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 **2020-0238** Date Issued: **September 4, 2025**
In the Matter of the Application of **SUGARBUSH FOUR, LLC** **Permittee** for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578	To the County Clerk: Please index this permit in the grantor index under the following name(s): **1. Sugarbush Four, LLC**

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision and the construction of a single family dwelling in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Schroon, 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 either an authorized lot has been conveyed to an outside party or 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 105±-acre parcel of land located on Sugarbush Way in the Town of Schroon, 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 125.3, Block 3, Parcel 28.110, and is described in a deed from Thomas J. Minotti to Sugarbush Four, LLC, dated February 8, 2017, and recorded February 13, 2017 in the Essex County Clerk's Office at Book 1864, Page 260.

The project site is vacant and contains a forested wetland mixed with deciduous and evergreen trees with a value rating of "2". Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The project site was created as "Lot 3" in a two-lot subdivision as authorized by Agency Permit 2014-0184.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of the 105±-acre project site to create a 7±-acre parcel (Lot A) to be improved by a single family dwelling and a 98±-acre vacant parcel (Lot B).

The project is shown on the following maps, plans, and reports:

- A six-page report entitled "Engineer's Report for the design of the Subsurface Sanitary Sewage Disposal System for the O'Toole Property," prepared by Day and Stokosa Engineering, PC and dated April 8, 2021 (Septic Plans).
- A three-page set of maps and plans entitled "O'Toole Property-Septic Design," prepard by Day/Stokosa Engineering, PC and with revisions dated September 15, 2021 (Project Plans).

A reduced-scale copy of the Site Plan for the project, shown on page one of the Project 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 8.75 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.

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, Septic Plans 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 2014-0184 in relation to the project site. The terms and conditions of Permit 2014-0184 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 2020-0238, issued September 4, 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 two-lot 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.

7. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling on Lot A in the location shown on the Site Plan.

   The single family dwelling 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 dwelling shall be no more than 1,700 square feet in footprint, including all attached porches, decks, exterior stairs, garages, and other attached structures. Any expansion beyond these dimensions shall require prior written Agency authorization.

8. Construction of any guest cottage or other accessory structure on Lot A shall require prior written Agency authorization.

9. The construction of any dwelling or other principal building on Lot B shall require a new or amended permit. The construction of any accessory structure on Lot B shall require prior written Agency authorization.

10. Any on-site wastewater treatment system on Lot A 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 Project Plans and Septic 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 on the project site more than five years after the date of issuance of this permit except pursuant to written authorization from the Agency.

11. The driveway installation on Lot A shall be undertaken in compliance with the Project Plans.

12. 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.

13. Any new free-standing or building-mounted outdoor lights on the project site shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward or adjoining property.

14. There shall be no principal buildings located on Lot A other than the dwelling authorized herein.

15. There shall be no more than 11 principal buildings located on Lot B at any time. 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 4th day of September, 2025.

