

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 2025-0193
In the Matter of the Application of THOMAS ALLEN Permittee for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578	Date Issued: October 28, 2025 To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Thomas Allen

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of AuSable, Clinton County.

This authorization shall expire unless recorded in the Clinton 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 Clinton 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 the 152.87±-acre Resource Management portion of a 158.10±-acre parcel of land located on Calkins Road in the Town of AuSable, Clinton County, in an area classified Resource Management and Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 303, Block 1, Parcel 34.1, and is described in a deed from Mary Beth Nelson, as Executrix of the Last Will and Testament of James W. Allen to Thomas Allen, dated February 4, 2025, and recorded March 3, 2025 in the Clinton County Clerk's Office under Instrument Number 2025-342776.

The project site 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 pre-existing single family dwelling served by an on-site wastewater treatment system, and pre-existing barns and accessory use structures.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of the Resource Management portion of the 158.10±-acre tax map parcel 303.-1-34.1, creating a 155.83±-acre lot improved by pre-existing barns and accessory structures (Lot 1) and a 2.27±-acre lot improved by a pre-existing single family dwelling and on-site wastewater treatment system (Lot 2). Lot 1 is comprised of 150.60± acres of land designated Resource Management and 5.23± acres of land designated Rural Use. No new land use and development is proposed or authorized herein.

The subdivision is shown on a map titled "Map of Survey prepared for Thomas Allen showing the 2025 Allen Subdivision", prepared by Robert M. Sutherland P.C., and dated September 18, 2025 (Site Plan). A reduced-scale copy of the Site Plan is 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 any subdivision in a Resource Management land use area in the Adirondack Park.

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 Clinton 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 2025-0193, issued October 28, 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 two-lot subdivision as depicted on the Site Plan. Any subdivision of the project site not depicted on the Site Plan shall require prior written Agency authorization.
6. The construction of any additional dwelling or other principal building on the project site shall require a new or amended permit.
7. The undertaking of any new land use or development with 200 feet of the wetlands depicted on the site plan shall require prior written Agency authorization. The undertaking of any activity involving wetlands shall require a new or amended permit.
8. Prior to construction of any on-site wastewater treatment system(s) on Lot 1, 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 Clinton County Department of Health's "Clinton County Sanitary Code, Article IX," the Agency's Project Guidelines for Residential On-Site Wastewater Treatment, and with Agency standards in 9 NYCRR Appendix Q4.

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.
9. There shall be no more than four principal buildings located on the Resource Management portion of Lot 1. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
10. There shall be no principal buildings located on Lot 2 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, the Freshwater Wetlands Act and 9 NYCRR Part 578, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision 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;
- 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 28th day
of October, 2025.

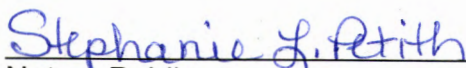
ADIRONDACK PARK AGENCY

BY: 
John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 28th 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 PETITH
Notary Public, State of New York
Reg. No. 01PE6279890
Qualified in Essex County
Commission Expires April 15, 2029


Notary Public

