

**LAKE GEORGE PARK COMMISSION**  
**PROJECT SYNOPSIS**  
Meeting Date 04/27/2021

<b>Applicant</b> Brodie Land Development LLC	<b>Facility</b> Yankee Boating Center Storage Facility	<b>Parcel</b> 277.01-1-3
<b>Application #</b> M21-000006 Marina - Class A	<b>Lakefront</b> 0	<b>Location</b>
<b>Date Received</b> 02/26/2021	<b>SEQR Type</b> 1 - Type II Action, no further review under SEQR	<b>Comment Period Ends</b> 03/16/2021

**Project**

Construct and operate a new Class A Marina offering indoor storage for 225 vessels and outdoor storage for 109 vessels

**Background**

Yankee Marina has applied for a Class A Marina permit for the construction and operation of a new Class A Marina offering indoor storage for 225 vessels and outdoor storage for 109 vessels. Indoor storage is proposed within three buildings with indoor rack storage.

Stored vessels are proposed to be launched and retrieved once annually from the Yankee lakefront marina at 3910 Lake Shore Dr. Service and repairs are proposed at Yankee's upland marina at 3578 Lake Shore Drive in Lake George. No service or repairs are proposed at this storage facility. A maximum of 10 vessels will be launched or retrieved by Yankee daily. The movement of 10 vessels per day will not have a significant impact on vehicular traffic along 9N or Lake Shore Drive, and is not anticipated to create vessel congestion at the launch site, which is located in Lake Zone 4A with a surplus of boatable acreage per the Lake George Recreation Study.

Customers will not be permitted at the proposed storage site. Yankee's staff will only be onsite intermittently to deliver or retrieve vessels. Restroom facilities are available to staff at the two Yankee facilities on Lake Shore Drive.

The project, including stormwater and erosion controls, has been approved by the Town of Lake George. The construction requires coverage under the DEC SPDES stormwater permit. The project is subject to review and approval by the APA, and Agency review has commenced.

Public notice has been distributed. No public comments have been received

**Regulatory Determinations**

**SEQRA**

Due to Adirondack Park Agency jurisdiction, the application represents a Type II action pursuant to 617.5 (c)(45) and no further review is required under SEQRA.

**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.





0 200 400 Feet

1" = 167 feet

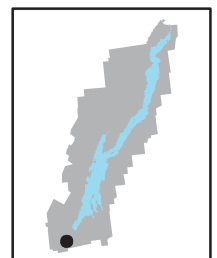


**IMPORTANT NOTICE AND DISCLAIMER**

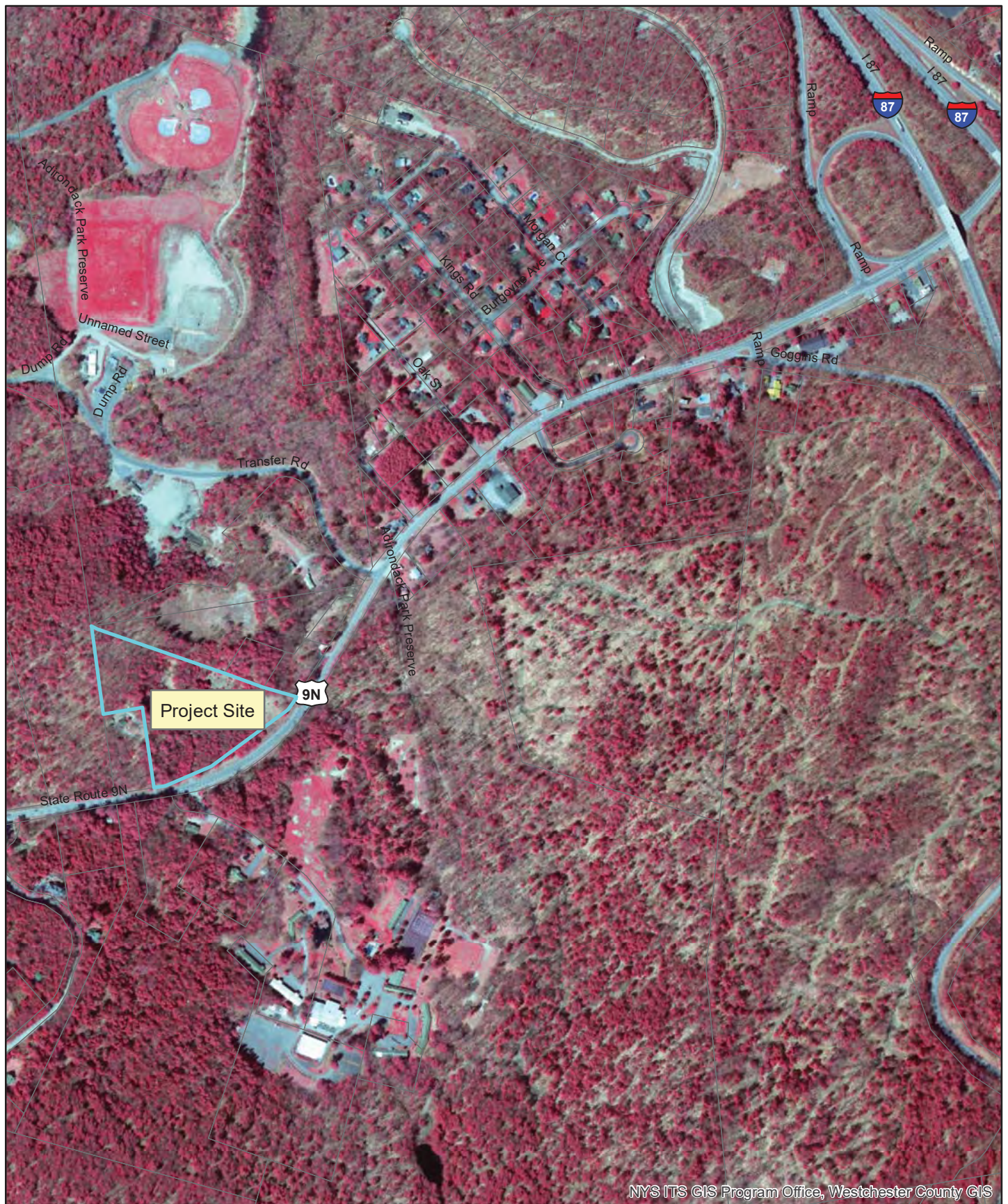
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**Yankee Storage Center**  
TM# 277.01-1-3  
Route 9N  
Town of Lake George

