

THIS IS A TWO-SIDED DOCUMENT

 P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov	APA Permit 2025-0194
In the Matter of the Application of GAYE O'NEIL Permittee for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578	Date Issued: October 14, 2025 To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Gaye O'Neil

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision and the construction of a single family dwelling in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Wilmington, 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 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 2.55-acre parcel of land located on NYS Route 86 and Bruce Hare Way in the Town of Wilmington, 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 16.19, Block 4, Parcel 10.000, and is described in a deed from Cascade Funding Mortgage Trust HB7 to Gaye O'Neil, dated May 28, 2024, and recorded June 13, 2024 in the Essex County Clerk's Office at Book 2167, Page 188.

The project site also contains wetlands associated with an intermittent stream running to the northeast. 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.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision, creating Lot 1-A, a 1.3-acre lot with a pre-existing single family dwelling, and Lot 1-B, a 1.25-acre building lot, and the construction of one single family dwelling and on-site wastewater treatment system on Lot 1-B.

The project is shown on the following plans:

- The subdivision and location of the existing single family dwellings are depicted on "Map of Survey," prepared by Adirondack Surveying, PLLC and dated August 8, 2025 (Subdivision Plan).
- The location and details of the proposed on-site wastewater treatment system are depicted on "Site Plan – O'Neil Residence Sewage Treatment System," prepared by Moser Engineering, dated June 25, 2025 (Site Plan).

A reduced-scale copy of the Subdivision Plan and Site Plan for the project, are 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 that results in the creation of fifteen or more lots, parcels, or sites since May 22, 1973, in a Moderate Intensity 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, Subdivision Plan 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 2025-0194, issued October 14, 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 Subdivision Plan. Any subdivision of the project site not depicted on the Subdivision Plan shall require a new or amended permit.
6. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling on Lot 1-B 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 less than 2,000 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.
7. Construction of any guest cottage on the project site shall require prior written Agency approval.
8. Any on-site wastewater treatment system on Lot 1-B 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 Site Plan. 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.

9. 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.
10. 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 or toward NYS Route 86 or adjoining property.
11. All exterior building materials, including roof, siding and trim, of the dwelling shall be a shade of green, grey, or brown.
12. The undertaking of any activity involving wetlands shall require a new or amended permit.
13. There shall be no principal buildings located on Lot 1-A other than the pre-existing single family dwelling or any replacement structure for this dwelling as allowed by Agency regulations.
14. There shall be no more than one principal building located on Lot 1-B at any time. The single family dwelling authorized herein constitutes a principal building.

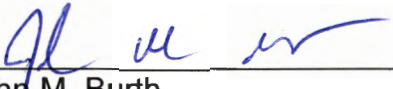
CONCLUSIONS OF LAW

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 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 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;
- 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.

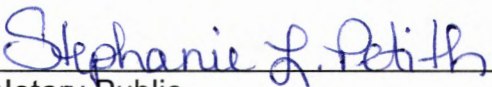
PERMIT issued this 14th day
of October, 2025.

ADIRONDACK PARK AGENCY

BY: 
John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 14th 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.


Notary Public

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

Map Notes:

1. Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's seal is a violation of section 7209, sub-section 2 of the New York State Education Law.
2. Only copies from the original of this Boundary Survey map with an original of the Land Surveyor's seal and a notary public seal are admissible in court. (Notary public seal shall be in the upper right corner of the map.)
3. Certifications indicated herein signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors, Inc. The certification is limited to the persons for whom the Boundary Survey is prepared, to the title company, to the governmental agency, and to the person or persons to whom the survey is made. These certifications are not transferable to subsequent owners.
4. This map may not be used in connection with a "Survey Affidavit" or similar document, statement or mechanism to obtain title insurance for any subsequent or future grantee.
5. Copyright 2025, Adirondack Surveying PLLC. All rights reserved. No part of this map may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without permission in writing from Adirondack Surveying PLLC. If any underground improvement or encroachment is shown, the improvements or encroachments are not covered by this certification.
6. North arrow and bearings based on Grid North - NAD83 NAD83 East Zone 18.
7. NAD83 (Grid) 031.
8. All bearings shown on this map are not to be used for construction purposes.
9. Subject to any and all right of ways and easements of record. If any.
10. Survey was performed without the benefit of an Abstract of Title and is subject to any findings one may show or those discoverable by inspection.
11. Assumed road line of Bruce Hare Way shown herein based on a 50' wide road and the center line of the road shown in the 1944-45 Survey of the Town of Jay.
12. Survey subject to any right, title or interest the public may have in and to that portion of Bruce Hare Way and NY Route 86 used for highway purposes.
13. Subject to Adirondack Park Agency Permit 2007/243 issued October 29, 2007. The Adirondack Park Agency Permit 2007/243 is a condition of the survey and the survey is subject to the terms, conditions and restrictions of the permit and any subsequent amendments.
14. Parcel is located within the "Moderate Intensity" Adirondack Park Agency Land Use Classification.

