

THIS IS A TWO-SIDED DOCUMENT

 NEW YORK STATE 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 2025-0071
In the Matter of the Application of SHAWN J. FARR and JOYCE SHIREEN FARR Permittees for a permit pursuant to § 809 of the Adirondack Park Agency Act	Date Issued: August 27, 2025 To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Shawn J. Farr 2. Joyce Shireen Farr

SUMMARY AND AUTHORIZATION

This permit authorizes the installation of a deck attached to an existing single family dwelling in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Elizabethtown, 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 deck authorized herein 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 12.19±-acre parcel of land located on Mohawk Road in the Town of Elizabethtown, Essex County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 64.2, Block 2, Parcel 14, and is described in a deed from Daniel E. Alexander and Gayle M. Alexander to Shawn J. Farr and Joyce Shireen Farr, dated June 18, 2024, and recorded June 20, 2024 in the Essex County Clerk's Office under Instrument Number 2024-2038 at Book 2168, Page 106.

The project site is improved by an existing single family dwelling greater than 40 feet in height and constructed in 2005. The single family dwelling was authorized pursuant to Agency Settlement Agreement E2005-0297.

PROJECT DESCRIPTION

The project as conditionally approved herein involves installation of a 2.5-foot-tall, 10-foot-wide by 33-foot-long, ground-level deck on the rear side of an existing 51-foot-tall single family dwelling, resulting in a structure with an overall height of 53.5 feet above natural ground level.

The project is shown on two sketch plans (Deck Plans) prepared by the applicant and received by the Agency on May 19, 2025. Reduced-scale copies of the Deck Plans are attached as a part of this permit for reference.

AGENCY JURISDICTION

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to the construction of any structure in excess of 40 feet in height on Moderate Intensity Use lands in the Adirondack Park.

Pursuant to Term 6 of Agency Settlement Agreement 2005-0297, new land use and development on the project site requires prior Agency review and approval.

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, for as long as the authorized deck remains on the site. Copies of this permit and the Deck 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 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 2025-0071, issued August 27, 2025, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. This permit authorizes the construction of a ground level deck in the location shown and as depicted on the Deck Plans. Any change to the location, dimensions, or other aspect of the authorized deck shall require prior written Agency authorization.
6. 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.
7. All exterior building materials, including the trim of the authorized deck shall be an earth-toned color that matches the existing single-family dwelling.
8. Any new free-standing or building-mounted outdoor lights associated with the deck shall employ full cut-off fixtures that are fully shielded to direct light downward, not into the sky, or adjoining properties.

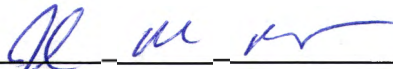
CONCLUSIONS OF LAW

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 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 Moderate Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Moderate Intensity 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 27th day
of August, 2025.

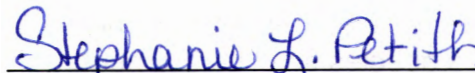
ADIRONDACK PARK AGENCY

BY: 
John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 27th day of August 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

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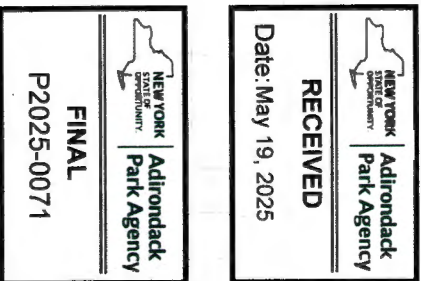
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Elizabethan NY 12932

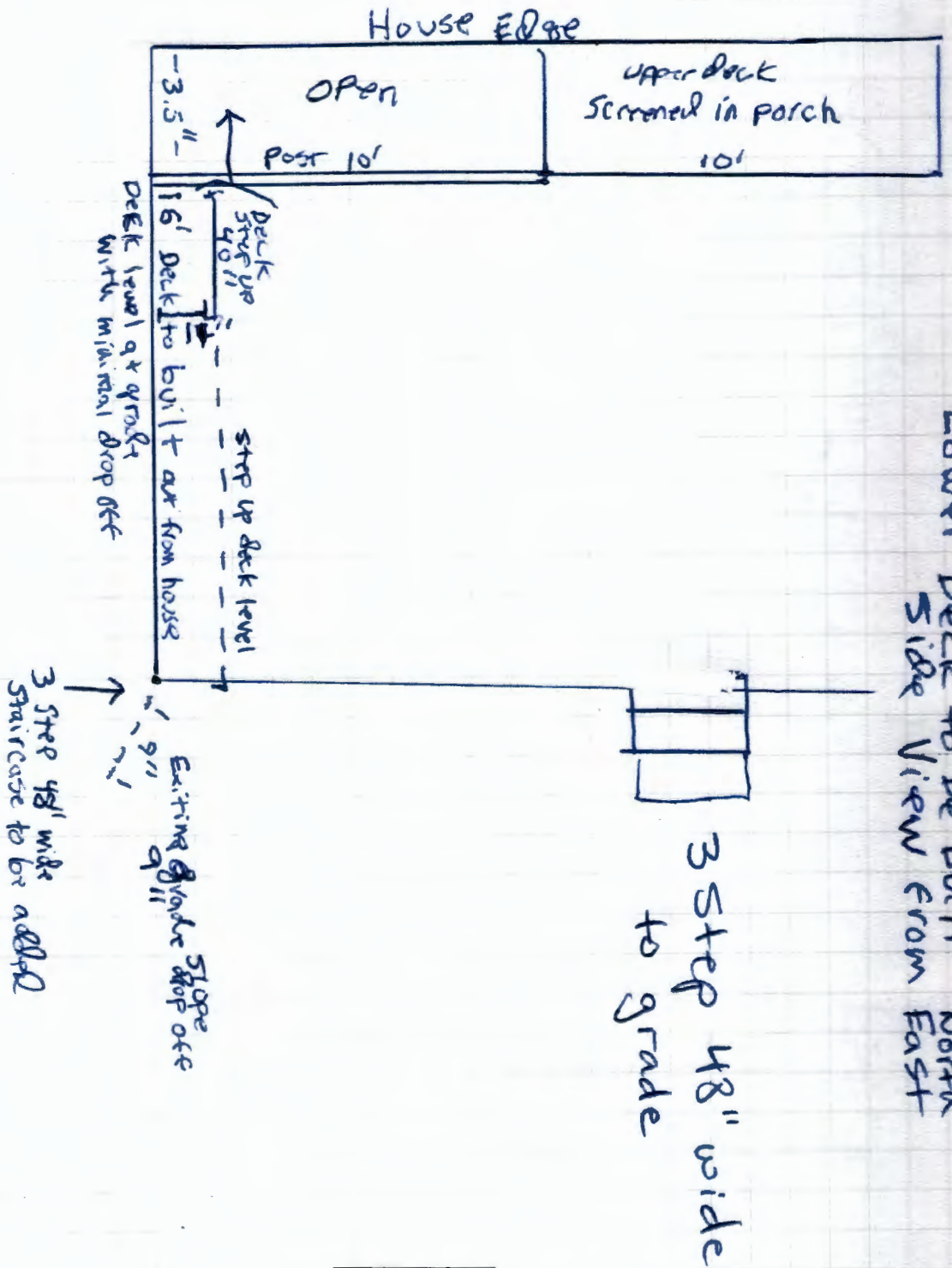
P = Existing Posts
For Oper Deck

☁ = Small shrubs x Perennials

2595



44 Mohawk Way
Lower Deck to be Built - North
Side View from East



NEW YORK
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ADIRONDACK
Park Agency
RECEIVED
Date: May 19, 2025

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