


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 2024-0151</p>
<p>In the Matter of the Application of</p> <p>MICHAEL RAYMOND and JARRED BRESSNER Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 577</p>	<p>Date Issued: August 22, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Michael Raymond 2. Jarred Bressner</p>

SUMMARY AND AUTHORIZATION

This permit authorizes the 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 Jay, 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 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 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 98.6±-acre parcel of land located on NYS Route 9N in the Town of Jay, Essex County, in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 17.4, Block 1, Parcel 46.110 (Lot 46.110), and is described in a deed from Adirondack Mt. Land LLC to Jarred Bressner, dated September 25, 2020, and recorded October 2, 2020 in the Essex County Clerk's Office at Book 2004, Page 201.

The project site is partially located within the designated East Branch AuSable River Recreational River area. Wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the construction of a single family dwelling with attached garage.

Lot 46.110 constituted a portion of a larger property on the May 22, 1973, enactment date of the Adirondack Park Land Use and Development Plan, and was created by subdivisions from this larger property in 1977 and 1978. As these subdivisions resulted in the creation of a parcel containing less than 2.75 acres on Low Intensity Use lands and within a designated river area, it appears that an Agency permit was required for their undertaking. Agency records indicate that no permit was obtained. By issuance of this permit, Lot 46.110 shall be recognized as lawful for Agency purposes.

The project is shown on the following plans:

- The location of the single family dwelling is depicted on an un-titled plan (Site Plan), received by the Agency July 1, 2024.
- The location and details of the on-site wastewater treatment system are depicted on a plan titled, "Residential Onsite Treatment System – New System, M. Raymond" (Septic Plan), prepared by Upstate Design Associates, LLC, received by the Agency June 10, 2024.

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

AGENCY JURISDICTION

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 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 of Low Intensity Use lands that results in the creation of a non-shoreline lot smaller than 2.75 acres in size 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 Site Plan and Septic 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, 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 2024-0151, issued August 22, 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 the construction of one single family dwelling with attached garage on Lot 46.110 in the location and footprint shown on the Site Plan and Septic Plan. The height of the single family dwelling shall not exceed 25 feet. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.
6. The undertaking of any new land use or development not authorized herein on Lot 46.110 within one-quarter mile of the East Branch AuSable River shall require a new or amended permit.
7. Construction of any guest cottage on Lot 46.110 shall require prior written Agency approval.
8. Any on-site wastewater treatment system(s) on Lot 46.110 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 Plan. 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.

9. 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.
10. 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 the East Branch Ausable River or adjoining property.
11. There shall be no more than 34 principal buildings located on Lot 46.110 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.

CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, 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/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 land use area;
- c. will be consistent with the overall intensity guidelines for the Low Intensity 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;
- 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 22nd day
of August, 2024.

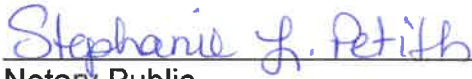
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 22nd 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. Petith
Notary Public, State of New York
Reg. No 01PE6279890
Qualified in Franklin County
Commission Expires April 15, 2025


Notary Public

MAINTENANCE NOTES:

