


THIS IS A TWO-SIDED DOCUMENT

 <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>2024-0226</b></p>
<p>In the Matter of the Application of</p> <p><b>ADIRONDACK MT LAND LLC</b> <b>Permittee</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act, 9 NYCRR Part 577, and 9 NYCRR Part 578</p>	<p>Date Issued: February 10, 2025</p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s): <b>1. Adirondack MT Land LLC</b></p>

**SUMMARY AND AUTHORIZATION**

This permit authorizes a six-lot subdivision in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Bellmont, 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 155.87±-acre parcel of land located on Wolf Pond Road and Meadow Road in the Town of Bellmont, Franklin 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 234, Block 1, Parcel 13 (west of the Salmon River) and Tax Map Section 249, Block 2, Parcel 1.1, and is described in a deed from MWF Adirondacks, LLC to Adirondack MT Land LLC, dated June 4, 2021, and recorded June 10, 2021 in the Franklin County Clerk's Office under Instrument Number 2021-3027.

The project site contains shoreline on the Salmon River and is partially located within the designated Salmon River Recreational River area. The project site also contains coniferous forested wetlands and shrub swamp wetlands associated with Cold Brook and the Salmon River. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The project site was created as "Lot 1" in a two-lot subdivision as authorized by Agency Permit 2023-0189.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves a six-lot subdivision of 155.87 acres to create six residential lots ranging from 9.77 acres to 42.98 acres for the construction of a single family dwelling, accessory garage, on-site wastewater treatment system, potable water well, and driveway on each lot.

The project is shown on the following maps, plans, and reports (Project Plans):

- A survey map titled "Map of Survey Prepared for Adirondack Mt Land LLC, Wolf Pond Road," prepared by Sheppard Land Surveying, dated May 18, 2024, and received by the Agency on November 8, 2024 (Subdivision Map);
- Six plan sheets titled "Map of Survey Prepared for Adirondack Mt Land LLC, [Lot 1 through Lot 6] Detail Map," prepared by Sheppard Land Surveying, dated May 18, 2024, and received by the Agency on November 8, 2024 (Site Plan);
- A 51-page report titled "Erosion and Sediment Control Plan, Adirondack Mountain Land, LLC," prepared by Mark J. Buckley, PE, and dated November 4, 2024 (Stormwater Plan); and
- 21 pages of plans titled "Septic System, Wolf Pond Subdivision," prepared by Mark J. Buckley, and dated December 20, 2023 (Lot 1) and June 9, 2024 (Lots 3 through 7) (OSWTS Plan).

A reduced-scale copy of the Subdivision Map 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 Adirondack Park Agency regulations at 9 NYCRR Part 577, a permit is required from the Adirondack Park Agency prior to any subdivision of Rural Use lands located within any designated recreational river area 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 that results in the creation of five or more lots, parcels, or sites since May 22, 1973, in a Rural Use 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 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 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, Wild, Scenic and Recreational Rivers System Act, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
4. This permit amends and supersedes Permit 2023-0189 in relation to the project site. The terms and conditions of Permit 2023-0189 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 2024-0226, issued February 10, 2025, 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 a six-lot subdivision as depicted on the Subdivision Map. Any subdivision not depicted on the Subdivision Map shall require a new or amended permit.
7. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling on each lot authorized herein in the location, footprint, and height shown and as described on the Site Plan. Up to 1,200 square feet of accessory structures may be constructed within the building envelope shown on the Site Plan, provided that the post-construction stormwater controls are installed as described in the Stormwater Plan.

Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.

8. Any on-site power generating system installed to serve the single family dwellings authorized herein shall be located in a structure that is sound-insulated and the equipment shall utilize a muffler that complies with the manufacturer's specifications. Any free-standing solar array designed to serve the single family dwelling located outside of the authorized building envelope shall require prior written Agency authorization.
9. The undertaking of any new land use or development not authorized herein on the project site within one-quarter mile of the Salmon River shall require a new or amended permit. The undertaking of any activity involving wetlands shall also require a new or amended permit.
10. The construction of any additional dwelling or other principal building on the project site shall require a new or amended permit. The construction of any accessory structure on the project site outside the building envelope(s) depicted on the site plan shall require prior written Agency authorization.
11. Construction of any guest cottage on the project site shall require prior written Agency authorization.
12. There shall be no boathouses on the project site.
13. Prior to undertaking construction of any dock on the project site, written authorization of plans for the dock, including all attached upland structures, shall be obtained from the Agency.
14. Pursuant to the Adirondack Park Agency Act and Agency regulations implementing the Wild, Scenic and Recreational Rivers System Act, new structures are prohibited within 150 feet, measured horizontally, of the mean high water mark of the Salmon River.

Docks and boathouses as defined under 9 NYCRR § 570.3 are excepted from this requirement. Fences, poles, lean-tos, and bridges are also excepted from this requirement, except that no fence, pole, lean-to, or bridge greater than 100 square feet in size may be located within 75 feet of the mean high water mark.

