


THIS IS A TWO-SIDED DOCUMENT

 <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 www.apa.ny.gov</p>	<p>APA Permit <b>2022-0257</b></p>
<p>In the Matter of the Application of</p> <p><b>KAMPGROUNDS OF AMERICA, INC. d/b/a TERRAMOR OUTDOOR RESORT Permittee</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: May 25, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: <b>1. Kampgrounds of America, Inc. 2. Terramor Outdoor Resort</b></p>

**SUMMARY AND AUTHORIZATION**

This permit authorizes the redevelopment and expansion of a pre-existing campground and tourist accommodations in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Wilmington, 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 tourist accommodation begins to operate.

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 65.35±-acre parcel of land located on Fox Farm Road (C.R. 63) in the Town of Wilmington, Essex 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 26.3, Block 1, Parcel 6.110, and is described in a deed from Richard Nagamine Jr. and Sylvia E. Nagamine to Kampgrounds of America, Inc., dated June 20, 2013, and recorded June 21, 2013 in the Essex County Clerk's Office under Instrument Number 2013-2833.

The project site contains shoreline on the West Branch AuSable River and is partially located within the designated West Branch AuSable River Recreational River area.

The project site also contains 1.2± acres of deciduous scrub-shrub wetlands and emergent wetlands associated with the West Branch AuSable River in the northernmost portion of the project site. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

A campground had been continuously operating on the project site prior to 1973 through 2022. The 1973 campground included 160 campsites, a swimming pool, a manager's residence, and a building used as the camp office and store. Tourist accommodations were first authorized in 1981 under Agency Permit 81-240. The campground operation as of 2022 included 117 recreational vehicle campsites, 88 tent campsites, and 55 tourist accommodation units. All structures associated with the previous campground operation have been removed prior to permit issuance.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves the replacement of a pre-existing campground and tourist accommodation with a new tourist accommodation facility consisting of 80 platform tent sites, a 10,854±-square-foot lodge and restaurant building open to the public, a 4,016±-square-foot pavilion, a swimming pool and pool cabana, a wellness tent, a maintenance and laundry building, a general manager's residence, and an employee housing building providing dormitory-style housing for up to 12 employees. The facility will be served by the Town of Wilmington municipal water supply and four new on-site wastewater treatment systems with design flows ranging from 330 to 9,800 gallons per day.

The tourist accommodations will consist of four soft-sided and hard-sided tent models: the one-bedroom "Small Hard-sided Tent" with 255± square feet of enclosed floorspace, the two-bedroom "Large Hard-sided Tent" with 615± square feet of enclosed floorspace, the one-bedroom "Woody 35 Soft-sided Tent" with 548± square feet of enclosed floorspace, and the two-bedroom "Woody 45 Soft-sided Tent" with 655± square feet of enclosed floorspace. All tents will be equipped with electricity, potable water, and a full bathroom including a sink, shower, and toilet. No units will have kitchen facilities. Soft-sided tents are to be used from Spring through Fall, while hard-sided units will be used year-round.

The project utilizes the existing access entrance from Fox Farm Road and includes a new service entrance 400± feet west of the existing access. The project utilizes, consolidates, and stabilizes much of the existing campground roads.

The project is shown on the following plans, and reports (Project Plans):

- A 77-sheet plan set titled "Terramor Lake Placid, 77 Fox Farm Road, Wilmington, New York 12997," prepared by The LA Group, and dated February 6, 2023 (Site Plan);
- A 19-sheet plan set titled "Terramor Lake Placid, 77 Fox Farm Road, Wilmington, New York 12997," prepared by The LA Group, and dated March 2, 2023 (OSWTS Plan);
- A 38-page report titled "Engineering and Design Report Terramor Outdoor Resort," prepared by North Woods Engineering PLLC, and dated March 2, 2023 (OSWTS Design Report);
- A 217-page report titled "Stormwater Pollution Prevention Plan Prepared in accordance with NYS DEC General Permit GP-0-20-001 for: Terramor Lake Placid," prepared by The LA Group, and dated January 25, 2023 (Stormwater Pollution Prevention Plan); and
- 11 pages of architectural plans titled "Project: KOA-Terramor," prepared by Inocamp and DGC Architects, and last dated January 9, 2023 (Architectural Plans).

A reduced-scale copy of Sheet L-100 of the Site Plan and Sheet C-100 of the OSWTS Plan for the project 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 tourist accommodation on Moderate Intensity Use lands 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 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 accommodations remain 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, Wild, Scenic and Recreational Rivers System Act, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].

