



Adirondack Park Agency

KATHY HOCHUL
Governor

BARBARA RICE
Executive Director

July 22, 2025

Michelle Mabee-Loughren – via email to bastraight@charter.net
B A Straight Real Estate
6567 NYS Route 85
Jay, NY 12941

RE: Jurisdictional Determination J2025-0589
Tax Map Parcel 7.75-2-9.100
Land Use Area: Hamlet
Town of Jay, Essex County

Dear Michelle Mabee-Loughren:

Thank you for your Jurisdictional Inquiry Form, submitted on behalf of your client and received by the Agency on July 7, 2025.

Agency review indicates that the proposed construction of a single family dwelling and associated on-site wastewater treatment system as depicted and described in the materials submitted does not require a permit or variance from the Adirondack Park Agency, provided that the wetland crossing is not widened.

Agency staff review of aerial photography indicates that there are wetlands on the property. The attached map shows the approximate location of these wetlands. From the information submitted with your client's Jurisdictional Inquiry Form, it does not appear that your client's proposal will impact any wetlands. Please remember that all activities within the Adirondack Park must comply with the Freshwater Wetlands Act. The attached Freshwater Wetlands flyer contains additional information regarding wetlands in the Adirondack Park. Please contact the Agency if you have any questions about the wetlands on your client's property.

Although your client's proposal does not require Agency approval, please help to prevent the spread of invasive species by ensuring all excavating tools, fill, and other equipment are thoroughly cleaned and that all fill is free of invasive species prior to use on-site. If any portion of the site contains invasives, all construction equipment and vehicles should be thoroughly cleaned prior to moving to other areas. If the proposal will involve any plantings, care should be taken to avoid the introduction of invasive species. Additional information on how to prevent the spread of invasive species in the Adirondack Park can be found at www.adkinvasives.com.

In addition, please be aware of the following information and requirements:

1. A new on-site wastewater treatment system may not be located within 100 feet of any water body, including intermittent or seasonal streams. In addition, a permit

is required for the installation of any new on-site wastewater treatment system within 100 feet of wetlands. The wastewater setback is measured horizontally along the shortest line between the closest point of any leaching component of the system and the mean high water mark of the water body or the edge of the wetland.

2. On Hamlet lands, no structure other than residential radio and television antennas and agricultural use structures may exceed 40 feet in height without an Agency permit. For Agency purposes, height is measured from the highest point of the structure to the lowest point of finished or natural grade, whichever is lower.

This letter does not authorize the impairment of any easement, right, title, or interest in real or personal property, and shall not 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. We recommend that you check with Town authorities to obtain all necessary approvals prior to commencing the project.

Please do not hesitate to contact the Agency with any questions.

