

RESOLUTION 2022-11, MEETING # 514, MARCH 22, 2022
APPROVE TOUR BOAT MODIFICATION

Application # TB22-000001 SPT
Location Rockhurst, Queensbury
Applicant Don Daley

WHEREAS the applicant has applied for a permit to operate a Tour Boat; and

WHEREAS the Lake George Park Commission has reviewed the application, supporting documents, comments received and other information which appears in the record; and

WHEREAS the Commission has made a determination that the project is an Unlisted action pursuant to the State Environmental Quality Review Act 6NYCRR 617.5 and, as Lead Agency for the purposes of the State Environmental Quality Review Act, has made a determination that the project will have no significant impact on the environment; and

WHEREAS the action is considered to be a Major project pursuant to 6 NYCRR 645-5.3 and public notice has been published and distributed as required; and

WHEREAS the applicant has requested variance from 6 NYCRR 646-1.4(d)(2)(v), "Tour Boats shall be operated from properly permitted marina facilities"; and

WHEREAS the applicant has demonstrated that strict conformance with the regulations will cause unnecessary hardship due to unique and peculiar circumstances which impose substantial financial, technical or safety burdens; and

WHEREAS the Commission finds that there is no reasonable possibility that the applicant's business will bring a reasonable return following conformance with the regulations; and

WHEREAS the Commission finds that the project will have no adverse impact on the health, safety or welfare of the public, the environment or the resources of the Park; and will not alter the essential character of the area in which it is proposed; and will not lead to congestion in the Park.

NOW THEREFORE BE IT RESOLVED

The Lake George Park Commission hereby resolves to approve the above application provided no substantive adverse comments are received prior to the close of the public comment period,

as proposed

with the following modifications or conditions:

AYES: _____ NAYS: _____ ABSTENTIONS: _____

DATE ADOPTED _____