


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 2025-0054</p>
<p>In the Matter of the Application of</p> <p>ROBERT H. HART, JR., ROBERT H. HART. SR., RENA R. HART, RANDY HART PEGGY SUE HART</p> <p>Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: May 7, 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">1. Roberth H. Hart, Jr.2. Robert H. Hart, Sr.3. Rena R. Hart4. Randy Hart5. Peggy Sue Hart

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of AuSable, Clinton County.

This authorization shall expire unless recorded in the Clinton 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 Clinton County Clerk's Office. The Agency will consider the project in existence when either an authorized lot has been conveyed to an outside party or a new deed is filed describing the merged parcel authorized herein.

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 107± acres of land located on Chasm Road in the Town of AuSable, Clinton County, in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 304, Block 2, Parcels 6.1 and 6.2 (Parcels 6.1 and 6.2).

Parcel 6.1 is described in a deed from Robert H. Hart Sr. and Rena R. Hart to Robert H. Hart Sr. (life estate), Roberth H. Hart Jr. and Randy H. Hart, dated December 7, 2018, and recorded January 14, 2019 in the Clinton County Clerk's Office under Instrument Number 2019-00298890.

Parcel 6.2 is described in a deed from Robert Hart and Rena R. Hart to Robert H. Hart Jr. and Peggy Sue Hart, dated September 15, 1995, and recorded September 15, 1995 in the Clinton County Clerk's Office at Book 956, Page 0333.

Parcel 6.1 is improved by a single family dwelling.

Parcel 6.2 is improved by a single family dwelling.

Wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The western portion of the project site is located in the NYS Interstate 87 Highway Critical Environmental Area.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two lot subdivision of Parcel 6.1 to create a 97±-acre parcel improved by an existing single family dwelling (Lot 1) and a 7.28±-acre vacant parcel (Lot 2) to be merged with Parcel 6.2.

The project is shown on a two-page plan titled, "Lot Line Adjustment" (Site Plan), prepared by Adirondack Surveying, PLLC, and dated February 18, 2024.

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, a permit is required from the Adirondack Park Agency prior to any subdivision in a Resource Management land use 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 Clinton 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 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. 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 2025-0054, issued May 7, 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 and subsequent merger as depicted on the Site Plan. Any subdivision of the project site not depicted on the Site Plan shall require a new or amended permit.
6. Within 30 days of conveyance of Lot 2, a new deed shall be filed in the Clinton County Clerk's office describing Lot 2 and Parcel 6.2 as a single, un-divided lot. Any future subdivision of this undivided lot shall require a new or amended permit.
7. The undertaking of any new land use or development on the project site within 300 feet of the right of way of NYS Interstate 87 shall require a new or amended permit.
8. The construction of any additional dwelling or other principal building on Lot 1 shall require a new or amended permit.
10. Installation of any on-site wastewater treatment system(s) on the project site shall require prior written Agency approval.
11. The undertaking of any activity involving wetlands shall require a new or amended permit.
12. There shall be no more than two principal buildings located on Lot 1. The existing dwelling on Parcel 6.1 constitutes a principal building. The Agency

makes no assurances that the maximum development mathematically allowed can be approved.

13. There shall be no more than one principal building located on the merged parcel consisting of Lot 2 and Parcel 6.2 at any time. The existing single family dwelling on Parcel 6.2 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 Resource Management land use area;
- c. will be consistent with the overall intensity guidelines for the Resource Management 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 7th day
of May, 2025.

ADIRONDACK PARK AGENCY

BY: _____

John M. Burth

Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK
COUNTY OF ESSEX

On the 7th day of May 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

1 Unauthorised alteration: In addition, if a member alters a Licensed Land Surveyor's
2 name in a contract of sale, the contract is voidable.
3
4 Only days after the surveyor's death or the death of the testator, the contract shall be
5 stamped with the surveyor's seal with an original signature.
6
7 The surveyor's seal is a circular stamp, containing the name of the surveyor according to the
8 existing Code of Practice for Land Surveyors issued by the New South Wales Association of
9 Surveyors, and the words "REGISTERED LAND SURVEYOR" and "NEW SOUTH WALES".
10 The Board's Survey is a printed form, to be filled in by the surveyor, and is a document
11 which is a record of the survey. It is a document which is a record of the survey, and is a
12 document which is a record of the survey. These provisions are not intended to add to the
13 provisions of the Act.
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15 The "this may be used in connection with the Surveyor's seal or seal of the
16 Surveyor's Association, and the words "REGISTERED LAND SURVEYOR" and "NEW SOUTH WALES".
17 Copyright 2001, Australian Surveyors P.L.C. All rights reserved.
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1. Robert Hart and Rada B. Hart (Robert B. Hart, Jr. and Peggy Sue Hart) by deed dated September 17, 1988 are also reported in Oued Rustic 666 at page 332 on September 15, 1988 in the Oregon County Clerk's Office (see pages 204-3-4-2).

2. "Boundary Map prepared for Sullivan Outcrops, Inc." prepared by Macdonald Land Surveying dated January 20.

Section 204 - Block 2 - Lots 61 and 62
Town of Au Sable - County of Clinton

[illegible][illegible][illegible]

LOCATION: 345 Chess Road	
ZONE: RM - Resource Management	
USE: Single Family Dwelling	
ITEM	REQUIREMENTS
FURNISHING LOT SIZE	4.57 acres
MINIMUM LOT AREA	5.00 ac
MINIMUM MIN. ACCESSIBLE	500 feet
MINIMUM FRONT SETBACK	40' min
MINIMUM SIDE SETBACK	20' min rear, 40' min
MINIMUM MIN. SETBACK	75 feet
MINIMUM MIN. SIDE SETBACK	40' min
MINIMUM MIN. SIDE SETBACK	40' min

- **File**
 - New (N) ... Ctrl+N
 - Open (O) ... Ctrl+O
 - Save (S) ... Ctrl+S
 - Save As (A) ... Ctrl+Shift+S
 - Print (P) ... Ctrl+P
 - Print Range (R) ... Ctrl+Shift+P
 - Print Setup (U) ... Ctrl+Shift+U
 - Print Range (R) ... Ctrl+Shift+P
 - Print Setup (U) ... Ctrl+Shift+U
 - Print Range (R) ... Ctrl+Shift+P
 - Print Setup (U) ... Ctrl+Shift+U

ROBERT H. HART SR AND RENA R.
HART, ROBERT H. HART JR. AND
RANDY H. HART
AND
ROBERT H. HART JR. AND
PEGGY SUE HART



ADIRONDACK SURVEYING PLLC
PO Box 334
Jay, New York 12941
518.348.7571
ADIRONSURVEYING.COM
INFO@ADIRONSURVEYING.COM

PROJECT SURVEYOR
Ralph C. Schreier III, L.S.
NYB License No. DS0408

Clinton County Real Property
Certifies this subdivision survey meets

Pertains to tax map # _____

(signature line)

CLINTON COUNTY TREASURER
PAID TAX CERTIFICATION

Class: _____
Tax Map No. _____
Tax Clerk: _____

ATTACHMENT D