


THIS IS A TWO-SIDED DOCUMENT

 <p><b>NEW YORK STATE</b> <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>2024-0314</b></p>
<p>In the Matter of the Application of</p> <p><b>JUAN A. ESPINOSA</b> <b>MICHELLE R. DICE</b> <b>Permittees</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: April 29, 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. Juan A. Espinosa</b></li><li><b>2. Michelle R. Dice</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes installation of an on-site wastewater treatment system in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map in the Town of Harrietstown, Franklin County.

This authorization shall expire unless recorded in the Franklin 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 Franklin County Clerk's Office. The Agency will consider the project in existence when the permit has been recorded.

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 1.5±-acre parcel of land located on Pinehurst Road in the Town of Harrietstown, Franklin County, in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 457, Block 1, Parcel 5, and is described in a deed from Edward L. Foote, Sole Trustee of the Edward H. Foote and Mabel E. Foote Living Trust to Juan A. Espinosa and Michelle R. Dice, dated December 16, 2024, and recorded December 27, 2024 in the Franklin County Clerk's Office at Book 2024, Page 6859.

The project site contains shoreline on Lower Saranac Lake. The project site also contains needle-leaved evergreen forested wetlands with a value rating of "2".

The project site is improved by a single family dwelling and garage.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves the installation of an expanded replacement on-site wastewater treatment system 89 feet from wetlands.

The project is shown on the following plans:

- The location and design of the on-site wastewater treatment system are depicted on a three-page set of plans titled "Espinosa Replacement Septic" (Septic Plan), prepared by North Woods Engineering, PLLC and dated November 1, 2024.
- Existing and proposed limits of clearing are depicted on a two-page set of plans titled "Espinosa-Dice Residence" (Clearing Plan), prepared by Black Mountain Architecture and dated February 7, 2025.

A reduced-scale copy of the Septic 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 § 578.2, a permit is required from the Adirondack Park Agency prior to the establishment of the absorption field of any on-site wastewater treatment system within 100 feet of any wetland 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 Franklin 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, for as long as the onsite wastewater treatment system remains on the site. Copies of this permit and Septic Plan and Clearing 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. 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 2024-0314, issued April 29, 2025, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. If installed within five years of the date of issuance of this permit, the on-site wastewater treatment system shall be constructed in conformance with the location and design shown on the Septic Plan. Construction of the system shall be supervised by a 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.

6. 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.
7. Outside of the Existing & Proposed limits of clearing shown on the Clearing Plan and between the single family dwelling or onsite wastewater treatment system and the wetland, no trees, shrubs, or other woody stemmed vegetation may be cut or otherwise removed on the project site without prior written Agency authorization, except for the removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
8. Except for as authorized herein, the undertaking of any activity involving wetlands shall require a new or amended permit.

### 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 project 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 Hamlet land use area;
- c. will be consistent with the overall intensity guidelines for the Hamlet 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; will result in minimal degradation or destruction of the wetland or its associated values, and is the only alternative which reasonably can accomplish the applicant's objectives.

PERMIT issued this 29<sup>th</sup> day  
of April, 2025.

ADIRONDACK PARK AGENCY

BY: \_\_\_\_\_

John M. Burth  
Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 29<sup>th</sup> day of April 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, 2029

