

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 2023-0071</p>
<p>In the Matter of the Application of</p> <p>CAMP FORESTMERE MARK WILTZER Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: January 15, 2025</p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Camp Forestmere Corp.</p>

SUMMARY AND AUTHORIZATION

This permit authorizes the construction of two single family dwellings in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Brighton, Franklin County.

This authorization shall expire unless recorded in the Franklin 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 Franklin County Clerk's Office. The Agency will consider the project in existence when the foundation for one of the authorized single family dwellings has been constructed.

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 the 266±-acre Rural Use portion of a 678±-acre parcel of land and water located on both sides of NYS Route 30 and on both sides of McColloms Road in the Town of Brighton, Franklin County. The site is identified as the Rural Use portions of Tax Map Section 349, Block 1, Parcels 3 and 6, and is described in a deed from the Susan H. Norman Trust, the Arter F. Hughes GST Exempt Trust FBO C. Mackey Hughes, II, the Arter F. Hughes GST Exempt Trust FBO Anne Todd Hughes, and the Arter F. Hughes GST Exempt Trust FBO Josephine F. Hughes to Camp Forestmere Corp., dated May 24, 2022, and recorded June 3, 2022 in the Franklin County Clerk's Office as Instrument Number 2022-2813. Tax Map Section 349, Block 1, Parcels 3 and 6 contain lands classified Rural Use and Resource Management on the Adirondack Park Land Use and Development Map.

The project site contains shoreline on Chain Lake, Clear Lake, Spring Lake, and the Osgood River, is partially located within one-quarter mile of the Osgood River, a navigable river designated to be studied as wild, scenic or recreational, and is partially located within 150 feet of the edge of right-of-way of NYS Route 30. On Chain Lake, there are fringe wetlands along most of the shoreline and throughout most of the littoral zone, which are continuous with a wetland complex extending up a tributary to the lake. Clear Lake is mostly deepwater marsh, with emergent marsh around its perimeter and several areas of bog bordering the lake on the western side. Spring Lake also contains extensive wetlands. The wetlands within and associated with Chain Lake, Clear Lake, and Spring Lake have a value rating of "1" pursuant to 9 NYCRR Part 578. Additional wetlands not described herein or depicted on the Project Plans may be located on or adjacent to the project site.

The project site is improved by five pre-existing single family dwellings, various accessory structures, and a network of private roads and trails. There is one pre-existing boathouse on Chain Lake and one pre-existing boathouse on Clear Lake.

PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of two single family dwellings (Residence 1 and the Caretaker's Residence) in a Rural Use land use area. There are other elements of proposed development that do not require an Agency permit, as summarized in a concurrent Jurisdictional Determination letter (A2022-0102).

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

- five sheets of plans titled "Forestmere Lakes, Brighton, NY," prepared by Reed Hilderbrand, and last revised November 5, 2024 (Project Plans):
 - P-L001 Overall Proposed Redevelopment Plan,
 - P-L110 Recreation Area Site Improvement Plan,
 - P-L111 Recreation Area Planting Plan,
 - P-L120 Residence 1 Site Improvement Plan, and
 - P-L121 Residence 1 Planting Plan;
- two sheets of plans titled "Forestmere Lakes," prepared by Ivan Zdrahal Professional Engineering, PLLC, dated October 31, 2024 (Project Plans):
 - 01-C104 Recreational Hall Complex Site Plan, and
 - 01-C111 Residence No. 1 Site Plan;

- two sheets of plans titled “Camp Forestmere Adirondacks,” prepared by Architecture Firm, and dated as noted below (Building Plans):
 - 00-A103 Typical Residence – Residence 1, dated November 1, 2024, and
 - 00-A114 Caretaker’s Residence, dated November 1, 2024; and
- A one-page memorandum titled “Forestmere Invasive Species Management Plan,” prepared by Reed Hilderbrand, and dated November 11, 2024 (Invasive Species Management Plan).

A reduced-scale copy of Sheets P-L001, P-L110, and P-L120 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 construction of any new single family dwelling within one-quarter mile of navigable rivers designated to be studied as wild, scenic or recreational in a Rural Use land use area in the Adirondack Park.

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 Franklin 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. Copies of this permit and the Project Plans, Building Plans, and Invasive Species Management 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. 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 2023-0071, issued January 15, 2025, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees.”
5. Subject to the conditions stated herein, this permit authorizes the construction of the single family dwellings labeled as Residence 1 and the Caretaker’s Residence on the Project Plans in the locations, footprints, and heights shown and as described on the Project Plans and Building Plans. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.

