

**LAKE GEORGE PARK COMMISSION
PROJECT SYNOPSIS**

Meeting Date January 28, 2020

| | | |
|--|---|--|
| Applicant Bolton Landing Marina, L L C | Facility Bolton Landing Marina | Parcel 171.19-2-3 Bolton |
| Application # 5220-1-20 DM MINOR | Lakefront 370 feet 3 straight, T, L, U, F or 2 E docks & 3 moorings | Location 4932 Lakeshore Dr Bolton Bay |
| Date Received 12/31/2019 | SEQR type Type II, not subject to SEQRA | Comment period ends 01/17/2020 |

Project

Relocation of the gas dock. A variance from the sideline setback is required.

Background

The applicant has applied for a dock modification to relocate an existing commercial pier. The subject pier is the fuel dock at Bolton Landing Marina, which is presently located inside the 20' sideline setback of the property's most southern property bounds. The proposed modification requires a variance from Commission regulations to move the pier approximately 10' closer to the property bounds within the sideline setback. The subject property bounds are shared with the Town of Bolton's Roger's Memorial Park.

Regulatory Determinations

The proposed modification is a Type II action pursuant to SEQRA, and no further review under SEQRA is required.

VARIANCE

(a) No variance shall be granted under this Subpart unless the applicant shall establish by substantial, credible evidence unnecessary hardship.

(b) In order to establish unnecessary hardship, an applicant must demonstrate:

(1) unique and peculiar conditions to the applicant's particular situation which impose a substantial technological, financial or safety burden upon the applicant or the public;

(2) that because of such uniqueness, there is no reasonable possibility that the applicant's property or, if no property is involved, the continuation of the application's business, enterprise, use or activity will bring a reasonable return following conformity with the regulations of the Commission;

(3) that the proposed activity will have no adverse impact on the public health, safety or welfare, the environment or the resources of the Park; and

(4) that the granting of a variance will not alter the essential character of the area in which the proposed use or activity is located, and will not lead to congestion in the Park.

FINDINGS FOR MARINAS, DOCKS, MOORINGS APPLS

The Commission must make findings under provision 6NYCRR 646-1.6(a):

"Prior to granting any permit relative to a dock, wharf, mooring or marina, the Commission shall ascertain the probable effect of the proposed facility and the operation thereof on the health, safety and welfare of the public and on the resources of the Park. The

Date prepared January 14, 2020

LAKE GEORGE PARK COMMISSION

PROJECT SYNOPSIS

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Commission shall also ascertain the impact of the proposed facility upon the congestion of Lake George and the probable visual, cultural and audible effects of the proposed facility on the neighborhood in which the facility is proposed and on the Park. Where the Commission determines that the facility will have an undue impact upon the health, safety, or welfare of the public or the resources of the park, lead to overcrowding or congestion, or cause undue visual, cultural or audible impacts on the neighborhood or the Park, a permit shall be denied."

Lake George Park Commission



0 50 100 200 Feet

1" = 125'

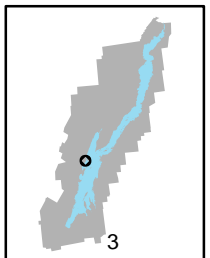


IMPORTANT NOTICE AND DISCLAIMER

This map and information is provided as is.
We make no warranties or guarantees, expressed or implied.
The user assumes all risks and responsibility for determining
whether this map is sufficient for purposes intended.
The data is deemed reliable but not guaranteed.

Lands of Bolton Landing Marina LLC
4932 Lakeshore Drive
TM# 171.19-2-3
Town of Bolton

Air Photo ca. 2008



5 Wharfs

2621, 2622, 2623,
Registration Number
2624, 2625

This registration form is to be used only for wharfs in existence on Lake George prior to the effective date of the Lake George Recreation Zone Regulation (6 NYCRR Part 646).

1. Name of Applicant: LAMB BROS. INC.

2. Applicant is a/an: ☐ Individual ☒ Corporation ☐ Association ☐ Municipality

3. Name: NORMAN LAMB

Telephone Number:

Address: MAIN STREET

Home:

Post Office BOLTON LANDING, NY. 12814

Business:

4. Project Location: Include a location sketch of site, a sketch of wharf on site and a photograph of existing structure. (Include dimensions and distances to adjoining properties.)
City or Village MAIN STREET
Town BOLTON LANDING County WARREN

5. Was a DEC Protection of Waters permit (Article 15, Title 5) required? ☐ Yes ☒ No
If yes, what was permit number: _____ (If yes, information listed in #4 is not required)

6. Date wharf was constructed or first installed 1928

7. Has an O.G.S. Grant of Easement been issued? ☐ Yes ☒ No
If yes, what is O.G.S. Easement Number? _____

8. Is wharf removed from the water annually? ☐ Yes ☒ No

9. Certification:

I hereby affirm that the information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief.

As a condition to the issuance of a permit, the applicant accepts full legal responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from the said project.

12/31/81
Date

Norman Lamb
Signature

For Department Use Only

CERTIFICATE OF REGISTRATION

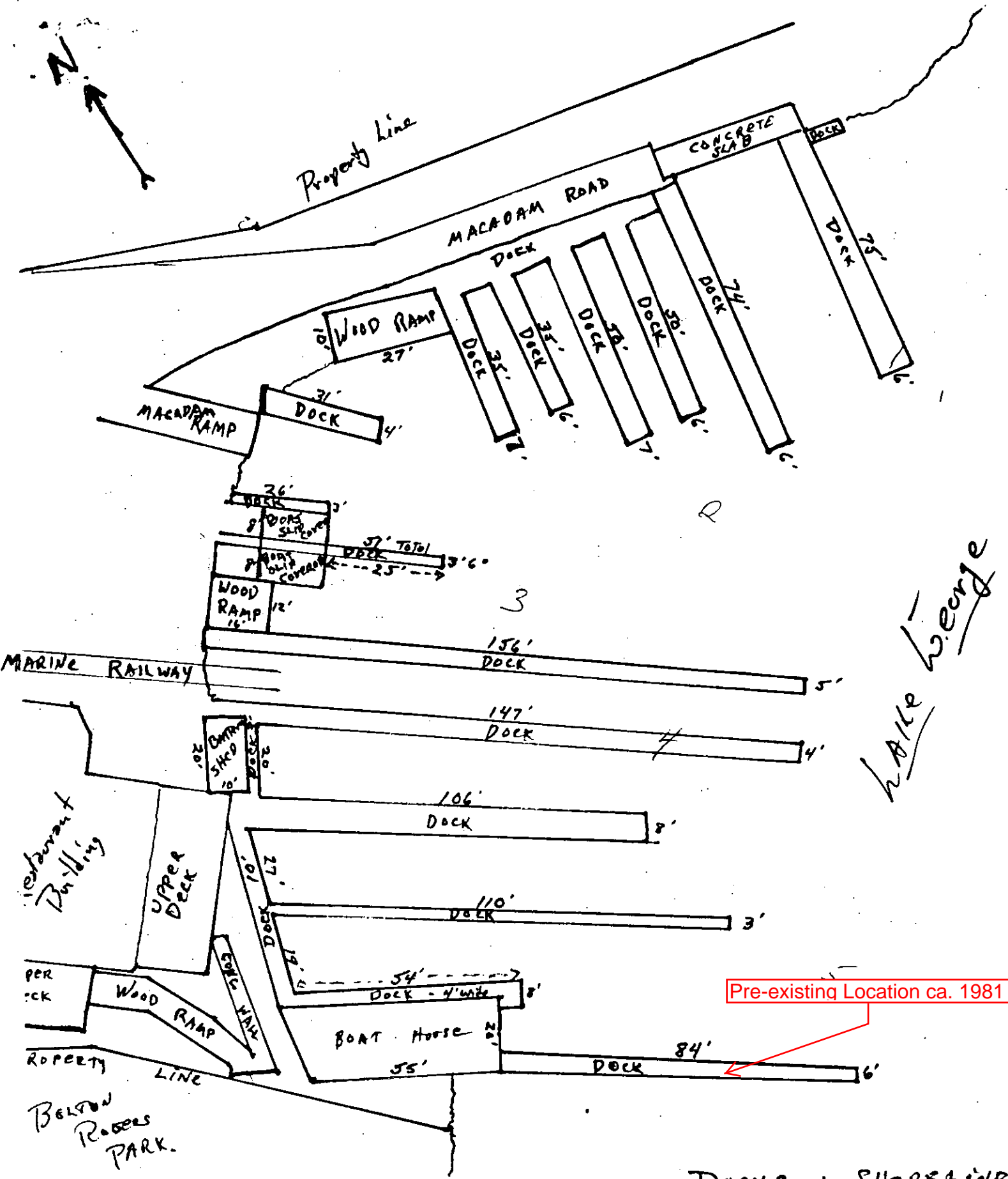
The wharf described herein meets the requirements of qualifying as a pre-existing structure and no permit is required to re-install or maintain the existing structure. A registration marker provided with this certification shall be attached to the wharf in a conspicuous location easily visible from the lake and permanently maintained. A new permit is required for any work that alters the size, shape or location of the wharf.

Richard A. Wild

Regional Permit Administrator

OCT 14 1982

Date



Lake George

DOCKS & SHORELINE
OF
LAMB BROS, INC.
BOLTON LANDING, NY
12/30/81
By Norman Lamb



LAKE GEORGE PARK COMMISSION

PO BOX 749, FORT GEORGE ROAD
LAKE GEORGE, NEW YORK 12845
518-668-9347

CARL R. DE SANTIS
Chairman

MICHAEL P. WHITE
Executive Director

February 13, 1997

The Marina at Bolton Landing
c/o Terry Ryan
PO Box 1058
Bolton Landing NY 12814

Permit #: 5220-33-95, Class A Marina
Parcel ID #: 37-1-59.1, Town of Bolton

PERMIT MODIFICATION

In accordance with your written request of January 31, 1997, the above referenced permit is hereby modified to:

1. Add Pump-out facilities as an offered service.
2. Note the change in location of the gas pump.
3. Note the change in location of dock #1 and addition of a Point Of Sale hut to be no higher than 16 feet from mean high water.

Current fuel dock location
authorized in 1997

Please note that a permit is required prior to making any changes to a dock or wharf. Because the changes are minor and conform to the Commission's design limits the changes have been incorporated into the enclosed permit.

The permit has been updated to the current permit format. Please read the permit carefully to be sure that all current services are accurately described.

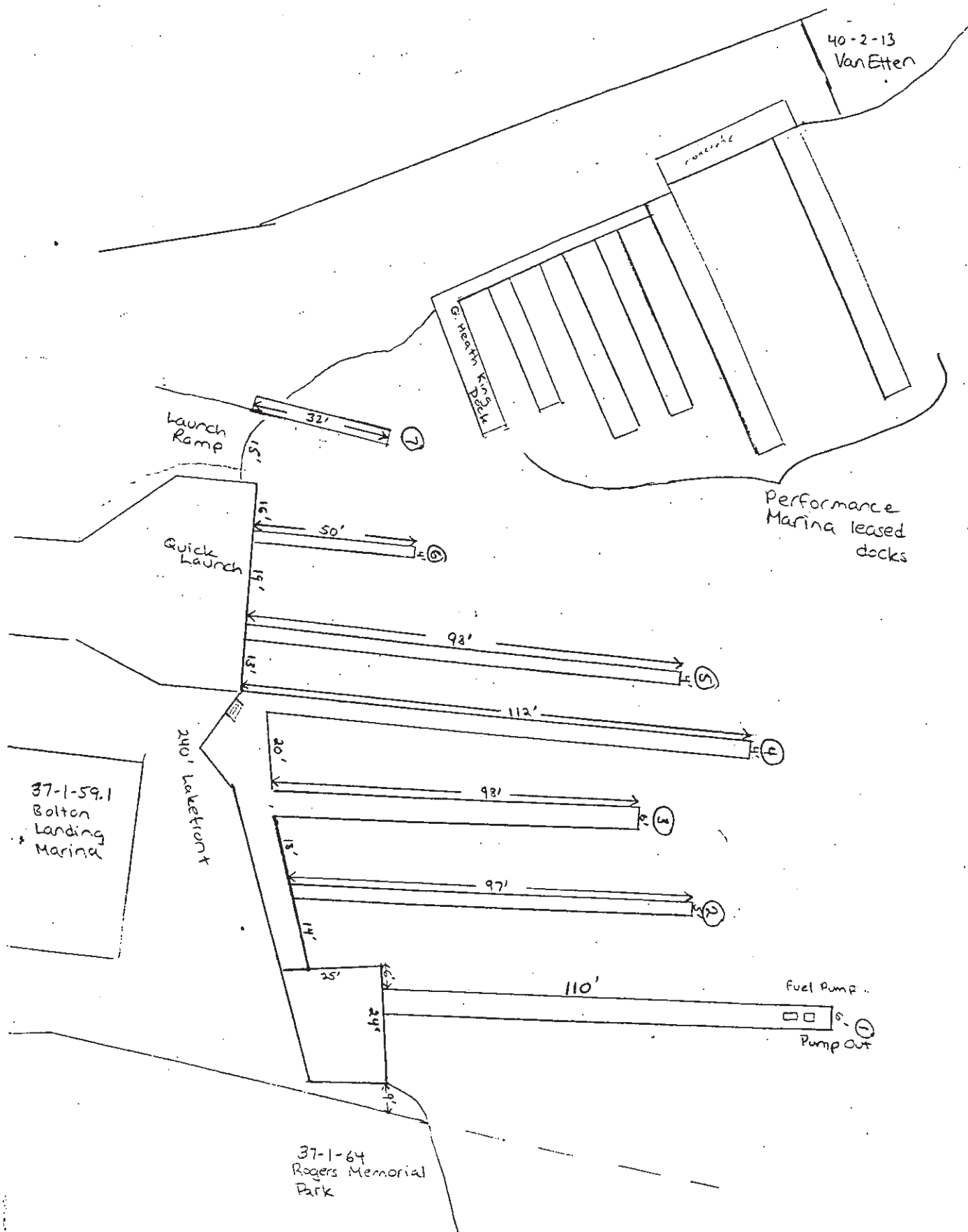
If you have any questions please feel free to call me.

Sincerely,

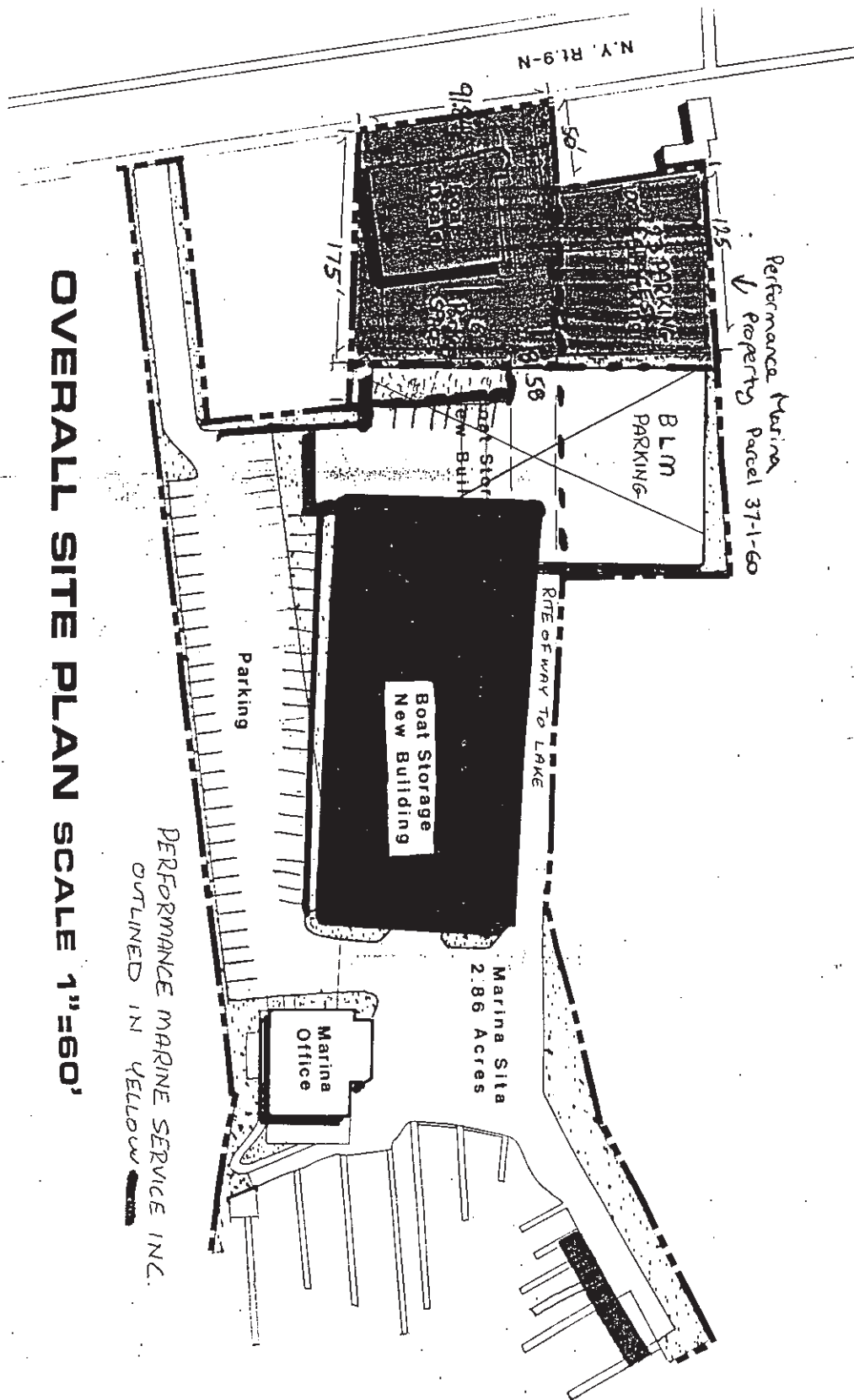
Michael P. White
Permit Administrator

97MARINA:BLM.MOD
cc: LPGC Director Law Enforcement
Town Supervisor

SCHEDULE B - WHARF & MOORING PLAN



SCHEDULE C - FACILITY PLAN



OVERALL SITE PLAN SCALE 1"=60'

PERFORMANCE MARINE SERVICE INC.
OUTLINED IN YELLOW



Lake George Park Commission

Current Marina Permit

BRUCE E. YOUNG
Chairman

DAVE WICK
Executive Director

January 11, 2019

Frank Parillo
Bolton Landing Marina L L C
215 Ballard Rd
Gansevoort, NY 12831

Facility: Bolton Landing Marina
Permit #: 5220-18-17
Parcel #: 171.19-2-3, Town of Bolton

PERMIT RENEWAL

Dear Mr. Parillo:

In accordance with your written request the above referenced permit has been renewed for an additional five year term. The renewed permit is enclosed. If a change in the authorized activities is proposed, please contact this office to determine whether a modification to the permit is required prior to initiating any change.

If you have any questions please feel free to call me.

Sincerely,

David Wick
Executive Director

cc: Law Enforcement
Town of Bolton

Frank, Happy New Year. Please see condition #36 as we try to work towards better stormwater protections for Lake George.

Thanks Frank,
- Dave

| |
|--|
| LGPC Permit Number 5220-18-17 M1 |
| Type of Permit <input type="checkbox"/> New <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Modification <input type="checkbox"/> Variance |



**Lake George
Park Commission**

PERMIT
Under the Environmental Conservation Law

| |
|---|
| Effective Date 08/17/1995 |
| Modification or Renewal Date 01/11/2019 |
| Expiration Date 01/11/2024 |

- | | |
|---|--|
| <input type="checkbox"/> Article 43, Title 1, 6NYCRR 646-1.1 Construction and Modification of Wharfs | <input type="checkbox"/> Article 15, Title 5, 6NYCRR 608.5 Excavation and Placement of Fill in Navigable Waters |
| <input type="checkbox"/> Article 43, Title 1, 6NYCRR 646-1.1 Placement of Moorings | <input checked="" type="checkbox"/> Article 43, Title 1, 6NYCRR 646-1.2 Operation and Modification of Class A Marinas |
| <input type="checkbox"/> Article 43, Title 1, 6NYCRR 646-1.4 Recreational Use - New | <input type="checkbox"/> Article 43, Title 1, 6NYCRR 646-1.4 Recreational Use - Parasail |
| <input type="checkbox"/> Article 43, Title 1, 6NYCRR 646-1.4 Recreational Use - Seaplanes | <input type="checkbox"/> Article 43, Title 1, 6NYCRR 646-1.4 Recreational Use - Tour Boat |
| <input type="checkbox"/> Article 43, Title 1, Section 43-0117 Operation of ferries and certain other boats, barges and vessels restricted. | <input type="checkbox"/> Article 43, Title 1, 6NYCRR 646-4 Stormwater Management |
| <input type="checkbox"/> 6 NYCRR Part 608 Water Quality Certification | |

| | | |
|---|--------------------|--|
| Permit Issued to Bolton Landing Marina L L C | | Telephone Number 584-1444 |
| Address of Permittee 215 Ballard Rd Gansevoort, NY 12831 | | |
| Contact Person (if not permittee) Frank Parillo | | Telephone Number Same |
| Facility Name Bolton Landing Marina | | Facility Address 4932 Lakeshore Dr |
| County Warren | Town Bolton | Parcel # 171.19-2-3 |

AUTHORIZED ACTIVITY

Operate a Class A Marina in accordance with the Marina Description attached as Schedule A and made part of this permit, and subject to the attached general and special conditions. No construction is herein authorized. This permit expressly authorizes only those activities specified on Schedule A, subject to the limitations herein.

Marina activities in excess of the authorized activities is a violation of the Environmental Conservation Law and will subject the facility to fines, penalties and/or revocation of the permit.

By the acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the Environmental Conservation Law, the Navigation Law, all applicable regulations, and the General and Special Conditions included as part of this permit.

| | | |
|--|------------------------|-------------|
| Executive Director: David Wick Lake George Park Commission, PO Box 749, Lake George NY 12845, 518-668-9347 | | |
| Authorized Signature | Date 1/11/19 | Page 1 of 7 |

GENERAL CONDITIONS

Inspections

1. Upon reasonable notice, permittee shall afford access to the site to Commission staff for the purpose of conducting on-site inspections.

Permit Modifications & Renewals

2. The permittee shall not alter or expand the number or type of services or recreational activities offered without obtaining a modification to the permit which authorizes the new or expanded services or recreational uses. Any modification to this permit granted by the Commission shall be in writing.

3. Any change in use of an existing marina which increases the number and/or types of vessels serviced shall require a modification to any previously issued permit.

4. This permit may not be relocated to other facilities unless a permit for the different facility has been issued by the Commission. Marina permits will be modified to reflect a sale or transfer of the facility to another owner subject to a determination by the Commission that the facility is in compliance with the requirements of this Subpart and permits issued in accordance with this Subpart. Lakefront marina facilities at separate locations under common ownership shall require separate permits.

Prohibitions

5. Quick launching as defined in 6NYCRR 645-2 is prohibited except as specifically authorized herein.

6. No vessel shall be berthed at a dock, wharf or mooring without the prior consent of the adjoining landowner so as to encroach beyond the adjacent property line extended into the lake on the same axis as the property line runs onshore where it meets the lake, or at a right angle to the mean high-water mark, whichever results in the lesser setback.

Other Legal Obligations of Permittee

7. All persons shall comply with all conditions issued with any permit issued for the construction, operation or use of a dock, wharf, mooring or marina. Failure to comply with any such condition shall be a violation and grounds for the immediate revocation of the permit and/or the imposition of a fine for each day from the date the violation first occurred until the violation is corrected.

8. The permittee has accepted expressly, by execution of the application, the full legal responsibility of all damages direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and has agreed to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from said project.

9. This permit shall not be construed as conveying to the permittee any right to trespass on the lands or interfere with the riparian rights of others in order to perform the permitted action or as authorizing the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to this permit.

10. The permittee is responsible for obtaining any other permits, approvals, right-of-ways, land easements including but not limited to easements to the lands under the waters of the State, which may be required for the operation authorized herein.

11. Granting of this permit does not relieve the permittee of the responsibility of obtaining any other permission, consent, permit, or approval from the U.S. Army Corps of Engineers, U.S. Coast Guard, N.Y.S. Office of General Services, N.Y.S. Department of Environmental Conservation, N.Y.S. Department of Health, Adirondack Park Agency, or local government which may be required.

12. The permittee shall post and maintain a sign with language specified by the Lake George Park Commission in a location and manner so as to be visible to patrons of the marina. A copy of the text of said sign is attached hereto.

Docks, Wharfs and Moorings

13. A permit shall be required for any construction, alteration, relocation, extension or modification of a dock, wharf or mooring. The authorized wharfs, docks and moorings for this facility are depicted on Schedule B and/or C of this permit.

14. The facility is subject to annual fees under Section 646-1.1(b) of this Subpart for the use of wharfs, moorings and quick launch facilities. Nothing herein shall be construed as to permit use of facilities for which fees have not been paid.

15. No person shall operate or put to use a commercial dock, wharf, mooring, Class A marina or Class B marina without implementing a maintenance program sufficient to keep all docks, wharves, adjacent shoreline, water and lake bottom clean of debris.

16. Any person owning, operating, or constructing a dock, wharf or mooring, shall be responsible for the complete removal of pilings, cribs, chains and blocks, floats and/or any other related components which are abandoned or fall into disuse.

Environmental Protection/Marina Operations

17. Restrooms, including toilet facilities, for the use by customers, shall be available at all times from May 1 to October 31 of each year.

GENERAL CONDITIONS

18. One on-site parking space or adequate off-site parking shall be provided for each vessel berthed unless otherwise specified in Schedule A. Parking as described in Schedule A shall not be diminished.

19. An adequate storage area for trailers shall be provided or the storage of trailers shall be prohibited.

20. The permittee shall maintain compliance with New York State fire code standards and DEC bulk storage standards for the storage of gasoline and hazardous materials.

21. For facilities with on-site petroleum storage, a plan relative to the inspection and maintenance of petroleum storage facilities and all associated equipment, and appropriate measures relative to spill prevention and countermeasures must be on file with the Commission and available on-site. Such plan shall include:

(i) the inspection of all plumbing and related pumping equipment, not less than daily, to guard against leakage of petroleum products into the waters of the Park;

(ii) the training of each person pumping motor fuels in procedures to guard against the spillage of such motor fuels into the waters of the park and procedures to respond to a spill; and

(iii) the maintenance, in close proximity to the pumping facilities, of such equipment as is necessary to respond to any spill of petroleum products into the waters of the Park or on to land or structures where it may flow into the waters of the Park.

22. Adequate garbage and debris disposal facilities with leakproof containers must be provided and properly maintained.

23. The permittee shall provide a boat cleaning area that is designed, operated and maintained in such a manner to prevent contamination of the waters of the Park or boat cleaning shall be prohibited.

24. No person shall clean any vessel with chemicals or detergents where runoff into or contamination of the waters of the Park occurs or is likely to occur.

25. The permittee shall ensure customer access to facilities for the disposal of sanitary wastes from vessels with on-board sanitary equipment in accordance with the following;

(i) on-site pumpout facilities, or proven access to pumpout facilities, for use by vessels which use the services of the Class A marina; and

(ii) facilities for the disposal of waste from portable marine toilets, or proven access to such facilities, for use by vessels which use the services of the Class A marina. Such facilities shall be designed, installed, operated and maintained to prevent the discharge of contaminants from marine toilets to the waters of the Park or the ground from which they may flow into the waters of the Park.

Written proof of access to disposal facilities for a period equal to the life of the permit shall be required. Off-site facilities must be located within a reasonable distance from the Class A marina.

26. No person shall launch a vessel into or remove a vessel from the waters of the Park without inspecting the vessel and its trailer, if any, to ensure the detection of marine growth, including macrophytes (weeds), or any other hull contamination, and removing said growth and disposing of it so as to ensure that it is not discharged into the waters of the park.

27. No person shall launch any vessel into the waters of the Park, or operate a vessel on the waters of the Park, which is not permanently sealed to prevent the discharge of wastewater into the waters of the Park.

28. All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediment, fuels, solvents, lubricants, epoxy coatings, paint, concrete, leachate or any other environmentally deleterious materials associated with the operation of this facility.

29. The permittee shall ensure that no person renting a motor boat on Lake George shall operate that vessel without first having viewed the LGPC Boating Safety Video provided to all marinas by the Commission. This video shall be viewed at the premises of the marina as part of their boater safety education prior to departing from the marina facility with the rental boat. The permittee shall ensure that all motor boat rental operators view this video in its entirety each season. Return renters at this facility shall not be required to view the video more than once in the same season.

SPECIAL CONDITIONS

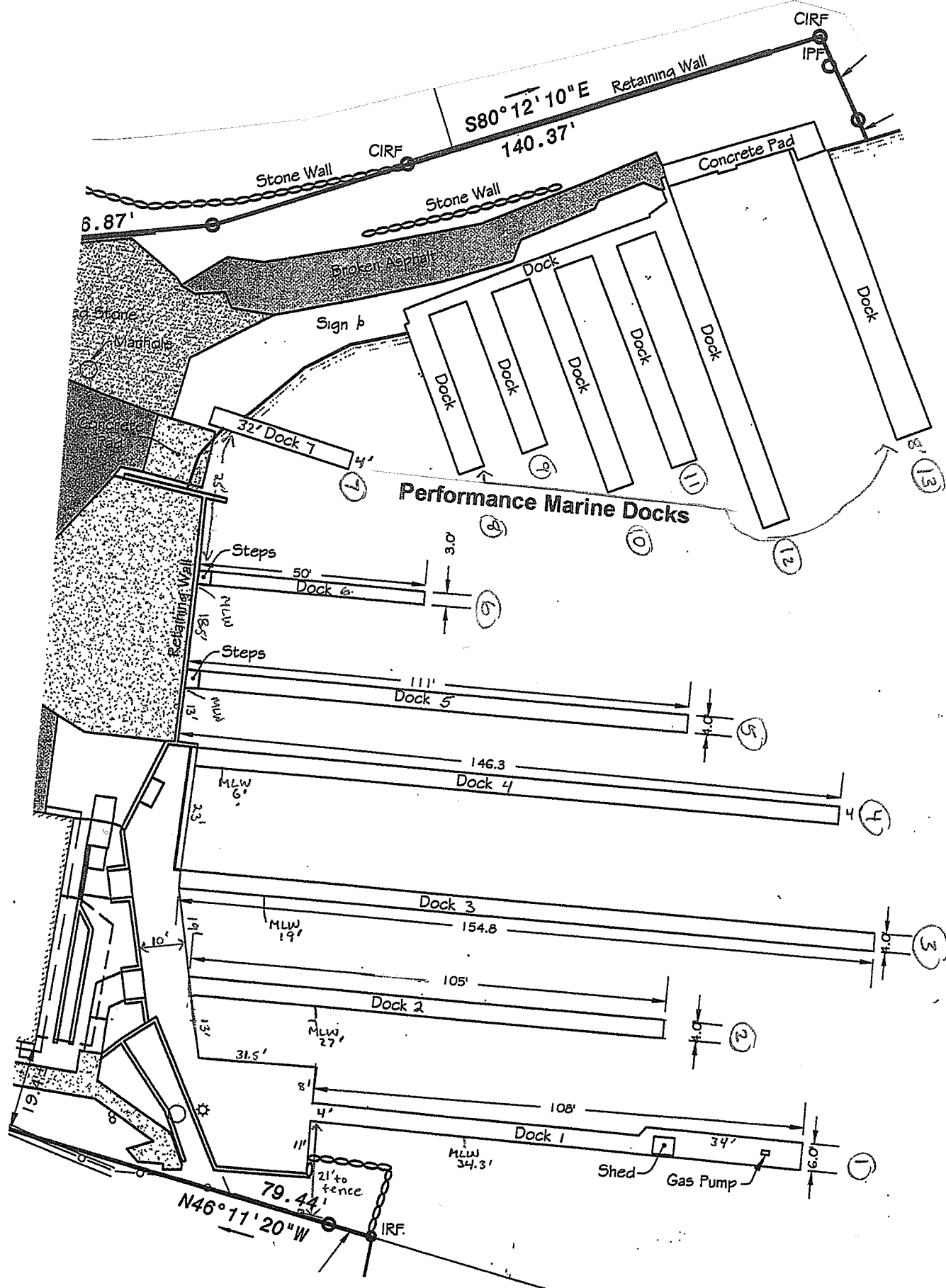
SPECIAL CONDITIONS

30. Prior to launching of any vessel with sanitary facilities, the permittee shall inspect and certify that no sink, toilet, shower, or other device is installed in such a way as to allow discharge of wastes in any manner.
31. Stormwater facilities shall be inspected periodically, but at least annually, by a licensed engineer. A certificate of effective operation of storm water management facilities shall be signed by the inspecting engineer and maintained on the premises.
32. The permittee shall at no time allow more than 100 of its members boats to be out on Lake George at any given time.
33. The permittee shall keep up to date accurate records of quick launch contracts and launchings.
34. The permittee shall contract for no more than 191 dry stack or parking area quick launch spaces at its facility at any time, minus the number of wet berths contracted.
35. The permittee shall not quick launch any boats on the premises except those subject to the 191 boats quick launch contract limitation.
36. The landowner, their successors, or assigns shall submit to the Commission for review plans to retrofit this lakefront facility with stormwater controls. After review and approval by the Commission, the landowner, their successors, or assigns shall implement and install the authorized stormwater plan within the 5 year term of this permit.

SCHEDULE A - MARINA DESCRIPTION

| | |
|--|--|
| Facility Bolton Landing Marina | Lakefrontage: 255 feet |
| Other Parcels None | |
| Marina Description <p>Bolton Landing Marina is an existing full service marina located in Bolton Bay and operated from May to October.</p> <p>The facility includes a three tier boat storage building and 124 parking spaces.</p> <p>The facility's docks are shown on the facility plan attached as Schedule B and made part of this permit. Restrooms, garbage disposal facilities and gasoline pumps are available to customers. Pump-out is available on-site. Minor service and repairs may be conducted on site.</p> <p>Services provided and herein authorized are indoor quick launch berths of up to 171 vessels, outside quick launch berths of up to 20 vessels, seasonal berthing for up to 6 boats at the dock and winter storage of no more than 191 vessels. In no case shall the number of member vessels stored on the docks, in the building or in the parking lot exceed a total of 191 vessels. The number of member vessels to be out on the lake at any time is limited to 100.</p> | |
| Authorized Marina Activities | |
| Total Seasonal Customer Berthing Spaces: 6 | (6 on docks and 0 on moorings) |
| Total Customer Winter Storage: 191 | (171 indoor and 20 outdoor) |
| Total Quick Launch: 191 | (171 indoor and 20 outdoor) |
| Rental Vessels: motorized: 0 | |
| non-motorized: 0 | |
| personal watercraft: 0 | |
| Tour Boats: 0 | |
| Waterski/Tubing/Rides: No | SCUBA Instruction: No |
| Parasail: No | |
| Public Boat Launch: No | |
| Sales/Service: Yes | Private Boat Launch/Hoist/Rail: Yes |
| Vessel Towing: No | Customer Parking Spaces: 124 |
| Fuel Sales: Yes | Bulk Storage Permit# 5-394432 |
| Pumpout available at: on-site | |
| <p>Permitted activities are limited to those listed on this page. Any change which alters or expands the number or type of services or recreational activities will require a modification to the permit.</p> | |
| LGPC Permit # 5220-18-17 | Page 5 of 7 |

SCHEDULE B - WHARF & MOORING PLAN







Lake George Park Commission

DCI
G 50
MDW



75 Fort George Rd, PO Box 749, Lake George NY 12845 | 518.668.9347 fax 518.668-5001 | info@lgpc.state.ny.us www.lgpc.state.ny.us

APPLICATION FOR PERMIT FOR DOCKS, WHARFS AND MOORINGS

THIS APPLICATION IS FOR THE: (check all that apply)

- ☐ Construction of a New Dock or Wharf (\$200) ☐ Placement of a Mooring (\$100)
☒ Modification to an Existing Dock or Wharf (\$50) ☐ Modification to an Existing Mooring (\$50)
☐ Article 15 (Repair, removal, replacement or installation of cribbing as part of wharf construction)

APPLICATION FEE ENCLOSED: \$50 (check or money order only)

1. OWNER ☐ Mr. ☐ Mrs. ☐ Ms. ☐ Dr.

☐ INDIVIDUAL ☐ PARTNERSHIP ☐ ASSOCIATION
☒ CORPORATION ☐ MUNICIPALITY ☐ AGENCY

NAME Bolton Landing Marina, LLC

EMAIL fparillo@16saratoga.com

CONTACT PERSON IF OWNER IS NOT AN INDIVIDUAL Dan Behan / Frank Parillo

MAILING ADDRESS 215 Ballard Road

CITY Gansevoort

STATE NY

ZIP CODE 12831

PHONE 518-584-1444

** If this is an association or if other parties have deeded or contractual access to this lakefront, please complete Addendum A **

2. AGENT ☐ NONE ☐ PRESIDENT OR CEO ☐ LLC MEMBER ☒ ATTORNEY ☐ CONSULTANT ☐ CONTACT PERSON

NAME Robert L. Sweeney

EMAIL rsweeney@woh.com

COMPANY Whiteman Osterman & Hanna LLP

MAILING ADDRESS One Commerce Plaza

CITY Albany

STATE NY

ZIP CODE 12260

PHONE 518-487-7670

3. CONTRACTOR (If known)

NAME Chris Girard

EMAIL chris@thedockdoctors.com

COMPANY The Dock Doctors

MAILING ADDRESS 19 Little Otter Lane

CITY Ferrisburg

STATE VT

ZIP CODE 05456

PHONE 802-870-7503

4. PROJECT LOCATION

TOWN ☐ TICONDEROGA ☐ DRESDEN
☐ FORT ANN ☐ HAGUE
☐ LAKE GEORGE ☐ PUTNAM
☐ QUEENSBURY ☒ BOLTON

SECTION 171.19

BLOCK 2

LOT 3

STREET 4932 Lakeshore Drive


LAKE FRONTAGE 381 feet
according to ☐ Tax Map ☒ Survey (attach copy)

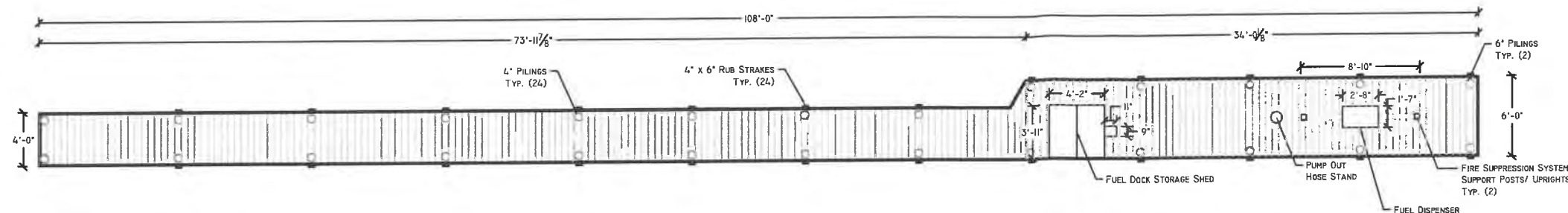
NUMBER OF WHARFS AND MOORINGS CURRENTLY ON PROPERTY
13 DOCKS MOORINGS (Please fill in a number or 0 for each)

DOES LAKEFRONT CONTAIN WETLANDS? ☐ Yes ☒ No STREAMS? ☐ Yes ☒ No (If yes, show on project plans)

5. PROJECT DESCRIPTION

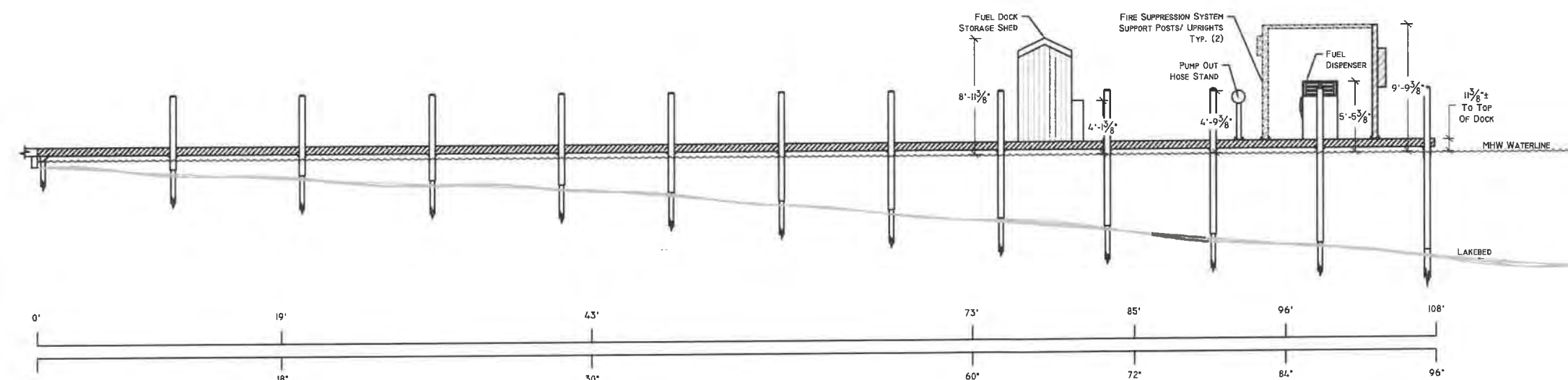
PROJECT DESCRIPTION Proposed Relocation of Gas Dock

| | | | | | |
|--|--|---|--|--------------------------------------|---------------------------------|
| PROPOSED USE | | <input type="checkbox"/> RESIDENTIAL | <input checked="" type="checkbox"/> COMMERCIAL | <input type="checkbox"/> ASSOCIATION | <input type="checkbox"/> PUBLIC |
| TYPE OF CONSTRUCTION | | <input type="checkbox"/> STAKE <input type="checkbox"/> CRIB <input checked="" type="checkbox"/> PILE <input type="checkbox"/> ARTICULATING <input type="checkbox"/> OTHER _____ <input type="checkbox"/> CANOPIED BOATLIFT <input type="checkbox"/> UN-CANOPIED BOATLIFT <input type="checkbox"/> PWC LIFT (include manufacturer specification sheet for all lifts) | | | |
| PROPOSED STARTING DATE <u>2-20</u> | | PROPOSED COMPLETION DATE <u>4-20</u> | | | |
| IS ANY PORTION OF THIS ACTIVITY FOR WHICH A PERMIT IS SOUGHT NOW BEGUN OR COMPLETED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (if yes, please explain) | | | | | |
| IF COMMERCIAL, IS THE FACILITY AND ITS ASSOCIATED LAND USES IN COMPLIANCE WITH APPLICABLE PROVISIONS OF STATE AND LOCAL LAWS, ORDINANCES, RULES AND REGULATIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (if no, please explain) | | | | | |
| 6. ADJOINING LAKEFRONT PROPERTY OWNERS (available from your town or county real property dept.) | | | | | |
| NAME <u>Town of Bolton</u> | | | NAME <u>Ned Berkowitz</u> | | |
| TAX MAP # <u>171.19-2-12</u> | | | TAX MAP # <u>171.19-2-5</u> | | |
| MAILING ADDRESS <u>4928 Lake Shore Drive</u> | | | MAILING ADDRESS <u>17 Congers Point S</u> | | |
| <u>Bolton Landing NY 12814</u> | | | <u>Bolton Landing NY 12814</u> | | |
| 7. CERTIFICATION | | | | | |
| <p>I hereby affirm that the information on this form and all attachments submitted herewith is true to the best of my knowledge and belief.</p> <p>I hereby consent to the Commission staff working directly with my agent, as designated on page 1 of this form, during the review of this application.</p> <p>During the processing of this application Lake George Park Commission (LGPC) personnel or their assigns may need to visit this site to inspect, measure, make drawings and/or take photographs. I hereby agree that LGPC staff or their assigns may enter upon and pass through this property in order to inspect the project site or facility, without prior notice, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, while the application is pending. In the event that the project site or facility is posted with any form of "posted" or "keep out" notices, or fenced in with an unlocked gate, this permission authorizes LGPC staff or their assigns to disregard such notices or unlocked gates at the time of inspection.</p> <p>As a condition to the issuance of a permit, the applicant accepts full legal responsibility for all damage, direct and indirect, or whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from the said project.</p> | | | | | |
| SIGNATURE OF OWNER (Note title if signing for a corporation or association) | | | | | DATE |
|  <u>SOLE MEMBER</u> | | | | | <u>12/30/19</u> |
| PLEASE COMPLETE ALL ITEMS ABOVE AND INCLUDE WITH THIS FORM: | | | | | |
| <input checked="" type="checkbox"/> Application fee <input checked="" type="checkbox"/> Site location map <input checked="" type="checkbox"/> Copy of survey if available <input type="checkbox"/> Project plans on 8 1/2 X 11 size paper - PLANS MUST BE TO SCALE & SHOW ENTIRE LAKEFRONT <input type="checkbox"/> Short Environmental Assessment Form if project involves <ul style="list-style-type: none"> • A new Association or Commercial dock or mooring • More than one residential dock or mooring • A dock or mooring to be located in a wetland, fish spawning area, an area of significant wildlife habitat, or an area of unique scenic, historic or natural significance <input type="checkbox"/> Addendum A Co-owner Signature Page (if lakefront is jointly or commonly owned) <input type="checkbox"/> Addendum B Parties with deeded or contractual access to this lakefront | | | | | |
| <i>Failure to include any one of the required items will result in an incomplete notice and delay in processing your application. Permits and approvals may be required from other agencies and municipalities</i> | | | | | |



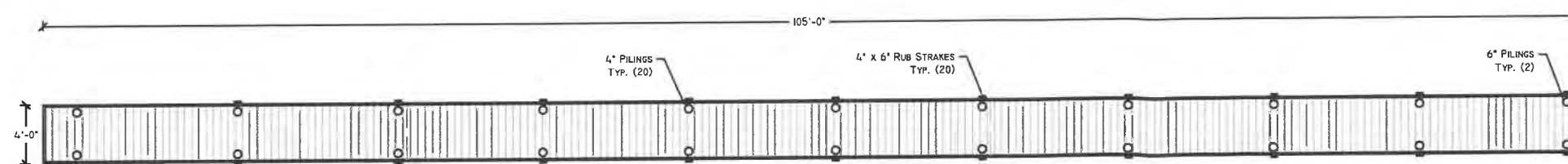
A-DOCK LAYOUT

SCALE: 3/32" = 1'-0"



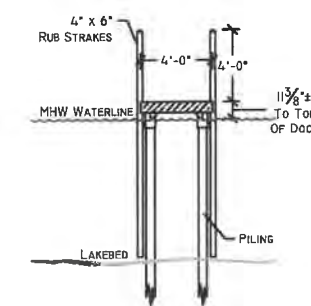
A-DOCK SIDE ELEVATION

SCALE: 3/32" = 1'-0"



B-DOCK LAYOUT

SCALE: 3/32" = 1'-0"



END VIEW OF B-DOCK

SCALE: 3/32" = 1'-0"



Lake George Park Commission



Fort George Rd, PO Box 749, Lake George NY 12845 | 518.668.9347 fax 518.668-5001 | info@lgpc.state.ny www.lgpc.state.ny.us

Variance Request Form

Please type or print clearly in ink. Use separate addenda and exhibits to provide all supporting documentation.

This form is to accompany the *Application for Permit for Docks, Wharfs and Moorings* form, or *Application for Special Permit for the Construction or Operation of Tour Boats on Lake George*, appropriate application fee and all required attachments. There is no additional application fee for requesting a variance.

1. **APPLICANT** Bolton Landing Marina, LLC

2. **PERSON FILLING OUT THIS FORM** Matthew C. Steves

3. **FACILITY** Bolton Landing Marina

4. **PROJECT** ☒ Wharf Modification/Construction ☐ Mooring Placement ☐ Tour Boat

5. **VARIANCE SOUGHT FROM:**

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Property line setbacks | <input type="checkbox"/> Off-shore distance | <input type="checkbox"/> Number of wharfs/moorings allowed |
| <input type="checkbox"/> Shape of wharf | <input type="checkbox"/> Area of wharf | <input type="checkbox"/> Height of structure above wharf |
| <input type="checkbox"/> Width of wharf | <input type="checkbox"/> Width of pier | |
| <input type="checkbox"/> Tour boats shall be operated from properly permitted marina facilities | | |

6. **Please describe the purpose of the project**

Construct new gas dock. The new location would increase safety for the usage of same.

7. **Discuss alternatives that would not require a variance and demonstrate why these are not viable options. (Note: Variance requests should be for the minimum variance necessary to alleviate the hardship.)**

The existing dock is Pre-Existing non conforming. There is no room to move the dock north to a conforming location.

8. **What conditions unique and peculiar to your situation would impose a significant technological, financial or safety burden if you were required to comply with the regulations?**

Gas dock would be located too close to other existing docks.

9. **List what supporting evidence of unique and peculiar conditions you are attaching to this application to support your answer to question 8.**

Proposed site plan and existing conditions plan.

10. Describe in detail why due to the unique and peculiar circumstance described in question 9 above, there is no reasonable possibility that your property or, if no property is involved, the continuation of your business, enterprise, use or activity will bring a reasonable return following conformity with the regulations of the Commission.

Existing Gas dock is located in an area that creates safety issues with other boats.

11. List the supporting documentation you have enclosed to support your response to question 10.

Copy of existing conditions plan. Copy of proposed conditions plan. Proposed dock plans.

12. What forms of evidence are being submitted to demonstrate that the proposed project will have no adverse impact on the public health, safety or welfare, the environment or the resources of the Park?

Copy of existing conditions plan. Copy of proposed conditions plan. Proposed dock plans.

13. What forms of evidence are being submitted to demonstrate that the proposed project will not alter the essential character of the area in which the proposed use or activity is located, and will not lead to congestion in the park?

Copy of existing conditions plan. Copy of proposed conditions plan. Proposed dock plans.

14. CERTIFICATION

I hereby affirm that the information on this form and all attachments submitted herewith are true to the best of my knowledge and belief.

Frank J. Parillo

SIGNATURE OF APPLICANT (Note title if signing for a corporation or association)

1-03-20

DATE

INCLUDE WITH THIS FORM

- A completed permit application, application fee and all attachments.
- If the applicant is an Association, Addendum D to the *Application for Permit for Docks, Wharfs, and Moorings*.
- All supporting documentation referenced in this form.

The Appraisal Company

PO Box 4596

Saratoga Springs, NY 12866

(518) 583-6188

www.appraisalsaratoga.com

February 13, 2017

Lake George Park Commission

PO Box 749

75 Fort George Road

Lake George, NY 12845

Re: Application of Bolton Landing Marina
Dock Modification
Application # 5220-1-17 DM-Variance Required
Parcel ID # 171.19-2-3 Town of Bolton



To The Commission:

My client, Bolton Landing Marina has requested my evaluation of the economic impact of the current spatial configuration of the southern-most docks (Dock A and Dock B) at the Marina.

I am a NY State Certified General Appraiser and have been an appraiser for 30 years.

Background: Bolton Landing Marina provides marina facilities to Lake George boaters from both a "quick launch" operation and from six in-water docks with boat slips on both sides of each dock. The southern-most dock is referred to as Dock "A" and its eastern-most end is devoted to the Marina's gas fueling operations. West of the gas dock area, the Marina provides in-water slips to customers on a seasonal basis. The economic impact considered in this letter is the result of the restriction on use of the slips on the north side of Dock A due to its proximity to the boats docked on the south side of Dock B.

Operations: Bolton Landing Marina management advises me that the operations at the marina call for the use of the slips on the more northern docks (D and E) for the temporary placement of the quick-launched boats, due to their proximity to the quick launch ramp. The docks to the south (A and B) are more suited for the full season in-water rental customers. The larger season rental boats can run in the 30' to 35' range, with an 11' to 12' beam. Smaller seasonal in-water rental boats are more likely to have 8' beam widths.

I am also advised that the distance from Dock A to Dock B is 21', resulting in a situation where there are mere inches between a large boat docked on the north wide of Dock A and a smaller boat docked on the south side of Dock B.

Economic Impact: Bolton Landing Marina management advises the in-water seasonal rentals run \$235 per foot, while the quick launch rate is \$185 foot. A full season rental contract on the larger boats is \$10,500-\$11,500, there are four of these spots (yearly loss of \$42,000-\$46,000). The larger boat owners find the north side of Dock A unsatisfactory due to the space limitations, potential boat damage, and restrictions on access if docked behind another boat. Smaller boats would have a range of between \$7000 and \$8500 for a similar spot, thus the economic loss would be \$2000 to \$4500 per spot each year (depending on the variants of sizing). If this were capitalized within a valuation, that one dock space alone would have a market value loss of between \$25,000 and \$56,000, per space. The loss of one large boat rental customer, the need to limit fair-market rental rates at Dock A, or the need to limit the dock usage to smaller boats would have an economic impact on the Marina in the thousands of dollars, depending on the scenario. It should be noted that the loss of storage in the winter months has not been considered, but typically larger boats do get stored where the Marina facilities are located for ease of transportation.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'William Moore', is written over a horizontal line.

William Moore
NY State Certified Appraiser
#46000009321

Attachment:
Resume
Cap Rates

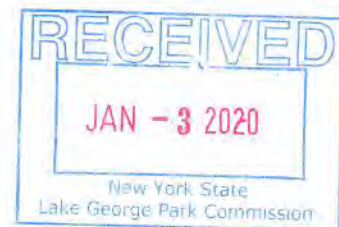
Capitalization of the Income
(Loss of Market Value)

| | |
|---|---------------------------------|
| \$2,000 Loss per year per slip/8% Capitalization Rate | $\$25,000 \times 4 = \$100,000$ |
| \$4,500 Loss per year per slip/8% Capitalization Rate | $\$56,250 \times 4 = \$225,000$ |

Market Value loss for dock space, based on reduction of boat size and impact on Market Value

Market Value Loss with Reduction of Boat Size
\$ 100,000-\$225,000

The appraiser has attached Capitalization Rates based on RV parks which are usually considered within the same category given the seasonal nature and price based on size.



RealtyRates.com INVESTOR SURVEY - 4th Quarter 2016*
RV/CAMP GROUNDS - MH PARKS - MANUFACTURED HOUSING - ALL TYPES

| Item | Input | | | | | OAR |
|------------------------------|----------|------------------------------|------|----------|----------|-------|
| Minimum | | | | | | |
| Spread Over 10-Year Treasury | 1.05% | DCR Technique | 1.15 | 0.040372 | 0.90 | 4.18 |
| Debt Coverage Ratio | 1.15 | Band of Investment Technique | | | | |
| Interest Rate | 2.62% | Mortgage | 90% | 0.040372 | 0.036335 | |
| Amortization | 40 | Equity | 10% | 0.079695 | 0.007970 | |
| Mortgage Constant | 0.040372 | OAR | | | | 4.43 |
| Loan-to-Value Ratio | 90% | Surveyed Rates | | | | 4.21 |
| Equity Dividend Rate | 7.97% | | | | | |
| Maximum | | | | | | |
| Spread Over 10-Year Treasury | 8.81% | DCR Technique | 2.05 | 0.131757 | 0.50 | 13.51 |
| Debt Coverage Ratio | 2.05 | Band of Investment Technique | | | | |
| Interest Rate | 10.38% | Mortgage | 50% | 0.131757 | 0.065878 | |
| Amortization | 15 | Equity | 50% | 0.185025 | 0.092512 | |
| Mortgage Constant | 0.131757 | OAR | | | | 15.84 |
| Loan-to-Value Ratio | 50% | Surveyed Rates | | | | 15.05 |
| Equity Dividend Rate | 18.50% | | | | | |
| Average | | | | | | |
| Spread Over 10-Year Treasury | 4.16% | DCR Technique | 1.41 | 0.074854 | 0.70 | 7.38 |
| Debt Coverage Ratio | 1.41 | Band of Investment Technique | | | | |
| Interest Rate | 5.73% | Mortgage | 70% | 0.074854 | 0.052398 | |
| Amortization | 25 | Equity | 30% | 0.137626 | 0.041288 | |
| Mortgage Constant | 0.074854 | OAR | | | | 9.37 |
| Loan-to-Value Ratio | 70.0% | Surveyed Rates | | | | 9.25 |
| Equity Dividend Rate | 13.8% | | | | | |

*3rd Quarter 2016 Data

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**William A.
Moore**

75 S. Franklin Street
Saratoga Springs, NY
12866

518-583-6188

Appraisalsaratoga@msn.com

Employment History

The Appraisal Company-President

September 1989-Present

75 South Franklin Street, Saratoga Springs, NY

- Owned and operated appraisal business
- Specializing in commercial real property appraisals
- Supervise four staff appraisers
- Court Testimony
- Eminent Domain Proceeding and Valuation
- Easement Valuation

William J. Moore Realty-Vice President

9/1/85-8/31/89

160 Jefferson Street, Saratoga Springs, NY 12866

- Responsible for three staff appraisers
- Did residential and commercial appraisals
- Overall office supervision

Loan Clerk

6/1/82-8/31/85, The Adirondack Trust Company, Saratoga Springs, NY

- Loan servicing and insurance supervision
- Collections
- Processing and data entry

Education

9/1/79-6/15/82, Adirondack Community College, Queensbury, NY

AS-Business Administration

Other Experience

Red Cross of Saratoga County Board of Directors 10/1/00-12/1/02

Board of Assessment Review (Saratoga Springs) -1990-1998-Left as Chairman

YMCA Board of Directors of Saratoga-3/96-3/07-Left as President

YMCA Board of Trustees of Saratoga-3/07-11/13

Zoning Board-City of Saratoga Springs-1/09-Present (Chairman)

National YMCA-Regional Membership Standards Board-2011-2014

References

Mr. Richard Ferguson, Vice President-Saratoga National Bank

Mr. Michael Toohey-Attorney-Snyder/Kiley/Toohey and Cox

Mr. William Dake-Chairman-Stewarts Corporation

Mr. Charles Wait-Chairman-The Adirondack Trust Company



Related Education

Capitalization Theory and Techniques-The Appraisal Institute
Narrative Report Writing-The Appraisal Institute
USPAP-The Appraisal Institute
High Value Residential Homes-Seminar
FHA Guidelines-Department of HUD
New Construction Guidelines-Seminar
Real Estate Appraisal 1-The Appraisal Institute
Real Estate Appraisal 2-The Appraisal Institute
Others Furnished upon request

Certifications

Certified General Appraiser-New York State-#46000009321
Certified New York State Instructor-Real Estate Appraisal Classes
Associate Member of The Appraisal Institute

Related Experience

Past Chairman-Board of Assessment Review-City of Saratoga Springs
Court Testimony on behalf of Saratoga County
Easement Valuations for Saratoga County
Revaluation of Land Assessment Roll-Saratoga Springs
Niagara Mohawk Substation Easements and Valuations
Various Court Testimony in Private Litigation matters

Specialized Appraisals Performed

Cell Towers
Marina's
Retail Developments and Strip Centers
Private Schools
Golf Courses-Private Country Clubs and Daily Fee
Eminent Domain Proceedings
Condominium Development
Small to mid size factories
Land Conservation Easement Proceedings
Subdivision Analysis and Valuation
Colleges

