


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 2024-0162</p>
<p>In the Matter of the Application of</p> <p>KRISTEN PETERSON Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: October 7, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <p>1. Kristen Peterson</p>

SUMMARY AND AUTHORIZATION

This permit authorizes the construction of a single family dwelling in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Keene, Essex County.

This authorization shall expire unless recorded in the Essex 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 Essex County Clerk's Office. The Agency will consider the project in existence when the foundation for 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 4.29-acre parcel of land located on O'Toole Lane in the Town of Keene, Essex County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 45.3, Block 1, Parcel 14.220, and is described in a deed from Gregory M. Dennin to Kristen B. Peterson, dated March 13, 2024, and recorded June 7, 2024 in the Essex County Clerk's Office at Book 2166, Page 287.

The project site is improved by an existing driveway that provides access to the adjacent Tax Map Parcel 46.3-1-14.100 and a utility right-way-way corridor.

PROJECT DESCRIPTION

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

The project is shown on the following Project Plans:

- A three-sheet set of plans titled "Site Plan for Kristen B. Peterson," prepared by Robert M. Marvin, Jr., L.S., dated September 16, 2024 and received by the Agency on September 16, 2024 (Site Plans); and
- A five-sheet set of plans titled "Peterson-Gray Septic System," prepared by Mark J. Buckley, P.E., dated August 9, 2024 and received by the Agency on August 15, 2024 (Septic Plans).

A reduced-scale copy of the sheet one of the Site 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, a permit is required from the Adirondack Park Agency prior to any new land use or development on Rural Use lands within one-eighth mile of a Wilderness Area in the Adirondack Park.

Condition 3 of Agency Settlement Agreement E2019-0146 requires an Agency permit for any new land use, development or subdivision on the project site.

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 Essex 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. This permit amends and supersedes Agency Settlement Agreement E2019-0146 in relation to the project site. The terms and conditions of E2019-0146 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 2024-0162, issued October 7, 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 the construction of one single family dwelling on the project site in the location and footprint shown on the Site Plans. The single family dwelling shall be no more than 40 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade. Any change to the location or dimensions of the dwelling shall require prior written Agency authorization.
7. Construction of any accessory structure outside the limits of clearing shown on the Site Plans shall require prior written Agency authorization.
8. The undertaking of any new land use or development not authorized herein on the project site within one-eighth mile of the Hurricane Mountain Wilderness Area shall require a new or amended permit.
9. Construction of any guest cottage on the project site shall require prior written Agency authorization.
10. 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.

11. 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.

12. 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 O'Toole Lane or adjoining property.
13. All exterior building materials, including roof, siding and trim, of the dwelling shall be a dark shade of green, grey, or brown.
14. Outside of the limits of clearing shown on the Site Plans, 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 dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
15. The undertaking of any activity involving wetlands shall require a new or amended permit.
16. 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.

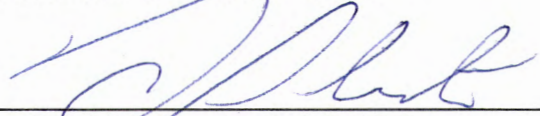
CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act 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 Rural Use land use area;
- c. will be consistent with the overall intensity guidelines for the Rural 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.

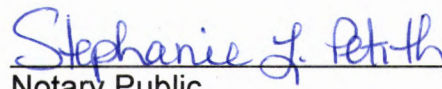
PERMIT issued this 7th day
of October, 2024.

