

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 2025-0112
	Date Issued: July 2, 2025
In the Matter of the Application of KATHARINE M. PRESTON & JOHN H. L. BINGHAM Permittees for a permit pursuant to § 809 of the Adirondack Park Agency Act	To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Katharine M. Preston 2. John H. L. Bingham

SUMMARY AND AUTHORIZATION

This permit authorizes the construction of a single family dwelling in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Essex, 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 the 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 is a 45.95-acre parcel of land located on Christian Road in the Town of Essex, Essex County, in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 49.1, Block 1, Parcel 27.100, and is described in a deed from Sally Patrick Johnson to Katharine M. Preston and John H. L. Bingham, dated January 12, 2004, and recorded January 20, 2004, in the Essex County Clerk's Office at Book 1388, Page 124. Parcel 27.100 was created as "Parcel #2" in a two-lot subdivision as authorized by Agency Permit 90-257.

The project site also includes Tax Map Section 49.1, Block 1, Parcel 27.200 for driveway and utility access purposes. Parcel 27.200 is described in a deed from Gary A. Randorf to Katharine M. Preston and John H. L. Bingham, dated February 3, 2003, and recorded February 5, 2003, in the Essex County Clerk's Office at Book 1350, Page 238. Parcel 27.200 was created as "the 70± acre parcel" in a two-lot subdivision as authorized by Agency Permit 85-190.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the construction of a 1,320-square-foot two-bedroom single family dwelling and on-site wastewater treatment system on Parcel 27.100. Driveway and utility access from Christian Road will be provided through a revised easement area on Parcel 27.200.

The project is shown on the following maps and plans (Project Plans):

- An annotated aerial image prepared by Katharine M. Preston and received by the Agency on May 26, 2025 (Clearing Plan);
- A plan sheet titled "Residential Onsite Treatment System New System K. Preston," prepared by Upstate Design Associates, LLC, and dated September 20, 2024 (OSWTS Plan); and
- A map titled "Driveway and Electric," prepared by Katharine Preston, and dated June 12, 2025 (Driveway and Electric Plan).

A reduced-scale copy of the OSWTS Plan and Driveway and Electric Plan for the project is attached as a part of this permit for reference.

AGENCY JURISDICTION

Pursuant to Section 809(2)(b) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to the construction of any single family dwelling on Resource Management lands 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 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 Permit 85-190, Permit 89-549, and Permit 90-257 in relation to the project site. The terms and conditions of permits 85-190, 89-549, and 90-257 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 2025-0112, issued July 2, 2025, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. Any deed of conveyance for Parcel 27.200 shall contain an easement providing driveway and utility access to Parcel 27.100 as depicted on the Driveway and Easement Plan.
7. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling on Parcel 27.100 in the location, footprint, and height shown and as described on the Project Plans. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.
8. Construction of any guest cottage on the project site shall require prior written Agency authorization.
9. Any on-site wastewater treatment system(s) on Parcel 27.100 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 OSWTS 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.
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. 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 Christian Road or adjoining property.
12. No trees, shrubs, or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed from the hedgerow delineating the southern boundary of Parcel 27.100 without prior written Agency authorization, except for removal necessary for driveway construction and utility installations, and dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
13. Between April 1 and October 31, no trees shall be removed or disturbed on the Parcel 27.100 without prior written Agency authorization.
14. There shall be no more than one principal building located on Parcel 27.100 at any time. The single-family dwelling authorized herein constitutes a principal building.
15. There shall be no principal buildings located on Parcel 27.200 other than the pre-existing single family dwelling or any replacement structure for this dwelling as allowed by Agency regulations.

CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act 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 Resource Management land use area;
- c. will be consistent with the overall intensity guidelines for the Resource Management 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 2nd day
of July, 2025.

