

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 2025-0088
In the Matter of the Application of BRADLEY DAVIDSON, JAMES KUPIEC, AND JOANN KUPIEC Permittees for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578	Date Issued: August 20, 2025 To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. James W. Kupiec 2. JoAnn M. Kupiec

SUMMARY AND AUTHORIZATION

This permit authorizes construction of a boardwalk in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map in the Village of Lake Placid, Town of North Elba, 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 one year of the date the permit is recorded in the Essex County Clerk's Office. The Agency will consider the project in existence when the authorized boardwalk has been constructed, and the existing bog bridge has been removed.

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 0.83±-acre parcel of land located on Otter Way in the Village of Lake Placid, Town of North Elba, Essex County, in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 42.237, Block 14, Parcel 11.200, and is described in a deed from Rabideau Corp. to James W. Kupiec and JoAnn M. Kupiec, dated September 26, 2014, and recorded October 20, 2014 in the Essex County Clerk's Office under Instrument Number 2014-4188.

The project site contains shoreline on the Chubb River and contains coniferous forest, emergent marsh, shrub swamp wetlands with a value rating of "2". 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 an existing bog bridge, which provides access to a dock on the Chubb River that is located outside of wetlands.

PROJECT DESCRIPTION

The project as conditionally approved herein involves removal of an existing bog bridge and construction of a 45-foot-long by 25-inch-wide boardwalk involving wetlands to access an existing dock on the Chubb River. The boardwalk deck will be elevated 18 inches from the surface of the wetland and supported by 10, 5-inch diameter posts. The project will involve 93.75± square feet of shading attributed to the boardwalk deck and 1.36± square feet of fill attributed to the supporting posts.

The project is shown on four pages of sketch plans prepared by Bradley Davidson and received by the Agency on May 20, 2025 (Project Plans). A reduced-scale copy of the Project Plans are 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 deposit of fill in a wetland 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 boardwalk remains 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, 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 2025-0088, issued August 20, 2025, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. This permit authorizes the construction of a boardwalk in the location shown and as depicted on the Project Plans. Any change to the location, dimensions, or other aspect of the boardwalk shall require prior written Agency authorization.
6. The bog bridge removal and boardwalk construction shall be undertaken by hand without the use of machinery.
7. No waste, material, or equipment shall be staged within wetlands.
8. All construction and removal activities must occur from the existing bog bridge and authorized boardwalk.
9. Removal of the existing bog bridge must occur concurrently with the construction of the authorized boardwalk.
10. The permittee shall notify the Agency in writing within five business days after the work authorized by this permit has been successfully completed. Written notification shall include color photographs which clearly show the completed work.
11. When brought from off-site, all equipment, including but not limited to 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.
12. The boardwalk shall either be un-painted/un-stained, or a dark shade of green, grey, or brown. Any painting or staining of the construction materials shall occur off-site.
13. Installation of any lighting on the boardwalk shall require prior written Agency authorization.
14. No vegetation shall be removed in relation to construction of the boardwalk 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.

15. Except for as authorized herein, 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, the Freshwater Wetlands Act and 9 NYCRR Part 578, 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 Hamlet land use area;
- c. will be consistent with the overall intensity guidelines for the Hamlet 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 result in minimal degradation or destruction of the wetland or its associated values, and is the only alternative which reasonably can accomplish the applicant's objectives.

PERMIT issued this 20th day
of August, 2025.