2018 Air







NYS ITS GIS Program Office, Westchester County GIS

0 800 1,600  
Feet

1" = 667 feet

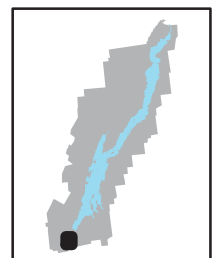


#### IMPORTANT NOTICE AND DISCLAIMER

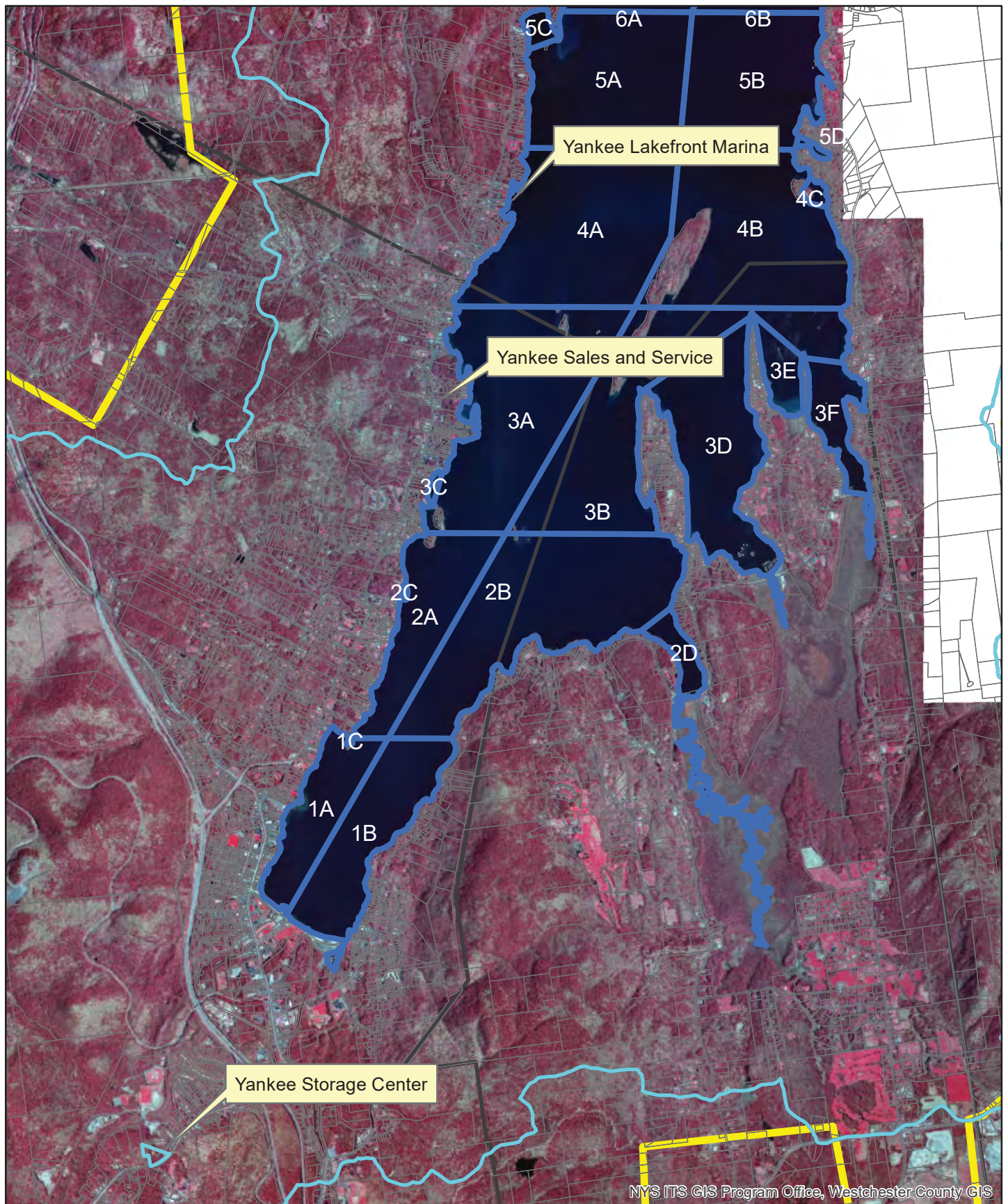
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Yankee Storage Center  
TM# 277.01-1-3  
Route 9N  
Town of Lake George

2018 Air







0 6,000 12,000  
Feet

1" = 4975 feet

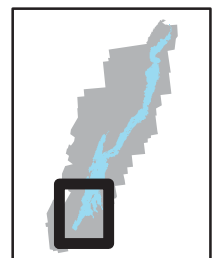


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Yankee Storage Center  
TM# 277.01-1-3  
Route 9N  
Town of Lake George

