


THIS IS A TWO-SIDED DOCUMENT

 <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 <b>2024-0308</b></p>
<p>In the Matter of the Application of</p> <p><b>GARRETT DEDRICK, ERIN L. DEDRICK, FREDERICK A. NADEAU, &amp; HELEN L. NADEAU</b> <b>Permittees</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: December 23, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s):</p> <ol style="list-style-type: none"><li><b>1. Garrett Dedrick</b></li><li><b>2. Erin L. Dedrick</b></li><li><b>3. Frederick A. Nadeau</b></li><li><b>4. Helen L. Nadeau</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes a two-lot subdivision in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Ticonderoga, Essex County.

This authorization shall expire unless recorded in the Essex 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 37.5± acres of land located on Warner Hill Road in the Town of Ticonderoga, Essex County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as the following properties:

- Tax Map Section 139.1, Block 1, Parcel 49.110, as described in a deed from Lydia Wescott to Frederick A. Nadeau and Helen Linda Nadeau dated August 17, 1993, and recorded August 23, 1993 in the Essex County Clerk's Office at Book 1044, Page 348;
- Tax Map Section 139.1, Block 1, Parcel 21.120, as described in a deed from Thomas D. Dedrick and Erin L. Dedrick to Erin L. Dedrick, dated December 22, 2015, and recorded February 8, 2016 in the Essex County Clerk's Office under Instrument Number 2016-0495; and
- Tax Map Section 139.1, Block 1, Parcel 49.120, as described in a deed from Frederick Arthur Nadeau and Helen Linda Nadeau to Erin Lyn Dedrick, dated June 8, 2023 and recorded June 3, 2023 in the Essex County Clerk's Office under Instrument Number 2023-1934.

The project site was created as "Lot B" in a two-lot subdivision as authorized by Agency Permit 96-199.

## **PROJECT DESCRIPTION**

The project as conditionally approved herein involves a two-lot subdivision of the 35.8±-acre tax map parcel 139.1-1-49.110 to create:

- Parcel D: a 1.27±-acre lot containing an existing pole barn, for the construction of one single family dwelling, on-site wastewater treatment system, and potable water well; and
- Parcel B: a 34.5±-acre lot containing an existing garage, pole barn, and on-site wastewater treatment system.

The project also includes after-the-fact authorization of Parcel C: a 1.77±-acre lot comprised of the 1.34-acre tax map parcel 139.1-1-21.120, created by subdivision from the project site without an Agency permit in 2003, and the 0.43-acre tax map parcel 139.1-1-49.120, created by boundary-line-adjustment in 2023. Parcel C is improved by a single family dwelling, on-site wastewater treatment system, and potable water well constructed following the 2003 subdivision. By issuance of this permit, Parcel C shall be recognized as lawful for Agency purposes.

The project is shown on the following maps, plans, and reports (Project Plans):

- A survey map titled "Map of Survey prepared for Garrett Dedrick," prepared by A.L.L. Land Surveying, and dated November 3, 2024 (Site Plan); and
- A 10-page set of plans titled "Additional Information for Proposed Subsurface Disposal System for Proposed Home 142/144 Warner Hill Rd, Ticonderoga NY 12883," prepared by John A. Cheslik, P.E., and dated December 11, 2024 (OSWTS Plan).

A reduced-scale copy of the Site Plan and Page 4 of the OSWTS Plan for the project 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 any subdivision of Rural Use lands that results in the creation of a non-shoreline lot smaller than 7.35 acres in size 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 Essex 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 and Project Plans 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 1996-0199 in relation to the project site. The terms and conditions of Permit 1996-0199 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 2024-0308, issued December 23, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
6. Subject to the conditions stated herein, this permit authorizes a two-lot subdivision as depicted on the Site Plan. Any subdivision of Parcels B, C, or D not depicted on the Site Plan shall require a new or amended permit.
7. Tax Map Parcels 139.1-1-21.120 and 139.1-1-49.120, as described above, shall be considered merged as a single, undivided property for purposes of Agency jurisdiction. Any future subdivision of this undivided lot shall require a new or amended permit.

8. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling on Parcel D in the location, footprint, and height shown and as described on the Site Plan. Any change to the location or dimensions of the authorized dwelling shall require prior written Agency authorization.
9. The construction of any dwelling or other principal building on Parcel B shall require prior written Agency authorization. The construction of any accessory structure on Parcel B on slopes greater than 25% shall require prior written Agency authorization.
10. Construction of any guest cottage on the lots authorized herein shall require prior written Agency authorization.
11. Any on-site wastewater treatment system(s) on Parcel D 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 OSWTS Plan. 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.

12. 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.
13. Any new free-standing or building-mounted outdoor lights associated with the single family dwelling authorized on Parcel D shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Warner Hill Road or adjoining property.
14. The undertaking of any activity involving wetlands shall require a new or amended permit.
15. There shall be no more than two principal building(s) located on Parcel B. The Agency makes no assurances that the maximum development mathematically allowed can be approved.
16. There shall be no more than one principal building(s) located on Parcel C at any time. The single family dwelling constructed on the property in 2003 constitutes a principal building.

17. There shall be no more than one principal building(s) located on Parcel D at any time. The single family dwelling authorized herein constitutes a principal building.

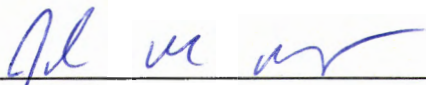
**CONCLUSIONS OF LAW**

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 subdivision 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; 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.

PERMIT issued this 23<sup>rd</sup> day of December, 2024.

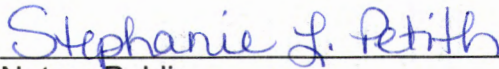
ADIRONDACK PARK AGENCY

BY:   
John M. Burth  
Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 23<sup>rd</sup> day of December in the year 2024, 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, 2025

  
Notary Public



NEW YORK STATE OF OPPORTUNITY  
**Adirondack Park Agency**  
**RECEIVED**  
 Date: December 12, 2024

See also drawing of  
 May 24, 2024 submission  
 for additional notes

NEW YORK STATE OF OPPORTUNITY  
**Adirondack Park Agency**  
**FINAL**  
 P2024-0308



Proposed subsurface disposal system for 3 bedroom house  
 142 or 144 Warner Hill Rd  
 Ticonderoga NY

Property address has not been assigned by Essex County E911.

To our knowledge proposed property site has not been surveyed for bounds

*Rev. 11/20/24*