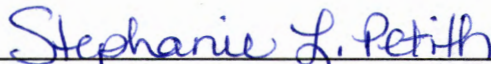
ADIRONDACK PARK AGENCY

BY: 
John M. Burth
Deputy Director, Regulatory Programs

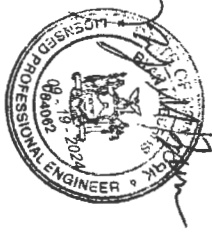
STATE OF NEW YORK
COUNTY OF ESSEX

On the 2nd 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

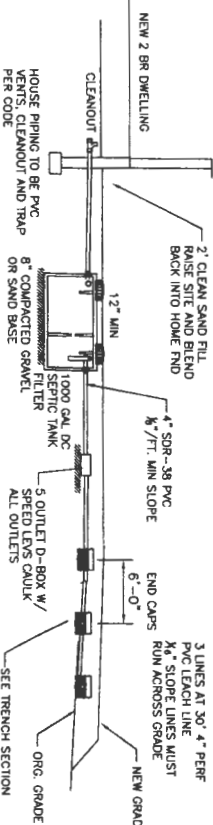
MAINTENANCE NOTES:
1. CONTENTS OF THE SEPTIC TANK SHALL BE PUMPED EVERY YEAR OR WHEN THE DEPTH OF SLUDGE EXCEEDS 3" OF THE LIQUID LEVEL. TANKS SHALL BE INSPECTED WHEN ROUTED TO THE TREATMENT AREA. IF THERE ARE DEFECTS OR HOUSEHOLD CHEMICALS DO NOT ENTER THE SYSTEM.
2. NEVER FLUSH SANITARY WAPERS, DOWERS ETC.
3. NEVER ENTER A SEPTIC TANK.
4. NEVER USE ABSORPTION AREAS FOR VEHICLE PARKING.
5. NEVER USE ABSORPTION AREAS FOR SURFACE PAVING.
6. NEVER USE ABSORPTION AREAS FOR SURFACE PAVING.
7. USE WATER CONSERVING NEW APPLIANCES (WASHER AND DISHWASHER).
8. DWELLINGS AND SEPTIC SYSTEMS USED FOR OTHER THAN RESIDENTIAL PURPOSES SHALL BE PUMPED AT LEAST ANNUALLY. CLEAN FILTER.



Adirondack Park Agency
RECEIVED
Date May 27, 2025
FINAL
P2025-0112

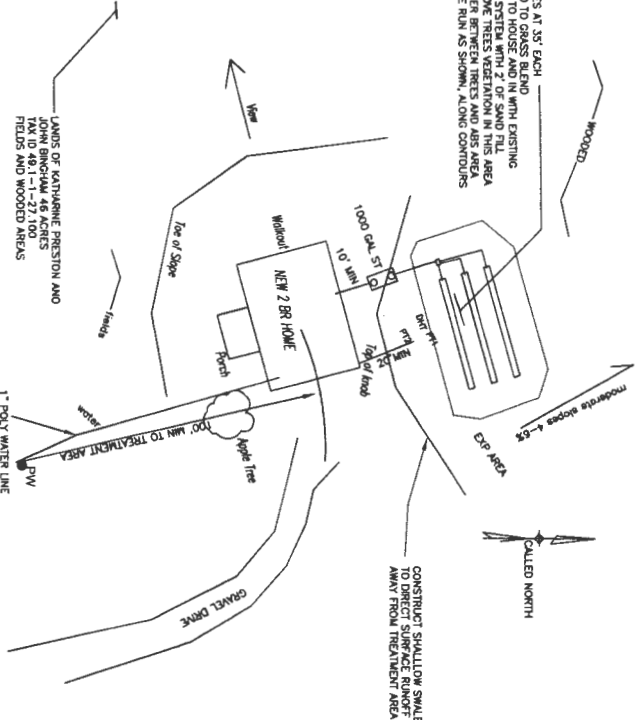
SOIL TEST DATA TAKEN ON SEPT 17, 2024 BY RMB
DEEP HOLE TEST NEAR BUILD SITE, FIELD AREA NORTH OF FARMHOUSE, ON TOP OF KNOLL.
DEPTH: 0-10" TAN FINE SAND, TOPSOIL
10-20" LT GRAY F SAND LOAM, DENSE
20-40" LT GRAY F SAND, DENSE BOULDERS
40-60" GREYISH MC SAND-FINES, DENSE CRUMBLY MOTTLED OBSERVED AT 32"
NO WATER SEEPAGE NO LEDGE. VERY DENSE SOILS
PERC TEST 1: 2m AT 12" DEPTH
PERC TEST 2: 4 m AT 14" DEPTH

