

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
2025-0221

Date Issued: **December 2, 2025**

In the Matter of the Application of

**RAY CUMMINGS, JR. & KATHLEEN N.
CUMMINGS
Permittees**

for a permit pursuant to § 809 of the Adirondack
Park Agency Act

To the County Clerk: Please index
this permit in the grantor index
under the following name(s):

1. Ray Cummings, Jr.
2. Kathleen N. Cummings

SUMMARY AND AUTHORIZATION

This permit authorizes 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 Keene, 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 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 11.83±-acre parcel of land located on Upland Meadows Road in the Town of Keene, 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 2, Parcel 6.300, and is described in a deed from Hans P. Jennerjahn to Ray Cummings, Jr. and Kathleen N. Cummings, dated May 15, 2020, and recorded June 22, 2020 in the Essex County Clerk's Office under Instrument Number 2020-2257.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the construction of a two-bedroom single family dwelling, on-site wastewater treatment system, and private solar array.

The project is shown on the following maps and plans (Project Plans):

- A three-page set of plan sheets titled "Cummings Upland Medows [sic] Residence Tax Parcel# 36.-2-6.300 Essex County Town of Keene NY", prepared by East Branch Engineering, PLLC, and dated October 28, 2025 (Site and OSWTS Plan); and
- A 23-page set of plans titled "An Upland Meadows Project The Carriage House", prepared by FGH Management LLC, dated August 6, 2023 (Carriage House Plan).

A reduced-scale copy of Page 1 of the Site and OSWTS Plan and Page 6 of the Carriage House 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, a permit is required from the Adirondack Park Agency prior to the construction of any single family dwelling on Resource Management lands 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 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. 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 2025-0221, issued December 2, 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 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 any authorized structure shall require prior written Agency authorization.
6. The construction of any accessory structure outside the limits of clearing shown on the Carriage House Plan shall require prior written Agency authorization.
7. Construction of any guest cottage on the project site shall require prior written Agency authorization.
8. 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 Site and OSWTS 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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.
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 Upland Meadow Road or adjoining property.
11. Within 150 feet of the limits of clearing shown on the Carriage House Plan, no trees greater than 6 inches in diameter at breast height may be cut, culled, trimmed, pruned or otherwise removed the project site 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.

12. There shall be no principal buildings located on the project site other than the dwelling authorized herein.

CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act 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 2nd day
of December, 2025.

ADIRONDACK PARK AGENCY

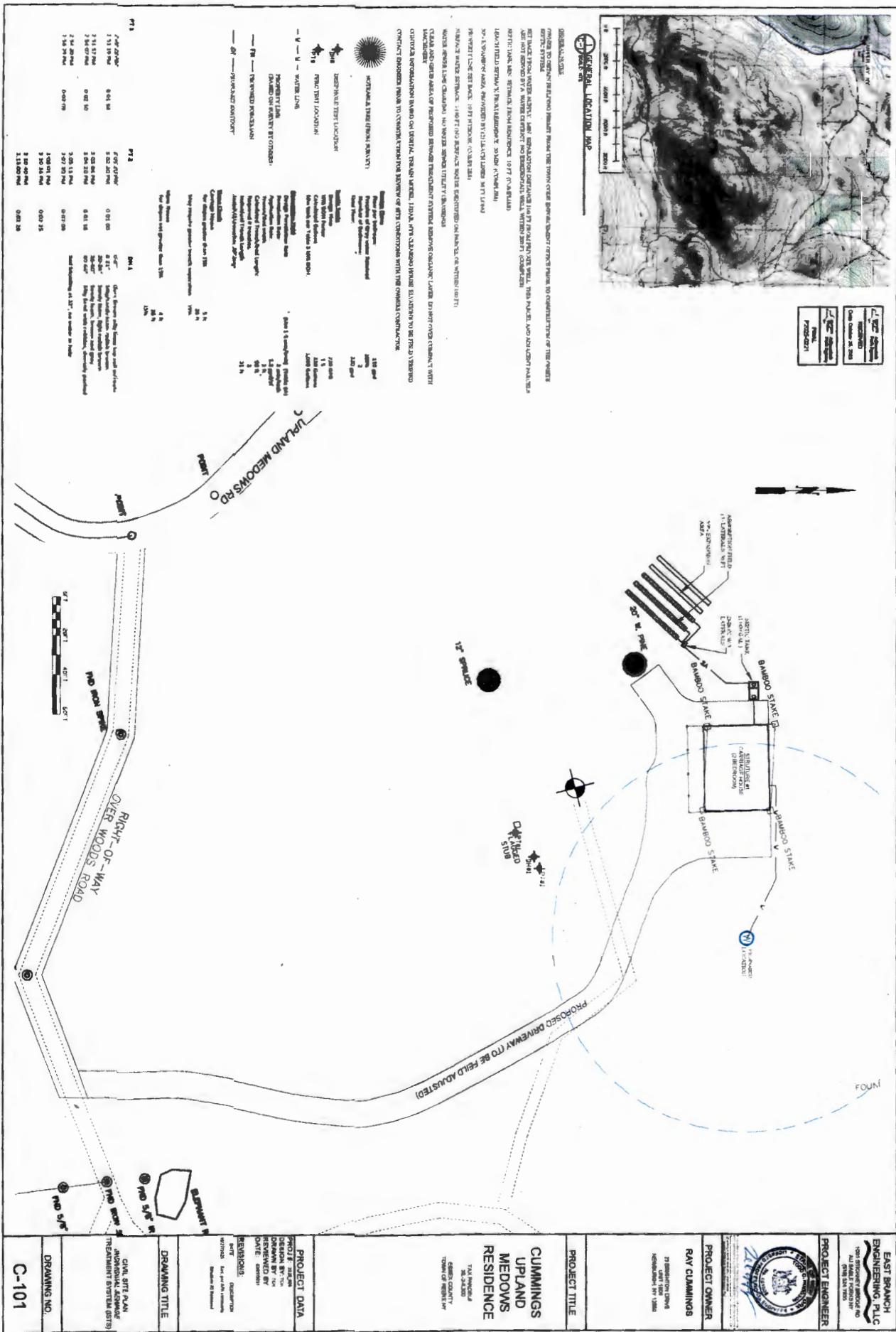
BY: John M. Burth
John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 2nd day of December 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

Stephanie L. Petith
Notary Public





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SITE PLAN &

CARRIAGE HOUSE
Upland Meadows Road
Keene NY

Structural Engineer:
Architect of Record:

The logo for FCG Management LLC. It features the letters "FCG" in a large, bold, black, sans-serif font. A vertical line of text "MANAGEMENT LLC" is positioned to the left of the letters. A horizontal line of text "FCG" is positioned below the letters.

