



Adirondack Park Agency

MAJOR PROJECT PUBLIC NOTICE APPLICATION DETERMINED APA PROJECT NO. 2021-0264

Date: June 22, 2022

The purpose of this notice is to inform you that on **June 22, 2022**, the Agency conditionally approved the project and issued Permit **2021-0264**.

The project is located in the Town of **Fort Ann, Washington** County, on or near **Pilot Knob Road** in an area designated as **Rural Use** on the Adirondack Park Land Use and Development Plan Map. The tax map number of the project site is: Section **82**, Block **1**, Parcel(s) **1.1 and 2**. The attached map shows the approximate location of the project site.

The project is briefly described as follows: **The action involves a three-lot subdivision of 540± acres to create one 31.81±-acre lot improved by an existing single family dwelling; one 6.78±-acre lot to be improved by a new single family dwelling; and a 500±-acre lot to be improved by two new single family dwellings.**

Please contact **Emily O'Mahony**, the assigned Environmental Program Specialist 1 (EPS1), if you should have any questions.

Date

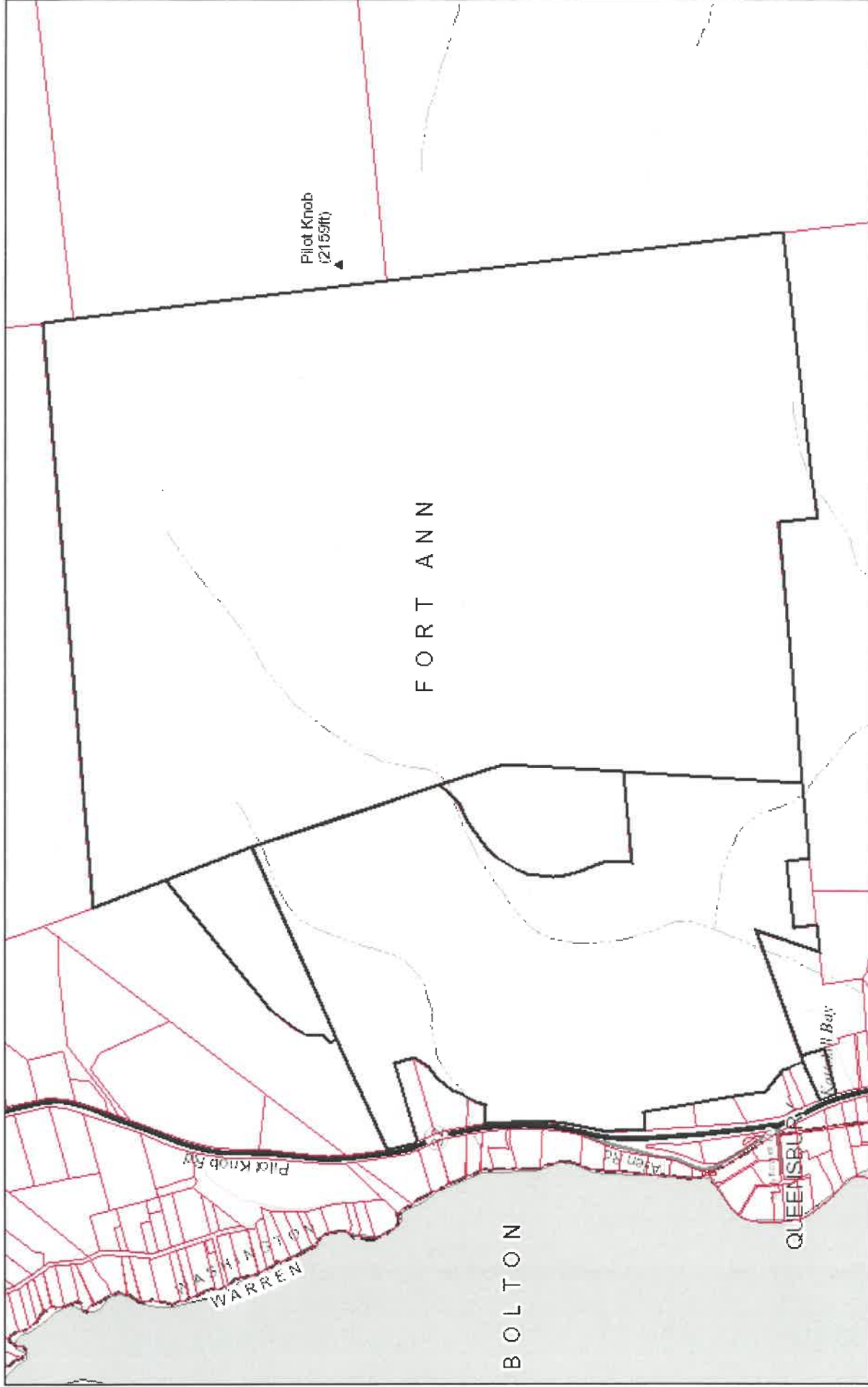
6/22/22

Robert J. Lore

Deputy Director, Regulatory Programs

cc: Whitetail Trust
Adjoining Landowners
Town, County & LGRB Officials

P2021-0264 Location Map



11/3/2021, 10:04:17 AM This is advisory only, not to be used to confirm exact boundary location or for determining Agency jurisdiction.


Temp Highlight Parcel(s)

Parcels 2019

Park Boundary Blueline

NYS Adirondack Park Agency

THIS IS A TWO-SIDED DOCUMENT

 <p>NEW YORK STATE OF OPPORTUNITY.</p> <p>Adirondack Park Agency</p> <p>P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov</p>	<p>APA Permit 2021-0264</p>
<p>In the Matter of the Application of</p> <p>THE WHITETAIL TRUST u/a/d JANUARY 12, 2017 Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: June 22, 2022</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <p>1. The Whitetail Trust u/a/d January 12, 2017</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a three-lot subdivision and construction of three new single family dwellings in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Fort Ann, Washington County.

This authorization shall expire unless recorded in the Washington 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 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 540± acres of land located on Pilot Knob Road in the Town of Fort Ann, Washington County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as:

