


THIS IS A TWO-SIDED DOCUMENT

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|  <p>NEW YORK STATE OF OPPORTUNITY.</p> <p>Adirondack Park Agency</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 2024-0296</p> |
| <p>In the Matter of the Application of</p> <p>JUSTIN J. GALUSHA Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 577</p> | <p>Date Issued: December 17, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Justin J. Galusha</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 Warrensburg, Warren County.

This authorization shall expire unless recorded in the Warren 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 Warren County Clerk's Office. The Agency will consider the project in existence when the permit has been recorded.

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 22.58±-acre parcel of land located on Schroon River Road in the Town of Warrensburg, Warren 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 184, Block 1, Parcel 6.1, and is described in a deed from Thomas P. D'Angelo to Justin J. Galusha, dated February 1, 2024, and recorded February 13, 2024, in the Warren County Clerk's Office under Book 6895, Page 276.

The project site contains shoreline on the Schroon River and is located within the designated Schroon River Recreational area. The project site also contains wetlands associated with Schroon River. Additional wetlands not described herein or depicted on the Site Plans may be located on or adjacent to the project site.

PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of a single family dwelling on the project site.

The project is shown on the the plans "Justin Galusha Residential Development," in 7 sheets dated August 23, 2024, and received by the Agency on October 24, 2024 (Site Plans). A reduced-scale copy of Sheet 3 of the Site Plans for the project 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.

Pursuant to Adirondack Park Agency regulations at 9 NYCRR Part 577, a permit is required from the Adirondack Park Agency prior to any new land use or development on Resource Management lands within any designated recreational river area 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 Warren 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 the Site 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, Wild, Scenic and Recreational Rivers System 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 2024-0296, issued December 17, 2024, 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 as depicted and described on the Site Plans. Any change to the location or dimensions of the single family dwelling shall require prior written Agency authorization.
6. The undertaking of any new land use or development not authorized herein on the project site shall require a new or amended permit. The undertaking of any activity involving wetlands shall also require a new or amended permit.
7. Construction of any guest cottage on the project site shall require prior written Agency authorization.
8. Prior to undertaking construction of any boathouse on the project site, written authorization of plans for the boathouse, including all attached docks or walkways, shall be obtained from the Agency.
9. Prior to undertaking construction of any dock on the project site, written authorization of plans for the dock, including all attached upland structures, shall be obtained from the Agency.
10. Pursuant to the Adirondack Park Agency Act and Agency regulations implementing the Wild, Scenic and Recreational Rivers System Act, new structures are prohibited within 150 feet, measured horizontally, of the mean high water mark of the Schroon River.

Docks and boathouses as defined under 9 NYCRR § 570.3 are excepted from this requirement. Fences, poles, lean-tos, and bridges are also excepted from this requirement, except that no fence, pole, lean-to, or bridge greater than 100 square feet in size may be located within 100 feet of the mean high water mark.
11. Any on-site wastewater treatment system(s) 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 Site 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.

12. Prior to soil disturbance, "Silt Fence" shall be installed on the project site as depicted and described on the Site Plans.
13. 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.
14. 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 Schroon River, Schroon River Road or adjoining properties.
15. All exterior building materials, including roof, siding and trim, of the any new structure on the project site shall be a dark shade of green, grey, or brown.
16. No trees, shrubs or other woody-stemmed vegetation 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 vegetation within the following locations depicted on the Site Plans as: (1) The area bounded by the outside of the "35' Vegetative Buffer and Front Yard Setback," the "Spruce Treeline" and the "Silt Fence"; and (2) Inside the "New Treeline;" "New Driveway"; and "Ex. Gravel Driveway".
17. There shall be no more than two 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 the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, and 9 NYCRR Part 574. The Agency hereby finds that the 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;
- 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 be consistent with the purposes and policies of the Wild, Scenic and Recreational Rivers System Act;
- g. will comply with the restrictions and standards of 9 NYCRR § 577.6; and
- h. will not cause an undue adverse impact upon the natural, scenic, aesthetic, ecological, botanical, fish and wildlife, historic, cultural, archeological, scientific, recreational or open space resources of the river area, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived therefrom.

PERMIT issued this 17th day of December, 2024.