ADIRONDACK PARK AGENCY

BY: _____

John M. Burth
Deputy Director, Regulatory Programs

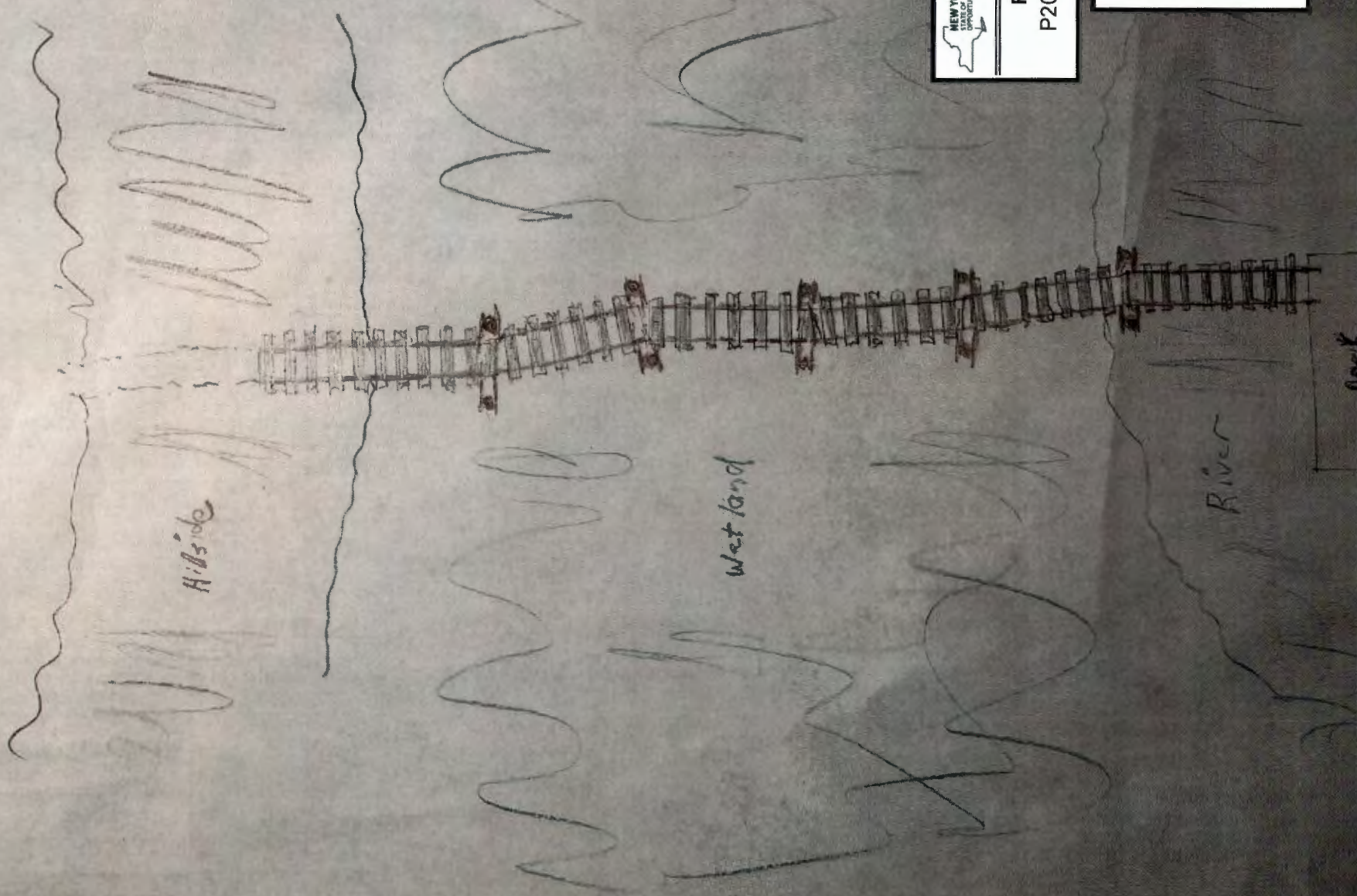
STATE OF NEW YORK
COUNTY OF ESSEX

On the 20th day of August 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. 01PE6270890
Qualified in Franklin County
Commission Expires April 15, 2029