Reference Deed:

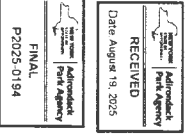
Cascade Funding Mortgage Trust H97 to Gary O'Neill by deed dated October 20, 1989 and filed in the Essex County Clerk's Office as map # 187 at page 188 on June 13, 2024 in the Essex County Clerk's Office.

Reference Maps:

1. Map of Survey showing the Subdivision of certain lands of Bruce Hare and Helen Hare prepared by Robert M. Martin J., PLS dated October 20, 1989 and filed in the Essex County Clerk's Office as map # 5000.
2. Map of Survey prepared for Christina & Associates, Inc. prepared by Dana L. Drake, PLS dated October 28, 1996 and filed in the Essex County Clerk's Office as map # 4827.
3. Map of Survey prepared for Grandeur State and James J. O'Neill dated October 28, 1996 and filed in the Essex County Clerk's Office as map # 233.
4. Map showing lands belonging to Arthur G. Boynton, Jr. and his wife, Mary G. Boynton, dated October 28, 1996 and filed in the Essex County Clerk's Office as map # 216.
5. Map of Survey of certain lands of Timothy J. Davies and Virginia G. Davies showing Deeds Subdivision, 2016, prepared by Dana L. Drake, PLS dated October 28, 2016 and filed in the Essex County Clerk's Office as map # 7279.

Tax Map Reference:

Section 15, 19 - Block 4, Lot 10,000
Town of Wilmington - County of Essex

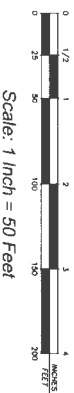


Essex County Clerk
filing seal

PROJECT SURETOR
Ralph C. Spishak III, L.S.
NYS License No. 050409

Approved:
Real Property Tax Service Agency

PRELIMINARY



Scale: 1 Inch = 50 Feet

CHAIRMAN PLANNING BOARD DATE

Subdivision Note:

The intent of this Subdivision is to Subdivide Lot 1 of the Hare Subdivision into two (2) separate parcels.

Lot 1-A has an existing house, driveway off NYS Route 86, on-site septic, town water and is serviced by underground utilities.

Lot 1-B is a vacant parcel at the intersection of NYS Route 86 and Bruce Hare Way. A private road created by the Hare Subdivision. Access to Bruce Hare Way. It will have its own on-site septic, electric service and town water.

JAY - LAKE PLACID PART 1, S.H. NO. 5540
NYS Route 86

Zoning Information:

LOCATION: 6025 NYS Route 86
ZONE: Moderate Intensity (R1)
USE: Single Family Dwelling

TOWN OF WILMINGTON
APPROVED
PLANNING BOARD

THIS PLAN HAS BEEN SUBMITTED
REVIEWED AND APPROVED BY THE
TOWN OF WILMINGTON PLANNING
BOARD. ANY CONDITIONS OF
APPROVAL ARE ATTACHED.

