


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 2023-0182</p>
<p>In the Matter of the Application of</p> <p>GERALD KRUEGLER, JOSEPH MEYER, JOSEPH GABRIEL, CHRISTOPHER MEYER, NICHOLAS MEYER Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 577 and 9 NYCRR Part 578</p>	<p>Date Issued: October 3, 2024</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. Gerald Kruegler2. Joseph Meyer3. Joseph Gabriel4. Christopher Meyer5. Nicholas Meyer

SUMMARY AND AUTHORIZATION

This permit authorizes a four-lot subdivision in an area classified Resource Management and Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of North Hudson, 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 an authorized lot has been conveyed and a new deed has been recorded in the Essex County Clerk's Office for a conveyed 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 vacant 105±-acre parcel of land located on NYS Route 9 in the Town of North Hudson, Essex County, in an area classified Resource Management and Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 114.2, Block 2, Parcel 27.000, and is described in a deed from Bruce E. Caza and Brenda J. Caza to Joseph A. Meyer, Gerald F. Kruegler, Joseph C. Gabriel, Christopher J. Meyer and Nicholas R. Meyer, dated January 8, 2001, and recorded January 25, 2001 in the Essex County Clerk's Office at Book 1273, Page 347.

The project site contains shoreline on the Schroon River and is wholly located within the designated Schroon River Recreational River Area. The project site also contains wetlands associated with the Schroon River and its tributaries. Additional wetlands not described herein may be located on or adjacent to the project site.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a four-lot subdivision of the vacant 105±-acre project site, to create three vacant 21±-acre shoreline lots and one vacant 42±-acre shoreline lot. No new land use or development is authorized herein.

The project is shown a Survey Map titled: "Map of Survey Showing Certain Lands of Gerald F. Kruegler, et al.," prepared by John Deming, L.S., dated August 19, 2024 and received by the Agency on August 19, 2024. A reduced-scale copy of the Survey Map 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 Adirondack Park Agency regulations at 9 NYCRR Part 577, a permit is required from the Adirondack Park Agency prior to any subdivision of Resource Management or Low Intensity Use lands located within any designated Recreational river 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 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 Rural Use or Resource

Management lands within 300 feet of the edge of the right-of-way of any Federal Highway 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 Rural Use or Resource Management lands within one-eighth mile of a Wilderness 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 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 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, Wild, Scenic and Recreational Rivers System 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 2023-0182, issued October 3, 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 not depicted on the Survey Map shall require a new or amended permit.
6. The Resource Management portion of each authorized lot shall not be conveyed separately from the Low Intensity Use portion of each lot.
7. The undertaking of any new land use or development on the project site shall require a new or amended permit. The undertaking of any activity involving wetlands shall also require a new or amended permit.
8. Pursuant to the Adirondack Park Agency Act and Agency regulations implementing the Wild, Scenic and Recreational Rivers System Act, new structures are prohibited within 150 feet, measured horizontally, of the mean high water mark of the Schroon River.

9. There shall be no docks or boathouses on the project site.
10. Within 100 feet of the mean high water mark of the Schroon River, 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 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, the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, 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 and Low Intensity Use land use areas;
- c. will be consistent with the overall intensity guidelines for the Resource Management and Low Intensity Use land use areas;
- 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;
- f. 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;
- g. 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
- h. will be consistent with the purposes and policies of the Wild, Scenic and Recreational Rivers System Act;
- i. will comply with the restrictions and standards of 9 NYCRR § 577.6; and
- j. will not cause an undue adverse impact upon the natural, scenic, aesthetic, ecological, botanical, fish and wildlife, historic, cultural, archeological, scientific, recreational or open space resources of the river area, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived therefrom.

PERMIT issued this 3rd day of October, 2024.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 3rd 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

[Signature]
Notary Public

N. 1,451,900
E. 659,200

GRID

NOTES

- All measured distances are made with an Infra-Red EDM 1 or Laser Light EDM 1, or a standardized steel tape, corrected for Grid axis and reduced to Sea level. All distances are location of wells and/or underground utilities if any, not determined by this Survey.
- Adjacent ownership dots shown is not verified.
- Applicable zoning restrictions are not shown herein.
- Monumentation Found & Held for Interstate Route 502-4-3 (187) many errors found on Acquisition Maps for Map No 206. Parcels 313, 314, 315, 356 & 453.
- Schoon River was Declared a Public Highway by Laws of 1814 Chapter 158.