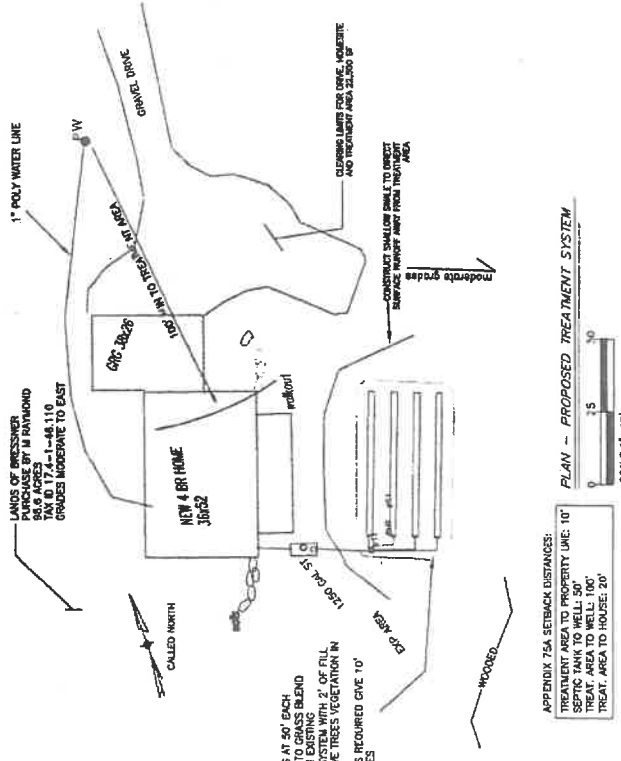
1. CONTENTS OF THE SEPTIC TANK SHALL BE PUMPED EVERY YEAR.
2. TANKS SHALL BE INSPECTED EVERY 2 YEARS OF THE LIQUID LEVEL.
3. TANKS SHALL BE INSPECTED EVERY 2 YEARS OF THE LIQUID LEVEL.
4. ENSURE THAT EXCESSIVE AMOUNTS OF DETERGENTS OR HOUSEHOLD CHEMICALS DO NOT ENTER THE SYSTEM.
5. ONLY FLUSH TOILET PAPER.
6. NEVER ENTER A SEPTIC TANK.
7. NEVER USE ABSORPTION AREAS FOR VEHICLE PARKING.
8. NEVER USE ABSORPTION AREAS FOR MOTOR VEHICLES (WASHER AND DISHWASHER).
9. USE WATER CONSERVING NEW APPLIANCES (WASHER AND DISHWASHER).
10. DWELLINGS AND SEPTIC SYSTEMS USED FOR VACATION RENTALS OR OTHER HIGH LOADING CRITERIA SHOULD HAVE TANKS PUMPED AT LEAST ANNUALLY; CLEAN FILTER.

GENERAL NOTES:

1. DESIGN CLERKLINE IN ACCORDANCE WITH APPENDIX 7B-A DIRECTED AWAY FROM THE TREATMENT AREA.
2. ALL ROOF OR HOUSE DISCHARGES SHALL BE DIRECTED AWAY FROM THE TREATMENT AREA.
3. OWNER/CONTRACTOR RESPONSIBLE FOR COMPONENTS.
4. PRIOR TO EXCAVATING CONTACT DIG SAFE AT 811.
5. ALL EXCAVATIONS SHALL BE PROTECTED WITH SHIELDING AND TANKS IN THE AREAS OF TREATMENT SHALL BE PROTECTED WITH SHIELDING.
6. MATERIAL USED FOR FILL SHALL BE HOMOGENEOUS CLEAN SAND FILL WITH NO STONES OR ROCKS.
7. TREES AND ROOTS SHALL BE CUT TO GRADE AND REMOVED FROM TREATMENT AREAS. DO NOT REMOVE STUMPS BELOW ABSORPTION AREA.
8. ALL COMPONENTS TO BE SET ON A LEVEL 6" GRAVEL BASE.
9. SEPTIC TANK NEW 1000 LEDGE DC CONCRETE. LEVELS TO BE 5T LAM OR EQUAL WITH SPEED.
10. WATER SUPPLY IS DRILLED WELL.
11. PROPERTY INFORMATION TAKEN FROM TAX MAP. DO NOT USE FOR SURVEY INFORMATION.

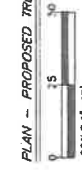
CONSTRUCTION NOTES:

1. ALL EXCAVATIONS SHALL BE PROTECTED WITH SHIELDING AND TANKS IN THE AREAS OF TREATMENT SHALL BE PROTECTED WITH SHIELDING.
2. ANY PORTION OF THE SEWAGE TREATMENT SYSTEM, INCLUDING THE SEPTIC TANK, SHALL BE CONSTRUCTED TO DIRECT RUNOFF WATER AWAY FROM THE BED.
3. ALL EXCAVATIONS SHALL BE PROTECTED WITH SHIELDING AND TANKS IN THE AREAS OF TREATMENT SHALL BE PROTECTED WITH SHIELDING.
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7. USE ONLY LIGHT WEIGHT EQUIPMENT IN PROXIMITY TO THE TREATMENT AREA.
8. ALL EXCAVATIONS SHALL BE PROTECTED WITH SHIELDING AND TANKS IN THE AREAS OF TREATMENT SHALL BE PROTECTED WITH SHIELDING.
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PLAN - PROPOSED TREATMENT SYSTEM

