


THIS IS A TWO-SIDED DOCUMENT

 <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 2018-0119A</p>
	<p>Date Issued: June 24, 2025</p>
<p>In the Matter of the Application of</p> <p>DEBORAH PETRONIO AND DOUGLAS BRAUN Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 577</p>	<p>To the County Clerk: Please index this permit in the grantor index under the following name(s):</p> <p>1. Deborah Petronio 2. Douglas Braun</p>

SUMMARY AND AUTHORIZATION

This permit authorizes an accessory use structure in an area classified Rural Use 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 the accessory structure is 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 3.4-acre parcel of land located on Scusa Road in the Town of Webb, Herkimer County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 044.15, Block 1, Parcel 20, and is described in a deed from H. Stuart Decamp to Toytown Properties, LLC, dated January 8, 2019, and recorded February 6, 2019 in the Herkimer County Clerk's Office under Instrument Number RP2019-464.

The project site contains shoreline on and is located within the designated Middle Branch Moose River Recreational River area.

The project site is improved by a single-family dwelling, accessory shed, an on-site wastewater treatment system and well as authorized by Agency Permit 2018-0119.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the placement of a 14-foot by 20-foot fabricated accessory structure to be used as a bunk house within the recreational river area.

The project is shown on the following map and plans:

- A one page plan entitled "14' x 20' A-Frame Log Cabin with Porch," prepared by Empire Shed Sales and received by the Agency on May 20, 2025 (Bunk House Plan); and
- A one page annotated map entitled "4.8± Acre Parcel, Moose River & Scusa," annotated by Deborah Petronio on June 1, 2025 (Site Plan).

A reduced-scale copy of the Site Plan for the project is attached as a part of this permit for reference.

AGENCY JURISDICTION

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 Rural Use lands within any designated recreational river area in the Adirondack Park.

This permit amends Condition 6 of Permit 2018-0119.

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, Bunk House Plan 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, Wild, Scenic and Recreational Rivers System Act, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
4. This permit amends and supersedes Permit 2018-0119 in relation to the project site. The terms and conditions of Permit 2018-0119 shall no longer apply to the project site.
5. 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 2018-0119A, issued June 24, 2025, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. This permit authorizes the placement of an accessory structure in the location shown on the Site Plan and as depicted on the Bunk House Plan. Any change to the location, dimensions, or other aspect of the Bunk House shall require prior written Agency authorization.
7. 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 Middle Branch Moose River.

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 75 feet of the mean-high water mark.
8. There shall be no boathouses on the project site.
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 Section 809(2)(a) of the Adirondack Park Agency Act and 9 NYCRR § 577.4, the undertaking of any new land use or development not authorized herein on the project site within one-quarter mile of the Middle Branch Moose River will require a new or amended permit. The undertaking of any activity involving wetlands also requires a new or amended permit.
11. 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.

12. All exterior building materials, including roof, siding and trim, of the Bunk House shall be a dark shade of green, grey, or brown.
13. Any new free-standing or building-mounted outdoor lights on the project site shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward the Middle Branch Moose River Lake or adjoining property.
14. Within 100 feet of the mean high-water mark of Middle Branch Moose River, 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 dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
15. There shall be no principal buildings located on the project site other than the existing single-family dwelling or any replacement structure for this dwelling as allowed by Agency regulations.

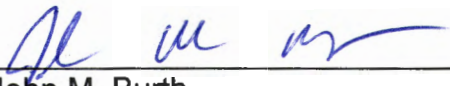
CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, and 9 NYCRR Part 574. The Agency hereby finds that the project 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 Rural Use land use area;
- c. will be consistent with the overall intensity guidelines for the Rural 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 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 24th day
of June, 2025.

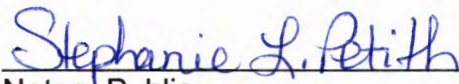
ADIRONDACK PARK AGENCY

BY: 
John M. Burth
Deputy Director Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 24th day of June 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, 2029


Notary Public

