


THIS IS A TWO-SIDED DOCUMENT

 <p><b>Adirondack Park Agency</b></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 <b>2025-0137</b></p>
<p>In the Matter of the Application of</p> <p><b>JOHN VARKONY RUSSELL MOORE Permittees</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: <b>November 25, 2025</b></p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s): <b>1. John Varkony 2. Russell Moore</b></p>

**SUMMARY AND AUTHORIZATION**

This permit authorizes a four-lot subdivision and the construction of one single family dwelling in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Dannemora, 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 an authorized lot has been conveyed to an outside party.

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 22± acres, comprised of four parcels of land located on Chazy Lake Road and Garmish Street in the Town of Dannemora, Clinton County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 185.2, Block 2, Parcels 37, 43, 46 and 48.

Parcel 37 is described in a deed from William E. Russell and Philip S. Moore, as Executors of the Estate of George Moore, to Russell H. Moore, dated September 27, 2021, and recorded October 19, 2021 in the Clinton County Clerk's Office under Instrument Number 2021-00319930. Parcel 37 is un-improved.

Parcel 43 is described in a deed from Russell H. Moore to John Varkony III, dated December 18, 2019, and recorded December 20, 2019 in the Clinton County Clerk's Office under Instrument Number 2019-00305223. Parcel 43 contains a camper.

Parcel 46 is described in a deed from George Moore to Russell H. Moore, dated January 28, 2015, and recorded February 13, 2015 in the Clinton County Clerk's Office under Instrument Number 2015-00270048. Parcel 46 is un-improved.

Parcel 48 is described in a deed from Patrick Lynch to John Varkony, III and Russell Moore, dated May 26, 2017, and recorded June 23, 2017 in the Clinton County Clerk's Office under Instrument Number 2017-00287646. Parcel 48 is improved by two accessory buildings.

The eastern portion of the project site contains scrub shrub wetlands with a value rating of "2". Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves a four-lot subdivision of Parcel 48 into:

- Lot 1, a 2.4-acre parcel with two existing 12-foot by 20-foot accessory buildings. Lot 1 will be improved by a 14-foot by 40-foot single family dwelling and on-site wastewater treatment system.
- Lot 2, a 6.53-acre un-improved parcel to be merged with Parcel 37.
- Lot 3, a 7.54-acre un-improved parcel to be merged with Parcel 43.
- Lot 4, a 1.00-acre un-improved parcel to be merged with Parcel 46.

The project is shown on the following plans:

- The project site, wetland boundaries and development locations are depicted on a survey titled "Chazy Lake Road Subdivision 2024," prepared by Dean H. Lashway, L.S., P.C., with a revision date of August 18, 2025 (Site Plan).
- The location and details of the proposed on-site wastewater treatment system is depicted on a two-page plan "Moore Residence, Sewage Treatment System," prepared by Moser Engineering, dated August 6, 2025 (Septic Plan).

Reduced-scale copies of the Site Plan and Septic Plan are attached as a part of this permit for reference.

### **AGENCY JURISDICTION**

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act and Adirondack Park Agency regulations at 9 NYCRR Part 578, a permit is required from the Adirondack Park Agency prior to any subdivision involving wetlands 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 Site Plan and Septic 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. 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 2025-0137, issued November 25, 2025, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. Subject to the conditions stated herein, this permit authorizes a four-lot subdivision as depicted on the Site Plan. Any subdivision of the project site not depicted on the Site Plan shall require prior written Agency authorization.
6. Within 30 days of conveyance of Lot 2, a new deed shall be filed in the Clinton County Clerk's office describing Lot 2 and Parcel 37 as a single, un-divided lot.
7. Within 30 days of conveyance of Lot 3, a new deed shall be filed in the Clinton County Clerk's office describing Lot 3 and Parcel 37 as a single, un-divided lot.
8. Within 30 days of conveyance of Lot 4, a new deed shall be filed in the Clinton County Clerk's office describing Lot 4 and Parcel 46 as a single, un-divided lot.

9. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling on Lot 1 in the location and footprint depicted on the Site Plan. The single family dwelling shall be no greater than 15 feet in height, as measured from the highest point on the structure to the lower of either existing or finished grade. Any change to the location or dimensions of the single family dwelling shall require prior written Agency authorization.
10. Construction of any guest cottage on Lot 1 shall require prior written Agency authorization.
11. Any on-site wastewater treatment system(s) on Lot 1 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 Septic Plan. 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.

12. 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.
13. 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 Chazy Lake Road, Garmish Street or adjoining property.
14. All exterior building materials, including roof, siding and trim, of the authorized dwelling shall be a dark shade of green, grey, or brown.
15. Outside of the limits of clearing shown on the Site Plan, no trees, shrubs or other woody-stemmed vegetation may be cut or otherwise removed or disturbed on Lot 1 without prior written Agency authorization, except for the removal of an area up to 15 feet in width for utility installations, or dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
16. The undertaking of any activity involving wetlands shall require a new or amended permit.
17. There shall be no more than three principal building(s) located on Lot 1 at any time. The single family dwelling authorized herein constitutes a principal building. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

18. There shall be no more than eight principal building(s) located on the merged parcel comprised of Lot 2 and Parcel 37. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
19. There shall be no more than 10 principal building(s) located on the merged parcel comprised of Lot 3 and Parcel 43. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
20. There shall be no more than two principal building(s) located on the merged parcel comprised of Lot 4 and Parcel 46. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

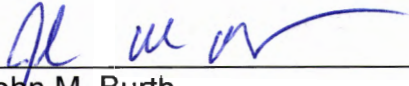
### **CONCLUSIONS OF LAW**

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 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 Moderate Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Moderate Intensity Use 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 be compatible with preservation of the entire wetland and will not result in degradation or loss of any part of the wetland or its associated values.

PERMIT issued this 25<sup>th</sup> day  
of November, 2025.

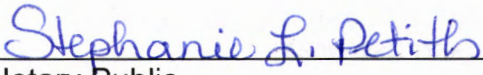
ADIRONDACK PARK AGENCY

BY:   
John M. Burth  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 25<sup>th</sup> 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

