

THIS IS A TWO-SIDED DOCUMENT

 P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov	APA Permit 2024-0233
In the Matter of the Application of BRIAN A. KNAPP and RONALD T. KONOWITZ Permittees for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578	Date Issued: July 31, 2025 To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Brian A. Knapp 2. Ronald T. Konowitz

SUMMARY AND AUTHORIZATION

This permit authorizes an eight-lot subdivision and the construction of six single family dwellings in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Keene, Essex County.

This authorization shall expire unless recorded in the Essex 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 Essex County Clerk's Office. The Agency will consider the project in existence when an authorized lot has been conveyed to an outside party or an authorized single family dwelling has been constructed.

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 includes 88.85 acres of land located on both sides of Alstead Hill Road in the Town of Keene, Essex 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 44.3, Block 1, Parcel 67.110, and is described in a deed from Conrad J. Knapp to Brian A. Knapp, dated August 20, 2021, and recorded August 27, 2021 in the Essex County Clerk's Office under Instrument Number 2021-4406 at Book 2048, Page 198.

The 17.3-acre portion of the project site north of Alstead Hill Road (Lot 1) is improved by a single family dwelling (c.1865) and a mobile home (c. 2005), served by existing individual on-site wastewater treatment systems and a shared well water supply.

The project site contains wetlands associated with drainages and an un-named stream that are tributaries of Nichols Brook, which borders the project site on the north. The 71.55-acre portion of the project site south of Alstead Hill Road (Lots 2 – 8) contains wetlands and an existing access road associated with a sugar bush and inactive maple sugaring operation.

Additional wetlands not described herein or depicted on the Project Plans may be located on or adjacent to the project site.

Tax map parcel 44.3-1-67.110 was created as the "Knapp Parcel" in a two-lot subdivision as authorized by Agency Permit 2023-0169.

The project site also includes tax map parcel 44.3-1-19.220, a 38.81-acre adjoining parcel containing existing access from Alstead Hill Road and residential development. Tax map parcel 44.3-1-19.220 is described in a deed from Ronald T. Konowitz to Ronald T. Konowitz, dated November 14, 2023, and recorded November 22, 2023 in the Essex County Clerk's Office under Instrument Number 2023-4220.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the subdivision of the 71.55-acre portion of the project site located south of Alstead Hill Road to create one vacant non-building lot to be merged with adjoining tax map parcel 44.3-1-19.220 and six building lots, each to be developed by a single family dwelling, on-site wastewater treatment system and individual well water supply.

Lots 3 through 6 will utilize an existing shared access (Maple Ridge Way) extending from Alstead Hill Road over Lot 7. Lots 7 and 8 will be accessed directly from Alstead Hill Road. Lot 2 will not have access to Maple Ridge Way and will be merged with tax map parcel 44.3-1-19.220. Lot 1 will continue to utilize existing access from Alstead Hill Road.

The proposed lots range in size from 3.9 acres to 28.4 acres as follows:

- Lot 1: 17.3-acres north of Alstead Hill Road containing existing development;
- Lot 2: 6.23 acres to be merged with adjoining lands;

Lot 3: 9.62 acre building lot;
Lot 4: 10.42 acre building lot;
Lot 5: 4.79 acre building lot;
Lot 6: 8.16 acres building lot;
Lot 7: 28.4 acre building lot; and
Lot 8: 3.93 acre building lot.

The project is shown on the following Project Plans:

- Five Sheets of plans titled "Map of Limited Survey of the Maple Ridge Subdivision, prepared for Brian A. Knapp," by Kevin A. Hall, Land Surveyor, dated July 11, 2025 (Site Plans); and
- A Stormwater Pollution Prevention Plan titled "Maple Ridge Subdivision," prepared by Mark J. Buckley, P.E., last revised July 8, 2025 (SWPPP).

A reduced-scale copy of Sheet 3 of 5 of the Site Plans 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.

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to any subdivision of Rural Use lands that results in the creation of a non-shoreline lot smaller than 7.35 acres in size in the Adirondack Park.

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to any subdivision that results in the creation of five or more lots, parcels, or sites since May 22, 1973, in a Rural Use land use area in the Adirondack Park.

