


THIS IS A TWO-SIDED DOCUMENT

 <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 2023-0121</p>
<p>In the Matter of the Application of</p> <p>LEAVITT FARMS, INC. Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: July 3, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Leavitt Farms, Inc.</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision and construction of two single family dwellings in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Brighton, Franklin County.

This authorization shall expire unless recorded in the Franklin 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 Franklin 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 6.74-acre parcel of land located on Tansy Lane in the Town of Brighton, Franklin 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 397, Block 3, Parcel 14, and is described in a deed from Arthur Leavitt and Robert Leavitt doing business as Leavitt Brothers to Leavitt Farms, Inc., dated March 30, 2006, and recorded April 10, 2006 in the Franklin County Clerk's Office at Book 912, Page 127.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of the project site to create:

- Lot 13, a vacant 3.37-acre lot to be improved by a new single family dwelling with attached garage and related development; and
- Lot 14, a vacant 3.37-acre lot to be improved by a new single family dwelling with detached garage and related development.

The project is shown on the following maps, plans and reports: a three-sheet plan set titled "Deer Meadows Subdivision Septic," prepared by Northwoods Engineering PLLC, dated February 8, 2022 (Septic Plan). A reduced-scale copy of Sheet C10 of the Septic Plan (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 any subdivision that results in the creation of fifteen or more lots, parcels, or sites since May 22, 1973, in a Moderate Intensity Use land use 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 Franklin 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. 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 2023-0121, issued July 3, 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 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.
6. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling with attached garage on Lot 13 and one single family dwelling with attached garage on Lot 14 in the locations and footprints shown on the Site Plan. The dwellings shall be no more than 24 feet in height as measured from the highest point on the structure, to the lower of either existing or finished grade.
7. Prior to commencement of construction of any dwelling on the project site, written approval shall be obtained from the Agency for a planting plan for the partial screening of the dwelling. The planting plan shall be implemented as described in the plan.
8. Construction of any guest cottage on the project site shall require prior written Agency approval.
9. Any on-site wastewater treatment systems 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. 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.

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 Tansy Lane, NYS Route 86 or adjoining property.
12. 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.

13. There shall be no more than one principal building located on Lot 13 at any time. The single family dwelling authorized herein constitutes a principal building.
14. There shall be no more than one principal building located on Lot 14 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, the Freshwater Wetlands 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 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; 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 3rd day
of July, 2023.