  
Notary Public



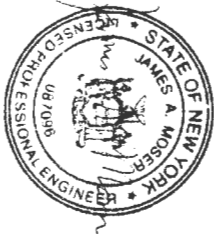
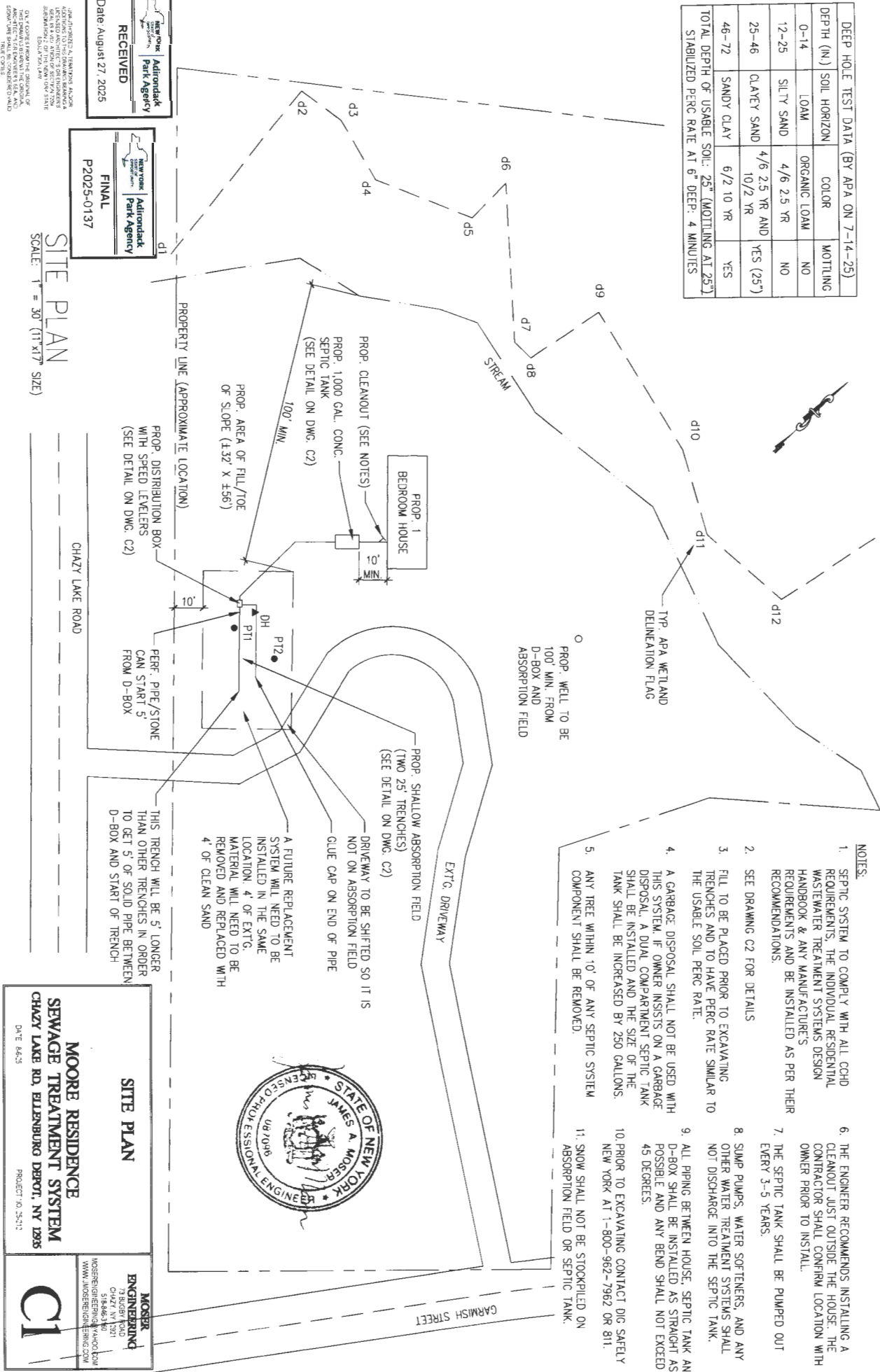
DEPTH (N)	SOIL HORIZON	COLOR	MOTTLING
0-14	LOAM	ORGANIC LOAM	NO
12-25	SILTY SAND	4/6 2.5 YR	NO
25-46	CLAYEY SAND	4/6 2.5 YR AND 10/2 YR	YES (25")
46-72	SANDY CLAY	6/2 10 YR	YES

TOTAL DEPTH OF USABLE SOIL: 25" (MOTTLING AT 25")  
STABILIZED PERC RATE AT 6" DEEP: 4 MINUTES

**Adirondack Park Agency**  
RECEIVED  
Date: August 27, 2025

**Adirondack Park Agency**  
FINAL  
P2025-0137

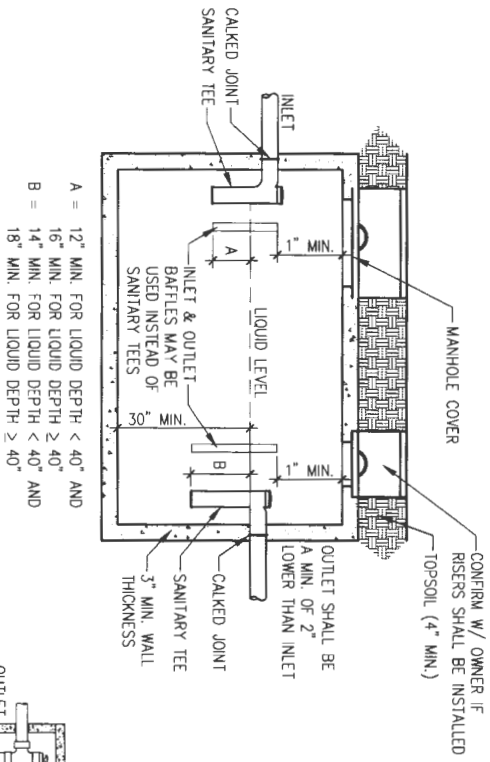
**SITE PLAN**  
SCALE: 1" = 30' (11 x 17" SIZE)



