


THIS IS A TWO-SIDED DOCUMENT

 <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>2009-0037C</b></p>
	<p>Date Issued: October 3, 2024</p>
<p>In the Matter of the Application of</p> <p><b>ROBERT M. HUGHES and ELIZABETH M. HUGHES</b> Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</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. Robert M. Hughes</b></li><li><b>2. Elizabeth M. Hughes</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes construction of a single family dwelling in a location different than previously authorized, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Chester, Warren County.

This authorization shall expire unless recorded in the Warren 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 Warren County Clerk's Office. The Agency will consider the project in existence when the foundation and roof of the single family dwelling have been constructed.

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 5.48±-acre parcel of land located on Friends Lake Road in the Town of Chester, Warren 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 120.6, Block 1, Parcel 7.112, and is described in a deed from William T. Murphy to Robert M. Hughes and Elizabeth M. Hughes, dated October 29, 2009, and recorded November 3, 2009 in the Warren County Clerk's Office under Document Number 2009-00008281.

The project site contains 272± feet of shoreline on Friends Lake and contains wetlands west of the proposed development area. Additional wetlands not described herein or depicted on the Project Plans may be located on or adjacent to the project site.

The project site contains an existing clearing in the southeastern corner of the property along the shoreline of Friends Lake, and is improved by two existing structures.

The project site was created as "Lot 1" in a two-lot subdivision as authorized by Agency Permit 2009-0037.

## **PROJECT DESCRIPTION**

Permit 2009-0037 authorized construction of a single family dwelling on the project site located 205± feet south of Friends Lake Road. The project as conditionally approved herein involves a change in the location of that single family dwelling, to instead be construction of a single family dwelling located 335± feet south of Friends Lake Road, along with an on-site wastewater treatment system and on-site water supply. The project also involves construction of a detached garage, storage shed, and car port.

The project is shown on the following maps and plans:

- Two plan sheets titled "Hughes Residence, Town of Chester, Warren County, NY," prepared by Winchip Engineering, PC, last revised July 22, 2024, and received by the Agency on July 23, 2024 (Project Plans); and
- Four plan sheets depicting the elevation views and floor plans of the proposed dwelling, titled "Hughes Residence, Friends Lake Road, Chestertown, NY," prepared by Rice Design Services, dated June 22, 2024, and received by the Agency on July 23, 2024 (Dwelling Plans).

Reduced-scale copies of Sheet ST-001 (Site Plan) of the Project Plans and Sheet A-02 (Elevation Views) of the Dwelling Plans are 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.

This permit amends conditions 5, 6, and 8 of Permit 2009-0037.

**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 Warren 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 the 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. This permit amends and supersedes Permit 2009-0037 in relation to the 5.48±-acre project site. The terms and conditions of Permit 2009-0037 shall no longer apply to the project site.
5. 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 P2009-0037C, issued October 3, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling, detached garage, carport, and shed on the project site in the locations, footprints, and heights shown and as described on the Project Plans and Dwelling Plans. The accessory structures (garage, carport, shed) shall be no more than 25 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.
7. The construction of any additional dwelling or other principal building on the project site shall require a new or amended permit. The construction of any accessory structure on the project site that is greater than 100 feet of the single family dwelling or less than 50 feet from wetlands shall require a new or amended permit.
8. Construction of a guest cottage on the project site shall require prior written Agency approval.
9. The undertaking of any activity involving wetlands shall require a new or amended permit.

10. Prior to undertaking construction of any boathouse on the project site, written authorization of plans for the boathouse, including all attached docks or walkways, shall be obtained from the Agency.
11. Prior to undertaking construction of any dock on the project site, written authorization of plans for the dock, including all attached upland structures, shall be obtained from the Agency.
12. No structures greater than 100 square feet in size shall be constructed within 50 feet, measured horizontally, of the mean high water mark of Friends Lake. Boathouses and docks, as defined under the Town of Chester land use code, are excepted from this requirement.
13. Any on-site wastewater treatment system 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 Project Plans. 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.

