

THIS IS A TWO-SIDED DOCUMENT



**NEW YORK
STATE OF
OPPORTUNITY.**

**Adirondack
Park Agency**

P.O. Box 99, 1133 NYS Route 86
Ray Brook, New York 12977
Tel: (518) 891-4050 Fax: (518) 891-3938
www.apa.ny.gov

**APA Order Granting
Variance
2016-0100**

Date Issued: June 14, 2017

In the Matter of the Application of

CAMP MAJANO, LLC

for a variance pursuant to Executive Law § 806

To the County Clerk: This order must be recorded on or before August 14, 2017. Please index this Order in the grantor index under the following names:

1. Camp Majano, LLC

SUMMARY AND AUTHORIZATION

Camp Majano, LLC ("applicant") is granted a variance, as conditioned herein, from the applicable 75-foot shoreline structure setback required by Section 806(1)(a)(2) of the Executive Law ("Adirondack Park Agency Act" or "APA Act"), to allow for the addition of two decks to the front (lake side) of an existing shoreline structure, resulting in an increase in non-compliance with the shoreline restrictions, in an area classified Rural Use by the Official Adirondack Park Land Use and Development Plan Map in the Town of North Elba, Essex County.

Nothing contained in this Order shall be construed to satisfy any legal obligations of the applicant to obtain any governmental approval or permit from any entity other than the Agency, whether federal, State, regional or local.

APPLICABLE LAWS

Section 806(1)(a)(2) of the APA Act establishes a minimum shoreline setback of 75 feet from the mean high water mark of Lake Placid for all accessory structures and principal buildings greater than 100 square feet in size in a Rural Use land use area. The applicant requested a variance from this structure setback requirement pursuant to § 806(3)(a) of the APA Act.

RELEVANT FACTS AND BACKGROUND

Variance Site

The variance site is located on the northeast side of Buck Island on Lake Placid in the Town of North Elba, Essex County, on an 18.6±-acre property in an area designated as Rural Use on the Adirondack Park Land Use and Development Plan Map. The tax map numbers for the property are: Section 33.016, Block 1, Parcel 2 and Section 33.015, Block 2, Parcel 9. The property is improved by a 10-bedroom single family dwelling (constructed 1917), a guest cottage (constructed c. 1920), a single family dwelling with boat slips (constructed c. 1920, the "shoreline structure"), and a separate non-conforming dock.

The variance site includes approximately 1360 feet of shoreline on Lake Placid. The closest neighboring structure to the west is approximately 140 feet from the west deck authorized herein. The closest neighboring structure to the east is around the other side of a point of land owned by the applicant. The shoreline opposite the shoreline structure is Moose Island, 0.25± miles across Lake Placid (Shelter Strait) and predominantly forested.

The footprint of the shoreline structure is approximately 80 feet wide along the shoreline by 34 feet deep. The lower level includes four boat slips. The upper level includes a dwelling unit with two bedrooms. Additional living space was added to the east and west side of the upper level in 2016 with the addition of roof gables, without increasing the footprint of the structure.

The area around existing development on the variance site contains shrubs and patches of trees (e.g., birch, hemlock, and cedar), with little to no understory vegetation. Trees exist to the sides and rear of the shoreline structure. The vacant portion of the variance site is forested.

Variance Request

The applicant's objective is to add decks on their shoreline structure that receive morning and afternoon sunlight, without cutting any trees.

The variance request is for the addition of two 10-foot by 10-foot decks on the front/north side (lake side) of an existing shoreline structure, resulting in an increase in footprint of 200 square feet within the mean high water mark of Lake Placid. The deck on the east will be located above an existing non-conforming dock and supported by one new post located on that dock. The deck on the west will be located above the water of Lake Placid and supported by one new post located on one new 11.75-inch-diameter steel caisson in Lake Placid.

The decks will not increase the width or height of the existing shoreline structure. The decks will not extend further toward the lake than the most lakeward part of the structure, a covered porch on the northern side. The applicant will not cut any trees as part of the requested variance.

The mean high water mark (MHW) of Lake Placid is shown on the Drawing (referenced below) as being 1858.94 feet above mean sea level and running beneath the middle of the shoreline structure. The east deck will be 28 feet lakeward of the MHW and the west deck will be 30 feet lakeward of the MHW.

The NYS Office of Parks, Recreation and Historic Preservation (OPRHP) issued a letter dated February 16, 2016 (#16PR00250) finding that the structure is eligible for listing in the State and National Registers of Historic Places as a contributing resource to the Buck Island Camps Historic District. The OPRHP reviewed the effect of constructing two 10-foot x 10-foot exterior decks to the upper level of the structure with renovations (interior and exterior) to the adjacent upper story dormers and concluded "that the proposed work will have No Adverse Impact upon this historic resource."

The variance proposal is shown on the following maps and plans:

- A set of drawings prepared by The Design Group, Jim Edgecomb, AIA, dated November 10, 2015: Proposed Upper Level Plan (A2.2); and Existing Conditions Upper Level Plan (EX2.2) (Exhibit F, "Floor Plans");
- A drawing titled "Camp Majano Single Family Dwelling and Boat Storage" prepared by The Design Group, Jim Edgecomb, AIA, dated November 10, 2015 and marked "revised by John Dreissigacker 4/28/16" (Exhibit L, "Drawing"); and
- A color rendering for "Lussi Boathouse, Lake Placid NY" titled "Proposed Modifications" and prepared by The Design Group (Exhibit J, "Rendering").

A reduced-scale copy of the Drawing is attached as a part of this Order for reference. The original, full-scale maps and plans described in this paragraph are the official plans for the variance, with copies available upon request from Adirondack Park Agency headquarters in Ray Brook, New York.

PROCEDURAL HISTORY

Following receipt of the variance application, the Agency notified all parties as required by Agency regulations. On Monday, May 22, 2017 at 2:00 pm at the Town of North Elba Town Hall, 2693 Main Street, Lake Placid, NY, Honorable Maria E. Villa, Administrative Law Judge, conducted a hearing pursuant to APA Act § 806 and 9 NYCRR § 576.5. In attendance for the applicant were Cristina Lussi (authorized representative), Arthur Lussi, and Martina Lussi. In attendance for the Agency were Paul Van Cott (Associate Attorney), Ariel Lynch (Environment Program Specialist 2), and Shaun LaLonde (Professional Engineer 2 Civil/Environmental). There were no members of the public in attendance; no public comment was given.

DISCUSSION

The Agency may grant a variance where there are practical difficulties in carrying out the restrictions set forth in Section 806(1)(a)(2) of the APA Act. The Agency has considered the standards and factors set forth in 9 NYCRR § 576.1(b)-(c).

§ 576.1(b): Whether the adverse consequences to the applicant resulting from denial are greater than the public purpose sought to be served by the restriction.

If the variance request were denied, the applicant would potentially be unable to construct open air decks that receive sunlight on the east and west sides of an existing shoreline structure without additional construction and alteration of existing interior space.

The public purposes of the shoreline restrictions are the protection of the water quality of Lake Placid and the quality of the shoreline of the lake.

The variance involves the construction of two new decks 200 square feet in size, entirely within the mean high water mark of Lake Placid. The decks will not increase the width or height of the existing single family dwelling, and will not extend further into the lake than the existing porch. The decks will be back-dropped by existing gables, and will be approximately 140 feet from the closest neighbor's structure, which is located to the west along the shoreline of Buck Island. The decks will complement the architecture of the existing structures on the site and are consistent with the character of existing development along the shoreline.

In addition, construction of the decks will not involve any upland earth disturbance, require removal of trees, or increase surface water runoff into Lake Placid. Provided they are not enclosed, the decks will also not allow for increased occupancy or associated wastewater generation.

§ 576.1(c)(1): Whether the application requests the minimum relief necessary.

The total footprint of the two decks will be 200 square feet, entirely within the mean high water mark. The decks will not increase the width or height of the existing single family dwelling, and will not extend further into Lake Placid than the existing porch.

§ 576.1(c)(2): Whether granting the variance will create a substantial detriment to adjoining or nearby landowners.

The decks will be back-dropped by existing gables, and will be approximately 140 feet from the closest neighbor's structure, which is located to the west along the shoreline of Buck Island. Other similar structures already exist along the shoreline.

§ 576.1(c)(3): Whether the difficulty can be obviated by a feasible method other than a variance.

