


THIS IS A TWO-SIDED DOCUMENT

 <p>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 2025-0269</p>
<p>In the Matter of the Application of</p> <p>JAY D. MARCHETTI and SUSAN P. MARCHETTI Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: April 23, 2026</p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s):</p> <ol style="list-style-type: none">1. Jay D. Marchetti2. Susan P. Marchetti

SUMMARY AND AUTHORIZATION

This permit authorizes the construction of a boathouse and gangway in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map in the Town of Brighton, Franklin County.

This authorization shall expire unless recorded in the Franklin 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 Franklin County Clerk's Office. The Agency will consider the project in existence when the authorized boathouse and gangway 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 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 0.21-acre parcel of land located on Hull Road in the Town of Brighton, Franklin County, in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 367.1, Block 2, Parcel 16, and is described in a deed from Eileen G. Plumley to Jay D. Marchetti and Susan P. Marchetti, dated August 27, 2004, and recorded August 31, 2004 in the Clinton County Clerk's Office at Book 864, Page 66.

The project site contains shoreline on Rainbow Lake. The project site also contains deep-water marsh and shrub swamp wetlands with a value rating of "3" along the entirety of the shoreline.

The project site is improved by an existing single family dwelling with associated on-site wastewater treatment system and dock.

PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of a 24-foot, 2-inch by 18-foot, 2-inch (439±-square-foot) single-slip boathouse with a total height of 13 feet. The boathouse will be constructed on nine concrete pilings and accessed by a four-foot-wide gangway.

The project is shown on a three-page set of plans titled "Plan View & Side Elevation", prepared by Jay Marchetti, and dated March 8, 2026 (Project Plans).

A reduced-scale copy of the Project Plans for the project 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 activity 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 Franklin 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 boathouse 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 2025-0269, issued April 23, 2026, 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 boathouse and gangway in the location shown and as depicted on the Project Plan. Any change to the location, dimensions, or other aspect of the boathouse and gangway shall require prior written Agency authorization. The structures shall be elevated 18 inches above the water and wetland surface, with one-inch spacing between deck boards.
6. Construction access shall be in compliance with the Project Plans. There shall be no vehicular access in wetlands.
7. 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.
8. Any new free-standing or building-mounted outdoor lights associated with the boathouse on the project site shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Rainbow Lake and adjoining property.
9. No vegetation may be cut or otherwise removed or disturbed within wetlands on the project site without prior written Agency authorization.
10. The undertaking of any activity involving wetlands not authorized herein 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:

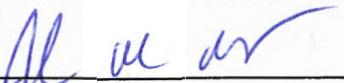
- a. will be consistent with the land use and development plan;
- b. will be compatible with the character description and purposes, policies, and objectives of the Hamlet land use area;
- c. will be consistent with the overall intensity guidelines for the Hamlet land use area;

- 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 the minimum possible degradation or destruction of any part of the wetland or its associated values, is the only alternative which reasonably can accomplish the applicant's objectives, and will, weighing the benefits of the activity against its cost and the wetland values lost, provide a net social and/or economic gain to the community.

Dated: April 23rd, 2026

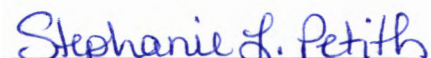
Ray Brook, New York

ADIRONDACK PARK AGENCY

By: 
John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 23rd 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.

