

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 2025-0069
	Date Issued: July 9, 2025
In the Matter of the Application of CYNTHIA HIGGINS Permittee for a permit pursuant to § 809 of the Adirondack Park Agency Act	To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. Cindy Higgins

SUMMARY AND AUTHORIZATION

This permit authorizes the construction of a single family dwelling with associated on-site wastewater treatment system 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 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 single family dwelling is 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 9.24-acre parcel of land located on Stoney Lonesome 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 Tax Map Section 138.2, Block 1, Parcel 1.000, and is described in a deed from David T. Miles to Cindy Higgins and George L. Tuttle, dated August 24, 2004, and recorded October 26, 2004 in the Essex County Clerk's Office under Instrument Number 006968.

The project site was described as "Lot 1" and recognized as a lawful lot under Agency Settlement Agreement E2007-023.

PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of a single family dwelling with associated on-site wastewater treatment system.

The project is shown on the following Project Plans:

- A seven-page set of plans titled "Pat and Cindy Higgins Residential Development," prepared by Trudeau Engineering, and dated August 20, 2024 (Site Plan); and
- A three-page set of architectural plans titled "Proposed Private Residence," prepared by Northern Appalachia, U.S.A., and received by the Agency on October 11, 2024 (Building Plan).

A reduced-scale copy of Sheet 3 (Enlarged Site Plan) of the Site Plan for the project is attached as a part of this permit for reference.

AGENCY JURISDICTION

Settlement Agreement E2007-0023 requires an Agency permit prior to undertaking and land use or development on the project site.

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.

2. 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].
3. This permit amends and supersedes Agency Settlement Agreement E2007-023. The terms and conditions of Settlement Agreement E2007-023 shall no longer apply.
5. Subject to the conditions stated herein, this permit authorizes the construction of one single family dwelling and accessory structure on the project site in the location, footprint, and height shown and as described on the Site Plan. Any change to the location or dimensions of any authorized structures shall require prior written Agency authorization.
6. The construction of accessory structures outside of the building envelope depicted on the Site Plan shall require prior Agency authorization.
7. Construction of any guest cottage on the project site shall require prior written Agency authorization.
8. Any on-site wastewater treatment system 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. 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.
9. Within 100 feet of the centerline of Stoney Lonesome Road 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.
10. Between April 1 and October 31, no trees shall be removed or disturbed on the project site without prior written Agency authorization.
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 shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Stoney Lonesome Road or adjoining property.
13. 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 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 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 9th day
of July, 2025.

ADIRONDACK PARK AGENCY

BY: _____

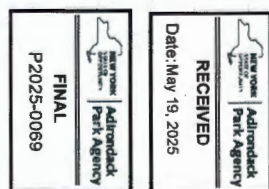
John M. Burth
Deputy Director, Regulatory Programs

STATE OF NEW YORK COUNTY OF ESSEX

On the 9th day of July in the year 2025, 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, 2029

Stephanie L. Petith
Notary Public



No.	1	RESERVE AREA	09/19/11
		Revision/Issue	Date

HIGGINS
RESIDENCE
STONEY LONESOME
TICONDEROGA, NY

Project 24-08-020	Sheet 3
Date 08/20/2024	Drawing S-1
TITLE ENLARGED SITE PLAN	

0 30' 60

GRAPHIC SCALE