Feasible alternatives may exist that would meet the applicant's objectives and obviate the need for a variance. Regardless of the 2016 addition of roof gables, these alternatives would require additional construction and alteration of existing interior space.

The record is unclear as to whether these alternatives would require the cutting of trees, and any associated aesthetic or water quality impacts that would then occur. Therefore, it is unknown whether any alternatives exist that would have a lesser impact to water quality and shoreline character of than the variance request.

§ 576.1(c)(4): The manner in which the difficulty arose.

The applicant's difficulty is self-created as the applicant has known since it became the owner of the variance site in 2015 that the shoreline restrictions would require a variance for the proposed decks.

§ 576.1(c)(5): Whether granting the variance will adversely affect the natural, scenic, and open space resources of the Park and any adjoining water body due to erosion, surface runoff, subsurface sewage effluent, change in aesthetic character, or any other impacts which would not otherwise occur.

Construction of the decks will not involve any upland earth disturbance, require any tree removal, or increase surface water runoff into Lake Placid. In addition, provided they are not enclosed, the decks will not allow for increased occupancy or associated wastewater generation. The decks will complement the architecture of the existing structures on the site and are consistent with the character of existing development along the shoreline.

§ 576.1(c)(6): Whether the imposition of conditions upon the granting of the variance will ameliorate the adverse effects noted above.

The potential for adverse effects to will be ameliorated by compliance with the following conditions:

1. This Order shall be recorded in the Essex County Clerk's Office by August 14, 2017.
2. The project shall be undertaken as depicted on the Floor Plans, Drawing, and Rendering referenced herein. Any changes to the locations, sizes, dimensions, or other aspects of the structures shall require a new or amended Agency Order or a letter of compliance.
3. The applicant shall not enclose the decks described herein without further review and prior written authorization granted by the Agency.
4. Trees shall be retained for a distance of 25 feet on either side of the existing shoreline structure. This condition is subject to amendment upon request from the applicant to the Deputy Director – Regulatory Programs pursuant to 9 NYCRR § 576.9. This condition shall not be deemed to prevent the removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.


CONCLUSION

The Agency has considered all of the standards and factors for issuance of a variance as set forth in 9 NYCRR Part 576. The Agency hereby finds that the applicant's variance request meets the approval criteria, provided the authorized activities are undertaken as described herein and in compliance with the conditions set forth above.

A variance of the terms of the Executive Law is not personal and runs with the land. Recording of this Order is intended to provide notice to subsequent owners of the variance site.

ORDER issued this 14th day
of June, 2017.

ADIRONDACK PARK AGENCY

BY: 
Richard E. Weber III
Deputy Director (Regulatory Programs)

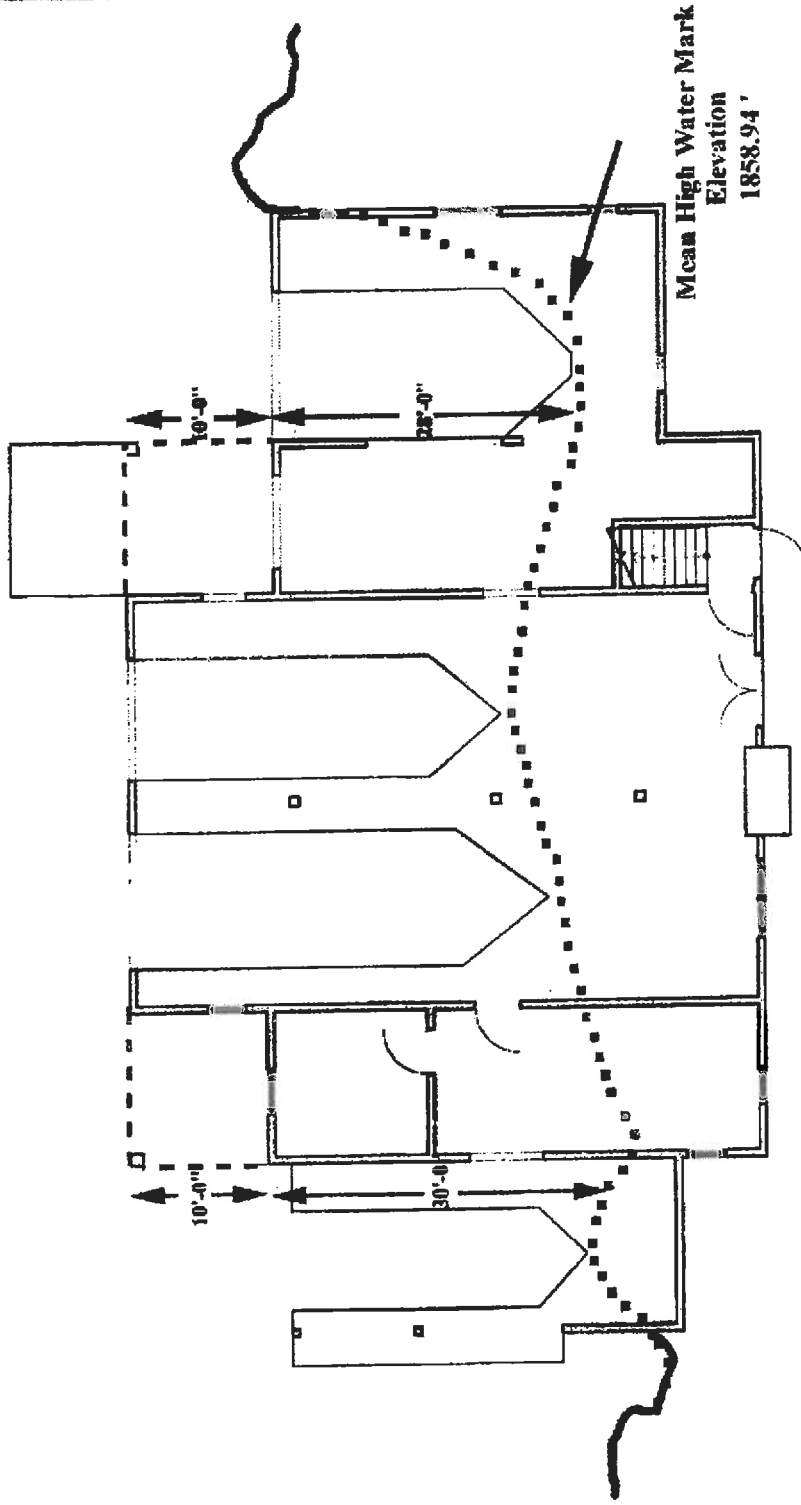
STATE OF NEW YORK
COUNTY OF ESSEX

On the 14th day of June in the year 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard E. Weber III, 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

JTT:slp

Camp Majano Single Family Dwelling and Boat Storage



FINAL
ADIRONDACK PARK AGENCY

FILE # 72016-0100

Revised by John Dreissigacker
4/28/16



Proposed Water Level Plan 1/24/15

The Design Group
1000 1st Street
Adirondack Park, NY 12910
Tel: 518-386-1155
Fax: 518-386-1211

Architect
John Dreissigacker, AIA
1000 1st Street
Adirondack Park, NY 12910
Tel: 518-386-1155
Fax: 518-386-1211



Scale: 1/8" = 1'-0"

Proposed Renovations
Lussi Bathroom

DATE: 11/2/15

Proposed
Floor Plans

A2.1

THIS IS A TWO-SIDED DOCUMENT



NEW YORK
STATE OF
OPPORTUNITY.

**Adirondack
Park Agency**

P.O. Box 99, 1133 NYS Route 86
Ray Brook, New York 12977
Tel: (518) 891-4050 Fax: (518) 891-3938
www.apa.ny.gov

**APA Order
Granting Variance
2015-62**

Date Issued: June 14, 2016

In the Matter of the Application of

PETER E. DAY

for a variance pursuant to Executive Law § 806

To the County Clerk: This order must be recorded on or before August 15, 2016. Please index this Order in the grantor index under the following names:
1. Peter E. Day

SUMMARY AND AUTHORIZATION

Peter E. Day is granted a variance, as conditioned herein, from the applicable 50-foot shoreline structure setback required by Section 806(1)(a)(2) of the Executive Law ("Adirondack Park Agency Act" or "APA Act") to allow for the construction of an elevated one-story covered porch approximately 22 feet from the mean high water mark of Mirror Lake, in an area classified Hamlet by the Official Adirondack Park Land Use and Development Plan Map in the Village of Lake Placid, Essex County.

