


THIS IS A TWO-SIDED DOCUMENT

 <p>P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov</p>	<p>APA Permit <b>2025-0176</b></p>
<p>In the Matter of the Application of</p> <p><b>ROBERT C. RIETH &amp; KIMBERLY A. RIETH</b> Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: <b>January 15, 2026</b></p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s): <b>1. Robert C. Rieth 2. Kimberly A. Rieth</b></p>

**SUMMARY AND AUTHORIZATION**

This permit authorizes a two-lot subdivision and construction of a single family dwelling in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Forestport, Oneida County.

This authorization shall expire unless recorded in the Oneida 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 Oneida County Clerk's Office. The Agency will consider the project in existence when an authorized lot has been conveyed to an outside party or the foundation of 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 22.36±-acre parcel of land located on NYS Route 28 in the Town of Forestport, Oneida 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 8.000, Block 1, Parcel 2.3, and is described in a deed from Mary C. Reith to Robert C. Reith and Kimberly A. Rieth, dated January 29, 2006 and recorded February 9, 2007 in the Oneida County Clerk's Office under Instrument Number 2007-003106.

The project site also contains a wetland associated with a tributary to Bear Creek in the northeast corner of the site. 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 constructed in 2007.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves a two lot subdivision of a 22.36±-acre parcel to create a 17.36±-acre lot (Lot 1) and a 5.0±-acre lot (Lot 2). Lot 1 is improved by an existing single family dwelling, on-site wastewater treatment system, and water supply well. A single family dwelling, on-site wastewater treatment system and water supply well are proposed for Lot 2.

The project is shown on the following Project Plans:

- A single-sheet survey map titled "Subdivision Lands of Robert & Kimberly Rieth", prepared by Duane C. Frymire, last revised December 1, 2025 and received by the agency on December 1, 2025 (Site Plan).
- A two-sheet set of plans titled "Septic System Plan", prepared by Donald D Ehre, P.E., dated October 20, 2025 and received by the Agency on October 21, 2025 (Septic Plans).

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.

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 of Rural Use lands that results in the creation of a non-shoreline lot smaller than 7.35 acres in size 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 five or more lots, parcels, or sites since May 22, 1973, in a Rural Use land use area 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 of Rural Use lands within 150 feet of the edge of the right-of-way of any state highway 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 Oneida 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. 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.
5. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling on Lot 2 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 900 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.

6. The undertaking of any new land use or development not authorized herein on the project site within 150 feet of the right of way of NYS Route 28 shall require a new or amended permit.
7. The construction of any additional dwelling or other principal building on Lot 1 shall require prior written Agency authorization. The construction of any accessory structure on the project site outside the limits of clearing shall require prior written Agency authorization.
8. Construction of any guest cottage on the project site shall require prior written Agency authorization.



9. 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 Septic Plans. 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.

10. 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.
11. 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 State Route 28 or adjoining property.
12. All exterior building materials, including roof, siding and trim, of the single family dwelling on Lot 2 shall be a dark shade of green, grey, or brown.
13. Outside of the limits of clearing 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 the project site without prior written Agency authorization, except for the removal of trees for firewood, and dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
14. The undertaking of any activity involving wetlands shall require a new or amended permit.
15. There shall be no more than two principal buildings located on Lot 1 at any time. The single family dwelling constructed on the property in 2007 constitutes a principal building. 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 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 and 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 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 15<sup>th</sup> day  
of January, 2026.

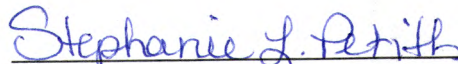
## ADIRONDACK PARK AGENCY

BY:   
John M. Burth  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 15<sup>th</sup> day of January in the year 2026, 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

