


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>2023-0114</b></p>
<p>In the Matter of the Application of</p> <p><b>RUSSELL N. OLSEN, CARMELA M. OLSEN PAUL E. ALLEN, CARRIANN GREXA-ALLEN Permittees</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: June 29, 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. Russell N. Olsen</b></li><li><b>2. Carmella M. Olsen</b></li><li><b>3. Paul E. Allen</b></li><li><b>4. Carriann Grexa-Allen</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes a two-lot subdivision in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Lake Pleasant, 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 comprised of 104.5 acres located on Page Street in the Town of Lake Pleasant, Hamilton County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 113.009, Block 1, Parcels 3.100 and 28, and is described in the following deeds:

- from Russell N. Olsen to Russell N. Olsen and Carmela M. Olsen, dated September 21, 2022, and recorded September 27, 2022 in the Hamilton County Clerk's Office under Instrument Number 2022-1319; and
- from Brian Olson to Paul E. Allen and Carriann Grexa-Allen, dated January 11, 2009, and recorded January 8, 2009 in the Hamilton County Clerk's Office under Book 246 of Deeds at Page 294.

Tax Map Parcel 113.009-1-3.100 contains wetlands along the shoreline of Echo Lake and along the western boundary on the shoreline side of Page Street. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

Tax Map Parcel 113.009-1-28 is improved by a circa 2018 single family dwelling with related development.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves a two-lot subdivision of tax parcel 113.009-1-3.100 creating a 93.911-acre vacant shoreline lot (Lot 1) and a 9.99-acre vacant non-shoreline lot (Lot 2). Lot 2 will be merged with 0.61 acre adjoining tax parcel 113.009-1-28, resulting in a 10.6 acre lot improved by the circa 2018 sfd.

The project is shown on a map titled "Survey Map And Subdivision Of Lands Of Russell & Carmella Olsen Living Trust," prepared by Ferguson & Foss Professional Land Surveyors, and dated May 18, 2023 (Site Plan). A reduced-scale copy of a portion 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 and Adirondack Park Agency regulations at 9 NYCRR Part 578, a permit is required from the Adirondack Park Agency prior to any subdivision involving wetlands 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, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
4. Subject to the conditions stated herein, this permit authorizes a two-lot subdivision as depicted on the Site Plan. Any subdivision of the project site not depicted on the Site Plan shall require prior written Agency authorization.
5. Within 30 days of conveyance of Lot 2, a new deed shall be filed in the Hamilton County Clerk's office describing Lot 2 and Tax Map Parcel 113.009-1-28 as a single, un-divided lot.
6. Any deed of conveyance for Lot 2 as depicted on the Site Plan shall contain an easement providing access to Lot 1 in the location of the Roadway as shown on the Site Plan.
7. Any boathouse constructed on the project site must be used only for the storage of boats and associated equipment, not contain sanitary plumbing of any kind, not exceed a single story in that the roof rafters rest on the top plate of the first floor wall, and have a footprint of 1200 square feet or less and a height of 15 feet or less.
8. Any dock constructed on the project site must be a floating or fixed structure no more than eight feet in width, including at its attachment to a shoreline or boathouse, and must be used for securing and/or loading or unloading water craft and/or for swimming or water recreation. Any supporting structure established to hoist or suspend the dock above water level for storage must be no greater than 100 square feet in size, including all parts. A dock stored above water level must remain parallel with the water, unless the dock and supporting structure combined measure less than 100 square feet in size.
9. Installation of any on-site wastewater treatment system on Lot 2 shall require prior written Agency approval.
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. The undertaking of any activity involving wetlands shall require a new or amended permit.
12. There shall be no more than 72 principal building(s) located on Lot 1. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
13. There shall be no more than nine principal buildings located on the merged property comprised of Lot 2 and Tax Map Parcel 113.009-1-28 at any time. The single family dwelling constructed on the property in 2018 constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

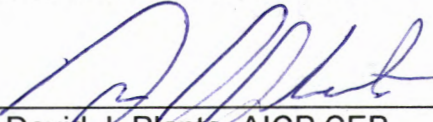
### **CONCLUSIONS OF LAW**

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, 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 Moderate Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Moderate Intensity Use land use area;
- d. will comply with the shoreline restrictions of § 806 of the Adirondack Park Agency Act;
- 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;
- f. will secure the natural benefits of wetlands associated with the project, consistent with the general welfare and beneficial economic, social, and agricultural development of the state; and
- g. will be compatible with preservation of the entire wetland and will not result in degradation or loss of any part of the wetland or its associated values.

