

THIS IS A TWO-SIDED DOCUMENT



**Adirondack
Park Agency**

P.O. Box 99, 1133 NYS Route 86
Ray Brook, New York 12977
Tel: (518) 891-4050
www.apa.ny.gov

APA Permit
2025-0008

Date Issued: **January 27, 2026**

In the Matter of the Application of

ZAEL KRAVITZ
Permittee

for a permit pursuant to § 809 of the Adirondack
Park Agency Act

To the County Clerk: Please index
this permit in the grantor index
under the following name(s):
1. Zael Kravitz

SUMMARY AND AUTHORIZATION

This permit authorizes the operation of a new commercial use landscaping business in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of AuSable, 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 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 10.4-acre parcel of land located on NYS Route 9N in the Town of AuSable, Clinton County, in an area classified Low Intensity Use on the Adirondack

Park Land Use and Development Plan Map. The site is identified as Tax Map Section 326., Block 1, Parcel 5.1, and is described in a deed from Russell R. Pray to Zael Kravitz, dated May 10, 2017, and recorded May 30, 2017 in the Clinton County Clerk's Office under Instrument Number 2017-00287069.

The project site also contains scrub/shrub wetlands along Route 9N. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The project site is improved by a 6,600 square foot commercial use building constructed in 2024 that is used to store trucks and equipment related to a commercial landscaping business.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the operation of an existing commercial use landscaping business and storage of vehicles and equipment related to the business. In addition to the authorization of the existing building, two storage sheds will be constructed on the project site and an outdoor area will be utilized for storing soil and mulch.

The commercial use was undertaken on the project site in 2024. As this commercial use is located on Low Intensity Use lands, it appears that an Agency permit was required for its undertaking. A review of Agency records indicates that no permit was obtained. By issuance of this permit, the commercial use shall be recognized as lawful for Agency purposes.

The project is shown on the following plans:

- The existing shop, parking area and proposed storage sheds and area for mulch storage are depicted on an un-titled sketch, received by the Agency May 5, 2025 (Site Plan).
- Elevation views of the existing shop are depicted on Sheet E1 – Elevation Views, prepared by Moser Engineering and received by the Agency March 12, 2025 (Elevation Plan).
- Dimensions of the floor space of the existing shop are depicted on an un-titled plan received by the Agency May 5, 2025 (Floor Plan).

A reduced-scale copy of the 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 establishment of any commercial use on Low Intensity Use 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, for as long as the commercial use continues on the site. 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 2025-0008, issued January 27, 2026, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. This permit authorizes the establishment of a commercial use landscaping business and the construction of accessory buildings in the locations shown and as depicted on the Site Plan and Elevation Plan. Any change to the location, dimensions, or other aspect of the commercial use shall require prior written Agency authorization.
6. Hours of operation shall only occur between 7am and 5pm, Monday through Friday, year-round. Any change to the hours of operation shall require prior written Agency authorization.
7. Prior to construction of any new on-site wastewater treatment system(s) on the project site, written authorization shall be obtained from the Agency for plans prepared by a New York State design professional (licensed engineer or registered architect) that comply with New York State Department of Health's "Wastewater Treatment Standards for Individual Household Systems" (10 NYCRR Appendix 75 A), the Agency's Project Guidelines for Residential On-Site Wastewater Treatment, and with Agency standards in 9 NYCRR Appendix Q4.

Installation of the approved plans shall be under the supervision of a licensed design professional. Within 30 days of complete system installation and prior to utilization, the design professional shall provide the Agency with written certification that the system was installed in compliance with the Agency authorized plan set.

8. Any new free-standing or building-mounted outdoor lights associated with the landscaping business 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 Route 9N or adjoining property.
9. All signs associated with the commercial use landscaping business on the project site shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3].
10. Outside of the limits of clearing shown on the Site Plan, 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.
11. The undertaking of any activity involving wetlands shall require a new or amended permit.
12. There shall be no more than nine principal building(s) located on Lot 5.1 at any time. The commercial use building authorized herein constitutes a principal building. 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 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 Low Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Low Intensity Use 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.

Dated: January 27, 2026
Ray Brook, New York

ADIRONDACK PARK AGENCY

By:

John M. Burth
John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 27th day of January in the year 2026, 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

STEPHANIE PETITH
Notary Public, State of New York
Reg. No. 01PE6279890
Qualified in Essex County
Commission Expires April 15, 2029

Proposed Septic