APPENDIX 75A SETBACK DISTANCES:
 TREATMENT AREA TO PROPERTY LINE: 10'
 SEPTIC TANK TO WELL: 50'
 TREATMENT AREA TO WELL: 100'
 TREATMENT AREA TO HOUSE: 20'



DESIGN DATA (NEW SYSTEM)

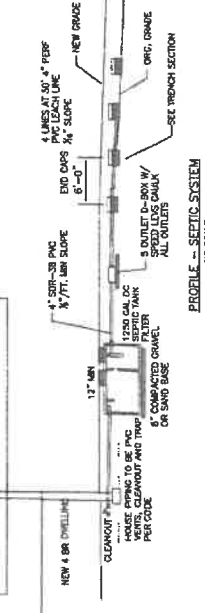
DESIGN FLOW - 440 GPD FOUR BEDROOM HOME W/ NEW STANDARD FIXTURES, (1.6 GPF & 3 GPM MAX.) DUE TO SHOW AT 28"

CLEAN SAND FILL
 1-5 MINUTE PERCOLATION RATE
 184 FT OF ABSORPTION TRENCH REQ'D
 1200 GALL DUAL COMPARTMENT LONG TANK W/ BOTTLES PULLDOWN PLUS OUTLET FILTER TEE HANDLE.
 5" OUTLET DRAIN W/ SPEED LENS

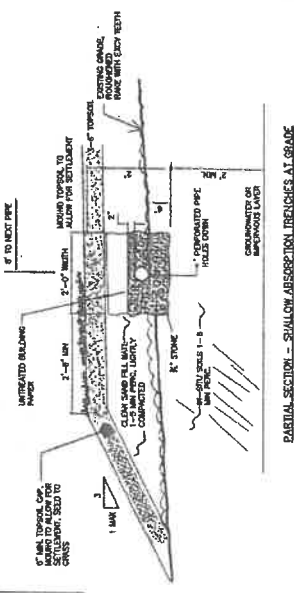
SOL. TEST DATA TAKEN ON MAY 9, 2024 BY RMB

DEEP HOLE TEST DOWNSLOPE OF BUILD SITE SLOPES MODERATE

6'-22" 1" BROWN CLAY AND LOAM
 22'-54" GREY FINE SAND
 34'-72" GREY SAND-GRAVEL FRN
 NO WATER SEEPAGE, NO LEDGE
 NOTILING OBSERVED AT 29'
 PERC TEST 2: 2m AT 14" DEPTH



PROFILE - SEPTIC SYSTEM NO SOAK



PARTIAL SECTION - SHALLOW ABSORPTION TRENCHES AT GRADE



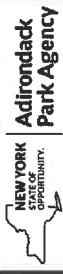
RYAN M. BURNS, NYS P.E. LICENSE NO. 064062
 DESTROY PREVIOUSLY DATED DRAWINGS

NO. DATE BY REVISIONS

UPSTATE DESIGN ASSOCIATES, LLC
 Consulting Engineers
 upstateengineers.com
 RYAN M. BURNS, P.E.
 PORT KANT NY 12975
 P: 518-534-2658
 C: 518-534-0258

RESIDENTIAL ONSITE TREATMENT SYSTEM
 PROJECT: NEW SYSTEM, M. RAYMOND
 LOCATION: RTE 9N - JAY NY
 DATE: MAY 14, 2024
 DRAWN BY: RMB
 SHEET NO. 1

RECEIVED
 ADIRONDACK PARK AGENCY
 JUN 10 2024



FINAL
P2024-0151



RECEIVED
Date: July 1, 2024