PERMIT issued this 29<sup>th</sup> day  
of June, 2023.

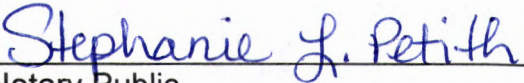
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 29<sup>th</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.

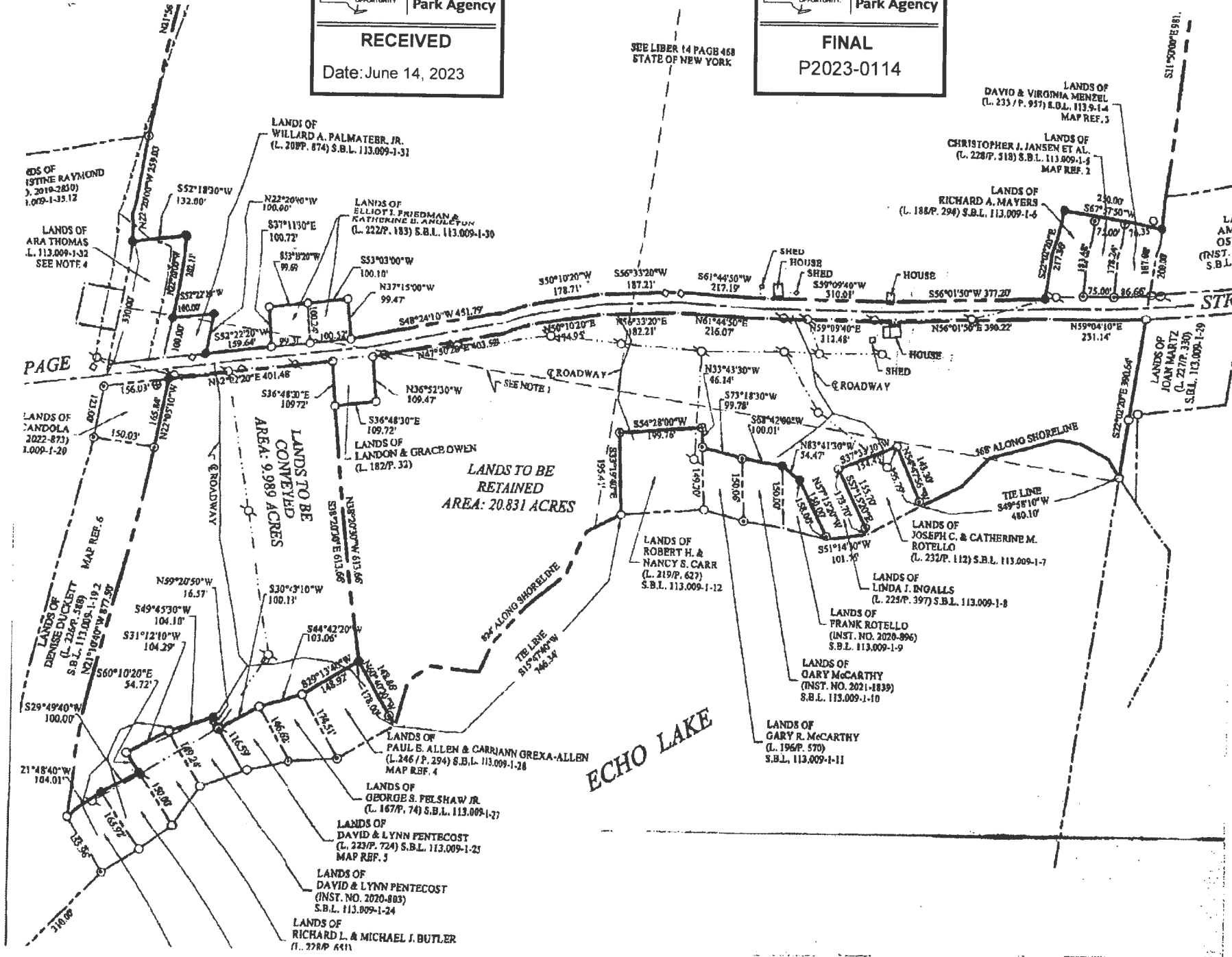
Stephanie L. Petith  
Notary Public, State of New York  
Reg. No 01PE6279890  
Qualified in Franklin County  
Commission Expires April 15, 2025

  
Notary Public

NEW YORK STATE OF OPPORTUNITY  
**Adirondack Park Agency**  
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Date: June 14, 2023

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