

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 2021-0091R
	Date Issued: June 17, 2026
In the Matter of the Application of JAMES RHOADES and JCR TRUST B 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. JCR Trust B

SUMMARY AND AUTHORIZATION

This renewed permit authorizes a two-lot subdivision in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Harrietstown, Franklin County.

This authorization shall expire unless recorded in the Franklin 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 Franklin County Clerk's Office. The Agency will consider the project in existence when the permit has been recorded.

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 306.03±-acre parcel of land located on State Route 86 in the Town of Harrietstown, Franklin 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 412, Block 1, Parcel 5.100, and is described in a deed from The AHR Family Limited Partnership to JCR Trust B, dated February 28, 2017, and recorded March 13, 2017, in the Franklin County Clerk's Office under Instrument Number 2017-1206.

The project site is partially located within a designated state highway critical environmental area. The project site also contains wetlands on the western portion of the parcel. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The project site was created in a four-lot subdivision as authorized by Agency Permit 1982-0119. The project site is improved by a commercial use storage barn constructed in 2016 as authorized by Agency Permit 2010-0048A.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a renewal of Agency Permit 2021-0091 authorizing a two-lot subdivision to create a 158.07±-acre parcel improved by an existing commercial use storage building (Lot 1), and a 147.96±-acre vacant parcel (Lot 2).

The project was originally approved by Agency Permit 2021-0091 and is not yet in existence.

The project is shown on a one-sheet plan titled "Map Showing Subdivision of Property for JCR Trust B," prepared by Leifheit Land Surveying, dated March 11, 2021, and received by the Agency on March 23, 2021 (Site Plan).

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 in a Resource Management 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 Resource Management lands within 300 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 Franklin 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. This permit amends and supersedes Agency Permits 1982-119 and 2010-0048A in relation to the project site. The terms and conditions of Permits 1982-0119 and 2010-0048A shall no longer apply to the project site.
5. 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 2021-0091R, issued June 17, 2026, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. 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 a new or amended permit.
7. The undertaking of any new land use or development not authorized herein on the project site within 300 feet of the right of way of NYS Route 86 shall require a new or amended permit. The undertaking of any activity involving wetlands shall also require a new or amended permit.
8. The construction of any dwelling or other principal building on the project site shall require a new or amended permit.
9. The expansion of the existing commercial use storage barn beyond 11,000 square feet, including all covered and uncovered attached porches, decks, exterior stairs, shall require prior written Agency authorization.
10. The construction or use of any additional structure on the project site associated with the existing commercial use authorized shall require prior written Agency authorization.

11. The construction of any accessory use structure greater than 1,250 square feet in size shall require prior written Agency authorization.
12. Prior to construction 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.
13. Any new free-standing or building-mounted outdoor lights on the project site shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward NYS Route 86 or adjoining property.
14. All exterior building materials, including roof, siding and trim, of any structure on the project site shall be a dark shade of green, grey, or brown.
15. Within 100 feet of the centerline of NYS Route 86, and within 100 feet of the existing commercial use storage barn, no trees may be cut or otherwise removed on 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.
16. There shall be no more than three principal buildings located on Lot 1 at any time. The commercial use storage barn constructed on the property in 2016 constitutes one principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
17. There shall be no more than three 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/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;
- 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: June 17th, 2026

Ray Brook, New York

ADIRONDACK PARK AGENCY

By:

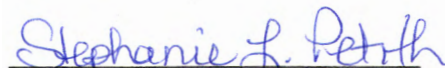


John M. Burth

Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 17th day of June 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

