

LAKE GEORGE PARK COMMISSION

PROJECT SYNOPSIS

Meeting Date September 24, 2019

Applicant Blue Lagoon Resort, L L C	Facility Blue Lagoon Resort	Parcel 226.09-1-12 Lake George
Application # 5222-44-19 M1 MAJOR 5222-43-19 SPT MAJOR	Lakefront 200 feet 2 straight, T, L, U, F or 1 E docks & 2 moorings	Location 3670 Lake Shore Dr Diamond Point
Date Received 08/19/2019	SEQR type Unlisted Action	Comment period ends 09/10/2019

Modify an existing marina permit to add a Tour Boat, and operate the subject Tour Boat (a Regal 2400) offering sightseeing, fishing, and tubing.

Background

The applicant, Tom Wessling dba Blue Lagoon Properties LLC, seeks to modify an existing marina to operate a Tour Boat. The Tour Boat is proposed to replace one of twenty authorized seasonal berthing spaces at the subject marina. The Tour Boat is proposed to offer sightseeing, fishing, and tubing services. No construction is proposed.

The Blue Lagoon is an existing Class A Marina and resort facility with approximately 200' of lakefront improved with two docks in the Town of Lake George. The facility is presently authorized for 20 seasonal berthing vessels and 3 quick launch. Additionally, up to 2 seasonal berthing spaces may be replaced with rental vessels, which rental vessels are to be available only to guests of the resort. The existing marina permit notes that the total number of seasonal berthing vessels and rental vessels at the docks may not exceed 20 at any one time. The subject marina is equipped with restrooms, parking, and refuse disposal in compliance with the Commission's marina requirements. In accordance with DEC standards, the wastewater system was upgraded in 2008-2009, and its capacity exceeds design demand by roughly 50%.

A maximum 2 trips per day is anticipated for the Tour Boat vessel. The facility is located in an area identified in the Lake George Recreation Study as Zone 3A. The 2015 Recreation Studies identifies Zone 3A as having an excess of boatable acres. With roughly 810 boatable acres and a maximum number of 41 observed vessels within Zone 3A, the 2015 Recreation Study indicates the observed density for all vessels is 19.75 acres/vessel. This acreage exceeds the Study's recommended density of 13 acres/vessel. The addition of two daily boat trips into Zone 3A would still exceed the recommended density, and does not represent a statistically significant increase in boat traffic. Though the proposed tour route will pass through areas identified as being overcapacity, the tubing activity is proposed near Pilot Knob and Northwest Bay, which have an excess of boatable areas. Additionally, vehicle traffic associated with the proposed operation represents a statistically insignificant increase to traffic on Lakeshore Drive with has a total daily two-way traffic count of 5,359 vehicles.

The public comment period for this application ends on 7/10/2019. No comments have been received.

The activity is not subject to review by the Town, NYS APA, or DEC.

Regulatory Determinations

SEQRA

A decision under the State Environmental Quality Review Act (SEQRA) is required. The project is unlisted and the SEQRA review is uncoordinated. A negative declaration was prepared by staff.

Date prepared September 11, 2019

**LAKE GEORGE PARK COMMISSION
PROJECT SYNOPSIS**

Meeting Date September 24, 2019

CONSIDERATIONS FOR TOUR BOATS

General Provisions Applicable to Special Permits pursuant to 6NYCRR 646-1.5:

(a) "Prior to the issuance of any special permit pursuant to the provisions of this Subpart, the Commission may require submission of information necessary to determine whether the proposed activity will result in overcrowding, congestion, safety hazards or impair the water quality or other environmental resources of the Park. This may include, but not be limited to, specifications on the craft, its power, maneuverability, craft speed, equipment, noise output, lighting, wake, proposed operation including points of departure and landing, course, speed of operation and hours of operation."

(b) "The Commission may require the submission of alternative design, equipment or methods of operation to mitigate specific impacts identified by the Commission."

FINDINGS FOR MARINAS, DOCKS, MOORINGS APPLS

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

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



NYS ITS GIS Program Office, Westchester County

0 120 240
Feet

1" = 100 feet

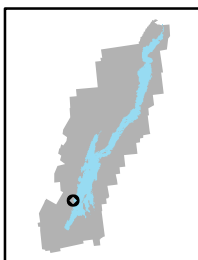


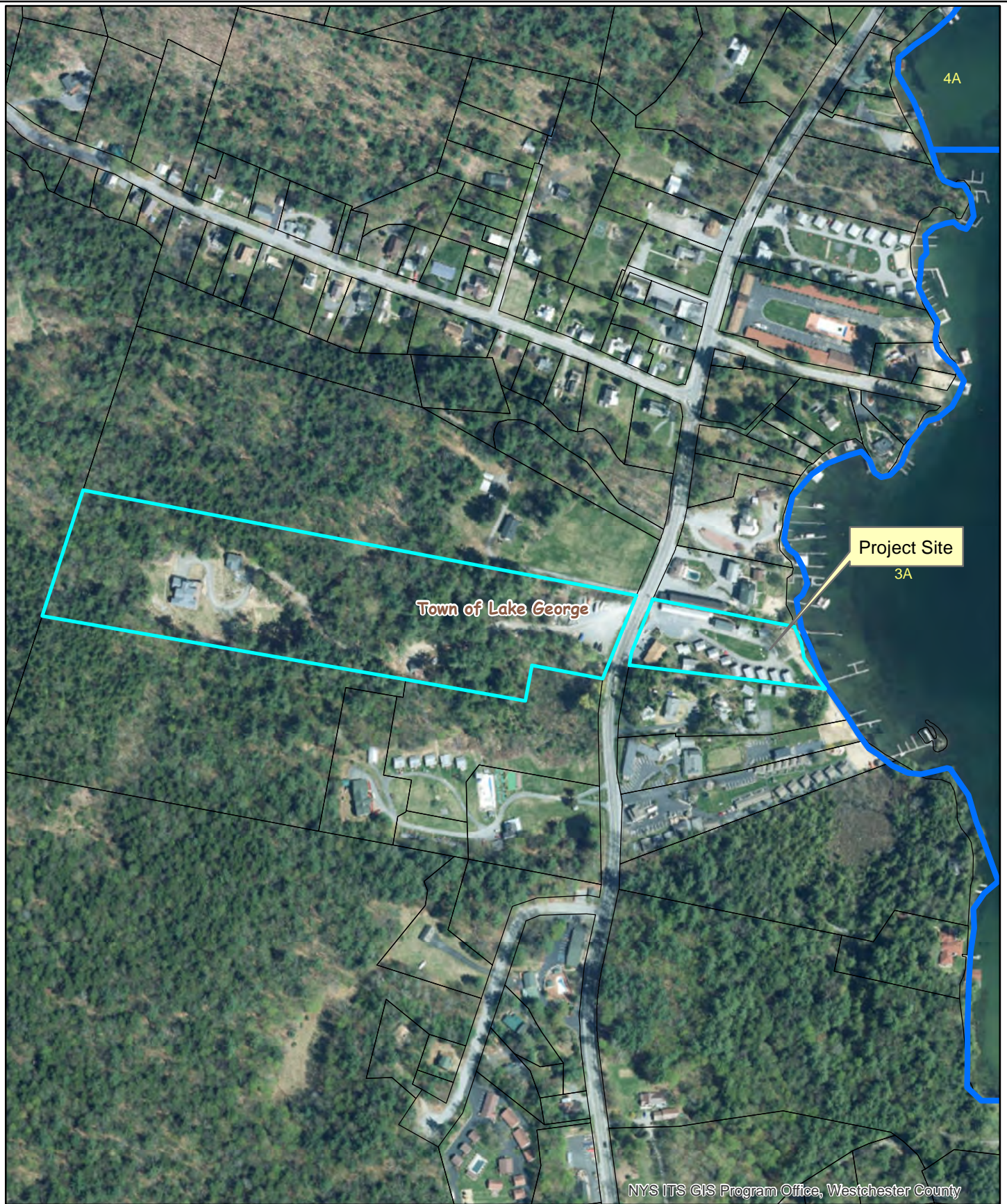
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The data is deemed reliable but not guaranteed.

Lands of Blue Lagoon Properties LLC
3670 Lakeshore Drive, Lake George
TM# 226.09-1-12 (shoreline)
TM# 225.12-1-15 (upland)

Air Photo ca. 2018





0 450 900
Feet

1" = 371 feet

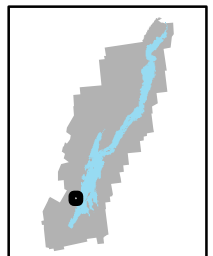


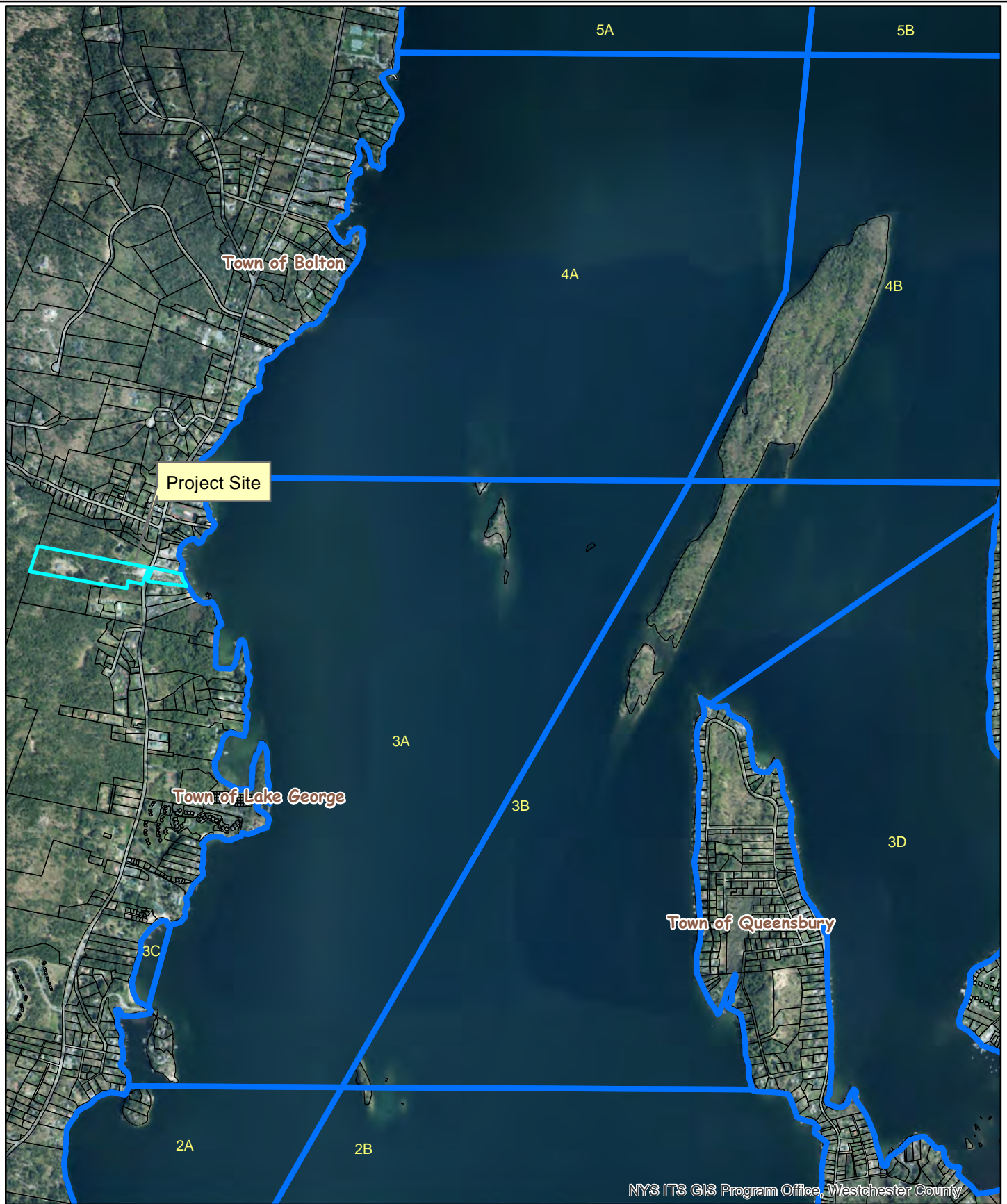
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Lands of Blue Lagoon Properties LLC
3670 Lakeshore Drive, Lake George
TM# 226.09-1-12

