


THIS IS A TWO-SIDED DOCUMENT

 <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 2024-0123</p>
<p>In the Matter of the Application of</p> <p>GLENBURNIE PRESERVATION FUND, LLC Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: August 14, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <p>1. Glenburnie Preservation Fund, LLC</p>

SUMMARY AND AUTHORIZATION

This permit authorizes two two-lot subdivisions in an area classified Moderate Intensity Use and Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Putnam, Washington County.

This authorization shall expire unless recorded in the Washington 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 Washington 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 100± acres of land located on private roads including Lake George Way, Shady Side Way, Mosswood Way, Rochelle Way, Lake George Way South; and County Route 1 in the Town of Putnam, Washington County, in areas classified Moderate Intensity Use and Resource Management on the Adirondack Park Land Use and Development Plan Map.

A portion of the project site consists of Moderate Intensity Use and Resource Management lands identified as Tax Map Section 8, Block 1, Parcels 1.1 and 1.8 (Parcels 1.1 & 1.8), and described in a deed from Glenburnie Estates, LLC to Glenburnie Preservation Fund, LLC, recorded on December 20, 2023, in the Washington County Clerk's Office under Instrument Number 2023-6009. The shoreline portion of Parcel 1.8 located west of Lake George Way South is a pre-existing lot and a portion of Agency Pre-Existing Subdivision PES-69 (PES-69), as depicted on Lot 12 of Section M on map recorded under Book 5, Page 190 (pre-existing lot portion of Lot 2).

An additional portion of the site consists of the 1.45±-acre Resource Management lot identified as Tax Map Section 7.8, Block 1, Parcels 25 (Parcel 25), described as a portion of a deed from Thomas Eliopolus, II to Glenburnie Preservation Fund, LLC, recorded on December 20, 2023, in the Washington County Clerk's Office under Instrument Number 2023-6007; and depicted and described as "High Rock Park" on Map recorded under Book 5, Page 190.

Wetlands are located on the project site in the vicinity of Laurel Brook (also known as Sucker Brook) and Lake George. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

A portion of the project site was created as a 89.8±-acre lot as authorized by Agency Permit 2016-0135. This permit amends Condition 5 of Permit 2016-0135.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of Parcels 1.1 and 1.8 to create a:

- a 86±-acre lot; and
- a 12±-acre lot.

The project as conditionally approved herein also involves a two-lot subdivision of Parcel 25 to create a:

- a 0.01±-acre lot; and
- a 1.44±-acre lot.

The 86±-acre lot (Lot 1) will be conveyed to Lake George Land Conservancy, Inc. for conservation.

The 0.01±-acre lot and the 12±-acre lot depicted on the Sketch Plans will be merged to create a 12.01±-acre lot (Lot 2) comprised of Resource Management and Moderate Intensity Use private access roads and the pre-existing lot portion of Lot 2.

The project is shown on the following maps, plans, and reports:

- “Map of a Survey made for Lake George Land Conservancy, Inc.,” in four sheets, prepared by Van Dusen & Steves Land Surveyors, dated July 12, 2024, and received by the Agency on July 15, 2024 (Survey Plans); and
- Annotated tax maps “Attachment D-2a,” and “Attachment D-2b” in two sheets, prepared by Thomas Badenoch, dated April 26, 2024, and received by the Agency on May 8, 2024 (Sketch Plans).

A reduced-scale copy of the Sketch Plans and Sheet 1 of the Survey Plans 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.