DESIGN DATA: (NEW SYSTEM)
DESIGN FLOW = 220 GPD TWO BEDROOM HOME W/ NEW STANDARD FIXTURES. (1.6 GPF & 3 GPM MAX.)
DUE TO SHOW AT 32" AND DENSE SOILS SHALLOW ABSORPTION TRENCHES SHALL BE USED. 24" OF CLEAN SAND FILL 4 MINUTE PERCOLATION RATE
USE 3 LATERALS @ 35'
1000 GALL DUAL COMPARTMENT CONC TANK W/ BAFFLES POLYLOCK PL88 OUTLET FILTER TEE HANDLE.
5 OUTLET DBOX W/ SPEED LEVS

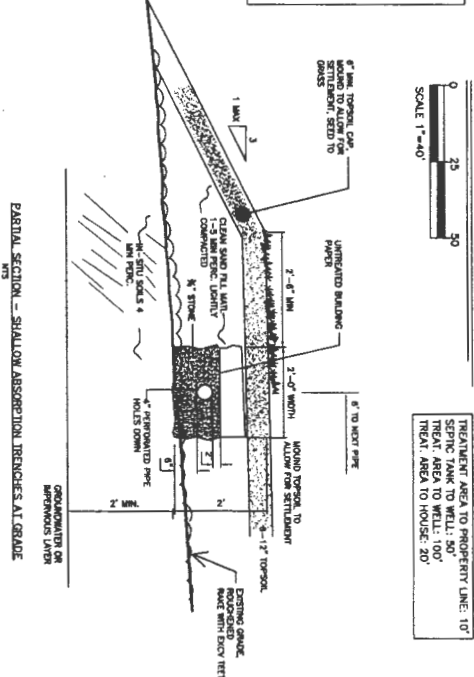


PROFILE - SEPTIC SYSTEM
NO SCALE

INSTALL 3 LINES AT 35' EACH
AND
GRADES BACK TO HOUSE AND IN WITH EXISTING SHALLOW ABS SYSTEM WITH 2" OF SAND FILL CUT AND REMOVE TREES VEGETATION IN THIS AREA ONE 20' SPACER BETWEEN TREES AND 50' MINOR LINES MUST BE RUN AS SHOWN, ALSO CONDITIONS



PLAN - PROPOSED TREATMENT SYSTEM
SCALE 1"=40'