Air Photo ca. 2018





NYS ITS GIS Program Office, Westchester County

0 2,250 4,500 Feet

1" = 1853 feet

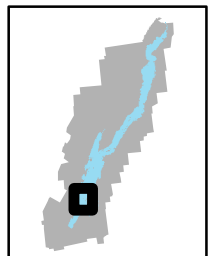


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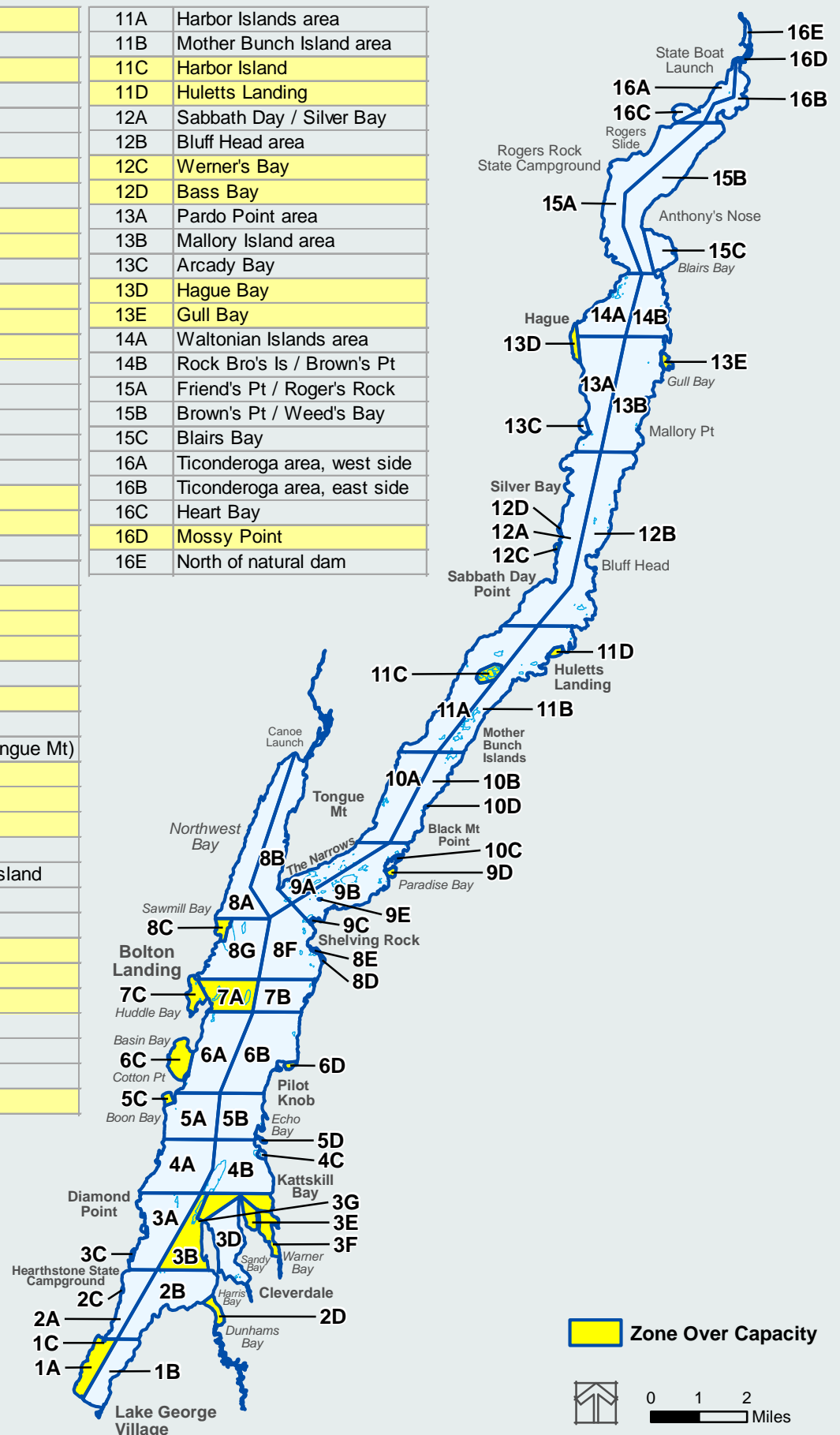
Lands of Blue Lagoon Properties LLC
3670 Lakeshore Drive, Lake George
TM# 226.09-1-12

Air Photo ca. 2018



1A	LG Village, west side
1B	LG Village, east side
1C	Tea Island
2A	Hearthstone Point
2B	Plum Pt / Woods Pt area
2C	Hearthstone Campground
2D	Dunham's Bay
3A	Cannon Pt area
3B	Assembly Pt area
3C	Still Bay
3D	Harris Bay
3E	Sandy Bay
3F	Warner Bay
3G	Assembly Point Channel
4A	Long Island West
4B	Long Island East
4C	Elizabeth Island
5A	Rush Island area
5B	Whipple Island area
5C	Boon Bay
5D	Echo Bay
6A	Cotton Point area
6B	Pilot Knob area
6C	Basin Bay
6D	Andrews Bay
7A	Clay Island - Dome Island
7B	Watch Point area
7C	Huddle Bay
8A	Northwest Bay, west side
8B	Northwest Bay, east side (Tongue Mt)
8C	Sawmill Bay
8D	Shelving Rock Bay
8E	Log Bay
8F	Huckleberry Island
8G	Bolton Bay & east of Green Island
9A	Narrows, west side
9B	Narrows, east side
9C	14 Mile Island
9D	Red Rock Bay
9E	Glen Island
10A	Dollar Island Group area
10B	Black Mtn Point area
10C	Paradise Bay
10D	Black Mtn Point

11A	Harbor Islands area
11B	Mother Bunch Island area
11C	Harbor Island
11D	Hulets Landing
12A	Sabbath Day / Silver Bay
12B	Bluff Head area
12C	Werner's Bay
12D	Bass Bay
13A	Pardo Point area
13B	Mallory Island area
13C	Arcady Bay
13D	Hague Bay
13E	Gull Bay
14A	Waltonian Islands area
14B	Rock Bro's Is / Brown's Pt
15A	Friend's Pt / Roger's Rock
15B	Brown's Pt / Weed's Bay
15C	Blairs Bay
16A	Ticonderoga area, west side
16B	Ticonderoga area, east side
16C	Heart Bay
16D	Mossy Point
16E	North of natural dam



Lake George 2015 Recreation Study

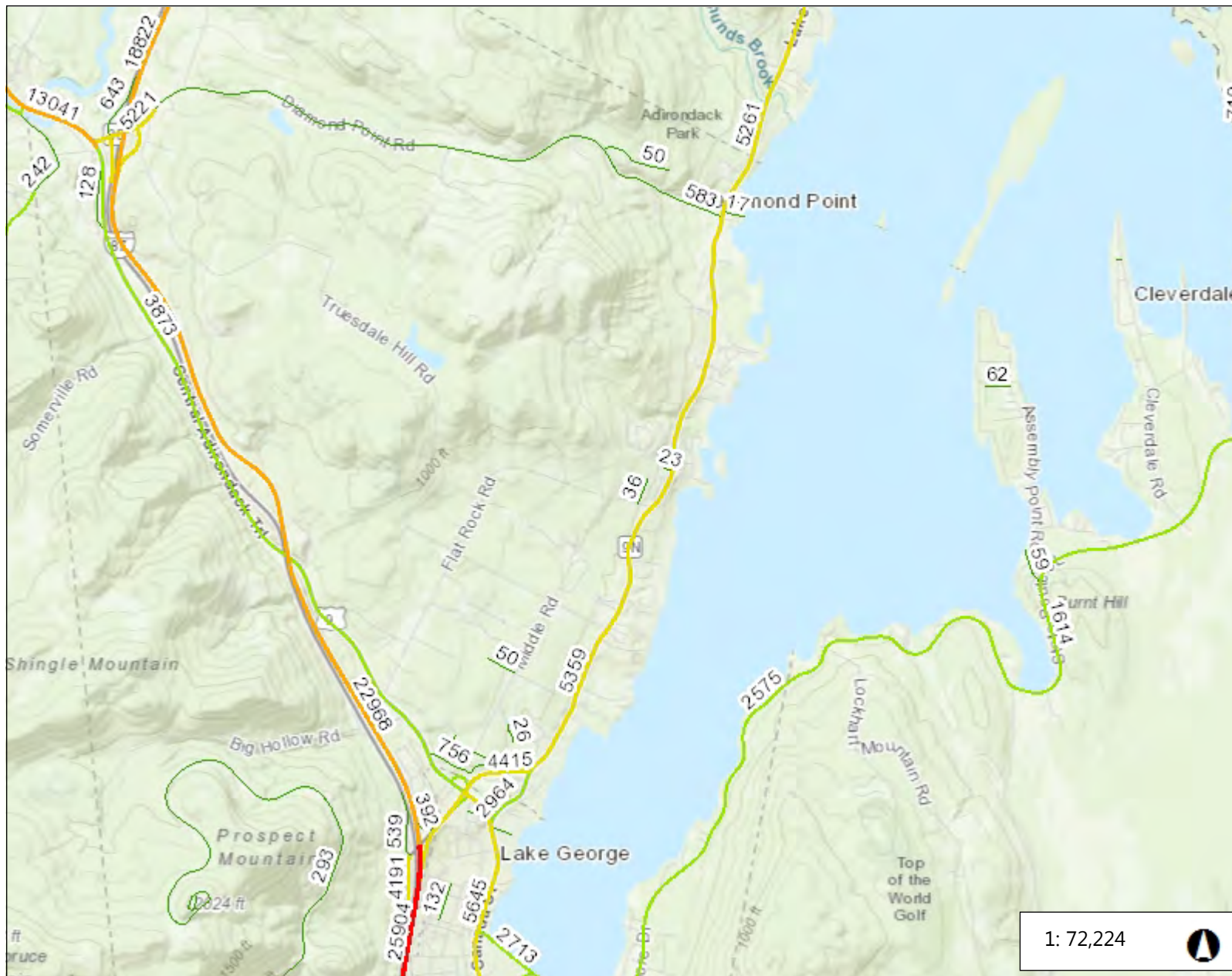
Lake Zones Map



Lake George
Park Commission



May, 2016



Legend

Average Daily Traffic

- 1 - 1500
- 1501 - 4000
- 4001 - 10000
- 10001 - 25000
- 25001 - 75000
- 75001 - 300000
- No Data

Notes

Please enter the notes

2.3 0 1.14 2.3 Miles

LAKE GEORGE PARK COMMISSION FILE REVIEW

Date: April 26, 2018
Owner: Blue Lagoon Properties, L L C
Facility: Blue Lagoon Resort
Account #: 2569
Linear Ft: 278.00 **Assoc. Slips:** 0

Town: Lake George
Parcel #: 226.09-1-12
Old #: 50-2-14
Lakefront: 200.00 **Adjusted:**
Address: 3670 Lake Shore Dr

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

2 Dock(s) 0 Mooring(s)

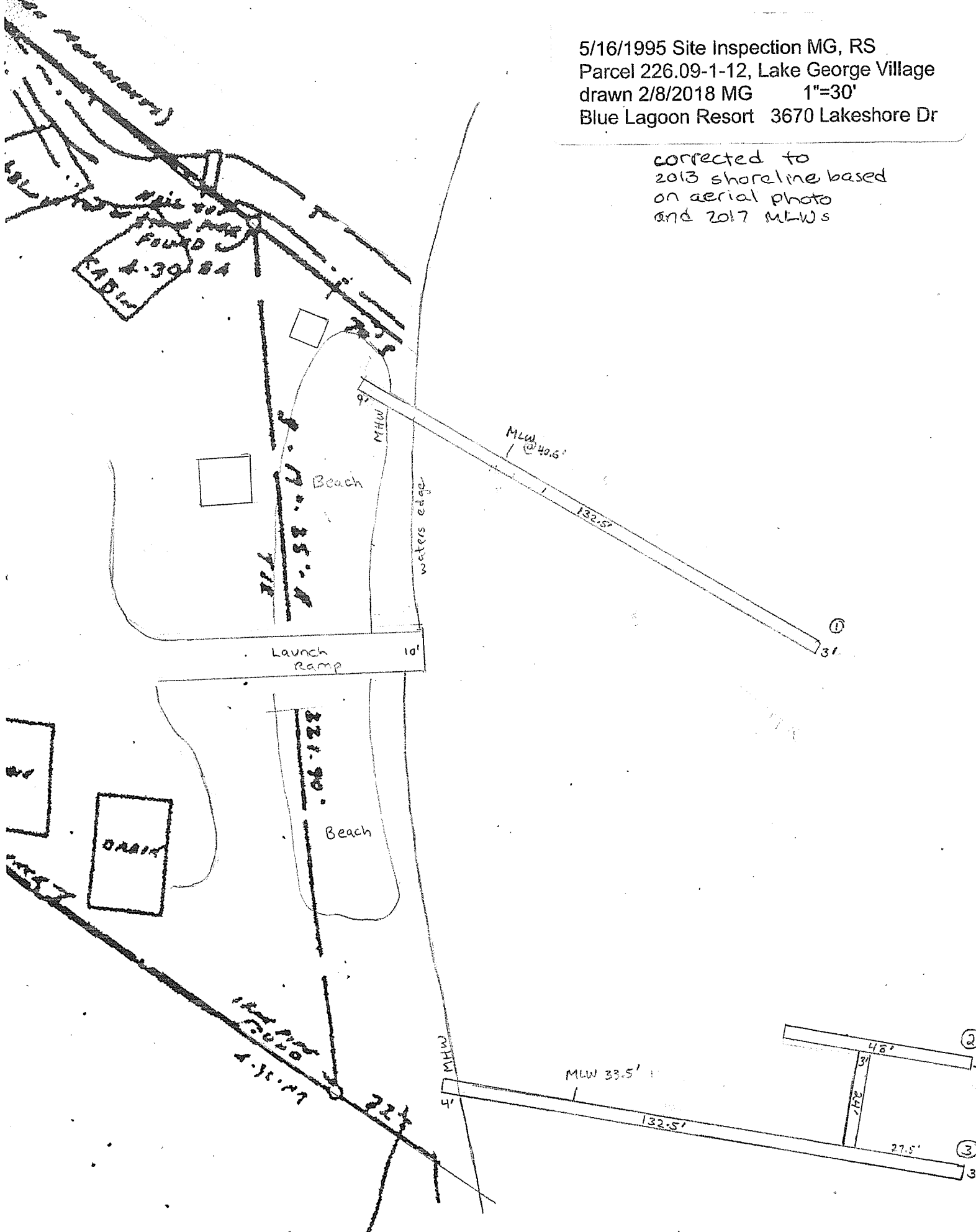
Notes:

#	D or M	length	width	shape	boat house	closed or open	articulating?	permit or reg#	supercedes
1	D	132.50	3.00	S	N		.F.	LE 95-12-700	1461
2	D	132.50	30.00	U	N		.F.	LE 95-12-700	1461

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

5/16/1995 Site Inspection MG, RS
Parcel 226.09-1-12, Lake George Village
drawn 2/8/2018 MG 1"=30'
Blue Lagoon Resort 3670 Lakeshore Dr

corrected to
2013 shoreline based
on aerial photo
and 2017 MLW's



LGPC Permit Number 5222-33-16 M1
Type of Permit <input type="checkbox"/> New <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Modification <input type="checkbox"/> Variance



Lake George Park Commission

PERMIT Under the Environmental Conservation Law

Effective Date 09/17/1996
Modification or Renewal Date 04/26/2018
Expiration Date 04/26/2023

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

Permit Issued to Blue Lagoon Resort, L L C		Telephone Number 668-4867
Address of Permittee 3670 Lake Shore Drive Lake George, NY 12845		
Contact Person (if not permittee) Thomas Wessling		Telephone Number 260-4169
Facility Name Blue Lagoon Resort		Facility Address 3670 Lakeshore Dr
County Warren	Town Lake George	Parcel # 226.09-1-12
<p align="center">AUTHORIZED ACTIVITY</p> <p>Operate a Class A Marina in accordance with the Marina Description attached as Schedule A and made part of this permit, and subject to the attached general and special conditions. No construction is herein authorized. This permit expressly authorizes only those activities specified on Schedule A, subject to the limitations herein.</p> <p>Marina activities in excess of the authorized activities is a violation of the Environmental Conservation Law and will subject the facility to fines, penalties and/or revocation of the permit.</p>		

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

Executive Director: David Wick Lake George Park Commission, PO Box 749, Lake George NY 12845, 518-668-9347		
Authorized Signature 	Date 4/26/18	Page 1 of 7

GENERAL CONDITIONS

Inspections

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

Permit Modifications & Renewals

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

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

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

Prohibitions

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

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

Other Legal Obligations of Permittee

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

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

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

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

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

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

Docks, Wharfs and Moorings

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

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

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

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

Environmental Protection/Marina Operations

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

GENERAL CONDITIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SPECIAL CONDITIONS

SPECIAL CONDITIONS

30. The two rental boats shall displace two seasonal berthing customer slips so that the total number of rental slips plus slips used for rental boats does not exceed twenty.
31. One rental boat shall be equipped with one motor that meets the 2006 Federal emission standards (40 CFR Parts 89, 90 & 91). The motor on the other boat shall meet the standards when the current motor needs to be replaced.
32. The two rental boats may be rented by registered guests of the resort only.