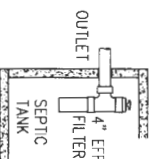
**MOORE RESIDENCE**  
**SEWAGE TREATMENT SYSTEM**  
CHAZY LAKE RD, ELLENBURG DEPOT, NY 12055  
DATE: 8-6-25  
PROJECT NO. 25-112

**MOORE ENGINEERING**  
73 BUCKLE ROAD  
CHAZY, NY 12021  
WWW.MOSERENGINEERING.COM

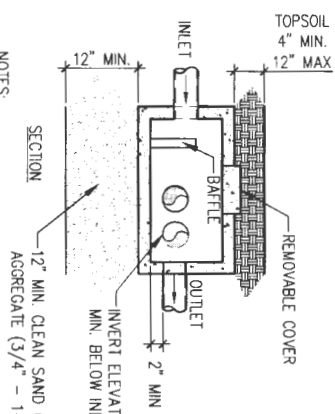
**C1**



**SEPTIC TANK DETAIL**  
SEE SITE PLAN FOR REQUIRED SIZE

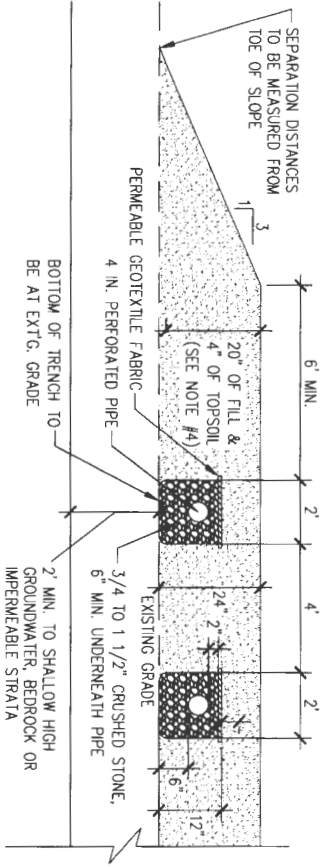
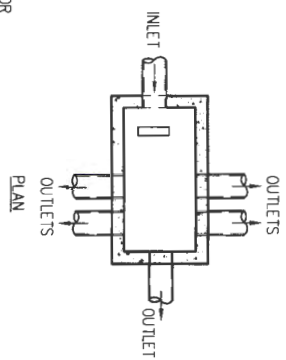


**EFFLUENT FILTER DETAIL (OPTIONAL)**  
N.T.S.



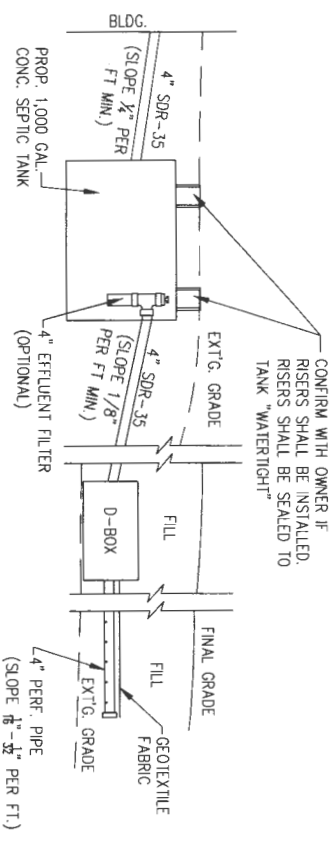
- NOTES:
1. PIPE JOINTS TO BE SEALED WITH ASPHALTIC MATERIAL OR EQUIVALENT.
  2. INVERT ELEVATION OF ALL OUTLET PIPES MUST BE EQUAL. USE OF SPEED LEVELING DEVICES IS RECOMMENDED.
  3. THE PIPE FROM THE SEPTIC TANK TO THE DISTRIBUTION BOX INLET SHALL BE SLOPED AT 1/8" PER FOOT MIN.
  4. THE SLOPE OF OUTLET PIPES BETWEEN THE DISTRIBUTION BOX AND DISTRIBUTION LATERALS SHOULD BE AT LEAST 1/32" PER FOOT.
  5. BAFFLE REQUIRED FOR SIPHON OR AUTOMATIC DOSING OR IF INLET PIPE SLOPE EXCEEDS 1/2" PER FOOT.

