

THIS IS A TWO-SIDED DOCUMENT



NEW YORK
STATE OF
OPPORTUNITY

**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
2022-0088A

Date Issued: **June 18, 2026**

In the Matter of the Application of

ABANAKEE ISLANDS LLC
Permittee

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. Abanakee Islands LLC

SUMMARY AND AUTHORIZATION

This permit authorizes a seven-lot subdivision involving wetlands in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Indian Lake, Hamilton County. A seven-lot subdivision was originally authorized by Agency Permit 2013-0212, issued June 19, 2014, but expired in 2018. Upgrades to the access road on the site had been undertaken pursuant to Permit 2013-0212. Agency Permit 2022-0088 authorized the same subdivision, as well as the road upgrades after-the-fact. This permit amends lot lines to reflect a contemporary survey and Hamilton County tax map parcel boundaries.

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 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 comprised of 25.4± acres of land located on Chamberlain Road (County Route 18) in the Town of Indian Lake, Hamilton County, in an area classified Moderate Intensity Use (25.275± acres) and Resource Management (0.125±-acre portion of an island) on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 65.008, Block 1, Parcels 13.113, 13.114, 13.115, 13.116, 13.117, 13.118, and 13.119; and is described in a deed from John E. Kennedy, Jr., Adele C. Kennedy, Dennis Delong, and Daniel Shaffer a/k/a Daniel Shafer to Abanakee Islands LLC, dated February 3, 2022, and recorded February 14, 2022 in the Hamilton County Clerk's Office under Instrument Number 2022-291.

The project site contains shoreline on Lake Abanakee and contains evergreen forested wetlands with a value rating of "3", as well as wetlands associated with the shoreline of Lake Abanakee as depicted on the site plan. 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 as "Lot 1-C" in a two-lot subdivision as authorized by Agency Permit 2008-0292 and is currently improved by the upgraded road authorized by expired Agency Permit 2013-0212. Compensatory wetland mitigation was completed on the project site in 2023 as authorized by Agency Permit 2022-0088.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a seven-lot subdivision of 25.4± acres of land designated Moderate Intensity Use, creating six residential building lots (Lots 1 through 6) ranging in size from 1.49± to 2.3± acres, with the remaining 14.8± acres of the project site constituting a vacant homeowner association (HOA)-owned lot (Lot 7). Lots 1 through 6 are each to be improved by a single family dwelling, detached garage, individual on-site wastewater treatment system, and individual water supply well. Docks are to be constructed on Lots 1, 2, 3, and 4. The HOA will be responsible for maintaining the subdivision road.

A seven-lot subdivision of the project site and the road improvements as authorized herein were originally approved by Agency Permit 2013-0212. Permit 2013-0212 expired in 2018, as no subdivision lot had been conveyed. Agency Permit 2022-0088 authorized the seven-lot subdivision configuration as originally approved. The road improvements undertaken as authorized by Agency Permit 2013-0212 resulted in a total of 4,286± square feet of disturbance to wetlands. To compensate for this loss, 6,500± square feet of new wetlands have been created on the vacant HOA-owned lot, as authorized by Agency Permit 2022-0088. This permit amends and supersedes Agency Permit 2022-0088 to reflect a contemporary survey and Hamilton County tax map parcel boundaries.

The project is shown on the following plans and reports [Project Plans]:

- A 12-sheet set of plans titled "Project: Abanakee Islands Subdivision – Formerly (Delong Subdivision)", prepared by Abanakee Islands LLC, and last dated June 8, 2026 [Site Plan]; and

- A nine-page report titled "Wetland Creation Plan, APA Project No. 2022-0088", prepared by Gilbert VanGuilder Land Surveyor, PLLC, and last dated September 8, 2022 [Wetland Mitigation Plan].

Reduced-scale copies of sheets 1, 3, and 5 of the Site Plan are 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 and Adirondack Park Agency regulations at 9 NYCRR Part 578, a permit is required from the Adirondack Park Agency prior to any deposit of fill in or excavation of a wetland 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 Project Plans 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 Permit 2022-0088. The terms and conditions of Permit 2022-0088 shall no longer apply.
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 2022-0088A, issued June 18, 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 seven-lot subdivision as depicted on the Site Plan. Any subdivision not depicted on the Site Plan shall require a new or amended permit.