SCHEDULE A - MARINA DESCRIPTION**Facility** Blue Lagoon Resort**Lakefrontage:** 200 feet**Other Parcels**

Parcel 225.12-1-15, located across Rte 9N from the resort, is used for parking.

Marina Description

The Blue Lagoon Resort is located in Diamond Point on the west shore of Lake George. The facility offers seasonal berthing for up to 20 vessels, quick launch for up to 3 vessels and a public launch for up to 30 vessels. They may also offer two rental rowboats, 14' in length or less with 10 hp motors to registered guests of the resort. These rowboats may be berthed on the docks in place of two seasonal berthing customer's vessels so that the total number of seasonal berthing vessels plus rental vessels at the dock does not exceed 20 at any one time.

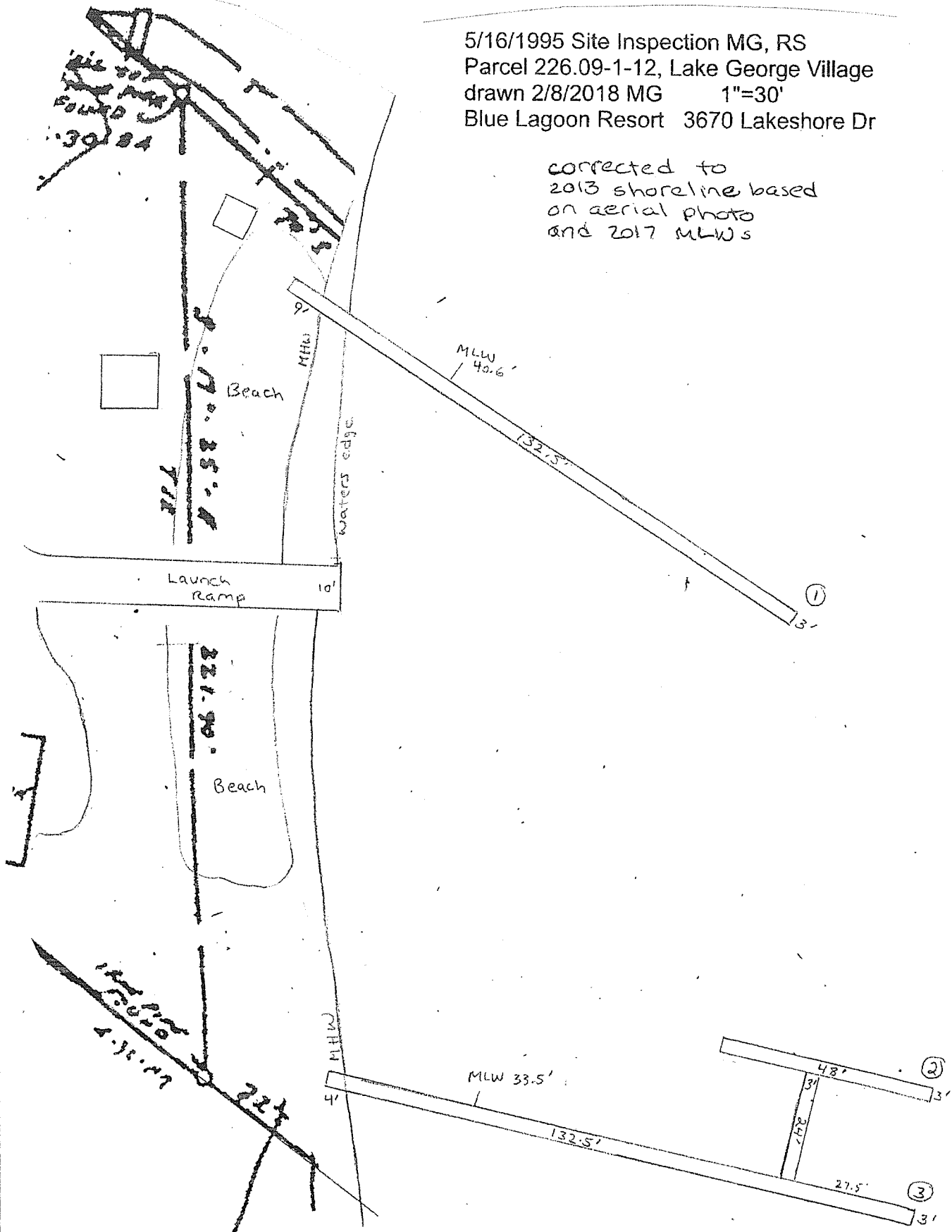
Authorized Marina Activities**Total Seasonal Customer Berthing Spaces:** 20 (20 on docks and 0 on moorings)**Total Customer Winter Storage:** 0 (0 indoor and 0 outdoor)**Total Quick Launch:** 3 (0 indoor and 3 outdoor)**Rental Vessels:** **motorized:** 2 motorized rowboats subject to restrictions noted in Special Conditions #29-32**non-motorized:** 0**personal watercraft:** 0**Tour Boats:** 0**Waterski/Tubing/Rides:** No**SCUBA Instruction:** No**Parasail:** No**Public Boat Launch:** Yes**Sales/Service:** No**Private Boat Launch/Hoist/Rail:** No**Customer Parking Spaces:** 77**Vessel Towing:** No**Fuel Sales:** No**Bulk Storage Permit#** n/a**Pumpout available at:** No vessels berthed have sanitary facilities

Permitted activities are limited to those listed on this page. Any change which alters or expands the number or type of services or recreational activities will require a modification to the permit.

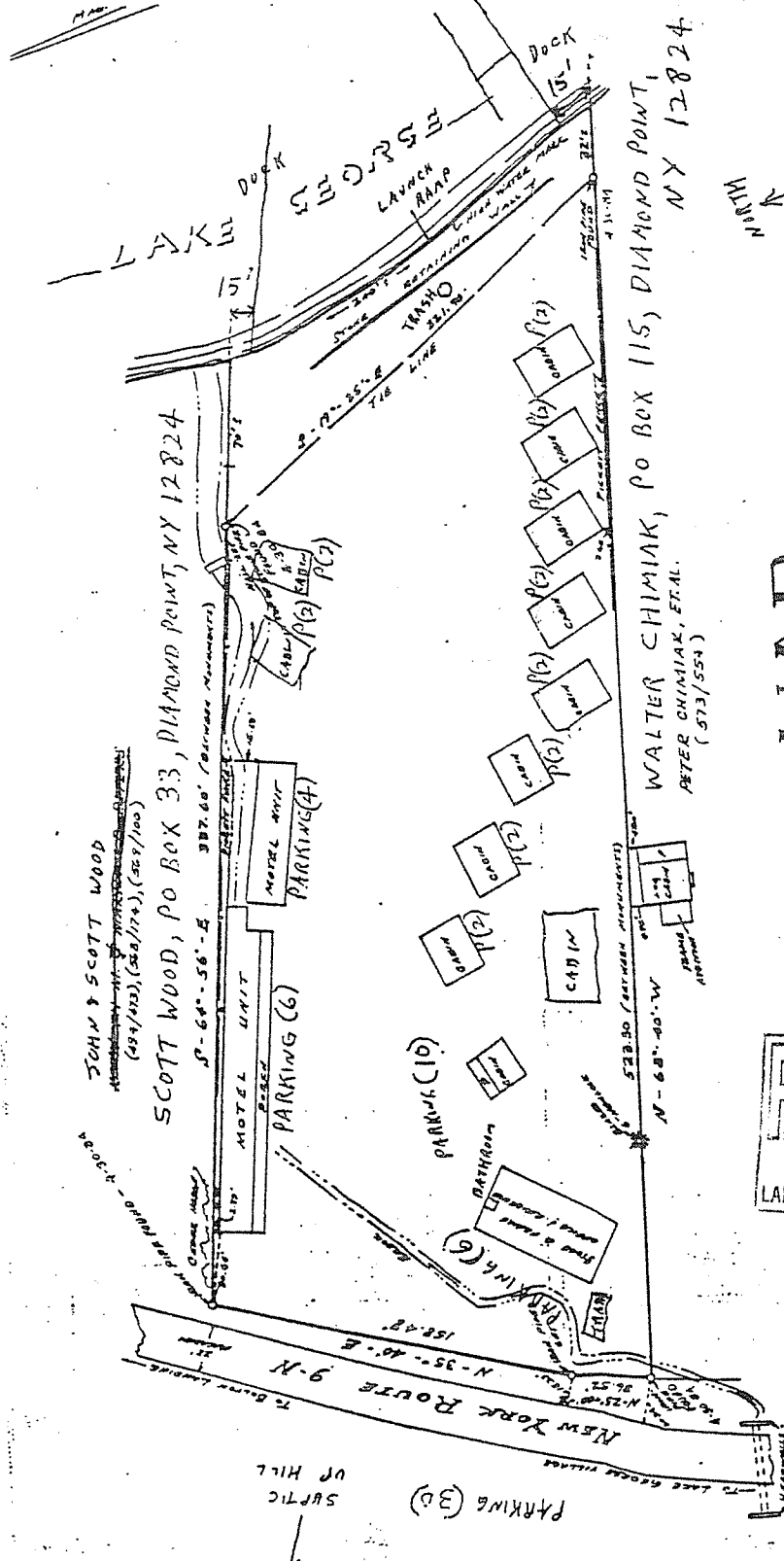
SCHEDULE B - WHARF & MOORING PLAN

5/16/1995 Site Inspection MG, RS
 Parcel 226.09-1-12, Lake George Village
 drawn 2/8/2018 MG 1"=30'
 Blue Lagoon Resort 3670 Lakeshore Dr

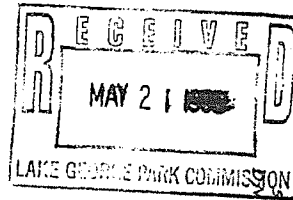
corrected to
 2013 shoreline based
 on aerial photo
 and 2017 MLWs



SCHEDULE C - FACILITY PLAN



MAP
of lands of
WILLIAM C. & NANCY E. WESSLING
known as
—BLUE LAGOON MOTEL—
situate in
Town of Lake George, Warren Co., New York



DEED REFERENCE
FRANK & UNA TONNESEN
TO
WILLIAM C. & NANCY E. WESSLING
5/14/1984

9474787
4/17/91

Project: Blue Lagoon M1 MOD & SPT

Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

NYS Lake George Park Commission

Name of Lead Agency

Joe Thouin

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

Environmental Analyst

Title of Responsible Officer

Signature of Preparer (if different from Responsible Officer)

617.21
State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number: 5222-40-19 SPT

Date:

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Lake George Park Commission has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Blue Lagoon Marina Mod & Tour Boat

SEQR Status: Unlisted

Description of Action: Marina Modification and Tour Boat Permit
▪ New Tour Boat to be Operated from Blue Lagoon

Location: Parcel: 226.09-1-12, 3670 Lakeshore Drive, Lake George

Reasons Supporting This Determination:

The applicant, Tom Wessling dba Blue Lagoon Properties LLC, seeks to modify an existing marina to operate a Tour Boat. The Tour Boat is proposed to replace one of twenty authorized seasonal berthing spaces at the subject marina. The Tour Boat is proposed to offer sightseeing, fishing, and tubing services. No construction is proposed.

The Blue Lagoon is an existing Class A Marina and resort facility with approximately 200' of lakefront improved with two docks in the Town of Lake George. The facility is presently authorized for 20 seasonal berthing vessels and 3 quick launch. Additionally, up to 2 seasonal berthing spaces may be replaced with rental vessels, which rental vessels are to be available only to guests of the resort. The existing marina permit notes that the total number of seasonal berthing vessels and rental vessels at the docks may not exceed 20 at any one time. The subject marina is equipped with restrooms, parking, and refuse disposal in compliance with the Commission's marina requirements. In accordance with DEC standards, the wastewater system was upgraded in 2008-2009, and its capacity exceeds design demand by roughly 50%.

A maximum 2 trips per day is anticipated for the Tour Boat vessel. The facility is located in an area identified in the Lake George Recreation Study as Zone 3A. The 2015 Recreation Studies identifies Zone 3A as having an excess of boatable acres. With roughly 810 boatable acres and a maximum number of 41 observed vessels within Zone 3A, the 2015 Recreation Study indicates the observed

density for all vessels is 19.75 acres/vessel. This acreage exceeds the Study's recommended density of 13 acres/vessel. The addition of two daily boat trips into Zone 3A would still exceed the recommended density, and does not represent a statistically significant increase in boat traffic. Though the proposed tour route will pass through areas identified as being overcapacity, the tubing activity is proposed near Pilot Knob and Northwest Bay, which have an excess of boatable areas. Additionally, vehicle traffic associated with the proposed operation represents a statistically insignificant increase to traffic on Lakeshore Drive which has a total daily two-way traffic count of 5,359 vehicles.

