


THIS IS A TWO-SIDED DOCUMENT

 <p><b>Adirondack Park Agency</b></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 <b>2024-0169</b></p>
<p>In the Matter of the Application of</p> <p><b>PAUL E. ALLEN CARRIANN GREXA-ALLEN</b> Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: August 7, 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"><li><b>1. Paul E. Allen</b></li><li><b>2. Carriann Grexa-Allen</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes a two-lot subdivision and construction of a single family dwelling in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Lake Pleasant, Hamilton County.

This authorization shall expire unless recorded in the Hamilton 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 Hamilton 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 10.628-acres of land located on Page Street in the Town of Lake Pleasant, Hamilton County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 113.009, Block 1, Parcel 3.120 (Parcel 3.120) and Tax Map Section 113.009, Block 1, Parcel 28 (Parcel 28). Parcel 3.120 is described in a deed from Russell N. Olsen and Carmela M. Olsen to Paul E. Allen and Carriann Grexa-Allen, dated October 16, 2023, and recorded October 27, 2023 in the Hamilton County Clerk's Office under Instrument Number 2023-1220 and Parcel 28 is described in a deed from Brian Olson to Paul E. Allen and Carriann Grexa-Allen, dated January 11, 2009, and recorded January 28, 2009 in the Hamilton County Clerk's Office under Book 246 of Deeds at Page 294.

The project site contains wetlands as depicted on the Site Plan. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

Parcel 28 is improved by a circa 2018 single family dwelling with related development and contains shoreline on Echo Lake.

Parcel 3.120 was created as "Lot 2" in a two-lot subdivision as authorized by Agency Permit 2023-0114.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves a two-lot subdivision of Parcel 3.120 creating:

- A 5.424-acre vacant non-shoreline lot (Lot 1); and
- A 4.565-acre non-shoreline lot to be improved by a new single family dwelling with related development (Lot 2).

Lot 1 will be merged with 0.639-acre Parcel 28, resulting in a 6.063-acre un-divided lot improved by a circa 2018 single family dwelling with related development (un-divided lot).

The project is shown on a single page plan titled, "Allen Proposed Septic System Lot 2", prepared by James Francis Reis Jr., P.E., dated July 16, 2024 (Site Plan).

A copy of the Site Plan 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.

**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 Hamilton 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 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 2023-0114 in relation to the project site. The terms and conditions of Permit 2023-0114 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 2024-0169, issued August 7, 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 two-lot subdivision of Parcel 3.120 as depicted on the Site Plan. Any subdivision of Parcel 3.120 not depicted on the Site Plan shall require prior written Agency authorization.
7. Within 30 days of conveyance of Lot 2, a new deed shall be filed in the Hamilton County Clerk's office describing Lot 1 and Parcel 28 as a single, 6.063-acre un-divided lot. Any future subdivision of this un-divided lot shall require a new or amended permit.
8. Any deed of conveyance for Lot 1 as depicted on the Site Plan shall contain an easement providing access to Lot 2 over the existing driveway depicted on the Site Plan.
9. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling with accessory structure garage and barn on Lot 2 in the location and footprint shown on the Site Plan. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.

The single family dwelling shall be no more than 30 feet in height and the garage and barn shall be no more than 20 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade. Any expansion beyond these dimensions shall require prior written Agency authorization.

10. The construction of any additional dwelling or other principal building on the project site shall require prior written Agency authorization. The construction of any additional accessory structure on the project site within 100 feet of wetlands shall require prior written Agency authorization.
11. Construction of any guest cottage on the project site shall require prior written Agency approval.
12. Any boathouse constructed on the undivided lot must be used only for the storage of boats and associated equipment, not contain sanitary plumbing of any kind, not exceed a single story in that the roof rafters rest on the top plate of the first floor wall, and have a footprint of 1200 square feet or less and a height of 15 feet or less.
13. Any dock constructed on the undivided lot must be a floating or fixed structure no more than eight feet in width, including at its attachment to a shoreline or boathouse, and must be used for securing and/or loading or unloading water craft and/or for swimming or water recreation. Any supporting structure established to hoist or suspend the dock above water level for storage must be no greater than 100 square feet in size, including all parts. A dock stored above water level must remain parallel with the water, unless the dock and supporting structure combined measure less than 100 square feet in size.
14. No structures greater than 100 square feet in size shall be constructed on the undivided lot within 75 feet, measured horizontally, of the mean high water mark of Echo Lake. Boathouses and docks, as defined under 9 NYCRR § 570.3 are excepted from this requirement.
15. Any on-site wastewater treatment system on Lot 2 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 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.

16. 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.

17. 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 Echo Lake, Page Street or adjoining property.
18. Within 25 feet of the property line on Lot 2 depicted on the Site Plan or within 100 feet of wetlands on the project site, no trees, shrubs or other woody-stemmed vegetation/ may be cut, culled, trimmed, pruned or otherwise removed or disturbed 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.
19. There shall be no more than four principal buildings located on Lot 1 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.
20. There shall be no more than four principal buildings located on the undivided lot, in addition to the circa 2018 single family dwelling or any replacement structure for this dwelling as allowed by Agency regulations. 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 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 Moderate Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Moderate 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;
- 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; and
- 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.

PERMIT issued this 7<sup>th</sup> day  
of August, 2024.

