

LAKE GEORGE PARK COMMISSION

PROJECT SYNOPSIS

Meeting Date August 27, 2019

| | | |
|---|---|--|
| Applicant Sandra Smith- Cehowski | Facility Private Lakefront | Parcel 26.06-1-2 Hague |
| Application # 5226-40-18 DM MINOR | Lakefront 146 feet 1 straight, T, L, U dock & 1 mooring | Location 9490 Lake Shore Drive Slacks Bay |
| Date Received 10/18/2018 | SEQR type Type II, not subject to SEQRA | Comment period ends 08/24/2019 |

Project

Maintain a 74' long, 18' 9" wide L-shaped crib dock in accordance with plans attached. A variance is required from the off-shore distance.

Background

In 1999 Sandy Smith contacted the Commission about moving Existing Wharf #1340 from one parcel (26.06-1-3) to another that she was purchasing next door (26.06-1-2). She was advised that the dock was only grandfathered in the original location, a new permit would be required and the new dock would need to meet all regulatory limits. She described the size and shape of the dock by phone and staff drew it up as described and sent it to her. Her application (as well as REW #1340) showed a 40' x 3' straight pier (and canopied boat lift) to be moved, but she revised that to a 40' x 14' L-shaped dock with a canopied lift. (timeline attached)

On June 10, 1999 permit 5226-15-99 was issued for the 40' x 14' L-shaped dock.

On July 20, 2007 an inspection of the dock was performed in response to a neighbor complaint. The dock was found to be out of compliance and a Notice of Violation was sent on May 23, 2008. The case languished as Mrs. Smith argued that the dock was grandfathered and refused to sign a Consent Order or bring it into compliance.

The dock was again measured on October 26, 2017 and found to be still out of compliance, although an unpermitted PWC lift had been removed. A Consent Order was signed on 8/22/2018, and amended twice to extend the deadline for bringing the dock into compliance with the setbacks and off-shore distance. This would bring the dock to a length of 59' from mean high water. This is equal to the dock's original length as it existed on 1997 based on the attached aerial photo.

The dock was constructed in compliance with the 20' property line setback as shown on the 1999 permit and 55' from the mean low water mark (74' from mean high). Our setback methodology changed after the permit was issued, but as the 1999 setback was complied with, no variance is required from the setback, just a 15' variance from the distance from MLW.

Regulatory Determinations

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

Date prepared August 12, 2019

LAKE GEORGE PARK COMMISSION
PROJECT SYNOPSIS

Meeting Date August 27, 2019

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.

If the variance documentation is deemed sufficient to prove unnecessary hardship the Commission must then 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."

Hague 26.06-1-2 (lot 2) Slacks Bay

Owner

Dorothea Becker Smith, Estate c/o Sandy Cehowski
171 Ashdown Rd
Ballston Lake NY, 12029

MG 7/9/08

1958 Shoreline Survey shows a 24' long, 3.8' wide dock on lot 3, approximately 105' from the south property line.

1981 Registration of Existing Wharf #1340 sketch depicts a 40' long, 3' wide dock with a boat hoist on lot 3 located 80' from the south property line. It notes that the dock was originally placed in 1947.

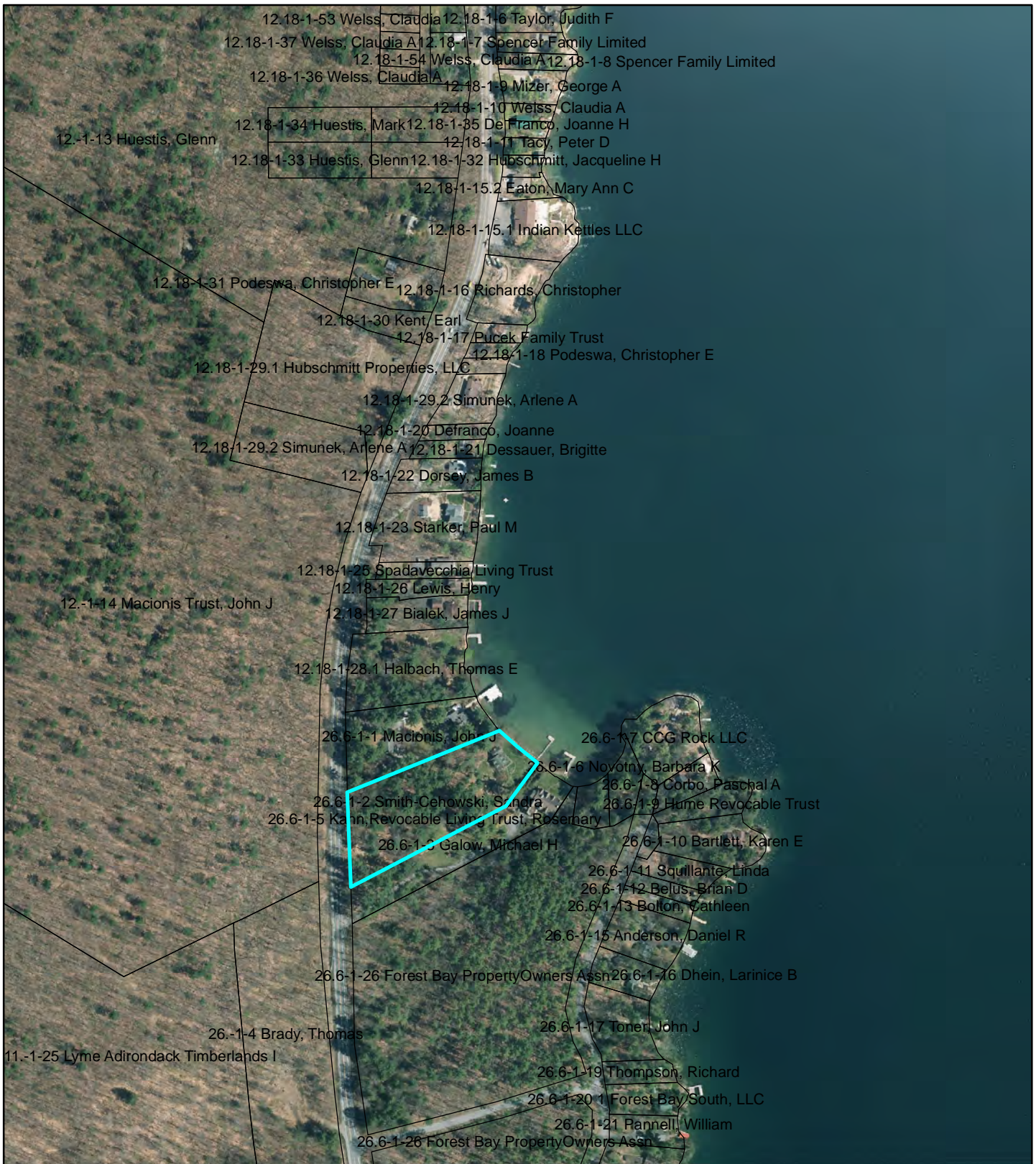
1985 subdivision - this parcel and Levenstein parcel to the south were at one time a single property. The Smiths subdivided in 1985 and sold the south parcel (lot 3) to Pfau. Lot 3 was later sold to Levenstein.

1994 - Dorothea Smith was notified of dock fees due since 1988. She paid back fees and continued to maintain account.

In 1997 the annual registration was transferred to Sandy Smith-Cehowski.

In 1999 I was contacted by Sandy Smith-Cehowski. She explained that her mother had sold lot 3 with existing dock #1340 on it in 1985 but had retained ownership of the dock. She wanted to move the dock from lot 3 to lot 2. Lot 2 did not have a dock at the time. I told her that it would have to be considered a new dock for lot 2. She applied for a 40' long, 14' wide new L-shaped dock and received a permit for same. I drew the dock sketch for her as she described what she wanted over the phone.

Lake George Park Commission



0 50 100 200 300 400 500 600 700 800 900 1,000 Feet

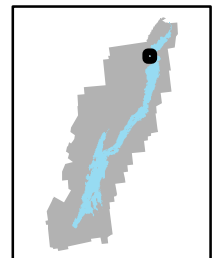
1" = 400'



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 The user assumes all risks and responsibility for determining
 whether this map is sufficient for purposes intended.
 The data is deemed reliable but not guaranteed.

YEAR OF AERIAL PHOTOS: 2018



Lake George Park Commission

Dock as it existed on neighboring lot.

59'

26.6-1-2 Smith-Cehowski, Sandra

26.6-1-3 Galow, Michael H

26.6-1-5 Kahn, Revocable Living Trust, Rosemary

26.6-1-26 Forest Bay Property Owners Assn

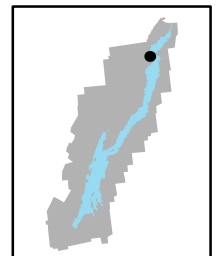
1" = 30'



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YEAR OF AERIAL PHOTOS: 1997



Lake George Park Commission



0 50 100 Feet

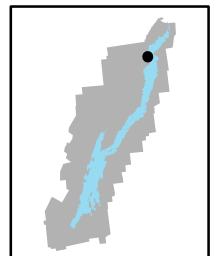
1" = 50'



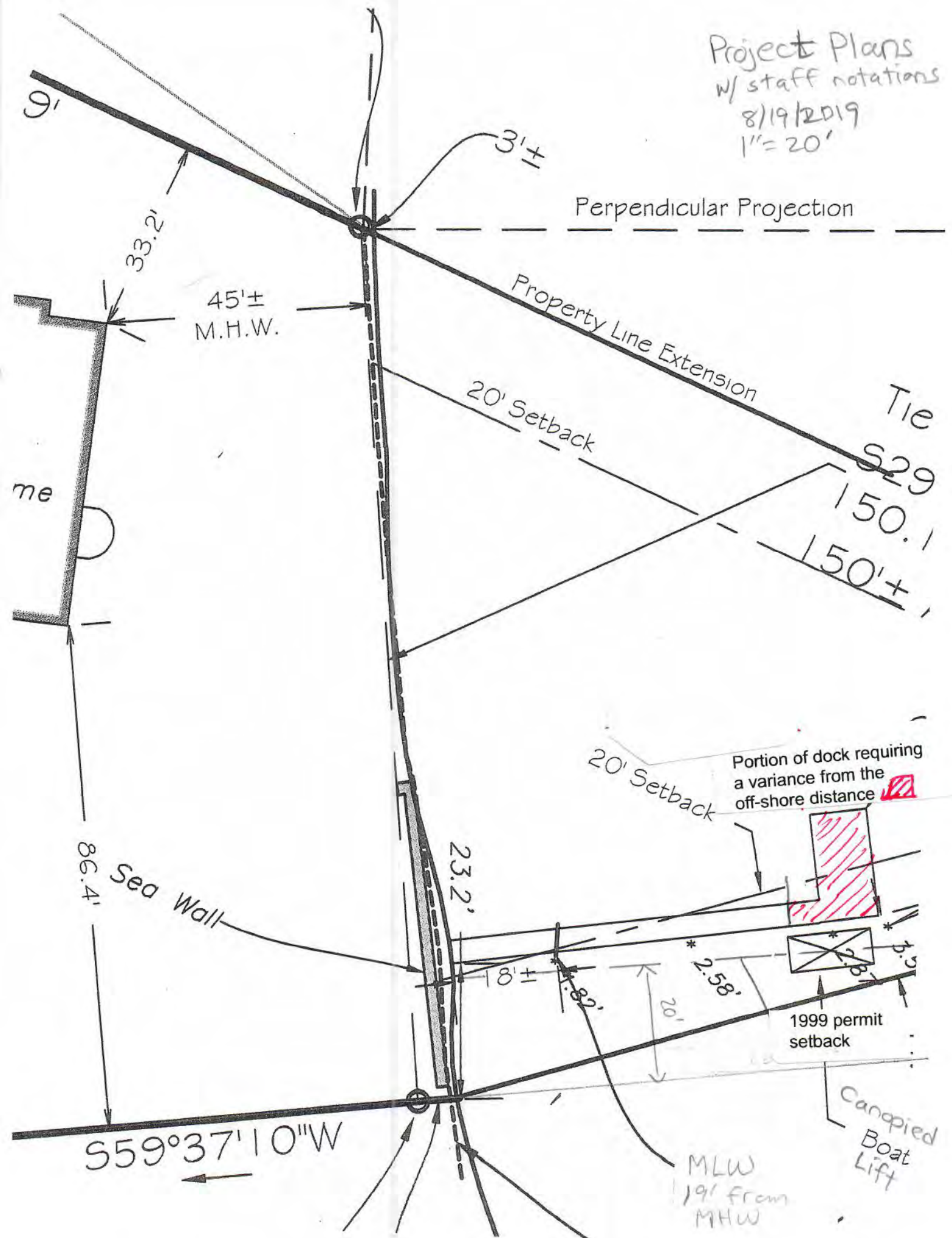
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YEAR OF AERIAL PHOTOS: 2018



Project Plans
w/ staff notations
8/19/2019
1" = 20'



Molly

From: Molly
Sent: Friday, August 09, 2019 11:30 AM
To: 'Devin Dickinson'
Cc: Jeffrey Meyer (jmeyer@meyerfuller.com)
Subject: RE: Smith-Cehowski
Attachments: 2018-11-1 incomplete.pdf; 2017-10-26 inspection sketch.pdf; synopsis.pdf

Just need the crib view and MLW along the rest of the shoreline. Because the source of the shallow water conditions is a stream south of the property it would be expected that the MLW may vary, leaving a more viable alternative location (or not, but we need to know this). I will get this out to notice so we're on track for the August meeting.

You might want to include the 20' setback as it was shown on the 1999 permit (we used the property line extension, we had a different methodology then). That shows that the dock is in compliance with the setback based on the permit so the variance is only needed for the off-shore distance. (the "new" setback will only be used for future applications). Can you note the dimensions of the boat lift canopy?