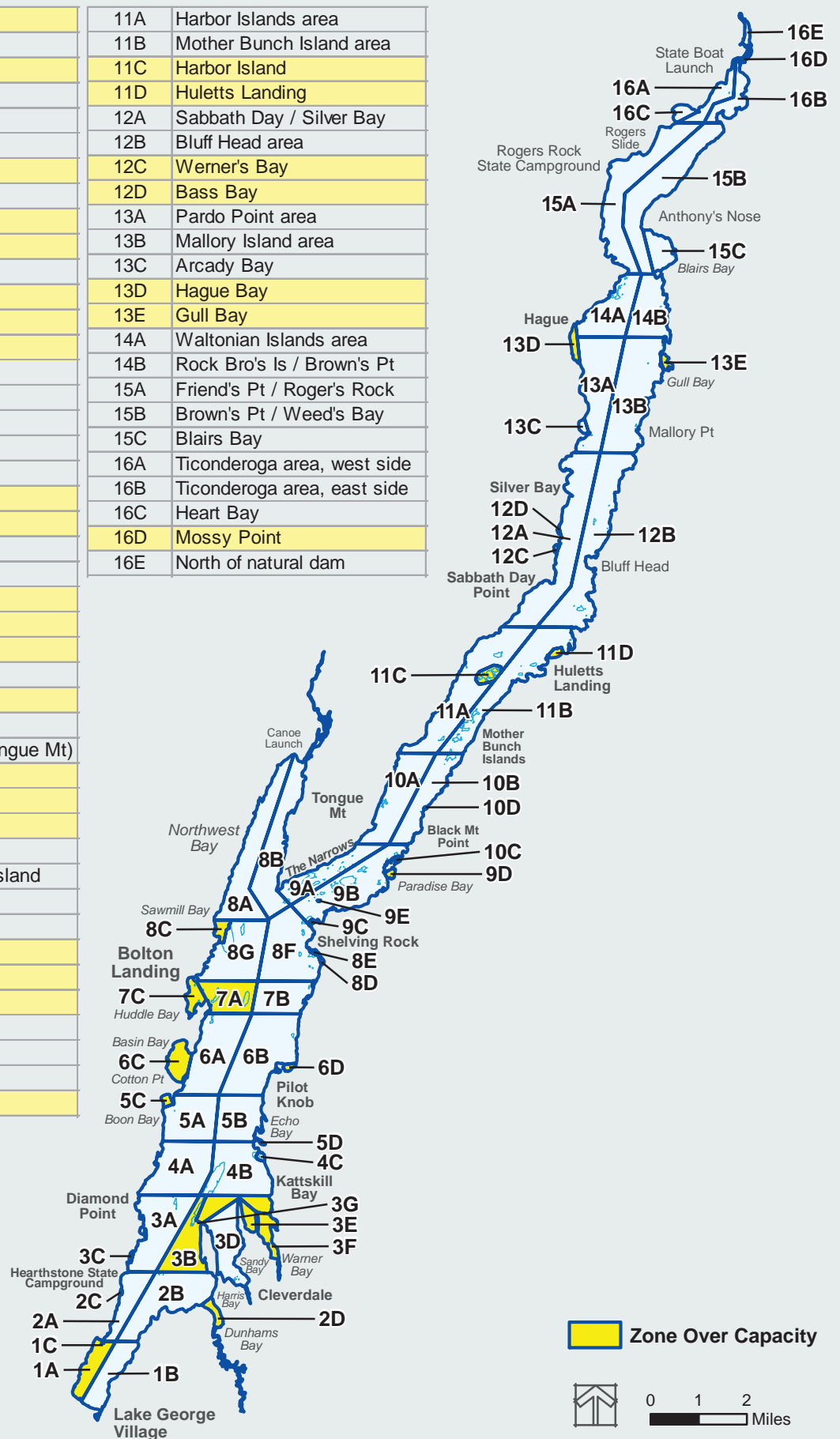
2018 Air





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

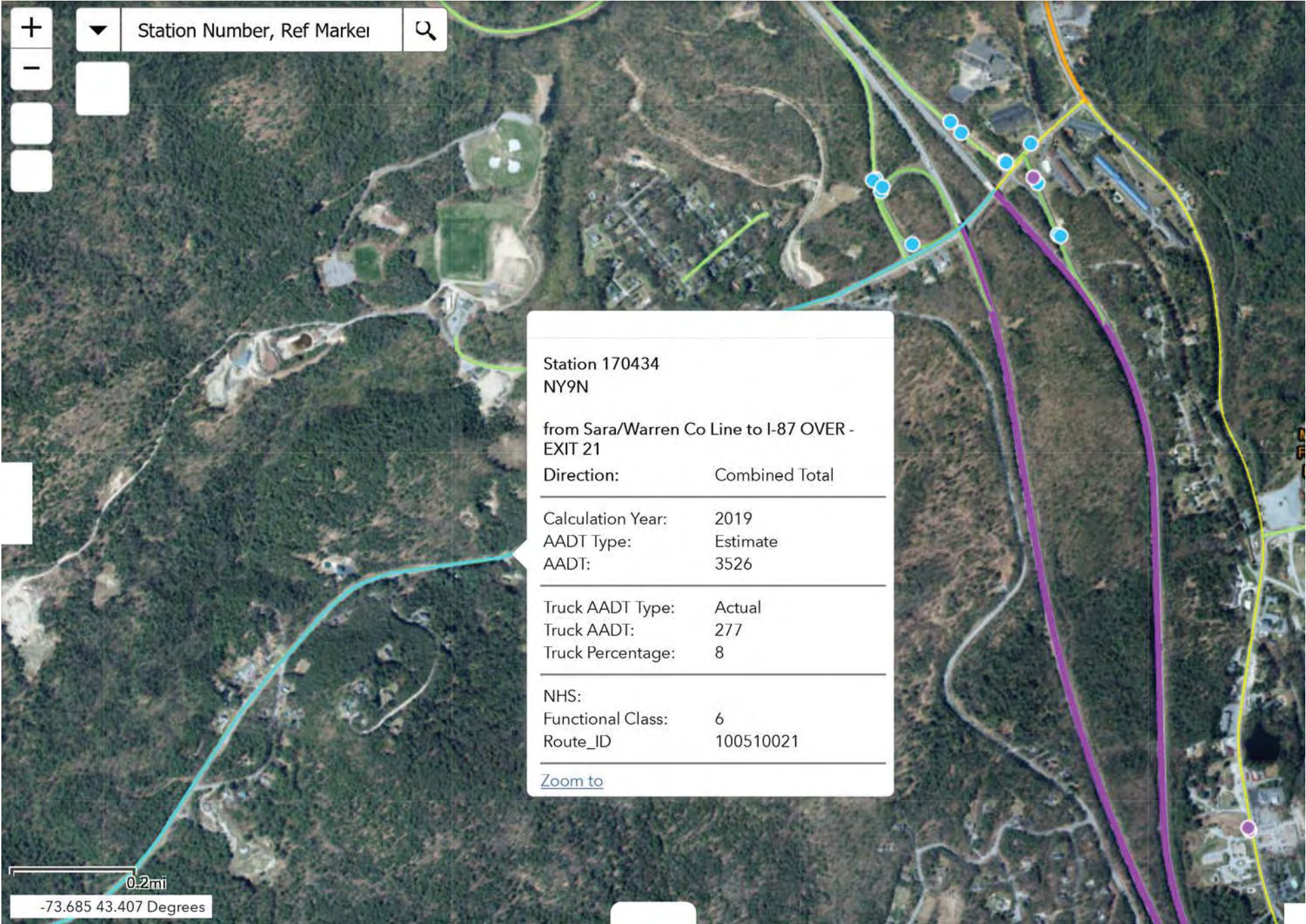
11A	Harbor Islands area
11B	Mother Bunch Island area
11C	Harbor Island
11D	Hulets Landing
12A	Sabbath Day / Silver Bay
12B	Bluff Head area
12C	Werner's Bay
12D	Bass Bay
13A	Pardo Point area
13B	Mallory Island area
13C	Arcady Bay
13D	Hague Bay
13E	Gull Bay
14A	Waltonian Islands area
14B	Rock Bro's Is / 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

