


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>2022-0253</b></p>
<p>In the Matter of the Application of</p> <p><b>JACQUELINE K. ANDERSON and JOHN R. ANDERSON</b> Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: January 5, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: <b>1. Jacqueline K. Anderson</b> <b>2. John R. Anderson</b></p>

**SUMMARY AND AUTHORIZATION**

This permit authorizes construction of a single family dwelling in an area classified Low Intensity Use and Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Northhampton, 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 County Clerk's Office. The Agency will consider the project in existence when the single family dwelling foundation is complete.

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 2.52±-acre parcel of land located on Gander Lane in the Town of Northhampton, Fulton County, in an area classified Low Intensity Use and Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 59.4, Block 1, Parcel 5, and is described in a deed from Linda D. Delatorre to Jacqueline K. Anderson and John R. Anderson, dated June 16, 2022, and recorded June 22, 2022 in the Fulton County Clerk's Office under Instrument Number 2022-75376.

The project site contains a man-made pond and wetlands, as depicted on the Site and Septic Plan referenced below. Additional wetlands not depicted on the Site Plan may be located on or adjacent to the project site.

The project site was created as a "3.8 acre Lot" in a two-lot subdivision as authorized by Agency Permit 87-84. The project site is improved by a man-made pond as authorized by Agency Permit 87-84.

## **PROJECT DESCRIPTION**

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

The project is shown on a two-sheet set of plans prepared by Hutchins Engineering PLLC, dated September 27, 2022, and last revised November 18, 2022:

- "Site Plan" sheet 292013-01-S1(Site Plan); and
- "Detail Sheet" sheet 292013-01-S2(Septic Plan).

A reduced-scale copy of the "Site Plan" for the project is attached as a part of this permit for reference.

## **AGENCY JURISDICTION**

Condition 7 of Agency Permit 87-84, issued October 16, 1987, states: "No new land use or development shall occur on the 3.8± acre parcel without prior review and approval from the Adirondack Park Agency."

## **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, Site Plan, and Septic Plan 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. This permit amends and supersedes Permit 87-84 in relation to the project site. The terms and conditions of Permit 87-84 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 2022-0253, issued January 5, 2023, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. The Low Intensity Use portion of the project site shall not be conveyed separately from the Rural Use portion.
7. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling and one detached garage on the project site in the location and footprint shown and as described on the Site Plan. The single family dwelling and detached garage shall be no more than 35 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.
8. The undertaking of any new land use or development not authorized herein on the project site shall require a new or amended permit.
9. Construction of any guest cottage on the project site shall require prior written Agency approval.
10. There shall be no boathouses on the project site.
11. The undertaking of any activity involving wetlands shall require a new or amended permit.
12. 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 Plan and Septic Plan. 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.

13. 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.
14. 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, Gander Lane, or adjoining property.
15. 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.
16. Outside of the Proposed Disturbance Limit 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 dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
17. 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 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 Rural Use and Low Intensity Use land use areas;
- c. will be consistent with the overall intensity guidelines for the Rural Use and Low Intensity Use land use areas;
- 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 5<sup>th</sup> day  
of January, 2023.


ADIRONDACK PARK AGENCY

BY:   
John M. Burth  
Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 5<sup>th</sup> day of January in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, 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, 20 25

  
Notary Public



LOCATION MAP

**SYSTEM INSTALLATION NOTES**  
 1. ALL INSTALLATIONS SHALL BE IN ACCORDANCE WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) REGULATIONS AND ALL LOCAL, STATE AND FEDERAL REGULATIONS.  
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**SYSTEM MATERIAL SPECIFICATIONS**  
 1. ALL MATERIALS SHALL BE IN ACCORDANCE WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) REGULATIONS AND ALL LOCAL, STATE AND FEDERAL REGULATIONS.  
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**SYSTEM FILL MATERIAL NOTES**  
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**WASTEWATER SYSTEM DESIGN**  
 1. ALL WASTEWATER SYSTEMS SHALL BE IN ACCORDANCE WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) REGULATIONS AND ALL LOCAL, STATE AND FEDERAL REGULATIONS.  
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**RECEIVED**  
 11/12/2022  
 11/12/2022  
 11/12/2022  
 11/12/2022

**SITE PLAN**  
 prepared for:  
 John & Jacqueline Anderson  
 131 Gower Lane  
 Town of Northampton, County of Albany, State of New York

