


THIS IS A TWO-SIDED DOCUMENT

 <p>NEW YORK STATE OF OPPORTUNITY.</p> <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 2004-0100A</p>
<p>In the Matter of the Application of</p> <p>MUSKETEER HOLDINGS, LLC Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: December 15, 2022</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Musketeer Holdings, LLC</p>

SUMMARY AND AUTHORIZATION

This permit authorizes the construction of a single family dwelling, guest cottage, and boathouse in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Indian Lake, 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 County Clerk's Office. The Agency will consider the project in existence when the single-family dwelling authorized herein 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 5.77±-acre parcel of land, with 685± feet of shoreline on Blue Mountain Lake, and an additional 0.79± acres of underwater landholding, located in the Town of Indian Lake, Hamilton 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 46, Block 1, Parcel 1.117, and is described in a deed from Victoria A. Labalme, Henry G. Labalme, Lisa L. Osterland, and Jennifer R. Labalme, as Co-Executors of the Last Will and Testament of George Labalme a/k/a George Labalme Jr. to Musketter Holdings LLC, dated May 28, 2021, and recorded June 29, 2021 in the Hamilton County Clerk's Office under Instrument Number 2021-947.

The project site was created as "Lot 2" in a four-lot subdivision as authorized by Agency Permit 2004-100.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the construction of a four-bedroom single family dwelling, a detached garage with a second-story two-bedroom guest cottage, an on-site wastewater treatment system, and a boathouse providing one enclosed and two outdoor covered boat slips. Selective tree removal in three filtered view corridors will provide filtered views of Blue Mountain Lake from the single family dwelling.

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

- An eight-page set of plan sheets titled "Blue Point Residence, Eagle Nest Road, Indian Lake, NY," prepared by Studio A Landscape Architecture + Engineering, DPC., and dated November 23, 2022 (Site Plan); and
- a 12-page set of plan sheets titled "Boillot Residence, Blue Mountain Lake, New York – APA Submission," prepared by Phinney Design Group, and dated November 23, 2022 (Architectural Plan).

A reduced-scale copy of sheet L-1.10 of the Site Plan and Page 10 of the Architectural Plan for the project is attached as a part of this permit for reference.

AGENCY JURISDICTION

Agency Permit 2004-0100 required a permit from the Adirondack Park Agency pursuant to Section 809(2)(a) of the Adirondack Park Agency Act for a subdivision of Resource Management lands in the Adirondack Park.

Conditions 5, 8, 9, and 10 of Agency Permit 2004-0100 require Agency review and approval prior to the construction of a single family dwelling outside of the approved building envelope, the construction of a boathouse, the construction of an on-site wastewater treatment system, or the removal of vegetation within 100 feet of the shoreline of Blue Mountain Lake.

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 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 supersedes Permit 2004-0100 in relation to the project site. The terms and conditions of Permit 2004-0100 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 2004-0100A, issued December 15, 2022, 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, one combined garage/guest cottage, and one boat house on the project site in the locations, footprints, and heights shown and as described on the Site Plan. Any change to the location, dimensions, or other aspects of any authorized structures shall require prior written Agency authorization.
7. There shall be no additional guest cottages on the project site without prior written Agency authorization. The guest cottage authorized herein shall only be used on an occasional basis by guests of the resident(s) of the single family dwelling, and shall not be offered or available for rent or hire separately from the single family dwelling.
8. 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.
9. No structures greater than 100 square feet in size, other than the boathouse authorized herein, shall be constructed within 100 feet, measured horizontally, of the mean high water mark/shoreline of Blue Mountain Lake.
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 Site 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.

11. Erosion and sediment control measures shall be implemented as depicted and described in the Site Plan.
12. 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.
13. Any new free-standing or building-mounted outdoor lights on the project site shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Blue Mountain Lake or adjoining property.
14. All exterior building materials, including roof, siding and trim, of the structures authorized herein shall be a dark shade of green, grey, or brown, or black.
15. Within the three filtered view corridors depicted and described on the Site Plan, no trees greater than 6 inches in diameter at breast height may be cut, trimmed, pruned or otherwise removed or disturbed on the project site within 100 feet of the shoreline of Blue Mountain Lake 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.
16. Outside of the three filtered view corridors depicted and described on the Site Plan, no trees may be cut, trimmed, pruned or otherwise removed or disturbed on the project site within 100 feet of the shoreline of Blue Mountain Lake 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.
17. 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 development 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.

