


THIS IS A TWO-SIDED DOCUMENT

 <p><b>NEW YORK</b> STATE OF OPPORTUNITY.</p> <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>2023-0153</b></p>
<p>In the Matter of the Application of</p> <p><b>ANTHONY NASISI</b> <b>Permittee</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: September 14, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: <b>1. Anthony Nasisi</b></p>

**SUMMARY AND AUTHORIZATION**

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

This authorization shall expire unless recorded in the Herkimer 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 Herkimer County Clerk's Office. The Agency will consider the project in existence when a certificate of occupancy has been issued for the single family dwelling authorized herein.

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 1.5-acre parcel of land located on NYS Route 28 in the Town of Webb, Herkimer 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 039.37, Block 1, Parcel 10.4, and is described in a deed from Donald E. Gooley to Anthony Nasisi, dated April 9, 2018, and recorded September 20, 2019 in the Herkimer County Clerk's Office under Instrument Number RP2019-4136.

The project site is partially located within the NYS Route 28 critical environmental area.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves construction of a single family dwelling with related development.

The project is shown on the following plans:

- A two-sheet plan set titled, "Nasisi Septic System", prepared by Boulder Consultants, dated August 16, 2022, last revised September 5, 2023 and received by the Agency on September 5, 2023 (Septic Plan); and
- A 10-page plan set titled, "Attachment C", prepared by Anthony Nasisi and received by the Agency on August 14, 2023 (Building Plan).

A reduced-scale copy of Sheet 1 of the Septic Plan (Site Plan) 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 Herkimer 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 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 2023-0153, issued September 14, 2023, 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 the construction of one single family dwelling on the project site in the location, footprint, and height shown and as described on the Site Plan and Building Plan. Any change to the location or dimensions of any authorized structure shall require prior written Agency authorization.
6. The undertaking of any new land use or development not authorized herein on the project site within 300 feet of the right of way of NYS Route 28 shall require a new or amended permit.
7. The construction of any accessory structure on the project site outside the limits of clearing shall require a new or amended permit.
8. Construction of any guest cottage on the project site shall require prior written Agency approval.
9. 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 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.
10. 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.
11. 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 NYS Route 28 or adjoining property.

12. Outside of the limits of clearing shown on the Site Plan, no trees greater than 6 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 20 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.
13. There shall be no more than one principal building located on the project site at any time. The single family dwelling authorized herein constitutes a principal building.

### **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 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 14<sup>th</sup> day of September, 2023.

ADIRONDACK PARK AGENCY

BY: [Signature]  
David J. Plante, AICP CEP  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 14<sup>th</sup> day of September in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, 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.

[Signature]  
Notary Public

Stephanie L. Petith  
Notary Public, State of New York  
Reg. No 01PE6279890  
Qualified in Franklin County  
Commission Expires April 15, 2025

**PERCOLATION TEST RESULTS**

	Test 1	Test 2	Test 3	Certified Perc Time	Minimum Field Length, ft*
Hole #1	6.5 Min.	8.5 Min.	9.5 Min.	8-10 Min./inch	64
Hole #2	5 Min.	6.5 Min.	8 Min.	8-10 Min./inch	64

\* designed for a 3 bedroom house  
For other applications use the adjacent table.

**SOIL TEST RESULTS**

DEEP PIT #1: 0' - 10": TOPSOIL/Humus  
10' - 36": MEDIUM TO LIGHT HUED BROWN SILTY SAND  
36" - 55": MEDIUM HUED BROWN GRAVELLY SAND WITH SOME COBBLES HARDPAN AT 55"  
EVIDENCE OF SEASONAL HIGH GROUND WATER AT 36"

DEEP PIT #2: 0' - 10": TOPSOIL/Humus  
10' - 25": LIGHT TO MEDIUM HUED BROWN SANDY SILT WITH SCANT COBBLES  
25' - 60": MEDIUM HUED BROWN SILT WITH SOME COBBLES LEDGE ROCK AT 60"  
NO EVIDENCE OF SEASONAL HIGH GROUND WATER

