

Lake George Park Commission

October 17, 2019

PO Box 749

Lake George, NY 12845

Reply to neighbors' comments regarding dock installation

Regarding Raymond comments;

First, let me answer Raymond's question as to why her son's name was shown on my drawings. I was required to contact Washington County Real Property Tax Service to obtain a list of all my abutters. Following is the email I received with Shawn Raymond shown as the owner;

From: Laura Chadwick <lchadwick@co.washington.ny.us>
Sent: Monday, February 26, 2018 8:21 AM
To: mark@focusoai.com
Cc: Matthew Jones
Subject: 23.20-2-6 Mark Kenyon

Mr. Kenyon, the abutters to your parcel 23.20-2-6 located in the Town of Putnam are as follows:

23.20-3-7 Washington County

23.20-2-7 Lisa Bifera

23.20-2-5.2 Shawn Raymond

and across the road 23.20-2-4 Huletts Landing Marina LLC

If you need any further information, please do not hesitate to contact me at Real Property Tax Service.

Lara Chadwick

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Laura B. Chadwick, CCD
Washington County Real Property Tax Serv.
383 Broadway
Fort Edward, NY 12828
518-746-2130
lchadwick@co.washington.ny.us

So, if Shawn is the property owner, then I feel Roberta's comments should be stricken as she is not the property owner.

Regarding Raymond's comment that "no conversation ensued"; When I met with Roberta in 2018 I clearly remember a conversation, she had no negative comments or voiced any concerns. She inquired of me if I thought she also would be able to extend her dock. I told her to give it a try. I also reached out to Roberta by email on 10/6/19 offering her to review my project with me and express any concerns so that perhaps I might change my plans to meet her concerns. I received no reply.

Based on the list of abutters on the previous page, I had assumed that they would be notified of my proposed dock. This list has grown now to include people 6 property's away. I have to wonder why?

Regarding Raymond's comment that my dock can be "resurfaced", I am not exactly sure what she means by this. My dock's cribbing below the waterline is coming apart, I don't think "resurfacing" will work. Two large beams have come loose and removed; a third smaller beam is starting to come loose. There is plant life growing on some of the rotten beams in other areas.

Regarding Raymond's comments that our current dock configuration is adequate, as well as comments from Bifera that "the lake bottom elevations have not changed"; My wife remembers as young child being able to leave the dock under power in a small boat. I remember back in 1984 that the owners at that time of Macygin property, the Slosiks, had a small speedboat moored to shore along the creek and the creek was fairly deep. As of right now, you would be pretty hard pressed to get a Kayak anywhere near that property. So, what has changed? Perhaps the bottom elevations in the creek and lake have changed? Perhaps the water level was maintained at a higher elevation? As of right now, half way between my dock and my mooring, the elevation of the lake bottom rises at least a foot, I have only seen this in the last three years. Also, this is the first time this year that I cannot put my boat on my mooring due to water depth. Typically, my boat is on my mooring until Columbus Day.

Raymond recommends that I "dredge if it's shallow". Is she referring to her type of dredging; with a shovel and wheelbarrow without a permit? That's not a solution. Constructive dredging that would actually be a solution would require heavy equipment and tens of thousands of dollars. This would require dredging of adjacent properties besides my property to make this a workable solution. My property does not allow for passage of heavy equipment to the lake for dredging, so the equipment would need to pass through someone else's property.

My mooring has not been moved; it has always been in its current position. I have never seen the Raymonds or renters from the previous owner of the Raymond property have an issue maneuvering past my mooring. If the Raymond's are experiencing maneuvering issue to and from their dock, then perhaps they should move their dock back to its permitted location to the west.

The Raymond pictures six and seven clearing show my jet ski and mooring in the background. The neighbors are nowhere near my property frontage never mind my mooring. Just another exaggeration.

Regarding Raymond's 7 options;

All of the 7 Raymond options do not provide added value to my property; therefore option "G" is not an option. My short-term plan for this new dock is to provide me with deeper water, long

term plan is to add value to my property so that I can sell this property and purchase a larger year-round home.

Raymond references my 24'-cabin cruiser, then later references my 26' cabin cruiser, my boat is 23'-8". This is a clear indication of someone who doesn't have all the facts.

Regarding Chakurmanian comments;

When Chakurmanian first received the email notification from LGPC, he approached me and we reviewed my drawings. He expressed the desire to dock his 18' Key West on this new proposed dock. I told him I wasn't sure at this time, and now he is against this project.

I have already addressed most of Chakurmanian's concerns with my replies to comments by others, as everyone's comments and concerns seem to be the same.

Chakurmanian comments he has never seen a 100' dock at a residence. There is one that is over 100', closer to 200' on the other side of the county beach owned by the Pickerel Bay Association. I have also seen many other 100' docks in front of residences in the northern part of the lake where it is also shallow.

Chakurmanian docked his 18' Key West at his property once several years ago. It just amazes me how so many of the neighbors make it sound like they utilize Fairy Brook on a regular basis.

Regarding WA County comments;

Regarding the map that Mr. Henke provided; If you measure the distance between my proposed dock and the swim area, and then measure the distance between the Pickerel Bay Association dock and the swim area, it is the same distance! Mr. Henke doesn't have an issue with the Pickerel Bay Association dock's location, and does not change the location of the swim area for the safety of the swimmers. There are over 15 spaces for boats on Pickerel Bay dock, there are also transient boats navigating this same area to access the beach dock. Have there been an issues?

