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 **2023-0177** Date Issued: **October 23, 2025**
In the Matter of the Application of **JOHN M. BOLTON and** **LISA M. BOLTON** **Permittees** 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. John M. Bolton** **2. Lisa M. Bolton**

SUMMARY AND AUTHORIZATION

This permit authorizes a three-lot subdivision and construction of a single family dwelling on two of the three lots in an area classified Moderate Intensity Use and Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Chester, Warren County.

This authorization shall expire unless recorded in the Warren 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 Warren 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 a 31.88±-acre portion of a 46.74±-acre parcel of land located on both sides of NYS Route 8/U.S. Route 9 in the Town of Chester, Warren County, in an area classified Moderate Intensity Use and Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 87, Block 1, Parcel 40.1, and is described in a deed from Fred Montgomery to John M. Bolton and Lisa M. Bolton, dated June 3, 2020, and recorded July 16, 2020 in the Warren County Clerk's Office under Instrument Number 2020-4082.

The project site contains shoreline on Chester Creek. The project site also contains wetlands as shown on the Site Plan. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The project site is improved by a single family dwelling and associated on-site wastewater treatment system.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a four-lot subdivision, of which only three lots (lots 1, 2, and 3) are jurisdictional to the Agency. Lot 2 is a 3.05±-acre parcel with an existing single family dwelling and associated on-site wastewater treatment system; Lot 1 is a 12.90±-acre vacant parcel and Lot 3 is a 15.88±-acre vacant parcel. Both Lot 1 and Lot 2 contain suitable locations for the construction of a single family dwelling and on-site wastewater treatment system. Lot 4 is not jurisdictional to the Agency.

The project is shown on the following map: "Map of a Proposed Subdivision of Lands of John M. & Lisa M. Bolton," prepared by Magee Land Surveying D.P.C., and dated April 13, 2002 (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 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.

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 Warren 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, 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 2023-0177, issued October 23, 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 three-lot subdivision as depicted on the Site Plan. Any subdivision not depicted on the Site Plan shall require a new or amended permit.

6. The Moderate Intensity Use portion of Lot 1 shall not be conveyed separately from the Low Intensity Use portion of Lot 1.

7. Any deed of conveyance for Lot 1 as depicted on the Site Plan shall contain an easement providing access to Lot 3 and 4 over the Right-of-Way shown and described on the Site Plan.

8. Any deed of conveyance for Lot 2 as depicted on the Site Plan shall contain an easement providing access to Lots 1, 3 and 4 over the Right-of-Way shown and described on the Site Plan.

9. Any deed of conveyance for Lot 3 as depicted on the Site Plan shall contain an easement providing access to Lots 4 over the Right-of-Way shown and described on the Site Plan.

10. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling on each of Lots 1 and 3 in the location and footprint shown on the Site Plan. The single family dwellings shall be no more than 35 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.

11. Construction of any guest cottage on the project site shall require prior written Agency approval.

12. There shall be no boathouses on the project site.

13. There shall be no docks on the project site.

14. Prior to construction of any on-site wastewater treatment system(s) on Lots 1 and 3, 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 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.

15. 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.

16. Any new free-standing or building-mounted outdoor lights on lots 1 and 3 shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward NYS Rte 8/U.S. Route 9 or adjoining property.

17. All exterior building materials, including roof, siding and trim, of the dwellings on lots 1 and 3 shall be a dark shade of green, grey, or brown.

18. Within 100 feet of the "APA Wetlands" shown on the Site Plan, no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed on lots 1, 2, and 3 without prior written Agency authorization, except for a) within an area up to 20 feet in width for driveway maintenance and utility installations and b) the removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.

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 and single family dwellings authorized as conditioned herein:

a. will meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Chester;
b. 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;
c. 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
d. 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 23rd day of October, 2025.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 23rd day of October 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