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 in a Resource Management land use 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 Washington 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, the Sketch Plans and the Survey 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. This permit amends and supersedes Permit 2016-0135 in relation to the project site. The terms and conditions of Permit 2016-0135 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 2024-0123, issued August 14, 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 two two-lot subdivisions as depicted on the Sketch Plans and the Survey Plans. Any future subdivision of Lot 1 shall require prior written Agency authorization. Outside of the pre-existing lot portion of Lot 2, any future subdivision of Lot 2 shall require a new or amended permit.
7. Within 30 days of conveyance of Lot 1, a new deed shall be filed in the Washington County Clerk's office describing the 0.01±-acre lot and the 12±-acre lot as a single, un-divided lot.
8. Any deed of conveyance for Lot 2 as depicted on the Sketch Plans shall contain an easement providing access to Lot 1 on the private roads shown and described on the Survey Plans and the Sketch Plans.
9. Outside of the pre-existing lot portion of Lot 2, the Moderate Intensity Use portion of Lot 2 shall not be conveyed separately from the Resource Management portion of Lot 2.
10. Construction of any structure on Lot 1 requires a new or amended permit.
11. Construction of any structure on Lot 2 requires prior written Agency authorization.
12. Any boathouse constructed on the pre-existing lot portion of Lot 2 must be used only for the storage of boats and associated equipment, not contain sanitary plumbing of any kind, and comply with the dimensional requirements established by the Lake George Park Commission.
13. Prior to undertaking construction of any dock on the pre-existing lot portion of Lot 2, written authorization of plans for the dock, including all attached upland structures, shall be obtained from the Agency.
14. No new structures greater than 100 square feet in size, shall be constructed within 50 feet, measured horizontally, of the mean high water mark of Lake George. Boathouses and docks, as defined under 9 NYCRR § 570.3 are excepted from this requirement.
15. Installation of any on-site wastewater treatment system(s) on the 1.44±-acre lot shall require a new or amended permit.
16. Outside of the pre-existing lot portion of Lot 2, there shall be no on-site wastewater treatment system(s) located on Lot 2.

17. The undertaking of any activity involving wetlands shall require a new or amended permit.
18. Outside of the pre-existing lot portion of Lot 2, there shall be no principal building located on Lot 2.
19. There shall be no more than one principal building located on the pre-existing portion of Lot 2.
20. There shall be no more than one principal building located on the 1.44±-acre lot.
21. There shall be no more than five principal buildings located on the Moderate Intensity Use portion of Lot 1. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
22. There shall be no more than two principal buildings located on the Resource Management portion of Lot 1. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

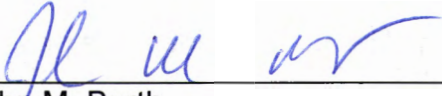
CONCLUSIONS OF LAW

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 subdivisions 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 Moderate Intensity Use and Resource Management land use areas;
- c. will be consistent with the overall intensity guidelines for the Moderate Intensity Use and 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 14th day
of August, 2024.

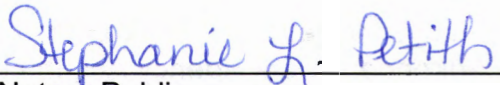
ADIRONDACK PARK AGENCY

BY: 
John M. Burth
Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK
COUNTY OF ESSEX

On the 14th day of August in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, 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.