This Order does not convey any right to trespass upon the lands or interfere with the riparian rights of others in order to undertake the authorized activity, nor does it authorize the impairment of any easement, right, title or interest in real or personal property. Nothing contained in this Order shall be construed to satisfy any legal obligations of the applicant to obtain any governmental approval or permit from any entity other than the Agency, whether federal, State, regional or local.

APPLICABLE LAWS

Section 806(1)(a)(2) of the APA Act establishes a minimum shoreline setback of 50 feet from the mean high water mark of Mirror Lake for all accessory structures and principal buildings greater than 100 square feet in size. The applicants requested a variance from this structure setback requirement pursuant to § 806(3)(a) of the APA Act.

RELEVANT FACTS AND BACKGROUND

Variance Site

The variance site is a 0.14± acre parcel of land identified on Village of Lake Placid Tax Map as Section 42.OEL, Block 1, as Parcel 2, and described in a deed from Mary C. Cayea to Peter E. Day, dated October 1, 2007, and recorded October 2, 2007 in the Essex County Clerk's Office at Book 1552, Page 122.

The variance site is located on Main Street in the Village of Lake Placid and contains 51± feet of shoreline along Mirror Lake. The site is improved by a pre-existing building located 30± feet from the mean high water mark of the lake. The building is 40 feet wide, facing Mirror Lake and Main Street, and currently contains mixed residential and commercial uses with office space and a portion rented as the Black Bear Restaurant. The restaurant faces Mirror Lake, with windows along approximately three-quarters of the floor to ceiling height. Restaurants have operated on the site for approximately 10 years, with no available outdoor seating.

The variance site is located in a Hamlet land use area along the most densely developed portion of the highly developed shoreline of Mirror Lake. This section of shoreline is characterized by small lots with commercial and residential structures that either adjoin or are located within a few feet of each other. Directly to the south of the variance site is a 0.1± acre parcel with a commercial and residential building containing a retail store. The building to the south is adjacent to the building on the variance site. Directly to the north of the site is a 0.1± acre parcel with a mixed commercial and residential building that includes a restaurant and was the subject of Agency Permit and Order 2012-84. The building to the north is separated from the building on the variance site by a few feet. Other nearby and adjoining uses include restaurants, commercial office space, retail stores, tourist attractions, tourist accommodations, a public park, and residential uses characteristic of the business district of the Village of Lake Placid. The variance site is visible from public use areas, including Mirror Lake and Main Street.

Variance Request

The applicant has requested a variance of 28 feet from the 50-foot setback requirement to allow for the construction of an 8 foot by 40 foot elevated one-story covered porch attached to the first floor of a lawfully pre-existing building located partially within the shoreline setback of Mirror Lake. The porch will extend 8 feet closer toward Mirror Lake than the existing structure and will be located 22 feet from the mean high water mark of Mirror Lake at its closest point. Access to the covered porch will occur from the interior of the building, with emergency egress also through the building. The porch is to serve the existing restaurant, and the applicant's objective is to provide approximately 20 outdoor seats for restaurant patrons. Specifically, the applicant requested the porch to allow five, 4-person tables to be located in a single line facing the lake, with the size of the porch being the "most narrow...to accommodate small tables, patrons and staff safely." Stormwater runoff generated by the porch will be treated on-site, and the existing vegetated buffer will be maintained. No new retail or expanded residential use was proposed.

The variance proposal is shown on the following plans, prepared by ADK Drafting Services, and dated April 9, 2014, with a final revision date of March 1, 2016:

Sheet 1 - Title Sheet
Sheet 2 - Site Plan
Sheet 3 - 1st Floor Plan
Sheet 4 - Lake Elevation
Sheet 5 - Foundation Plan
Sheet 6 - 1st Floor Framing Plan
Sheet 7 - 2nd Floor Framing Plan

Sheet 8 - Roof Framing Plan
Sheet 9 - Building Sections 1-1
Sheet 10 - Building Sections 1-2
Sheet 11 - Building Sections 1-3
Sheet 12 - Main Street View
Sheet 13 - Side Elevation
Sheet 14 - Electrical Plan

The proposal is also shown on the *Stormwater Pollution Prevention Plan*, dated March 4, 2016, and Drawing No. C1 prepared by Thomas J. LaBombard, P.E.

Reduced-scale copies of Sheets 2, 3, and 4 are attached as a part of this Order for reference. The original, full-scale maps and plans described in this paragraph are the official plans for the variance, with copies available upon request from Adirondack Park Agency headquarters in Ray Brook, New York.

PROCEDURAL HISTORY

1. Following receipt of the variance application, the Agency notified all parties as required by Agency regulations. No written comment letters were received during Agency review of the variance application.
2. On May 4, 2016, the Agency held a public hearing on the variance request in the Village of Lake Placid. The hearing was attended by Agency staff, the applicant, and the tenant/owner of the Black Bear Restaurant. At the hearing, the applicant provided testimony that while his building overlooks Mirror Lake, the tenant operating the Black Bear Restaurant has difficulty drawing patrons into the restaurant during the warmer weather months because outside dining is not available. Nearby and adjoining restaurants offer outside seating, and potential patrons choose to dine where outdoor seating is available. The applicant stated that current and previous restaurant tenants had requested the ability to provide outdoor dining "in order to grow their business" and "to remain competitive" with these other restaurants. The applicant indicated that an 8 foot area would provide a reasonable amount of space for restaurant service to each four-person table on the porch and would allow for ADA compliance. Finally, the applicant discussed the fact that his initial plan sheet had included a patio in addition to the covered porch, but that the patio was no longer part of the proposal. The tenant/owner of the Black Bear Restaurant also spoke at the hearing, confirming the applicant's statement that allowing for outdoor dining would improve his restaurant business.
3. On December 9, 2015, The Town of North Elba/Village of Lake Placid Zoning Board of Appeals approved a variance for the covered porch, with conditions requiring APA approval and that the porch not be enclosed with solid walls. No public comments were received during the municipal review of the proposal.
4. Pursuant to a letter dated December 21, 2015, New York State Office of Parks, Recreation, and Historic Preservation advised that the covered porch will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

DISCUSSION

The Agency may grant a variance where there are practical difficulties in carrying out the restrictions set forth in Section 806(1)(a)(2) of the APA Act of the Agency's regulations. The Agency has considered the standards and factors set forth in 9 NYCRR § 576.1(b)-(c).

§ 576.1(b): Whether the adverse consequences to the applicant resulting from denial are greater than the public purpose sought to be served by the restriction.

If the requested variance were denied, the applicant and his tenants would be denied the ability to provide outdoor restaurant seating. The applicant provided testimony that the ability for the restaurant to remain economically competitive is reduced without outdoor seating.

The public purposes of the shoreline restrictions are to protect water quality and the qualities of Adirondack shorelines. Granting the variance will minimally impact these public purposes. Water quality will be protected because any stormwater generated from the covered porch will be treated on site and the existing vegetated buffer will be maintained. The quality of the shoreline of Mirror Lake will not be impacted because the covered porch is consistent with the densely developed, business district portion of the shoreline of Mirror Lake, and the porch will be backdropped by existing development.

§ 576.1(c)(1): Whether the application requests the minimum relief necessary.

During the public hearing, the applicant provided testimony that an 8 foot area would provide a reasonable amount of space for restaurant service to each four-person table on the porch and would allow for ADA compliance. As the existing building is 40 feet wide, the 8 foot by 40 foot deck will allow for one line of five, 4-person tables along the covered porch. In addition, the initial variance plan sheet depicted a patio as well as the covered porch, but the patio was later deleted from the proposal.

§ 576.1(c)(2): Whether granting the variance will create a substantial detriment to adjoining or nearby landowners.

No negative comments were received during the Agency's review of the variance request. There were also no negative comments received during the review of the project at the municipal level.

Because the variance site is located in a Hamlet land use area along an intensely developed section of shoreline and the covered porch will be backdropped by existing development, construction of the porch would not create a substantial detriment to landowners looking across Mirror Lake toward the project site. Review of the application materials and photographs of the site and adjacent land uses indicates that construction of the porch would also not result in any impacts on the views of Mirror Lake that adjoining landowners currently have when looking toward the lake from their properties. The only potential visual impact to an adjoining landowner would be that the landowner to the south could see the porch when looking toward the north end of Mirror Lake while leaning out of a window or porch.

