

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 Project Permit 2017-0164RA
In the Matter of the Application of MARY MARGARET SILVERSTEIN AND HOWARD SILVERSTEIN Permittees for a permit pursuant to § 809 of the Adirondack Park Agency Act	Date Issued: September 10, 2026 To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Mary Margaret Silverstein 2. Howard Silverstein

SUMMARY AND AUTHORIZATION

Adirondack Park Agency Permit 2017-0164R authorized a two-lot subdivision and construction of one single family dwelling in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of North Elba, Essex County. This permit amends Permit 2017-0164R as conditioned below.

This authorization shall expire unless recorded in the Essex 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 from the date the permit is recorded. 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 47.29-acre parcel of land located on Averyville Road in the Town of North Elba, Essex County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map. The project site is partially located within one-eighth mile of the High Peaks Wilderness Area. The site is identified on Town of North Elba Tax Map Section 50.2, Block 1 as Parcel 46, and is described in a deed from Mary Margaret Silverstein to Mary Margaret Silverstein and Howard Silverstein dated December 16, 2016, and recorded December 27, 2016 in the Essex County Clerk's Office under Instrument Number 2016-5403.

The project site is improved by a pre-existing single family dwelling expanded in 2020, a single family dwelling constructed in 1999, a garage with apartment constructed in 2007, and a barn with living space above constructed in 2022.

PROJECT DESCRIPTION

The amended project as conditionally approved herein involves a two-lot subdivision creating:

- A 24.14-acre lot containing the dwelling constructed in 1999, garage with apartment, and barn with living space (Lot 1); and
- A 23.15-acre building lot containing the pre-existing dwelling (Lot 2). One new single-family dwelling will be constructed on Lot 2.

The amended project is shown on the "Map of Survey of lands of Mary Margaret Silverstein and Howard Silverstein showing Silverstein Subdivision 2017," prepared by Adirondack Surveying PLLC, last revised July 14, 2026 (Survey).

A reduced-scale copy of the Survey is attached as a part of this permit for easy reference. The original, full-scale map described in this paragraph is the official plan for the project, with copies available upon request from Adirondack Park Agency headquarters in Ray Brook, New York.

AGENCY JURISDICTION

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 Rural Use lands within one-eighth mile of tracts of forest preserve land classified as wilderness.

This permit amends Condition 12 of Agency Permit 2017-0064R.

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 Essex 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 Survey 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 2017-0164R in relation to the project site. The terms and conditions of Permit 2017-0164R 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 2017-0164RA, issued September 10, 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 Survey. Any subdivision of the project site not depicted on the Survey shall require prior written Agency authorization.
7. Any deed of conveyance for Lot 1 shall include an Access Easement over the existing driveway and a 50-foot-wide portion of Lot 1 to provide permanent access to Lot 2 as shown on the Survey.
8. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling on Lot 2 within the proposed building envelope shown and as described on the Survey.
9. The undertaking of any subdivision or new land use or development on the project site within one-eighth mile of the High Peaks Wilderness Area shall require a new or amended permit.
10. Construction of any guest cottage on Lot 2 shall require prior written Agency approval.
11. 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 adjoining property.
12. 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.

13. Any on-site wastewater treatment system on Lot 2 installed to serve the single-family dwelling authorized herein shall be constructed within 50 feet of the Test Pit #1 location shown on the Survey, and shall comply with New York State Department of Health's "Wastewater Treatment Standards for Individual Household Systems" (10 NYCRR Appendix 75 A) the Agency's Project Guidelines for Residential On-Site Wastewater Treatment, and with Agency standards in 9 NYCRR Appendix Q-4.
14. There shall be no more than three principal buildings located on Lot 1 at any time. The single family dwelling constructed on the property in 1999, the garage with apartment constructed in 2007, and the barn with living space constructed in 2022 each constitute a principal building.
15. There shall be no more than three principal buildings located on Lot 2 at any time, in addition to the pre-existing single-family dwelling or any replacement structure for this dwelling as allowed by Agency regulations. 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 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 use land use area;
- c. will be consistent with the overall intensity guidelines for the rural use land use area;
- d. will comply with the shoreline restrictions of § 806 of the Adirondack Park Agency Act; and
- 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.

Dated: September 10th, 2026

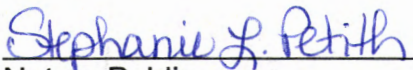
Ray Brook, New York

ADIRONDACK PARK AGENCY

By: 
John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 10th day of September 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

[illegible]

Many Microsoft employees to many Microsoft shareholders and investors differently by doing almost December 19, 2012 and recorded in Chief Book 1800 at page 43 on December 27, 2012 in the Fresno County Clerk's Office.

1. *State Shredding Service as Provider for Municipalities*, letter prepared by August & O'Brien, P.C., dated December 18, 2017, copy provided by deposit.

2. *State of Maryland of Records of Mary Margaret Shumaker and Thomas Shumaker, Operating Shredding Solutions*, 2017, prepared by Information Shredding, LLC, dated July 12, 2017, last updated August 10, 2017. ASR Service Program #2017-0264 / A/R. Project # 2017-0264.

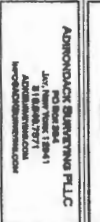
Bedroom: 10.3 - Master: 1 - LR: 40
Tons of Hard Eels - Country of Eels

1. *AFLA*, Plaintiff, No. 07-351, issued December 11, 1999, and filed in the Eastern District of Virginia, No. 07-351, and filed in the Eastern District of Virginia, No. 07-351, at page 21 on October 17, 1999.
2. *AFLA*, Plaintiff, No. 07-351, issued September 28, 2017, and filed in the Eastern District of Virginia, No. 07-351, at page 187 on October 31, 2017.
3. *AFLA*, Plaintiff, No. 07-351, issued July 24, 2017, and filed in the Eastern District of Virginia, No. 07-351, at page 187 on October 31, 2017.

[illegible][illegible]

NOTE: This Map was prepared as an update to ADK Surveying Project #2017-024 surveyed on July 10, 2017 with the Survey Map last revised December 08, 2017. This Map depicts the updated current conditions.

**MARY MARGARET
SILVERSTEIN
AND
HOWARD
SILVERSTEIN**
(to be jointly proposed)
**SILVERSTEIN
SUBDIVISION 2017**



Project No.	2008 - 084	Scale	1" = 50'
Survey Date	06/18/08	Drawn	R. Botsch
Map Date	06/11/08	Checked	R. Botsch

1	CD 11 4/28	Photo
		Water drinking revision


RECEIVED
 Date, August 24, 2025