

THIS IS A TWO-SIDED DOCUMENT

 <p><b>Adirondack Park Agency</b></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 <b>2024-0269</b></p>
<p>In the Matter of the Application of</p> <p><b>KURT J. DITTL, PENNY R. DITTL AND THE ELK FAMILY REVOCABLE TRUST</b> Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: March 19, 2025</p>
	<p>To the County Clerk: Please index this permit in the grantor index under the following name(s):</p> <ol style="list-style-type: none"><li><b>1. Kurt J. Dittl</b></li><li><b>2. Penny R. Dittl</b></li><li><b>3. The Elk Family Revocable Trust</b></li></ol>

**SUMMARY AND AUTHORIZATION**

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

This authorization shall expire unless recorded in the Lewis 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 Lewis County Clerk's Office. The Agency will consider the project in existence when an authorized lot has been conveyed or the single family dwelling 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 comprised of Tax Map Parcels 277.06-1-30.100 (Parcel 30.100) and 277.06-1-1 (Parcel 1) located on North Shore Road in the Town of Greig, Lewis County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map.

- Parcel 30.100 is described in a deed from Kurt J. Dittl and Penny R. Dittl to Kurt J. Dittl and Penny R. Dittl, dated November 8, 2022, and recorded November 9, 2022 in the Lewis County Clerk's Office under Instrument Number 2022-007714.
- Parcel 1 is described in a deed from David A. Adamsen and Denise M. Adamsen to The Elk Family Revocable Trust, dated January 15, 2013, and recorded January 22, 2013 in the Lewis County Clerk's Office under Instrument Number 2013-000276.

Parcel 30.100 is 1.21 acres and is improved by an existing single-family dwelling and an accessory garage. The single-family dwelling is located on the east side of North Shore Road and includes an existing potable water supply and on-site wastewater treatment systems. The accessory garage is located on the west side of North Shore Road. Parcel 1 is 17.35 acres and is vacant.

Wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site and within 200 feet of the project site.

The project site was created by a two-lot subdivision as authorized by Agency Permit 2022-0141.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves a two-lot subdivision of Parcel 30.100 to create a 0.86-acre non-shoreline lot west of North Shore Road, and a 0.35-acre shoreline lot east of North Shore Road improved by an existing single-family dwelling. One principal building right will be transferred from Parcel 1 to the 0.86-acre lot for the construction of an 840-square-foot single family dwelling addition attached to the existing accessory garage and an on-site wastewater treatment system will be installed.

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

- A 23-page set of plans titled "Septic System Design," prepared by Terrence Thisse, P.E, last revised February 27, 2025, and stamped as received by the Agency on February 28, 2025 (Septic Plans); and
- A map stamped as received by the Agency on November 14, 2024 (Site Plan).

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 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, a permit is required from the Adirondack Park Agency prior to any subdivision of Moderate Intensity Use lands that results in the creation of a non-shoreline lot smaller than 0.92 acres in size or a shoreline lot smaller than 0.52 acres in size 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 Lewis 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, Septic Plans 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. This permit amends and supersedes Permit 2022-0141 in relation to the project site. The terms and conditions of Permit 2022-0141 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 2024-0269, issued March 19, 2025, 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 Site Plan. Any subdivision of the project site not depicted on the Site Plan shall require prior written Agency authorization.
7. Subject to the conditions stated herein, this permit authorizes the construction of an 840 square single family dwelling attached to the existing accessory garage on the 0.86-acre lot in the location and footprint shown on the Site Plan. The single family dwelling shall not exceed 30 feet in height as measured from the highest point on the structure, to the lower of either existing or finished grade. Any change to the location or dimensions shall require prior written Agency authorization.
8. The undertaking of any activity involving wetlands shall require a new or amended permit.

9. Construction of any dwelling or guest cottage on the project site shall require prior written Agency approval.
10. Prior to undertaking construction of any new dock or boathouse on the 0.35-acre shoreline lot, written authorization of plans for the dock or boathouse, including all attached docks or walkways, shall be obtained from the Agency.
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 Brantingham Lake.
12. The on-site wastewater treatment system installed on the 0.86-acre non-shoreline lot shall be installed within five years of the date of issuance of this permit and 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.

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 associated with the single family dwelling authorized herein shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward North Shore Road, Brantingham Lake or adjoining property.
15. There shall be no principal buildings located on the 0.35-acre shoreline lot other than the pre-existing single family dwelling or any replacement structure for this dwelling as allowed by Agency regulations.
16. There shall be no principal buildings located on the 0.86-acre non-shoreline lot other than single family dwelling authorized herein or any replacement structure for this dwelling as allowed by Agency regulations.
17. There shall be no more than 12 principal building located on Parcel 1. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

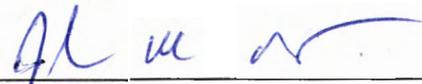
**CONCLUSIONS OF LAW**

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/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 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.

PERMIT issued this 19<sup>th</sup> day of March, 2025.

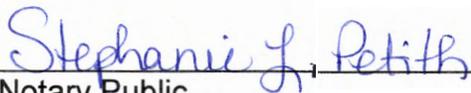
ADIRONDACK PARK AGENCY

BY:   
John M. Burth  
Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK  
COUNTY OF ESSEX

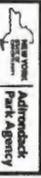
On the 19<sup>th</sup> day of March in the year 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument 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.

