


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 2024-0015</p>
<p>In the Matter of the Application of</p> <p>JEREMY BRITTON INLET MARINA AND LODGING, LLC Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: May 29, 2024</p>
	<p>To the County Clerk: Please index this permit in the grantor index under the following name:</p> <p>1. Inlet Marina and Lodging, LLC</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a commercial use in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Inlet, 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 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 2.87-acre parcel of land located on NYS Route 28 in the Town of Inlet, Hamilton 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 60.017, Block 1, Parcel 1.120, and is described in a deed from Jerry E. Findlow and Cynthia M. Findlow to Inlet Marina and Lodging, LLC, dated March 3, 2019, and recorded April 4, 2019 in the Hamilton County Clerk's Office under Instrument Number 2019-1707.

The project site is improved by a 16,000-square-foot commercial use boat storage structure constructed in 2019 and a single family dwelling constructed in 2023.

PROJECT DESCRIPTION

The project as conditionally approved herein involves approval of the existing 16,000-square-foot boat storage structure, a proposed 4,760-square-foot expansion of this structure, and construction of a new 1,920-square-foot storage building.

Existing access to the project site is along Corr Road from NYS Route 28.

The commercial use boat storage was undertaken on the project site in 2019. As this commercial use is located on Moderate Intensity Use lands, it appears that an Agency permit was required for its undertaking. A review of Agency records indicates that no permit was obtained. By issuance of this permit, the commercial use shall be recognized as lawful for Agency purposes.

The project is shown on a map titled "Survey Map Lands of Inlet Marina and Lodging, LLC", Prepared by LaFave, White & McGivern, L.S., P.C.," dated May 7, 2019, and last revised April 3, 2024 (Site Plan). A reduced-scale copy of the Site 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 establishment any commercial use 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 Hamilton 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 commercial use boat storage continues on the site. Copies of this permit 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. 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 2024-0015, issued May 29, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. This permit authorizes expansion of an existing boat storage structure and the construction of a new storage building in the location shown and as depicted on the Site Plan. No structure shall exceed 40 feet in height as measured from the highest point of the structure to the lower of either existing or finished grade. Any change to the location, dimensions, or other aspect of the commercial use shall require prior written Agency authorization.
6. Transportation of boats to and from the project site shall only occur May 1 to November 1 between the hours of 9am and 5pm.
7. 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.
8. Any new 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 toward NYS Route 28 or adjoining property.
9. All signs associated with the commercial use on the project site shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3].
10. Within the "Vegetation Screening" areas depicted on the Site Plan, no trees, shrubs, or other woody stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed on without prior written Agency authorization, except for the removal of the three trees identified "large tree to be removed" and dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
11. There shall be no additional principal buildings located on Lot 1.120.

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 29th day
of May, 2024.

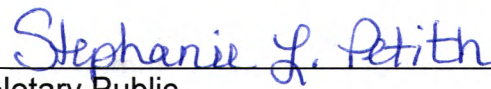
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 29th day of May 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.

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


Notary Public



LOCATION MAP - OLD FORCE QUAD - SCALE 1" = 200'

MOOSE RIVER TRACT

TOWNSHIP NO. 3
PART OF LOT 30

ROBERT P. GOEBL
KELLY C. GOEBL
DOUGLAS MINNS
TAX ID 58.016-11-3.110

INLET MARINA AND LODGING LLC
INSTR. NO. 2019-1707
TAX ID 60.017-1-1.120
2.87 ACRES
LESS AREA WITH HIGHWAY BOUNDARY

SCOTT J. LUZZA
TAX ID 60.017 1 2.110

ADAM D. LEW
TAX ID 60.017-1-2.120
MAP REF. 2

ADAM D. LEW
TAX ID 60.017-1-1.117

COOR IRREVOCABLE TRUST
TAX ID 50.017-1-1.200

JASON J. TOPP
SHARON TOPP
TAX ID 60.017-1-1.111

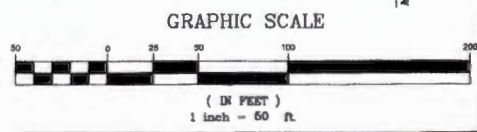
JASON J. TOPP
SHARON TOPP
TAX ID 60.017-1-1.111