The public comment period for this application ends on 7/10/2019. No comments have been received.

The activity is not subject to review by the Town, NYS APA, or DEC.

The waters of Lake George, all land lying under such waters and within 500 feet of the mean high-water mark of such waters, and wetlands located adjacent to the waters of Lake George and all land within 500 feet of such wetlands are designated a Critical Environmental Area pursuant to Section 617.4(h) of the State Environmental Quality Review Act regulations (6NYCRR) and 645-3.8 of the Lake George Park Commission regulations (6NYCRR).

The reason for this designation was and is to afford increased protection of a unique resource of state-wide significance and to recognize and protect the exceptional natural beauty, scenic quality, water quality, fish & wildlife habitat, historic significance, recreational resources and ecological sensitivity of the Lake.

For Further Information:

Contact Person: Joe Thouin

Lake George Park Commission, PO Box 749, Lake George NY 12845

Telephone Number: (518) 668-9347 Fax (518) 668-5001 E-mail joe@lgpc.state.ny.us



Lake George Park Commission



Application materials

pd \$50

Fort George Rd, PO Box 749, Lake George NY 12845 | 518.668.9347 fax 518.668.5001 | info@lgpc.state.ny.us www.lgpc.state.ny.us

APPLICATION FOR PERMIT FOR A CLASS A MARINA

THIS APPLICATION IS FOR THE:

☐ a New Marina (\$100)

☒ Modification to an Existing Marina (\$50)

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

1. OWNER ☐ Mr. ☐ Mrs. ☐ Ms. ☐ Dr.

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

NAME Thomas Wessling

EMAIL info@blue.lagoon.resort.com

CONTACT PERSON IF OWNER IS NOT AN INDIVIDUAL

MAILING ADDRESS 3670 Lake Shore Drive

CITY Lake George STATE NY ZIP CODE 12845 PHONE 518.668.4867

If other parties have deeded or contractual access to this lakefront, please provide names and mailing addresses of all involved parties on a separate sheet.

2. AGENT ☐ CONTRACT VENDEE ☐ PRESIDENT OR CEO ☐ ATTORNEY ☐ CONSULTANT ☐ CONTACT PERSON

NAME Thomas Wessling

EMAIL info@blue.lagoon.resort.com

COMPANY

MAILING ADDRESS 3670 Lake Shore Drive

CITY Lake George STATE NY ZIP CODE 12845 PHONE 518.668.4867

3. FACILITY

NAME OF MARINA

WHEN DID MARINA OPERATIONS FIRST BEGIN AT THIS FACILITY?

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

SECTION 22916 BLOCK 09 LOT 1-12

STREET 3670 Lake Shore Dr ZONING RCH-L5

LAKE FRONTAGE 200 feet
according to ☒ Tax Map
☐ Survey (attach copy)

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

4. PROJECT DESCRIPTION

PROPOSED MARINA ACTIVITIES

Addition of operation of 1 tour boat

IS ANY NEW WHARF, MOORING OR BOAT STORAGE BUILDING CONSTRUCTION PLANNED?

☐ Yes ☒ No (If yes, application and plans must be submitted with marina application)

6. PERMITS OR APPROVALS REQUIRED FROM OTHER AGENCIES OR MUNICIPALITIES

Agency	Permit or Approval	Date Applied	Date Issued
<u>None</u>			

7. ADJOINING LAKEFRONT PROPERTY OWNERS (available from your town or county real property dept.)

NAME <u>Mt. Knoll Beach Cottages</u>	NAME <u>Lake George Suites, LLC</u>
TAX MAP # <u>226.09-1-13</u>	TAX MAP # <u>226.09-1-11</u>
MAILING ADDRESS <u>3658 Lake Shore Dr.</u> <u>Lake George, NY 12845</u>	MAILING ADDRESS <u>3678 Lake Shore Dr.</u> <u>Lake George, NY 12845</u>

8. CERTIFICATION

I hereby affirm that the information 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 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.

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

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

Thomas C. Wessling, Member

DATE

8/6/2019

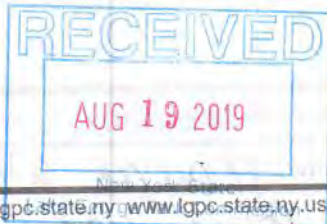
INCLUDE WITH THIS FORM - Failure to include any one of the required items will result in an incomplete notice and delay in processing your application.

- ☐ Application fee
- ☐ Site location map
- ☐ Facility Plan - to scale showing all buildings, docks, moorings and location of services provided and any other required information (see application instructions)
- ☐ Full or Short Environmental Assessment Form (confirm form type with Commission staff)
- ☐ Wastewater System Evaluation Report, SPDES permit or if on public sewer, a letter from the municipality approving the proposed use.
- ☐ **Addendum A** Co-owner Signature Page (if lakefront is jointly or commonly owned)
- ☐ **Addendum B** Parties with deeded or contractual access to this lakefront
- ☐ **Addendum C** Public Vessel Form (if needed)
- ☐ **Addendum D** Pump-out agreement (if needed)



Lake George Park Commission

PAID
\$100.



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

APPLICATION FOR SPECIAL PERMIT FOR THE OPERATION OF TOUR BOATS ON LAKE GEORGE

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

- ☒ Operation of a Tour Boat (\$100) ☐ Modification to a Tour Boat/Tour Boat Permit (\$50)

APPLICATION FEE ENCLOSED: \$100 (check or money order only)

1. BOAT OWNER OR OPERATOR

☐ Mr. ☐ Mrs. ☐ Ms. ☐ Dr.

Name Thomas Wessling Email info@blue.lagoon.resort.com
Company Blue Lagoon Boat Tours
Mailing address 3670 Lake Shore Drive
City Lake George State NY Zip code 12845 Phone 518.668.4867

2. AGENT

☐ NONE ☐ PRESIDENT OR CEO ☐ LLC MEMBER ☐ ATTORNEY ☐ CONSULTANT ☐ CONTACT PERSON

Name Thomas Wessling Email info@blue.lagoon.resort.com
Company Blue Lagoon
Mailing address 3670 Lake Shore Drive
City Lake George State NY Zip code 12845 Phone 518.668.4867

3. VESSEL DESCRIPTION (use Addendum B for additional vessels)

Name of Vessel _____ NYS Registration # NY 4460 MG
Vessel Make Regal Model 2400
Max. Capacity 12 (passengers + crew) Type of propulsion 110 Max. Speed 40 mph
Proposed # crew including captain 1 Length (ft): 24 Beam Width (ft): 8

Insurance Carrier Hughes Insurance

If this is an existing tour boat, provide date the vessel was placed into service on Lake George

4. PROPOSED ACTIVITY

What are the proposed hours and time of year of operation?
June - Sept 8AM - 6PM

What are the proposed maximum number of boat tours per day?
2

What type of tours are provided? ☒ Fishing ☐ Sailing ☒ Tubing ☐ Waterskiing ☒ Sightseeing ☐ Scuba
☐ Water Taxi ☐ Instruction _____ ☐ Other (describe)

Will food & beverage be served on board? ☒ No ☐ Yes, describe

Where will effluent from boat holding tank be disposed? _____ ☒ No holding tank

5. FACILITY OF OPERATION Primary location for passenger pickup/discharge				
Owner Name <u>Thomas Wessling</u>			Email <u>info@BlueLagoonresort.com</u>	
Company <u>Blue Lagoon Resort LLC</u>				
Mailing address <u>3670 Lake Shore Drive</u>				
City <u>Lake George</u>	State <u>NY</u>	Zip code <u>12845</u>	Phone	
Town	<input type="checkbox"/> TICONDEROGA <input type="checkbox"/> DRESDEN <input type="checkbox"/> FORT ANN <input type="checkbox"/> HAGUE <input checked="" type="checkbox"/> LAKE GEORGE <input type="checkbox"/> PUTNAM <input type="checkbox"/> QUEENSBURY <input type="checkbox"/> BOLTON	Section <u>229</u>	Block <u>09</u>	Lot <u>1-12</u>
Street <u>3670 Lake Shore Dr</u>				
Secondary Facilities for passenger pickup/discharge <u>N/A</u>				
Location where vessel is berthed <u>Blue Lagoon Resort</u>				
If the vessel is stored on land during the boating season:				
Storage Facility: <u>Blue Lagoon Resort</u>				
Launch/Retrieval Facility: <u>Blue Lagoon Resort</u>				
6. CERTIFICATION				
I hereby affirm that the information on this form and all attachments submitted herewith is true to the best of my knowledge and belief.				
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.				
During the processing of this application Lake George Park Commission (LGPC) personnel or their assigns may need to visit the facility 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.				
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.				
SIGNATURE OF OWNER (Note title if signing for a corporation or association)				DATE
<u>Thomas C. Wessling, Member</u>				<u>8/6/19</u>

PLEASE COMPLETE ALL ITEMS ABOVE AND INCLUDE WITH THIS FORM:

- ☐ Application fee (fee is waived for tour boats in continuous operation prior to January 1, 2015)
- ☐ Facility plan(s) depicting vessel berthing location and passenger pickup/discharge operation.
- ☐ Short Environmental Assessment Form
- ☐ Map showing proposed routes or general area of operation
- ☐ Addendum A Tour Boat Pickup Facility Agreement for authorization of facility owners (if needed)
- ☐ Addendum B - Vessel Description for operations using 2 or more vessels
- ☐ Class A Marina application: Required for facilities not currently authorized for Charter or Tour boats
- ☐ Variance application: Required if Tour Boat will not be operated from a Class A Marina

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

You may complete this form with assistance through the NYS Department of Environmental Conservation website at- <http://www.dec.ny.gov/eafmapper/>

Short Environmental Assessment Form

Part 1 - Project Information



Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Blue Lagoon Resort LLC			
Name of Action or Project: Blue Lagoon Boat Tours			
Project Location (describe, and attach a location map): 3670 Lake Shore Dr Lake George NY 12845			
Brief Description of Proposed Action: Have daily Boat tours ran out of our business			
Name of Applicant or Sponsor: Thomas Wessling		Telephone: 518.668.4867	
		E-Mail: info@bluelagoonresort.com	
Address: 3670 Lake Shore Dr Lake George NY			
City/PO: Lake George		State: NY	Zip Code: 12845
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1.9 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		14 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

		NO	YES	N/A
5. Is the proposed action,				
a. A permitted use under the zoning regulations?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES	
If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES	
If No, describe method for providing potable water: _____ _____		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES	
If No, describe method for providing wastewater treatment: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____				
There are wetlands on the west side of Route 9N				

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>

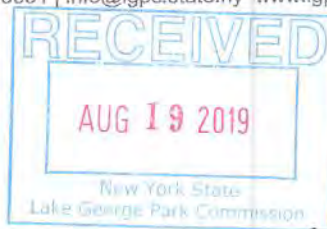
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Thomas C. Wessling</u> Date: <u>8/19/19</u>		
Signature: <u>Thomas C. Wessling</u> Title: <u>Member, LLC</u>		



Lake George Park Commission

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



APPLICATION FOR PERMIT FOR MARINAS ADDENDUM C - Public Vessels

Currently None

This is a supplement and attachment to applications for the construction, operation or modification of Class A marinas.

List the Public Vessels operated from this facility, their owner's name and address, the nature of the commercial activity engaged in, and the capacity of each vessel below.

Boat Name and NYS Registration #	Owner's Name and Address	Commercial Use Type *	Capacity

* Tour Boat, Fishing Charter, Sailing Charter, Parasail Raft or Tow Craft, Ferry, etc.

NOTE: A Special Permit for Recreational Use is required from the Commission for the operation of Parasails, Tour Boats and new recreational uses.




APPLICATION FOR SPECIAL PERMIT FOR THE OPERATION OF TOUR BOATS ON LAKE GEORGE

ADDENDUM A - Tour Boat Pickup Facility Agreement

This is a supplement and attachment to applications for the operation of Tour Boats on Lake George

This is to certify that Blue Lagoon Resort LLC (name of facility owner) agrees that customers of Blue Lagoon Boat Tours (name of tour boat owner/company) may utilize the ☒ dock ☐ launch at my facility Blue Lagoon Resort LLC, as (name of facility) well as the attendant services necessary, including parking, restrooms and garbage disposal, as needed, to access the boat.



Facility Owner/Operator/Municipality CEO
Thomas C. Wessling

8/6/19

Date

Tom Wessling
Blue Lagoon Resort
Boat Tours Application

Below are my responses to the matters requested to be addressed:

In support of the application and for review by the Commission board, please address the following at your earliest convenience, but no later than Monday 9/13/2019:

1. *When a project also requires related permits from any other agency or government, the application must include a list of such permits which the applicant knows to be required, a statement of the status of approval and SEQR review of each at the time of filing the application with the Commission, and demonstrate compliance with other applicable local and state regulations. To this end, please provide a written copy of any permits, permissions, or notices of non-jurisdiction from the Town of Lake George*

I've requested a letter notifying of non-jurisdiction from Dan Barusch of the Town of Lake George.

2. *Related to the above, if available, please provide a copy of the NYS Parks PV inspection for the boat and the pilot license for the captain.*

We decided to seek approval from Lake George Park Commission before moving forward with PV designation for the boat and pilot license for the captain. We see no problem with securing these before the 2020 summer season.

3. *Please utilize the map at the following link to identify the proposed areas of operation: [http://www.lgpc.state.ny.us/pdf/Tourboat%20Application%202015 Density Map.pdf](http://www.lgpc.state.ny.us/pdf/Tourboat%20Application%202015%20Density%20Map.pdf).*

a. It is noted that sightseeing, fishing, and tubing are proposed. Not all areas of operation that may be suitable for sightseeing and fishing are suitable for tubing activities. For clarity, please distinguish between areas proposed for sightseeing and fishing vs the area(s) for tubing activity. You are strongly encouraged to avoid tubing activities in areas of the Lake that are identified within the referenced map as being over capacity.

