

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 2026-0117
	Date Issued: September 30, 2026
In the Matter of the Application of ERIC GERMAIN & THERESE AUREA DENTON REVOCABLE TRUST Permittees for a permit pursuant to 9 NYCRR Part 577	To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Eric Germain 2. Therese Aurea Denton Revocable Trust

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision and construction of a single family dwelling in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Elizabethtown, Essex County.

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 of the date the permit is recorded in the Essex County Clerk's Office. The Agency will consider the project in existence when an authorized lot has been conveyed to an outside party, or when the single family dwelling authorized herein has been constructed.

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 the Low Intensity Use portion of a 30.48±-acre parcel of land located on NYS Route 9 in the Town of Elizabethtown, Essex County, in an area classified Low Intensity Use and Resource Management on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 46.4, Block 1, Parcel 27.100, and is described in a deed from Therese Denton to Eric Germain as Initial Trustee of the Therese Aurea Denton Revocable Trust Agreement, dated December 20, 2022, and recorded January 3, 2023 in the Essex County Clerk's Office under Instrument Number 2023-008.

The project site is partially located within the designated Boquet River Recreational River area.

The project site is improved by one pre-existing log cabin and one existing single family dwelling that was constructed in 2002.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of a 30.48±-acre parcel into a 25.36±-acre lot comprised of Low Intensity and Resource Management lands (Lot 1) and a 5.12± acre Low Intensity Use lot (Lot 2). A single family dwelling, water supply well, and on-site wastewater treatment system are proposed for Lot 2. Lot 2 contains a pre-existing log cabin.

The project is shown on the following Project Plans:

- A single-sheet survey map titled, "Map of Subdivision of the Therese Aurea Denton Revocable Trust" prepared by Kevin A. Hall, L.L.S., dated August 12, 2026 and received by the Agency on August 13, 2026 (Site Plan); and
- A six-page septic design titled, "Husner Septic System" prepared by Mark J. Buckley, P.E., dated July 6, 2026 and received by the Agency on July 27, 2026 (Septic Plans).

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 Adirondack Park Agency regulations at 9 NYCRR Part 577, a permit is required from the Adirondack Park Agency prior to any subdivision of Low Intensity Use lands located within any designated recreational river area 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 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 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, Wild, Scenic and Recreational Rivers System 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 2026-0117, issued September 29, 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 not depicted on the Site Plan shall require a new or amended permit.
6. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling and one garage on Lot 2 in the locations shown on the Site Plan.

The single family dwelling and garage 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 and other attached structures. The garage shall be less than 1,500 square feet in footprint, including all attached porches, decks, exterior stairs and other attached structures. Any expansion beyond these dimensions shall require prior written Agency authorization.
7. The undertaking of any new land use or development not authorized herein on the project site within one-quarter mile of the Boquet River shall require a new or amended permit.
8. Construction of any guest cottage on the project site shall require prior written Agency authorization.
9. Any on-site wastewater treatment system on Lot 2 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 Septic Plans. 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.

10. 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.
11. All exterior building materials, including roof, siding and trim, of the dwelling and garage on Lot 2 shall be a dark shade of green, grey, or brown.
12. Within 100 feet of the centerline of NYS Route 9 and within 100 feet of the mean high water mark of the intermittent tributary to the Boquet River, 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 limits of clearing depicted on the Site Plan and the removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
13. Between April 1 and October 31, no trees shall be removed or disturbed on the project site without prior written Agency authorization.
14. There shall be no more than five principal buildings located on the Low Intensity Use portion of Lot 1. The single family dwelling constructed on the property in 2002 constitutes one principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
15. There shall be no more than one principal building located on Lot 2 in addition to the pre-existing log cabin or any replacement structure for this dwelling as allowed by Agency regulations. The single family dwelling authorized herein constitutes a principal building.

CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision and single family dwelling authorized as conditioned herein:

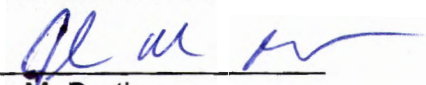
- a. will be consistent with the land use and development plan;
- b. will be compatible with the character description and purposes, policies, and objectives of the Low Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Low Intensity Use land use area;
- 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 be consistent with the purposes and policies of the Wild, Scenic and Recreational Rivers System Act;
- g. will comply with the restrictions and standards of 9 NYCRR § 577.6; and
- h. will not cause an undue adverse impact upon the natural, scenic, aesthetic, ecological, botanical, fish and wildlife, historic, cultural, archeological, scientific, recreational or open space resources of the river area, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived therefrom.

