


THIS IS A TWO-SIDED DOCUMENT

 <p><b>NEW YORK</b> STATE OF OPPORTUNITY.</p> <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>2019-0100</b></p>
	<p>Date Issued: November 16, 2023</p>
<p>In the Matter of the Application of</p> <p><b>WARD RINEHART, BRADFORD RINEHART, AND JANICE RINEHART FREUND</b> Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and NYCRR Part 578</p>	<p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <ol style="list-style-type: none"><li><b>1. Ward Rinehart</b></li><li><b>2. Bradford Rinehart</b></li><li><b>3. Janice Rinehart Freund</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes a two-lot subdivision and construction of two single family dwellings in an area classified Moderate Intensity Use and Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Hopkinton, 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 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 St. Lawrence County Clerk's Office. The Agency will consider the project in existence when an authorized lot has been conveyed to an outside party, or when an authorized structure 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 4.10±-acre parcel of land located on Young Road in the Town of Hopkinton, St. Lawrence County, in an area classified Moderate Intensity Use and Resource Management on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 9.044, Block 1, Parcel 3, and is described in a deed from Elizabeth S. Nahas, Trustee under the Roger Brandt Declaration of Trust to Janice Rinehart Freund, Ward Rinehart, and Bradford Rinehart, dated January 24, 2018, and recorded March 26, 2018 in the St. Lawrence County Clerk's Office under Instrument Number R-2018-00003401.

The project site contains shoreline on Lake Ozonia. The project site also contains forested and emergent wetland types with a value rating of "2" located in the middle of the eastern portion of the project site. 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 a two-lot subdivision to create a 2.73±-acre lot to be improved by a single family dwelling (Lot 1), and a 1.37±-acre lot to be improved by a single family dwelling serviced by an on-site wastewater treatment system within 100 feet of wetlands (Lot 2). Both lots will contain shoreline on Lake Ozonia.

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

- A four-sheet plan titled "Site Plan, Rinehart Site," prepared by North Woods Engineering, PLLC, dated September 5, 2023 and last revised September 12, 2023 (Lot 1 Site Plan); and
- A four-sheet plan titled "Site Plan, Duffy Subdivision," prepared by North Woods Engineering, PLLC, dated November 12, 2021, and last revised March 11, 2023 (Lot 2 Site Plan).

Reduced-scale copies of the Site Plan for each lot are 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.

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to any subdivision in a Resource Management land use area in the Adirondack Park.

Pursuant to Adirondack Park Agency regulations at 9 NYCRR § 578.2, a permit is required from the Adirondack Park Agency prior to the establishment of the absorption field of any on-site wastewater treatment system within 100 feet of any wetland 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 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 a two-lot subdivision as depicted on the Project Plans. Any subdivision of the project site not depicted on the Project Plans shall require a new or amended permit.
5. The Resource Management portion of Lot 1 shall not be conveyed separately from the Moderate Intensity Use portion of Lot 1.
6. The Resource Management portion of Lot 2 shall not be conveyed separately from the Moderate Intensity Use portion of Lot 2.
7. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling and two accessory use structures on Lot 1, and one single family dwelling and two accessory structures on Lot 2, in the locations shown on the Project Plans.

The single family dwellings shall be no more than 40 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade. Any expansion beyond these dimensions shall require prior written Agency authorization.

8. This permit authorizes the establishment of a footpath on Lot 1 and Lot 2 as shown on the Project Plans. 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.
9. The undertaking of any new land use or development not authorized herein on the project site shall require prior written Agency authorization. The undertaking of any activity involving wetlands shall require a new or amended permit.

10. Construction of any guest cottage on the project site shall require prior written Agency authorization.
11. Any boathouse constructed on the project site must be used only for the storage of boats and associated equipment, not contain sanitary plumbing of any kind, not exceed a single story in that the roof rafters rest on the top plate of the first floor wall, and have a footprint of 1,200 square feet or less and a height of 15 feet or less.
12. No structures greater than 100 square feet in size shall be constructed within 50 feet, measured horizontally, of the mean high water mark of Lake Ozonia.
13. Any on-site wastewater treatment systems 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.

