

1. I am an Enforcement Officer for the Adirondack Park Agency (the "APA"), 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.

2. 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 New York State Wild, Scenic and Recreational River System Act in an area that includes the Town of Essex, Essex County.

3. I am familiar with the file of the APA in the matter of Lewis Family Farm, Inc. ("Lewis Farm") and have been to Lewis Farm during the course of my duties. I submit this affidavit in support of the APA's Motion to Extend the Appellate Division's Stay of Occupancy of two of the new single-family dwellings at Lewis Farm.

4. Upon information and belief, on or about February 19, 2008, The Town of Essex issued a Certificate of Occupancy for a "single-family home" on Christian Road on the Lewis Farm. This Certificate of Occupancy was issued for the "westerly building" on Christian Road, which is the dwelling referred to by Petitioner Lewis Farm as the "dormitory."

5. On January 15, 2009, I spoke with the Code Enforcement

Officer for the Town of Essex, who informed me that the Town had not issued any other Certificates of Occupancy for the new single-family dwellings on Lewis Farm since February 19, 2008.



DOUGLAS MILLER

Sworn to before me this
29 day of January, 2009.



Notary Public

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