- Tax Map Section 82, Block 1, Parcels 1.1 and 27 (Parcel 1.1 & Parcel 27), described in a deed from Ronald N. & Janis A. Jeckel to The Whitetail Trust u/a/d January 12, 2017, dated September 17, 2021, and recorded in the Washington County Clerk's Office as Instrument Number 2021-5866;
- Tax Map Section 81, Block 1, Parcel 2 (Parcel 2), described in a deed from Ronald N. & Janis A. Jeckel to The Whitetail Trust u/a/d January 12, 2017, dated May 16, 2017, and recorded in the Washington County Clerk's Office under Book 3793, Page 338; and
- Tax Map Section 81, Block 1, Parcel 26 (Parcel 26), described as 1.033 acres in a deed from Ronald N. & Janis A. Jeckel to The Whitetail Trust u/a/d January 12, 2017, dated May 16, 2017, and recorded in the Washington County Clerk's Office under Book 3793, Page 334.

A 2.24±-acre portion of Parcel 1.1 was created by a two-lot subdivision authorized after-the-fact by Agency Settlement Agreement 1995-0069. The 2.24±-acre portion of Parcel 1.1 was merged with Parcel 1.1 by deed recorded as Book 738, Page 243.

Pursuant to Settlement Agreement 2003-0229, the 1.52± acre portion of Parcel 27 is merged with Parcel 27 for Agency purposes.

The property comprised of Parcel 1.1 and Parcel 27 is improved by one single family dwelling constructed in 1988 and existing access from Pilot Knob Road. The remainder of the project site is vacant with existing unimproved access on Parcel 26 and Parcel 27 from Pilot Knob Road.

PROJECT DESCRIPTION

The project as conditionally approved herein involves subdivisions of Parcels 1.1, Parcel 27 and Parcel 2 to create:

- a 31.81±-acre lot improved by the existing single-family dwelling;
- a 6.78±-acre lot, and
- a 500±-acre lot.

One new single family dwelling will be constructed on the 6.78±-acre lot and two single family dwellings will be constructed on the 500±-acre lot.

The project is shown on the following maps, plans and report:

- “Overall Lot Layout Plan” (Development Plan) completed by Hutchins Engineering, dated and received by the Agency on January 11, 2021; and
- “Detail Sheet” (Septic Plan); and “Driveway Profiles” (Driveway Plan), completed by Hutchins Engineering, dated and received by the Agency on January 6, 2021; and
- Letter report titled “Endangered Species Review,” dated November 3, 2020, and received by the Agency on November 4, 2020.

