


THIS IS A TWO-SIDED DOCUMENT

 <p>NEW YORK STATE 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 1996-0154I</p>
<p>In the Matter of the Application of</p> <p>WHITEFACE RESORT HOLDINGS, LLC Permittee</p> <p>for a permit amendment pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: April 28, 2026</p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Whiteface Resort Holdings, LLC</p>

SUMMARY AND AUTHORIZATION

This amended permit authorizes the expansion of an existing dock system in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the 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 five years of the date the permit is recorded in the Essex County Clerk's Office. The Agency will consider the project in existence when the additional dock sections have been constructed.

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 amended 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 1.34±-acre parcel of land located on Marina Way in the Town of North Elba, Essex 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 33.18, Block 1, Parcel 27.001, and is described in the deed from Whiteface Club Real Estate and Development CO., LLC, et al. to Whiteface Resort Holdings, LLC, dated January 22, 2004, and recorded in the Essex County Clerk's Office under Book 1389, Page 200.

The project site was created as the "Boathouse Lot" as authorized by Agency Permit 96-154. The project site contains shoreline on Lake Placid, and is improved by an existing floating dock system for use by those having deeded or contractual access to the "Boathouse Lot" shoreline, as described in Agency Permit 96-154.

The existing floating dock system, as authorized by Agency Permit 96-154E, consists of the 5-foot-wide by 160±-foot-long "northern" walkway with a total of 15, 4-foot-wide by 20-foot-long perpendicular dock fingers located on both sides of the central walkway, and the 5-foot-wide by 115±-foot-long "southern" walkway with a total of 11, 4-foot-wide by 20-foot-long perpendicular dock fingers located on both sides of the central walkway.

PROJECT DESCRIPTION

The project as conditionally approved herein involves expansion of the northern arm of the existing floating dock system, consisting of a 48-foot extension of the 5-foot-wide central walkway, and two additional dock fingers measuring 4 feet wide by 20 feet long on each side of the central walkway. The resulting new dock space will be available for use by those having deeded or contractual access to the "Boathouse Lot" shoreline.

The project is shown on a site titled "Map of Survey Prepared For Whiteface Resort Holdings, LLC, Proposed Dock Addition" prepared by Geomatics Adirondack Land Surveying, PLLC, and dated March 19, 2026 (Dock Plan). A reduced-scale copy of the Dock Plan for the project is attached as a part of this permit for reference.

AGENCY JURISDICTION

This permit amends Condition 2 of Permit 96-154E.

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 dock system remains on the site. Copies of this permit and Dock 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. This permit amends and supersedes Permit 1996-0154E in relation to the dock system configuration. The terms and conditions of Permit 1996-0154E shall no longer apply to the dock system configuration.
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 1996-0154I, issued April 28, 2026, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. This permit authorizes the addition of floating dock sections in the location shown and as depicted on the Dock Plan. Any change to the location, dimensions, configuration, or other aspect of the dock system on the project site shall require a prior written Agency authorization.
7. All building materials, color, and navigation lighting shall be consistent with the existing dock design.
8. Installation of any lighting other than required for navigation on the dock sections authorized herein shall require prior written Agency authorization.
9. Installation of any signs on the dock sections authorized herein shall require prior written Agency authorization.
10. The floating dock system shall be for use by those having deeded or contractual access to the "Boathouse Lot" shoreline. There shall be no more than 238 residential units or Whiteface Club memberships provided with either deeded or contractual rights to shoreline access on the "Boathouse Lot" shoreline at any one time.

CONCLUSIONS OF LAW

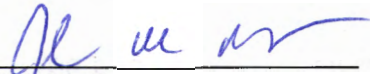
The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, and 9 NYCRR Part 574. The Agency hereby finds that the project authorized as conditioned herein:

- 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.

Dated: April 28th, 2026

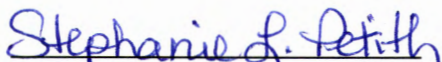
Ray Brook, New York

ADIRONDACK PARK AGENCY

By: 
John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 28th day of April 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.


Notary Public

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