15. Any on-site wastewater treatment system(s) 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 OSWTS Plan. 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.

16. The project shall be undertaken in compliance with the Stormwater Plan.
17. 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.
18. 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 the Salmon River, Meadow Road, Wolf Pond Road, or adjoining property.
19. All exterior building materials, including roof, siding and trim, of the dwelling on Lot 3 shall be a dark shade of green, grey, or brown.
20. Within 100 feet of the mean high water mark of the Salmon River, or Cold Brook, or wetlands depicted on the Project Plans, no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed 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.
21. Within 100 feet of the limits of clearing on Lot 4 as depicted on the Project Plans, no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed on the project site without prior written Agency authorization.
22. Outside of the limits of clearing shown on the Site Plan, no trees greater than 4 inches in diameter at breast height may be cut, culled, trimmed, pruned or otherwise removed from within 75 feet of the centerline of Wolf Pond Road on the project site without prior written Agency authorization, except for the removal of 1) an area up to 25 feet in width for driveway construction and utility installations, and 2) dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
23. There shall be no more than five principal building(s) located on Lot 1 at any time. The single family dwelling authorized herein constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
24. There shall be no more than one principal building(s) located on Lot 3 at any time. The single family dwelling authorized herein constitutes a principal building.

25. There shall be no more than four principal building(s) located on Lot 4 at any time. The single family dwelling authorized herein constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
26. There shall be no more than three principal building(s) located on Lot 5 at any time. The single family dwelling authorized herein constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
27. There shall be no more than one principal building(s) located on Lot 6 at any time. The single family dwelling authorized herein constitutes a principal building.
28. There shall be no more than three principal building(s) located on Lot 7 at any time. The single family dwelling authorized herein constitutes a principal building. 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, the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, 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 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;
- 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;
- 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;
- h. will be consistent with the purposes and policies of the Wild, Scenic and Recreational Rivers System Act;
- i. will comply with the restrictions and standards of 9 NYCRR § 577.6; and
- j. will not cause an undue adverse impact upon the natural, scenic, aesthetic, ecological, botanical, fish and wildlife, historic, cultural, archeological, scientific, recreational or open space resources of the river area, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived therefrom.

PERMIT issued this 10<sup>th</sup> day  
of February, 2025.

ADIRONDACK PARK AGENCY

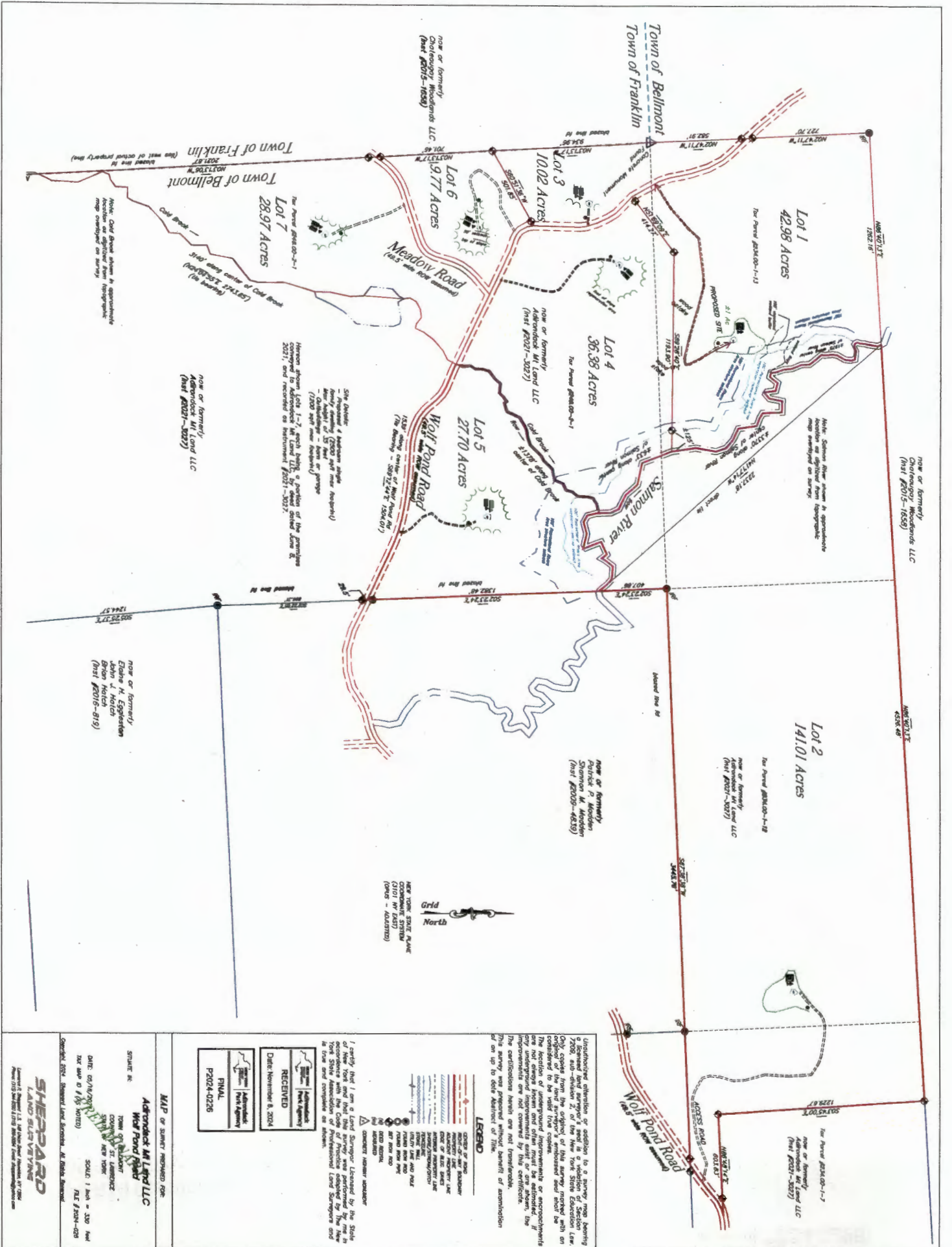
BY: Ariel Lynch  
Ariel Lynch  
Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 10<sup>th</sup> day of February in the year 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared Ariel Lynch, 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

