


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 2023-0166</p>
<p>In the Matter of the Application of</p> <p>RICHARD R. FINLEY Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: January 17, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Richard R. Finley</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a four-lot subdivision in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Saranac, Clinton County.

This authorization shall expire unless recorded in the Clinton 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 Clinton 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 145.71±-acre parcel of land located on Badger Road in the Town of Saranac, Clinton County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 226, Block 1, Parcel 15.1, and is described in a deed from Clinton County to Richard R. Finley; Your Housing Solution LLC, dated June 14, 2023, and recorded June 20, 2023 in the Clinton County Clerk's Office under Instrument Number 2023-00331916.

The project site contains wetlands on the southern portion of the parcel and additional wetlands associated with Corners Brook and its tributaries. Additional wetlands not described herein or depicted on the Survey Map may be located on or adjacent to the project site.

The project site is improved by one single family dwelling constructed in 2008 and one accessory use structure constructed in 2015.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a four-lot subdivision to create a 30±-acre lot improved by an existing single family dwelling (Lot 1), a 36±-acre vacant building lot (Lot 2), a 26.14±-acre vacant building lot (Lot 3), and a 53.57±-acre vacant building lot (lot 4). No new development is proposed or authorized herein.

The project is shown on a one-sheet plan titled "Finley Subdivision 2023," prepared by Dean H. Lashway, L.S., P.C., dated November 16, 2023, and last revised December 8, 2023 (Survey Map.)

A reduced-scale copy of the Survey Map 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 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.

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 five or more lots, parcels, or sites since May 22, 1973, in a Rural 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 Clinton 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 Survey Map 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 2023-0166, issued January 17, 2024, 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 four-lot subdivision as depicted on the Survey Map. Any subdivision the project site not depicted on the Survey Map shall require a new or amended permit.
6. The construction of any dwelling or other principal building on the project site shall require a new or amended permit.
7. Prior to construction of any on-site wastewater treatment system on the project site, written authorization shall be obtained from the Agency for plans prepared by a New York State design professional (licensed engineer or registered architect) that comply with Clinton County Department of Health's "Clinton County Sanitary Code, Article IX," the Agency's Project Guidelines for Residential On-Site Wastewater Treatment, and with Agency standards in 9 NYCRR Appendix Q-4.

Installation of the approved plans shall be under the supervision of a licensed design professional. Within 30 days of complete system installation and prior to utilization, the design professional shall provide the Agency with written certification that the system was installed in compliance with the Agency authorized plan set.
8. The undertaking of any activity involving wetlands shall require a new or amended permit.
9. There shall be no more than four principal buildings located on Lot 1 at any time. The single family dwelling constructed on the property in 2008 constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
10. There shall be no more than four principal buildings located on Lot 2. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

11. There shall be no more than three principal buildings located on Lot 3. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
12. There shall be no more than six principal buildings located on Lot 4. 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, the Freshwater Wetlands Act and 9 NYCRR Part 578, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision/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 Rural Use land use area;
- c. will be consistent with the overall intensity guidelines for the Rural Use land use area;
- d. will comply with the shoreline restrictions of § 806 of the Adirondack Park Agency Act;
- 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; and
- f. will be compatible with preservation of the entire wetland and will not result in degradation or loss of any part of the wetland or its associated values.

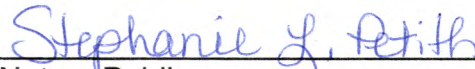
PERMIT issued this 17th day
of January, 2024.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

