


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 2023-0088</p>
<p>In the Matter of the Application of</p> <p>WILLIAM DORR, KEVIN DORR, MATTHEW DORR, ERIC DORR, THOMAS DORR, GREG DORR Permittees</p> <p>for a permit pursuant to 9 NYCRR Part 577</p>	<p>Date Issued: August 8, 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. William Dorr2. Kevin Dorr3. Matthew Dorr4. Eric Dorr5. Thomas Dorr6. Greg Dorr

SUMMARY AND AUTHORIZATION

This permit authorizes construction of a cabin in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Arietta, Hamilton County.

This authorization shall expire unless recorded in the Hamilton 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 Hamilton County Clerk's Office. The Agency will consider the project in existence when an authorized lot has been conveyed to an outside party.

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 33.6-acre parcel of land located on Powley in the Town of Arietta, Hamilton 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 150, Block 1, Parcel 12, and is described in a deed from Bernard Scott Preston and James Bernier to William Dorr, Kevin Dorr, Matthew Dorr, Eric Dorr, Thomas Dorr and Geg Dorr, dated December 9, 2005, and recorded December 26, 2005 in the Hamilton County Clerk's Office at Book 235, Page 496.

The project site is located within the designated East Canada Creek Scenic River area.

PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of a new 16-foot by 20-foot cabin that is 18 feet in height, with an associated pit privy and footpath.

The project is shown on the following plans:

- A one-page map titled "Dorr Cabin," dated July 16, 2023 (Site Plan); and
- A one-page plan titled "Dorr Pivy," dated July 16, 2023 (Septic Plan).

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

AGENCY JURISDICTION

Pursuant to Adirondack Park Agency regulations at 9 NYCRR Part 577, a permit is required from the Adirondack Park Agency prior to any new land use or development on Resource Management lands within any designated scenic river area 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 Hamilton 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 Site 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, Wild, Scenic and Recreational Rivers System 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 2023-0088, issued August 8, 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 a 16-foot by 20-foot cabin that is 18 feet in height with an associated pit privy and footpath on the project site in the location shown on the Site Plan. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.
6. This permit authorizes the establishment of a footpath between Powley Road and the hunting and fishing cabin as shown on the Site Plan. This footpath shall be no greater than 6 feet in width and shall have a surface comprised of natural vegetation, grass, natural or synthetic mulch, pea stone, or permeable pavers.
7. The undertaking of any new land use or development not authorized herein on the project site shall require a new or amended permit.
8. Pursuant to the Adirondack Park Agency Act and Agency regulations implementing the Wild, Scenic and Recreational Rivers System Act, new structures are prohibited within 250 feet, measured horizontally, of the mean high water mark of the East Canada Creek.

Docks as defined under 9 NYCRR §570.3 and the Town of Arietta land use code are excepted from this requirement. Fences, poles, lean-tos, and bridges are also excepted from this requirement, except that no fence, pole, lean-to, or bridge greater than 100 square feet in size may be located within 100 feet of the mean high water mark.

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 Septic Plan.
10. 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.
11. 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 East Canada Creek, Powley Road or adjoining property.

12. Within 100 feet of the mean high water mark of East Canada Creek, 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 1) an area up to 6 feet in width, to allow for the establishment of a footpath as described above, and 2) dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.

CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision authorized as conditioned herein:

- a. will meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Arietta;
- b. 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;
- c. will be consistent with the purposes and policies of the Wild, Scenic and Recreational Rivers System Act;
- d. will comply with the restrictions and standards of 9 NYCRR § 577.6; and
- e. will not cause an undue adverse impact upon the natural, scenic, aesthetic, ecological, botanical, fish and wildlife, historic, cultural, archeological, scientific, recreational or open space resources of the river area, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived therefrom.

PERMIT issued this 8th day
of August, 2023.

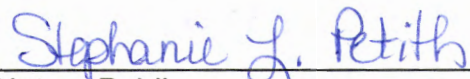
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 8th day of August 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

DORR CABIN

JULY 16, 2023



RECEIVED
Date: July 21, 2023



FINAL
P2023-0088