7. The 0.125-acre island portion of Lot 2 designated Resource Management shall not be conveyed separately from the 1.475-acre portion designated Moderate Intensity Use.
8. Any deed of conveyance for Lot 7 as depicted on the Site Plan shall contain an easement providing access to Lots 1 through 6 and the neighboring tax map parcel 65.008-1-13.111 over the subdivision road shown and described on the Site Plan.
9. Any deed of conveyance for Lot 6 as depicted on the Site Plan shall contain an easement providing access to Lots 1 through 5 over the subdivision road shown and described on the Site Plan.
10. Any deed of conveyance for Lot 5 as depicted on the Site Plan shall contain an easement providing access to Lots 1 through 4 over the subdivision road shown and described on the Site Plan.
11. Any deed of conveyance for Lot 4 as depicted on the Site Plan shall contain an easement providing access to Lots 1 through 3 over the subdivision road shown and described on the Site Plan.
12. Any deed of conveyance for Lot 3 as depicted on the Site Plan shall contain an easement providing access to Lots 1 and 2 over the subdivision road shown and described on the Site Plan.
13. Any deed of conveyance for Lot 2 as depicted on the Site Plan shall contain an easement providing access to Lot 1 over the subdivision road shown and described on the Site Plan.
14. Any deed of conveyance for Lot 3 as depicted on the Site Plan shall contain an easement providing pedestrian access to Lot 4 to access the Lot 4 dock location, as shown and described on the Site Plan.
15. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling and detached garage on Lots 1 through 6 in the locations, footprints, and heights shown and as described on the Site Plan. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.
16. The undertaking of any new land use or development not authorized herein on Lot 7 shall require prior written Agency authorization.
17. The construction of any additional dwelling or other principal building on Lots 1 through 6 shall require prior written Agency authorization. Except for the docks authorized herein, the construction of any accessory structure on Lots 1 through 6 outside the limits of clearing as shown on the site plan shall require prior written Agency authorization.

18. Construction of any guest cottage on the project site shall require prior written Agency authorization.
19. All exterior building materials, including roof, siding and trim, of the structures authorized herein shall be a dark shade of green, grey, or brown.
20. 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 Lake Abanakee, the subdivision road, Chamberlain Road, or adjoining property.
21. Any on-site wastewater treatment system(s) on Lots 1 through 6 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 Site Plan. 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.

22. Installation of any on-site wastewater treatment system(s) on Lot 7 shall require prior written Agency authorization.
23. This permit authorizes the construction of one dock on Lots 1, 2, 3, and 4 as depicted and described on the Site Plan. Any change to the location of the authorized docks shall require prior written Agency authorization. Dredging for dock installation or access on the project site shall require prior written Agency authorization.
24. Prior to undertaking construction of any boathouse on the project site, written authorization of plans for the boathouse, including all attached docks, walkways, and other structures, shall be obtained from the Agency.
25. This permit authorizes the establishment of a footpath between the approved limits of clearing and authorized docks on Lots 1, 2, 3, and 4 as shown on the Site Plan. This footpath shall be no greater than 6 feet in width and shall have a surface comprised of natural vegetation, grass, natural or synthetic mulch, pea stone, or permeable pavers.
26. Outside of the limits of clearing shown on the Site Plan, no trees, shrubs or other woody-stemmed vegetation may be cut, trimmed, pruned or otherwise removed or disturbed on the project site without prior written Agency authorization, except for 1) the replacement of an on-site wastewater treatment system absorption field as depicted the Site Plan 2) the removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.

27. Stormwater management and erosion and sediment control measures shall be implemented as depicted and described in the Site Plan.
28. 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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.
29. The wetland creation area shall be maintained as depicted and described in the Project Plans.
30. The five-year wetland monitoring report shall be submitted to the Agency by November 30th, 2028. The Agency may require longer or shorter monitoring periods or additional monitoring reports at its discretion, depending on the results of the monitoring reports received.
31. The undertaking of any activity involving wetlands not authorized herein shall require a new or amended permit.

