

THIS IS A TWO-SIDED DOCUMENT

|                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p><b>NEW YORK STATE</b><br/><b>Adirondack Park Agency</b></p> <p>P.O. Box 99, 1133 NYS Route 86<br/>Ray Brook, New York 12977<br/>Tel: (518) 891-4050<br/>www.apa.ny.gov</p> | <p>APA Permit<br/><b>2026-0091</b></p>                                                                                                                                                                                |
| <p>In the Matter of the Application of</p> <p><b>ANNE Z. HARTSIG &amp; ALBERT L. HARTSIG, III</b><br/><b>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>June 23, 2026</b></p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s):</p> <p><b>1. Anne Z. Hartsig</b><br/><b>2. Albert L. Hartsig, III</b></p> |

**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 Webb, Herkimer County.

This authorization shall expire unless recorded in the Herkimer 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 Herkimer 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 an 8.25±-acre parcel of land located on South Shore Road (County Route 118) in the Town of Webb, Herkimer County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The project site is identified as Tax Map Section 39.53, Block 1, Parcel 1, and is described in a deed from Anne Z. Hartsig to Anne Z. Hartsig and Albert L. Hartsig, III, dated June 17, 2016, and recorded June 27, 2016 in the Herkimer County Clerk's Office under Instrument Number 2016-00199145.

The project site contains shoreline on Fourth Lake and both the northern and southern shorelines of Pine Creek (Indian Brook). Pine Creek is considered navigable downstream of the impassible barrier depicted on the Site Plan. The project site also contains wetlands associated with Pine Creek, as shown 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 is improved by a pre-existing single family dwelling constructed in 1865, a boathouse constructed in 1955, and several accessory structures constructed prior to 1973.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves a two-lot subdivision of an 8.25±-acre lot to create a 4.13±-acre lot improved by a pre-existing single-family dwelling, boathouse, and accessory structures (Lot 1) and a 4.12±-acre vacant residential lot (Lot 2).

The project as authorized herein was originally approved by Agency Permit 2005-0054R2. The project is not yet in existence, and Permit 2005-0054R2 has expired.

The project is shown on Sheet 1 of survey titled "Hartsig 2 lot Subdivision", prepared by David W. Bush, P.E., L.S., dated December 30, 2004, and last revised June 1, 2005 (Site Plan). 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 Herkimer 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 2026-0091, issued June 23, 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 a new or amended permit.
6. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling and accessory structures on Lot 2 within the development envelope/limits of clearing 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 2,500 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.
7. The construction of any additional dwelling or other principal building on the project site shall require prior written Agency authorization. The construction of any accessory structure on Lot 2 outside of the development envelope/limits of clearing shown on the Site Plan shall require prior written Agency authorization.
8. Any additional dock constructed on Lot 1 on the shoreline of Fourth Lake must be used only for the storage of boats and associated equipment, not contain sanitary plumbing of any kind, not exceed a single story in that the roof rafters rest on the top plate of the first floor wall, and have a footprint of 1200 square feet or less and a height of 15 feet or less.
9. Any additional dock constructed on Lot 1 on the shoreline of Fourth Lake must be a floating or fixed structure no more than 8 feet in width, including at its attachment to a shoreline or boathouse, and must be used for securing and/or loading or unloading water craft and/or for swimming or water recreation. Any supporting structure established to hoist or suspend the dock above water level for storage must be no greater than 100 square feet in size, including all parts. A dock stored above water level must remain parallel with the water, unless the dock and supporting structure combined measure less than 100 square feet in size.
10. The construction of any dock or boathouse on the project site on the shoreline of Pine Creek (Indian Brook) shall require prior written Agency authorization.

11. No structures greater than 100 square feet in size shall be constructed within 50 feet, measured horizontally, of the mean high water mark of Fourth Lake or the navigable portion of Pine Creek (Indian Brook). Boathouses and docks, as defined under 9 NYCRR § 570.3, are excepted from this requirement.
12. Prior to construction of any on-site wastewater treatment system(s) on Lot 2, 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 New York State Department of Health's "Wastewater Treatment Standards for Individual Household Systems" (10 NYCRR Appendix 75 A)/Clinton County Department of Health's "Clinton County Sanitary Code, Article IX," 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. 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.
14. Any new free-standing or building-mounted outdoor lights on Lot 2 shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or towards South Shore Road (County Route 118) or Pine Creek (Indian Brook).
15. 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 Lot 2 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. The undertaking of any activity involving wetlands shall require a new or amended permit.
17. There shall be no more than two principal building(s) located on Lot 1, in addition to the pre-existing single family dwelling or any replacement structure for this dwelling as allowed by Agency regulations. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
18. There shall be no more than three principal building(s) located on Lot 2 at any time. The single family dwelling authorized herein constitutes a principal building. 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:

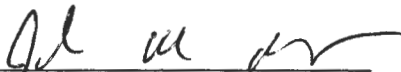
- a. will be consistent with the land use and development plan;
- b. will be compatible with the character description and purposes, policies, and objectives of the Moderate Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Moderate Intensity Use land 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.