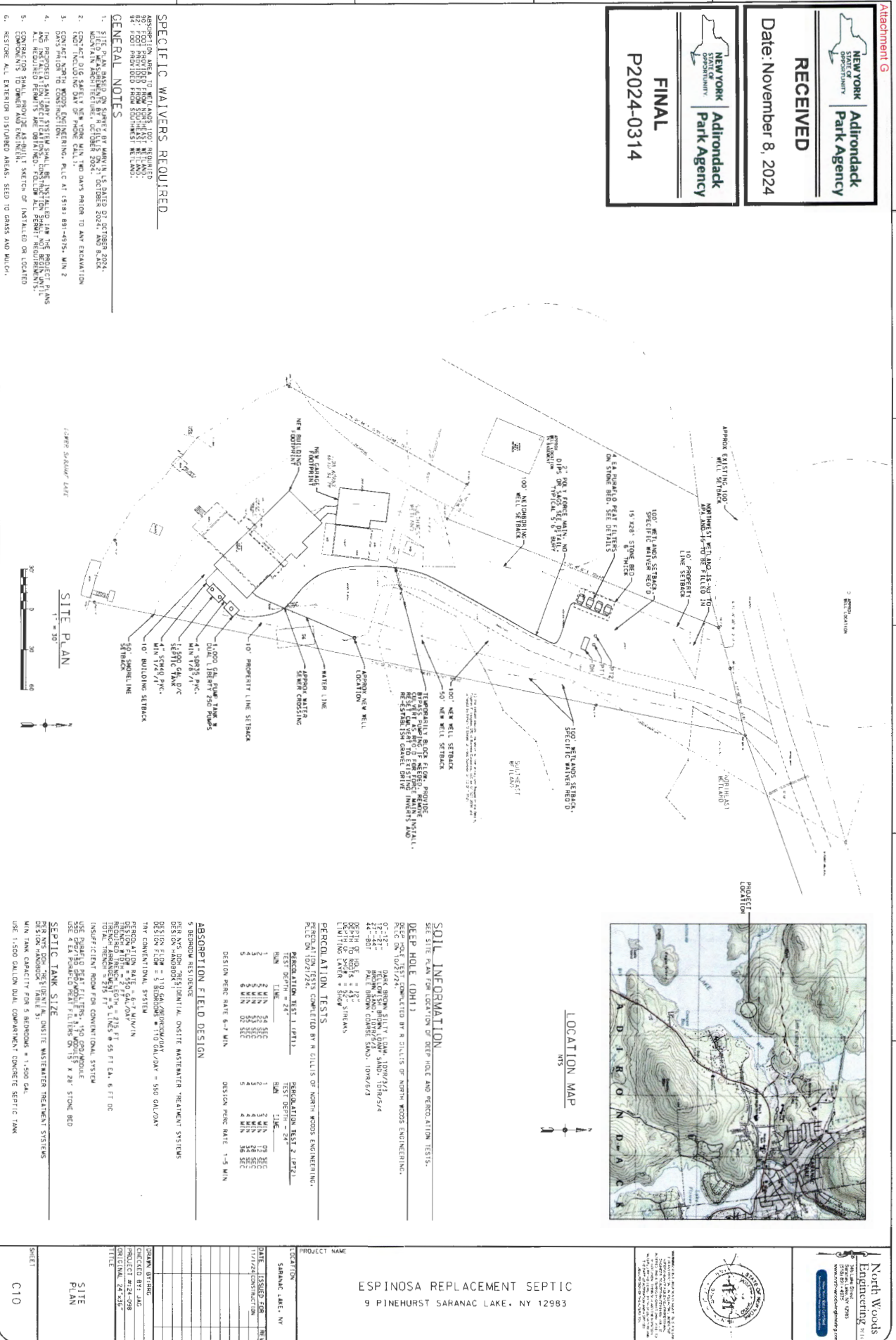
Stephanie L. Petith  
Notary Public

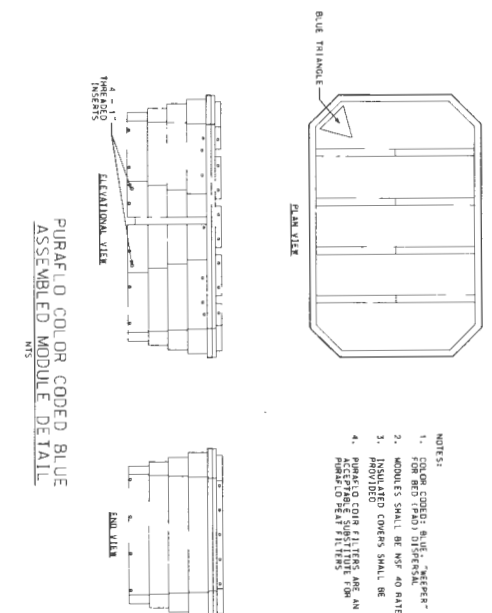


Date: November 8, 2024



**FINAL**  
**P2024-0314**





- 

THICKNESS: CLEAR  
TONE (3/4" - 1")