CONCLUSIONS OF LAW

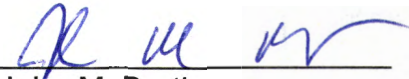
The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision authorized as conditioned herein:

- a. will meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Indian Lake;
- 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 result in the minimum possible degradation or destruction of any part of the wetland or its associated values, is the only alternative which reasonably can accomplish the applicant's objectives, and will, weighing the benefits of the activity against its cost and the wetland values lost, provide a net social and/or economic gain to the community.

Dated: June 18th, 2026

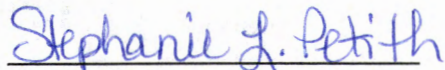
Ray Brook, New York

ADIRONDACK PARK AGENCY

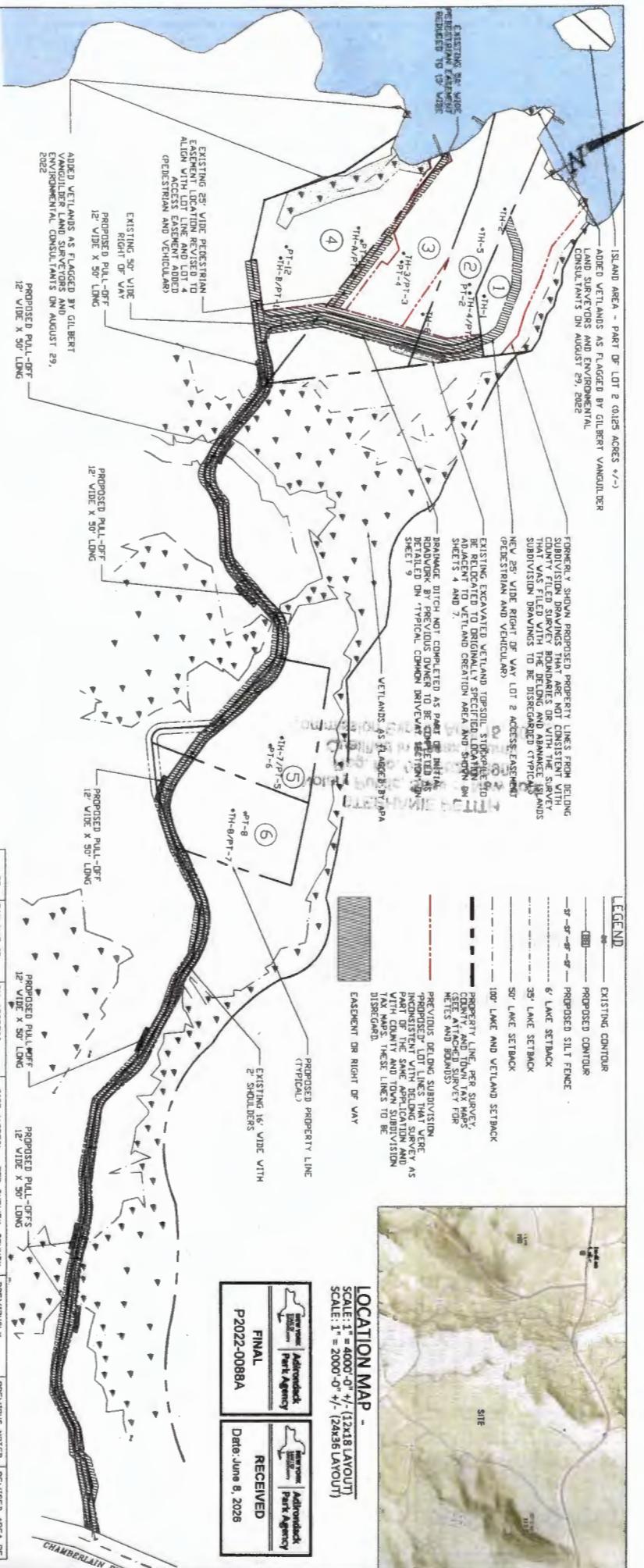
By: 
John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 18th 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