Dated: June 23<sup>rd</sup>, 2024

Ray Brook, New York

## ADIRONDACK PARK AGENCY

By:

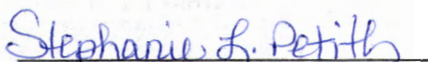


John M. Burth

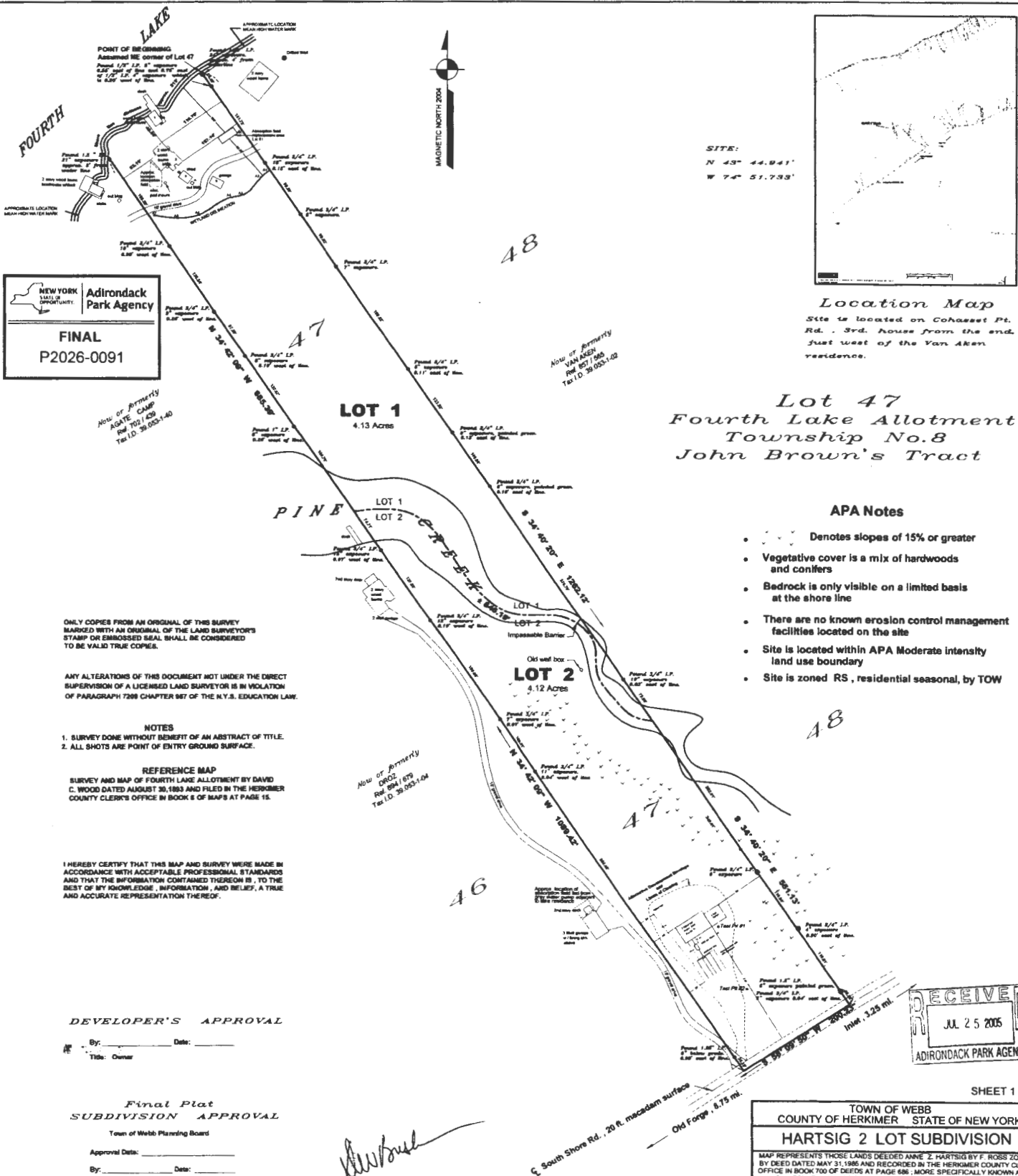
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 23<sup>rd</sup> day of June in the year 2024, 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



