


THIS IS A TWO-SIDED DOCUMENT

 <b>Adirondack Park Agency</b>  P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov	APA Permit <b>2024-0247</b>
	Date Issued: December 2, 2024
In the Matter of the Application of  <b>RAPHAEL SIDELMAN</b> <b>Permittee</b>  for a permit pursuant to §809 of the Adirondack Park Agency Act	To the County Clerk: Please index this permit in the grantor index under the following names <b>1. Raphael Sidelman</b>

**SUMMARY AND AUTHORIZATION**

This permit authorizes the construction of a single family dwelling in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Fine, St. Lawrence County.

This authorization shall expire unless recorded in the St. Lawrence 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 Agency will consider the project in existence when the permit has been recorded.

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 2.50±-acre vacant parcel of land located on County Road 27A in the Town of Fine, St. Lawrence County, in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 202.38, Block 1, Parcel 1, and is described in a deed from Vandewater &

Associates, Inc. to Raphael Sidelman, dated August 13, 2021, and recorded September 15, 2021 in the St. Lawrence County Clerk's Office under Instrument Number 2021-00012415.

The project site contains shoreline on the Oswegatchie River.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves construction of a single family dwelling.

The project site constituted a portion of a larger property on the May 22, 1973 enactment date of the Adirondack Park Land Use and Development Plan, and was created by subdivision from this larger property in 1983. As this subdivision occurred on Resource Management lands, it appears that an Agency permit was required for its undertaking. Agency records indicate that no permit was obtained. By issuance of this permit, the project site shall be recognized as lawful for Agency purposes.

The project is shown on a three-page plan titled, "Sidelman Septic," prepared by North Woods Engineering, Inc. and last revised September 13, 2024 (Project Plans).

A reduced-scale copy of sheet C10 of the Project Plans (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 the construction of any single family dwelling on Resource Management lands 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 St. Lawrence 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 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. Subject to the conditions stated herein, this permit authorizes the construction of a single family dwelling on the project site in the location and footprint shown and as described on the Site Plan. The height of the dwelling shall not exceed 35 feet, as measured from the highest point of the structure to the lower of either existing or finished grade. Any change to the location or dimensions of the single family dwelling shall require prior written Agency authorization.
5. This permit authorizes the establishment of a footpath between the dwelling and the Oswegatchie River. This footpath shall be no greater than 6 feet in width and shall have a surface comprised of natural vegetation, grass, natural or synthetic mulch, pea stone, or permeable pavers.
6. Construction of any guest cottage on the project site shall require prior written Agency approval.
7. There shall be no boathouses on the project site.
8. There shall be no docks on the project site.
9. No structures greater than 100 square feet in size shall be constructed within 100 feet, measured horizontally, of the mean high water mark of the Oswegatchie River.
10. 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 Project 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 County Route 27A or the Oswegatchie River.
13. 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 or disturbed on the project site without prior written Agency authorization, except for 1) within an area up to 14 feet in width for driveway

construction and utility installations, 2) within an area up to 6 feet in width, to allow for the establishment of a footpath as described above, and 3) removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.

14. There shall be no principal buildings located on the subject property other than the dwelling authorized herein.

### **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 Resource Management land use area;
- c. will be consistent with the overall intensity guidelines for the Resource Management 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 2<sup>nd</sup> day  
of December, 2024.