Stephanie L. Petith  
Notary Public, State of New York  
Reg. No. 01PE6279890  
Qualified in Franklin County  
Commission Expires April 15, 2025

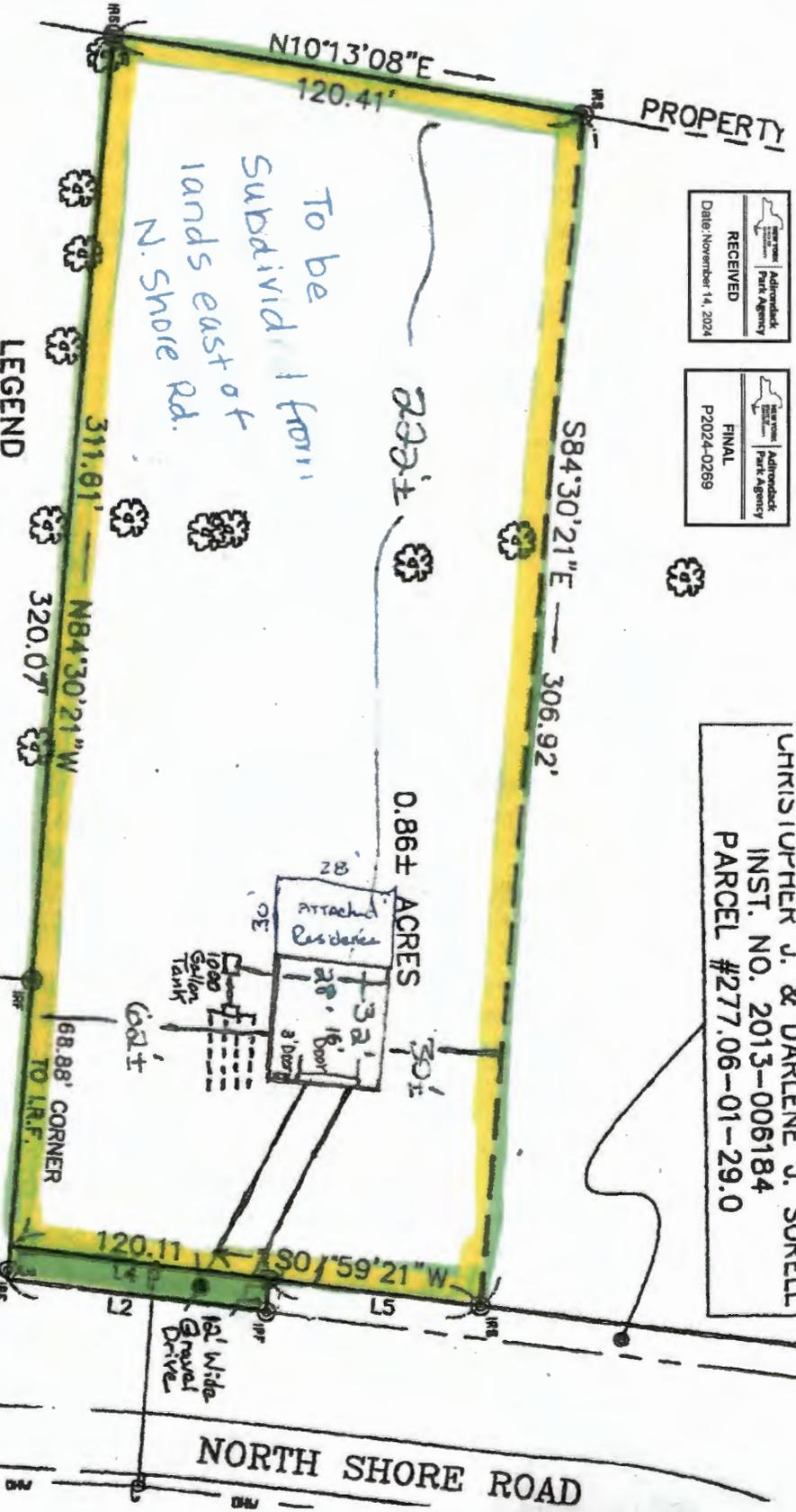
  
Notary Public



  
 RECEIVED  
 Date: November 14, 2024

  
 FINAL  
 P2024-0269

CHRISUPHER J. & DARLENE J. SUKELL  
 INST. NO. 2013-006184  
 PARCEL #277.06-01-29.0



- LEGEND**
- IPF IRON PIPE FOUND
  - IRF IRON ROD FOUND
  - IRS IRON ROD SET
  - ⊗ BLAZED LINE TREE
  - ⊕ UTILITY POLE

- DNW — OVERHEAD WIRES
- - - - - EXISTING PROPERTY LINE
- - - - - PROPOSED PROPERTY LINE

**GRAPHIC SCALE**



( IN FEET )  
 1 inch = 40 ft.

LANDS N/F  
 CAROL J. GILL  
 INST. NO. 2015-002012  
 PARCEL #277.06-01-31.0

2.47' CORNER TO I.P.F.

**NORTH SHORE ROAD**