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In the matter of the apparent
violations of Section 809 of
the Executive Law by:

REPLY
AFFIDAVIT

Agency File E2007-041

LEWIS FAMILY FARM, INC.

Respondent.
-----X

STATE OF NEW YORK)
) ss:
COUNTY OF ESSEX)

Douglas Miller, having been duly sworn, deposes and says:

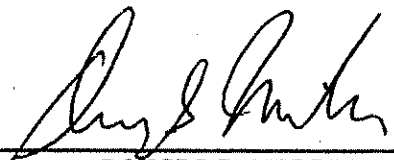
1. I am an Enforcement Officer for the Adirondack Park Agency (the "Agency"), an executive agency of the State of New York created pursuant to Executive Law § 803, with offices located in the Town of North Elba, Essex County, New York, and have served in this position since 2005. In the course of my duties, I am responsible for investigating alleged violations of the Adirondack Park Agency Act, Adirondack Park Agency Rules and Regulations, the New York State Freshwater Wetlands Act, and the NYS Wild, Scenic and Recreational Rivers Act in an area that includes the Town of Essex, Essex County.

2. I am familiar with the file in this matter and provide this reply affidavit in support of Agency staff's request for an Enforcement Committee determination.
3. I have included an attached exhibit (Exhibit A) that shows on a 2003 aerial photograph a detailed representation of the area on the Lewis Family Farm that is described in my affidavit of December 12, 2007. Exhibit A shows, in green, the Resource Management land use area from the Adirondack Park Land Use and Development Plan Map, the boundary line of the river area as described in the New York State Wild Scenic and Recreational Rivers Act, and the approximate locations of a pre-1973 single family dwelling (now removed) and the three new single family dwellings described in detail in my affidavit of December 12, 2007.
4. In paragraph 3 of my December 12, 2007 Affidavit, I described a single family dwelling located adjacent to the Christian Road and immediately north of a pre-existing blue single family dwelling. That dwelling is labeled as Structure 1 on the Exhibit A hereto. I also described a second dwelling located adjacent to Whallons Bay Road and northeast of the pre-existing blue dwelling. That dwelling is labeled Structure 2

on Exhibit A. Finally the third house I described in paragraph 3 as being located northeast of the first two houses is labeled Structure 3 on Exhibit A.

5. In paragraph four of my December 12, 2007 Affidavit, the single family dwelling adjacent to Christian Road is Structure 1 on Exhibit A.
6. During settlement discussions with Respondent, Agency staff offered to consider one of the three single family dwellings as a replacement for the pre-1973 dwelling located in the same vicinity that Respondent planned to tear down. However, those settlement discussions never progressed to the point where the replacement single family dwelling was identified.
7. A fourth single family dwelling that was built in 2007 on the Lewis Family Farm at the intersection of Clark Road and Cross Road is located approximately one half mile from the three structures shown on the attached exhibit. This fourth single family dwelling is located in Resource Management but outside the designated river area. This dwelling was determined by Agency staff to be a lawful replacement of a pre-existing dwelling that was located in the same location, and as such was not subject to Agency jurisdiction. The pre-existing dwelling at the Clark

Road/Cross Road intersection was removed prior to
construction of the new structure.



DOUGLAS MILLER

Sworn to before me this
4th day of March 2008.



Notary Public

JILL LAWRENCE
Notary Public - State of New York
Qualified in Franklin County
No. 01LA6175330
Commission Expires Oct. 9, 2011

