

THIS IS A TWO-SIDED DOCUMENT



**Adirondack
Park Agency**

APA Permit
2025-0039

P.O. Box 99, 1133 NYS Route 86
Ray Brook, New York 12977
Tel: (518) 891-4050
www.apa.ny.gov

Date Issued:

In the Matter of the Application of
**OLD FORGE WOODLANDS LLC, PAUL
RIVET, and DANFORTH RIVET**
Permittees

for a permit pursuant to § 809 of the Adirondack
Park Agency Act and 9 NYCRR Part 578

To the County Clerk: Please index
this permit in the grantor index
under the following name(s):
**1. Old Forge Woodlands, LLC
2. Paul Rivet
3. Danforth Rivet**

SUMMARY AND AUTHORIZATION

This permit authorizes a five-lot subdivision and the construction of one new single family dwelling on each lot in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Webb, Herkimer County.

This authorization shall expire unless recorded in the Herkimer 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 Herkimer 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 54.62±-acre parcel of land located on North Road in the Town of Webb, Herkimer County, in areas classified as Hamlet and Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 41.2, Block 1, Parcel 7, and is described in a deed from Sylvia Heumann to Old Forge Woodlands LLC, dated December 27, 2005, and recorded March 22, 2006 in the Herkimer County Clerk's Office under Instrument Number 2006-00125064.

Wetlands are located along the eastern boundary of the project site on Lot 1, and consist of a mix of emergent, forested, and scrub/shrub cover types; and a separate smaller wetland consisting of a wet meadow cover type is located on Lot 3. Additional wetlands not described herein or depicted on the Project Plans may be located on or adjacent to the project site.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a five-lot subdivision of the 54.62±-acre project site to create a 9.07-acre lot (Lot 1); a 13.08-acre lot (Lot 2); a 10.67-acre lot (Lot 3); a 9.46-acre lot (Lot 4); and a 12.34-acre lot (Lot 5). Each lot will be improved by one new single family dwelling, garage, water supply well and on-site wastewater treatment system. Access to each lot will be along a shared gravel access drive.

The project is shown on a seven-sheet set of plans titled "Thompson Acres Subdivision, Town of Webb, Herkimer County, APA Project 2025-0039" prepared by Boulder Consultants, dated August 28, 2025, last revised October 2, 2025 and received by the Agency on October 6, 2025 (Project Plans).

A reduced-scale copy of the Sheet 2 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 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.

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 Herkimer 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 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. Subject to the conditions stated herein, this permit authorizes a five-lot subdivision as depicted on the Project Plans. Any subdivision of the project site not depicted on the Project Plans shall require a new or amended permit.
5. The Hamlet land use area portion of Lot 1 shall not be conveyed separately from the Moderate Intensity Use land use area portion of Lot 1.
6. Subject to the conditions stated herein, this permit authorizes the construction of one new single family dwelling and garage on Lots 1 through 5 authorized herein in the locations and footprints and as described on the Project Plans. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.

The construction of any additional dwelling or other principal building on Lots 1 through 5 authorized herein shall require a new or amended permit. The construction of any accessory structure outside the building envelopes or on slopes greater than 15 percent shall require prior written Agency authorization.

7. Construction of a guest cottage on any lot authorized herein shall require prior written Agency authorization.
8. Any on-site wastewater treatment system(s) on Lots 1 through 5 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.

9. The project shall be undertaken in compliance with the Erosion and Sediment Control measures shown on the Project Plans.
10. 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.

11. 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 North Road or adjoining property.
12. All exterior building materials, including roof, siding and trim, of any structure on the project site shall be a dark shade of green, grey, or brown.
13. Outside of the limits of clearing shown on the Project Plans, no trees, shrubs or other woody-stemmed vegetation/trees greater than 6 inches in diameter at breast height may be cut, culled, trimmed, pruned or otherwise removed or disturbed on the project site without prior written Agency authorization, except for the removal of 1) trees for firewood, 2) an area up to 25 feet in width for driveway construction and utility installations, and 3) dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
14. The undertaking of any activity involving wetlands shall require a new or amended permit.
15. After the construction of one new single family dwelling on Lots 1 through 5 as authorized herein, the remaining density of each lot shall be as follows:
 - Lot 1 shall contain not more than five additional principal buildings;
 - Lot 2 shall not contain more than nine additional principal buildings;
 - Lot 3 shall not contain more than seven additional principal buildings;
 - Lot 4 shall not contain more than six additional principal buildings; and
 - Lot 5 shall not contain more than eight additional principal buildings;

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, the Freshwater Wetlands Act and 9 NYCRR Part 578, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision and single family dwellings 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 and Moderate Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Hamlet and 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 23rd day
of December, 2025.

ADIRONDACK PARK AGENCY

BY: 
John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 23rd day of December 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

STEPHANIE PETITH
Notary Public, State of New York
Reg. No. 01PE6279890
Qualified in Essex County 29
Commission Expires April 15, 2029