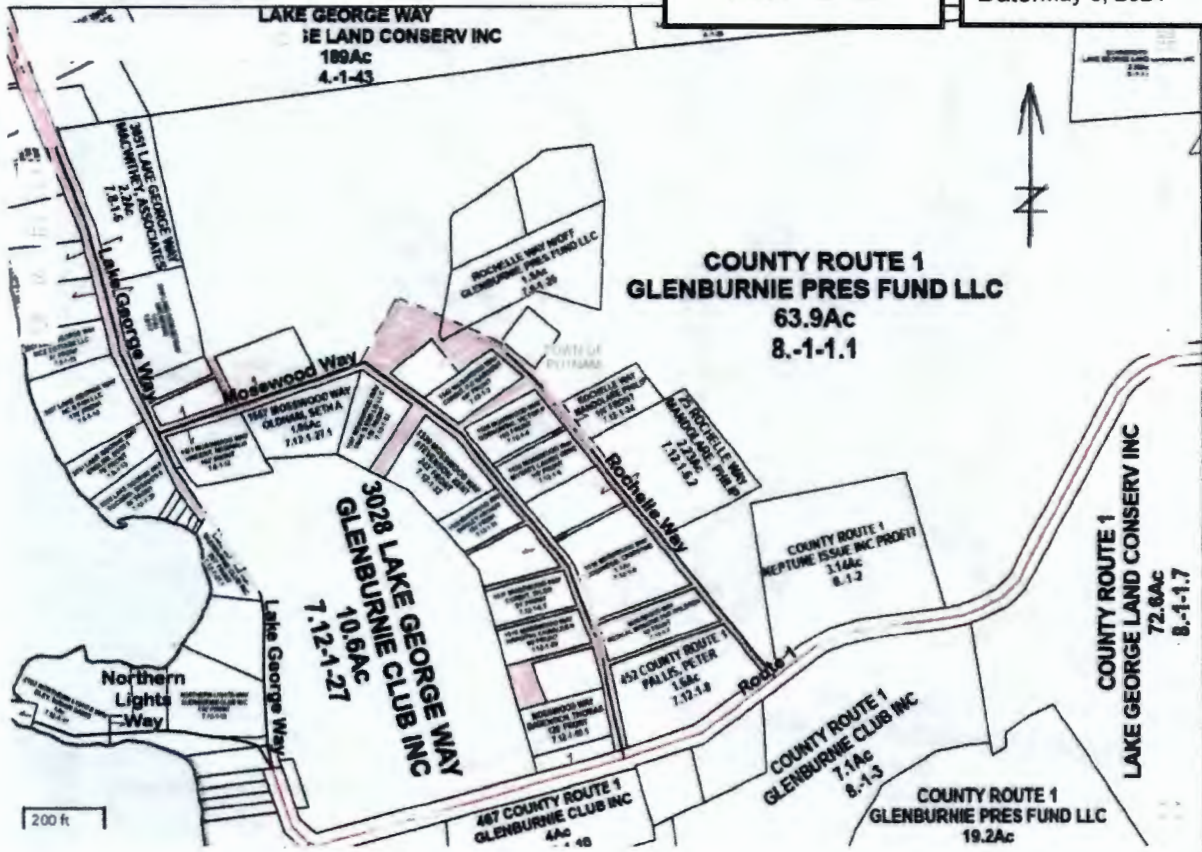
Stephanie L. Petith
Notary Public, State of New York
Reg. No. 01PE6279890
Qualified in Franklin County
Commission Expires April 15, 2025