14. Prior to any ground disturbance, silt fence shall be installed in the locations depicted on the Site Plan and maintained until all disturbed soils are stabilized with native, non-invasive vegetation.
15. 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.
16. 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 Lake Ozonia, Young Road, or adjoining property.
17. 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.
18. Outside of the limits of clearing shown on the Site Plan, no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed on the project site 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.
19. There shall be no more than one principal building located on Lot 1 at any time. The single family dwelling authorized herein constitutes a principal building.

- 20. There shall be no more than one principal building located on Lot 2 at any time. The single family dwelling authorized herein constitutes a principal building.

**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 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 and Resource Management land use area;
- c. will be consistent with the overall intensity guidelines for the Moderate Intensity Use and Resource Management land use area;
- d. will comply with the shoreline restrictions of § 806 of the Adirondack Park Agency Act;
- 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;
- f. 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
- g. will result in minimal degradation or destruction of the wetland or its associated values, and is the only alternative which reasonably can accomplish the applicant's objectives.

PERMIT issued this 16<sup>th</sup> day of November, 2023.

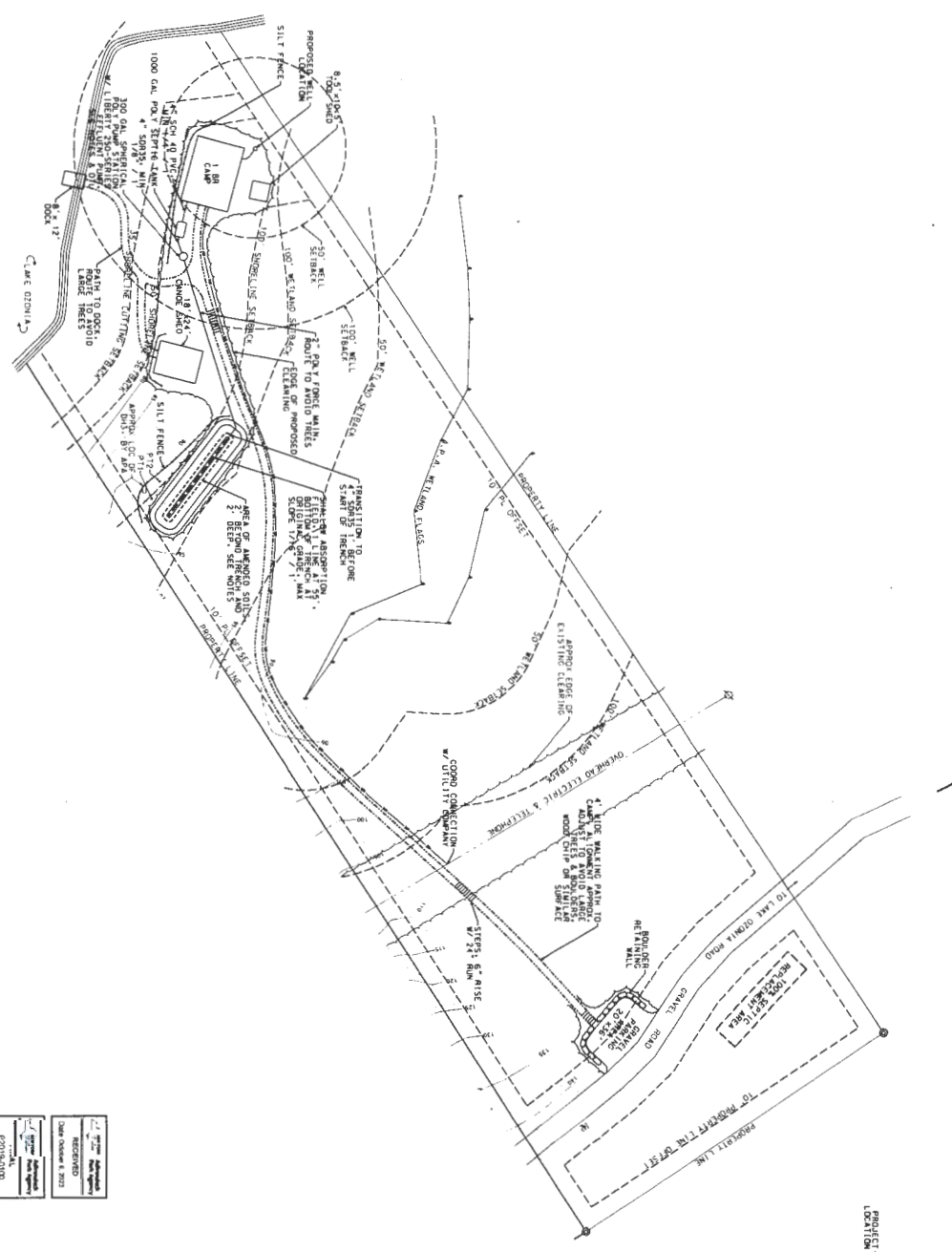
ADIRONDACK PARK AGENCY  
BY: [Signature]  
David J. Plante, AICP CEP  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 16<sup>th</sup> day of November 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.