Jeff, you might want to revise your last letter to remove the reference to the property line variance.

Also, the 1999 permit wasn't pulled for a new subdivision, they were already subdivided well before the 1999 permit was issued. The purpose of re-locating the dock according to Mrs. Smith at the time, was to sell the other property. The original parcel was sold shortly thereafter and a new dock permitted.

In #10, note that the length of the dock does not need to be reduced to 40', but to 40' from the mean low (as shown in the Consent Order). This length of 59' coincidentally corresponds to the docks length in 1997 (and 1990) when it was on the neighboring parcel*. That's the alternative (as agreed to in the Consent Order), along with dredging, pertinent to the variance. The DD alternative #2 would only be necessary if the variance were denied and there is another location where the MLW is farther out.

*We would have inspected the dock and amended the REW (as the photo was clear that the dock was longer than 40') if the dock had not been removed from that property. However, of course the REW would have been valid only for the neighbor's parcel.

Did they want to include the PWC lift in their application?

I'm including my draft synopsis for your reference.

Molly Gallagher
Deputy Permit Administrator

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

From: Devin Dickinson [<mailto:devin9909@gmail.com>]
Sent: Thursday, August 08, 2019 3:37 PM
To: Molly
Cc: Jeffrey Meyer (jmeyer@meyerfuller.com)
Subject: Re: Smith-Cehowski

Molly

From: Molly
Sent: Wednesday, July 31, 2019 8:08 AM
To: 'Devin Dickinson'
Cc: Jeffrey Meyer (jmeyer@meyerfuller.com)
Subject: Smith-Cehowski

Could I get a PDF of your plans? Can you add in the north setback and the boatlift please?

We will also need an elevation view showing the depths at 10-20' intervals, and the type, length and draft of vessels to be berthed.

Did you get the MLW along the rest of the shoreline? It would be helpful to have at least one in a conforming location or at the other end of the property.

Jeff- I believe you have a typo in your latest letter. You note several times that the dock has been in its current place for 30 years. We show the dock was built pursuant to permit 5226-15-99, issued on June 10, 1999. Wouldn't it only be 20 years?

Please submit the sketches of the conforming docks referenced by the Dock Doctor's estimates.

Thanks!

Molly Gallagher
Deputy Permit Administrator

Lake George Park Commission

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

Molly

From: Molly
Sent: Monday, December 10, 2018 10:11 AM
To: 'Jeffrey Meyer'
Subject: RE: Smith-Cehowski

Thank you. We did receive this in the mail, with a note from the Post Office to let you know they need the PO Box number for our address, as we do not have a mailbox at 75 Fort George Rd.

This responds to item 6 of the incomplete notice, the application remains incomplete pending receipt of items 1-5.

Molly Gallagher
Deputy Permit Administrator

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

From: Jeffrey Meyer [<mailto:jmeyer@meyerfuller.com>]
Sent: Wednesday, December 05, 2018 12:29 PM
To: Molly
Subject: Smith-Cehowski

Molly,

Please find the attached correspondence.

Jeff

PLEASE NOTE: Meyer & Fuller, PLLC has moved to 1557 State Route 9, Lake George, New York, 12845. Please update your records accordingly. Thank you!



Jeffrey R. Meyer, Esq.
jmeyer@meyerfuller.com
518.668.2199

Office Address:
1557 State Route 9, Lake George, New York 12845

WARNING – FRAUDULENT FUNDING INSTRUCTIONS

Molly

From: Molly
Sent: Tuesday, December 04, 2018 8:34 AM
To: 'lakelover7240@yahoo.com'
Cc: Jeffrey Meyer (jmeyer@meyerfuller.com); Joe Johns
Subject: notice attached
Attachments: 2018-11-1 incomplete.pdf

In response to your letter dated November 29, 2018, please find attached the incomplete notice sent November 1.

I don't know why you did not receive this in a timely manner, I believe it was emailed and mailed. However, Lt. Johns will extend the Consent Order deadline as requested.

Molly Gallagher
Deputy Permit Administrator

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



NOTICE OF INCOMPLETE APPLICATION

November 01, 2018

Sandra Smith Cehowski
Sandra Smith- Cehowski
171 Ashdown Road
Ballston Lake, NY 12019

Application: 5226-40-18
Assigned to: Molly Gallagher, molly@lgpc.state.ny.us
Parcel ID: 26.06-1-2, Town of Hague
Project: Maintain a 74' long, 18'9" wide L-shaped crib dock in accordance with plans attached. A variance is required.

Your application is incomplete. Lake George Park Commission procedures are established to respond as early as possible regarding information required to complete review of applications.

Review cannot continue until the following information or items are received:

1. As discussed with your agent, a survey of the south property line and dock are required to determine the extent of variance requested. The property lines must be extended into the lake as prescribed by the regulations, and in accordance with the methodology described in the application instructions in order to determine the appropriate property line setback.
2. Your project plans need to show the crib spacing and sizes. If the PWC lift is to be maintained it must be shown on the plans. If the boat lift is actually covered (that is not shown on the photos), the dimensions of the cover must be shown on the plans and an elevation view submitted showing the height of the canopy.
3. Your description of "incomplete and inaccurate records" should be explained. I do not find that the files are incomplete. There was only one permit issued for a dock at this parcel, and it was for the construction of a 14' wide, 40' long L-shaped wharf at this parcel. I processed the application, and although Ms. Smith at the time expressed her wish to "move" the dock she previously owned at another parcel, I clearly explained to her that a dock was only grandfathered in its 1981 location, that her application had to be considered as a request for a new dock and that it had to meet the regulatory requirements. I made up the project plans as she directed, but they were not adhered to. There are no incomplete or inaccurate records for this parcel as far as I am aware.
4. The claim of shallow water must be documented with depths shown at the normal summer lake level of 319.56, every 10-20 feet along the dock. The mean low must be field checked (we found it at 21' in 2017). An



elevation view should show the lake bottom as well as the cribs, the boat berthed (note its length), and the boat lift canopy height.

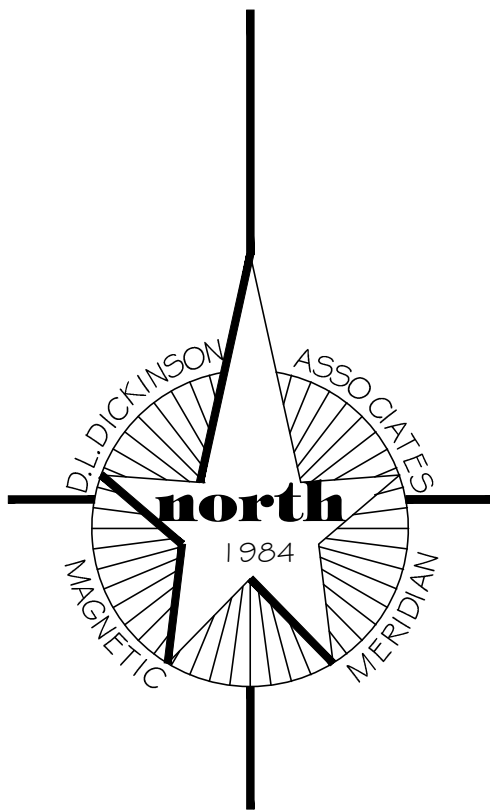
5. The variance request form does not note that the dock appears to need a variance from the property line setback. If this is determined to be the case by the survey and proper extension of the property lines, the variance request must substantiate the necessity of variance from property setback requirements.

6. I strongly encourage you to more fully document your request prior to the Commission's review of your application. The Commission generally looks for a detailed "dollars & cents" calculation to support the claim of lack of reasonable return.

Specifically, this would entail a letter from a real estate professional which amplifies the unique & peculiar conditions claimed and sets forth in greater detail a "dollars & cents" proof of lack of reasonable return, such as contrasting the purchase price and a comparative market analysis on the worth of the property without the proposed dock modification.

if no response is received within 60 days, your application will be withdrawn. If you have any questions concerning the requested items please contact the above assigned staff person.

cc: Jeffrey Meyer



Deed Reference:

Dorothea Becker Smith
To
Stacy McCausland
George E. Smith, Jr.
Sandra Smith-Cehowski
Dated: 10 February 2000
Book 1154 Page 59

Map Reference:

Map Of A Survey For
George Smith
Dated: 13 February 1985
Revised: 19 October 1987
By: D.L. Dickinson Associates

Map

of a survey for

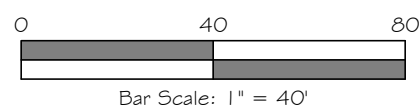
Stacy McCausland
George E. Smith, Jr.
Sandra Smith-Cehowski

Situate in

Town of Hague County of Warren

State of New York

Scale: 1" = 40' feet Date: 11 June 2019



Survey and Map by

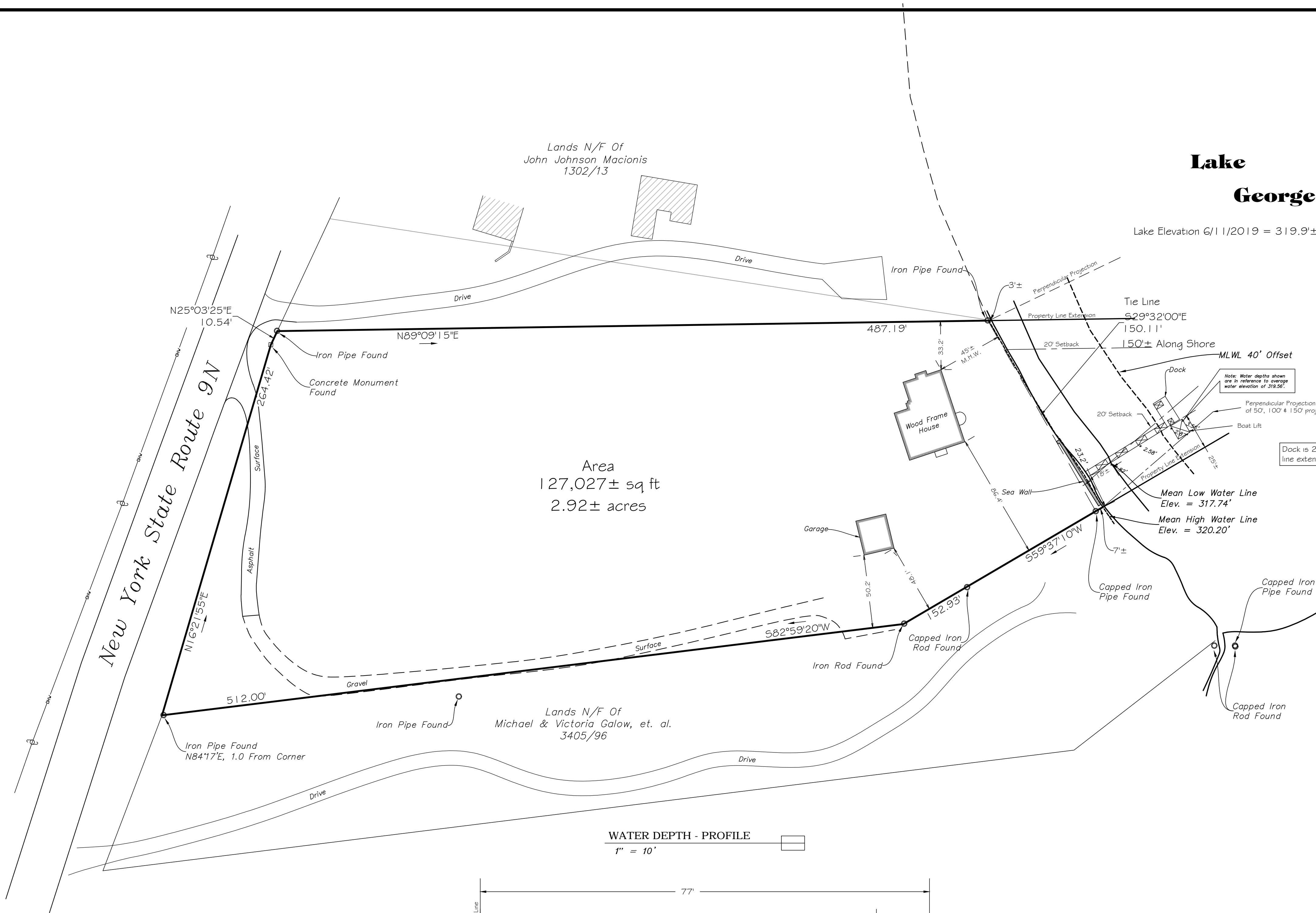
D.L. Dickinson
Associates
Surveyors & Engineers
LAKE GEORGE, NEW YORK 12845



TMP#: 26.06_1_2 (new)

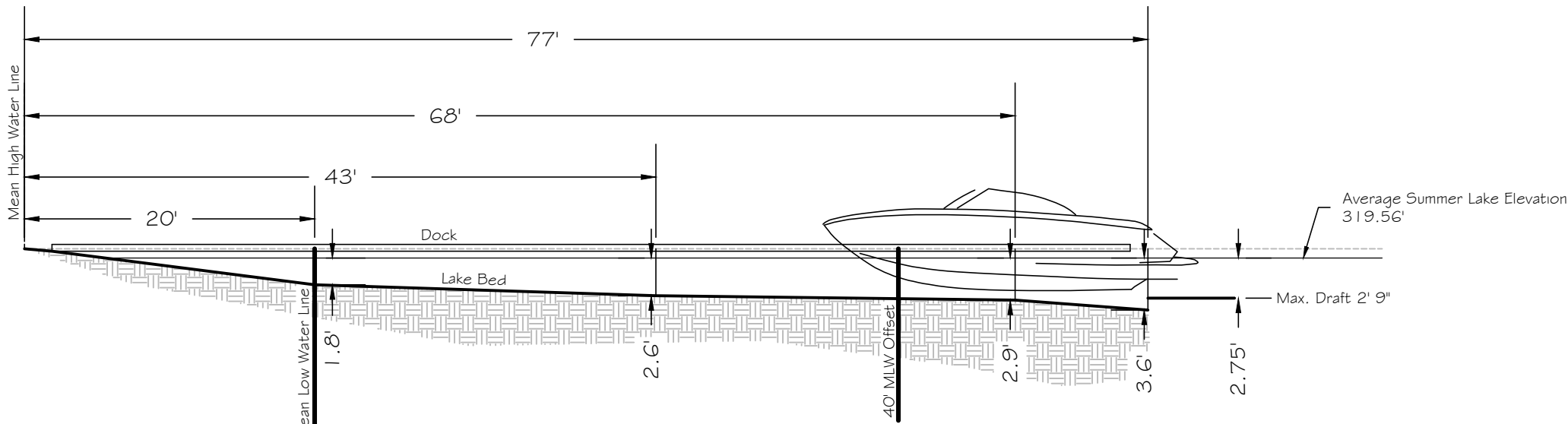
HA 22_1_14.1 (old)

Revised: 22 July 2019
Add average perpendicular projections.
Revised: 8 August 2019
Add north setback, boat lift, profile view.
Revised: 15 August 2019
Mean low water line/crib layout.



