


**THIS PERMIT AMENDS PERMIT 2010-0290AR/2007-0117BR  
ISSUED AUGUST 6, 2015. 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 Fax: (518) 891-3938 www.apa.ny.gov</p>	<p>APA Project Permit <b>2010-0290D &amp; 2007-0117D</b></p>
<p>In the Matter of the Application of</p> <p><b>BRANDRETH PARK ASSOCIATION DONALD B. POTTER and CYNTHIA D. POTTER Permittees</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: September 14, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <ol style="list-style-type: none"><li><b>1. Brandreth Park Association</b></li><li><b>2. Donald B. Potter</b></li><li><b>3. Cynthia D. Potter</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit amends Permit 2010-0290AR/2007-0117BR to authorize the construction of a boathouse in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Long Lake, Hamilton County.

This authorization shall expire unless recorded in the Hamilton 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 from the date the permit is recorded. The Agency will consider the amended 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 an 8,670±-acre tract of land surrounding Brandreth Lake in the Town of Long Lake, Hamilton County, in areas designated as Low Intensity Use (317.74 acres) and Resource Management (8,352± acres) on the Adirondack Park Land Use and Development Plan Map. It is identified on Town of Long Lake Tax Map Section 29, Block 1 as Parcel 13.1. The project site was conveyed by the People of the State of New York to Benjamin Brandreth by Letters Patent dated March 21, 1851 and recorded in the office of the Secretary of State of the State of New York in Book of Patents No. 36 at Page 510, and also recorded in the Hamilton County Clerk's Office in Book 14 of Deeds at Page 31, and in a deed from William S. Webb and Eliza Osgood Webb to Franklin Brandreth, Ralph Brandreth and Edwin A. McAlpin dated May 1, 1897 and recorded in the Hamilton County Clerk's Office in Book 30 of Deeds at Page 252. These deeds also include approximately 200 acres at Brandreth Station approximately 4 miles to the west of Tax Parcel 13.1, but this acreage is not part of the 8,670±-acre project site.

The project site is owned as a tenancy in common of 120 "interests," and consequently each interest has an undivided 1/120th interest in the entire project site. Some individuals currently own more than one interest. Brandreth Park Association is an association of the tenancy-in-common owners of the project site comprised for administrative purposes.

### **PROJECT DESCRIPTION**

Permit 2010-0290AR/2007-0117BR authorized Section 1 and Section 2 of a subdivision into sites for construction of single-family dwellings and construction of a gathering pavilion. This permit amends Permit 2010-0290AR/2007-0117BR to allow for the construction of a boathouse above the mean high-water mark of Brandreth Lake within the Low Intensity Use portion of the previously authorized development area.

The floor plan and design of the boathouse authorized herein are shown on the following plans (Project Plans):

- A site plan titled "Bran Potter Boat Storage Shed," prepared by The LA Group, dated July 28, 2023 (Site Plan); and
- Three sheets of construction drawings titled "Canoe Storage Building," prepared by Wiley W. Lavigne, P.E., dated May 22, 2023.

A reduced scale copy of the Site Plan is attached to this permit for reference.

### **AGENCY JURISDICTION**

The project authorized by Permit 2010-0290/2007-0117A requires an Agency permit pursuant to Section 809(2)(a) of the Adirondack Park Agency Act. This permit amends Condition 25 of Permit 2010-0290/2007-0117A.

**CONDITIONS**

**THE PROJECT IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. All conditions in Permit 2010-0290AR/2007-0117BR remain in full force and effect except as amended herein or as previously amended and referenced herein.
2. The project shall not be undertaken until this permit has been recorded in the Hamilton County Clerk's Office.
3. 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 boathouse authorized herein remains on the site. Copies of this permit 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.
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 2010-0290D/2007-0117D, issued September 14, 2023, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. This permit amendment authorizes the construction of one boathouse in the location shown and as depicted on the Project Plans. Any change to the location, dimensions, or other aspect of the boathouse shall require prior written Agency authorization.
6. All exterior building materials, including roof, siding and trim, of the boathouse authorized herein shall be a dark shade of green, grey, or brown.
7. Outside of the limits of clearing shown on the Site Plan, no trees, shrubs or other woody-stemmed vegetation may be cut or otherwise removed for the construction of the authorized boathouse 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. 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].


