

STATE OF NEW YORK: ADIRONDACK PARK AGENCY

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In the matter of the apparent
violation of Executive Law § 806
by:

Agency File #2019-0127

**JOSEPH COTAZINO, JR.
JOY COTAZINO**

Respondents.

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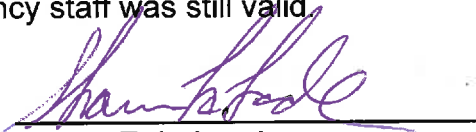
STATE OF NEW YORK)
) ss:
COUNTY OF ESSEX)

Shaun LaLonde being duly sworn, deposes and says:


1. I am a professional engineer licensed to practice in the State of New York and have been employed by the Adirondack Park Agency (the APA or Agency), an executive agency of the State of New York created pursuant to Executive Law § 803, with offices located in the Town of North Elba, Essex County, New York, in that capacity since October 2002.
2. As part of my duties, I assist in the review of proposals for compliance with the shoreline restrictions set forth in Executive Law § 806. The issues I review include structure setbacks, identification of mean high-water mark, and on-site wastewater treatment system design. I also review applications for shoreline structures that require a permit or variance under the APA Act, as well as the New York State Wild, Scenic and Recreational Rivers System Act and the New York State Freshwater Wetlands Act.
3. I am familiar with the file in this case. I make this affidavit in support of APA staff's request for a determination by the Enforcement Committee.
4. On August 20, 2018, I visited Tax Map Parcel 130.18-1-17.100 (Lot 17.100) in the Town of Wells, Hamilton County, with Agency Enforcement Officer Trevor Fravor to meet with Respondent Joseph Cotazino. At the time of the site visit, Respondent Joseph Cotazino had staked out a single family dwelling footprint that was partially within the Agency's 50-foot shoreline setback in a Hamiet Land Use area.

During the site visit, I identified the mean high-water mark of Lake Algonquin. I then measured and staked a potential single family dwelling footprint that would comply with the Agency's 50-foot structure setback and also increase separation from Kibler Point Road. I informed Respondent Joseph Cotazino that a dwelling constructed in the location staked during this site visit would not require a variance from the Agency. Respondent Joseph Cotazino indicated that he was satisfied with the location of the new footprint.

I also informed Respondent Joseph Cotazino that an on-site wastewater treatment absorption field located greater than 100 feet from Lake Algonquin would not require a variance from the Agency and that the non-jurisdictional determination issued on July 25, 2017 by Agency staff was still valid.


Shaun E. LaLonde

Sworn to before me this
Day of


Notary Public

SUSAN A. STREIFF
Notary Public - State of New York
Qualified in Franklin County
No. 01ST6229306
Commission Expires Oct. 12, 2022