ITEM	REQUIREMENTS
MINIMUM LOT AREA	1 acre
MINIMUM LOT WIDTH	100 feet
MINIMUM FRONT SETBACK	35 feet
MINIMUM SIDE SETBACK	20 feet
MINIMUM REAR SETBACK	20 feet
MAXIMUM BUILDING HEIGHT	40 feet
MAXIMUM BUILDING COVERAGE	40 feet
SCOTCH CROWN OR BETTER	150 feet

General Location Map (NOT TO SCALE)



Legend:

- State lot owner (NYS) w/ Adirondack Surveying PLLC
- Found Property Evidence (as recorded)
- Computed corner
- File marker
- Utility pole
- Below grade
- Water valve
- Property line - existing
- Property line - new
- Overlaid utility line
- Building setback line
- Fence

ATTACHMENT D

Map of Survey
of certain lands of
GAYE O'NEIL
SHOWING
SUBDIVISION 2025

Lot 94 of the Jay Tract
Essex County State of New York



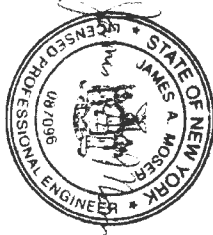
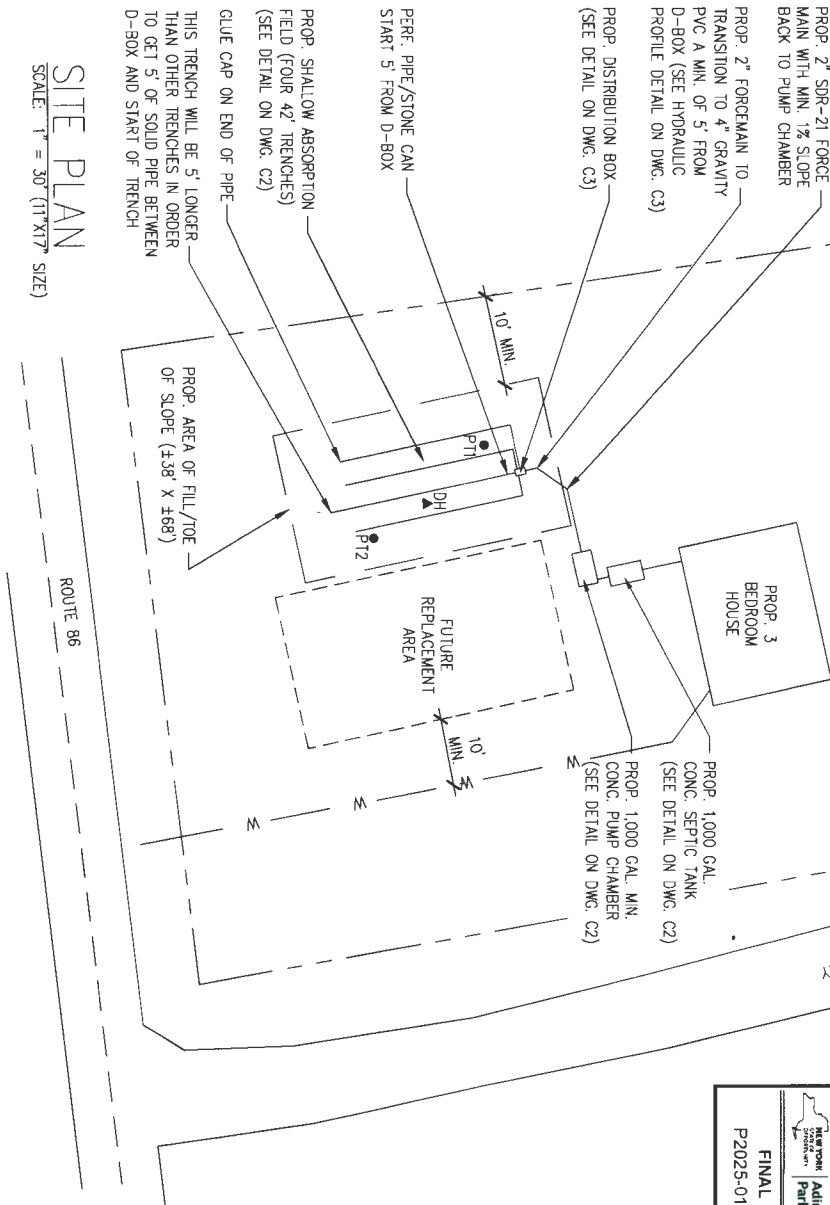
ADIRONDACK SURVEYING PLLC
PO Box 334
JAY, NEW YORK 12941
518 946 7571
A/SURVEYING@ADIRONDACKSURVEYING.COM

