
APA comes down hard on rogue resort

By **MICHAEL GOOT**
The Post-Star

THURMAN — A Thurman resort has been fined \$438,000 by the Adirondack Park Agency for multiple violations, including failing to obtain a permit to run a tourist accommodation and building multiple structures on the property, even after being cited for noncompliance.

The Brampton is located on a roughly 2-acre parcel on River Road. It is run by New York City residents James John McDonald and Jeff Lee.

The APA first began investigating the property in March 2017 in response to complaints that the owners were running a tourist accommodation and had installed additional structures on the property, including a single-family dwelling, without obtaining permits.

From 2015 to 2019, the owners installed a “tiny home,” a yoga deck, a camper van with double bed, a tent platform and two travel-trailers. They also installed an outhouse with attached shower — all connected to a cesspool, according to the record of decision.

APA staff have visited the property multiple times and proposed three potential settlement agreements. After the owners did not sign any of the agreements, the APA board took the rare step of having an enforcement hearing on Feb. 13.

During the hearing, APA senior attorney Jenny Hubbard said that the property is on Airbnb and other tourism websites, listed with the main house having six bedrooms and five bathrooms that can accommodate up to six people.

The entire building can be rented out

for \$1,500 for a weekend, \$3,000 per person for a week-long adventure retreat and \$10,000 for weddings.

Hubbard said that for nearly three years, APA staff worked to bring the owners into compliance.

“In spite of these efforts, respondents have only expanded The Brampton, adding structures, increasing use of the property and its unacceptable septic facility and continuing to worsen impacts to neighbors and the environment. At this point, The Brampton cannot be allowed to continue operating,” she said.

The APA’s decision requires the owners to cease operations within 15 days of the board’s Feb. 21 decision, cancel all current reservations, not

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accept additional reservations and stop advertising until they obtain a permit from the agency to authorize a tourist accommodation.

Despite being told not to rent rooms, the resort's website was still active and inviting people to inquire about booking stays.

The APA decision says the owners also must remove the yoga deck, camper tent, tent platform, staircase, Airstream travel-trailer, second travel-trailer and outhouse structure, as well as the single-family home constructed in 2016. The owners also must submit plans to the APA for a wastewater treatment facility.

A total of \$87,600 fine is due by this Friday. The remaining \$350,400 of the fine is suspended, pending successful completion of each aspect of the remediation plan by specified deadlines. If any deadline is missed, then the fine will be imposed.

When contacted by telephone by a Post-Star reporter, Lee said he had no comment and to contact his lawyer. He said the lawyer's name was Thomas, but was not able to provide the last name. He then hung up.

During the hearing, McDonald and Lee said they were trying to work with the APA. They hired a structural engineer, and they believed that he was working with the agency to address the concerns.

"I do disagree on the point that we haven't made any attempt to get the place (up to

code," he said.

Lee agreed.

"The idea that we've completely blown everybody off from day one, it's literally the opposite of the truth. We've tried to work with everybody we possibly can," he said.

Lee said the engineer has submitted plans for various items such as the leach field, and they were not acceptable, so they had to be revised.

"We spent a ridiculous amount of money on engineers, on contractors to try to get a new septic field in (and) a new leach field," he said.

Lee said one of the small cabins on the site is his personal cabin and is not intended to be rented. He blamed other tourist accommodation websites for advertising that it was for rent.

Lee admitted that The Brampton's social media marketing is misleading and that they should not be advertising structures that are not being used.

Lee said they plan to use the single-family home, which is 90% built, for storage.

McDonald and Lee also said that, despite the fees that are being charged, they are not making as much money on the resort as people would think. There are a lot of expenses.

Hubbard said that not knowing about the APA rules is not a defense.

"Claiming that they're ignorant is simply not true. Every single thing that we're discussing is in writing," she said.