14. The project shall be undertaken in compliance with the Erosion and Sediment Control measures depicted on the Project Plans.
15. 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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.
16. 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 Friends Lake, Friends Lake Road, or adjoining property.
17. All exterior building materials, including roof, siding and trim, of the dwelling and any new accessory structure on the project site shall be a dark shade of green, grey, or brown.
18. Outside of the limits of clearing shown on the Project Plans, no trees, shrubs or other woody-stemmed vegetation greater than 4 inches in diameter at breast height may be cut, culled, trimmed, pruned or otherwise removed or disturbed on the project site without prior written Agency authorization, except for a) a path to

the lake no wider than 8 feet, b) maintenance of existing land uses (e.g., beach area), and c) the removal of 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 Freshwater Wetlands Act and 9 NYCRR Part 578, and 9 NYCRR Part 574. The Agency hereby finds that the relocation of the single family dwelling and related development 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 Chester;
- 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 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
- d. will result in minimal degradation or destruction of the wetland or its associated values, and is the only alternative which reasonably can accomplish the applicant's objectives.

PERMIT issued this 3<sup>rd</sup> day of October, 2024.

ADIRONDACK PARK AGENCY

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

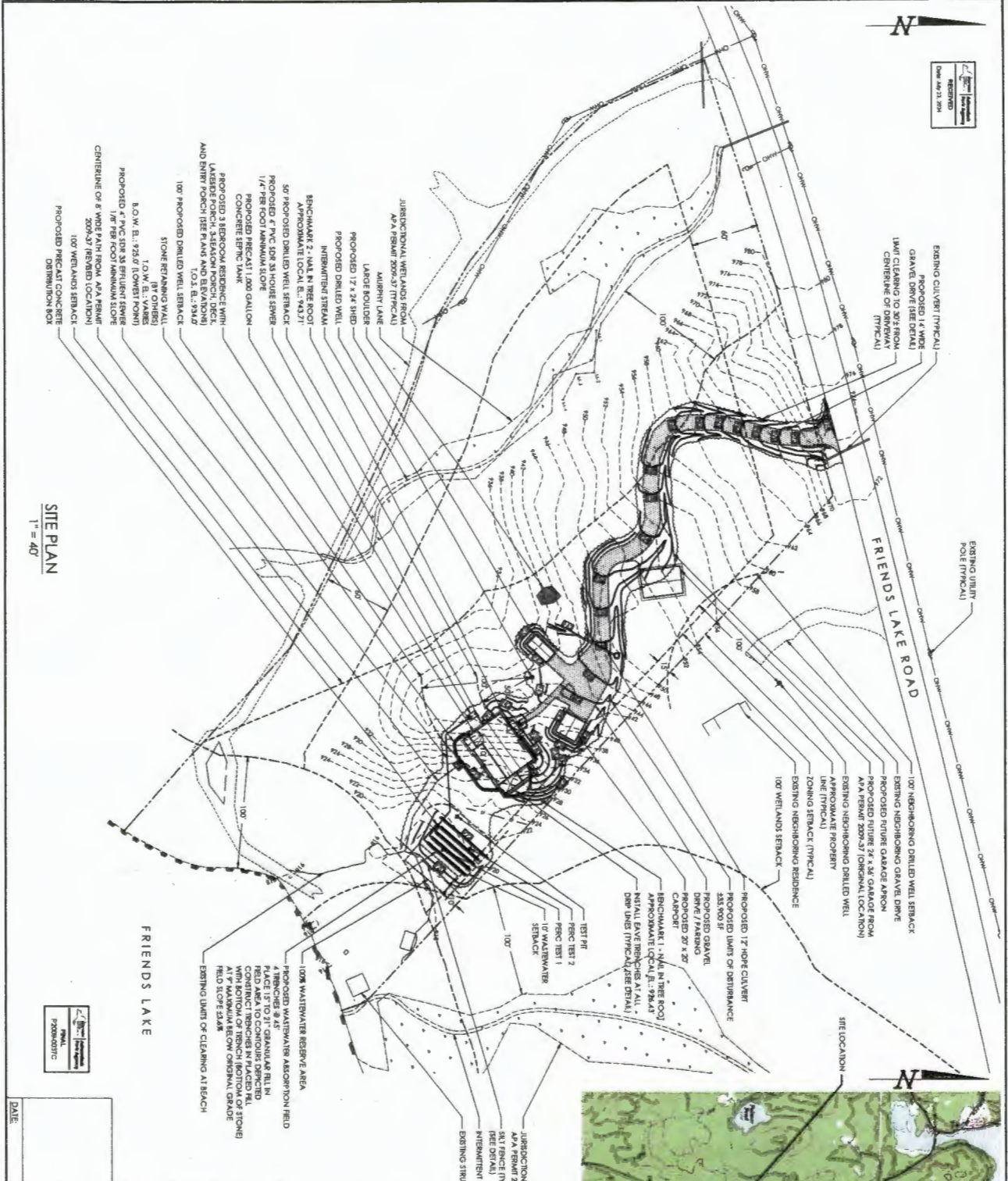
STATE OF NEW YORK  
COUNTY OF ESSEX

On the 3<sup>rd</sup> day of October in the year 2024, 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