MAP REFERENCES

1. MAP ENTITLED "MAP OF DIVISION OF LANDS OF MARCEL FORTIN SUB LOT 5-GREAT LOT 30 TWP 3-MOOSE RIVER TRACT" DATED AUGUST 14, 1988, PREPARED BY D.G. HOLLISTER P.L.S. AMENDED JULY 15, 1988 AND FILED IN THE HAMILTON COUNTY CLERK'S OFFICE ON AUGUST 26, 1988 IN MAP ROLL 1574.
2. MAP ENTITLED "MAP OF PROPOSED CONVEYANCE TO KENNETH & ELLEN A. LOURY 1.03 ACRE PARCEL IN SUB-LOT 3-GREAT LOT 30 TWP 3-MOOSE RIVER TRACT" DATED SEPTEMBER 30, 2004 PREPARED BY D.G. HOLLISTER P.L.S. AND FILED IN THE HAMILTON COUNTY CLERK'S OFFICE ON JULY 7, 2006 IN MAP ROLL 1834.

LEGEND

- - SET 5/8" REBAR & CAP
- - FOUND IRON PIPE, REBAR (AS NOTED)
- (DAS.20) - PREVIOUSLY RECORDED DIMENSION
- UTILITY POLE
- - VEGETATION SURVEYING



IT IS HEREBY CERTIFIED, SO:

1) INLET MARINA AND LODGING LLC

THAT THIS MAP WAS PREPARED FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY DIRECT SUPERVISION

Andrew R. Bailey
DATE: 4/9/2024

LAFAVE, WHITE & MCGIVERN, L.S. P.C. SURVEY SUPERVISOR
DATE: ANDREW R. BAILEY P.L.S. N.Y.S. LIC. NO. 50437

ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYORS EMPRESSED SEAL OR RED INK SEAL ARE GUARANTEE TRUE AND CORRECT COPIES OF THE SURVEYORS ORIGINAL WORK. A COPY OF CERTIFICATIONS ON THIS BOUNDARY SURVEY MAP SHOWS THAT THE MAP WAS PREPARED IN ACCORDANCE WITH THE CURRENT EASING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, INC. THE CERTIFICATION IS LIMITED TO PORTIONS FOR WHICH THE BOUNDARY SURVEY MAP IS PREPARED TO THE FIELD COMPANY, TO THE GOVERNMENT AGENCY, AND THE LENDING INSTITUTION LISTED ON THIS BOUNDARY SURVEY MAP.

THE CERTIFICATIONS HEREON ARE NOT TRANSFERABLE.

THE LOCATION OF UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND IF ANY MUST BE DISCLOSED BY ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS FIRST, THEY ARE NOT COVERED BY THIS CERTIFICATION.

REMARKS - IT IS A VIOLATION OF SECTION 7004, SUBSECTION 2 OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON OTHER THAN A LICENSED LAND SURVEYOR TO ALTER THIS MAP.



REV	REVISION	DATE
1	ADDED CLEARING	6/5/2019
2	ADDED NEW BUILDINGS AND PROPOSED BUILDINGS	1/31/2024
3	REVISED BOAT STORAGE EXPANSION FOR BOTH STRUCTURES	4/2/2024

DEED REFERENCE

JERRY E. FINDLOW
CYNTHIA M. FINDLOW
TO
INLET MARINA AND LODGING LLC
DATED 3/3/2018
REC'D. 4/4/2018
INSTR. NO. 2019-1707
TAX ID 60.017-1-1.120
SUBJECT TO COVENANTS, CONDITIONS, RIGHT OF WAY EASEMENTS AND RESTRICTIONS

Adirondack Park Agency
RECEIVED
ADIRONDACK PARK AGENCY
APR 9 2024
FINAL
P2024-0015

SURVEY MAP LANDS OF
INLET MARINA AND LODGING LLC
TOWN OF INLET
HAMILTON COUNTY NEW YORK
LaFAVE, WHITE & MCGIVERN, L.S., P.C.
LAND SURVEYORS PHOTOGRAMMETRISTS
THERESA BOONVILLE ROME
NEW YORK

DRAWN T.J.R.	CHECKED A.R.B.	DATE 3/7/2018	SCALE 1" = 50'	FILE 18-802-8	SHEET 1 OF 1
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