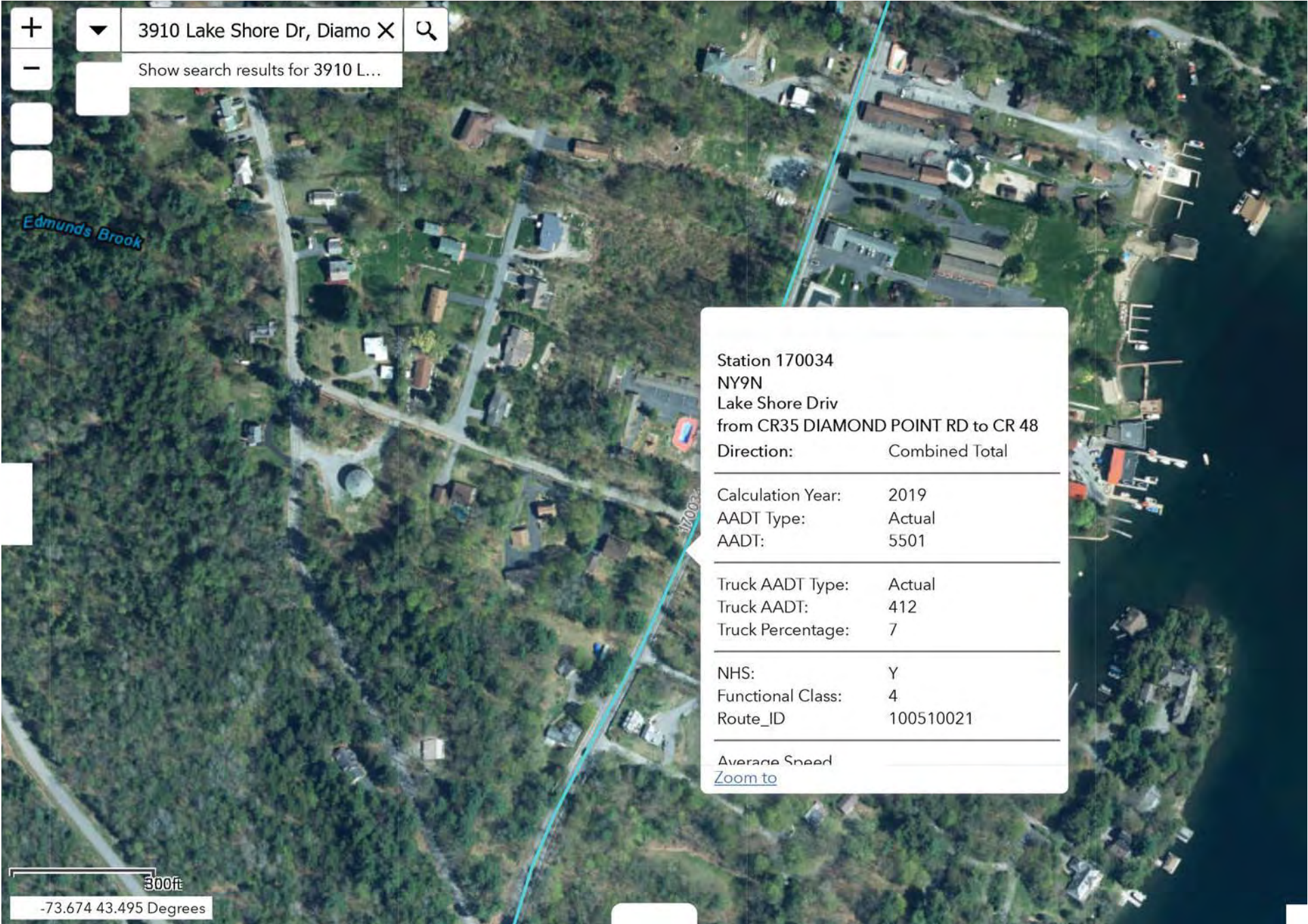


Traffic Data Viewer





Traffic Data Viewer







## Lake George Park Commission

Yankee Lakefront Marina Permit

BRUCE E. YOUNG  
Chairman

DAVE WICK  
Executive Director

October 28, 2019

Andrew Brodie  
Yankee Yacht Sales Inc.  
3910 Lakeshore Drive  
P O Box 174  
Diamond Point, NY 12824

Facility: Yankee Yacht Sales  
Permit: 5220-50-17 Class A Marina  
Parcel: 213.13-1-54, Town of Bolton

Dear Mr. Brodie,

In accordance with the Commission's resolution # 2019-49, the above referenced permit is hereby modified to add the following General Condition:

***The permittee shall ensure that all rental canoes and kayaks shall be equipped with commercially available flags to increase visibility, with a pole measuring no less than 42 inches in height, to be in place for the 2020 boating season. These flags are available from a large array of online vendors or your preferred boating supplies company.***

All other terms and conditions remain as written in the original permit. Please attach this modification to the front of your original permit.