Sincerely,

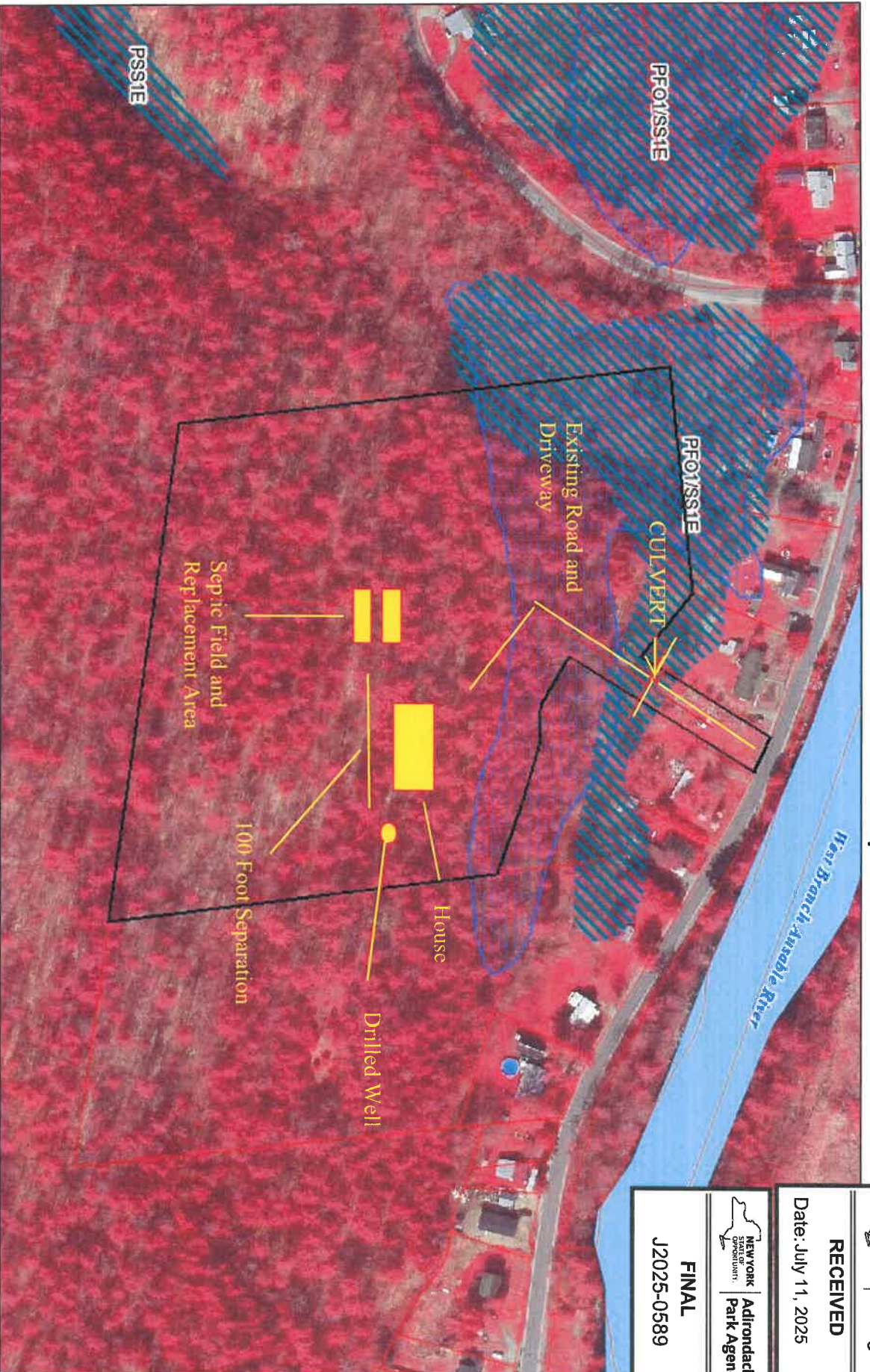
/s/ Matthew Brown

Matthew Brown
Project Administrator



Attachments: Freshwater Wetlands Flyer, Wetlands Map, Structure Height Flyer

cc: Town of Jay - via email
Dawn Rittelman - via email

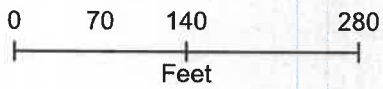
J2025-0589 LUS Map



7/11/2025, 9:03:55 AM This is advisory only, not to be used to confirm exact boundary location or for determining Agency jurisdiction.


 Adirondack Park Agency	RECEIVED Date: July 11, 2025
 Adirondack Park Agency	FINAL J2025-0589

- Temp Highlight Parcel(s)
 - Parcel(s) 2023
- APA Regulatory Wetland Areas
 - Wetland
 - Deep Water Marsh
 - APA Regulatory Linear Wetlands
- Franklin PVT Land
- North Elba PVT Land
- Harrietstown PVT Land
- Chester PVT Land
- Park Boundary Blueline
- Lakes, Ponds, Reservoirs
- Reservoir
- Wetland Areas
 - Linear Wetlands
- Wetland Areas
 - APA Regulatory Linear Wetlands
- Adirondack Park Agency
NYS ITS Geospatial Services, Westchester County GIS
- Adirondack Park Agency
NYS ITS Geospatial Services, Westchester County GIS



J2025-0589

 Parcel in question

 Wetlands*

*Subject to field verification
Prepared by M. O'Dell 7/16/2025. (76)

**Adirondack
Park Agency**





STRUCTURE HEIGHT

This is a supplement to the Citizen's Guide, which provides basic information about Adirondack Park Agency regulations.

