


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>2022-0197</b></p>
<p>In the Matter of the Application of</p> <p><b>SANTOSH PAI</b> <b>NISHA PAI</b> <b>Permittee</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: June 22, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: <b>1. Santosh Pai</b> <b>2. Nisha Pai</b></p>

**SUMMARY AND AUTHORIZATION**

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

This authorization shall expire unless recorded in the Fulton 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 Fulton County Clerk's Office. The Agency will consider the project in existence when the foundation of the single family dwelling 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 0.2±-acre parcel of land located on Mountain Lake South Shore Road in the Town of Johnstown, Fulton 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 106.16, Block 2, Parcel 6, and is described in a deed from Jeffrey Esposito to Santosh Pai and Nisha Pai, dated April 29, 2022 and recorded May 3, 2022 in the Fulton County Clerk's Office under Instrument Number 2022-74532.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves the construction of one single family dwelling and the associated on-site wastewater treatment system and on-site water supply.

The project is shown on three sheets of maps and plans prepared by ADK Engineering, PLLC, dated May 2022 and last revised March 2023 (Site and Septic Plans):

- Sheet 1 – Pai Septic, Mountain Lake South Shore Road, Gloversville, NY 12078;
- Sheet 2 – Typical Details for Residential Septic Systems; and
- Sheet 3 – Erosion and Sediment Control.

A reduced-scale copy of the Sheet 1 of the Site and Septic Plans for the project is 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 Fulton 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 the Site and Septic 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. 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 2022-0197, issued June 22, 2023, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling on the project site in the location and footprint shown and as described on the Site and Septic Plans. The single family dwelling shall be no more than 39 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 the single family dwelling shall require prior written Agency authorization.
6. There shall be no guest cottages on the project site.
7. Any on-site wastewater treatment system 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 and Septic 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.

8. The stormwater pollution prevention features and erosion and sediment controls shall be implemented and maintained in compliance with the Site and Septic Plans.
9. 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.
10. 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, toward Mountain Lake South Shore Road or adjoining property.
11. All exterior building materials, including roof, siding and trim, of the dwelling shall be a dark shade of green, grey, or brown.
12. Outside of the limit of clearing shown on the Site and Septic Plans, 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.

13. By June 1 or October 1 following construction of the single family dwelling approved herein (whichever comes first), the permittee or their successor(s) shall plant a minimum of five evergreen shrubs and/or small evergreen trees in the area between the dwelling and South Shore Road. All plantings shall be native species, of nursery stock. Any plantings which do not survive shall be replaced annually until all are established in a healthy growing condition.
14. There shall be no more than one principal building located on the project site 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 and 9 NYCRR Part 574. The Agency hereby finds that the single family dwelling 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.

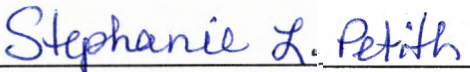
PERMIT issued this 22<sup>nd</sup> day  
of June, 2023.