Project No.	2025-013	Date	11-18-25	Prepared by	Robert M. Martin
Drawn by	04/10/23	Reviewed by	R. Spishak	Checked by	R. Spishak
Client	09/09/23	Issued by	R. Spishak		

DEEP HOLE TEST DATA				
DEPTH (IN.)	SOIL HORIZON	COLOR	TEXTURE	MOTTLING
0-6	TOPSOIL	BLACK	FINE	NO
6-19	LOAMY SAND	REDDISH BROWN	FINE	NO
19-36	LOAMY SAND	BROWN	FINE	YES (36")
36-72	SAND	BROWN	COMPACT	YES
TOTAL DEPTH OF USABLE SOIL: 36" (MOTTLING AT 36")				
STABILIZED PERC RATE AT 12" DEEP: 6 MINUTES				

4" OF TOPSOIL & SEED TO BE PLACED OVER ENTIRE ABSORPTION FIELD AFTER INSPECTION

ANY CHANGE FROM THE PLAN NEEDS TO HAVE APPROVAL FROM THE ENGINEER PRIOR TO INSTALLATION



NOTES:

1. SEPTIC SYSTEM TO COMPLY WITH ALL NYSDOH REQUIREMENTS, THE INDIVIDUAL RESIDENTIAL WASTEWATER TREATMENT SYSTEMS DESIGN HANDBOOK & ANY MANUFACTURER'S REQUIREMENTS AND BE INSTALLED AS PER THEIR RECOMMENDATIONS.
2. SEE DRAWING C2 AND C3 FOR DETAILS
3. FILL TO BE PLACED PRIOR TO EXCAVATING TRENCHES AND TO HAVE PERC RATE SIMILAR TO THE USABLE SOIL PERC RATE.
4. THE ENGINEER RECOMMENDS INSTALLING A CLEANOUT JUST OUTSIDE THE HOUSE OR IN THE BASEMENT. THE CONTRACTOR SHALL CONFIRM LOCATION W/ OWNER PRIOR TO INSTALL.
5. THE ENGINEER RECOMMENDS INSTALLING AN EFFLUENT FILTER IN THE SEPTIC TANK. CONTRACTOR TO VERIFY W/ OWNER IF FILTER SHALL BE INSTALLED AND IF SO CONTRACTOR SHALL PROVIDE HOMEOWNER WITH NECESSARY INFORMATION TO MAINTAIN ROUTINE EFFLUENT FILTER CLEANING.
6. A GARBAGE DISPOSAL SHALL NOT BE USED WITH THIS SYSTEM. IF OWNER INSISTS ON A GARBAGE DISPOSAL, A DUAL COMPARTMENT SEPTIC TANK SHALL BE INSTALLED AND THE SIZE OF THE TANK SHALL BE INCREASED BY 250 GALLONS.
7. ANY TREE WITHIN 10' OF ANY SEPTIC SYSTEM COMPONENT SHALL BE REMOVED.
8. IF, AT ANY POINT DURING INSTALLATION, SOIL CONDITIONS ARE ENCOUNTERED THAT VARY FROM THE DEEP HOLE TEST DATA, STOP WORK AND CONTACT ENGINEER.
9. THE SEPTIC TANK SHALL BE PUMPED OUT EVERY 3-5 YEARS.
10. SUMP PUMPS, WATER SOFTENERS, AND ANY OTHER WATER TREATMENT SYSTEMS SHALL NOT DISCHARGE INTO THE SEPTIC TANK.
11. ALL PIPING SHALL BE INSTALLED AT STRAIGHT AS POSSIBLE AND ANY BEND SHALL NOT EXCEED 45 DEGREES.
12. PRIOR TO EXCAVATING CONTACT DIG SAFELY NEW YORK AT 1-800-962-7962 OR 811.
13. SNOW SHALL NOT BE STOCKPILED ON THE ABSORPTION FIELD.

