


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 2023-0201</p>
<p>In the Matter of the Application of</p> <p>JANE N. BACON RALPH L. STUMP REBECCA L. STUMP Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: November 17, 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. Jane N. Bacon2. Ralph L. Stump3. Rebecca L. Stump

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of North Elba, 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 Essex County Clerk's Office. The Agency will consider the project in existence when the authorized lot has been merged with the adjoining lot.

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 3.67-acre parcel of land (Parcel 16) and a 2.0-acre parcel of land (Parcel 17). Both are located on NYS Route 73 in the Town of North Elba, Essex County, in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. The sites are identified as Tax Map Section 52.1, Block 1, Parcels 16 & 17. Parcel 16 is described in a deed from Jane N. Bacon to Jane N. Bacon, dated May 26, 2020, and recorded May 28, 2020 in the Essex County Clerk's Office at Book 1989, Page 190. Parcel 17 is described in a deed from W. Terry Horrocks to Ralph L. Stump and Rebecca L. Stump, dated October 13, 1989, and recorded October 16, 1989 in the Essex County Clerk's Office at Book 953, Page 159.

Parcel 16 is improved by a pre-existing single family dwelling. Parcel 17 is improved by a pre-existing mobile home. The project site is partially located within one-eighth mile of the Sentinel Range wilderness area and is partially located within 300 feet of NYS Route 73.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of Parcel 16 to create a 2.30-acre lot and a 1.37-acre lot to be merged with Parcel 17 to create a 3.37-acre lot.

The project is shown on a map entitled "Map of Survey Showing Boundary Line Adjustment Between Jane N. Bacon And Ralph L. Stump Rebecca L. Stump," prepared by Robert M. Marvin, Jr., and dated September 25, 2023 (Site Plan). 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 any subdivision in a Resource Management land use area in the Adirondack Park.

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 of Resource Management lands within 300 feet of the edge of the right-of-way of any state highway 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. 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 2023-0201, issued November 17, 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 a new or amended permit.
6. Within 30 days of conveyance of the 1.37-acre lot, a new deed shall be filed in the Essex County Clerk's office describing the 1.37-acre lot and Parcel 17 as a single, un-divided property. Any future subdivision of this un-divided property shall require a new or amended permit.
7. The undertaking of any new land use or development on the project site within 300 feet of the right of way of Rte. 73 or within one-eighth mile of the Sentinel Wilderness shall require a new or amended permit.
8. There shall be no principal buildings located on Parcel 16 other than the pre-existing single family dwelling or any replacement structure for this dwelling as allowed by Agency regulations.
9. There shall be no principal buildings located on the merged property comprised of the 1.37-acre lot and Parcel 17 other than the pre-existing mobile home or any replacement structure for this dwelling as allowed by Agency regulations.

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 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 17th day
of November, 2023.

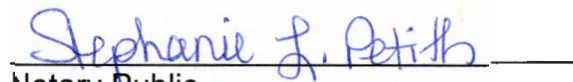
ADIRONDACK PARK AGENCY

BY: _____

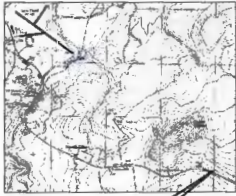

David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 17th day of November 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.