4. This permit amends and supersedes permits 81-240 and 81-240A. The terms and conditions of permits 81-240 and 81-240A shall no longer apply.
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 2022-0257, issued May 25, 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 tourist accommodations and associated infrastructure described herein in the locations shown and as depicted on the Site Plan and with the dimensions depicted on the Site Plan and Architectural Plans. The construction of additional tourist accommodations or other principal buildings, or any change to the location, dimensions, or other aspect of any authorized structure shall require prior written Agency authorization.
7. The construction of accessory structures containing sanitary facilities, on slopes greater than 15 percent, within 150 feet of the centerline of Fox Farm Road or Pine Ridge Lane, or within 100 feet of the mean high water mark of the West Branch AuSable River or wetlands depicted on the Site Plan shall require prior written Agency authorization.
8. There shall be no more than 51 principal building(s) located on the project site at any time. The development authorized herein constitutes 47 principal buildings. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
9. Quiet hours shall be observed daily between 10pm and 8am. The use of any outdoor sound amplification shall require prior written Agency authorization.
10. There shall be no docks or boathouses on the project site.
11. If installed within five years of the date of issuance of this permit, the on-site wastewater treatment system shall be constructed in conformance with the location and design shown on the OSWTS Plan and described in the OSWTS Design Report. 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.
12. All exterior building materials, including roof, siding and trim, of all structures on the project site shall be a dark shade of green, grey, or brown.

13. All lighting associated with the tourist accommodation facility on the project site shall comply with the Site Plan. Any change to this lighting or any additional exterior lighting shall require prior written Agency authorization. All free-standing or building-mounted outdoor lights on the project site shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or the West Branch AuSable River, Fox Farm Road, Pine Ridge Lane, or adjoining property.
14. All signs associated with the tourist accommodation facility on the project site shall comply with the Site Plan. Any change to this signage shall require prior written Agency authorization.
15. This permit authorizes the establishment of two footpaths between the tourist accommodation facility and the West Branch AuSable River as shown on the Site Plan. The portions of the footpaths within 100 feet of the mean high water mark of the West Branch AuSable River or wetlands depicted on the Site Plan 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.
16. Outside of the limits of clearing shown on the Site Plan no trees, shrubs, or other woody stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed on the project site within 150 feet of the centerline of Fox Farm Road or Pine Ridge Lane, or within 100 feet of the mean high water mark of the West Branch AuSable River or wetlands depicted on the Site Plan without prior written Agency authorization, except for the removal of 1) vegetation for development of the footpath described above and 2) dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
17. All trees, shrubs, and areas designated for seeding depicted and described on the Site Plan shall be planted no later than the first spring or fall planting season after final grading related to the construction of the structures authorized herein. Vegetation that does not survive shall be replaced annually until established in a healthy growing condition.
18. Stormwater management and erosion and sediment control measures shall be undertaken in compliance with the Stormwater Pollution Prevention Plan and 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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.
20. The undertaking of any activity involving wetlands shall require a new or amended permit.




**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;
- 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;
- f. will secure the natural benefits of wetlands associated with the project, consistent with the general welfare and beneficial economic, social, and agricultural development of the state; and
- g. will be compatible with preservation of the entire wetland and will not result in degradation or loss of any part of the wetland or its associated values.

PERMIT issued this 25<sup>th</sup> day of May, 2023.

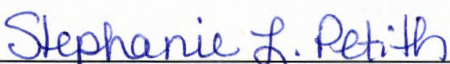
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK  
COUNTY OF ESSEX


On the 25<sup>th</sup> day of May 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


**UTILITY PLAN NOTES**

1. SITE PLAN, BASED ON SURVEY BY AUBREY & WILSON, BE LAND SURVEYING, DATED 10/20/2019 AND LAYOUT BY AUBREY & WILSON ARCHITECTURE & ENGINEERING, LLC, ALBANY, NY, INFORMATION AND MEASUREMENTS BY STAFF OF NORTH WOODS ENGINEERING, PLLC, IN SUMMER FALL 2022.
2. WATER AND SEWER LATERALS SHOWN APPROXIMATELY, SUBJECT TO ANY OBSTACLES AND LARGE TREES.
3. SEE SHEET 03-01-00-01 FOR ALL UTILITIES AND THEIR PROFILES. TERMS FOR INSTALLATION PROCEDURES AND MATERIALS SPECIFICATIONS.