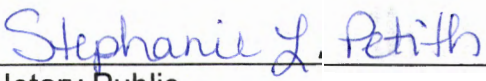
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

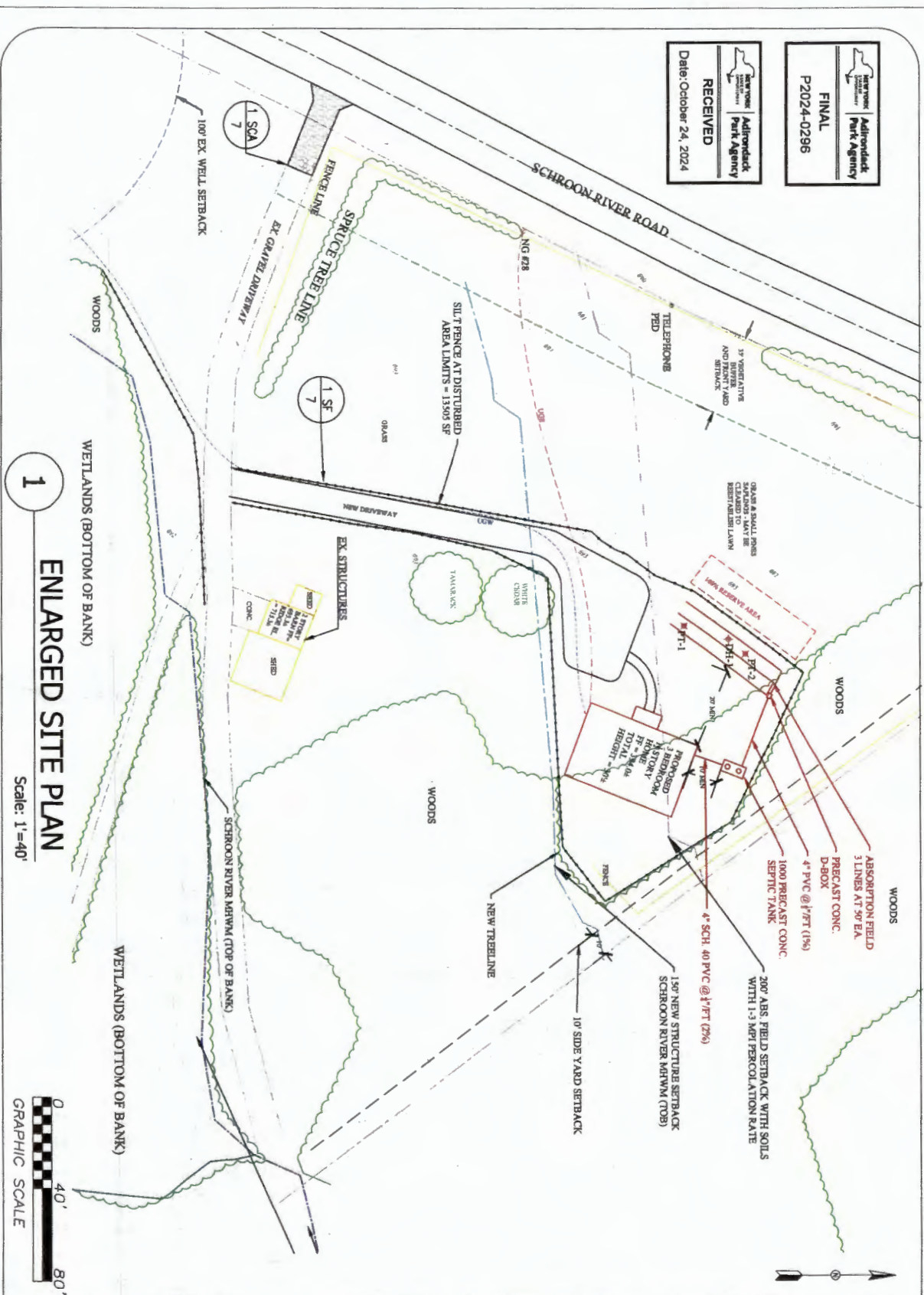
On the 17th day of December in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged 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

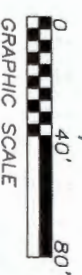

Notary Public

Adirondack Park Agency
FINAL
 P2024-0296

Adirondack Park Agency
RECEIVED
 Date: October 24, 2024



1
ENLARGED SITE PLAN
 Scale: 1"=40'



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|---|------------------|------------------------------------|---------|
| <p>Project: 24-05-006 Title: 05/23/24 Date: 5-1</p> | | <p>Sheet: 3 of: 3</p> | |
| <p>JUSTIN GALUSHA RESIDENCE 840 SCHROON RIVER WARRENSBURG</p> | | | |
| <p>TRUDEAU ENGINEERING & ARCHITECTURE, P.C. 20 SUNSET LAKE WARRENSBURG, NY 12881 PHONE: 518-381-3400</p> | | | |
| <p>It is a violation of NYS Education Law Section 7209-2 to allow drawings to be prepared or used by a Professional Engineer unless acting under the direction of a Licensed Professional Engineer.</p> | | | |
| No. | Revision/Issue | Date | By |
| 1 | 95% WETLANDS NOT | 8/20/24 | TRUDEAU |

General Notes