COLOR: BLUE AND W/

INSULATED LID: YEP


- 
- Technical drawing of a four-lane highway cross-section. The drawing shows four travel lanes, each 7'-6" wide, separated by a 7'-0" median. The total width of the travel lanes and median is 28'. The total width of the highway, including shoulders, is 35'-6". The drawing also shows the 15' width of the travel lanes and the 7'-6" width of the shoulders. The drawing is labeled with dimensions and a scale of 1" = 10'.

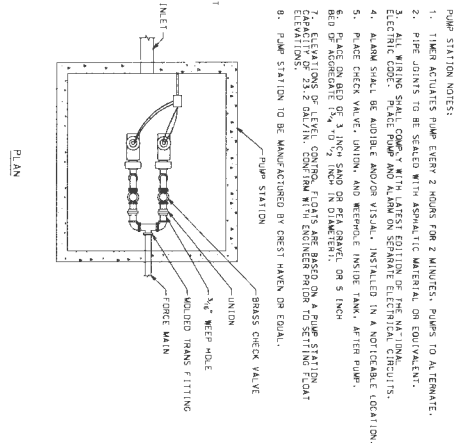
---

**North Woods Engineering** 2016

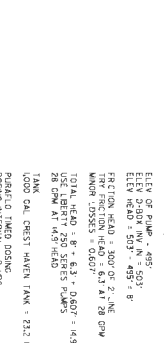
Mike A. Smith, PE  
 3000 West 12th Ave. #200  
 Denver, CO 80202  
 Phone: 303-733-7283  
 email: m@nw-engineering.com

© 2016 North Woods Engineering, LLC  
 All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage or retrieval system, without permission in writing from North Woods Engineering, LLC.





## 5.1.1.1.



## MTS

**WASTEWATER SYSTEM  
PUMP STATION DESIGN NOTES**

[illegible]

## MULCH STABILIZATION NOTES

- [illegible]

## FINAL SEEDING NOTES

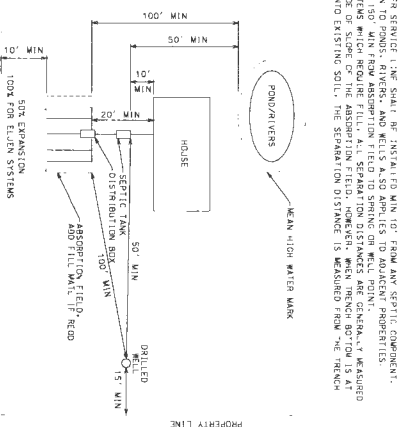
- [illegible]

## STABILIZATION MAINTENANCE NOTES

1. FERTILIZE IN EARLY WINTER WITH NITROGEN AT 40 LB/AC.
2. FERTILIZE IN EARLY SPRING WITH 10-10-10 AT 150 LB/AC
3. KEEP MOWED HEIGHT "3" - 4".

## GRAVEL MATERIAL NOTES

THE DISPERSED AGGREGATE SHALL BE CLEAN STONE 3/4 TO 1 INCH. THE STONE SHALL BE WASHED WITH NOT MORE THAN 5% PASSING THE NO. 200 SIEVE AS DETERMINED BY ASTM C-136. TEST METHOD FOR WASHING. THE NO. 200 SIEVE IN WINDING AGGREGATES BY GRAVITY. THE WASHING OF THE MATERIALS SHALL BE DONE IN A GRAVEL WASHING MACHINE. GRAVEL WASHING MACHINES ARE AVAILABLE. GRAVEL WASHING MACHINES MAY BE UTILIZED INSTEAD OF STONE.



## NT9

LOCATION	SARACAT LANE, NY
DATE	12/24/02 FOR
11/17/02 CONSTRUCTION	RE
DRAIN SYSTEM CHECKED BY JAC PROJECT #124-098 ORIGINAL 24 x 36 TITLE	
DETAILS & NOTES	
SHEET	
C21	