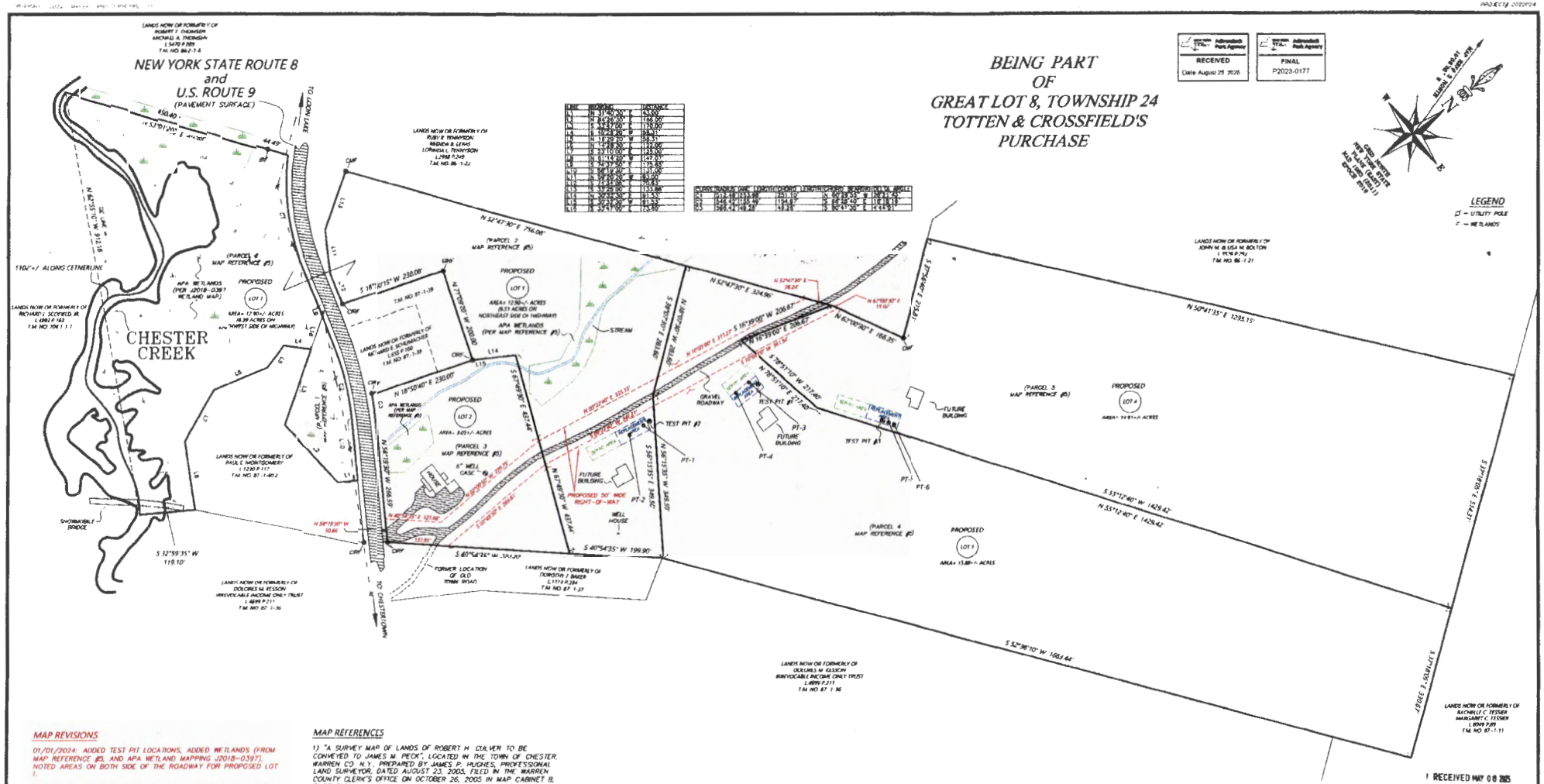
STEPHANIE PETITH
tary Public, State of New York
Reg. No. 01PE6279890
Qualified in Essex County
ommission Expires April 15, 2029

PROJECT# 20220124

BEING PART OF GREAT LOT 8, TOWNSHIP 24 TOTTEN & CROSSFIELD'S PURCHASE

RECEIVED
Date August 25 2025

FINAL
P2023-0177


NEW YORK STATE ROUTE 8
and
U.S. ROUTE 9
(PAVEMENT SURFACE)
CHESTER CREEK
LEGEND
PROPOSED LOT 1
PROPOSED LOT 2
PROPOSED LOT 3
PROPOSED LOT 4
PROPOSED 50' WIDE RIGHT-OF-WAY
TEST PIT #1
TEST PIT #2
PT-1
PT-2
PT-3
PT-4
PT-5
PT-6
FUTURE BUILDING
GRAVEL ROADWAY
STREAM
WELL HOUSE
SHOREABLE BRIDGE
FORMER LOCATION OF OLD TOWN ROAD
TO CHESTER
TO LOCKE LAKE
N 32°47'30" E 754.06'
S 16°39'00" W 206.67'
N 50°41'35" E 1295.15'
S 55°12'40" W 1429.42'
N 55°12'40" E 1428.42'
S 32°36'10" W 1865.84'
S 40°54'35" W 199.90'
S 32°59'35" W 119.10'
N 82°30'30" E 166.35'
S 16°47'15" W 230.00'
N 18°50'40" E 230.00'
N 71°09'20" W 200.00'
S 18°50'40" W 230.00'
N 18°50'40" E 230.00'
S 71°09'20" E 200.00'
S 18°50'40" W 230.00'
N 71°09'20" W 200