


THIS IS A TWO-SIDED DOCUMENT

 <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 2022-0030</p>
<p>In the Matter of the Application of</p> <p>MARK SEVEN DEAF FOUNDATION, INC. Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: November 16, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Mark Seven Deaf Foundation, Inc.</p>

SUMMARY AND AUTHORIZATION

This permit authorizes expansion of a group camp in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Webb, Herkimer County.

This authorization shall expire unless recorded in the Herkimer 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 Herkimer County Clerk's Office. The Agency will consider the project in existence when any one of the structures authorized herein is completed.

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 12.8±-acre parcel of land located south of State Route 28 on Mohawk Hotel Road in the Town of Webb, Herkimer County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 39.31, Block 1, Parcel 20, and is described in three deeds to Mark Seven Deaf Foundation, Inc. that are recorded in the Herkimer County Clerk's Office:

- a deed from Allen H. Wilcox dated September 30, 1981 and recorded October 5, 1981 in Book 679 at Page 378;
- a deed from Joanne Steele Welsh dated August 24, 2015 and recorded October 20, 2015 in Book 1583 at Page 645 as Instrument Number 2015-00194516; and
- a deed from Carol W. Steele as Trustee of the Trust Under the Will of Kenneth C. Steele dated November 19, 2018 and recorded March 14, 2019 as Instrument Number RP2019-1023.

The project site contains shoreline on Fourth Lake. The project site also contains a mixed forested and emergent wetland with a value rating of "2" on the western portion of the project site, as shown on the Survey Map referenced below. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

A portion of the project site was created as Lot 6 and Lot 9 in a 10-lot subdivision as authorized by Agency Permit 74-52. Lot 6 and Lot 9 are shown and labeled on the Survey Map referenced below. Agency Permits 81-171 and 81-171A authorized conversion of a pre-existing hotel and associated structures to a group camp.

The project site is improved by an existing group camp, including pre-existing and existing principal buildings and accessory structures, operating as the Mark Seven Deaf Foundation, Inc. and having a total capacity of 72 people (campers and staff).

PROJECT DESCRIPTION

The project as conditionally approved herein involves addition of new, replacement, and expanded structures to an existing group camp, including: visitor's center (new), chapel (new), boat storage building (replacement), pavilion (replacement), and maintenance building (expanded). The visitor's center (8,249 square feet of floor space, 1 story) will contain offices, meeting space, a kitchen, bathrooms, and 12 rooms for guests to stay overnight. It will be served by a new on-site wastewater treatment system and water supply well. The chapel with attached covered deck (3,027 square feet of floor space, 1 story), boat storage building (1,645 square feet of floor space, 2 stories), and pavilion (1,731 square feet of floor space, 1 story) will not require water service or have sanitary facilities. The maintenance building will be expanded with a 30-foot by 30-foot addition (an additional 1,645 square feet of floor space, 2 stories) and does not require water service or have sanitary facilities.

Existing access to the project site is from State Route 28 via Mohawk Hotel Road.

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

- a map titled "Survey Map Expansion of Group Camp Mark Seven Deaf Foundation, Inc." prepared by Duane C. Frymire, LS, and dated April 7, 2023 (Survey Map);
- four sheets of plans titled "Camp Mark Seven Visitor's Center, Town of Webb, Herkimer County, APA Project #2022-0030," prepared by Boulder Consultants, stamped by Donald D. Ehre, PE, PLLC, and dated July 10, 2023 (Project Plans);
- a six-page report titled "Engineer's Report for Site Plan Development of 144 Mohawk Hotel Road for a New Visitor's Center and Chapel," prepared by Donald D. Ehre, PE, PLLC of Boulder Consultants, and dated August 2023 (Engineer's Report);
- 14 sheets of plans titled "Camp Mark 7," prepared by Gardenia Victoria, LLC and dated September 2022 (Chapel, Pavilion, Boat Storage, and Maintenance Building plan sheets) and October 2022 and June 2023 (Visitors Center plan sheets) (Building Plans);

A reduced-scale copy of the Survey Map and Sheet 2 ("Proposed Site Plan") of the Project Plans is attached as a part of this permit for reference.

AGENCY JURISDICTION

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to the expansion by more than 25% of any group camp on Moderate Intensity Use lands in the Adirondack Park.