Notary Public

Attachment D - 2a
A 2024-0040

NEW YORK STATE OF OPPORTUNITY
Adirondack Park Agency
FINAL
P2024-0123

NEW YORK STATE OF OPPORTUNITY
Adirondack Park Agency
RECEIVED
Date: May 8, 2024



Lot 8-1-1.1 Glenburnie Preservation Fund LLC Subdivision Sketch

Map Source: Washington County GIS Scale: 1"=450' +/-

Date: April 26, 2024



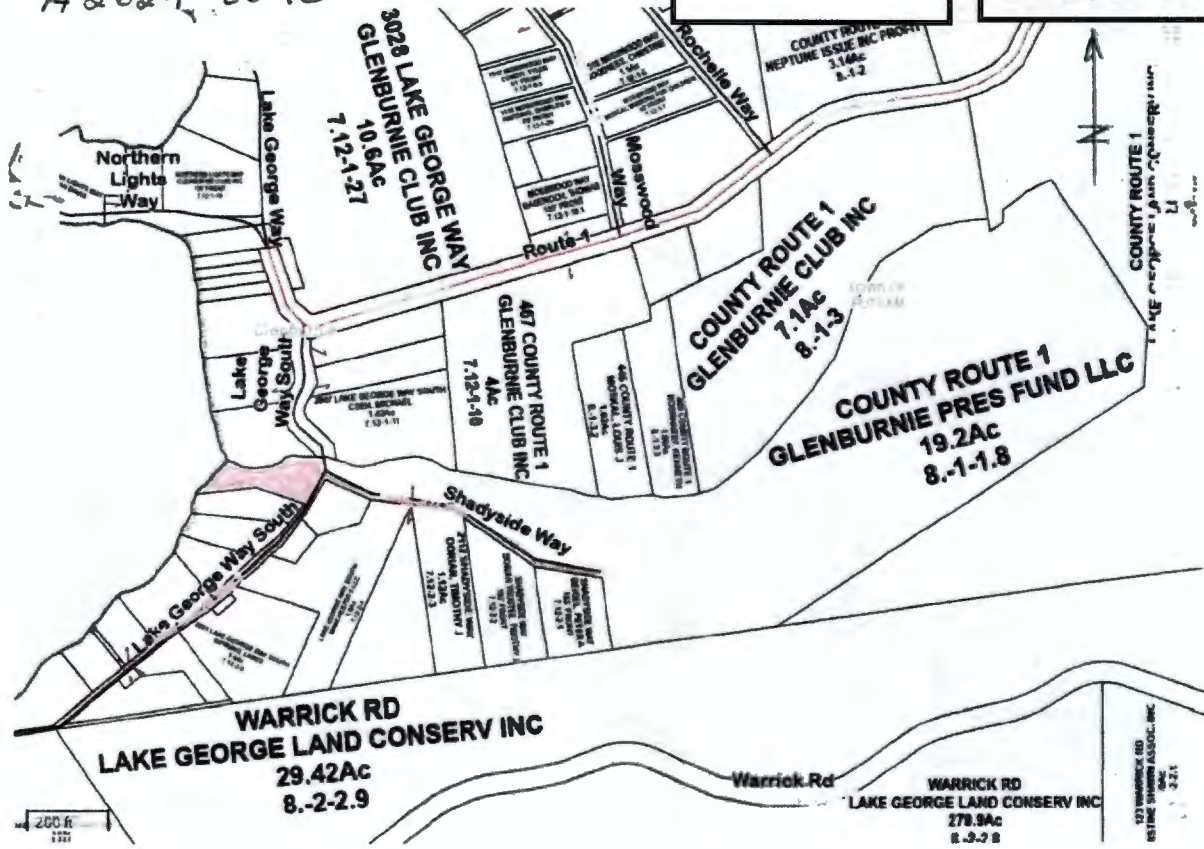
Part of Lot 8-1-1.1 to be subdivided out and retained by owner (Lake George Way, Mosswood Way, Rochelle Way, vistas and 0.5 ac +/- west and part of Lot 7.8-1-25 (survey to be provided))