SITE PLAN

ONEIL RESIDENCE

SEWAGE TREATMENT SYSTEM

ROUTE 86, WILMINGTON, NY 12997

DATE: 6-25-25

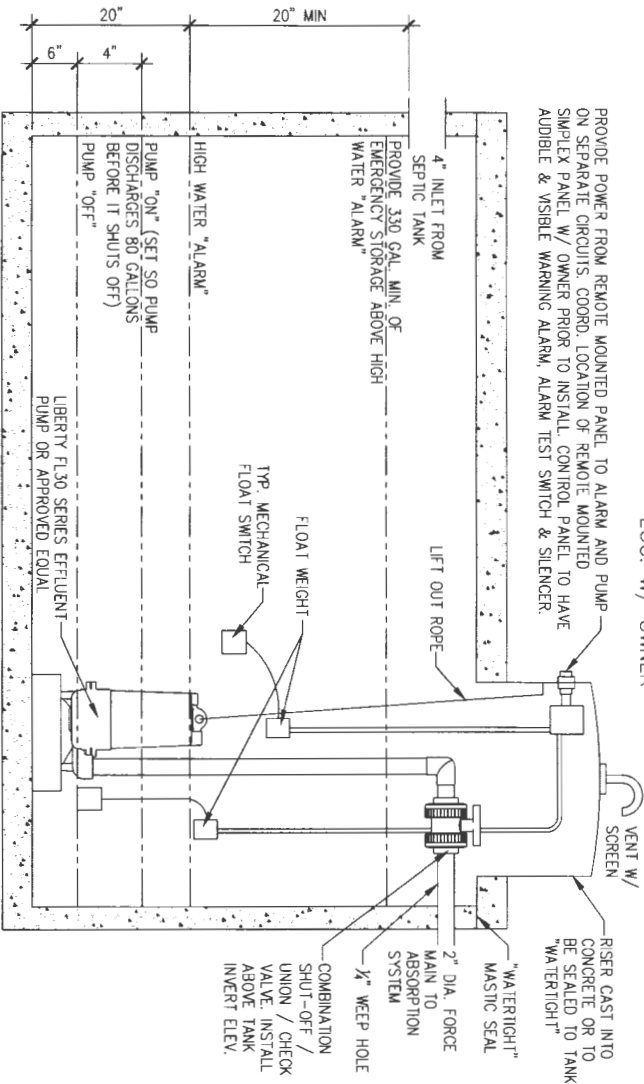
MOSER

ENGINEERING

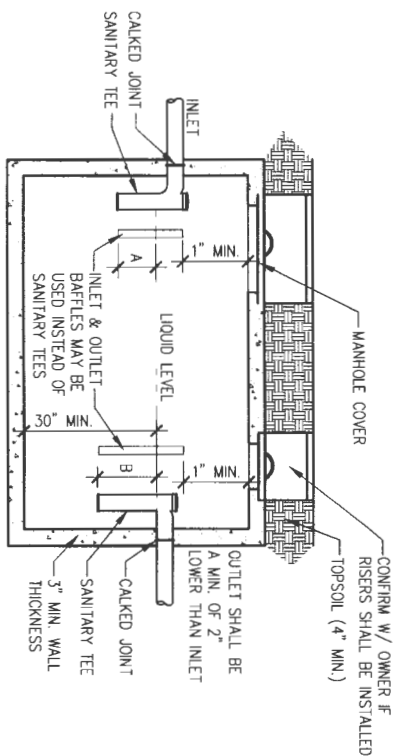
73 BUDGET ROAD
ONEIL, NY 12921
518-386-1800
WWW.MOSERENGINEERING.COM

COORD. TYPE OF VENT
AND LOC. AND PANEL
LOC. W/ OWNER

PROVIDE POWER FROM REMOTE MOUNTED PANEL TO ALARM AND PUMP
ON SEPARATE CIRCUITS. COORD. LOCATION OF REMOTE MOUNTED
SIMPLEX PANEL W/ OWNER PRIOR TO INSTALL. CONTROL PANEL TO HAVE
AUDIBLE & VISIBLE WARNING ALARM, ALARM TEST SWITCH & SILENCER.



PUMP CHAMBER DETAIL SEE SITE PLAN FOR SIZE
N.T.S.



