


STAFF DRAFT – NOT APPROVED BY AGENCY
THIS IS A TWO-SIDED DOCUMENT

 <p>NEW YORK STATE OF OPPORTUNITY.</p> <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>DRAFT APA Permit 2022-0008</p>
<p>In the Matter of the Application of</p> <p>LANE WINNEY, JAMIE WINNEY, and the NIAGARA MOHAWK POWER CORPORATION Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: XXXX</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <ol style="list-style-type: none">1. Lane Winney2. Jamie Winney3. Niagara Mohawk Power Corporation

SUMMARY AND AUTHORIZATION

This permit authorizes a new campground in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Mayfield, Fulton County.

This authorization shall expire unless recorded in the Fulton 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 County Clerk's Office. The Agency will consider the project in existence when any of the development authorized herein has been undertaken.

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 located east of NY State Route 30 and south of Woods Hollow Road in the Town of Mayfield, Fulton County, in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map.

The project site is comprised of 39.5 acres of land within the Adirondack Park owned by Lane and Jamie Winney and identified as Tax Map Section 137, Block 4, Parcels 52, 54.11 and 55. The Winney ownership is described in two deeds from Ethel M. Winney to Lane Winney and Jamie Winney, dated December 19, 2018, and recorded February 11, 2019 in the Fulton County Clerk's Office under Instrument Numbers 2019-54458 and 2019-54459.

The project site also includes a portion of a linear intervening parcel of land within the Adirondack Park and owned by the Niagara Mohawk Power Corporation (a/k/a National Grid) and identified as Tax Map Section 136, Block 5, Parcel 12. The Niagara Mohawk Power Corporation ownership is described in a deed from Nina E. Ernst to Niagara Mohawk Power Corporation, dated November 12, 1960, and recorded December 5, 1960 in the Fulton County Clerk's Office in Book 455 at Page 429.

The project site contains wetlands in the southern portion of tax map number 137.-4-55 and associated with Kenyetto Creek. Additional wetlands not described herein or depicted on the Project Plans may be located outside the Adirondack Park on or adjacent to the project site.

Access to the project site is located outside the Adirondack Park: an un-named, unpaved road leads east from NY State Route 30 into the Park and across the project site. This road then exits the project site and continues to a sand and gravel mine located outside of the Park to the east of the project site.

PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of a new campground partially located in the Adirondack Park. Of the 277 campsites, 123 are located wholly or partially in the Adirondack Park. These 123 campsites include 90 recreational vehicle (RV), 20 glamping, and 13 primitive sites. Related development within the Adirondack Park includes three bathhouse facilities, an office/check-in building, a maintenance/mechanical building, a playground area, on-site water supply and wastewater systems, stormwater management practices, utilities, fencing, and tree/shrub planting. One internal campground road is proposed; the road will cross tax map parcel 136.-5-12, owned by National Grid. Access to Great Sacandaga Lake and additional campground amenities are proposed outside the Adirondack Park.

Access to the campground is proposed through a new entrance along State Route 30, to the west of the project site and outside of the Adirondack Park. A second, gated access for passenger vehicles is proposed at the location of the existing access at the juncture of State Route 30 and the un-named, unpaved road; this second access location is also to the west of the project site and outside of the Park. Emergency access to the site is proposed through a gated entrance at Woods Hollow Road, within the Park.

The project is shown on the following maps, plans, and reports:

- 19 sheets of plans titled “RV Park for Woods Hollow Campground, Woods Hollow Mining Company,” prepared by Environmental Design Partnership, LLP, and last dated September 16, 2022 (Project Plans);
- two sheets of plans titled “APA Exhibit Map,” prepared by Environmental Design Partnership, LLP, and received by the Agency October 31, 2022 (Clearing Exhibit);
- a 59-page report titled “Woods Hollow Campground Footcandle Analysis & Exterior Lighting Fixture Cutsheets,” prepared by Environmental Design Partnership, LLP, and last dated December 6, 2021 (Lighting Plan); and
- a 156-page report titled “Stormwater Pollution Prevention Plan for Construction Activities at Woods Hollow Campground, Town of Mayfield,” prepared by Environmental Design Partnership, LLP, dated October 2021 and revised August 2022 (Stormwater Pollution Prevention Plan).

A reduced-scale copy of Sheet 3 (Overall Site Plan) 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, a permit is required from the Adirondack Park Agency prior to the establishment of any campground or tourist accommodation on Low Intensity Use lands 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 Fulton 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 campground remains on the site. Copies of this permit and Project Plans, Clearing Exhibit, Lighting Plan, and Stormwater Pollution Prevention 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. 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 2022-0008, issued **XXXX**, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees.”

5. This permit authorizes the establishment of a campground in the location shown and as depicted on the Project Plans. The bathhouses shall be no more than 25 feet in height; the office/check-in building shall be no more than 40 feet in height; and the maintenance/mechanical building shall be no more than 32 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade. Any change to the location, dimensions, or other aspect of the campground shall require prior written Agency authorization.
6. The campground shall only operate from April through November.
7. All recreational vehicles and trailers on the project site shall be readily moveable, meaning they shall possess wheels, shall not have any attached structural additions (such as a porch, deck, or stairs), shall be currently registered and inspected by the Department of Motor Vehicles, and shall be disconnected from all water, sewer, and electric hook-ups when the campground is not in operation.
8. Fencing shall be installed in the location shown and as depicted on the Project Plans. The woven-wire fence shall be installed a minimum of 3 inches above the ground and with the largest wire gaps (8 inches tall) on the bottom.
9. If installed within five years of the date of issuance of this permit, the on-site wastewater treatment system shall be constructed in conformance with the location and design shown on the Project Plans. Construction of the system shall be supervised by a 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.
10. The project shall be undertaken in compliance with the Stormwater Pollution Prevention Plan.
11. The project shall be undertaken in compliance with the Erosion and Sediment Control Plan contained within the Stormwater Pollution Prevention Plan and the Project Plans.
12. 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.
13. All exterior building materials, including roof, siding and trim, of the bathhouse buildings shall be a dark shade of green, grey, or brown.

14. All lighting associated with the campground on the project site shall comply with the Lighting Plan. Any change to this lighting shall require prior written Agency authorization.
15. All signs associated with the campground on the project site shall comply with the Project Plans. Any change to this signage shall require prior written Agency authorization.
16. Outside of the “proposed clearing limits” shown on the Project Plans, no trees or shrubs may be cut, culled, trimmed, pruned, or otherwise removed or disturbed on the project site without prior written Agency authorization, except for a) selective clearing in the areas shown on the Clearing Exhibit and b) the removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
17. All trees and shrubs depicted on the Project Plans shall be planted no later than the first spring or fall planting season after final grading related to the construction of the campground. Trees and shrubs that do not survive shall be replaced annually until established in a healthy growing condition. Any substitutions for the species listed in the Project Plans shall be species native to the region.
18. There shall be no more than 12 principal buildings located on the project site at any time. Each glamping tent structure authorized herein involving 300 square feet or more of floor space constitutes a principal building. Each glamping tent structure authorized herein involving less than 300 square feet of floor space constitutes one tenth of a principal building. Square feet of floor space shall be measured from the exterior walls of the tent and including any attached covered porches, covered decks, and all other components with a roof or cover. 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 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 Low Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Low 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.

PERMIT issued this day
of , 2022.

ADIRONDACK PARK AGENCY

BY: _____
John M. Burth
Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK
COUNTY OF ESSEX

On the day of in the year 2022, 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