NEW YORK  
SALES  
OPPORTUNITY  
**Adirondack  
Park Agency**  
**FINAL**  
P2026-0091

ONLY COPIES FROM AN ORIGINAL OF THIS SURVEY  
MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S  
STAMP OR EMBOSSED SEAL SHALL BE CONSIDERED  
TO BE VALID TRUE COPIES.

ANY ALTERATIONS OF THIS DOCUMENT NOT UNDER THE DIRECT  
SUPERVISION OF A LICENSED LAND SURVEYOR IS IN VIOLATION  
OF PARAGRAPH 7209 CHAPTER 967 OF THE N.Y.S. EDUCATION LAW.

**NOTES**

1. SURVEY DONE WITHOUT BENEFIT OF AN ABSTRACT OF TITLE.
2. ALL SHOTS ARE POINT OF ENTRY GROUND SURFACE.

**REFERENCE MAP**

SURVEY AND MAP OF FOURTH LAKE ALLOTMENT BY DAVID  
C. WOOD DATED AUGUST 30, 1893 AND FILED IN THE HERKIMER  
COUNTY CLERK'S OFFICE IN BOOK 8 OF MAPS AT PAGE 15.

I HEREBY CERTIFY THAT THIS MAP AND SURVEY WERE MADE IN  
ACCORDANCE WITH ACCEPTABLE PROFESSIONAL STANDARDS  
AND THAT THE INFORMATION CONTAINED THEREON IS, TO THE  
BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, A TRUE  
AND ACCURATE REPRESENTATION THEREOF.

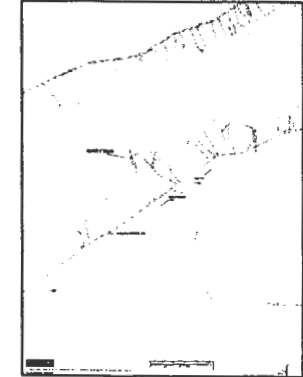
**DEVELOPER'S APPROVAL**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: Owner

**Final Plat  
SUBDIVISION APPROVAL**

Town of Webb Planning Board

Approval Date: \_\_\_\_\_  
By: \_\_\_\_\_ Date: \_\_\_\_\_  
Chairperson, Town of Webb Planning Board



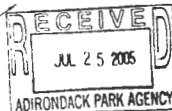
**Location Map**

Site is located on Cohasset Pt.  
Rd. . 3rd. house from the end,  
just west of the Van Aken  
residence.

**Lot 47  
Fourth Lake Allotment  
Township No.8  
John Brown's Tract**

**APA Notes**

- Denotes slopes of 15% or greater
- Vegetative cover is a mix of hardwoods and conifers
- Bedrock is only visible on a limited basis at the shore line
- There are no known erosion control management facilities located on the site
- Site is located within APA Moderate intensity land use boundary
- Site is zoned RS , residential seasonal, by TOW



SHEET 1 OF 2

**TOWN OF WEBB  
COUNTY OF HERKIMER STATE OF NEW YORK  
HARTSIG 2 LOT SUBDIVISION**

MAP REPRESENTS THOSE LANDS DEEDED ANNE Z. HARTSIG BY F. ROSS ZORNOW  
BY DEED DATED MAY 31, 1985 AND RECORDED IN THE HERKIMER COUNTY CLERK'S  
OFFICE IN BOOK 700 OF DEEDS AT PAGE 686; MORE SPECIFICALLY KNOWN AS LOT  
47 UPON FOURTH LAKE AS SURVEYED BY DAVID C. WOOD IN 1893.

TAX I.D.: 039.853-1-01 LOT No.: 47 DATE: DECEMBER 30, 2004  
SCALE: 1" = 100' FILE REFERENCE: ACAD-HARTSIGAPA, WEBB36053101  
SURVEY AND MAP BY: DAVID W. BUSH P.E. & L.S., P.L.L.C.

| REVISION |                                                                                                        |
|----------|--------------------------------------------------------------------------------------------------------|
| #1       | Added test pit locations, Ditz adsorption, field location, wetland delineation, and water course data. |