

THIS IS A TWO-SIDED DOCUMENT

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|  <p><b>NEW YORK STATE</b><br/><b>Adirondack Park Agency</b></p> <p>P.O. Box 99, 1133 NYS Route 86<br/>Ray Brook, New York 12977<br/>Tel: (518) 891-4050<br/>www.apa.ny.gov</p> | <p>APA Permit<br/><b>2023-0225A</b></p>                                                                                                                                                                                             |
| <p>In the Matter of the Application of</p> <p><b>KEVIN L. FRANTZEN &amp;<br/>SHAYE I. TANNER-FRANTZEN</b><br/><b>Permittees</b></p> <p>for a permit pursuant to § 809 of the Adirondack<br/>Park Agency Act</p>                                                 | <p>Date Issued: <b>September 18, 2025</b></p> <p>To the County Clerk: Please index<br/>this permit in the grantor index<br/>under the following name(s):<br/><b>1. Kevin L. Frantzen</b><br/><b>2. Shaye I. Tanner-Frantzen</b></p> |

**SUMMARY AND AUTHORIZATION**

This permit authorizes a 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 Jay, 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 foundation for the single family dwelling 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 44.7±-acre parcel of land located on Jay Mountain Road in the Town of Jay, 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 36, Block 1, Parcel 60.200, and is described in a deed from Wayne R. Ignatuk & Donna A. Ignatuk to Kevin L. Frantzen & Shaye I. Tanner-Frantzen, dated November 14, 2024, and recorded November 22, 2024 in the Essex County Clerk's Office at Book 2185, Page 60.

The project site was created as "the 44.7±-acre lot" in a two-lot subdivision as authorized by Agency Permit 2023-0225.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves construction of a single family dwelling in a different location than authorized by Agency Permit 2023-0225.

The project is shown on a nine-sheet set of Project Plans titled "Residential Lot Development for Kevin and Shaye Frantzen," prepared by East Branch Engineering, PLLC, last revised September 8, 2025 and received by the Agency on September 9, 2025.

A reduced-scale copy of the Sheet C-100 of the Project Plans is attached as a part of this permit for reference.

### **AGENCY JURISDICTION**

Condition 6 of Agency Permit 2023-0225 requires Agency authorization for construction of a single family dwelling on the project site in a different location than authorized by that permit.

Condition 7 of Agency Permit 2023-0225 requires Agency authorization for construction of any new on-site wastewater treatment system on the project site.

### **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 the 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 2023-0225 in relation to the project site. The terms and conditions of Permit 2023-0225 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 2023-0225A, issued September 18, 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 the construction of one single family dwelling on the project site in the location, footprint, and height shown and as described on the Project Plans. Any change to the location or dimensions of the single family dwelling shall require prior written Agency authorization.
7. Construction of any guest cottage on the project site shall require prior written Agency authorization.
8. Construction of any accessory structure outside the limits of clearing shown on the Project Plans shall require prior written Agency authorization.
9. Outside the limits of clearing shown on the Project Plans, and within 200 feet of the authorized single family dwelling, no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed 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.
10. Any on-site wastewater treatment system on the project site 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. 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. 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.

12. 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.
13. All exterior building materials, including roof, siding and trim, of the dwelling shall be a dark shade of green, grey, or brown.
14. The undertaking of any activity involving wetlands shall require a new or amended permit.
15. There shall be no more than one principal building located on the project site at any time. The single family dwelling authorized herein constitutes one principal building.

### **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 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.

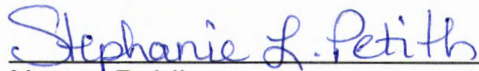
PERMIT issued this 18<sup>th</sup> day  
of September, 2025.

ADIRONDACK PARK AGENCY

BY:   
John M. Burth  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 18<sup>th</sup> 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.

  
Notary Public