THE PERCOLATION TESTS WERE PERFORMED ON JULY 10, 2013 AT 2:00 P.M. SINCE IN-DRAIN UNITS ARE FOUR FEET LONG AND ALL TRENCHES ARE TO BE OF EQUAL LENGTH, A LEACH FIELD CONSISTING OF TWO 32 FOOT TRENCHES (64 TOTAL FEET) IS RECOMMENDED. THE BASE FIELD DIMENSIONS WOULD BE 12' x 32'. EACH TRENCH WOULD HAVE EIGHT MATS (16 MATS REQUIRED). THERE ARE NO EXISTING WELLS ON THIS OR ADJACENT PARCELS THAT WILL BE WITHIN 100 FEET OF THE LEACH FIELD.

12" OF FILL MATERIAL SHALL BE PLACED IN THE LEACH FIELD AREA BEFORE TRENCHES ARE DUG TO ENSURE PROPER SEPARATION DISTANCE BETWEEN THE LEACH PIPES AND THE SEASONAL HIGH GROUND WATER LEVEL.

SEPTIC TANK FOR "STANDARD SEPTIC SYSTEM DESIGN/INSTALLATION" ON SHEET 2. A GAS DEFLECTION BAFFLE (AT THE OUTLET TEES) AND A ZABEL FILTER (AT OR BEYOND THE OUTLET) ARE RECOMMENDED FOR ADDED PROTECTION AGAINST SOLID PARTICLES LEAVING THE SEPTIC TANK AND ENTERING THE LEACH FIELD.

**ELJEN IN-DRAIN WASTEWATER DISPOSAL SYSTEM**

**SIZING TABLE FOR NEW YORK STATE  
REQUIRED LENGTH OF ABSORPTION TRENCH**

**FLOW RATE (GALS/DAY)**

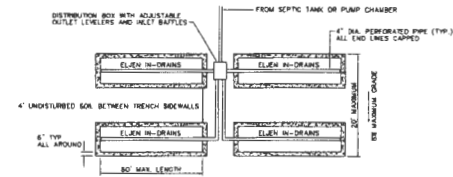
PERCOLATION RATE	2 Bedrooms		3 Bedrooms		4 Bedrooms		5 Bedrooms		6 Bedrooms	
	MIN./INCH	220 260 300	330 390 450	440 520 600	550 650 750	660 780 900	770 900 1000	1000 1008 1200	1200 1320 1560	1560 1800 2160
1-5	40	40	40	60	60	80	80	84	100	108
6-7	40	44	52	60	68	76	80	88	100	112
8-10	44	52	56	64	76	84	84	100	112	128
11-15	48	56	64	72	84	96	92	112	128	144
16-20	56	64	72	80	96	108	124	144	156	180
21-30	64	76	84	92	112	128	148	168	188	212
31-45	76	88	100	112	132	148	176	200	228	252
46-80	84	100	112	124	148	168	196	224	268	300

**SEPTIC SYSTEM SUMMARY**

SYSTEM TYPE	SHALLOW TRENCH ELJEN IN-DRAIN
NEW OR REPLACEMENT	FEET
LENGTH OF PIPE	64 FEET
DOSING REQUIRED	NO
VOLUME OF DOSE	-
PERCOLATION RATE	8-10 MINUTES

12" OF SUITABLE FILL MUST BE PLACED PRIOR TO THE EXCAVATION OF TRENCHES. THE BOTTOM OF THE EXCAVATED LEACH TRENCHES SHALL BE AT OR BELOW THE ORIGINAL GROUND SURFACE.

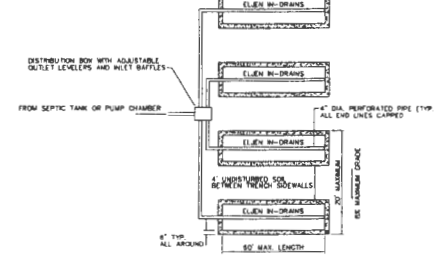
NEW SYSTEMS 100% EXPANSION REPLACEMENT AREA REQUIRED



