


THIS IS A TWO-SIDED DOCUMENT

 <p>NEW YORK STATE OF OPPORTUNITY.</p> <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 2005-0284C</p>
<p>In the Matter of the Application of</p> <p>ADIRONDACK MOUNTAIN CLUB Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: June 20, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Open Space Institute Land Trust, INC.</p>

SUMMARY AND AUTHORIZATION

This permit authorizes the trimming and cutting of shrubs and three trees in an area classified Resource Management and Industrial Use on the Adirondack Park Land Use and Development Plan Map in the Town of Newcomb, 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 the project is undertaken.

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 210 acre parcel of land located on Upper Works Road in the Town of Newcomb, Essex County, in an area classified Resource Management and Industrial Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 90, Block 3, Parcel 211, and is described in a deed from NL Industries, Inc. to Open Space Conservancy, Inc., dated October 4, 2004, and recorded December 3, 2004 in the Essex County Clerk's Office under Book 1425, Page 79.

The project site was authorized as "Parcel 3" by Agency Permit 2005-284 and contains shoreline on Hudson River. The project site is partially located within the High Peaks Wilderness critical environmental area.

PROJECT DESCRIPTION

The project as conditionally approved herein involves trimming and cutting of trees and vegetation for trail maintenance within 100 feet of the Hudson River and the centerline of County Road 25.

The project is shown on the following maps, and plans:

- An 11 page "Trail Work Proposal," prepared by Charlotte Staats, and dated February 16, 2024 (Project Plans); and
- A single page un-named CALTOPO map, that is not signed or dated.

A reduced-scale copy of Sheets 4-6 of the Project Plans dated February 16, 2024, is attached as a part of this permit for reference.

AGENCY JURISDICTION

Agency Project and Permit 2005-284 required an Agency Permit pursuant to Section 809(2)(a) of the Adirondack Park Agency Act and Adirondack Park Agency regulations at 9 NYCRR Parts 577 and 578. This permit amends Condition 9 of Permit 2005-284.

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, for as long as the public trail use remains on the site. Copies of this permit and Project 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. All conditions in Permit 2005-284 remain in full force and effect except as amended herein.
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 2005-0284C, issued June 20, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. This permit authorizes the cutting and trimming of trees in the location shown and as depicted on the Project Plans. Any change to the location, dimensions, or other aspect of the tree cutting shall require prior written Agency authorization.
7. Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, the undertaking of any new land use or development not authorized herein on the project site within one-eighth mile of the High Peaks Wilderness area will require a new or amended permit. The undertaking of any activity involving wetlands also requires a new or amended permit.
8. 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.
9. Outside of the limits of clearing shown on the Project Plans within 100 feet of the centerline of County Road 25, and within 100 feet of the mean high water mark of the Hudson River, no trees, shrubs, or other woody stemmed vegetation may be cut, culled, trimmed, pruned 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.

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 meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Newcomb; and
- b. 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 20th day
of June, 2024.

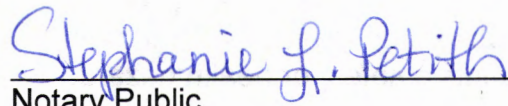
ADIRONDACK PARK AGENCY

BY: 
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 20th day of June in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, 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

Trail Tread: The trail tread will be embedded in the surrounding forest. When the trail crosses a hillside, the tread will be benched into the hillside with an out slope of 2% to 3%. When the trail crosses flat terrain, ample drainage will be installed to encourage water to shed.

Stone Construction: Portions of the trail will require stone construction to build up and protect segments of the trail. Native stones from the surrounding area will be used. Native stone will also be installed as edge protection, coping, and choke stones when needed. When necessary, stones will be split and shaped by crew members to achieve flat walking surfaces.

Timber Construction: Select portions of the trail will be constructed with bridging. Bog bridges will be constructed in low-lying wet areas to provide a firm and stable surface. Span bridging will be built to cross drainages. Timber construction will utilize pressure-treated dimensional lumber. All bridges will be constructed for minimal impact on any potential wetland areas. Designs have incorporated spacing between decking to allow water and sunlight to filter under the structure and bridging will be built so that they are up out of potential waterlogged soils for wetland protection and longevity of the structure. The bridge designs are included in the proposal. Bog and span bridges will use the same designs, and only change related to the length of the bridging. When a bridge whose decking

Deliverables: Phase 1 (Hudson River Interpretive Trail)

What follows is a list of proposed projects that will rehabilitate the existing trail and meet the goals laid by OSI. These waypoints correspond to mapping later in this proposal and on the [shared ArcGIS map \(linked here\)](#). I will note that the waypoint numbering in the map included in this proposal gives a general idea of where projects are located. The labeling is slightly skewed, so it is not as accurate as looking at the online ArcGIS map.

