

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 2010-0235A
In the Matter of the Application of JEFFREY D. MORGIEWICZ AND DAVID C. ESCHBORN Permittees for a permit pursuant to § 809 of the Adirondack Park Agency Act	Date Issued: September 30, 2026 To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Jeffrey D. Morgiewicz 2. David C. Eschborn

SUMMARY AND AUTHORIZATION

This permit authorizes construction of a single family dwelling 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 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 the permit is 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 9.5-acre parcel of land located on Grove Street 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 305, Block 6, Parcel 1.14; described in a deed from Claude Ouellette to Jeffrey D. Morgiewicz and David C. Eschborn, dated September 4, 2024, and recorded in the Clinton County Clerk's Office as Instrument Number 2024-00339807.

The project site was created by subdivision as authorized by Agency Permit 2010-0235. The project site also contains wetlands associated with a stream. 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 construction of a single family dwelling and associated on-site wastewater treatment system and individual well water supply.

The project is shown on the following maps and plans:

- "Future Plot Plan," (Site Plan) and "Proposed Plot Plan," (Vegetation Plan) prepared by Moser Engineering, dated June 17, 2026 and received by the Agency on August 18, 2026;
- "Ouellette Subdivision 2017," dated April 2018 and received by the Agency on May 4, 2018; in three sheets (Septic Plans); and
- "Storm Water Pollution and Prevention Plan Ouellette Residential Subdivision," prepared by Upstate Design Associates, LLC, dated January 3, 2018; and received by the Agency on January 16, 2018 (SWPPP Plans).

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

AGENCY JURISDICTION

The subdivision authorized by Agency Permit 2010-0235 required a permit because the subdivision involved wetlands and created ten or more lots on Low Intensity Use lands. This permit amends Conditions 8, 12, and 17 of Permit 2010-0235.

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, the Site Plan and the Vegetation 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. This permit amends and supersedes Permit 2010-0235 in relation to the project site. The terms and conditions of Permit 2010-0235 shall no longer apply to the project site.
5. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling in the location and footprint depicted on the Site Plan. Accessory structures may be constructed without further Agency approval within the "Final Area of Clearing" depicted on the Site Plan.

All structures on the project site shall be no more than 40 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 of any structure or any expansion beyond these dimensions shall require prior written Agency authorization.

6. Subject to the conditions stated herein, this permit authorizes the installation of utilities on the project site along the driveway shown on the Vegetation Plan. Any change to the location of the utilities or any installation of utility poles over 40 feet in height above grade shall require prior written Agency authorization.
7. The construction of any additional dwelling or other principal building on the project site shall require prior written Agency authorization.
8. Construction of any guest cottage on the project site shall require prior written Agency approval.
9. 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 Plan and the Septic 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.

10. The project shall be undertaken in compliance with the SWPPP Plans and the Septic Plans.
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. 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 Grove Street or adjoining properties.
13. All exterior building materials, including roof, siding and trim, of any structure on the project site shall be a dark shade of green, grey, or brown.
14. Vegetation previously removed on the project site shall be allowed to revegetate as shown on the Vegetation Plan. Outside the "Final Area of Clearing" 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.
15. The undertaking of any activity involving wetlands shall require a new or amended permit.
16. There shall be no more than two principal buildings 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 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 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;
- 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; and
- 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.

