


**STAFF DRAFT - NOT APPROVED BY AGENCY**

**THIS IS A TWO-SIDED DOCUMENT**

 <p><b>NEW YORK</b> STATE OF OPPORTUNITY.</p> <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><b>DRAFT</b> APA Permit <b>2021-0054</b></p>
<p>In the Matter of the Application of</p> <p><b>HOMESTEAD DEVELOPMENT CORPORATION and FAWN RIDGE, LLC</b></p> <p><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: <b>XXXX</b></p> <p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <p><b>1. Homestead Development Corporation</b></p> <p><b>2. Fawn Ridge, LLC</b></p>

**SUMMARY AND AUTHORIZATION**

This permit authorizes an eight-lot subdivision and the construction of six single-family dwellings and four multiple-family dwellings in an area classified as Hamlet and Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of North Elba, 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 County Clerk's Office. The Agency will consider the project in existence when an authorized lot has been conveyed to an outside party or an authorized structure 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 a 25.15-acre parcel of land located on Wesvalley Road in the Town of North Elba, Essex County, in an area classified Hamlet and Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 42.157, Block 1, Parcels 1 and 2.1 in Hamlet and Section 42.10, Block 1, Parcels 20 and 42 in Moderate Intensity Use.

The project site was created as “Lot 42” in a 43-lot subdivision as authorized by Agency Permits 2015-0159 and 2015-0159A. The site contains wetlands and shoreline on Outlet Brook (Cold Brook).

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves an eight-lot subdivision of the project site to create a 22.06-acre vacant lot, six 4,800 square-foot building lots for the construction of one single-family dwelling each, and a 2.43-acre common lot for the construction of four, multiple-family dwellings containing four units each. An access road and bus shelter will be constructed within the Hamlet land use area and the access will extend from Wesvalley Road into the Moderate Intensity Use land use area to serve the development. A motion was made as described in a Certification of Minutes dated April 13, 2021, indicating that the Town of North Elba intends to accept the access road as a Town road once constructed to the Town’s specifications. A homeowners’ association will be responsible for the parking areas, multifamily dwellings and common space maintenance.

The 3.09-acres to be subdivided from the 25.15-acre project site and further subdivided and developed is shown on the following maps and plans (Permit Plans):

- 19 sheets of plans titled “Fawn Valley, Homestead Development Corp., Lake Placid NY,” prepared by North Woods Engineering, PLLC, and dated April 29, 2021 (Project Plans);
- Three sets of building elevation and floorplan drawings titled, “Cape, H1-H6,” dated November 17, 2020, “Fourplex, M1 and M4,” dated December 31, 2020 and “Fourplex, M2 and M3,” dated November 17, 2020 all prepared by Simplex Homes (Elevations);
- A Stormwater Pollution Prevention Plan titled “Fawn Valley, Homestead Development Corp., Town of North Elba, New York,” prepared by North Woods Engineering PLLC, dated March 5, 2021 (SWPPP).

Reduced-scale copies of the Site Plan for the project, shown on Sheet C10 of the Project Plans, and the Elevations are attached as a part of this permit for easy reference. The original, full-scale maps and plans described in this paragraph are the official plans for the project, with copies available upon request from Adirondack Park Agency headquarters in Ray Brook, New York.

### **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 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 the construction of any structure in excess of 40 feet in height on Moderate Intensity Use lands in the Adirondack Park.

Condition 2 of Permit 2015-0159A required an Agency permit for any new land use and development or the construction of any principal building or accessory structure within the Moderate Intensity Use portion of the project site.

### **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 Permit Plans 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 Permits P87-28, P90-102, P2015-0159 and P2015-0159A in relation to the project site. The terms and conditions of Permits P87-28, P90-102, P2015-0159 and P2015-0159A shall no longer apply to the project site.

### **Deeds**

#### **Recordation**

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 2021-0054, issued **XXXX**, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."

#### **Subdivision**

6. Subject to the conditions stated herein, this permit authorizes an eight -lot subdivision as depicted on the Project Plans. Any subdivision the project site not depicted on the Project Plans shall require prior written Agency authorization.

### **Development**

#### **Construction Location and Size**

7. Subject to the conditions stated herein, this permit authorizes the construction of six single-family dwellings, four multiple-family dwellings and accessory structures on the project site in the location, footprint, and height shown on the Project Plans. Any change to the location or dimensions of any authorized development shall require prior written Agency authorization.
8. Any new land use and development or the construction of any principal building or accessory structure, including guest cottages, on the project site shall require prior written Agency authorization.

#### **Site Access**

9. This permit authorizes the construction of one new vehicle access location on the project site from Wesvalley Road as depicted on the Project Plans. Any change to the location, dimensions, or other aspect of the authorized access shall require prior written Agency authorization.

#### **Parking**

10. This permit authorizes the construction of vehicle parking to serve the development on the project site as depicted and described on the Project Plans. Any change to the authorized parking shall require prior written Agency authorization.

#### **Shoreline Structure Setbacks**

11. Pursuant to the Adirondack Park Agency Act, new structures greater than 100 square feet in size are prohibited within 50 feet, measured horizontally, of the mean high water mark of Outlet Brook.

**Boathouses**

12. There shall be no boathouses on the project site.

**Docks**

13. Prior to undertaking construction of any dock on the project site, written authorization of plans for the dock, including all attached upland structures, shall be obtained from the Agency.