WATER DEPTH - PROFILE

1" = 10'



Notes:

- Larson 234 Escape has a maximum draft of 2' 9", per manufacturers specifications.
- Water depth at the 40' offset from mean low water is 2' 9". This places the outdrive on the lake bed inhibiting the ability to maneuver the boat in and out of the dock slip.
- Additional water depth is required to avoid damage to the hull and outdrive.
- Water depth at the end of the dock is 3.6' allowing enough room to operate the propeller.

Lake George

Lake Elevation 6/11/2019 = 319.9'± (NGVD29)

Note: Water depths shown are in reference to average water elevation of 319.56'.
Perpendicular Projection is average of 50', 100' & 150' projections.

Dock is 25'± from the property line extension. (1999 permit)

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-division 2, of the New York State Education Law.

Molly

From: Devin Dickinson <devin9909@gmail.com>
Sent: Thursday, August 08, 2019 3:37 PM
To: Molly
Cc: Jeffrey Meyer (jmeyer@meyerfuller.com)
Subject: Re: Smith-Cehowski
Attachments: Smith LGPC.pdf

Molly,
Here is the revised site plan with the above requests.
Please let me know if you have any questions.
Thank you,
Devin

Devin T. Dickinson

On Thu, Aug 8, 2019 at 7:55 AM Molly <molly@lgpc.state.ny.us> wrote:

I just started reviewing the plans. We need to show only one perpendicular line to use for the 20' setback. It should be the average of the 3 that you found.

I will need to have the below information by today though in order to get this out to notice and make it onto the August meeting.

Molly Gallagher
Deputy Permit Administrator

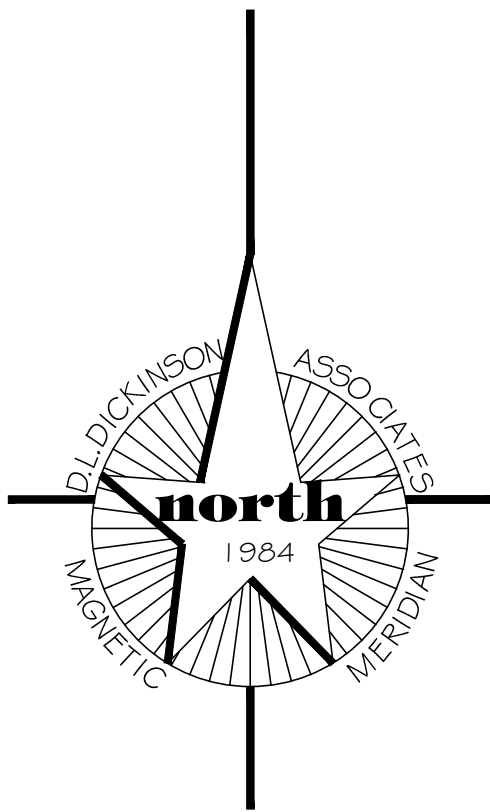
Lake George Park Commission

PO Box 749, 75 Fort George Rd, Lake George, NY 12845

(518) 668-9347 | fax (518) 668-5001 | molly@lgpc.state.ny.us

www.lgpc.ny.gov

From: Molly
Sent: Wednesday, July 31, 2019 8:08 AM
To: 'Devin Dickinson'



Deed Reference:

Dorothea Becker Smith
To
Stacy McCausland
George E. Smith, Jr.
Sandra Smith-Cehowski
Dated: 10 February 2000
Book 1154 Page 59

Map Reference:

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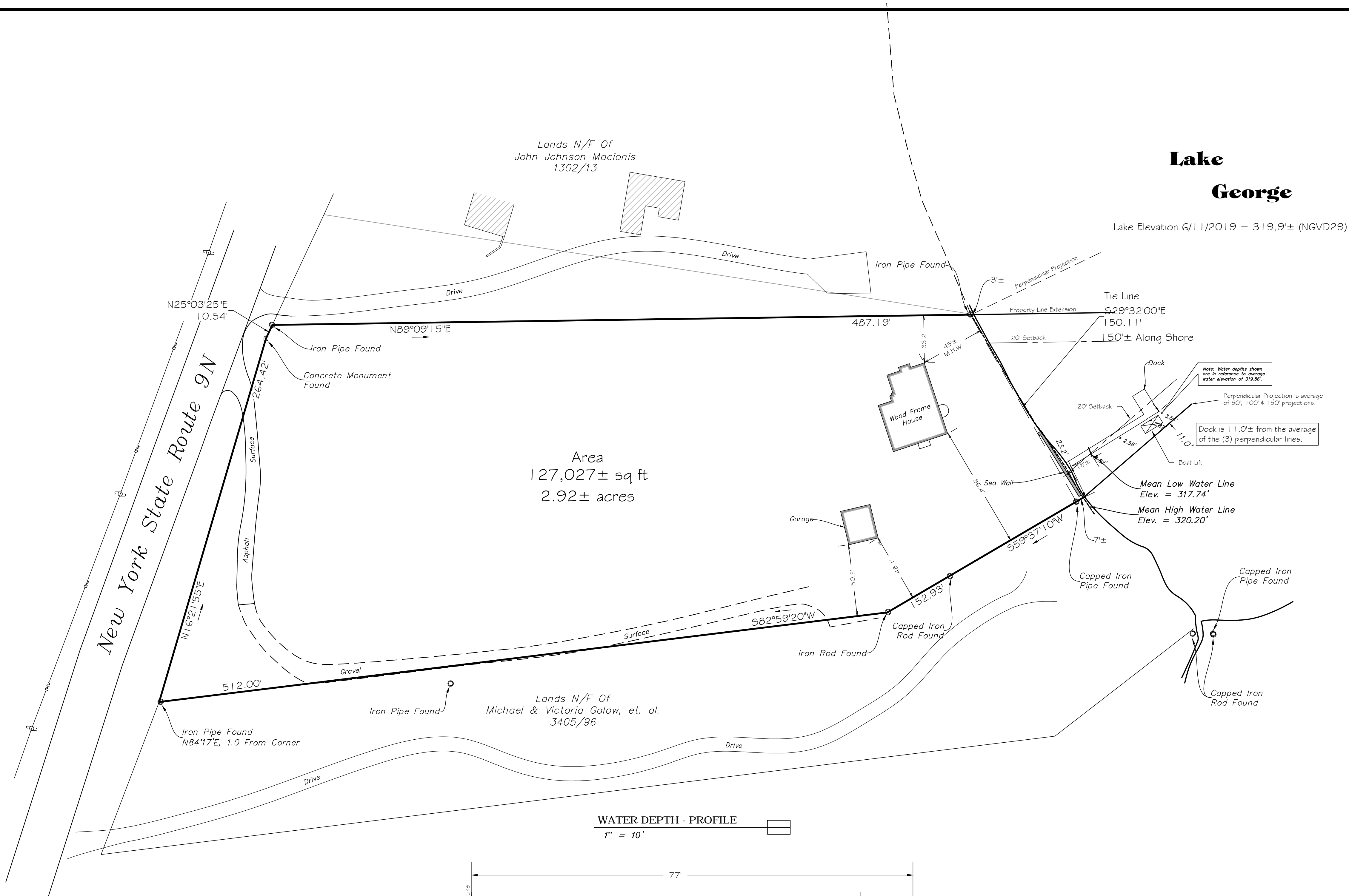
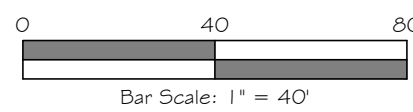
Map
of a survey for
Stacy McCausland
George E. Smith, Jr.
Sandra Smith-Cehowski

Situate in
Town of Hague County of Warren
State of New York
Scale: 1" = 40' feet Date: 11 June 2019

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

Revised: 22 July 2019
Add average perpendicular projections.
Revised: 8 August 2019
Add north setback, boat lift, profile view.

TMP#: 26.06_1_2 (new)
HA 22_1_14.1 (old)



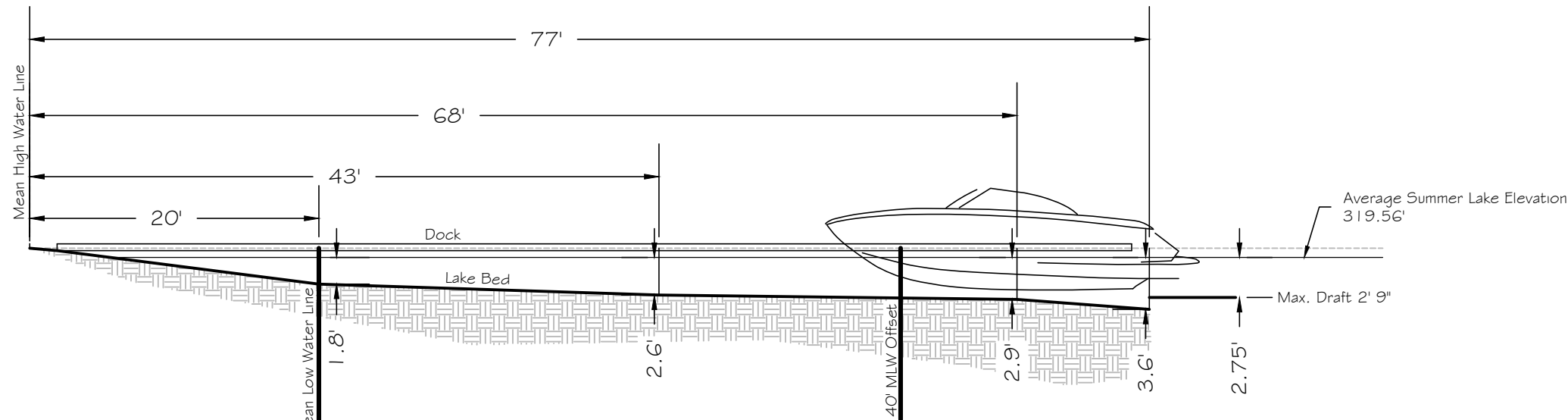
Lake
George

Lake Elevation 6/11/2019 = 319.9'± (NGVD29)

Note: Water depths shown
are in reference to average
water elevation of 319.56'.
Perpendicular Projection is average
of 50', 100' & 150' projections.
Dock is 111.0'± from the average
of the (3) perpendicular lines.

WATER DEPTH - PROFILE

1" = 10'



Notes:

- Larson 234 Escape has a maximum draft of 2' 9", per manufacturers specifications.
- Water depth at the 40' offset from mean low water is 2' 9". This places the outdrive on the lake bed inhibiting the ability to maneuver the boat in and out of the dock slip.
- Additional water depth is required to avoid damage to the hull and outdrive.
- Water depth at the end of the dock is 3.6' allowing enough room to operate the propeller.

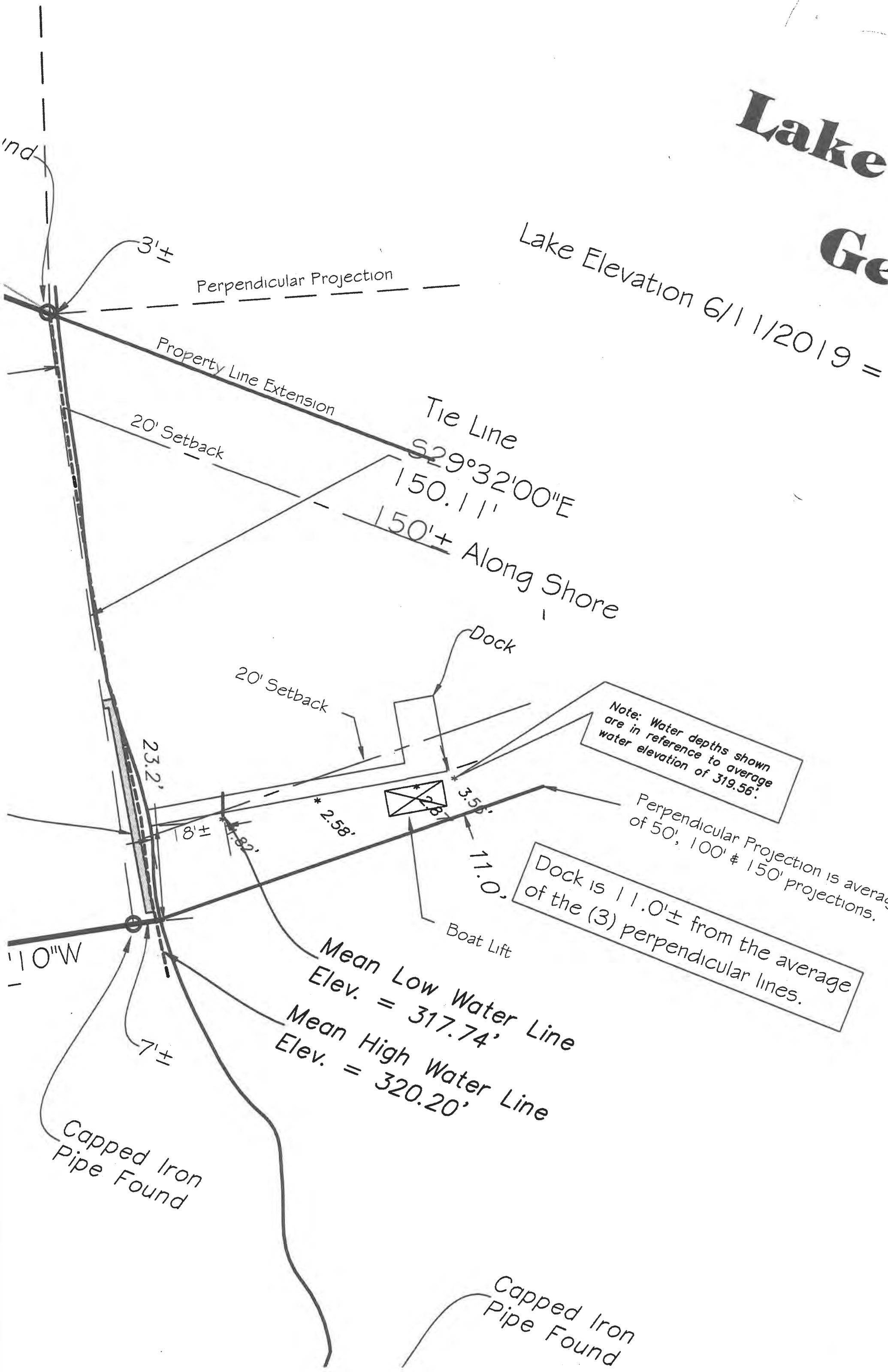
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Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.