Condition 6 of Agency Permit 2023-0169 requires a new or amended Agency permit for any subdivision of the Knapp Parcel.

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 Essex 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 Project Plans 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 Agency Permits 2002-0155 and 2023-0169 in relation to the project site. The terms and conditions of permits 2002-0155 and 2023-0169 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 2024-0233, issued July 31, 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 eight-lot subdivision as depicted on the Project Plans. Any subdivision of the project site not depicted on the Project Plans shall require a new or amended permit.
7. Within 30 days of conveyance of Lot 2, a new deed shall be filed in the Essex County Clerk's office describing Lot 2 and tax map parcel 44.3-1-19.220 as a single, undivided lot. Any future subdivision of this undivided lot shall require a new or amended permit.
8. Any deed of conveyance for Lot 7 as depicted on the Site Plans shall contain an easement providing access from Alstead Hill Road over Maple Ridge Way to Lots 3, 4, 5 and 6.
9. Any deed of conveyance for Lot 3 as depicted on the Site Plans shall contain an easement providing access over Maple Ridge Way to Lots 4, 5 and 6.
10. Any deed of conveyance for Lot 4 as depicted on the Site Plans shall contain an easement providing access over Maple Ridge Way to Lots 5 and 6.
11. Any deed of conveyance for Lot 6 as depicted on the Site Plans shall contain an easement providing access over Maple Ridge Way to Lot 5.
12. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling, one detached garage and accessory structures on each of lots 3, 4, 5, 6, 7 and 8 within the Area of Disturbance/Proposed Clearing shown on the Project Plans.

The single family dwellings and other structures shall be no more than 40 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade. The single family dwellings shall be less than 5,000 square feet in footprint, including all attached porches, decks, exterior stairs, garages, and other attached structures. The detached garage or other accessory

structures shall be less than 1,250 square feet in footprint. Any expansion beyond these dimensions shall require prior written Agency authorization.

13. The construction of any additional dwelling or other principal building on Lot 7 shall require a new or amended permit. The construction of any accessory structure on Lot 7 outside the existing or proposed Area of Disturbance/Proposed Clearing shown on the Site Plan shall require prior written Agency authorization.
14. Construction of any guest cottage on the project site shall require prior written Agency authorization.
15. Any on-site wastewater treatment system on lot 3, 4, 5, 6, 7, or 8 installed within five years of the date of issuance of this permit shall be constructed in conformance with the location and design shown and described on the Project Plans. 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 more than five years after the date of issuance of this permit except pursuant to written authorization from the Agency.

16. Installation of any new or replacement on-site wastewater treatment system(s) on Lot 1 shall require prior written Agency authorization.
17. The project shall be undertaken in compliance with the SWPPP.
18. 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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.
19. 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, Alstead Hill Road or adjoining property.
20. All exterior building materials, including roof, siding and trim, of any structure on lots 3, 4, 5, 6, 7, or 8 shall be a dark shade of green, grey, or brown.
21. Outside of the Area of Disturbance/Proposed Clearing shown on the Site Plans, no trees greater than 10 inches in diameter at breast height may be cut or otherwise removed on lots 3, 4, 5, 6, 7, or 8 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.

22. There shall be no principal buildings located on Lot 1 in addition to the pre-existing single family dwelling and existing mobile home or any replacement structure for these dwellings as allowed by Agency regulations.
23. There shall be no principal buildings located on Lot 2. Any access to Lot 2 over Lot 7 shall require prior written Agency authorization.
24. There shall be no more than one principal building located on each of lots 3, 4, 5, 6 and 8 at any time. The single family dwellings authorized herein each constitute one principal building.
25. There shall be no more than four principal buildings located on Lot 7 at any time. The single family dwelling authorized herein constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

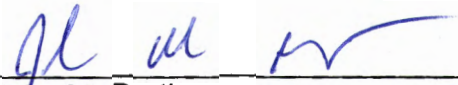
CONCLUSIONS OF LAW

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 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 31st day
of July, 2025.

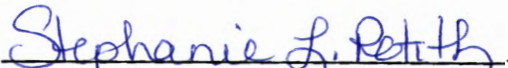
ADIRONDACK PARK AGENCY

BY: 
John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 31st day of July 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

