


THIS IS A TWO-SIDED DOCUMENT

 <b>Adirondack Park Agency</b>  P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov	<b>APA Permit 2026-0014</b>
<b>In the Matter of the Application of</b>  <b>HAROLD SAUER and CYNTHIA SAUER</b> <b>Permittees</b>  for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578	<b>Date Issued: February 25, 2026</b>  <b>To the County Clerk: Please index this permit in the grantor index under the following name(s):</b> <b>1. Harold Sauer</b> <b>2. Cynthia Sauer</b>

**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 Inlet, Hamilton County.

This authorization shall expire unless recorded in the Hamilton 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 Hamilton 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 52±-acre parcel of land located on Limekiln Road and Barkeater Lane in the Town of Inlet, Hamilton 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 59.020, Block 3, Parcel 1.111, and is described in a deed from Patricia Murdock to Harold Sauer and Cynthia Sauer, dated November 12, 2002, and recorded January 14, 2003 in the Hamilton County Clerk's Office at Book 228, Page 55.

The project site contains wetlands associated with a stream called Bottle Brook running along the southern property line. 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 the foundation of a partially-constructed single family dwelling and was created as "Parcel 1" in a two-lot subdivision as authorized by Agency Permit 2015-0049, amended in Agency Permit 2015-0049A. The project site is also improved by two telecommunications towers constructed pursuant to Agency Permit 2021-0207.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves a two-lot subdivision, creating Lot 1, a 22.5±-acre lot with an existing single family dwelling foundation and Lot 2, a vacant 30±-acre lot.

The project is shown on a single-sheet Site Plan, titled "2-Lot Subdivision," prepared by Harold Sauer and dated February 10, 2026. 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 that results in the creation of five or more lots, parcels, or sites since May 22, 1973, in a Rural 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 Hamilton 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 the 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. This permit amends and supersedes permits 2015-0049 and 2015-0049A in relation to the project site. The terms and conditions of permits 2015-0049 and 2015-0049A shall no longer apply to the project site.
5. All conditions in Permit 2021-0207 remain in full force and effect.
6. 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 2021-0207, issued April 20, 2022, and Adirondack Park Agency Permit 2026-0014, issued February 25, 2026, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
7. 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.
8. The construction of any dwelling or other principal building on the project site, including the completion of the existing single family dwelling foundation on Lot 1, shall require a new or amended permit.
9. Prior to the construction or replacement of any on-site wastewater treatment system(s) on the project site, 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 the Agency's Project Guidelines for Residential On-Site Wastewater Treatment, and with Agency standards in 9 NYCRR Appendix Q-4.  
  
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.
10. Within 50 feet of the mean high water mark of Bottle Brook and within 50 feet of wetlands, no 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 1) trees for firewood, 2) maintenance of the existing driveway and utility installations, and 3) dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
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. Prior to undertaking any ground disturbance or access drive maintenance on the project site within 50 feet of the wetlands or Bottle Brook, silt fence shall be properly installed parallel to the existing contours between the ground disturbance and these water resources. The silt fence shall be embedded into the earth a minimum of six inches and shall be a minimum of 50 feet from the wetland or water resources wherever possible. The silt fence shall be maintained throughout construction and shall not be removed until after all disturbed soils are stabilized with growing vegetation to prevent siltation of the water resources. The applicants, their agents, or their successors in interest shall inspect the fabric at least once a week and after every major storm event to ensure the fabric and supports are intact and to remove accumulated sediments so as to maintain the fence in a functional manner.
13. The undertaking of any activity involving wetlands shall require a new or amended permit.
14. There shall be no more than two principal buildings located on Lot 1 at any time. The partially-constructed single family dwelling constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
15. There shall be no more than two principal buildings located on Lot 2. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

### **CONCLUSIONS OF LAW**

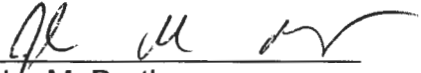
The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision authorized as conditioned herein:

- 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 Rural land use area;
- c. will be consistent with the overall intensity guidelines for the Rural 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.