Dated: September 30th, 2026

Ray Brook, New York

ADIRONDACK PARK AGENCY

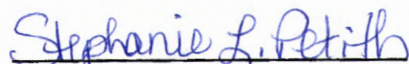
By:


John M. Burth

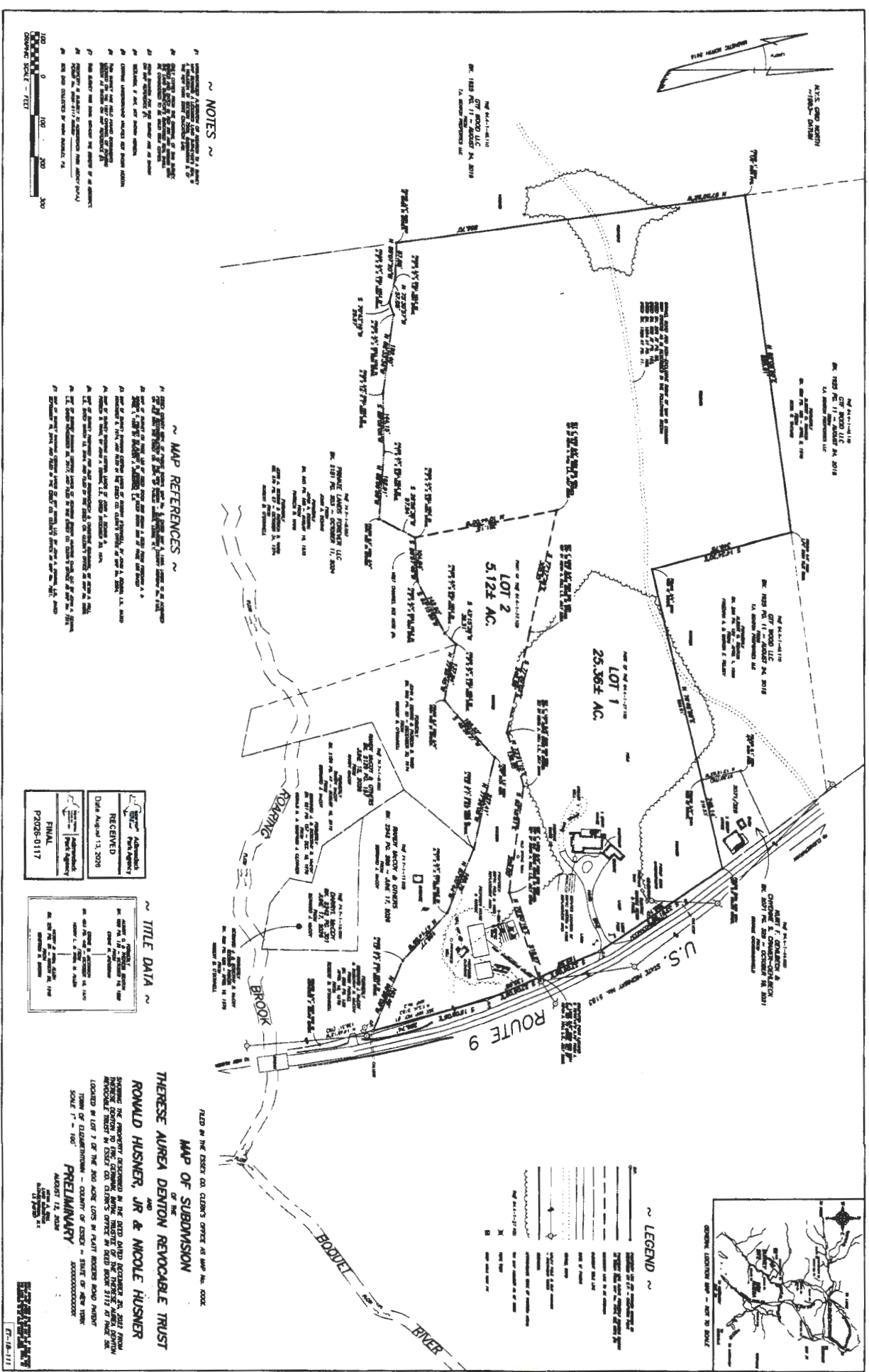
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 30th 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



NOTES ~

1. THIS MAP IS A PRELIMINARY MAP OF THE PROPERTY OF THE THERESA AUREA DENTON REVOCABLE TRUST, AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.

2. THE PROPERTY IS LOCATED IN THE TOWN OF ELIZABETH, COUNTY OF ELDER, STATE OF NEW YORK.

3. THE PROPERTY IS LOCATED IN LOT 1 OF THE 2ND AND 3RD LOTS IN PLAT BOOKS 2117 AND 2118.

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MAP REFERENCES ~

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RECEIVED
Date August 13, 2008
FINAL
P2028-0117

TITLE DATA ~

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MAP OF SUBDIVISION
OF THE
THERESA AUREA DENTON REVOCABLE TRUST
AND
RONALD HUSNER, JR & NICOLE HUSNER
PRELIMINARY
August 13, 2008
Scale 1" = 100'

LEGEND ~

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