SOURCE OF ORIENTATION & COORDINATES

U.S.C. & G.S. STA. "SCHROON 1842" - ORIENTATION - Pharaoh M. Lot
 U.S.C. & G.S. STA. "SCHROON 1842" - COORDINATES - N 1,409,520.02
 New York East Zone (1987) E 672,779.54

LEGEND

- Fd - Fd Iron Monument as Noted
- MON - Set 3" Iron Rod w/ Cap as Noted
- CP - Computed Point Nothing Set or Located in the Field
- Power, Telephone Lines
- U.P. - Utility Pole
- Or - Hwy, Mon - Highway Monument as Noted
- C-N-P - Chained, Blazed & Paiked

Map No 206 Parcel 483
 Map No 200 Patent 158
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George Sherman Jr
 The People of The State of New York
 20 JAN 1984 - L 814 P 267
 L 759 P 172

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Bruce E. & Brenda J. Casa
 Thomas J. Jr & Linda A. Loding
 12 JUN 1988 - L 1278 P 1
 L 1132 P 707

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 Thomas J. Jr & Linda A. Loding
 12 JUN 1988 - L 1278 P 1
 L 1132 P 707

A.P.A. Lot A
 21.0± ACRES

A.P.A. Lot B
 21.0± ACRES

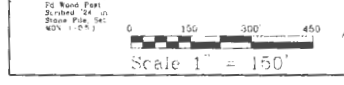
A.P.A. Lot C
 21.1± ACRES

A.P.A. Lot D
 42.8± ACRES

Total Area
 105.4± ACRES
 (Including the 2 - P.E. Areas)

- MAP REFERENCES
- A Map of Part of the West Bound of Platt and Rogers Patent between the South Line of Township 48 and the Schoon - North Hudson Town Line Compiled from Maps Nos. - 8340-8342-8343 Filed in the Office of the Commissioner of Land in 1873 by Albert T. Deane, Surveyor, Map No. 1873, Essex Co. 8340-1873
 - A Survey Map Showing lands to be Acquired Pursuant to Section 1-2500 of the Environmental Conservation Law Proposed by James P. Rogers, Surveyor, 1873, Essex Co. 8340-1873
 - Order George C. Sherman, Jr. Thru in Lot 24 and 25, Platt Rogers Road Patent, 877 DEC Map No. 12-22 to George C. Sherman, Jr., 1873, Essex Co. 8340-1873
 - State of New York Department of Highway Schoon Lake - North Hudson Part C State Highway Route No. 22 - Section No. 4 & 5 Map No. 6 & Map No. 7
 - Patents A, B, & C Dated 27 NOV 1811
 - State of New York Department of Public Works Division of Highways P.H. 87500 Map No. 7, Part A & B Map No. 2 & Map No. 4, Part A & B C & D
 - Dated 08 SEP 1920
 - New York State Department of Public Works - Interstate Route 502 & 3 (North Hudson - Andrews) Map No. 006, Part A 313, 314, 315, 356 & 453, 13 Township Dated 07 MAY 1985
 - West's Plat of Proposed Subdivision of Carl L. & Marietta Larsen by Jonathan & Wally Larsen, Dated 17 SEP 1978
 - A Subdivision Map of the Platt Rogers Road Patent Proposed by Bruce E. & Brenda J. Casa by James P. Rogers, L.S. Dated 11 FEB 1999 and Filed in the E.C.C.O. as Map No. 4687
 - A Subdivision Map of Lands of Bruce E. & Brenda J. Casa by James P. Rogers, L.S. Dated 15 MAR 1998 and Filed in the E.C.C.O. as Map No. 4813

MAP OF SURVEY
 SHOWING CERTAIN LANDS OF
Gerald F. Kruegler, et al
 TOWN OF NORTH HUDSON STATE OF NEW YORK COUNTY OF ESSEX
 LOCATION
 LOT NO'S 24 & 25 Z. PLATT & P. ROGERS 9866 2/3 ACRE PATENT
 BK 18, P 55 - 04 DE 1794
 REFERENCE DIED -
 Bruce E. & Brenda J. Casa 08 JAN 2001 L 1273 P 347
 SURVEY COMPLETED 30 MAY 2024 John A. Deming, L.S.
 MAP COMPLETED 19 AUG 2024 JAZBERTHOWN, NY 12932



19 AUG 2024