Sightseeing and fishing (fishing will not be a frequent activity) tours will start at Blue Lagoon Resort and will travel to the east side of Lake George. Tours will be conducted along the east side of Lake George from Huckleberry Bay area staying near the east shore traveling up to the Shelving Rock area. Tubing will be permitted in the Pilot Knob Area. Tours will continue into The Narrows traveling around the east and west sides of The Narrows. Tours will continue into Northwest Bay. Northwest Bay will be a site where tubing will be permitted. Tours will then cross over to the east side of Lake

George, passing North of Dome Island and will head back to Blue Lagoon Resort while traveling near the east side of Lake George.

4. *The existing marina is authorized for 20 seasonal berthing vessels and 3 quick launch vessels. Additionally, up to 2 seasonal berthing spaces may be replaced with rental vessels, which rental vessels are to be available only to guests of the resort. The permit notes that the total number of seasonal berthing vessels and rental vessels at the docks may not exceed 20 at any one time. For clarity, is the subject Tour Boat proposed to be the 21st vessel on the docks, or is the Tour Boat proposed to either a) replace one of the 20 seasonal berthing spaces or b) be utilized as one of the 3 quick launch?*

The Tour Boat is being proposed as replacing one of the existing 20 seasonal berthing spaces. No additional docking is requested. We will remain within the limit of 20.

5. *Please clarify if the wastewater plans have been undertaken.*

The wastewater system was replaced in 2008-2009 according to the plans previously submitted and attached digitally to this email. The wastewater is pumped to the west side of Route 9N away from Lake George.

6. *Please note, Commission regulations state that all tour boats shall be designed to minimize wakes produced and shall not be operated in such a way as to produce a wake which will cause shoreline erosion or property damage or endanger the safety of others. Please clarify how the Tour Boat will be operated so as to avoid creating wakes that result in shoreline erosion, property damage, and public hazards.*

Tour Boats will always be operated with safety and courtesy to other lake users as a priority. Boat wakes will always be kept to a minimum.

7. *Please note, Commission regulations state that Tour boat operators shall take all necessary steps to prevent any litter or debris from being thrown or discharged from the vessel... and that each tour boat shall be equipped with an adequate number of covered receptacles. Please identify the means by which any potential litter brought onboard will be collected and properly disposed of.*

Litter will be collected in receptacles on the boat and disposed at the garbage dumpster at Blue Lagoon Resort. Protecting the water quality of Lake George will also always be a priority.

8. *Please note, Commission regulations state that no tour boat shall by use of loud speakers, live music or other sound producing machines or equipment, except a horn, exceed a sound level of 86 db as measured at fifty (50) feet from 8:00 a.m. to 7:00 p.m. or sunset whichever is earlier or 72 db as measured from any point upland of the mean high-water mark from 7:00 p.m. or sunset whichever is earlier and 8:00 a.m. Please identify what if any audio*

equipment will be utilized onboard as part of the proposed service, and clarify if proposed use of this equipment may be operated in compliance with the cited sound restrictions.

The boat is equipped with stereo that is standard equipment for the boat. This stereo operates at a sound level below 72 db. Music will not be an important feature to the tours and may just be utilized for brief periods during stops for swimming. The stated decibel limits will not be exceeded, and music will not be played at a volume or location that may be a disturbance to others.

- 9. Please note, Commission regulations state that no person shall anchor, moor or recreate from a vessel on the waters of Lake George in front of private property within 200 feet from the mean highwater mark of such property without the consent of the owner or lessee of such property. This does not apply to persons fishing from vessels, provided such fishing does not create a hazard to near-shore recreational activities such as swimming.*

Boats will not anchor, moor, or recreate within 200 feet from the mean highwater mark of any property. Fishing will not be conducted within this proximity from properties. Even though fishing is permitted within this distance homeowners often perceive this as a nuisance. Tours will mostly be sightseeing with limited swimming and sunning type experiences. Boat will most likely not be anchored during tours.

When responding, please send a copy of the response to my email at joe@lgpc.state.ny.us

Respectfully yours,

*Joe Thouin
Environmental Analyst*



RCH-LS - RESIDENTIAL COMMERCIAL
HIGH DENSITY - LAKESHORE

APA ZONING - HAMLET

SHORELINE SETBACK: 75'

FRONT SETBACK: 50'

SIDE SETBACKS: 20'

REAR SETBACK: 50'

BUILDING HEIGHT: 40' - TOWN OF LAKE GEORGE
40' - ADIRONDACK PARK AGENCY

	<u>REQUIRED FOR RCH-LS ZONE</u>	<u>EXISTING & PROPOSED</u>
SHORELINE - LAKE GEORGE	75'	67.3'
FRONT	50'	39'
NORTH SIDE	20'	3.1'
SOUTH SIDE	20'	3.5'

	<i>EXISTING IMPERVIOUS AREAS</i>	<i>PROPOSED CHANGE IN IMPERVIOUS AREAS</i>	<i>PROPOSED TOTAL IMPERVIOUS AREAS</i>
<i>LOT ACREAGE - 2.00-AC</i>			
<i>BUILDINGS & DECKS</i>	<i>13,795 SF</i>	<i>(75 SF)</i>	<i>13,720 SF</i>
<i>DRIVES & WALKWAY</i>	<i>28,660 SF</i>	<i>(440 SF)</i>	<i>28,220 SF</i>
<i>TOTAL IMPERVIOUS</i>	<i>42,455 SF</i>	<i>(515 SF)</i>	<i>41,940 SF</i>
<i>PERCENT IMPERVIOUS</i>	<i>48.73%</i>	<i>(0.59%)</i>	<i>48.14%</i>

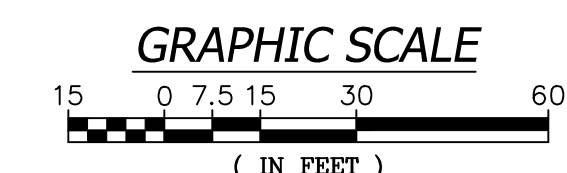


	<u>REQUIRED FOR RCH-LS ZONE</u>	<u>EXISTING BUILDING TO BE REMOVED</u>	<u>PROPOSED BUILDING</u>
SHORELINE - LAKE GEORGE	75'	149.7'	150.8'
FRONT	50'	176.6'	187.9'
NORTH SIDE	20'	12'	16.5'
SOUTH SIDE	20'	143.3'	135.1'
SHORELINE AA-S STREAM §175-34	30'	4.1'	8.7'

SCALE: 1"=30'

○ IRF	IRON ROD FOUND
○ IF	IRON PIPE FOUND
○ IRS	IRON ROD SET
○ U	UTILITY POLE
— — — — —	STONE WALL
— x — — —	WIRE FENCE
— o — — —	CHAIN LINK FENCE
— □ — — —	WOOD FENCE
— • — — —	POINT
— F.P. — — —	FENCE POST
— o — — —	OVERHEAD WIRES
— n/t — — —	NOW OR FORMERLY
— □ — — —	TELEPHONE BOX
— • — — —	MANHOLE
— • — — —	SIGN
— • — — —	SPOTLIGHT
— • — — —	DECIDUOUS
— • — — —	TREE

SCALE: 1"=30'



TOWN OF LAKE GEORGE ZONING BOARD OF APPEALS
20 OLD POST ROAD
LAKE GEORGE, NEW YORK 12845

November 13, 2015


Ilene Lazarus-Papamotis, Ed.D.
3670 Lakeshore Drive
Lido Shores, NY 11545

At a meeting of the TOWN OF LAKE GEORGE ZONING BOARD OF APPEALS held on November 12, 2015 the above referenced application requesting a variance to: replace a 40' x 16' metal shed with a new 21' x 50' pole barn, 4 unit multi-unit structure. Additional requested side yard setback and setback relief from a Special All stream zone was reviewed and the following action was made:

(X) Approved as submitted
() Approved with conditions
() Denied
() Application filed with conditions

FINAL SUBMITTAL REQUIREMENTS

- * Applicant shall submit an application and obtain approval from the Planning Board.
- Submittal of final plans shall include any revisions and placement of approval resolution on.
- The applicant shall apply for and obtain a Land Use & Development Permit.


DAN HARUSH, II, Director of Training and Zoning

TOWN OF LAKE GEORGE PLANNING BOARD
20 OLD POST ROAD
LAKE GEORGE, NEW YORK 12845

December 2, 2015

Tara Westling
Blue Lagreen Properties, LLC
3670 Lakeshore Drive
Lafayette, CA 94501

RE: Application for Site Plan Review SPR19-2015 submitted by the Blue Horizon, LLC with Tom Holcomb in regard to property located at 5676 Lakeside Drive being Tax Map No. 226-09-112.

- ☐ Approved as submitted
☒ Approved with conditions
☐ Disapproval
☐ Application not accepted

COMMENTS/CONDITIONS:

- For the safety of the stream, a double dirt fence and any other stormwater controls shall be placed in appropriate locations on the site.
- If required, submittal of a Land Use and Development permit to Zoning Officer.
- Three copies of the approved site plan with approval resolution copied on front page shall be submitted.

SIDE SETBACK (NORTH SIDE) - 20' REQUIRED,
16.5' PROPOSED FOR NEW BUILDING TO PROPERTY LINE
3.5' OF RELIEF REQUESTED

AA-S STREAM SETBACK (§175-34)- 30' REQUIRED,
21.3' PROPOSED FOR NEW BUILDING TO PROPERTY LINE
21.3' OF RELIEF REQUESTED

ALTERATION OF THIS DOCUMENT EXCEPT BY A LICENSED
PROFESSIONAL ENGINEER IS A VIOLATION OF NYS EDUCATION LAW.

2	ADDED APPROVAL RESOLUTION	12/4/15	
1	ISSUED FOR SITE PLAN REVIEW	11/17/15	
0	ISSUED FOR AREA VARIANCE	10/15/15	
No.	Revisions	Date	

prepared for

Town of Lake George, Warren County, New York

Checked: GTH	Scale: 1"=30'
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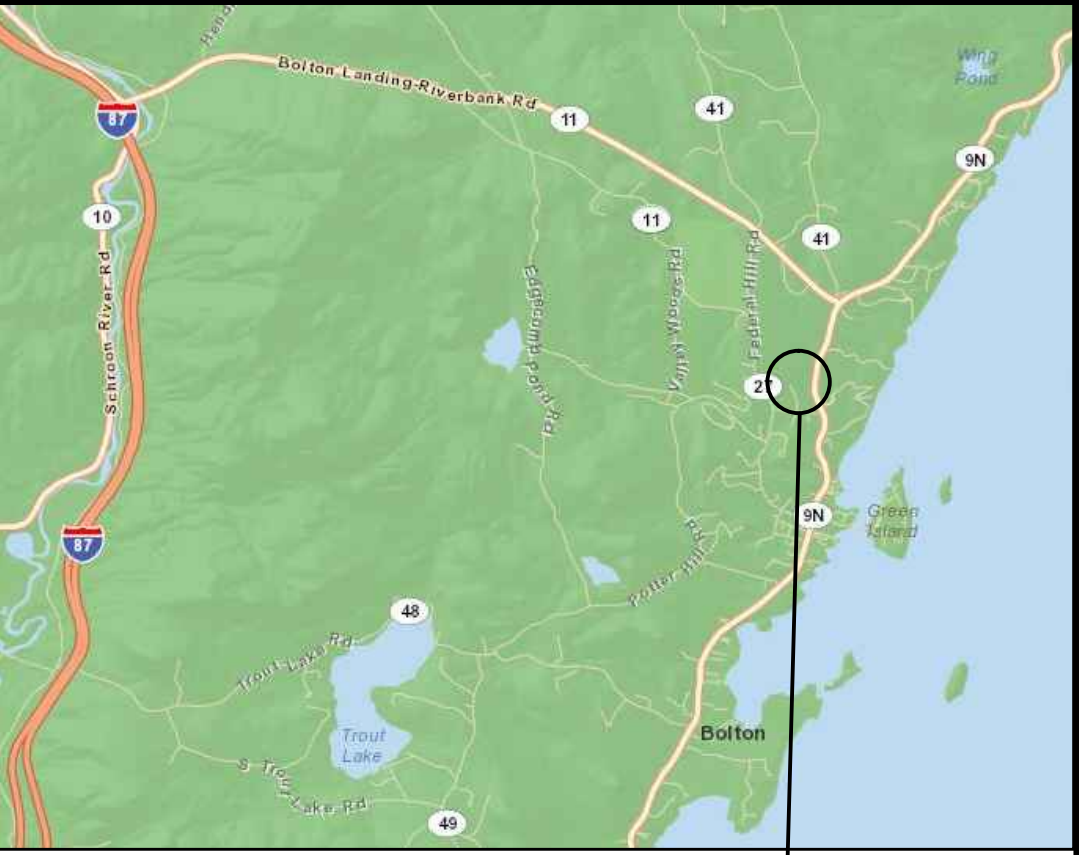
Hutchins Engineering

169 Haviland Road
Queensbury, NY 12804
(518) 745-0307 Phone
(518) 745-0308 Fax

29963-01-S1

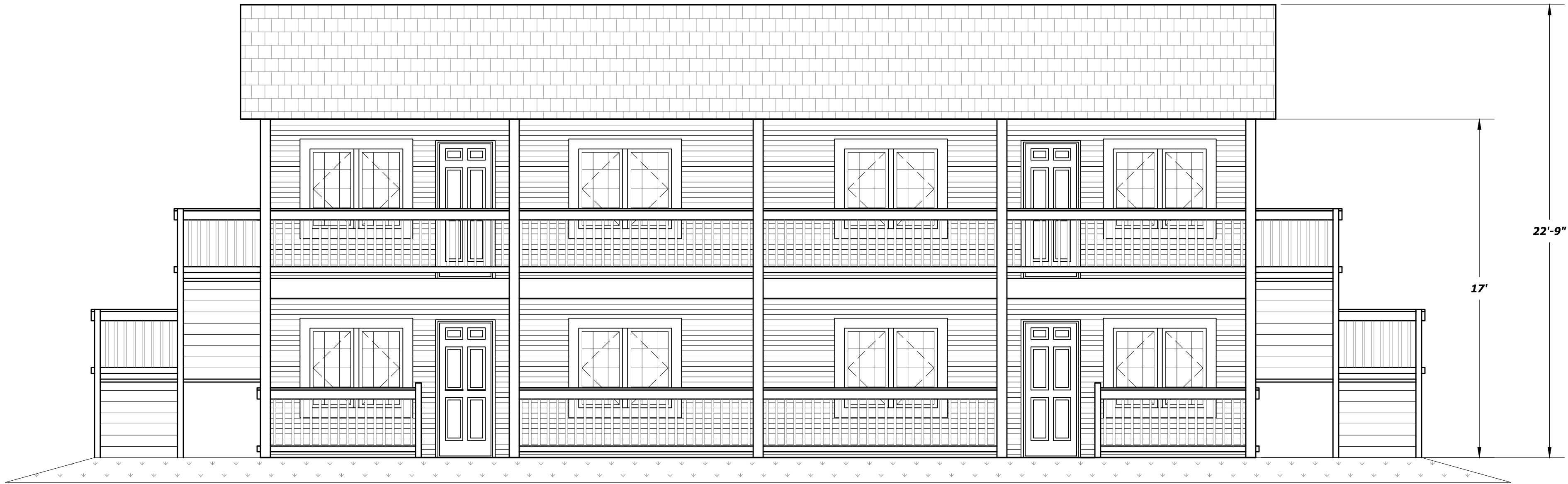
BASE SURVEY INFORMATION TAKEN FROM "MAP OF A TOPOGRAPHIC SURVEY MADE FOR BLUE LAGOON PROPERTIES LLC" PREPARED BY RUSSELL E. HOWARD LICENSED LAND SURVEYING, HUDSON FALLS, NY., DATED JUNE 25, 2015.

