


**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>2020-0274</b></p>
<p>In the Matter of the Application of</p> <p><b>DONALD J. KENNEDY and ANITA M. KENNEDY</b> Permittees</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:</p> <ol style="list-style-type: none"><li><b>1. Donald J. Kennedy</b></li><li><b>2. Anita M. Kennedy</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes construction of a single family dwelling in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Putnam, Washington County.

This authorization shall expire unless recorded in the Washington 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 a 77±-acre portion of Tax Map Section 13, Block 3, Parcel 1, located on Hutton Square Road in the Town of Putnam, Washington County, in an area classified Resource Management on the Adirondack Park Land Use and Development

Plan Map. The project site is described in a deed from Nina Danforth to Donald Joseph Kennedy and Anita Marie Kennedy, dated April 14, 2021, and recorded in the Washington County Clerk's Office as Instrument Number 2021-2956.

Wetlands not described herein or depicted on the Site Plans may be located on or adjacent to the project site.

The project site is the portion of the 141±-acre lot, created by a two-lot subdivision as authorized by Agency Permit 1988-0176, that is southeast of Hutton Square Road.

### **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:

- "Kennedy Residential Development," in seven sheets, prepared by Trudeau Engineering, dated January 30, 2023, and received by the Agency on January 30, 2023 (Site Plans).

A reduced-scale copy of sheets 2 and 3 of the Site Plans for the project are attached as a part of this permit for reference.

### **AGENCY JURISDICTION**

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to the construction of any single family dwelling on Resource Management lands 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 Washington 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 sheets 2 and 3 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 1988-0176 in relation to the project site. The terms and conditions of Agency Permit 1988-0176 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 2020-0274, issued April 4, 2023, 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 and one garage on the project site in the location and footprint as depicted and described on the Site Plans. All structures shall be no more than 25 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.
7. The construction of any additional dwelling or other principal building on the project site shall require a new or amended permit. The construction of any accessory structure not authorized herein on the project site shall require prior written Agency authorization.
8. No structures greater than 100 square feet in size shall be constructed within 100 feet, measured horizontally, of the mean high water mark of Lake Champlain, an established elevation of 99.8 ft above mean sea level.
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. The project shall be undertaken in compliance with the stormwater design as detailed on the Site Plans.
11. Prior to undertaking any soil disturbance on the project site, erosion and sediment controls shall be installed as detailed on the Site Plans.
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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.

13. 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 Champlain, Hutton Square Road adjoining properties.
14. 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.
15. Outside of the "Proposed Edge of Woods And Limits of Clearing" on the portion of the project site depicted on Sheet 3 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:
  - a) An area up to 12 feet in width for driveway construction and utility installations;
  - b) Trees less than 4 inches in diameter at breast height inside the "50' Filtered View of Lake" as depicted on the Site Plans; and
  - c) Dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
16. The undertaking of any activity involving wetlands shall require a new or amended permit.
17. There shall be no more than two principal building(s) located on the project site at any time. The single family dwelling authorized herein constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

### **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 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 Resource Management land use area;
- c. will be consistent with the overall intensity guidelines for the Resource Management land use area;
- d. will comply with the shoreline restrictions of § 806 of the Adirondack Park Agency Act; and
- 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.

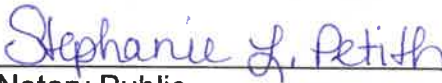
PERMIT issued this 4<sup>th</sup> day  
of April, 2023.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 4<sup>th</sup> 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

General Notes



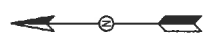
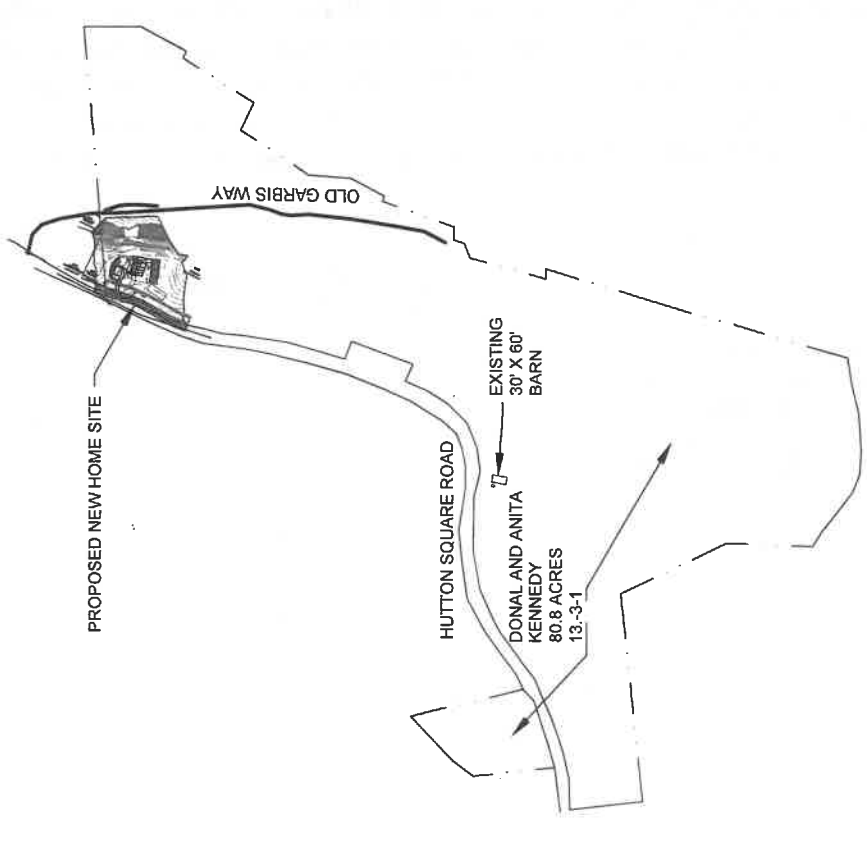
It is a violation of RRS Education Law Section 7206-2 to alter drawings, specifications, or other documents prepared by a Professional Engineer unless acting under the direction of a Licensed Professional Engineer.

