

 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 2025-0079
In the Matter of the Application of DIGITAL BUSINESS CORP. Permittee for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 577	Date Issued: July 10, 2025 To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Digital Business Corp.

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Ausable, Clinton County.

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

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 the 30±-acre Low Intensity Use portion of a 52±-acre parcel of land located on the north side of NYS Route 9N and south of Cold Spring Road in the Town of AuSable, Clinton County, in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. The parcel is identified as Tax Map Section 325, Block 1, Parcel 6, and includes 12 acres of Rural Use lands on the south side of 9N containing shoreline on the Main Branch AuSable River. The parcel is described in a deed from Richard E. Dyer, Catherine Dyer, Kelly Mercado, Erin Mercado and Keith Dyer to Digital Business Corp d.b.a. Reelvest Properties, dated July 19, 2024, and recorded October 9, 2024 in the Clinton County Clerk's Office under Instrument Number 2024-00340250.

The Rural use portion of the property is shown as Lot 3 on the Site Plan referenced herein.

The parcel is partially located within the designated Main Branch AuSable River Recreational River area. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision, creating two vacant lots as follows: Lot 1 (14.680 acres) & Lot 2 (14.327 acres). The Rural use portion of the property is shown as Lot 3 on the Site Plan referenced herein.

The project is shown on a plan titled:

- "Survey Map showing subdivision of certain lands of DIGITAL BUSINESS CORP, DBA REELVEST PROPERTIES," prepared by Pawlowski Land Surveying, with a final revision date of May 28, 2025 (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 Adirondack Park Agency regulations at 9 NYCRR Part 577, a permit is required from the Adirondack Park Agency prior to any subdivision of Low Intensity Use lands located within any designated Recreational river area 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 Clinton 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, Wild, Scenic and Recreational Rivers System 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 2025-0079, issued July 10, 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 subdivision as depicted on the Site Plan. Any subdivision of the project site not depicted on the Site Plan shall require a new or amended permit.
6. The construction of any structure on the project site shall require prior written Agency authorization. The undertaking of any new land use or development on the parcel within one-quarter mile of the Main Branch AuSable River shall require a new or amended permit.
7. Prior to construction of any on-site wastewater treatment system(s) on the project site, 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 New York State Department of Health's "Wastewater Treatment Standards for Individual Household Systems" (10 NYCRR Appendix 75 A)/Clinton County Department of Health's "Clinton County Sanitary Code, Article IX," 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.

8. There shall be no more than five principal buildings located on Lot 1. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
9. There shall be no more than five principal buildings located on Lot 2. 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 Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, 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 Low Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Low Intensity 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;
- h. will be consistent with the purposes and policies of the Wild, Scenic and Recreational Rivers System Act;
- i. will comply with the restrictions and standards of 9 NYCRR § 577.6; and
- j. will not cause an undue adverse impact upon the natural, scenic, aesthetic, ecological, botanical, fish and wildlife, historic, cultural, archeological, scientific, recreational or open space resources of the river area, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived therefrom.

PERMIT issued this 10th day
of July, 2025.

ADIRONDACK PARK AGENCY

BY: _____

John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 10th 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

Stephanie L. Petith
Notary Public

