


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 2024-0100</p>
<p>In the Matter of the Application of</p> <p>TRAILS END ENTERPRISES, INC. Permittee</p> <p>for a permit pursuant to §809 of the Adirondack Park Agency Act</p>	<p>Date Issued: August 15, 2024</p>
	<p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Trails End Enterprises, Inc.</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a nine-lot subdivision and the construction of eight single family dwellings in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Franklin, Franklin County.

This authorization shall expire unless recorded in the Franklin 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 Franklin County Clerk's Office. The Agency will consider the project in existence when an authorized lot has been conveyed to an outside party or an authorized single family dwelling has been created.

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 an approximately 326-acre parcel of land located on Franklin County Route 26 and Daigneau Trail in the Town of Franklin, Franklin County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map.

The site is identified on Town of Franklin tax maps as follows:

- Tax Map Section 325, Block 1, Parcels 19.500, 23.100, 27.200 and 31;
- Tax Map Section 325, Block 2, Parcel 15; and
- Tax Map Section 340, Block 1, Parcels 1.700, 1.900, 2.100, 4 and 5.

The project site is improved by an existing subdivision road and was created as "Lot 15" in a 16-lot subdivision as authorized by Agency Permit 2004-286.

PROJECT DESCRIPTION

The project as conditionally approved herein involves subdivision of approximately 98 acres to create eight lots to be developed by one single family dwelling each. The lots will range in size from 5.35 acres to 42.5 acres. Four lots (19 - 22) will be accessed from CR 26 and four lots (15 - 18) will be accessed from the existing subdivision road (Daigneau Trail). The remaining approximately 228 acres of the project site will remain vacant.

The project is shown on the following Project Plans:

- A survey titled "Balsam Woods at Merrillville," prepared by Leifheit & Littlefield Land Surveying, and dated June 10, 2024 (Survey);
- A nine-sheet set of plans titled "Balsam Woods Subdivision, Phase 2," prepared by North Woods Engineering, PLLC, received by the Agency June 7, 2024 (Site Plans); and
- A Stormwater Pollution Prevention Plan titled "Balsam Woods Subdivision, Phase 2," prepared by North Woods Engineering, PLLC, and dated May 17, 2024 (SWPPP).

A reduced-scale copy of the Survey and Sheets C-11 and C-12 of the Site 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, 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.

Condition 16 of Permit 2004-286 required prior Agency review and written approval in the form of a new or amended permit for any further subdivision or new land use and development on the project site.

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 Franklin 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 permits 89-428, 2004-286 and 2004-286A in relation to the project site. The terms and conditions of permits 89-428, 2004-286 and 2004-286A 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 2024-0100, 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 a nine-lot subdivision as depicted on the Survey. Any subdivision of the project not depicted on the Survey shall require a new or amended Agency permit.
7. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling and one garage on each of lots 15, 16, 17, 18, 19, 20, 21, and 22 within the "Restrictive Covenant setback line" shown on the Survey.

The authorized structures shall be no more than 40 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade. The authorized single family dwellings shall be no more than 3,500 square feet in footprint, including all attached porches, decks, exterior stairs, garages, and other attached structures. Any expansion beyond these dimensions shall require prior written Agency authorization.

8. Except as authorized herein, the construction of any additional dwelling or other principal building on the project site shall require a new or amended permit.

9. Construction of any guest cottage on the project site shall require prior written Agency approval.
10. 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 Site 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.

11. The project shall be undertaken in compliance with the Stormwater Pollution Prevention Plan.
12. 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.
13. 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 County Route 26, Daigneau Way or adjoining property.
14. 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.
15. Within 100 feet of the centerline of the subdivision road (Daigneau Trail), no trees, shrubs or other woody-stemmed vegetation may be cut or otherwise removed on the project site without prior written Agency authorization, except for the removal of 1) an area up to 25 feet in width for driveway construction and utility installations on each authorized lot, and 2) dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
16. There shall be no more than one principal building(s) located on each of Lots 15, 16, 17, 18, 19, 20, 21, or 22. The single family dwellings authorized herein each constitute a principal building.

CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act 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; 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 15th day of August, 2024.

