


THIS IS A TWO-SIDED DOCUMENT

 Adirondack Park Agency P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov	APA Permit 2024-0236
In the Matter of the Application of CLAUDIA HOWERTON Permittee for a permit pursuant to § 809 of the Adirondack Park Agency Act	Date Issued: October 15, 2024 To the County Clerk: Please index this permit in the grantor index under the following names: 1. Claudia Howerton

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of AuSable, 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 45.31-acre parcel of land located on Clintonville Road in the Town of AuSable, 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 313, Block 3, Parcel 8.4, and is described in a deed from Roger L. Howerton, Sr. to Roger L. Howerton, Sr. and Claudia Howerton, dated January 30, 2023, and recorded January 30, 2023 in the Clinton County Clerk's Office under Instrument Number 2023-00329657.

The project site contains wetlands associated with the Little AuSable River. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The project site is improved by two single family dwellings with associated accessory sheds and individual onsite wastewater treatment systems.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision creating a 7.35-acre lot with an existing single family dwelling (Lot 1) and a 37.96-acre lot with an existing single family dwelling (Lot 2).

The project is shown on the following plan:

- "Map Showing Boundary Survey and Subdivision of Land for Claudia Howerton" (Site Plan), prepared by Leifheit & Littlefield Land Surveying, received by the Agency August 22, 2024.

A reduced-scale 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 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 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 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.

2. 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 2024-0236, issued October 15, 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 two-lot subdivision as depicted on the Site Plan. Any subdivision of the project site not depicted on the Site Plan shall require a new or amended permit.
6. The construction of any structure on the project site shall require prior written Agency authorization.
7. Installation of any on-site wastewater treatment system(s) on the project site shall require prior written Agency approval.
8. There shall be no more than one principal building located on Lot 1 at any time. The single family dwelling constructed on the property in 1994 constitutes a principal building.
9. There shall be no more than four principal buildings located on Lot 2 at any time. The single family dwelling constructed on the property in 2016 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 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.

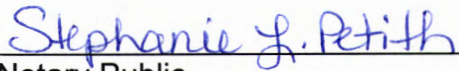
PERMIT issued this 15th day
of October, 2024.