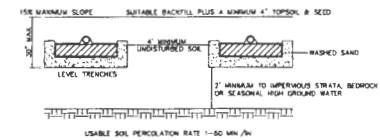
INSTALL IN TWO DIRECTIONS TO MAXIMIZE THE LENGTH ALONG THE CONTOUR

**CONFIGURATION A**

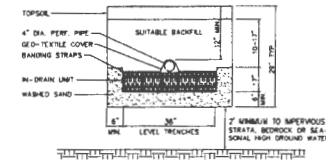
NEW SYSTEMS 100% EXPANSION REPLACEMENT AREA REQUIRED



**CONFIGURATION B**



**ABSORPTION TRENCH DETAILS**  
NO SCALE



**IN-DRAIN CROSS SECTION**  
NO SCALE

**SEPARATION DISTANCES FROM WASTEWATER SYSTEM COMPONENTS**

SYSTEM COMPONENTS	WELL OR SUCTION LINE	TO STREAM, LAKE, WATERCOURSE, OR WETLAND	DWELLING	PROPERTY LINE
HOUSE SEWER (WATERTIGHT JOINTS)	35' IF CAST IRON PIPE 50' OTHERWISE	25'	10'	10'
SEPTIC TANK	50'	50'	10'	10'
EFFLUENT LINE TO DISTRIBUTION BOX	50'	50'	10'	10'
DISTRIBUTION BOX	100'	100'	20'	10'
ABSORPTION FIELD	100'	100'	20'	10'

THE CONTRACTOR SHALL CONTACT DIG SAFELY NEW YORK (FORMERLY UFPO) BEFORE EXCAVATING.  
THE LEACH FIELD SHALL BE CONSTRUCTED IN THE AREA WHERE THE PERCOLATION TEST WAS PERFORMED. IF THE LEACH FIELD IS TO BE PLACED IN A DIFFERENT LOCATION ON THE PROPERTY, THAT AREA SHALL BE RETESTED WITH A NEW PERCOLATION TEST.  
THE ENGINEER SHALL BE NOTIFIED IF THE CONTRACTOR ENCOUNTERS GROUND WATER OR SOIL CONDITIONS OTHER THAN THOSE NOTED ON THESE PLANS BEFORE FURTHER EXCAVATION TAKES PLACE.  
THE OWNER IS RESPONSIBLE FOR HIRING A QUALIFIED EXCAVATING CONTRACTOR TO INSTALL THE SEPTIC SYSTEM AS DESIGNED. ANY DEVIATION FROM THIS PLAN MUST BE APPROVED BY THE ENGINEER.  
LEACH LINES ARE NOT TO EXCEED 80 FEET IN LENGTH.



**SEPTIC SITE PLAN**  
SCALE: 1"=30'

LOCATION: STATE ROUTE 28, OLD FORD  
TAX MAP PARCEL C09.37-1-10.4

SURVEY INFORMATION PROVIDED BY HOLLISTER ASSOCIATES, DATED 06/29/13



**WARNING:** This is a portion of the final design for any person, unless acting under the direction of a Licensed Engineer. To alter the document in any way or to document beyond the seal of an Engineer is a violation of the professional code of ethics and the provisions of the laws of the State of New York. The date of such alteration and a specific description of the alteration.

**DATE BY REVISION**

REVISION	DATE	BY	REVISION
EA			

**SEPTIC SYSTEM PLAN**  
**ELJEN IN-DRAIN SYSTEM - SHALLOW TRENCH**

**BOULDER CONSULTANTS**  
DONALD D. EHRE, P.E., P.L.L.C.  
4 DUFFORD CROSSING SUITE 102, NEW HARTFORD, NY 13413 (315) 797-8088

**NASSI SEPTIC SYSTEM**  
TOWN OF WEBB  
COUNTY OF HERKIMER  
STATE OF NEW YORK

Received  
Date September 5, 2013

Final  
P2023-0153

SCALE: AS SHOWN  
DATE: 08/16/22  
DWN. BY: EA  
CHK. BY: DOE  
JOB NO.: 20171  
FILE: NASSI  
DWG. NO.: 1 OF 2

OWNER: ANTHONY NASSI  
97 PASSAIC AVENUE  
DOVER, NJ 07439