6. This permit authorizes the establishment of the footpaths for access to Chain Lake shown on the Project Plans as “water access trail[s].” These footpaths shall be no greater than 6 feet in width and shall have a surface comprised of natural vegetation, grass, natural or synthetic mulch, pea stone, or permeable pavers.
7. The undertaking of any new land use or development not authorized herein on the project site within one-quarter mile of the Osgood River or within 150 feet of the right-of-way of NYS Route 30 may require a new or amended permit.
8. The undertaking of any activity involving wetlands shall require a new or amended permit.
9. Following construction of Residence 1 and the Caretaker’s Residence as authorized herein and the Main Residence and an additional single family dwelling to the east of Chain Lake as referenced in Jurisdictional Determination A2022-0102, a new or amended permit shall be obtained for the construction of any new dwelling or other principal building on the project site.
10. Construction of any guest cottage within one-quarter mile of the Osgood River on the project site shall require prior written Agency approval.
11. Prior to undertaking construction of any boathouse on the project site other than as described in Jurisdictional Determination A2022-0102, written authorization of plans for the boathouse, including all attached docks or walkways, shall be obtained from the Agency. Due to the presence of wetlands, the Agency makes no assurances that a boathouse can be approved.
12. Prior to undertaking construction of any dock on the project site other than as described in Jurisdictional Determination A2022-0102, written authorization of plans for the dock and any attached upland structures shall be obtained from the Agency. Construction of new dock 1 on Clear Lake is not authorized herein and requires a new or amended Agency permit. Due to the presence of wetlands, the Agency makes no assurances that a dock can be approved.
13. No structures greater than 100 square feet in size shall be constructed within 75 feet, measured horizontally, of the mean high water mark of Chain Lake, Clear Lake, Spring Lake, or the Osgood River. Boathouses and docks, as defined under 9 NYCRR §570.3, are excepted from this requirement.
14. Any on-site wastewater treatment system(s) on the project site designed to serve Residence 1 or the Caretaker’s Residence and installed within five years of the date of issuance of this permit shall be constructed in conformance with the location and design shown on the Project Plans. Construction of the system shall be supervised by a New York State 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.

15. The project shall be undertaken in compliance with all erosion and sediment control and stormwater management features shown on the Project Plans.
16. The project shall be undertaken in compliance with the Invasive Species Management Plan.
17. 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.
18. Any new free-standing or building-mounted outdoor lights associated with the development authorized herein shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward any lake, river, public road, public trail, or adjoining property.
19. All exterior building materials, including roof, siding and trim, of the Caretaker's Residence shall be a dark shade of green, grey, or brown.
20. Within 100 feet of all water bodies and wetlands, within 150 feet of State Route 30, and within 150 feet of the Caretaker's Residence, no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed from the portion of the project site within one-quarter mile of the Osgood River without prior written Agency authorization, except a) within the proposed limits of clearing, b) for maintenance of existing trails, c) within an area up to 6 feet in width for the establishment of footpaths as described in Condition 6 above, and d) the removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
21. All trees and shrubs planted on the project site in association with the development authorized herein shall be native to the region.
22. There shall be no more than 31 principal buildings located on the project site at any time, in addition to the five pre-existing single family dwellings or any replacement structures for these five dwelling as allowed by Agency regulations. The two single family dwellings authorized herein each constitute one principal building. 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 subdivision/single family dwelling 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 Rural Use land use area;
- c. will be consistent with the overall intensity guidelines for the Rural 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 15th day of January, 2025.

ADIRONDACK PARK AGENCY

BY: John M. Burth
John M. Burth
Environmental Program Specialist 3 (EPS3)