PERMIT issued this 15th day
of December, 2022.

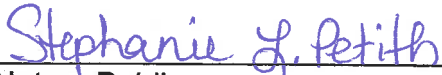
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 15th day of December in the year 2022, 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

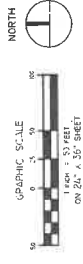
LAYOUT NOTES:

- VERIFY LOCATION OF POLES AFFECTING SCOPE OF WORK.
- VERIFY LOCATION OF ALL UTILITIES, ELECTRICAL, MECHANICAL, AND TELEPHONE. VERIFY DEPTHS OF ANY CONFLICTS WITH ENGINEER SCOPE.
- CONSIDER ALL UTILITIES AND POLES TO BE MAINTAINED OR TO BE MOVED TO THE PROPOSED LAYOUT. ALL UTILITIES AND POLES TO BE MAINTAINED OR MOVED TO THE PROPOSED LAYOUT SHALL BE MAINTAINED OR MOVED TO THE PROPOSED LAYOUT.
- ALL UTILITIES TO BE 90 DEGREES TO ALL LINES OF PAVING AND FINISHES TO BE MARBLE, UNLESS NOTED OTHERWISE.
- MAINTAIN HORIZONTAL ALIGNMENT OF ADJACENT PROPERTIES TO MAINTAIN APPEARANCE TO ROAD (TOP PLAN ONLY). DO NOT SCALE FROM REDUCED DIMENSIONS.

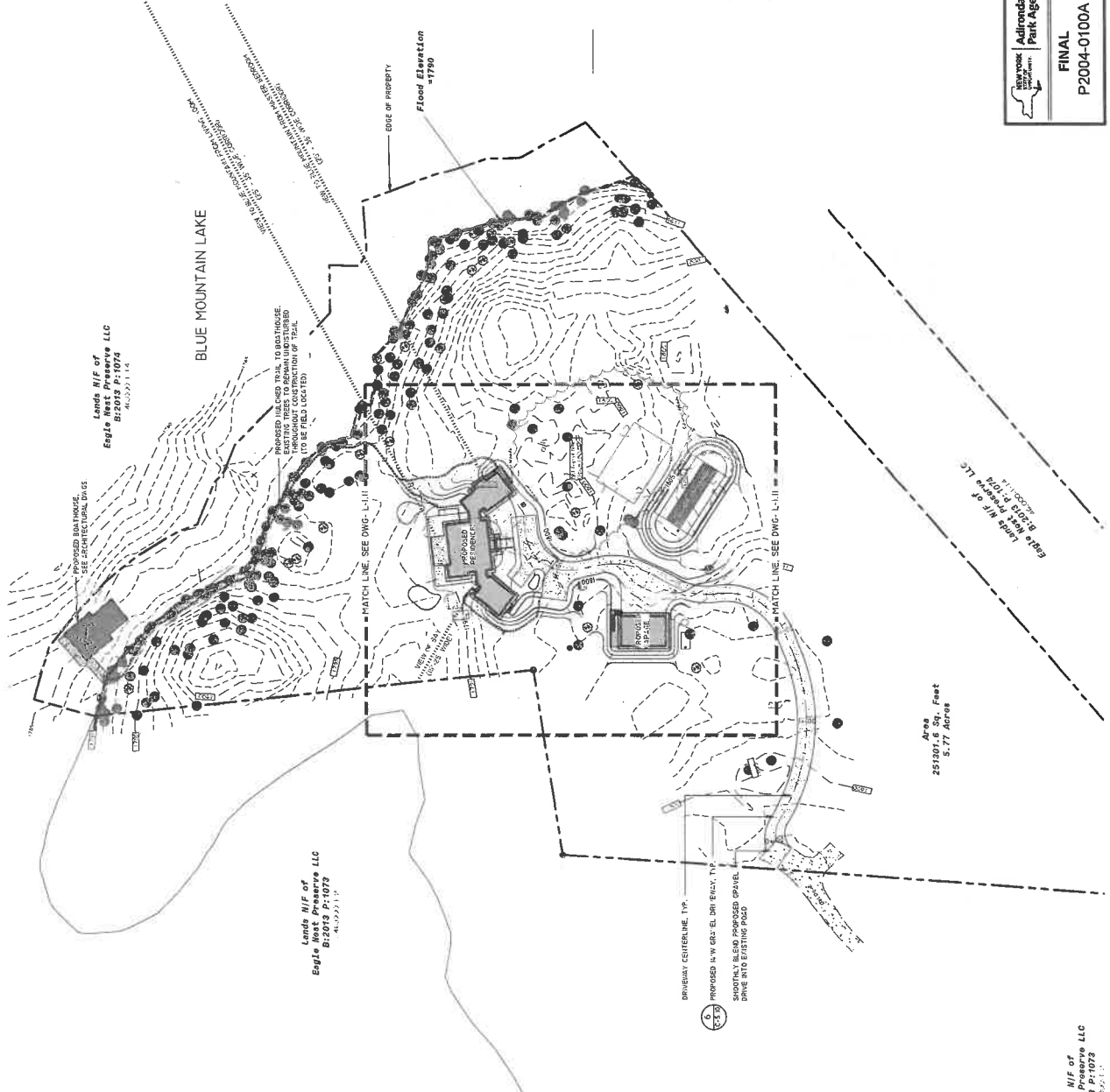
EAIRTHWORK NOTES:

- BEFORE ANY LAND CLEARING IS COMPLETED, THE CONTRACTOR SHALL ARRANGE A MEETING ON SITE WITH THE OWNER'S REPRESENTATIVE TO DISCUSS THE PROPOSED GRADING AND EARTHWORK. NO CLEARING SHALL OCCUR WITHOUT A REPRESENTATIVE TO DISCUSS THE PROPOSED GRADING AND EARTHWORK.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND PLANTS DESIGNATED TO REMAIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND PLANTS DESIGNATED TO REMAIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND PLANTS DESIGNATED TO REMAIN.
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- LEGEND**
- PROPERTY LINE
 - PROPERTY LINE SETBACK
 - HIGH HIGH INTERLINE
 - ROAD CENTERLINE
 - EXISTING HAIR CONTOURS
 - EXISTING HIMP CONTOURS
 - PROPOSED HAIR CONTOURS
 - PROPOSED HIMP CONTOURS
 - PROPOSED GRAVEL SURFACE
 - PROPOSED STONE WALKWAY
 - VIEW CORRIDOR



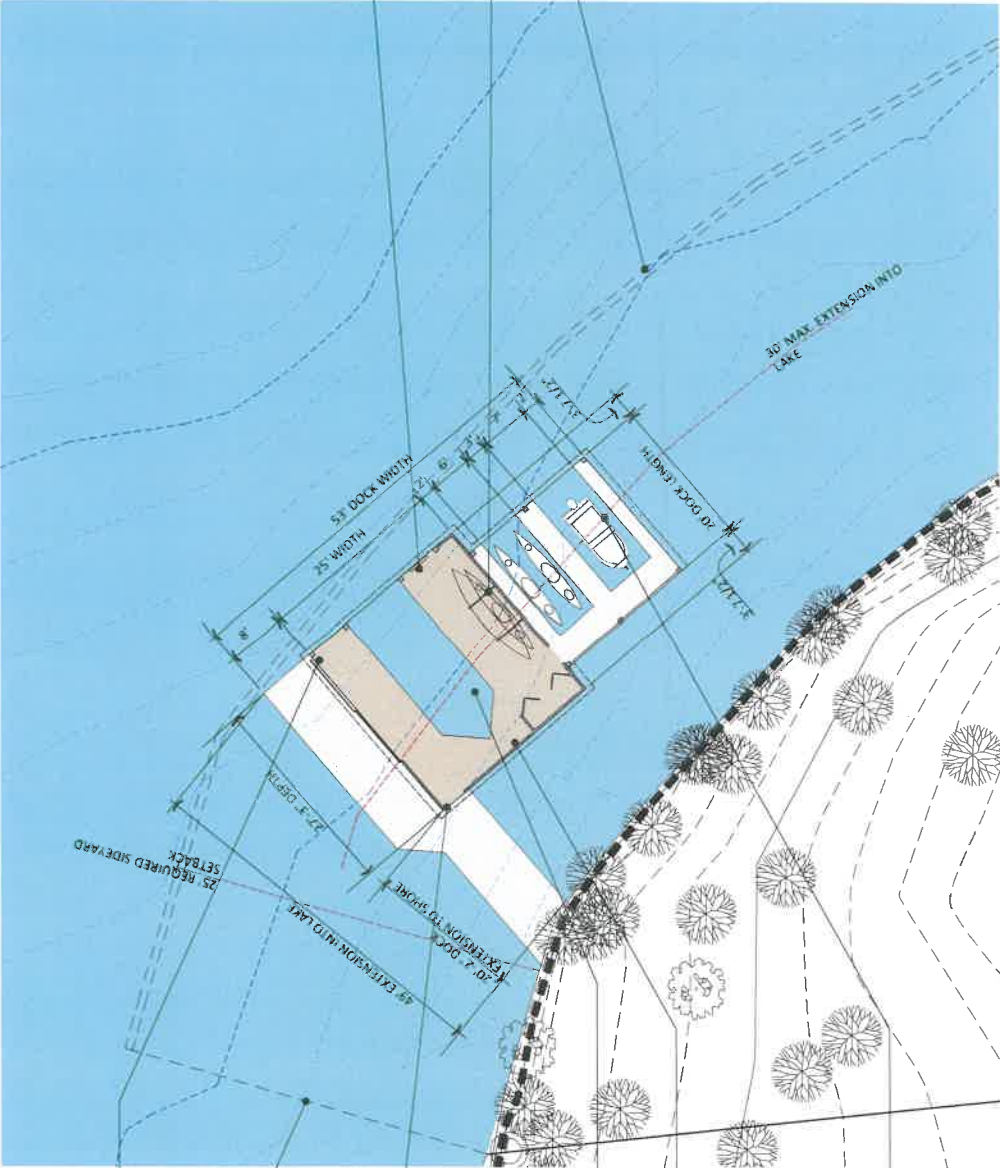
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 Date: December 1, 2022
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 P2004-0100A