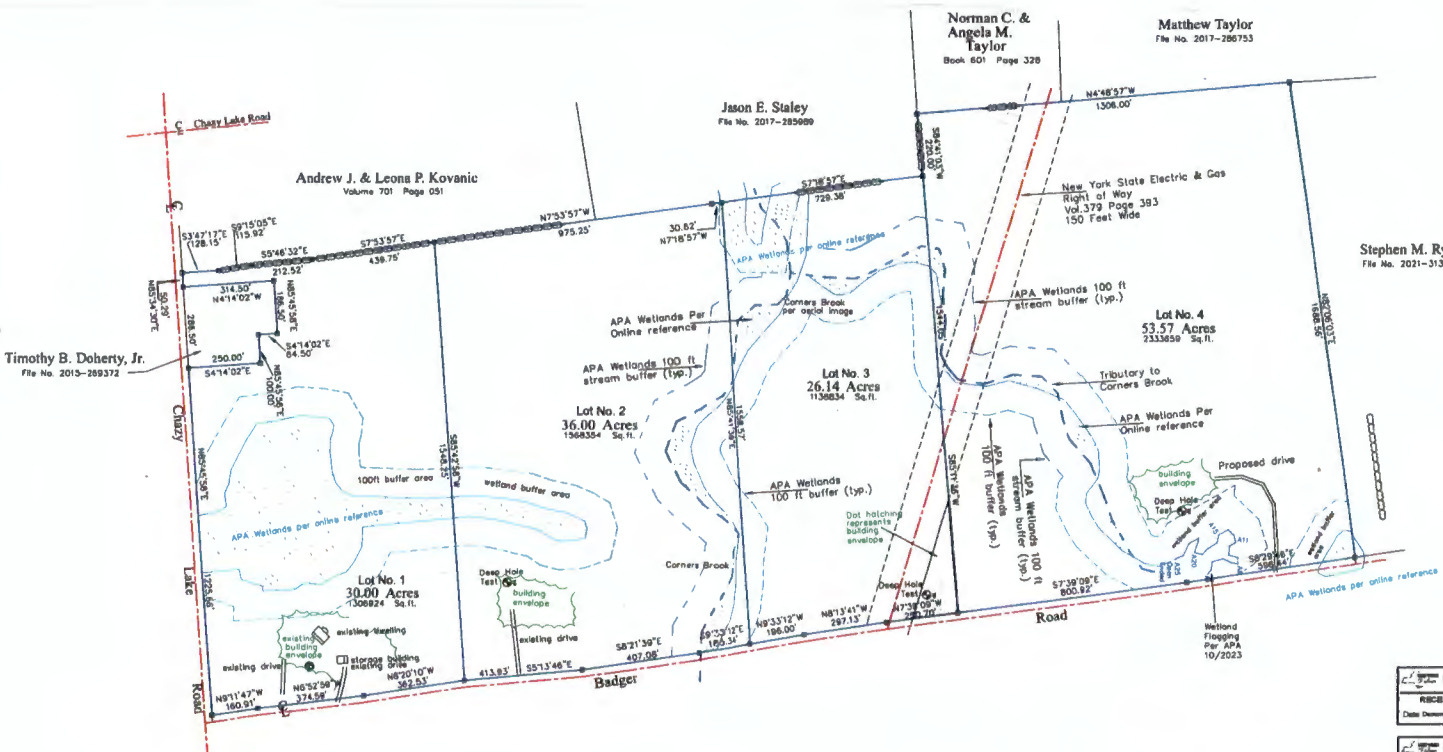
On the 17th day of January in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and 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



- Legend**
- Iron pin set
 - Iron pipe/pipe found
 - Computed corner
 - Iron fence line found
 - Iron fence line found (type noted)
 - Utility path
 - Overhead utility line
 - Building envelope area
 - Parcel boundary line
 - Well
 - Corners Brook/Tributary
 - 100 foot stream offset
 - 100 foot wetland offset



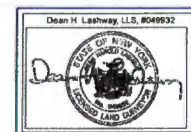
Reference Deed:
 County of Clinton
 to
 Richard R. Finley
 File No. 2023-331916

RECEIVED
 Date December 11, 2023
 PINAL
 P2023-0108



- Map Notes:**
1. Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's seal is a violation of Section 7208, Subdivision 2 of the New York State Education Law.
 2. Only boundary survey maps with the surveyor's embossed seal, with an original signature, or a genuine true and correct copies of the surveyor's original work and opinion (mylar prints shall be stamped with the surveyor's ink seal with an original signature).
 3. The certification listed herein is limited to the persons for whom the boundary survey map is prepared, the title company, the governmental agency, and to the lending institution listed on this boundary survey map.
 4. The certifications herein are not transferable.
 5. Copyright 2023 by Dean H. Lashway, L.S., P.C. All rights reserved.
 6. The location of underground improvements or encroachments are not always known and often must be estimated. If any underground improvements or encroachments exist or are shown, the improvements or encroachments are not covered by this certificate.
 7. Location of existing underground utilities or wetlands, if any, are not shown hereon.
 8. Riparian rights, if any, have not been established as a result of this survey.
 9. Subject to any encumbrances of record or those discoverable by inspection.

Drawing Revisions		
Date	Description	By
12/08/23	Added APA GIS wetland limits with setbacks buffer limits	DHL
Drawn By: DHL		Drawing Date: 11/16/23
Project Drawing No: 23-058		Sheet Drawing No: 1 of 1



Map Showing Certain Lands To Be Set Off From Lands Of
Richard R. Finley
 Finley Subdivision 2023

Chazy Lake Road and Badger Road
 Town Of Saranac
 Clinton County, New York