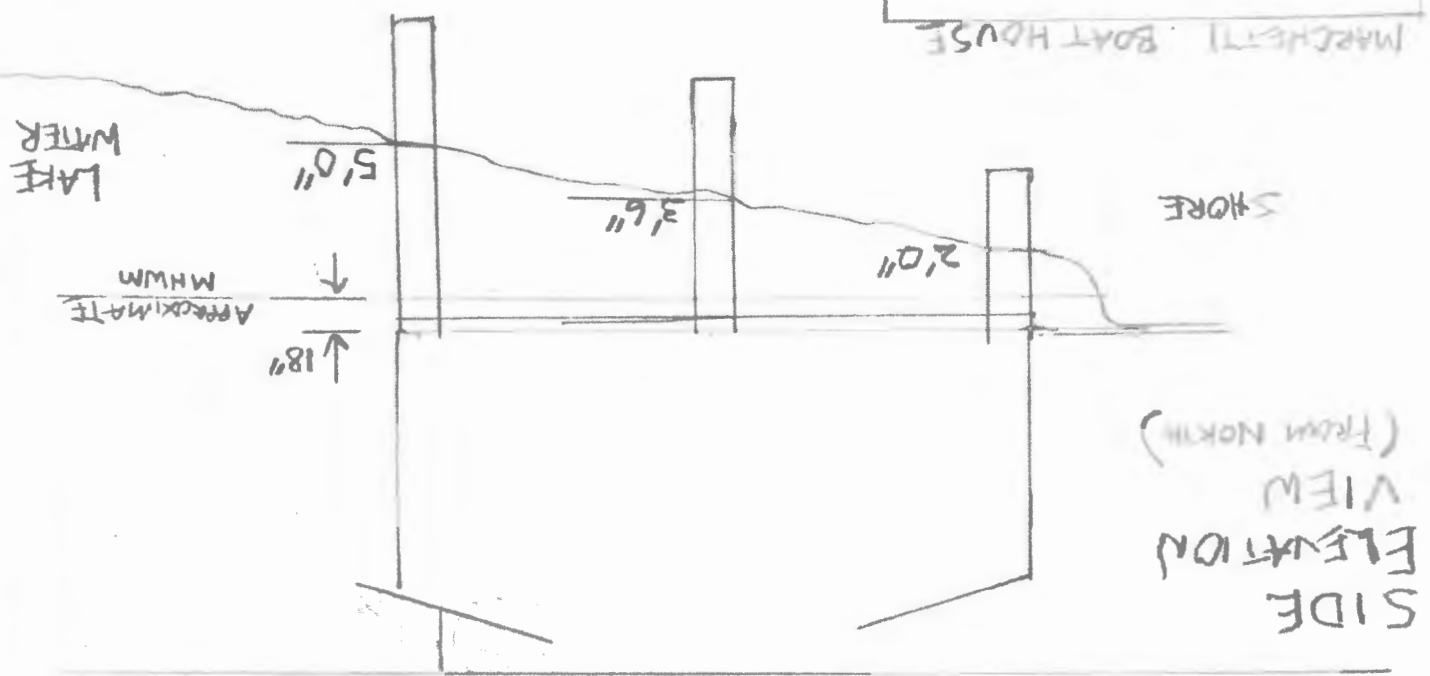

Notary Public

STEPHANIE PETITH
Notary Public, State of New York
Reg. No. 01PE0270000
Qualified in Essex County
Commission Expires April 15, 26 29