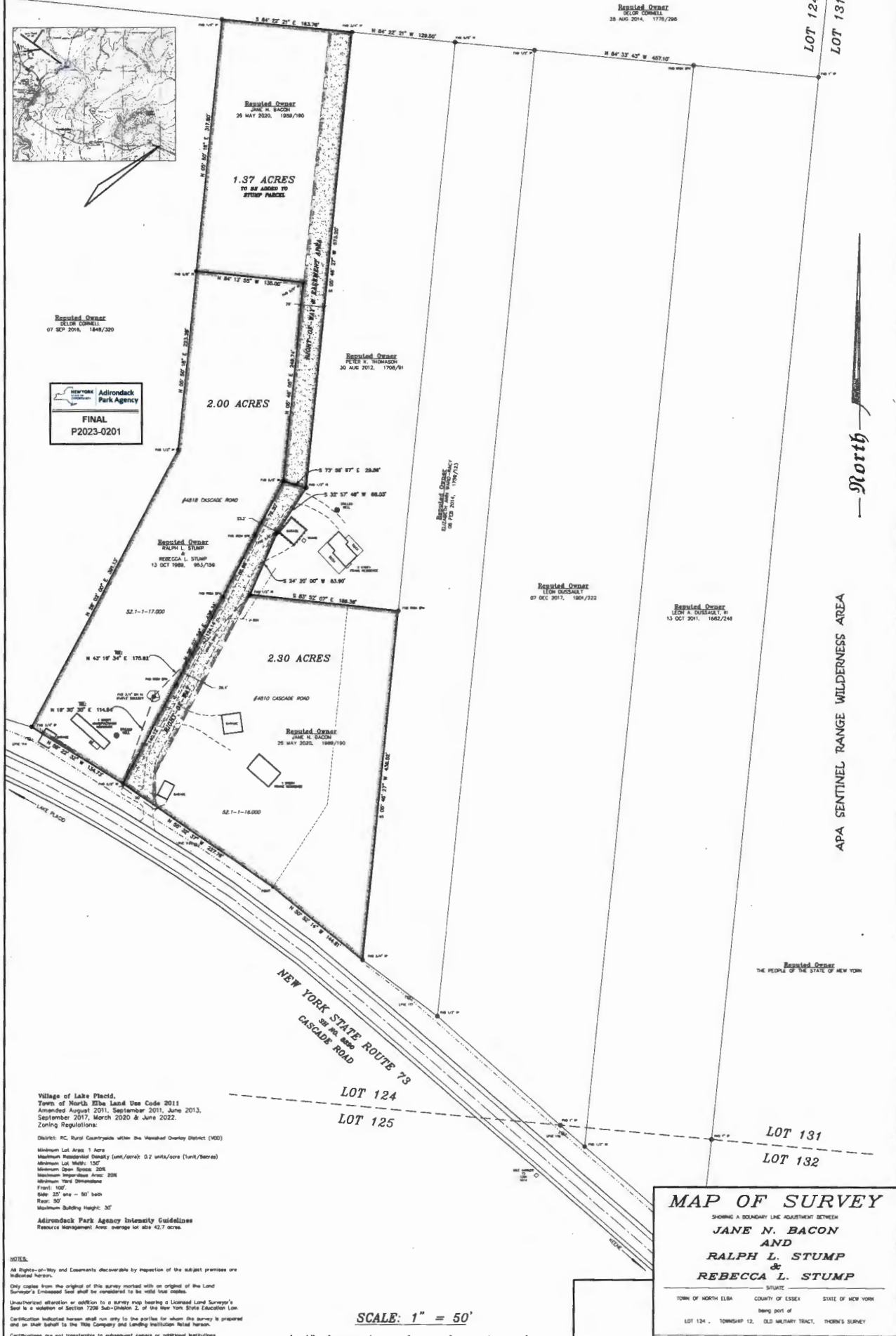

Notary Public

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



Reputed Owner
DELOE CORNELL
07 SEP 2014, 1848/320

Adirondack
Park Agency
FINAL
P2023-0201



Village of Lake Placid,
Town of North Elba Land Use Code 2011
Amended August 2011, September 2011, June 2013,
September 2017, March 2020 & June 2022.
Zoning Regulations:
District: RC, Rural Countryside within the Watershed Overlay District (WOD)
Minimum Lot Area: 1 Acre
Maximum Residential Density (units/acre): 0.2 units/acre (unit/2 acres)
Minimum Lot Width: 150'
Minimum Open Space: 20%
Minimum Impervious Area: 20%
Minimum Total Development:
Front: 100'
Side: 20' one - 60' both
Rear: 50'
Maximum Building Height: 30'
Adirondack Park Agency Intensity Guidelines
Resource Management Area: average lot size 42.7 acres.

NOTES:
All Rights-of-Way and Easements discoverable by inspection of the subject premises are indicated hereon.
Only copies from the original of this survey marked with or original of the Land Surveyor's Embossed Seal shall be considered to be valid true copies.
Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's Seal is a violation of Section 1708 Sub-Section 2 of the New York State Education Law.
Certification indicated hereon shall run only to the parties for whom the survey is prepared and on their behalf to the TRS Company and Lending Institution listed hereon.
Certifications are not transferable to subsequent owners or additional institutions.
Underground improvements or encroachments, if any, are not shown hereon or located by survey.

SCALE: 1" = 50'



MAP OF SURVEY
SHOWING A BOUNDARY LINE ADJUSTMENT BETWEEN
JANE N. BACON
AND
RALPH L. STUMP
AND
REBECCA L. STUMP

TOWNSHIP OF NORTH ELBA COUNTY OF ESSEX STATE OF NEW YORK
being part of
LOT 124 - TOWNSHIP 12, OLD MILITARY TRACT, TOWN'S SURVEY
TOWNSHIP OF NORTH ELBA TWP MAP NO. 52.1-1-18.000, 52.1-1-17.000
SURVEY COMPLETED: 23 SEP 2023 ROBERT W. MARSH, JR. LAND SURVEYOR
MAP PLOTTED: 25 SEP 2023 LAKE PLACID, NEW YORK 12845-0559

North

APA SENTINEL RANGE WILDERNESS AREA

LOT 124
LOT 131

LOT 131
LOT 132

Reputed Owner
THE PEOPLE OF THE STATE OF NEW YORK

Reputed Owner
DELOE CORNELL
25 AUG 2014, 1776/206

Reputed Owner
ETHEL S. THOMASON
30 AUG 2012, 1706/91

Reputed Owner
ELIZABETH M. BROWN
08 FEB 2014, 1799/713

Reputed Owner
HOW DUSSEAU
07 DEC 2017, 1804/322

Reputed Owner
HOW DUSSEAU
13 OCT 2011, 1662/248

Reputed Owner
JANE N. BACON
25 MAY 2023, 1899/190

1.37 ACRES
TO BE ADDED TO
STUMP PARCELS

2.00 ACRES

2.30 ACRES

NEW YORK STATE ROUTE 73
CASCADE ROAD

LOT 124
LOT 125

LOT 131
LOT 132