTS (CLINTON COUNTY)	Minimum		Proposed	
	Require	Provided	Require	Provided
Min. Lot Area	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.
Min. Front Yard Setback	25.0'	25.0'	25.0'	25.0'
Min. Side Yard Setback	5.0'	5.0'	5.0'	5.0'
Min. Rear Yard Setback	5.0'	5.0'	5.0'	5.0'
Min. Height	35.0'	35.0'	35.0'	35.0'
Min. Lot Coverage	40%	40%	40%	40%

(1) This information is provided for informational purposes only and does not constitute a warranty of any kind. The Surveyor is not responsible for any errors or omissions in the original survey or for any changes in the boundaries of the property after the date of the survey.



DATE OF DRAWING:
 04/2024

PROJECT NUMBER:
 2319

Adrian
 Pawlowski
 Surveyor
 FINAL
 P2024-0115

GREGG M. PAWLOWSKI, L.L.
 LICENSE NO. 50842

SURVEY MAP
 SHOWING
PATRICIA McLEAN
SUBDIVISION 2024

WEST SIDE OF STATE ROUTE 9,
 TOWN OF AUSALE, CLINTON COUNTY, NEW YORK

PAWLOWSKI
LAND SURVEYING

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 www.pawlowskisurvey.com