


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>APA Permit 2023-0043</p>
<p>In the Matter of the Application of</p> <p>GEORGE E. PATAKI & ELIZABETH R. PATAKI Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: May 2, 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. George E. Pataki2. Elizabeth R. Pataki

SUMMARY AND AUTHORIZATION

This permit authorizes a tourist accommodation in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Essex, Essex County.

This authorization shall expire unless recorded in the Essex 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 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 292.9±-acre parcel of land located on Farm Way in the Town of Essex, Essex County, in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. The site is identified as the Resource Management portion of Tax Map Section 49.1, Block 1, Parcel 12.000, and is described in a deed from George E. Pataki to George E. Pataki and Elizabeth R. Pataki, dated November 8, 2018 and recorded in the Essex County Clerk's Office on November 14, 2018 at Book 1934 Page 111.

The project site is improved by several agriculture use structures, a pre-existing main farmhouse dwelling, a cabin used for farm worker housing, and three pre-existing single family dwellings, referred to as Pine Cottage, Bliss Cottage, and ADK House.

PROJECT DESCRIPTION

The project as conditionally approved herein involves operation of a tourist accommodation consisting of three pre-existing single family dwellings (Pine Cottage, Bliss Cottage, and ADK House).

The project is shown on the following Project Plans:

- Un-titled, un-dated single sheet annotated site plan, prepared by Heather Maxey and received by the Agency on January 11, 2023 (Site Plan); and
- Un-titled, un-dated single sheet occupancy report, prepared by Heather Maxey and received by the Agency on March 20, 2023 (Occupancy Report).

A reduced-scale copy of the Site Plan 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 establishment of any tourist accommodation 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 Essex 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, for as long as the tourist accommodation continues on the site. 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. 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 2023-0043, issued May 2, 2023, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. This permit authorizes the undertaking of a tourist accommodation consisting of the three single family dwelling shown on the Site Plan and as described in the Occupancy Report. Any change to the location or occupancy of the tourist accommodation shall require prior written Agency authorization.
6. Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, the construction of any dwelling or other principal building on the project site shall require a new or amended permit. The undertaking of any activity involving wetlands also requires a new or amended permit.
7. Prior to any increase in occupancy of any of Pine Cottage, Bliss Cottage, or ADK House or future replacement of any of on-site wastewater treatment system associated with the tourist accommodation, written authorization shall be obtained from the Agency for plans prepared by a New York State design professional (licensed engineer or registered architect). The on-site wastewater treatment system(s) plans shall comply with the Agency's Project Guidelines for Residential On-Site Wastewater Treatment, and with Agency standards in 9 NYCRR Appendix Q-4.
8. Any new free-standing or building-mounted outdoor lights associated with the tourist accommodation on the project site shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Lake Champlain or Lake Shore Road.
9. All signs associated with the tourist accommodation on the project site shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3].


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 project 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 2nd day of may, 2023.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 2nd day of may 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


Notary Public



↓
 Pine Cottage
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 Bliss Cottage
 ↓
 Adk House

NEW YORK STATE OF OPPORTUNITY
 Adirondack Park Agency
RECEIVED
 Date: January 11, 2023

NEW YORK STATE OF OPPORTUNITY
 Adirondack Park Agency
FINAL
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