



**SHERMAN CRAIG**  
Chairman

**TERRY MARTINO**  
Executive Director

July 25, 2017

Joseph Cotazino  
5 Robin Drive  
Voorhesville, NY 12186

**RE: Jurisdictional Determination J2017-0444**

Dear Mr. Cotazino:

The proposed construction of a single family dwelling described in the materials received on July 17, 2017 does not require a permit or variance from this Agency, provided the facts submitted are accurate and complete, and provided there is compliance with the restrictions below.

**Description**

It is our understanding that the project consists of the following:

1. The property is a 1.5±-acre parcel having shoreline on Lake Algonquin and is located in the Town of Wells, Hamilton County, on Kibler Point Road, tax map designation 130.18-1-17.100.
2. The property is owned by Joseph M. Cotazino, Jr. and Joy Cotazino as described in a deed recorded on March 3, 1994 in Liber 208 of Deeds, page 898 in the Hamilton County Clerk's Office.
3. According to the information you submitted and information available from Agency files, the property was part of a larger parcel as of the May 22, 1973 enactment date of the Adirondack Park Land Use and Development Plan in that the owners on that date, Frank and Majorie Rizzo, owned adjoining tax parcel 130.018-1-16.
4. The property is currently vacant.
5. You propose to construct a single family dwelling, as described in the narrative prepared by Enerondack Engineering & Design Services, PLLC and dated July 14, 2017 and as shown on the site plan entitled, "Survey Map of Joseph & Joy Cotazino," prepared by Ferguson & Foss PLSPC and dated August 9, 2012. For purposes of Agency review, the narrative and site plan have been stamped "Final".

No additional subdivision or new land use and development is proposed at this time.

If any of the above is incorrect, please contact the Agency as a different determination could result.

### **FOR YOUR INFORMATION:**

This determination is based upon the existing laws, regulations and Park Plan Map administered by the Agency. If they change before substantial commencement of the proposed project, this determination may also change.

The property is located in a Hamlet land use area on the Adirondack Park Land Use and Development Plan Map.

Agency staff has determined that there are no wetlands subject to Agency jurisdiction on the property, based on interpretation of wetland maps available for Hamilton County. However, field inspection by Agency staff is the only way to confirm the presence, location and size of wetlands particularly along the shoreline. If you have reason to believe that any wetlands would be affected by the proposal, you are encouraged to contact the Agency to arrange a site visit prior to undertaking the project.

The property is not located in a statutory critical environmental area.

The property is not located in a designated river area pursuant to the New York State Wild, Scenic and Recreational Rivers System Act.

### **Restrictions**

Although the proposed project described above does not require an Agency permit, the following restrictions are imposed by law.

1. In a Hamlet land use area, any new structure over 100 square feet in size (except docks and boathouses - see definitions in the enclosed flyer) must be set back at least 50 feet from the mean high water mark of any river or stream which is navigable by boat, including canoe, and all lakes and ponds. Structure setbacks are measured horizontally from the closest part of the structure to the mean high water mark. For the purposes of applying the setback requirements, a structure consists of all attached components, including, but not limited to porches, decks, and staircases.

Vegetative cutting restrictions apply to the shoreline of any navigable water body. The removal of any vegetation is limited within 6 feet of the high water mark. The cutting of trees is limited within 35 feet of the high water mark. Enclosed is a flyer which further describes the shoreline restrictions.

2. Projects must be undertaken in accord with Agency regulations implementing the State Freshwater Wetlands Act. Enclosed is a flyer describing some of the activities which require a wetlands permit.
3. A new on-site wastewater treatment system may not be located within 100 feet of any water body, including intermittent or seasonal streams, without an Agency variance. The sewage disposal system setback is measured horizontally along the shortest line between the closest point of the seepage pit, drainage field or other leaching facility and the mean high water mark.

An Agency permit is required for the installation of any leaching component of a wastewater treatment system within 100 feet of wetlands.

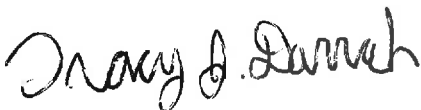
The New York State Department of Health has additional wastewater treatment system standards which must also be met.

4. No structure other than residential radio and television antennas and agricultural use structures may exceed 40 feet in height without an Agency permit. For Agency purposes, height is measured from the highest point of the structure to the lowest point of finished or natural grade, whichever is lower.

The proposal may require approvals from other government entities. We recommend that you check with Town authorities to obtain all necessary approvals prior to beginning your project.

If you have any questions, please do not hesitate to contact the Agency.