§ 576.1(c)(3): Whether the difficulty can be obviated by a feasible method other than a variance.

It is not possible to expand the existing restaurant to the north or south due to the existing buildings on the neighboring properties. It is not possible to expand the building to the west, because the building is adjacent to Main Street. Eastward toward Mirror Lake is the only available land owned by the applicant.

The applicant has already installed 3/4 length windows to maximize views of Mirror Lake while seated inside the restaurant. Alternatives that were considered instead of the covered porch were the installation of floor to ceiling windows or articulating windows (garage door style). These alternatives were rejected because they would not provide the targeted atmosphere of dining outside. In support of its rejection of these alternatives, the applicant testified that the ability for the restaurant to remain economically competitive is reduced without outdoor seating.

§576.1(c)(4): The manner in which the difficulty arose.

The variance site is a 0.14± acre parcel bound by commercial uses to the north and south, the shoreline of Mirror Lake to the east, and Main Street to the west. The existing building is already lawfully non-compliant with the shoreline restrictions, and any further expansion could only occur within the 50-foot setback area because of the physical limitations to the north, south, and west.

§ 576.1(c)(5): Whether granting the variance will adversely affect the natural, scenic, and open space resources of the Park and any adjoining water body due to erosion, surface runoff, subsurface sewage effluent, change in aesthetic character, or any other impacts which would not otherwise occur.

Granting the variance will not adversely affect the natural, scenic, and open space resources of the Park and or the adjoining water body, or aesthetic character of the area, provided there is compliance with erosion control and stormwater management measures, compatible exterior colors, shielded outdoor lighting, and no removal of shoreline vegetation.

§ 576.1(c)(6): Whether the imposition of conditions upon the granting of the variance will ameliorate the adverse effects noted above.

The potential for adverse effects to water quality, aesthetic impacts, and nearby and adjoining landowners will be ameliorated by compliance with the following conditions:

1. This Order shall be recorded in the Essex County Clerk's Office by August 15, 2016.
2. The authorization to undertake installation of the covered porch shall expire four years from the date this Order is recorded in the Essex County Clerk's office, unless construction of the porch has been completed in accordance with the plan sheets by that date or written authorization has been obtained from the Agency extending the deadline for construction.

3. The covered porch shall be constructed as depicted on the plan sheets referenced herein. Within 60 days of completing the covered porch authorized herein, a qualified design professional shall provide written certification to the Agency that the structure was built in compliance with the approved plans.

Any changes to the locations, sizes, dimensions, or other aspects of the covered porch shall require a new or amended Agency Order or a letter of compliance. Construction of any additional structure within the shoreline setback area, including any patio, shall also require a new or amended Agency Order or a letter of compliance. Except for docks and boathouses as defined in Agency regulations, the construction of any structure within the shoreline setback area that is greater than 100 square feet in size or is attached to the existing building shall require a new or amended Agency Order.

Color

4. The exterior surface of the covered porch shall be maintained in the colors depicted in the perspective sketches on Sheet 3 of the project plans referenced herein.

Outdoor Lighting

5. All new free-standing and building mounted outdoor lights associated with the covered porch shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Mirror Lake or adjoining property.

Erosion and Sediment Control/ Stormwater Management

6. Prior to any land disturbance associated with construction of the covered porch, silt fence shall be installed along the entire length of shoreline on the project site and maintained until construction is complete. The silt fence shall be installed in accordance with the standard included in the current edition of the New York State Standards & Specifications for Erosion and Sediment Control.
7. Stormwater runoff shall be managed in accordance with the *Stormwater Pollution Prevention Plan*, dated March 4, 2016, and Drawing No. C1 prepared by Thomas J. LaBombard, P.E.

Shoreline Cutting

8. As required by § 806(1)(a)(3) of the APA Act, no more than 30% of the vegetation may be removed from within 6 feet of the mean high water mark of Mirror Lake. This condition shall not be deemed to prevent the removal of dead or diseased vegetation or of rotten or damaged trees or of other vegetation that presents a safety or health hazard.

Other Regulatory Permits and Approvals

9. Prior to use of the covered porch, the applicant shall obtain all necessary approvals from the Town of North Elba, the Village of Lake Placid and the New York State Department of Health.

CONCLUSION

The Agency has considered all of the standards and factors for issuance of a variance as set forth in 9 NYCRR Parts 576. The Agency hereby finds that the applicant's variance request meets the approval criteria, provided the authorized activities are undertaken as described herein and in compliance with the conditions set forth above.

A variance of the terms of the Executive Law is not personal and runs with the land. Recording of this Order is intended to provide notice to subsequent owners of the variance site.

ORDER issued this 4th day
of June, 2016.

ADIRONDACK PARK AGENCY

BY: Terry Martino
Terry Martino, Executive Director

STATE OF NEW YORK)

) ss.:

COUNTY OF ESSEX)

On the 4th day of June in the year 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Terry Martino, 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 she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Stephanie L. Petith
Notary Public

TM:VY:slp

STEPHANIE L. PETITH
Notary Public - State of New York
Qualified in Franklin County
No. 01PE6279890
Commission Expires Apr. 15, 2017