Dated: September 30th, 2026

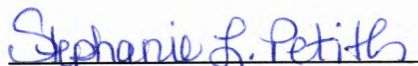
Ray Brook, New York

ADIRONDACK PARK AGENCY

By: 
John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

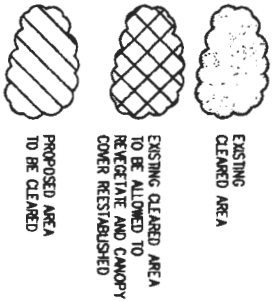
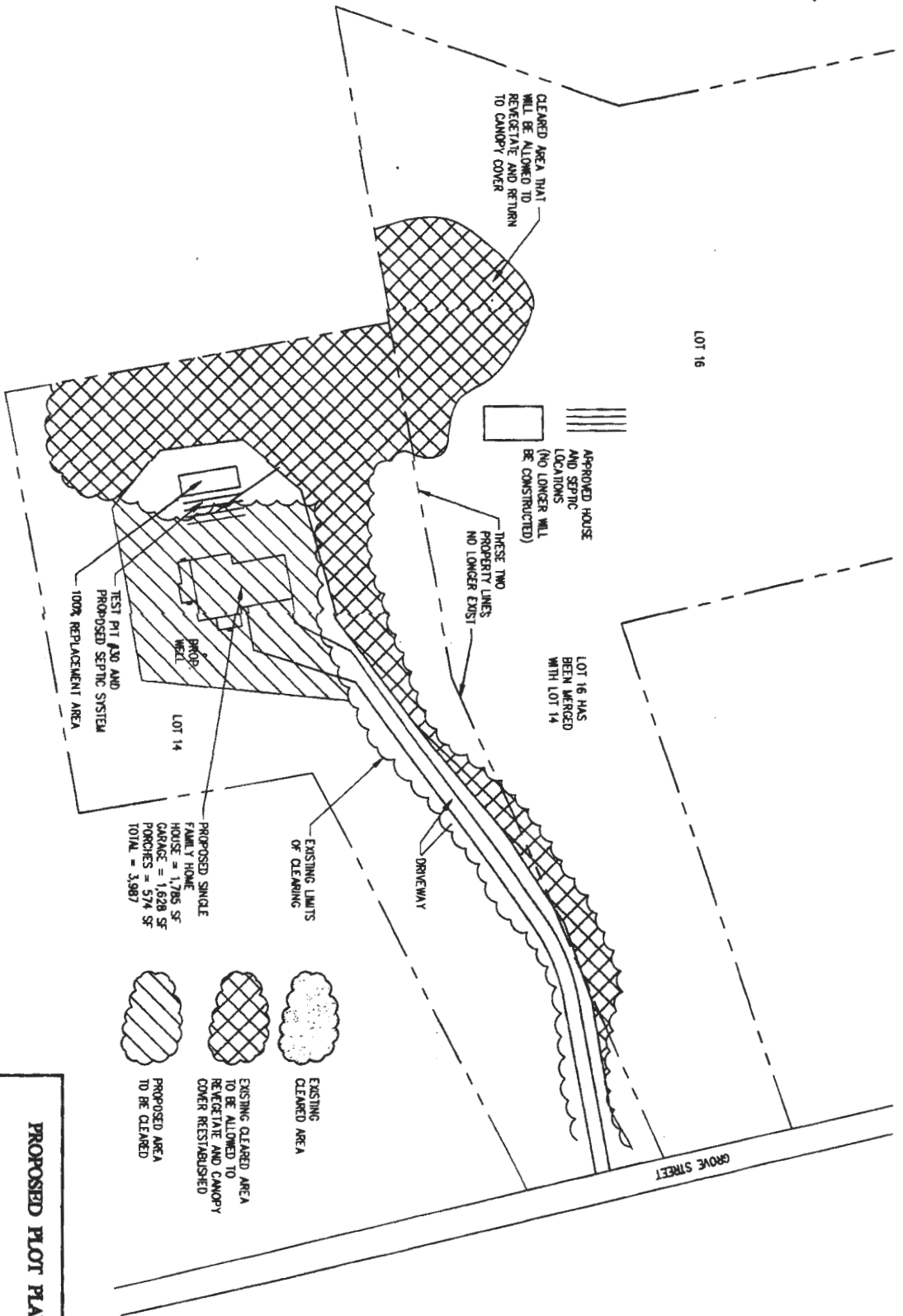
On the 30th day of September in the year 2026, before me, the undersigned, a Notary Public in and for said State personally appeared John M. Burth, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged 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.


Notary Public

STEPHANIE PETITH
Notary Public, State of New York
Reg. No. 01PE6279890
Qualified in Essex County
Commission Expires April 15, 2026

PROPOSED SITE PLAN

SCALE: 1" = 80' (11"x17" SIZE)