**Outdoor Lighting**

14. 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, Wesvalley Road or adjoining property.

**Building Color**

15. All exterior building materials, including roof, siding, and trim, of the authorized structures shall be a dark shade of green, grey, or brown, except as modified by the Village of Lake Placid/Town of North Elba Review Board (Review Board). Any change to the exterior appearance of the structures not authorized by the Review Board shall require prior written Agency authorization.

**Signage**

16. Any new signs associated with the development on the project site located within 50 feet of Wesvalley Road shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3].

**Vegetation Removal**

17. Outside of the limits of clearing shown on the Site Plans, no trees, shrubs, or other woody stemmed vegetation may be cut or otherwise removed or disturbed 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.

**Plantings**

18. All trees, shrubs and other vegetation depicted on and described the Landscaping Plan, Notes & Details on sheet C12 of the Project Plans shall be planted and maintained as described. Any change to these plantings shall require prior written Agency Authorization.

**Wetlands**

19. The undertaking of any activity involving wetlands shall require a new or amended permit.

### **Density**

20. There shall be no more than 44 principal buildings located on the project site at any time. The six single family dwellings and four multiple family dwellings authorized herein constitute 22 principal buildings. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

### **Hours of Operation**

21. All truck traffic and construction activities associated with the authorized site development shall only occur between 7am and 9pm, except as otherwise authorized by the Review Board. Any construction activities outside of these hours of operation and not authorized by the Review Board shall require prior written Agency Authorization.

### **Invasive Species Control/Sanitizing Equipment**

22. 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.

### **Wastewater**

23. All wastewater treatment infrastructure on the project site shall be connected to and served by the municipal wastewater treatment system.

### **Stormwater Management**

24. The project shall be undertaken as described and shown on the Project Plans and in compliance with the SWPPP.

### **Erosion Control**

25. The project shall be undertaken in compliance with the activities shown on sheets C11, C30 and C31 of the Project Plans.

### **Infrastructure Construction**

26. Prior to the occupancy of any dwelling unit authorized herein, all necessary water supply system infrastructure and sanitary sewer infrastructure for the occupied unit shall be completed and installed as described on sheets C35 – C40 of the Project Plans or as otherwise required by the Town of North Elba, NYS Department of Health, and NYS Department of Environmental Conservation.

**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, site development and construction of 22 dwelling units 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 and Moderate Intensity Use land use areas;
- 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 result in minimal degradation or destruction of the wetland or its associated values.

PERMIT issued this       day  
of                      , 2021.