ADIRONDACK PARK AGENCY

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

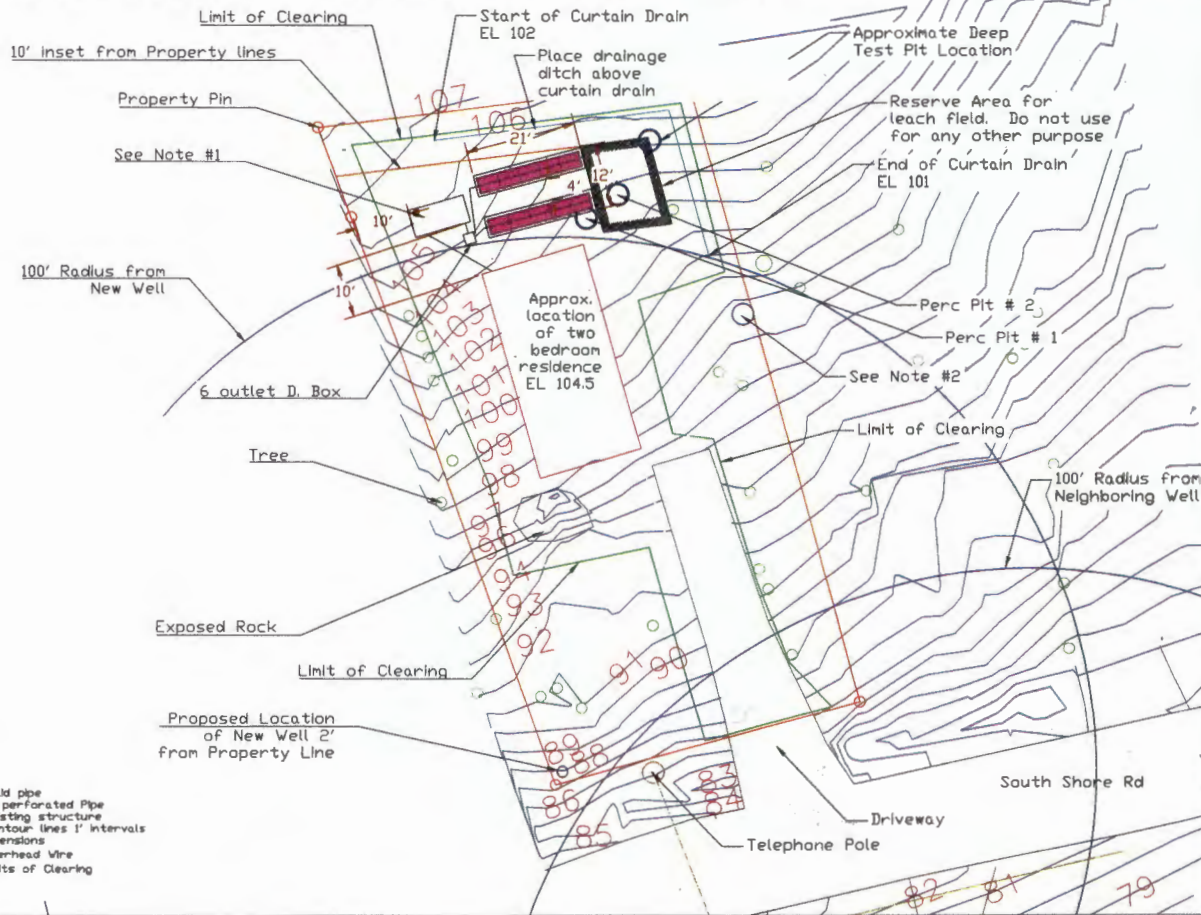
STATE OF NEW YORK  
COUNTY OF ESSEX

On the 22<sup>nd</sup> day of June 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





- Legend**
- Solid pipe
  - 4" perforated pipe
  - Existing structure
  - Contour lines 1' intervals
  - Dimensions
  - Overhead wire
  - Limits of Clearing

**Cross Section of Leach Field**



To ensure proper system operation, the system must be installed using ASTM C33 sand with less than 10% passing #100 sieve and less than 5% passing #200 sieve.

RECEIVED Date May 4, 2023	FINAL P/2023-0187
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Note # 1:

Install a new 1000 gallon Plastic IM-1060 septic tank or concrete septic tank.

Plumb all waste water (gray and black water) pipes to the septic tank.

Slope all pipes to septic tank at  $\frac{1}{8}$ " to  $\frac{1}{4}$ " per foot.

Place all tanks level.

Perc Pit Data:

Test Pit # 1  
0'- 12" Top Soil  
12"-18" loam  
with 4 minutes/inch.

Perc Pit # 2  
0'- 12" Top Soil  
12"-18" loam  
with 5 minutes/inch.

Ground water observed at 19' below grade. Use Curtain drain to control ground water

Based upon a waste generation for a two bedroom residence.

Owner to seed and mulch all disturbed areas.

Maintain a minimum of 10' from the property lines. The Owners shall identify the property lines.

Use schedule 40 PVC pipe from residence to tank and D.Box.

Two rows of 10 Eljen mats to be installed per the manufacturer's requirements.

Note # 2:

Dug well to be properly decommissioned.

General Notes

Test Pit #1  
Data

Date 9/21/22  
GPS 431047 N-74.37915  
Mapped soils Metacomb  
fine sandy loam  
Distance to nearest  
Jurisdictional wetland >  
100'  
Distance to nearest  
existing or proposed well  
>100'  
Depth to seasonal high  
ground water = 19'  
depth of test pit = 60'  
slope 12%



March 2023		
No.	Revision/Issue	Date

Prep Name and Address  
ADK Engineering,  
PLLC  
1580 US 11  
Gouverneur, NY  
13642

Project Name and Address  
Pal Septic  
Mountain Lake  
South Shore Rd.  
Gloversville, NY  
12078

Issue	Sheet
May 2022	1 of 3
Scale	3/32" = 1'