


THIS IS A TWO-SIDED DOCUMENT

 <p><b>NEW YORK</b> STATE OF OPPORTUNITY.</p> <p><b>Adirondack Park Agency</b></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 <b>2024-0136</b></p>
<p>In the Matter of the Application of</p> <p><b>AMY THACKERAY &amp; THOMAS THACKERAY</b> <b>Permittees</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: June 13, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: <b>1. Amy Thackeray</b> <b>2. Thomas Thackeray</b></p>

**SUMMARY AND AUTHORIZATION**

This permit authorizes the construction of a new driveway, two sheds and a non-leaching privy in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Lake Pleasant, Hamilton County.

This authorization shall expire unless recorded in the Hamilton 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 Hamilton County Clerk's Office. The Agency will consider the project in existence when the driveway 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 5.9±-acre parcel of land located on NYS Route 8 in the Town of Lake Pleasant, Hamilton 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 120.011, Block 2, Parcel 12, and is described in a deed from Philip A. Slack to Thomas B. Thackeray & Amy B. Thackeray, dated April 23, 2024 and recorded May 6, 2024 in the Hamilton County Clerk's Office under Instrument Number 2024-458.

The project site is located entirely within the Silver Lake Wilderness Critical Environmental Area.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves construction of a new driveway, two sheds, and a non-leaching privy.

The project is shown on a Site Plan titled "Attachment B, Proposing 2 Sheds, Driveway, Contained Outhouse," prepared by Thomas Thackeray, dated May 1, 2024 and received by the Agency on May 15, 2024. A reduced-scale copy of the Site 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, a permit is required from the Adirondack Park Agency prior to new land use and development within one-eighth mile of tracts of forest preserve land classified as wilderness.

### **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 Hamilton 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 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 2024-0136, issued June 13, 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 a driveway, two sheds and one non-leaching privy on the project site in the location and footprints shown and as described on the Site Plan. Any change to the location, dimensions, or other aspect of the authorized development shall require prior written Agency authorization.
6. The construction of any dwelling or other principal building on the project site shall require a new or amended permit.
7. Installation of any leaching privy, on-site wastewater treatment system or water supply well on the project site shall require prior written Agency authorization.
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.
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 State Route 8 or adjoining property.
10. All exterior building materials, including roof, siding and trim, of the two sheds and non-leaching privy shall be a dark shade of green, grey, or brown.
11. Outside of the limits of clearing shown on the Site Plan, no trees greater than 8 inches in diameter at breast height 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.
12. There shall be no more than two principal buildings located on the project site at any time. 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 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; and
- 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.

PERMIT issued this 13<sup>th</sup> day  
of June, 2024.

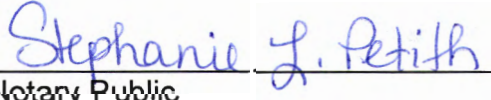
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 13<sup>th</sup> 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

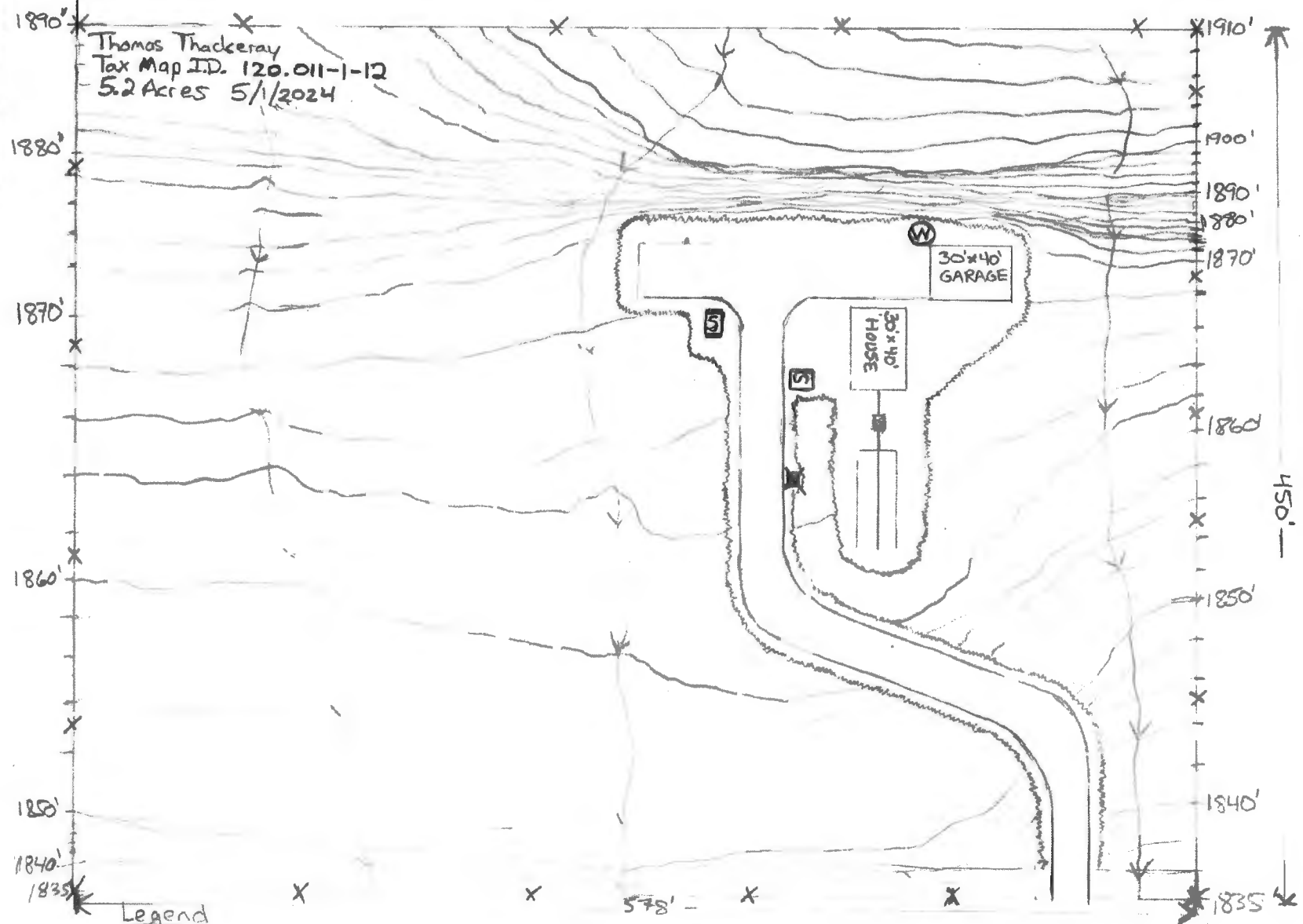
  
Notary Public

**RECEIVED**  
 Date: May 15, 2024

**FINAL**  
 P2024-0136

Attachment B, Proposing 2 Sheds, Driveway, Contained Outhouse

← Private Lands ↓



NYS LANDS

- Legend**
- xx = Property Lines
  - = Intermittent Streams
  - = 10' x 14' Shed
  - ⊠ = Self-Contained Outhouse

- ~~~~~ = Limits of clearing
  - ⊠ = Wastewater Treatment
  - ⊙ = Well
- Scale 1" = 75 Feet

