

THIS IS A TWO-SIDED DOCUMENT



**Adirondack
Park Agency**

P.O. Box 99, 1133 NYS Route 86
Ray Brook, New York 12977
Tel: (518) 891-4050
www.apa.ny.gov

APA Permit
2024-0251

Date Issued: October 22, 2024

In the Matter of the Application of

BLAIR A. BROWN & REBECCA BROWN
Permittees

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:
1. Blair A. Brown
2. Rebecca Brown

SUMMARY AND AUTHORIZATION

This permit authorizes construction of a single family dwelling with related development in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Greig, Lewis County.

This authorization shall expire unless recorded in the Lewis 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 4.8-acre parcel of land located on Partridgeville Road in the Town of Greig, Lewis County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 262, Block 2, Parcel 53.100, and is described in a deed from Alan DiCesare and

Roxanne DiCesare to Blair A. Brown, dated March 1, 2021, and recorded March 16, 2021 in the Lewis County Clerk's Office under Instrument Number 2021-1447.

The project site contains wetlands as depicted on the Site Plan. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

PROJECT DESCRIPTION

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

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 2004. As this subdivision involved wetlands, 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 the following maps, plans and reports:

- A single-page map titled, "Site Plan: Blair & Rebecca Brown," prepared by Eggleston & Krenzer Architects, P.C., dated October 21, 2024 (Site Plan);
- A six-sheet plan set titled, "New Septic System for Brown," prepared by Steven J. Olmstead, P.E., dated September 2024, and a single-page report titled, "Addendum to Septic System Drawings for Brown," prepared by Steven J. Olmstead, P.E., dated October 2, 2024 (together the Septic Plan); and
- A two-sheet plan set titled, "New Residence: Blair and Rebecca Brown," prepared by Eggleston & Krenzer Architects P.C., dated September 15, 2024 (Building Plan).

A reduced-scale copy of the Site Plan 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.

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 Lewis 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 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 2024-0251, issued October 22, 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 one single family dwelling with attached garage on the project site in the location, footprint and height shown on the Site Plan and Building Plan. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.
6. 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 limits of clearing shown on the Site Plan shall require prior written Agency authorization.
7. Construction of any guest cottage on the project site shall require prior written Agency approval.
8. 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 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.

9. 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.

10. 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 Partridgeville Road or adjoining property.
11. Within the 100 foot wetland buffer shown on the Site Plan, no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed 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.

Within 50 feet of Partridgeville Road or within 50 feet of adjoining property as shown on the Site Plan, no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed without prior written Agency authorization, except for 1) an area of up to 50 feet in width for driveway construction and utility installations and 2) the removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
12. The undertaking of any activity involving wetlands shall require a new or amended permit.
13. There shall be no more than three principal buildings located on the project site 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.

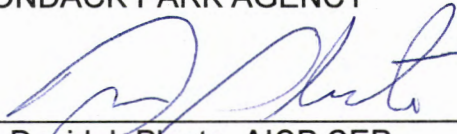
CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act 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 Moderate Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Moderate 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 22nd day
of October, 2024.

