

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
2025-0243

Date Issued: **December 31, 2025**

In the Matter of the Application of

**SHANE M. LYON
GARY A. SEELEY
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. Shane M. Lyon**
- 2. Gary A. Seeley**

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Salisbury, Herkimer County.

This authorization shall expire unless recorded in the Herkimer 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 Herkimer 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 $27\pm$ -acre parcel of land located on Jerseyfield Road in the Town of Salisbury, Herkimer County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 091.2, Block 1, Parcel 4, and is described in a deed from Jeffrey L. Seeley and Edward C. Lettis to Shane M. Lyon and Gary A. Seeley, dated February 2, 2023, and recorded March 1, 2023 in the Herkimer County Clerk's Office under Instrument Number RP2023-952.

The project site contains wetlands along the southern boundary. 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 circa 2016 cabin which replaced a circa 1980 structure, and two pit privy outhouses.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision creating a $17.5\pm$ -acre vacant lot containing an existing outhouse (Lot 1) and a $9.5\pm$ -acre lot improved by the circa 2016 cabin, outhouse, and two sheds (Lot 2). A cabin will be constructed on Lot 1 within the existing limits of clearing, and will be served by the existing outhouse.

The project is shown on an unscaled map titled "Sketch Plan," prepared by Shane Lyon, and received by the Agency on November 18, 2025 (Site Plan). A 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 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 Herkimer 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 2025-0243, issued December 31, 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 not depicted on the Site Plan shall require a new or amended permit.
6. Subject to the conditions stated herein, this permit authorizes the construction of one cabin on Lot 1 in the location and footprint shown and as described on the Site Plan. The cabin shall be no more than 25 feet in height, as measured from the highest point on the structure, to the lower of either the existing or finished grade.

Any change to the location or dimensions of the existing driveway or cabin on Lot 1 shall require prior written Agency authorization.

7. The undertaking of any activity involving wetlands shall require a new or amended permit.
8. The construction of any dwelling or other principal building on the project site shall require prior Agency authorization. Additionally, the construction of any accessory structure on the project site outside the existing limits of clearing depicted on the Site Plan shall require prior written Agency authorization.
9. Installation of any permanent on-site wastewater treatment system(s) on the project site shall require prior written Agency approval.
10. Any replacement outhouse on Lot 2 shall be located greater than 100 feet from the stream and wetlands.
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 or toward Jerseyfield Road or adjoining property.
13. Outside of the limits of clearing shown on the Site Plan, no trees greater than 6 inches in diameter at breast height may be cut or otherwise removed on the project site without prior written Agency authorization, except for the removal of 1) trees for firewood and 2) dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.

14. Within 100 feet of wetlands, no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed on the project site without prior written Agency authorization.
15. There shall be no more than two principal buildings located on Lot 1. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
16. There shall be no more than one principal building located on Lot 2. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

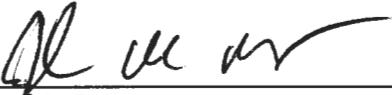
CONCLUSIONS OF LAW

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 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 Rural Use land use area;
- c. will be consistent with the overall intensity guidelines for the Rural 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 31st day
of December, 2025.

ADIRONDACK PARK AGENCY

BY: 

John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 31st 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.

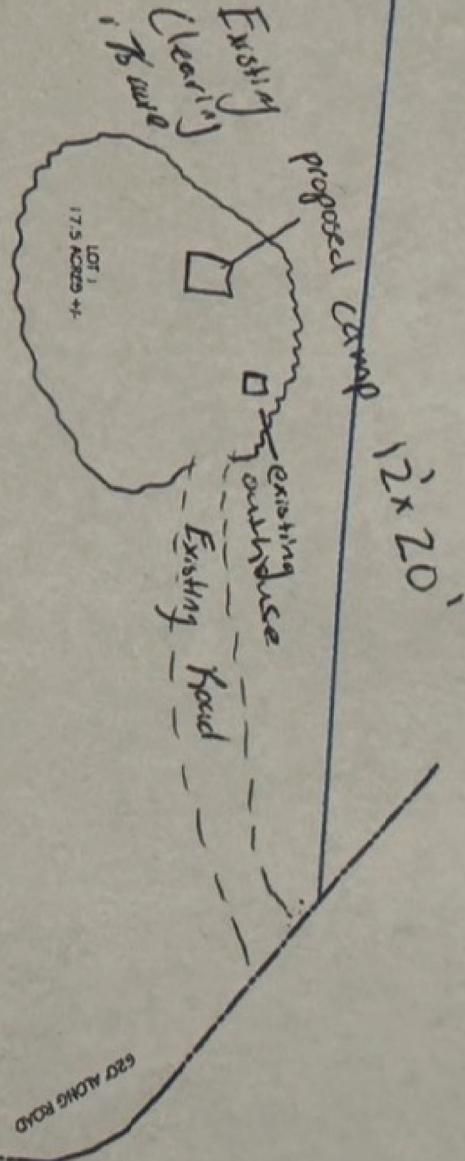
Stephanie L. Petith
Notary Public

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

SKETCH PLAN

NO SCALE

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LANDS OF
GARY A. SEELEY
SHANE M. LYON
27 ACRES - TOTAL
TAX PARCEL NO. 091.2-14
INSTR. NO. 2023-952

/
wetlands

JERSEYFIELD ROAD

360' ALONG ROAD

620' ALONG ROAD