


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 2025-0118</p>
<p>In the Matter of the Application of</p> <p>ALEXANDRA BABCOCK and TIMOTHY HUNT</p> <p>Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: June 26, 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. Alexandra Babcock2. Timothy Hunt

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Moderate Intensity and Hamlet on the Adirondack Park Land Use and Development Plan Map in the Town of Wells, 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 Agency will consider the project in existence when the permit has been recorded.

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 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 total of 9.97± acres in size and consists of three parcels:

- A 0.788±-acre parcel of land containing a pre-existing single family dwelling and garage, located on NYS Route 30 in the Town of Wells, Hamilton County, in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 130.010, Block 1, Parcel 37.111, and is described in a deed from Pamela Both and Carol Aird to Alexandra Babcock, dated November 27, 2018, and recorded January 18, 2019 in the Hamilton County Clerk's Office under Instrument Number 2019-428;
- A 7.1832±-acre parcel of vacant land located on Elbow Creek in the Town of Wells, Hamilton County, in an area classified Hamlet and Moderate Intensity on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 130.010, Block 1, Parcel 37.112, and is described in a deed from Everett R. Stuart, surviving spouse of Marie B. Stuart to Timothy Hunt, dated January 7, 2016, and recorded January 8, 2016 in the Hamilton County Clerk's Office under Instrument Number 2016-30; and
- A 2±-acre parcel of vacant land located near Elbow Creek and NYS Route 30 in the Town of Wells, Hamilton County, in an area classified Moderate Intensity on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 130.010, Block 3, Parcel 1.120, and is described in a deed from Marilyn Hunt to Timothy Hunt, dated August 3, 2007, and recorded August 3, 2007 in the Hamilton County Clerk's Office at Book 242, Page 338.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the subdivision of a 7.1832±-acre parcel, creating a vacant 1.832±-acre lot and a vacant 6±-acre lot. The 1.832±-acre lot will be merged with an adjoining 0.788±-acre parcel. The 6±-acre lot will be retained and deed restricted against future development. The approximately six principal building rights associated with the proposed 6±-acre non-building lot will be transferred to the adjoining 2±-acre parcel.

The 0.788±-acre parcel and the 7.1832±-acre parcel constituted a portion of a larger property on the May 22, 1973, enactment date of the Adirondack Park Land Use and Development Plan, and was created by subdivision from this larger property in 2016. As this subdivision involved wetlands, it appears that an Agency permit was required for its undertaking. Agency records indicate that no permit was obtained. By issuance of this permit, these two parcels shall be recognized as lawful for Agency purposes.

The project is shown on a Site Plan titled "Survey Map & Boundary Line Adjustment of Lands of Alexandra Babcock (N/K/A Alexandra Denney)," prepared by Ferguson & Foss Professional Land Surveyors, and dated May 14, 2025). 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 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. 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 2025-0118, issued June 26, 2025, 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 not depicted on the Site Plan shall require prior written Agency authorization.
6. Within 30 days of conveyance of the 1.832±-acre lot, a new deed shall be filed in the Hamilton County Clerk's office describing the 1.832±-lot and the 0.788±-acre parcel as a single, un-divided lot. Any future subdivision of this merged lot shall require a new or amended permit.
7. The deed of conveyance for the 6±-acre lot shall contain a covenant restricting the property against the construction of any single family dwelling, mobile home, or other principal building as that term is defined under the Adirondack Park Agency Act. The deed shall state that the covenant shall run with, touch and concern the land, and that the covenant shall be enforceable by the Adirondack Park Agency, and the State of New York.
8. The Moderate Intensity portion of the 1.832±-acre lot shall not be conveyed separately from the Hamlet portion of 1.832±-acre lot.

9. Installation of any on-site wastewater treatment system(s) on the Hamlet portion of the 1.832±-acre lot shall require prior written Agency authorization.
10. 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.
11. The undertaking of any activity involving wetlands shall require a new or amended permit.
12. There shall be no principal buildings located on the 6±-acre lot.
13. There shall be no principal buildings located on the Moderate Intensity Use portion of the 1.832±-acre lot.
14. There shall be no more than eight principal buildings located on the 2±-acre lot. 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 Moderate Intensity land use area;
- c. will be consistent with the overall intensity guidelines for the Moderate Intensity 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 26th day
of June, 2025.