SEPTIC TANK LOCATIONS FROM "WASTEWATER
SYSTEM IMPROVEMENTS FOR THE BLUE LAGOON
RESORT - PHASE II" PREPARED BY
ENVIRONMENTAL DESIGN PARTNERSHIP, LLP,
DATED SEPTEMBER 18, 2008, LAST REVISED
OCTOBER 3 2008



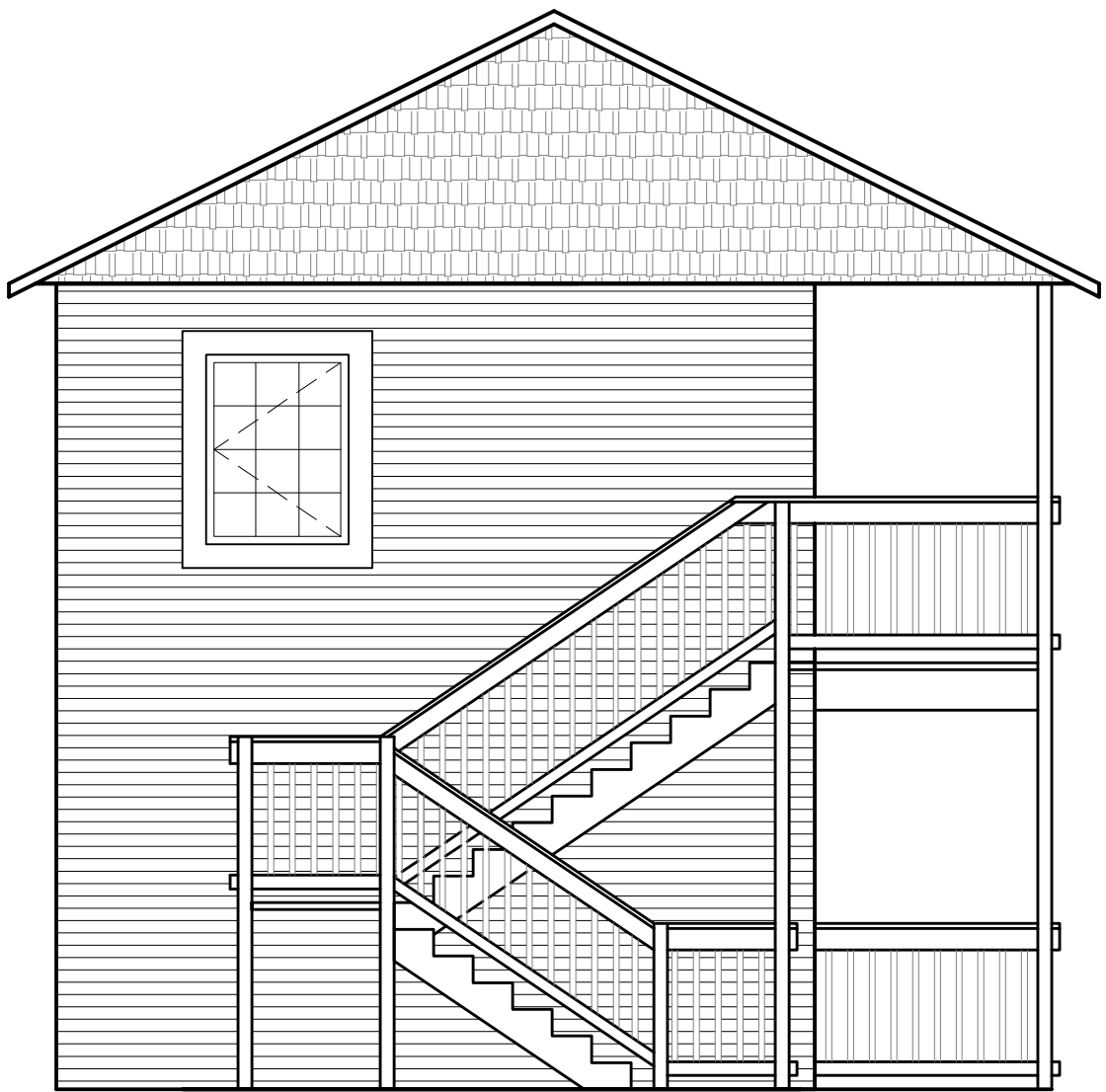
LOCATION MAP

SITE LOCATION



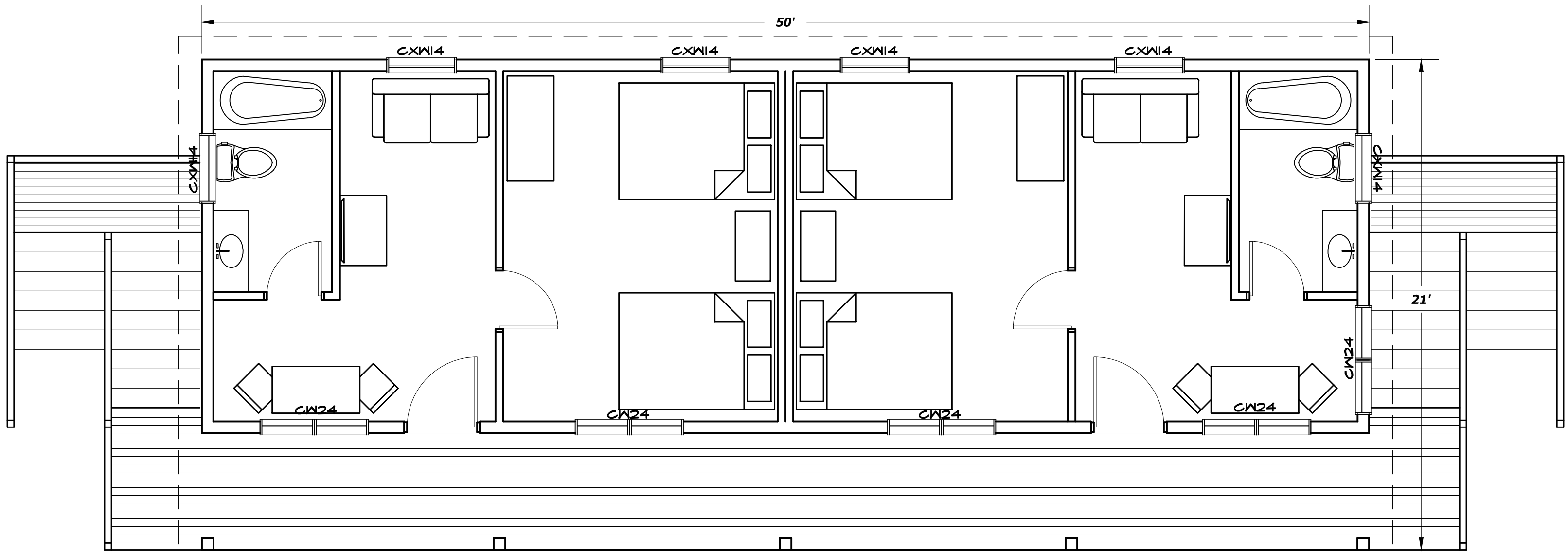
FRONT ELEVATION

SCALE: 1/4"=1'-0"



SIDE ELEVATION

SCALE: 1/4"=1'-0"



TYPICAL FLOOR PLAN

SCALE: 1/4"=1'-0"

PROGRESS PRINT, FOR
REVIEW ONLY, NOT
FOR CONSTRUCTION

TAX MAP # 226.09-1-12

ALTERATION OF THIS DOCUMENT EXCEPT BY A LICENSED
PROFESSIONAL ENGINEER IS A VIOLATION OF NYS EDUCATION LAW.

No.	Revisions	Date
1	ISSUED FOR SITE PLAN REVIEW	11/17/15
0	ISSUED FOR AREA VARIANCE	10/15/15

FLOOR PLAN & ELEVATIONS

prepared for

Blue Lagoon Properties, LLC

3670 Lakeshore Drive

Town of Lake George, Warren County, New York

Drawn: JRS	Checked: GTH	Scale: 1/4"=1'-0"	Date: 9/28/15
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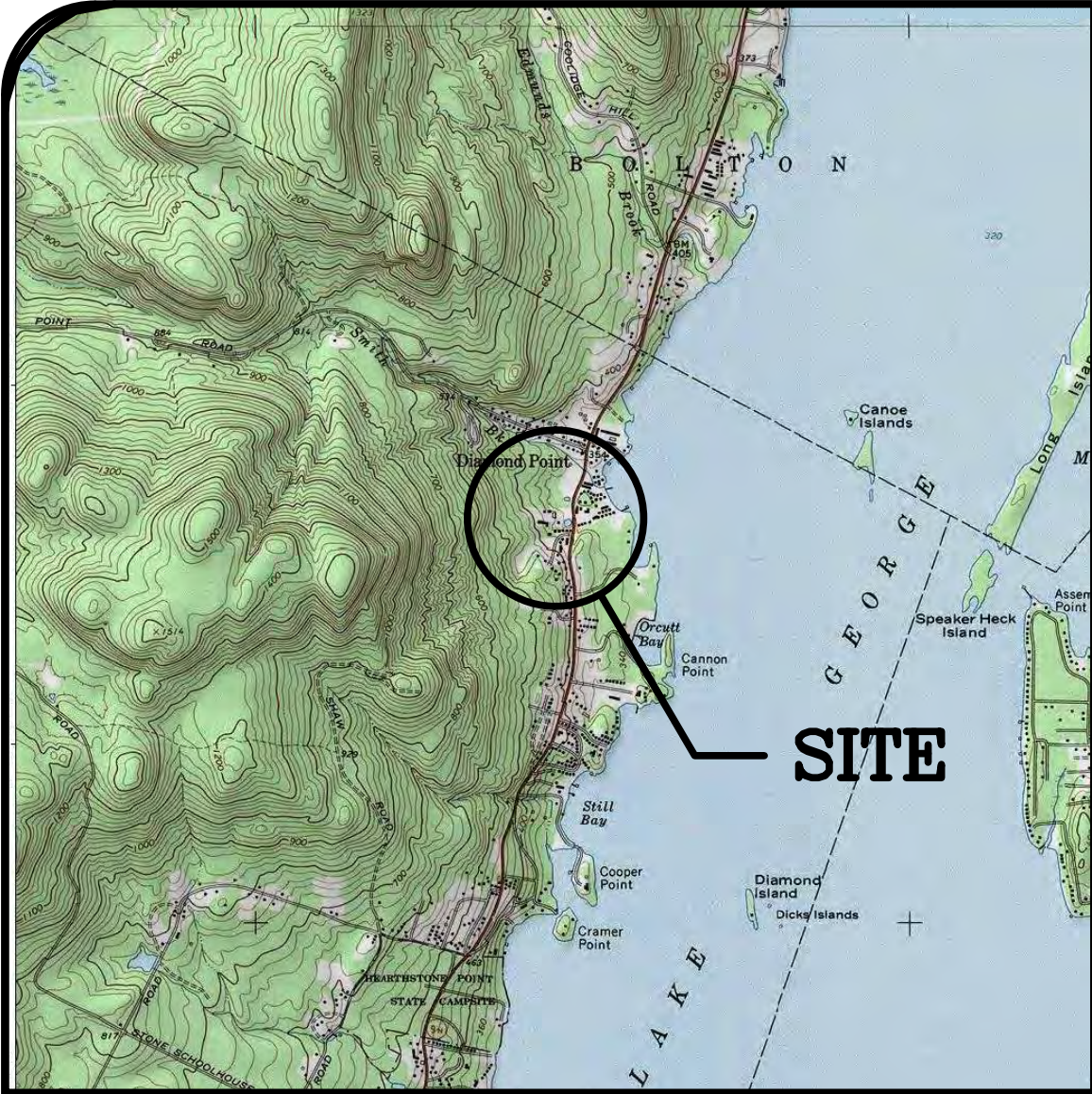
Hutchins Engineering

169 Haviland Road
Queensbury, NY 12804
(518) 745-0307 Phone
(518) 745-0308 Fax

29963-01-S2

MAP REFERENCE

BASE SURVEY INFORMATION TAKEN FROM "MAP
OF A TOPOGRAPHIC SURVEY MADE FOR BLUE
LAGOON PROPERTIES, LLC" PREPARED BY
RUSSELL E. HOWARD LICENSED LAND
SURVEYING, HUDSON FALLS, NY., DATED JUNE
25, 2015.