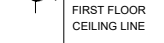
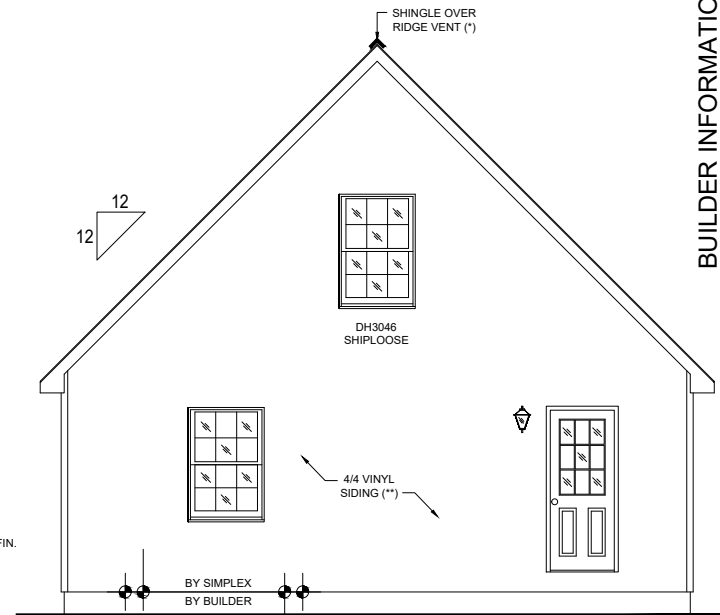
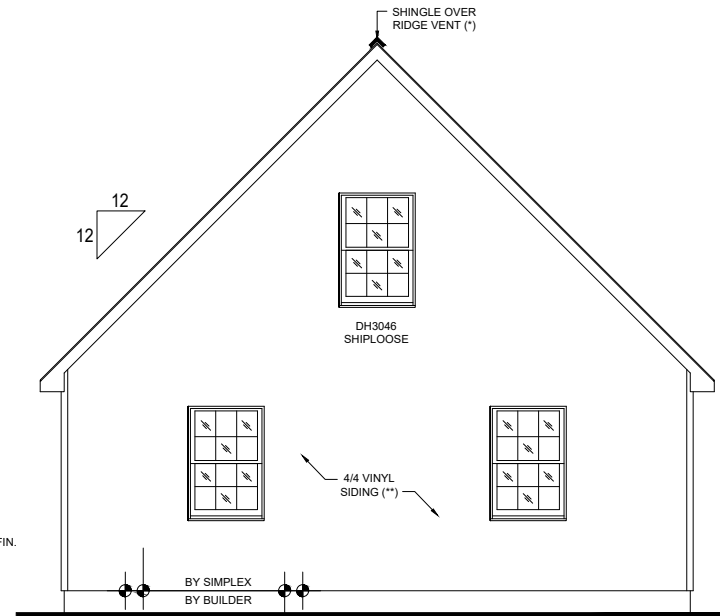
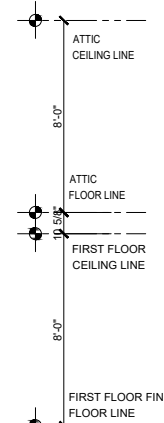
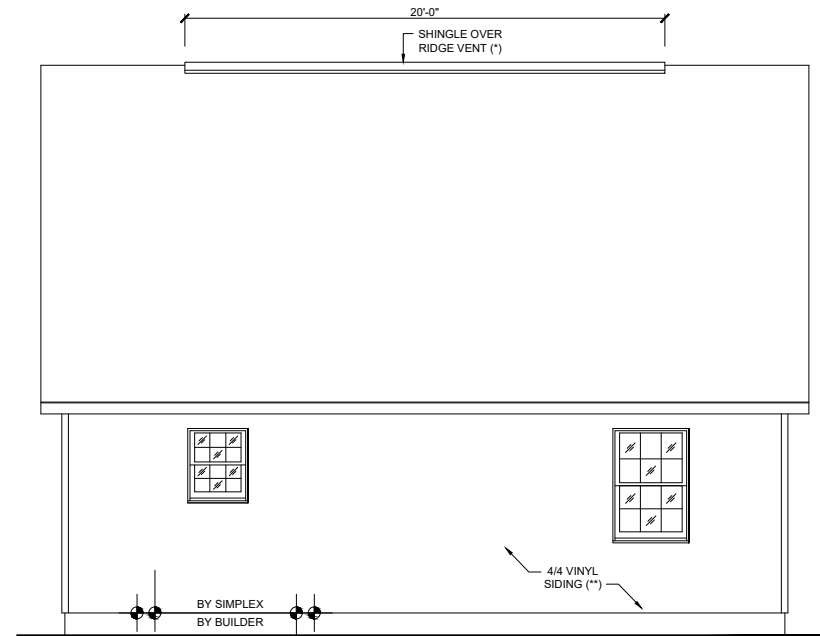
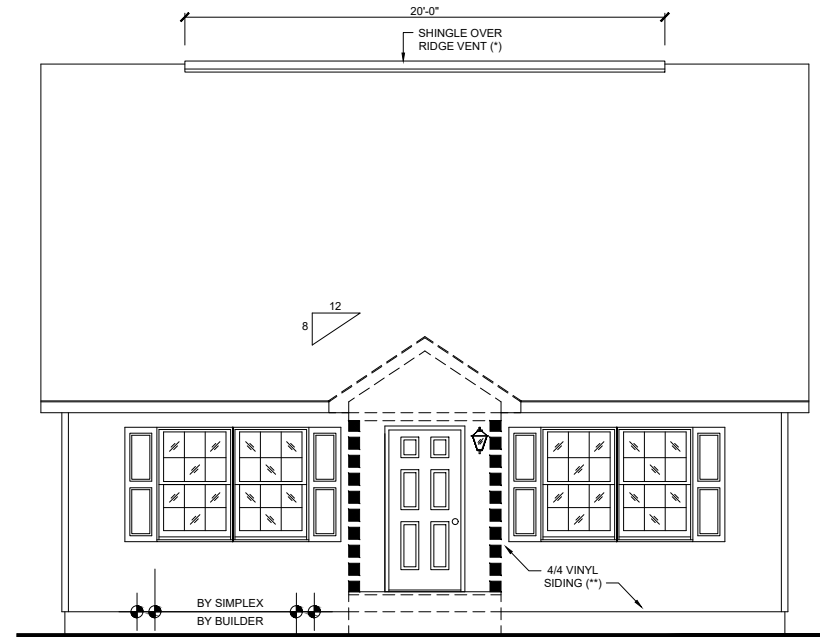
ADIRONDACK PARK AGENCY

BY: \_\_\_\_\_  
Robert J. Lore  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

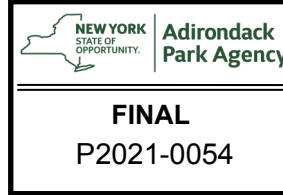
On the       day of                      in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert J. Lore, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument 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.

\_\_\_\_\_  
Notary Public



**BUILDER INFORMATION:**

1. **BUILDER INFORMATION.**  
IT IS THE BUILDER'S RESPONSIBILITY TO INFORM SIMPLEX INDUSTRIES, INC. OF ANY LOCAL CODE ISSUES OR SITE RELATED REQUIREMENTS THAT MAY AFFECT THE STRUCTURAL INTEGRITY OF THE MODULES TO BE ERCTED ON THE SITE.
2. FLOOR PLAN CHANGES MAY BE REQUIRED PENDING FURTHER STRUCTURAL AND CODE REVIEW.
3. ADDITIONAL ENGINEERING FEES NOT INCLUDED IN THE ORIGINAL QUOTE MAY BE REQUIRED TO BE CHARGED FOR PENDING FURTHER STRUCTURAL AND CODE REVIEW.