Work Totals:	
Trail Work Type	Amount
10' Bridge	1
12' Bridge	2
14' Bridge	1
16' Bridge	1
18' Bridge	2
Corridor Standardization	733 feet
Reroute	331 feet
Rock Staircase	45 feet
Surface Improvement	55 feet
Tread Adjustment	464 feet

Waypoint	Type of Work	Notes
111	None	Sign at start of the trail. Install entrance stones to visually draw hikers into the entrance of the trail.
112	Surface Improvement	20' segment of roots; Install rock turnpiking and remove roots.
113	Switchback with rock retention	Improve switchback - use soil and stone to widen switchback to create gentler slope; would require rock retention on downhill side.



114	Reroute	Reroute from 113 (base of switchback) to 114; approximately 100' of trail to create gentler grade (@5%). About 2 maples at greater than 3"DBH, about 3 softwoods less than or equal to 3"BDH to cut
115	Tread realignment	Realign tread approximately 50' to create gentler grade. Reroute would bring trail slightly away from water pipe feature.
116	Reroute End	Marks End of 115 Reroute
117	Surface Improvement	Wet area at bottom of culvert, approximately 35' long. Define drainage across trail. May require hardening either with small bridge or rock turnpiking.
118	Rock Staircase	Start of rock staircase. Approximately 23 - 30 steps. Currently the trail is at 32% slope with seep at bottom where it hits exposed bedrock.
119	Corridor	Low lying wet area that needs wider corridor. The segment is approximately 100' long; the wettest segment is the first half.
120	Corridor	End of narrow segment described in 119. At 120 trail needs definition and corridor improvement.
121	Bridge Replacement	Replace existing bridge and build new bridge higher out of drainage.
122	Reroute	At the signpost, start rerouting to shift trail left, away from river. The reroute is approximately 55' long and goes through a small drainage area, which will require some hardening.
123	Reroute End	Marks End of 122 Reroute
124	Trail Widening, Bridge	Widen trail between 123 and 124. At 124, install 12' to 14' bridge across drainage.
125	Tread Adjustment	Define trail to left of natural hummock in forest floor.
126	Bridge	Trail crosses drainage point; install 12' - 14' bridge.
127	Bridge Replacement	Replace existing small 10' bridge.
128	Tread Adjustment	Adjust tread for a gentler slope, approximately 20'.
129	Bridge Replacement	Replace existing bridge with 16' - 18' bridge.
130	Bridge	Install 16' bridge above the drainage that crosses trail.
131-134	<i>Removed previously proposed suggestions.</i>	
135	Bridge Replacement	Replace existing bridge and move its location. Have 12' bridge cross at upstream narrow area. Move tread to meet with new bridge location, includes benching gently sloped trail instead of steep segment.
136	Reroute End	End of reroute to meet bridge replacement.
137	Tread Adjustment	Adjust tread. Cut across the slope for a gentler slope.
138	Blowdown Removal	Remove blowdown



139	Corridor	Open corridor to make it easier to follow.
139.2	Corridor	Between 139 and 140, standardize corridor width.
140	Tread Adjustment	Move tread away from incised riverbank. Move approximately 10' from existing alignment.
141	Tread Adjustment End	End of 140 Tread Adjustment
142	Tread Adjustment	Move tread away from incised riverbank. Move approximately 10' from existing alignment.
143	Tread Adjustment End	End of 142 Tread Adjustment
144	Bridge	The existing bridge is sound. No replacement needed.
145	Tread Adjustment	Bring trail away from riverbank, higher up on embankment.
146	Tread Adjustment End	End of 145 Tread Adjustment
147	Bridge Replacement	Replace 12' bridge.
147.2	Corridor	Between 147 and 148, standardize corridor.
148	Reroute	Start of reroute. Bring the trail across slope for gentle incline. Trees will need to be cut and benching required.
149	Reroute End	End of 149 Reroute.
150	None	End of trail notes & trail.

Estimate

Budget			
Item	Weekly Rate	#Weeks	Total
Full Time Payroll	\$ -		\$ -
Seasonal Payroll	\$ 4,961.40	1	\$ 4,961.40
Fringe			\$ 1,190.74
Overhead			\$ 836.69
Payroll Subtotal			\$ 6,988.83
Operating Expenses	\$ 1,080.00	1	\$ 1,080.00
Weekly Crew Cost:			\$ 8,068.83
Phase 1 - Hudson River Interpretive Trail			
Crew Cost for 4 Weeks			\$ 32,275.31
Bridge Lumber Quote			\$ 3,460.52
Delivery Quote			\$ 50.00
Hardware Supplies			\$ 569.89
Grand Total:			\$ 36,355.72