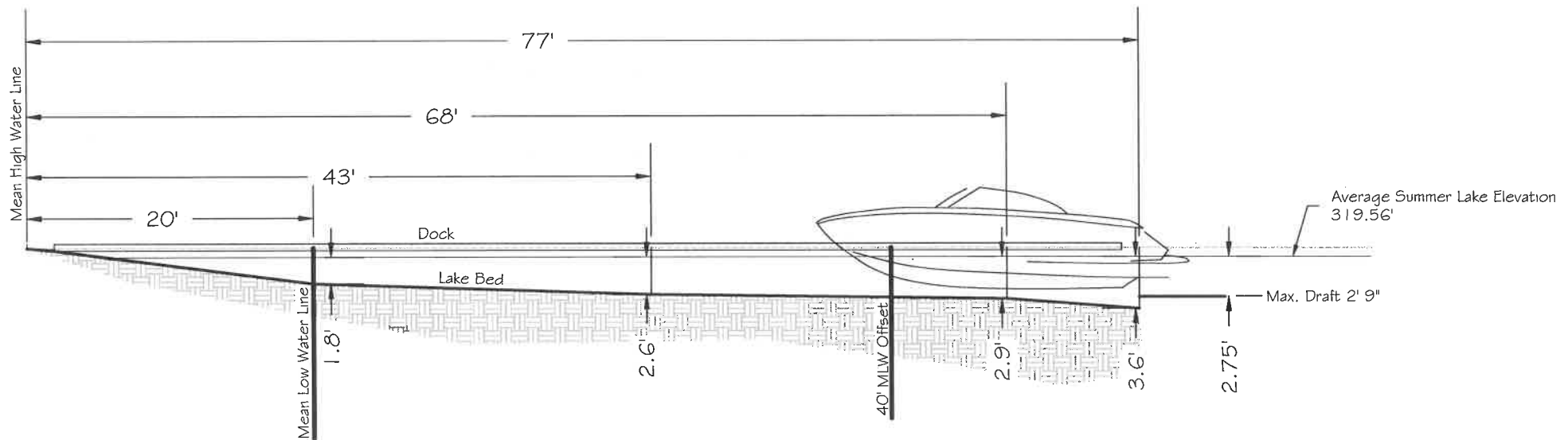
Lake Ge

Lake Elevation 6/11/2019 =



WATER DEPTH - PROFILE

1" = 10' reduced



Notes:

1. Larson 234 Escape has a maximum draft of 2' 9", per manufacturers specifications.
2. Water depth at the 40' offset from mean low water is 2' 9". This places the outdrive on the lake bed inhibiting the ability to maneuver the boat in and out of the dock slip.
3. Additional water depth is required to avoid damage to the hull and outdrive.
4. Water depth at the end of the dock is 3.6' allowing enough room to operate the propeller.



July 30, 2019

Molly Gallagher
Lake George Park Commission
75 Fort George Road
Lake George, NY 12845

RE: Wharf Modification Application
LE-038-18
Parcel: 26.6-1-2, Town of Hague

Dear Ms. Gallagher:

I am writing this day to follow-up on the wharf modification permit and variance applications and supporting materials for Sandra Smith-Cehowski. Pursuant to your request we had the property line surveyed to more precisely locate the existing dock and to ensure all potential issues surrounding this property are resolved. Enclosed herewith please find a copy of the survey prepared by D. L. Dickinson Associates last revised 22 July 2019.

Pursuant to your conversations with Mr. Devin Dickinson, please allow this letter to serve as a supplement to the above referenced application. In addition to the existing application, we are also requesting a variance from the property line setback based upon the average of the three (3) perpendicular lines. At the risk of being needlessly duplicative, I will seek to supplement the variance responses previously provided. The existing materials are all relevant and apply to this additional variance as well.

6- The purpose of the project is to bring a pre-existing non-conforming dock into compliance. The structure is presently seventy four (74) feet long extending from a stone wall above the mean high water mark out into the waters of Lake George. It is an "L" shaped crib dock with a covered boat lift on the eastern end of the dock. The water depth, based upon an average water elevation of 319.56' is only 2.87 feet at the location of the lift. When the water level is at the mean low water line, the depth decreases to approximately one (1) foot. The depth of the water is why the dock was originally constructed at this length over thirty (30) years ago, and why a variance is presently required.

7- The only existing alternative is to remove the dock that has existed at its present location for over thirty years. However, utilizing this alternative would require an additional choice, either

JUL 30 2019

LAKE GEORGE PARK COMMISSION

dredge the area around the dock or sell the boat. Having a compliant dock at this location is simply untenable as the water is too shallow at this location. Additionally, the dock and cribbing would need to be removed and relocated to the north in order to comply with the property line setback requirements.

The proposed variance is for the minimum variance necessary that would enable my client to continue to use her property. The water level in this location is extremely shallow with a regular shoreline that very gradually gets deeper the further from shore. In order to have sufficient water depth to dock a boat, the dock must extend beyond the forty (40) foot distance. My client's predecessor in title, designed and built a dock that would accommodate a modest boat and boat lift. It appears that they were unaware of any regulations that would have limited the overall length of the dock, as well as the manner in which the property line setbacks are to be measured. It appears the original intent was to locate the dock twenty (20) feet from the property line as measured by extending the boundary line into the waters of Lake George. Once the property was measure via the perpendicular as part of this application, the need for the additional variance was discovered and this revision submitted. The dock has been this length and at this location for over thirty (30) years.

To rebuild the dock at this point would come at a tremendous expense, approximately \$65,000, as noted by the correspondence from the Dock Doctors submitted previously.

8- The location of the property contains a sandy bay and shallow water depths. The natural conditions resulted in the original dock being constructed in the 1970's and a modest boat being used by the family that could accommodate the shallow water depths. The property in question is still owned by the family, their approach to the property has remained the same. The original dock, to my client's knowledge, was never lengthened or significantly altered. In 1999, the dock was moved laterally to its present location in order to accommodate a subdivision. The geometry of the shoreline at this location creates issues when measuring the perpendicular extension. The issues are noted on the survey and based upon conversations with Ms. Gallagher, we utilized an average of the perpendicular lines in order to normalize the discrepancy.

The neighbor constructed a new home on the premises and in doing so, altered the stream that had served as the boundary. As a result of failing to control stormwater, there was massive erosion and sedimentation that resulted from construction. Photographs of the sedimentation that occurred are included with the application.

9- As referenced previously, the survey depicts why measuring the property line setbacks for this parcel is problematic. Based on the shoreline, the adjoining properties have an undue impact on my client's setbacks.

Enclosed with the original application were photographs depicting the sedimentation as it was occurring and the resulting impacts. The existing LGPC file on this property should include these records and the history of the adjoining property.

10- The natural water depth, in conjunction with the sedimentation that occurred due to the negligence of the adjoining property owner, make it impossible for a conforming dock to serve its

intended purpose. If the length of the dock were to be reduced to forty (40) feet, it would be nothing more than a short walkway over shallow water. It would not be usable by motorized vessel, specifically, my client's current boat. At the forty (40) foot mark, the water depth is approximately one and a half (1.5) feet deep from August through October. This water depth renders the dock unusable. All watercraft excepting canoes and kayaks would need to be pulled upon on shore in order to safely secure without damaging the vessel.

11- The enclosed survey shows water depth based upon an average elevation. The depths contained therein can be easily adjusted for seasonal averages. Additionally, photographs were submitted to show water depth and necessity.

12- The dock has existed in its present form and location since 1999. Over the past near thirty years there have been no adverse impacts on public health, safety or welfare. The dock has been safely used without incident. Additionally, there have been no adverse impacts on the environment or the resource of the park. There is no better evidence than the dock being in existence over these years without impact. The natural features of the area are suitable to the longer dock and have not created any issues. Moreover, the boat lift has also been in existence over this time. Similarly, the adjoining property owner has not been impacted by the existence of the lift and they have safely coexisted these many years.

13- The existing dock does not alter the essential character of the area. The dock has been in its present form and location since 1999. Additionally, we submitted numerous letters from surrounding property owners confirming that they have no issue with the present dock at the current location and that there are no negative impacts associated with the dock. Since the use has safely been in existence, it is equally clear that the continued use will not lead to congestion in the park.

Please accept this correspondence and survey map enclosed herewith as a supplement to the existing application and as an amendment to include the additional variance request based upon new information.

Thank you.

Very truly yours,



Jeffrey R. Meyer, Esq.

jmeyer@meyerfuller.com

RECEIVED

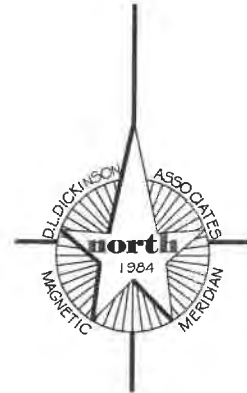
JUL 30 2019

LAKE GEORGE PARK COMM

RECEIVED

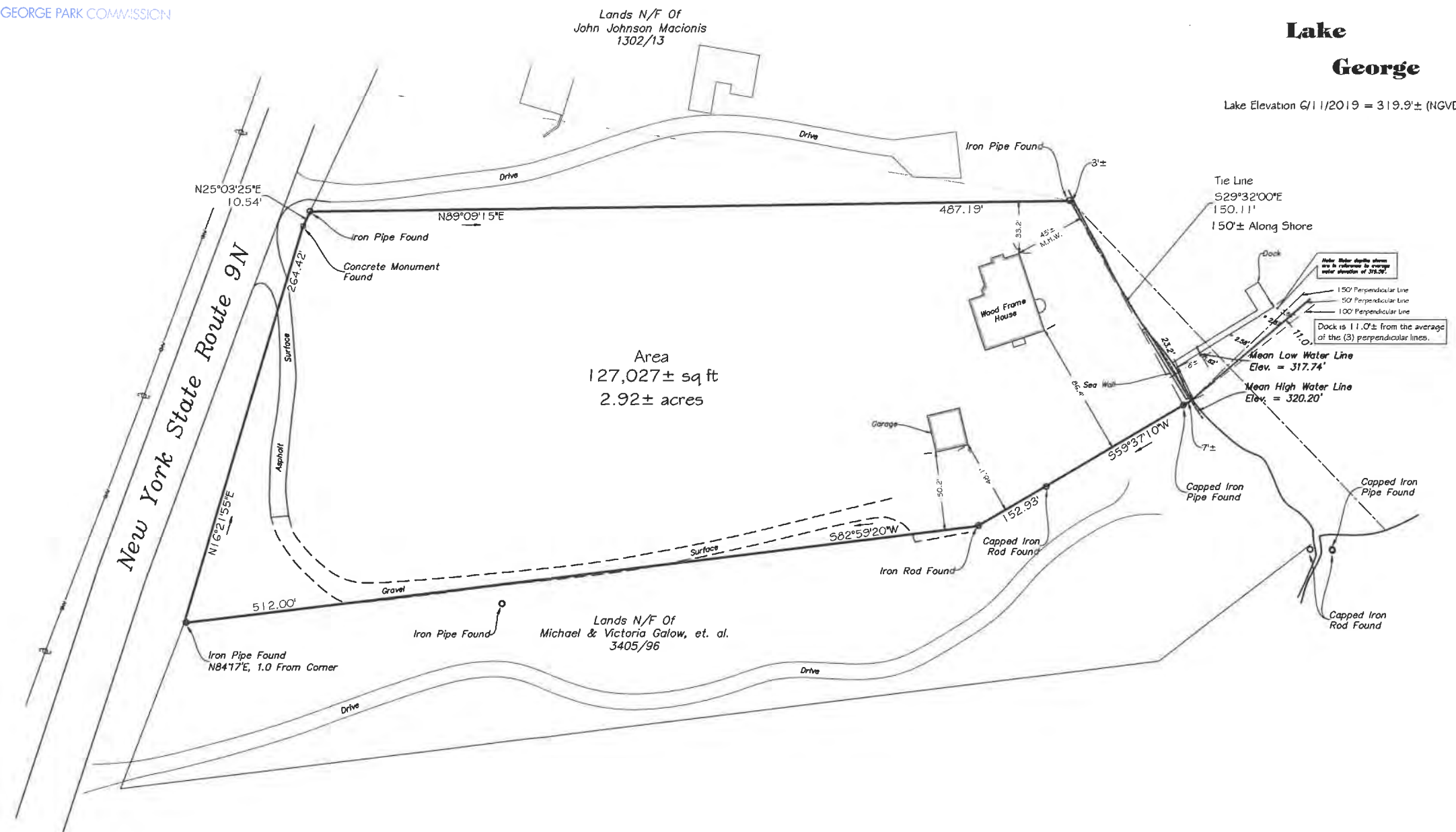
JUL 30 2019

LAKE GEORGE PARK COMMISSION



Lake George

Lake Elevation 6/11/2019 = 319.9'± (NGVD29)



Map

of a survey for

Stacy McCausland
George E. Smith, Jr.
Sandra Smith-Cehowski

Situate in

Town of Hague County of Warren

State of New York

Scale: 1" = 40' feet Date: 11 June 2019

Revised: 22 July 2019

Add average perpendicular projections.