A permit is also required pursuant to Condition B of Agency Permit 81-171A, which states: "any new land use and development beyond that authorized in Condition A above will require prior Agency review and approval."

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 Herkimer 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 group camp remains on the site. Copies of this permit and the Survey Map, Project Plans, Engineer's Report, and Building 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 74-52, 81-171, and 81-171A in relation to the project site. The terms and conditions of permits 74-52, 81-171, and 81-171A 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 2022-0030, issued November 16, 2023, 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 the Visitor's Center, Chapel, Boat Storage building, Pavilion, and Maintenance Building addition in the location shown and as depicted on the Survey Map, Project Plans, and Building Plans. Any change to the location, dimensions, or other aspect of these group camp buildings or any other existing buildings on the project site shall require prior written Agency authorization.
7. Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, any further expansion in square footage or capacity of the group camp on the project site shall require a new or amended permit. The undertaking of any activity involving wetlands also requires a new or amended permit.
8. No structures greater than 100 square feet in size shall be constructed within 50 feet, measured horizontally, of the mean high water mark of Fourth Lake. Boathouses and docks, as defined under 9 NYCRR § 570.3, are excepted from this requirement.
9. If installed within five years of the date of issuance of this permit, the on-site wastewater treatment system designed to serve the Visitor's Center shall be constructed in conformance with the location and design shown on the Project Plans. Construction of the system shall be supervised by a design professional (licensed engineer or registered architect). Within 30 days of complete system installation and prior to its utilization, the design professional shall provide written certification to the Agency that the system was built in compliance with the approved plans.

No on-site wastewater treatment system shall be installed on the project site more than five years after the date of issuance of this permit except pursuant to written authorization from the Agency.
10. Prior to any ground disturbance related to the development authorized herein, silt fence shall be properly installed parallel to the existing contours between the proposed development area and the nearest swale, drainage, or wetland in a location that maximizes the distance to these features. The silt fence shall be embedded into the earth a minimum of 6 inches, shall be maintained throughout construction, and shall not be removed until after all disturbed soils are stabilized with vegetation to prevent erosion and sedimentation of water resources. The permittees or their successors in interest shall inspect the fabric at least once a week and after every major storm event to ensure the fabric and supports are intact and to remove accumulated sediments so as to maintain the fence in a functional manner.

11. 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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.
12. All exterior building materials, including roof, siding and trim, of the Boat Storage building and the Pavilion shall be a dark shade of green, grey, or brown.
13. All lighting associated with the group camp development authorized herein on the project site shall comply with the Lighting Plan. Any change to this lighting shall require prior written Agency authorization.
14. All signs associated with the group camp on the project site shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3].
15. Outside of the limits of clearing shown on the Survey Map and Project Plans, no trees, shrubs, or other 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.
16. There shall be no more than eight principal buildings located on the project site at any time, in addition to the eight pre-existing single family dwellings or any replacement structures for those dwellings as allowed by Agency regulations and in addition to a replacement structure for the pre-existing hotel as allowed by Agency regulations (equivalent to four principal buildings).
 - The existing Cottage (infirmary) is one of the eight pre-existing single family dwellings. The other seven pre-existing single family dwellings were removed in 2019 or at an unknown date.
 - The single family dwelling constructed on the property in 1993 constitutes one principal building.
 - The Visitor's Center authorized herein constitutes a principal building.
 - The Chapel authorize herein constitutes a principal building.
 - The Boat Storage building and Pavilion authorized herein and the Maintenance Building with the addition authorized herein do not constitute principal buildings; they are accessory structures.

The Agency makes no assurances that the maximum development mathematically allowed can be approved.


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 Moderate Intensity Use land use area;
- 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; 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 16th day of November, 2023.

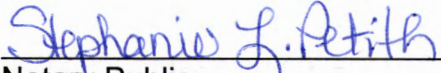
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 16th day of November 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.