Sincerely,



Tracy J. Darrah  
Project Administrator

TJD:DWM:mp

Enclosures: Shoreline Restrictions and Wetlands flyers

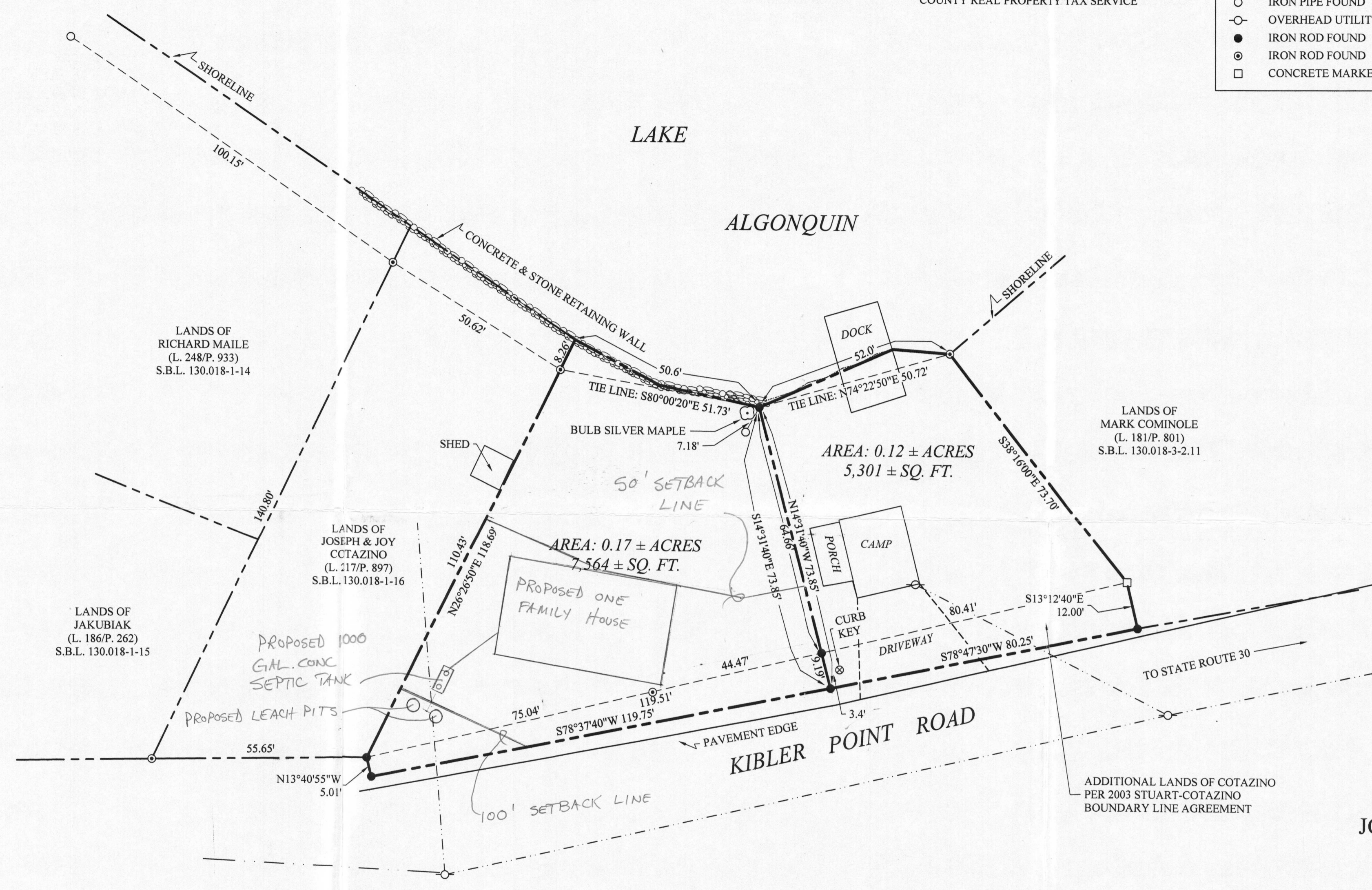
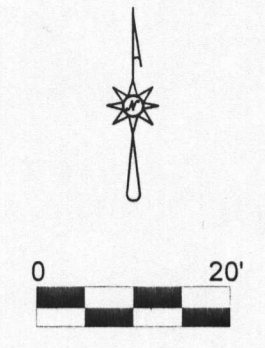
cc: Joseph M. Cotazino  
James F. Reis, P.E., Enerondack Engineering and Design Services PLLC  
Town of Wells (via email)





S.B.L. REFERS TO SECTION-BLOCK-LOT NUMBER AS FOUND IN HAMILTON COUNTY REAL PROPERTY TAX SERVICE

LEGEND	
○	IRON PIPE FOUND
○—○	OVERHEAD UTILITY LINE
●	IRON ROD FOUND
⊙	IRON ROD FOUND
□	CONCRETE MARKER FOUND



LANDS OF RICHARD MAILE (L. 248/P. 933) S.B.L. 130.018-1-14

LANDS OF MARK COMINOLE (L. 181/P. 801) S.B.L. 130.018-3-2.11

LANDS OF JOSEPH & JOY COTAZINO (L. 217/P. 897) S.B.L. 130.018-1-16

LANDS OF JAKUBIAK (L. 186/P. 262) S.B.L. 130.018-1-15

FINAL ADIRONDACK PARK AGENCY FILE # J2017-0444

ADDITIONAL LANDS OF COTAZINO PER 2003 STUART-COTAZINO BOUNDARY LINE AGREEMENT

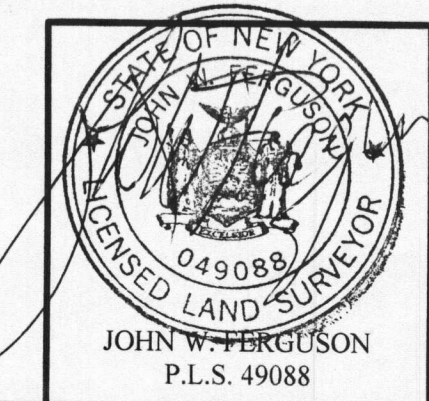
SURVEY MAP OF LANDS OF JOSEPH M. & JOY COTAZINO (LIBER 234/PAGE 549) S.B.L. 130.018-1-17.100

RECEIVED ADIRONDACK PARK AGENCY JUL 17 2017

AT "KIBLER POINT" TOWN & HAMLET OF WELLS COUNTY OF HAMILTON STATE OF NEW YORK SCALE: 1"=20' AUGUST 9, 2012

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY WITH AN ORIGINAL OF THE LAND SURVEYOR'S SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

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