SITE LOCATION MAP
SCALE: 1" = 2,000'

DEED REFERENCE:

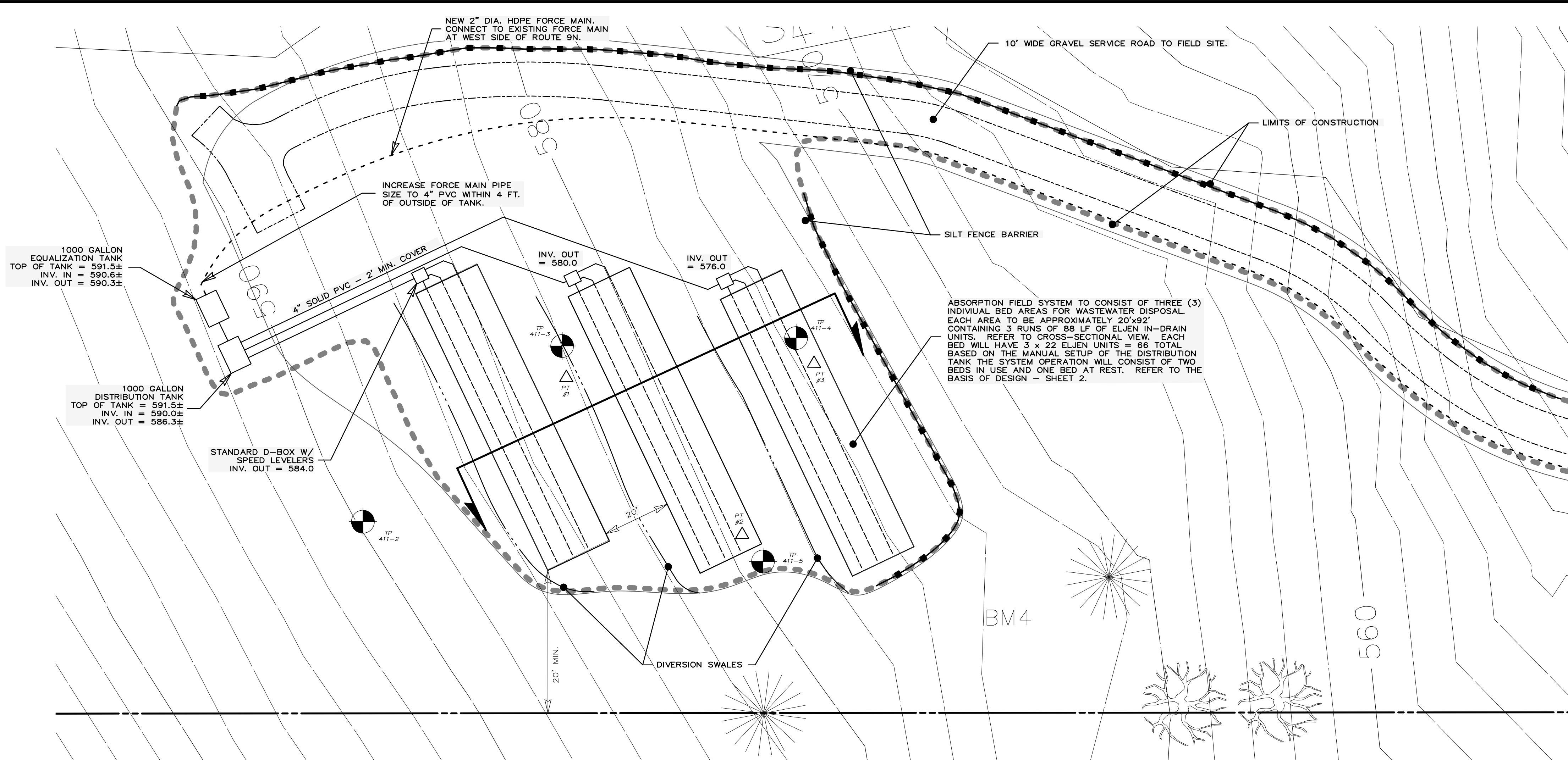
1) N. AND B. PROPERTIES LLC TO BLUE LAGOON PROPERTIES LLC,
DATED: OCTOBER 2000, LAST REVISED: MAY 22, 2001
PREPARED BY: CHARLES T. MACO.

MAP REFERENCE:

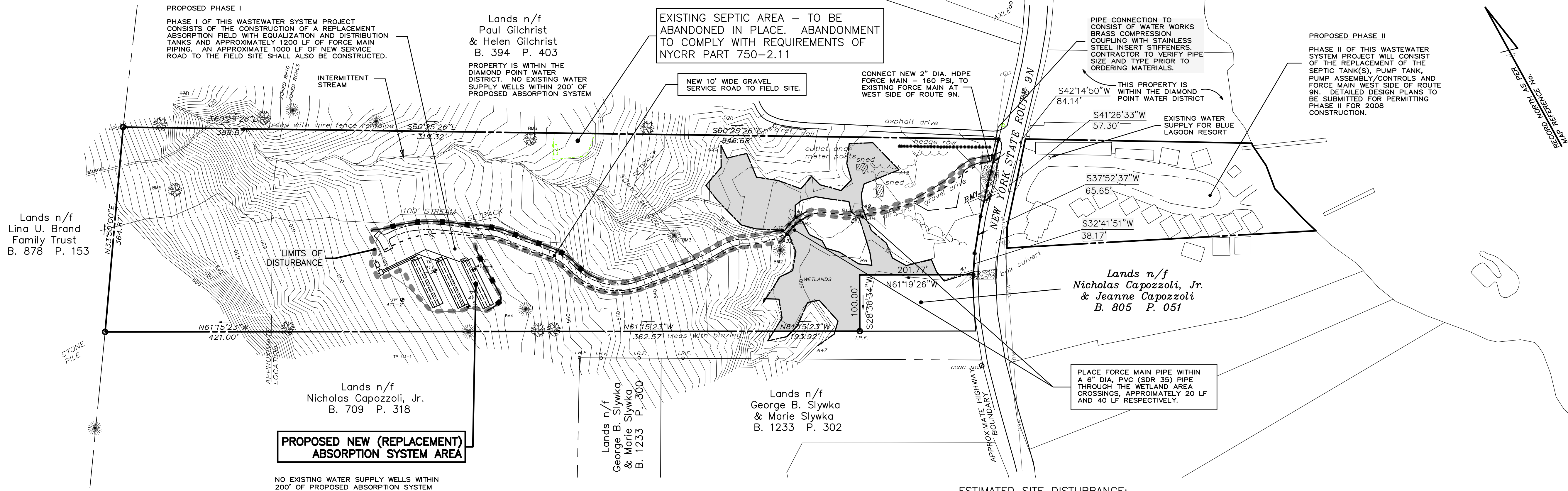
- 1) "MAP SHOWING LANDS OF GEORGE B. AND MARIE SLYWKA"
DATED: OCTOBER 2000, LAST REVISED: MAY 22, 2001
PREPARED BY: CHARLES T. MACO.
- 2) "MAP OF A SURVEY OF TOM-RO MOTEL FOR HARRY V. & JOAN T. BAYER"
DATED: JANUARY 6, 1988
PREPARED BY: D.L. DICKINSON
- 3) NEW YORK STATE DEPARTMENT OF PUBLIC WORKS DIVISION OF HIGHWAYS
LAND TO BE PROVIDED FOR THE PROPOSED RECONSTRUCTION OF THE
LAKE GEORGE - BOLTON LANDING S.H. #418, CO. OF WARREN FROM OLIN J.
STEPHENS, REPUTED OWNER, MAP NO. 39422 AND 012, DATED JULY 23, 1935.

NOTES:

- 1) BASE MAP PREPARED FROM A NOVEMBER 2004 FIELD SURVEY.
- 2) NORTH ORIENTATION IS BASED ON MAGNETIC MERIDIAN 2004.
- 3) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND
IS THEREFORE SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD
ANY STATEMENT OF FACTS SUCH DOCUMENT WOULD DISCLOSE.
- 4) SUBJECT TO APPLICABLE LAWS AND APPROVALS OF THE TOWN, COUNTY, AND STATE
REGARDING THE SUBDIVISION OF LAND.
- 5) UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND
SURVEYORS SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE
NEW YORK STATE EDUCATION LAW.
- 6) ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE
LAND SURVEYORS SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
- 7) UNDERGROUND UTILITIES, STRUCTURES AND FACILITIES HAVE BEEN SHOWN FROM
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THERE MAY BE OTHER UTILITIES WHICH THE EXISTENCE OF ARE NOT KNOWN. SIZE,
TYPE AND LOCATION OF ALL UTILITIES AND STRUCTURES MUST BE VERIFIED BY
PROPER AUTHORITIES PRIOR TO ANY AND ALL CONSTRUCTION. CALL DIG SAFE PRIOR
TO ANY EXCAVATION.



SYSTEM LAYOUT
SCALE: 1" = 20'



OVERALL SITE PLAN
SCALE: 1" = 100'

ESTIMATED SITE DISTURBANCE:
PHASE I - 40,830 SQ.FT.
PHASE II - 2,000 SQ.FT.

WASTEWATER SYSTEM FOR THE
BLUE LAGOON RESORT

3670 LAKE SHORE DRIVE
TOWN OF LAKE GEORGE

WARREN COUNTY, NEW YORK
APRIL 30, 2007

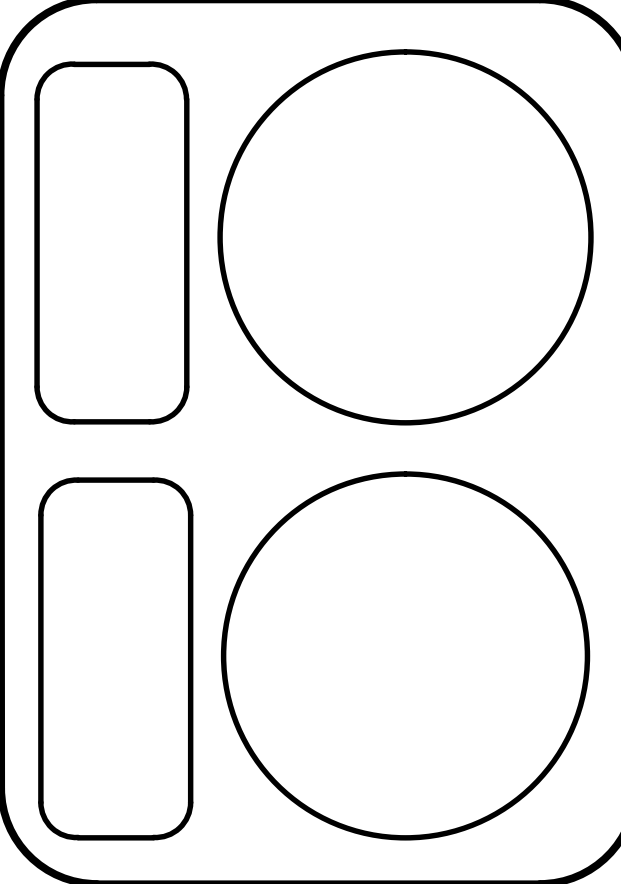
ENVIRONMENTAL DESIGN PARTNERSHIP, LLP
900 ROUTE 146 CLIFTON PARK, N.Y. 12065 (518) 371-7621
ENGINEERING LANDSCAPE ARCHITECTURE LAND SURVEYING

SHEET TITLE

REPLACEMENT
WASTEWATER
ABSORPTION
FIELD:

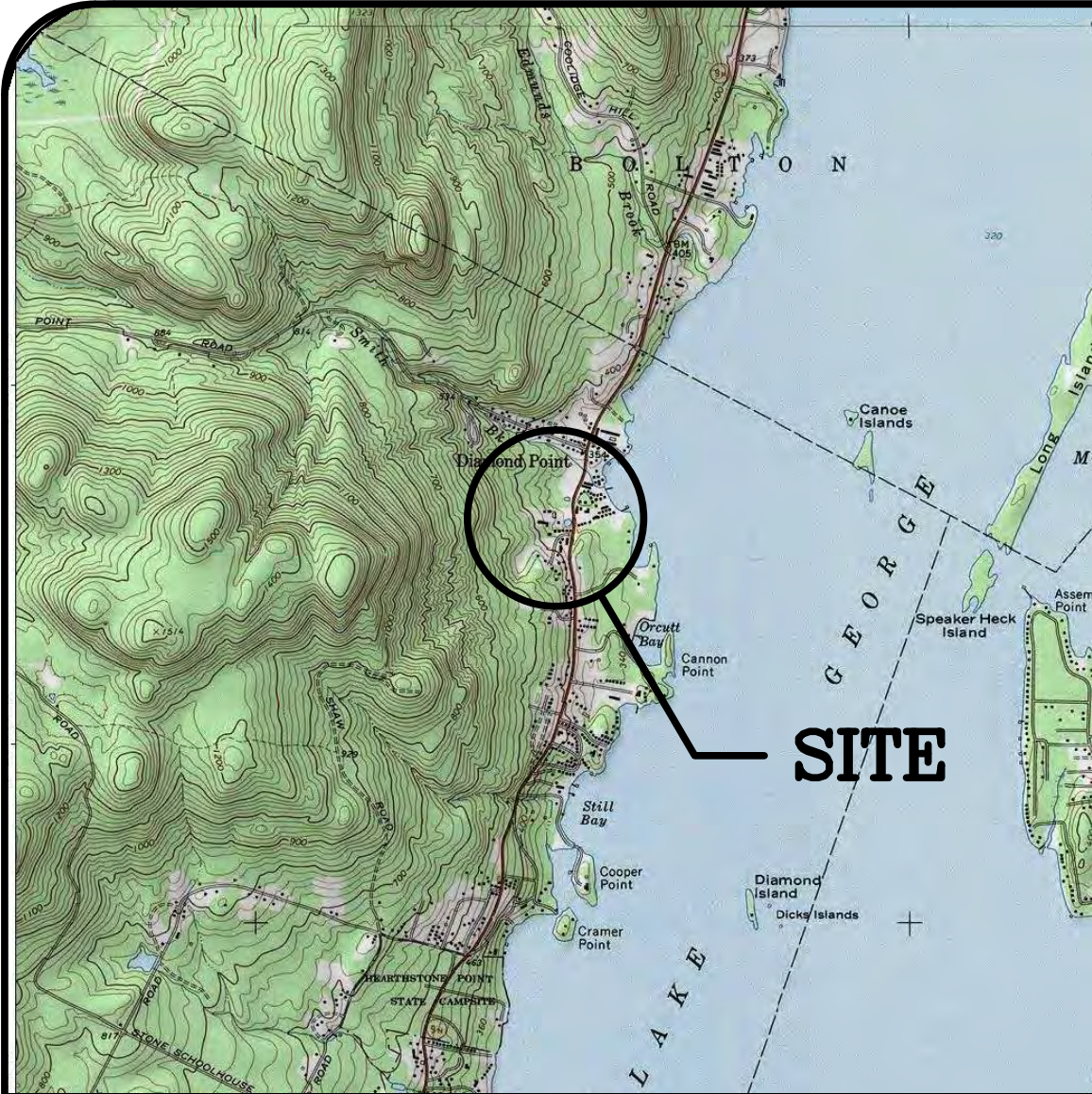
PHASE I
SITE PLAN &
SYSTEM LAYOUT

RECORD OF WORK	DATE	BY
SUBMITTAL TO N.Y.S.D.H.	7-20-07	D.M.
GENERAL REVISIONS	10-2-07	TSH
SUBMITTAL TO D.E.C.	10-5-07	TSH
SUBMITTAL TO D.H.		



