


THIS IS A TWO-SIDED DOCUMENT

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|  <p><b>Adirondack<br/>Park Agency</b></p> <p>P.O. Box 99, 1133 NYS Route 86<br/>Ray Brook, New York 12977<br/>Tel: (518) 891-4050<br/>www.apa.ny.gov</p>    | <p>APA Permit<br/><b>2025-0237</b></p>   |
| <p>In the Matter of the Application of</p> <p><b>ALLAN ROSENSTEIN REVOCABLE TRUST<br/>AND ELIZABETH ROSENSTEIN REVOCABLE<br/>TRUST</b><br/><b>Permittees</b></p> <p>for a permit pursuant to § 809 of the Adirondack<br/>Park Agency Act</p> | <p>Date Issued: <b>February 25, 2026</b></p>   |
|  | <p>To the County Clerk: Please index<br/>this permit in the grantor index<br/>under the following name(s):</p> <ol style="list-style-type: none"><li><b>1. Allan Rosenstein Revocable<br/>Trust</b></li><li><b>2. Elizabeth Rosenstein<br/>Revocable Trust</b></li></ol> |

**SUMMARY AND AUTHORIZATION**

This permit authorizes construction of a single family dwelling in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Horicon, Warren County.

This authorization shall expire unless recorded in the Warren 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 Warren County Clerk's Office. 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 3.2±-acre parcel of land located on Mill Creek Road in the Town of Horicon, Warren 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 20, Block 2, Parcel 13, and is described in a deed from Allan Rosenstein and Elizabeth Rosenstein to Allan Rosenstein Revocable Trust and Elizabeth Rosenstein Revocable Trust, recorded in the Warren County Clerk's Office under Book 7097, Page 45.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves construction of a single family dwelling on the project site.

The project is shown on the plans titled "1st Floor Plan" and "2nd Floor Plan," in two sheets, prepared by Rice Design Services dated April 14, 2025, and received by the Agency on September 19, 2025 (Floor Plans); and on the following maps and plans received by the Agency on January 15, 2026, including:

- "Rosenstein Residence," in six sheets, prepared by Rice Design Services, and dated January 14, 2026 (Dwelling Plans); and
- "Tax Map # 20.-2-13," in three sheets, prepared by Hutchins Engineering, PLLC, and dated January 13, 2026 (Septic Plans).

A reduced-scale copy of sheets 5 & 6 of the Dwelling Plans and Sheet 1 of the Septic Plans for the project are 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 construction of a single family dwelling greater than 40 feet in height 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 Warren 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, the Dwelling Plans and the Septic 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 2025-0237, issued February 25, 2026, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling on the project site in the location, footprint, and height shown and as described on the Dwelling Plans. Any change to the location or dimensions of the single family dwelling shall require prior written Agency authorization.
6. The construction of any additional dwelling or other principal building on the project site shall require a new or amended permit. The construction of any accessory structure on the project site outside the "Border of Clearing," depicted on the Dwelling Plans and the "Limit of Project Disturbance," depicted on the Septic Plans; shall require a new or amended permit. Any accessory structure shall be no greater than 40 feet in height.
7. Construction of any guest cottage on the project site shall require prior written Agency authorization.
8. Any on-site wastewater treatment system on the project site 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 Septic 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 Septic 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 Schroon Lake, Mill Creek Road or adjoining properties.
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 the "Border of Clearing," depicted on the Dwelling Plans and the "Limit of Project Disturbance," depicted on the Septic Plans; 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 the removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
- 14. All trees and shrubs as depicted and described on the Dwelling Plans shall be planted no later than the first spring or fall planting season after final grading related to the construction of the single family dwelling on the project site. Trees and shrubs that do not survive shall be replaced annually until established in a healthy growing condition.

**CONCLUSIONS OF LAW**

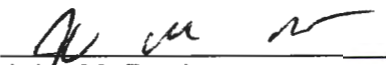
The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, and 9 NYCRR Part 574. The Agency hereby finds that the single family dwelling authorized as conditioned herein:

- a. will meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Horicon; and
- 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.

Dated: February 25, 2026

Ray Brook, New York

**ADIRONDACK PARK AGENCY**

By:   
John M. Burth  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 25<sup>th</sup> day of February in the year 2026, 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  
Commission Expires April 15, 2029