ADIRONDACK PARK AGENCY

BY: _____



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

STATE OF NEW YORK
COUNTY OF ESSEX

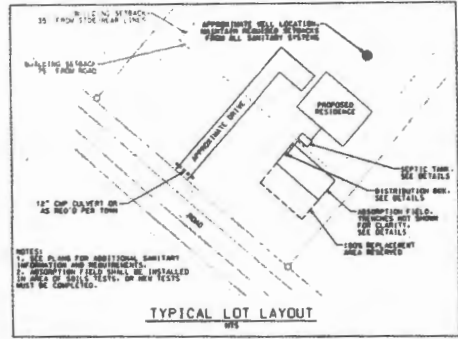
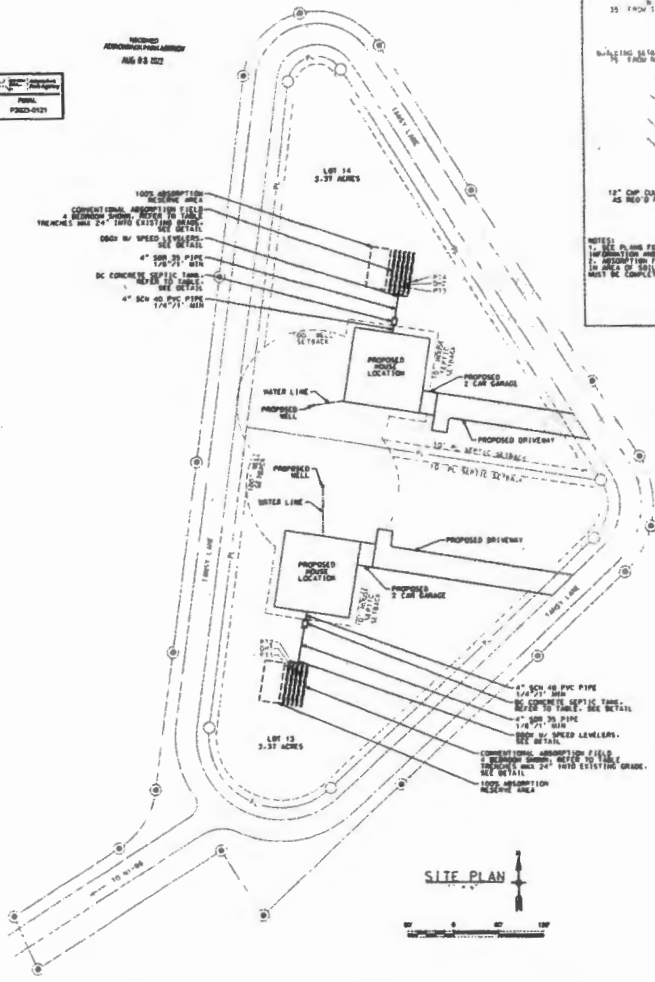
On the 3rd day of July in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged 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

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

RECORD DRAWING PROGRAMMER
 AUG 03 2012

Form
 P3223-0121



MINIMUM REQUIRED ABSORPTION FIELD TRENCH LENGTH

LOT	DESIGN FLOW (GPD)	DESIGN TIME (HRS)	1 BEDROOM MIN. TRENCH LENGTH (3 LINES @ 24" EA)	2 BEDROOMS MIN. TRENCH LENGTH (4 LINES @ 24" EA)	3 BEDROOMS MIN. TRENCH LENGTH (5 LINES @ 24" EA)	4 BEDROOMS MIN. TRENCH LENGTH (6 LINES @ 24" EA)	5 BEDROOMS MIN. TRENCH LENGTH (7 LINES @ 24" EA)
12	11-15	COMB	3 LINES @ 24" EA	4 LINES @ 24" EA	5 LINES @ 24" EA	6 LINES @ 24" EA	7 LINES @ 24" EA
13	11-15	COMB	3 LINES @ 24" EA	4 LINES @ 24" EA	5 LINES @ 24" EA	6 LINES @ 24" EA	7 LINES @ 24" EA

GENERAL NOTES

1. SEE PLAN APPROVED BY NYSDOH AND FILED WITH THE COUNTY ENGINEER, P.L.C. AT 1516 50TH ST., NEW YORK, NY 10018 FOR REVIEW AND APPROVAL.
2. PROVIDE COMPLETE SANITARY COMPONENTS TO BE INSTALLED AS SHOWN ON THIS PLAN AND SHALL BE VERIFIED BY THE COUNTY ENGINEER'S OFFICE PRIOR TO CONSTRUCTION.
3. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS PRIOR TO ANY CONSTRUCTION.
4. LOCATE NORTH WOODS ENGINEERING, P.L.C. AT 1516 50TH ST., NEW YORK, NY 10018 FOR REVIEW AND APPROVAL.
5. THE PROPOSED SEPTIC SYSTEM SHALL BE INSTALLED IN THE PROPOSED HOUSE AND SHALL BE VERIFIED BY THE COUNTY ENGINEER'S OFFICE PRIOR TO CONSTRUCTION.
6. NOTIFY AGENCIES OF ANY CHANGES TO HOME LOCATIONS. VERIFICATION OF EQUIPMENT SHALL BE PROVIDED TO HOME LOCATIONS.
7. CONTRACTOR SHALL PROVIDE A DETAILED SKETCH OF INSTALLED OR LOCATED COMPONENTS TO OWNER AND ARCHITECT.
8. REMOVE ALL EXISTING DISBURSED AREAS. REED TO GRASS AND MOW.