A = 12" MIN. FOR LIQUID DEPTH < 40" AND
16" MIN. FOR LIQUID DEPTH ≥ 40"
B = 14" MIN. FOR LIQUID DEPTH < 40" AND
18" MIN. FOR LIQUID DEPTH ≥ 40"

SEPTIC TANK DETAIL
SEE SITE PLAN FOR REQUIRED SIZE

ENGINEER TO CONFIRM
FINAL FLOAT ELEVATIONS
PRIOR TO USE

PROVIDE 4"-6" OF
TOPSOIL OVER PUMP
CHAMBER

FLOAT WEIGHTS OR
STAINLESS STEEL STRAPS
ARE REQUIRED. USING ZIP
TIES SECURED TO THE
PIPE IS NOT AN
ACCEPTABLE METHOD FOR
SETTING FLOAT LEVELS.



UNLAWFUL TO REPRODUCE, COPIY, OR
REPRODUCE IN ANY MANNER, AND/OR
FOR ANY PURPOSE, WITHOUT THE WRITTEN
CONSENT OF THE ENGINEER. ANY
VIOLATION OF THIS STATEMENT SHALL
BE CONSIDERED A VIOLATION OF THE
ENGINEERING ETHICS. ONLY THE ENGINEER
SIGNING SHALL BE CONSIDERED VALID
IN ALL CIRCUMSTANCES.

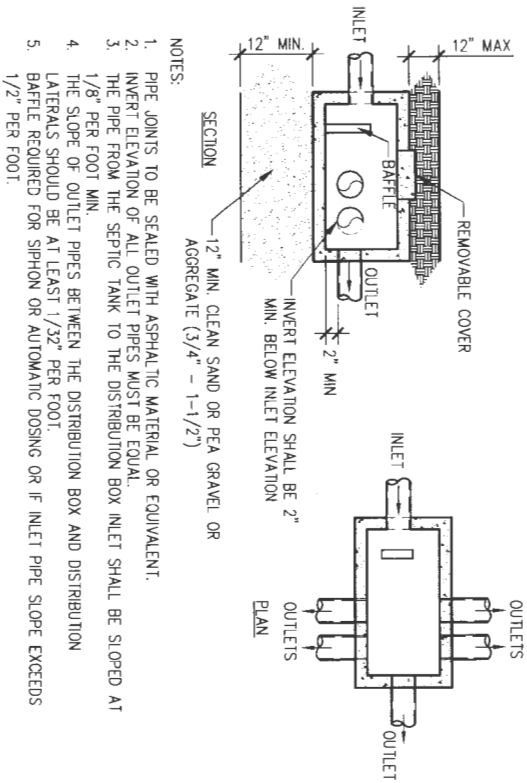
DETAILS

ONEL RESIDENCE
SEWAGE TREATMENT SYSTEM
ROUTE 86, WILMINGTON, NY 12997

DATE: 8-3-25 PROJECT NO.: 25-184

C2

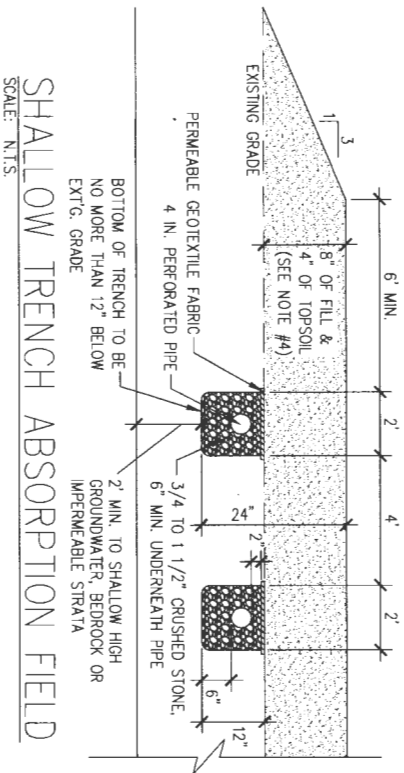
MOSER
ENGINEERING
73 BURGESS ROAD
ONEILL, NY 12921
WWW.MOSERENGINEERING.COM
WWW.MOSERENGINEERING.COM



