


THIS IS A TWO-SIDED DOCUMENT

 <p><b>Adirondack Park Agency</b></p> <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>1996-0092RB</b></p>
<p>In the Matter of the Application of</p> <p><b>JOSEPH IANNUZZI AND MAUREEN IANNUZZI</b> <b>Permittees</b></p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: October 19, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <ol style="list-style-type: none"><li><b>1. Joseph Iannuzzi</b></li><li><b>2. Maureen Iannuzzi</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes the construction of a single family dwelling and the installation of a dock in an area classified Moderate Intensity 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 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 Essex County Clerk's Office. The Agency will consider the project in existence when the dwelling authorized herein has been constructed.

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 1.06-acre parcel of land located on Tiroga Beach Lane in the Town of Ticonderoga, Essex County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 160.42, Block 1, Parcel 24.100, and is described in a deed from C. Steven Miller and Rill Ann Miller to Joseph Iannuzzi and Maureen Iannuzzi, dated December 15, 2022, and recorded December 28, 2022 in the Essex County Clerk's Office under Instrument Number 2022-6033.

The project site contains shoreline on Lake George. Deepwater marsh wetlands are present within the mean high water mark of Lake George adjacent to the project site.

The project site was created as "Lot A" in a three-lot subdivision as authorized by Agency Permit 96-92R. Agency Permit 96-92R also authorized the installation of a dock on Lot A as depicted and described on the Project Plans referenced herein.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves the construction of a five-bedroom single family dwelling on the project site in a different location than originally authorized in Agency Permit 96-92R. The dwelling will be served by municipal sewer. A floating dock will be installed as originally authorized by Agency Permit 96-92R.

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

- A site plan map titled "160.42-1-24.100," prepared by Joseph Iannuzzi, and received by the Agency on October 10, 2023 (Site Plan); and
- A plan sheet titled "Proposed Dock Location," prepared by Adirondack Engineering Associates, L.L.C., and dated April 28, 2004 (Dock Plan).

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

### **AGENCY JURISDICTION**

Agency Permit 96-92R required a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578. Conditions 6 and 12 of Agency Permit 96-92R require a new or amended permit for the construction of a single family dwelling with more than two bedrooms, and for a change in the size or location of the approved building envelope.

### **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 96-92R in relation to the project site. The terms and conditions of Permit 96-92R 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 1996-0092RB, issued October 19, 2023, 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 the construction of one single family dwelling and attached garage on the project site in the location and footprint shown and as described on the Site Plan. The single family dwelling shall be no more than 38 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 or dimensions of any authorized structure shall require prior written Agency authorization.
7. This permit authorizes one dock on the project site as depicted and described on the Dock Plan. The floating dock will be fixed at a height of 18 inches above the water level.
8. Construction of any guest cottage on the project site shall require prior written Agency authorization.
9. Prior to undertaking construction of any boathouse on the project site, written authorization of plans for the boathouse, including all attached docks or walkways, shall be obtained from the Agency.
10. No structures greater than 100 square feet in size, other than the dock authorized herein, shall be constructed within 50 feet, measured horizontally, of the mean high water mark of Lake George. Boathouses and docks, as defined under 9 NYCRR § 570.3, are excepted from this requirement.
11. All wastewater treatment infrastructure on the project site shall be connected to and served by the municipal wastewater treatment system.

12. The project shall be undertaken in compliance with Lake George Park Commission stormwater requirements.
13. 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.
14. Any new free-standing or building-mounted outdoor lights shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Lake George, Tiroga Beach Lane, or adjoining property.
15. All exterior building materials, including roof, siding and trim, of the dwelling shall be a dark shade of green, grey, or brown.
16. Within 100 feet of the mean high water mark of Lake George no trees greater than 6 inches in diameter at breast height 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.
17. Within 50 feet of the centerline of Tiroga Beach Lane no trees, shrubs or other woody-stemmed vegetation greater than 4 inches in diameter at breast height 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 1) an area up to 25 feet in width for driveway construction and utility installations and 2) dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
18. Between April 1 and October 31, no trees shall be removed or disturbed on the project site without prior written Agency authorization.
19. The undertaking of any activity involving wetlands shall require a new or amended permit.
20. There shall be no more than one principal building 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, the Freshwater Wetlands Act and 9 NYCRR Part 578, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision 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 Moderate Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Moderate 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;
- 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; and
- g. will result in minimal degradation or destruction of the wetland or its associated values, and is the only alternative which reasonably can accomplish the applicant's objectives.

PERMIT issued this 19<sup>th</sup> day of October, 2023.

