

THIS IS A TWO-SIDED DOCUMENT

| | |
|---|--|
|  <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 2025-0025</p> |
| <p>In the Matter of the Application of</p> <p>BEEDE FARM, LLC Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p> | <p>Date Issued: March 4, 2025</p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Beede Farm, LLC</p> |

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Keene, 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.

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 89.89-acre parcel of land located on Beede Lane and Stage Coach Way in the Town of Keene, Essex 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 63, Block 2, Parcel 3.110, and is described in a deed from Honor Case Runyon to Beede Farm, LLC, dated December 31, 2003, and recorded January 7, 2004 in the Essex County Clerk's Office at Book1387, Page 122.

The project site is bisected by a tributary to Phelps Brook and includes an existing easement containing a portion of the Baxter Mountain Trail. Wetlands not described herein or depicted on the Map of Limited Survey referenced herein may be located on or adjacent to the project site.

The project site is improved by two pre-existing single family dwellings, associated accessory structures and related site improvements.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of Tax Parcel 63-2-3.110 to create:

- Lot 2B: a 2.55-acre lot containing a pre-existing single family dwelling and accessory structures; and
- Lot 2A: a 87.34-acre lot containing a pre-existing single family dwelling and accessory structures.

The project is shown on a "Map of Limited Survey," prepared by Kevin A. Hall Land Surveyor for Beede Farm, LLC and Eric Dornbush & Catherine Kearney, dated February 3, 2025 (Survey). A reduced-scale copy of the Survey 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.

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. 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 2025-0025, issued March 4, 2025, 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 Survey. Any subdivision of the project site not depicted on the Survey shall require prior written Agency authorization.
6. Any deed of conveyance for Lot 2A as depicted on the Survey shall contain an easement providing driveway access to and from Lot 2B to the end of Beede Lane over the easement area shown and described on the Survey.
7. The construction of any additional dwelling or other principal building on Lot 2A shall require prior written Agency authorization.
8. Installation of any new or replacement on-site wastewater treatment system on Lot 2B shall require prior written Agency authorization.
9. There shall be no more than 10 principal buildings located on Lot 2A, 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.
10. There shall be no more than one principal building located on Lot 2B at any time. The pre-existing single family dwelling or any replacement structure for this dwelling as allowed by Agency regulations 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 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 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 4th day
of March, 2025.

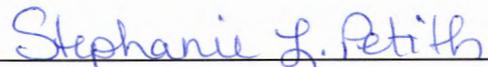
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 4th 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

