


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>2024-0322</b></p>
<p>In the Matter of the Application of</p> <p><b>JOHN C. BECKER, III DARLENE BECKER</b> Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</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"><li><b>1. John C. Becker, III</b></li><li><b>2. Darlene Becker</b></li></ol>

**This permit supersedes un-recorded Permit 2024-0322, issued by the Agency on April 16, 2025.**

**SUMMARY AND AUTHORIZATION**

This permit authorizes 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 the foundation has been constructed for the single family dwelling authorized herein.

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 5.4±-acre parcel of land located on Fish Mountain Road 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 112.019, Block 3, Parcel 40.100, and is described in a deed from Christopher Edwards to John C. Becker, III and Darlene Becker, dated December 7, 2024, and recorded January 8, 2025 in the Hamilton County Clerk's Office under Instrument Number 2025-21.

The project site contains forested and shrub swamp wetlands as depicted on the Project Plans. Additional wetlands not described herein or depicted on the Project Plans may be located on or adjacent to the project site.

The project site is improved by a circa 1930's single family dwelling (located 50±-feet from the mean high water mark of Sacandaga Lake) and a circa 1930's boathouse with living space (two bedrooms, kitchen and bathroom on second floor) with a shared on-site wastewater treatment system.

The project site was created as "Lot 1" in a two-lot subdivision as authorized by Agency Permit 2009-0220.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves construction of a new single family dwelling with attached garage and on-site wastewater treatment system.

The project is shown on the following plans:

- A single plan sheet titled "Plot Plan/Septic Design Becker", prepared by James Reis, Jr, P.E., and dated March 17, 2025 (Septic Plan); and
- A three-sheet plan set titled "Proposed Site Plan for the Becker Residence", prepared by Environmental Design Partnership, LLP and dated March 13, 2025 (Project Plans).

Sheet 1 of the Project Plans is herein referred to as the "Site Plan" and Sheets 2 and 3 of the Project Plans are together herein referred to as the "Stormwater Plan". A reduced-scale copy of the Site Plan is attached as a part of this permit for reference.

### **AGENCY JURISDICTION**

The project authorized by Agency Permit 2009-0220 required a permit pursuant to Section 809(2)(a) of the Adirondack Park Agency Act and Adirondack Park Agency regulations at 9 NYCRR Part 578 for a subdivision involving wetlands in the Adirondack Park.

Condition 8 of Agency Permit 2009-0220 requires a new or amended permit prior to the construction of an additional principal building on the project site.

**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 2009-0220 in relation to the project site. The terms and conditions of Permit 2009-0220 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 2024-0322, issued April 30, 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 the construction of one single family dwelling and attached garage on the project site in the location, footprint, and height shown and as described on the Site Plan. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.
7. The construction of any additional dwelling or other principal building on the project site shall require prior written Agency authorization. The construction of any accessory structure outside the limits of clearing shall require prior written Agency authorization.
8. Construction of any guest cottage on the project site shall require prior written Agency authorization.
9. No structures greater than 100 square feet in size shall be constructed within 50 feet, measured horizontally, of the mean high water mark of Sacandaga Lake. Boathouses and docks, as defined under 9 NYCRR § 570.3 are excepted from this requirement.

10. Prior to undertaking construction of any boathouse on the project site, written authorization of plans for the boathouse, including all attached docks or walkways, shall be obtained from the Agency.
11. Prior to undertaking construction of any dock on the project site, written authorization of plans for the dock, including all attached upland structures, shall be obtained from the Agency.
12. Any on-site wastewater treatment systems on the project site 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.

13. The project shall be undertaken in compliance with the Stormwater Plan.
14. 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.
15. 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 Sacandaga Lake, Fish Mountain Road or adjoining property.
16. Outside of the limits of disturbance depicted on the Site Plan, 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.
17. The undertaking of any activity involving wetlands shall require a new or amended permit.
18. There shall be no more than three principal buildings located on the project site, in addition to the pre-existing single family dwelling or any replacement structure for this dwelling as allowed by Agency regulations. The single family dwelling authorized herein constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.



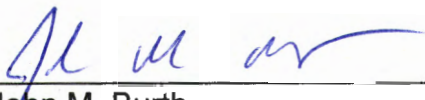
**CONCLUSIONS OF LAW**

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, and 9 NYCRR Part 574. The Agency hereby finds that the 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; 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 30<sup>th</sup> day  
of April, 2025.

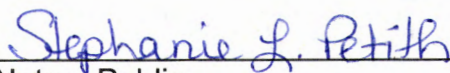
**ADIRONDACK PARK AGENCY**

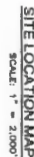
BY:   
John M. Burth  
Environmental Program Specialist 3 (EPS3)

**STATE OF NEW YORK  
COUNTY OF ESSEX**

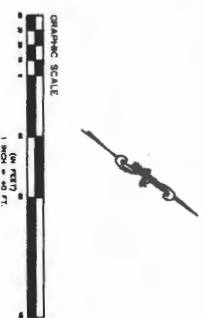
On the 30<sup>th</sup> day of April in the year 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument 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, 2029

  
Notary Public



**MAP REFERENCES:**  
 1) Map 011106  
 Map Date  
 Prepared By  
 2) Northern County Fair Property Tax Map  
 Year of Last Assessment  
 Assessor  
 Lot No.  
 AC1



SCALE <b>1" = 40'</b>  NOT FOR CONSTRUCTION  SHEET TITLE <b>OVERALL SITE PLAN</b>  PROJECT: <div style="text-align: right;"><b>1 OF 3</b></div>	 <p style="font-size: small;">BRIAN M. BRANSON P.E. #10680020</p>	<div style="background-color: black; color: white; padding: 5px; text-align: center;">             PROPOSED SITE PLAN FOR THE  <b>BECKER RESIDENCE</b>              JACK BECKER           </div> <p>152 FISH MOUNTAIN ROAD TOWN OF LAKE PLEASANT HAMILTON COUNTY, NEW YORK</p>	<p>TAX MAP ID: 112.019-3-40.1</p> <p>FEBRUARY 19, 2025</p>	 <b>ENVIRONMENTAL DESIGN PARTNERSHIP, L.L.P.</b> <small>482 Route 142 Clifton Park, New York 12045 (518) 583-7700</small>
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