SUBDIVISION PLAN SCALE: 1" = 200'-0" (1:24,000) SCALE: 1" = 100'-0" (1:12,000)

50' 100' 200' 400'

1. THAT THE PROPOSED FACILITIES FOR WATER SUPPLY AND SEWAGE TREATMENT ARE INSTALLED IN CONFORMANCE WITH SAID PLAN.
2. THAT THE LOT OR LOTS SHOWN SHALL BE SUBDIVIDED WITHOUT PLANS FOR SUCH RECONSTRUCTION BEING SUBMITTED TO AND APPROVED BY THE NEW YORK STATE DEPARTMENT OF HEALTH.
3. THAT THE PROPOSED FACILITIES FOR WATER SUPPLY AND SEWAGE TREATMENT SHALL BE INSTALLED IN CONFORMANCE WITH SAID PLAN.
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9. THAT THE PROPOSED FACILITIES FOR WATER SUPPLY AND SEWAGE TREATMENT SHALL BE INSTALLED IN CONFORMANCE WITH SAID PLAN.
10. THAT THE LOCAL AND OTHER STATE AGENCIES RULES AND REGULATIONS SHALL BE COMPLIED WITH.

LOT	TAX MAP ID	91 ADDRESS	SIZE (ACRES) - PER SURVEY, COUNTY TAX MAP, TOWN TAX MAP, NYS DOH, AND DELONG SURVEY	PREVIOUSLY NOTED DELONG SURVEY	PREVIOUSLY NOTED DELONG SURVEY	RECEIVED AREA OF DISTURBANCE FOR LOT 7
1	065,008-1-13114	243 VIRGIL LANE	1.6 ACRES (+/-0.2)	1273	16,535	16,535
2	065,008-1-13115	235 VIRGIL LANE	1.6 ACRES (+/-0.2)	1141	16,535	16,535
3	065,008-1-13116	225 VIRGIL LANE	2.3 ACRES (+/-0.3)	1365	14,510	22,412 (+/-202, +203)
4	065,008-1-13117	221 VIRGIL LANE	2.4 ACRES (+/-0.3)	1738	15,298	14,912 (+/-180, +237)
5	065,008-1-13118	180 VIRGIL LANE	1.49 ACRES	1485	14,912	14,912
6	065,008-1-13119	170 VIRGIL LANE	1.51 ACRES	1508	16,150	16,150
7	065,008-1-13119	331 CHAMBERLAIN ROAD	1.49 ACRES (+/-0.2)	1635	41,241	25,977 (+/-3,875, -4,180)
OTHER			23.44		35,096	35,096
TOTAL					166,726	166,726

PROJECT:
ABNANKIS ISLANDS SUBDIVISION - FORMERLY (DELONG SUBDIVISION)