SCALE:
AS NOTED

SHEET No.
1



SITE LOCATION MAP
SCALE: 1" = 2,000'

DEED REFERENCE:

1) N. AND B. PROPERTIES LLC TO BLUE LAGOON PROPERTIES LLC,
DATED: OCTOBER 2000, LAST REVISED: MAY 22, 2001
PREPARED BY: CHARLES T. MACY.

MAP REFERENCE:

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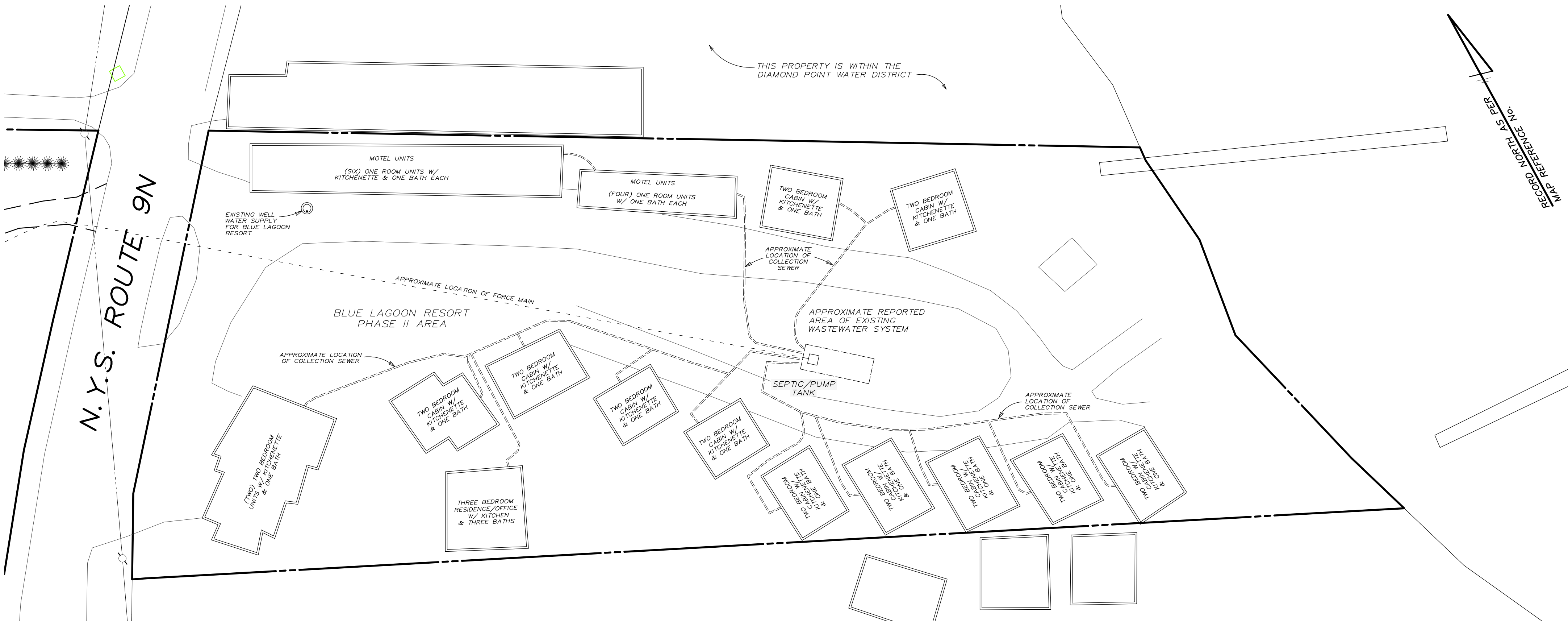
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TO ANY EXCAVATION.

NOTES:

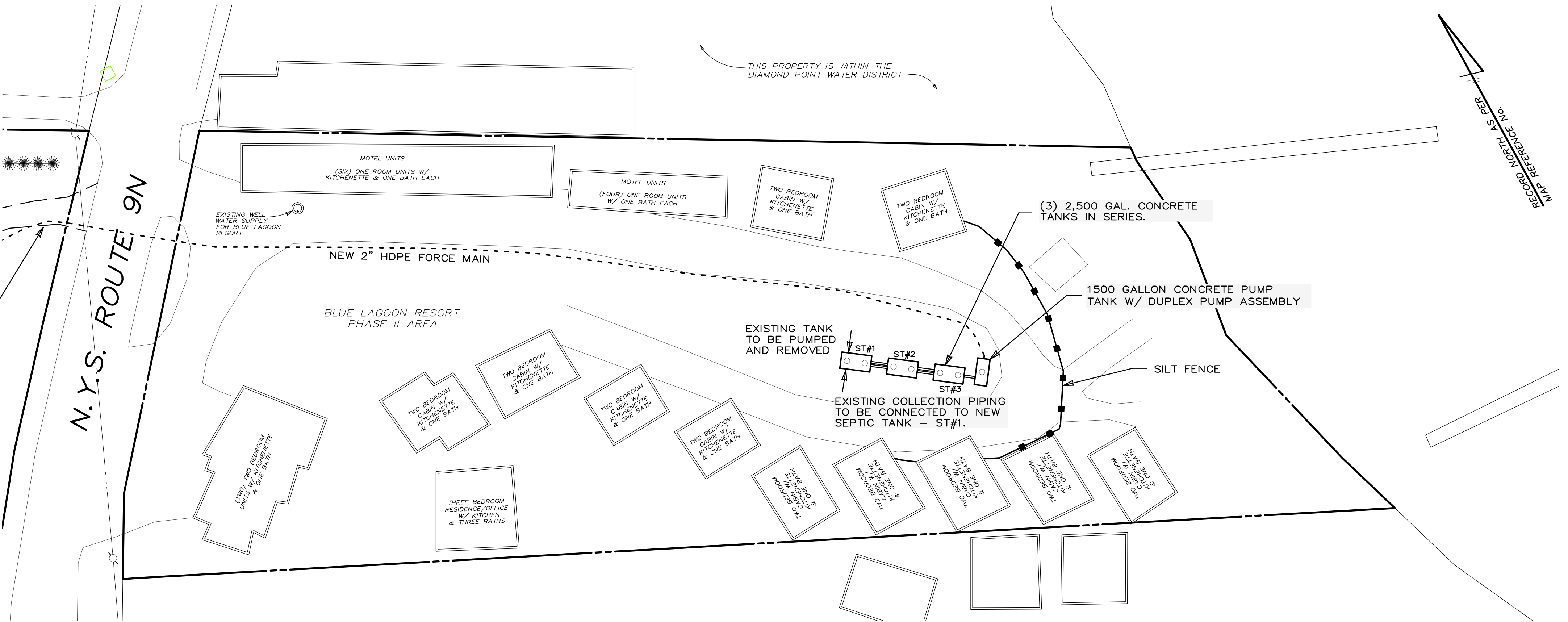
PHASE I OF THE BLUE LAGOON RESORT PROJECT INVOLVES
AN ASSOCIATED FORCE MAIN (2") SEWER PIPE FROM THE
WEST OF ROUTE 9N APPROXIMATELY 1,100± LF UP TO A
NEW ABSORPTION FIELD AREA. PHASE I WAS REVIEWED AND
APPROVED BY D.O.H. AND D.E.C. IN OCTOBER 2007. PHASE
II OF THE PROJECT INVOLVES THE REPLACEMENT OF THE
SEPTIC TANK, PUMP ASSEMBLY/CONTROLS AND FORCE MAIN
LOCATED ON THE EAST SIDE OF N.Y.S. ROUTE 9N.

CONNECT TO EXISTING PHASE I FORCE MAIN.
PROVIDE NEW "BORED" FORCE MAIN UNDER
ROUTE 9N IF EXISTING IS NOT AT ADEQUATE
DEPTH. (LESS THAN 5 FT.)



EXISTING CONDITIONS

SCALE: 1" = 30'



PROPOSED WASTEWATER IMPROVEMENTS — PHASE II

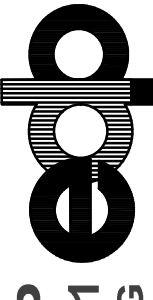
SCALE: 1" = 30'

**WASTEWATER SYSTEM IMPROVEMENTS FOR THE
BLUE LAGOON RESORT — PHASE II**

3670 LAKE SHORE DRIVE
TOWN OF LAKE GEORGE

WARREN COUNTY, NEW YORK
SEPTEMBER 12, 2008

ENVIRONMENTAL DESIGN PARTNERSHIP, LLP
900 ROUTE 146 CLIFTON PARK, N.Y. 12065 (518) 371-7621
ENGINEERING LANDSCAPE ARCHITECTURE LAND SURVEYING

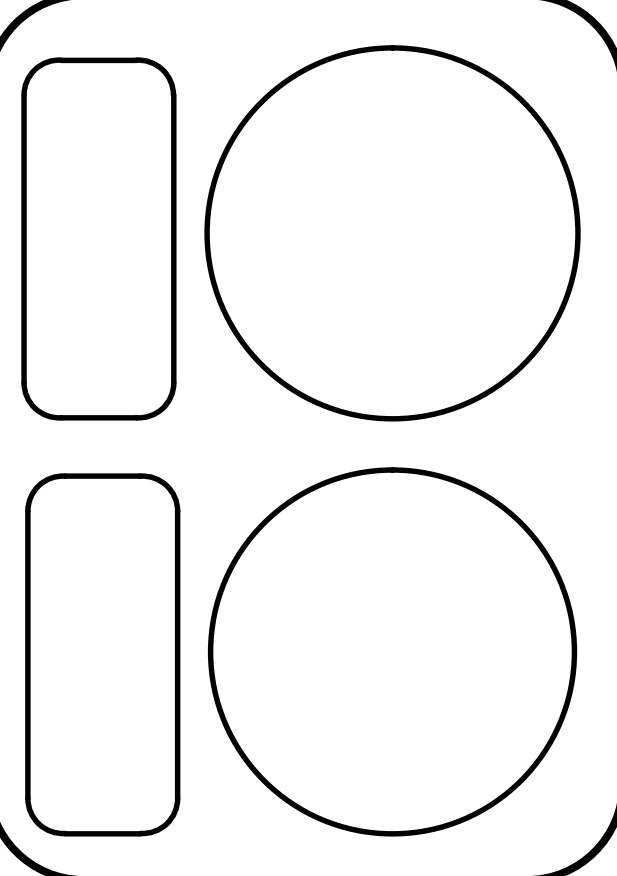


SHEET TITLE

**WASTEWATER
SYSTEM:**

**PHASE II
SITE PLAN &
SYSTEM LAYOUT**

RECORD OF WORK	DATE	BY
SUBMITTAL FOR NYSDOH REVIEW	8-16-08	DM
REVISIONS		
1. MOTOR & CABIN UNIT REVISIONS & SEWER UNIT COLLECTION TANKS	10-14-08	TCH



SCALE: AS NOTED	SHEET No. 1
--------------------	----------------

Joe Thouin

From: apa.sm.Referrals <Referrals@apa.ny.gov>
Sent: Friday, September 6, 2019 1:41 PM
To: Joe Thouin
Subject: RE: Blue Lagoon Marina and Tour Boat

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.

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: Joe Thouin <Joe@lgpc.state.ny.us>
Sent: Monday, August 26, 2019 12:38 PM
To: wlender@lakegeorgeassociation.org; 'Chris Navitsky' <cnavitsky@lakegeorgewaterkeeper.org>; apa.sm.Referrals <Referrals@apa.ny.gov>; dec.sm.DEP.R5 <DEP.R5@dec.ny.gov>; Barusch, Dan <dbarusch@lakegeorgetown.org>
Subject: NAR: Blue Lagoon Marina and Tour Boat

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

Dear folks,

Please find attached a notice of availability for review a Class A Marina modification and associated Tour Boat application.. The applicant proposes to operate a Tour Boat offering fishing/sightseeing/tubing services from the Blue Lagoon marina in Lake George. Companion marina and tour boat applications are attached. No construction is proposed.

Please let me know if you have any concerns or related jurisdiction.

Joe Thouin

From: Barusch, Dan <dbarusch@lakegeorgetown.org>
Sent: Wednesday, September 11, 2019 9:32 AM
To: Tom Wessling; Joe Thouin
Subject: Re: LGPC Non-Jurisdictional Letter

I think I might have already, but yes Joe knows that the Town is not jurisdictional for Tour Boat operations, only the Village code has that in the books.

Good luck with the application Tom.

Dan Barusch

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



On Tue, Sep 10, 2019 at 10:33 PM Tom Wessling <tomw7799@gmail.com> wrote:
Hi Dan,

Are you able to send a letter informing LGPC of non-jurisdiction for the attached application?

We are not adding any docking. Just using an existing spot for boat tours if approved.

Tom Wessling
Blue Lagoon Resort