


THIS IS A TWO-SIDED DOCUMENT

 <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>2021-0287A</b></p>
<p>In the Matter of the Application of</p> <p><b>THE CHALET AT THE MCKENZIE WILDERNESS ESTATE, LLC</b> Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: December 23, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s): <b>1. The Chalet at the McKenzie Wilderness Estate, LLC</b></p>

**SUMMARY AND AUTHORIZATION**

This permit authorizes construction of a single family dwelling in an area classified Low Intensity Use 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 Agency will consider the project in existence when the permit has been recorded.

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 140.892±-acre parcel of land located on NYS Route 86 in the Town of North Elba, Essex County, in an area classified Moderate Intensity Use and Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 41.2, Block 4, Parcel 15.1, and is described in a deed

from The Saranac Lake Golf Club, Inc. to The Chalet At The McKenzie Wilderness Estate, LLC, dated November 29, 2022, and recorded in the Essex County Clerk's Office under Book 2115, Page 97.

The project site is partially located within the McKenzie Wilderness critical environmental area. The Moderate Intensity Use portion of the project site contains shoreline on Wolf Pond. The Low Intensity Use portion of the project site is located within 75 of the mean high water mark of the "Pond" as depicted on the Site Plan. The project site also contains wetlands. 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 1" in a two-lot subdivision as authorized by Agency Permit 2021-0287.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves construction of a single family dwelling on the Low Intensity Use portion of the project site.

The project is shown on the following maps, plans, and reports:

- "Map Showing Proposed Site Improvements," prepared by Geomatics Land Surveying, PC, dated September 19, 2024, and received by the Agency on November 12, 2024 (Site Plan);
- "Saranac Lake Golf Course Lot 117" in five sheets (Septic Plans) prepared by Saranac Engineering Co. dated November 2, 2021 and received by the Agency on December 8, 2021; and
- "Stormwater Control Report," prepared by North Woods Engineering, PLLC, dated August 30, 2024, and received by the Agency on October 15, 2024 (Stormwater Plans).

A reduced-scale copy of the Site Plan for the project are attached as a part of this permit for reference.

### **AGENCY JURISDICTION**

This permit amends Condition 12 of Permit 2021-0287A.

### **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 the 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. This permit amends and supersedes Permit 2021-0287 in relation to the project site. The terms and conditions of Permit 2021-0287 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 2021-0287A, issued December 23, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. The Moderate Intensity Use area portion of the project site shall not be conveyed separately from the Low Intensity Use portion of the project site without a new or amended permit.
7. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling (Proposed Building) and one detached garage (Prop. Garage) on the project site in the location and footprint depicted on the Site Plan. The dwelling and garage shall be no more than 35 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.
8. The undertaking of any new land use or development on the project site within one-eighth mile of the McKenzie Mountain Wilderness shall require a new or amended permit. The undertaking of any activity involving wetlands shall also require a new or amended permit.
9. 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 outside the "limits of disturbance" and/or "proposed limits of clearing," as depicted and described on the Site Plan shall require prior written Agency authorization.
10. Construction of any guest cottage on the project site shall require prior written Agency approval.
11. No structures greater than 100 square feet in size, shall be constructed within 75 feet, measured horizontally, of the mean high water mark of the "Pond" depicted and described on the Site Plan.

No structures greater than 100 square feet in size, shall be constructed within 50 feet, measured horizontally, of the mean high water mark of Wolf Pond.

12. 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.
13. 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.
14. Any on-site wastewater treatment system(s) 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 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.
15. The project shall be undertaken in compliance with the Stormwater Plans and the Site Plan.
16. Prior to any soil disturbance on the project site associated with the construction of the dwelling and garage, "Silt Fence" shall be installed as depicted on the Site Plan.
17. 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.
18. 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 NYS Route 86, the pond or adjoining properties.
19. 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.
20. Outside of "limits of disturbance," "proposed limits of clearing," "prop. drive," and "proposed drive" as depicted and described on the Site Plan, 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.
21. There shall be no more than 20 principal buildings located on the Low Intensity Use portion of the project site at any time. The single family dwelling authorized herein constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.



22. There shall be no more than 59 principal buildings located on the Moderate Intensity Use portion of the project site at any time. 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, NYCRR Part 574. The Agency hereby finds that the single family dwelling 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 Low Intensity Use and Moderate Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Low Intensity Use and 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 23<sup>rd</sup> day of December, 2024.