Dated: February 25, 2026

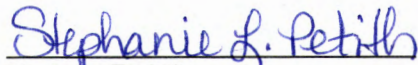
Ray Brook, New York

**ADIRONDACK PARK AGENCY**

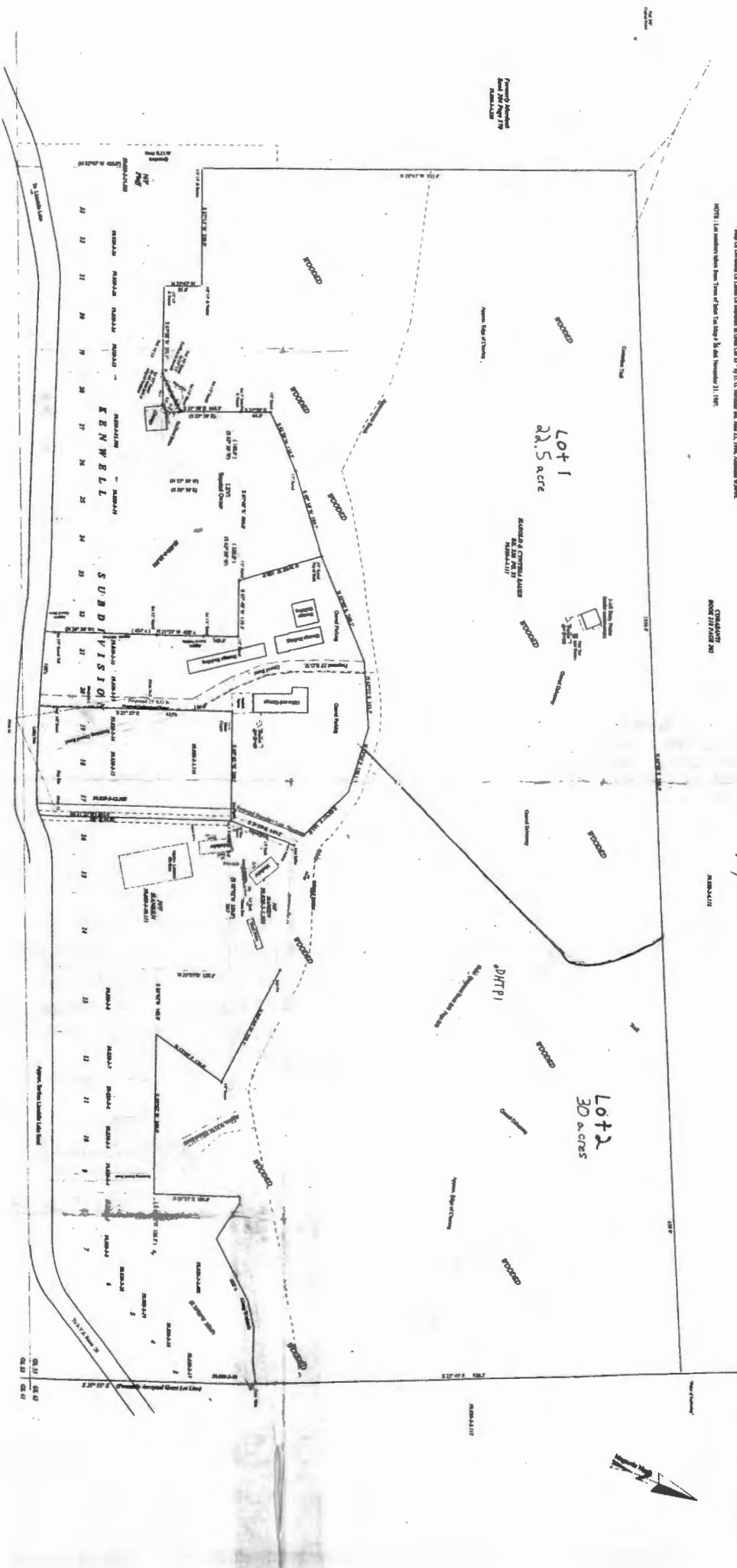
By:   
John M. Burth  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 25<sup>th</sup> day of February 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.

  
Notary Public

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



MAP 1007 - Map showing the part of the Regional Park Land Company's Tract "F" in C. L. Ward 1971.  
 \* Map of Tract "F" Subdivision owned by C. L. Ward, 1971.  
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CONVEYANCE  
 BOOK 212 PAGE 201

Henry Bauer  
 1648 S. Sa  
 2/19/2026

REGISTERED  
 PLAN NUMBER 10, 2026  
 PREPARED BY  
 PROFESSIONAL