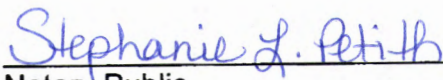
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

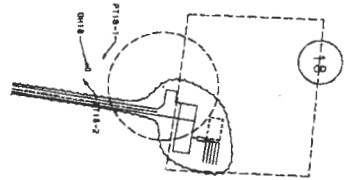
On the 15th day of August in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged 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.

Stephanie L. Pettit
Notary Public, State of New York
Reg. No 01PE6270000
Qualified in Franklin County
Commission Expires April 15, 2025

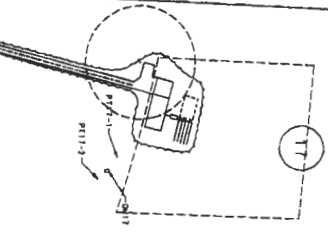

Notary Public

10/01/24

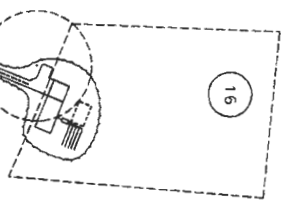
CONSENT TO SUBMIT FOR PUBLIC HEARING AND GRANTING OF ZONING VARIANCE TO THE ADJUDICATIVE BOARD



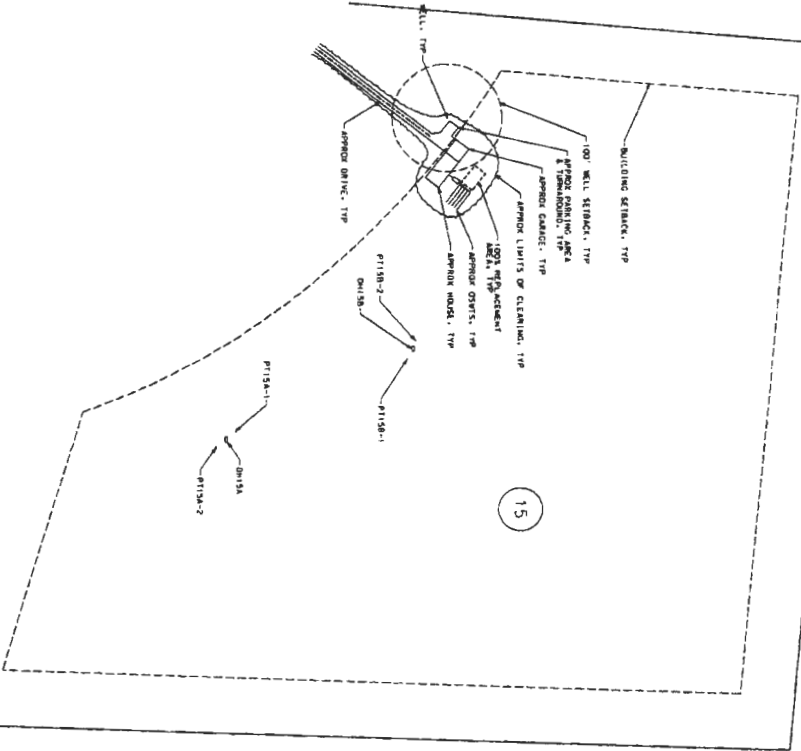
18



17



16



15

NEW YORK STATE OF OPPORTUNITY Adirondack Park Agency
FINAL
P2024-0100

TO BE DEMOLISHED

LOTS 15-18
SITE PLAN

1" = 100'



PROJECT NAME: BALSAM WOODS SUBDIVISION PHASE 2 TOWN OF FRANKLIN, NY

DATE ISSUED FOR REVIEW: [blank]