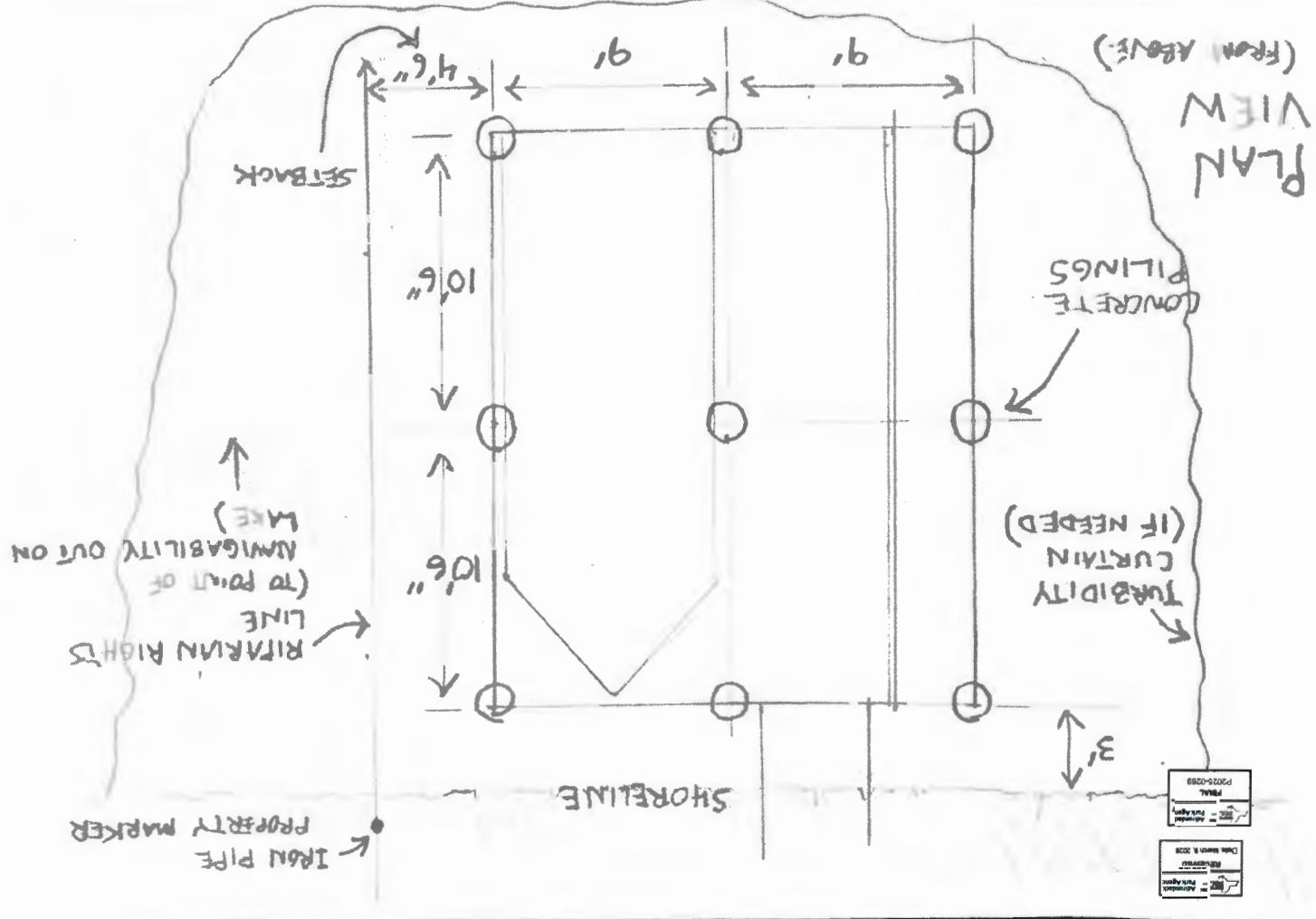
MARCHETTI
MARCH 8, 2026

PLAN VIEW of
SIDE ELEVATION

MARCHETTI BOAT HOUSE

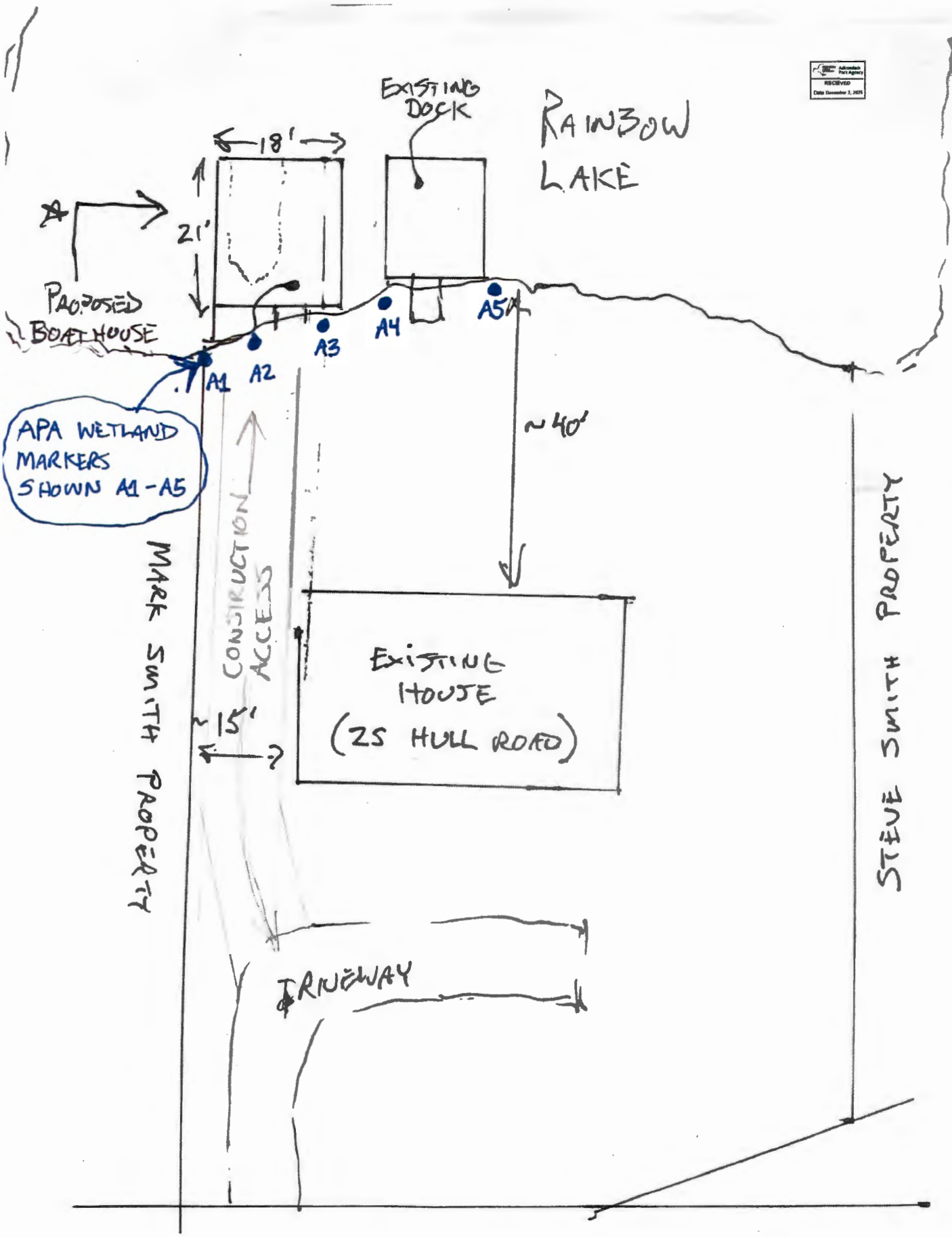


SIDE
ELEVATION
VIEW
(FROM NORTH)



P2020-0089
PLAN

RECEIVED
DATE November 7, 2015



APA WETLAND MARKERS SHOWN A1-A5

MARK SMITH PROPERTY

STEVE SMITH PROPERTY

EXISTING HOUSE
(25 HULL ROAD)

~40'

CONSTRUCTION ACCESS

15'

DRIVEWAY

HULL ROAD

RAINBOW LAKE

EXISTING DOCK

PROPOSED BOAT HOUSE

18'

21'

A1

A2

A3

A4

A5A