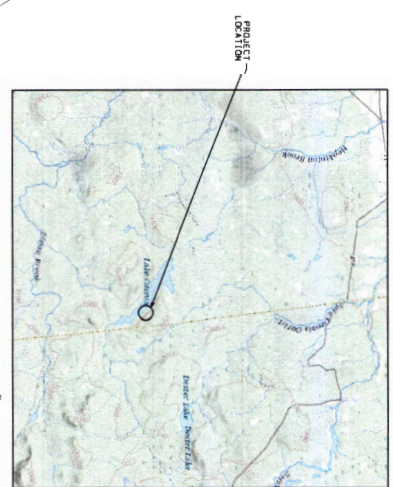
Stephanie L. Petith  
Notary Public, State of New York  
Reg. No 01PE6279890  
Qualified in Franklin County  
Commission Expires April 15, 2025

[Signature]  
Notary Public



SITE PLAN  
1" = 50'

DATE: 10/11/10	REVISION: 1
DATE: 10/11/10	REVISION: 2
DATE: 10/11/10	REVISION: 3
DATE: 10/11/10	REVISION: 4
DATE: 10/11/10	REVISION: 5
DATE: 10/11/10	REVISION: 6
DATE: 10/11/10	REVISION: 7
DATE: 10/11/10	REVISION: 8
DATE: 10/11/10	REVISION: 9
DATE: 10/11/10	REVISION: 10



PROJECT LOCATION  
N

**GENERAL NOTES**

1. SITE PLAN SHALL BE APPROVED BY LOCAL AUTHORITIES, CITY OF ALBANY, LAND USE DEPARTMENT, 100 STATE STREET, 12242 ALBANY, NY. BY NORTH WOODS ENGINEERING, P.L.L.C. (NORTH WOODS ENGINEERING, P.L.L.C. IS A REGISTERED PROFESSIONAL ENGINEERING FIRM IN THE STATE OF NEW YORK, LICENSE NO. 063188). BY E.T. WEHRS OF NORTH WOODS ENGINEERING, P.L.L.C. ON 10/27/2010.
2. PERMITS, SIGNATURES, COMMENTS TO BE FORWARDED TO THE CITY OF ALBANY.
3. CONTACT NORTH WOODS ENGINEERING, P.L.L.C. AT (518) 481-4839, MIN 2 DAYS PRIOR TO CONSTRUCTION.
4. THE PROPOSED SOIL REMEDIATION SYSTEM SHALL BE INSTALLED AND THE PROJECTOR SHALL PROVIDE ALL REQUIRED PERMITS, FOLLOW ALL REGULATORY AGENCIES, AND OBTAIN APPROVAL FROM ALL APPLICABLE AGENCIES.
5. CONTACT THE PROJECTOR FOR ANY CHANGES TO FIELD OR TANK LOCATION.
6. RESTORE ALL EXTERIOR DISTURBED AREAS, SEED TO GRASS AND MULCH.