REVISIONS  
DATE BY  
NO. 01/23/2014



- EXISTING CULVERT (TYPICAL)
- PROPOSED 14' WIDE GRAVEL DRIVE (SEE DETAIL)
- LIMIT CLEARING TO 30' FROM CENTERLINE OF DRIVEWAY (TYPICAL)
- EXISTING UTILITY POLE (TYPICAL)
- FRIENDS LAKE ROAD
- 100' NEIGHBORING DRILLED WELL SETBACK
- EXISTING NEIGHBORING GARAGE APRON
- PROPOSED FUTURE GARAGE APRON
- PROPOSED FUTURE 34' X 36' GARAGE FROM A.P.A. PERMIT 2009-37 (TYPICAL LOCATION)
- EXISTING NEIGHBORING DRILLED WELL
- APPROXIMATE PROPERTY LINE (TYPICAL)
- ZONING SETBACK (TYPICAL)
- EXISTING NEIGHBORING RESIDENCE
- 100' WETLANDS SETBACK
- PROPOSED 12' HOPE CULVERT
- PROPOSED UNIT OF DETRIMENTANCE 333,000 SF
- PROPOSED GRAVEL DRIVE / PARKING CARPORT
- PROPOSED 20' X 20' BENCHMARK 1 - NAIL IN TREE ROOT APPROXIMATE LOCAL E.L. 79.44'
- NAIL IN TREE ROOT APPROXIMATE LOCAL E.L. 79.44'
- DRIVE LINES (TYPICAL) (SEE DETAIL)
- JURISDICTIONAL WETLANDS FROM A.P.A. PERMIT 2009-37 (TYPICAL)
- 30' FENCE (TYPICAL)
- NEIGHBORING STREAM
- NEIGHBORING STREAM
- PROPOSED 17' X 24' SHED
- PROPOSED 17' X 24' SHED
- LARGE BOLLARD
- MURPHY LAKE
- JURISDICTIONAL WETLANDS FROM A.P.A. PERMIT 2009-37 (TYPICAL)
- PROPOSED DRILLED WELL
- INTERMEDIATE STREAM
- BENCHMARK 2 - NAIL IN TREE ROOT APPROXIMATE LOCAL E.L. 94.21'
- 50' PROPOSED DRILLED WELL SETBACK
- PROPOSED 4" PVC 50R 34 HOUR EWER
- 1/4" PER FOOT MINIMUM SLOPE
- PROPOSED PRECAST 1,200 GALLON CONCRETE SEPTIC TANK
- PROPOSED 3 BEDROOM RESIDENCE WITH LAVERIE PORCH, 3.5 BATHROOM PORCH, DECK, AND ENTRY PORCH (SEE PLANS AND PERMIT A.P.A. PERMIT 2009-37)
- 100' PROPOSED DRILLED WELL SETBACK
- STONE RETAINING WALL
- 1.0' W. E.L. VARIES
- R.O.W. E.L. 79.2' AT LOWEST POINT
- PROPOSED 4" PVC 50R 34 EFFLUENT EWER
- 1/4" PER FOOT MINIMUM SLOPE
- CENTERLINE OF 8' WIDE PAINT FROM A.P.A. PERMIT 2009-37 (REVISED LOCATION)
- 100' WETLANDS SETBACK
- PROPOSED PRECAST CONCRETE DISTRIBUTION BOX