If you have any questions please feel free to call me. Thank you for your efforts to increase boater safety on Lake George.

Sincerely,

Dave Wick  
Executive Director

cc: Lt. Joe Johns, Law Enforcement  
Town of Bolton





## Lake George Park Commission

BRUCE E. YOUNG  
Chairman

DAVE WICK  
Executive Director

November 20, 2018

Andrew Brodie  
Yankee Yacht Sales Inc  
3910 Lakeshore Dr  
P O Box 174  
Diamond Point, NY 12824

Facility: Yankee Yacht Sales  
Permit #: 5220-50-17  
Parcel #: 213.13-1-54, Town of Bolton

### PERMIT RENEWAL

Dear Mr. Brodie:

In accordance with your written request the above referenced permit has been renewed for an additional five year term. The renewed permit is enclosed. If a change in the authorized activities is proposed, please contact this office to determine whether a modification to the permit is required prior to initiating any change.

If you have any questions please feel free to call me.

Sincerely,

David Wick  
Executive Director

cc: Law Enforcement  
Town of Bolton

Andrew, please feel free to reach out to me about the stormwater retrofitting condition. Thanks! - Dave



<b>LGPC Permit Number</b> 5220-50-17 M1
<b>Type of Permit</b> <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

<b>Effective Date</b> 06/27/1996
<b>Modification or Renewal Date</b> 11/20/2018
<b>Expiration Date</b> 11/20/2023

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

<b>Permit Issued to</b> Yankee Yacht Sales Inc		<b>Telephone Number</b> 518-668-2862
<b>Address of Permittee</b> 3910 Lakeshore Dr P O Box 174 Diamond Point, NY 12824		
<b>Contact Person (if not permittee)</b> Andrew Brodie		<b>Telephone Number</b> 518-339-4566
<b>Facility Name</b> Yankee Yacht Sales		<b>Facility Address</b> 3910 Lakeshore Dr
<b>County</b> Warren	<b>Town</b> Bolton	<b>Parcel #</b> 213.13-1-54

**AUTHORIZED ACTIVITY**

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.

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.

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.

<b>Executive Director:</b> David Wick Lake George Park Commission, PO Box 749, Lake George NY 12845, 518-668-9347		
<b>Authorized Signature</b> 	<b>Date</b> 11/21/18	<b>Page 1 of 7</b>



## 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

<p>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.</p> <p>19. An adequate storage area for trailers shall be provided or the storage of trailers shall be prohibited.</p> <p>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.</p> <p>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:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(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</li> <li>(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.</li> </ul> <p>22. Adequate garbage and debris disposal facilities with leakproof containers must be provided and properly maintained.</p> <p>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.</p> <p>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.</p> <p>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;</p> <ul style="list-style-type: none"> <li>(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</li> </ul>	<ul style="list-style-type: none"> <li>(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.</li> </ul> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Special Conditions:</p> <p>30. The permittee shall submit for LGPC review plans to retrofit this facility with stormwater controls. After review and approval by LGPC, the permittee shall implement the stormwater plan within 5 years.</p>
<p>LGPC Permit # 5220-50-17</p>	<p>Page 3 of 7</p>



## SCHEDULE A - MARINA DESCRIPTION

**Facility** Yankee Yacht Sales

**Lakefrontage:** 135 feet

### Other Parcels

212.02-1-7 winter storage facility

### Marina Description

Yankee Yacht Sales Inc is a full service marina located in Middleworth Bay on the west shore of Lake George. The facility offers berthing for up to 30 vessels on docks and 6 vessels on moorings, 22 motorized and 2 non-motorized rental boats, 4 charter sailboats & sailing instruction, a public boat launch, fuel sales, and winter storage for up to 120 vessels. Up to 50 of the winter stored vessels may be kept at the facility's winter storage site at 175 Coolidge Hill Rd.

### Authorized Marina Activities

**Total Seasonal Customer Berthing Spaces:** 36 ( 30 on docks and 6 on moorings)

**Total Customer Winter Storage:** 120 ( 0 indoor and 120 outdoor)

**Total Quick Launch:** 0 ( 0 indoor and 0 outdoor)

Rental Vessels: motorized: 22

non-motorized: 2 2 sunfish  
personal watercraft: 0

Tour Boats:	4	Sailboats & sailing instruction
-------------	---	---------------------------------

Waterski/Tubing/Rides: No	SCUBA Instruction: No
---------------------------	-----------------------