D.L. Dickinson
ASSOCIATES
Surveyors/Engineers
LAKE GEORGE, NEW YORK 12845

Map Reference:

Map Of A Survey For
George Smith
Dated: 13 February 1985
Revised: 19 October 1987
By: D.L. Dickinson Associates

Deed Reference:

Dorothea Becker Smith
To
Stacy McCausland
George E. Smith, Jr.
Sandra Smith-Cehowski
Dated: 10 February 2000
Book 1154 Page 59

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-division 2, of the New York State Education Law.



Attorneys

Matthew F. Fuller, Esq.
Jeffrey R. Meyer, Esq.
Mary-Ellen E. Stockwell, Esq.



Howard I. Krantz, Esq.
1946 - 2015

October 18, 2018

David Wick, Executive Director
Lake George Park Commission
75 Fort George Road
Lake George, NY 12845

RE: Wharf Modification Application
LE-038-18
Parcel: 26.6-1-2, Town of Hague

Dear Mr. Wick:

Enclosed herewith please find the wharf modification permit and variance applications and supporting materials for Sandra Smith-Cehowski.

The purpose of the project is to bring an existing dock into compliance. The dock in question extends seventy four (74) feet from above the mean high water mark into the waters of Lake George. The dock has existed at this length for decades and was originally constructed in this manner due to the shallow water depth. Simply stated, a variance is required at this location in order to have sufficient water depth for a boat. The shape, location, and dimensions of the existing dock are well documented as we are appearing as part of an order on consent. It is our hope that the variance will be approved and by virtue of said permits, become compliant.

Please place the matter on the agenda at the next possible meeting of the Lake George Park Commission so the application may be heard.

If there are any questions, please do not hesitate to contact me. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jeffrey R. Meyer".

Jeffrey R. Meyer, Esq.
jmeyer@meyerfuller.com



Lake George Park Commission

pdg 5000
mdk

OCT 18 2018

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 Sandra Smith-Cehowski

EMAIL lakelover7240@yahoo.com

CONTACT PERSON IF OWNER IS NOT AN INDIVIDUAL

MAILING ADDRESS 171 Ashdown Rd

CITY Ballston Lake

STATE NY

ZIP CODE 12029

PHONE 518.207.5724

** 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 Jeffrey R. Meyer, Esq.

EMAIL jmeyer@meyerfuller.com

COMPANY Meyer & Fuller, PLLC

MAILING ADDRESS 1557 State Route 9

CITY Lake George

STATE NY

ZIP CODE 12845

PHONE 518.668.2199

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 26.6

BLOCK 1

LOT 2

STREET 9490 Lakeshore Drive

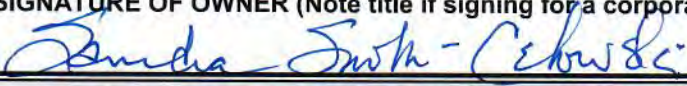
LAKE FRONTAGE 146 feet
according to ☒ Tax Map ☐ Survey (attach copy)

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

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

5. PROJECT DESCRIPTION

PROJECT DESCRIPTION The application will bring an existing seventy-four foot dock with boat lift into compliance. See cover letter and materials for a complete description.

| | |
|--|--|
| PROPOSED USE | |
| <input checked="" type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> ASSOCIATION <input type="checkbox"/> PUBLIC | |
| TYPE OF CONSTRUCTION | |
| <input 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 checked="" type="checkbox"/> UN-CANOPIED BOATLIFT <input type="checkbox"/> PWC LIFT (include manufacturer specification sheet for all lifts) | |
| PROPOSED STARTING DATE Existing _____ | PROPOSED COMPLETION DATE Existing _____ |
| 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) COVER LETTER INCLUDED HEREWITH | |
| 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 Michael H. Galow | NAME John J. Macionis, Trustee |
| TAX MAP # 26.6-1-3 | TAX MAP # 26.6-1-1 |
| MAILING ADDRESS 15 Maple Street, Norwood, NJ 07648 | MAILING ADDRESS 43 Shadowbrook Lane, Briarcliff Manor, NY 10510 |
| 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 |
|  | OCT. 15 '2018 |
| PLEASE COMPLETE ALL ITEMS ABOVE AND INCLUDE WITH THIS FORM: | |
| <ul style="list-style-type: none"> <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> | |

Lake George Park Commission

10/26/2017 Site Inspection JL, RS
Parcel 26.6-1-2 Town of Hague
1"=30' drawn by MG 4/9/2018
9490 Lakeshore Dr

26.6-1-1 Macionis, John J

*Current
Measurements.*

26.6-1-2 Smith-Cehowski, Sandra

26.6-1-3 Galow, Michael H

OCT 18 2018

1" = 30'



IMPORTANT NOTICE AND DISCLAIMER

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

Lake George Park Commission
Property line setback determination

Date 4/9/18 Analyst MG

Scale 1" = 30'





OCT 18 2018

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** Sandra Smith-Cehowski

2. **PERSON FILLING OUT THIS FORM** Jeffrey R. Meyer, Esq., as Agent

3. **FACILITY** 9490 Lakeshore Drive, Town of Hague, Warren County, Tax Id: 26.6-1-2

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

5. **VARIANCE SOUGHT FROM:**

- | | | |
|---|--|--|
| <input 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**

See correspondence for a complete response.

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 correspondence for a complete response.

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 correspondence for a complete response.

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

See correspondence for a complete response.

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 correspondence for a complete response.

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

See correspondence for a complete response.

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?

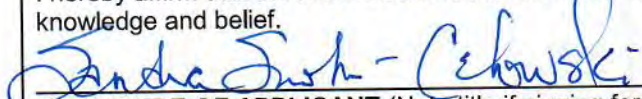
See correspondence for a complete response.

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?

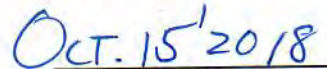
See correspondence for a complete response.

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)



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.

OCT 18 2018

6. The purpose of the project is to bring a pre-existing non-conforming dock into compliance. The structure is presently seventy four (74) feet long extending from a stone wall above the mean high water mark out into the waters of Lake George. It is an "L" shaped crib dock with a covered boat lift on the eastern end of the dock. The water depth in this area is very shallow, which necessitates a variance in order to safely secure their boat. A sketch of the current dock is enclosed herewith. The dock has been in existence for approximately thirty (30) plus years, but due to incomplete and inaccurate records, my client is seeking to remedy the problem through obtaining a variance.

7. The only existing alternative is to remove a portion of the dock that has existed at its present location for over thirty years. However, utilizing this alternative would require an additional choice, either dredge the area around the dock or sell the boat. Having a compliant dock at this location is simply tenable as the water is too shallow at this location.

The proposed variance is for the minimum variance necessary that would enable my client to continue to use her property. The water level in this location is extremely shallow with a regular shoreline that very gradually gets deeper the further from shore. In order to have sufficient water depth to dock a boat, the dock must extend beyond the forty (40) foot distance. My client's predecessor in title, designed and built a dock that would accommodate a modest boat and boat lift. It appears that they were unaware of any regulations that would have limited the overall length of the dock. The dock has been this length for over thirty (30) years and most likely far longer. Unfortunately, any records to confirm or deny what occurred previously simply do not exist, and it was not until 2007 that accurate measurements of the dock were by Roger Smith, on behalf of the LGPC.

8. The location of the property contains a sandy bay and shallow water depths. The natural conditions resulted in the original dock being constructed in the 1970's and a modest boat being used by the family that could accommodate the shallow water depths. The property in question is still owned by the family, their approach to the property has remained the same. The original dock, to my client's knowledge, was never lengthened or significantly altered. In 1999, the dock

was moved laterally to its present location in order to accommodate a subdivision. The boundary of the properties is a small stream. The neighbor constructed a new home on the premises and in doing so, altered the stream that had served as the boundary. As a result of failing to control stormwater, there was massive erosion and sedimentation that resulted from construction. The water depth in this area has become even shallower as a result.

9. Enclosed with the application are photographs depicting the sedimentation as it was occurring and the resulting impacts. The existing LGPC file on this property should include these records and the history of the property.

10. The natural water depth, in conjunction with the sedimentation that occurred due to the negligence of the adjoining property owner, make it impossible for a conforming dock to serve its intended purpose. If the length of the dock were to be reduced to forty (40) feet, it would be nothing more than a short walkway over shallow water. It would not be usable by motorized vessel, specifically, my client's current boat. At the forty (40) foot mark, the water depth is generally less than thirty (30) inches and in the late summer, significantly less. Additionally, it could no longer be usable for boats as the water depth is insufficient to safely dock any motorized watercraft outside of PWC's as they have minimal draft and can be safely pulled up on shore.

11. Photographs depicting water depth are enclosed with the application.

12. The dock has existed in its present form and location since 1999. Over the past near thirty years there have been no adverse impacts on public health, safety or welfare. The dock has been safely used without incident. Additionally, there have been no adverse impacts on the environment or the resource of the park. There is no better evidence than the dock being in existence over these years without impact. The natural features of the area are suitable to the longer dock and have not created any issues.

13. The existing dock does not alter the essential character of the area. The dock has been in its present form and location since 1999. Additionally, we are submitting a numerous letters from surrounding property owners confirming that they have no issue with the present dock at the current location and that there are no negative impacts associated with the dock.



Attorneys

Matthew F. Fuller, Esq.
Jeffrey R. Meyer, Esq.
Mary-Ellen E. Stockwell, Esq.

Howard I. Krantz, Esq.
1946 - 2015

December 5, 2018

Molly Gallagher
Lake George Park Commission
75 Fort George Road
Lake George, NY 12845

RE: Wharf Modification Application
LE-038-18
Parcel: 26.6-1-2, Town of Hague

Dear Ms. Gallagher:

I am writing this day to follow-up on the wharf modification permit and variance applications and supporting materials for Sandra Smith-Cehowski.

Enclosed herewith please find a letter from Dean Craig, Associate Broker with Alison V. Craig Realty, LLC. The correspondence details the significant reduction in value and market for the property based upon the variance being denied. Please include this letter with the application materials previously submitted.

Also enclosed herewith is a copy of the email from Mike Savioli the Sales Manager with Dock Doctors detailing cost estimates for reconfiguring the dock in accordance with the order on consent.

Both of these items detail the significant costs involved, the harm of compliance and the proof of a lack of reasonable return.

If there are any questions, please do not hesitate to contact me. Thank you.

Very truly yours,

Jeffrey R. Meyer, Esq.
jmeyer@meyerfuller.com

RECEIVED
OCT 18 2018
LOCAL GOVT. OF SLO
LOCAL GOVT. OF SLO





OCT 18 2018

10.3.18



RECEIVED
OCT 18 2018
Lakeside State
Lake Superior State University

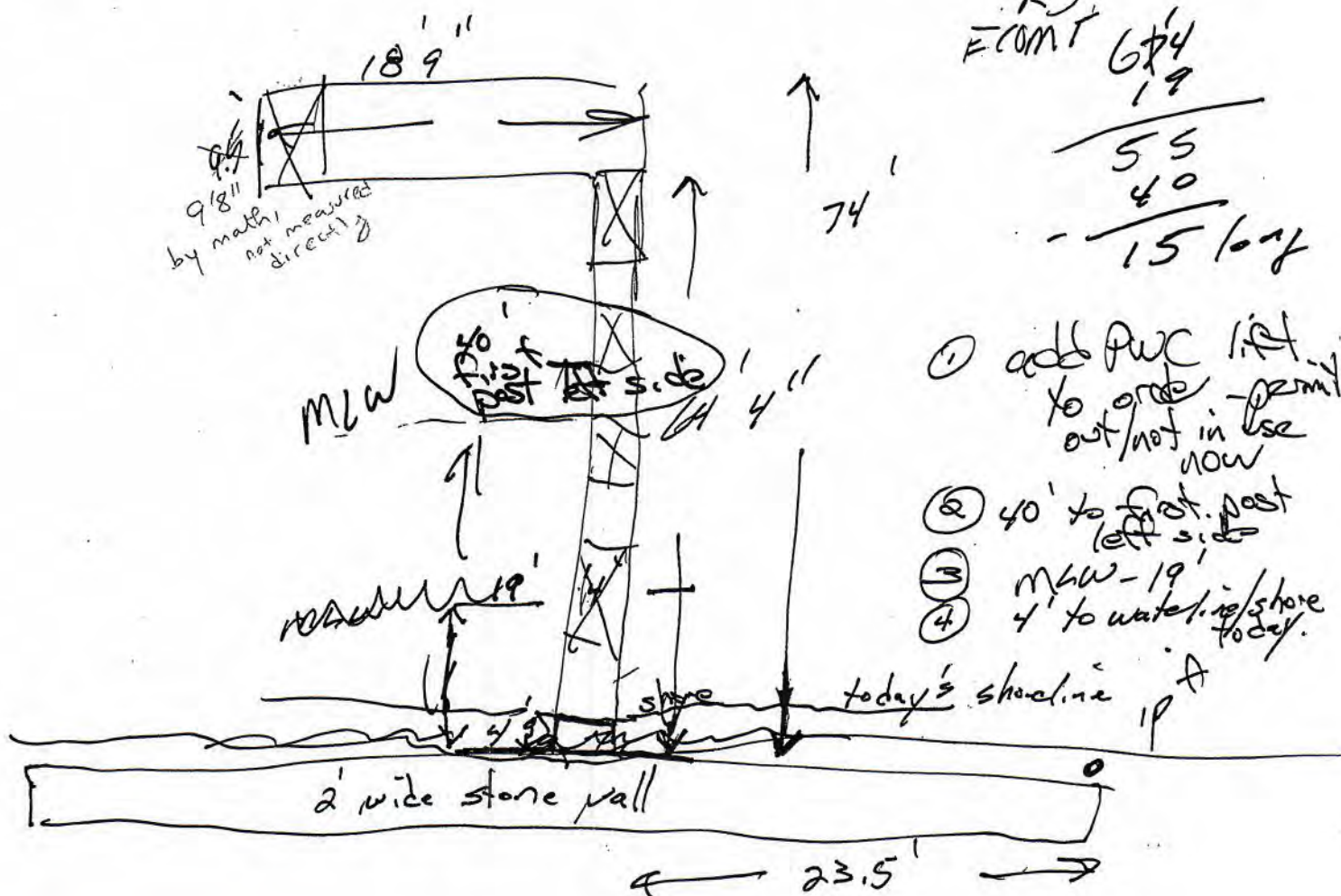
Roger Smith

Inspection Report

From: Robert Davis [RDavis787@nycap.rr.com]
 Sent: Friday, July 20, 2007 5:35 PM
 To: Roger Smith
 Subject: Smith Dock
 Attachments: index_001_002.jpg

