


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 2020-0082A</p>
<p>In the Matter of the Application of</p> <p>WILLIAM WALTON, MARC DOERING EXPERIENCE OUTDOORS. LLC OAK ROOM ASSOCIATES, LLC Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: March 19, 2024</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">1. William Walton2. Marc Doering3. Oak Room Associates, LLC

SUMMARY AND AUTHORIZATION

This amended permit authorizes the expansion of a tourist attraction with the establishment of a net park in an area classified Resource Management 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 Essex County Clerk's Office. The Agency will consider the 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 a 71.6±-acre parcel of land located on NYS Route 73 in the Town of North Elba, Essex 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 52.1, Block 1, Parcel 24.220, and is described in a deed from Charles P. Marshall to Oak Room Associates, LLC, dated June 30, 2017, and recorded July 13, 2017 in the Essex County Clerk's Office at Book 1879, Page 283.

The project site is partially located within 1/8 mile of the Sentinel Range Wilderness Area and within 150 feet of NYS Route 73.

The project site was created as “Lot 2” in a two-lot subdivision and is improved by a zip line, office building and storage barn as authorized by Agency Permit 2017-0076. The site is also improved by a high ropes course authorized by Agency Permit 2020-0082.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the addition of a net park. The net park will consist of an enclosed net playground suspended from telephone poles.

The project is shown on the following plans:

- The location of the net park is depicted on “Highlighted Area of Proposed Net Park” (Net Park Plan), prepared by Experience Outdoors and received by the Agency February 16, 2024.
- An elevation view rendering of the design of the net park is depicted on a plan titled “Elevations” (Elevation Plan), prepared by The Trekking Group and received by the Agency February 16, 2024.
- The high ropes course and improvements authorized by P2020-0082 are depicted in “Enlarged Lower Section – New Work Site Plan” (Site Plan) prepared by Walton Architectural Group, PC, with a final revision date of January 28, 2021.

A reduced-scale copy of the Net Park Plan, Elevation Plan and Site Plan for the project, are attached as a part of this permit for reference.

AGENCY JURISDICTION

The project authorized by Agency Permit 2020-0082 required a permit pursuant to Condition 7 of Permit 2017-0076, for any change to the location, dimensions, or other aspect of the tourist attraction.

Condition 8 of Agency Permit 2020-0082 requires a new or amended permit for any new land use or development on the project site. Condition 15 of Agency Permit 2020-0082 required prior written Agency authorization for the removal of additional vegetation.

This permit amends Conditions 8 and 15 of Permit 2020-0082.

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 tourist attraction continues to operate on the site. Copies of this permit and Net Park Plan, Elevation Plan 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. This permit amends and supersedes Permit 2020-0082 in relation to the project site. The terms and conditions of Permit 2020-0082 shall no longer apply to the project site.
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 2020-0082A, issued March 19, 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 construction of a net park in the location shown and as depicted on the Net Park Plan and Elevation Plan. Netting material for the net park will be green and blue on the upper level and yellow and red on the lower levels with tan walkways. The roof and floor netting material will be black. Any change to the location, dimensions, or other aspect of the net park shall require prior written Agency authorization.
7. Any change to the location, dimensions, or other aspects of the existing zip line, high ropes course, office building, event platform or storage barn shall require prior written Agency authorization.
8. Any new land use or development not authorized herein on the project site will require a new or amended permit. The undertaking of any activity involving wetlands also requires a new or amended permit.
9. Operation of the tourist attraction shall only occur during the months of May through October, between 9am and 6pm, seven days a week, with the following exceptions:
 - Up to three nights per month, the hours of operation may be extended to 10pm to allow for live music events.

- Up to three additional nights per month, the hours of operation may be extended to 10pm for operation of the high ropes course.

There shall be no operation or use of the zip line after 6pm.

10. There shall be no exterior lighting to illuminate the zip line, high ropes course or net park without prior Agency review and approval. Any new free-standing or building-mounted outdoor lights associated with the office building or pole barn shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky, toward NYS Route 73, or adjoining properties.
11. There shall be no lights illuminated on the project site between 10:30pm and 7am.
12. Any change to the existing sign on the project site near NYS Route 73 shall require prior written Agency authorization. Any additional sign associated with the tourist attraction shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3], and shall require prior written Agency authorization.
13. Any change to the trees used as part of the zip line or relocation of the zip line on the project site shall require prior written Agency authorization.
15. If a natural cause such as blow-down, ice storm, fire, disease or another event results in the loss of the vegetation that provides screening and/or backdrop for the tourist attraction structures, within six months a plan shall be submitted to the Agency for re-establishing the vegetation lost in the vicinity of the zip line or ropes course to the same condition that was in existence prior to the event. The plan shall provide for re-vegetation and/or re-design to achieve the re-establishment of the screening vegetation within 10 years. Approval of the plan may be in the form of a letter of permit compliance, or a new or amended permit.
15. Outside of the limits of vegetation clearing for net park shown on the Net Park Plan, no trees may be cut or otherwise removed 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.
16. There shall be not more than one principal building on the project site.
17. Other than the three nights per month for live music events as authorized herein, no public address system shall be used on the project site.
18. Any live music will be performed at the music/event lean-to in the location depicted on the Site Plan.
19. 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.