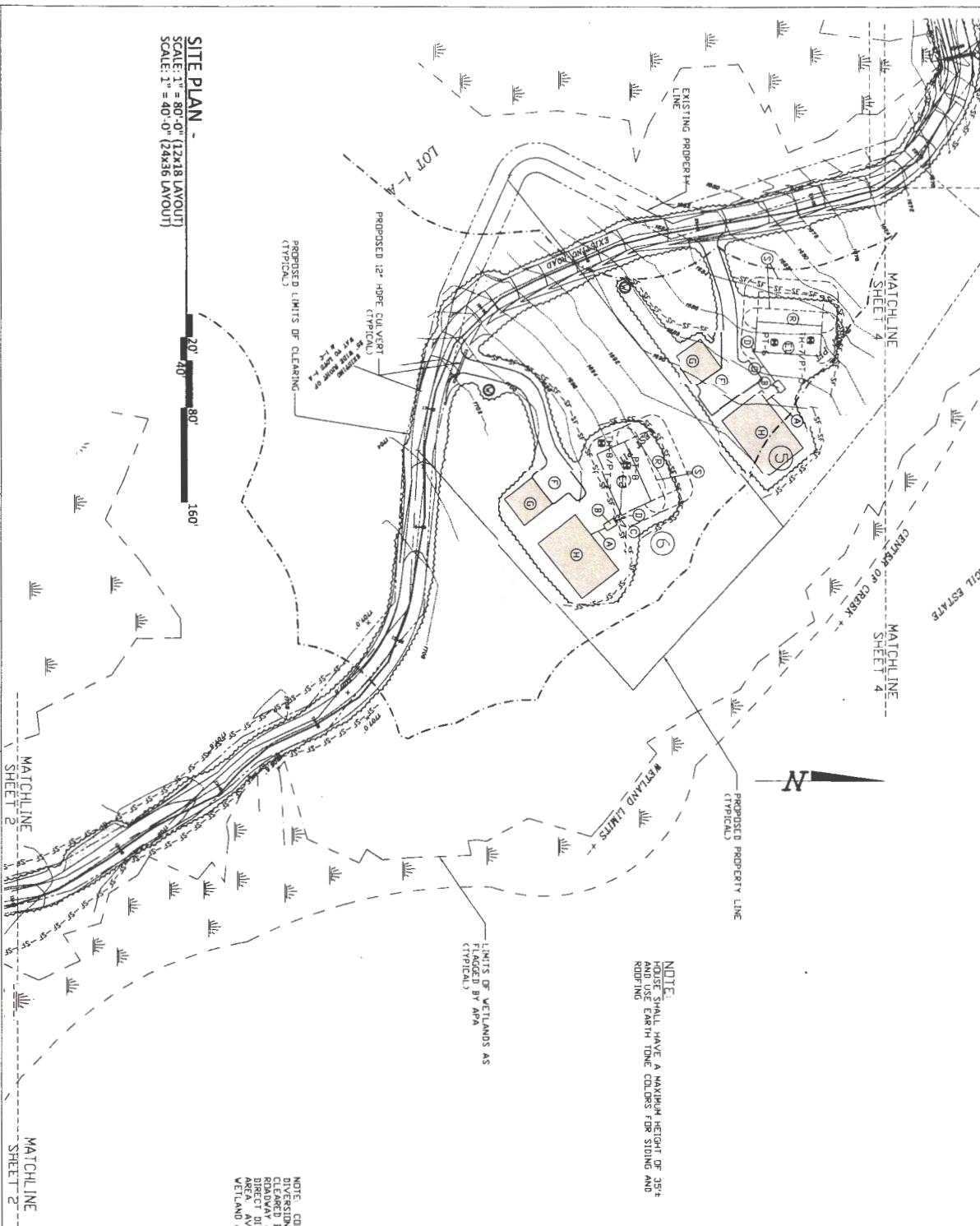
OWNER:
ABNANKIS ISLANDS LLC
150 GRAND AVE
SMARTTOWN, NY 12846
JOHN HANES
JOHN HANES
TEL: (518) 281-2501

STRUCTURAL ENGINEER:
33 ENGINEERING, PLLC
900 RT 146
CLIFTON PARK, NY 12045
ZOTTI BELLING, P.E.
CLIFTON PARK, NY 12045
TEL: (518) 724-8732

CIVIL ENGINEER & LANDSCAPE ARCHITECTURE:
STUDIO A
8 HIGHER ROCK AVE, SUITE 3
SMARTTOWN, NY 12846
CLIFTON PARK, NY 12045
TEL: (518) 430-4050

SURVEYOR & ECOLOGICAL CONSULTANT:
GILBERT VANGLIDER LAND
SURVEYING, PLLC
CLIFTON PARK, NY 12045
TEL: (518) 383-0634

DATE: 10/24/22
ISSUE DATE: 12/20/22
ISSUE DATE: 6-4-2028
SHEET NUMBER: 1 of 12



LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED SILT FENCE
- 6' LAKE SETBACK
- 35' LAKE SETBACK
- 50' LAKE SETBACK
- 100' LAKE AND WETLAND SETBACK