ADIRONDACK PARK AGENCY

BY: John M. Burth
John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

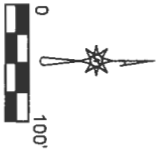
On the 26th day of June in the year 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged 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, 2029

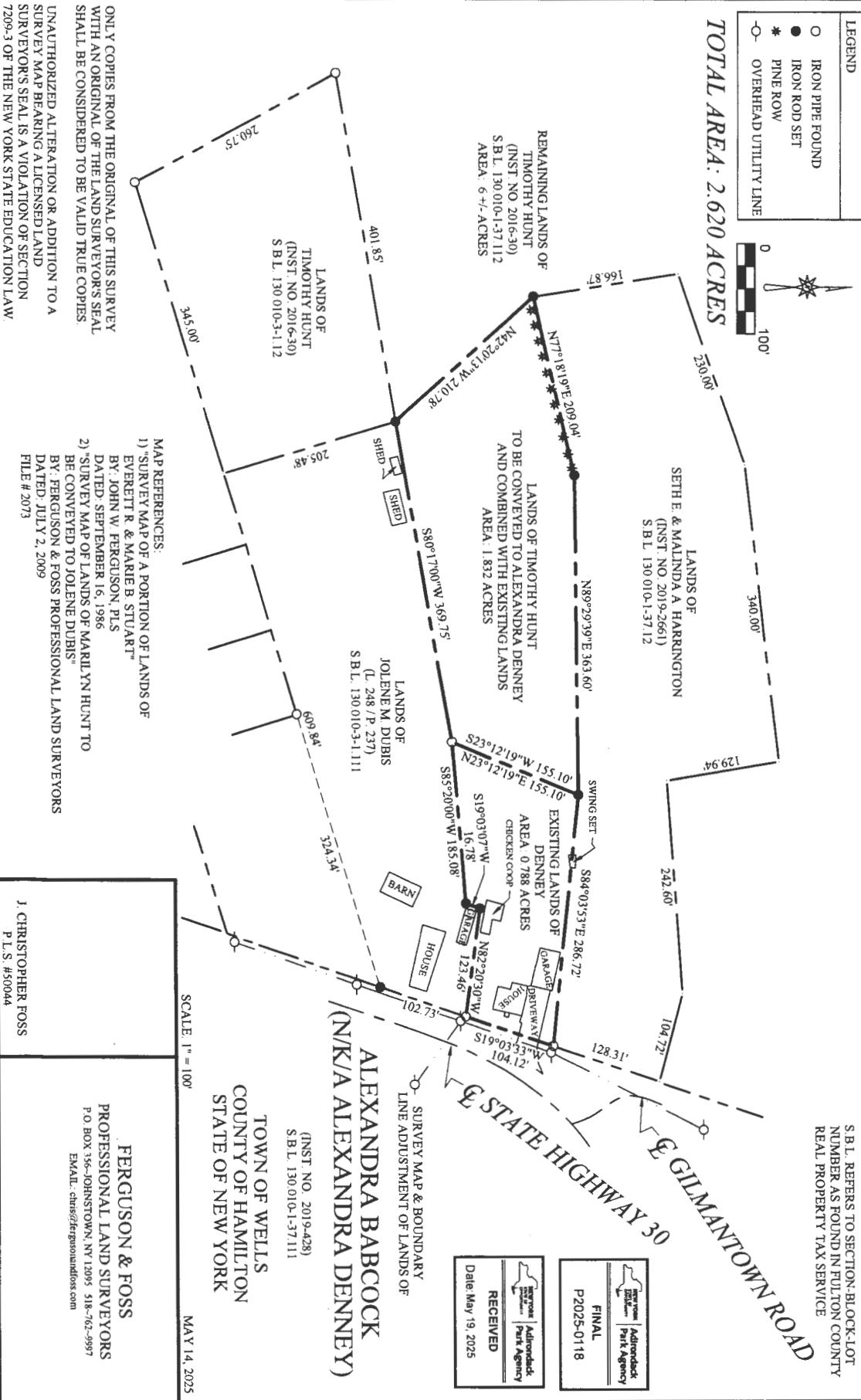
Stephanie L. Petith
Notary Public

LEGEND

- IRON PIPE FOUND
- IRON ROD SET
- * PINE ROW
- OVERHEAD UTILITY LINE



TOTAL AREA: 2.620 ACRES



S.B.L. REFERS TO SECTION-BLOCK-LOT
NUMBER AS FOUND IN FULTON COUNTY
REAL PROPERTY TAX SERVICE

	Adirondack Park Agency
FINAL	
P2025-0118	

	Adirondack Park Agency
RECEIVED	
Date May 19, 2025	

(INST. NO. 2019-428)
S.B.L. 130.010-1-37.1111

TOWN OF WELLS
COUNTY OF HAMILTON
STATE OF NEW YORK

ALEXANDRA BABCOCK
(N/K/A ALEXANDRA DENNEY)

SCALE 1" = 100'

MAY 14, 2025

- MAP REFERENCES:
- 1) "SURVEY MAP OF A PORTION OF LANDS OF EVERETT R. & MARIE B. STUART" BY JOHN W. FERGUSON, PLS DATED SEPTEMBER 16, 1986
 - 2) "SURVEY MAP OF LANDS OF MARILYN HUNT TO BE CONVEYED TO JOLENE DUBIS" BY FERGUSON & FOSS PROFESSIONAL LAND SURVEYORS DATED JULY 2, 2009 FILE # 2073

J. CHRISTOPHER FOSS
P.L.S. #50044

FERGUSON & FOSS
PROFESSIONAL LAND SURVEYORS
P.O. BOX 136-JOHNSTOWN, NY 12095 518-762-9957
EMAIL: cfo@fergusonfoss.com

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