 **Adirondack Park Agency**

**RECEIVED**

Date: March 7, 2023

 **Adirondack Park Agency**

**FINAL**

P2022-0257



Adirondack Park Agency  
1100 Lake George Road  
Lake George, NY 12845

Prepared for  
**TERRAMOR**

550 N 31st Street  
Burlington, VT 05401

Architect:  
Phinney Design Group  
142 Grand Ave.  
Saratoga Springs, NY 12866

Civil Engineer:  
North Woods Engineering  
348 Lake Street  
Saratoga Lake, NY 12883

Surveyor:  
Ausfeld & Waldruff  
323 Clinton Street  
Scheneectady, NY 12305

Project File  
**Terramor Lake Placid**  
77 Fox Farm Road  
Wilmington, New York 12997

ISSUED FOR REGULATORY PERMITTING



Project No: 2022106  
Design: JAS  
Drawn: JLS  
Date: 2/23/23 Scale: AS SHOWN

No.	Description	Date
1	PERMITS UPDATES	1/17/23

Drawing For  
**OVERALL UTILITY PLAN**

Sheet No.  
**C-100**



- LEGEND**
- POWER LINE
  - HIGH VOLTAGE LINE
  - TELEPHONE LINE
  - CABLE TV LINE
  - GAS LINE
  - SANITARY SEWER
  - SANITARY MAIN
  - WATER MAIN
  - WATER LATERAL

 **OVERALL UTILITY PLAN**  
Scale: 1" = 100'

0 100 200

**APPROVED**

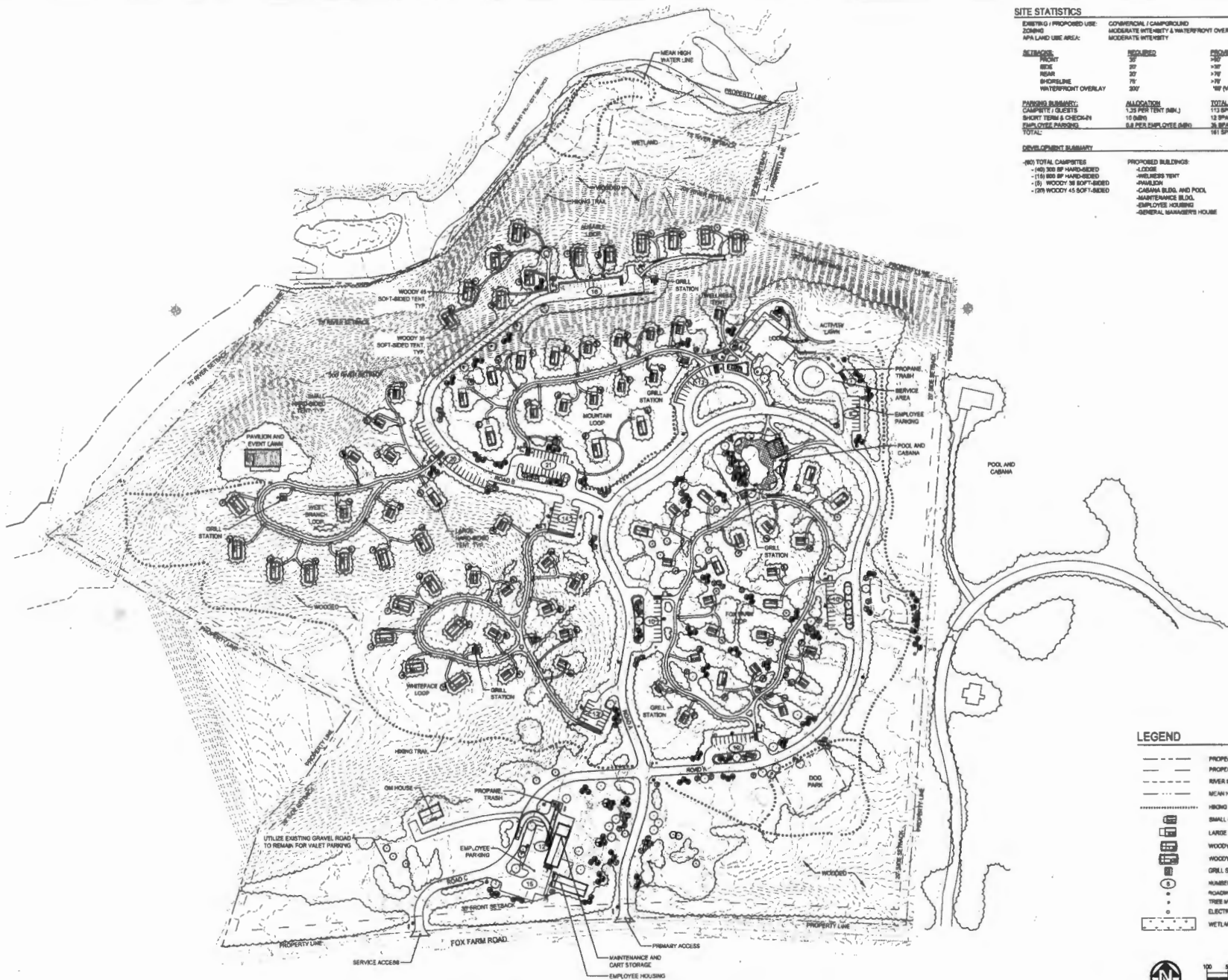
NEW YORK STATE DEPARTMENT OF HEALTH  
DIVISION OF ENVIRONMENTAL HEALTH PROTECTION