ADIRONDACK PARK AGENCY

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

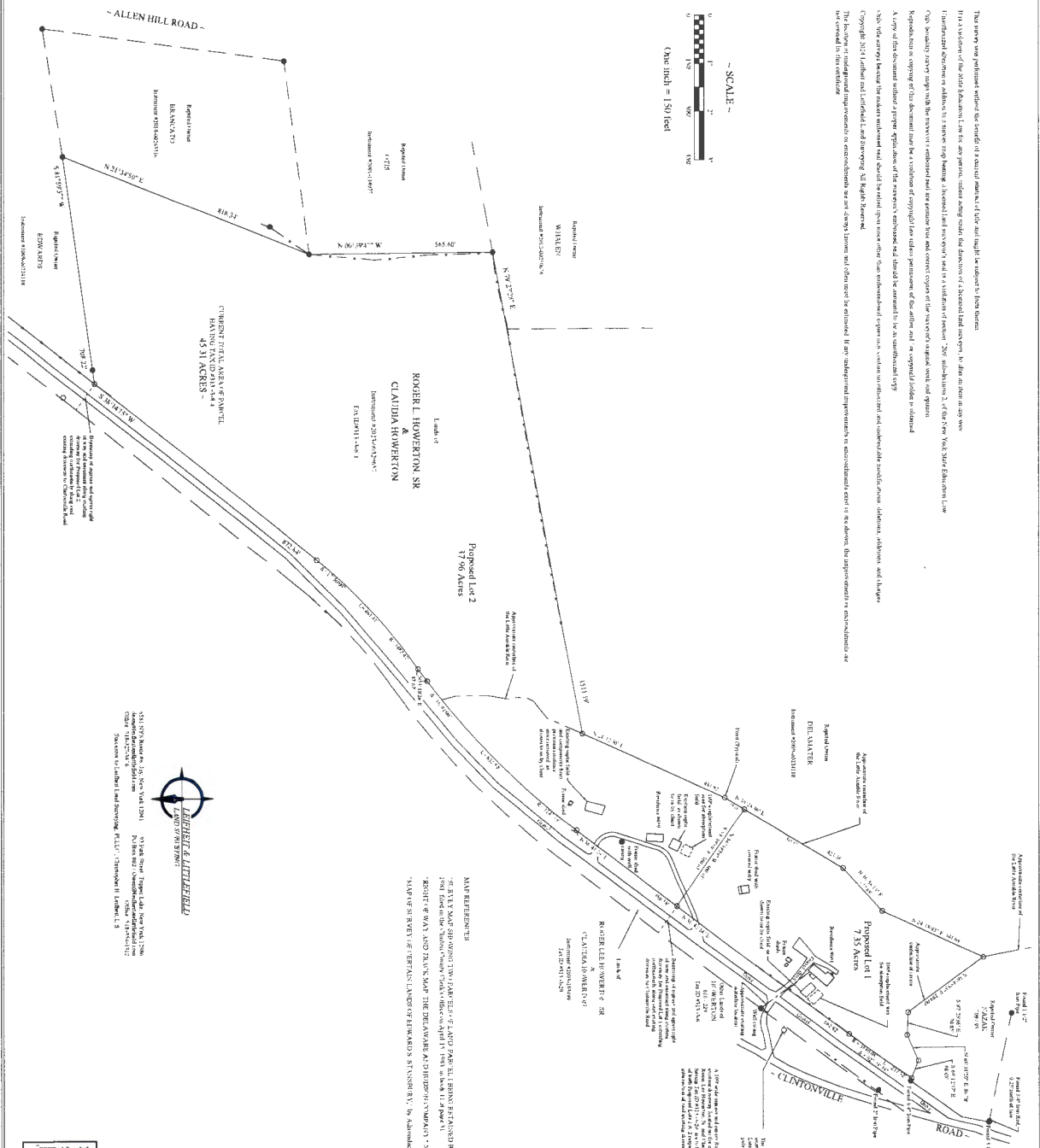
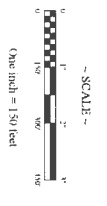
STATE OF NEW YORK
COUNTY OF ESSEX

On the 15th day of 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.


Notary Public

Stephanie L. Petith
Notary Public, State of New York
Reg. No. 01PE6279890
Qualified in Franklin County
Commission Expires April 15, 2025

The survey was performed within the limits of a valid and unexpired license to practice as a professional land surveyor in the State of New York. It is not intended to constitute a warranty of the accuracy of the information contained herein, and the surveyor is not responsible for any errors or omissions in the original survey. This document is not intended to constitute a warranty of the accuracy of the information contained herein, and the surveyor is not responsible for any errors or omissions in the original survey. A copy of this document and/or a printed reproduction of the survey, including all necessary information, is being provided to the client. This document is not intended to constitute a warranty of the accuracy of the information contained herein, and the surveyor is not responsible for any errors or omissions in the original survey. A copy of this document and/or a printed reproduction of the survey, including all necessary information, is being provided to the client. This document is not intended to constitute a warranty of the accuracy of the information contained herein, and the surveyor is not responsible for any errors or omissions in the original survey. A copy of this document and/or a printed reproduction of the survey, including all necessary information, is being provided to the client.



CLINTONVILLE ROAD
 49.31 ACRES
 CLIMENT HOTEL, MENA & SAMUEL
 HAVING EXCISEMENTS AND 4

**ROBERT L. HOWERTON SR.
 &
 CLAUDIA HOWERTON**
 BIRTHDATE: 03/15/1948
 EX. 100111-1-1-1

**Proposed Lot 2
 7.76 Acres**

**Proposed Lot 1
 7.35 Acres**

RECEIVED
 Date: August 22, 2024

FINAL
 #2024-0236

~ **CLAUDIA HOWERTON** ~
 SHOWING BORN TODAY'S BIRTHDAY
 IN DIVISION OF LAND

Shades in
 TOWN OF AYSABLE
 CLINTON COUNTY
 STATE OF NEW YORK