Is N/F of
 E. Prosecco LLC
 2004-0100A

NOTE:
THIS DRAWING WAS PART OF A PREVIOUSLY APPROVED VARIANCE SUBMISSION TO THE TOWN OF INDIAN LAKE, DATED 10.05.2022.



BOAT MAINTENANCE EQUIPMENT STORAGE

DEEDED PROPERTY LINE EXTENDS 50' OFF SHORELINE

BOATHOUSE LOCATED 21'-6" OFF OF SHORE TO REACH 30" MINIMUM WATER DEPTH AT BOAT SLIPS AND AVOID NEED FOR DREDGING

INBOARD SKI BOAT SLIP WITH 30" MIN DRAFT

PADDLE AND LIFE VEST WALL STORAGE

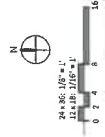
PROPOSED COVERED DOCK SLIPS ROOF EXTENDS 21' FROM FACE OF BOATHOUSE WALL. TOTAL AREA OF ENTIRE ROOF IS 1,197sf

ROLLER KAYAK AND GUIDE BOAT LAUNCH

KAYAK AND GUIDE BOAT WALL RACK STORAGE

DEEDED PROPERTY LINE AT 50' OFF SHORE

Adirondack Park Agency	FINAL	Adirondack Park Agency
P2004-0100A	RECEIVED	Date: December 1, 2022



SHEET # 10

BOATHOUSE SITE PLAN
11/23/2022

BOILLOT RESIDENCE
BLUE MOUNTAIN LAKE, NEW YORK - APA SUBMISSION

PHINNEY DESIGN GROUP
142 GRAND AVE | SARATOGA SPRINGS | PHINNEYDESIGN.COM