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 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 19th day
of March, 2024.

ADIRONDACK PARK AGENCY


BY:


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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 19th day of March 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.

Craig A. Michaels
 Notary Public, State of New York
 Reg. No. 02MI6413384
 Qualified in Essex County
 Commission Expires January 25, 2025


 Notary Public

NEW YORK
STATE OF
OPPORTUNITY

**Adirondack
Park Agency**

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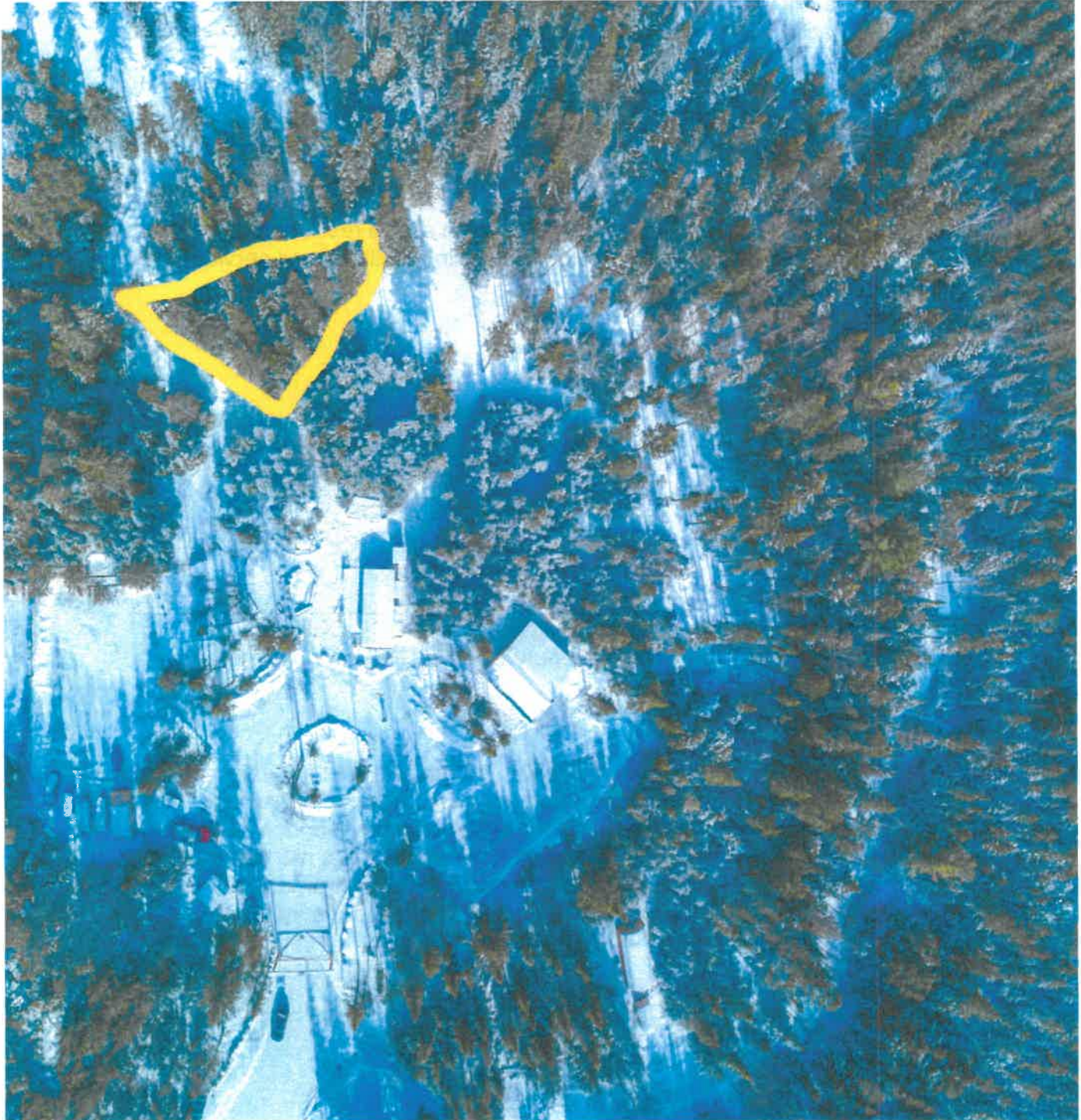
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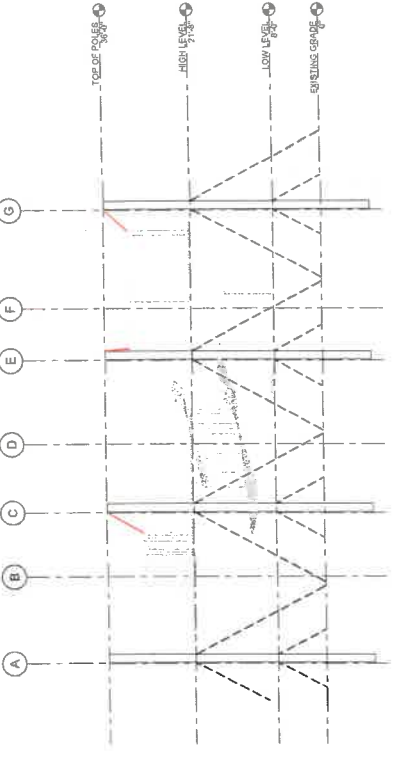
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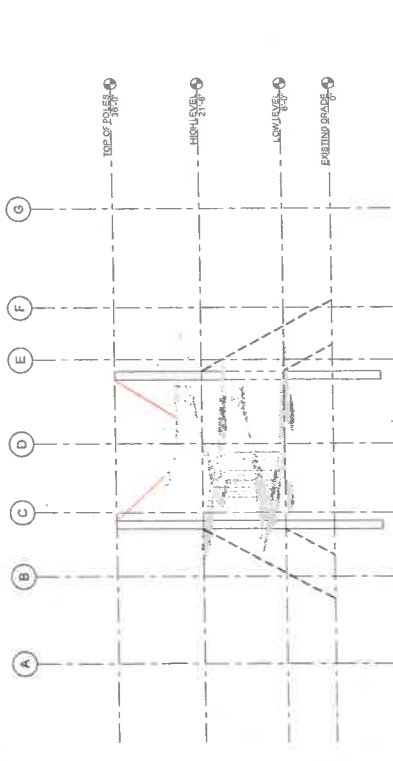
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Highlighted Area of Proposed Net Park