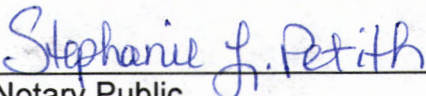
ADIRONDACK PARK AGENCY

BY:   
David J. Plante, AICP CEP  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

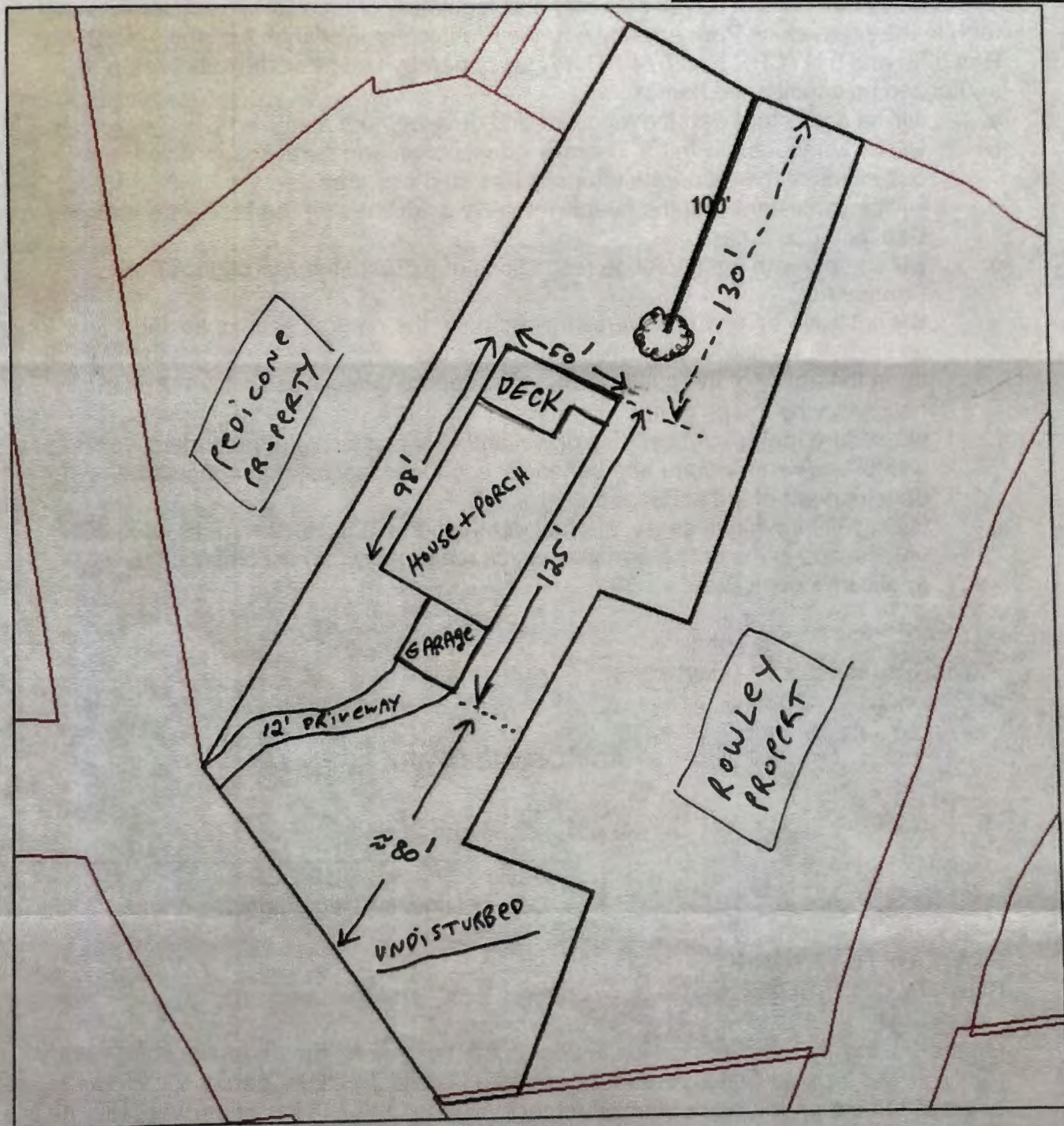
On the 19<sup>th</sup> day of October in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument 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



160.42-1-24.100



10/2/2023, 10:56:13 AM This is advisory only, not to be used to confirm exact boundary location or for determining Agency jurisdiction.

1:900

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

NYS Adirondack Park Agency  
Sources: Esri, USGS, NOAA  
Sources: Esri, Garmin, USGS, NPS