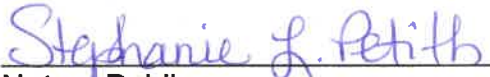
ADIRONDACK PARK AGENCY

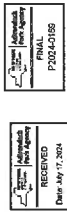
BY:   
David J. Plante, AICP CEP  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 7<sup>th</sup> 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



FINAL PRODUCTIONS

RECEIVED  
Date: July 17, 2024

**CHOSEN SYSTEM**  
SHALLOW ABSORPTION  
TRENCH SYSTEM

**SYSTEM SIZING**

5 BEDROOM HOUSE PERC RATE 27 IN/IN  
 DESIGN FLOW RATE  
 110 GPM/44 Y3 = 330 GPD TR1/  
 ALL SETBACKS IN ACCORDANCE  
 WITH TABLE 2  
 SEPTIC TANK SIZE PER TABLE  
 3 = 1000 GALL  
 REQUIRED LENGTH OF  
 ABSORPTION TRENCH PER  
 TABLE 4-A = 275 FT  
 USE 6 LATERALS 50 LONG  
 ABSORPTION TRENCHES, 24" WIDE  
 X 18" DEEP, & 8" MIN. INTO CONC.  
 PIPING - 4" PERC. PVC SCHEDULE 40  
 MINERALS SLOPE 1/4" PER  
 LINEAR FT. MAX.

12 HOLE MIN. CONC.  
 DISTRIBUTION BOX  
 W/ SPEED LEVELERS

1000 GALL. PRE-CAST  
 CONCRETE SEPTIC TANK  
 4" x 35' SCHEDULE PIPE  
 @ 1/4" MIN. SLOPE

THOSE IN BOX MAKE  
 RESERVES FOR POTENTIAL  
 EXPANSION IF NEEDED

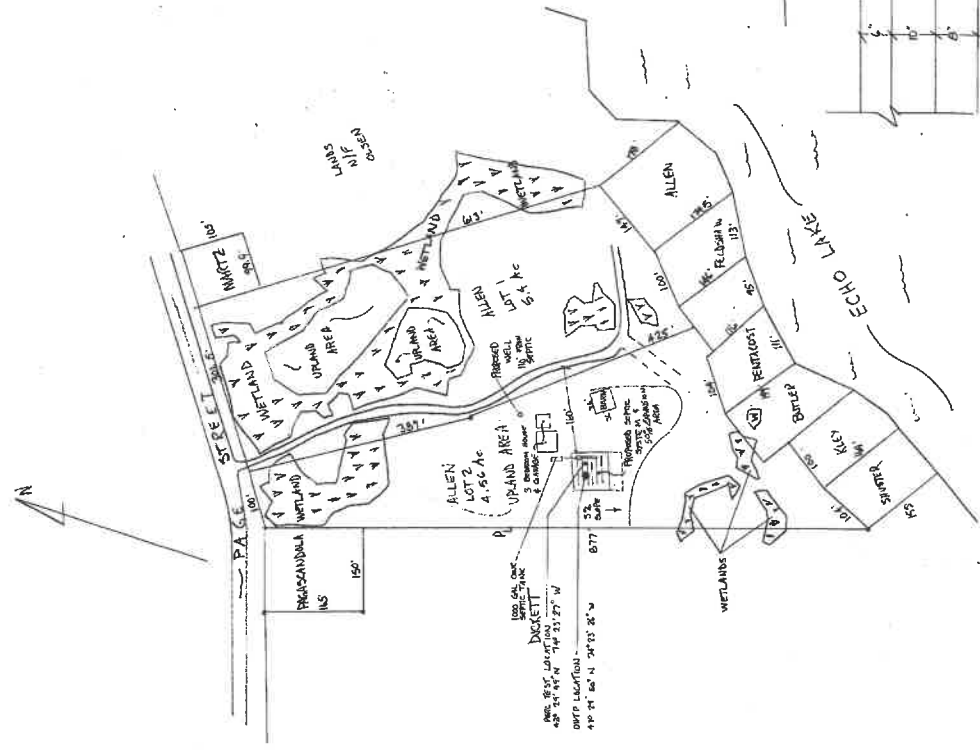
SEPTIC SYSTEM PLAN VIEW  
 SCALE 1" = 4'

SEPTIC SYSTEM PROFILE VIEW  
 SCALE 1" = 4'

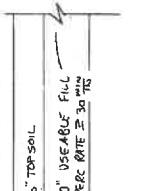
TRENCH DETAIL  
 SCALE 1" = 1'

PROPERTY LINE & WETLAND LOCATIONS TAKEN FROM  
 SURVEY CONDUCTED BY J.C. ROSS JUNE 11, 2024  
 PLOT PLAN & SEPTIC DESIGN BY JAMES REIS P.E.  
 FIELD WORK CONDUCTED BY JAMES REIS JULY 11 & 12, 2024.  
 NOTE: SEE PERC TEST & DMTT RESULTS OTHER SHEET.

ALLEN PROPOSED SEPTIC SYSTEM LOT 2	
DATE	NOV 19, 2024
PROJECT	113 DOT 1-312 LOT 2
TOWN OF LAKE ALLEGAN	
1 OF 1	



PLOT PLAN  
 SCALE 1" = 100'



TRENCH DETAIL  
 SCALE 1" = 1'

SEPTIC SYSTEM PLAN VIEW  
 SCALE 1" = 4'

SEPTIC SYSTEM PROFILE VIEW  
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**SYSTEM SIZING**

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