- NOTES:
1. PIPE JOINTS TO BE SEALED WITH ASPHALTIC MATERIAL OR EQUIVALENT.
 2. INVERT ELEVATION OF ALL OUTLET PIPES MUST BE EQUAL.
 3. THE PIPE FROM THE SEPTIC TANK TO THE DISTRIBUTION BOX INLET SHALL BE SLOPED AT 1/8" PER FOOT MIN.
 4. THE SLOPE OF OUTLET PIPES BETWEEN THE DISTRIBUTION BOX AND DISTRIBUTION LATERALS SHOULD BE AT LEAST 1/32" PER FOOT.
 5. BAFFLE REQUIRED FOR SIPHON OR AUTOMATIC DOSING OR IF INLET PIPE SLOPE EXCEEDS 1/2" PER FOOT.

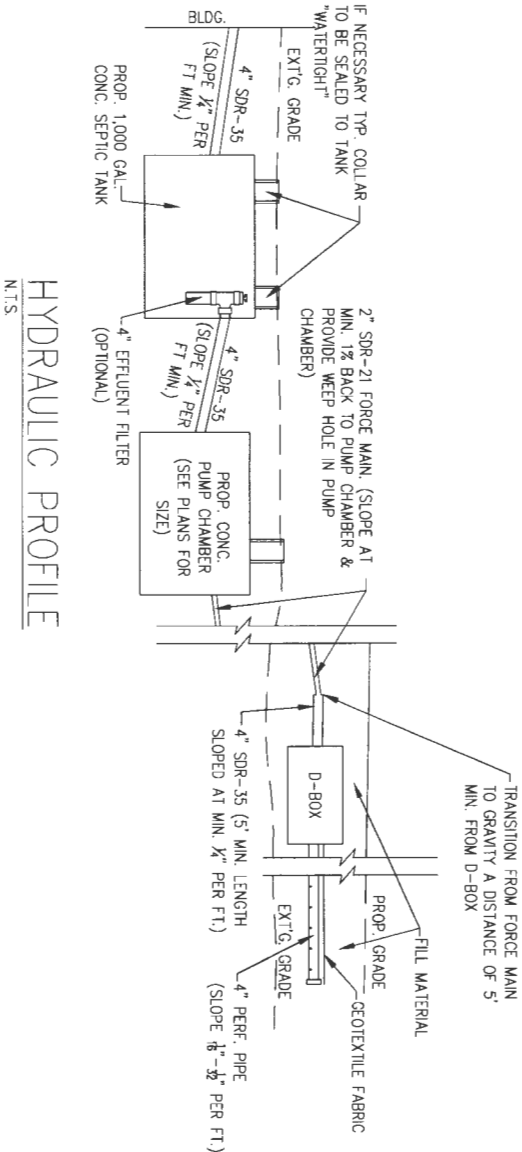
DISTRIBUTION BOX DETAIL

N.T.S.



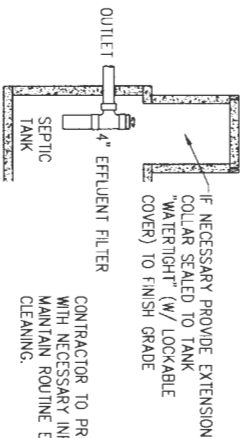
SHALLOW TRENCH ABSORPTION FIELD

SCALE: N.T.S.



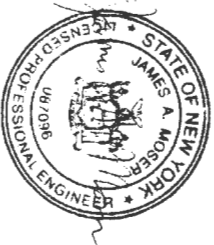
HYDRAULIC PROFILE

N.T.S.



EFFLUENT FILTER DETAIL (OPTIONAL)

N.T.S.



DETAILS ONEIL RESIDENCE SEWAGE TREATMENT SYSTEM ROUTE 86, WILMINGTON, NY 12997 DATE: 6-5-05 PROJECT NO. 55-184		MOSER ENGINEERING 13 BABBY ROAD CHAZY, NY 12021 TEL: 518-391-1234 FAX: 518-391-1235 WWW.MOSERENGINEERING.COM
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C3