

THIS IS A TWO-SIDED DOCUMENT

 Adirondack Park Agency P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov	APA Permit 2024-0140
In the Matter of the Application of BUSHWOOD, LLC Permittee for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 577 and 9 NYCRR Part 578	Date Issued: July 23, 2025 To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Bushwood, LLC

SUMMARY AND AUTHORIZATION

This permit authorizes a seven-lot subdivision and construction of four single family dwellings in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Indian Lake, 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 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 Hamilton County Clerk's Office. The Agency will consider the project in existence when an authorized lot has been conveyed to an outside party.

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 192.5±-acre parcel of land located on NYS Routes 28 and 30 in the Town of Indian Lake, Hamilton County, in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 56.017, Block 3, Parcel 11.100, and is described in a deed from Anna Lou Goldblatt to Bushwood LLC, dated July 31, 2023, and recorded August 9, 2023 in the Hamilton County Clerk's Office under Instrument Number 2023-919.

The project site contains shoreline on the Cedar River and is located within the designated Cedar River Recreational River area. The project site also contains numerous wetlands. Wetland boundaries shown on the Subdivision Plans within 200 feet of proposed development have been verified. Additional wetlands not described herein or depicted on the Subdivision Maps may be located on or adjacent to the project site.

The project site is the site of the former Cedar River Golf Club and is improved by a pre-existing single family dwelling constructed c. 1940, a pre-existing multiple-family dwelling (duplex) constructed c. 1950, a commercial use building authorized by Permit 1976-0122 (the former pro-shop), and various accessory structures (garages, sheds, a barn, and a pavilion).

PROJECT DESCRIPTION

The project as conditionally approved herein involves a seven-lot subdivision to create three lots with existing principal building(s) (Lots 1, 2, and 4), one lot containing existing accessory structures to be developed with one new single family dwelling (Lot 3), and three vacant lots to be developed with one new single family dwelling each (Lots 5-7). All lots will be served by on-site wastewater treatment systems, municipal water, and individual driveways. Lots 1-3 and Lots 5-7 contain shoreline on the Cedar River. Shared access to the shoreline of the Cedar River will be provided across Lots 4 and 5 for the benefit of Lots 1-5.

The project is shown on six sheets of plans titled "Map Showing Subdivision of Property of Bushwood, LLC, 6691 NYS Route 30," prepared by Leifheit & Littlefield Land Surveying, and last revised October 29, 2024 (Subdivision Plans). A reduced-scale copy of Sheet 1 of 6, depicting the "Overall Parcel," is attached as a part of this permit for reference.

AGENCY JURISDICTION

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act and Adirondack Park Agency regulations at 9 NYCRR Part 578, a permit is required from the Adirondack Park Agency prior to any subdivision involving wetlands in the Adirondack Park.

Pursuant to Adirondack Park Agency regulations at 9 NYCRR Part 577, a permit is required from the Adirondack Park Agency prior to any subdivision of and/or new land use and development on Low Intensity Use lands located within any designated recreational river 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 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. Copies of this permit and the Subdivision 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 Permit 1976-0122 (for Project 1976-0089). The terms and conditions of Permit 1976-0122 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 2024-0140, issued July 23, 2025, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. Subject to the conditions stated herein, this permit authorizes a seven-lot subdivision as depicted on the Subdivision Plans. Any subdivision of the project site not depicted on the Subdivision Plans shall require a new or amended permit.
7. Any deed of conveyance for Lot 2 as depicted on the Subdivision Plans shall contain an easement providing overhead utility access to lots 1 and 4 over the easement area shown on the Subdivision Plans.
8. Any deed of conveyance for Lot 4 or Lot 5 as depicted on the Subdivision Plans shall contain an easement providing un-improved river access to the Cedar River for the benefit of lots 1–5 along the route shown on the Subdivision Plans.
9. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling on Lot 3 on the footprint of the existing garage as shown on the Subdivision Plans and the construction of one single family dwelling and accessory structures on each of lots 5, 6, and 7 within the 65-foot by 65-foot building envelope shown for each lot on the Subdivision Plans.

The single family dwellings and any accessory structures shall be no more than 30 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade. Any expansion beyond this height or construction of any accessory structure on lots 3, 5, 6, and 7 outside the building envelopes shall require prior written Agency authorization.