ADIRONDACK PARK AGENCY

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

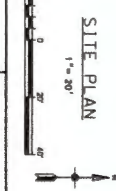
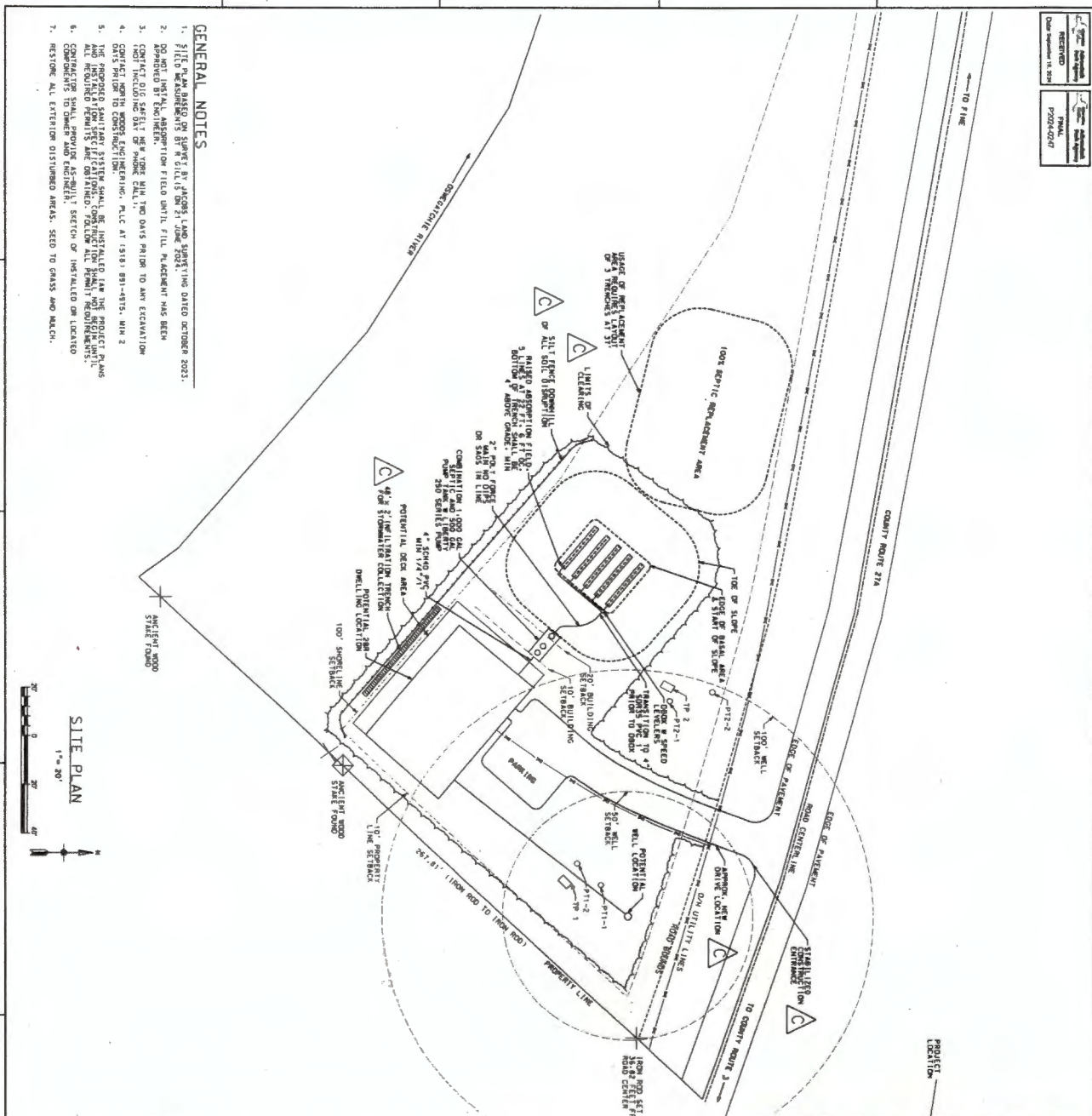
STATE OF NEW YORK  
COUNTY OF ESSEX

On the 2<sup>nd</sup> day of December in the year 2024, 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

- GENERAL NOTES**
1. SITE PLAN BASED ON SURVEY BY JACOBUS LAND SURVEYING DATED OCTOBER 2021.
  2. DO NOT INSTALL ABSORPTION FIELD UNTIL FILL PLACEMENT HAS BEEN APPROVED BY ENGINEER.
  3. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.
  4. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.
  5. THE PROPOSED SEWAGE SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND STANDARDS.
  6. CONTRACTOR SHALL PROVIDE ADEQUATE EROSION CONTROL MEASURES TO PREVENT SOIL EROSION AND SILTATION.
  7. RESTORE ALL EXISTING DISTURBED AREAS, SEED TO GRASS AND MULCH.



**SOIL INFORMATION**  
 SEE SITE PLAN FOR LOCATION OF DEEP HOLE AND PERCOLATION TESTS.  
 DEEP HOLE TEST PIT (TP1 & TP2)  
 DEEP HOLE TEST PIT (TP1 & TP2)  
 DEEP HOLE TEST PIT (TP1 & TP2)  
 DEEP HOLE TEST PIT (TP1 & TP2)

**PERCOLATION TESTS**

TEST NO.	TEST DATE	TEST DEPTH	DESIGN PERC RATE
1	11/20/20	3' MIN	1-3 MIN
2	11/20/20	3' MIN	1-3 MIN
3	11/20/20	3' MIN	1-3 MIN

**ABSORPTION FIELD DESIGN**  
 PERCOLATION TEST 1 (TP1-1)  
 PERCOLATION TEST 2 (TP2-2)  
 PERCOLATION TEST 3 (TP3-3)

**SEPTIC TANK SIZE**  
 DESIGN PERC RATE 1-3 MIN  
 DESIGN PERC RATE 1-3 MIN  
 DESIGN PERC RATE 1-3 MIN

**North Woods Engineering, LLC**  
 1000 DULQUENDE AVENUE, SUITE 200  
 PITTSBURGH, PA 15201  
 PH: 412.381.1111  
 FAX: 412.381.1112  
 WWW.NORTHWOODSENGINEERING.COM

**SEAL**  
 NORTH WOODS ENGINEERING, LLC  
 REGISTERED PROFESSIONAL ENGINEER  
 NO. 12345  
 STATE OF PENNSYLVANIA

**PROJECT NAME:** SIDELMAN SEPTIC  
**LOCATION:** FINE, NY 13639

**DATE ISSUED:** 11/20/20  
**DESIGNED BY:** JACOBUS  
**CHECKED BY:** JACOBUS  
**DRAWN BY:** JACOBUS

**SHEET:** C10