Parasail: No

Public Boat Launch: Yes

Sales/Service: Yes

Private Boat Launch/Hoist/Rail: No

**Customer Parking Spaces: 34**

Vessel Towing: No

Fuel Sales: Yes

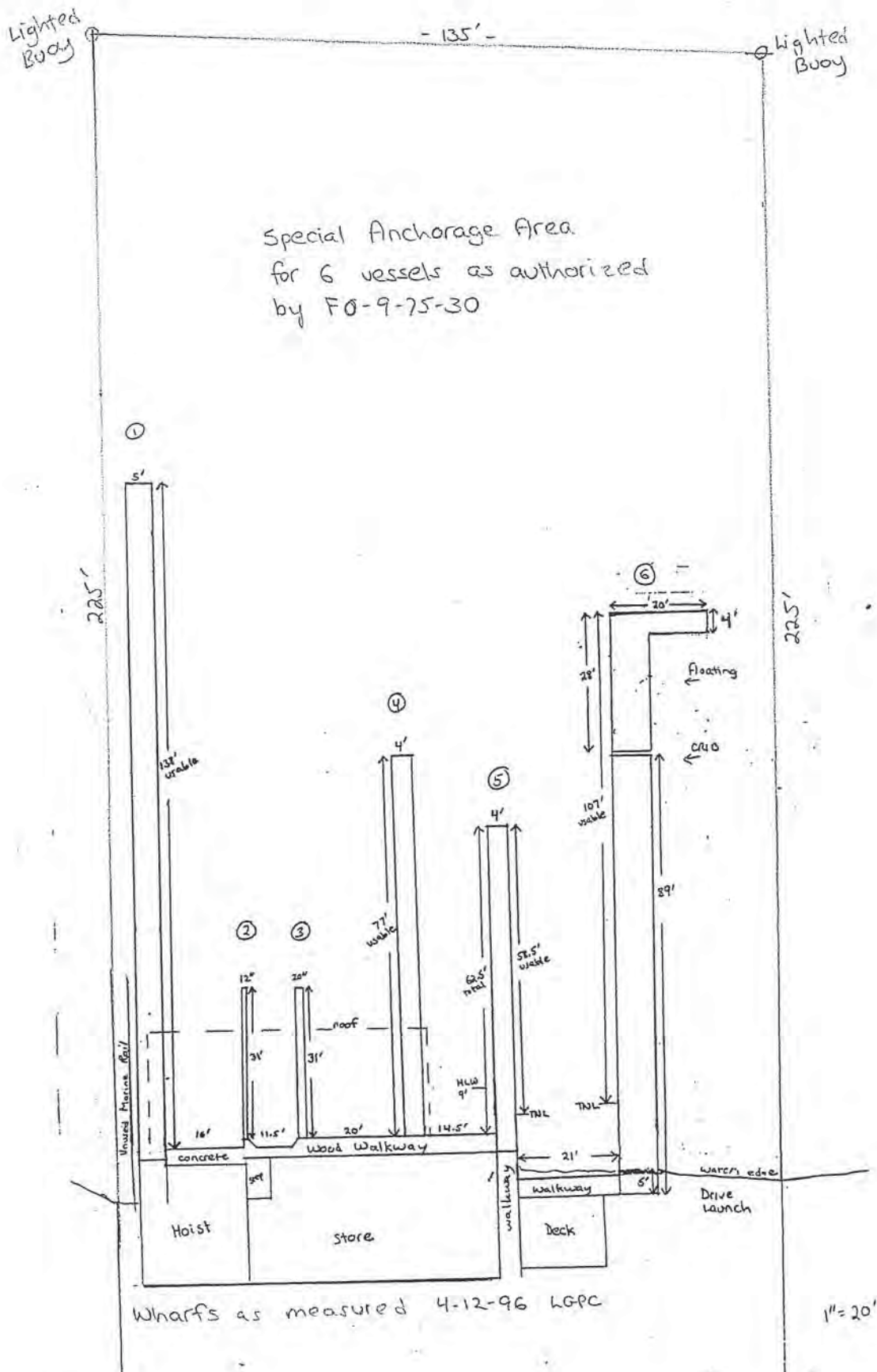
**Bulk Storage Permit# 5-600325**

**Pumpout available at:** Harris Bay Yacht Club

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 &amp; MOORING PLAN

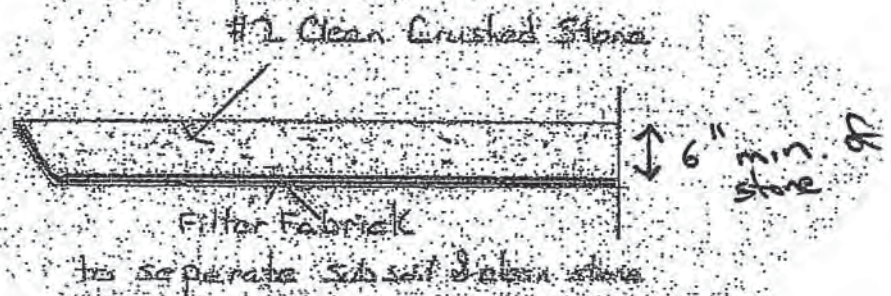
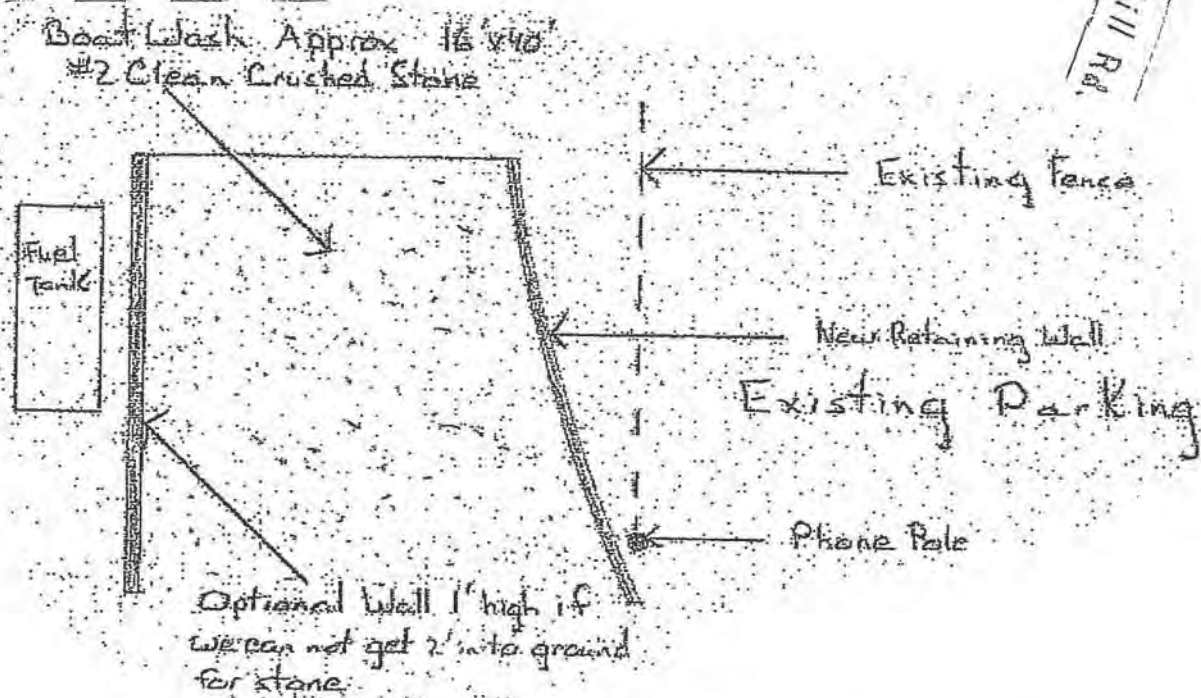
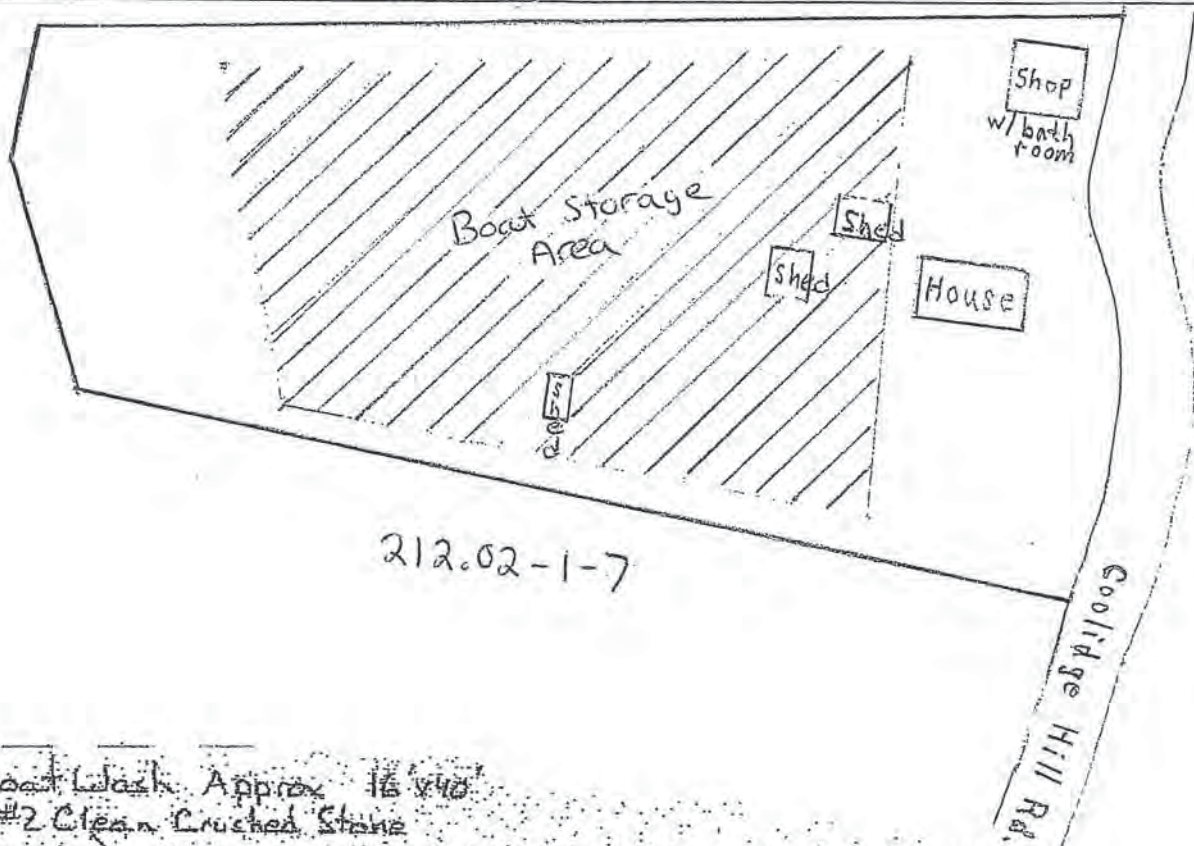








SCHEDULE C - FACILITY PLAN







# Lake George Park Commission

**BRUCE E. YOUNG**  
Chairman

**DAVE WICK**  
Executive Director

April 13, 2021

**Memo to File**

**From:** J. Thouin  
**Re:** Yankee Upland Storage Vehicle and Vessel Impacts  
**Parcel:** 227.01-1-3, Lake George  
**App #** M21-000006

Yankee Marina seeks to add a storage facility on Route 9N near exit 21. The storage facility will provide winter storage for 334 vessels. The vessels are proposed to be launched and retrieved from the Yankee lakefront facility at 3910 Lake Shore Drive in Bolton. Launch and retrieval activity will each occur over a period of roughly 10-12 weeks with boat launching activity occurring from the last week in April and stretching into July, and retrieval activities occurring from Labor Day through the first week in November. The maximum number of boats launched or retrieved in a day is 10.

The Yankee lakefront facility is allowed winter storage of 120 vessels. The Yankee upland facility on Lake Shore Drive was recently approved by the Commission for 140 winter storage vessels. In total, Yankee marinas are currently authorized to launch 260 winter storage vessels, and with the additional 334 related to the subject application, Yankee seeks to store, launch, and retrieve a total 594 vessels. Moving no more than 10 vessels per day as proposed, the launch and/or retrieval of 594 vessels would take approximately 60 days.

Average Annual Daily Traffic along the route from the proposed upland storage facility to Yankee's lakefront facility ranges from 3,526 to 5,500 vehicles. The addition of 20 total daily vehicle trips (10 trips, 2 directions) associated with the movement of Yankee's winter storage vessels represents an increase of 0.36% to 0.57% over existing traffic levels.