10. Existing floating bridges that crossed the Cedar River as part of the former golf course shall be removed from the project site by September 30, 2025.
11. This permit authorizes the establishment of the following three footpaths as shown on the Subdivision Plans: a footpath between NYS Routes 28 and 30 and the Cedar River across lots 4 and 5, the "river access path" along a former cart path between the Lot 6 driveway and the Cedar River, and the "shoreline access" along a former cart path between the Lot 7 driveway and the Cedar River. These footpaths shall be no greater than 10 feet in width and shall have a surface comprised of natural vegetation, grass, or natural mulch.
12. The undertaking of any new land use or development not authorized herein on the project site shall require a new or amended permit.
13. The establishment of any commercial use on the project site requires a new or amended permit.
14. The undertaking of any activity involving wetlands shall also require a new or amended permit.
15. Construction of any guest cottage on the project site shall require prior written Agency approval.
16. There shall be no boathouses on the project site.
17. Prior to undertaking construction of any dock on lots 5-7, written authorization of plans for the dock, including all attached upland structures, shall be obtained from the Agency.
18. There shall be no docks on lots 1, 2, or 4.
19. Pursuant to the Adirondack Park Agency Act and Agency regulations implementing the Wild, Scenic and Recreational Rivers System Act, new structures are prohibited within 150 feet, measured horizontally, of the mean high water mark of the Cedar River.

Docks and boathouses as defined under the Town of Indian lake land use code are excepted from this requirement. Fences, poles, lean-tos, and bridges are also excepted from this requirement, except that no fence, pole, lean-to, or bridge greater than 100 square feet in size may be located within 75 feet of the mean high water mark.

20. Any on-site wastewater treatment system(s) on lots 3, 5, 6, or 7 installed within five years of the date of issuance of this permit shall be constructed in the location shown on the Subdivision Plans and in conformance with design plans prepared by a New York State design professional (licensed engineer or registered architect). Construction of the system shall be supervised by a New York State design professional. 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 design 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.

21. Prior to any ground disturbance related to dwelling construction on lots 5–7, silt fence shall be properly installed parallel to the existing contours between the development area and wetlands. The silt fence shall be embedded into the earth a minimum of six inches and shall be a minimum of 100 feet from wetlands. The silt fence shall be maintained throughout construction and shall not be removed until after all disturbed soils are stabilized to prevent erosion and sedimentation to wetlands and water resources. The permittee or their successor(s) 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.
22. 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.
23. Any new free-standing or building-mounted outdoor lights shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward NYS Routes 28 and 30, the Cedar River, or adjoining property.
24. All exterior building materials, including roof, siding and trim, of any new structure on Lot 5 or Lot 7 shall be a dark shade of green, grey, or brown.
25. Within 150 feet of the mean high water mark of the Cedar River, or within 100 feet of wetlands, or within 75 feet of the edge of right-of-way of the state highway, no trees, shrubs or other woody-stemmed vegetation may be cut, culled, trimmed, pruned or otherwise removed or disturbed on the project site without prior written Agency authorization, except for a) within an area up to 20 feet in width for driveway construction and utility installations as shown on the Subdivision Plans, 2) within an area up to 10 feet in width for the establishment/maintenance of river access footpaths on Lot 4/5, Lot 6, and Lot 7 as shown on the Subdivision Plans, c) maintenance of existing cleared areas, and

- d) removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
26. Prior to construction of any single family dwelling on Lot 6 or Lot 7, a planting plan shall be provided to the Agency. The plan shall include only native species and provide screening of the dwelling as viewed from the state highway and the Cedar River.
27. The sign providing historic interpretation and installed on Lot 4 at the request of the NYS Office of Parks, Recreation and Historic Preservation shall remain on the site and be maintained.

CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision and single family dwellings authorized as conditioned herein:

- a. will meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Indian Lake;
- b. 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;
- c. 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;
- d. 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;
- e. will be consistent with the purposes and policies of the Wild, Scenic and Recreational Rivers System Act;
- f. will comply with the restrictions and standards of 9 NYCRR § 577.6; and
- g. will not cause an undue adverse impact upon the natural, scenic, aesthetic, ecological, botanical, fish and wildlife, historic, cultural, archeological, scientific, recreational or open space resources of the river area, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived therefrom.

PERMIT issued this 23rd day
of July, 2025.

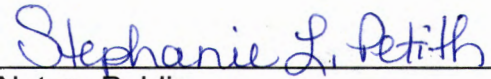
ADIRONDACK PARK AGENCY

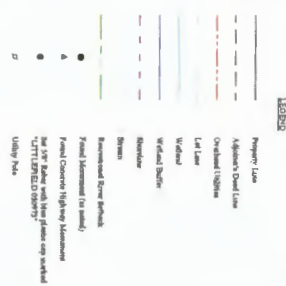
BY: 
John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 23 day of July 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, 2029


Notary Public



RECEIVED
Date December 7, 2004

U.S. Customs - Rock Lake

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TOWN OF INDIAN LAKE
COUNTY OF HAMILTON
STATE OF NEW YORK

LEIFHEIT & LITTLEFIELD
LAND SURVEYING

Diagram illustrating the area of a circle. The circle is divided into two equal halves by a horizontal diameter. The upper half is shaded. The vertical radius is labeled r .

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