C11

LOT 15-18 SITE PLAN

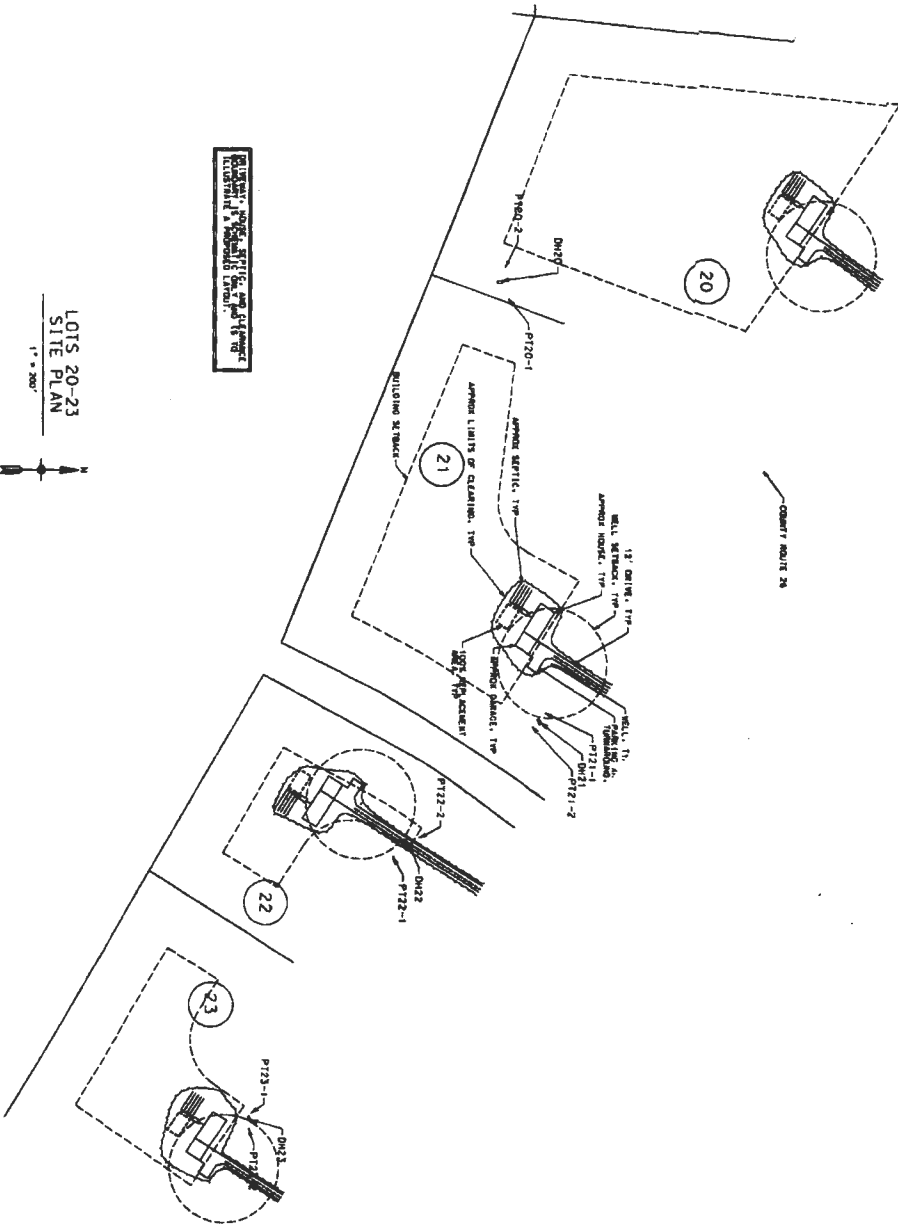
North Woods Engineering, Inc. 1100 N. 3rd St. Roseton, NY 12154

SEAL: NORTH WOODS ENGINEERING, INC. STATE OF NEW YORK LICENSE NO. 11489

TO LOT 20

EXISTING BUILDING FOOTPRINTS AND FOUNDATION LAYOUTS

LOTS 20-23
SITE PLAN
1" = 300'



COMMIT ROUTE 26

TO HWY ROUTE 3

NEW YORK STATE OF OPPORTUNITY

Adirondack Park Agency

FINAL
P2024-0100

PROJECT	PROJECT NAME	
	BALSAM WOODS SUBDIVISION PHASE 2	
SHEET	TOWN OF FRANKLIN, NY	
	C12	
DATE	SCALE	TITLE
	1" = 300'	LOTS 20-23 SITE PLAN
DESIGNED BY	CHECKED BY	PROJECT NO.
DRAWN BY	DATE	
PROJECT NO.	DATE	
DATE	SCALE	TITLE

North Woods Engineering, LLC



North Woods Engineering, LLC
Professional Engineer
No. 12345
State of New York