As you can see, there is a jet ski hoist and a boat hoist. Dock extends roughly 72 feet long by 5 feet and has an L section that is 10x18'9". It does not appear that this dock has been extended from its original length. Owner claims it was originally 90 feet long and was moved when property sold to Pfau and shortened to its present length. She has deed that describes it as such that she would be willing to provide a copy of. Dock has been repaired due to ice damage and hurricane Floyd (Lsection) and posts were added. Most of the complaint seems to be that boat on hoist blocks Pfau view of lake. Owner claims that dock length was estimated rather than measured. Seems likely to me.

okay - but review the file - R. Smith



4/24/08
 RS
 FROM 6' 4"
 19
 55
 40
 15 10 7

- ① add PVC 1st to end - permit out/not in use now
- ② 40' to 1st post left side
- ③ MLW - 19'
- ④ 4' to water/shore today.

PVC + Boat LRTs on shore at this time

OCT 18 2018

June 5, 2018

To: Lake George Park Commission
From: The Galow Family
9488 Lake Shore Drive
Hague, NY 12836
Re: Bob and Sandy Cehowski's Dock

To Whom It May Concern:


I am writing this letter on behalf of the Galow family. We have been camping on Lake George at Roger's Rock Campground since the 1970's and have found it to be the most beautiful and serene place to spend our family vacations. We had the good fortune of purchasing a home in October of 2007 at the above stated address. Over the past 9.5 years we have much enjoyed our endeavor as home owners of a lake house on our beloved Lake George in Hague, as well as meeting all our wonderful neighbors in Slacks Bay and Forest Bay.

Bob and Sandy Cehowski are our direct neighbors to the North. We are aware that there has been another civil complaint made regarding their dock. We initially wrote a similar letter on their behalf in July of 2008 to address this same issue. In the time since the first letter (8 months into our homeownership on LG), we have seen no modifications to the Cehowski's dock, nor is its presence or location been obtrusive to any boat navigation or been esthetically displeasing to us or the bay. The dock is old and harmless; it may not have many years left. The Galows support a request for a variance to allow the dock to remain as is to close this matter definitively and permanently. We are willing to provide any testimony to support this case. Bob and Sandy have been living on Lake George for several decades and are true lake stewards and care deeply for Lake George and it's landscape.

Thank you so much for your time and attention to this matter. While we appreciate all complaints receiving their due attention, this matter seems to be based on personal emotions versus actual environmental impact to Lake George. If you have any further questions, please call Karen Galow at 201.768.0547 (work).

Thank you again.

Sincerely,



The Galow Family

OCT 18 2018

June 22, 2018

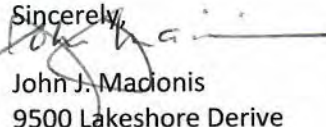
Lake George Park Commission
75 Fort George Road
Lake George, NY 12845

Dear Commissioners:

I am aware that my neighbor Sandra Smith-Cehowski is responding to a matter regarding her boat dock on Slack's Bay.

Please be informed that I have no complaints or concerns regarding her dock.

Sincerely,



John J. Madonis
9500 Lakeshore Drive
Hague, NY



OCT 18 2018

Hemlock Hollow
42 Forest Bay Road N.
Hague, NY 12836
(518) 543-6122
rkingsb@pacbell.net

Lake George Association,

I am a neighbor of Sandra Smith-Cehowski at Slack's Bay in Hague on Lake George. Sandy has asked me to write this letter on her behalf. She has had her dock in the same location in our bay for many years, certainly as long as I can remember. As far as I can recall it is the same configuration it has always been and in the same location it has always been. Her dock is not in any way an obstruction to our activities and I can see no reason not to grant her a variance to the local lake ordinance regarding dock locations. If there are any questions in this matter, I can be reached at the address, email and phone number above during most of the summer season.

Regards,

Richard Kingsbury
Richard Kingsbury

OCT 18 2018

August 22, 2008

To Whom It May Concern,

We reside at 10 Havenwood Lane on Slack's Bay. Our neighbors, the Smith's, approached us recently to request that we write a letter in support of their desire to maintain their dock at its current length.

This letter expresses our support as long as there are no community safety or water quality issues associated with their current dock (and as these have not been mentioned we trust that there are not).

Please feel free to contact us directly with any comments or questions.



Tom Halbach
10 Havenwood Lane
Hague, NY 12836

518-543-6291
415-827-0233

OCT 18 2018

The View Restaurant at Indian Kettles

...the oldest established restaurant on beautiful Lake George

August 25, 2008

To: The Lake George Park Commission

As a home owner and business owner
(9580 Lakeshore Drive and 9574 Lakeshore Drive -
The View Restaurant at Indian Kettles and
9557 Lakeshore Drive -) I have no concerns
about the length, the shape, or size of the
Smith Dock located in Slack's Bay.

Maryann Eaton
(518) 543-8018

OCT 18 2018

Glenn Hvestis
11 Hvestis Drive
Hogey N.Y 12836
July 28, 2008

Lake George Park Commission

Re: Smith Family Dock

OCT 18 2018

To Whom it might Concern:

I am a life long resident of Hogey N.Y and have lakefront property in the same cove as the Smith family. Their dock has been there for many years and I don't see where there is a problem with it. It does not effect me at all. There lakefront property consists of a long beach and in order for them to use their boat they need to have a long dock so they can get into deeper water so the bottom of their boat does not rub.

As stated above this does not effect me at all and can not see why the Smith family can not have use of their current

doc.

Sincerely,
Glenn Huestis
Glenn Huestis

August 27, 2008

Lake George Commission,

I am Richard Kingsbury, part owner of a cottage on Slack's Bay (42 Forest Bay Road North).

In regard to the Smith's dock in our bay, it has been a fixture in our bay as long as I can remember and I have been coming here summers since I was a child, nearly 60 years. I have absolutely no objection to the size or location of the Smith's dock.

If you have any questions, I can be reached at 518 543 6122 until September 30th.

Sincerely
Richard Kingsbury

OCT 18 2018

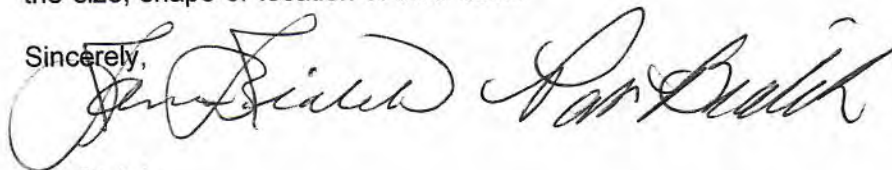
August 22, 2008

To Whom It May Concern
Lake George Park Commission

This letter is written in reference to the Smith Family dock on Lake George located at 9490 Lake Shore Drive, Hague, NY.

We have been neighbors of the Smiths in Slacks Bay for the past sixteen years and have absolutely no problem with the size, shape or location of their dock.

Sincerely,



Jim Bialek
Pat Bialek

Peters Gate
Hague, N.Y. 12836
518-543-6932
201-848-0950

OCT 18 2018



Lake George Park Commission

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: August 09, 2019

AUG 16 2019

TO INTERESTED PARTIES:

Comments Due: August 24, 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:

Molly Gallagher, molly@lgpc.state.ny.us

Applicant: Sandra Smith Cehowski
Sandra Smith- Cehowski
171 Ashdown Road
Ballston Lake, NY 12019

Application: 5226-40-18
Type: DM Minor
Variance Request for Wharf
Modification
Parcel#: 26.06-1-2
Town of Hague

Project Location: 9490 Lake Shore Drive

Project Description:

Maintain a 74' long, 18' 9" wide L-shaped crib dock in accordance with plans attached. A variance is required from the off-shore distance.

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

Our home is located immediately to the south of the applicant. The existing dock poses no obstacle to navigation. We have no objection to the applicant's request to maintain the existing dock.

cc: APA
Town of Hague
John & Amy Macionis 43 Shadowb
Michael, Victoria, Karen, Robe

Comments prepared by: Michael Galow

Address: 68 Armour Rd
Mahwah, NJ 07430

E-mail: mgalow@hgalowco.com

mobile Telephone: (201) 723-5892 Date: 8/13/19

Molly

From: apa.sm.Referrals <Referrals@apa.ny.gov>
Sent: Thursday, August 15, 2019 10:36 AM
To: Molly
Subject: RE: H - Smith-Cehowsky

Thank you for providing information regarding this proposal. The Agency has reviewed the material and determined that it will take no further action at this time.

Please feel free to contact me with any questions you may have.

Thanks,

Matthew Brown

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 | e-mail@apa.ny.gov
www.apa.ny.gov

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From: Molly <molly@lgpc.state.ny.us>
Sent: Friday, August 09, 2019 11:36 AM
To: Cathy Clark <Zoning@townofhague.org>; apa.sm.Referrals <Referrals@apa.ny.gov>
Subject: H - Smith-Cehowsky

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

Molly Gallagher
Deputy Permit Administrator

Lake George Park Commission

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



Lake George Park Commission

May 13, 2019

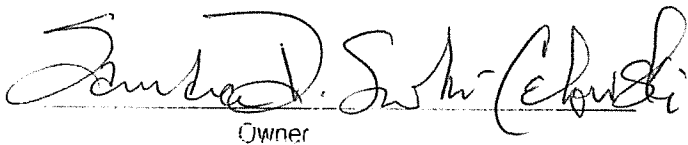
Amendment to LE-038-18

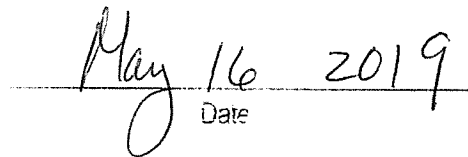
Sandra Smith-Cehowski
171 Ashtown Rd
Ballston Lake, NY 12029

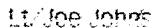
Re: OOC #LE-038-18
Parcel: 26.06-1-2, Town of Hague

Dear Ms. Cehowski:

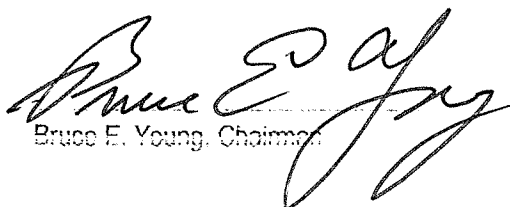
This Document will serve as an Amendment to Consent order LE-038-18 to allow until August 1, 2019 to obtain a variance to keep the dock at its current length. If no variance is obtained by that date, the dock will have to be reduced to the permitted length as shown on Attachment 1 by September 30, 2019. Please sign and return two copies of this Amendment to our office by May 22, 2019. Once signed by our Chairman, one copy will be sent back to you for your files.

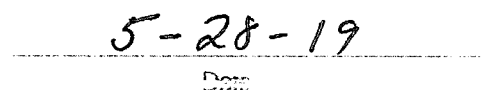

Owner


Date


Lt. Joe Johns


Date


Bruce E. Young, Chairman


Date



**Lake George
Park Commission**

December 4, 2018

DEC 11 2018

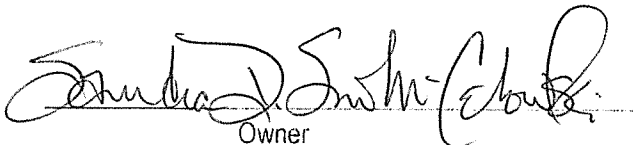
Amendment to LE-038-18

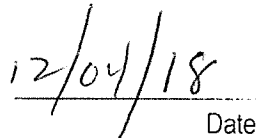
Sandra Smith-Cehowski
171 Ashdown Rd.
Ballston Lake, NY 12029

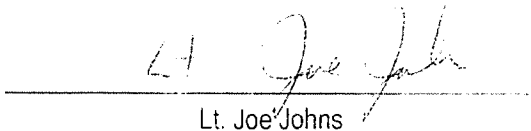
Re: OOC #LE-038-18
Parcel: 26.06-1-2, Town of Hague

Dear Ms. Cehowski.

