


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 2024-0190A</p>
<p>In the Matter of the Application of</p> <p>ALAN R. LEWIS, MARY M. LEWIS AND MICHAEL KORPI Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: January 8, 2025</p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s):</p> <ol style="list-style-type: none">1. Alan R. Lewis2. Mary M. Lewis3. Michael Korpi

THIS PERMIT AMENDS AND SUPERSEDES AGENCY PERMIT 2024-0190, ISSUED ON SEPTEMBER 12, 2024 AND RECORDED IN THE FRANKLIN COUNTY CLERK'S OFFICE ON OCTOBER 1, 2024 AS INSTRUMENT # 2024-4843.

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 Duane, 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 the authorized lot has been conveyed and merged.

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 comprised of a 20-acre parcel and a 58-acre parcel of land located on Red Tavern Road in the Town of Duane, Franklin County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map. The 20-acre portion is identified as Tax Map Section 229, Block 1, Parcel 6.1, and is described in a deed from Pam Kriedeman to Michael Korpi, dated May 6, 2019, and recorded May 13, 2019 in the Franklin County Clerk's Office under Instrument Number 2019-2106. The 58-acre portion is identified as Tax Map Section 229, Block 1, Parcel 6.2, and is described in a deed from Jamie L. Gilmore to Alan Ronald Lewis and Mary M. Lewis, dated February 10, 2012, and recorded February 16, 2012 in the Franklin County Clerk's Office under Instrument Number 2012-805.

Parcel 6.1 is vacant. Parcel 6.2 is improved by a pre-existing single family dwelling and accessory structures. The project site contains shoreline on Horseshoe Pond and contains wetlands that are associated with the shoreline. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The project site was created as a two-lot subdivision as authorized by Agency Permit 81-36.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of Parcel 6.1 to create a 16.8-acre vacant lot and a 3.2-acre vacant lot to be merged with Parcel 6.2. No new land use and development is proposed or authorized.

The project is shown on the following map entitled "Map Showing Boundary Survey Of Property Of Michael Korpi To Be Conveyed to Alan R and Mary M Lewis," prepared by Leifheit & Littlefield, and dated January 26, 2024 (Site Plan). 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 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 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 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 Permits 81-36 and 2024-0190 in relation to the project site. The terms and conditions of Permits 81-36 and 2024-0190 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 2024-0190A, issued January 8, 2025, 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 6.1 as depicted on the Site Plan. Any subdivision of project site not depicted on the Site Plan shall require a new or amended permit.
7. Within 30 days of conveyance of the 3.2 acre portion of Parcel 6.1, a new deed shall be filed in the Franklin County Clerk's office describing the 3.2 acre lot and Parcel 6.2 as a single, un-divided lot. Any future subdivision of this undivided lot shall require a new or amended permit.
8. The undertaking of any new land use or development shall require prior written Agency authorization. The undertaking of any activity involving wetlands shall require a new or amended permit.
9. No structures greater than 100 square feet in size shall be constructed within 75 feet, measured horizontally, of the mean high water mark of Horseshoe Pond. Boathouses and docks, as defined under 9 NYCRR § 570.3 are excepted from this requirement.
10. Installation of any on-site wastewater treatment systems on the project site shall require prior written Agency approval.
11. There shall be no more than three principal buildings located on the 16.8-acre retained portion of Parcel 6.1. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
12. There shall be no more than six principal buildings located on the merged property comprised of the 3.2-acre lot and Parcel 6.2 in addition to the pre-existing 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 578 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;
- 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 8th day of January, 2025.

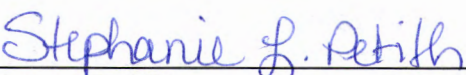
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 8th 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.

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


Notary Public

