


**THIS PERMIT AMENDS PERMIT 2019-0111, ISSUED July 2, 2021
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 style="text-align: center;">APA Project Permit 2019-0111A</p>
<p>In the Matter of the Application of</p> <p>BEULAH HEROUX, TRUSTEE OF THE "HEROUX FAMILY TRUST"</p> <p>Permittee</p> <p>For a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 577 and 9 NYCRR Part 578</p>	<p>Date Issued: December 14, 2023</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">1. Beulah Heroux2. Heroux Family Trust

SUMMARY AND AUTHORIZATION

Adirondack Park Agency Permit 2019-0111 authorized a 12-lot subdivision in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Webb, Herkimer County. This permit amends Permit 2019-0111, as conditioned below, to modify the subdivision line between Lots 8 and 10.

This authorization shall expire unless recorded in the Herkimer 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 not be undertaken or continued unless the project authorized by Permit 2019-0111 and amended herein is in existence within five years of the date the permit is recorded in the Herkimer County Clerk's Office. The Agency will consider the project in existence when an authorized lot has been conveyed to an outside party.

The amendment authorized herein is shown on a map titled "Preliminary Site Plan of Proposed Sub-Division of Lands of Heroux Family Trust Thendara – New York," prepared by William D. Hollister, PLS, and last dated November 30, 2023 (2023 Site Plan Map). A reduced-scale copy of the Site Plan Map is attached as part of this permit for easy reference. The original, full-scale map described in this paragraph is the official plan for the project, with copies available upon request from Adirondack Park Agency headquarters in Ray Brook, New York.

This permit amendment 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 amendment 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 236.46±-acre parcel of land located on State Route 28 and Sequoia Road in the Town of Webb, Herkimer County, in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 041, Block 1, Parcels 70.1 and 70.2 and Section 045, Block 1, Parcel 42. The project site is described in two deeds: a deed from Beulah Heroux (as executor of Rene Hereau) to Beulah Heroux (Trustee of the "Heroux Family Trust"), dated November 6, 2002, and recorded November 8, 2002 in the Herkimer County Clerk's Office in Book 915 at Page 611, and a deed from Rene Heroux to Dale E. Heroux and Diane K. Heroux, dated June 29, 1994, and recorded July 25, 1994 in the Herkimer County Clerk's Office in Book 816 at Page 81.

CONDITIONS

1. Condition 5 of Permit 2019-0111 is hereby amended to authorize the new configuration of Lot 8 (now 25.3± acres) and Lot 10 (now 86.1± acres). Specifically, this permit authorizes a 12-lot subdivision, 11 lots prospectively and 1 lot after-the-fact, as depicted on the 2023 Site Plan Map. Any subdivision not depicted on the 2023 Site Plan Map shall require a new or amended permit.

Condition 6 of Permit 2019-0111 is hereby amended to no longer require an easement in the deed of conveyance for Lot 8.

All other terms and conditions in Permit 2019-0111 remain in full force and effect.

2. This permit amendment shall be recorded in the Herkimer County Clerk's Office within 60 days of the date of its issuance.
3. All deeds conveying all or a portion of the lands subject to this permit shall contain references to this permit amendment as follows: "The lands conveyed are subject to Adirondack Park Agency Permit 2019-0111, issued July 2, 2021, and Adirondack Park Agency Permit 2019-0111A, issued December 14, 2023, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."

Permit Amendment issued this 14th day
of December, 2023.

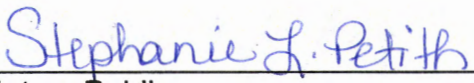
ADIRONDACK PARK AGENCY

BY: 

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 14th day of December 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