**DIG SAFELY**  
 (518) 745-0377  
 (518) 745-0377  
 (518) 745-0377

**SITE DEVELOPMENT DATA**

TOTAL LOT AREA	10,522.4 SQ. FT.	PROPOSED IMPROVEMENT AREAS	2,885 SF
TOTAL ESTIMATED	42,218.4 SF	HOUSE	1,600 SF
HOUSE	0 SF	GARAGE	2,820 SF
GARAGE	+1,600 SF	DRIVE	0 SF
DRIVE	0 SF	DRIVEWAY	6,795 SF
DRIVEWAY	0 SF	TOTAL IMPROVEMENTS	6,795 SF
TOTAL IMPROVEMENTS	0 SF	PERCENT IMPROVEMENTS	6.2%

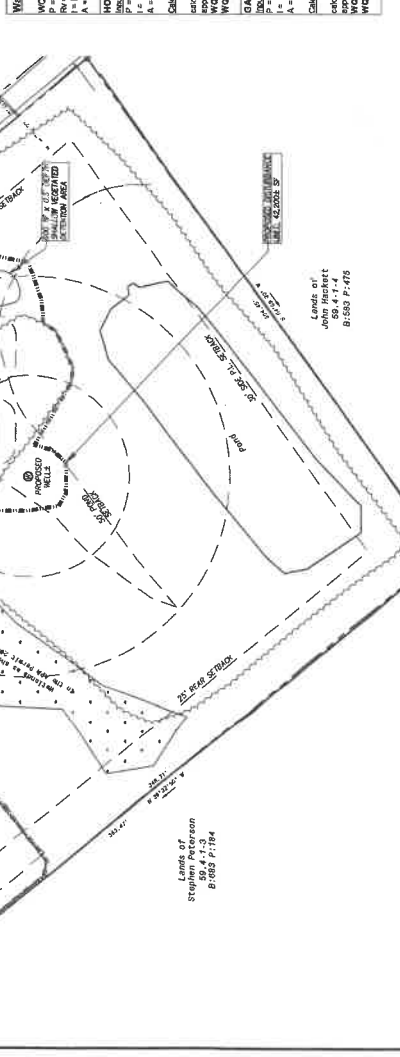
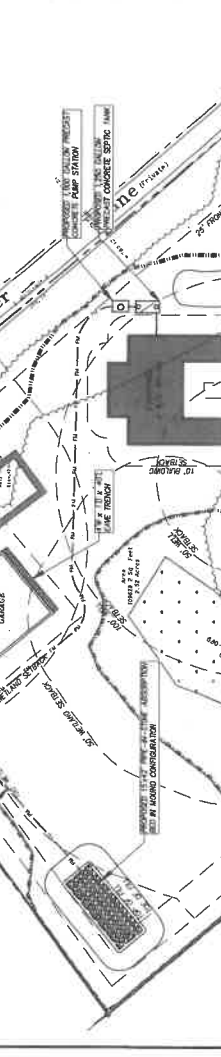
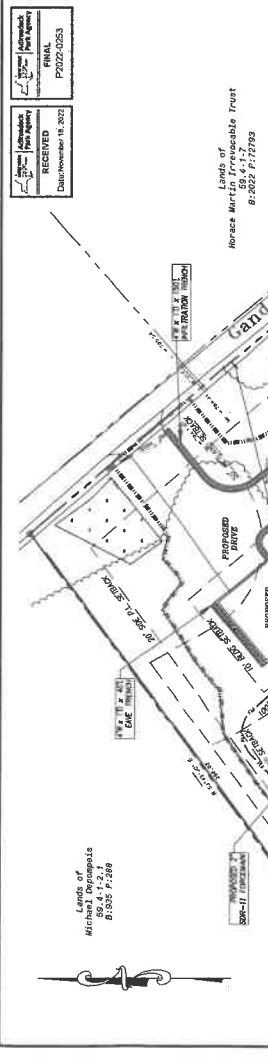
**STORMWATER MANAGEMENT PRACTICE SUMMARY**

AREA	VOLUME REDUCED (CU YD)	PERCENT REDUCED
HOUSE (2,885 SF)	225 CF	300 CF
GARAGE (1,600 SF)	132 CF	158 CF
DRIVEWAY (2,820 SF)	288 CF	345 CF
TOTAL SITE (6,795 SF)	645 CF	688 CF

**Water Quality Volume - Individual Subcatchments**

NOTE: Existing catch basins in parentheses are not considered in WQV.

AREA	WQV (CU YD)	PERCENT REDUCED
HOUSE	1.2	1.2
DRIVEWAY	1.2	1.2
GARAGE	0.8	0.8
TOTAL	3.2	3.2



**WASTEWATER SYSTEM SETBACK REQUIREMENTS**

PROPERTY LINE	10'
HOUSE	10'
WASTEWATER MAIN	10'
WELL	10'
ASSOCIATION ROAD	10'

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