

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
2012-0093A

Date Issued: **June 24, 2025**

In the Matter of the Application of

BRIAN D. SOBIESKI and SABRINA T. SOBIESKI
Permittees

for a permit pursuant to § 809 of the Adirondack
Park Agency Act and 9 NYCRR Part 578

To the County Clerk: Please index
this permit in the grantor index
under the following name(s):

- 1. Brian D. Sobieski**
- 2. Sabrina T. Sobieski**

SUMMARY AND AUTHORIZATION

This permit authorizes the re-location of a previously authorized driveway in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Hadley, Saratoga County.

This authorization shall expire unless recorded in the Saratoga 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 Saratoga County Clerk's Office. The Agency will consider the project in existence when the relocated driveway has been completed.

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 vacant 10±-acre parcel of land located on Hadley Hill Road in the Town of Hadley, Saratoga 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 17, Block 1, Parcel 3.2, and is described in a deed from North Point Ventures, LLC to Brian D. Sobieski and Sabrina T. Sobieski, dated May 31, 2024, and recorded June 5, 2024 in the Saratoga County Clerk's Office under Instrument Number 2024013422.

The project site contains wetlands which were evaluated as part of Agency Permit 2012-0093. 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 "Lot 2" in a three-lot subdivision authorized by Agency Permit 2012-0093.

PROJECT DESCRIPTION

Agency Permit 2012-0093 authorized a three-lot subdivision, construction of a single family dwelling on Lot 2, and included a shared access driveway between Lots 2 and 3. The project as conditionally approved herein involves construction of a new driveway to serve the project site only so that access to the project site will be 113 feet east of the western property boundary along Hadley Hill Road, and then travel westerly and adjacent to the previously authorized driveway.

The project is shown on an annotated copy of a portion of the previously approved survey (Sketch Plan), prepared by the applicant, and received by the Agency on May 27, 2025. A reduced-scale copy of the Sketch Plan is attached as a part of this permit for reference.

AGENCY JURISDICTION

This permit amends Condition 12 of Permit 2012-0093.

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 Saratoga 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 access driveway and previously authorized single-family dwelling remain on the site. Copies of this permit and the Sketch 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 2012-0093 in relation 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 2012-0093A, issued June 24, 2025, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. After the construction of one new dwelling on the project site, no additional principal buildings shall be allowed on project site.
7. Any new free-standing or building-mounted outdoor lights shall employ full cut-off fixtures; that is, they shall be fully shielded to direct light downward and not into the sky. The fixtures shall be oriented so as to not cast light toward Hadley Hill Road or adjoining property.
8. Installation of an on-site wastewater treatment system for the project site shall be a shallow absorption trench on-site wastewater treatment system with a minimum of 2 vertical feet from seasonal high ground water and shall be installed on the project site in the location shown on the site plan referenced herein. The system shall comply with New York State Department of Health's "Wastewater Treatment Standards for Individual Household Systems", the Agency's "Guidelines for On-site Sewage Disposal Systems (10 NYCRR Appendix 75-A), and with Agency standards in 9 NYCRR Appendix Q-4.
9. Prior to construction of any on-site wastewater treatment system on the Lot 2, written authorization shall be obtained from the Agency for plans prepared by a New York State design professional (licensed engineer or registered architect) that comply with the Agency's Project Guidelines for Residential On-Site Wastewater Treatment, and with Agency standards in 9 NYCRR Appendix Q-4.

Installation of the approved plans shall be under the supervision of a licensed design professional. Within 30 days of complete system installation and prior to utilization, the design professional shall provide the Agency with written certification that the system was installed in compliance with the Agency authorized plan set.
10. Within 100 feet of the edge of pavement of Hadley Hill Road, no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed except for an area not to exceed 25 feet in width for driveway construction and utility installations in the location shown on the Sketch Plan. This condition shall not be deemed to prevent the removal of dead or diseased vegetation or of rotten or damaged trees or of other vegetation that presents a safety or health hazard.

11. No further subdivision or land use and development shall occur on the property without prior written Agency authorization.

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 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 24th day
of June, 2025.