Mr. Henke and others may not realize it, but my property was established by my wife's family long before the beach existed. The beach at one time used to be a swamp and wet lands, my wife remembers this well as a little girl. My wife's family at the time of the construction of the beach, opposed this beach for many reasons including the environmental impact. And now the swim area is directly in front of my property and the county wants to deny me my permit?

I have encountered many issues recently with the county beach. Years ago, there was a married couple who ran the beach, I never had an issue with the beach in those days. Now the beach is run by young kids who for some reason don't enforce any rules. I have had people swimming within 10' of my dock outside the swim lines. I have seen people swim out of the swim lines to the north to swim to the island. I see many boats of all sizes being launched at the county beach with no inspections being performed. I have even seen small boats with

motors being launched at the beach. How safe is this? See the following pictures taken 8/30/19.

You will note two small boats with motors being launched at the county beach.





Above, boat motor being lifted off of dock and onto the boat.

In the summer of 2018, the life guards dredged the area in the creek where leaves had built up. Was this done with a permit? The leaves were then piled against trees on the county property, it shouldn't take long for the trees to die.

It is my understanding that swim areas are allowed to be only 100' off shore by LGPC rules. Yet the County Beach is 200' or more. How is this allowable?

Regarding Bifera comments;

I had reached out to the Bifera's by email on 10/6/19 offering them to review my project with me and express any concerns so that perhaps I might change my plans to meet their concerns. I received no reply.

Again, I have already addressed most of the Bifera comments as similar comments have been made by others.

Regarding the "visual impact" concern that Bifera has commented about; Currently, when the water depth is sufficient, my boat is moored on my mooring. With the proposed dock, it would be in the same approximate location. I don't see how there will be any "visual impact".

Regarding Bifera's comment regarding my need to "provide any details or evidence regarding the alleged changing lake elevations" is absurd. The LGPC web site provides detailed lake levels as well as their newsletter.

Regarding Bifera's comments pertaining to the lake bottom not changing since our investment in land-based improvements; The lake bottom has changed as shown in my "elevation drawing" that I have provided. Anyone that walks from my dock to my mooring will notice that the bottom of the lake rises. This has only been noticed by myself and others who waded out to swim past my mooring in the last two to three years, with an increase in the elevation change every year. There are no "details or evidence" regarding this, and to expect such "details or evidence" is absurd.

Regarding Bifera's comments regarding Erosive Stream; The Bifera's must not have been at the lake June 20, 2019 or anytime shortly after that. On June 20, 2019, we had heavy rains that brought silt, soil, pine needles, leaves, large tree branches, and wood from bridges upstream in the golf course. The water coming down the brook was the color of "chocolate milk". This dark cloud of water and debris extended out into the bay past the northern boundary of the swim area. Following is a picture taken from a video I filmed on June 20 and shows the color of the lake. This has happened several times over the years, typically when it rains heavy.



Currently there are many sticks and leaves that are mounded up on the north side of my dock. Further evidence of “Erosive Stream”.

Regarding the proximity of my proposed dock relative to the swim area; Why not move the swim area ropes? And as I have already explained, from the photo that Mr. Henke provided, my proposed dock would be the same distance as the swim area to the Pickerel Bay Association dock. Both measure the same distance on the “map” provided by Mr. Henke, with far greater boat activity at the Pickerel Bay Association dock.

I do not understand Bifera’s comments regarding “adjacent navigational protections” and how this is even relevant.

SUMMARY OF ALL COMMENTS

- It is my feeling that the concerns of the neighbors relating to their access to the lake from the creek is not warranted. Yes, the clearance will be 11’ tighter. I would be more than willing to install the new dock in more westerly direction by installing it in line with my current dock’s projection.
- I have provided the required documentation regarding the financial aspect of this project. Anyone who has any level of common sense can determine that a dock in deep water will increase a property value compared to a dock in shallow water. Would you purchase a property of equal value with a shallow water dock compared to a property with a deep-water dock?
- I believe Mr. Henke has demonstrated on his map that there will be no adverse safety concerns relative to this dock and the swim area as this new dock will be at the same distance from the swim area as the Pickerel Bay dock which has considerably more boat traffic.
- No one will lose property value as they will still have lake access.

Overall, I am not surprised by the comments by most of the neighbors. I am surprised and hurt by a few who opted to jump on the band wagon and take the low road when they could have taken the high road and discussed this project with me. My wife is deeply hurt to the point of tears, as we have associated with most of these neighbors on several occasions over the years. We have assisted some of these neighbors in the past, and they did the same, until now. We thought we were friends with some of these neighbors, I guess we thought wrong. I have to wonder what the real motive is for some of these people who have issues. Perhaps they are jealous and don’t want us to receive the approval for this dock and then sell our home with a “substantial windfall”? (as suggested by one of the comments)

Meanwhile two other neighbors along the brook don’t have an issue. Many more neighbors and/or true friends on the landing have expressed their disbelief in what has happened.

Sincerely,

Mark & Courtney Kenyon

7 Vin. Hebert Blvd.

Pittsfield, MA 01201