PROPOSED TYPICAL LOT LAYOUT

1. PROPOSED 4" PVC SDR 25 HOUSE SEWER 1/4" PER FOOT MINIMUM SLOPE
2. PROPOSED 1280 GALLON PRECAST CONCRETE SEPTIC TANK 1/8" PER FOOT MINIMUM SLOPE
3. PROPOSED PRECAST CONCRETE DISTRIBUTION BOX
4. PROPOSED WASTEWATER ABSORPTION FIELD 5' TRENCHES @ 55" PLACE 24" TO 30" OF GRANULAR FILL IN FIELD AREA. CONSTRUCT ABSORPTION TRENCHES IN FILL WITH FRENCH BOTTOM (BOTTOM OF STONES AT APPROXIMATE ORIGINAL GRADE)
5. PROPOSED WASTEWATER ABSORPTION FIELD 5' TRENCHES @ 55" PLACE 24" TO 30" OF GRANULAR FILL IN FIELD AREA. CONSTRUCT ABSORPTION TRENCHES 2' MINIMUM BELOW ORIGINAL GRADE
6. PROPOSED PARKING AND TURNING AREA
7. PROPOSED 28' X 30' DETACHED GARAGE
8. PROPOSED 40' X 60' HOUSE - INCLUDING ALL DECKS AND PORCHES - 4 BEDROOMS MAXIMUM
9. PROPOSED 100% WASTEWATER REPLACEMENT AREA
10. APPROXIMATE TIE OF FILL SLOPE FOR WASTEWATER AND REPLACEMENT AREA
11. PROPOSED WELL LOCATION

NOTE: CONSTRUCT WATER BARS OR DIVERSION DITCHES ACROSS CLEARED BUT UNSTABILIZED ROADWAY AT 250' DN CENTER. TYPE 1 DIRECT DIVERSION DITCHES TO BE CONSTRUCTED TO AVOID DISCHARGE TO WETLAND AREAS

NOTE: TOPSOIL, FERTILIZER, SEED AND STRAW MUST BE APPLIED TO THE 100% REPLACEMENT AREA. WETLAND CREATION AREA SEE SPECIALIZED WETLANDS AND PLANTINGS DETAILS FOR WETLAND CREATION AREA

OWNER
ABANAKEE ISLANDS LLC
152 GRAND AVE
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TEL: (518) 283-5954

UNANNOUNCED ATTENTION ON LOCATION OR SECTION 2209 OF NEW YORK STATE EDUCATION LAW

FINAL
P2022-0086A

RECEIVED
Date: June 8, 2026

PROJECT:
ABANAKEE ISLANDS SUBDIVISION - FORMERLY (DELONG SUBDIVISION)
HAMILTON COUNTY, NY
VIRGIL LANE

DRAWING NAME:
SUBDIVISION PLAN

DATE:
12/30/2022

SHEET NUMBER:
3 OF 12



- NEW 25' WIDE RIGHT OF WAY LOT 2
ACCESS EASEMENT (PEDESTRIAN AND
VEHICULAR)

-FORMERLY SHOWN PROPOSED
PROPERTY LINES FROM DELONG
SUBDIVISION DRAWINGS THAT ARE
NOT CONSISTENT WITH COUNTY
FILED SURVEY BOUNDARIES OR
WITH SURVEY FILES WITH DELONG
AND ARBANKEE ISLANDS
SUBDIVISION DRAWINGS
TO BE DISREGARDED (TYPICAL)

NOTE: CONSTRUCT WATER BARS OR
DIVERSION DITCHES ACROSS
CLEARED BUT UNSTABILIZED
ROADWAY AT 250' ON CENTER, TYPE
DIRECT DISCHARGE TO VEGETATED
AREA. AVOID DISCHARGE TO
WETLAND AREAS

- NOTE:** TOPSOIL, FERTILIZE, SEED AND STRAW MULCH ALL DISTURBED NON-SURFACED AREAS EXCEPT WETLAND CREATION AREA. SEE SPECIALIZED TOPSOIL AND PLANTINGS DETAILS FOR WETLAND CREATION AREA.

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