A reduced-scale copy of the Development 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, a permit is required from the Adirondack Park Agency prior to any subdivision of Rural Use lands that results in the creation of a non-shoreline lot smaller than 7.35 acres in size 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 that results in the creation of four or more lots, parcels, or sites since May 22, 1973, in a Rural Use land use area in the Adirondack Park.

This permit amends Term 2 of Settlement Agreement 2003-0229.

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 Washington 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, the Site Plan and the Development 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 Settlement Agreement E1995-0069 in relation to the project site. The terms of Agency Settlement Agreement E2003-0229 shall no longer apply to the project site.
5. Except as amended herein, all terms in Agency Settlement Agreement 2003-0229 remain in full force and effect.
6. 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 2021-0264, issued June 22, 2022, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
7. Subject to the conditions stated herein, this permit authorizes subdivisions to create the 31.81±-acre lot and the 6.78±-acre lot as depicted on the Development Plan; and a 500±-acre lot comprised of the remaining lands. Any other subdivision of the project site shall require a new or amended permit.
8. Any deed of conveyance for the 31.81±-acre lot as depicted on the Development Plan shall contain an easement providing ingress and egress to the 6.78-acre lot over the "Asphalt Driveway (Private)," as depicted on the Development Plan.
9. Any deed of conveyance for Parcel 26 as depicted on the Development Plan shall contain an easement providing ingress and egress to the 500±-acre lot over the "Woods Road," as depicted on the Development Plan.
10. Subject to the conditions stated herein, this permit authorizes the construction of three single family dwellings on the project site in the locations and footprints as depicted on the Development Plan, the construction of accessory structures within the "Clearing Limit" as depicted on the Development Plan. All structures shall be no greater than 30 feet in height as measured from the highest point of the structure to the lowest point of original or finished grade or the base of any supporting fill, whichever is lower. Any change to the location or dimensions of any authorized structure within the "Clearing Limit," as depicted on the Development Plan shall require written Agency authorization. Construction of any single family dwelling or accessory structure outside the "Clearing Limit," as depicted on the Development Plan shall require a new or amended permit.
11. The construction of any additional dwelling or other principal building not depicted on the Development Plan shall require a new or amended permit.
12. Construction of any guest cottage on the 6.78±-acre lot or the 500±-acre lot shall require prior written Agency approval.
13. Access to the project site shall comply with the Development Plan and the Driveway Plan.

14. Any on-site wastewater treatment system(s) on the 6.78±-acre lot or the 500±-acre lot 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 Development Plan and 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 the 6.78±-acre lot or the 500± lot more than five years after the date of issuance of this permit except pursuant to written authorization from the Agency.

15. Prior to any ground disturbance associated with the construction of the single family dwellings authorized herein, erosion and sediment control shall be installed on the inside of the Clearing Limit as depicted on the Development Plan until the project site is fully stabilized with vegetation.
16. 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.
17. Any new free-standing or building-mounted outdoor lights shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Pilot Knob Road, Lake George or adjoining properties.
18. All exterior building materials, including roof, siding and trim, of any new structure on the project site shall be a dark shade of green, grey, or brown.
19. Outside of the Clearing Limit on the 6.78±-acre lot no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed on the project site without prior written Agency authorization, except for the removal of vegetation to install the "Proposed Drive" depicted on the Development Plan and dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
20. Outside and to the west of the "Clearing Limit" depicted on the Site Plan on the the 500±-acre lot, no trees greater than 6 inches in diameter at breast height may be cut, culled, trimmed, pruned or otherwise removed or disturbed on the project site without prior written Agency authorization, except for the removal of 1) vegetation to install the "Proposed Drive" depicted on the Development Plan and 2) dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
21. Between April 1 and October 31, no trees shall be removed or disturbed on the project site without prior written Agency authorization.

22. There shall be no more than one principal building located on the 6.78±-acre lot at any time. The single family dwelling authorized herein constitutes a principal building.
23. There shall be no more than four principal buildings located on the 31.81±-acre lot at any time. The single family dwelling constructed on the property in 1988 constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
24. There shall be no more than 59 principal buildings located on the 500±-acre lot at any time. The single family dwellings authorized herein constitute two principal buildings. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
25. Prior to commencement of any ground disturbance or construction activities on the 6.78±-acre lot, the 500±-acre lot; a permit for stormwater management shall be obtained from the Lake George Park Commission and a copy of the authorized plans shall be provided to the Agency.