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CUSTOMER:		6.	A	A	A
CAPE WESVALLY ROAD LAKE PLACID, NY		5.	A	A	A
		4.	A	A	A
		3.	A	A	A
BUILDER:	2.	A	A	A	A
STEVE SAMA CONSTRUCTION, INC. 70 TRILLIUM DRIVE LAKE PLACID, NY 12946	1.	A	A	A	A
	No.	DATE			
DRAWING TITLE:		REVISIONS			
BUILDING ELEVATIONS					

Eng. No:	20-1111
Eng. Date:	11/17/20
SERIAL No:	A
DRAWING BY:	SDD
CHECKED BY:	A
DRAWING No.	
2.0	
SCALE:	1/8" = 1'-0"





## **DRAWING SIGN OFF FORM PRELIMINARY PLANS AND PERMIT SET DRAWINGS**

DATE: 12/31/2020

BUILDER NAME: STEVE SAMA CONSTRUCTION, INC. CUSTOMER NAME: FOURPLEX

ENGINEERING #: 20-1115

CRITICAL ENGINEERING NOTES: \_\_\_\_\_

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### **PRELIMINARY PHASE**

☐ Please see attached list of revisions and make changes to preliminary plans as noted.

Builder Signature: \_\_\_\_\_

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### **PERMIT PHASE**

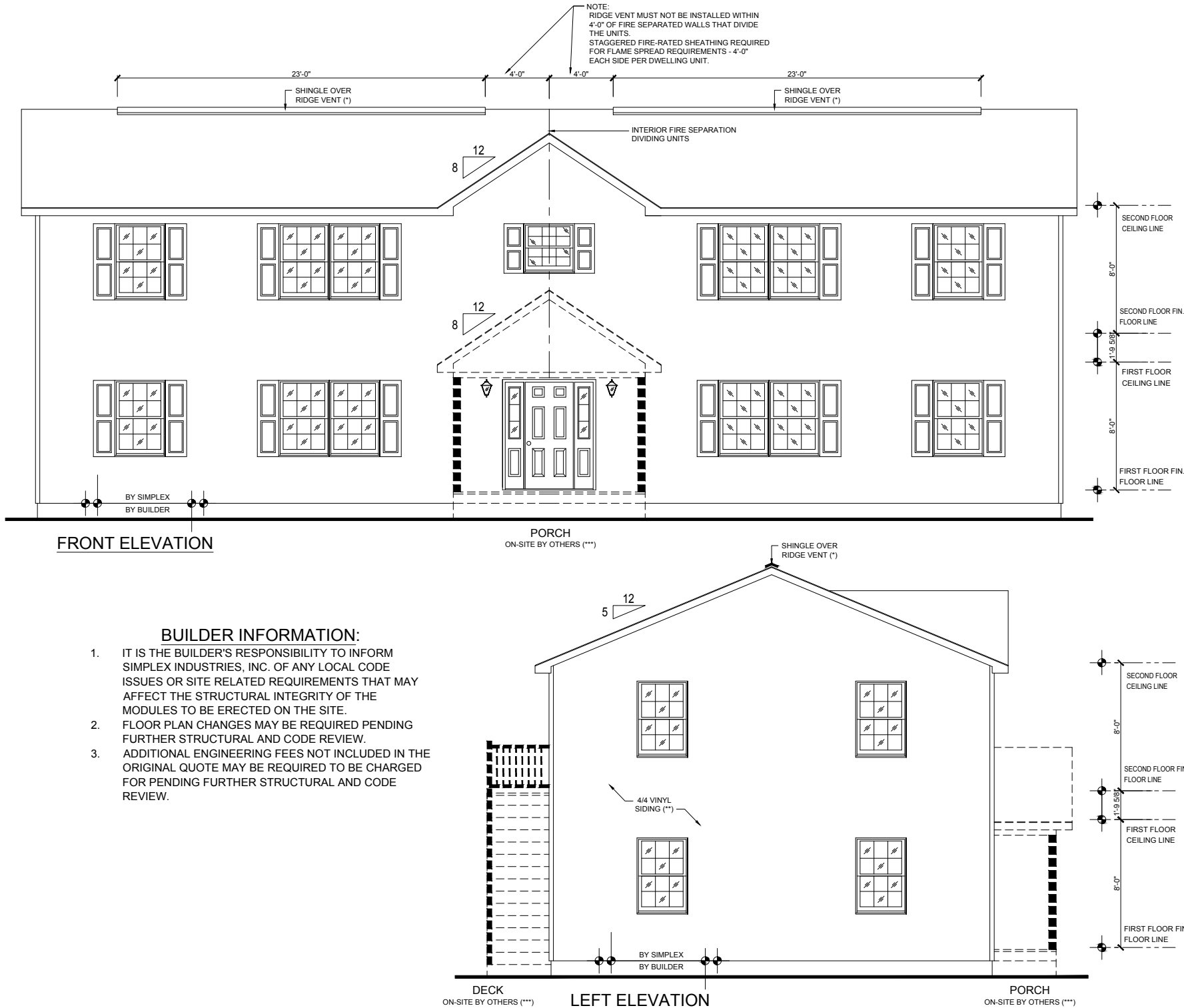
Please Note: Plans with changes requested will be expedited in the order they are received and will require final approval before completion of the permit drawing set.

☐ Make NO changes to preliminary plans & continue with full set of drawings.

