


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 2002-0012C</p>
<p>In the Matter of the Application of</p> <p>HOMAGE OZB, LLC Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: April 4, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Homage OZB, LLC</p>

SUMMARY AND AUTHORIZATION

This permit authorizes construction of a single family dwelling in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Johnsburg, Warren County.

This authorization shall expire unless recorded in the Warren 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 43.71± acres of land located on Garnet Lake Road in the Town of Johnsburg, Warren 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 133, Block 1, Parcel 1.2, and is described in a deed from Scott F. Hayes to Homage OZB, LLC, dated April 7, 2022, and recorded in the Warren County Clerk's Office under Book 6598, Page 255.

The project site contains wetlands associated with a stream. Additional wetlands not described herein or depicted on the Site Plans may be located on or adjacent to the project site.

The project site was created as "Lot 3" in a nine-lot subdivision authorized by Agency Permit 2002-0012.

PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of a single family dwelling on the project site. The project is shown on the following maps, plans, and reports:

- "Volpe Residence," in three sheets prepared by Winchip Engineering, PC, dated March 6, 2023, and received by the Agency on March 6, 2023 (Site Plans); and
- "A Custom Designed Home for: Matt & Alyssa Volpe" in nine sheets prepared by Williams & Williams Designers INC., dated February 13, 2023, and received by the Agency on February 15, 2023 (Dwelling Plans).

A reduced-scale copy of Page 2 of the Site Plans for the project is attached as a part of this permit for reference.

AGENCY JURISDICTION

This permit amends Conditions 5, 6 and 8 of Permit 2002-0012C.

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 Warren 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 Page 2 of the Site 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, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
4. This permit amends and supersedes Agency Permit 2002-0012 in relation to the project site. The terms and conditions of Agency Permit 2002-0012 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 2002-0012C, issued April 4, 2023, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. Any subdivision of the project site 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 the project site in the location, footprint, and height shown and as described on the Site Plans and the Dwelling Plans.

One accessory structure may be constructed within the "Proposed limits of disturbance" as depicted on the Site Plans. The accessory structure shall be no more than 23 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade. The accessory structure shall be less than 1,000 square feet in footprint, including all attached porches, decks, exterior stairs, garages, and other attached structures. Any expansion beyond these dimensions shall require prior written Agency authorization.

8. Construction of any guest cottage on the project site shall require prior written Agency approval.
9. 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 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.

10. Prior to soil disturbance, "Silt Fence" shall be installed as depicted and described on the Site Plans.
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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.
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 Garnet Lake Road or adjoining properties.

13. All exterior building materials, including roof, siding and trim, of any structure on the project site shall be a dark shade of green, grey, or brown.
14. Outside of the "Proposed Limits of Disturbance" on the portion of the project site depicted on Page 2 of the Site Plans, 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:
 - 1) An area for "Drive" improvement and utility installations, and "Required 50' X 20" Emergency Vehicle Turnout" as depicted on the Site Plans, and
 - 2) Dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
15. Outside of the "Proposed Limits of Disturbance" and inside of the "Existing Limits of Disturbance" as depicted and as described on Page 2 of the Site Plans, vegetation shall be allowed to naturally re-grow. No vegetation shall be removed within this portion of the project site without prior written Agency authorization.
16. 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 and 9 NYCRR Part 574. The Agency hereby finds that the construction of the 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 Johnsbury;
- 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; and
- 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.

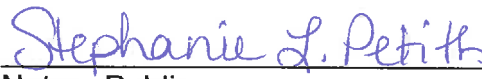
PERMIT issued this 4th day
of April, 2023.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