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

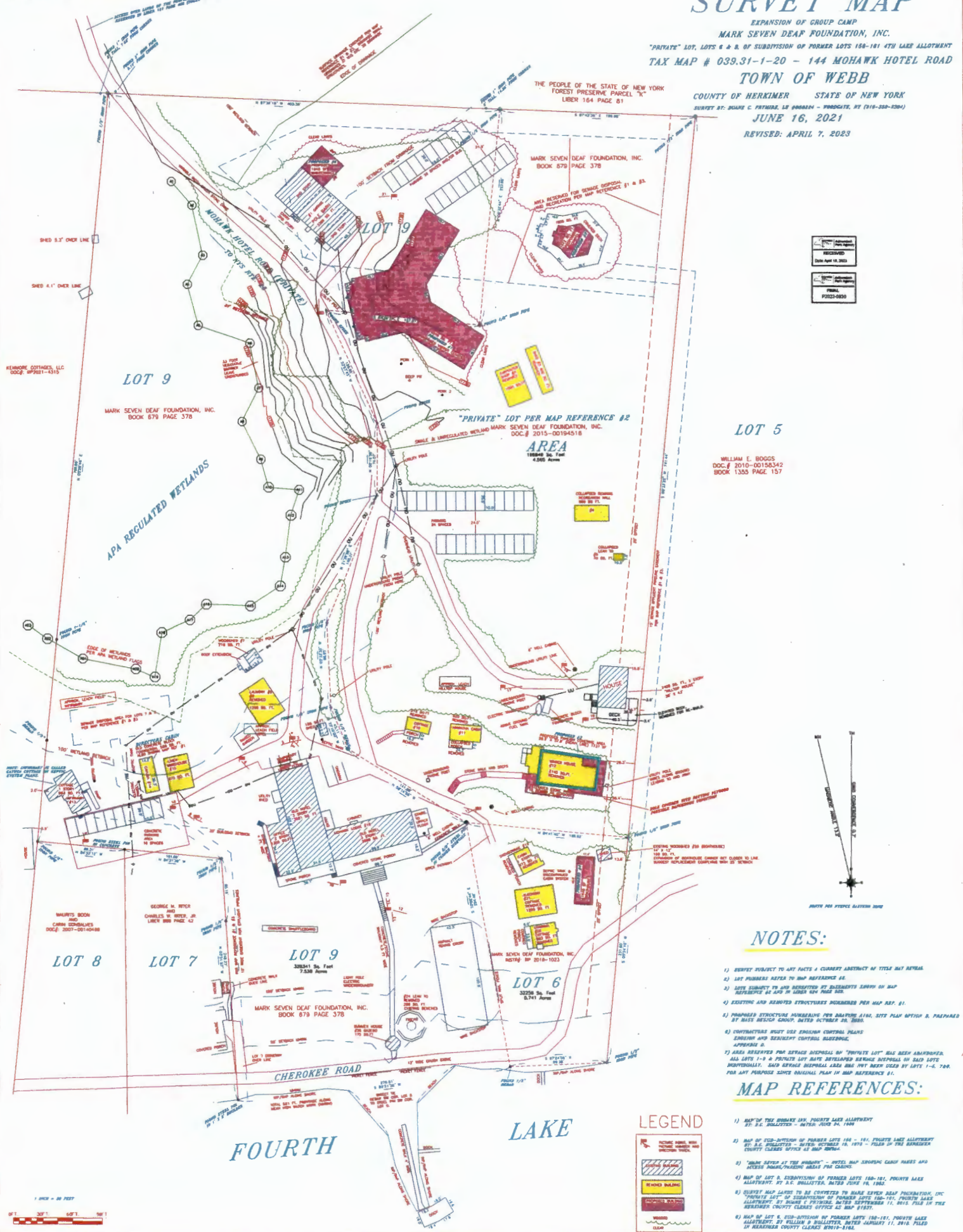

Notary Public

"UNLICENSED SURVEYOR OR APPROX TO A SURVEY
 MAP, WHICH IS LEGALLY AND MATERIALLY IN A
 VIOLATION OF SECTION 136, SUBSECTION 1 OF THE
 NEW YORK STATE EDUCATION LAW."