Additional amount due for permit set:

Builder Signature: \_\_\_\_\_

**PERMIT PHASE WILL NOT BEGIN UNTIL ALL REVISIONS ARE SIGNED-OFF UPON  
PLEASE RETURN CHANGES TO YOUR SALES REPRESENTATIVE VIA EMAIL.**





NEW YORK  
STATE OF  
OPPORTUNITY.



Adirondack  
Park Agency

RECEIVED

Date: June 2, 2021



NEW YORK  
STATE OF  
OPPORTUNITY.



Adirondack  
Park Agency

FINAL

P2021-0054

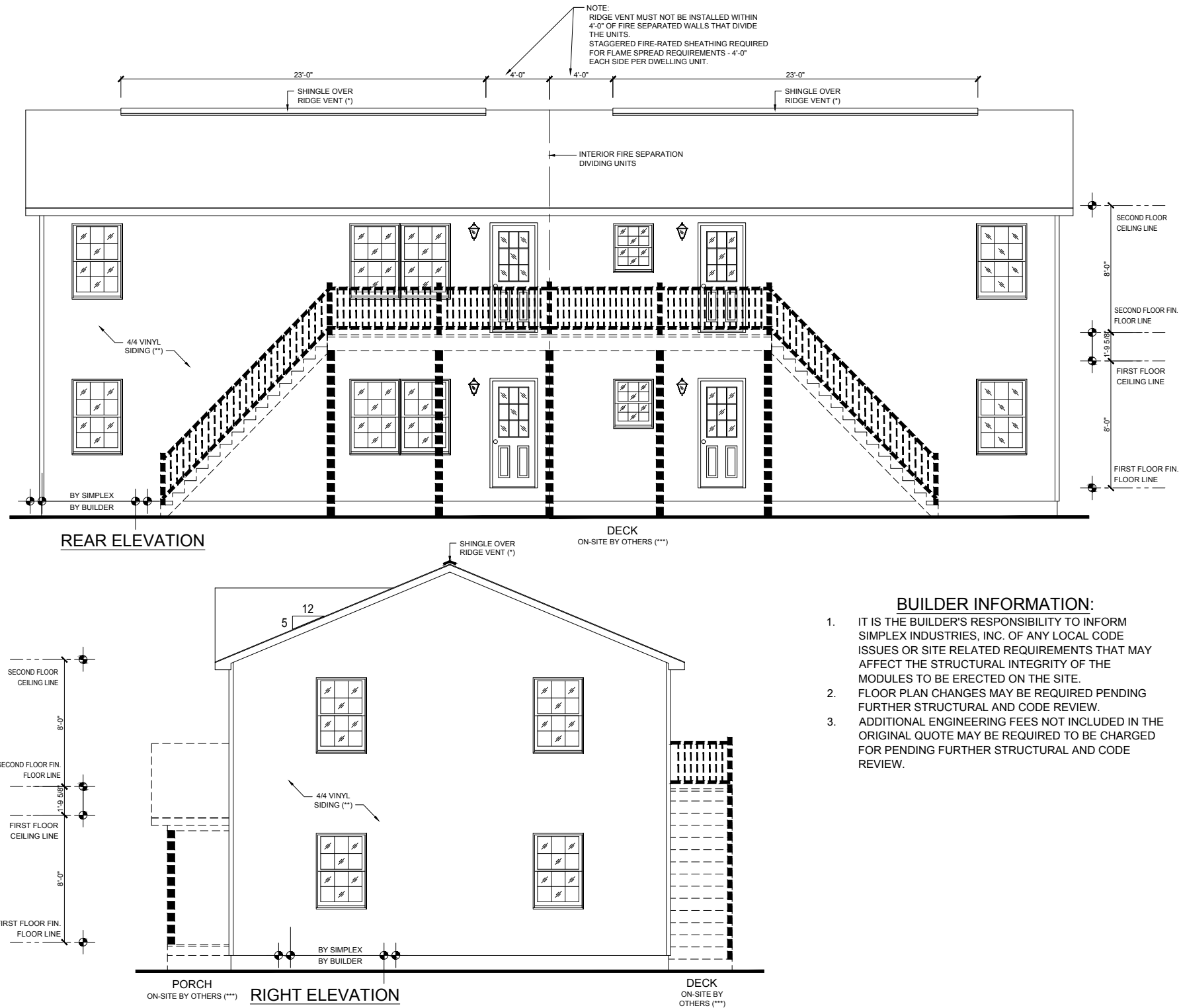


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NOTE: TO MOISTURE CONTENT OF WOOD, SOME SHRINKAGE MAY OCCUR IN THE FACE WIDTH OF THE LUMBER DUE TO NATURAL LUMBER SEASONING PROCESS AND MAY EFFECT THE EXTERIOR FINISH APPLICATION. EXTERIOR FINISH MATERIAL CONSULT THE MANUFACTURER'S INSTALLATION INSTRUCTIONS TO ACCOUNT FOR POSSIBLE WOOD SHRINKAGE.