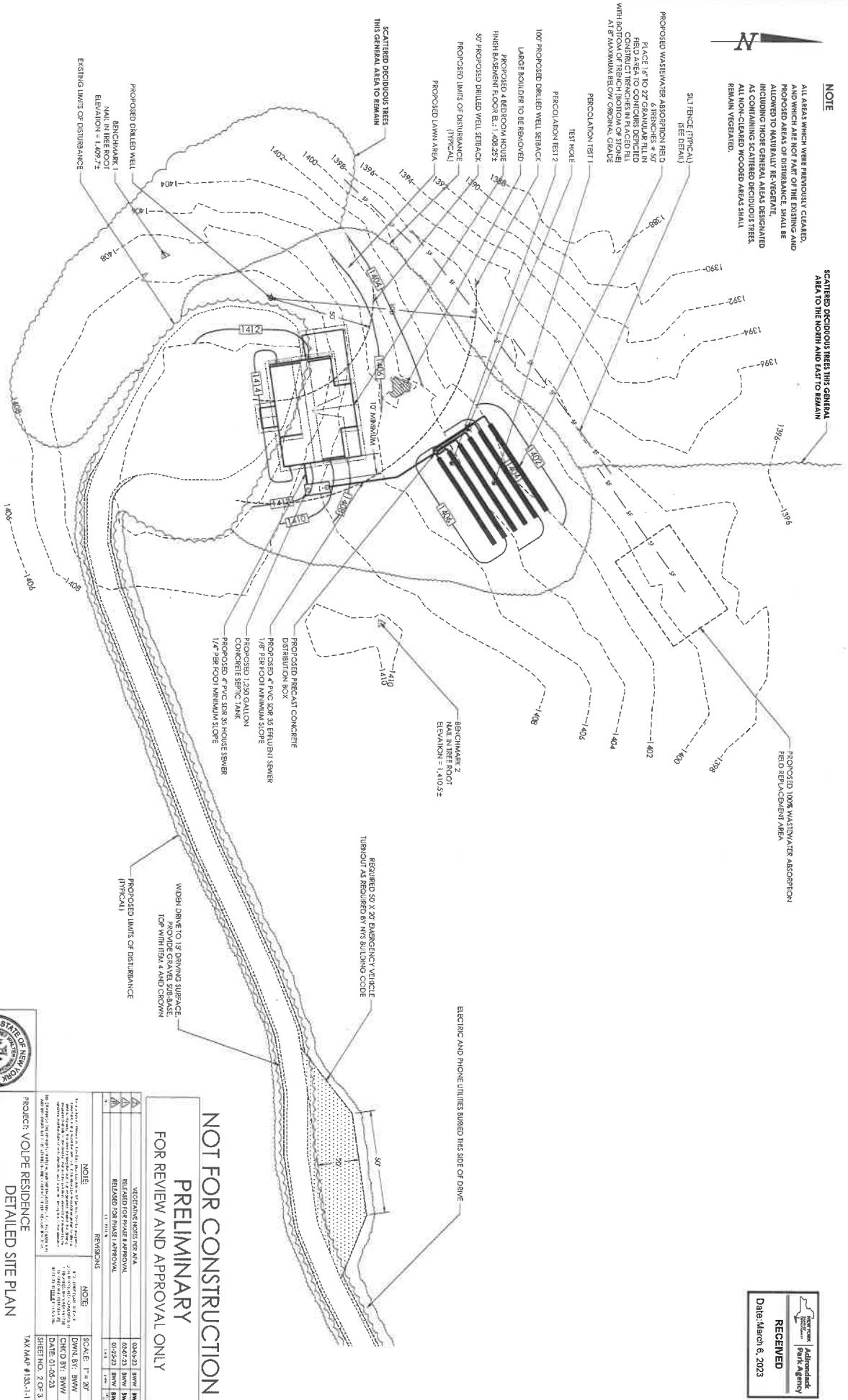
On the 4th day of April in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged 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.


Notary Public

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



NOTE
 ALL AREAS WHICH WERE PREVIOUSLY CLEARED AND WHICH ARE NOT PART OF THE EXISTING AND PROPOSED AREAS OF DISTURBANCE, SHALL BE ALLOWED TO NATURALLY RE-VEGETATE, INCLUDING THOSE GENERAL AREAS DESIGNATED AS CONTAINING SCATTERED DECIDUOUS TREES. ALL NON-CLEARED WOODED AREAS SHALL REMAIN VEGETATED.



DETAILED SITE PLAN
 1" = 20'

Adirondack Park Agency
RECEIVED
 Date: March 6, 2023

NOT FOR CONSTRUCTION
PRELIMINARY
 FOR REVIEW AND APPROVAL ONLY

STATE OF NEW YORK
 DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WINCHIP ENGINEERING
 P.O. Box 116, 35 Cottage Lane
 Chateaufort, New York 12817
 Phone: (518) 494-2355
 Fax: (518) 494-2356

PROJECT: VOLPE RESIDENCE
DETAILED SITE PLAN
 TOWN OF JOHNSBURG, WARREN COUNTY, NY

DATE: 03/23/23

NO.	REVISIONS	DATE
1	ISSUED FOR PERMIT	03/23/23
2	REVISED FOR PERMIT	03/23/23
3	REVISED FOR PERMIT APPROVAL	03/23/23

NOTE: ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS SHALL BE TO UNLESS OTHERWISE NOTED.

SCALE: 1" = 20'

PROJECT NO.: 22-064
SHEET NO.: 2 OF 3
TAX MAP #: 153-1-1-2