ADIRONDACK PARK AGENCY

BY: _____

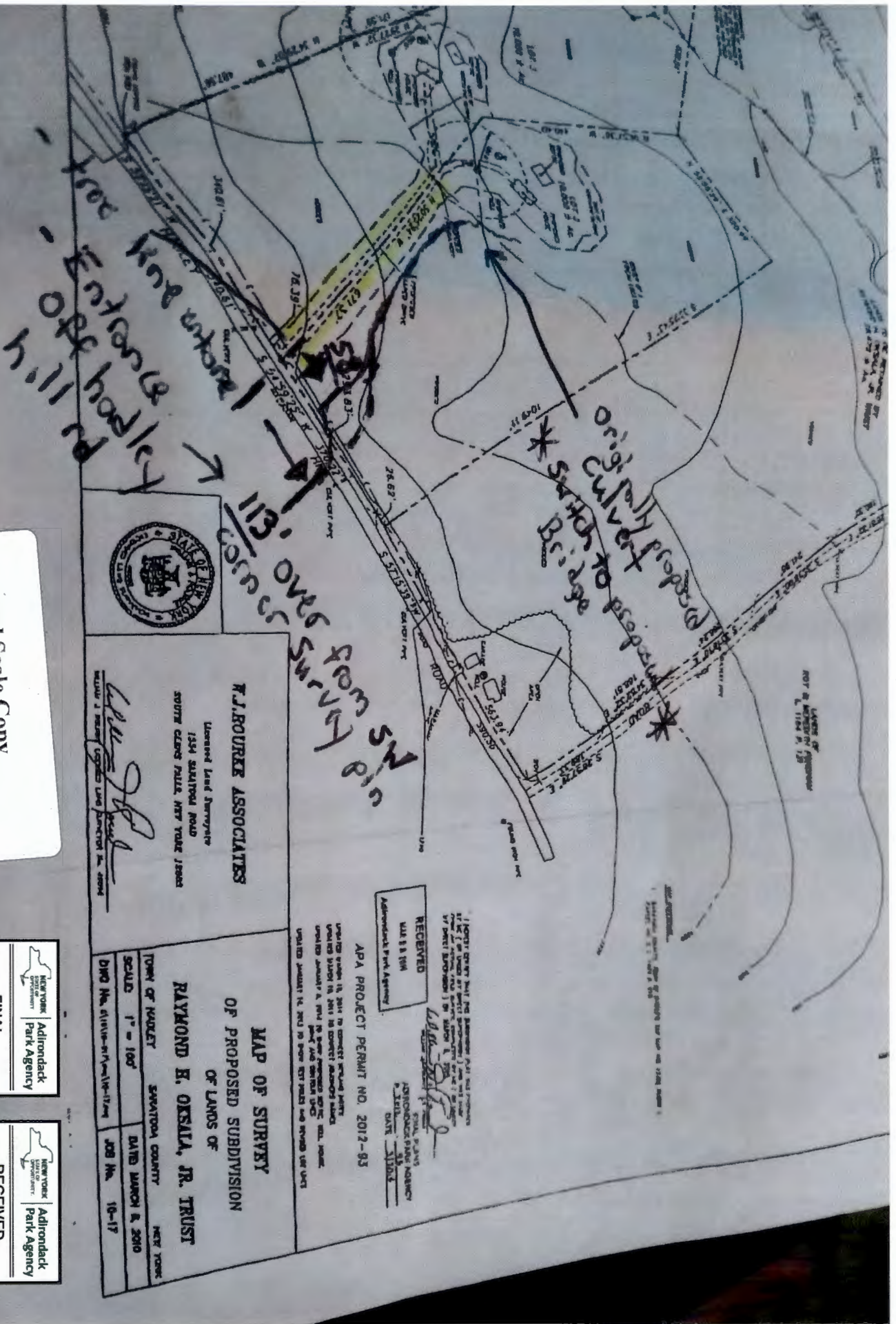
John M. Burth
Deputy Director Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 24th day of June 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, 2024

Stephanie L. Petith
Notary Public



F.J. BOURKE ASSOCIATES

Licensed Land Surveyor
1334 SULLY ROAD
SOUTH CLARK TOWN, NEW YORK 13021

John J. Bourke
Surveyor

RECEIVED
MAY 13 2010
Adirondack Park Agency

APA PROJECT PERMIT NO. 2012-85

NOTED: UNDER THE 2010 TO CORRECT SURVEYING
UNITED STATES IN 2010 TO CORRECT SURVEYING
UNITED STATES IN 2010 TO CORRECT SURVEYING
UNITED STATES IN 2010 TO CORRECT SURVEYING

NEW YORK
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Park Agency

FINAL
P2012-0093A

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RECEIVED
Date: May 27, 2025

Reduced Scale Copy
Not for Tax Map Purposes