**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 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 Low Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Low Intensity Use 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.

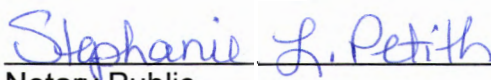
PERMIT issued this 14<sup>th</sup> day  
of September, 2023.

ADIRONDACK PARK AGENCY

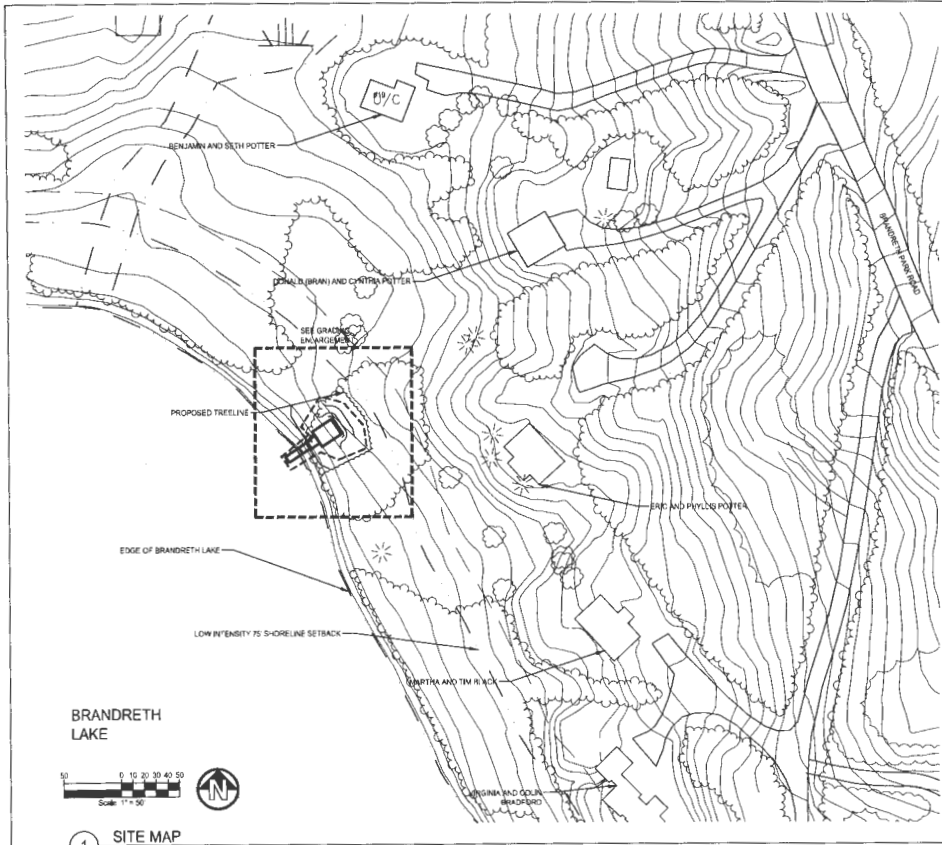
BY:   
David J. Plante, AICP CEP  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

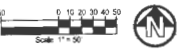
On the 14<sup>th</sup> day of September in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument 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.