PETER E. DAY

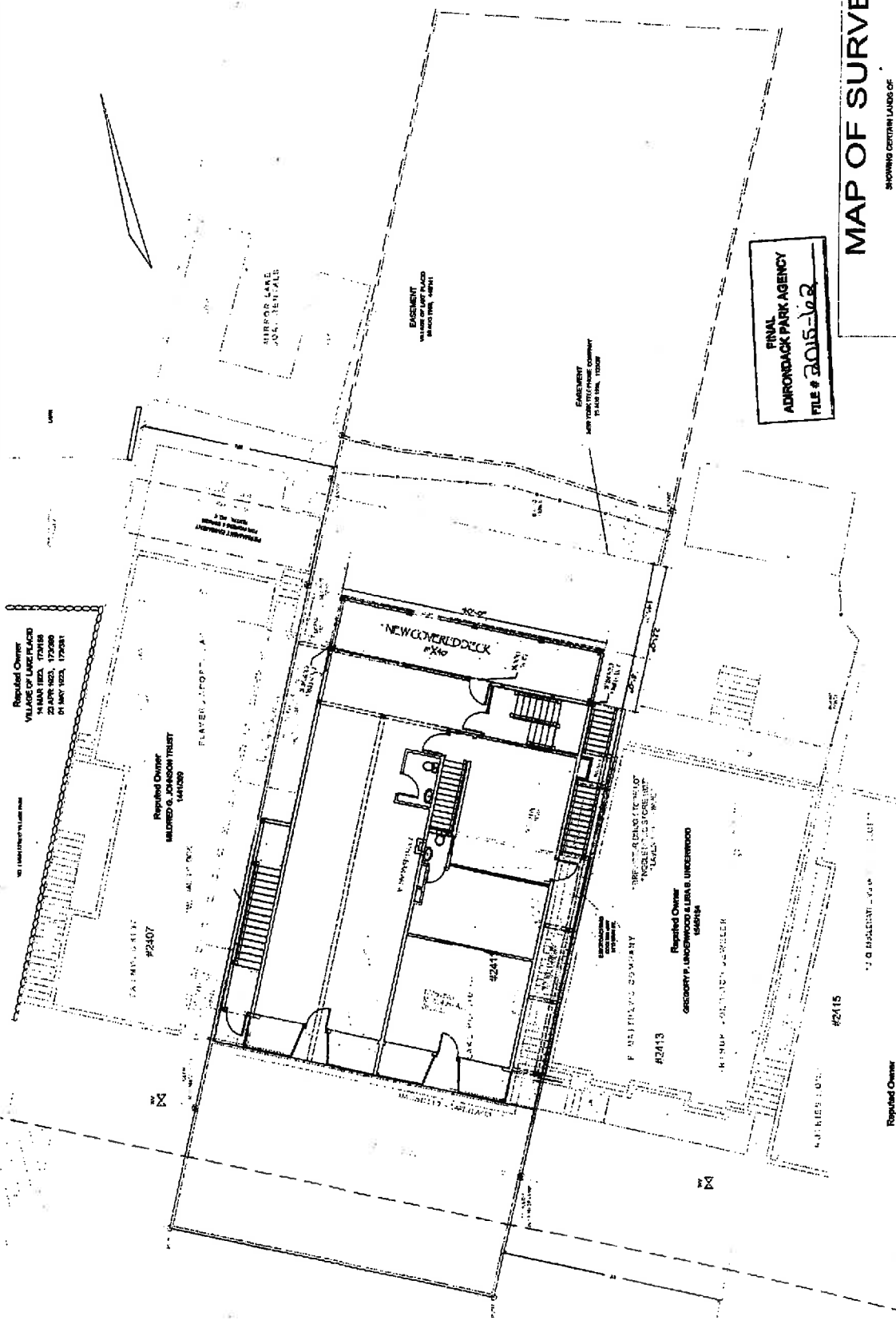
ADIRONDACK PARK AGENCY

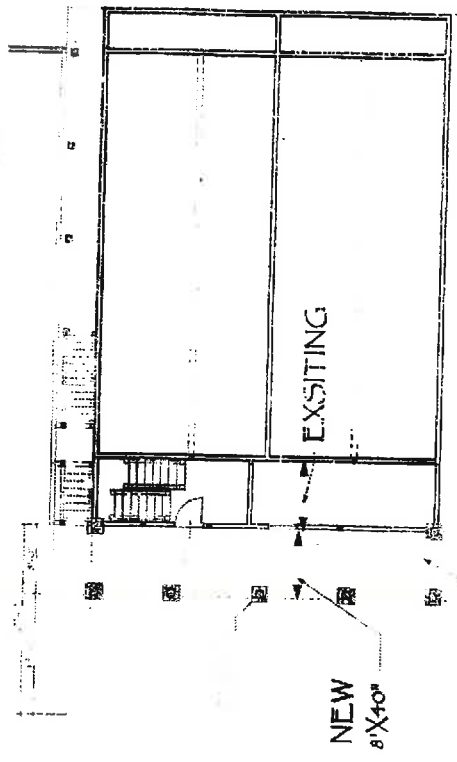
MAR 3 4 2015



SCALE: 1"=1'-0"

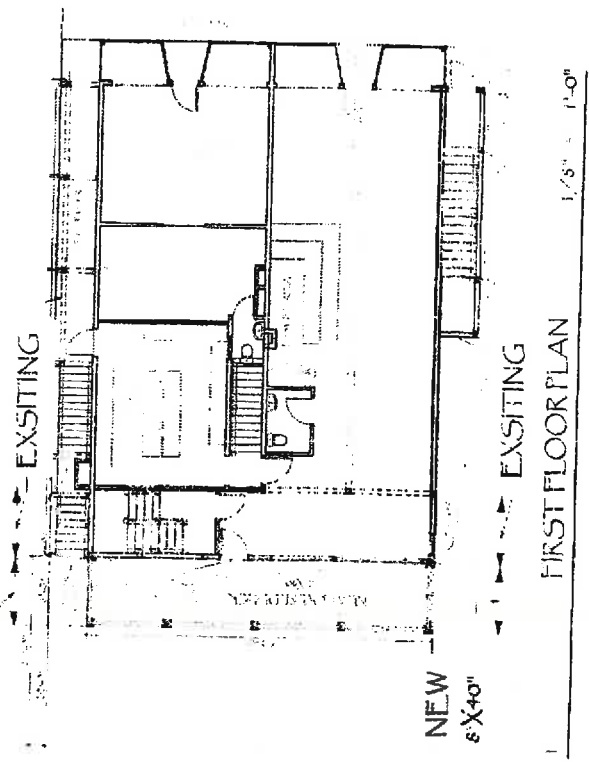
FINAL
ADIRONDACK PARK AGENCY
FILE # 2015-162



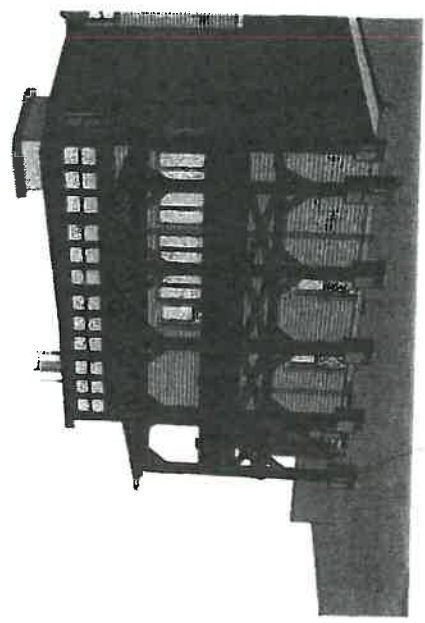


NEW 8'X40"

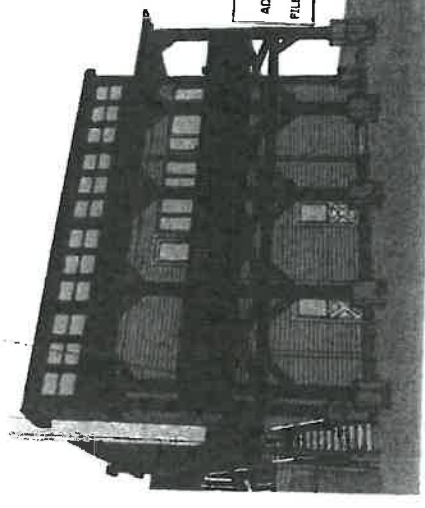
GROUND FLOOR PLAN 1/8" = 1'-0"



NEW 8'X40"

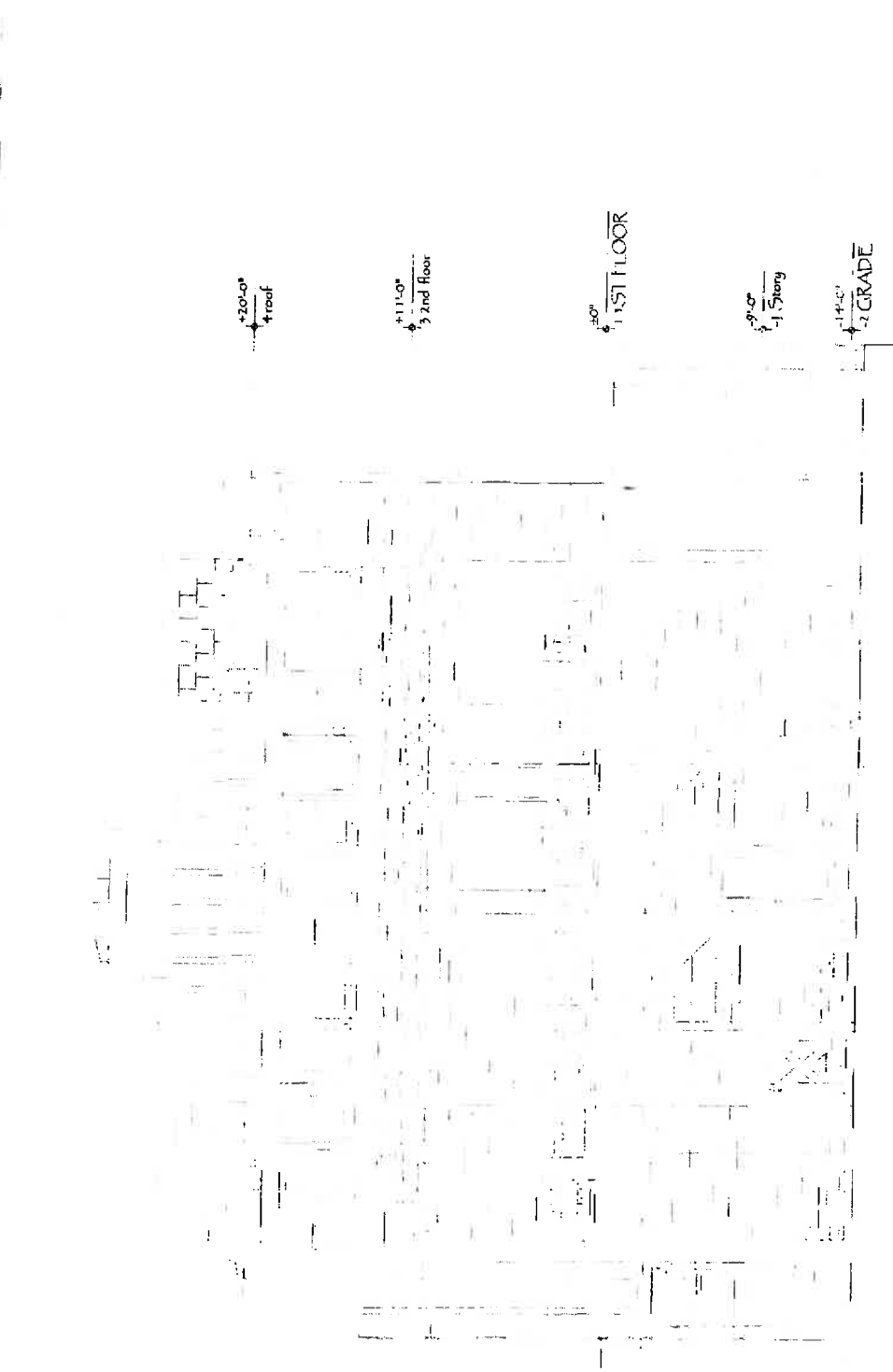


NEW 8'X40 PORCH



FINAL
ADROCK PARK AGENCY
FILE # 2015-163





LAKE VIEW

1/4" = 1'-0"

FINAL
ADIRONDACK PARK AGENCY
FILE # 2015-02



REGISTERED
ADIRONDACK PARK AGENCY
MAY 24 2015

June 27, 2017

Mr. Rickard E. Weber III
Deputy Director (Regulatory Programs)
Adirondack Park Agency
PO Box 99
Route 86
Ray Brook, NY 12977



Re: Camp Majano Variance 2016-0100

Dear Rick,

While doing a site inspection with Marcel Bruce of Harlow Excavating for help with installing a caisson support for approved deck to the west, Marcel suggested that we install one more caisson to shore up support for potential ice damage to the solitary post as original plans called for. Marcel and we agreed that it would be structurally better to have caissons tied into the existing foundation, and that steel supports connecting the caissons to the building would improve the safety of the deck above. We are seeking review and written authorization to cover the steel supports with decking material to create a 10' x 10' deck under the approved west facing 10' x 10' deck above.

We have enclosed a plan of the proposed 10' x 10' deck addition denoted by cross lines on Proposed water plan by Jim Edgcomb dated 11/10/15 and revised by John Dreissigacker 6/28/17.

We believe that because this deck is proposed within an approved footprint that it would be non-jurisdictional. You may want to review the Day variance on Mirror Lake where staff was asked if area under Day's proposed deck was further developed, whether Day would be required to come back to the Agency for review, and staff answered that Day would not be subject to further review directly under approved deck.

We have also enclosed a copy of building permit for this deck change dated June 26, 2017.

APA Order Granting Variance 2016-0100 was recorded June 23, 2017 in Essex County Clerk's Office.

Thank you for reviewing our proposal, and please inform us whether we may proceed with our deck construction.

Sincerely,

A handwritten signature in cursive script that reads "Cristina Lussi".

Cristina Lussi

Town of North Elba

2693 Main Street, Ste. 304
Lake Placid, NY 12946

Phone: (518) 523-9518
Fax: (518) 523-9277

BUILDING PERMIT

Permit No. 2017-0113

Issue Date 6/26/2017 12:00:00 AM

Fee: 126.00

Tax Parcel ID: 33.16-1-2.000

Permission is Hereby granted to

Camp Majano LLC

At premises located at: **Camp Majano**

12 George & Bliss Ln

For

Addition of a 10' x 10' deck to existing boathouse (approved by the APA June 14, 2017)

Department: JRB Case #: 861 Approval Condition: Shoreland Overlay

Approval Date: 6/15/16

Contacts:

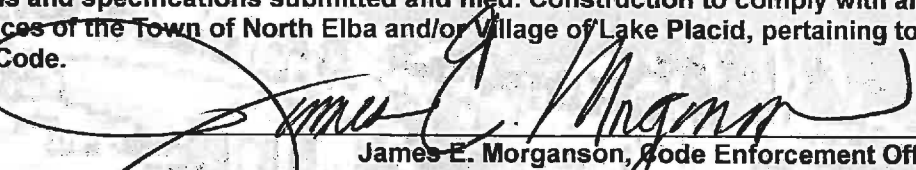
Architect: Edgcomb Design Group 802-496-5255

Contractor: Harlow Excavating 523-2307

Contractor: Lake Placid Vacation Corp Inc 523-2556

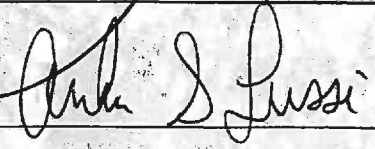
Owner: Camp Majano LLC 523-2556

pursuant to application dated June 26, 2017
and according to plans and specifications submitted and filed. Construction to comply with all
provisions of ordinances of the Town of North Elba and/or Village of Lake Placid, pertaining to the
Building and Zoning Code.


James E. Morganson, Code Enforcement Officer

Permit valid for three years from issue date

Improvement is located wholly within the property
owned and controlled by the owner of record

Permit Received by: 

Date: June 29, 2017

A FOUNDATION PERMIT IS ONLY VALID FOR 30 DAYS FROM DATE IT IS SIGNED FOR

Camp Majano Single Family Dwelling and Boat Storage

The
Design
Group
Architecture Planning & Interior Design

Architect
Jim Edgemo, AIA
970 Dump Road
Warren VT 05674
tel 802-496-2163
fax 802-529-2311
www.thedesigngroupvt.com

This plan is for
PERMITTING PURPOSES
ONLY.
It is not to be used for
ANYTHING OTHER THAN
and is subject to structural
engineering, plumbing, and
load calculations, and
all details.

Drawn By:
Checked By:
© Copyrights

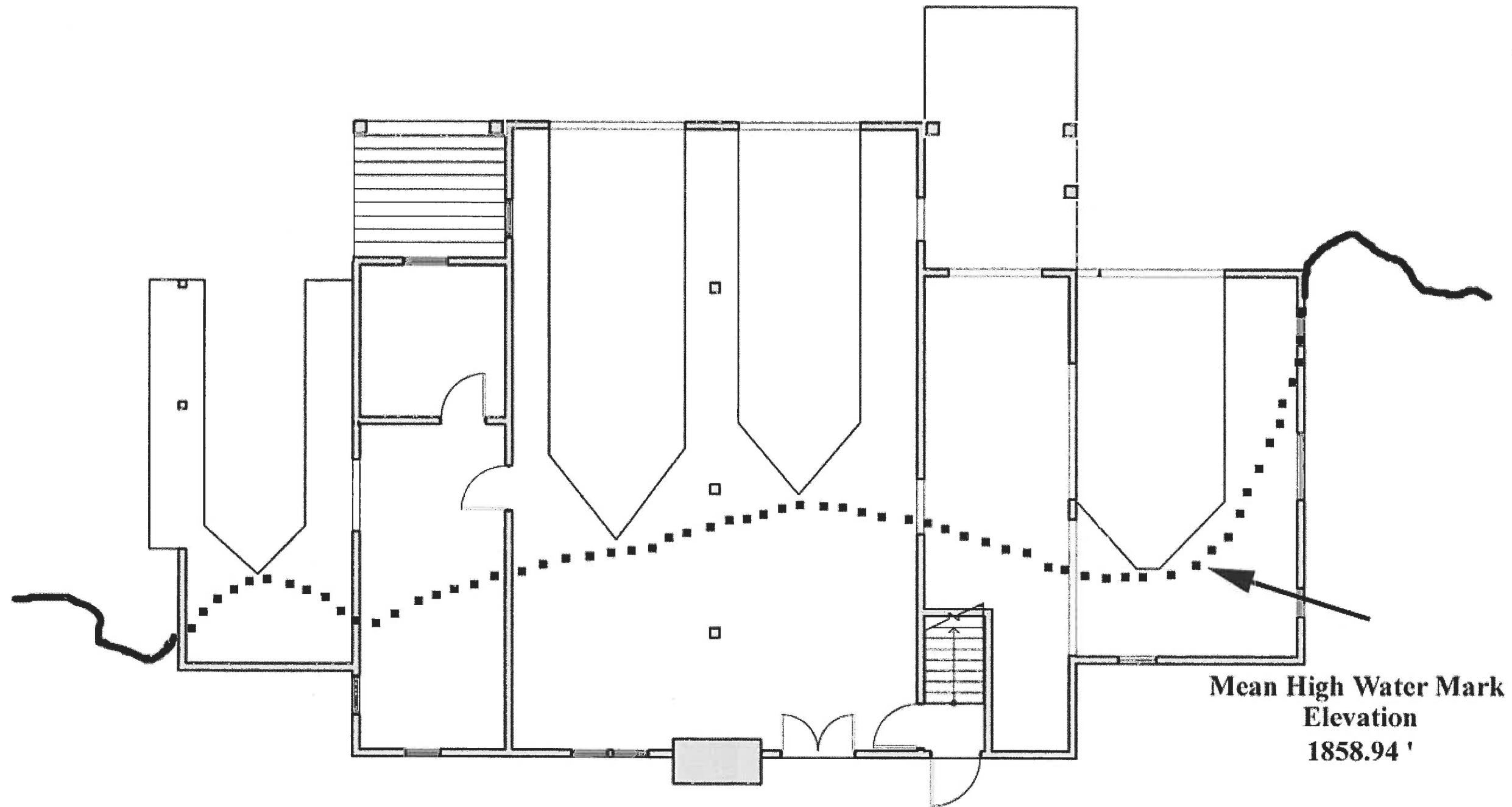
Proposed Renovations
Lussi Boathouse
Lake Placid, New York

REVISIONS

DATE: 11.10.15

Proposed
Floor Plans

A2.1



RECEIVED
ADIRONDACK PARK AGENCY

JUN 28 2017

Revised by John Dreissigacker
6/28/2017



Proposed Water Level Plan
Scale: 1/8" = 1'-0" 1



Adirondack Park Agency

SHERMAN CRAIG
Chairman

TERRY MARTINO
Executive Director

Via Certified Mail
7015 1730 0000 7959 9223

June 30, 2017

Ms. Cristina Lussi
Camp Majano, LLC
101 Olympic Drive
Lake Placid, NY 12946

Dear Ms. Lussi:

Thank you for your letter of June 27, 2017, received by the Agency on June 28, 2017. The Agency has also been notified that Agency Order 2016-100 was recorded in the Essex County Clerk's Office on June 23, 2017.

The modified proposal described in your letter requires a new or amended variance approval by the Agency, pursuant to the process described in § 576.9 of Agency regulations. To expedite processing of this request, your letter and its attachments will be forwarded to the Agency board for review and action during the meeting on July 13, 2017.

To assist the Agency board in its deliberations and more clearly convey your request, staff recommend that you provide an elevation or oblique drawing of the proposed modifications. Staff also suggest that you describe how the proposed deck will be accessed. Please note that any additional materials must be received by July 5, 2017, in order to allow for their inclusion in the record to be reviewed by the Agency.

Please contact Rick Weber, Deputy Director, Regulatory Programs, if you would prefer that the matter be rescheduled for a different date, or if you have any additional questions or submissions.

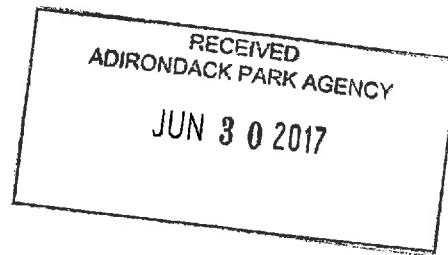
Sincerely,

Terry Martino
Executive Director

TDM:SHR:sas

June 30, 2017

Terry Martino
Executive Director
Adirondack Park Agency



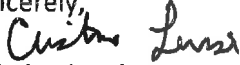
Re: Camp Majano new deck

Dear Terry:

Thank you for prompt response to our request to build a deck to cover caisson support for our approved west facing deck. We plan to access lake level deck to the west by converting the existing window opening to a door as depicted on our amended north elevation plan. We drew in lower deck on north west facing plan, and we added door opening to Water level plan.

We are glad to be included on agenda for Agency meeting July 13, 2017.

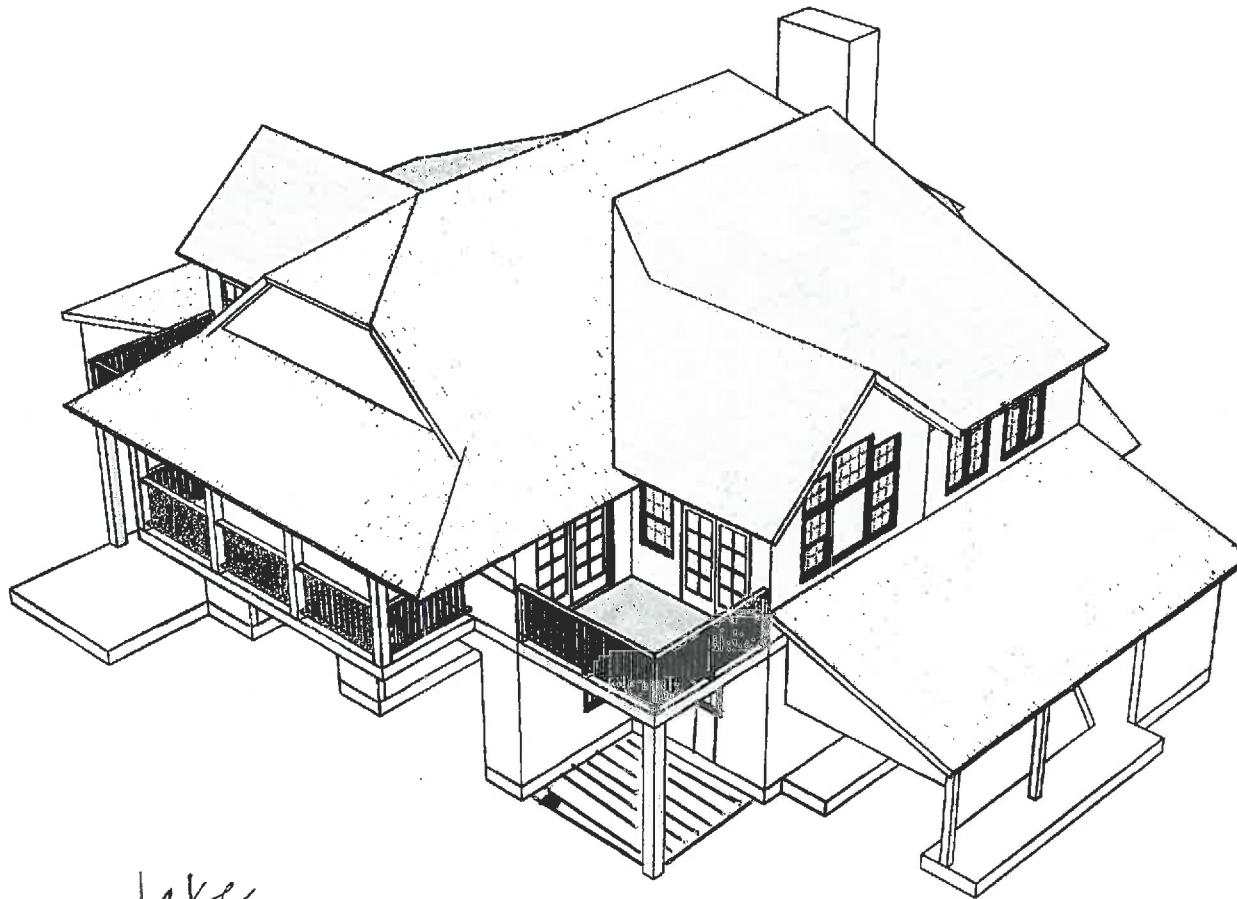
Thank you for your time and consideration.

Sincerely,

Cristina Lussi

P2016-100

RECEIVED
ADIRONDACK PARK AGENCY

JUN 30 2017



land

lake

Amended
June 30, 2017
New deck

North - West
Elevation

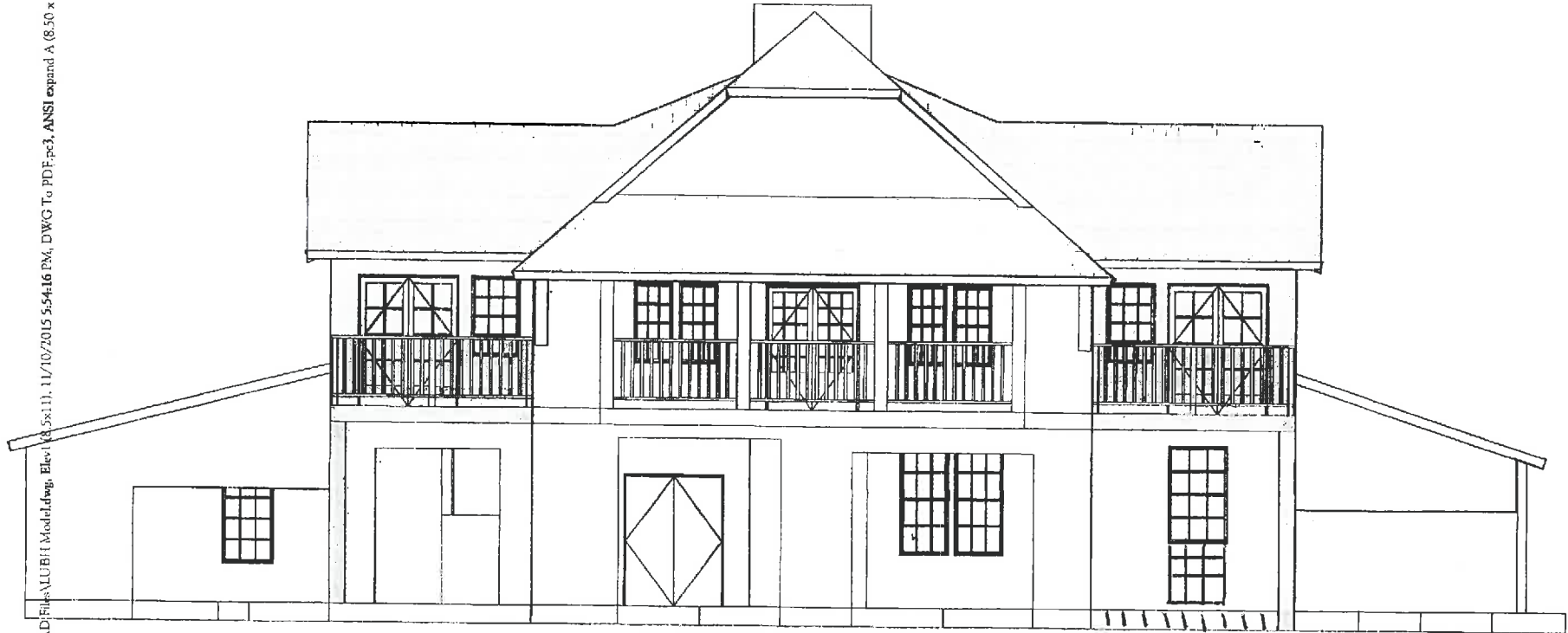
page 4 of 5

P2016-100

yellow = NJ proposal
pink = Variance
proposal

RECEIVED
ADIRONDACK PARK AGENCY

JUN 30 2017



north elevation
(lake side)

APA Project 2016-100

EXHIBIT HH

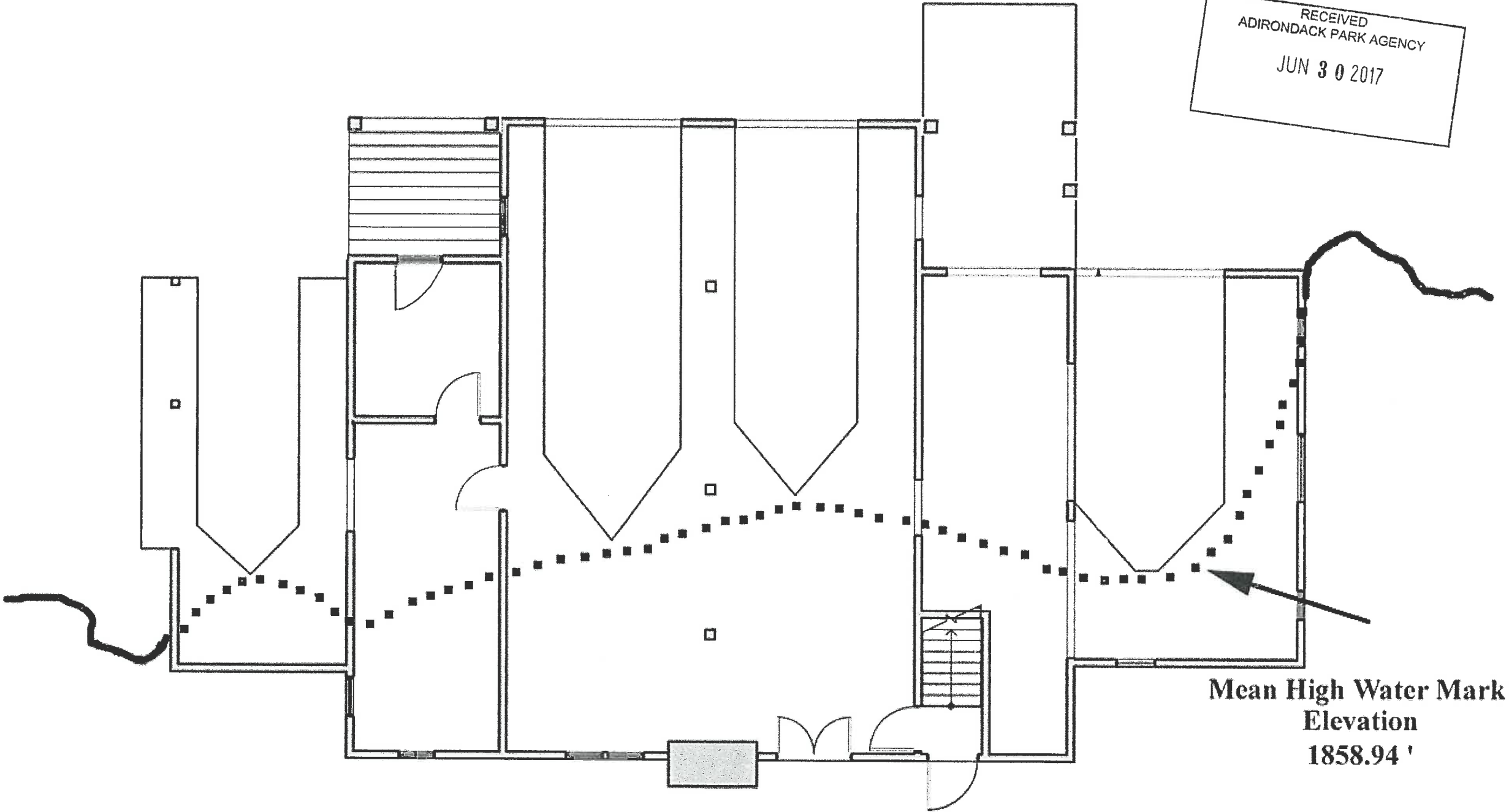
Amended June 30, 2017
Window to Door to New Deck

page 1 of 5

S:\Projects\2016\2016-100\Drawings\CAD\ALUBH\1 Model.dwg, Elev (8.5x11), 11/10/2015 5:54:16 PM, DWG To PDF.pc3, ANSI expand A (8.50 x 11.00 inches), Jeremy

Camp Majano Single Family Dwelling and Boat Storage

P 2016-100



RECEIVED
ADIRONDACK PARK AGENCY
JUN 30 2017

Mean High Water Mark
Elevation
1858.94'

Revised by John Dreissigacker
6/28/2017

Revised 6/30/2017
by APPLICANT

Proposed Water Level Plan

Scale
1/8" = 1'-0"

1

The
Design
Group
Architecture Planning & Interior Design

Architect
Jim Edgecomb, AIA
970 Dump Road
Warren VT 05674
tel 802.496.2165
fax 802.329.2311
www.thedesigngroupvt.com

This plan set for
PLANNING PURPOSES
ONLY
has not been
checked for
compliance with
state and local
building codes and
is not intended to
be used for
construction.

Drawn By:
Checked By:
Copyright

Proposed Renovations
Lussi Boathouse

Lake Placid, New York

REVISIONS

DATE: 11.10.15

Proposed
Floor Plans

A2.1