ADIRONDACK PARK AGENCY

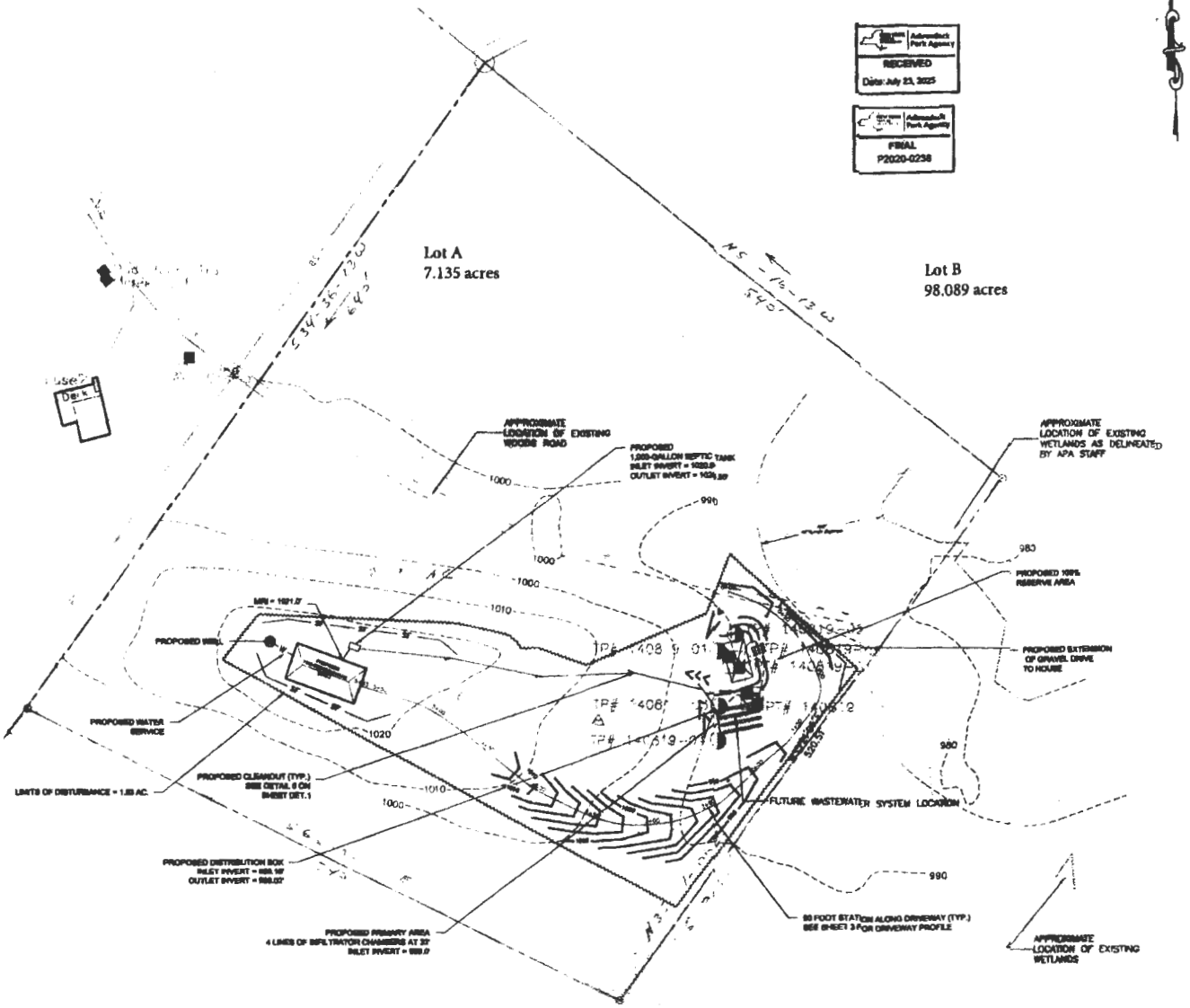
BY: _____
John M. Burth
Deputy Director of Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 4th day of September 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



LEGEND

- EXISTING PROPERTY LINE
- ROAD/DRIVEWAY
- LIMITS OF WETLANDS
- 10 FT CONTOUR
- 2 FT CONTOUR
- PROPOSED CONTOURS
- PROPOSED SILT FENCE

PROJECT INFORMATION
SUGARBUSH WAY SCHROON LAKE, NY 12870 TAX MAP NO.: 125.3-3-28.110 AREA: 276.08 ACRES

Owner and Applicant
Sean O'Toole 42 Purse Lane Hopewell Junction, NY 12533

Owner's Consent Note

THE UNDERSIGNED OWNER OF THIS PROPERTY HEREON STATES THAT HE/SHE IS FAMILIAR WITH THIS MAP, ITS CONTENTS AND ITS LICENSING AND HEREBY CONSENTS TO ALL AND TERMS AND CONDITIONS AS STATED HEREON

Sean O'Toole

DATE

Adirondack Park Agency
RECEIVED
Date: July 23, 2025

Adirondack Park Agency
FINAL
P2020-0238

SITE NOTES

1. PROPERTY BOUNDARY, AND EXISTING UTILITY SHOWN HEREON ARE BASED ON A SITE PLAN PREPARED BY JAVARTY ENGINEERING, PLLC. DATED APRIL 5TH.

IT IS A VIOLATION OF NEW YORK STATE EDUCATION LAW FOR ANY PERSONS TO ALTER THESE PLANS, SPECIFICATIONS, OR REPORTS IN ANY WAY, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR

Mark A. Day, PE
LICENSED PROFESSIONAL ENGINEER
STATE OF NEW YORK

Scale	09-15-21
Date	2021.151
	License No. 085848

DAY STOKOSA
ENGINEERING

3 Van Wyck
Loop Suite 2
Wappingers Falls, New York
(845) 838-3992

O'Toole Property - Septic Design

Town of Schroon Lake — Essex County, New York

Overall Site Plan

1" = 60'	DJD	SP.1
04-09-21	MAD	1 of 3

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