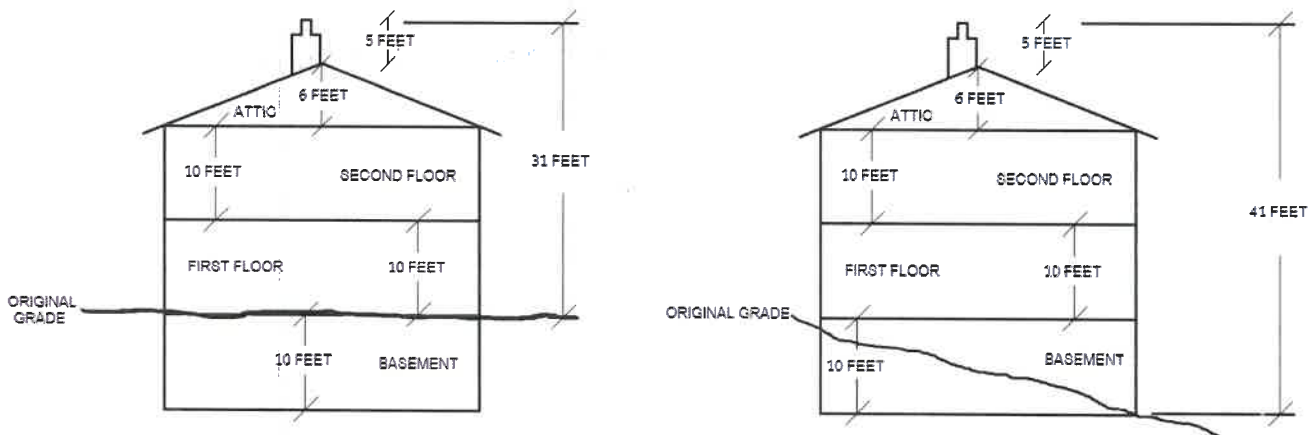
Pursuant to Sections 809 and 810 of the Adirondack Park Agency Act, any new structure in excess of forty feet in height¹ requires an Agency permit as a Class A regional project.²

Measuring Height

The Agency measures height from the highest point of a structure to the lowest point of original or finished grade or the base of any supporting fill, whichever is lower.³ A structure is comprised of all attached components, including decks, porches, garages, roofs, and chimneys.⁴

Please note that the Agency's height measurement methodology may differ from the method used by towns, villages, and other entities.