**ADIRONDACK PARK AGENCY**

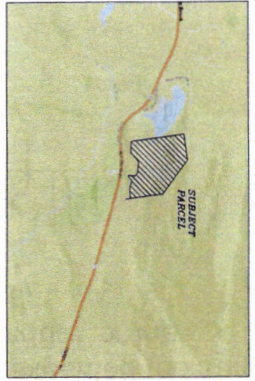
BY: John M. Burth  
John M. Burth  
Environmental Program Specialist 3 (EPS3)

**STATE OF NEW YORK  
COUNTY OF ESSEX**

On the 23<sup>rd</sup> day of December in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, 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

Stephanie L. Petith  
Notary Public



LOCATION MAP  
NOT TO SCALE



**FINAL**  
**P2021-0287A**

New York State  
**Adirondack Park Agency**

- MAP REFERENCES**
1. State of New York, Department of Environmental Conservation, "Map of the Adirondack Park, 1920", published by the State of New York, Albany, 1920.
  2. New York State Department of Environmental Conservation, "Map of the Adirondack Park, 1920", published by the State of New York, Albany, 1920.
  3. New York State Department of Environmental Conservation, "Map of the Adirondack Park, 1920", published by the State of New York, Albany, 1920.
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  7. New York State Department of Environmental Conservation, "Map of the Adirondack Park, 1920", published by the State of New York, Albany, 1920.

**ZONING**

**CLASSIFICATION:** - RESIDENTIAL SINGLE-FAMILY

**APPROVED:** JAN 14, 2024

Agency of State Land Inventory 13 2024

- NOTES**
1. The proposed site improvements shall be consistent with the zoning regulations of the Adirondack Park Agency.
  2. The proposed site improvements shall be consistent with the zoning regulations of the Adirondack Park Agency.
  3. The proposed site improvements shall be consistent with the zoning regulations of the Adirondack Park Agency.

**OWNER'S COPY:** THIS ORIGINAL OF THIS SUBMITTAL SHALL BE CONSIDERED TO BE THE FINAL COPY.

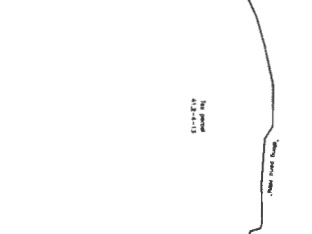
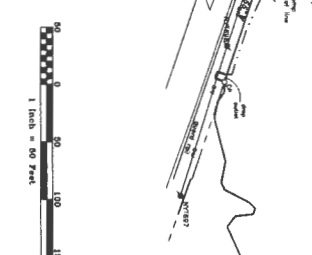
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**REVISION STATEMENT**

1. The proposed site improvements shall be consistent with the zoning regulations of the Adirondack Park Agency.
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3. The proposed site improvements shall be consistent with the zoning regulations of the Adirondack Park Agency.

**Table 3**  
Dimensions for roads and parking

Center	Width	Distance
R1	8' 0" (2438.40")	5' 0"
R2	8' 0" (2438.40")	5' 0"
R3	8' 0" (2438.40")	5' 0"
R4	8' 0" (2438.40")	5' 0"
R5	8' 0" (2438.40")	5' 0"
R6	8' 0" (2438.40")	5' 0"
R7	8' 0" (2438.40")	5' 0"
R8	8' 0" (2438.40")	5' 0"
R9	8' 0" (2438.40")	5' 0"
R10	8' 0" (2438.40")	5' 0"
R11	8' 0" (2438.40")	5' 0"
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R14	8' 0" (2438.40")	5' 0"
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**RECEIVED**

New York State  
**Adirondack Park Agency**

Date: November 12, 2024

REVISIONS / DATE / BY	DRAWN BY
1. Add additional notes	N/A
2. Revise building site location	N/A
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100. Revise building site location	N/A

**MAP SHOWING PROPOSED SITE IMPROVEMENTS**

PREPARED FOR  
**SEAN O'MALLEY**

SITUATE IN LOTS 116 & 117, TOWNSHIP 11, OLD MILITARY TRACT, RICHARD'S SURVEY  
TOWN OF NORTH ELBA, COUNTY OF ESSEX  
AND STATE OF NEW YORK.

**GEOMATICS**  
land surveying, pc

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DATE: 10/15/21  
SCALE: N/A  
TAX MAP NO. 412-4-51  
MAP NO. 21032.50