  
Notary Public

Stephanie L. Petith  
Notary Public, State of New York  
Reg. No 01PE6279890  
Qualified in Franklin County  
Commission Expires April 15, 2025

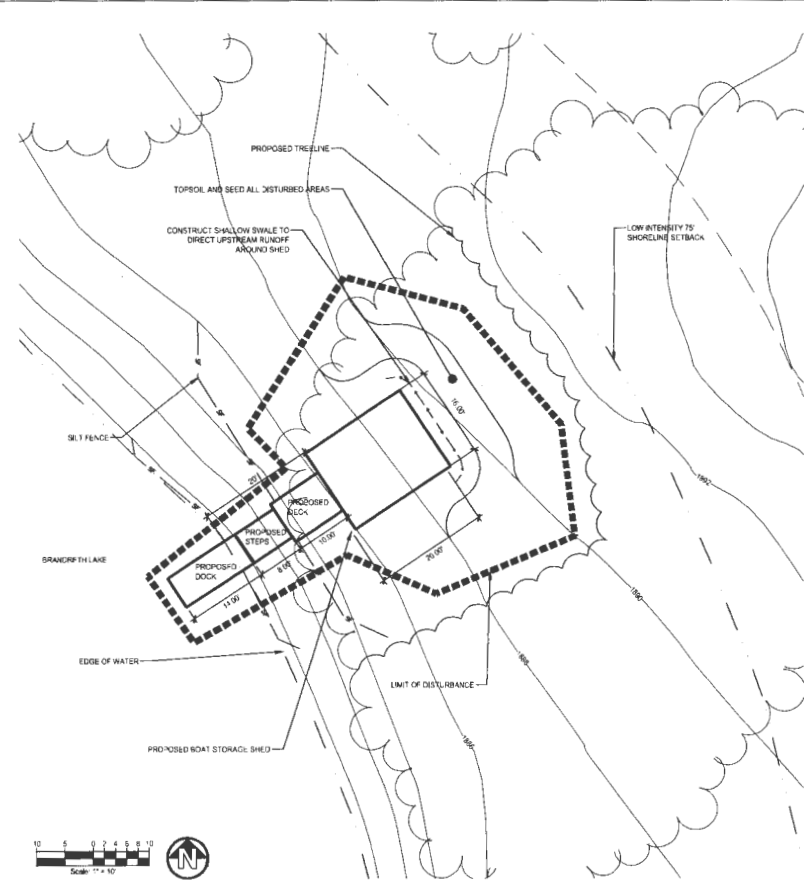


BRANDRETH LAKE



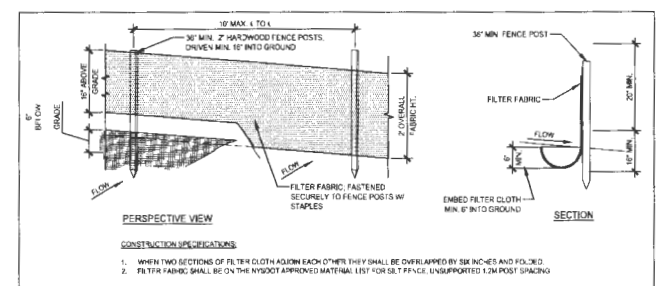
1 SITE MAP

Scale: 1/50



2 BOAT STORAGE SHED GRADING ENLARGEMENT

Scale: 1/10



- CONSTRUCTION SPECIFICATIONS**
1. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED.
  2. FILTER FABRIC SHALL BE ON THE NYGOST APPROVED MATERIAL LIST FOR SILT FENCE, UNSUPPORTED 1.2M POST SPACING.

3 SILT FENCE

Scale: NTS

Unlicensed alteration or addition to this document is a violation of Section 7309 of the New York State Education Law.  
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Prepared for:  
**Bran Potter**  
 Brandreth Lake  
 Town of Long Lake  
 Hamilton County, NY

Adirondack Park Agency  
 Preapplication / Jurisdictional Inquiry

RECEIVED  
 Date: August 2, 2022

FINAL  
 2010-2003 & 2007-01170

Project File:  
**Bran Potter Boat Storage Shed**

Brandreth Lake  
 Town of Long Lake  
 Hamilton County, NY

Project No.	20248
Design	CFA
Drawn	CFA
Date	7/28/2022
Scale	AS NOTED

No.	Description	Date

SKETCH PLAN

Scale: NTS

SK-1