**DISTRIBUTION BOX DETAIL**  
N.T.S.



**SHALLOW TRENCH ABSORPTION FIELD**  
SCALE: N.T.S.

**HYDRAULIC PROFILE**  
N.T.S.



ALL INFORMATION CONTAINED HEREIN IS THE PROPERTY OF MOORE RESIDENCE SEWAGE TREATMENT SYSTEM. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM MOORE RESIDENCE SEWAGE TREATMENT SYSTEM.

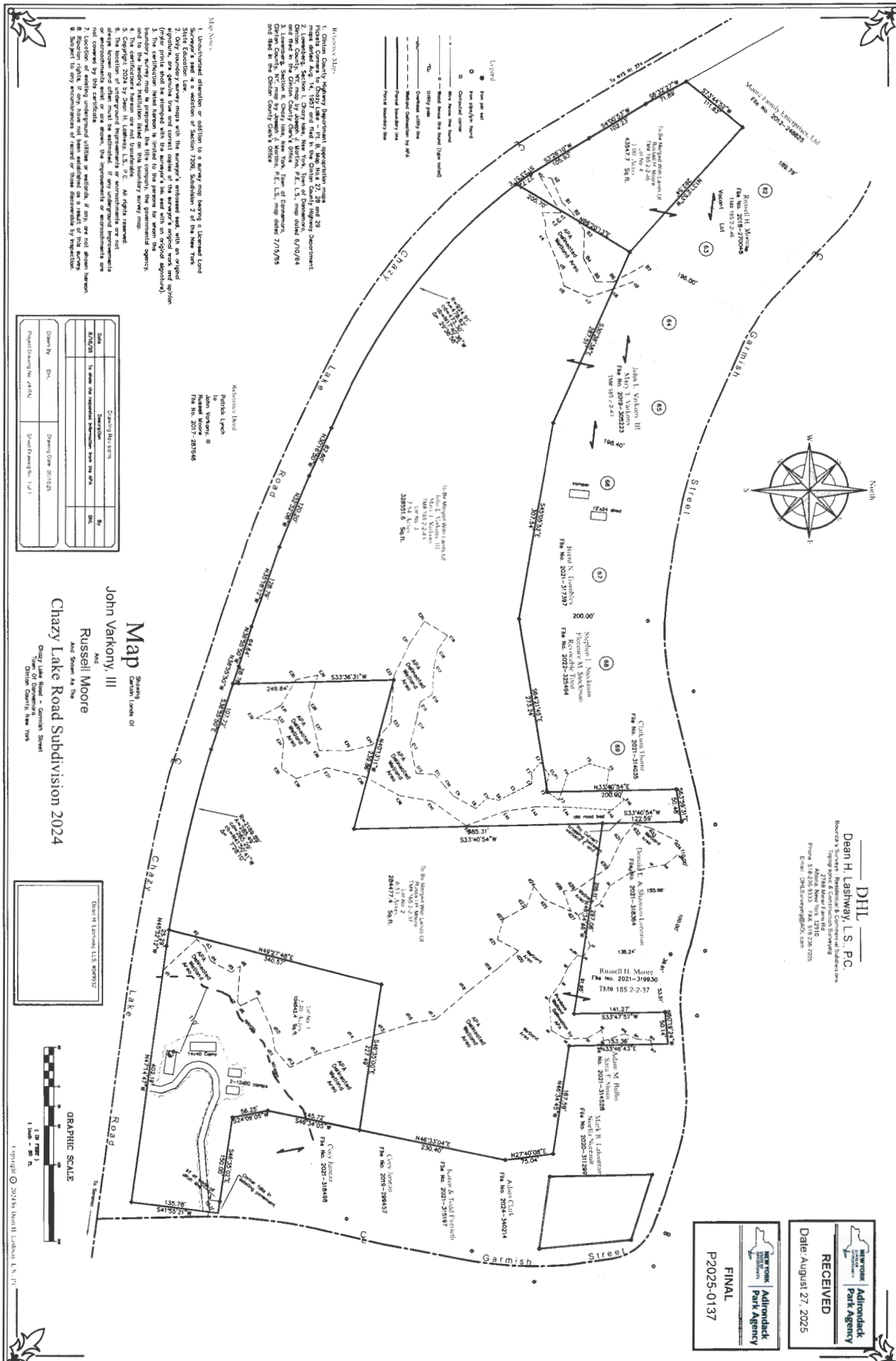
<p><b>DETAILS</b></p> <p><b>MOORE RESIDENCE SEWAGE TREATMENT SYSTEM</b></p> <p>CHAZY LAKE RD, ELDERSBURG DEPOT, NY 12955</p> <p>DATE: 8-6-25</p> <p>PROJECT NO: 35-01</p>		<p><b>MOSER ENGINEERING</b></p> <p>3300 FORD CIRCLE 518-666-1160 WWW.MOSERENGINEERING.COM</p>
<p><b>C2</b></p>		