No.	Revision/Notes	Date

**TRUBEAU**  
RICHARD TRUBEAU, P.E.  
25 SUNSET LANE  
PUTNAM SPRING, WA 98043  
360-301-2407

KENNEDY RESIDENTIAL  
DEVELOPMENT  
HUTTON SQUARE ROAD  
PUTNAM SPRING  
WASHINGTON COUNTY

Project No.	Sheet
22-08-016	2
Title	Drawing
01/30/2023	S-1
TITLE OVERALL SITE PLAN	



**1** OVERALL SITE PLAN  
Scale: 1" = 500'

General Notes



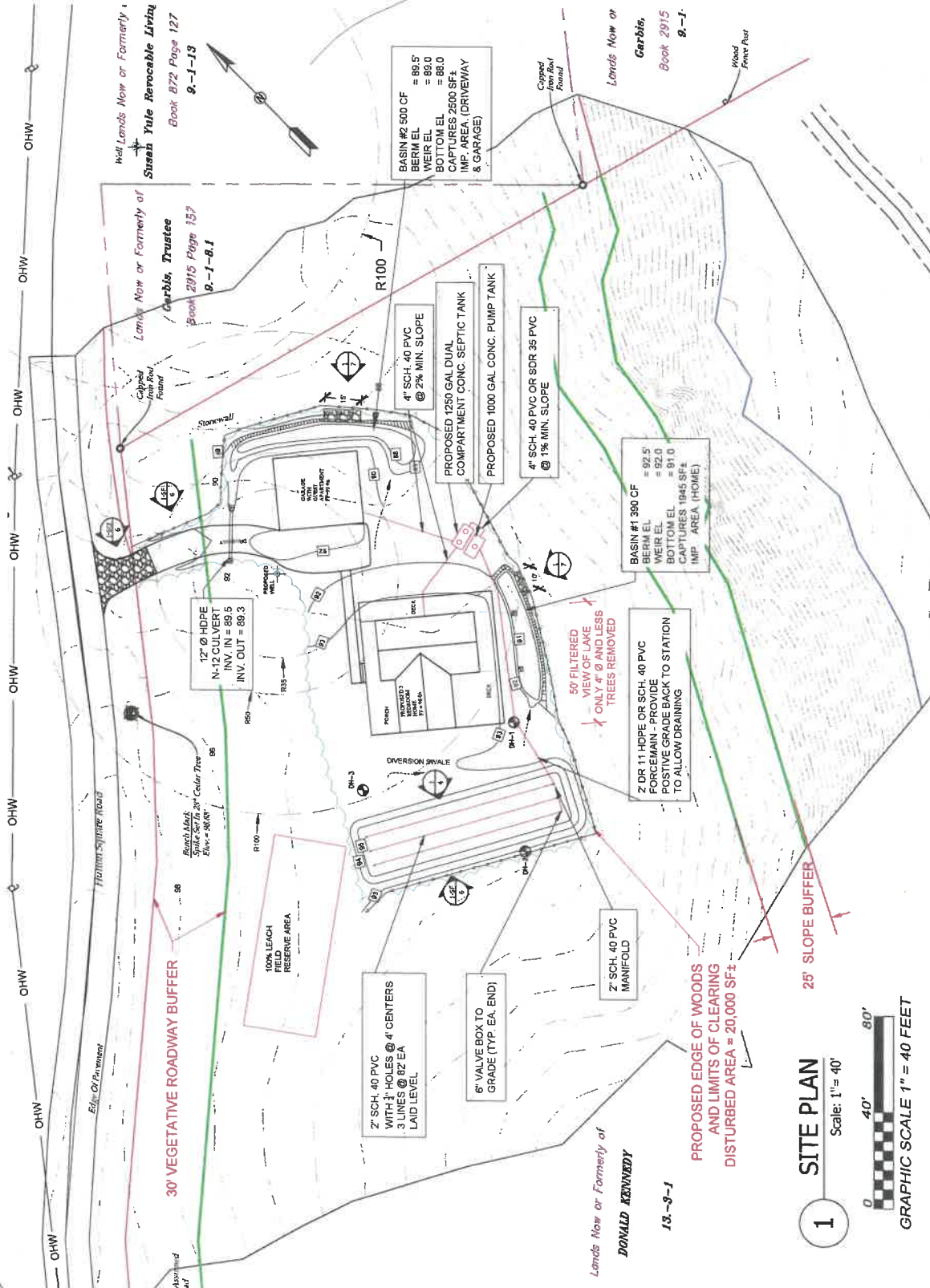
It is a violation of NYS Education Law Section 2209-2 to allow drawings to be used for the construction of any project unless called under the direction of a Licensed Professional Engineer.

No.	Revision/Issue	Date
1		

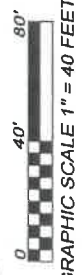
**TRUPEAU ENGINEERING**  
 22 SUNSET LANE  
 PUTNAM HAVEN, NY 12901  
 518-381-2407

KENNEDY RESIDENTIAL DEVELOPMENT  
HUTTON SQUARE ROAD  
TOWN OF PUTNAM  
WASHINGTON COUNTY

PROJECT	22-08-016	SHEET	3
DATE	01/30/2023	DRAWING	S-2
TITLE			
SITE PLAN			



**1 SITE PLAN**  
Scale: 1" = 40'



GRAPHIC SCALE 1" = 40 FEET