No.	DATE	REVISIONS	
		DESCRIPTION	APPROVED
6	A	A	A
5	A	A	A
4	A	A	A
3	A	A	A
2	12/31/20	A	SDD
1	11/24/20	A	SDD
No.		DATE	APPROVED
DRAWING TITLE:			
BUILDING ELEVATIONS			
CUSTOMER:		FOURPLEX	
		WESVALLEY ROAD	
		LAKE PLACID, NY	
BUILDER:		STEVE SAMA CONSTRUCTION, INC.	
		70 TRILLIUM DRIVE	
		LAKE PLACID, NY 12946	
		DRAWING TITLE:	
Eng. No:		20-1115	
Eng. Date:		11/19/20	
SERIAL No:		A	
DRAWING BY:		SDD	
CHECKED BY:		A	
DRAWING No.		2.0	
SCALE:		1/8" = 1'-0"	



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  2. FLOOR PLAN CHANGES MAY BE REQUIRED PENDING FURTHER STRUCTURAL AND CODE REVIEW.
  3. ADDITIONAL ENGINEERING FEES NOT INCLUDED IN THE ORIGINAL QUOTE MAY BE REQUIRED TO BE CHARGED FOR PENDING FURTHER STRUCTURAL AND CODE REVIEW.



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Homes**

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Simplex Industries  
1 Simplex Drive  
Scranton, PA 18504

**Customer:** FOURPLEX  
WESVALLEY ROAD  
LAKE PLACID, NY

**Builder:**

**Eng. No.:** 20-1115

**Eng. Date:** 11/19/20

**SERIAL No.:** A

**DRAWING BY:** SDD

**CHECKED BY:** A

**DRAWING No.:**

**6.** A A

**5.** A A

**4.** A A

**3.** A A

**2.** 12/31/20 A

**1.** 11/24/20 A

**APPROVED**

**DESCRIPTION**

**REVISIONS**

**STEVE SAMA CONSTRUCTION, INC.**  
70 TRILLIUM DRIVE  
LAKE PLACID, NY 12946

**DRAWING TITLE:**

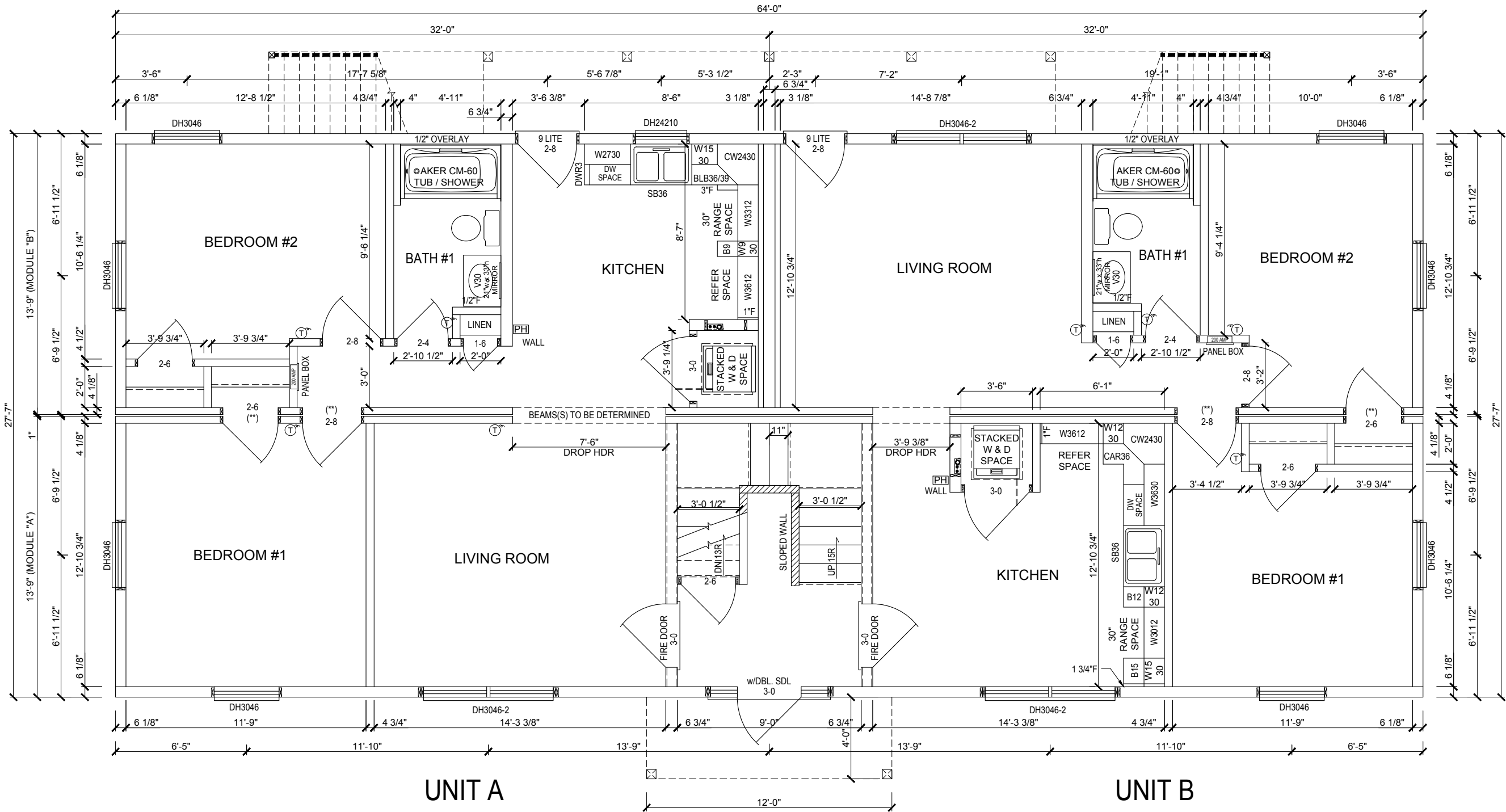
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**2.1**