SITE PLAN  
1" = 40'



LOCATION MAP  
1" = 2000'

NOTE:  
FOR COMPLETE SURVEY INFORMATION SEE MAP OF A PROPOSED ALUMINUM SHED MADE FOR WILLIAM T. MURPHY, INTERIOR ARCHITECT/TOWN OF CHESTER, WARREN COUNTY, NEW YORK BY VAN DUSEN & STEVENS LAND SURVEYING LAST REVISED 09/16/2009

LEGEND  
--- EXISTING CONTOUR  
--- PROPOSED CONTOUR

**NOT FOR CONSTRUCTION**  
**PRELIMINARY**  
**FOR REVIEW AND APPROVAL ONLY**

PROJECT: HUGHES RESIDENCE  
TOWN OF CHESTER, WARREN COUNTY, NY

**WINCHIP ENGINEERING**  
P.O. Box 114, 36 Cooper Lane  
Chesterfield, New York 12817  
Phone: (518) 942-2553  
Fax: (518) 942-2566

PROJECT NO: 23-026  
SHEET NO: 1 OF 2  
DATE: 11/11/2013

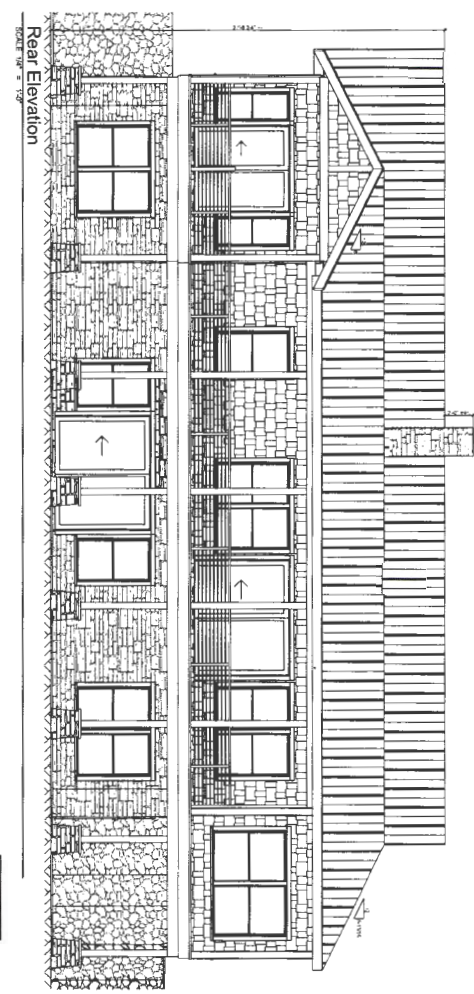
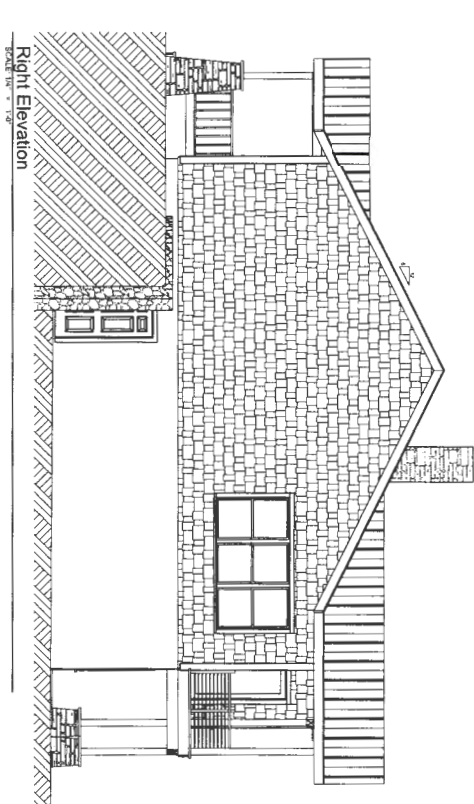
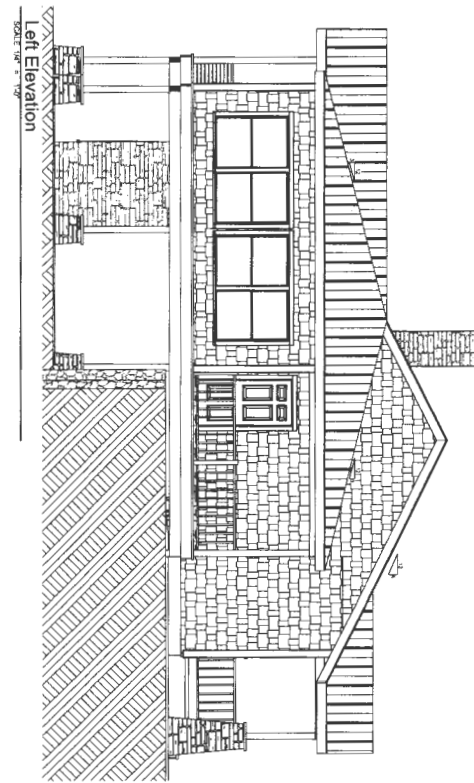
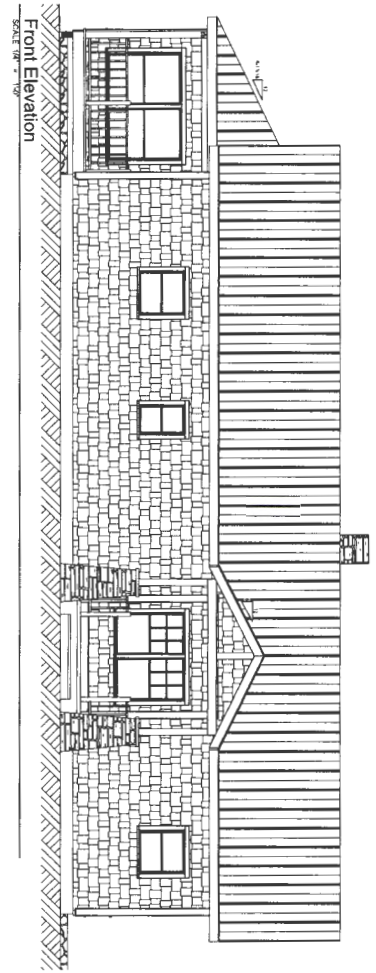
SCALE: 1" = 40'  
DRAWN BY: AMV  
CHECKED BY: SWM  
DATE: 11/11/2013

REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR A.P.A. SUBMISSION	01-23-2014
2	REVISIONS	01-23-2014

NOTE:  
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RECEIVED  
Date: 04/23/2014



DESIGN DEVELOPMENT #2  
6-22-24  
NOT FOR CONSTRUCTION

Elevation Views  
A-02

**Hughes Residence**  
Friends Lake Rd  
Chester town, NY

**Rice Design Services**  
7 ROBIN DRIVE, WARRENBURG, NY 12885  
PHONE: 518-682-6651

No.	REVISIONS	DATE
1		
2		
3		
4		
5		