


THIS IS A TWO-SIDED DOCUMENT

 <p><b>Adirondack Park Agency</b></p> <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>2025-0244</b></p>
<p>In the Matter of the Application of</p> <p><b>JAMES A. SHERMAN &amp; SPY LAKE REALTY CORPORATION, INC. Permittees</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: <b>March 3, 2026</b></p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s):</p> <ol style="list-style-type: none"><li><b>1. James A. Sherman</b></li><li><b>2. Spy Lake Realty Corporation Inc.</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes a two-lot subdivision in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Arietta, 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 the 1.0±-acre lot authorized herein has been conveyed.

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 25.55± acres in size, consisting of two parcels of land as follows:

- A vacant 22.5±-acre parcel located off of NYS Route 8 in the Town of Arietta, Hamilton County, and is the portion of Tax Map Section 127.011, Block 1, Parcel 38.110 that is classified as Moderate Intensity Use on the Adirondack Park Land Use and Development Map. It is described in a deed from George E. Sherman and William F. Sherman to Spy Lake Realty Corporation, Inc., dated June 12, 1967 and recorded September 1, 1967 in the Hamilton County Clerk's Office at Book 140, Page 48; and
- A 3.05-acre parcel improved by two pre-existing single family dwellings, located off of NYS Route 8 and Pine Hill Drive in the Town of Arietta, Hamilton County, in an area classified as Moderate Intensity Use on the Adirondack Park Land Use and Development Map. It is described as Tax Map Section 127.011, Block 1, Parcels 45 and 46, and is described in a deed from J. Patrick Harmon, Trustee of the Family Trust U/W/ of R. Judd Sherman, to James A. Sherman, dated June 2, 2010 and recorded June 15, 2010 in the Hamilton County Clerk's Office at Book 250, Page 696.

The project site contains wetlands in the southwestern corner of the project site. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves the subdivision of the 22.5±-acre Moderate Intensity Use portion of Tax Map Parcel 127.011-1-38.100 into a 1.0±-acre lot and a 21.5±-acre lot. The 1.0±-acre lot will be merged with the adjoining 3.05±-acre lot that is comprised of Tax Map Parcels 127.011-1-46 and 127.011-1-45.

The project is shown on a single-sheet Site Plan titled, "Map of Lands Being Conveyed to SHERMAN," prepared by Blanchard Land Surveying, dated January, 6, 2025 and received by the Agency on January 7, 2025. A reduced-scale 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 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 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 2025-0244, issued March 3, 2026, 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 of the project site not depicted on the Site Plan shall require prior written Agency authorization.
6. Within 30 days of conveyance of the 1.0±-acre lot, a new deed shall be filed in the Hamilton County Clerk's office describing the 1.0±-acre lot and the adjoining 3.05±-acre parcel (Tax Map Parcels 127.011-1-46 and 127.011-1-45) as a single, un-divided lot.
7. The construction of any structure on the 1.0±-acre lot and the adjoining 3.05±-acre parcel (Tax Map Parcels 127.011-1-46 and 127.011-1-45) shall require prior written Agency authorization.
8. Installation of any on-site wastewater treatment system on the 1.0±-acre lot and the adjoining 3.05±-acre parcel (Tax Map Parcels 127.011-1-46 and 127.011-1-45) shall require prior written Agency authorization.
9. The undertaking of any activity involving wetlands shall require a new or amended permit.

**CONCLUSIONS OF LAW**

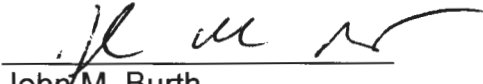
The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision authorized as conditioned herein:

- a. will meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Arietta;
- b. 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;
- c. 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
- d. 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: March 3rd, 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 3rd day of March 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 L. Petith  
Notary Public

STEPHANIE PETITH  
Notary Public, State of New York  
Reg. No. 01PE8279890  
Qualified in Essex County  
Commission Expires April 15, 2029