Examples

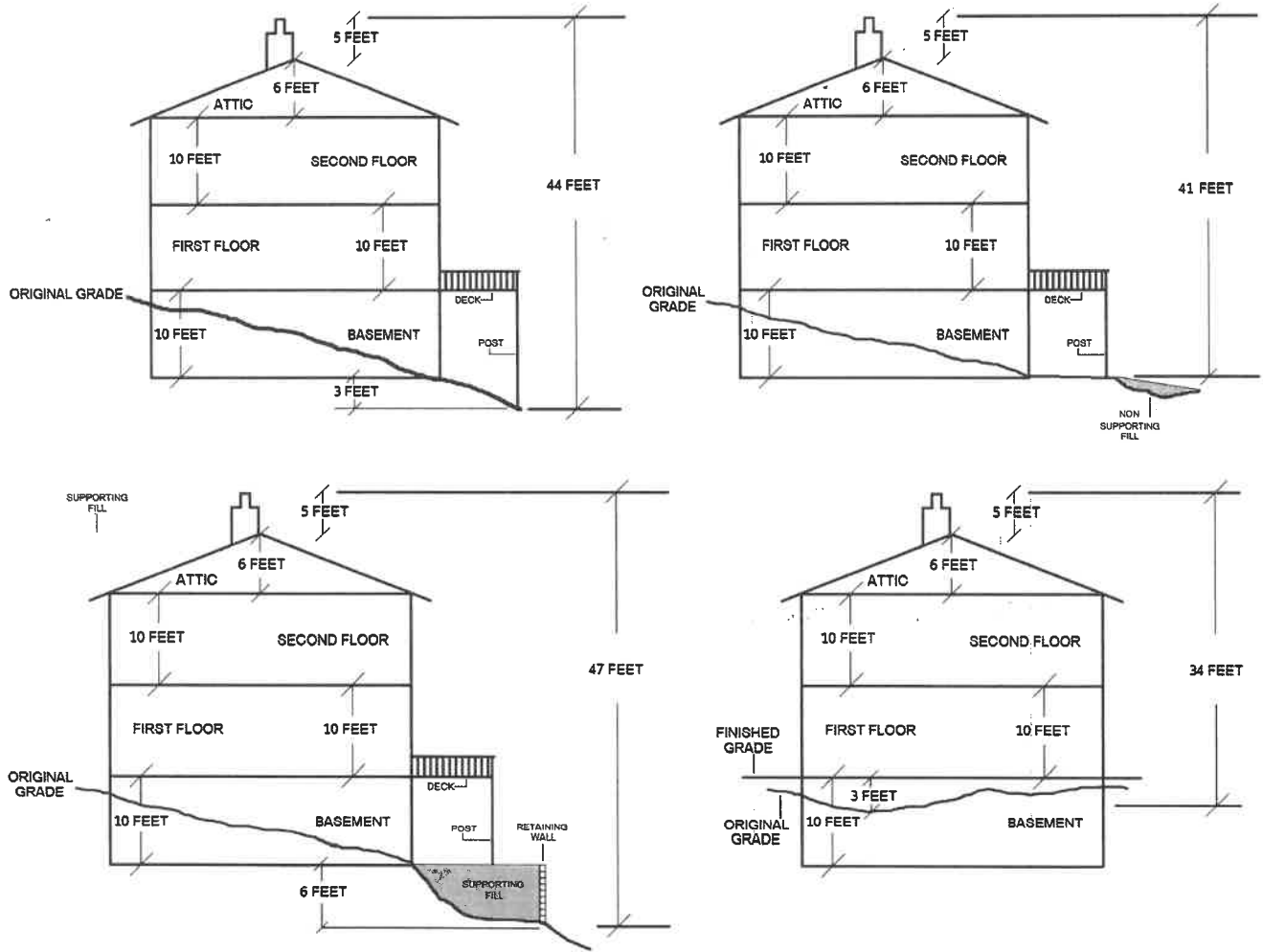


¹ Agricultural use structures and residential radio and telephone antennas are excepted from this permitting requirement.

² This requirement does not apply in Industrial Use land use areas.

³ Upon request, Agency engineering staff can help to determine the base of any supporting fill.

⁴ The measurement of buildings within shoreline setback areas for replacement or expansion purposes is taken from the highest point of the highest roof ridgeline.



Replacement and Expansion of Existing Structures in Excess of 40 Feet in Height

No Agency permit is required for the rebuilding, replacement, or restoration of a structure originally more than forty feet in height to the same height. A permit is required for the replacement or expansion of an existing structure in excess of 40 feet in height that results in an increase in height.

 This flyer is intended to provide general information regarding Agency jurisdiction. Other provisions or restrictions may apply if an Agency permit or variance is required or if the property has previously been subject to Agency review.

Please contact the Agency with any questions at 518-891-4050. For a binding written response as to whether a specific proposal requires Agency review, please submit a Jurisdictional Inquiry Form (JIF). The JIF form is available on the Agency website at www.apa.ny.gov/Forms/jiform.pdf.