Project Description **Terramor Outdoor Resort**

New On-site Waterwater treatment and disposal systems AND water system design

Wilmington  City  Town  Village  Essex County

Date 03/03/2023 By *Marlene R. Martin* P.E.  
Professional Engineer I



**SITE STATISTICS**

EXISTING / PROPOSED ZONING	COMMERCIAL / CAMP/RESIDUAL	
MODERATE INTENSITY & WATERFRONT OVERLAY DISTRICT		
APR LAND USE AREA:	MODERATE INTENSITY	
<b>RETRACTS</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
FRONT	30'	230'
SIDE	30'	0'
REAR	30'	0'
BIPORELINE	10'	0'
WATERFRONT OVERLAY	30'	0'
		0' (VARIANCE REQUIRED)
<b>PARKING SUMMARY:</b>	<b>ALLOCATION</b>	<b>TOTAL</b>
CAMPFIRE / GUESTS	1.25 PER TENT (MIN.)	113 SPACES
SHORT TRAIL & CHECK-IN	10 (MIN)	13 SPACES
EMPLOYEE PARKING	5.8 PER EMPLOYEE (MIN)	33 SPACES
<b>TOTAL:</b>		<b>161 SPACES</b>

**DEVELOPMENT SUMMARY**

PROPOSED BUILDINGS	PROPOSED BUILDINGS
(161) TOTAL CAMPFIRE	LOBBY
(140) 300 SF HARD-SIDED	HOLIDAY TENT
(15) 800 SF HARD-SIDED	PAVILION
(6) WOODY 36 SOFT-SIDED	CASINA BLDG. AND POOL
(5) WOODY 45 SOFT-SIDED	MAINTENANCE BLDG.
	EMPLOYEE HOUSING
	GENERAL MANAGER'S HOUSE

**LEGEND**

---	PROPERTY LINE
---	PROPERTY SETBACK
---	RIVER SETBACK
---	MEAN HIGH WATER LINE
---	HIBING TRAIL
[Symbol]	SMALL HARD-SIDED TENT
[Symbol]	LARGE HARD-SIDED TENT
[Symbol]	WOODY 36 SOFT-SIDED TENT
[Symbol]	WOODY 45 SOFT-SIDED TENT
[Symbol]	GRILL STATIONS
[Symbol]	NUMBER OF PARKING SPACES
[Symbol]	ROADWAY LIGHTS
[Symbol]	TREE MOUNTED DOWN LIGHTS
[Symbol]	ELECTRIC VEHICLE CHARGER
[Symbol]	WETLAND

Scale: 1" = 100'

**The LA GROUP**  
 1st Floor Addition to existing 3,177  
 348 Lakota Street  
 Platteau, NY 12983

**TERRAMOR.**

550 N 51st Street  
 Bingham, MT 59101

Architect:  
 Phinney Design Group  
 342 Grand Ave.  
 Saratoga Springs, NY 12866

Civil Engineer:  
 North Woods Engineering  
 348 Lakota Street  
 Saratoga Lake, NY 12983

Surveyor:  
 Ausfeld & Waldruff  
 323 Clinton Street  
 Schenectady, NY 12305

RECEIVED  
 Date: February 7, 2023

FINAL  
 P2022-0257

Project Name:  
**Terramor Lake Placid**  
 77 Fox Farm Road  
 Wilmington, New York 12997

ISSUED FOR:  
 REGULATORY PERMITTING

Rev.	Description	Date
1	ISSUE RESPONSE	02/08/23

Overall Site Plan

L-100