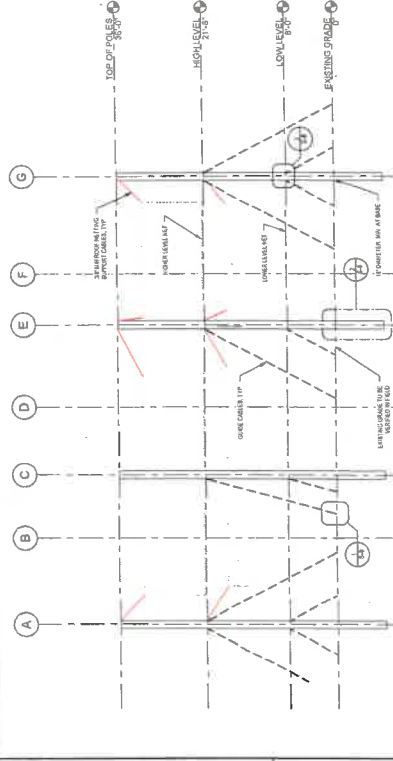




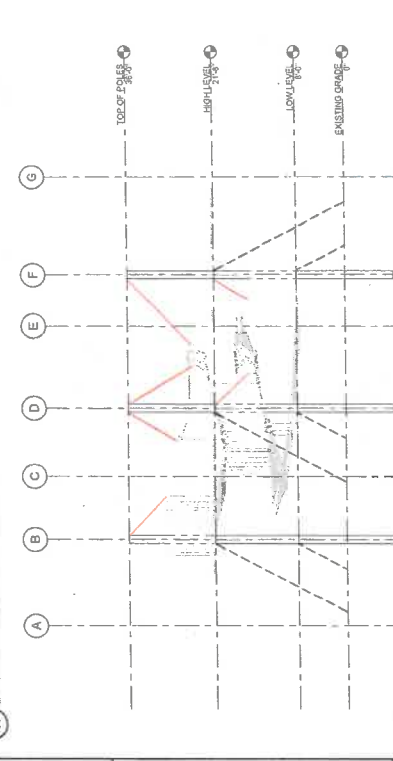
2 ELEVATION AT GRID LINE 2
 1/4" = 1'-0"



4 ELEVATION AT GRID LINE 4
 1/4" = 1'-0"



1 ELEVATION AT GRID LINE 1
 1/4" = 1'-0"



3 ELEVATION AT GRID LINE 3
 1/4" = 1'-0"

NOTE:
 SEE SECTION 1 FOR COMPLETION OF DETAILS
 ON OTHER SECTIONS.



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New York, NY 10038
Tel: 212 633 9600
Fax: 212 633 9601
www.waltonarchitect.com

Experience Outdoors
Lake Placid, New York 12946
Cascade Road, Route 73, #Site Address2

Site Number	001-20
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DRAWN BY	
CHECKED BY	
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REVISION	
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Sheet Name: **LI.03**

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HIGH ROPS IDENTIFIY

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