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 subdivisions 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.

PERMIT issued this 22nd day
of June, 2022.

ADIRONDACK PARK AGENCY

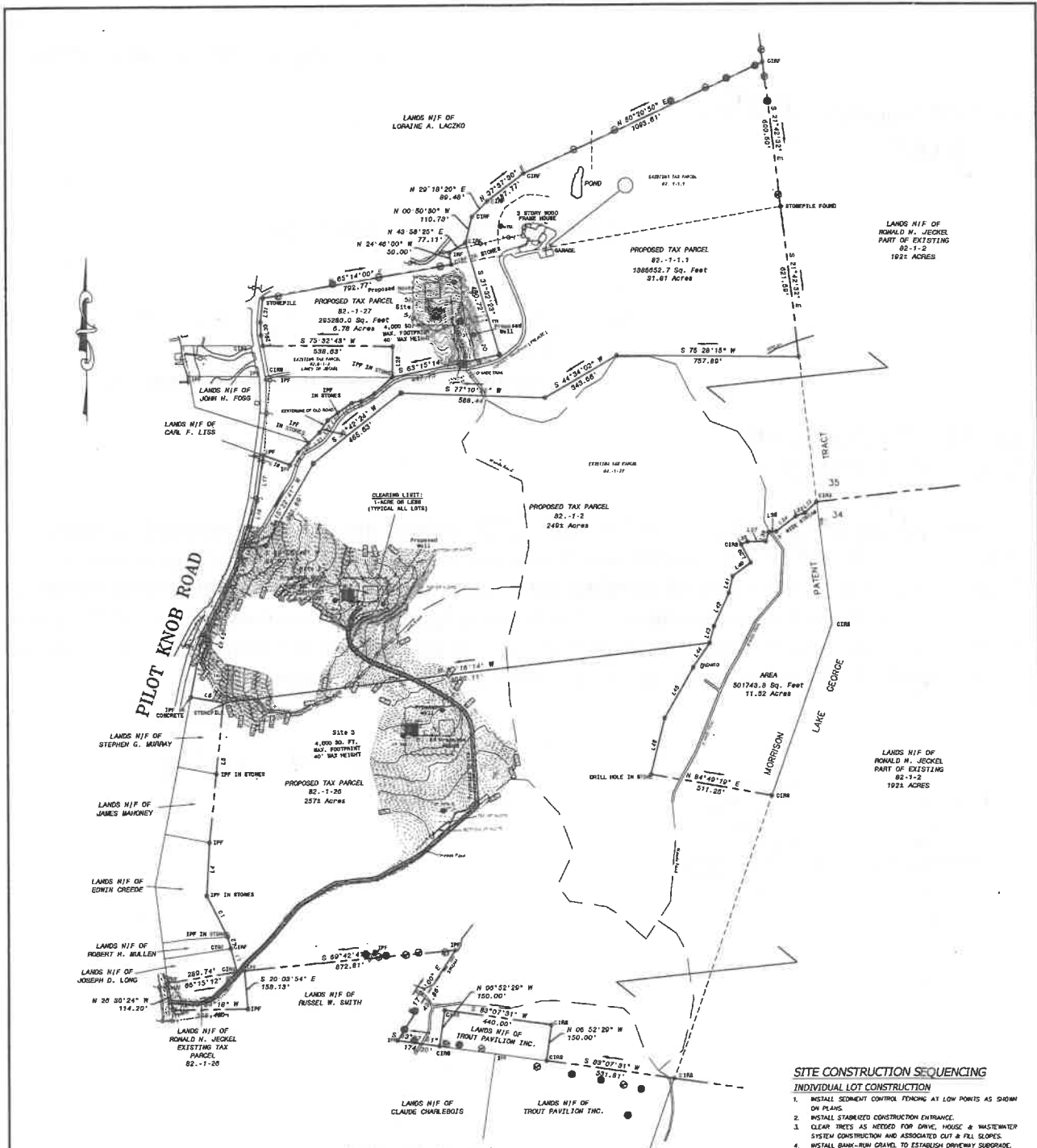
BY: 
Robert J. Lore
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 22nd day of June in the year 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert J. Lore, 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.