ADIRONDACK PARK AGENCY

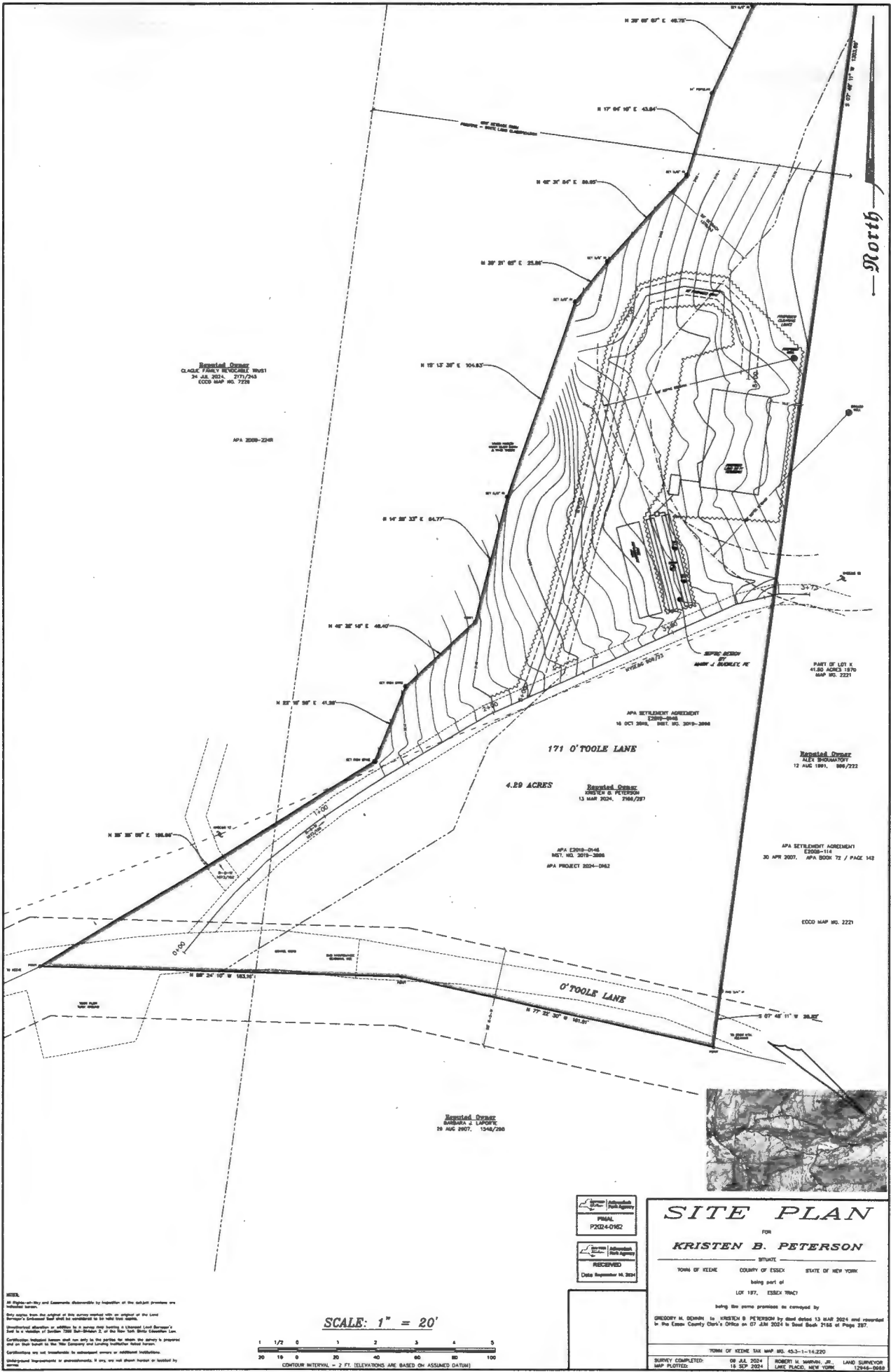
BY: 
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 7th day of October 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.


Notary Public

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



Registered Owner
 CLAUDE FAMILY RESOURCES INC
 24 JUL 2024, 2171/243
 ECCO MAP NO. 2228

APA 2009-2204

N 15° 17' 20\"/>

N 30° 21' 00\"/>

N 40° 30' 10\"/>

N 02° 10' 00\"/>

N 00° 00' 00\"/>

N 00° 00' 00\"/>

Registered Owner
 KRISTEN B. PETERSON
 20 AUG 2024, 1548/230

171 O'TOOLE LANE
 4.29 ACRES
 Registered Owner
 KRISTEN B. PETERSON
 13 MAR 2024, 2168/287

APA (2019-0148)
 MET. NO. 2019-2886
 APA PROJECT 2024-0462

APA SETTLEMENT AGREEMENT
 2019-0408
 16 OCT 2019, MET. NO. 2019-2886

PART OF LOT 6
 41.80 ACRES 1370
 MAP NO. 2221

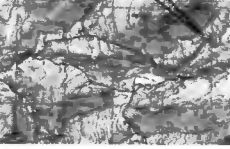
Registered Owner
 ALEX SHOKANOVIC
 12 AUG 1991, 909/222

APA SETTLEMENT AGREEMENT
 2008-114
 30 APR 2007, APA BOOK 72 / PAGE 142

ECCO MAP NO. 2221

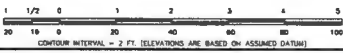
O'TOOLE LANE

N 77° 52' 30\"/>



NOTES:
 All Rights-Utility and Easements shown by dashed lines are assumed unless otherwise noted.
 Survey notes from the original of this survey are available on request at the Land Surveyor's Office and shall be available to all other parties.
 Surveyed information is subject to a change that results in a Revised Land Surveyor's Map as a condition of Section 220 of the State Real Property Law.
 Certification information shown shall not apply to the parties to whom the survey is prepared and is that based on the New York State Land Surveying License holder's name.
 Certification is not transferable to subsequent owners or additional institutions.
 Underground improvements or easements, if any, are not shown herein or limited by reference.

SCALE: 1" = 20'



PRIMAL
 P2024-0182
 RECEIVED
 Date September 16, 2024

SITE PLAN
 FOR
KRISTEN B. PETERSON
 SITE
 TOWN OF KEENE COUNTY OF ESSEX STATE OF NEW YORK
 being part of
 LOT 197, ESSEX TRACT
 being the parcel promised as conveyed by
 GREGORY M. DOMINI to KRISTEN B. PETERSON by deed dated 13 MAR 2024 and recorded in the Essex County Clerk's Office on 07 JUN 2024 in Deed Book 2168 of Page 287.
 TOWN OF KEENE TAX MAP NO. 45-3-1-14-220
 SURVEY COMPLETED: 09 JUL 2024 ROBERT H. WATSON, JR., LAND SURVEYOR
 MAP PLOTTED: 18 SEP 2024 LAKE PLACID, NEW YORK 12948-0902