PROPOSED PLOT PLAN

ESCHBORN-MORGIEWICZ

RESIDENCE

GROVE STREET, KEESVILLE, NY 12944

DATE: 8/18/28

PROJECT NO. 2046

MOORE

ENGINEERING

1100 N. 1ST ST.

PO BOX 1100

58446-1100

MOOREENGINEERING@YAHOO.COM

WWW.MOOREENGINEERING.COM

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RECEIVED

Date: August 18, 2028

Adrianwick

Perk Agency

FINAL

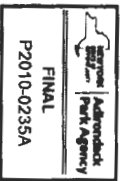
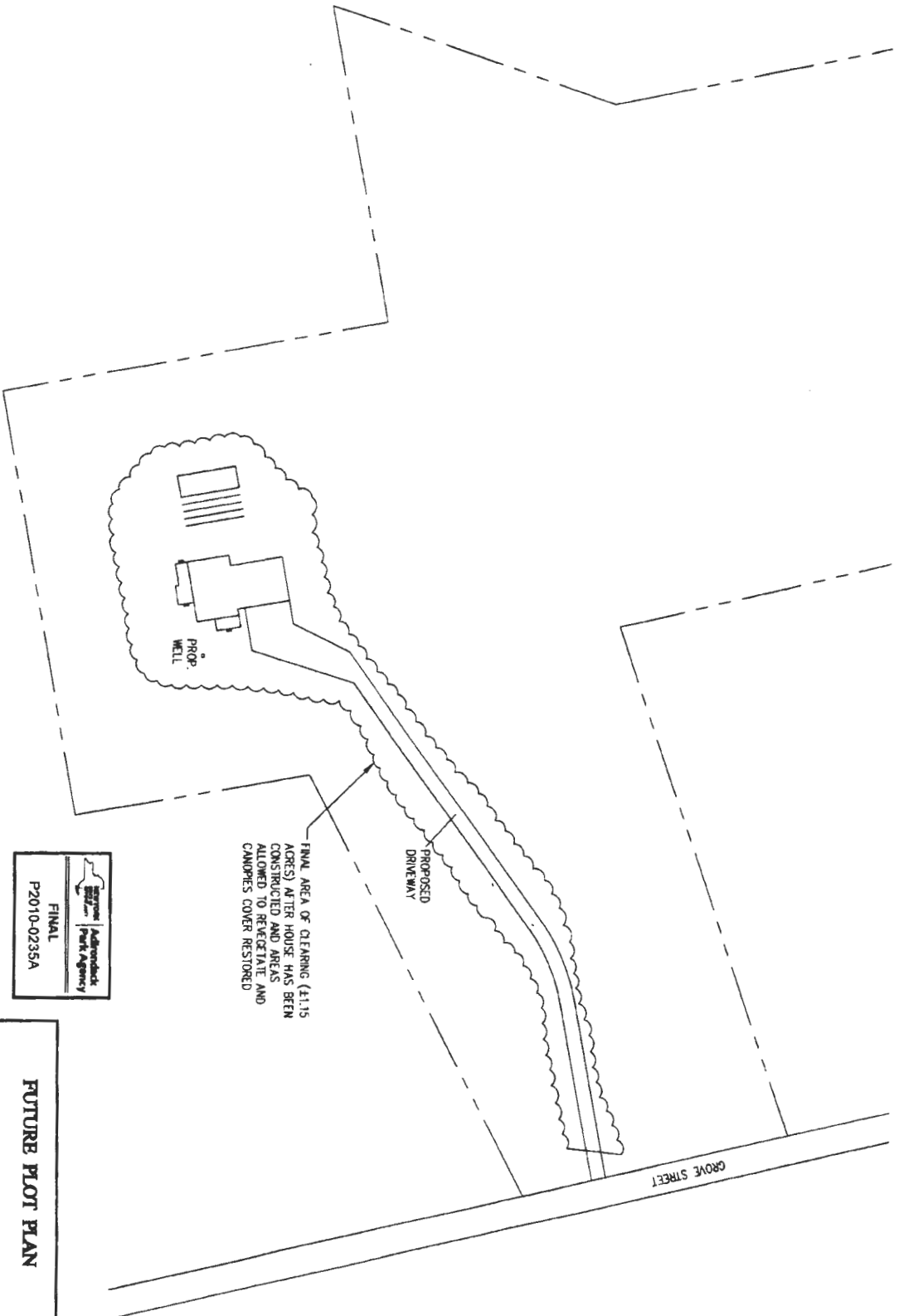
P2010-0235A

Adrianwick

Perk Agency

FUTURE SITE PLAN

SCALE: 1" = 80' (11"x17" SIZE)



FUTURE PLOT PLAN ESCHBORN-MORCIEWICZ RESIDENCE GROVE STREET, KESSEVILLE, NY 12944 DATE: 6/1/25 PROJECT NO. 1546		MOSEER ENGINEERING 71 BAKER ROAD SUITE 100 KESSEVILLE, NY 12944 WWW.MOSEERENGINEERING.COM
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