SURVEY MAP

EXPANSION OF GROUP CAMP
 MARK SEVEN DEAF FOUNDATION, INC.
 "PRIVATE" LOT, LOTS 6 & 8 OF SUBDIVISION OF FORMER LOTS 156-161 4TH LAKE ALLOTMENT
 TAX MAP # 039.31-1-20 - 144 MOHAWK HOTEL ROAD

TOWN OF WEBB
 COUNTY OF HERKIMER STATE OF NEW YORK
 SURVEY BY: DAVID C. FRYBARGER, LE 00060444 - 09000476, RT (210-220-2204)
 JUNE 16, 2021
 REVISED: APRIL 7, 2023



RECEIVED
 Date: April 16, 2023
 COUNTY CLERK'S OFFICE
 HERKIMER COUNTY, NY
 PHONE: 315-533-4800

WILLIAM E. BOGGS
 DOC # 2010-00158342
 BOOK 1355 PAGE 157

NOTES:

- 1) SURVEY SUBJECT TO ANY FACTS & CURRENT JURISDICTION OF TITLE MAY VARY.
- 2) LOT 7 NUMBERED AS PER MAP REFERENCE 44.
- 3) LOTS SUBJECT TO AND RESERVED BY DEEDS/DEEDS SURREIN ON MAP REFERENCE 24 AND 29 UNDER NEW YORK STATE.
- 4) EXISTING AND ADJACENT STRUCTURES DIMENSIONED PER MAP REF. 81.
- 5) PROPOSED STRUCTURE NUMBERING PER DRAWING 0104, SITE PLAN OPTION B, PREPARED BY MARK SEVEN GROUP, DATED OCTOBER 20, 2020.
- 6) CONTRACTORS MUST USE EROSION CONTROL MEASURES AND EXISTING CONTROL MEASURES.
- 7) AREA RESERVED FOR SERVICE DISPOSAL ON "PRIVATE LOT" HAS BEEN ABANDONED. ALL LOTS 1-9 & "PRIVATE LOT" HAVE DISTINGUISHED SERVICE DISPOSAL OF 2000 LBS. INDIVIDUALLY. THIS SERVICE DISPOSAL AREA HAS NOT BEEN USED BY LOTS 1-9, 700. FOR ANY PURPOSE SINCE ORIGINAL PLAN IN MAP REFERENCE 81.

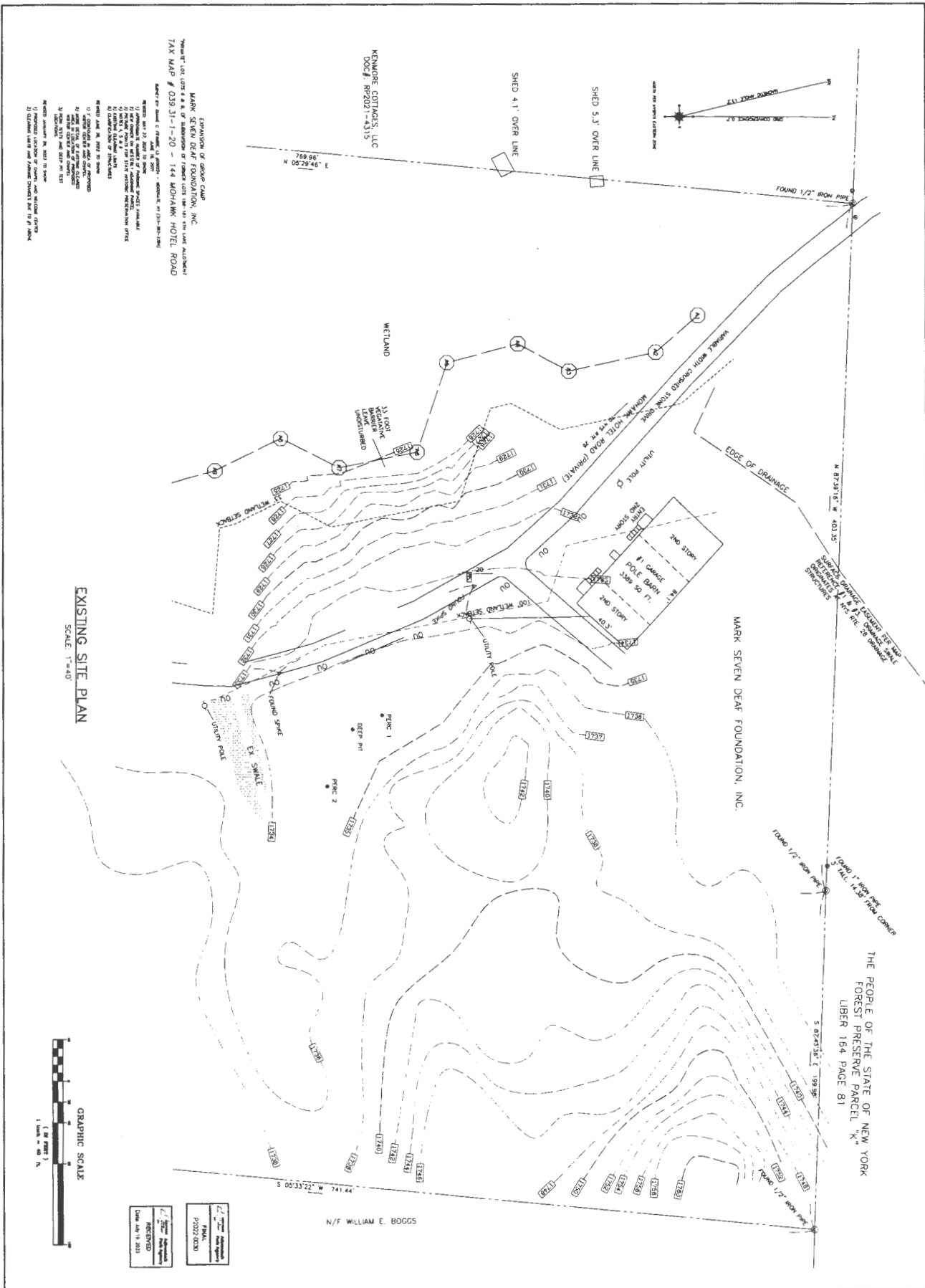
MAP REFERENCES:

- 1) MAP OF THE HERKIMER CO. POINTS LAKE ALLOTMENT BY: S.C. BULLISTER - DATED: JUNE 24, 1909
- 2) MAP OF 1/2-SECTION OF FORMER LOTS 156 - 161, POINTS LAKE ALLOTMENT BY: S.C. BULLISTER - DATED: OCTOBER 18, 1919 - FILED IN THE HERKIMER COUNTY CLERK'S OFFICE AS MAP REFERENCE 24
- 3) "MARK SEVEN AT THE MOHAWK" - SPECIAL MAP SHOWING CAMP PAGES AND OTHER BUILDINGS/ROADS FOR CLARITY
- 4) MAP OF LOT 8, SUBDIVISION OF FORMER LOTS 156-161, POINTS LAKE ALLOTMENT BY: S.C. BULLISTER, DATED: JUNE 10, 1902
- 5) "PRIVATE LOT" TO BE CONVERTED TO MARK SEVEN DEAF FOUNDATION, INC. "PRIVATE LOT" BY SUBDIVISION OF FORMER LOTS 156-161, POINTS LAKE ALLOTMENT BY: DAVID C. FRYBARGER, DATED: FEBRUARY 11, 2015 FILED IN THE HERKIMER COUNTY CLERK'S OFFICE AS MAP REFERENCE 81
- 6) MAP OF LOT 5, 1/2-SECTION OF FORMER LOTS 156-161, POINTS LAKE ALLOTMENT BY: WILLIAM E. BOGGS, DATED: JANUARY 11, 2010 FILED IN HERKIMER COUNTY CLERK'S OFFICE AS MAP REFERENCE 157

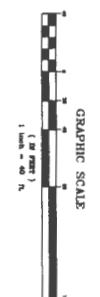
LEGEND

Private Lot
 Shed Building
 House
 Other

1 INCH = 50 FEET
 0 20 40 60 80 100



EXISTING SITE PLAN
SCALE: 1"=40'



RECEIVED 10/19/2010 10/19/2010	10/19/2010 10/19/2010
--------------------------------------	--------------------------

<p>BOULDER CONSULTANTS DONALD D. EHRE, P.E., P.L.L.C. 4 OXFORD CROSSING, SUITE 102, NEW HARTFORD, NY 13413 (315) 797-8088</p>	<p>EXISTING SITE PLAN</p>	<table border="1"> <tr> <th>DATE</th> <th>BY</th> <th>REVISION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	DATE	BY	REVISION							
DATE	BY	REVISION										
<p>CAMP MARK 7 VISITOR'S CENTER TOWN OF WEBB COUNTY OF HERKIMER STATE OF NEW YORK</p>		<p> JOB NO.: 2100 DATE: 07/16/13 DWN. BY: C.D. B.T. E.L. DOE CHK. BY: C.D. B.T. D.M. NO.: SHEET 1 </p>										