

LAKE GEORGE PARK COMMISSION
PROJECT SYNOPSIS

Meeting Date April 30, 2019

| | | |
|--|---|---|
| Applicant Jabro Development, L L C | Facility Brodie's Lakeside | Parcel 226.09-1-10 Lake George |
| Application # 5222-1-19 DM MINOR | Lakefront 258 feet 3 straight, T, L, U, F or 2 E docks & 3 moorings | Location 3686 Lakeshore Dr Diamond Point |
| Date Received 01/03/2019 | SEQR type Type II, not subject to SEQRA | Comment period ends 04/13/2019 |

Project

Application has been made for a dock modification to extend the length of 4 docks beyond their authorized configurations. Variances are required.

Background

The applicants, Jon and Andrew Brodie of Jabro Development LCC, have applied for a dock modification and variances to extend legally existing, non-conforming commercial docks at Brodies Lakeside Marina, formerly the Gilchrist.

The subject facility has approximately 258' of lakefront, which by Commission regulation would allow for up to 3 docks and 3 moorings. The facility was "grandfathered" with 10 docks and 3 moorings. As such, the onsite moorings are conforming, however the number of docks exceeds the regulatory maximum for this lakefront by 7. the legally existing non-conforming dock structures may be maintained or reconfigured, however any increase to the configuration (eg. area, length, off-shore distance, etc) would require a variance.

A prior owner extended 4 of the subject docks in violation of Commission dock regulations. The prior owner executed an Order on Consent with the Commission on 4/18/2018 in recognition of the violation and settling back-due commercial dock fees (OOC LE-018-18). The applicants were aware of the violations at the time they purchased the subject property on 4/27/2018. The applicants executed an Order on Consent with the Commission on 8/22/2018 agreeing to bring the subject docks into compliance with the authorized dock configuration by 6/1/2019 (OOC LE-055-18). The appraisal utilized to price the value of the subject property in advance of the applicants purchase did not evaluate the docks as they exist in the water, but rather was accurately based on the authorized dock configuration cited in Commission records.

The applicant seeks to trade legally existing compliant moorings to maintain the above-referenced dock violations. Variance is sought from the offshore distance relative to the mean low water mark, offshore distance relative to the mean high water mark, 20' separation distance from the sideline boundary, and the number of docks.

There is no apparent jurisdiction for the Town or DEC. An APA jurisdictional determination is pending wetland analysis.

One public comment in opposition has been received from the neighbor to the south.

Regulatory Determinations

SEQRA

The project is a Type II action pursuant to Commission regulations at 645-3.6(b)

VARIANCE

The Commission must determine if the documentation presented is sufficient to prove unnecessary hardship as set forth in Section 645-8.3 Standard:

Date prepared April 16, 2019

LAKE GEORGE PARK COMMISSION
PROJECT SYNOPSIS

Meeting Date April 30, 2019

(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.

STATE OF NEW YORK: LAKE GEORGE PARK COMMISSION

Order on Consent/Stipulation

New York State 6 NYCRR

Consent Order Number LE-018-18

I Gilchrist Marina LLC

of

3686 Lake Shore Drive

(respondent)

(Street and Number)

of Lake George, NY 12845

(Name of Town, Village, City and State)

hereby agree to pay to the Lake George Park Commission of the

State of New York the sum of (\$12,923.14)

Twelve Thousand Nine Hundred

Twenty-Three Dollars and

Fourteen Cents

and agree to strictly comply

with the conditions on Schedule A which is attached here to and made a part here of, by reason of my act consisting of:

-Modify a dock w/o a permit

-Unpaid dock fees

the same being violations of Section(s) 646-1.1(a)(1) & 645-7.6(d)

of the State of New York's Rules and Regulations, 6 NYCRR, said act committed at location identified by

tax map ID

226.09-1-10

in

Town of Lake George

(section lot block)

(name of town, village, city)

County of

Warren

State of New York on or before

August 25, 1996

In so stipulating, I waive my right to a hearing in this matter.

[Signature]
Respondent's Signature*

01/05/54
Date of Birth

Receiver
Respondent's Title *

Dated: 4/18, 2018

(Month, Day)

* NOTE: If consent order/stipulation is against a corporation, the respondent must be an official, authorized, corporate representative.

This order/stipulation has been reviewed by:

Lt. Joe Johns

Director of Law Enforcement

4/18/18
Date

[Signature]
Signature

WHEREAS:

Gilchrist Marina LLC

Respondent

having violated Section

646-1.1(a)(1) & 645-7.6(d)

of the State of New York's Codes Rules and Regulations, 6 NYCRR, at the time and in the manner stated above, and having waived the right to a hearing on the violation and having offered to pay the sum of (\$12,923.14)

Twelve Thousand Nine

Hundred Twenty-

Three Dollars and

Fourteen Cents

Dollars by reason of said violation, and after due consideration having been had

therein, it appearing that this order will be advantageous to the State, now therefore.

IT IS HEREBY ORDERED, pursuant to the provisions of the Environmental Conservation Law, that the offered sum shall be paid to the Lake George Park Commission as a penalty for the violation described above and Respondent shall comply with the terms of the attached Schedule A by reason of such violation.

Date: 20 18
(month, day)

Signed: Bruce E. Young, Chairman

STATE OF NEW YORK: LAKE GEORGE PARK COMMISSION

Schedule A

New York State 6 NYCRR

Consent Order Number: **LE-018-18**

Respondent's Name: **Gilchrist Marina LLC**

Schedule A of Order on Consent/Stipulation to settle violation or the New York Environmental Conservation Law and/or State of New York's Rules and Regulations, 6 NYCRR.

The above referenced Respondent Shall:

- I** Meet the Schedule of Compliance of this Order.
- II.** Pay assessed penalty of (\$5000.00) Five Thousand Dollars, Unpaid fees on unpermitted additions to docks in the amount of (\$4187.50) Four Thousand One Hundred Eighty Seven Dollars and Fifty Cents and 2017 Unpaid dock fees and late penalties in the amount of (\$3735.64) Three Thousand Seven Hundred Thirty Five Dollars and Sixty Four Cents.

Schedule of Compliance:

On or before May 1, 2018 or upon transfer of the property, complete the following tasks:

- 1. Sign and return Order on Consent.
- 2. Pay assessed penalty of (\$5000.00) Five Thousand Dollars.
- 3. Pay unpaid commercial dock fees of (\$4187.50) Four Thousand One Hundred Eighty Seven Dollars and Fifty Cents.
- 4. Pay 2017 dock fees and penalties in the amount of (\$3735.64) Three Thousand Seven Hundred Thirty Five Dollars and Sixty Four Cents.

Total Amount Due at closing (\$12,923.14) Twelve Thousand Nine Hundred Twenty-Three Dollars and Fourteen Cents

STATE OF NEW YORK: LAKE GEORGE PARK COMMISSION

Order on Consent/Stipulation

New York State 6 NYCRR

Consent Order Number LE-055-18

I **Brodie's Lakeside Marina and Boat Rentals** of

3686 Lake Shore Drive

(respondent)

(Street and Number)

of Lake George, NY 12845 hereby agree to pay to the Lake George Park Commission of the
(Name of Town, Village, City and State)

State of New York the sum of (\$0.00) Zero and agree to strictly comply with the conditions on Schedule A which is attached here to and made a part here of, by reason of my act consisting of:

-Maintain a dock other than permitted

the same being violations of Section(s) 646-1.1(a)(2)

of the State of New York's Rules and Regulations, 6 NYCRR, said act committed at location identified by

tax map ID 226.09-1-10

in

Town of Lake George

(section lot block)

(name of town, village, city)

County of

Warren

State of New York on or before

July 1, 2018

In so stipulating, I waive my right to a hearing in this matter.



Respondent's Signature*

6/29/75

Date of Birth

Gr.M. / Owner

Respondent's Title *

Dated: 8/22/18, 2018

(Month, Day)

* NOTE: If consent order/stipulation is against a corporation, the respondent must be an official, authorized, corporate representative.

This order/stipulation has been reviewed by:

Lt. Joe Johns

Director of Law Enforcement

8/10/18

Date

Lt. Joe Johns

Signature

WHEREAS:

Brodie's Lakeside

Marina and Boat Rentals

Respondent

having violated Section 646-1.1(a)(2)

of the State of New York's Codes Rules and Regulations, 6 NYCRR, at the time and in the manner stated above, and having waived the right to a hearing on the violation and having offered to pay the sum of (\$0.00)

Zero

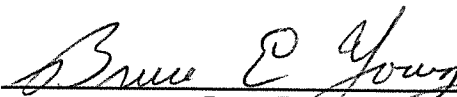
Dollars by reason of said violation, and after due consideration having been had

therein, it appearing that this order will be advantageous to the State, now therefore.

IT IS HEREBY ORDERED, pursuant to the provisions of the Environmental Conservation Law, that the offered sum shall be paid to the Lake George Park Commission as a penalty for the violation described above and Respondent shall comply with the terms of the attached Schedule A by reason of such violation.

Date: 8-28 20 18
(month, day)

Signed:



Bruce E. Young, Chairman

STATE OF NEW YORK: LAKE GEORGE PARK COMMISSION

Schedule A

New York State 6 NYCRR

Consent Order Number: **LE-055-18**

Respondent's Name: **Brodie's Lakeside Marina and Boat Rentals**

Schedule A of Order on Consent/Stipulation to settle violation of the New York Environmental Conservation Law and/or State of New York's Rules and Regulations, 6 NYCRR.

The above referenced Respondent Shall:

- I** Make, allow, or cause to be made no further modifications, additions, movements or alterations beyond Attachment 1 of this order subject to regulation by the Lake George Park Commission, at the subject property without first obtaining a permit to do so from the Commission.
- II** Agree that they shall not commit any further violations of any laws, rules or regulations pertaining to docks, wharfs, moorings and marinas at this or any other location in the Lake George Park.
- III** Permit any duly designated officer, employee, consultant, or agent of the Commission to enter upon the site for the purpose of monitoring respondent's compliance with the terms of this Order.
- IV** Meet the Schedule of Compliance of this Order.

Schedule of Compliance:

On or before August 24, 2018, complete the following tasks:

- 1. Sign and return Order on Consent.

On or before December 31, 2018, complete the following tasks:

- 1. Obtain a variance from the Lake George Park Commission to reconfigure the docks or reconstruct the docks to match the permitted configuration shown on Attachment 1 by June 1, 2019



Property Description Report For: 3686 Lakeshore Dr, Municipality of Lake George (TOV)

No Photo Available

| | |
|-----------------------------|--------------------------------|
| Status: | Active |
| Roll Section: | Taxable |
| Swis: | 522289 |
| Tax Map ID #: | 226.09-1-10 |
| Property Class: | 570 - Marina |
| Site: | RES 1 |
| In Ag. District: | No |
| Site Property Class: | 220 - 2 Family Res |
| Zoning Code: | 07 |
| Neighborhood Code: | 00203 |
| School District: | Lake George |
| Total Assessment: | 2018 - \$1,768,300 |
| Total Acreage/Size: | 1.19 |
| Land Assessment: | 2018 - \$1,376,300 |
| Full Market Value: | 2018 - \$1,943,200 |
| Equalization Rate: | ---- |
| Property Desc: | Res.&cabins Marina 50.-2-12 |
| Deed Book: | 5746 |
| Deed Page: | 234 |
| Grid East: | 708071 |
| Grid North: | 1693733 |

Area

| | | | |
|-------------------------------|---------------|----------------------------------|---------------|
| Living Area: | 3,906 sq. ft. | First Story Area: | 1,953 sq. ft. |
| Second Story Area: | 1,953 sq. ft. | Half Story Area: | 0 sq. ft. |
| Additional Story Area: | 0 sq. ft. | 3/4 Story Area: | 0 sq. ft. |
| Finished Basement: | 0 sq. ft. | Number of Stories: | 0 |
| Finished Rec Room | 0 sq. ft. | Finished Area Over Garage | 0 sq. ft. |

Structure

| | | | |
|-----------------------------|---------------|---------------------------------|--------------|
| Building Style: | Old style | Bathrooms (Full - Half): | 3 - 1 |
| Bedrooms: | 7 | Kitchens: | 2 |
| Fireplaces: | 1 | Basement Type: | Partial |
| Porch Type: | Porch-covered | Porch Area: | 108.00 |
| Basement Garage Cap: | 0 | Attached Garage Cap: | 0.00 sq. ft. |
| Overall Condition: | Normal | Overall Grade: | Average |
| Year Built: | 1940 | | |

Owners

Jabro Development, LLC
3578 Lakeshore Dr
Lake George NY 12845

Sales

| Sale Date | Price | Property Class | Sale Type | Prior Owner | Value Usable | Arms Length | Addl. Parcels | Deed Book and Page |
|-----------|-------------|----------------|-----------------|-----------------------|--------------|-------------|---------------|--------------------|
| 4/27/2018 | \$2,480,000 | 570 - Marina | Land & Building | Gilchrist Marina, LLC | Yes | Yes | No | 5746/234 |
| 4/27/2018 | \$2,480,000 | 570 - | Land & | Gilchrist | Yes | Yes | No | 5746/234 |

Marina Building Marina,
LLC

Utilities

| | | | |
|--------------------|----------|----------------------|-------------|
| Sewer Type: | Private | Water Supply: | Comm/public |
| Utilities: | Electric | Heat Type: | Electric |
| Fuel Type: | Electric | Central Air: | No |

Improvements

| Structure | Size | Grade | Condition | Year |
|--------------|----------------|---------|-----------|------|
| Porch-coverd | 6 × 18 | Economy | Normal | 1969 |
| Porch-coverd | 1,068.00 sq ft | Average | Normal | 1940 |
| Porch-coverd | 6 × 19 | Economy | Normal | 1960 |
| Porch-enclsd | 6 × 6 | Economy | Fair | 1945 |

Land Types

| Type | Size |
|-----------|------------|
| Secondary | 0.01 acres |

Special Districts for 2018

| Description | Units | Percent | Type | Value |
|----------------------------|-------|---------|------|-------|
| FP001-Fire protection no.1 | 0 | 0% | | 0 |
| IM002-Bus Improvement Dist | 0 | 30% | | 0 |
| SE001-Sewer cnty dist no 1 | 0 | 0% | | 0 |
| WT003-Diamond point water | 0 | 0% | | 0 |

Taxes

| Year | Description | Amount |
|------|-------------|-------------|
| 2018 | County | \$27,807.46 |
| 2018 | School | \$12,780.94 |
| 2017 | County | \$27,391.40 |
| 2017 | School | \$12,744.79 |

***Taxes reflect exemptions, but may not include recent changes in assessment.**

LAKE GEORGE PARK COMMISSION FILE REVIEW

Date: April 15, 2019
Owner: Jabro Development, Llc
Facility: Brodie's Lakeside
Account #: 2567
Linear Ft: 552.40 **Assoc. Slips:** 0

Town: Lake George
Parcel #: 226.09-1-10
Old #: 50-2-12
Lakefront: 258.00 **Adjusted:**
Address: 3686 Lakeshore Dr

Review of this file indicates that the total number of structures approved on this lakefront is:

10 Dock(s) 3 Mooring(s)

Notes:

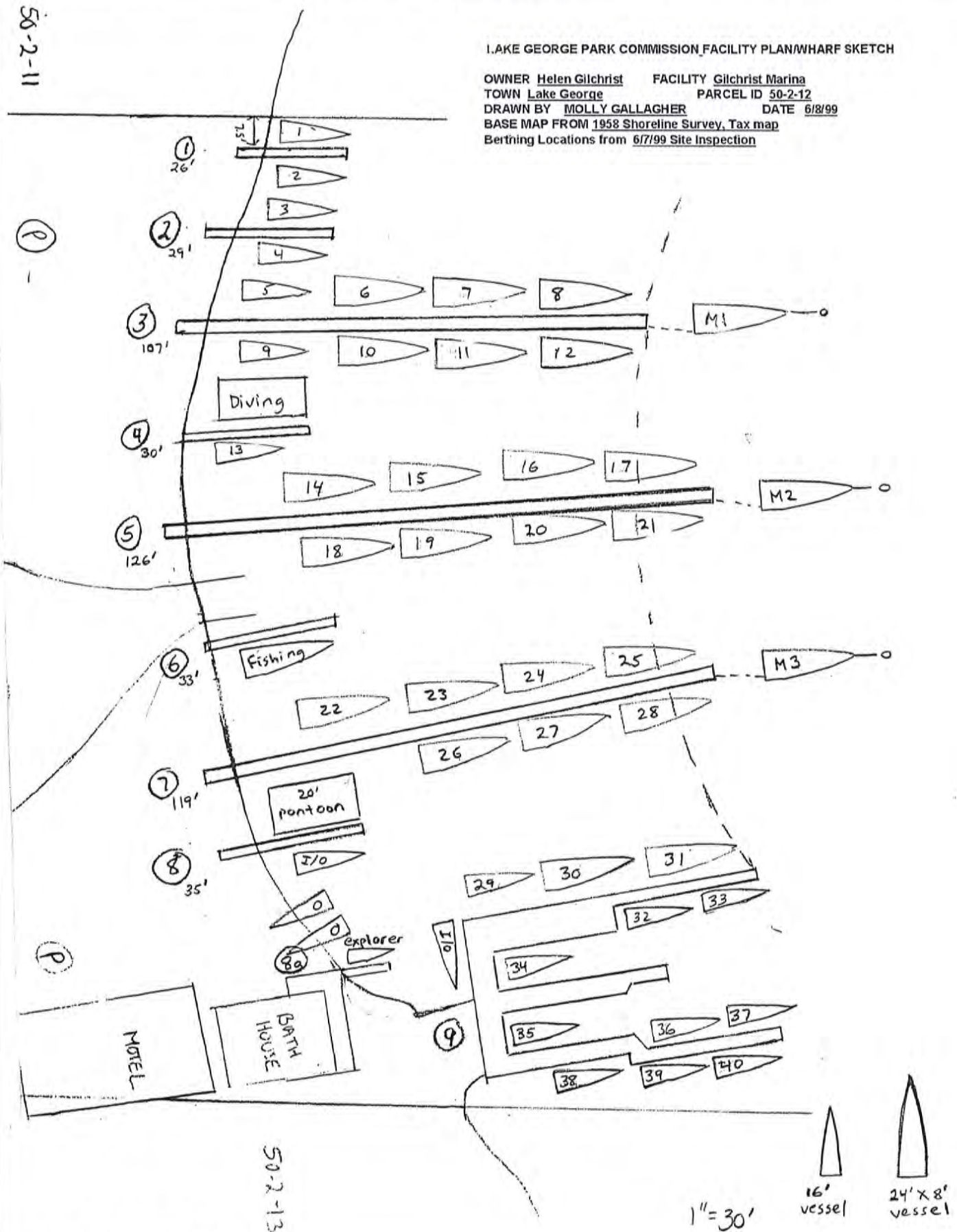
| # | D or M | length | width | shape | boat house | closed or open | articulating? | permit or reg# | supercedes |
|----|--------|--------|-------|-------|------------|----------------|---------------|----------------|------------|
| 1 | D | 26.00 | 3.00 | S | N | | .F. | 5222-6-95 | |
| 10 | D | 29.00 | 3.00 | S | N | | .F. | 5222-6-95 | |
| 2 | D | 68.00 | 38.00 | E | Y | O | .F. | 5222-6-95 | |
| 3 | D | 8.00 | 2.00 | S | N | | .F. | 5222-6-95 | |
| 4 | D | 35.00 | 3.00 | S | N | | .F. | 5222-6-95 | |
| 5 | D | 119.00 | 3.00 | S | N | | .F. | 5222-6-95 | |
| 6 | D | 33.00 | 2.00 | S | N | | .F. | 5222-6-95 | |
| 7 | D | 126.00 | 3.00 | S | N | | .F. | 5222-6-95 | |
| 8 | D | 30.00 | 2.00 | S | N | | .F. | 5222-6-95 | |
| 9 | D | 107.00 | 3.00 | S | N | | .F. | 5222-6-95 | |
| 1 | M | 0.00 | 0.00 | | | | .F. | 5222-13-01 | |
| 2 | M | 0.00 | 0.00 | | | | .F. | 5222-13-01 | |
| 3 | M | 0.00 | 0.00 | | | | .F. | 5222-13-01 | |

This review is based on a review of fee records and dock & mooring registrations and permits. The sketches, drawings and surveys associated with this FILE REVIEW have been compiled from Lake George Park Commission records of docks and moorings at the subject property for the purpose of describing the size, shape and location of all docks and location and swing of all moorings authorized at the property. This compilation is for the convenience of the Commission and the homeowner, and does not include the complete, original authorization of each structure, which may include limits not represented by the graphic representations attached to this REVIEW. Each structure should have a full document associated with it's original placement and copies of these documents are available on request. In the cases of docks, an Existing Wharf Registration (1981), a permit, or consent order should be associated with each structure. Single moorings were not required to be documented or permitted prior to 1988 so information on the location of moorings pre-dating 1988 may not be on record. Registration of moorings has been required since 1988 so that all "grandfathered" moorings are listed, whether a location is known or not. These "grandfathered" moorings must have been placed legally in the first instance and comply with offshore limits and property boundary limits in effect at the time of placement.

SCHEDULE B - WHARF & MOORING BERTHING PLAN

LAKE GEORGE PARK COMMISSION FACILITY PLAN/WHARF SKETCH

OWNER Helen Gilchrist FACILITY Gilchrist Marina
 TOWN Lake George PARCEL ID 50-2-12
 DRAWN BY MOLLY GALLAGHER DATE 6/8/99
 BASE MAP FROM 1958 Shoreline Survey, Tax map
 Berthing Locations from 6/7/99 Site Inspection





#9 / Big Island dock

| |
|--|
| LGPC Permit Number 5222-30-18 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 08/06/1996 |
| Modification or Renewal Date 05/21/2018 |
| Expiration Date 05/21/2023 |

- | | |
|---|--|
| <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 Brodie's Lakeside | | Telephone Number 518-668-2862 |
| Address of Permittee 3578 Lake Shore Drive Lake George, NY 12845 | | |
| Contact Person (if not permittee) Kirsten Burke | | Telephone Number SAME |
| Facility Name Brodie's Lakeside | | Facility Address 3686 Lakeshore Dr |
| County Warren | Town Lake George | Parcel # 226.09-1-10 |

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 5/21/18 | 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.

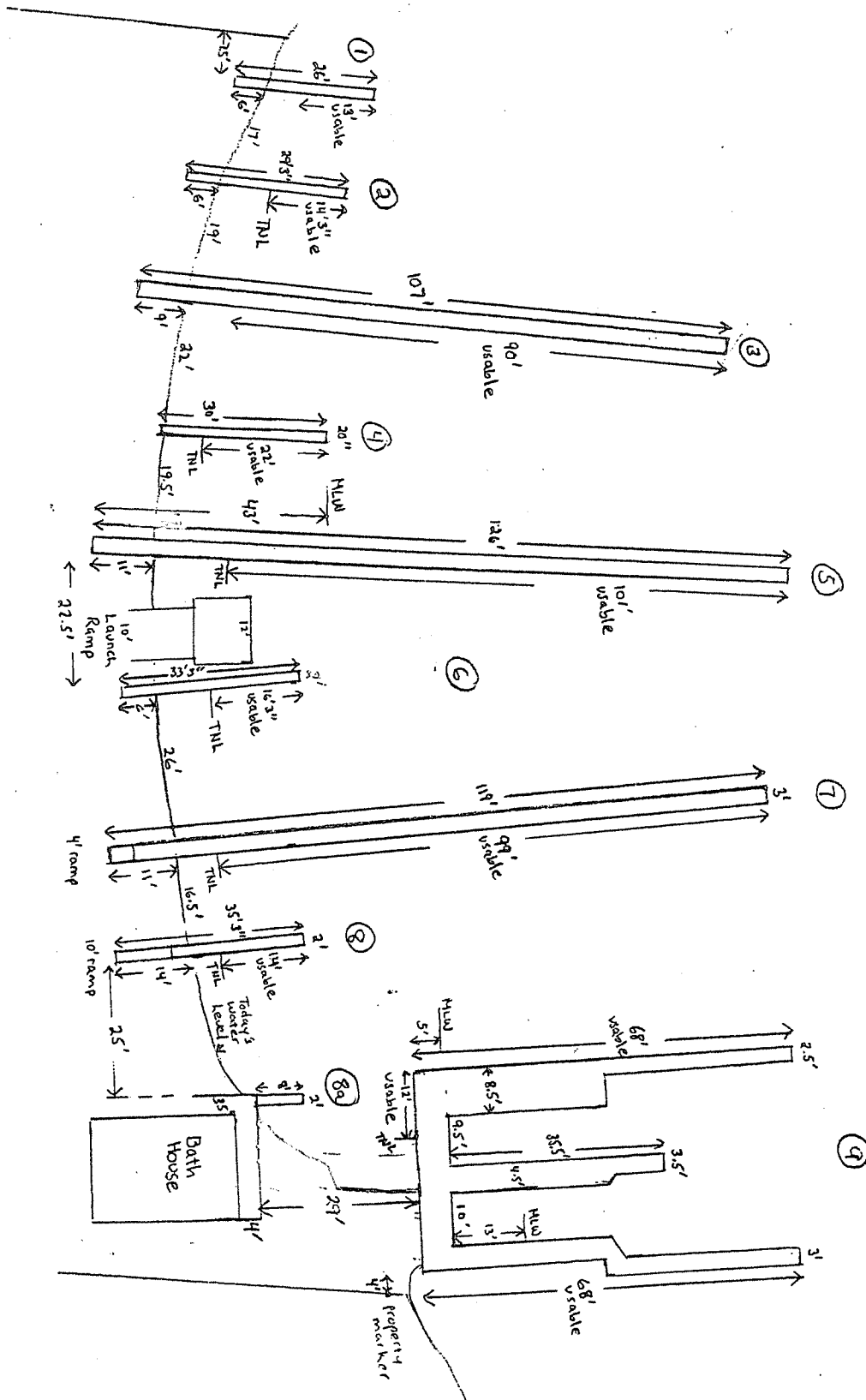
28. All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediment, fuels, solvents, lubricants, epoxy coatings, paint, concrete, leachate or any other environmentally deleterious materials associated with the operation of this facility.

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.

SCHEDULE A - MARINA DESCRIPTION

| | |
|--|---|
| Facility Brodie's Lakeside | Lakefrontage: 225 feet |
| Other Parcels | |
| Marina Description Brodie's Lakeside is located in the Diamond Point area. The marina offers seasonal berthing for up to 43 boats (40 on docks and 3 on moorings), outside winter storage for up to 50 vessels, rental of 6 motorized and 9 non-motorized vessels, two charter vessels, a public boat launch and sales and service of marine products. | |
| Authorized Marina Activities | |
| Total Seasonal Customer Berthing Spaces: 43 (40 on docks and 3 on moorings) | |
| Total Customer Winter Storage: 50 (0 indoor and 50 outdoor) | |
| Total Quick Launch: 0 (0 indoor and 0 outdoor) | |
| Rental Vessels: motorized: 6 - one 20' pontoon, one 12' explorer and 4 others, none of which shall be longer than 21'. non-motorized: 9 - six 14' canoes, two 14' rowboats, one 16' sunfish personal watercraft: 0 | |
| Tour Boats: 2 "SUPERSKIRT II" (NY REG#NY6737GP) & "HALFMOON EXPLORER" (NY REG#NY1297MG) | |
| Waterski/Tubing/Rides: No | SCUBA Instruction: No |
| Parasail: No | |
| Public Boat Launch: Yes | |
| Sales/Service: Yes | Private Boat Launch/Hoist/Rail: No |
| | Customer Parking Spaces: 70 |
| Vessel Towing: No | |
| Fuel Sales: No | Bulk Storage Permit# n/a |
| Pumpout available at: Yankee Yacht | |
| 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. | |
| LGPC Permit # 5222-30-18 | Page 4 of 7 |

SCHEDULE B - WHARF & MOORING PLAN



mooring 1

mooring 2

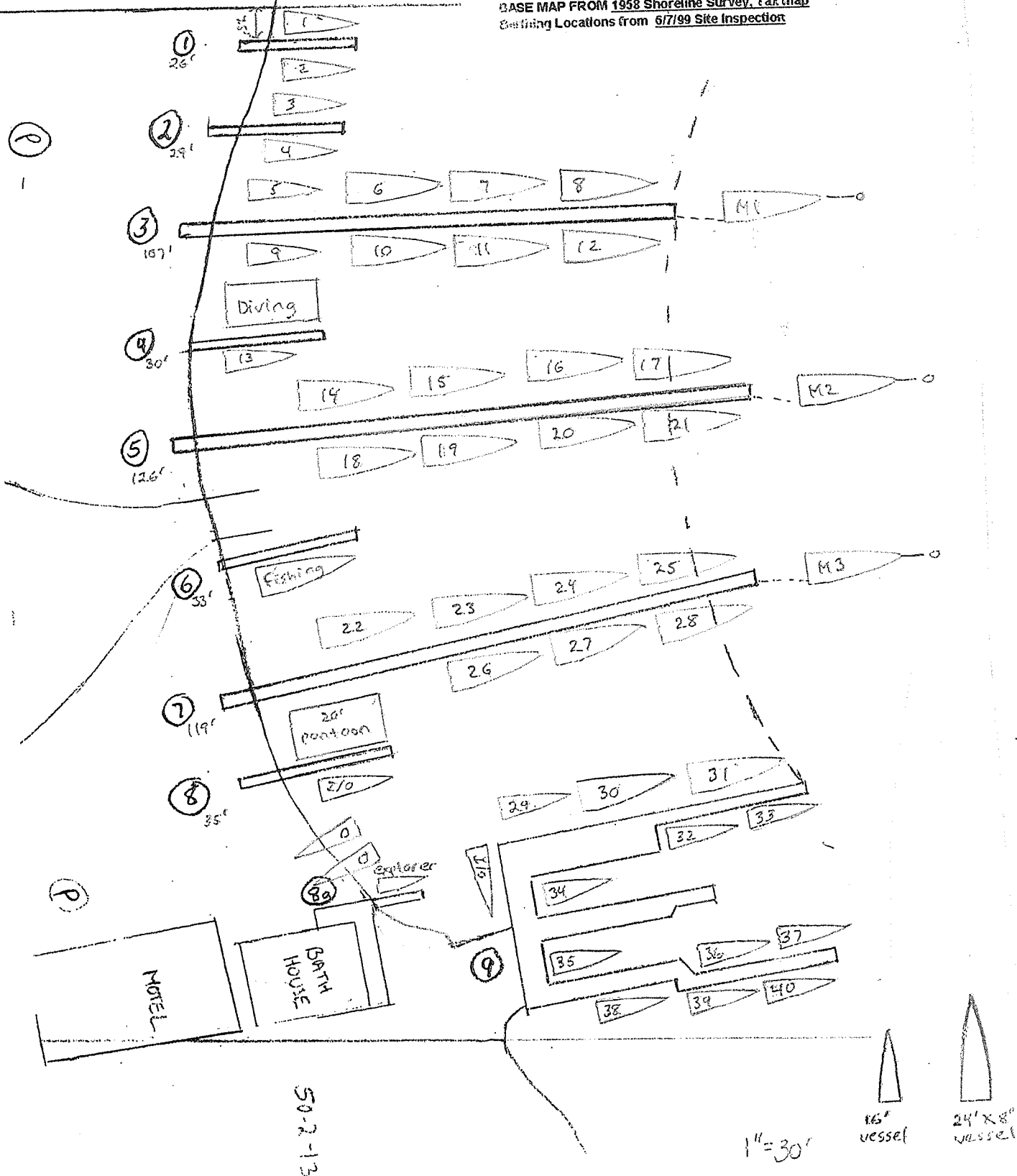
mooring 3

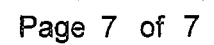
SCHEDULE B - WHARF & MOORING PLAN

50-2-11

LAKE GEORGE PARK COMMISSION FACILITY PLAN/WHARF SKETCH

OWNER Helen Gilchrist FACILITY Gilchrist Marina
 TOWN Lake George PARCEL ID 50-2-12
 DRAWN BY MOLLY GALLAGHER DATE 6/8/98
 BASE MAP FROM 1958 Shoreline Survey, Tax map
 Existing Locations from 6/7/99 Site Inspection





LAKE GEORGE PARK COMMISSION

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



PERMIT

FOR THE OPERATION OF A
CLASS A MARINA
SERVICING THE WATERS OF LAKE GEORGE
PURSUANT TO 6 NYCRR 646

| |
|--|
| PERMIT NUMBER 5222-4-96 |
| TYPE OF PERMIT <input checked="" type="checkbox"/> New <input type="checkbox"/> Renewal <input type="checkbox"/> Modification |

| |
|-----------------------------------|
| EFFECTIVE DATE August 6, 1996 |
| RENEWAL / MODIFICATION DATE |
| EXPIRATION DATE August 6, 2001 |

| | | |
|---|---------------------|------------------------------------|
| PERMIT ISSUED TO HELEN GILCHRIST | | TELEPHONE NUMBER (518) 668-4295 |
| ADDRESS OF PERMITTEE PO BOX 14, LAKESHORE DR DIAMOND POINT NY 12824 | | |
| CONTACT PERSON SAME | | TELEPHONE NUMBER SAME |
| FACILITY GILCHRIST MOTEL & MARINA | | |
| FACILITY LOCATION DIAMOND POINT | | |
| COUNTY WARREN | TOWN LAKE GEORGE | PARCEL ID NUMBER 50-2-12 |
| AUTHORIZED ACTIVITY Operate a Class A Marina in accordance with the Marina Description attached as Schedule A and made part of this permit and as conditioned herein. No construction is herein authorized. | | |

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

PERMIT ADMINISTRATOR: Michael P. White

| | |
|--------------------------|-----------------|
| AUTHORIZED SIGNATURE | DATE 8/13/96 |
| LGPC PERMIT #5222-4-96 | Page 1 of 7 |

GENERAL CONDITIONS FOR 6 NYCRR PART 646 CLASS A MARINAS**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 wharves, docks and moorings for this facility are depicted on Schedule B of this permit.

(14) The facility is subject to annual fees under Section 646-1.1(b) of this Subpart for the use of wharves, 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.

GENERAL CONDITIONS FOR 6 NYCRR PART 646 CLASS A MARINAS**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.

(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, the permittee shall, not later than 90 days from the date of issuance of this permit, develop and submit 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. 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. For the purposes of this paragraph, vessels using the services of the Class A marina shall include vessels which moor, dock or are quick launched by the marina.

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.

SPECIAL CONDITIONS**Personal Watercraft (PWC)****General**

(29) All persons operating PWC upon the waters of Lake George shall comply with the following requirements in addition to all navigational laws and other regulations of the Lake George Park Commission:

- (i) A PWC may be operated only between the hours of 8:00 a.m. to 7:00 p.m. or sunset whichever is earlier.
- (ii) No person shall operate a PWC within five hundred (500) feet from the outer boundaries of a designated swimming or mooring area.
- (iii) No person shall operate a PWC within five hundred (500) feet of shore at a speed greater than five (5) miles per hour except that such five (5) mile per hour speed limit shall not apply to a PWC operator operating at safe headway speed in a straight line to or from shore or to or from an area five hundred (500) feet from shore.
- (iv) No person shall operate a PWC on the waters of Lake George so as to knowingly annoy, disturb, injure or endanger the health, comfort, repose or peace of another person.
- (v) No person shall operate a PWC on the waters of Lake George which was manufactured on or after January 1, 1991 with an exhaust system which has been altered in any way from the original manufacturer's equipment.
- (vi) On or after January 1, 1992 no person shall operate a PWC on the waters of Lake George if such PWC produces a sound level greater than that of the original manufacturers specifications for that PWC, but in no event shall a PWC operate on the waters of Lake George if such PWC exceeds the sound limits set forth in Section 646-2.8 of this Title.

(30) Accidents involving PWC shall be reported in writing by the owner or operator to the Commission or other law enforcement agency within forty-eight (48) hours after such accident.

PWC Rentals

(31) All Class A marina owners or operators engaged in the rental of personal watercraft (PWC) as that term is defined in Section 646- 2.3 (a) (3) of 6 NYCRR upon the waters of Lake George shall in addition to the regulations governing PWC contained in Subpart 646-2 of 6 NYCRR Title comply with the following regulations:

- (i) The owner or operator of a PWC shall ensure that prior to operation all users of PWC have read the rules and regulations governing their operation as contained in this Subpart, as well as Subpart 646-2 of this Title. All users shall sign a form prepared by the owner or operator that indicates the user has read said rules and regulations. The owner or operator shall maintain written records that the above requirements have been complied with. The records are subject to inspection by the Commission upon reasonable notice.
- (ii) If the PWC is part of a rental fleet or group of PWCs, a tour guide shall operate a vessel with the fleet or group.
- (iii) A fleet or group shall not consist of more than six (6) PWC. The tour guide shall guide the operations and behavior of the fleet or group. The tour guide shall not be in charge of more than one (1) fleet or group at any time.

Moorings

(32) No part of any vessel attached to a mooring at this site shall extend beyond 100 feet from the mean high water mark.

SCHEDULE A

MARINA DESCRIPTION

FACILITY: GILCHRIST MOTEL & MARINA

LAKEFRONT: 225 FEET

NON-LAKEFRONT PARCELS: NONE

CUSTOMER BERTHING SPACES: 49

ON DOCKS: 46

ON MOORINGS: 3

CUSTOMER PARKING SPACES: 70

TOTAL WINTER BOAT STORAGE: 50

INDOOR: 0

TRAILERED: 50

TOTAL QUICK LAUNCH: 6

INDOOR: 0

OUTDOOR: 6

TOTAL RENTAL VESSELS (does not include pwc's): 6

MOTORIZED: 0

NON-MOTORIZED: 6

RENTAL PERSONAL WATERCRAFT (PWC): 4

TOUR BOATS: 0

CHARTER VESSELS: 0

PARASAIL: 0

SCUBA: NO

WATERSKIING: NO

RIDES: 0

BOAT LAUNCH/RAIL/HOIST: YES

PUBLIC/PRIVATE: PUBLIC

BOAT/MARINE PRODUCTS SALES: YES

SERVICE/REPAIRS: YES

FUEL SALES: NO

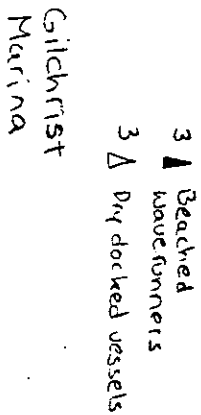
PETROLEUM STORAGE ON SITE: NO

DEC BULK STORAGE PERMIT #: N/A

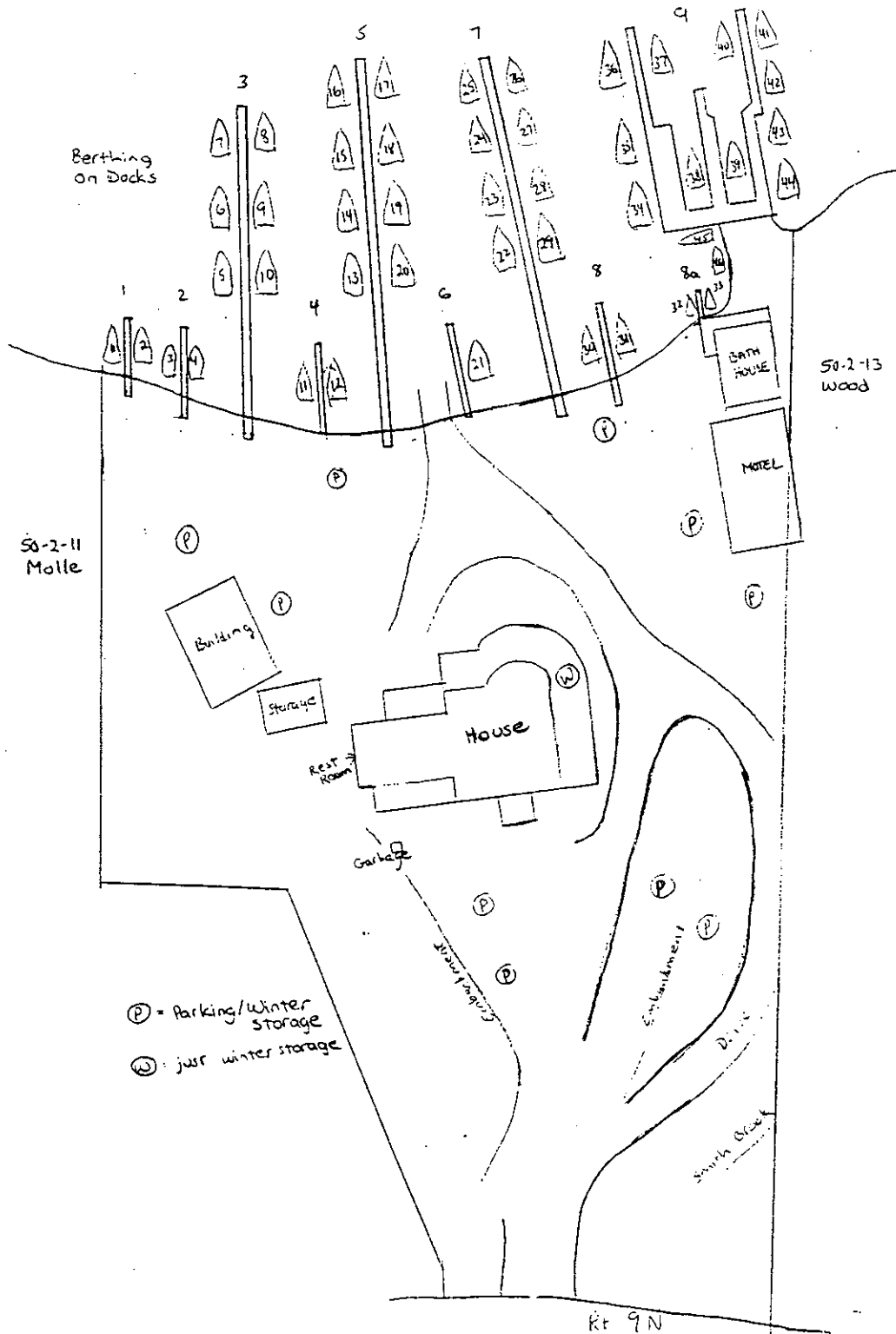
PUMP-OUT AVAILABLE AT: Castaway Marina

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.

COMMENTS:



SCHEDULE C - FACILITY PLAN





LAKE GEORGE PARK COMMISSION

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

CARL R. DE SANTIS
Chairman

MICHAEL P. WHITE
Executive Director

February 27, 1995

Helen Gilchrist
5944 SW 1st Ave
Cape Coral FL 33904

Registration #: 5222-6-95
Parcel ID #: 50-2-12, Town of Lake George

REGISTRATION OF EXISTING WHARF

Dear Mrs. Gilchrist:

Upon review of your files we noted that the Existing Wharf Registration submitted in 1981 was apparently never issued by the Department of Environmental Conservation as was customary. The Commission presently administers the registration process.

Based on the record provided to the Commission, it has been determined that the wharfs as shown on Attachment A were present on the site on or about July 3, 1981. Accordingly, the registration has been issued this date. Please keep these documents in a secure place.

Attachment A of the enclosed Registration of Existing Wharf is the plan for all authorized wharfs/docks/piers and walkways at the subject facility. The authorized structures may be repaired or replaced *in-kind* without further approvals or permits. Seasonal structures depicted may be removed and re-installed each year. However, construction which results in any modification, alteration, relocation, enlargement or increase in size of the structures or work below the mean high water level, such as crib repair, requires a permit from the Commission.

If you should have any questions, please feel free to contact us.

Sincerely,

Molly Gallagher
Environmental Analyst

95MISC:GILCHRIS.REW
enclosure

cc: Town Supervisor

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: Gilchrist Motel

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

3. Name: Mrs. Helen Gilchrist
Address: Lake Shore Drive, P.O. Box 14
Post Office Diamond Point, NY 12824
Telephone Number:
Home: 668-2028
Business: 668-2028

4. Project Location: Diamond Point
City or Village Lake George
Town Lake George County Warren
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.)

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 1968

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.

October 19, 1981

Date

Helen Gilchrist
Signature

CERTIFICATE OF REGISTRATION

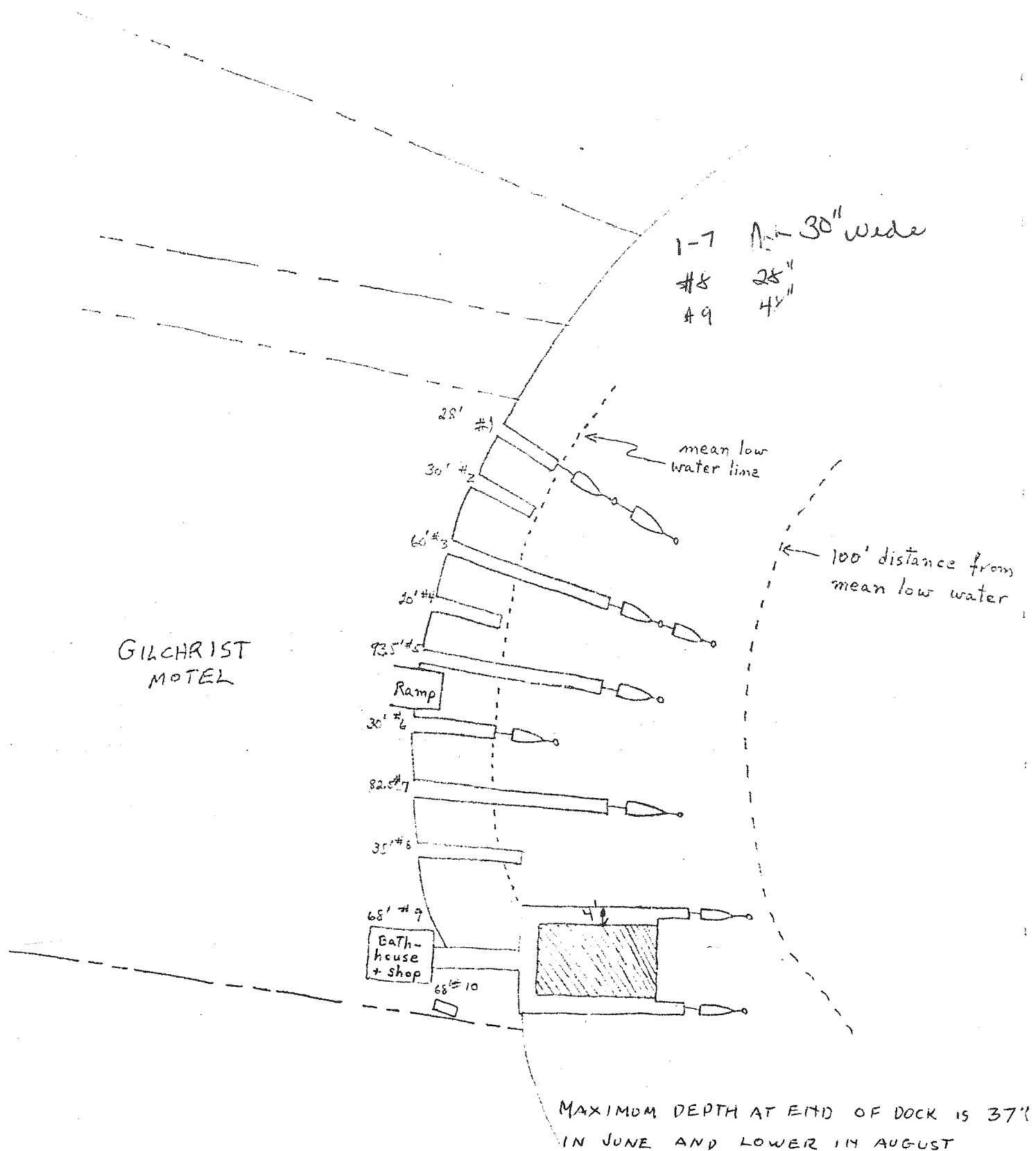
The wharf(s) described herein and shown on Attachment A meet the requirements to qualify as a pre-existing structure and no permit is required to re-install or maintain the existing structure. A permit is required to alter the size, shape or location of the wharf or for any work done below mean high water level. This wharf is subject to annual registration requirements and payment of annual fees.

Michael P. White
Permit Administrator - Lake George Park Commission

3/2/95
Date

LGPC Registration 5222-6-95

ATTACHMENT A





#7

#8



#9

/ Big ^{partly} covered docks



#2

#1

Gilchrist Motel



#5

#6

Gilchrist Motel



#3

#4

Gilchrist Motel

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BUREAU OF FOREST RECREATION
ALBANY, NEW YORK 12201

Permit No. FO 8-75-23

Revocable permit issued pursuant to the provisions of Section 35-a of the Navigation Law, which authorizes the placing of the following floating objects in the navigable waters of the state.

| | | | |
|----------------------------------|--|-----------------------------------|-------------|
| 1. NAME AND ADDRESS OF PERMITTEE | | 2. DESCRIPTION OF FLOATING OBJECT | |
| Paul R. Gilchrist | | Type of Floating Object | Waterway |
| Street Address | | Nine Mooring Buoys | Lake George |
| RTE 9N | | Location of Floating Object | County: |
| Post Office | | Town: | Warren |
| State | | Lake George | |
| Zip Code | | PURPOSE FOR FLOATING OBJECT | |
| Diamond Point, New York 12824 | | For Mooring Sailboats | |

Permission is granted to the above named permittee to place the floating object(s) described above in accordance with the drawing and map accompanying the application, a copy of which is on file in this office and which forms a part of this permit, subject to the following conditions:

1. The permission granted under this permit shall not be construed to convey any property rights, either in real estate or material, or any exclusive privilege, nor authorize any invasion of private rights, or any infringement of Federal, State, or Local Laws or Regulations, but shall express the assent of the State insofar as it concerns the public rights of Navigation.
2. The furnishing, placing, maintaining, or removal of such floating objects upon termination of this permit, shall be without expense to the State.
3. The floating objects authorized shall be kept in repair and in serviceable condition at all times.
4. The floating objects authorized shall have the letters "DEC" plus permit number affixed, such letters to be of 1 inch block character and of good contrast to background to which affixed.
5. Section 35-a of the Navigation Law and applicable rules and regulations of the Department of Environmental Conservation shall form a part of this permit.
6. The permittee agrees not to assign or transfer this permit without the written consent of the Commissioner, Department of Environmental Conservation.
7. This permit shall not become effective, nor shall any work contemplated in the application become authorized until signed by the Commissioner, Department of Environmental Conservation, or his authorized representative.
8. The said permittee shall be responsible for all damages resulting in bodily injury, including death, and/or property damage liability due to the installation, maintenance, use or existence of any facility of the permittee which arises out of the activities of the permittee, its contractors, subcontractors of either or both, agents, representatives or employees in connection with any act or omission hereunder; and does hereby expressly agree to indemnify and save harmless the State and/or the Department of Environmental Conservation, and its representatives and employees from claims, suits, action, damages and cost of every name and description, arising out of or resulting from any act or omission hereunder and arising out of the existence, maintenance, installation or use of the said buoy or floating object or objects authorized to be placed pursuant to the terms of this permit.
9. Specific Data Pertaining to the Authorized Floating Objects:

The letters DEC plus the permit number (75-23) shall be painted on at least two buoys. Located more distant from shore and displayed in a manner visible to the Lake Patrol boats.

ACCEPTANCE OF PERMIT

The undersigned accepts the foregoing revocable permit and agrees to comply faithfully with all the terms and conditions thereof.

Diamond Point
Address

New York,

July 29

Date

19 75.

Paul R. Gilchrist
Signature of Permittee

IN TESTIMONY WHEREOF, the undersigned has hereunto set its hand at Albany, New York, on this

24 day of

August

19 75

[Signature]
Director, Division of Lands and Forests

FO 8-75-23
9 buoys

HAROLD Y & JANE T BAIN
May 23, 1961
Book 478 Page 205

FLORENCE BROWN
May 23, 1961
Book 478 Page 205

Mean low
water line

N

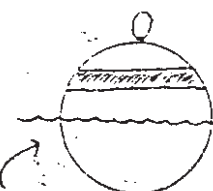
100' distance

Launching
ramp

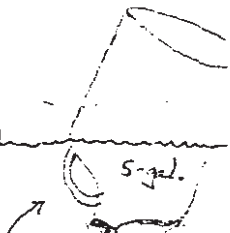
May 31, 1963 Gilchrist

Book 494 Page 473

Klein



Standard
styrofoam mooring
buoy



large, self-buoyant
container, not buoyed
by contained air.

FEB 26 2019



Lake George Park Commission

 New York
Lake George

75 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

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: _____ (check or money order only)

 1. OWNER ☒ Mr. ☐ Mrs. ☐ Ms. ☐ Dr. ☐ INDIVIDUAL ☐ PARTNERSHIP ☐ ASSOCIATION
☒ CORPORATION ☐ MUNICIPALITY ☐ AGENCY

 NAME Jabra Development LLC EMAIL Jon@yankeebot.com

 CONTACT PERSON IF OWNER IS NOT AN INDIVIDUAL Jon Brodie

 MAILING ADDRESS 3686 Lakeshore Drive

 CITY Lake George STATE NY ZIP CODE 12845 PHONE 518-668-2862

** 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 Jon Brodie / Andrew Brodie EMAIL Jon@yankeebot.com

 COMPANY Jabra Development LLC andrew@yankeebot.com

 MAILING ADDRESS 3578 Lakeshore Dr.

 CITY Lake George STATE NY ZIP CODE 12845 PHONE 518-668-2862

3. CONTRACTOR (If known)

 NAME Unknown EMAIL _____

COMPANY _____

 MAILING ADDRESS N/A

CITY _____ STATE _____ ZIP CODE _____ PHONE _____

4. PROJECT LOCATION

 TOWN ☐ TICONDEROGA ☐ DRESDEN SECTION 226.09 BLOCK 1 LOT 10
☐ FORT ANN ☐ HAGUE

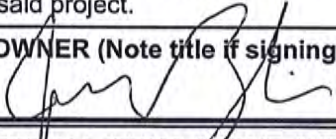
☒ LAKE GEORGE ☐ PUTNAM STREET Lakeshore Drive (Route 9N)
☐ QUEENSBURY ☐ BOLTON

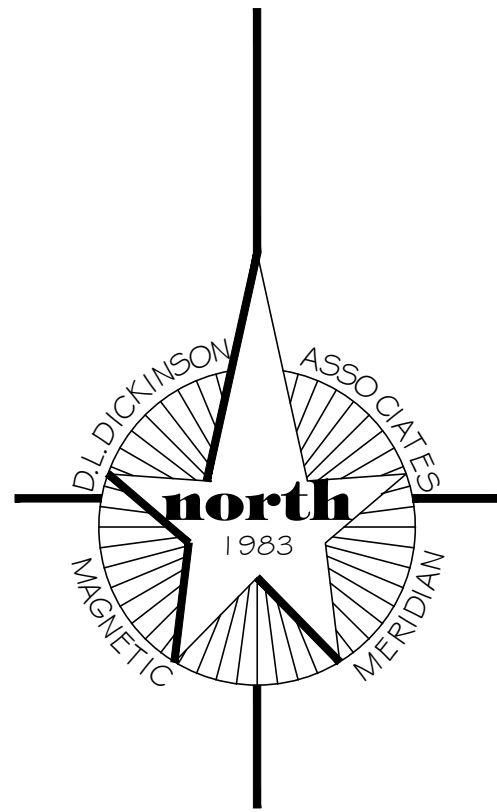
 LAKE FRONTAGE 258 feet NUMBER OF WHARFS AND MOORINGS CURRENTLY ON PROPERTY
 according to ☐ Tax Map ☒ Survey (attach copy) _____ DOCKS 3 MOORINGS (Please fill in a number or 0 for each)

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

5. PROJECT DESCRIPTION

 PROJECT DESCRIPTION Seek variance for Pre-Existing Non Complain
Docks

| | | | | | |
|--|--|---|---|--------------------------------------|---------------------------------------|
| PROPOSED USE | | <input type="checkbox"/> RESIDENTIAL | <input checked="" type="checkbox"/> COMMERCIAL | <input type="checkbox"/> ASSOCIATION | <input type="checkbox"/> PUBLIC |
| TYPE OF CONSTRUCTION | | <input checked="" type="checkbox"/> STAKE | <input checked="" type="checkbox"/> CRIB | <input 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>N/A</u> | | PROPOSED COMPLETION DATE | |
| | | <u>N/A</u> | | | |
| IS ANY PORTION OF THIS ACTIVITY FOR WHICH A PERMIT IS SOUGHT NOW BEGUN OR COMPLETED? | | | | | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (if yes, please explain) <u>Pre-Existing docks</u> | | | | | |
| 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 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>Lake George Suites, LLC</u> | | | NAME <u>Pamela Molle</u> | | |
| TAX MAP # <u>226.09-1-11</u> | | | TAX MAP # <u>226.09-1-9</u> | | |
| MAILING ADDRESS <u>3678 Lakeshore Dr.</u> <u>Lake George, NY 12845</u> | | | MAILING ADDRESS <u>3690 Lakeshore Dr.</u> <u>Lake George NY 12845</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>2/27/19</u> |
| PLEASE COMPLETE ALL ITEMS ABOVE AND INCLUDE WITH THIS FORM: | | | | | |
| <input type="checkbox"/> Application fee <input type="checkbox"/> Site location map <input 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 | | | | | |
| <p><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></p> | | | | | |



Map References:

Map Of A Survey Of Lands Of
Capital Region Properties, LLC
Dated: 22 July 2005
Last Revised: 21 September 2005
By: D.L. Dickinson Associates

Map Of A Survey For
"Molle Camp"
Dated: 3 November 2004
By: D.L. Dickinson Associates

Deed Reference:

Gilchrest Marina LLC
To
Jabro Development, LLC
Dated: 27 April 2018
Book 5746 Page 234

Mapping Notes:

Only title surveys bearing the maker's embossed seal should be relied upon since other than embossed-seal copies may contain unauthorized and undetectable modifications, deletions, additions, and changes.

Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division2, of the New York State Education Law.

This survey was performed without the benefit of an updated abstract of title and is therefore subject to any state of facts one might provide.

LAKE
GEORGE

Lake Elevation 7-30-18 = 319.7±

Map

of a survey for

Jabro Development, LLC

Situate in
Town of Lake George County of Warren
State of New York
Scale: 1" = 20' feet Date: 30 July 2018

Surveyed and Map by
D.L. Dickinson
ASSOCIATES
Surveyors/Engineers
LAKE GEORGE, NEW YORK 12845

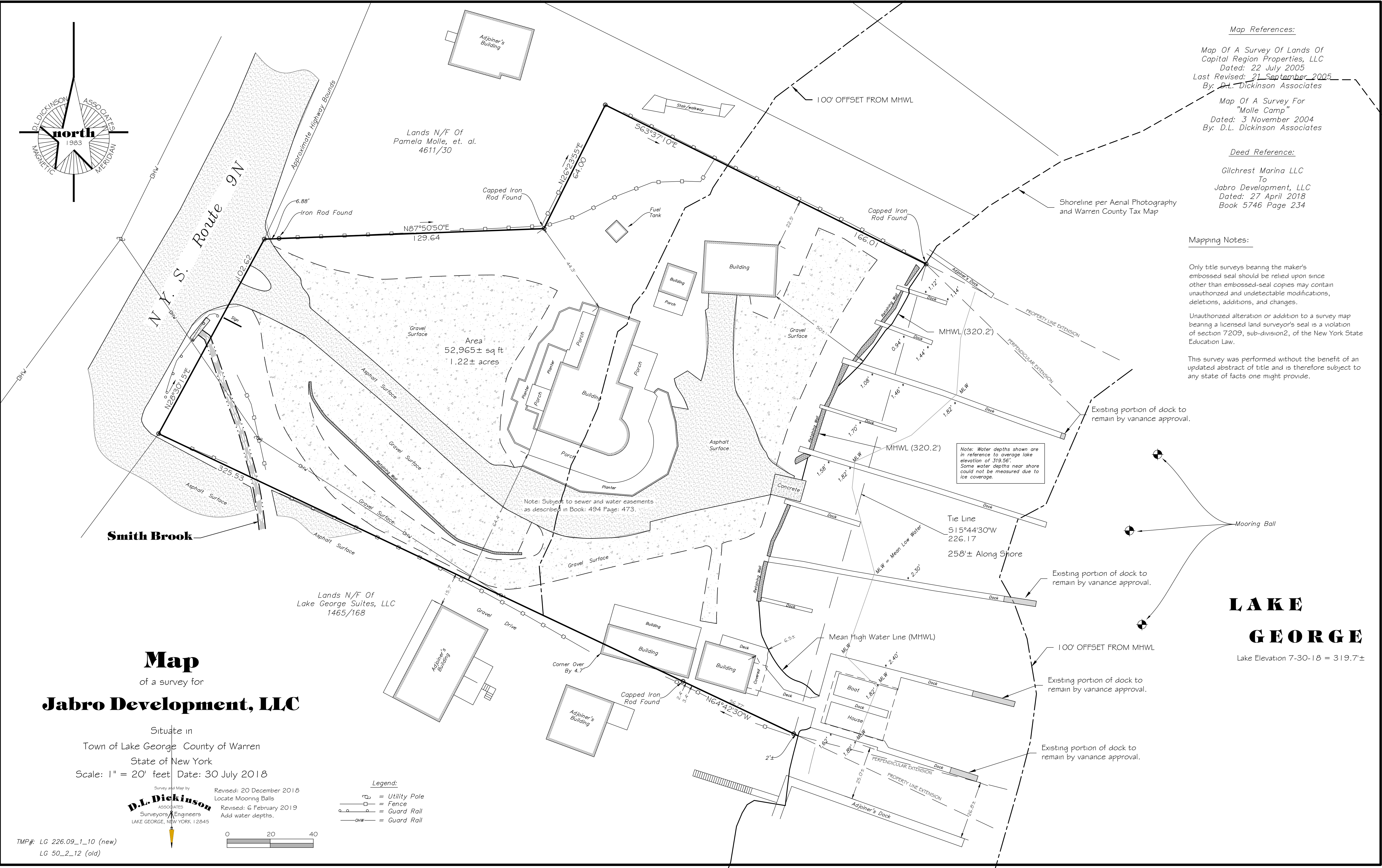
Revised: 20 December 2018
Locate Mooring Balls
Revised: 6 February 2019
Add water depths.

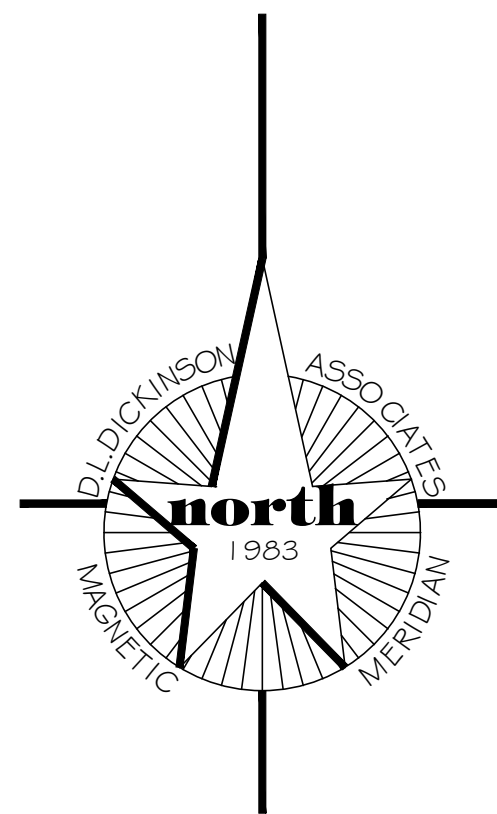
Legend:

- Utility Pole
- Fence
- Guard Rail
- Guard Rail



TMP#: LG 226.09_1_10 (new)
LG 50_2_12 (old)





Smith Brook

Map

showing an alternative dock layout for

Jabro Development, LLC

Situate in

Town of Lake George County of Warren

State of New York

Scale: 1" = 20' feet Date: 30 July 2018

Survey and Map by
D.L. Dickinson
ASSOCIATES
Surveyors & Engineers
LAKE GEORGE, NEW YORK 12845

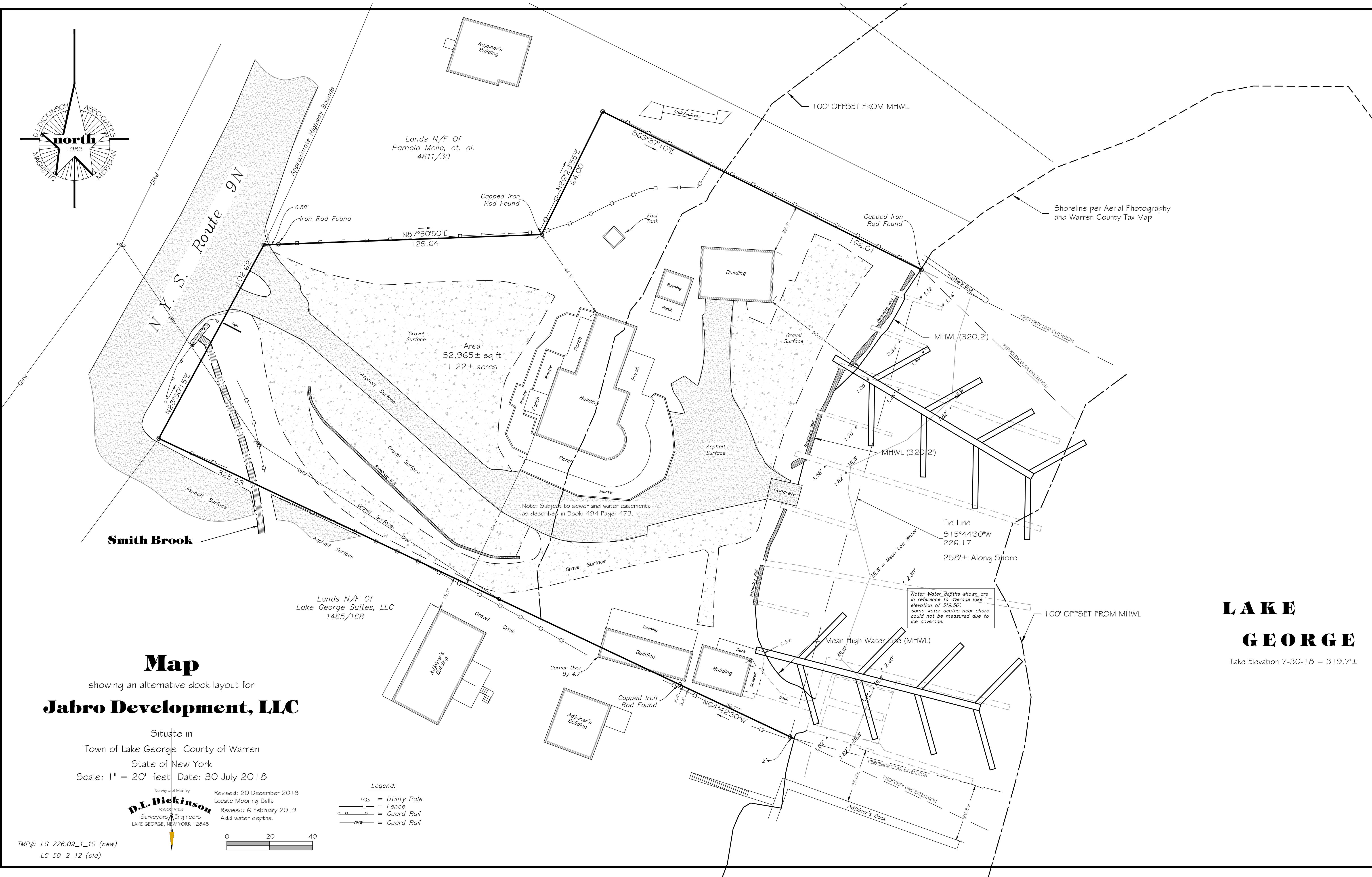
Revised: 20 December 2018
Locate Mooring Balls
Revised: 6 February 2019
Add water depths.

Legend:

- Utility Pole
- Fence
- Guard Rail
- Guard Rail



TMP#: LG 226.09_1_10 (new)
LG 50_2_12 (old)



LAKE GEORGE

Lake Elevation 7-30-18 = 319.7±



pd. 50.00
pdw

JAN 03 2019

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

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 JABRO Development LLC

2. PERSON FILLING OUT THIS FORM Andrew Brodie 518-339-4566

3. FACILITY Brodie's Lakeside 3686 Lk. Shore Dr., Lake George, NY

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

5. VARIANCE SOUGHT FROM:

- | | | |
|---|---|---|
| <input type="checkbox"/> Property line setbacks | <input type="checkbox"/> Off-shore distance | <input checked="" 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

To remove 3 moorings from permit and add existing docks that are in non-compliance.

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.)

See Attachment

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?

See Attachment

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

See Attachment

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.

See Attach.

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

See Attach.

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?

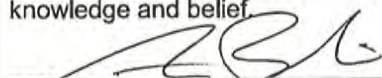
See Attach.

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?

See Attach.

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.



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

1/3/18
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.

FEB 26 2019



LGPC Wharf Variance Request – Attachment A

7 – Alternatives:

Removal of all Pre-Existing Non-Compliant Docks: This solution presents a number of hardships and burdens on the applicant. Reconfigure: a reconfiguration alternative (see attached alternative dock plan) will result in fewer available slips at a high cost of demolition, dredging and construction. Estimated to exceed \$300,000.

8/9 – Unique Circumstances & Financial Hardship:

The purchase of Gilchrist Marina by JABRO Development occurred as a distressed sale through the court system. A court ordered minimum sale price and the settled purchase price was based off of a court mandated appraisal of the property. This appraisal was made without knowledge of the 50' of non-compliant docks and used income methods that assumed revenue based off of these non-compliant docks. With a potential loss of the only 6 dock slips that have adequate depth for a cruiser or any size inboard boat, this represents a potential annual income loss of \$32,760 (6 boats @ \$210/ft). The parties went under contract assuming the validity of this appraisal in October 2017. Disclosure of the Park Commission's notice of non-compliance was never made at any time by any of the knowledgeable parties which owned Gilchrist Marina to the purchasers (JABRO), or to any officials of the court handling the sale. Discovery of the non-compliant docks was made by the purchasers through inquiry shortly before the property closing and roughly a half a year after they were under contractual agreement with the sellers. Due to the sale being administered by the court, the purchase price was not renegotiable.

Financial plans to rehabilitate and restore the ageing property were also based off a Profit and Loss analysis by JABRO assuming revenue from these docks. If these docks were removed then clean up and rehabilitation of the property would be delayed by years. For instance, the cost of tearing up the asphalt between the house and the lake, replacing with grass and installing shoreline rain gardens of native plants starts at around \$30,000, roughly the loss of income from these 6 docks. Removing the non-compliant docks would increase our cost of operation and decrease our revenue that was used in planning, leaving little to no margin for reinvestment in the property.

The property is also adjacent to the outlet of Smith Brook and the docks sit right in its delta. In the decades that have passed since these docks have been in place sediment has built up so that the slips closest to the shoreline no longer hold the commercial value that they did 2 decades ago. See attached dock plans for MLW and depths near shore. They are too shallow (0.95' to 1.8') to rent seasonally except to jet-skis and smaller craft which pay far less per ft. of leased dock space (\$62/ft for a jetski VS \$190/ft for an I/O). Use of these slips is not an alternative to the loss of the slips on the end of the docks without extensive dredging of over 250' of shoreline, presenting another financial hardship on the owners.

10/11 – Reasonable Return

The Gilchrist Property has been in visible neglect for some years and requires extensive work to restore it to a condition that contributes, rather than detracts, from the character of the park and our lake community. The main house has serious structural issues and decades of neglected

maintenance, the motel unit is currently not in a state fit to rent to the public, for both structural and sanitary reasons, the grounds were covered in rubbish and waste (6 large containers full), waste engine oil was left in abundance in the garage, an illegal fuel tank was plumbed with rubber house onto the neighbor's property, under the motel unit and along the side of the bath house to a distribution pump with cigarette butts littered next to it, uncapped live electrical wires were sticking out of walls and arcing, the bath house was rotting from the ground up and about to fall over, an 8' tall wooden retaining wall was rotten and collapsed shortly after the purchase. JABRO fully intends to rehabilitate the property so that it will be safe, contribute to the local economy and benefit the character of the park, but the list of repairs and work necessary to achieve that end is costly and extensive. Work that we are planning on and have already begun in some cases and their estimated costs are: restoring the interior and exterior of the main house (\$310,000); motel structural repairs (\$55,000); motel unit rehabilitation (\$90,000); landscaping the property including removal of asphalt and installation of a lawn between the house and lake, plantings and shoreline buffer installations to reduce stormwater and pollutant flows into the lake, patios, removal of weeds and overgrowth (\$70,000); bath house restoration (\$25,000); replace collapsed retaining wall (\$15,000); removal of all rubbish and debris from property grounds and buildings (\$5,000); repair of docks to be structurally sound, safe and aesthetically attractive (\$75,000); repair of any non-compliant and imminently dangerous electrical wiring (\$5,500); safe removal and disposal of any illegal petroleum products and plumbing left stored on the property (\$2,500). Said and done we are looking at well over \$500,000 additional investment in the property to restore it aesthetically, make it safe and sound and return it to its full commercial capacity with the motel unit, the docks and the main house all generating seasonal revenue and contributing to the property and sales tax base, the employment roles and the character of our park and community. Removal of the docks will remove most of the deep water, and most profitable slips at the marina, greatly hindering our resources available to restore the property so that it contributes to the character, economy, resources and environment of the Lake George Park.

12 – Adverse Impacts

The applicants contend that the proposed solution will have only beneficial impacts to the public health, safety and welfare, the environment and the resources to the park for a number of reasons. 1) Our intention is to use the dock slips to help sell new boats onto the lake. We are approached regularly by people who wish to purchase new boats in the winter and spring but will not, or can not, do so unless they can secure a dock slip which is difficult. By filling the marina with newer boats we are essentially ensuring that older boats that are much much less efficient and emit far more petroleum waste into the lake are replaced by newer boats that comply with modern fuel efficiency standards and do not leak oils into the lake. 2) Also, since we are asking for the removal of 3 moorings from the permit we will be reducing the amount of potential boats using the marina and lake by 3 boats. This will reduce the number of boats emitting exhaust and pollutants into the lake and air, and also using the parks resources than in the past. 3) JABRO/Yankee's management of the marina has already contributed and will continue to contribute to improving the public health, safety and welfare, the environment and the resources of the park. A list of actions we have already taken in this regard includes:

Removing a dock customer who had been operating an illegal PV boat; replacing rotten docks that were a safety hazard; making electrical repairs to the docks to address safety concerns; installing solar lighting on docks to assist in night time navigation and pedestrian safety; removing the sign from the middle of the drive entrance to the side to help traffic flow that would regularly backup traffic on 9N in the past; removing construction containers full of rubbish that had littered the grounds; removing waste oil containers from property; removing a highly illegal and dangerous gasoline dispensing operation from the property, making structural repairs to bath house building which was on the verge of collapse and replacing a 6' high retaining wall which collapsed shortly after purchasing.

13 – Character and Congestion

The arguments that have been made above already address how this project and all of our efforts in restoring the property will benefit the character of the area and congestion in the park. This project aims to remove the moorings from the permit which will remove three (3) navigational obstructions located 155'-175' off the shoreline in a busy bay with both commercial and residential properties. Removal of the three (3) moorings also reduces the number of boats using the marina facilities and the park, further reducing park congestion. By allowing the marina to alter it's permit and maintain the use of the non-compliant docks and remove the three (3) permitted moorings it allows for the marina to further invest and accelerate the rehabilitation of the property including landscaping improvements which will reduce stormwater flows into the lake significantly.

GILCHRIST INCOME SHEET P&L 2019 w/ existing dock configuration

ANNUAL REVENUE

| | | | |
|------------------|------------------------|--------------|---|
| BOAT RENTALS | 6 BOATS X \$12.5K/BOAT | \$75,000.00 | |
| DOCKS END - DEEP | 8 X 26' X \$210/FT | \$42,000.00 | |
| DOCKS INSIDE | 26 X 23' X \$190/FT | \$104,880.00 | |
| HOUSE | | \$48,000.00 | AFTER RENOVATIONS ARE COMPLETED IN 2019 |
| HOUSE 2 | | | SUBJECT TO FUNDING |
| MOTEL UNIT | | | SUBJECT TO FUNDING |
| STORAGE | | \$18,000.00 | |

SUB TOTAL \$287,880.00

ANNUAL COSTS

| | |
|-----------------------------------|--------------|
| TAXES | \$28,000.00 |
| PAYROLL | \$40,000.00 |
| MANAGEMENT | \$15,000.00 |
| INSURANCE | \$10,000.00 |
| UTILITIES | \$5,000.00 |
| SEPTIC | \$2,500.00 |
| HOUSEKEEPING | \$7,500.00 |
| PROPERTY MAINTENANCE | \$30,000.00 |
| WASTE | \$2,500.00 |
| MORTGAGE INTEREST | \$111,000.00 |
| OVERHEAD (ACCT, LEG, OFFICE, ETC) | \$10,000.00 |
| RENTAL DEPRECIATION | \$39,000.00 |
| MARKETING | \$10,000.00 |

SUB TOTAL \$310,500.00

GROSS -\$22,620.00

GM% -8%

FEB 26 2019

New York
General

GILCHRIST INCOME SHEET P&L 2019

After loss of docks

ANNUAL REVENUE

| | | | |
|------------------|------------------------|--------------|---|
| BOAT RENTALS | 6 BOATS X \$12.5K/BOAT | \$75,000.00 | |
| DOCKS END - DEEP | 2 X 26' X \$210/FT | \$10,500.00 | AFTER LOSS OF SLIPS |
| DOCKS INSIDE | 24 X 23' X \$190/FT | \$104,880.00 | |
| HOUSE | | \$48,000.00 | AFTER RENOVATIONS ARE COMPLETED IN 2019 |
| HOUSE 2 | | | SUBJECT TO FUNDING |
| MOTEL UNIT | | | SUBJECT TO FUNDING |
| STORAGE | | \$18,000.00 | |

SUB TOTAL \$256,380.00

ANNUAL COSTS

| | |
|-----------------------------------|--------------|
| TAXES | \$28,000.00 |
| PAYROLL | \$40,000.00 |
| MANAGEMENT | \$15,000.00 |
| INSURANCE | \$10,000.00 |
| UTILITIES | \$5,000.00 |
| SEPTIC | \$2,500.00 |
| HOUSEKEEPING | \$7,500.00 |
| PROPERTY MAINTENANCE | \$30,000.00 |
| WASTE | \$2,500.00 |
| MORTGAGE INTEREST | \$111,000.00 |
| OVERHEAD (ACCT, LEG, OFFICE, ETC) | \$10,000.00 |
| RENTAL DEPRECIATION | \$39,000.00 |
| MARKETING | \$10,000.00 |

SUB TOTAL \$310,500.00

GROSS -\$54,120.00

GM% -21%

FEB 26 2019

New York
George

REAL ESTATE EVALUATION

Gilchrist Marina
3686 Lakeshore Drive
Town of Lake George
Warren County, New York

PREPARED FOR

Mr. Robert Winn
Attorney at Law
13 North Street
Granville, NY 12832

PROPERTY RIGHTS EVALUATED

Market Value of the Fee Simple Estate

Date of Report: *February 14, 2017*

PREPARED BY

Neil Cherkosly
Certified General Appraiser
License #46-13506

FILE NO:

17-C009

UPSTATE APPRAISAL SERVICES, INC.

1795 ROUTE 9

CLIFTON PARK, NEW YORK 12065

(518) 383-7800

EMAIL: neil@upstateappraisal.net

FAX (518) 383-8347

February 23, 2017

Mr. Robert Winn
Attorney at Law
13 North Street
Granville, NY 12832

RE: Real Estate Evaluation

Gilchrist Marina

3686 Lakeshore Drive

Town of Lake George

Warren County, New York

File No: 17-C009

Dear Mr. Winn,

Pursuant to your request, I made a limited general inspection of the above referenced property on ***February 14, 2017***. I was able to access the interior of the main dwelling, but not any other buildings or the dock area on site. The inspection was conducted under severe winter conditions.

The purpose of this report is to estimate a reasonable as is market value for the subject property under terms of a conventional *arms length* sale based on the assumptions and methodology detailed on the next page. For purposes of compliance to the *Uniform Standards of Professional Appraisal Practice*, this report should be considered an ***"evaluation"*** and/or consulting services as opposed to a fully documented appraisal. The reason for this is explained further on the following page.

You (Mr. Winn) are reportedly the Court appointed Receiver for the subject property. You (Mr. Winn) have retained Upstate Appraisal Services in that capacity and you (Mr. Winn) along with the Warren County court system are considered intended users of this report.

General Comments and Assumptions Regarding this Evaluation

1. I understand that this evaluation was ordered in conjunction with pending litigation between the principals of Gilchrist Marina, LLC. There are reportedly three principals, all members of the same family. The legal dealings of the parties are irrelevant to my assignment. I am evaluating the property assuming clear title and that the sellers would conduct business in a normal manner until the date of closing when they would vacate the premises.
2. I was provided "voluminous" data by you (Mr. Winn) and some by Heather Jones, one of the owners, and the party with whom I conducted my inspection. Ms. Jones indicated that the tax returns apparently do NOT include all the income actually collected for the property, and you (Mr. Winn) have seemingly verified this. There are also offsetting expenses which may not be documented in the tax returns. Therefore, the vast majority if not all of the financial data provided to me is seemingly irrelevant. Based on these circumstances, I will have to make my own projections based on what support I can obtain from the market, anecdotally, from office files, and what little can be reliably cited from the data provided.
3. One of the items I was provided was a 2009 appraisal by Eric Sterling, a professional colleague. I made a very cursory review of this appraisal. In his Income Approach, Mr. Sterling provided no support or explanation for his projections. I therefore have no ability to judge the accuracy of the projections or appraised value as of that time roughly 8 years ago.

PROPERTY IDENTIFICATION

The subject property is identified as 3686 Lakeshore Drive, Town of Lake George, Warren County, New York. The mailing address is Diamond Point, 12824. Tax map # is 226.09 – 1 – 10. The facility is known as Gilchrist Marina and occupies 1.19 acres per municipal records.

OWNERSHIP AND SALES HISTORY

The subject property is owned by Gilchrist Marina, LLC. According to Heather Jones, the property has been under related ownership since 1955. One of the documents I was provided was an October, 2009 deed between related parties. In my research I noted the attached multiple listing. The property was on the market for **\$6,950,000** with Realty USA from 4/8/16 until it was withdrawn on 9/13/16. I called the listing agent Scott Varley to inquire if there was interest and/or formal offers, but my call was not returned. Ms. Jones indicated that she could not recall any formal offers.

DESCRIPTION OF FACILITY OPERATION

The subject property operates under a permit from the Lake George Park Commission (LGPC) which regulates uses along the lake shore. Essentially all properties offering marine related activities require LGPC permits. Based on my experience and anecdotal evidence, these permits are all but impossible to modify. The specific activities authorized by the attached LGPC permit for the subject are summarized as follows:

1. 43 seasonal customer berths (40 on docks, 3 on moorings)
2. 6 motorized rental vessels (none larger than 21')
3. 9 non-motorized vessels (canoes, rowboats, sunfish)
4. 2 charter vessels (reportedly not used)
5. Public boat launch (not quick launch)
6. Sales & service (Note 2)
7. 50 winter storage vessels (shrink-wrapped outdoors)
8. 70 customer parking spaces (Note 1)

Note 1: The 70 parking spaces are reportedly utilized, in part, for L., P. & R. (Launch, Park & Retrieve) customers, typically for day use and some longer.

Note 2: Reportedly boats are NOT sold, but service is provided, mainly winterization related. This is, however, a business distinct from the rest of the marina operation. There is only a small garage on the premises for indoor work.

CONTINUED ON NEXT PAGE

DESCRIPTION OF FACILITY OPERATION (Cont'd)

The premises can also be used for the following activities which do NOT require a permit:

1. Owner-occupancy and/or rental of the main dwelling which can be considered as one or two tenantable units.
2. Owner-occupancy or rental of the 3-unit "motel building" on the site.

AREA AND NEIGHBORHOOD DATA

The subject property is located on the "lake side" of Lakeshore Drive (Route 9N) along Lake George in the small hamlet of Diamond Point. It is situated toward the northern end of the hamlet approximately 3.5 – 4 miles from Lake George Village and Northway Exit 22. The general area between Lake George Village and Bolton Landing, a distance of around 10 miles, is developed with a variety of resorts (typically 10 – 40 units) along Route 9N, and also various private residences, several restaurants and a few recreational facilities (marinas, horseback riding, campgrounds). Limited local support services including small supermarkets and a number of eateries are found in both Lake George Village and Bolton Landing. The nearest regional shopping in Queensbury is about a 15 minute drive.

CONTINUED ON NEXT PAGE

AREA AND NEIGHBORHOOD DATA (Cont'd)

The area has been developed around the shoreline of Lake George with the most intensive development located along Canada Street (Route 9) in the Village of Lake George. Lake George itself is 32 miles in length, 1 to 3 miles in width, has 109 miles of shoreline and encompasses an area of 44 square miles. The lake has an average summer temperature of 65 to 70 degrees and is surrounded by foothills and mountains of the Adirondack range. Although environmentally sensitive, the lake is considered relatively unpolluted and generally enjoys a highly favorable reputation.

Lodging establishments are located mainly within the Village itself, along Route 9 north and south of the Village, and along Route 9N (Lakeshore Drive) between Lake George and Bolton. Properties having lake views and direct lake frontage are typically the most desirable, although there is also a viable market for certain properties having neither. In addition to the array of lodging facilities, the lakeshore area beyond Lake George Village includes a number of marinas offering boat slips, rental boats, sales and service, and other marina amenities.

Also beyond Lake George Village, there are a number of seasonal lakefront residences marketing in the \$750,000 to \$3,000,000 range, most of this being land value. In addition, there are several modern townhouse, condominium, and time share communities along and/or overlooking the lake.

CONTINUED ON NEXT PAGE

AREA AND NEIGHBORHOOD DATA (Cont'd)

The subject, as noted, is in the small hamlet of Diamond Point. There are several lakefront resorts in close proximity including Blue Lagoon, Lake George Suites, Stepping Stones, Olympian Motel, Golden Sands, and Diamond Cove. These units are typically "older" with the level of modernization varying from property to property. On the "road side" of Lakeshore Drive in this area is the historic Diamond Point Church and a couple of eateries (pizza, deli).

In general, anecdotal evidence suggests that business declined somewhat during the recession, and has not fully returned to pre-recession levels in some cases, although it is improving and this is property and use specific. Overall, property values and general demand for all types of property along the lake has generally been very favorable over time. Values declined slightly with the recession however, but have generally rebounded over the last couple of years. Accordingly, stable to favorable economic trends are anticipated as the overall economy improves.

SITE

The subject site occupies **1.19 acres** per the attached municipal and LGPC records. There is 110' of frontage along Lakeshore Drive with typically declining topography (about 10') from the road frontage to the lake shore. There is a 2-car wide driveway along Lakeshore Drive with a private road leading to the main dwelling and shoreline. The property enjoys 225' of direct and fairly "even" lake frontage.

Municipal water services the property, but there are no sewers in this vicinity. According to Ms. Jones, there are three separate septic systems in good working order. Specific site improvements are detailed under the following heading.

IMPROVEMENTS

Main Dwelling

This is an assemblage of two structures, an apparently original 4-BR/2.5 Bath somewhat architecturally distinct home, and what was apparently a 3-BR/1 Bath separate residence addition. The original section is estimated to be early 1900's vintage, and the addition may be from around the 1930's or 40's. The structures have been effectively merged, but could probably be returned to the original configuration if so desired. Gross building area is indicated at 1,953 SF/floor or **3,906 SF** in total. Of this, about 2,706 SF is the main residence and 1,200 SF was the apartment. The main residence also has a 1,068 SF wrap-around porch partially overlooking the lake. Total basement area is shown as 700 SF on Town records.

IMPROVEMENTS (Cont'd)

The *exterior* is a mix of wood shingles and stucco, all in fair condition. The windows appear old or original and the trim needs repair and paint.

The *interior* has a somewhat disjointed floor plan on both levels. In the main residence, there is a "double living room", part of which was used as an office at one time. There is some ornate woodwork, wood grain paneling and a gas fireplace which is reportedly the main heating source. There is no central heat or AC; some areas apparently have electric baseboard heat. Technically, there are 7 bedrooms, although some of these are pass-thru or oddly shaped. In the main dwelling section, there is old carpet, some of it thread bare. In the addition, there is economy commercial carpet. A new kitchen has recently been installed in the main dwelling section, and one bathroom is gutted, reportedly awaiting remodeling. In the addition, there is a separate older economy oriented kitchen. Also, there is a lavatory accessible to the exterior of the addition for marina patrons, although it is reportedly not in use in recent years.

Overall, both sections are considered to be in fair condition. In my opinion, extensive upgrading would be necessary for occupancy by a new owner and/or rental purposes.

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IMPROVEMENTS (Cont'd)

Motel Building

Close to the waterfront is a 1-story 3-unit motel building probably built in the 1940's or 50's. Gross building area is 588 SF or 196 SF/unit. Construction is wood frame, economy oriented. According to Ms. Jones, the unit interiors are older and Adirondack style. Also according to Ms. Jones, the units have not been rented since around 2009, but one unit has reportedly been occupied by an employee of one of the property owners. I was unable to inspect the building interior, but based on appearances and data provided, it is assumed to be in fair condition and not updated.

Docks

By the lakefront there are various docks as seen on the LGPC Permit in the Addendum and attached photos. These docks are configured to accommodate up to 49 vessels and are left in the water year round. I do not know the age or exact condition of the docks. There is no mechanized "quick launch", but there is a public launch where patrons can launch and retrieve boats.

Other

- 3-bay older unheated wood frame garage reportedly used for boat service.
- Original boat house used as counter and office space in season.
- Grounds for winter storage with network of driveways per plan.

ASSESSMENT AND TAXES

| | |
|----------------------------|-------------|
| Current Assessment: | \$1,768,300 |
| Current Equalization Rate: | 93% |
| Implied Full Value: | \$1,901,400 |

| | |
|----------------------------|--------------------|
| 2017 General Taxes: | \$10,722.97 |
| 2016 - '17 School Taxes: | \$12,658.46 |
| Total Annual Taxes: | \$23,381.43 |

ZONING/PERMITS

The subject property is zoned RCH-LS Residential Commercial High Density - Lakeshore. The property operates under a Lake George Park Commission permit and the current uses have apparently been in place for many years. Accordingly, zoning is not considered an issue of concern.

HIGHEST AND BEST USE

The subject property is evaluated "as improved" and with a marina permit obtained from the Lake George Park Commission. Based on a limited analysis to follow for alternative (residential) use, either as vacant land or with the main dwelling potentially suitable for rehabilitation, "residential value" is significantly below "as improved marina value". Accordingly, highest and best use is apparently for continuance of the marina operation with probable rental and/or owner-occupancy of the main dwelling (possibly as 1 or 2 units). The 3-unit motel could potentially be rented nightly or occupied seasonally by foreign seasonal workers.

VALUATION METHODOLOGY

Commercial property is normally valued by one or more of the three standard appraisal approaches: *Cost*, *Income Capitalization* and/or *Sales Comparison*. The Cost Approach is not relevant to the subject due to 1. the established marina use under the LGPC permit which is specific to this property and 2. the age and extensive accrued obsolescence of existing improvements.

Properties of this nature are income producing and generally sell based on historic and/or anticipated cash flow. They may offer a home and "lifestyle" on Lake George as well. Accordingly, the Income Approach is generally the best method of valuation. The specific methodology for the subject and its limitations are detailed under the Income Approach heading on the following page.

The Sales Comparison Approach will not be fully processed. However, limited data will be cited in a generally supportive capacity on a "price per permitted boat" basis. Due to a limited availability of recent comparable marina sales on Lake George, and differences in allowable uses and business models, the Sales Comparison Approach cannot be processed in a conventional format.

INCOME APPROACH

As previously noted, I was provided voluminous financial data for the subject property, very little of which is particularly relevant for purposes of this evaluation for reasons previously noted. *Simply stated, I have not been provided, nor do I have any way of obtaining, accurate recent historical income and expense data in a format which would be relevant to this evaluation report.* With this said, my task is to estimate income and expenses based on the following sources:

- My knowledge and experience appraising marina properties on Lake George and other bodies of water over the last 32± years.
- Office files of marina property appraisals including about 7 reports completed since 2010.
- Appraisals of Lake George marina properties completed by colleagues who were willing to share data confidentially.
- Investigations with Bob Palandrani, a long time Lake George operator of Snug Harbor North and Snug Harbor South marinas who is considered a highly knowledgeable source.
- Investigations with other appraisers, Realtors, public officials, and other knowledgeable parties in the subject area.
- Online research.

Note: This evaluation is being prepared in mid-winter. The vast majority of local marinas are closed with the owners or managers being inaccessible.

CONTINUED ON NEXT PAGE

INCOME APPROACH (Cont'd)

With the preceding stated, my methodology for purposes of this analysis is as follows:

1. Estimate ***Potential Income*** from the following sources:
 - Dock Rentals
 - Boat Rentals
 - Winter Boat Storage
 - Parking & Public Launch
 - Motel Units
 - The Main Dwelling
2. Estimate ***Potential Expenses*** to include the following:
 - Real Estate Taxes
 - Insurance
 - Salaries of Employees
 - Other Operating Expenses
 - Management & Oversight
 - Reserves
3. Project a ***Capitalization Rate*** and apply this to NOI.
4. Deduct the cost of ***capital improvements*** necessary at this time.

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INCOME APPROACH (Cont'd)**Income From Dock Rentals**

There are 43 slips permitted by permit including 3 moorings. I contacted Gilchrist Marina for information on dockage rates in late 2015 relative to an unrelated assignment. The party I spoke to at the time quoted **\$165/foot**. As a comparable, Norowal Marina in Bolton has a published rate of \$163/foot on its website for 2016. As another comparable, Castaway Marina in Queensbury had a 2016 rate of \$162.75/foot. Based on my conversation with Ms. Jones, discounts were historically offered on the less desirable slips and I consider this reasonable. According to the previously noted Mr. Palandrani, the typical size of boats today is about 22 – 23' on average. He also indicated that a "loss" of 20% would be reasonable for vacancy, collection, concessions, slips intentionally left open, and slips which cannot be rented due to dock configurations.

| | |
|---|-----------------------------|
| <i>43 Permitted Boats @ 22' Average x \$165/ft. x 80% Collection =</i> | <i>\$124,872</i> |
| | <i>Say \$125,000</i> |

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INCOME APPROACH (Cont'd)**Income From Rental Boats**

There are 6 motorized rental boats allowed by permit. Calculating a net profit from this aspect of the business would be an extremely difficult task involving not only the calculation of income, but offsetting staffing, repairs, gasoline, and the cost of the boats themselves. For purposes of simplicity, I consider it appropriate to estimate potential slip rental rates for this purpose (rental boats). According to Mr. Palandrani, he would value a rental boat slip at 2 to 3 times a conventional slip, and this would appear reasonable.

| | |
|---|----------------------------|
| <i>6 Potential Boats @ 22' Average x \$165/ft. x 2.5 x 95% Collections =</i> | <i>\$51,728</i> |
| | <i>Say \$52,000</i> |

Note: At the indicated figure, the rental boat operator is assumed to have use of the boathouse and could also rent up to 9 non-motorized boats.

Income From Winter Boat Storage

The subject is permitted for 50 boats. I do not know the quoted rate for the subject property. Castaway Marina in Queensbury quotes \$4.95/SF inclusive of shrink-wrapping and exclusive of any other services. The aforementioned Mr. Palandrani suggested that he allocates about \$17/ft. to shrink-wrapping inclusive of labor and materials and would allocate a basic roughly \$400 to a typical 22' boat stored outdoors. This is in line with other marinas based on my research.

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INCOME APPROACH (Cont'd)

Income From Winter Boat Storage (Cont'd)

An average boat size would be 8 x 22' or 176 SF and I would assume 90% collections on this aspect of the business given that there are 49 "wet" slips.

| |
|--|
| <i>50 Boats @ \$400/boat x 90% Collections = \$18,000</i> |
|--|

Income From Parking and Public Launch

Again, I have no documented information for the subject. Ms. Jones stated at the time of my inspection that the property was generating about \$70 – \$90K from this source in the early 2010's. I also obtained data from an appraisal colleague with regards to Castaway Marina in Queensbury. This facility has 63 parking spaces per its LGPC permit vs. the subject which has 70. Income from these sources at Castaway was \$78K – \$100K/annum for 2014 to 2016, increasing annually. The subject property is somewhat inferior in that 1. it does not have quick launch capabilities and 2. does not sell gasoline. Based on all of the preceding, a figure of **\$75,000** is projected.

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INCOME APPROACH (Cont'd)

Income From Motel

The subject motel units are reportedly not rented to the public. As they are very "basic" and effectively in the middle of the marina operation, they are probably better oriented to seasonal workers than nightly to weekly tourists. The going rate would be around \$2,000/room for the 9-10 week "season" assuming two workers per room.

| |
|--|
| <i>3 Rooms @ \$2,000/room = \$6,000</i> |
|--|

Main Dwelling

As noted, this building is owner-occupied. However, with some modifications and updates, it could be rented weekly, monthly, or even seasonally. Theoretically, it could be rented as a single 7BR/3.5 Bath home or as separate 4BR/2.5 Bath and 3BR/1 Bath units. While it is technically on the lake, the site lacks privacy due to the marina operation, and it does not have a beach, private or otherwise. In conjunction with this assignment I reviewed online listings of Lake George area house rentals including the following:

Kattskill Bay (By Lake): An older 6BR/1.5 Bath home with lake access and a shared dock is offered as a ***seasonal*** rental at ***\$38,000***.

Kattskill Bay (By Lake): An older 6BR/2 Bath home with lake access and a mooring is offered as a ***weekly*** rental for ***\$4,150/week***.

INCOME APPROACH (Cont'd)**Main Dwelling (Cont'd)**

Bolton Landing (By Lake): An older 6BR/2 Bath home with lake access and a private dock is offered as a ***weekly*** rental for ***\$4,000/week***.

In consideration of the preceding and other data, I believe the subject could attain a rent of \$4,000/week inclusive of a dock. This would assume a 9 week "season" x 90% occupancy less a 10% rental commission.

| | |
|---|------------------------|
| <i>\$4,000/week x 9 weeks x 90% less 10% =</i> | <i>\$29,160</i> |
| <i>Say</i> | <i>\$29,000</i> |

Total Effective Gross Income Projection

| | |
|---|-------------------------|
| Dock Rentals | \$125,000 |
| Rental Boats (from Slips) | \$52,000 |
| Winter Storage | \$18,000 |
| Parking & Public Launch | \$75,000 |
| Motel | \$6,000 |
| Main Dwelling | <u>\$29,000</u> |
| <i>Total Effective Gross Potential</i> | <i>\$305,000</i> |

Projection of Expenses

Real Estate Taxes: The actual expense rounded to ***\$23,500*** will be projected.

Insurance: The IRS returns show expenses of roughly \$8,400 - \$11,000 for 2013 – 2015. I will project a rounded ***\$10,000***.

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INCOME APPROACH (Cont'd)

Projection of Expenses (Cont'd)

Management: For purposes of this analysis, the “management” expense would most likely be for the property owner’s time and effort operating the facility. Assuming that this party could earn additional money from boat service and possibly other businesses on the premises (occasional boat sales, “ferrying” patrons to islands on Lake George), I believe a provision of 5% of potential effective gross income; say **\$15,000**, to be reasonable.

Utilities & Maintenance – Main Dwelling & Grounds: A provision of **\$10,000** annually is considered reasonable for these items including groundskeeping, trash, septic service, plowing, repairs, utilities, etc.

Salaries: Assuming the rental boat aspect of the business to be operated by a different although probably related entity with its own set of books, it is probably necessary to have one seasonal employee on the premises during business hours and possibly a second party at times. It would also be necessary to have an owner or employee remove, shrink-wrap, and re-insert boats in the water. Assuming one part-time employee at \$25K/annum including payroll and partial health care expenses, and a seasonal “helper” at \$5K, a total budget of **\$30,000** is projected.

Other: A provision of **\$10,000** is projected for legal, accounting, internet, office expenses, advertising, credit card charges, etc.

INCOME APPROACH (Cont'd)**Projection of Expenses (Cont'd)**

Reserves & Capital Improvements: A provision of 3 – 4% of potential effective gross income, say **\$10,000**, is projected for ongoing replacements and capital improvements. This would include the main dwelling, motel building, docks and minor equipment.

Total Expense Projection

| | |
|---------------------------------|------------------|
| Real Estate Taxes | \$23,500 |
| Insurance | \$10,000 |
| Management | \$15,000 |
| Utilities & Maintenance | \$10,000 |
| Salaries | \$30,000 |
| Other | \$10,000 |
| Reserves & Capital Improvements | <u>\$10,000</u> |
| Total Expenses | \$108,500 |

Net Operating Income Projection

| | |
|---|------------------|
| Total Effective Gross Income: | \$305,000 |
| Less: Total Expenses: | <u>\$108,500</u> |
| Net Operating Income for Capitalization: | \$196,500 |

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INCOME APPROACH (Cont'd)

Capitalization

The following capitalization rate components are based on generally available financing. In today's market, an interest rate of 5.00% (including amortization of fees) at 75% loan to value would be projected. A 20 year amortization and 10 year holding period are estimated. An equity yield rate of 16 – 17% is also projected offering a 6 year payback on equity capital due to the risk and somewhat management intensive nature of the business. Accordingly, an overall rate of **.0875** is indicated.

10 Year Holding Period

5.00% Interest Rate

20 Year Amortization Period

75% Loan to Value Ratio

16 – 17% Equity Yield Rate

0% Appreciation/Depreciation

Basic Overall Rate = .0875(R)

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INCOME APPROACH (Cont'd)**Value Via Income Approach**

| | |
|---|-------------------------|
| <i>\$196,500 Capitalized @ .0875 =</i> | <i>\$2,245,714</i> |
| <i>Say</i> | <i>\$2,250,000</i> |
| <i>Deduct: Cost of Needed Capital</i> | |
| <i>Improvements (See Note 1):</i> | <i><u>\$100,000</u></i> |
| <i>As Is Value Via Income Approach:</i> | <i>\$2,150,000</i> |

Note 1: I have deducted \$100,000 for needed capital improvements, mainly to the dwelling, and possibly some to the docks. Capital improvements to the dwelling would include new windows, siding or painting the exterior, installation of a central heating system, re-partitioning the interior in a more functional manner, new décor, updating baths, new furnishings, and other miscellaneous items as may be needed.

COMPARABLE SALES ANALYSIS

There are a total of 23 marinas on Lake George with a LGPC permit per data provided by the LGPC. Based on my review of office files and investigations with Molly Gallagher (LGPC) and Bob Palandrani (marina operator), there are no relevant sales since 2010. However, there are 6 known sales (or bona fide offers) between 2004 and 2010. Beyond the period from around 2006 – 2008, I believe there has been only minor appreciation in value over the last 10± years. The following details the known marina sales and the data is summarized on Page 29.

SALES COMPARISON APPROACH (Cont'd)

Sale #1: ***The Marina @ Bolton Landing***
(Marina) ***TM#: 171.19-2-3, 10 and 11***
Town of Bolton, Bolton Bay
Warren County, New York

Date of Sale: May, 2004

Sale Price: ***\$4,000,000 or \$25,000/permitted boat***

Transfer: Marina at Bolton Landing, Inc. to Bolton Landing Marina, LLC

Verification: Terry Ryan (Facility Manager)



Description: This facility is located on Lakeshore Drive in Bolton about 10 miles north of Lake George Village. It consists of a 30,714 SF metal storage building permitted for ***160 quick launch boats*** (no conventional slips) and also has winter storage for an equal number of boats. There is also a clubhouse building of 2,676 SF with offices, restrooms, and a game room on 2 levels. Gasoline is available, but no sales or service of boats, or restaurant. The site is ***2.47 acres*** (3 parcels) with ***255'*** of L-shaped lake frontage. The property had been offered for sale "by owner" at \$4 million since at least 2000. The manager, who verified the sale, indicated that the property transfer form did not show the actual sale price due to adjustments and possibly allocations to non-real estate items.

SALES COMPARISON APPROACH (Cont'd)

Sale #2: *Mooring Post Marina*
(Marina) *TM# 226.16-1-37 & 38, 226.12-1-1*
291 Cleverdale Road
Town of Queensbury
Warren County, New York

Date of Sale: June, 2005

Sale Price: ***\$4,230,000 (See below) or \$36,783/permitted boat***

Transfer: John Brock to Boats by George

Verification: Mike McKaig, Personally appraised for sale/financing



Description: This facility is located on the south side of the Lake in the Cleverdale area about 10 minutes off Northway Exit 21. The main marina building is 8,050± SF, part 1 and 2 stories, and is used for a store, shop space, repair garage, and two 1-BR apartments up. The building is reportedly 1950's vintage with some additions. There is a second metal building of 9,000 SF used mainly as a boat showroom; this building remodeled in 1996. The site totals **2.80 acres** with **165'** of lake frontage. There are 3 docks, 90 to 110' with a canopy above, plus an additional Y-shaped 80' dock with gas pumps. The LGPC permit allows for **25 seasonal wet berths, 80 quick launch boats, 10 rental boats** and winter storage of 143 boats. Boat sales and repairs, gasoline sales, and sewage pump-out are also authorized. As a practical matter, the owner did not operate rental boats. The remainder of the site was utilized as a macadam parking area. On public records, the sale price is indicated at \$3,000,000. However, my colleague Mr. McKay retains a copy of the purchase contract for \$4,320,000. It is common for a certain dollar amount (apparently \$1.23 million in this case) to be allocated for equipment, personal property, and business value in these types of transactions.

SALES COMPARISON APPROACH (Cont'd)

Sale #3: ***Norowal Marina***
(Marina) ***21 Sagamore Road***
Town of Bolton
Warren County, New York

Date of Sale: June, 2006
Sale Price: ***\$4,500,000 or \$42,857/permitted boat***
Verification: Personally appraised for sale



Description: This facility is located in the hamlet of Bolton near the landmark Sagamore Resort. The total site area is ***6.36 acres*** with ***310'*** of lake frontage. The complex included a 4,700 SF mostly metal 14' high sales and service building, a 2,450 SF dwelling, a 508 SF cottage, an 800 SF "canvas shop", and a 3,000 SF metal "winter storage" building. There were a total of 5 docks, all 215 – 218' long. The marina permit allowed for ***80 conventional boat slips, 25 motorized rental craft,*** sales, service, gasoline sales, and a marine store. The property was in average condition. It was purchased by the Town of Bolton for the public benefit, but had been on the market for some time. Various equipment necessary to the operation was included.

SALES COMPARISON APPROACH (Cont'd)

Sale #4:
(Marina)

Fischers Marina
5 TM Parcels – Marina, 1 TM Parcel – Acreage
1215 Pilot Knob Road
Town of Queensbury & Fort Ann (Kattskill Bay)
Warren & Washington County, New York

Date of Sale:

May, 2008

Sale Price:

\$4,700,000 (Allocation – See Below) or \$60,256/permitted slip

Transfer:

Fischer to 1. The Club at Pilot Knob & 2. Enclave at Lake George

Verification:

Nicky Cutro (purchaser) by Neil Cherkosly



Description: This property is located on the east side of the lake off Route 9L straddling the Warren and Washington County line. It is about 8 miles from Lake George Village. This facility has **220'** of lake frontage and totals **4.5± acres** according to the LGPC permit. Allowable uses include **42 seasonal docks, 6 rental boats, and 30 quick launch boats** (which are kept in a building on-site and fully utilized per the manager). Accordingly, a total permitted capacity of **78 boats**. Allowable winter storage capacity is 138 boats. The facility was also permitted for sales and service of boats, fuel sales, and pump-out. As a practical matter, most of the sales and service is done out of another facility in the area under related ownership. There were 2 boat storage buildings on-site and an older home used mainly as an office. Overall condition was average per Mr. Cutro. This was a "by owner" sale which Mr. Cutro (who is a prior business contact) indicated sold for **\$6.5 million** in total including a 90.9 acre vacant parcel (TM# 82-1-1-12.1, T/o Fort Ann) to which Mr. Cutro allocated \$1.8 million. Mr. Cutro intends to build about 6 – 8 homes on this land with lake views and possibly deeded lake rights. The balance of **\$4.7 million** as shown above was allocated by Mr. Cutro to the marina component.

SALES COMPARISON APPROACH (Cont'd)

Comparable #5: **Warner Bay Dockage**
(Marina) **39 Rockhurst Road**
 Town of Queensbury
 Warren County, New York

Based on a prior appraisal of this property for the owner, there was a formal offer as follows:

| <i>Offer Per</i> | | | |
|------------------|--------------|-----------------------|---------------------|
| <u>Year</u> | <u>Offer</u> | <u>Permitted Slip</u> | <u>Verification</u> |
| 2007 | \$2,500,000 | \$45,455 | S. Davies, Broker |



Description: This property is located along Warners Bay which is accessed off Route 9L on the southern end of the Lake. Driving time is about 10 minutes to Lake George Village and Northway Exit 21. The total site area is **.87 acres** (2 parcels) with **319' of lake frontage**. The facility included **2 homes**. The 2,096 SF main dwelling was built around 1988 and was owner-occupied year round. There was also a 1,476 SF rental cottage last extensively remodeled in 1989. Both dwellings were in relatively good condition. The facility includes **55 rental slips** as permitted on its LGPC permit. This is strictly a dockage facility with no other services (boat sales, gasoline, boat rentals, service, ship store, etc.). The offer was declined by the seller who still maintains the property.

SALES COMPARISON APPROACH (Cont'd)

Comparable #6: ***Dockside Landing***
(Marina) ***9130 Lakeshore Drive***
 Town of Hague
 Warren County, New York

Date of Sale: May, 2010
Sale Price: ***\$1,663,500 or \$50,409/permitted slip***
Data Source: Personally appraised for financing in 4/11



Description: This facility is located toward the northern end of the lake in the hamlet of Hague about 30 minutes from Lake George Village. The main lakefront marina parcel was **.60 acres** with about 200' of lake frontage. There is also a **.32 acre** parking lot across the street. The facility included 2 older 2-story main buildings totaling 3,957 and 3,000 SF. The larger building was basically shell space which the purchaser reportedly intended to remodel as a restaurant, but never did. The smaller building was a customer area with an upscale apartment upstairs. The marina permit allowed for **33 motorized rental craft, 3 personal watercraft (rentals), boat sales, service, towing, and gasoline sales**. The property was in average condition at the time of sale. It has been closed for at least the 2012 and 2013 seasons for reasons unknown. At the time of my April, 2011 appraisal, I was provided a statement of sale for the preceding **\$1,663,500** figure. However, one of the purchasers provided me a written statement indicating that the total acquisition cost including various allocations was **\$2,228,750**. There is no way to further verify which is accurate. For purposes of this report, I have relied on the closing statement retained in my file at the lower figure.

SALES COMPARISON APPROACH (Cont'd)**SUMMARY OF COMPARABLE SALES**

| # | <u>Facility</u> | <u>Year Sold</u> | <u>ALLOCATED Sale Price (Note 1)</u> | <u># Permitted Boats per LGPC Permit (Note 2)</u> | <u>Sale Price per Permitted Boat</u> |
|----------|------------------------|-------------------------|---|--|---|
| 1 | Marina @ B.L. | '04 | \$4,000,000 | 160 | \$25,000 |
| 2 | Mooring Post | '05 | \$4,230,000 | 115 | \$36,783 |
| 3 | Norowal | '06 | \$4,500,000 | 105 | \$42,857 |
| 4 | Fischer's | '08 | \$4,700,000 | 78 | \$60,256 |
| 5 | Warners Bay | '07 (3) | \$2,500,000 | 55 | \$45,455 |
| 6 | Dockside Landing | '10 (4) | \$1,663,500 | 36 | \$46,208 |

Notes:

1. The ALLOCATED sale price is detailed on the preceding pages.
2. "Permitted" boats included seasonal docks, rental boats, and quick launch if utilized by the property owners.
3. For Warners Bay (Comparable #5), this was an OFFER and not a sale price.
4. For Dockside Landing, I have utilized the sale price on the closing statement and NOT the figure reported to me by one of the purchasers.

SALES COMPARISON APPROACH (Cont'd)

Analysis of Comparable Sales

The preceding supports a range of roughly \$25,000 - \$60,000/permitted boat for Lake George marinas over the last 13 years. As stated, due to differences in allowable uses and the business model, it is difficult to make a direct comparison. The following is noted about each sale individually.

Sale 1 (Marina at Bolton Landing @ \$25,000/boat) dates to 2004 when the market was still appreciating significantly. This was strictly a quick launch facility which is inferior, lacking dockage, sales and service components, and therefore does not make a good comparable. Location in Bolton was offsetting.

Sale 2 (Mooring Post @ \$36,783/boat) dates to 2005 when the market was still appreciating. This is mostly a quick launch (as opposed to seasonal docks) facility which is inferior. It was also permitted for sales and storage. Location on the south end of the lake was offsetting.

Sale 3 (Norowal @ \$42,857/boat) dates to 2006, but the market is believed to have only appreciated slightly. It included a mix of conventional slips and rental boats, and was similar in that it included a public launch and winter storage. Location in Bolton was offsetting.

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SALES COMPARISON APPROACH (Cont'd)

Analysis of Comparable Sales (Cont'd)

Sale 4 (Fischer's @ \$60,256/boat) sold in 2008 and values have been stable to slightly appreciating. This property was superior in that the marina had extensive land. The permit allowed for sales, service, fuel sales, and winter storage similar to the subject. Location in the Pilot Knob area was offsetting. This sale is apparently on the very high end, possibly due to motivational factors, the purchaser's intent to develop the land across the street, business considerations, and the difficulty of determining a correct allocation between the marina and developable land. Accordingly, it is not considered a particularly good comparable.

Comparable 5 (Warners Bay @ OFFER of \$45,455/boat) reflects a bona-fide offer in 2007 and the market has been only slightly appreciating. This was a conventional dockage marina without any other services, but there were two rental or owner-occupied dwellings as well. It is also considered offsetting in location on the south end of the lake.

Sale 6 (Dockside Landing @ \$46,208/boat) dates to 2010 and values have been stable to slightly appreciating. Its permit allowed for rental boats, sales, and service similar to the subject. It is on the north end of the lake and considered inferior in location.

SALES COMPARISON APPROACH (Cont'd)**Conclusion – Sales Comparison**

Comparables 2, 3, 5, and 6 are considered the best available and support an unadjusted range of roughly ***\$36,800 - \$46,200/permitted boat***. The subject is permitted for 49 boats. Based on the preceding data and its relevance to the subject, a value of roughly ***\$45,000/permitted boat*** is projected and considered supported.

| | |
|--|---------------------------|
| <i>49 Permitted Boats @ \$45,000/Boat =</i> | <i>\$2,205,000</i> |
| <i>Say</i> | <i>\$2,200,000</i> |

POTENTIAL VALUE FOR ALTERNATIVE USE

The potential alternate use of the subject property is residential. The existing main dwelling could remain and be extensively rehabilitated, or possibly demolished with a new structure developed on the existing footprint. As noted, the existing main dwelling is 3,906 SF inclusive of two potential units, but it is probably 75 – 125 years old and, other than a new kitchen, has not been extensively modernized. The dwelling has about an 80' setback from the lake. The parcel to the north is wooded and there is about a 75' setback to the south. Accordingly, as a residential dwelling, there is potential for some level of privacy. The property to the south is Lake George Suites, a summer resort. Although it (Lake George Suites) appears well maintained, the subject's location next to a resort is somewhat of a negative for residential property.

The subject property has been valued at roughly \$2.15 - \$2.20 million in the prior sections. The purpose of this section is to demonstrate if the property may have SIMILAR or HIGHER value for residential purposes. The task does not necessarily involve estimating an exact value, but perhaps a range of value for strictly residential purposes.

CONTINUED ON NEXT PAGE

POTENTIAL VALUE FOR ALTERNATIVE USE

In conjunction with this analysis, I have reviewed Flex MLS records for sales of vacant residential sites and improved residential properties which could be considered comparable at some level to the subject. The preferred comparables would be "older" relatively large homes like the subject which need modernization (or possibly demolition). Homes built in the modern era, say from the 1970's or later, have a somewhat different appeal. Based on my research, I note the following sales as the best comparables available. Multiple listings are included in the Addendum.

4026 Lakeshore Drive, Bolton: A vacant ***3.05 acre site*** with ***183'*** of lake frontage sold in September, 2016 for ***\$1,700,000***. This parcel included a boathouse and docks. It had 180' of frontage on Lakeshore Drive next to the Lake George Club. This is a good comparable for a vacant site, but it is much larger (1.19 vs. 3.05 acres), although with similar lake frontage.

186 Lake Parkway, Queensbury: An improved ***.72 acre*** site with ***115'*** of lake frontage sold in May, 2016 for ***\$1,380,000***. This parcel included a boathouse with a sundeck. It was improved with an old residential structure built in 1899, possibly with additions. Based on the listing, it was "rustic" with some basic updates, but probably did not contribute significantly to overall property value.

CONTINUED ON NEXT PAGE

POTENTIAL VALUE FOR ALTERNATIVE USE (Cont'd)

42 Fish Point Road, Bolton: An improved 1.25 acre site with 150' of lake frontage sold in June, 2016 for **\$1,300,000**. This parcel included a boathouse with a sundeck. It was improved with a 1-story ranch style home of **1,886 SF** built in 1961 and believed to be in average condition, not extensively updated.

4104 Lakeshore Drive, Bolton: An improved **2.2 acre site** with 150' of lake frontage sold in March, 2016 for **\$1,850,000**. This parcel included a boathouse and docks for 3 large boats. It was improved with an old (1923) **3,420 SF** dwelling indicated to be in good condition and "lavishly decorated".

Analysis and Conclusion – Potential Value for Alternate Use

In consideration of the preceding comparables, other comparables retained in my files and my discussion with Realtor Rich Blake, I believe the "alternative residential use" value to be in the **\$1,250,000 - \$1,750,000 range**. This is well below the estimated value for continued use as a marina. Therefore, the marina use is apparently the highest and best use which would bring the highest value.

CONCLUSION OF VALUE

In consideration of the preceding data and analysis, it is my opinion that, if I were to complete a fully documented appraisal of the subject property, its market value as of ***February 14, 2017*** would be as follows:

MARKET VALUE RANGE: \$1,900,000 - \$2,400,000

MOST PROBABLE VALUE:.....\$2,150,000

Valuation is based specifically on the following assumptions and notations:

1. As noted throughout this report, I was provided voluminous financial data for the subject property. Little to none of this data was of any value in the preparation of this report. The valuation is subject to revision, potentially major revision, if verifiable actual income and expense data for the various marina related components of the subject property can be attained and reviewed.
2. I assume the "main dwelling" to be structurally sound, although it is "older" and in fair condition. Potentially, valuation is subject to review and adjustment if a structural inspection report and/or cost estimation for improvements were available.

CONTINUED ON NEXT PAGE

CONCLUSION OF VALUE (Cont'd)

3. The subject property has been valued as an operational marina based on the LGPC permit attached hereto and referenced herein. The indicated valuation assumes the property to remain open and under competent management.
4. Valuation assumes that there are no unknown environmental or other unapparent conditions which would render the property less marketable or valuable.
5. Reference is also made to the General Comments and Assumptions heading on Page 2.
6. Within this report, I have also considered the subject's potential value for alternative residential use. This would involve closing the marina operation. Based on my analysis, the property would be worth LESS (\$1.25 - \$1.75M) under this scenario. The highest and best use of the property, and the use which should bring the highest value, is therefore considered to be for continued use as a marina.
7. The specific boat repair business on the premises has been EXCLUDED from valuation. This business may or may not have some value above that of the underlying real estate with the LGPC permit.

CONCLUSION OF VALUE (Cont'd)

8. The indicated value assumes the property to be sold turnkey with minor equipment and vehicles used in the marina operation INCLUDED. I would think these items to have a (depreciated) Value in Use of ***under \$25,000***.
9. The consultant and client were in agreement that an "evaluation" level report was appropriate due to the inability to obtain all relevant income and expense data necessary to complete a fully documented appraisal report.

SUMMARY

I trust that this evaluation meets with your approval. Please contact me if you have any further questions or comments.

Sincerely,
UPSTATE APPRAISAL SERVICES



Neil Cherkosly-License #46-13506
Certified General Appraiser
President

NC/ef

APPRAISER'S CERTIFICATION

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct;
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limited conditions, and are my personal, impartial, unbiased professional analyses, opinions and conclusions;
3. I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved;
4. I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment;
5. My engagement and/or compensation in this assignment was not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal;
6. My analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the *Uniform Standards of Professional Appraisal Practice*;
7. I have made a personal inspection of the property that is the subject of this report;
8. No one provided significant professional assistance to the person signing this report.
9. I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
10. The real property, which is the subject of this appraisal report, has been valued as of ***February 14, 2017***, as follows:

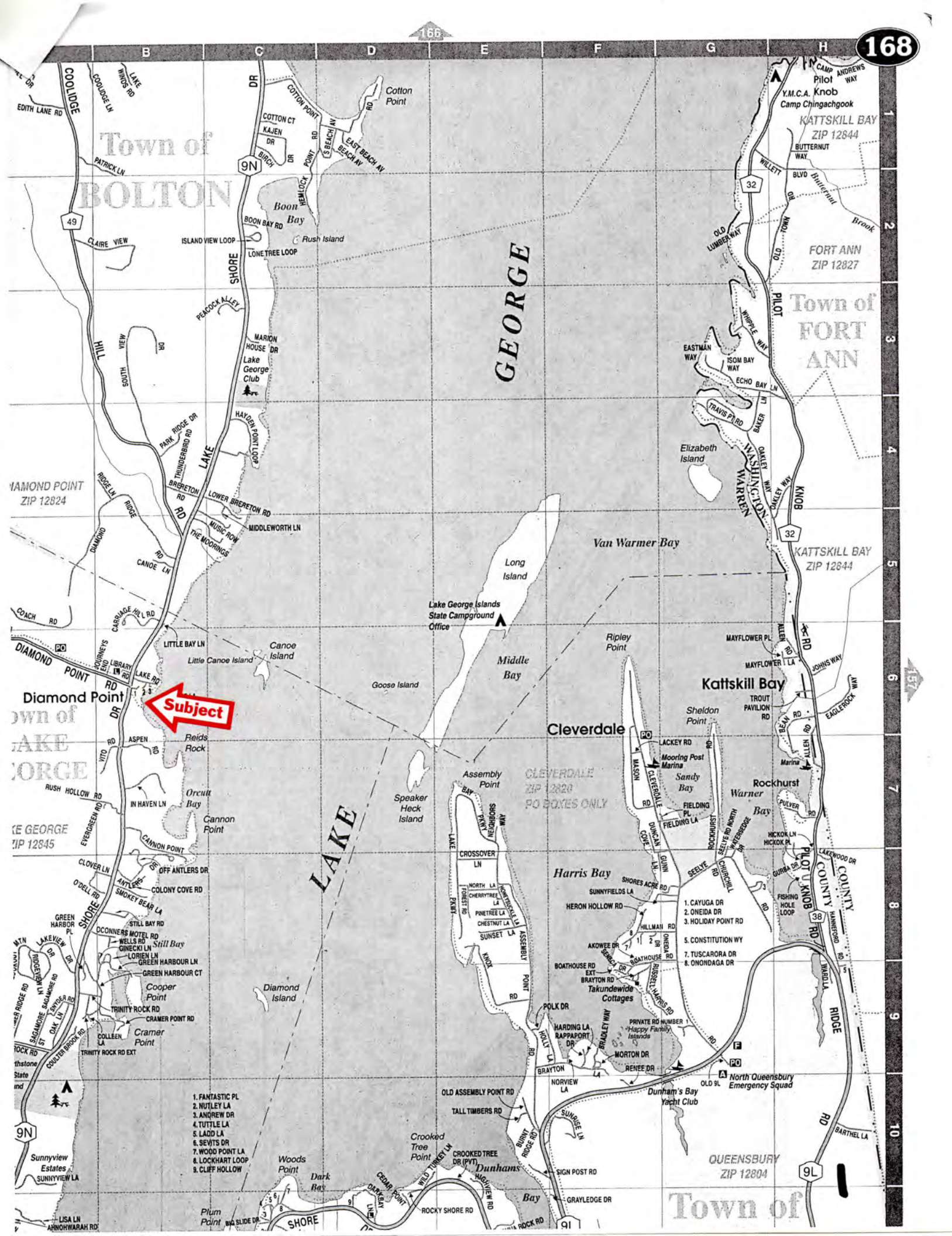
| | |
|---------------------------------|----------------------------------|
| MARKET VALUE RANGE: | \$1,900,000 - \$2,400,000 |
| MOST PROBABLE VALUE..... | \$2,150,000 |



Neil Cherkosly – License #46-13506
Certified General Appraiser

ADDENDUM TABLE OF CONTENTS

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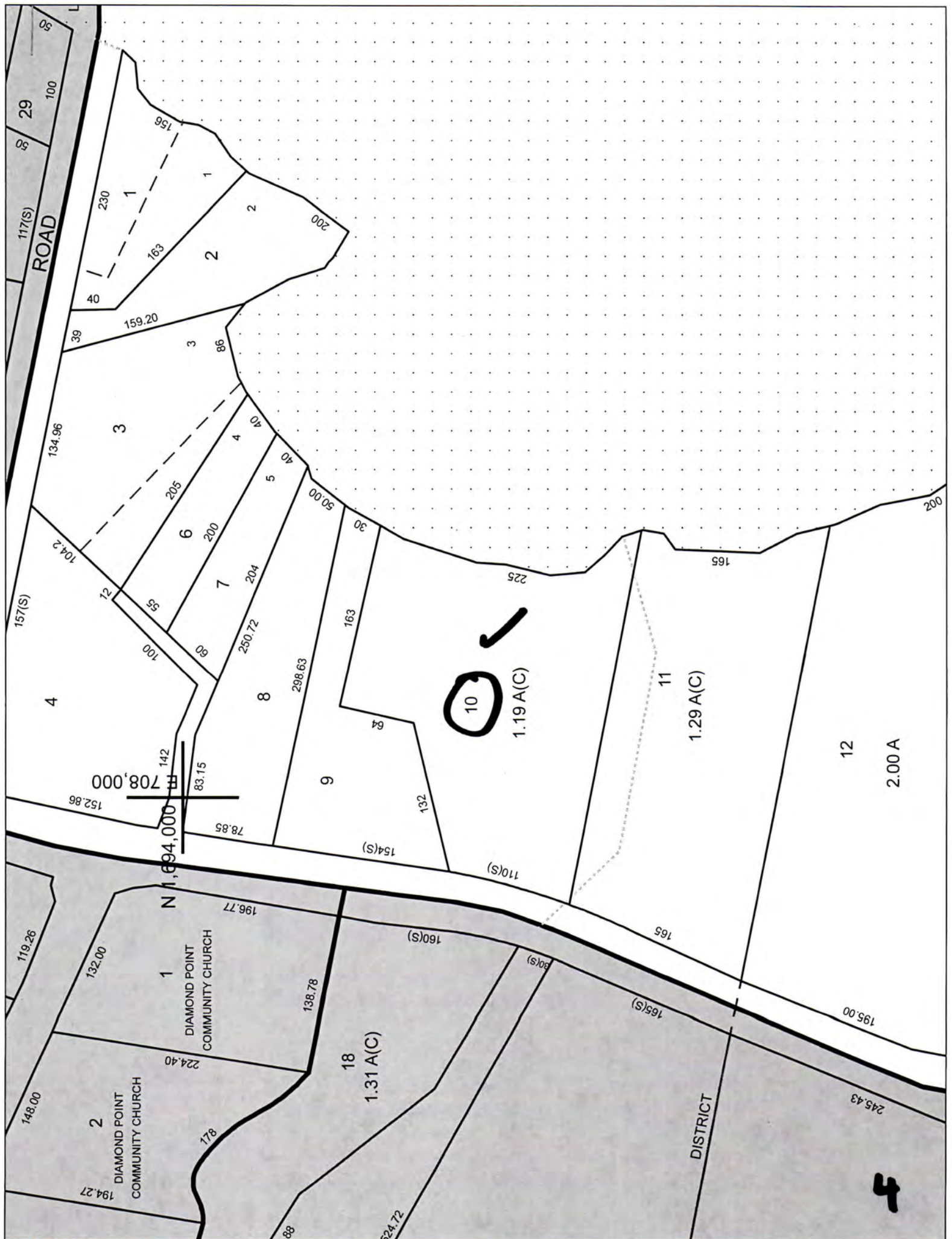
2



Google earth

feet
meters





| | |
|----------------------|----------------------|
| BUILDING & SECTION | BUILDING & SECTION |
| NO. IDENTICAL BLDGS. | NO. IDENTICAL BLDGS. |
| MODEL | MODEL |
| EFFECTIVE YEAR BUILT | EFFECTIVE YEAR BUILT |
| CONSTRUCTION QUALITY | CONSTRUCTION QUALITY |
| USER ADJUSTMENT | USER ADJUSTMENT |
| CONDITION | CONDITION |
| PERIMETER | PERIMETER |
| GROSS FLOOR AREA | GROSS FLOOR AREA |
| NO. STORIES | NO. STORIES |
| STORY HEIGHT | STORY HEIGHT |
| WALL A PERCENT | WALL A PERCENT |
| WALL B PERCENT | WALL B PERCENT |
| WALL C PERCENT | WALL C PERCENT |
| AIR COND. PERCENT | AIR COND. PERCENT |
| SPRINKLER PERCENT | SPRINKLER PERCENT |
| ALARM PERCENT | ALARM PERCENT |
| NO. ELEVATORS | NO. ELEVATORS |
| BASEMENT TYPE | BASEMENT TYPE |
| BASEMENT PERIMETER | BASEMENT PERIMETER |
| BASEMENT SQ. FT. | BASEMENT SQ. FT. |

APARTMENTS

| USED AS CODE | SQUARE FEET | NO OF APTS |
|--------------|-------------|------------|
| E&TB | | |
| 2BED | | |
| 3BED | | |
| TOTAL | | |

COMMERCIAL

| USED AS CODE | F | L | SQUARE FEET | UNIT CODE | NO OF UNITS |
|--------------|---|---|-------------|-----------|-------------|
| 503 | | | | 03 | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

MISCELLANEOUS IMPROVEMENTS

| STRUCTURE ID | STRUC CODE | M | C | MEASUREMENT 1 | MEASUREMENT 2 | NO IDENT UNITS | C | D | YEAR BUILT | G | R |
|--------------|------------|---|---|---------------|---------------|----------------|---|------|------------|---|---|
| 01112 | RP23 | | | 420 | | 001 | 2 | 1940 | D | | |
| 01113 | EL13 | | | 360 | | 001 | 3 | 1940 | D | | |
| 01114 | BS12 | | | 29 | 25 | 001 | 3 | 1960 | D | | |
| 01115 | BS12 | | | 18 | 16 | 001 | 3 | 1960 | D | | |
| 01116 | DK23 | | | 1750 | | 001 | 3 | 1960 | D | | |

| | | | | | |
|---------------------------------|-------------|-------------|-------------|---------------|------------|
| MISCELLANEOUS IMPROVEMENT CODES | | FLOOR LEVEL | | UNIT CODES | |
| MEASURE CODE | CONDITION | GRADE | B BASEMENT | 02 APARTMENTS | 10 BAYS |
| 1' QUANTITY | 1 POOR | A EXCELLENT | F 1ST FLOOR | 03 ROOMS | 11 GALLONS |
| 2 DIMENSIONS | 2 FAIR | B GOOD | U UPPER | 04 SEATS | 12 PADS |
| 3 SQUARE FEET | 3 NORMAL | C AVERAGE | T TOTAL | 05 BEDS | 13 RUNS |
| 4 DOLLARS | 4 GOOD | D ECONOMY | | 06 STALLS | 14 HOLES |
| | 5 EXCELLENT | E MINIMUM | | 07 LANES | 15 PLOTS |
| | | | | 08 COURTS | 16 BARRELS |
| | | | | 09 SLIPS | 17 ACRES |



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[Inventory](#)
[Improvements](#)
[Report](#)

Municipality of Lake George (TOV)

| | | | |
|-------|--------|---------|-------------|
| SWIS: | 522289 | Tax ID: | 226.09-1-10 |
|-------|--------|---------|-------------|

Tax Map ID / Property Data

| | | | |
|-----------------------|----------------------|----------------------|--------------------|
| Status: | Active | Roll Section: | Taxable |
| Address: | 3686 Lakeshore Dr | | |
| Property Class: | 417 - Cottages | Site Property Class: | 220 - 2 Family Res |
| Ownership Code: | W - Waterfront | | |
| Site: | Res 1 | In Ag. District: | No |
| Zoning Code: | 07 - | Bldg. Style: | Old style |
| Neighborhood: | 00203 - | School District: | Lake George |
| Property Description: | Res.&cabins 50.-2-12 | | |
| Total Acreage/Size: | 1.19 | Equalization Rate: | ---- |
| Land Assessment: | 2016 - \$1,376,300 | Total Assessment: | 2016 - \$1,768,300 |
| Full Market Value: | 2016 - \$1,901,400 | | |
| Deed Book: | 4098 | Deed Page: | 211 |
| Grid East: | 708071 | Grid North: | 1693733 |

Special Districts for 2016

| Description | Units | Percent | Type | Value |
|----------------------------|-------|---------|------|-------|
| WR001-Return water | 0 | 0% | T | 0 |
| FP001-Fire protection no.1 | 0 | 0% | | 0 |
| IM002-Bus Improvement Dist | 0 | 30% | | 0 |

Photographs

No Photo Available

Maps

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Commercial

[Property Info](#)[Owner/Sales](#)[Inventory](#)[Improvements](#)[Report](#)

Municipality of Lake George (TOV)

| | | | |
|-------|--------|---------|-------------|
| SWIS: | 522289 | Tax ID: | 226.09-1-10 |
|-------|--------|---------|-------------|

Structure

| | |
|-----------------------|--------------------|
| Building Style: | Old style |
| Number of Baths: | 3 (Full) - 1(Half) |
| Number of Bedrooms: | 7 |
| Number of Kitchens: | 2 |
| Number of Fireplaces: | 1 |
| Overall Condition: | Normal |
| Overall Grade: | Average |
| Porch Type: | |
| Porch Area: | |
| Year Built: | 1940 |
| Basement Type: | Partial |
| Basement Garage Cap.: | 0 |
| Attached Garage Cap.: | 0 sq. ft. |

Area

| | |
|----------------------------|---------------|
| Living Area: | 3,906 sq. ft. |
| First Story Area: | 1,953 sq. ft. |
| Second Story Area: | 1,953 sq. ft. |
| Half Story Area: | 0 sq. ft. |
| Additional Story Area: | 0 sq. ft. |
| Three-Quarter Story Area: | 0 sq. ft. |
| Finished Basement: | 0 sq. ft. |
| Finished Rec Room: | 0 sq. ft. |
| Finished Area Over Garage: | 0 sq. ft. |

Photographs

No Photo Available

Maps

[View Tax Map](#)[Pin Property on GIS Map](#)[View in Google Maps](#)[View in Bing Maps](#)[Map Disclaimer](#)

LGPC Permit Number

5222-32-11 M1

State of New York

LAKE GEORGE PARK COMMISSION**PERMIT****Under the Environmental Conservation Law****Effective Date**

08/06/1996

Modification or Renewal Date

11/16/2011

Expiration Date

11/15/2016

Type of Permit

- ☐ New
☒ Renewal
☐ Modification
☐ Variance

- | | |
|---|--|
| <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

Gilchrist Marina L L C

Telephone Number

668-2028

Address of Permittee

Po Box 14
Diamond Point, NY 12824

Contact Person (if not permittee)

Ken Graven

Telephone Number

SAME

Facility Name

Gilchrist Motel & Marina

County Warren**Town** Lake George**Parcel #** 226.09-1-10**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.

Acting Executive Director: Molly Gallagher

Lake George Park Commission, PO Box 749, Lake George NY 12845, 518-668-9347

Authorized Signature

Date

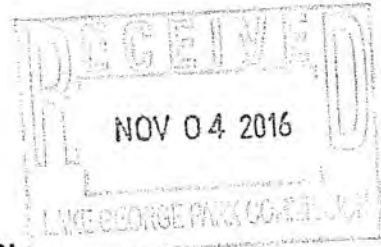
11/16/11

Page 1 of 7

PERMIT RENEWAL REQUEST

Submit to: Lake George Park Commission
PO Box 749
Lake George NY 12845

Permit # 5222-32-11
Facility: Gilchrist Motel L L C



Please note any changes to your contact information:

Permittee: Gilchrist Marina L L C
Contact: Ken Graven
Address Po Box 14
Diamond Point, NY 12824
Phone: 668-2028
Email:

1. I understand that during the processing of this application Lake George Park Commission personnel will conduct a site inspection to assess compliance with permit requirements. I authorize Commission staff to conduct such a site inspection

2. I have reviewed the referenced draft permit and I am familiar with its provisions. I request that the permit be renewed.

☒ I enclose the required \$50 application fee.

3. For facilities offering petroleum sales, I have reviewed the Spill Prevention Plan and _____ confirm that the Spill Prevention Plan on file is still valid
_____ a revised Spill Prevention Plan is enclosed

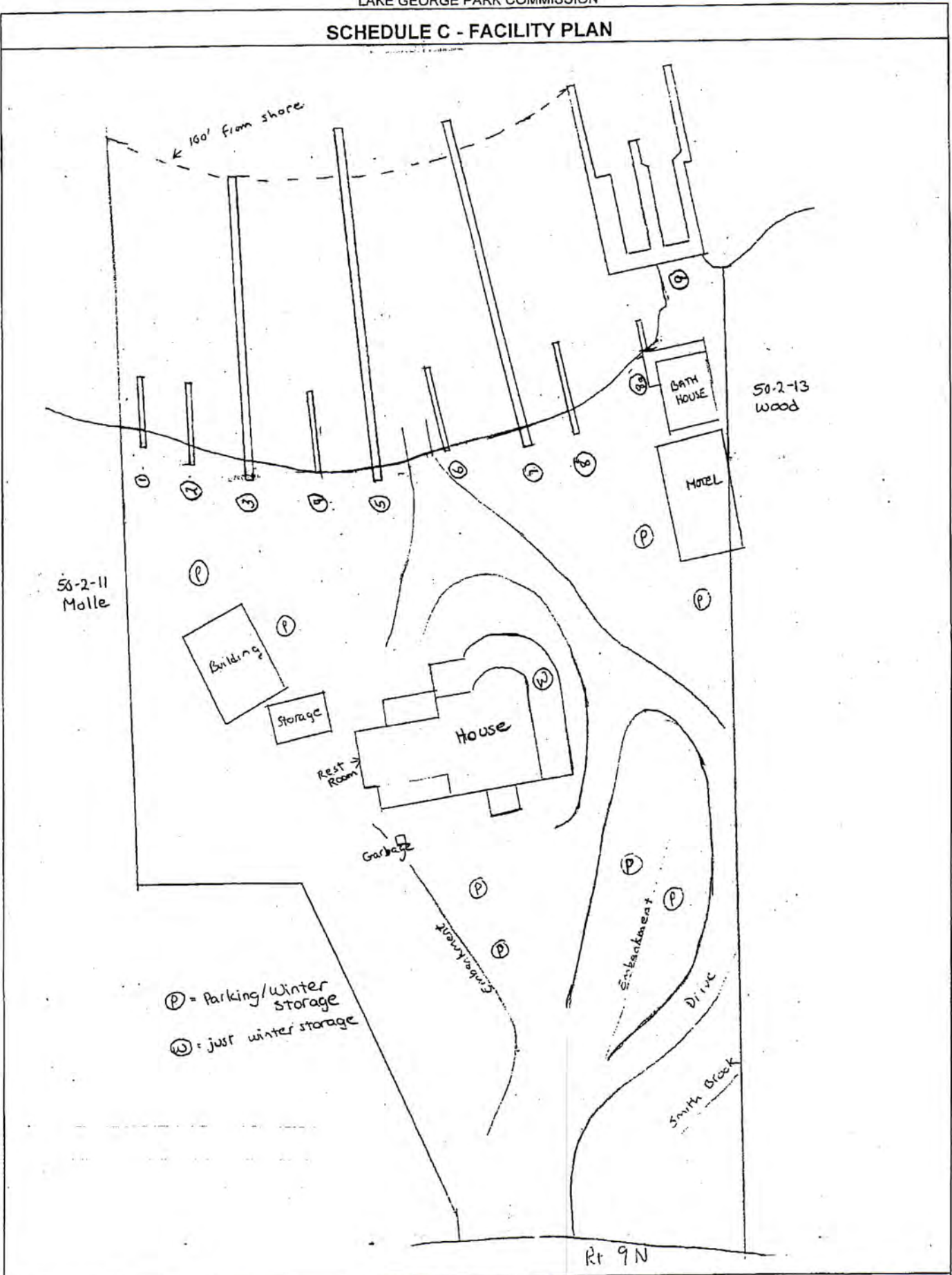
Signed:  Date: 11.2.16

Title (if signing for a corporation or association) _____

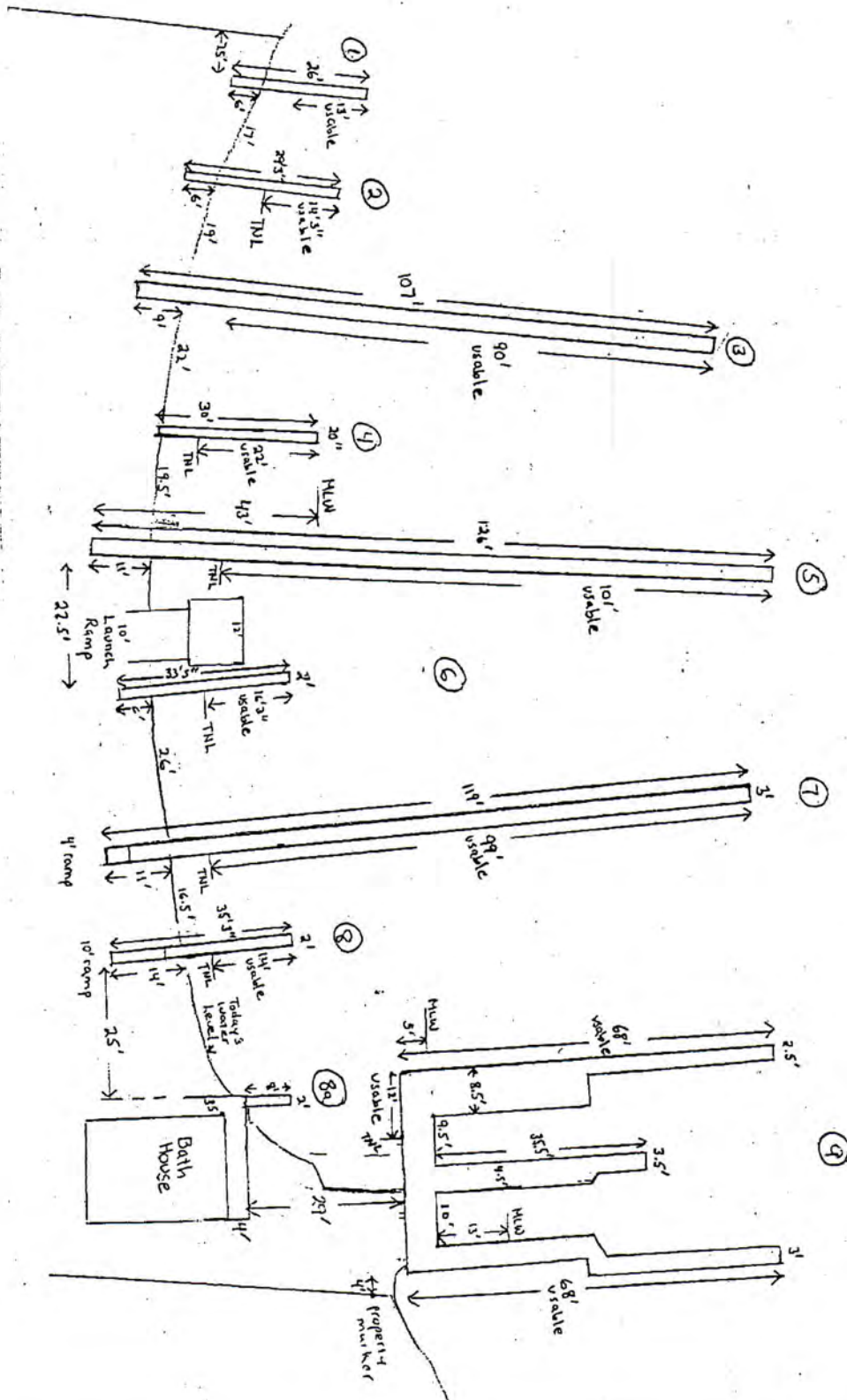
SCHEDULE A - MARINA DESCRIPTION

| | |
|---|---|
| Facility Gilchrist Motel & Marina | Lakefrontage: 225 feet |
| Other Parcels | |
| Marina Description Gilchrist Motel & Marina is located in the Diamond Point area. The marina offers seasonal berthing for up to 43 boats (40 on docks and 3 on moorings), outside winter storage for up to 50 vessels, rental of 6 motorized and 9 non-motorized vessels, two charter vessels, a public boat launch and sales and service of marine products. | |
| Authorized Marina Activities | |
| Total Seasonal Customer Berthing Spaces: 43 (40 on docks and 3 on moorings) | |
| Total Customer Winter Storage: 50 (0 indoor and 50 outdoor) | |
| Total Quick Launch: 0 (0 indoor and 0 outdoor) | |
| Rental Vessels: motorized: 6 - one 20' pontoon, one 12' explorer and 4 others, none of which shall be longer than 21'. non-motorized: 9 - six 14' canoes, two 14' rowboats, one 16' sunfish personal watercraft: 0 | |
| Charter Vessels: 2 | |
| SCUBA Instruction: No | Waterski/Tubing/Rides: No |
| Tour Boats: 0 | |
| Parasail: No | |
| Public Boat Launch: Yes | Private Boat Launch/Hoist/Rail: No |
| Sales/Service: Yes | Customer Parking Spaces: 70 |
| Vessel Towing: No | |
| Fuel Sales: No | Bulk Storage Permit# n/a |
| Pumpout available at: Yankee Yacht | |
| 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. | |
| LGPC Permit # 5222-32-11 | Page 4 of 7 |

SCHEDULE C - FACILITY PLAN



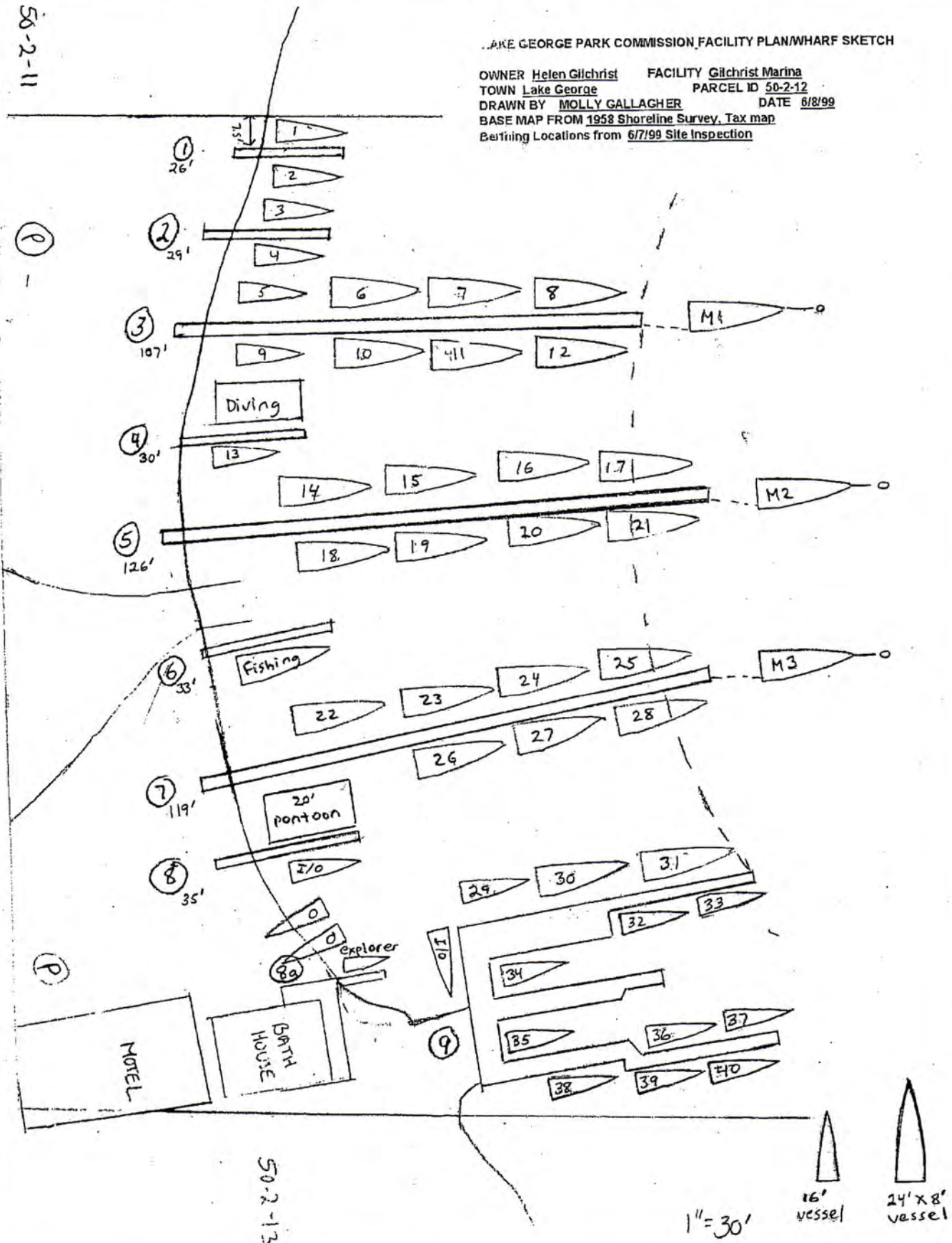
SCHEDULE B - WHARF & MOORING PLAN



SCHEDULE B - WHARF & MOORING PLAN

LAKE GEORGE PARK COMMISSION FACILITY PLAN/WHARF SKETCH

OWNER Helen Gilchrist FACILITY Gilchrist Marina
 TOWN Lake George PARCEL ID 50-2-12
 DRAWN BY MOLLY GALLAGHER DATE 6/8/99
 BASE MAP FROM 1958 Shoreline Survey, Tax map
 Berthing Locations from 6/7/99 Site Inspection



Southern Adirondack Commercial Property - Agent Copy

Address: 3686 LAKESHORE Drive, Lake George, NY 12845
 County: Warren
 Town/Village: Lake George
 Current Price: 6,950,000
 Common Post Office: Diamond Point
 List Number: 161075
 Status: Expired

Property Data

Aprx. Acres: 1.19
 Lot Front: 225
 Lot Side 1: 230
 Lake/River Name: Lake George
 Property Type: Commercial
 Tax Map Section: 226.09
 Tax Map Block: 1
 Tax Map Lot: 10
 Estimated Taxes: 30,000
 Tax Assessment: 1,768,300
 Full Mkt Assessment: 1,768,300
 Deed Restrictions: No
 Elementary School: Lake George
 High School: Lake George
 Owner: Gilchrist Marina
 Zoning: Commercial



Listing Office: Realty USA-DV
 Listing Office Phone: 518-583-7268
 Listing Member: Scott Varley
 Listing Member Phone:
 Type of Agency: Right to Sell
 Sub Agency Comm: 0%
 Broker's Agent: 2%
 Buyer's Agent: 2%
 Original List Price: \$6,950,000
 List Price: \$6,950,000
 List Date: 04/08/2016
 Status Change Date: 01/18/2017
 Withdrawn Date: 09/13/2016
 Expiration Date: 01/18/2017
 Days On Market: 158
 Cumulative DOM: 154
 Owner: Gilchrist Marina
 PCD:

Utilities: Cable TV; Electricity; Telephone; Water
 Sale Includes: Building & Land
 Attic: No Attic
 Construction: Frame; Multi-Story
 Cooling Type: Window Units
 Exterior Finish: Cedar Shake
 Foundation: Poured Concrete
 Flooring: Hardwood
 Garage: No Garage

Heat Distribution: H/W Baseboard
 Heat System: Propane
 Land Features: Cleared
 Multi-Use Type: Commercial
 Parking Area: Gravel; Private
 Possession: At Closing
 Road Frontage: State Highway Frontage
 Roof: Asbestos Shingle
 Showing Instructions: 24 Hour Notice; Book-A-Showing; LA Must Accompany; No Sign
 Sewer: Septic Tank/Leach Field
 Transportation: State Maintained Highway
 Type: Marina; Motel
 Water Type: Direct Water Front
 Waterfront: Dock; Lake Front; Lake/River View
 Water Heater: Electric
 Water: Public Water

Directions: Gilchrist Marina & Motel

Remarks: From Exit 22, approx. 3 miles North on Lakeshore Dr. Property is on the right. From Exit 23, go east on Daimond Point Rd (Rt 35) approx. 3.5 miles to Lake. Make a right onto Lakeshore Dr. Property is 300 feet on the Left

Office Escrow: M&T Bank

Withdrawn Date: 09/13/2016

Information is deemed to be reliable, but is not guaranteed. © 2017 MLS and FBS. Prepared by Neil Cherkosly on Wednesday, February 15, 2017 2:42 PM. The information on this sheet has been made available by the MLS and may not be the listing of the provider.

Federal Statements

Statement 1 - Form 1065, Page 1, Line G(5) - Reason for Amended Return

Description

Return is being amended to correct cash disbursements for real estate taxes.

Statement 2 - Form 1065, Page 1, Line 20 - Other Deductions

| <u>Description</u> | <u>Amount</u> |
|----------------------------|------------------|
| Bank Charges | \$ 41 |
| Insurance | 8,876 |
| Landscaping & Snow Removal | 3,424 |
| Office Expense | 27 |
| Outside Services | 13,610 |
| Rubbish Removal | 1,414 |
| Utilities | 648 |
| Total | <u>\$ 28,040</u> |

Statement 3 - Form 1065, Schedule L, Line 17 - Other Current Liabilities

| <u>Description</u> | <u>Beginning of Year</u> | <u>End of Year</u> |
|--------------------|------------------------------|------------------------|
| Customer Deposits | \$ 28,270 | \$ 23,385 |
| Total | <u>\$ 28,270</u> | <u>\$ 23,385</u> |

Federal Statements**Statement 1 - Form 1065, Page 1, Line 20 - Other Deductions**

| <u>Description</u> | <u>Amount</u> |
|----------------------------|------------------|
| Bank Charges | \$ 94 |
| Cleaning & Maintenance | 949 |
| Dues & Subscriptions | 472 |
| Fees & Licenses | 2,297 |
| Insurance | 11,018 |
| Landscaping & Snow Removal | 2,304 |
| Miscellaneous | 1,138 |
| Office Supplies | 181 |
| Operating Supplies | 29 |
| Outside Services | 10,177 |
| Professional Fees | 5,107 |
| Rubbish Removal | 1,500 |
| Utilities | 11,403 |
| Total | \$ <u>46,669</u> |

Statement 2 - Form 1065, Schedule L, Line 17 - Other Current Liabilities

| <u>Description</u> | <u>Beginning of Year</u> | <u>End of Year</u> |
|--------------------|------------------------------|------------------------|
| Customer Deposits | \$ 41,748 | \$ 28,270 |
| Total | \$ <u>41,748</u> | \$ <u>28,270</u> |

Federal Statements

10/15/2016 3:20 PM

Statement 1 - Form 1065, Page 1, Line G(5) - Reason for Amended Return

Description

Return is being amended to correct income and expenses as reported on the original return.

Statement 2 - Form 1065, Page 1, Line 20 - Other Deductions

| <u>Description</u> | <u>Amount</u> |
|----------------------------|---------------|
| Bank Charges | \$ 7 |
| Equipment Rental | 601 |
| Insurance | 8,421 |
| Landscaping & Snow Removal | 2,813 |
| Office Expense | 45 |
| Outside Services | 15,907 |
| Professional Fees | 3,200 |
| Rubbish Removal | 1,319 |
| Utilities | 619 |
| Total | \$ 32,932 |

Statement 3 - Form 1065, Schedule L, Line 6 - Other Current Assets

| <u>Description</u> | <u>Beginning of Year</u> | <u>End of Year</u> |
|--------------------|------------------------------|------------------------|
| Prepaid Expense | \$ | \$ 2,690 |
| Total | \$ 0 | \$ 2,690 |

Statement 4 - Form 1065, Schedule L, Line 17 - Other Current Liabilities

| <u>Description</u> | <u>Beginning of Year</u> | <u>End of Year</u> |
|--------------------|------------------------------|------------------------|
| Customer Deposits | \$ 23,385 | \$ 18,700 |
| Total | \$ 23,385 | \$ 18,700 |

Southern Adirondack Land Property - Agent Copy

Address: 4026 Lakeshore Drive, Bolton, NY 12814
County: Warren
Town/Village: Bolton
Current Price: 1,700,000
Common Post Office: Bolton Landing
Subdivision/Association: None
List Number: 114528
Status: Closed

Property Data

Aprox. Acres +/-: 3.05
Lot Front: 183
Lot Side 1: 720
Lot Back: 180
Lot Side 2: 740
Irregular Lot: No
Wooded Acres: 3.05
Cleared Acres Available: 0
Lake/River Name: Lake George
Main Road Frontage: 180
Other Acres Available: 0
Property Type: Land
Tillable Acres: 0
Tax Map Section: 213.09
Tax Map Block: 1
Tax Map Lot: 16
Estimated Taxes: 17,000
Tax Assessment: 1,364,300
Full Mkt Assessment: 2,098,900
Deed Book: 3381
Deed Page: 232
Deed Restrictions: Yes
Elementary School: Lake George
High School: Lake George
Owner: Katherine W. Holding LLC
PCD: No
Zoning: Residential



Listing Office: Berkshire Hathaway HomeServices, Blake REALTORS®
Listing Office Phone: 518-793-6628
Listing Member: Jeff York
Listing Member Phone: 518-796-9813
Type of Agency: Right to Sell
Sub Agency Comm: 0%
Broker's Agent: 2%
Buyer's Agent: 2%
Original List Price: \$2,300,000
List Price: \$1,750,000
List Date: 07/29/2011
Status Change Date: 10/01/2016
Under Contract Date: 04/06/2016
Days On Market: 1555
Cumulative DOM: 1555
Multiple Use: No
Owner Finance: No
Sign: Yes
Sold Date: 09/30/2016
Sold Loan Type: Cash
Seller Conc Amount: 0
Sold Price: 1,700,000
Owner: Katherine W. Holding LLC
PCD: No

Land Features: Gently Rolling; Partially Cleared; Partially Wooded; Wooded
Best Use: Recreation; Residential; Vacation Site
Documents on File: Deed Restrictions; Legal Description

Possession: At Closing
Showing Instructions: Book-A-Showing; Call LA For Appt; Sign on Property
Sewer: No Sewer
Timber: Mixed
Water Type: Direct Water Front
Waterfront: Crib Dock; Dock; Dock w/Sundeck; Lake Front; Seawall; Stairway
Water: Lake/River

Directions: Rt 9N north of Lake George Village about 5 miles through Diamond Point just north of Lake George Club

Remarks: This is the best building lot available on Lake George, immediately north and contiguous to the Lake George Club. 183' of prime waterfront including a large boathouse and docking complex with stone staircase, on 3 acres. Spectacular views across the open lake from this slightly elevated building site. Lot runs from lake to Rt 9N for maximum privacy and development potential. 183 x 720 x 180 x 740. 2007 sale was buyout of 1/3 ownership (\$583,333) of lot.

Sold Date: 09/30/2016

Office Escrow: First Niagara-Coloni

Selling Office:

Berkshire Hathaway
HomeServices, Blake
REALTORS®

Sold Loan Type: Cash

Selling Member: Jeff York

Sold Price: 1,700,000

Seller Conc Amount: 0

Amount:

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Southern Adirondack Residential Property - Agent Copy

Address: 186 LAKE PARKWAY,
Queensbury, NY 12845
County: Warren
Town/Village: Queensbury
Current Price: \$1,380,000
Common Post Office: Lake George
Subdivision/Association: None
List Number: 161226
Status: Closed
Bdrms: 5
Total Baths: 2
FBths: 2
HBths: 0
Laundry Level: None
Total Finished SqFt: 1,971
Stories: 2
Finished Abv Grd SqFt: 1,971
Finished Blw Grd SqFt: 0

| Room Name | Level | Description |
|----------------|-----------|--------------|
| Living Room | 1st Floor | w/ Stone FP |
| Dining Room | 1st Floor | area |
| Kitchen | 1st Floor | Eat in |
| Den | 1st Floor | w/ bar! |
| Master Bedroom | 2nd Floor | |
| Bedroom | 2nd Floor | |
| Bedroom | 2nd Floor | |
| Bedroom | 3rd Floor | |
| Bedroom | 4th Floor | |
| Other Room 1 | 2nd Floor | Bedroom |
| Other Room 2 | 1st Floor | Screen Porch |



Listing Office: Davies-Davies & Associates Real Estate, LLC
Listing Office Phone: 518-656-9068
Listing Member: Pamela Hawley Dean
Listing Member Phone: 518-656-9068

Property Data

Aprox. Acres +/-: 0.72
Irregular Lot: No
Lot Dimensions: 114.5'x174'x114.5'
Elementary School: Lake George
High School: Lake George
Lake/River Name: Lake George
Main Road Frontage: 114.5
Property Type: Residential
Style: Old Style
To Be Built: No
Year Built: 1899
Zoning: Residential

Assoc. Fee:

Assoc. Freq.:

Public Record Data

Sec-Block-Lot: 226.19-1-91, 65
Tax Assessment: \$1,284,700
Full Mkt Assessment: \$1,284,700
Estimated Taxes: \$16,485.71
Deed Bk/Pg: 1165/316
Deed Restrictions: No

| Room | Bsmt | Main | 2nd | 3rd |
|-------------|------|------|-----|-----|
| Beds: | 0 | 0 | 5 | 0 |
| Full Baths: | 0 | 1 | 1 | 0 |
| Half Baths: | 0 | 0 | 0 | 0 |

Appliances Included: Dryer; Microwave; Refrigerator; Stove - Electric; Washer
Garage: Barn Garage; Garage Door Opener; Workshop

Custom Features: Bar - Indoor Dry**Dining Features:** Dining Area; In Kitchen**Exterior Feature:** Patio; Porch; Screened Porch; Stone Drive; Storage Shed; Storm Window**Attic:** Roughed In**Attic Access:** Crawl Opening**Basement:** Exterior Entry; Heated; Interior Entry; Partial**Cooling Type:** Window Units**Documents:** Deed; Zoning Restrictions**Exterior Finish:** Cedar Shake; Cedar Siding; Stone/Brick**Flooring:** Linoleum; Wood Floor**Heat Distribution:** Baseboard**Heat System Fuel:** Electric; Wood**Interior Features:** Blinds; Curtain Rods; Drapes/Curtains; Fireplace - Wood; Smoke Alarm; Solid Surface Countertop**Possession:** At Closing**Roof:** Slate**Showing Instructions:** Lock Box; No Sign; Showing Time**Sewer:** Septic Tank/Leach Field**Water Type:** Direct Water Front**Waterfront:** Boathouse; Crib Dock; Dock w/Sundeck; Lake Front;

Lake/River View; Level; Seawall; Water Front Deck

Water Heater: Electric**Water:** Lake/River**Directions:** Route 9L to Assembly Point Rd to left on Crossover Lane to left on Lake Parkway- House on right. See sign.

Remarks: ASSEMBLY POINT on Lake George! Beautiful location with views all the way to LG Village. Classic year round camp- knotty pine living/dining room with stone fireplace, country kitchen, 5 bedroom up, 2B, full length lakeside screen porch! Partial basement. House needs some work and cosmetic updating but seller has upgraded the electric, the exterior with new windows and exterior doors, fresh stain, insulation, slate roof has been repaired, basement with B-Dry. Enclosed boathouse with sundeck with jet ski lift. Sandy swimming. Long lake views and sunset vistas. Detached garage with workshop. Includes a vacant lot across the street.

Agent to Agent Rmrks: Taxes and assessed values are both lots together. Commission is due and payable upon transfer of title only. House is being sold as is.

Sold Date: 05/31/2016**Sold Price Sqft:** 700.15**Selling Office:** Sherwood Group, LLC

| | | | |
|------------------------|-----------|------------------------|----------------------|
| Sold Loan Type: | Cash | Office Escrow: | Glens Falls National |
| Sold Price: | 1,380,000 | Selling Member: | Lonnie Lawrence |
| Seller Conc | 0 | | |
| Amount: | | | |

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Southern Adirondack Residential Property - Agent Copy

Address: 42 Fish Pt Road,
Bolton, NY 12824
County: Warren
Town/Village: Bolton
Current Price: \$1,300,000
Common Post Office: Bolton Landing
List Number: 161033
Status: Closed
Bdrms: 3
Total Baths: 1.1
FBths: 1
HBths: 1
Laundry Level: Basement
Total Finished SqFt: 1,886
Stories: 1
Finished Abv Grd SqFt: 1,886
Finished Blw Grd SqFt: 0

Property Data

Aprox. Acres +/-: 1.25
Irregular Lot: No
Lot Dimensions: 150x520x103x438
Elementary School: Bolton Central
High School: Bolton Central School
Lake/River Name: Lake George
Main Road Frontage: 100
Property Type: Residential
Style: Ranch
To Be Built: No
Year Built: 1961
Zoning: Adirondack Park Agency

Assoc. Fee:
Assoc. Freq.:

Public Record Data

Sec-Block-Lot: 200.7-1-16
Tax Assessment: \$1,419,800
Full Mkt Assessment: \$1,419,800
Estimated Taxes: \$13,584.8
Deed Bk/Pg: /
Deed Restrictions: Yes

| Room | Bsmt | Main | 2nd | 3rd |
|-------------|------|------|-----|-----|
| Beds: | 0 | 3 | 0 | 0 |
| Full Baths: | 0 | 1 | 0 | 0 |
| Half Baths: | 0 | 1 | 0 | 0 |

Appliances Included: Dishwasher; Microwave; Refrigerator; Stove - Electric
Dining Features: Dining Area
Exterior Feature: Deck; Patio; Stone Drive; Storage Shed
Attic: Storage Only
Attic Access: Pull Down Stairs
Basement: Exterior Entry; Full; Interior Entry
Cooling Type: None
Documents: Deed
Exterior Finish: Wood
Flooring: Hardwood; Linoleum; Wall/Wall Carpeting

| Room Name | Level | Description |
|----------------|-----------|----------------|
| Living Room | 1st Floor | with woodstove |
| Kitchen | 1st Floor | |
| Dining Room | 1st Floor | |
| Master Bedroom | 1st Floor | |
| Bedroom | 1st Floor | |
| Bedroom 2 | 1st Floor | |
| Bedroom 3 | 1st Floor | |
| Laundry Room | Basement | |
| Utility Room | Basement | |
| Other Room | 1st Floor | sunroom |
| Other Room | 1st Floor | screened porch |



Listing Office: Davies-Davies & Associates Real Estate, LLC
Listing Office Phone: 518-656-9068
Listing Member: Karen O'Carroll
Listing Member Phone: 518-321-5051
Type of Agency: Right to Sell
Sub Agency Comm: 0%
Broker's Agent: 0.5%
Buyer's Agent: 2.25%
Original List Price: \$1,499,000
List Price: \$1,499,000
List Date: 04/02/2016
Status Change Date: 06/30/2016
Under Contract Date: 05/11/2016
Days On Market: 39
Cumulative DOM: 32
Lockbox: Yes
Sign: No
Sold Date: 06/30/2016
Sold Loan Type: Conventional
Seller Conc Amount: 0
Sold Price: 1,300,000
Owner: McGinnis
PCD: Yes

Garage: Attached 1 Car; Carport 1 Car
Heat Distribution: Warm Air; Wood Stove
Heat System Fuel: Oil; Wood
Interior Features: 1st Floor Master; Curtain Rods; Dry Wall; Dryer Connection; Internet - Cable; Paneling; Slate Foyer; Washer Connection
Possession: At Closing
Roof: Metal
Showing Instructions: Call LA For Appt; Lock Box; No Sign; Showing Time
Sewer: Septic Tank/Leach Field
Water Type: Direct Water Front
Waterfront: Crib Dock; Dock w/Sundeck; Lake Front; Lake/River View; Level
Water Heater: Electric
Water: Well Drilled

Directions: Exit 22 off Nway towards Bolton. Take left onto Lakeshore Dr. (Route 9N). R onto Homer Point Rd. Take hard R at the fork and follow to end (see Lake). Turn L on Fish Point Rd and stay right at Y. #42 on Left.

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Remarks: Lake George waterfront year round home situated on 1.25 private acres with 150 ft. of lake frontage. Rare sunset views on the west side of Lake George from the dock/sundeck in protected Basin Bay. This single story home offers a large living room with woodstove, 3 generous sized bedrooms, 1 1/2 baths, sunroom and screened porch. There is a full basement with garage and carport.

Agent to Agent Rmrks: Commission payable only upon successful transfer of title.

| | | | | | |
|------------------------|--------------|-------------------------|----------------------|------------------------|-----------------|
| Sold Date: | 06/30/2016 | Sold Price Sqft: | 689.29 | Selling Office: | Davies-Davies & |
| Sold Loan Type: | Conventional | Office Escrow: | Glens Falls National | | Associates Real |
| Sold Price: | 1,300,000 | Selling Member: | Karen O'Carroll | | Estate, LLC |
| Seller Conc | 0 | | | | |

Amount:

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Southern Adirondack Residential Property - Agent Copy

Address: 4104 Lakeshore Drive,
Bolton, NY 12824

County: Warren
Town/Village: Bolton
Current Price: \$1,850,000
Common Post Office: Diamond Point

List Number: 151567
Status: Closed
Bdrms: 8

Total Baths: 3
FBths: 3
HBths: 0

Laundry Level: Basement
Total Finished SqFt: 3,420
Stories: 2

Finished Abv Grd SqFt: 3,420
Finished Blw Grd SqFt: 0

Property Data

Aprox. Acres +/-: 2.02
Lot Dimensions: 150x1x140x1
Elementary School: Lake George
High School: Lake George
Lake/River Name: Lake George
Property Type: Residential
Style: Colonial
To Be Built: No
Year Built: 1923
Zoning: Residential

Assoc. Fee:
Assoc. Freq.:

Public Record Data

Sec-Block-Lot: 213.05-1-11
Tax Assessment: \$1,687,600
Full Mkt Assessment: \$1,687,600
Estimated Taxes: \$18,381
Deed Bk/Pg: 1015/166
Deed Restrictions: No

| Room | Bsmt | Main | 2nd | 3rd |
|-------------|------|------|-----|-----|
| Beds: | 0 | 2 | 6 | 0 |
| Full Baths: | 0 | 1 | 2 | 0 |
| Half Baths: | 0 | 0 | 0 | 0 |

| Room Name | Level | Description |
|----------------|-----------|---------------------|
| Living Room | 1st Floor | 22 x 20 |
| Dining Room | 1st Floor | 14 x 17 |
| Other Room 1 | 1st Floor | Nook 7 x 8 |
| Kitchen | 1st Floor | 15 x 10 |
| Den | 1st Floor | Den/Bedroom 15 x 13 |
| Laundry Room | Basement | |
| Utility Room | Basement | |
| Master Bedroom | 2nd Floor | 14 x 13 |
| Bedroom 2 | 1st Floor | 14 x 13 |
| Bedroom 3 | 2nd Floor | 10 x 14 |
| Bedroom 4 | 2nd Floor | 11 x 14 |
| Other Room 1 | 1st Floor | Porch 26 x 11 |
| Other Room 1 | 2nd Floor | Bedroom 13 x 7 |
| Other Room 2 | 2nd Floor | Bedroom 12 x 15 |



©2015 WQMLS

Listing Office: Robert W. Leavitt
Listing Office Phone: 518-668-3333
Listing Member: Linda Boden
Listing Member Phone: 518-926-8080

Type of Agency: Right to Sell
Sub Agency Comm: 0%
Broker's Agent: 2%
Buyer's Agent: 2%
Original List Price: \$1,999,999
List Price: \$1,999,999
List Date: 05/19/2015
Status Change Date: 03/17/2016
Under Contract Date: 08/28/2015
Days On Market: 101
Cumulative DOM: 101
Lockbox: Yes
Multiple Use: No
Owner Finance: No
Sign: Yes
Sold Date: 03/17/2016
Sold Loan Type: Cash
Seller Conc Amount: 0
Sold Price: 1,850,000
Owner: Millham
PCD: No

Appliances Included: Dishwasher; Disposal; Dryer; Microwave;
Refrigerator; Stove - Electric; Washer; Water Purifier
Dining Features: Formal
Exterior Feature: Circular Drive; Paved Drive; Porch; Privacy Fence
Attic: Roughed In
Attic Access: Pull Down Stairs
Basement: Full; Interior Entry
Cooling Type: None
Exterior Finish: Aluminum Siding
Flooring: Hardwood; Linoleum

Garage: Barn Garage; Detached 1 Car
Heat Distribution: Direct Vent
Heat System Fuel: Oil
Interior Features: Fireplace - Wood; Internet - Cable; Paddle Fan;
Plaster; Smoke Alarm; Solid Surface Countertop
Possession: At Closing
Roof: Slate
Showing Instructions: 24 Hour Notice; Call LA For Appt;
ShowingTime; Sign on Property
Sewer: Septic Tank/Leach Field
Water Type: Direct Water Front
Waterfront: Boathouse; Crib Dock; Dock w/Sundeck; Lake Front
Water Heater: Electric
Water: Lake/River

Directions: Take I87 North to Exit 22, make a left at the light onto 9N (Lakeshore Dr) and follow approximately 5 miles past the Lake George Club to #4104

Remarks: Fabulous location and a magnificent, level lot are the backdrops for this majestic turn-of-the-century Lake George classic. The house is professionally and lavishly decorated with the era in mind of the "Great and Gracious" and boasts water views from most rooms as well as the wrap-a-round porch and sundeck. This location is quiet, serene and private with docking for three large boats. Simply Elegant!

| | | | | | |
|-----------------|------------|------------------|-------------|-----------------|-------------------|
| Sold Date: | 03/17/2016 | Sold Price Sqft: | 540.94 | Selling Office: | Robert W. Leavitt |
| Sold Loan Type: | Cash | Office Escrow: | TD Bank | | |
| Sold Price: | 1,850,000 | Selling Member: | Linda Boden | | |
| Seller Conc | 0 | | | | |

Amount:

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WELCOME TO GILCHRIST MARINA & MOTEL

Located on Beautiful Lake George

HOME

HISTORY

DOCK RENTALS

BOAT LANCHING & PARKING

LAKEFRONT MOTEL

BOAT RENTALS

SERVICES

LAKE GEORGE FACTS

MAP & DIRECTIONS

CONTACT US

Gilchrist Marina is a full-service marina family owned and operated for over 56 years. We are the most conveniently located Marina on Lake George both by land and water. Gilchrist Marina is situated in a protected cove environment. Just 3 1/2 miles north of Exit 22 off Rt 87 and Lake George Village. We are only minutes across the lake by boat from Long Island camping and picnic islands.

What We Offer

Local Weather for
Lake George, NY

Today (02/15/2017)



Hi: 37°F
Lo: 23°F

Prediction: Mostly Cloudy with Light
Snow Showers

Powered by AeriWeather

Dock Rentals

- Seasonal, Weekly, or Daily

Boat Launching

Vehicle & Trailer Parking

Boat Rentals

Lakefront Motel

- With Boat Dock (Optional)

Boat Repairs & Service

Boat Winterization & Storage

Boat Shuttle to Long Island

Please View Our Videos at

<http://adironackminute.com/gilchrist-marina-a-motel>

Choose Gilchrist Marina and Motel Today

for All Your Vacation Needs

518-668-5848

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HOME

HISTORY

DOCK RENTALS

BOAT LANCHING & PARKING

LAKEFRONT MOTEL

BOAT RENTALS

SERVICES

LAKE GEORGE FACTS

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CONTACT US

Local Weather for
Lake George, NY

Today (02/15/2017)



Hi: 37°F
 Lo: 23°F

Prediction: Mostly Cloudy with Light
 Snow Showers

Powered by AccuWeather

SERVICES

Our full time mechanics are ready to serve you in the most timely fashion

with whatever service you need when you need it!

We specialize in boat and engine winterization.

OUR SERVICES INCLUDE:

- Tune-ups
- Oil Changes
- Winterization
- Shrinkwrap
- Storage



We always have Interstate Batteries on hand

We are the experts in boat and engine winterization and storage. We provide shrink wrap service as well as boat delivery to your location.

CALL US TODAY FOR ALL YOUR BOATING NEEDS

518-668-5848

WE ARE WAITING TO SERVE YOU IN THE MOST TIMELY FASHION

Please View Our Videos at

<http://adironackminute.com/gilchrist-marina-a-motel>

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GILCHRIST MARINA LAKE GEORGE BOAT RENTALS

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WE OFFER:

- Pontoon & V Hull Bow Rider Boats and Canoes
- Competitive Pricing
- Rates by the Hour, 1/2 Day, or Full Day
- Boats to seat up to 15 people

Rent a Boat Today and Enjoy Leisure Time on the Lake Including:

- Picnics on the Islands
- Sitieseeing
- Fishing
- Watersports
- Relaxing Anchored in a Quiet Cove

Local Weather for
Lake George, NY

Today (02/15/2017)



Hi: 37°F
Lo: 23°F

Prediction: Mostly Cloudy with Light Snow Showers

Powered by AerisWeather

Please View Our Videos at

<http://adirondackminute.com/gilchrist-marina-a-motel>

View some of our boats below



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Local Weather for
Lake George, NY

Today (02/15/2017)



Hi: 37°F
Lo: 23°F

Prediction: Mostly Cloudy with Light
Snow Showers

Powered by AeroWeather

LAKEFRONT MOTEL with BOAT DOCK (optional)

Features include:

- Adirondack Rustic Accommodations
 - Front Porch with Lake View
 - Wireless Internet Available
 - Rental Boats Available

Gilchrist Marina is your perfect place to stay on Lake George whether you
just want to relax and enjoy the view or get out on the lake with a rental boat

Please View Our Videos at

<http://adirondackminute.com/gilchrist-marina-a-motel>

CALL US TODAY TO MAKE YOUR RESERVATIONS AT

518-668-5848





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Local Weather for
Lake George, NY

Today (02/15/2017)



Hi: 37°F
 Lo: 23°F

Prediction: Mostly Cloudy with Light
 Snow Showers

Powered by AeriWeather

BOAT LANCHING & PARKING

Gilchrist Marina is the easiest and most convenient in-and-out launch site on Lake George for the majority of Lake George boaters. It is away from the village and closer to the most desirable boating and fishing destinations. Our boat ramp is all cement and can handle all size boats up to 36 feet. The ramp is 11 feet wide, 39 feet long, and 6 feet deep.



We offer convenient parking by the day or by the week. We are directly across from the campgrounds on Long Island and are only a few miles away from the hundreds of islands in The Narrows. The combination of simple access to our marina from the highway and its location in relation to island camping make us the perfect access point for island parking.

In addition, we offer boat shuttle service to the islands for camping or picnics

LET US SERVE YOU FOR ALL YOUR BOATING NEEDS
CALL US TODAY AT 518-668-5848





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Local Weather for
Lake George, NY

Today (02/15/2017)



Hi: 37°F
Lo: 23°F

Prediction: Mostly Cloudy with Light
Snow Showers

Powered by AeraWeather

DOCK RENTALS

Available by the Season, Weekly, or Daily

- Gilchrist Marina offers dock rentals at competitive prices in a protected cove environment.
- Our marina is easy to get in and out of so you can spend your time on the lake, not in traffic.
- Our central location on the lake saves you time and gas every time you use your boat.
- Parking is in close proximity and level to docks which makes carrying supplies to and from your boat much easier and faster

CALL US TODAY TO RESERVE YOUR DOCK SPACE

518-668-5848



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NEIL CHERKOSLY
Qualifications

New York State General Certified Real Estate Appraiser - License #46-13506
New York State Certified Real Estate Appraisal Instructor
New York State Small Claims Hearing Officer - Assessment Review
New York State Licensed Real Estate Broker
Qualified Expert Witness, N.Y. State Supreme Court - Various Counties
Qualified Expert Witness, US Bankruptcy Court
Approved Commercial Appraiser - N.Y. State Dept. of Transportation
President - Albany Chapter of the Appraisal Institute for 2008, 2011

Education:

State University of New York at Albany, Albany, NY-BA Degree-1982
Various Continuing Education Courses from 1993-present as required

Professional Experience:

Real Estate Appraiser/Owner-Upstate Appraisal Svcs., Inc. - Oct., 1989 to Present
Senior Commercial Appraiser- Holden and Assoc. - Apr, 2002 to June, 2006
Senior Commercial Appraiser - Sabre Services - 1997 to 2001
Real Estate Appraiser - Hafner Appraisal Assoc. - Dec. 1987 to Sept. 1989
Real Estate Appraiser - Alvey & Cote, Ltd. - June 1985 to December 1987
Real Estate Salesperson/Broker - 1984 to 2008 & 2012 to Present (Upstate Realty)
Real Estate Associate Broker - 2006 to 2012 (Re/Max Park Place)
Owner Operator of Multiple Rental Properties - 2006 to Present

NEIL CHERKOSLY
Qualifications (Cont'd)

Served As Appraiser To The Following Clients:

Banks -

Banknorth
Ballston Spa National Bank
Glens Falls National Bank
Saratoga National Bank
State Employees Federal CU
NBT Bank

First Niagara Bank
Bank of Bennington
Key Bank
Trustco Bank
Capital Bank
Capital Communications FCU

Government -

N.Y.S. Office of General Services
N.Y.S. Office of Mental Retardation
N.Y.S. Dept. of Parks & Recreation
N.Y.S. Housing Trust Fund
N.Y.S. Facilities Development Corp.
N.Y.S. Department of Transportation
Albany Housing Authority
Montgomery Co. Economic Dev. Corp.
Warren County Economic Dev. Corp
Rensselaer Co. Dept. of Soc. Serv.
U.S. Marshall Service
Farmer's Home Administration
Essex County
Rockland County

City of Albany
City of Troy
Town of Amsterdam
Town of Argyle
Town of East Greenbush
Town of Fort Anne
Town of Fort Edward
Town of Halfmoon
Town of Pittstown
Town of Poestenkill
Town of Queensbury
Town of Sand Lake
Town of Schodack
Town of Wilton

NEIL CHERKOSLY
Qualifications (Cont'd)

Private -

Sabre Services (Reval Company)
Ohio Casualty Ins. Co.
Longley Jones Management
Intermagnetics General Corp.
Country Club Acres
Albany Management Inc.
Open Space Institute
Highland Tank Manufacturing
Omni Development Co
First Advantage Dental
Albany Country Club

Amerada Hess Corp.
Salvation Army
DCG Development Co.
Portec, Inc.
C.R. Bard Corp.
Troy Architectural Program
Numerous Law Firms
Native Textiles
Boston Scientific
Roman Catholic Diocese
Glens Falls Hospital

Types of Properties Appraised -

Single Family Residential
Multi-Family Residential
Apartment Buildings
Land
Industrial Buildings
Warehouses
Office Buildings
Retail Buildings
Mixed Commercial/ Apartment Buildings
Mobile Home Parks
Medical Offices
Summer Camps
Automobile Dealerships
Commercial Rental Studies
Marinas
Special Purpose Buildings
Golf Courses
Public Campgrounds

Hotel/Motel/Motor Inns
Vacant Residential Lands
Vacant Commercial/Industrial

Residential "shells"-Rehabs
Commercial "shells"-Rehabs
Garden Apartment Complexes
Strip Shopping Centers
Residential & Commercial Condos
Bank Buildings
Urban Parking Lots
Restaurants/Fast Food
Bowling Alleys
Resorts
Gas Stations
Government Centers
Indoor Recreational Complexes
Adult Homes

NEIL CHERKOSLY
Qualifications (Cont'd)

Major Assignments (2009-Present)

Adirondack Camping Village, Lake George (Bank Financing)
Home Depot, Queensbury (Tax Certiorari)
Advance Auto Parts, Granville (Bank Financing)
Marshall Distributing, Clifton Park (Private Financing)
United Group Portfolio, Albany (Tax Certiorari)
Country Inn & Suites, Queensbury (Bank Financing)
Rosenblum Companies Portfolio (IRS Filing)
Hoffman Enterprises Portfolio (IRS Filing)
Laberge Family Portfolio (IRS Filing)
Fun Spot, Queensbury (Bank Financing)
CNY Fertility, Colonie (Litigation)
Snug Harbor Marinas, Hague & Ticonderoga (Bank Financing)
NYSHFA Office Building, Albany (Tax Certiorari)
Adirondack Trust Branch, Wilton (Potential Litigation)
Schuyler School, Albany (Potential Acquisition)
Glens Falls Country Club (Bank Financing)
Sutton's Marketplace, Queensbury (Bank Financing)
Saratoga Heritage Apartments, Wilton (Bank Financing)
Adirondack Car Wash Portfolio, Capital District (Litigation)
Song Hill Thoroughbred Farm, Stillwater (Tax Certiorari)
Renaissance Apartments, Wilton (Bank Financing)
Boulders Resort, Lake George (Litigation)
Capital Imaging, Colonie (Bank Financing)
Cedar Acres Mobile Home Park, Nassau (Tax Certiorari)
Queensbury Volunteer Fire Dept, Queensbury (Bank Financing)
Town Square Shopping Center, Amsterdam (Tax Certiorari)
Super 8 Motels, Warren County (Bank Financing)

Short Environmental Assessment Form

Part 1 - Project Information

FEB 26 2019

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

| | | | |
|--|--|---|--|
| Part 1 – Project and Sponsor Information | | | |
| Name of Action or Project: Brodie's Lakeside | | | |
| Project Location (describe, and attach a location map): 3686 Lakeshore Drive, Diamond Point | | | |
| Brief Description of Proposed Action: Maintain existing dock layout. Remove 3 moorings. | | | |
| Name of Applicant or Sponsor: Jabro Development, LLC | | Telephone: 518-339-4566 cell E-Mail: andrew@yankkeboat.com | |
| Address: 3578 Lakeshore Drive | | | |
| City/PO: Lake George | | State: NY | Zip Code: 12845 |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. | | NO <input checked="" type="checkbox"/> | YES <input type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Lake George Park Commission | | NO <input type="checkbox"/> | YES <input checked="" type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action? | | 1.22 acres | |
| b. Total acreage to be physically disturbed? | | 0 acres | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | 1.22 acres | |
| 4. Check all land uses that occur on, are adjoining or near the proposed action: | | | |
| 5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland | | | |

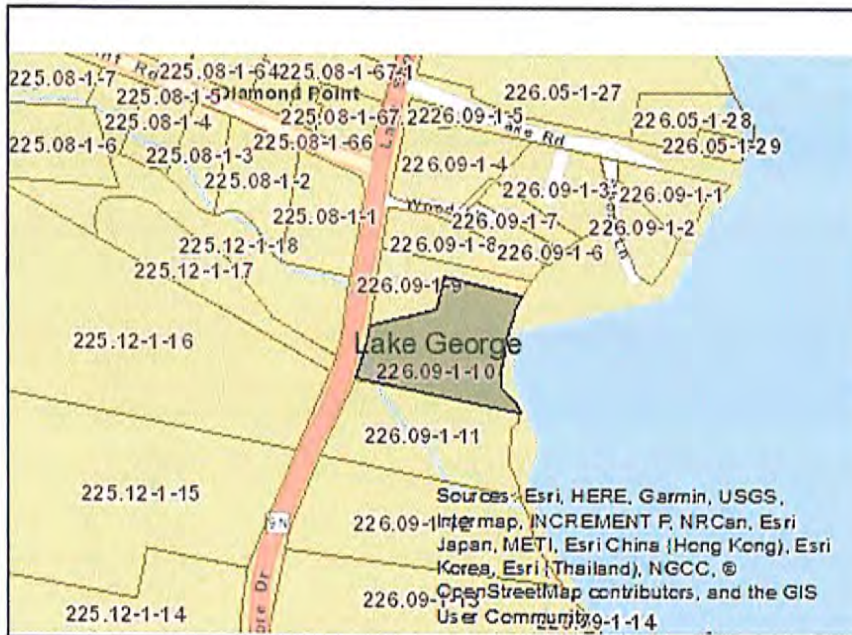
| | | | |
|--|-------------------------------------|-------------------------------------|--------------------------|
| 5. Is the proposed action, | NO | YES | N/A |
| a. A permitted use under the zoning regulations? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? Name: Lake George, Reason: Protect the resources of the park, Agency: Lake George Park Commission, Date: 11-16-88 If Yes, identify: 16-88 | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Are public transportation services available at or near the site of the proposed action? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Not applicable (N/A) | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ N/A | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ Lake front and shoreline will not be altered by this action. Docks will remain within the waters of Lake George. | | | |

| | | |
|--|-------------------------------------|--------------------------|
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban | | |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16. Is the project site located in the 100-year flood plan? | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a. Will storm water discharges flow to adjacent properties? | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | | |
| _____ | | |
| 18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| _____ | | |
| _____ | | |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| _____ | | |
| _____ | | |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| _____ | | |
| _____ | | |
| I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Andrew Brodian</u> Date: <u>2/20/19</u> Signature: _____ Title: <u>GM / owner</u> | | |

FEB 26 2019

New York
Georgia

PRINT FORM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



| | |
|---|---|
| Part 1 / Question 7 [Critical Environmental Area] | Yes |
| Part 1 / Question 7 [Critical Environmental Area - Identify] | Name:Lake George, Reason:Protect the resources of the park, Agency:Lake George Park Commission, Date:11-16-88 |
| Part 1 / Question 12a [National Register of Historic Places] | No |
| Part 1 / Question 12b [Archeological Sites] | No |
| Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] | Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook. |
| Part 1 / Question 15 [Threatened or Endangered Animal] | No |
| Part 1 / Question 16 [100 Year Flood Plain] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| Part 1 / Question 20 [Remediation Site] | No |

FEB 26 2019

New York
Lake George

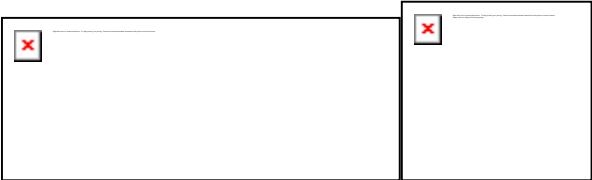
Joe Thouin

From: Barusch, Dan <dbarusch@lakegeorgetown.org>
Sent: Monday, April 01, 2019 9:10 AM
To: Joe Thouin
Subject: Re: Dunhams Bay Boat Co / Freedom Boat Club

Thanks Joe,

- Twin Birches - Devocean operation was approved by our planning board in 2017 as a new PWC operation out of the existing Class A Marina, they're good to go nothing else needed from us.
- Surside - Sunset Charters operation approved by Village planning board last year as new tour boat operation out of existing Class A, they're good to go nothing else needed from Village.
- Rockledge - This one is going through Town Planning Board at the meeting next Tuesday as a new Class A. Don't see any issues with it based on Salim's plan sets.
- Jabro - Town not involved in modification reviews or anything like that anymore at local level, only new stuff like Class A's and new boathouses, etc.

Dan Barusch
Director of Planning and Zoning
Town and Village of Lake George
20 Old Post Road, Lake George, NY 12845
O:(518) 668-5131 Ext.311



On Fri, Mar 29, 2019 at 4:15 PM Joe Thouin <Joe@lgpc.state.ny.us> wrote:

Dear folks,

- Please find attached several notices of availability for review of applications in Lake George. Documents are as follows:
1. Twin Birches / Devocean: Marina modification to add a charter vessel. Companion charter vessel application included.
 2. Surfside/ Sunset Charters: Marina modification to add a charter vessel. Companion charter vessel application included.



Adirondack Park Agency

KAREN FELDMAN
Acting Chair

TERRY MARTINO
Executive Director

February 26, 2019

Robert Brodie
3578 Lake Shore Drive
Lake George, NY 12845

RE: J2019-0086
Owner: Jabro Development, LLC
Town of Lake George, Warren County
Tax Map Designation: 226.9-1-10

Dear Mr. Brodie:

On February 19, 2019 we received your Jurisdictional Inquiry Form by which you requested a jurisdictional determination regarding your proposal to keep the existing docks that were expanded sometime since 1996.

In order to determine whether an Agency permit is required for the proposal, we must assess its potential for impact to wetlands. Ordinarily, such a determination can be made by means of interpretation of aerial photography. In this instance, however, the photographs are of insufficient quality to enable us to make the determination and a site visit or additional information will be necessary. If you have recent photographs which show the development area (in July or August), we may be able to use them to make the wetland determination. Otherwise, please contact Agency wetland biologist Mary O'Dell at the address or telephone number below to schedule a summer site visit (late June or early July) to determine wetland location. It would be helpful if you refer to this file number when submitting photographs or when making an appointment with Ms. O'Dell.

Upon completion of the wetland analysis, we will issue the requested jurisdictional determination. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink that reads "Tracy J. Darrah".

Tracy J. Darrah
Project Administrator

TJD:mp

Lake George Suites LLC
3678 Lake Shore Dr
Lake George, NY 12866
518-615-0552
Alysia.Monroe@goprimegroup.com
April 12, 2019

Public Comments

Joe Thouin
Lake George Park Commission
75 Fort George Rd
PO Box 749
Lake George, NY 12845

Dear Joe Thouin:

This letter is in response to Application: 5222-1-19 Variance Request for Wharf Modification on Parcel # 226.09-1-10. We own the adjacent property to the south: Tax Map # 226.09-1-11. We are opposing the variance due to the significant hinderance of use to our existing dock. The current non-compliant dock was rebuilt sometime in the last ten years. The new dock was configured to shift approximately 18" closer to the shared property line and extend further out into the lake. Any boats now docked here go well over the property line, preventing any access for us to utilize two of our boat slips resulting in lost customers and revenue. We have verbally asked for cooperation in utilizing the space effectively for both businesses with no improvement. As evidenced during the 2018 season, the largest rental boats offered by Brodie's are kept here permanently through the season, I have attached a photo (1) of the docks in use as reference.

The attached photo (2) shows the non-conforming dock on the left, the pipe in the foreground is sitting on the property line, and our dock is on the right. This clearly shows that we should have plenty of room to utilize the boat slips on our dock. Also attached (3) please find a survey map that shows the prior dock configuration on Parcel # 226.09-1-10.

Our business has already lost significant revenue and property value from the non-conforming dock and will continue to do so unless rectified. Also attached is a photo showing the non-conforming dock on the left, the pipe in the foreground is sitting on the property line, and our dock is on the right. This clearly shows that we should have plenty of room to utilize the boat slips on our dock.

Also attached please find a survey map that shows the prior dock configuration on Parcel # 226.09-1-10

We appreciate your consideration in this matter.

Sincerely,

Alysia Monroe

Lake George Suites LLC



Town of Lake George County of Warren
State of New York
Scale: 1" = 20 feet Date: 22 July 2005

Scale: 1 = 20 feet Date: 22 July 2005

Revised: 11 August 2005

Revised: 21 September 2006

Update/re-certify.

Survey & Map by
D.L. Dickinson
ASSOCIATED
Surveyors & Engineers
LAKE GEORGE, NEW YORK 12845

G: 50_2_13 Old
G: 226.09 1-11 New

Reported approximate septic area.
Exact location unknown.

Lands N/F of Gilchrist (1035/59)
Note: Subject to sewer and water easements
as described in Book: 494 Page: 473.

Deed Reference
Wayne W. Polak and Susan A. Polak
to
Capital Region Properties, LLC
Book: 1302 Page: 18
Date: 6 January 2003

Map Reference
Map of a survey of lands for
Alan Goldstein
By: D.L. Didonson Associates
Date: 23 March 2002

Lands N/F of Blue Lagoon Properties, LLC
(1327/37)

Mapping Notes

Note: Only those surveys bearing the author's embossed seal should be cited upon since other than embossed-seal copies may contain unauthorized and undetectable modifications, omissions, additions, and changes.

Note: Reproduction or copying of this document
 may be a violation of copyright law unless
 permission of the author and/or copyright holder
 is obtained.

Certifications on this boundary survey map signify that the map was prepared in accordance with the current existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Surveyors, Inc. The certification is limited to the persons for whom the boundary survey map is prepared, to the SDC Company, to the governmental agency, and to the lending institution/interested in this boundary survey map.

The vertical axis is not transferable.

The location of underground improvements or encroachments are not always known and often must be estimated. If any underground improvements or encroachments exist or are shown, the improvements or encroachments are not covered by this certificate.

Certification

I hereby certify to:
Lake George Suites LLC, Monroe Title Insurance Corporation
and National Exchange Bank Trust, its successors
and/or assigns that the above prepared from an actual
on the ground survey, accurate to record
demarcation.

September 2006

Capital Prop.dwg 9/21/2006 10:36:16 AM AM EST