DESIGN FLOW NOTES

DESIGN FLOW BASED ON THE USE OF THE FOLLOWING ASSUMPTIONS:
 1. 150 GPD PER PERSON PER DAY.
 2. 50% OF THE DESIGN FLOW SHALL BE USED FOR THE SEPTIC SYSTEM.
 3. THE SEPTIC SYSTEM SHALL BE INSTALLED IN THE PROPOSED HOUSE AND SHALL BE VERIFIED BY THE COUNTY ENGINEER'S OFFICE PRIOR TO CONSTRUCTION.

DEEP HOLE (DHI)

DEEP HOLE TEST COMPLETED BY S. CECILIAN FROM ARCHITECTURE PARTNERSHIP ON 07/15/10.

DEPTH TO BEDROCK = GREATER THAN 72
 DEPTH TO SAND = GREATER THAN 48

DEEP HOLE (DSI)

DEEP HOLE TEST COMPLETED BY S. CECILIAN FROM ARCHITECTURE PARTNERSHIP ON 07/15/10.

DEPTH TO BEDROCK = GREATER THAN 72
 DEPTH TO SAND = GREATER THAN 48

PERCOLATION TESTS

PERCOLATION TESTS CONDUCTED BY ENR BALLTOWN OF NORTH WOODS INDICATING RATE ON 06/08/2010.

PERCOLATION TEST 1 (PT1)		PERCOLATION TEST 2 (PT2)	
TIME	PERCENTAGE	TIME	PERCENTAGE
1	100%	1	100%
2	100%	2	100%
3	100%	3	100%
4	100%	4	100%
5	100%	5	100%
6	100%	6	100%
7	100%	7	100%
8	100%	8	100%
9	100%	9	100%
10	100%	10	100%
11	100%	11	100%
12	100%	12	100%

PERC RATE 20-25 MIN
 PERC RATE 8-10 MIN

NYSDOH DEPARTMENT OF HEALTH REALTY SUBDIVISION CONDITIONS OF APPROVAL

1. THAT THE PROPOSED FACILITIES FOR SEWER SERVICE AND SEWER COLLECTION ARE INSTALLED IN ACCORDANCE WITH THE STATE PLANS.
2. THAT NO LOT OR PARCEL SHALL BE ABANDONED WITHOUT A PERMIT FOR ABANDONMENT FROM THE COUNTY ENGINEER.
3. THAT THE SEWERAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE STATE PLANS AND THE COUNTY ENGINEER'S OFFICE PRIOR TO CONSTRUCTION.
4. THAT THE PUBLIC WATER SUPPLY LINE SHALL BE INSTALLED IN ACCORDANCE WITH THE STATE PLANS AND THE COUNTY ENGINEER'S OFFICE PRIOR TO CONSTRUCTION.
5. THAT THE SEWERAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE STATE PLANS AND THE COUNTY ENGINEER'S OFFICE PRIOR TO CONSTRUCTION.
6. THAT THE SEWERAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE STATE PLANS AND THE COUNTY ENGINEER'S OFFICE PRIOR TO CONSTRUCTION.
7. THAT THE SEWERAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE STATE PLANS AND THE COUNTY ENGINEER'S OFFICE PRIOR TO CONSTRUCTION.
8. THAT THE SEWERAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE STATE PLANS AND THE COUNTY ENGINEER'S OFFICE PRIOR TO CONSTRUCTION.
9. THAT THE SEWERAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE STATE PLANS AND THE COUNTY ENGINEER'S OFFICE PRIOR TO CONSTRUCTION.
10. THAT THE SEWERAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE STATE PLANS AND THE COUNTY ENGINEER'S OFFICE PRIOR TO CONSTRUCTION.