**AFFIDAVIT OF DOUGLAS MILLER
DATED MARCH 4, 2008**

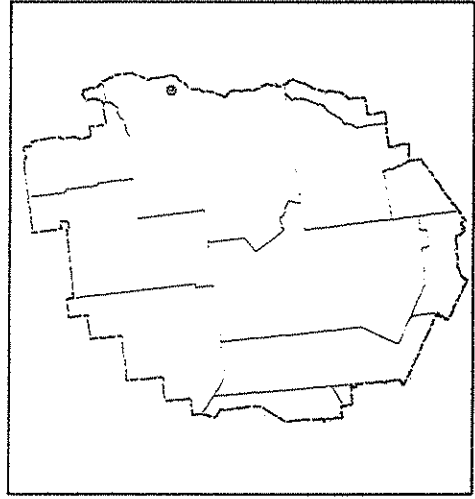
EXHIBIT A

E2007-41
Approximate Structure Location
Exhibit

Land Use Classification

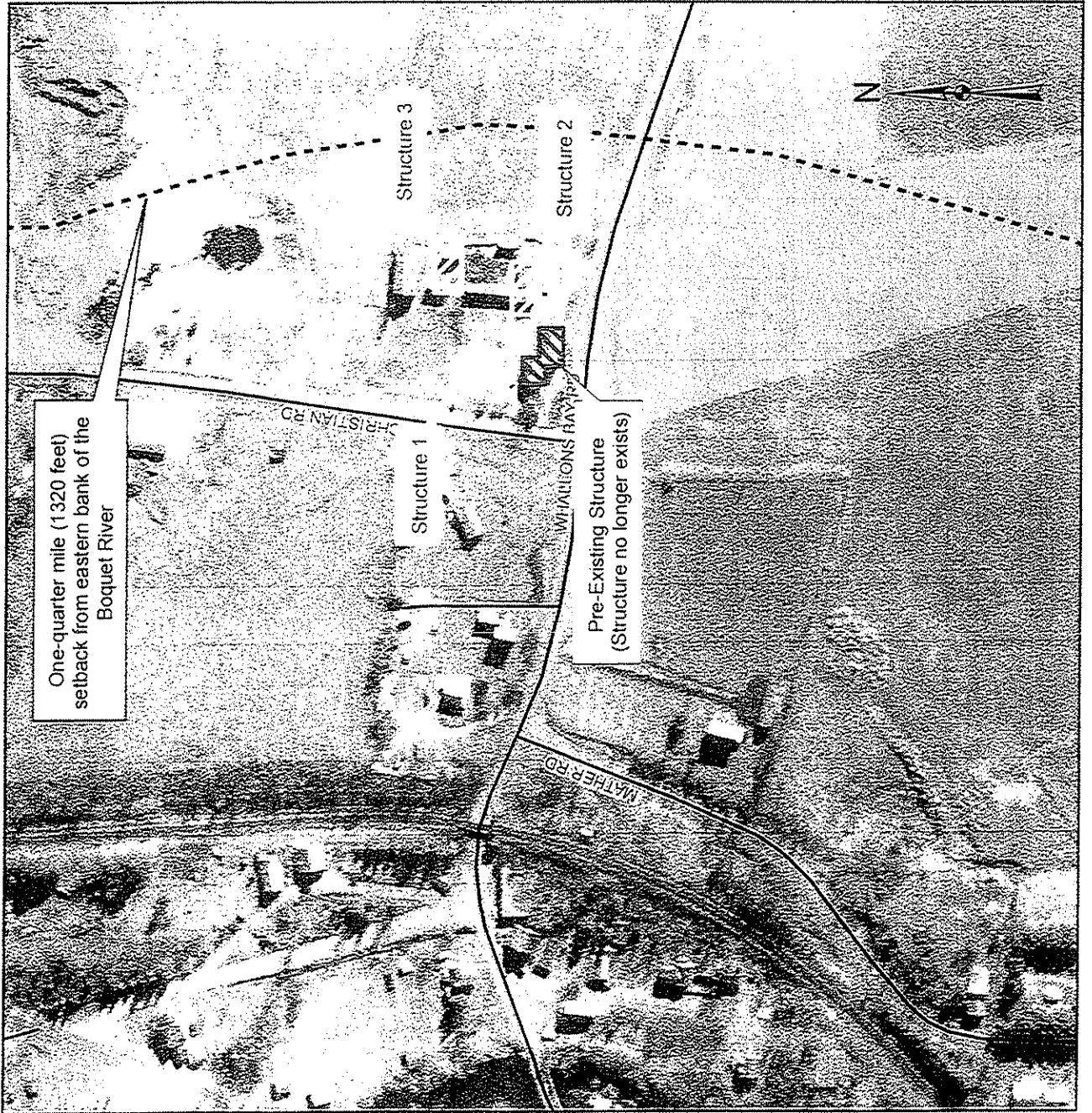
- Hamlet
- Resource Management

Vicinity Map



Adirondack Park Agency
MSK 3/03/08

0.25 Miles



One-quarter mile (1320 feet)
setback from eastern bank of the
Boquet River

Structure 3

Structure 2

Structure 1

Pre-Existing Structure
(Structure no longer exists)

CHRISTIAN RD

MILLIONS WAY

MATHER RD