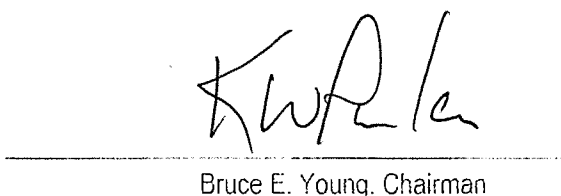
This Document will serve as an Amendment to Consent order LE-038-18 to allow until May 22, 2019 to obtain a variance to keep the dock at its current length. If no variance is obtained by that date, the dock will have to be reduced to the permitted length as shown on Attachment 1 by September 15, 2019. Please sign and return two copies of this Amendment to our office by December 17, 2018. Once signed by our Chairman, one copy will be sent back to you for your files.

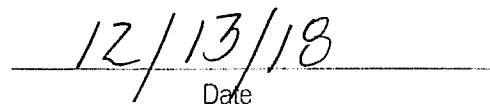

Owner


Date


Lt. Joe Johns


Date


Bruce E. Young, Chairman


Date

STATE OF NEW YORK: LAKE GEORGE PARK COMMISSION

Order on Consent/Stipulation

New York State 6 NYCRR

Consent Order Number LE-038-18

I Sandra Smith- Cehowski of 171 Ashdown Rd.
(respondent) (Street and Number)

of Ballston Lake, NY 12029 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 (\$500.00) Five Hundred Dollars 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 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 26.06-1-2 in Town of Hague
(section lot block) (name of town, village, city)

County of Warren State of New York on or before May 15, 2018

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

Sandra Smith-Cehowski 4/16/53 OWNER
Respondent's Signature* Date of Birth Respondent's Title *

Dated: JULY 20, 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

7/17/18
Date

Lt. Joe Johns
Signature

WHEREAS:

Sandra Smith-Cehowski having violated Section 646-1.1(a)(1)
Respondent

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 (\$500.00)

Five Hundred 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: 8-22 20 18
(month, day)

Signed: Bruce E. Young
Bruce E. Young, Chairman

STATE OF NEW YORK: LAKE GEORGE PARK COMMISSION

Schedule A

New York State 6 NYCRR

Consent Order Number: **LE-038-18**

Respondent's Name: **Sandra Smith- Cehowski**

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** 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, and moorings 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** **Pay assessed penalty of (\$0.00) Zero Dollars with an additional (\$500.00) Five Hundred Dollars suspended as long as no further violations are committed for a period of 3 years.**
- V** Meet the Schedule of Compliance of this Order.
- VI** The Commission staff's determination of the Respondent's compliance with the Schedule of Compliance shall be final and binding on Respondents. Respondents consent to payment of the suspended portion of this penalty in the event the Commission determines they have not complied with the Schedule of Compliance and Respondent affirmatively waives any right to any hearing or other process in connection with a determination of non-compliance.

Schedule of Compliance:

On or before July 27, 2018, complete the following tasks:

- 1. Sign and return Order on Consent.**

On or before November 30, 2018, complete the following tasks:

- 1. Obtain a variance to extend the dock.**

On or before May 15, 2019, complete the following tasks:

- 1. If no variance is in place, reduce the length of the dock to the permitted length as depicted by Attachment 1 of this order.**

Lake George Park Commission

conforming Dock

26.6-1-1 Macionis, John J

26.6-1-2 Smith-Cehowski, Sandra

26.6-1-3 Galow, Michael H

1" = 30'



IMPORTANT NOTICE AND DISCLAIMER

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

Attachment 1
LE-038-18, Smith-Cehowski
Parcel #26.06-1-2, Town of Hague
Page 3 of 3





Lake George Park Commission

ANDREW M. CUOMO
Governor

BRUCE E. YOUNG
Chairman

DAVE WICK
Executive Director

February 12, 2018

Sandra Smith-Cehowski
171 Ashdown Rd.
Ballston Lake, NY 12029

Notice of Violation

Re: LE-038-18

Parcel#: 26.06-1-2, Town of Hague

Dear Ms. Cehowski,

The New York State Lake George Park Commission administers wharf and mooring requirements under 6NYCRR646-1 and Article 43 of New York State Environmental Conservation Law. The regulations at section 646-1.1 (a)(1) state that *no person shall construct, erect, place, alter, modify, enlarge, or expand any dock, wharf or mooring on waters of Lake George without having first obtained a permit from the Commission.*

A recent site inspection resulted in our finding that the dock at the above referenced parcel continues to differ from the approved permit. Specifically, the dock measures at 74' instead of the approved 40'. While I understand you have submitted documents that you feel should be ample to keep the dock as is, staff at the Commission and those in the enforcement department do not feel the dock can be approved as is. **Notice is hereby given that you are in violation of 6NYCRR 646-1.1(a)(1) related to docks, wharfs and moorings on Lake George.**

Compliance with the regulatory requirements of the dock and mooring regulations is required. Enforcement procedures of the Commission are set forth in 6NYCRR 645-4 and include criminal and administrative sanctions. Violations of the Commission's regulations are subject to a penalty of \$500 plus an additional \$500 for each day that the violation continues.

I am able to afford you until July 1, 2018 to bring this dock back into compliance without penalty. After July 1, 2018 fines will begin to be assessed on a daily basis.

Based on the Mean Low Water Mark, we are able to approve the dock to be a maximum of 59'. This would need to be done through a consent order. Please call me to discuss this extension if you are interested.

Please contact me at (518) 668-9347 or email me at jjohns@lgpc.state.ny.us if you wish to discuss this enforcement matter or Molly Gallagher with questions about permits.

Sincerely,

Lt. Joe Johns
Director of Law Enforcement
Lake George Park Commission



BRUCE YOUNG
Chair

STATE OF NEW YORK
LAKE GEORGE PARK COMMISSION

75 Fort George Road, P.O. Box 749
Lake George, New York 12845
TEL (518) 668-9347 FAX (518) 668-5001
www.lgpc.state.ny.us info@lgpc.state.ny.us

MICHAEL P. WHITE
Executive Director

May 23rd, 2008

Dorothea Smith, Respondent
171 Ashdown Road
Ballston Lake, NY 12019

COPY

Parcel # 26.06-1-2, Town of Hague
Violation of 6NYCRR Section 646-1.1(a)(1)

Dear Mrs Smith,

A site inspection at the above parcel in Hague has brought to our attention the fact that your dock differs from the authorized configuration on file. Specifically, your dock is longer than permitted and a PWC lift has been added. I understand that this matter may have been brought to your attention in the past by my predecessor, however according to my records this issue has yet to be resolved.

Lake George Park Commission regulations state that a permit is required in order to modify any existing dock. This includes the addition of a PWC lift. Notice is hereby given that you are in a violation of 6NYCRR 646-1.1(a)(1) related to docks, wharfs and moorings on Lake George which states:

646-1.1(a)(1) No person shall construct, erect, place, alter, modify, enlarge, or expand any dock, wharf or mooring on waters of Lake George without having first obtained a permit from the commission

Enforcement procedures of the Commission are set forth in 6NYCRR 645-4 and include criminal and administrative sanctions. A violation of the Commission's regulations is subject to a monetary penalty of \$500 plus an additional \$500 for each day that the violation continues.

Please contact me at (518) 668-9347, extension 18 so that we can discuss and resolve this matter.

Sandy Smith
399-0627 (H)
207-~~0118~~
5724 (all)

Sincerely,

Lieutenant Thomas J Caifa
Director of Law Enforcement

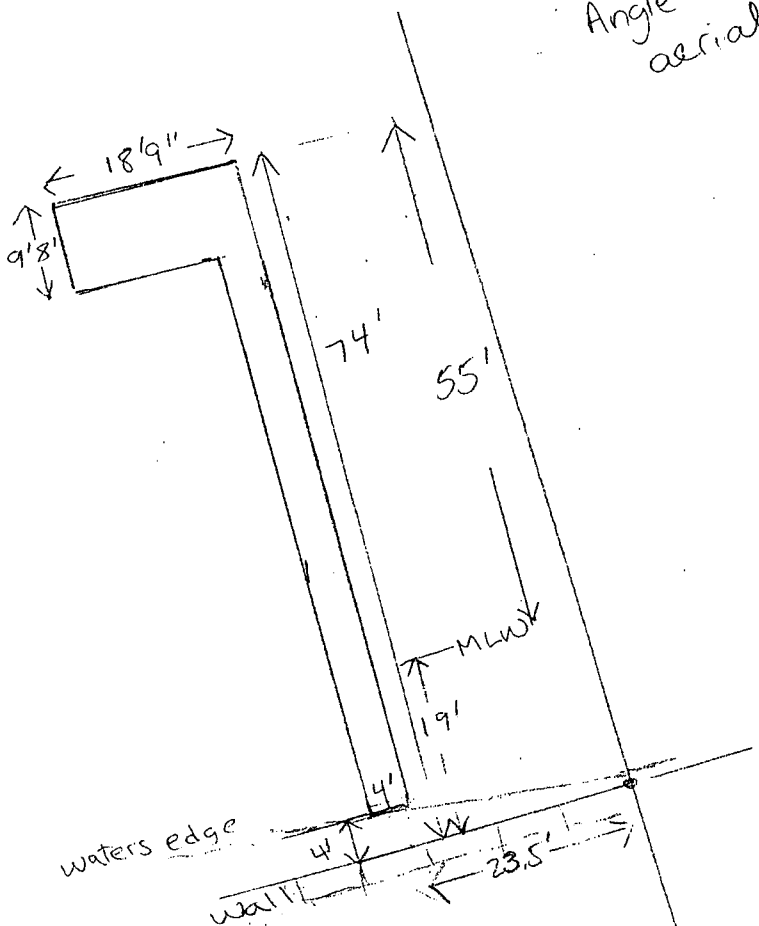
cc: Roger Smith

Smith
Hague 26.06-1-2

Existing

$$1'' = 20' \text{ MG}$$

From
4/24/08
Site inspection
by Roger Smith
Angle from
aerial.





LAKE GEORGE PARK COMMISSION

75 FORT GEORGE ROAD
P.O. Box 749
LAKE GEORGE, NEW YORK 12845
www.superior.net/~lgpc

CARL R. DE SANTIS
Chairman

MICHAEL P. WHITE
Executive Director

June 10, 1999

Dorothea B. Smith
PO Box 601
Hague NY 12836

RE: Wharf Construction Permit #5226-15-99
Excavation/Fill Permit #5226-16-99

Dear Mrs. Smith:

Enclosed is your permit which was issued in accordance with the applicable provisions of the Park Commission's rules and regulations (6 NYCRR 645 & 646) and Article 15 of the Environmental Conservation Law relating to excavation and/or placement of fill. Please review the general and special conditions included in the permit; these are intended to minimize any environmental disturbance associated with the authorized activity.

The Article 15 approval was issued under a special delegation agreement with the Department of Environmental Conservation who normally issues these approvals. This eliminates the need for separate application forms and fees which would otherwise apply to this project.

Please note that it is the responsibility of the permittee and the permittee's agent 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. The notice enclosed with the permit must be displayed in a conspicuous place near the project site during the entire period of construction and must be suitably protected from the elements.

Any failure to comply with the terms of the permit may be treated as a violation of the Environmental Conservation Law. Questions regarding this permit should be directed to the undersigned.

Should your plans change, you must contact this office to determine whether a modification to the permit is required prior to initiating construction. Please note the expiration date of the permit. If further time is required to complete the project, you must request renewal of the permit prior to this date.

Your interest in maintaining the environmental quality of Lake George is greatly appreciated by the Commission.

Sincerely,

Molly Gallagher
Deputy Permit Administrator

Enclosure
cc: LGPC Law Enforcement
Town Supervisor

LAKE GEORGE PARK COMMISSION

LGPC PERMIT NUMBER

5226-15-99 DN
5226-16-99 EF

TYPE OF PERMIT

- ☒ New
☐ Renewal
☐ Modification
☐ Variance



PERMIT

Under the Environmental Conservation Law (ECL)

EFFECTIVE DATE

June 10, 1999

EXPIRATION DATE

June 10, 2000

Article 43, Title 1, 6NYCRR 646-1.1
Construction and Modification of WharfsArticle 43, Title 1, 6NYCRR 646-1.1
Placement of MooringsArticle 15, Title 5, 6NYCRR 608
Use and Protection of WatersArticle 43, Title 1, 6NYCRR 646-1.2
Operation and Modification of Class A MarinasArticle 43, Title 1, 6NYCRR 646-1.4
Recreational Use - NewArticle 43, Title 1, 6NYCRR 646-1.4
Recreational Use - ParasailArticle 43, Title 1, 6NYCRR 646-1.4
Recreational Use - SeaplaneArticle 43, Title 1, 6NYCRR 646-1.4
Recreational Use - Tour BoatArticle 43, Title 1, Section 43-0117 Operation of ferries and
certain other boats, barges and vessels restrictedArticle 43, Title 1, 6NYCRR 646-4
Stormwater Management

| | | |
|---|----------------------|---|
| PERMIT ISSUED TO Dorothea B. Smith | | TELEPHONE NUMBER (518) 543-6337 |
| ADDRESS OF PERMITTEE PO Box 601 Hague NY 12836 | | |
| CONTACT PERSON FOR PERMITTED WORK Same | | TELEPHONE NUMBER Same |
| NAME OF FACILITY (AND ADDRESS IF DIFFERENT) | | |
| LOCATION Slack's Bay | | |
| COUNTY Warren | TOWN Hague | PARCEL 22-1-14.1 |
| DESCRIPTION OF AUTHORIZED ACTIVITY Construction of a 14' wide, 40' long, L-shaped wharf with a covered boat hoist and construction of open-sided, rock-filled timber cribs to be used as support for wharfs in accordance with plans attached as Schedule A and made part of this permit and as conditioned herein. | | |

By 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, the General Conditions specified and any Special Conditions included as part of this permit.

| | | |
|---|--|-------------|
| DEPUTY PERMIT ADMINISTRATOR Molly Gallagher | ADDRESS PO Box 749, Fort George Rd, Lake George NY 12845 | |
| AUTHORIZED SIGNATURE <i>Molly Gallagher</i> | DATE 6/10/99 | Page 1 of 5 |

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. 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.

9. 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.

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. No commercial use, as defined in 6 NYCRR 645-2.1(i), of the permitted dock, wharf or mooring is herein authorized. Regulatory fees are due April 1 of each year for docks, wharfs and moorings.

Environmental Protection

13. Disturbance to the bed and banks of Lake George shall be kept to the minimum necessary to complete the project
14. 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.
15. Heavy equipment, including bulldozers, backhoes, payloaders, etc., shall not be driven in the water.
16. 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.

GENERAL CONDITIONS

17. 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.
18. There shall be no unreasonable interference with navigation by the work herein authorized.
19. 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.
20. 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:

21. 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.
22. The maximum surface area of any dock or wharf shall be seven hundred square feet, including any walkway.
23. The maximum width of any pier shall be eight feet and the minimum width of any pier shall be two feet.
24. The maximum width of any dock or wharf, including all lateral projections, shall be forty feet.
25. 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.

26. 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

27. 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.
28. No rocks for use in construction are to come from the lake bed.

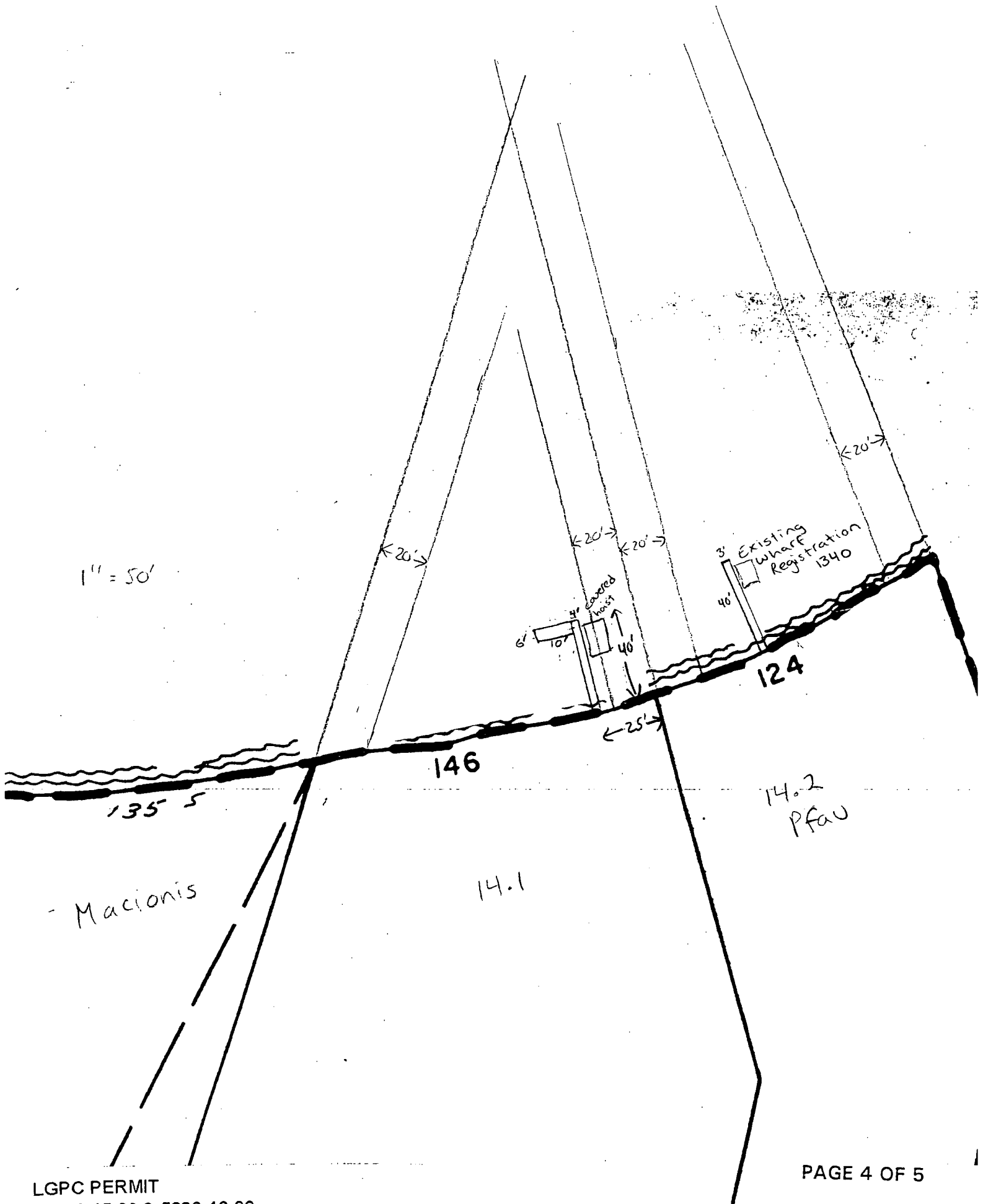
The following specifications apply to the construction or replacement of rock-filled cribs. Existing cribs may be repaired.

29. The size of any individual crib shall not exceed 8 feet by 12 feet.
30. 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.
31. Completed cribs shall be of the "open-sided" type construction and provide for at least 40% unboarded water contact area to the rock fill.

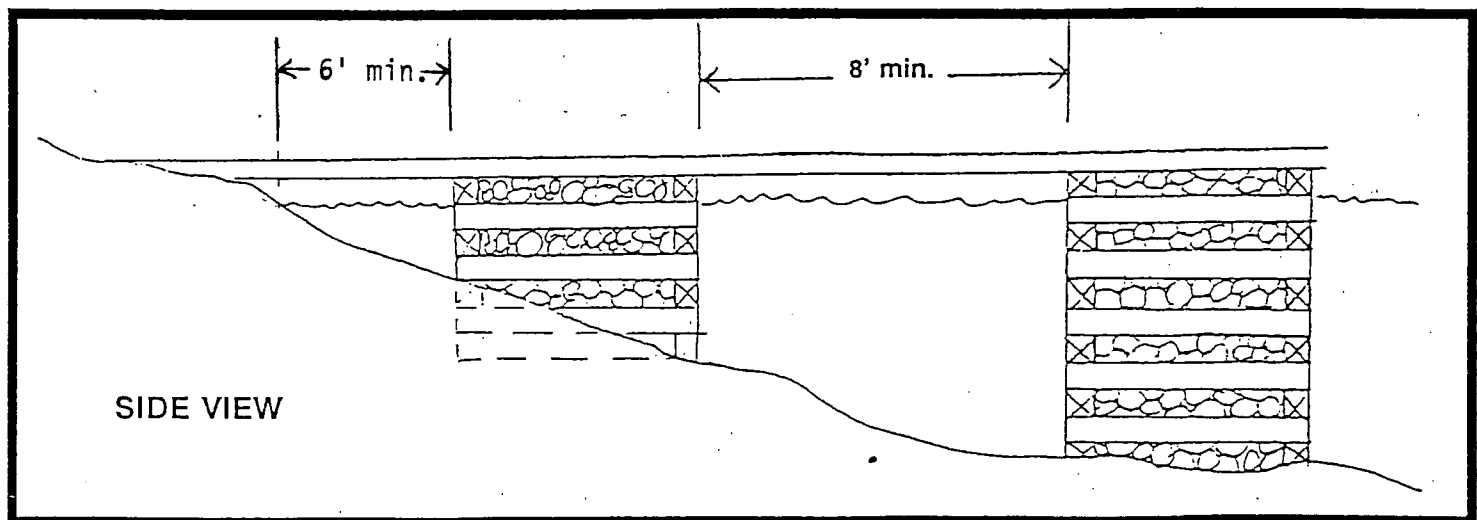
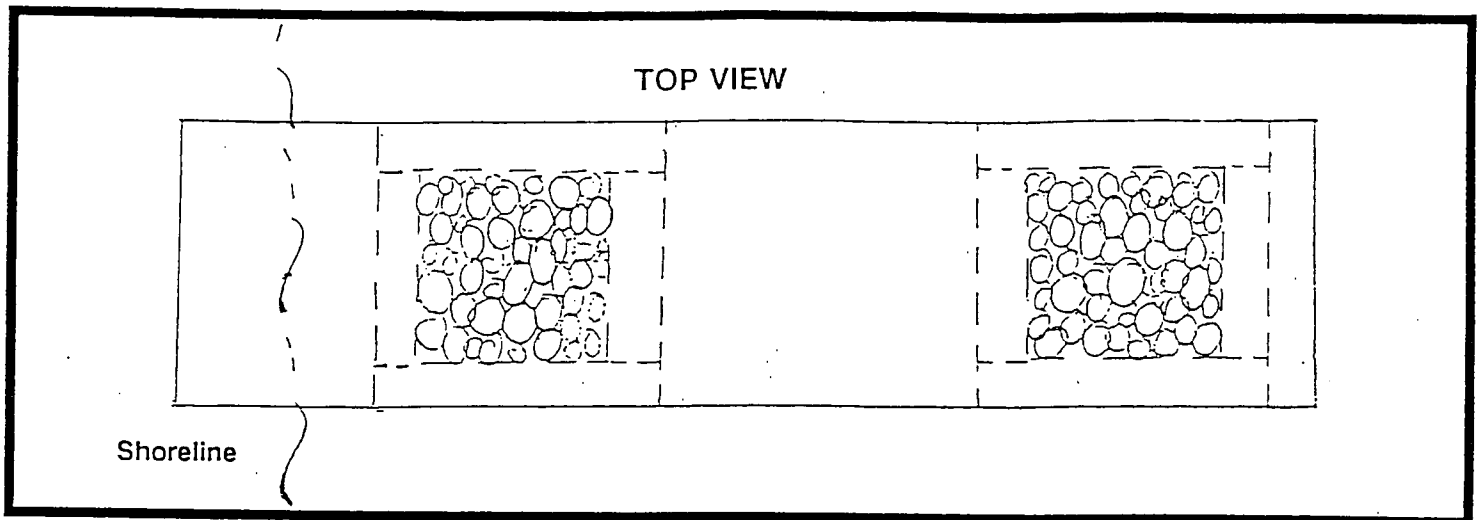
Moorings

32. 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.
33. 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.
34. 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.

SCHEDULE A



Crib Dock Project Sketch



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

- The size of any individual crib shall not exceed 8 feet by 12 feet or 96 square feet.
- Spacing between cribs shall not be less than 8 feet.
- A minimum distance of 6' from the ordinary high water mark to the first crib should be maintained to allow for water circulation at the shore.
- Stone used for filling shall be clean and shall not be less than six (6) inches in diameter. Completed cribs shall be of the "open-sided" type construction and provide for at least 40% unboarded water contact area to the rock fill.
- No rocks for use in construction are to come from the lake bed.

To the permittee:

Fold, tape shut and return upon completion of the project.

FOLD #2

Place
Stamp
Here

MARY MATTSON
1306 MARIETTA AVE
LANCASTER, PA 17603

Linda Butler/Molly Gallagher
Lake George Park Commission
P.O. Box 749
Lake George, NY 12845

FOLD #1

Certification of Completion of Work Authorized
By Permit # 5234-12-99 issued on June 11, 1999

Lot # 14-1-6 Town QUEENSBURY

Project: CONSTRUCT A 38' LONG, 28' WIDE U-SHAPED WHARF USING AN EXISTING
SEAWALL AS SHOWN ON THE PLANS ATTACHED.

I hereby certify that the project authorized by the above referenced permit
was completed on ____/____/____ in full compliance with all conditions and
(date)
in accordance with all drawings made a part of the above mentioned permit.

Notice: in a written statement, any person who knowingly makes a false
statement which such person does not believe to be true has committed a
crime under the laws of the State of New York punishable as a Class A
misdemeanor (PL Sec. 210.45)

X _____
Owner's Signature Date

STATE OF NEW YORK LAKE GEORGE PARK COMMISSION

NOTICE: A permit has been issued for wharf repair, modification or construction at this site. For further information, contact Michael P. White, Lake George Park Commission, PO Box 749, Lake George, New York 12845.

This notice must be posted in a conspicuous place & protected from the elements during the period of construction.

Permit ID: 5226-15-99 **Permittee:** Smith

Expiration Date of Authorization: 6/10/2000

New York State Department of
Environmental Conservation
Warrensburg, New York 12885

REGISTRATION OF EXISTING WHARF

Dock at 26.6-1-3, now
1340 replaced
Registration Number

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: George & Dorothen Smith
2. Applicant is a/an: ☒ Individual ☐ Corporation ☐ Association ☐ Municipality

3. Name: George & Dorothen Smith Telephone Number:
Address: P O Box 101 Home: 518-543-6337
Post Office: HAGUE N.Y. 12836 Business: 516-333-5888

4. Project Location: SLACKS BAY Include a location sketch of site, a sketch
City or Village: HAGUE of wharf on site and a photograph of existing
Town: HAGUE County: WARREN 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: 0 (If yes, information listed in
#4 is not required)

6. Date wharf was constructed or first installed 1947

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 ☒ Most of Time

9. Certification: See Reverse Side

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.

Dec 10th 1981
Date

George E Smith
Signature

For Department Use Only

CERTIFICATE OF REGISTRATION

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

Richard A. Wild
Regional Permit Administrator

APR - 1 1982
Date

Popoia

Indian

Slacks

Bay

Flood

Semi
Remounde

Deck

44ft long

3ft wide

8ft sections

272'

DOCK

DOCK

80 ft

House

Point Bay
Pass

Point Head (Electric)
Remounde
Every year

Rt. 9N

N ←

→ S