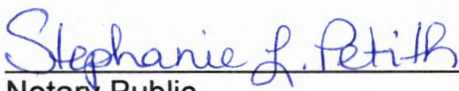
ADIRONDACK PARK AGENCY

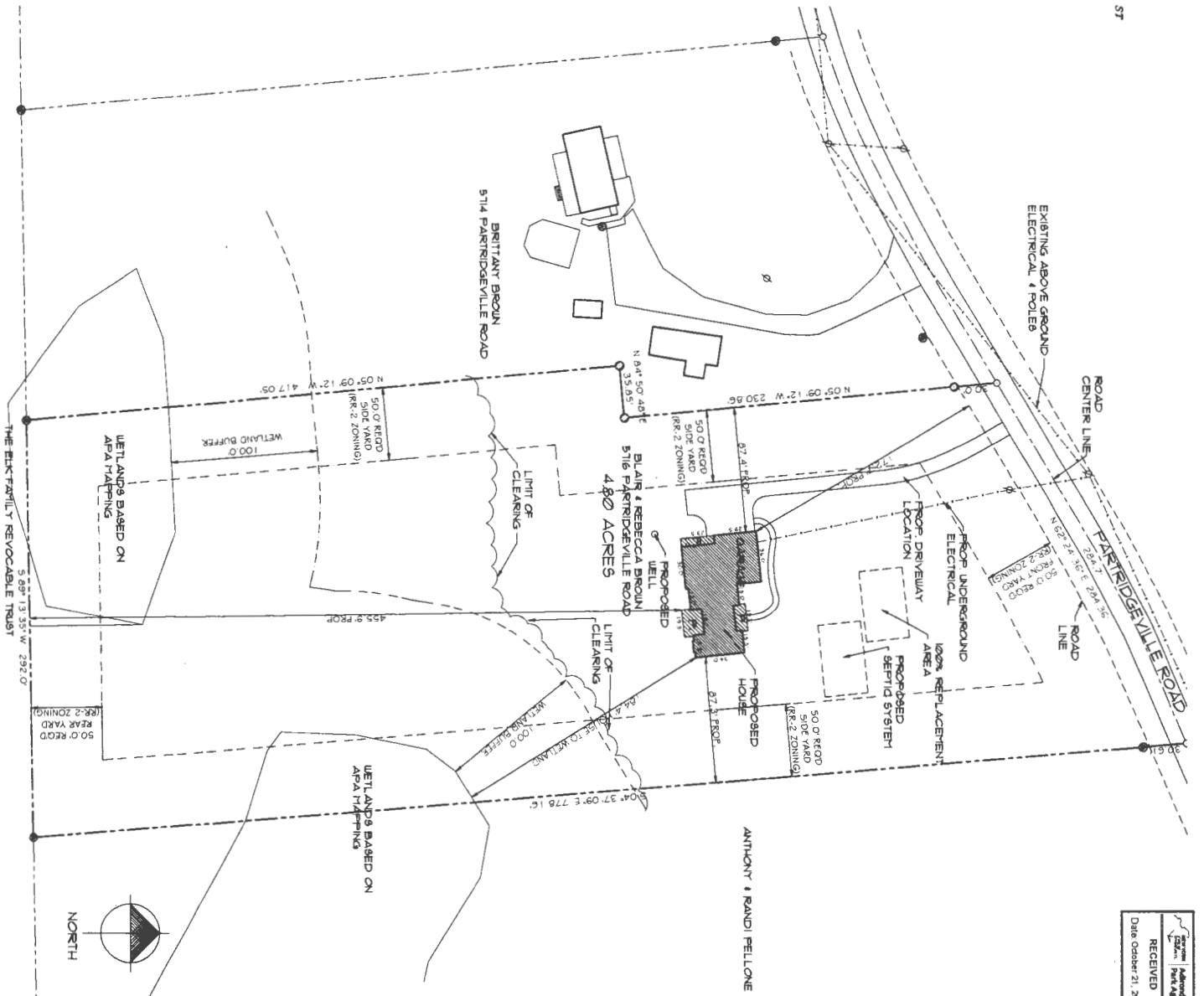
BY: 
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 22nd 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.

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



Notary Public





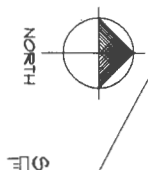
 RECEIVED

 DATE: October 21, 2024



 FINAL

 P2024-0251



SITE PLAN

SITE INFORMATION IS OBTAINED FROM SURVEY
 DONE BY KOVACH LAND SURVEYING, L.L.C. DATED 10/14/2020
 ADDITIONAL INFORMATION BY EGGLESTON & KRENZER
 ARCHITECTS P.C.

DATE:
 15 SEPT 2024
 7 OCT 2024
 21 OCT 2024

PROJ.: 24178

architect
 EGGLESTON & KRENZER ARCHITECTS P.C.
 1391 EAST GENESEE STREET
 SKANEATELES, NY 13152
 (315) 685-8144

SITE PLAN:
 BLAIR & REBECCA BROWN
 5716 PARTRIDGEVILLE ROAD
 TN OF GREIG, NY

