


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>2024-0319</b></p>
<p>In the Matter of the Application of</p> <p><b>NANCY BROWN, LESLIE TONDREAU, AND BRUCE TONDREAU</b> Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: December 31, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s):</p> <ol style="list-style-type: none"><li><b>1. Nancy Brown</b></li><li><b>2. Leslie Tondreau</b></li><li><b>3. Bruce Tondreau</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes a two-lot subdivision in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Indian Lakem, 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 this permit has been filed.

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 7.734±-acre parcel of land located on NYS Route 28 in the Town of Indian Lake, Hamilton 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 46.012, Block 2, Parcel 32.110, and is described in a deed from Harold W. Hauschild to Nancy L. Brown, dated September 17, 2001, and recorded October 2, 2001 in the Hamilton County Clerk's Office at Book 224, Page 976. The site is also identified as Tax Map Section 46.0008, Block 1, Parcel 9.120, and is described in a deed from Polly Fagan to Bruce Tondreau and Leslie Tondreau, dated August 11, 2022, and recorded August 16, 2022 in the Hamilton County Clerk's Office under Instrument Number 2022-1162.

The project site also contains wetlands throughout the forested and lawn areas of the parcel. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The project site is improved by one single family dwelling constructed in 1895 on Tax Map Parcel 46.012-2-32.110, and one single family dwelling constructed in 1990 on Tax Map Parcel 46.008-1-9.120.

Tax Map Parcel 46.012-2-32.110 was created in a two-lot subdivision authorized under Agency Permit 95-40.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves a two-lot subdivision of tax map parcel 46.012-2-32.110 to create a 3.99±-acre vacant lot (Parcel A) and a 2.77±-acre lot with existing development (Parcel B). Parcel A will be merged with adjoining tax map parcel 46.008-1-9.120.

The project is shown on a one-sheet plan titled "Map showing the Subdivision Survey of the Nancy L. Brown Property," prepared by Moncrief & McLean Land Surveyors, P.C., dated October 1, 2024 (Site 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 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 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. This Permit amends and supersedes Permit 95-40 in relation to Tax Map Parcel 46.012-2-32.110. The terms and conditions of Permit 95-40 shall no longer apply to Tax Map Parcel 46.012-2-32.110.
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 2024-0319, issued December 31, 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 a two-lot subdivision as depicted on the Site Plan. Any subdivision of the project site not depicted on the Site Plan shall require prior written Agency authorization.
7. Within 30 days of conveyance of Parcel A a new deed shall be filed in the Hamilton County Clerk's office describing Parcel A and Tax Map Parcel 46.008-1-9.120 as a single, undivided lot. Any future subdivision of this undivided lot shall require a new or amended permit.
8. The undertaking of any new land use or development on the project site not authorized herein shall require prior written Agency authorization.
9. Installation of any new or replacement on-site wastewater treatment system(s) on the project site shall require prior written Agency approval.
10. The undertaking of any activity involving wetlands shall require a new or amended permit.

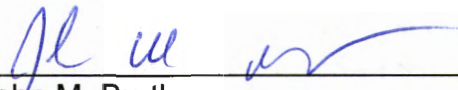
**CONCLUSIONS OF LAW**

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 and 9 NYCRR Part 574. The Agency hereby finds that the subdivision/single family dwelling authorized as conditioned herein:

- a. will meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Indian Lake; and
- b. 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;
- c. 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; and
- d. 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.

PERMIT issued this 31<sup>st</sup> day of December, 2024.

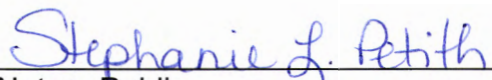
ADIRONDACK PARK AGENCY

BY:   
John M. Burth  
Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 31<sup>st</sup> day of December in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, 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

