


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 2022-0099A</p>
<p>In the Matter of the Application of</p> <p>LECAVANNA LLC Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: January 23, 2025</p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. LeCavanna LLC</p>

SUMMARY AND AUTHORIZATION

This permit authorizes expansion of an existing tourist accommodation in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Broadalbin, Fulton County.

This authorization shall expire unless recorded in the Fulton 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 Fulton County Clerk's Office. The Agency will consider the project in existence when operation of the existing single family dwelling as a tourist accommodation commences.

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 49-acre parcel of land located on Hatzenbuhler Road in the Town of Broadalbin, Fulton 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 122.2, Block 1, Parcels 2.120 and 2.200, and is described in a deed from Gregory J. Bown and Melissa Bown to LeCavanna LLC, dated February 9, 2022, and recorded April 8, 2022 in the Fulton County Clerk's Office under Instrument Number 2022-74058.

The project site is improved by a tourist accommodation authorized by Agency Permit 2022-0099, consisting of eight tourist cabins that are 14-foot by 22-foot tent platforms covered with 14-foot by 16-foot tents and a check-in building/bathhouse. A single family dwelling with detached garage was constructed in 2003 on Parcel 2.200, but has not been previously authorized for use as a tourist accommodation.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a change in use of the existing single family dwelling to a tourist accommodation structure for incorporation into the existing tourist accommodation authorized by Agency Permit 2022-0099.

The project is shown on the following Project Plans:

- Page C-101 titled, "Location Map," prepared by Steven E. Smith, P.E. and last revised June 28, 2022 (Site Plan);
- Pages C-501 and C-502 titled, "Wastewater System Plan," prepared by Steven E. Smith, P.E. and last revised May 22, 2022 (Wastewater System Plan);
- A two-sheet plan set titled, "Cody LeClair Deck Specs," prepared by North Country Storage Barns and dated November 24, 2021 (Deck Plan); and
- A single plan sheet titled, "Cody LeClair Renovation," prepared by North Country Storage Barns and dated December 2, 2021 (Check In/Bathhouse Plan).

A reduced-scale copy of the Site Plan is attached as a part of this permit for reference.

AGENCY JURISDICTION

This permit amends Conditions 8 and 11 of Agency Permit 2022-0099.

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 Fulton 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, for as long as the tourist accommodation remains on the site. 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 2022-0099 in relation to the project site. The terms and conditions of Permit 2022-0099 shall no longer apply to the project site.
5. All conditions in Permit 2005-0206 remain in full force and effect in relation to Parcel 2.120.
6. 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 2022-0099A, issued January 23, 2025, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
7. This permit authorizes a change in use of the existing single family dwelling to a tourist accommodation structure as depicted on the Site Plan, and the continued operation of the previously authorized tourist accommodation as conditioned herein. Any change to the location, dimensions, or addition of bedrooms to any tourist accommodation structure shall require prior written Agency authorization.
8. The eight tourist accommodation cabins shall only operate from May 1 to October 31 each year. The new tourist accommodation structure authorized herein may be operated year-round. Any change to the season of operation shall require prior written Agency authorization.
9. Notice of quiet hours between 10pm and 8am shall be posted and shall also be provided to guests during registration.
10. There shall be no outdoor sound amplification or intercom systems associated with the tourist accommodation.
11. Installation of any future pit privy on the project site shall require prior written Agency authorization.
12. Any new free-standing or building-mounted outdoor lights associated with the tourist accommodation on the project site shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Hatzenbuhler Road or adjoining property.
13. All signs associated with the tourist accommodation on the project site shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3].

14. Within 100 feet of adjoining properties, 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.
15. The undertaking of any activity involving wetlands shall require a new or amended permit.
16. There shall be no more than two principal buildings located on Parcel 2.200 at any time. The single family dwelling constructed in 2003, authorized herein as a tourist accommodation structure, constitutes a principal building and the eight tourist cabins authorized herein together constitute eight-tenths of a principal building.

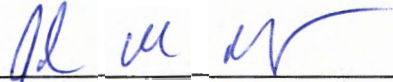
CONCLUSIONS OF LAW

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 project 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.

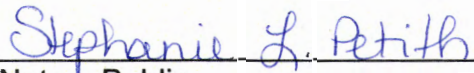
PERMIT issued this 23rd day
of January, 2025.

ADIRONDACK PARK AGENCY

BY: 
John M. Burth
Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK
COUNTY OF ESSEX

On the 23rd day of January in the year 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, 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