**SCALE:** 1/8" = 1'-0"

# BUILDING ELEVATIONS



**UNIT A**

**GENERAL NOTES:**

8'-0" CEILING HEIGHT


WINDOWS HEADER HEIGHT @ 6'-10 1/4" UNLESS NOTED OTHERWISE

7-D INDUSTRIES TRIPLE PANE SERIES DBL HUNG WINDOWS

**PORCH**

ON-SITE BY OTHERS (\*\*\*)

**UNIT B**



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CUSTOMER:		FOURPLEX		WESVALLEY ROAD		LAKE PLACID, NY	
BUILDER:		STEVE SAMA CONSTRUCTION, INC.		70 TRILLIUM DRIVE		LAKE PLACID, NY 12946	
DRAWING TITLE:		1st. FLOOR PLAN					
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APPROVED	APPROVED	A	A	A	A	A	A
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No.		DATE					
1		11/24/20					
2		12/31/20					
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6		A					

Eng. No: 20-1115

Eng. Date: 11/19/20

SERIAL No: A

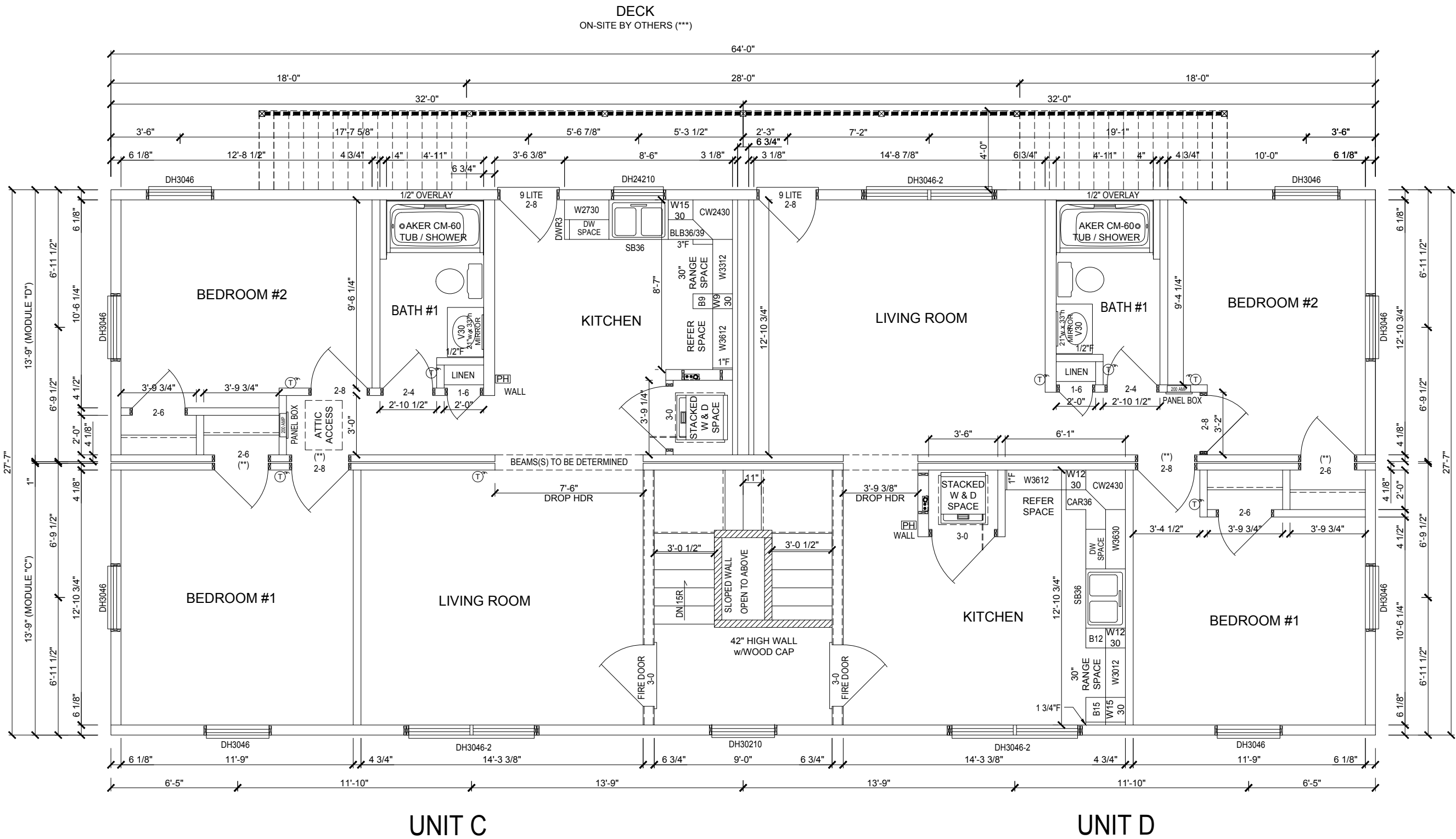
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3.0