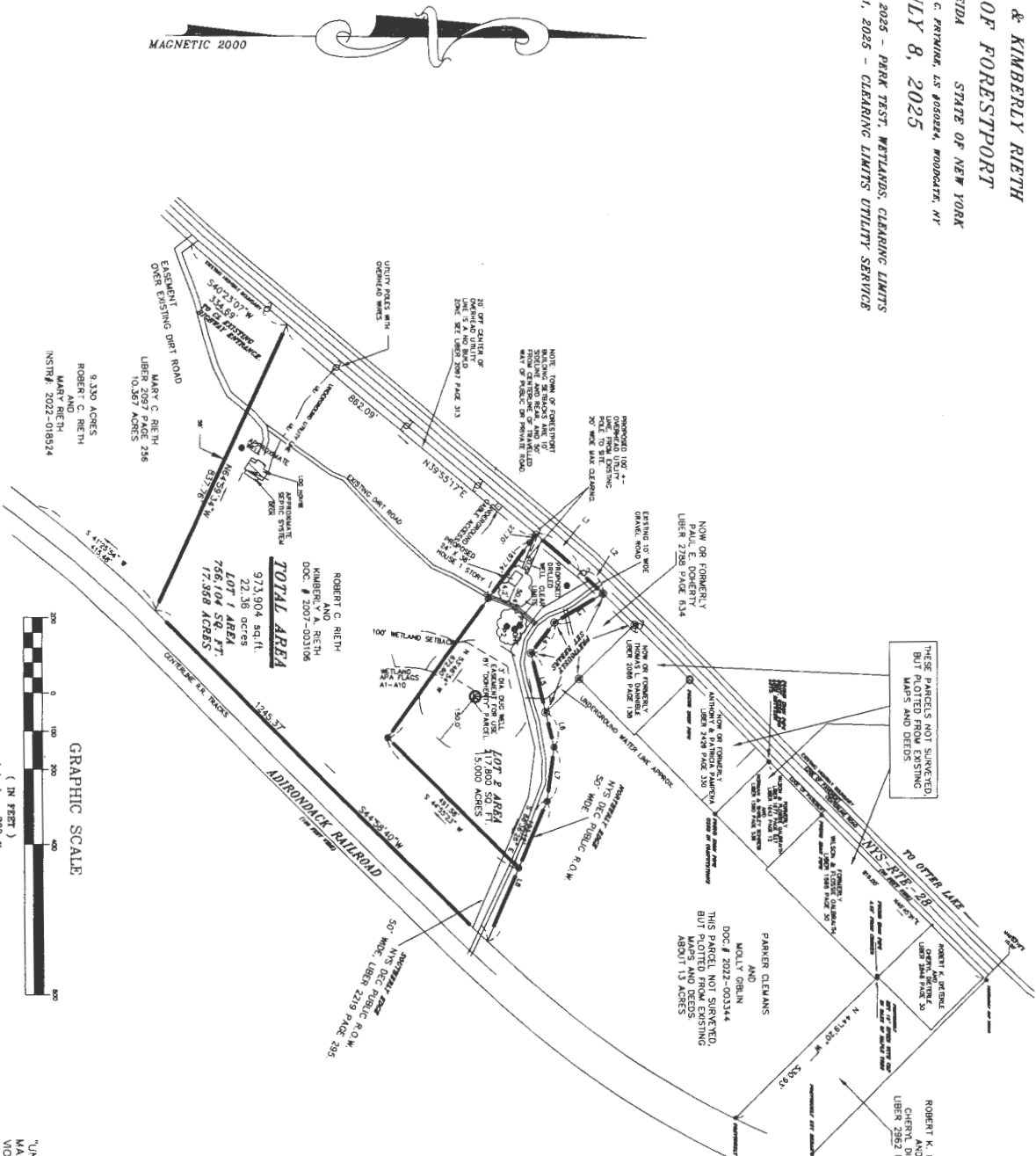
  
Notary Public



# SURVEY MAP

SUBDIVISION LANDS OF  
**ROBERT & KIMBERLY RIETH**  
**TOWN OF FORESTPORT**  
COUNTY OF ONEIDA STATE OF NEW YORK  
SURVEY BY: DUANE C. PRINCE, L.S. #060824, RODDCAST, NY  
**JULY 8, 2025**

REVISED OCTOBER 18, 2025 - PERK TEST, WETLANDS, CLEARING LIMITS  
REVISED DECEMBER 1, 2025 - CLEARING LIMITS UTILITY SERVICE



LINE TABLE		
LINE	LENGTH	BEARING
L1	150.31	N40°42'34"E
L2	181.08	N10°00'00"E
L3	103.29	S30°54'32"E
L4	103.29	S55°53'12"E
L5	160.90	N76°17'38"E
L6	93.94	N76°27'28"E
L7	145.31	S82°23'09"E
L8	407.21	S65°35'25"E

COURSES ALONG ROUTE 28 AND D.E.C. RIGHT OF WAY

Adirondack  
Park Agency

RECEIVED  
Date December 1, 2025

Adirondack  
Park Agency

FINAL  
P2025-0176

"UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 2203, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW."