

LAKE GEORGE PARK COMMISSION

PROJECT SYNOPSIS

Meeting Date May 28, 2019

Applicant Peter Voll	Facility Private Lakefront	Parcel 43.05-1-50 Hague
Application # 5226-6-19 DM MINOR	Lakefront 115 feet 1 straight, T, L, U dock & 1 mooring	Location 9064 Lakeshore Drive
Date Received 04/02/2019	SEQR type Type II, not subject to SEQRA	Comment period ends 04/18/2019

Project

Modify an existing wharf to result in a 140' long, 4' wide, straight stake supported wharf and install an un-canopied boat lift in accordance with plans attached

Background

The applicant, Peter Voll, seeks to extend an existing 40' long pier to 140'. Variances are required for encroachment into the 20' sideline setback as well as offshore distance relative to the mean high water mark.

The subject property is located between Hague Brook and the Hague town beach. The applicant has owned the property for over thirty years, and indicates that operation of a vessel from the dock has become very difficult due to uniquely shallow water conditions.

Permits are not required from the Town, APA, or DEC. The Town, as a neighbor to the property, is supportive of the application as represented by Zoning Officer.

No public comments have been received.

Regulatory Determinations

SEQRA:

The application represents a Type II action, and not additional environmental review is required by SEQRA.

VARIANCE

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

(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;

Date prepared May 15, 2019

LAKE GEORGE PARK COMMISSION

PROJECT SYNOPSIS

Meeting Date May 28, 2019

(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.

If the variance documentation is deemed sufficient to prove unnecessary hardship the Commission must then make findings under provision 6NYCRR 646.1.6(a):

FINDINGS FOR MARINAS, DOCKS, MOORINGS APPLS

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

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



NYS ITS GIS Program Office, Westchester County

0 240 480 Feet

1" = 200 feet

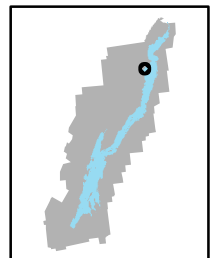


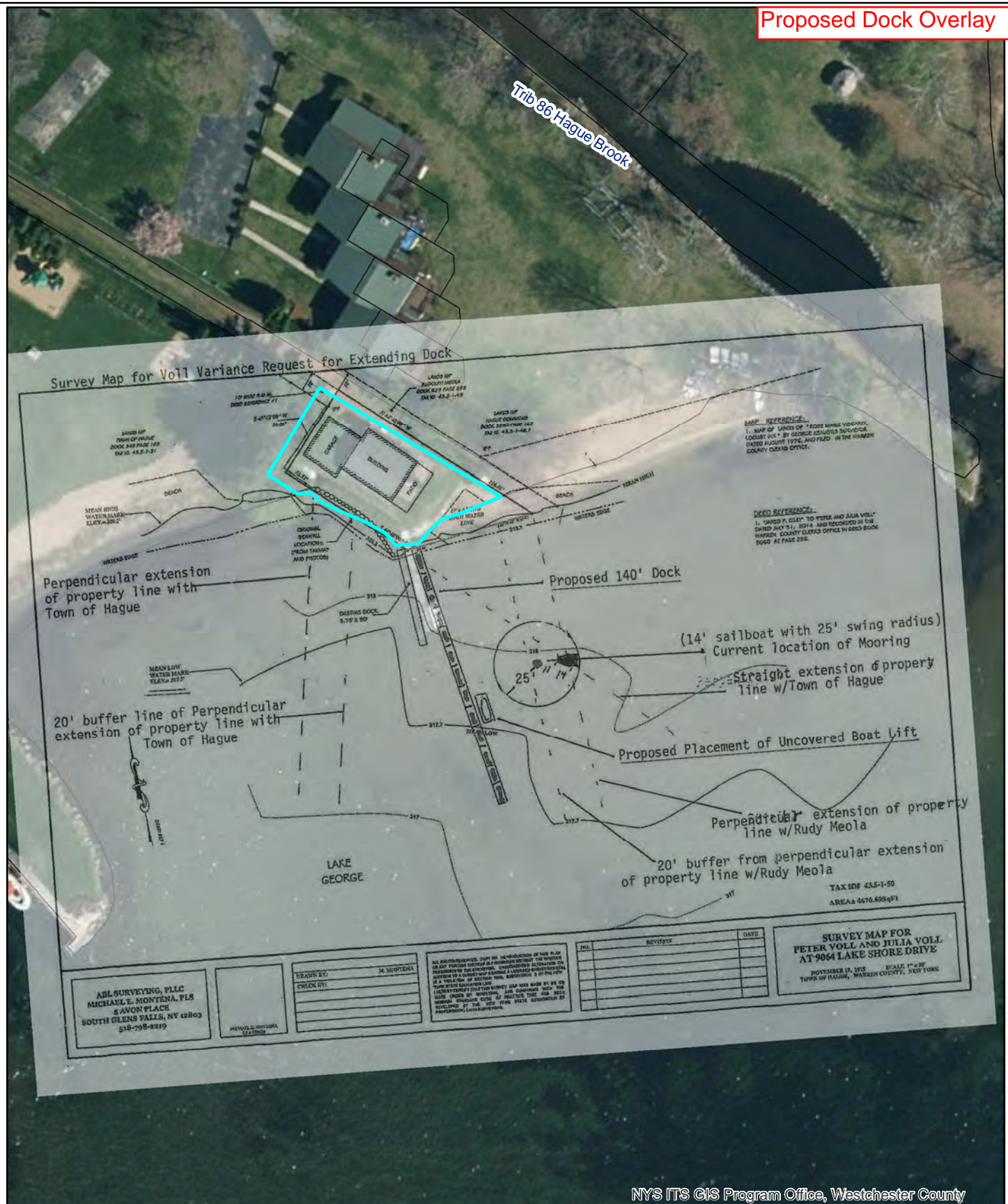
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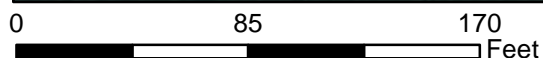
Lands of Voll
9064 Lakeshore Drive
TM# 43.5-1-50
Town of Hague

2018 Air Photo





NYS ITS GIS Program Office, Westchester County



1 " = 70 feet

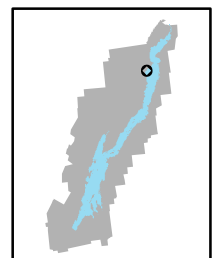


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Lands of Voll
9064 Lakeshore Drive
TM# 43.5-1-50
Town of Hague

2018 Air Photo



LAKE GEORGE PARK COMMISSION FILE REVIEW

Authorized Configuration

Date: October 06, 2014
Owner: Peter Voll

Town: Hague
Parcel #: 43.05-1-50
Old #: 31-1-28
Lakefront: 115.00
Location:

Facility:
Account #: 3468

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

1 Dock(s) 1 Mooring(s)

Notes:

structure	length	width	shape	boat house	closed or open	articul ating?	permit or reg#	supercedes
D	40	4	S	N		.F.	50-86-0427	
M	0	0				.F.		

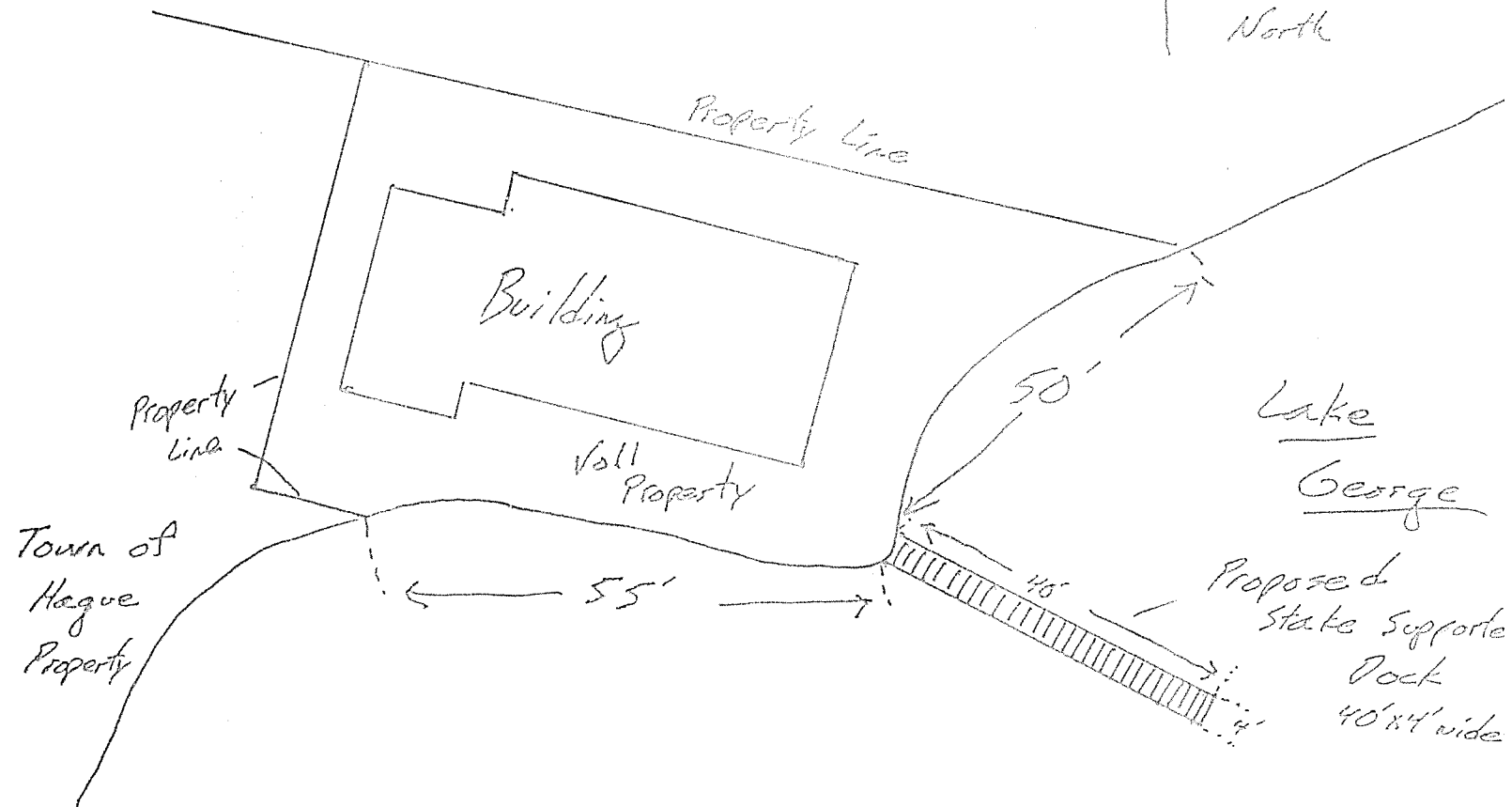
This review is based on a review of fee records and dock & mooring registrations and permits. The sketches, drawings and surveys associated with this FILE REVIEW have been compiled from Lake George Park Commission records of docks and moorings at the subject property for the purpose of describing the 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.

Property Map and Drawing of
Dock location.

Peter Voll Property, Hague, NY

Robert Katzman's Property

↑ North



Adjacent property owners:

To the north: Robert Katzman
51 Sutin Place
Spring Valley, New York 10977

To the south: Town of Hague
Hague, New York 12836

RECEIVED
SEP 29 1986
REGULATION UNIT
REGION 5
WARRENSBURG, N. Y.

H43.05-1-50

**Marina Permit Application
Request for Review**

To: Law Enforcement/Patrol
From: Joe Thouin

Date: 05/20/2019

Application # 5226-6-19

Owner PETER VOLL

Parcel # 43.05-1-50

Facility: PRIVATE LAKEFRONT

Town: HAGUE

Project: Modify an existing wharf to result in a 140' long, 4' wide, straight stake supported wharf and install an un-canopied boat lift in accordance with plans attached

Please review the attached application materials and advise of any navigational or safety concerns.

Comments: _____

RETURN

To: Joe Thouin
From: Joe Johns
Date: 5/20/19

☐ Further information is required:

☒ No concerns noted with this application

☐ The Boat Patrol has the following comments regarding this application:

☐ I recommend the following Special Conditions be incorporated into the permit:

New York State Department of Environmental Conservation

Division of Regulatory Affairs
P.O. Box 220, Hudson Street
Warrensburg, New York 12885
Telephone: (518) 623-3671 or 668-5441



Henry G. Williams
Commissioner

April 21, 1987

Peter J. Voll
146 Robin Road
Glastonbury,
Ct. 06033

Re: DEC #50-86-0427

Dear Mr. Voll:

Enclosed is your permit which was issued in accordance with the applicable provisions of Environmental Conservation Law. Please review the general and special conditions that are intended to minimize the environmental disturbances associated with your project.

Please note that it is the responsibility of the permittee and his agents to comply with all permit conditions. Further, the permit is valid only for the activity expressly authorized. Work beyond the scope of the permit shall be considered as work without a permit. Any failure to comply with these terms may be treated as a violation of Environmental Conservation Law. Questions regarding the terms of the permit should be directed to Michael P. White of our Regional Office (telephone (518) 623-3671).

Should your plans change, please contact this office to determine if modifications of the permit are required.

Thank you for your interest in environmental conservation.

Sincerely yours,

Michael P. White
Alternate Regional
Permit Administrator

MPW:n
Enclosure
cc: ECO J. Timko
FR G. Stec

DEC PERMIT NUMBER 50-86-0427
FACILITY PROGRAM NUMBER(S)

EFFECTIVE DATE April 21, 1987
EXPIRATION DATE(S) April 30, 1988

PERMIT
Under the Environmental Conservation Law

- | | | |
|---|---|--|
| <input type="checkbox"/> Article 15, Title 5:
Protection of Water | <input type="checkbox"/> Article 17, Titles 7, 8:
SPDES | <input type="checkbox"/> Article 27, Title 7:
Solid Waste Management |
| <input type="checkbox"/> Article 15, Title 15:
Water Supply | <input type="checkbox"/> Article 19:
Air Pollution Control | <input type="checkbox"/> Article 27, Title 9:
Hazardous Waste Management |
| <input type="checkbox"/> Article 15, Title 15:
Water Transport | <input type="checkbox"/> Article 23, Title 27:
Mined Land Reclamation | <input type="checkbox"/> Article 34:
Coastal Erosion Management |
| <input type="checkbox"/> Article 15, Title 15:
Long Island Wells | <input type="checkbox"/> Article 24:
Freshwater Wetlands | <input type="checkbox"/> Article 36:
Floodplain Management |
| <input type="checkbox"/> Article 15, Title 27:
Wild, Scenic and
Recreational Rivers | <input type="checkbox"/> Article 25:
Tidal Wetlands | <input type="checkbox"/> Articles 1, 3, 17, 19, 27, 37:
6NYCRR 380: Radiation Control |
| <input type="checkbox"/> 6NYCRR 608:
Water Quality Certification | <input checked="" type="checkbox"/> <u>Article 9</u> <u>N</u>
N —New, R —Renewal, M —Modification
C—Construction, O—Operation, (If Applicable) | |

PERMIT ISSUED TO Peter J. Voll			
ADDRESS OF PERMITTEE 146 Robin Road, Glastonbury, Ct. 06033			
AGENT FOR PERMITTEE CONTACT PERSON			TELEPHONE NUMBER
NAME AND ADDRESS OF FACILITY (If different from Permittee)			
LOCATION OF PROJECT Mouth of Hague Brook	COUNTY Warren	TOWN/CITY/VILLAGE Hague	UTM COORDINATES
DESCRIPTION OF PROJECT FACILITY Construct 4' X 40' stake supported pier as depicted on the attached project sketch.			

GENERAL CONDITIONS

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations and the conditions specified herein or attached hereto.

- The permittee shall file in the office of the appropriate regional permit administrator, or other office designated in the special conditions, a notice of intention to commence work at least 48 hours in advance of the time of commencement and shall also notify him/her promptly in writing of the completion of the work.
- The permitted work shall be subject to inspection by an authorized representative of the Department of Environmental Conservation which may order the work suspended if the public interest so requires.
- The permittee has accepted expressly, by the execution of the application, the full legal responsibility for all damages, direct or indirect, of whatever nature, and by whomsoever 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 the said project.
- The Department reserves the right to modify, suspend or revoke this permit at any time after due notice, and, if requested, hold a hearing when:
 - the scope of the project is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations are found; or
 - the permit was obtained by misrepresentation or failure to disclose relevant facts; or
 - newly discovered information or significant physical changes are discovered since the permit was issued.
- The permittee is responsible for keeping the permit active by submitting a renewal application, including any forms, fees or supplemental information which may be required by the Department, no later than 30 days (180 days for SPDES or Solid or Hazardous Waste Management permits) prior to the expiration date.
- This permit shall not be construed as conveying to the applicant any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work 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 the permit.
- The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way which may be required for this project.
- Issuance of this permit by the Department does not, unless expressly provided for, modify, supersede or rescind an order on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions, or requirements contained in such order or determination.
- Any modification of this permit granted by the Department must be in writing and attached hereto.

PERMIT ISSUANCE DATE April 21, 1987	PERMIT ADMINISTRATOR Michael P. White	ADDRESS Box 220, Warrensburg, NY 12885
AUTHORIZED SIGNATURE X Michael P. White		Page 1 of <u>2</u>

SPECIAL CONDITIONS

For Article 9 (Lake George Recreational Zone Regulations)

10. All scrap or unused construction materials shall be removed from the ice and/or waters of Lake George.
11. Disturbance to the bed and banks of Lake George shall be kept to the minimum level necessary to complete the project.
12. That the State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or from other purposes, and no claim or right to compensation shall accrue from any such damage.
13. All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.
14. All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or his agent as part of the permit application.

cc: ECO F. Schlamp

DEC PERMIT NUMBER

50-86-0427

PROGRAM/FACILITY NUMBER

Page 2 of 2

Location Map for Dock application.

Property of Peter J. Voll, Haque, NY

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SEP 29 1986

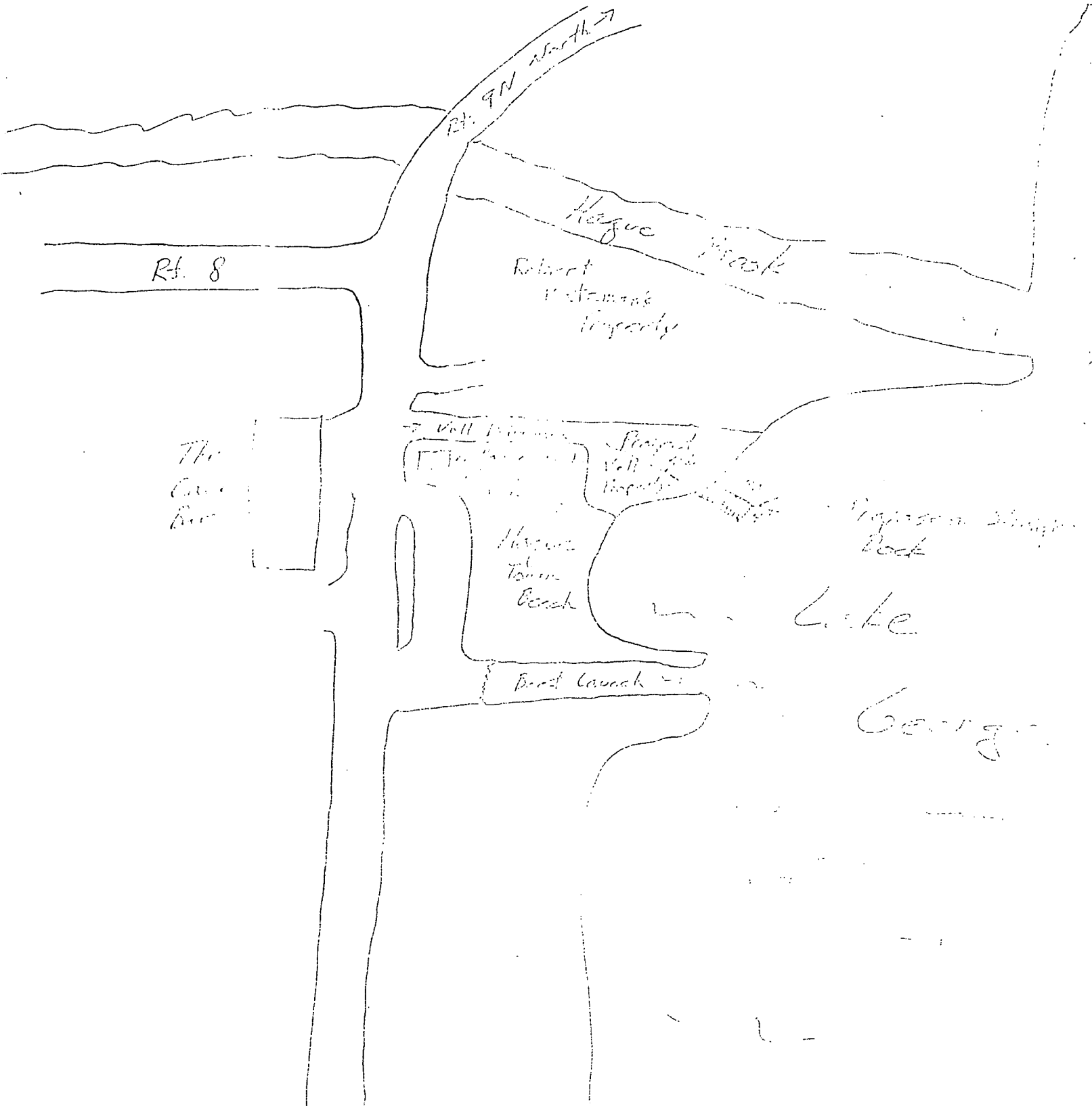
REGULATION UNIT

REGION 5

WARRENBURG, N. Y.



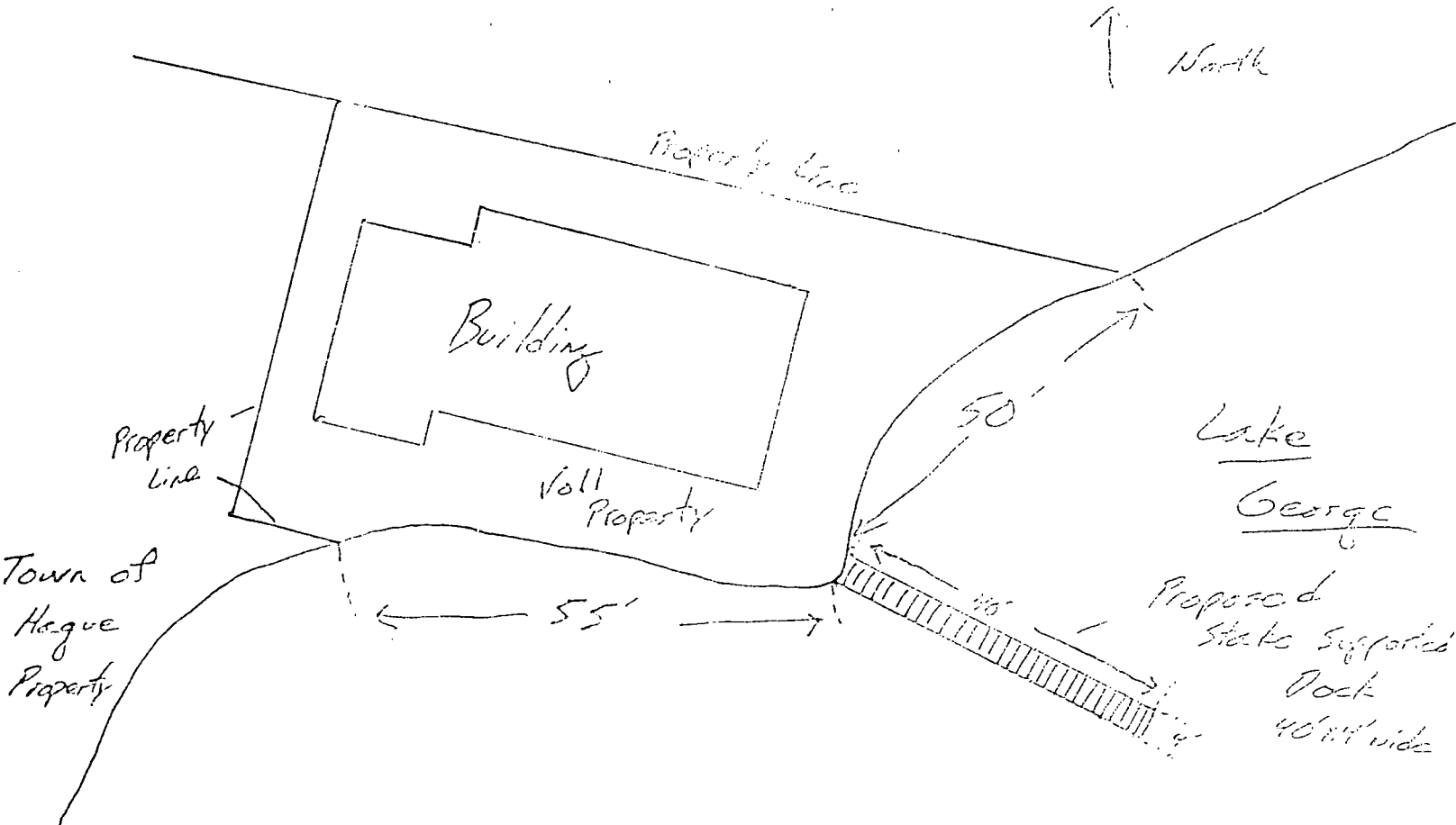
North



Property Map and Drawing of
Dock location.

Peter Voll Property, Hague, NY

Robert Katzman's Property



Adjacent property owners:

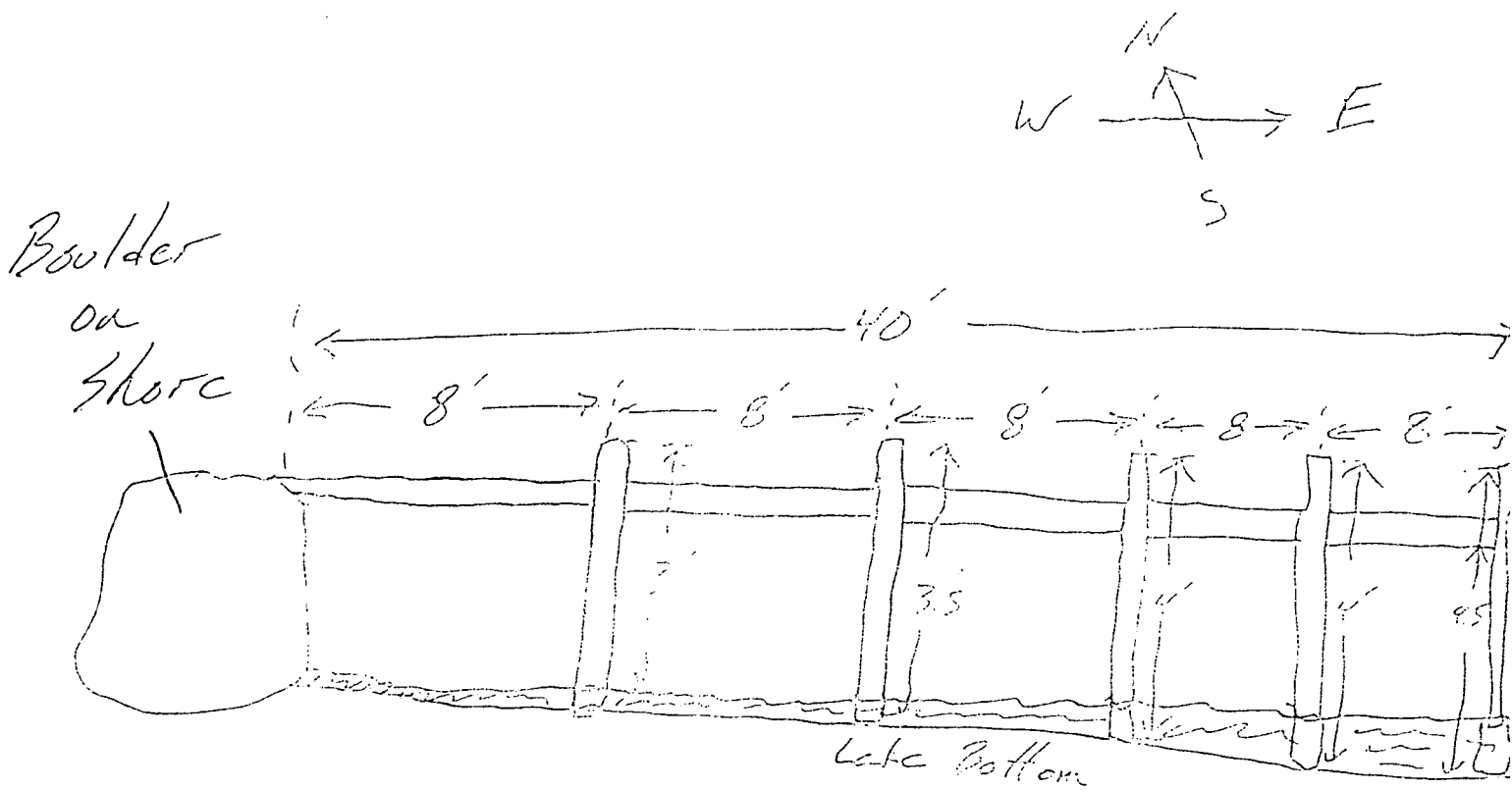
To the north: Robert Katzman
51 Sutin Place
Spring Valley, New York 10977

To the south: Town of Hague
Hague, New York 12836

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REGION 5
WARRENBURG, MO.

Profile view of Stake supported Wharf

Property of Peter Voll, Hague, NY on Lake George.



RECEIVED
OCT 20 1988
REGULATION UNIT
REGION 5
WATERPARKS, N.Y.

1988 Fee File

STATE OF NEW YORK
LAKE GEORGE PARK COMMISSION
P.O. BOX 749
LAKE GEORGE, NEW YORK 12845
(518) 668-9347

Official Use Only	
Town:	
Parcel ID#:	
Fee Paid:	70
Date Paid:	5/23/88
Approval:	ms

APPLICATION FOR THE REGISTRATION OF BOATS,
DOCKS AND MOORINGS ON LAKE GEORGE

PLEASE PRINT

PART A—General Information

1. Name of Dock Owners
Last First MI
VOLL Peter J. Julia C.

2. Owner is a/an Individual ☒ Association ☐ Corporation ☐ Partnership ☐

3. Name of Property Owners (if different)
Last First MI

4. Permanent Mailing Address
No. Street City State Zip
114 Heritager Lane Skelburne VT 05148

5. Area Code Winter Phone Area Code Summer Phone
1802 918 1518 610 51 SAME

PART B—Dock and Mooring Registration

6. LGPC Wharf Registration Number(s) or DEC Permit Number(s):
DEC Permit # 50-86-0427

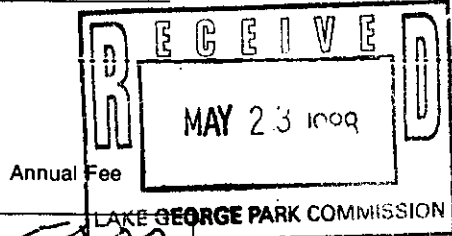
7. Docks and Moorings are:
(See instructions)

☒ Residential - Number of docks and moorings = 2 X \$25. = \$50.00

☐ Association - Number of dock and mooring slips = ____ X \$25. = \$

☐ Commercial - Amount of total linear dock footage ____ X \$2.50 = \$

Number of moorings ____ X \$50.00 = \$



PART C—Boat Registration

BOAT INFORMATION (see instructions)

	8.	9.	10.	11.	12.	13.	Official Use Only
	Make/Model	Color	NYS MV Reg. #	Length	Overnight Yes/No	Annual Boat Fee	LGPC Boat ID#
Boat #1	4-Wins 170 Horizon	Grey	Vermont # VT 5866F	17'	No	\$20	130
Boat #2						\$	
14. Total Annual Boat Fees						\$	

15. Total Annual Fees: \$ 70

16. Boats are berthed at a: Residence ☒ Dock Owner Name: Peter & Julia Voll

Commercial Facility ☐ Facility Name: _____

17. I certify that to the best of my knowledge the information provided on this application is correct.

[Signature]

Applicant's Signature

Please remit the Total Annual Fee by check or money order payable to The Lake George Park Commission, P.O. Box 749, Lake George, New York 12845 no later than June 1, 1988.

LGPC Permit Number

5226-16-07 DM

State of New York
LAKE GEORGE PARK COMMISSION**PERMIT****Under the Environmental Conservation Law**Hague Commons HOA
Dock Variance Permit**Modification or Renewal Date****Expiration Date**

09/03/2008

Type of Permit

- ☒ New
☐ Renewal
☐ Modification
☒ Variance

- | | |
|---|--|
| <input checked="" 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 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 646-1.4
Stormwater Management |
| <input type="checkbox"/> 6 NYCRR 608 | |
| <input type="checkbox"/> Water Quality Certification | |

Permit Issued to

Hague Commons Inc

Telephone Number

646-424-8203

Address of Permittee21 Indian Valley Road
Ramsey, NJ 07746**Contact Person (if not permittee)**

Tim Gianfreda

Telephone Number

SAME

Facility Name

Hague Commons Inc

County Warren**Town** Hague**Parcel #** 43.05-1-48.1**AUTHORIZED ACTIVITY**

Installation of four uncovered boat lifts in accordance with plans attached as Schedule A and made part of this 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.

Permit Administrator: Michael P. White

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

Authorized Signature
Date

9/7/07

Page 1 of 6

GENERAL CONDITIONS

1. All activities authorized by this permit must be in strict conformance with the plans attached as Schedule A and made part of this permit. Modifications to the project require prior approval in writing from the Commission.

2. The permittee and any contractor, project engineer, or other person responsible for the overall supervision of this project shall read, understand and comply with this permit, including all special conditions to prevent environmental degradation.

Inspections

3. The Commission and/or the Department of Environmental Conservation (the Department) may conduct such on-site surveys, investigations, examinations, and evaluations from time-to-time as it deems necessary to ensure compliance with the terms and conditions of this permit.

4. A copy of this permit must be available at all times at the project site during performance of the authorized activities. Failure to produce a copy of the permit upon request by a Commission or a Department representative is a violation of this permit.

Permit Modifications & Renewals

5. The permittee is responsible for keeping the permit active by submitting a renewal application, including any forms, fees or supplemental information which may be required by the Commission, no later than 30 days prior to the expiration of this permit.

6. Any change or modification in any of the activities authorized by this permit is subject to prior review and approval by the Commission. Any modification of this permit granted by the Commission must be in writing and attached hereto.

7. The permittee is responsible for obtaining any other permits, approvals, land easements, and rights-of-way which may be required for this activity.

Other Legal Obligations of Permittee

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

9. This permit shall not be construed as conveying to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work 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 the permit.

10. The permittee has accepted expressly, by the execution of the application, the full legal responsibility of all damages, direct or indirect, or 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 the said project.

11. The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

12. Regulatory fees are due April 1 of each year for docks, wharfs and moorings.

13. Wharfs and moorings authorized herein may be used for marina purposes only in conjunction with a valid Class A marina permit or Class B registration issued by the Commission.

Environmental Protection

14. Disturbance to the bed and banks of Lake George shall be kept to the minimum necessary to complete the project.

15. 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 project.

16. Heavy equipment, including bulldozers, backhoes, payloaders, etc., shall not be driven in the water.

17. Any material dredged in the prosecution of the work herein permitted shall be removed evenly, without leaving large refuse piles, ridges across the bed of a waterway or floodplain or deep holes that may have a tendency to cause damage to navigable channels or to the banks of a waterway.

18. Any debris or excess materials from construction of this project shall be immediately and completely removed from the bed and banks of all water areas to an appropriate upland area for disposal.

19. There shall be no unreasonable interference with navigation by the work herein authorized.

GENERAL CONDITIONS

20. If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the permittee shall, without expense to the State, and to such extent and in such time and manner as the Commission or the Department may require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

21. If future operations by the State of New York require an alteration in the position or the structure or work herein authorized, or if, in the opinion of the Commission or the Department, it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Commission or the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State.

Wharf Construction Specifications

The following conditions apply to all newly constructed wharfs which have not received a variance from any of these limits:

22. The location of the mean low water mark must be field verified prior to construction. In no case shall any part of the wharf extend further than 40' from the mean low water mark.

23. The maximum surface area of any dock or wharf shall be seven hundred square feet, including any walkway.

24. The maximum width of any pier shall be eight feet and the minimum width of any pier shall be two feet.

25. The maximum width of any dock or wharf, including all lateral projections, shall be forty feet.

26. No structure shall be constructed on a dock, wharf or mooring which exceeds sixteen feet in height above the mean high water mark and which is not in compliance with local zoning.

27. Every dock or wharf constructed shall have a minimum setback of twenty feet from 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 greater setback.

Crib Work

28. Stone used for filling shall be clean (not contain any material than can pass through a No. 8 sieve). The stone shall not be less than six (6) inches in diameter.

29. No rocks for use in construction are to come from the lake bed.

The following specifications apply to the construction or replacement of rock-filled cribs. Existing cribs may be repaired.

30. The size of any individual crib shall not exceed 8 feet by 12 feet.

31. Spacing between cribs shall not be less than 8 feet. A minimum of 6 feet of open water shall be maintained between the shoreline and the first crib to allow for free circulation of water.

32. Completed cribs shall be of the "open-sided" type construction and provide for at least 40% unboarded water contact area to the rock fill.

33. If granted under 6NYCRR Part 608, the Lake George Park Commission hereby certifies that the subject project will not contravene effluent limitations or other limitations or standards under Sections 301, 302, 303, 306 and 307 of the Clean Water Act of 1977 (PL 95-217) provided that all of the conditions listed herein are met.

Moorings

The following conditions apply to all new moorings which have not received a variance from any of these limits.

34. Moorings shall be placed so that vessels moored to them, at the full swing of their mooring or anchor line, will be no closer than twenty feet to the projection of the property lines extended into the lake along the axis of the property lines as they intersect the lake, or a line extended at a right angle to the mean high-water mark, whichever results in the greater setback.

35. Moorings shall not be placed so that the full swing of the vessel extends more than one hundred feet offshore from the mean high-water mark.

36. Moorings must meet the following minimum specifications: At least one cubic foot of buoy is to be above the waterline; a one inch strip of reflector tape is to be placed around the upper part of the buoy; the buoy shall be all white with a one inch blue strip placed horizontally around the circumference above the water line.

SPECIAL CONDITIONS

Special Conditions

37. The dock and boat lifts shall be installed no earlier than Memorial Day weekend and removed by Columbus Day weekend.

38. The permittee shall not interfere with or abridge free access of anglers to the shallow waters below the mean high water mark.

39. A permanent light shall be maintained at the end of the dock.

40. Should dredging of Hague Brook be accomplished which relieves the shallow water problem, the dock shall be returned to its original 100 foot length.

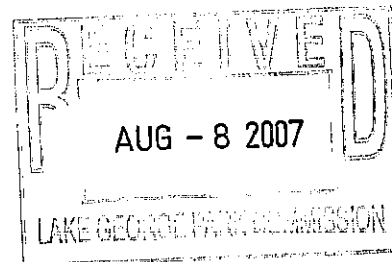
41. A "Declaration of Restrictions" has been recorded in the Warren County Clerk's offices as a condition of issuance of this permit. This "Declaration of Restrictions" survives the expiration date of this permit and is fully applicable to the dock as permitted herein.

OWNER Hague Commons FACILITY SHARED LAKEFRONT
TOWN Bolton PARCEL ID 31-1-26.21
DRAWN BY MOLLY GALLAGHER DATE 5/19/99
BASE MAP FROM SUBMITTED SURVEY
WHARF PLACEMENT FROM 1998 Aerial Photo & submitted plans

Staff Worksheet

5/13/99 MJG, revised 5/19

Dock angle corrected
to aerial photo

 $1'' = 30'$ 

← 100' from shore

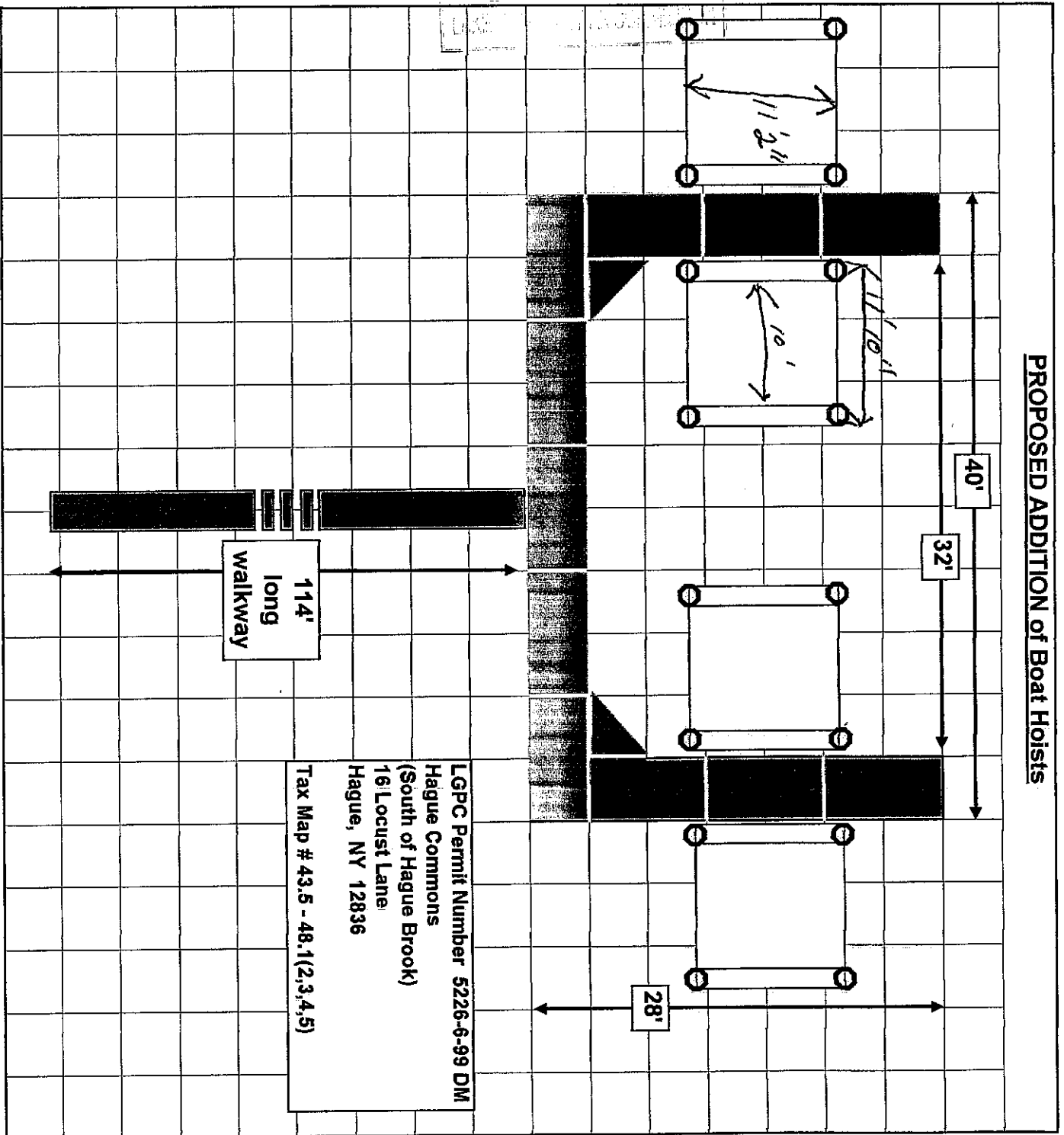
100' from shore

20' Setback

Property Line

SEP 7 2000

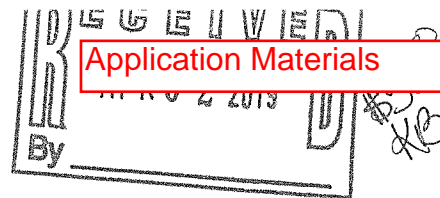
AUG - 8 2007



with
cables



Lake George Park Commission



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: \$50.00 (check or money order only)

1. OWNER ☒ Mr. ☐ Mrs. ☐ Ms. ☐ Dr.

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

NAME Peter J. Voll

EMAIL PeterJVoll@gmail.com

CONTACT PERSON IF OWNER IS NOT AN INDIVIDUAL

MAILING ADDRESS 4047 Mt. Philo Road

CITY Charlotte

STATE VT

ZIP CODE 05445

PHONE 802-425-2600

**** 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

EMAIL

COMPANY

MAILING ADDRESS

CITY

STATE

ZIP CODE

PHONE

3. CONTRACTOR (If known)

NAME

EMAIL

COMPANY

MAILING ADDRESS

CITY

STATE

ZIP CODE

PHONE

4. PROJECT LOCATION

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

SECTION

43.5

BLOCK

1

LOT

50

STREET

9064 Lakeshore Drive

LAKE FRONTAGE 125 feet
according to ☐ Tax Map ☒ Survey (attach copy)


NUMBER OF WHARFS AND MOORINGS CURRENTLY ON PROPERTY
1 DOCKS 1 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)

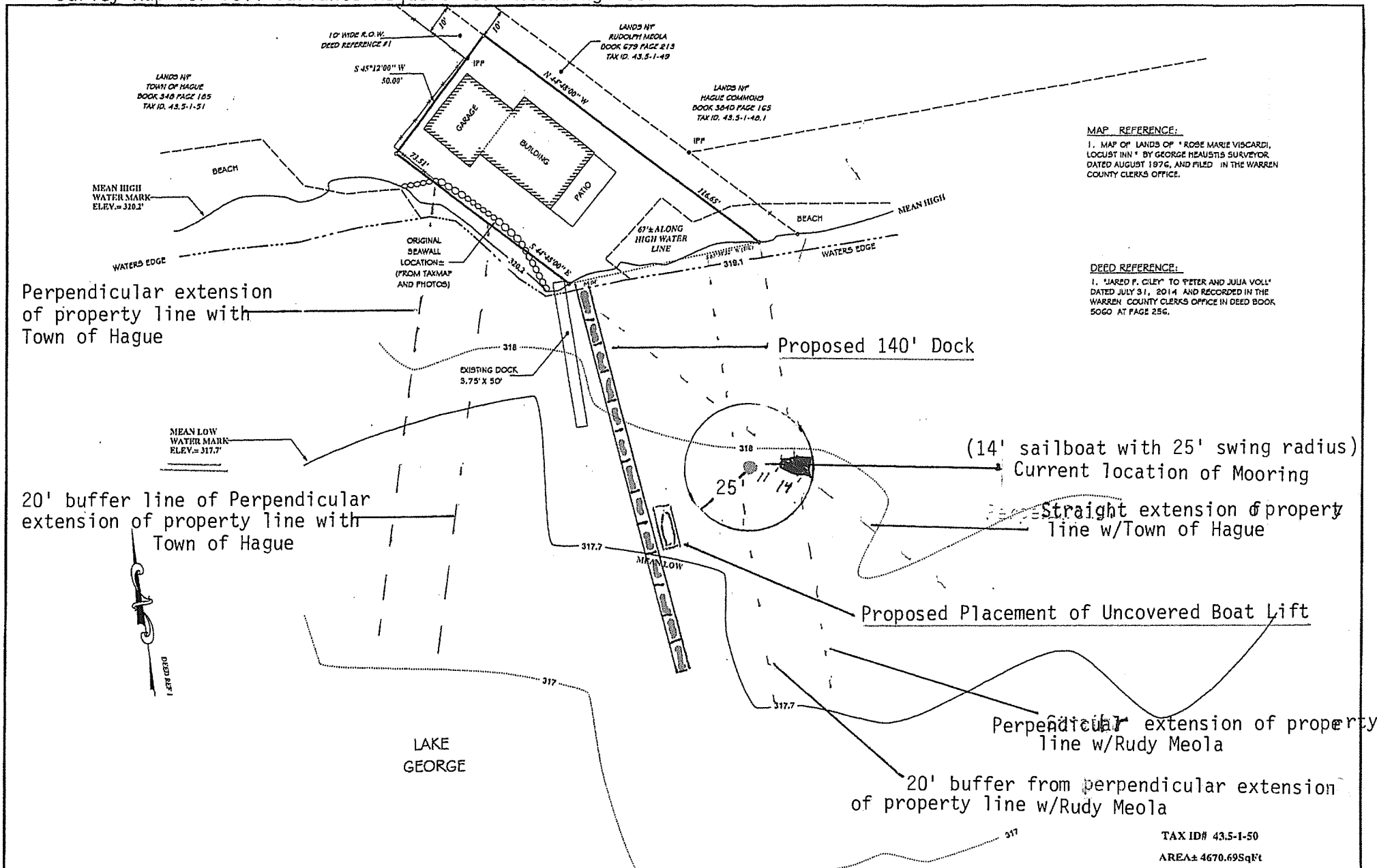
5. PROJECT DESCRIPTION

PROJECT DESCRIPTION 1) Extend current dock to 140' due to shallow water from expansion of the 'Hague Brook Delta'.

2) Place uncovered boat lift 40' from end of newly extended dock.

PROPOSED USE <input checked="" type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> ASSOCIATION <input type="checkbox"/> PUBLIC	
TYPE OF CONSTRUCTION <input checked="" type="checkbox"/> STAKE <input type="checkbox"/> CRIB <input type="checkbox"/> PILE <input type="checkbox"/> ARTICULATING <input type="checkbox"/> OTHER _____ <input type="checkbox"/> CANOPIED BOATLIFT <input checked="" type="checkbox"/> UN-CANOPIED BOATLIFT <input type="checkbox"/> PWC LIFT (include manufacturer specification sheet for all lifts)	
PROPOSED STARTING DATE <u>6/1/19</u>	PROPOSED COMPLETION DATE <u>6/15/19</u>
IS ANY PORTION OF THIS ACTIVITY FOR WHICH A PERMIT IS SOUGHT NOW BEGUN OR COMPLETED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (if yes, please explain)	
IF COMMERCIAL, IS THE FACILITY AND ITS ASSOCIATED LAND USES IN COMPLIANCE WITH APPLICABLE PROVISIONS OF STATE AND LOCAL LAWS, ORDINANCES, RULES AND REGULATIONS? <input 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 Town of Hague	NAME Rudy Meola
TAX MAP # 43.5-1-51	TAX MAP # 43.5-1-49
MAILING ADDRESS P0 Box 509, 9793 Graphite Mt. Rd Hague, NY 12836	MAILING ADDRESS Meola Law Firm 1822 Western Ave. Albany, NY 12203
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>3-27-19</u>
PLEASE COMPLETE ALL ITEMS ABOVE AND INCLUDE WITH THIS FORM:	
<input checked="" type="checkbox"/> Application fee <input checked="" type="checkbox"/> Site location map <input checked="" type="checkbox"/> Copy of survey if available <input checked="" 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 checked="" 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	
<small>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</small>	

Survey Map for Vol1 Variance Request for Extending Dock



MAP REFERENCE:

1. MAP OF LANDS OF "ROSE MARIE VISCARDI, LOCUST INN" BY GEORGE HEAUSTIS SURVEYOR DATED AUGUST 1876, AND FILED IN THE WARREN COUNTY CLERKS OFFICE.

DEED REFERENCE:

1. "MARET P. CLEY" TO "PETER AND JULIA VOLL" DATED JULY 31, 2014 AND RECORDED IN THE WARREN COUNTY CLERKS OFFICE IN DEED BOOK 5060 AT PAGE 256.

ALL RIGHTS RESERVED. COPY OR REPRODUCTION OF THIS PLAN OR ANY PORTION THEREOF IS PROHIBITED WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED SURVEYORS SEAL IS A VIOLATION OF SECTION 7206, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW. I HEREBY CERTIFY THAT THIS SURVEY MAP WAS MADE BY ME OR MADE UNDER MY DIRECTION, AND CONFORMS WITH THE MINIMUM STANDARD CODE OF PRACTICE THAT HAS BEEN DEVELOPED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

NO.	REVISION	DATE

SURVEY MAP FOR PETER VOLL AND JULIA VOLL AT 9064 LAKE SHORE DRIVE

NOVEMBER 17, 2015 SCALE 1" = 20'
TOWN OF HAGUE, WARREN COUNTY, NEW YORK

ABL SURVEYING, PLLC
MICHAEL E. MONTENA, PLS
5 AVON PLACE
SOUTH GLEN FALLS, NY 12803
518-798-2219

MICHAEL E. MONTENA
15 # 050678

DRAWN BY:	M. MONTENA
CHECK BY:	

TAX ID# 43.5-1-50

AREA± 4670.695Sqft

MAP B _ VOLL DOCK EXTENSION VARIANCE REQUEST

Proposed 140' Dock

Existing 160' Dock
Hague Commons Condominiums

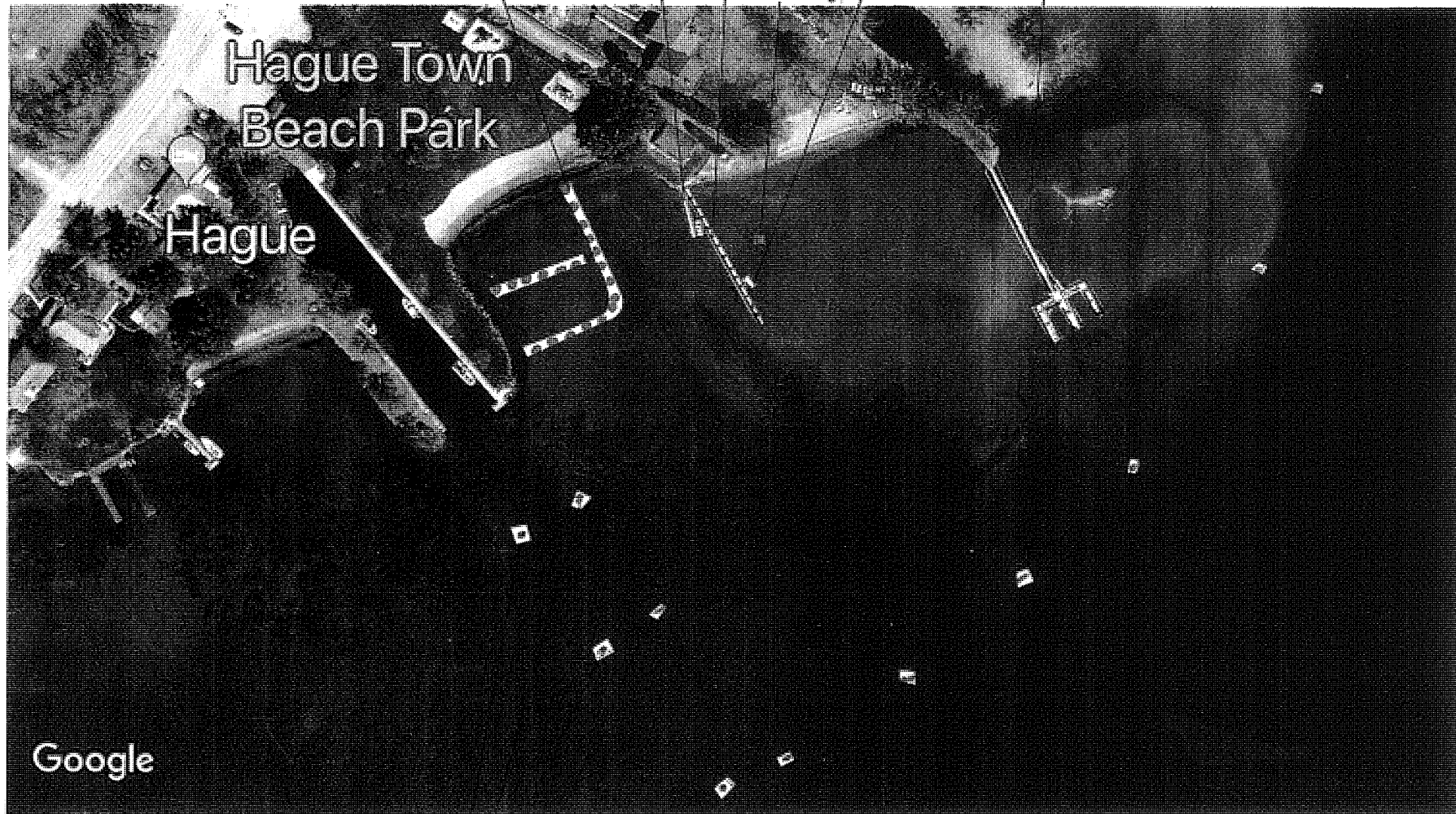
Existing Dock

Uncovered Boat Lift
Current Mooring

Seasonal Swimming Bouys
Town of Hague

Hague Town
Beach Park

Hague

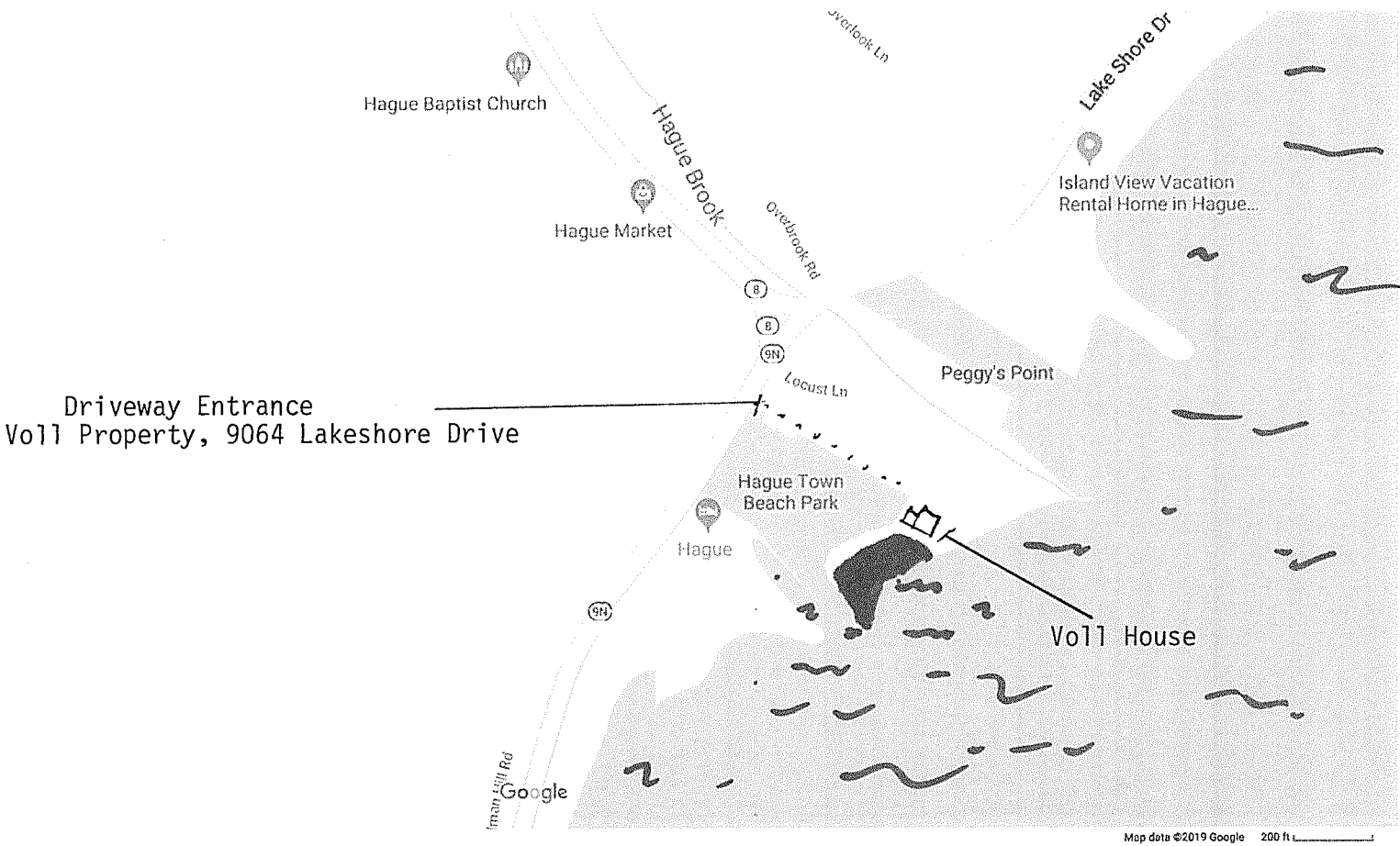


LGPC Navigation Bouys

LGPC Hazard Bouys

SITE LOCATION MAP: Voll Dock Extension Request; 9064 Lakeshore Drive, Hague, NY

Google Maps





Lake George Park Commission

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

Variance Request Form

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

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

1. **APPLICANT** Peter J. Voll

2. **PERSON FILLING OUT THIS FORM** Peter J. Voll

3. **FACILITY** N/A

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

5. **VARIANCE SOUGHT FROM:**

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

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

- 1) Lengthen seasonal stake dock to extend 40' beyond 'Mean Low Water' for a total length of 140' from the shoreline. Full 4' width would result in total sq. ft. of 560'.
- 2) Place uncovered boat lift 40' from end of dock.

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.)**

Alternative to extending dock would be to dredge a 100'x20' channel to reach 'Mean Low Water'. This would be prohibitively expensive and need to be repeated often unless 'Hague Brook Delta' was also dredged.

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?**

Current 40' dock has become unusable for boats with motors during late summer. Our 17' boat gets stuck/grounded in sand. Water depth has become more shallow each year since 1986 installation of current dock. Property value diminishes with reduced boat access.

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

Map B attached shows large shallow area of 'Hague Brook Delta'. One website that outlines the problem is: www1.dec.ny.us/doc_regions/pdf/

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.

1) Lakefront property values are highly tied to having proper boat access. The rapid sedimentation from road-sand run-off has made our waterfront currently highly restrictive in terms of what types of boats can be used. Any motorized boat is now grounding in the sediment/bottom even in early summer when water is higher when accessing our dock.

2) Dredging is too expensive. 3) Overall restricted water access is a result of county decisions on road treatment and management of run-off into lake.

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

Attached survey clearly shows Mean Low Water mark being far from shore (approx. 100').

As in question 9, I point to the Hague Brook Delta expansion: www1.dec.ny.us/doc_regions

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?

Attached Map B shows our proposed extended dock of 140' is well within the perimeter of LGPC bouys that warn of shallow water. Those bouys are 325' beyond the end of our

proposed dock thus providing a wide berth of protection from boats navigating nearby. LGPC navigation bouys to the nearby boat launch is 225' from our dock at the closest point

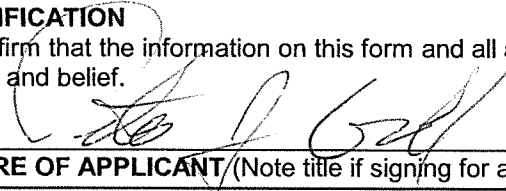
13. What forms of evidence are being submitted to demonstrate that the proposed project will not alter the essential character of the area in which the proposed use or activity is located, and will not lead to congestion in the park?

1) Our use of our dock will not change with this extension.

2) One benefit of our extended dock is to move any of our boat traffic further from the shoreline and the swimming area of the Hague Town Park/Beach. See Map B.

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)

3-27-19
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.



Lake George Park Commission

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

Re: Dock Extension & Variance application for Voll property at 9064 Lakeshore Drive,
Hague, NY.

APPLICATION FOR PERMIT ADDENDUM A - Co-owner Signature Page

This is a supplement and attachment to LGPC permit applications

Please print your name and address as co-owner of the subject property Your signature affirms that you have reviewed and consent to the attached application			
CO-OWNER #1			
NAME Julia C. Voll		EMAIL jcv528@gmail.com	
MAILING ADDRESS 4047 Mt. Philo Rd.			
CITY Charlotte	STATE VT	ZIP CODE 05445	PHONE 802-425-2628
Signature <i>Julia C. Voll</i>			Date 3.27.2019
CO-OWNER #2			
NAME		EMAIL	
MAILING ADDRESS			
CITY	STATE	ZIP CODE	PHONE
Signature			Date
CO-OWNER #3			
NAME		EMAIL	
MAILING ADDRESS			
CITY	STATE	ZIP CODE	PHONE
Signature			Date
CO-OWNER #4			
NAME		EMAIL	
MAILING ADDRESS			
CITY	STATE	ZIP CODE	PHONE
Signature			Date

STERLING APPRAISAL COMPANY

233 Lake Ave #204

Saratoga Springs, NY 12866

www.sterlingappraisalcompany.com

sterling@sterlingappraisalcompany.com

Phone: 518-683-4706

May 15, 2019

Lake George Park Commission
74 Fort George Rd
Lake George, NY
12845

Re: Restricted Appraisal Report
Mr. Peter J. Voll
9064 Lakeshore Dr, Hague,
Warren County, NY, 12836
Tax Map ID#: 43.5-1-50 (0.12 acres)

Dear Park Commissioners:

At the request of Mr. Peter J. Voll, the owner of record for 9064 Lakeshore Drive, Hague, New York, I have prepared a report, for the above referenced property, which may be briefly described as follows:

The subject property also known as 9064 Lakeshore Drive, is a single-family residence. The property fronts the western shore of Lake George containing approximately 136 feet of shoreline according to Warren County tax map panel number 43.05 dated April 11, 2016. The subject is a 1,260 square foot colonial home containing five bedrooms and two full bathrooms. At the rear there is an attached two-car garage. The tax map indicated that the shoreline is approximately 136 feet. Currently there is a stake dock, the dimensions of which are 4 feet wide by 40 feet long, approximately.

The property history, according to the owner, indicates that the existing 40-foot dock was capable of docking recreational motor boats without hitting the bottom surface area at the dock. Due to the buildup sediment deposits, the mean water height from the shoreline has decreased, preventing the owner from being able to dock his boat, thus rendering the dock functionally obsolete from its original intended use at the time of purchase.

The Lake George waterfront home market consists of two market segments. These segments include homes with docks specifically intended to be used for the docking of boats and homes without boat docks. This report will show that Mr. Voll's investment will lose a significant portion of its value as a result of not being able to replace or reproduce the current dock with a dock capable of securing boats in the water as intended with the original purchase.

Scope of Work

According to the Uniform Standards of Professional Appraisal Practice, it is the appraiser's responsibility to develop and report a scope of work that results in credible results that are appropriate for the appraisal problem and intended user(s). Therefore, the appraiser must identify and consider:

- the client and intended users;
- the intended use of the report;
- the type and definition of value;
- the effective date of value;
- assignment conditions;
- typical client expectations; and
- typical appraisal work by peers for similar assignments.

This report is prepared for Mr. Peter Voll and the Lake George Park Commission. The problem to be solved is to estimate the potential material damages o the subject property. The intended use is for Lake George Park Commission permit application. This appraisal is intended for the use of Lake George Park Commission and Mr. Peter Voll.

SCOPE OF WORK	
Report Type:	This is a Restricted Appraisal Report as defined by Uniform Standards of Professional Appraisal Practice under Standards Rule 2-2(b). This format provides for only basic property identification, appraisal statements and value conclusion(s). The appraisal may only be used by the client for the intended use. The rationale for how the appraiser arrived at the opinions and conclusions set forth in the report may not be understood properly without additional information in the appraiser's work file.
Property Identification:	The subject has been identified by the assessors' parcel number.
Inspection:	An interior and exterior inspection of the subject property has been made, and photographs taken.
Market Area and Analysis of Market Conditions:	An analysis of market conditions has been made. The appraiser maintains and has access to comprehensive databases for this market area and has reviewed the market for sales and listings relevant to this analysis.

Criteria for Comparable Property Selection and Summary of Findings

Research was conducted to establish the correlation, if any, in the difference in value between properties on Lake George whose waterfront homes that contained docks and properties whose waterfronts do not contain docks.

Within the past 36-month period from 2016 to 2019 there were approximately 440 Lake George sale transactions through the Southern Adirondack Association of Realtors and the greater Capitol Association of Realtors. The property types include property with direct frontage on Lake George and those with deeded access via right of ways, easements and associations. The sale prices varied from \$26,000 for time shares to \$5,500,000 for a residential large estate.

Based on the description of the subject property as described above, the criteria for comparable data selection was very specific. The subject is not a new construction. The criteria therefore did not include sales of newly constructed home or proposed construction. Each home has direct access to the waterfront. Homes with deeded access were not selected. Homes were selected within the town of Hague or from competing markets such as Ticonderoga and Putnam. The subject's gross living area is approximately 1,260 square feet in size. No homes over 2,000 squares were selected. The subject has a stake dock. Homes with stake docks or a similar design were selected. Homes with boat houses or covered docks were not selected for this analysis.

Given the specific selection parameters stated above, eight purchases best fit the selection criteria for comparability to the subject property. Four homes contained a dock and four homes did not contain a dock. The sale information for each property is exhibited below in a tabular format. One table will show information for homes without docks and one table will show information for homes with docks. Each table contains header information identifying the property characteristics. This information includes the address, the size of the home, the size of the shoreline, the sale date, the sale price, and the price per square foot. All of the sales were verified, and each transaction was arm's length in nature.

Exhibit Table 1: Direct waterfront homes with that *do not* contain docks

Properties without docks								
	Address	Gross Living Area	Waterfront	Dock	Sale Date	Sale Price	Price per SF	Arm's Length
Sale #1	353 Baldwin Rd, Ticonderoga	1,404	35 feet	No	4/12/18	\$450,000	\$321	Yes
Sale #2	36 Jenkins Point Dr, Hague	1,170	100 feet	No	11/14/17	\$550,000	\$470	Yes
Sale #3	2334 Black Point Rd, Putnam	1,100	100 feet	No	6/30/17	\$560,000	\$509	Yes
Sale #4	8910 Lakeshore Dr, Hague	1,892	225 feet	No	6/10/16	\$1,125,000	\$595	Yes

The table above shows four sales of homes each labeled Sale #1 through Sale #4. The subject's gross living area is approximately 1,260 square feet. The gross living area for each sales range from 1,100 square feet to 1,892 square feet in size. The subject has a shoreline of approximately 136 feet. The shorelines for each of the sales are 35 feet, 100 feet, 100 feet, and 225 feet, respectively. The subject's gross living area is approximately 1,260 square feet. The subject's home size and waterfront size are within the ranges shown in the table above. The subject is not a new construction. The sales above are also not new construction. The sale prices for the homes listed above range from \$450,000 to \$1,125,000. The table below provides a statistical summary.

Exhibit Table 2: Statistical Summary for properties *without* docks

	Sale Price	Price per SF
Minimum Price	\$450,000	\$321
Maximum Price	\$1,125,000	\$595
Median Price	\$555,000	\$490
Mean Price	\$671,250	\$474

The minimum sales price per square foot was \$450,000. The maximum sales price was \$1,125,000. The median sales price was \$555,000. The mean sales price was \$474,000.

The minimum sales price per square foot was \$321. The maximum sales price per square foot was \$595. The median sales price per square foot was \$490. The mean sales price per square foot was \$474.

Exhibit Table 3: Direct waterfront homes with that *do* contain docks

Properties with docks								
	Address	Gross Living Area	Waterfront	Dock	Sale Date	Sale Price	Price per SF	Arm's Length
Sale #5	22 Pudding Lane, Hague	892	104 feet	Yes	12/7/18	\$670,000	\$751	Yes
Sale #6	39 Pine Cove Rd, Hague	888	100 feet	Yes	10/5/17	\$675,000	\$760	Yes
Sale #7	3 Forest Bay South, Hague	1,564	93 feet	Yes	3/28/16	\$750,000	\$480	Yes
Sale #8	7796 Lakeshore Dr, Hague	1,632	72 feet	Yes	6/6/18	\$829,000	\$508	Yes

The table above shows four sales of homes each labeled Sale #5 through Sale #8. The subject's gross living area is approximately 1,260 square feet. The gross living area for each sales range from 892 square feet to 1,632 square feet in size. The subject has a shoreline of approximately 136 feet. The shorelines for each of the sales are 104 feet, 100 feet, 93 feet, and 72 feet, respectively. The subject's home size and waterfront size are within the ranges shown in the table above. The subject is not a new construction. The sales above are also not new construction. The sale prices for the homes listed above range from \$670,000 to \$829,000. The table below provides a statistical summary.

Exhibit Table 4: Statistical Summary for properties *with* docks

	Sale Price	Price per SF
Minimum Price	\$670,000	\$480
Maximum Price	\$829,000	\$760
Median Price	\$712,500	\$630
Mean Price	\$731,000	\$625

The minimum sales price per square foot was \$670,000. The maximum sales price was \$829,000. The median sales price was \$712,500. The mean sales price was \$731,000.

The minimum sales price per square foot was \$480. The maximum sales price per square foot was \$760. The median sales price per square foot was \$630. The mean sales price per square foot was \$625.

Material Impact on Investment

Exhibit Table 5: Statistical Summary showing price difference between properties *without* docks and properties *with* docks.

The indicated median sale price for a home without boating amenities is \$490 per square foot. The indicated median sale price for a home with boating amenities is \$630 per square foot. The material difference shows a loss in value of 22% for median sales values.

The indicated mean sale price for a home without boating amenities is \$474 per square foot. The indicated mean sale price for a home with boating amenities is \$625 per square foot. The material difference shows a loss in value of 24% for mean sales values.

	No Dock	with Dock	Loss in Value
Minimum Price per Square Foot	\$321	\$480	33%
Maximum Price per Square Foot	\$595	\$760	22%
Median Price per Square Foot	\$490	\$630	22%
Mean Price per Square Foot	\$474	\$625	24%

The data within indicates that there is a direct relationship in home values among comparable homes with boating amenities versus homes without boating amenities.

Exhibit Table 6: Indicated Value

Subject GLA (square feet)	1260
Median Price without dock	\$490
Median Price with dock	\$630
Indicated Median Price without dock	\$617,400
Indicated Median Price with dock	\$793,800
Indicated Loss	22%
Indicated Loss in Dollar Amount	\$176,400

The selected price per square foot value for the subject property with a boating amenity (dock) is \$630 per square foot or \$795,000 rounded. The selected price per square foot value for the subject property without a boating amenity (dock) is \$490 per square foot or \$620,000 rounded. The estimated loss approximately is \$175,000

Conclusion

The data clearly indicates that Mr. Voll will suffer a significant loss to his original investment without the proposed improvement to his property.



Eric A. Sterling Jr.
Certified General Real Estate Appraiser
New York State Unique ID #46-48388
Date Signed: May 15, 2018

Limiting Conditions and Assumptions

Acceptance of and/or use of this report constitutes acceptance of the following limiting conditions and assumptions; these can only be modified by written documents executed by both parties.

This appraisal is to be used only for the purpose stated herein. While distribution of this appraisal in its entirety is at the discretion of the client, individual sections shall not be distributed; this report is intended to be used in whole and not in part.

No part of this appraisal, its value estimates or the identity of the firm or the appraiser(s) may be communicated to the public through advertising, public relations, media sales, or other media.

All files, work papers and documents developed in connection with this assignment are the property of Sterling Commercial Appraisals, LLC. Information, estimates and opinions are verified where possible, but cannot be guaranteed. Plans provided are intended to assist the client in visualizing the property; no other use of these plans is intended or permitted.

No hidden or unapparent conditions of the property, subsoil or structure, which would make the property more or less valuable, were discovered by the appraiser(s) or made known to the appraiser(s). No responsibility is assumed for such conditions or engineering necessary to discover them. Unless otherwise stated, this appraisal assumes there is no existence of hazardous materials or conditions, in any form, on or near the subject property.

Unless otherwise stated in this report, the existence of hazardous substances, including without limitation asbestos, polychlorinated biphenyl, petroleum leakage, or agricultural chemicals, which may or may not be present on the property, was not called to the attention of the appraiser nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test for such substances. The presence of such hazardous substances may affect the value of the property. The value opinion developed herein is predicated on the assumption that no such hazardous substances exist on or in the property or in such proximity thereto, which would cause a loss in value. No responsibility is assumed for any such hazardous substances, nor for any expertise or knowledge required to discover them.

Unless stated herein, the property is assumed to be outside of areas where flood hazard insurance is mandatory. Maps used by public and private agencies to determine these areas are limited with respect to accuracy. Due diligence has been exercised in interpreting these maps, but no responsibility is assumed for misinterpretation.

Good title, free of liens, encumbrances and special assessments is assumed. No responsibility is assumed for matters of a legal nature.

Necessary licenses, permits, consents, legislative or administrative authority from any local, state or Federal government or private entity are assumed to be in place or reasonably obtainable.

It is assumed there are no zoning violations, encroachments, easements or other restrictions which would affect the subject property, unless otherwise stated.

The appraiser(s) are not required to give testimony in Court in connection with this appraisal. If the appraisers are subpoenaed pursuant to a court order, the client agrees to pay the appraiser(s) Sterling Commercial Appraisals, LLC's regular per diem rate plus expenses.

Appraisals are based on the data available at the time the assignment is completed. Amendments/modifications to appraisals based on new information made available after the appraisal was completed will be made, as soon as reasonably possible, for an additional fee.

Americans with Disabilities Act (ADA) of 1990 A civil rights act passed by Congress guaranteeing individuals with disabilities equal opportunity in public accommodations, employment, transportation, government services, and telecommunications. Statutory deadlines become effective on various dates between 1990 and 1997. Sterling Commercial Appraisals, LLC has not made a determination regarding the subject's ADA compliance or non-compliance. **Non-compliance could have a negative impact on value, however this has not been considered or analyzed in this appraisal.**

Certification Statement

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

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- 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.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is 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.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- Eric A. Sterling Jr. has made a personal inspection of the property that is the subject of this report.
- No one provided significant real property appraisal assistance to the person signing this certification.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- As of the date of this report, I have completed the Standards and Ethics Education Requirements for Candidates of the Appraisal Institute.

A handwritten signature in blue ink that reads "Eric A. Sterling Jr." The signature is fluid and cursive, with the first name "Eric" and last name "Sterling" being more prominent than the middle initial "A.".

Eric A. Sterling Jr.
Certified General Real Estate Appraiser
New York State Unique ID #46-48388
Date Signed: May 15, 2018

Addenda

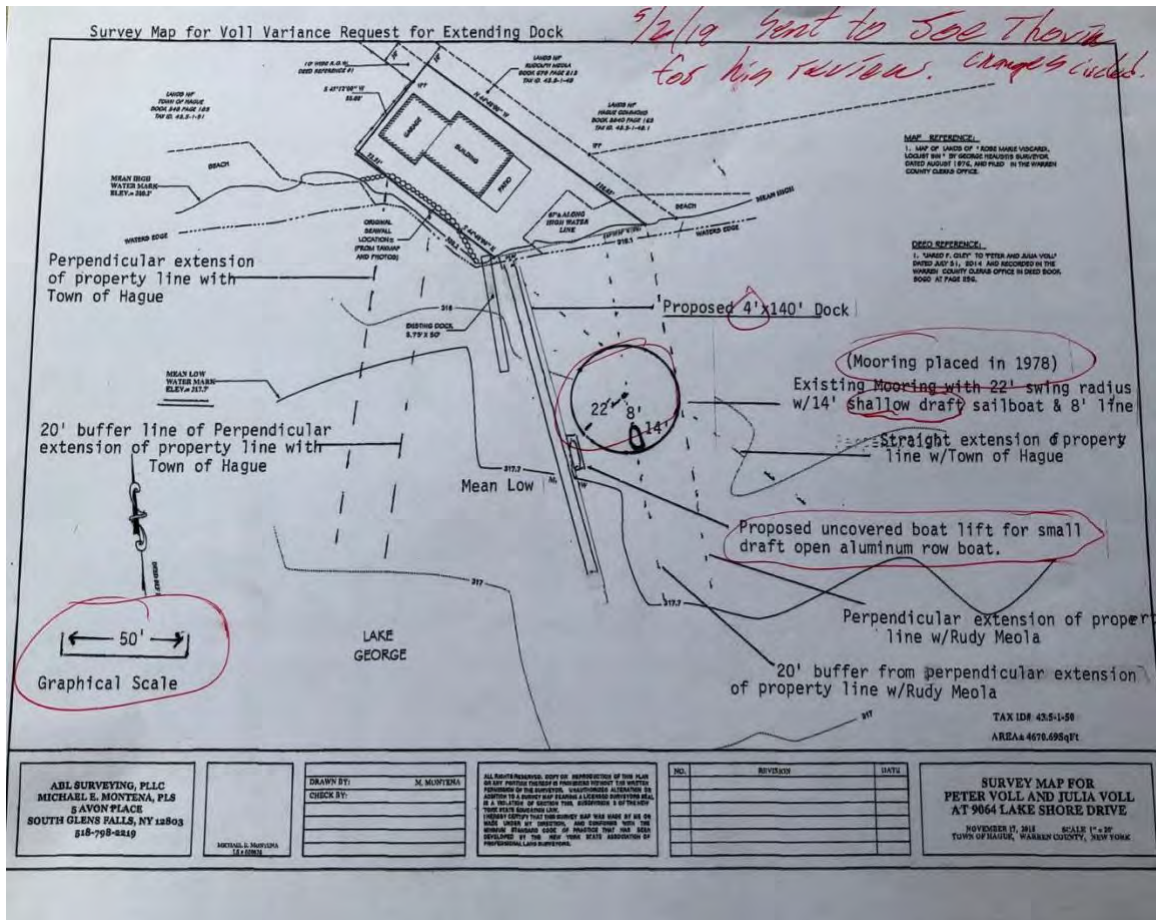
Subject Pictures



Front View



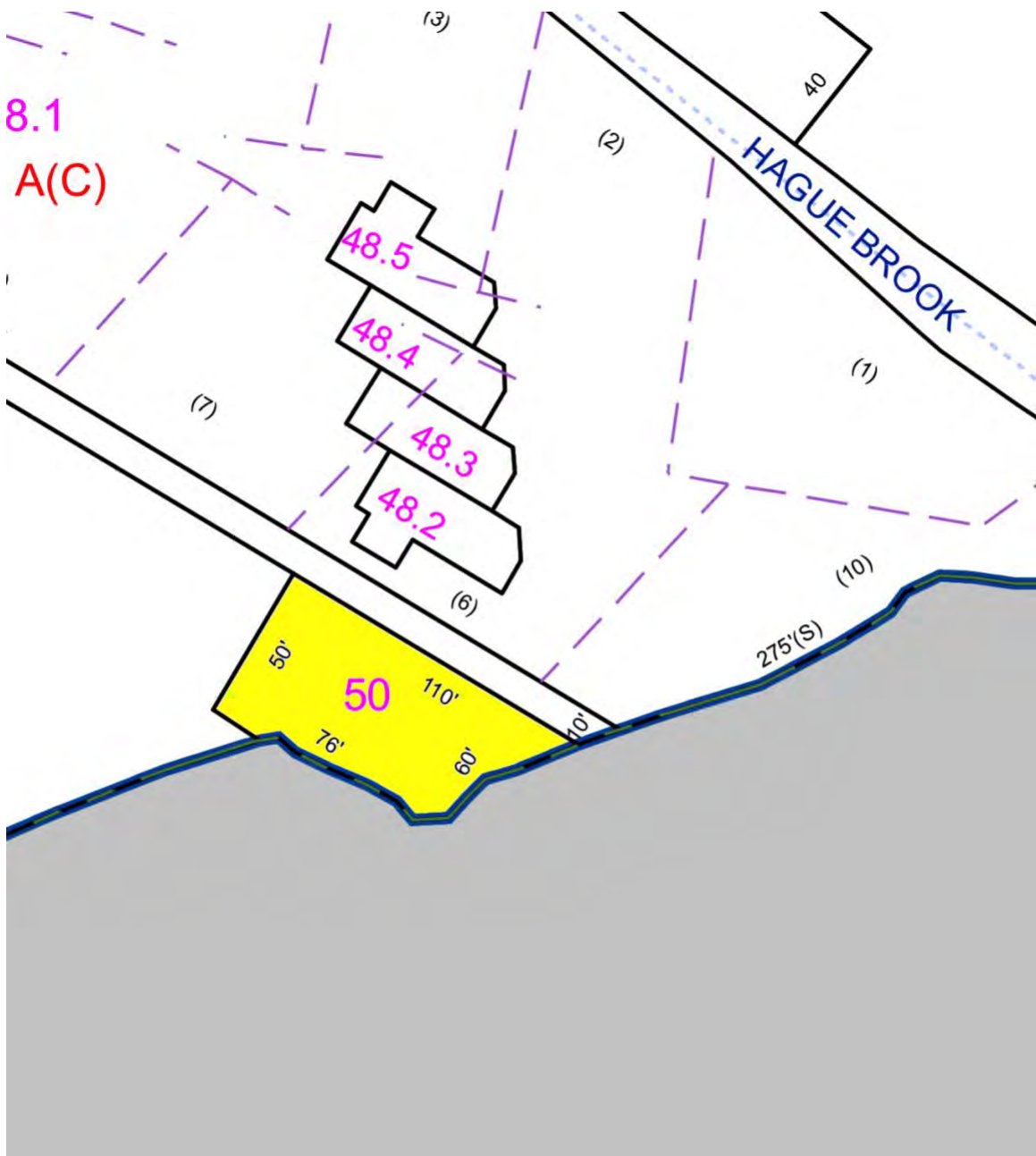
Dock - 40 foot



Survey



Aerial Map



Tax Map

Qualifications

Eric Sterling is a New York State certified and registered commercial appraiser. He has been appraising all types of commercial, industrial, institutional, and residential properties for the past 20 years. His geographical experience is very broad covering dense markets such as New York City, Westchester & Long Island to the wilderness areas of the Adirondacks.

Mr. Sterling currently performs appraisals for banks, law firms and private individuals. Mr. Sterling's formal commercial appraisal training has been with the Appraisal Institute and New York University.

Current list of appraisals performed for:

NBT Bank
US Bank
Adirondack Trust
Bartlett, Pontiff, Stewart & Rhodes PC (Law Firm)
Nolan & Heller, LLC (Law Firm)
John Winn, Esq.
Lake George Park Commison

Appraisals performed for:

- * Lending Purposes
- * Matrimonial (including contests)
- * Tax Purposes
- * Planning / Exchanges
- * Offers / Listings
- * Bankruptcy

Types of Property Appraisals Performed:

Green Appraisals

Green Commercial Properties

- * Office
- * Medical
- * Retail
- * Residential

Green Institutional Properties

- * Schools
- * Places of Worship

Land Appraisals

- * Commercial Land
- * Industrial Land
- * Residential Land
- * Wetlands

Residential / Hospitality Appraisals

- * Multi-Family Residences
- * Low-Income Housing Projects
- * Senior Housing
- * Subdivisions
- * Apartment Buildings
- * Condominiums
- * Mobile Home Parks
- * Hotels / Motels
- * Bed & Breakfast

Institutional Appraisals

- * Schools
- * Churches, Synagogues, Temples
- * Fellowship Halls

Medical / Office Appraisals

- * Office Parks
- * Medical Centers
- * Medical Office

Food / Retail Store Appraisals

- * Neighborhood Shopping Centers
- * Restaurants
- * Diners
- * Boutiques
- * Convenience Stores
- * Mini-mart w/ Fuel Service Station
- * Mixed-use

Automobile Service Appraisals

- * Auto Repair Shops
- * Truck Repair
- * Parking Garages
- * Automobile Dealerships
- * Car washes

Industrial

- * Manufacturing / Factory
- * Warehouses
- * Industrial Garages

Recreational Appraisals

- * Marinas / Boathouses
- * Camping Facilities

REAL ESTATE APPRAISAL EDUCATION

Community Real Estate School	
Introduction to Real Estate Appraisal (R-1)	1998
Valuation Principles and Procedures (R-2)	1998
Ethics and Standards	1998
Realty Institute New York City	
Environmental and Fair Housing Issues	2000
Appraisal Institute	
Basic Income Capitalization (G-1)	2003
General Applications (G-2)	2003
Advanced Income Capitalization	2004
Uniform Standards of Professional Appraisal Practice	2009
Valuing Commercial Green Building	2009
Narrative Report Writing	2011
New York University	
Income Property Valuations (G3)	2005

PROFESSIONAL AFFILIATIONS

Eric A. Sterling Jr. is an Associate Member of the Appraisal Institute and a candidate for the MAI designation – Associate Member # 404778

REALTY BOARDS

Greater Capital Association of Realtors (GCAR)	Member
Commercial Industrial Real Estate Brokers, Inc. (CIREB)	Member
Southern Adirondack Association of Realtors (WCAR)	Member

Glossary

This glossary contains the definitions of common words and phrases, used throughout the appraisal industry, as applied within this document. Please refer to the publications listed in the **Works Cited** section below for more information.

Works Cited:

- Appraisal Institute. *The Appraisal of Real Estate*. 13th ed. Chicago: Appraisal Institute, 2008. Print.
- Appraisal Institute. *The Dictionary of Real Estate Appraisal*. 5th ed. 2010. Print.

1. appraisal; a retrospective estimate based on an analysis of past events assuming a competitive and open market. (Dictionary, 5th Edition)

External Obsolescence

An element of depreciation; a diminution in value caused by negative externalities and generally incurable on the part of the owner, landlord, tenant. (Dictionary, 5th Edition)

Extraordinary Assumption

An assumption, directly related to a specific assignment, which, if found to be false, could alter the appraiser's opinions or conclusions. Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal, or economic characteristics of the subject property; or about conditions external to the property such as market conditions or trends; or about the integrity of data used in an analysis. (USPAP, 2010-2011 ed.) (Dictionary, 5th Edition)

Fee Simple Estate

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat. (Dictionary, 5th Edition)

Functional Obsolescence

The impairment of functional capacity of a property according to market tastes and standards. (Dictionary, 5th Edition)

Functional Utility

The ability of a property or building to be useful and to perform the function for which it is intended according to current market tastes and standards; the efficiency of a building's use in terms of architectural style, design and layout, traffic patterns, and the size and type of rooms. (The Appraisal of Real Estate, 13th Edition)

Gross Building Area (GBA)

Total floor area of a building, excluding unenclosed areas, measured from the exterior of the walls of the above-grade area. This includes mezzanines and basements if and when typically included in the region. (Dictionary, 5th Edition)

Gross Leasable Area (GLA)

Total floor area designed for the occupancy and exclusive use of tenants, including basements and mezzanines; measured from the center of joint partitioning to the outside wall surfaces. (Dictionary, 5th Edition)

Highest & Best Use

The reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately

supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity. Alternatively, the probable use of land or improved property—specific with respect to the user and timing of the use—that is adequately supported and results in the highest present value. (Dictionary, 5th Edition)

Hypothetical Condition

That which is contrary to what exists but is supposed for the purpose of analysis. Hypothetical conditions assume conditions contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis. (Dictionary, 5th Edition)

Leased Fee Interest

A freehold (ownership interest) where the possessory interest has been granted to another party by creation of a contractual landlord-tenant relationship (i.e., a lease). (Dictionary, 5th Edition)

Market Area

The area associated with a subject property that contains its direct competition. (Dictionary, 5th Edition)

Market Value

The major focus of most real property appraisal assignments. Both economic and legal definitions of market value have been developed and refined.

1. The most widely accepted components of market value are incorporated in the following

definition: The most probable price that the specified property interest should sell for in a competitive market after a reasonable exposure time, as of a specified date, in cash, or in terms equivalent to cash, under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, for self-interest, and assuming that neither is under duress.

2. Market value is described in the Uniform Standards of Professional Appraisal Practice (USPAP) as follows: A type of value, stated as an opinion, that presumes the transfer of a property (i.e., a right of ownership or a bundle of such rights), as of a certain date, under specific conditions set forth in the definition of the term identified by the appraiser as applicable in an appraisal. (USPAP, 2010-2011 ed.) USPAP also requires that certain items be included in every appraisal report. Among these items, the following are directly related to the definition of market value:

- Identification of the specific property rights to be appraised.
- Statement of the effective date of the value opinion.
- Specification as to whether cash, terms equivalent to cash, or other precisely described financing terms are assumed as the basis of the appraisal.
- If the appraisal is conditioned upon financing or other terms, specification as to whether the financing or terms are at, below, or above market interest rates and/or contain unusual conditions or incentives. The terms of above—or below—market interest rates and/or other special incentives must be clearly set

- forth; their contribution to, or negative influence on, value must be described and estimated; and the market data supporting the opinion of value must be described and explained.
3. The following definition of market value is used by agencies that regulate federally insured financial institutions in the United States: The most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and the seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:
 - Buyer and seller are typically motivated;
 - Both parties are well informed or well advised, and acting in what they consider their best interests;
 - A reasonable time is allowed for exposure in the open market;
 - Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
 - The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale. (12 C.F.R. Part 34.42(g); 55 Federal Register 34696, August 24, 1990, as amended at 57 Federal Register 12202, April 9, 1992; 59 Federal Register 29499, June 7, 1994)
 4. The International Valuation Standards Council defines market value for the purpose of international standards as follows: The estimated amount for which a property should exchange on the date of valuation between a willing buyer and a willing seller in an arm's-length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently, and without compulsion. (International Valuation Standards, 8th ed., 2007)
 5. Market value is the amount in cash, or on terms reasonably equivalent to cash, for which in all probability the property would have sold on the effective date of the appraisal, after a reasonable exposure of time on the open competitive market, from a willing and reasonably knowledgeable seller to a willing and reasonably knowledgeable buyer, with neither acting under any compulsion to buy or sell, giving due consideration to all available economic uses of the property at the time of the appraisal. (Uniform Standards for Federal Land Acquisitions) (Dictionary, 5th Edition)

Marketing Time

An opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of the appraisal. Marketing time differs from exposure time, which is always presumed to precede the effective date of an appraisal. (Advisory Opinion 7 of the Standards Board of The Appraisal Foundation and Statement on Appraisal Standards No. 6, "Reasonable Exposure Time in Real Property and Personal Property Market Value Opinions" address the determination of reasonable exposure and

marketing time). (Dictionary, 5th Edition)

Obsolescence

One cause of depreciation; an impairment of desirability and usefulness caused by new inventions, changes in design, improved processes for production, or external factors that make a property less desirable and valuable for a continued use; may be either functional or external. (Dictionary, 5th Edition)

Replacement Cost

The estimated cost to construct, at current prices as of the effective appraisal date, a substitute for the building being appraised, using modern materials and current standards, design, and layout. (Dictionary, 5th Edition)

Scope of Work

The type and extent of research and analyses in an assignment. (Dictionary, 5th Edition)



Lake George Park Commission

Other Agencies

75 Fort George Road, P.O. Box 749, Lake George, NY 12845 | 518.668.9347 Fax: 518.668.5001 | www.lgpc.state.ny.us info@lgpc.state.ny.us

NOTICE OF AVAILABILITY FOR REVIEW

Date: April 03, 2019

TO INTERESTED PARTIES:

Comments Due: April 18, 2019

This notice is being sent to allow you an opportunity to comment on the proposed project below. Written comments must be received by the "comments due" date above and should detail specific reasons for your interest, support or opposition.

If you have no comments you do not need to return this form.

Return this form and any comments by email or mail to the above address, the analyst assigned is:

Joe Thouin, joe@lgpc.state.ny.us

Applicant:

Peter Voll
4047 Mt. Philo Rd
Charlotte, VT 05445

Application: 5226-6-19

Type: DM BL Minor
Wharf Modification

Parcel#: 43.05-1-50

Town of Hague

Project Location: 9064 Lakeshore Drive

Project Description:

Modify an existing wharf to result in a 140' long, 4' wide, straight stake supported wharf and install an un-canopied boat lift in accordance with plans attached

State Environmental Quality Review Lead Agency: None Designated

SEQR Determination: 1 - Type II Action, no further review under SEQR

Comments: ☒ No Comments ☐ Comments below or attached

cc: APA
Town of Hague
Patrick Popolizio
Rudolph Meola

Comments prepared by:

Address:

E-mail:

Telephone:

Catherine Clark
PO Box 509
Hague NY 12834
Zoning@townofhague.org
Date: 4-10-19

Joe Thouin

From: Korn, Devan F (APA) <Devan.Korn@apa.ny.gov>
Sent: Thursday, April 18, 2019 9:40 AM
To: Joe Thouin
Subject: RE: NAR Voll

Thanks Joe. Based on information available to the Agency, wetlands are not likely present in the vicinity of the proposal and the project will not involve wetlands. However, if the applicant believes the area within, or adjacent to the footprint of the proposed dock is vegetated a site visit will be necessary. The site visit would need to occur during the vegetative growing season.

Devan Korn

Environmental Program Specialist 1

NYS Adirondack Park Agency

PO Box 99
1133 NYS Route 86
Ray Brook, NY 12977

(518) 891-4050 | Fax: (518) 891-3938 | devan.korn@apa.ny.gov
www.apa.ny.gov

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From: Joe Thouin <Joe@lgpc.state.ny.us>
Sent: Friday, April 12, 2019 9:12 AM
To: Korn, Devan F (APA) <Devan.Korn@apa.ny.gov>
Subject: RE: NAR Voll

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

No worries, thank you for the feedback. I'll look forward to hearing from you.

Best regards,
Joe

Joe Thouin
Environmental Analyst

Lake George Park Commission

PO Box 749, 75 Fort George Rd, Lake George, NY 12845
(518) 668-9347 | fax (518) 668-5001 | joe@lgpc.state.ny.us
www.lgpc.ny.gov