**SOIL INFORMATION**

DEEP HOLE C (DH31)  
DEEP HOLE TEST COMPLETED BY EPA STAFF ON 12 AUGUST 2009.  
RESULTS TO BE REVIEWED BY NORTH WOODS ENGINEERING, P.L.L.C.

AMENDED SOIL SERIES: PROTEINAM  
DISTANCE TO NEAREST WATER BODY: 1100'  
DEPTH TO BEDROCK: 48'  
SLOPE: 2%  
SLOPE OF 5%  
SLOPE OF 2%

PERCOLATION TESTS COMPLETED BY E.T. WEHRS OF NORTH WOODS ENGINEERING, P.L.L.C. ON 4/27/2010:

PERCOLATION TEST 1 (PT11)	PERCOLATION TEST 2 (PT21)
TEST DEPTH = 24"	TEST DEPTH = 24"
SOIL: 0-1 MIN. 33 SEC.	SOIL: 0-1 MIN. 33 SEC.
1-2 MIN. 05 SEC.	1-2 MIN. 33 SEC.
3-4 MIN. 03 SEC.	3-4 MIN. 33 SEC.
DESIGN PERC. RATE: 1-5 MIN.	DESIGN PERC. RATE: 1-5 MIN.

SOIL: 0-1 MIN. 33 SEC.  
DESIGN PERC. RATE: 1-5 MIN.  
DESIGN PERC. RATE: 1-5 MIN.

AMENDED SOIL PERC. RATE: 8-7 MIN./IN. ASSUMED  
DESIGN PERC. RATE: 1-5 MIN.  
DESIGN PERC. RATE: 1-5 MIN.

AMENDED SOIL PERC. RATE: 8-7 MIN./IN. ASSUMED  
DESIGN PERC. RATE: 1-5 MIN.  
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AMENDED SOIL PERC. RATE: 8-7 MIN./IN. ASSUMED  
DESIGN PERC. RATE: 1-5 MIN.  
DESIGN PERC. RATE: 1-5 MIN.



PROJECT NAME  
RINEHART SITE  
LAKE OZONIA, HOPKINTON, NY

DATE: 10/11/10	ISSUED FOR: REV
DATE: 10/11/10	ISSUED FOR: REV
DATE: 10/11/10	ISSUED FOR: REV
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PROJECT NAME  
RINEHART SITE  
LAKE OZONIA, HOPKINTON, NY