DHL  
Dean H. Lashway, L.S., P.C.  
Surveyor & Construction Surveying  
1000 West 10th Street, Suite 100  
Albany, New York 12210  
Phone: 518.206.5533 FAX: 518.736.7225  
Email: DHL@deanhlashway.com

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Adirondack  
Park Agency  
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Date August 27, 2025

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P2025-0137



Map Notes:

1. Unsubstantiated information or addition to a survey map bearing a Licensed Land Surveyor's Seal is a violation of Section 2501, Subsection 2 of the New York State Education Law.
2. Only boundary survey maps with the surveyor's seal and with an original signature of the surveyor are admissible in court.
3. This certification shall be stamped on the survey map and with an original signature of the surveyor.
4. This certification shall be stamped on the survey map and with an original signature of the surveyor.
5. The location of underground improvements or encroachments are not shown on this map.
6. The location of underground improvements or encroachments are not shown on this map.
7. Location of existing underground utilities is indicated, if any, are not shown hereon.
8. The location of existing underground utilities is indicated, if any, are not shown hereon.
9. Subject to any encroachments of record or those discoverable by inspection.
10. Subject to any encroachments of record or those discoverable by inspection.

Reference List

John Varkony, III	Surveyed	Map No. 2017-20166
John Varkony, III	Surveyed	Map No. 2017-20166

Station	Bearing	Distance	Remarks
1	N 89° 15' 00" E	100.00	Start of Survey
2	S 89° 15' 00" E	100.00	End of Survey

Project Name	Client	Surveyor	Date
Chazy Lake Road - Chazy Lake Subdivision 2024	Dean H. Lashway, L.S., P.C.	John Varkony, III	August 27, 2025

Map of Chazy Lake Road - Chazy Lake Subdivision 2024  
John Varkony, III  
and  
Russell Moore  
Surveyed and Shown as the  
Chazy Lake Road - Chazy Lake Subdivision 2024  
Dean H. Lashway, L.S., P.C.

GRAPHIC SCALE  
1 inch = 60 ft.  
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