Stephanie L. Petith
Notary Public

House



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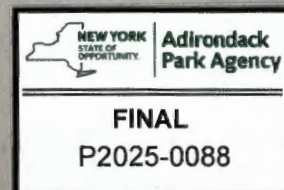
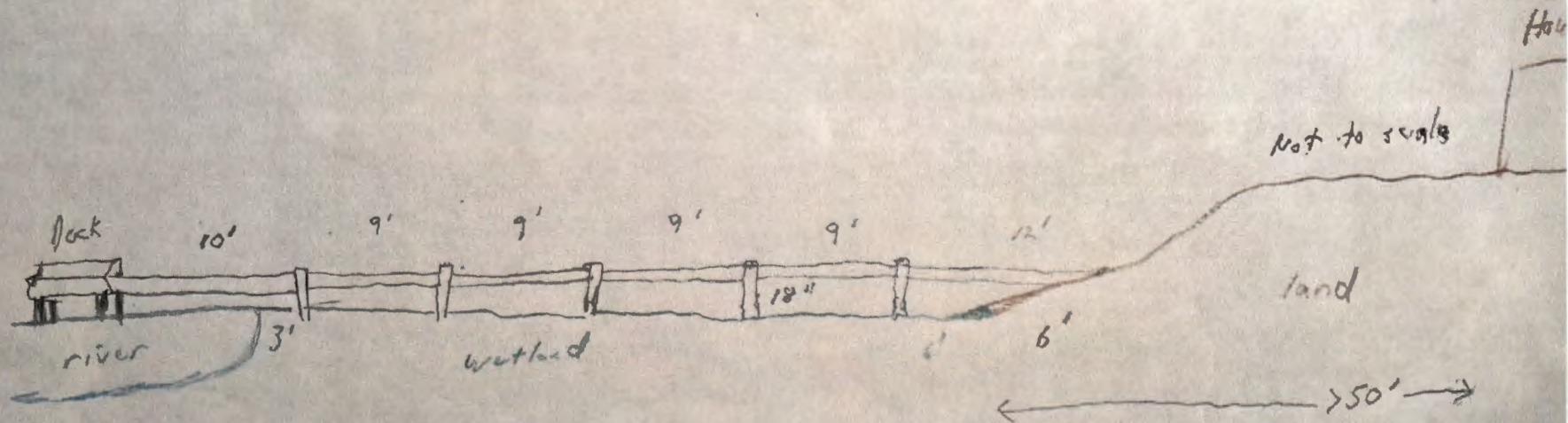
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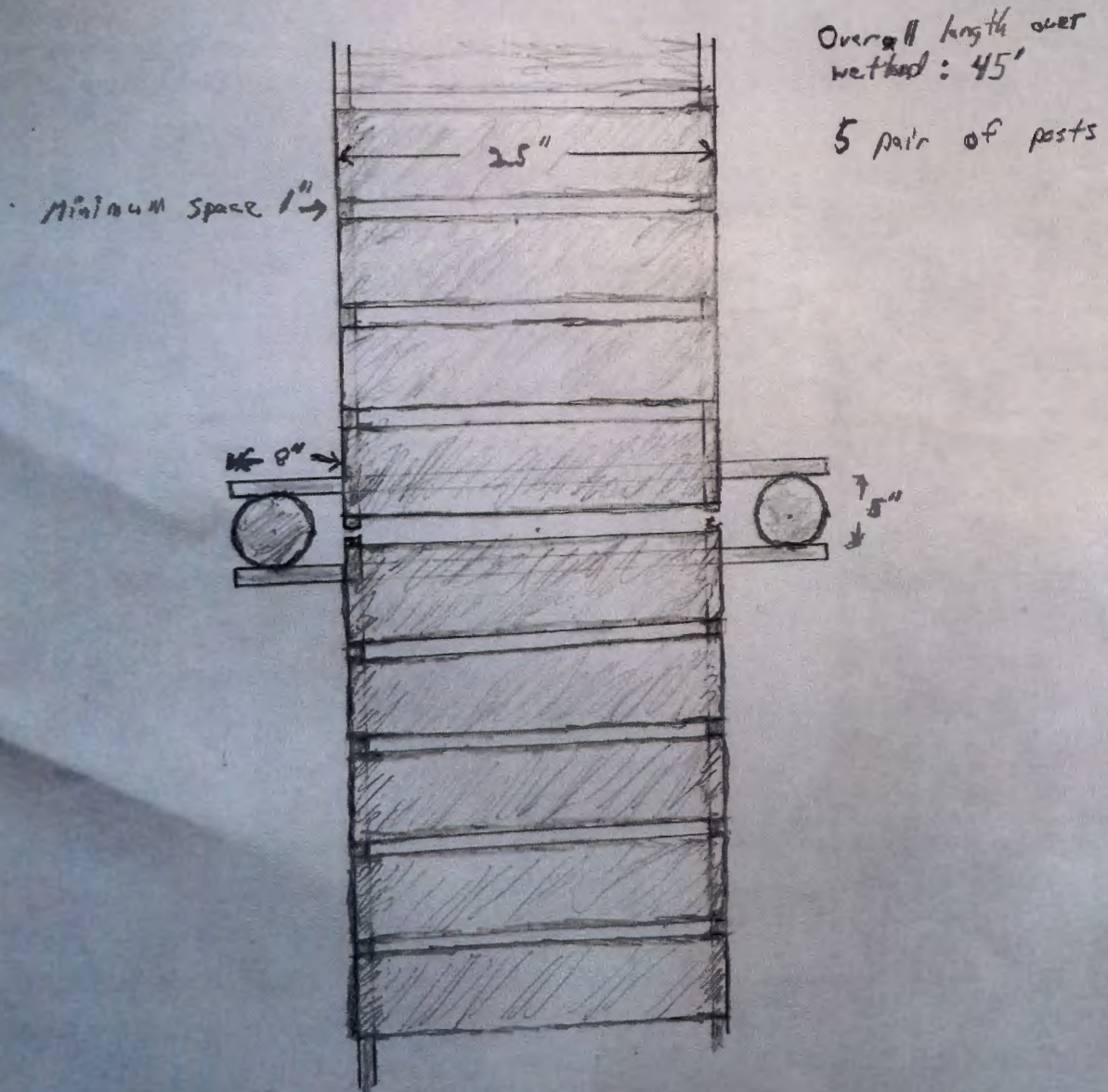
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Date: May 1, 2025



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Date: May 20, 2025



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RECEIVED
Date: April 30, 2025