Prepared by: Thomas Badenech

Attachment D-2b
A 2024-0040

NEW YORK STATE OF OPPORTUNITY
Adirondack Park Agency
FINAL
P2024-0123

NEW YORK STATE OF OPPORTUNITY
Adirondack Park Agency
RECEIVED
Date: May 8, 2024



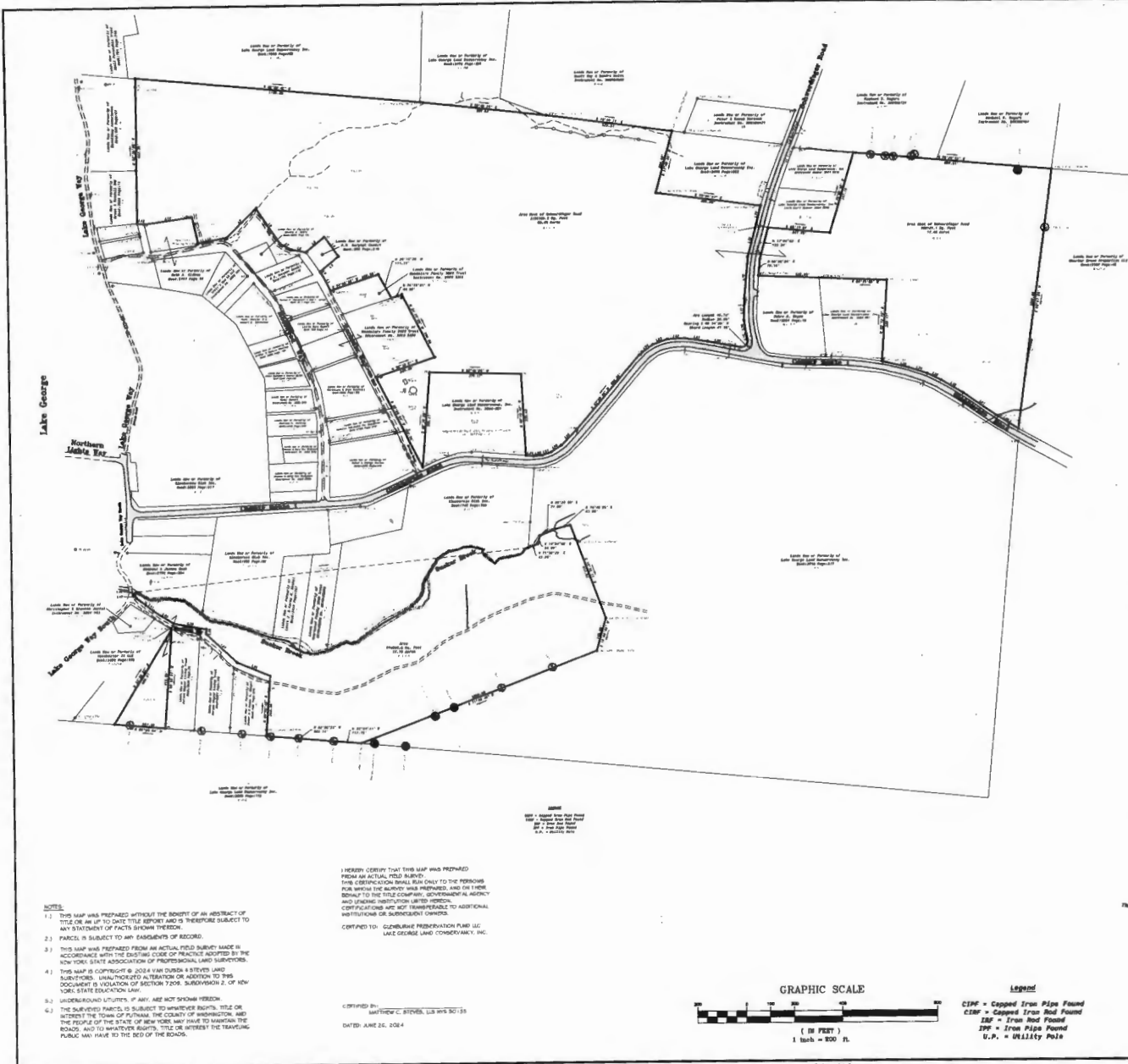
Lot 8.-1-1.8 Glenburnie Preservation Fund LLC Subdivision sketch

Map source: Washington County GIS Scale: 1"=450' +/- Date: April 26, 2024



Part of Lot 8.-1-1.8 to be subdivided out and retained by owner (Lake George Way South, Shadyside Way, and 0.4 ac +/- shore line area west of Lake George Way South)

Prepared by: Thomas Bedenoch



NEW YORK STATE OF OPPORTUNITY
Adirondack Park Agency
FINAL
P2024-0123

NEW YORK STATE OF OPPORTUNITY
Adirondack Park Agency
RECEIVED
Date: July 15, 2024



NO.	DATE	DESCRIPTION
1.	07/03/24	CRANFORD RESERV. COMMENTS
2.	07/17/24	ADIRONDACK PARK AGENCY COMMENTS

Map of a Survey made for
Lake George Land Conservancy, Inc.
 Town of Putnam, Washington County, New York

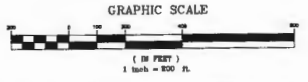
Van Dusen & Steves
 Land Surveyors
 1460 Highland Road
 Queensbury, New York 12906
 (518) 795-9474

Map of a Survey made for
 Lake George Land Conservancy, Inc.
 Town of Putnam, Washington County, New York

Date: June 26, 2024
 Scale: 1"=200'
S-1
 SHEET 1 OF 4
 12 LAND TOWN/PLANS
 DWG NO. 24-071