PARTIAL SECTION - SHALLOW ABSORPTION TRENCHES AT GRADE
NO SCALE

GENERAL NOTES:
1. DESIGN GUIDELINE: NYSO Appendix 75-A
2. ALL ROOF OR HOUSE DISCHARGES SHALL BE DIRECTED AWAY FROM THE TREATMENT AREA
3. THE TREATMENT AREA SHALL BE PROTECTED BY A PERMANENT FENCE OR OTHER MEANS TO PREVENT ACCESS BY VEHICLES OR EQUIPMENT.
4. PRIOR TO EXCAVATING CONTACT THE STATE AT 811
5. THE TREATMENT AREA SHALL BE PROTECTED BY A PERMANENT FENCE OR OTHER MEANS TO PREVENT ACCESS BY VEHICLES OR EQUIPMENT.
6. MATERIAL USED FOR TILL SHALL BE A 1/2" PE HOMOGEOUS CLEAN SAND FILL WITH NO STONES LARGER THAN ROCKS IN DIRT.
7. THE TREATMENT AREA SHALL BE PROTECTED BY A PERMANENT FENCE OR OTHER MEANS TO PREVENT ACCESS BY VEHICLES OR EQUIPMENT.
8. SEAL UNUSED INLETS OF SEPTIC TANK
9. THE TREATMENT AREA SHALL BE PROTECTED BY A PERMANENT FENCE OR OTHER MEANS TO PREVENT ACCESS BY VEHICLES OR EQUIPMENT.
10. SEPTIC TANK NEW 1000 LITRE DC CONCRETE
11. DBOX TO BE 5'-OUTLET CH OR EQUAL WITH SPEED LEVLS
12. PROPERTY INFORMATION TAKEN FROM TAX MAP, DO NOT USE FOR SURVEY INFORMATION.

