


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 1988-0150B</p>
<p>In the Matter of the Application of</p> <p>ROCKY POINT PROPERTIES, INC. Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: November 4, 2025</p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Rocky Point Properties, Inc.</p>

SUMMARY AND AUTHORIZATION

This permit authorizes construction of townhouses not to exceed 40 feet in height in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map in the Town of Inlet, Hamilton County.

This authorization shall expire unless recorded in the Hamilton 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 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 21.2±-acre parcel of land located NYS Route 28 in the Town of Inlet, Hamilton County, in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 59.012, Block 2, Parcel 83.111, and is described in a deed from Archibald George Delmarsh III to Rocky Point Properties, Inc., dated September 25, 1987, and recorded October 19, 1987 in the Hamilton County Clerk's Office at Book 193, Page 808.

The project site contains wetlands as detailed in Finding of Fact 25 of Agency Permit 88-150. Additional wetlands not described herein or depicted on the project plans for Agency Permit 88-150 may be located on or adjacent to the project site.

PROJECT DESCRIPTION

Agency Permit 1988-0150 authorized the construction of two-story townhouses consisting of 3, 4, 5 and 6 unit complexes, measuring 26 feet in height. The project as conditionally approved herein involves construction of the previously-approved townhouses not to exceed 40 feet in height.

The project is shown on a single Plan Sheet No. A7 titled "Building Elevations," prepared by Mark Domenico Architect, PLLC and dated November 29, 2023 (Elevation Plan).

A reduced-scale copy of the Elevation Plan is attached as a part of this permit for easy reference. The original, full-scale plan described in this paragraph is the official plan for the project, with copies available upon request from Adirondack Park Agency headquarters in Ray Brook, New York.

AGENCY JURISDICTION

The project authorized by Agency Permit 1988-0150 required a permit pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, as on March 21, 1988, the Town Board of Inlet amended the Town zoning ordinance to confer upon the Agency jurisdiction pursuant to § 810(1)(a)(2) of the Adirondack Park Agency Act over any Planned Development District project in the Hamlet land use area involving 25 or more new residential units, and the Agency agreed to accept jurisdiction over these projects at its April 1988 meeting. Agency Permit 1988-0150 also required a permit pursuant to 9 NYCRR Part 578 as a regulated activity involving wetlands.

This permit amends Condition 1 of Agency Permit 1988-0150 to allow for the construction of townhouses exceeding 26 feet in height.

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 Hamilton 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 townhouses remain on the site. Copies of this permit and Elevation 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 Agency Permit 1988-0150 in relation to townhouse height. All other conditions in Agency Permit 1988-0150 remain in full force and effect except as previously amended by Agency Permit P1988-0150A.
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 1988-0150B, issued November 4, 2025, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. Subject to the conditions stated herein, this permit authorizes the construction of townhouses not to exceed 40 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade, as depicted on the Elevation Plan. Any change to the location, dimensions, or other aspect of the townhouses shall require prior written Agency authorization.
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 townhouses 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 NYS Route 28, Rocky Point Circle, Rocky Point Lane, Fourth Lake or adjoining property.
9. The undertaking of any activity involving wetlands 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 minimal degradation or destruction of the wetland or its associated values, and is the only alternative which reasonably can accomplish the applicant's objectives.

PERMIT issued this 4th day
of November, 2025.

ADIRONDACK PARK AGENCY

BY: _____

John M. Burth

Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 4th day of November 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 PETITH
Notary Public, State of New York
Reg. No. 01PE6279890
Qualified in Essex County
Commission Expires April 15, 2029

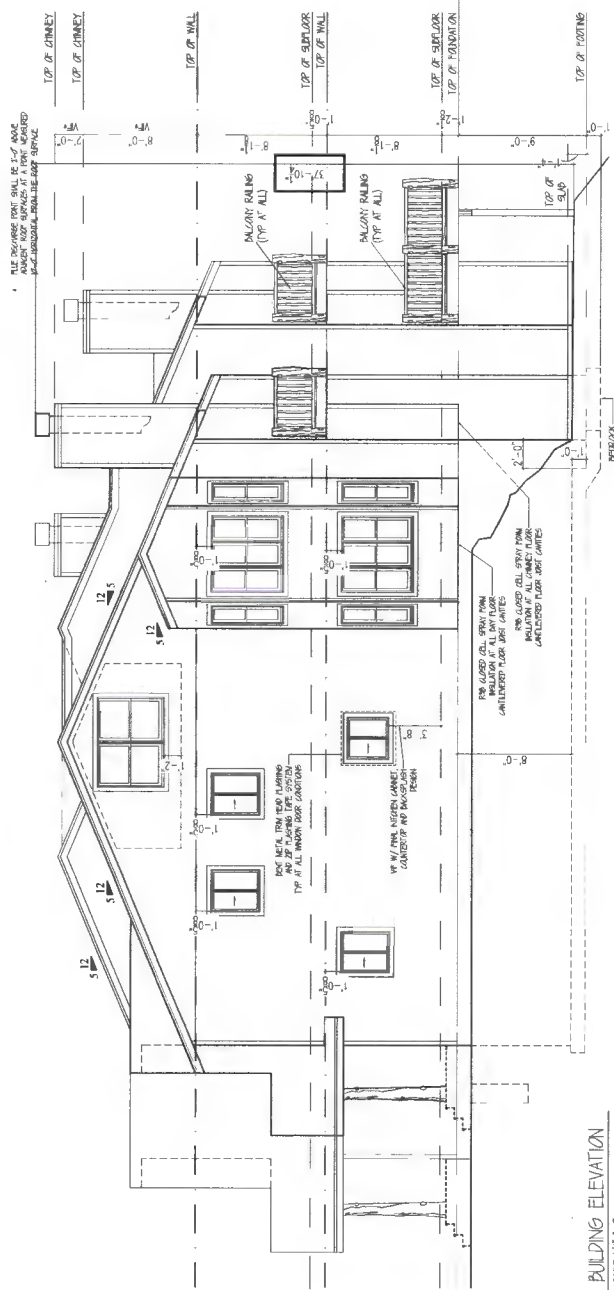
Stephanie F. Petith
Notary Public

MARK DOMENICO
ARCHITECT, PLLC.
PHONE: 315-533-6932
ROME, NEW YORK

ROCKY POINT PROPERTIES
BUILDING I
TOWN OF INLET, NEW YORK

BUILDING
ELEVATIONS

A7



2 BUILDING ELEVATION
AT SCALE 1/4"=1'-0"

FINAL
2/1/2006-1/1/2008

RECEIVED
Date: 8 September 22 2009