- See References**
- 1.) Map of a Survey of the Property of the State of New York, known as the "State of New York" and recorded on December 14, 1927. Book 12542 Page 179.
 - 2.) Map of a portion of the Adirondack Park, known as the "Adirondack Park" and recorded on March 22, 1981. See Section 4 hereof.
 - 3.) Map of a portion of the Adirondack Park, known as the "Adirondack Park" and recorded on March 22, 1981. See Section 4 hereof.
 - 4.) Map of a portion of the Adirondack Park, known as the "Adirondack Park" and recorded on March 22, 1981. See Section 4 hereof.
 - 5.) Map of a portion of the Adirondack Park, known as the "Adirondack Park" and recorded on March 22, 1981. See Section 4 hereof.
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 - 16.) Map of a portion of the Adirondack Park, known as the "Adirondack Park" and recorded on March 22, 1981. See Section 4 hereof.
 - 17.) Map of a portion of the Adirondack Park, known as the "Adirondack Park" and recorded on March 22, 1981. See Section 4 hereof.

- See References (Cont.)**
- Thomas Elliptical and Mary Ellen Elliptical
 Greater New York Building, New York City
 Recorded on July 11, 2013. Book 12542 Page 234.
- Laura E. Hill and Thomas C. Hill
 Green A. Hill and Thomas C. Hill
 Recorded on August 29, 2013. Book 12542 Page 116.
- Angela J. Vincent
 Trustee of the Adirondack Park
 2013 Amended Trust
- Angela J. Vincent and S.P. Vincent
 as Trustees of the Adirondack Park
 2013 Amended Trust
 Recorded on May 29, 2013. Instrument No. 2013-0281.
- William L. Elmer, Esq., Attorney
 by James James Lee, Pw/LL Storing Place
 Recorded on May 29, 2013. Instrument No. 2013-120.
- Virginia Lamb
 S.P. Vincent and S.P. Vincent
 as Trustees of the Adirondack Park
 Recorded on May 29, 2013. Instrument No. 2013-0281.
- Ann A. Halyckis and Ann A. Halyckis
 Pamela J. Tomlin
 Trust's and LLC
 Recorded on May 29, 2013. Instrument No. 2013-0281.
- Phillip L. Shubert and Shubert S. Shubert
 as Trustees of the Adirondack Park
 Fully Amended Trust
 Recorded on May 29, 2013. Instrument No. 2013-0281.
- Thomas Elliptical, II
 S.P. Vincent and S.P. Vincent
 as Trustees of the Adirondack Park
 Recorded on May 29, 2013. Instrument No. 2013-0281.
- Ellen W. Surjan
 S.P. Vincent and S.P. Vincent
 as Trustees of the Adirondack Park
 Recorded on May 29, 2013. Instrument No. 2013-0281.
- Joseph G. Olson
 S.P. Vincent and S.P. Vincent
 as Trustees of the Adirondack Park
 Recorded on May 29, 2013. Instrument No. 2013-0281.
- Joseph P. Deligdisch and James C. Deligdisch
 S.P. Vincent and S.P. Vincent
 as Trustees of the Adirondack Park
 Recorded on May 29, 2013. Instrument No. 2013-0281.
- Joseph P. Deligdisch and James C. Deligdisch
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 as Trustees of the Adirondack Park
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- Thomas Elliptical and Mary Ellen Elliptical
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 as Trustees of the Adirondack Park
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- Thomas Elliptical and Mary Ellen Elliptical
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 as Trustees of the Adirondack Park
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- Thomas Elliptical and Mary Ellen Elliptical
 S.P. Vincent and S.P. Vincent
 as Trustees of the Adirondack Park
 Recorded on May 29, 2013. Instrument No. 2013-0281.



Legend

CIIP = Copied Iron Pipe Found
 CIRP = Copied Iron Rod Found
 IIR = Iron Rod Found
 IIP = Iron Pipe Found
 U.P. = Utility Pole

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COPYRIGHT BY: MATTHEW C. STEVES, L.S. 13430-13
 DATED: JUNE 26, 2024

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