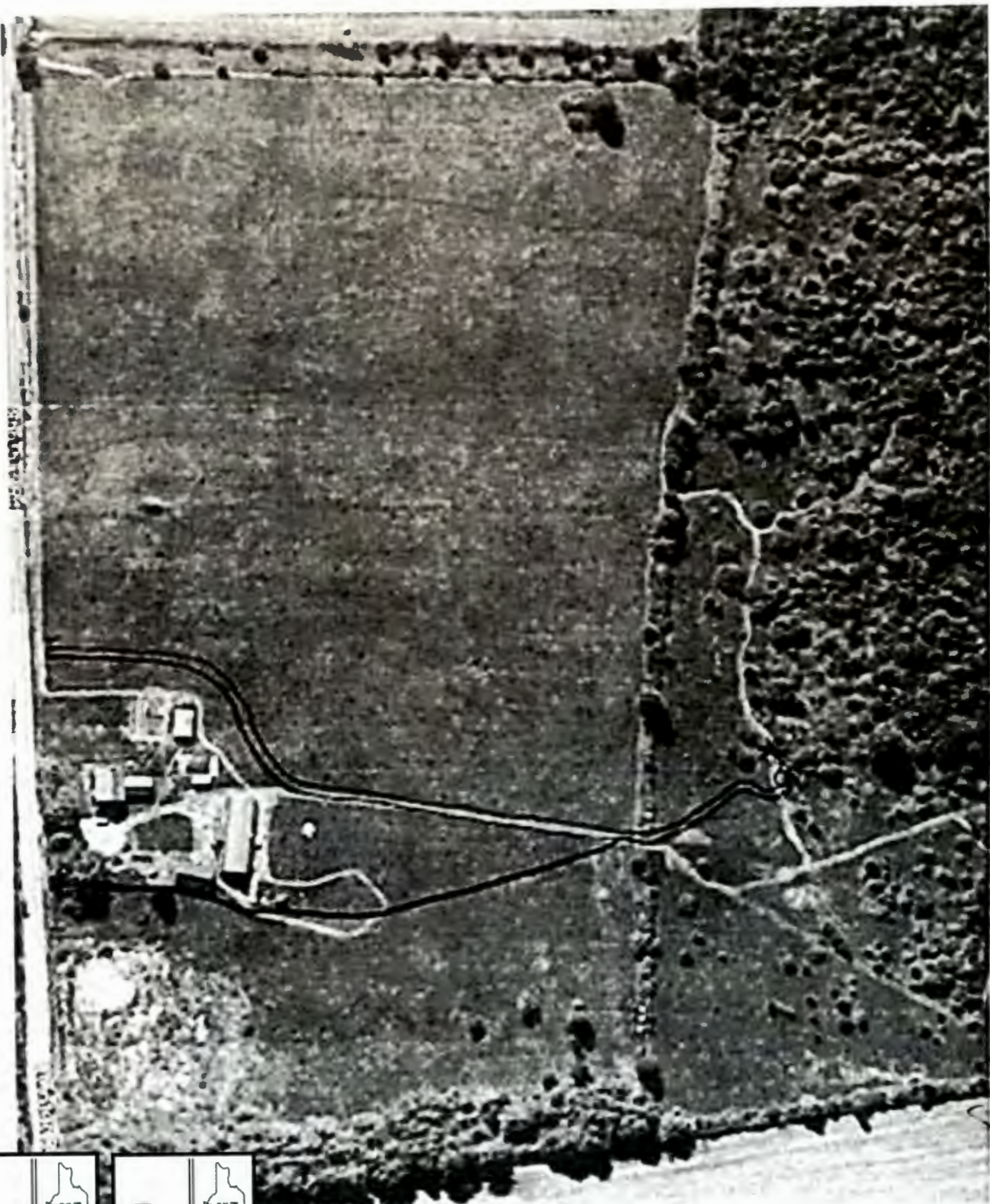
CONSTRUCTION NOTES:
1. HEAVY CONSTRUCTION EQUIPMENT SHALL NOT BE ALLOWED WITHIN THE TREATMENT AREA
2. BED TO BE COVERED WITH 6" TOPSOIL, MINIMUM
3. DIVERSION DITCH OR CULVERT DRAIN SHALL BE CONSTRUCTED TO DIRECT RUNOFF WATER AWAY
4. REMOVE GRASS, SURFACE ROOTS, LARGE BOULDERS AND STUMPS FROM THE TREATMENT AREA. ROUGHEN THE ENTIRE AREA BELOW THE ABS DISTRIBUTION PIPES PRIOR TO PLACING FILL.
5. FILL MATERIAL SHALL BE CLEAN, UNIFORM SAND
6. FILL MATERIAL SHALL BE CLEAN, UNIFORM SAND
7. USE ONLY LIGHT CONCRETE EQUIPMENT IN TREATMENT AREA. NO EXCAVATOR, BACKHOE, OR OTHER EQUIPMENT SHALL BE USED IN TREATMENT AREA. NO EXCAVATOR, BACKHOE, OR OTHER EQUIPMENT SHALL BE USED IN TREATMENT AREA.
8. DISTURBED AREAS SHALL BE HEAVILY BLENDED IN WITH ORIGINAL GRADE, SEED TO GRASS AND PLANT ADORNED DISHON WITH STRAW AS REQUIRED.
9. IF A VIOLATION OF THE LAW FOR ANY PERSON, LICENSED ENGINEER, TO ALTER ANY ITEM OR PORTION OF THIS DOCUMENT IN ANY WAY.
10. IF IN THE COURSE OF THIS PROJECT A CONDITION EXISTS WHICH DISAGREES WITH THAT AS REPRESENTED ON THESE PLANS, THE CONTRACTOR SHALL STOP WORK AND NOTIFY THE ENGINEER OR ARCHITECT IMMEDIATELY. THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY ARISING THEREFROM.
11. IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO ENSURE THAT ALL MATERIALS, METHODS, AND PROCEDURES COMPLY WITH ALL REQUIREMENTS.
12. RYAN M. BURNS, NYS P.E. LICENSE NO. 084062
DESTROY PREVIOUSLY DATED DRAWINGS

NO.	DATE	BY	REVISIONS
1	SEPT 20, 2024	RMB	SHEET NO. 1

UPSTATE DESIGN ASSOCIATES, LLC
Consulting Engineers
RYAN M. BURNS, P.E.
PORT KENT NY 12975
PROJECT: NEW SYSTEM, K. PRESTON
LOCATION: 247 CHRISTIAN RD, ESSEX NY
DATE: SEPT 20, 2024
DRN. BY: RMB
SHEET NO. 1

12 July 2025

Katherine Pechen Driveway + Electric



NEW YORK
STATE
ADIRONDACK
PARK AGENCY

FINAL
P2025-0112

NEW YORK
STATE
ADIRONDACK
PARK AGENCY

RECEIVED
Date: June 12, 2025