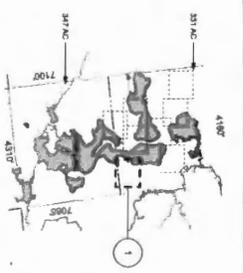
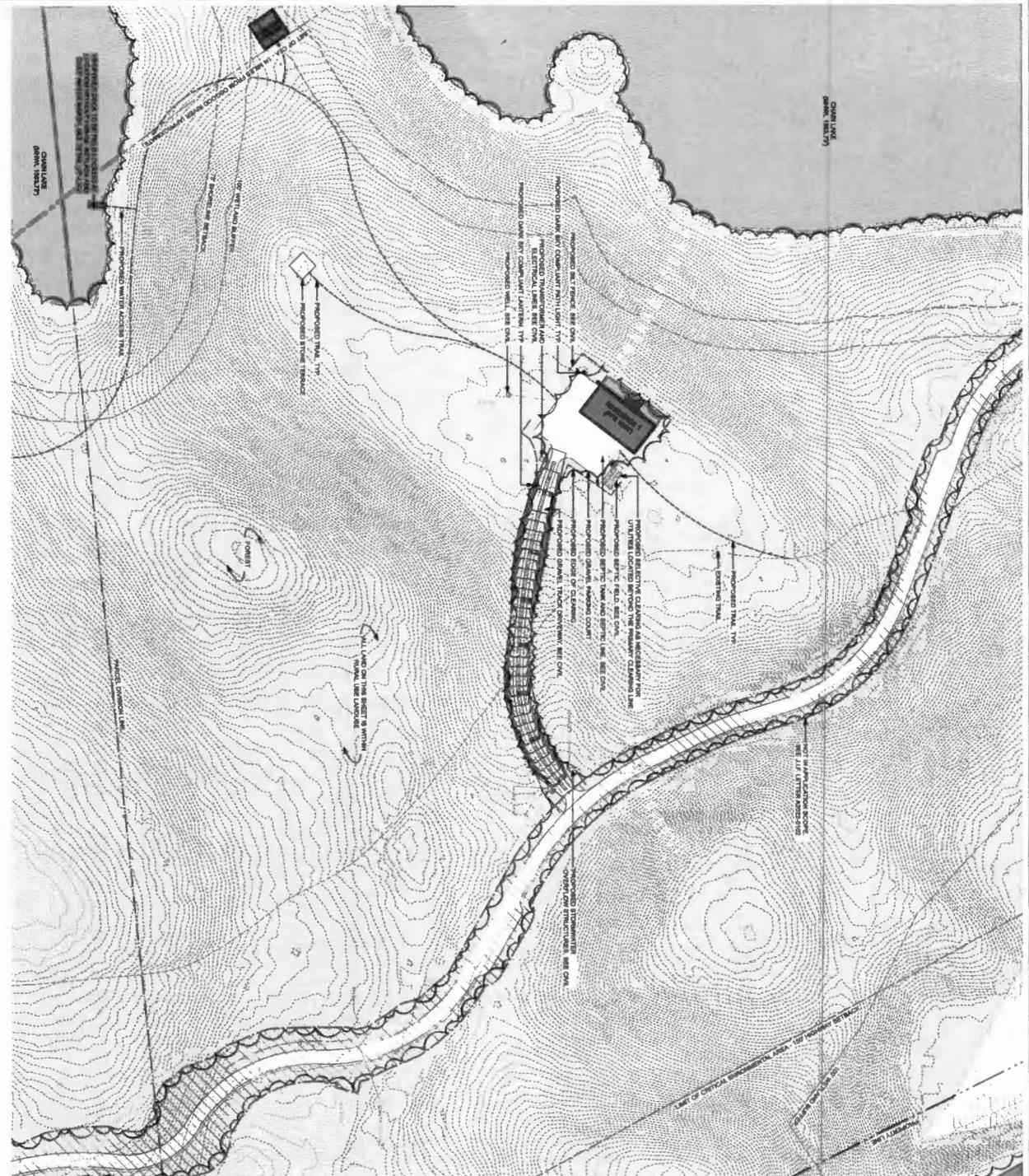
**STATE OF NEW YORK
COUNTY OF ESSEX**

On the 15th day of January in the year 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, 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

Stephanie L. Petith
Notary Public

1 ENLARGEMENT PLAN
Scale: 1" = 50'



LEGEND	
SYMBOL	DESCRIPTION
[Symbol]	PROPOSED EDGE OF CLEARING
[Symbol]	EXISTING FOREST TO REMAIN
[Symbol]	MAJOR CONTOUR
[Symbol]	MINOR CONTOUR
[Symbol]	SMALL
[Symbol]	5 FT FINISH
[Symbol]	FIRE
[Symbol]	FINISHED FLOOR ELEVATION

FORESTIERE LAKES
BRIGHTON, NY

REED-HILDBRAND
150 Madison Avenue
New York, NY 10017
Tel: 212-692-3100
www.reed-hilbrand.com

ARCHITECT
200 Jay St
Brighton, NY 14221
Tel: 518-638-1111
www.reed-hilbrand.com

LANDSCAPE ARCHITECT
1000 West 12th Street
Brighton, NY 14221
Tel: 518-638-1111
www.reed-hilbrand.com

ENGINEER
1000 West 12th Street
Brighton, NY 14221
Tel: 518-638-1111
www.reed-hilbrand.com

GENERAL CONTRACTOR
1000 West 12th Street
Brighton, NY 14221
Tel: 518-638-1111
www.reed-hilbrand.com

PERMITS
1000 West 12th Street
Brighton, NY 14221
Tel: 518-638-1111
www.reed-hilbrand.com

FOR PERMITTING & COORDINATION ONLY, NOT FOR CONSTRUCTION

Sheet Title: **RESIDENCE 1 SITE IMPROVEMENT PLAN**

Sheet Number: **P-L120**