

THIS IS A TWO-SIDED DOCUMENT

 <b>Adirondack Park Agency</b>  P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov	APA Permit <b>2025-0019</b>
In the Matter of the Application of  <b>JAMES D. MUSKOPF</b> <b>Permittee</b>  for a permit pursuant to § 809 of the Adirondack Park Agency Act	Date Issued: March 26, 2025  To the County Clerk: Please index this permit in the grantor index under the following name(s): <b>1. James D. Muskopf</b>

**SUMMARY AND AUTHORIZATION**

This permit authorizes construction of a single family dwelling and attached garage in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Black Brook, Clinton County.

This authorization shall expire unless recorded in the Clinton 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 Clinton County Clerk's Office. The Agency will consider the project in existence when the single family dwelling has been completed.

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 43.63±-acre parcel of land located on Buck Hill Road in the Town of Black Brook, Clinton County, in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 312, Block 1, Parcel 2.3, and is described in a deed from Patrick J. Muskopf to James D. Muskopf, dated December 23, 1998, and recorded January 21, 1999 in the Clinton County Clerk's Office under Instrument Number 108003.

The project site is improved by a pre-existing seasonal cabin including a water supply.

The project site was created as "Parcel 1" in a two-lot subdivision as authorized by Agency Permit 90-395A.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves the construction of a single family dwelling and attached garage.

The project is shown on a three page set of maps and plans entitled "Muskopf/Salvemini Residence," prepared by John R. Collins, and dated October 31, 2024 (Project Plans). A reduced-scale copy of the Site Plan for the project, shown on Page 2 of the Project Plans and dated October 31, 2024, 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 construction of any single family dwelling on Resource Management 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 Clinton 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. Copies of this permit and Project Plans 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 Permit 90-395A in relation to the project site. The terms and conditions of Permit 90-395A shall no longer apply to the project site.
5. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling and attached garage on the project site in the location shown on the Site Plan.

The single family dwelling shall be no more than 40 feet in height, as measured from the highest point on the structure, to the lower of either existing or finished grade. The single family dwelling and attached garage shall be less than 3,000 square feet in footprint, including all attached porches, decks, exterior stairs, garages, and other attached structures. Any expansion beyond these dimensions shall require prior written Agency authorization.

6. The conversion of the existing cabin into a guest cottage on the project site shall require prior written Agency approval.
7. Any on-site wastewater treatment system on the project site installed within five years of the date of issuance of this permit shall be constructed in conformance with the location and design shown on the Project Plans. Construction of the system shall be supervised by a New York State 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.

8. 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.
9. Any new free-standing or building-mounted outdoor lights shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Buck Hill Road or adjoining property.
10. Outside of the limits of clearing shown on the Site Plan, no trees greater than six inches in diameter at breast height may be cut, culled, trimmed, pruned or otherwise removed or disturbed on the project site without prior written Agency authorization, except for the removal of 1) trees for firewood, 2) an area up to 25 feet in width for driveway construction and utility installations, and 3) dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.

- 11. Between April 1 and October 31, no trees shall be removed or disturbed on the project site without prior written Agency authorization.
- 12. There shall be no principal buildings located on the project site other than the dwelling authorized herein.

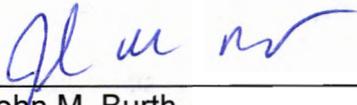
**CONCLUSIONS OF LAW**

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 subdivision/single family dwelling 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 Resource Management land use area;
- c. will be consistent with the overall intensity guidelines for the Resource Management 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 26<sup>th</sup> day of March, 2025.

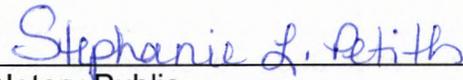
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 26<sup>th</sup> day of March 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 L. Petith  
Notary Public, State of New York  
Reg. No. 01PE6279890  
Qualified in Franklin County  
Commission Expires April 15, 2025

  
Notary Public



PROPERTY LINE

PROPOSED GARAGE AND SHOP

PROPOSED 3 BEDROOM RESIDENCE

1,298.8'  
N89° 50' 34"E

25' PROPERTY LINE SETBACK

1" PE WATER SUPPLY

PROPOSED DRIVEWAY

4" DIA. SDR35 PVC GRAVITY SEWER

100' WELL RADIUS

4" DIA SCH 40 PVC DRAINAGE PIPE

CONCRETE DISTRIBUTION BOX

EXISTING WATER SUPPLY WELL

B.M.  
10.0

EXISTING CABIN

LAWN

DUAL COMPARTMENT CONCRETE  
SEPTIC TANK 1,250 GALLONS  
SLOPE: 2.5%

PROPOSED 390 GPD ELIEN  
GEOTEXTILE SAND FILTER

50% EXPANSION AREA  
100% RESERVE OSKMTS  
REPLACEMENT AREA

PERCOLATION TEST HOLE #2  
PERCOLATION TEST HOLE #1  
DEEP HOLE  
TEST PIT

**PARTIAL PLOT PLAN**  
SCALE: 1"=20'

REVISION TABLE		
NUMBER	DATE	REVISION DESCRIPTION



**MUSKOPF / SALVEMINI**  
**RESIDENCE**  
126 BUCK HILL ROAD  
BLACK BROOK, NEW YORK 12412

DRAWINGS PROVIDED BY:

DATE:

10/31/2024

SCALE:

SHEET:

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