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THIS IS A TWO-SIDED DOCUMENT



**Adirondack
Park Agency**

P.O. Box 99, 1133 NYS Route 86
Ray Brook, New York 12977
Tel: (518) 891-4050
www.apa.ny.gov

APA Permit
2021-0064B

Date Issued: August 15, 2024

In the Matter of the Application of

**JEFFREY DAVID GREB and CHRISTINE
LOUISE HOFFMAN**
Permittees

for a permit pursuant to § 809 of the Adirondack
Park Agency Act and 9 NYCRR Part 578

To the County Clerk: Please
index this permit in the grantor
index under the following names:
1. Jeffrey David Greb
2. Christine Louise Hoffman

SUMMARY AND AUTHORIZATION

This amended permit authorizes the re-location and consolidation of the structure footprints for the single-family dwelling and accessory structure (garage) in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map in the Town of Lake George, 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 single-family dwelling and attached garage are completed.

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 vacant 0.82±-acre parcel of land located on Huna Way in the Town of Lake George, Warren County, in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 251.2, Block 2, Parcel 7, and is described in a deed from Huna Way, LLC to Jeffrey David Greb and Christine Louise Hoffman, dated May 28, 2024, and recorded June 3, 2024 in the Warren County Clerk's Office under Instrument Number 2024-2603 at Book 6933, Page 158.

The project site contains wetlands in the northeast portion of the lot. The wetlands are comprised of a forested deciduous covertype and have a value rating of "2" pursuant to 9 NYCRR Part 578.5. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The project site was created as "Lot 7" in an overall 16-lot subdivision in which six of those lots (Lots 4, 5, 6, 7, 8 and 9) were subject to Agency jurisdiction and received authorization pursuant to Agency Permit 2021-0064.

PROJECT DESCRIPTION

The project as conditionally approved herein involves relocation and consolidation of the structure footprints for the single-family dwelling and accessory structure (garage) into one footprint, as well as related modifications to the erosion and sediment control and stormwater management plans, and additional vegetative clearing. The dwelling will be served by municipal sewer and an on-site water supply.

The project is shown on a 4-sheet set of plans (Project Plans) titled "Proposed New Residence for Lot #7 Mountains Edge Subdivision; Applicant/Owner: Kodiak Construction, Inc.; Town of Lake George, Warren County, New York, May 22, 2024," prepared by Environmental Design Partnership, LLP, dated May 24, 2024, and received by the Agency on July 16, 2024.

A reduced-scale copy of Sheet 3, Site Plan & Sanitary Details, of the Project Plans 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. This permit amends Conditions 5, 6, and 15 of Permit 2021-0064.

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 2021-0064 in relation to the project site. The terms and conditions of Permit 2021-0064 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 P2021-0064B, issued August 15, 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 with attached garage and other attached accessory structures (e.g., patio) on the project site in the location and footprint shown on the Project Plans. Any change to the location or dimensions of the authorized structure shall require prior written Agency authorization. The authorized structure shall not exceed 40 feet in height as measured from the highest point on the structure, including the chimney, to the lower of either existing grade or finished grade. Any expansion beyond these dimensions shall require prior written Agency authorization.
7. Accessory structures, except guest cottages, are permitted without a permit amendment, provided they are located within the clearing limits shown on the Project Plans, and do not exceed 500 square feet in footprint or 40 feet in height.
8. All exterior building materials, including roof, siding, and trim, of any structure on the project site shall be of a dark shade of green, grey, or brown.
9. Construction of any guest cottage on the project site shall require prior written Agency approval.
10. All wastewater treatment infrastructure on the project site shall be connected to and served by the municipal wastewater treatment system.
11. The project shall be undertaken in compliance with the existing Stormwater Pollution Prevention Plan filed with the NYS Department of Environmental Conservation.

12. The project shall be undertaken in compliance with the Erosion and Sediment Control measures depicted on the Project Plans.
13. No development, clearing, grading or other land disturbance shall occur on the project site within 40 feet of the wetlands. Prior to undertaking any earthwork on the project site, silt fence shall be properly installed, parallel to the existing contours between the construction site and the wetlands. The silt fence shall be maintained throughout construction and shall not be removed until after all disturbed soils are stabilized. The silt fence fabric shall be inspected at least once a week and after every major storm event to ensure the fabric and supports are intact and to remove accumulated sediments to maintain the fence in a functional manner.
14. 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.
15. 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 public roads, adjacent land, or the shoreline of Lake George.
16. Outside of the "Proposed Clearing Limits" shown on the Project Plans, 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 dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
17. Other than the development authorized herein, the undertaking of any activity involving wetlands shall require a new or amended permit.

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 meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Lake George; and
- 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.

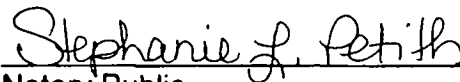
PERMIT issued this 15th day
of August, 2024.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 15th day of August 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.


Notary Public

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