STEPHANIE L. PETITH
Notary Public - State of New York
Qualified in Franklin County
No. 01PE6279890
Commission Expires Apr. 15, 2025


Notary Public



OVERALL LOT LAYOUT PLAN
 SCALE: 1"=200' - 2/24/04
 SCALE: 1"=400' - 11/77
GRAPHIC SCALE
 0 50 100 200 400
 (IN FEET)

WASTEWATER SYSTEM COMPONENT SCHEDULE

SITE PLAN SYMBOL	COMPONENT	SIZING & MATERIAL
A	HOUSE SEWER PIPE	4" SDR35 OR SCH40 PVC
B	SEPTIC TANK	1150 GAL PRECAST CONCRETE - 4-ROOM SIZING
C	EFFLUENT SEWER PIPE	4" SDR35 OR SCH40 PVC
D	DISTRIBUTION BOX	(4) HOLE PRECAST CONCRETE
E	ABSORPTION FIELD	(2) ROWS OF STANDARD PRECAST STONE ABSORPTION TRENCHES @ 8' EACH - 4-ROOM SIZING
F	100% REPLACEMENT ABSORPTION FIELD	

WASTEWATER SYSTEM SETBACK SCHEDULE

	PROPERTY LINE	HOUSE	WELL
SEPTIC TANK	10'	10'	50'
ABSORPTION FIELD	10'	20'	100'

- SITE CONSTRUCTION SEQUENCING**
INDIVIDUAL LOT CONSTRUCTION
1. INSTALL SEDIMENT CONTROL FENCING AT LOW POINTS AS SHOWN ON PLANS.
 2. INSTALL STABILIZED CONSTRUCTION ENTRANCE.
 3. CLEAR TRACES AS NEEDED FOR DRIVE, HOUSE & WASTEWATER SYSTEM CONSTRUCTION AND ASSOCIATED CUT & FILL SLOPES.
 4. INSTALL BANK-RUN GRAVEL TO ESTABLISH DRIVEWAY SUBGRADE.
 5. EXCAVATE DITCHES & STORMWATER MANAGEMENT PRACTICES, SEED & MULCH.
 6. CONSTRUCT HOUSE, UTILITIES, WATER SUPPLY WELL AND WASTEWATER SYSTEM.
 7. INSTALL DRIVEWAY SUBBASE, FINE GRADE AND COMPACT.
 8. FINE GRADE, TOPSOIL AND SEED LAWN AREAS. INSTALL LANDSCAPING, ROADWAY EROSION CONTROL FENCE AFTER VEGETATION IS ESTABLISHED.

Adirondack Park Agency
FINAL
 P2021-0264

Adirondack Park Agency
RECEIVED
 Date: January 11, 2021

TAX MAP # 82-1-1, 2, 26, & 27
 ATTENTION: THIS DOCUMENT DEPT BY A LICENSED PROFESSIONAL SURVEYOR & A HOLDING OF HIS LICENSE LAW.

No.	Revisions	Date
3	REVISED TEXT PER ADIRONDACK PARK AGENCY COMMENTS	1/11/2021
2	REVISED PER ADIRONDACK PARK AGENCY COMMENTS	1/8/2021
1	REVISED PER ADIRONDACK PARK AGENCY COMMENTS	8/11/2020
0	ISSUED TO ADIRONDACK PARK AGENCY	10/2/2019

OVERALL LOT LAYOUT PLAN
 prepared for
Ronald N. & Janis A. Jeckel
 Pilot Knob Road
 Town of Fort Ann, Washington County, NY

Drawn: JRS Checked: CNV Scale: NAD83 Date: 8/20/2019

Hutchins Engineering 169 Howland Road
 Oneverbury, NY 12804
 (518) 745-0307 Phone
 (518) 745-0308 Fax

29675A-01-S1

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 Excavate The Spot
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 www.digsafeny.com

MAP REFERENCE:
 BASE MAP INFORMATION FROM "MAP OF SURVEY MADE FOR RONALD N. JECKEL & JANIS A. JECKEL, IN THE TOWN OF FORT ANN, WASHINGTON COUNTY, NEW YORK, DATED FEBRUARY 26, 2013, LAST REVISED JANUARY 23, 2005, PREPARED BY WAX DUDEN & STEVE LAND SURVEYORS."