LOCATION  
HOPKINTON, NY

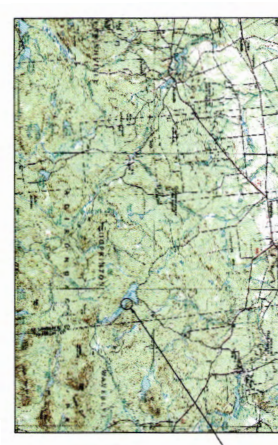
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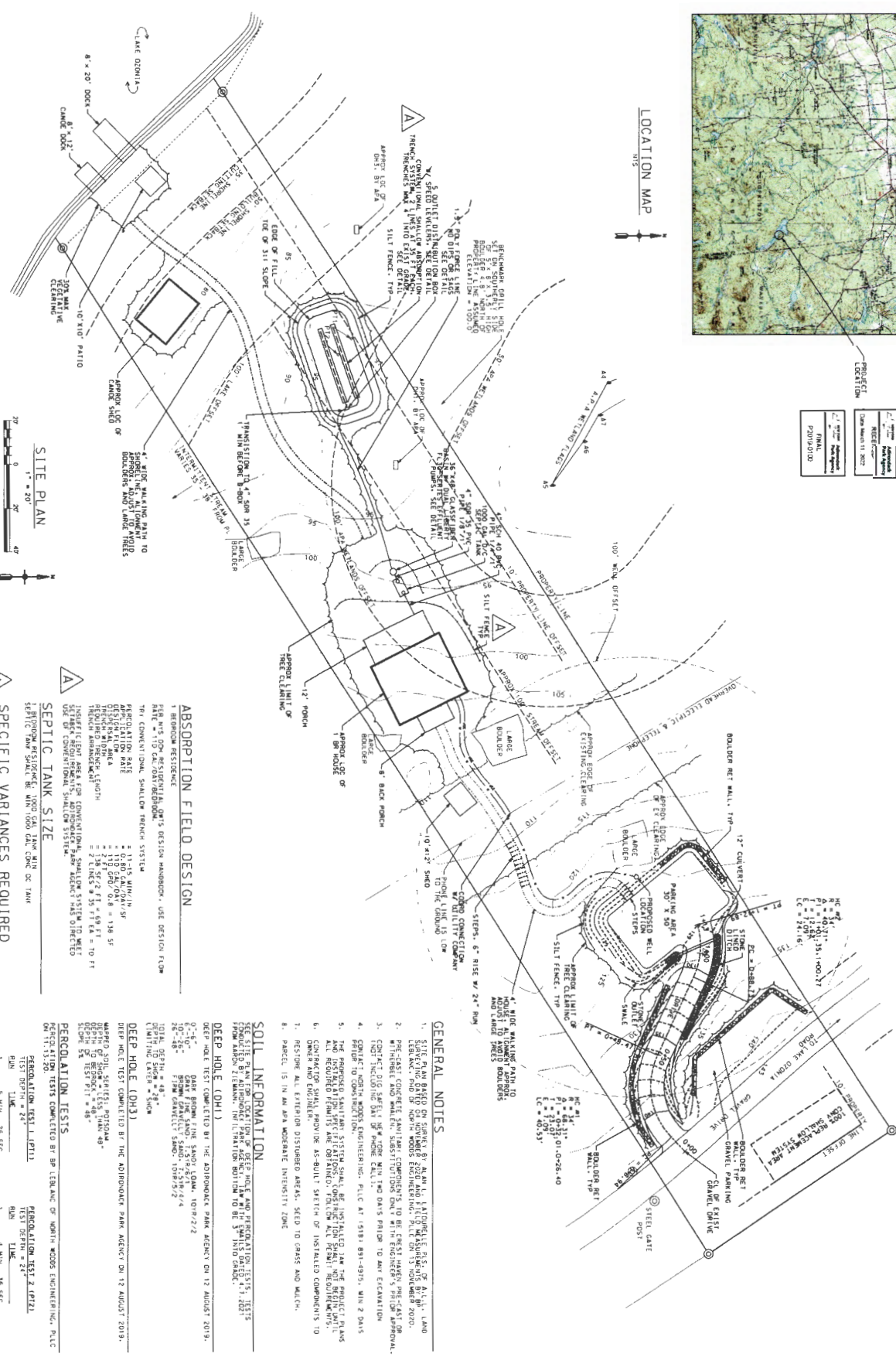
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LOCATION MAP

PROJECT NO.	2309/0100
DATE	08/20/2019
DRAWN BY	JAC
CHECKED BY	JAC
DESIGNED BY	JAC
DATE	08/20/2019



SITE PLAN  
1" = 20'

- SEPTIC TANK SIZE**
1. SEPTIC TANK SIZE - 1000 GALLON MIN
  2. SEPTIC TANK SIZE - 1200 GALLON MIN
  3. SEPTIC TANK SIZE - 1500 GALLON MIN
- SPECIFIC VARIANCES REQUIRED**
1. SEPTIC TANK SIZE - 1000 GALLON MIN
  2. SEPTIC TANK SIZE - 1200 GALLON MIN
  3. SEPTIC TANK SIZE - 1500 GALLON MIN

**ABSORPTION FIELD DESIGN**

1. HORIZONTAL RESIDENCE  
 2. 110 G.P.D./BED/DICTIONAL  
 3. TRI CONVENTIONAL, SHALLOW FRENCH SYSTEM  
 4. 110 G.P.D./BED/DICTIONAL  
 5. 110 G.P.D./BED/DICTIONAL  
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 100. 110 G.P.D./BED/DICTIONAL