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



now or formerly  
Chateaugay Woods LLC  
(Part #2015-1839)

now or formerly  
Chateaugay Woods LLC  
(Part #2015-1839)

Note: Survey error shown in approximate location on adjacent farm topographic map surveyed on survey.

now or formerly  
Advantage M Land LLC  
(Part #2021-3027)

now or formerly  
Advantage M Land LLC  
(Part #2021-3027)

now or formerly  
Patrick P. Madden  
Shannon M. Madden  
(Part #2020-4539)

now or formerly  
Patrick P. Madden  
Shannon M. Madden  
(Part #2020-4539)

now or formerly  
Chateaugay Woods LLC  
(Part #2015-1839)

now or formerly  
Advantage M Land LLC  
(Part #2021-3027)

now or formerly  
Advantage M Land LLC  
(Part #2021-3027)

now or formerly  
Advantage M Land LLC  
(Part #2021-3027)

now or formerly  
Ethan H. Eggeston  
John J. Welch  
Bryan Welch  
(Part #2016-819)

Grid  
North

Indemnifying obligation in addition to a survey map having a licensed land surveyor's seal is a violation of Section 2408, sub-division 2, of the New York State Education Law. Only copies from the original of this survey, printed with an original seal, are valid. The location of underground improvements or encroachments may vary from the location shown on the map. Any underground improvements east or west of the centerline of the road are not shown on this certificate. The certificate herein is not transferable. This survey was prepared without benefit of aerial photography or any other data not shown on this certificate.

**LEGEND**

- ORDER OF ROAD
- ADJACENT PROPERTY
- ADJACENT WATER
- ADJACENT AIR
- ADJACENT RAILROAD
- ADJACENT POWER LINE
- ADJACENT TELEPHONE LINE
- ADJACENT GAS LINE
- ADJACENT WATER MAIN
- ADJACENT SEWER MAIN
- ADJACENT CABLE
- ADJACENT FENCE
- ADJACENT CONCRETE
- ADJACENT BRICK
- ADJACENT STONE
- ADJACENT ASPHALT
- ADJACENT GRAVEL
- ADJACENT SAND
- ADJACENT SILT
- ADJACENT CLAY
- ADJACENT ROCK
- ADJACENT VEGETATION
- ADJACENT OBSTRUCTION
- ADJACENT ELEVATION
- ADJACENT DISTANCE
- ADJACENT BEARING
- ADJACENT AREA
- ADJACENT VOLUME
- ADJACENT WEIGHT
- ADJACENT FORCE
- ADJACENT PRESSURE
- ADJACENT TEMPERATURE
- ADJACENT HUMIDITY
- ADJACENT WIND
- ADJACENT RAIN
- ADJACENT SNOW
- ADJACENT ICE
- ADJACENT FOG
- ADJACENT MIST
- ADJACENT CLOUDS
- ADJACENT SUN
- ADJACENT MOON
- ADJACENT STARS
- ADJACENT PLANETS
- ADJACENT GALAXIES
- ADJACENT UNIVERSE

RECEIVED  
Date: November 8, 2024  
FINAL  
P2024-0226

MAP OF SURVEY PREPARED FOR:  
**Advantage M Land LLC**  
Wolf Pond Road  
TOWN OF BELMONT  
COUNTY OF ST. LAWRENCE  
STATE OF NEW YORK  
DATE: 02/16/2025  
SCALE: 1 inch = 200 feet  
TAX MAP O / 1 (9/1/2020) FILE # 2024-028

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