SCALE: 3/16" = 1'-0"



GENERAL NOTES:

8'-0" CEILING HEIGHT  
WINDOWS HEADER HEIGHT @ 6'-10 1/4" UNLESS NOTED OTHERWISE  
7-D INDUSTRIES TRIPLE PANE SERIES DBL HUNG WINDOWS

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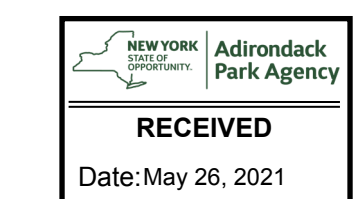
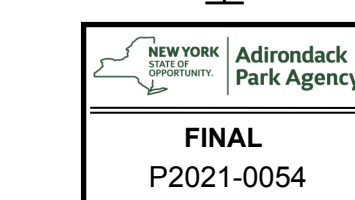
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1	11/24/20	A	A	A	A	A	A
DRAWING TITLE:		STEVE SAMA CONSTRUCTION, INC.					
BUILDER:		70 TRILLIUM DRIVE LAKE PLACID, NY 12946					
CUSTOMER:		FOURPLEX WESVALLEY ROAD LAKE PLACID, NY					

Eng. No:	20-1115
Eng. Date:	11/19/20
SERIAL No:	A
DRAWING BY:	SDD
CHECKED BY:	A
DRAWING No.	
3.1	
SCALE:	3/16" = 1'-0"





WARNING: IT IS A VIOLATION OF NEW YORK STATE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE SUPERVISION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER AN ITEM IN ANY WAY. IF ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO THE DOCUMENT THEIR SEAL AND THE NOTATION "ALTERED BY FOLLOWED BY THEIR SIGNATURE AND THE DATE OF ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION."

FAWN VALLEY  
HOMESTEAD DEVELOPMENT CORP.  
LAKE PLACID, NY

PROJECT NAME

LOCATION

TOWN OF NORTH ELBA, NY

DATE	ISSUED FOR	REV
03.05.21	PERMIT SET	
04.29.21	APA NIPA	A

DRAWN BY: BP LEBLANC

CHECKED BY: JA GARSO

PROJECT #: 20-019

ORIGINAL 24"x36"

TITLE

SITE PLAN

SHEET

C10



## PROPOSED ZONING NOTES

- 1) ACCESS ROAD PROPOSED ROW 50'.
- 2) PROPOSED SETBACK FROM ACCESS ROAD ROW. TYPICAL 10' MINIMUM, EXCEPT HOUSE H5 WHERE 8'-3" IS PROPOSED.
- 3) PROPOSED SIDE LINE SETBACK MINIMUM 10'.
- 4) PROPOSED FRONT YARD SETBACK IS 64' MIN.
- 5) INDIVIDUAL HOUSE LOT PARCEL SIZES APPROX.

## BUILDING SCHEDULE

MARK	TYPE	FOOTPRINT (SQ FT)	FFE	WALKOUT BASE FFE	AVG GRADE TO ROOF MIDPOINT	PROPERTY LINE SETBACK	ROW SETBACK	NEW/EXIST GRADE	APA BLDG HEIGHT
H1	SFD	780	47.00	N/A	18'-9"	10.4'	10.0'	42.69	26'-4"
H2	SFD	780	44.05	35.18	18'-9"	60.0'	10.0'	35.08	31'-0"
H3	SFD	780	43.40	34.53	20'-9"	43.1'	10.8'	34.53	30'-10"
H4	SFD	780	43.40	34.53	20'-9"	27.1'	10.8'	34.53	30'-10"
H5	SFD	780	44.21	35.34	20'-9"	10.6'	8.2'	35.34	31'-8"
H6	SFD	780	34.00	N/A	18'-9"	13.1'	10.0'	28.76	27'-3"
M1	4-PLEX	1,792	32.30	23.00	23'-2"	10.7'	43.5'	22.75	33'-7"
M2	4-PLEX	1,792	32.30	23.00	25'-2"	63.0'	43.5'	22.75	33'-7"
M3	4-PLEX	1,792	32.30	23.00	27'-2"	111.8'	43.5'	20.16	36'-2"
M4	4-PLEX	1,792	32.30	23.00	30'-2"	108.4'	43.5'	14.18	42'-1"

NOTE:  
AVG GRADE TO ROOF MIDPOINT IS FROM EXIST OR FINISH GRADE TO MIDPOINT OF ROOF.

## SITE PLAN

1" = 20"



## UTILITY NOTES

- 1) WATER SERVICE TO MULTI-FAMILY BUILDINGS ASSUMES TO BE 3". IF FIRE SUPPRESSION AND DOMESTIC NEEDS REQUIRE DIFFERENT SIZE, ADJUST ACCORDINGLY.
- 2) SEWER LATERAL CONNECTIONS TO REPLACED MAIN WITH SADDLE CONNECTIONS OR FITTINGS, EITHER ARE ACCEPTABLE.
- 3) COORDINATE WITH VLP MUNICIPAL ELECTRIC AS REQUIRED FOR ELECTRIC SERVICE.