**GENERAL NOTES**

1. SITE PLAN BASED ON SURVEY BY LAND SURVEYOR, NORTHERN ENGINEERING, INC. ON 11/15/2018.
2. PRE-CAST CONCRETE SEWER LINES TO BE CHECKED WITH PRE-CAST APPROVAL.
3. TYPICAL CONCRETE SEWER LINES TO BE CHECKED WITH PRE-CAST APPROVAL.
4. CONTACT NORTH WOODS ENGINEERING, P.C. AT (518) 891-9315, MIN 2 DAYS PRIOR TO CONSTRUCTION.
5. ALL REQUIRED PERMITS ARE OBTAINED; FOLLOW ALL PERMIT REQUIREMENTS.
6. CONSTRUCTION SHALL PROCEED AS-BUILT SHEET OR INSTALLED COMPONENTS TO BE SHOWN.
7. RESTORE ALL EXTERIOR DISTURBED AREAS, SEED TO GRASS AND MULCH.
8. PARCEL 15 IN AM AIA MODERATE INTENSITY ZONE.

**SOIL INFORMATION**

SEE SITE PLAN FOR LOCATION OF DEEP HOLE AND PERCOLATION TESTS. TESTS CONDUCTED BY NORTHERN ENGINEERING, P.C. ON 11/15/2018.  
 DEEP HOLE (DH1)  
 DEPTH: 10 FT  
 PERCOLATION RATE: 1.15 MIN  
 DEPTH: 20 FT  
 PERCOLATION RATE: 1.15 MIN  
 DEPTH: 30 FT  
 PERCOLATION RATE: 1.15 MIN  
 DEPTH: 40 FT  
 PERCOLATION RATE: 1.15 MIN  
 DEPTH: 50 FT  
 PERCOLATION RATE: 1.15 MIN  
 DEPTH: 60 FT  
 PERCOLATION RATE: 1.15 MIN  
 DEPTH: 70 FT  
 PERCOLATION RATE: 1.15 MIN  
 DEPTH: 80 FT  
 PERCOLATION RATE: 1.15 MIN  
 DEPTH: 90 FT  
 PERCOLATION RATE: 1.15 MIN  
 DEPTH: 100 FT  
 PERCOLATION RATE: 1.15 MIN

**PERCOLATION TESTS**

TEST NO.	DATE	PERCOLATION RATE (MIN)
1	11/15/2018	1.15
2	11/15/2018	1.15
3	11/15/2018	1.15
4	11/15/2018	1.15
5	11/15/2018	1.15
6	11/15/2018	1.15
7	11/15/2018	1.15
8	11/15/2018	1.15
9	11/15/2018	1.15
10	11/15/2018	1.15
11	11/15/2018	1.15
12	11/15/2018	1.15
13	11/15/2018	1.15
14	11/15/2018	1.15
15	11/15/2018	1.15
16	11/15/2018	1.15
17	11/15/2018	1.15
18	11/15/2018	1.15
19	11/15/2018	1.15
20	11/15/2018	1.15
21	11/15/2018	1.15
22	11/15/2018	1.15
23	11/15/2018	1.15
24	11/15/2018	1.15
25	11/15/2018	1.15
26	11/15/2018	1.15
27	11/15/2018	1.15
28	11/15/2018	1.15
29	11/15/2018	1.15
30	11/15/2018	1.15
31	11/15/2018	1.15
32	11/15/2018	1.15
33	11/15/2018	1.15
34	11/15/2018	1.15
35	11/15/2018	1.15
36	11/15/2018	1.15
37	11/15/2018	1.15
38	11/15/2018	1.15
39	11/15/2018	1.15
40	11/15/2018	1.15
41	11/15/2018	1.15
42	11/15/2018	1.15
43	11/15/2018	1.15
44	11/15/2018	1.15
45	11/15/2018	1.15
46	11/15/2018	1.15
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**DUFFY SUBDIVISION  
TOWN OF HOPKINTON, NY**

PROJECT NAME: DUFFY SUBDIVISION, TOWN OF HOPKINTON, NY  
 LOCATION: TOWN OF HOPKINTON, NY  
 DATE ISSUED: 08/20/2019  
 TOWN OF HOPKINTON, NY  
 ORIGINAL: 24"x36"

SHEET C10

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