The Yankee lakefront facility is located in Middleworth Bay in an area of the Lake referenced by the Lake George Recreation Study as Zone 4A. The study indicates that Zone 4A has a surplus of boatable acreage. The daily launch and retrieval of 10 vessels from Yankee marina is not anticipated to have a significant impact on vessel congestion on the Lake.





February 25, 2021  
Lake George Park Commission  
75 Fort George Road  
Lake George, NY 12845

Re: Brodie Land Development, LLC – Yankee Boating Center  
New Boat Storage Facility  
Tax Map ID: 227.01-1-3

Dear Board Members,

Brodie Land Development, LLC wishes to develop a new marina facility for the sole purpose of storing boats. This project proposes the construction of (3) indoor boat storage buildings utilizing rack storage for maximum efficiency with a combined capacity of 225 boats. There will also be outdoor storage for boats and trailers with a capacity of 109 boats. The buildings will have interior and exterior lighting. A new driveway will be installed from New York State Route 9N to access the proposed boat storage buildings. No Quick Launching will occur from this site. The property is for staff access only and will be fenced, gated and locked. The proposed construction of the buildings will be phased over 5 years.

There is a need to store and maintain boats for recreational users of Lake George who are unable to store the boats themselves. Indoor storage provides the best protection for the boats, allows for year round access to service the boats and eliminates the use of one-time plastic shrink wrap. Having boats stacked vertically greatly reduces the total square ft required to store boats indoors and also allows year round access to each individual boat. Indoor and outdoor rack storage is widely used in the marine industry for all of these reasons. Yankee currently leases property outside of the Lake George Park for storing our customer's boats but seeks a more permanent and reliable solution by developing it's own facilities. There are not a lot of level properties within proximity of our Lake George location that are zoned for commercial boat storage and the property under consideration is within a 10 minute drive, mostly level and zoned for commercial boat storage.

Please find included with this submission the application fee, site location map, site plan and environmental assessment report.

Thank you for your consideration,

Andrew Brodie

**Yankee Boating Center**  
3578 Lake Shore Dr.  
Lake George, NY 12845

**Yankee Marina**  
3910 Lake Shore Dr.  
Diamond Pt., NY 12824





# 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.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: \$100 (check or money order only)

1. OWNER ☐ Mr. ☐ Mrs. ☐ Ms. ☐ Dr.

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

NAME Brodie Land Development LLC

EMAIL andrew@yankeeboat.com

CONTACT PERSON IF OWNER IS NOT AN INDIVIDUAL

Andrew Brodie

MAILING ADDRESS 3578 Lake Shore Dr.

518-668-2862(6)

CITY Lake George

STATE NY

ZIP CODE 12845

PHONE 518-339-4566(c)

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 Devin Dickinson

EMAIL dldickinson78@gmail.com

COMPANY D.L. Dickinson & Assoc.

MAILING ADDRESS 30 Stone School House Rd.

CITY Lk George

STATE NY

ZIP CODE 12845

PHONE 518-668-4676

### 3. FACILITY

NAME OF MARINA Yankee Boating Center Storage Facility

WHEN DID MARINA OPERATIONS FIRST BEGIN AT THIS FACILITY? TBD

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

SECTION 277.01

BLOCK 1

LOT 3

STREET Rt. 9N

ZONING RCM-S2B

LAKE FRONTAGE 0 feet

according to ☐ Tax Map  
☐ Survey (attach copy)

NUMBER OF WHARFS AND MOORINGS CURRENTLY ON PROPERTY

0 DOCKS 0 MOORINGS (Please fill in a number or 0 for each)

### 4. PROJECT DESCRIPTION

#### PROPOSED MARINA ACTIVITIES

See Attachment

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

☒ Yes ☐ No

(If yes, application and plans must be submitted with marina application)



**IS THE FACILITY AND ITS ASSOCIATED LAND USES IN COMPLIANCE WITH APPLICABLE PROVISIONS OF STATE AND LOCAL LAWS, ORDINANCES, RULES AND REGULATIONS?**

☒ Yes ☐ No (if no, please explain)

**5. MARINA SERVICES**

Check the types of services offered or proposed and indicate the number of vessels where applicable.

Service	Number of Vessels	Service	
<input type="checkbox"/> Slip rental*		<input type="checkbox"/> Fuel Sales	<input type="checkbox"/> Pump-out
<input type="checkbox"/> Mooring rental*		<input type="checkbox"/> Public Boat Launch	<input type="checkbox"/> Private Boat Launch
<input checked="" type="checkbox"/> Indoor winter boat storage*	225	<input type="checkbox"/> Boat Sales	<input type="checkbox"/> Sale of Marine Products
<input checked="" type="checkbox"/> Outdoor winter boat storage*	109	<input type="checkbox"/> Service/Repair	<input type="checkbox"/> Vessel Towing
<input type="checkbox"/> Indoor Quick Launch		<input type="checkbox"/> Waterskiing/Tubing	<input type="checkbox"/> Scuba
<input type="checkbox"/> Outdoor Quick Launch		<input type="checkbox"/> Parasail -Operator _____	
<input type="checkbox"/> Motorized Boat Rentals **		<input type="checkbox"/> Instruction/Classes - state type	
<input type="checkbox"/> Non-Motorized Boat Rentals **			
<input type="checkbox"/> Personal Watercraft Rental		<input type="checkbox"/> Tour Boat(s)	
<input type="checkbox"/> Charter Vessels		Operator	
Type		Vessel	

**Additional Details**

*See Attachment*

\*Include berths used by customers only. Do not include slips, moorings or winter storage areas used by rental vessels or other vessels owned by the marina or upland owner. Number customer berths on the facility plan.

\*\* Attach sheet with descriptions of proposed rental boats; type, length & size of motor.

**WHAT ARE THE PLANNED HOURS AND TIME OF YEAR OF OPERATION?**

*See Attachment*

**WILL ANY OWNER/OPERATOR OF A PUBLIC VESSEL CONDUCT BUSINESS INVOLVING SUCH VESSEL AT THIS FACILITY?** (ie: offering of rides, instruction, or water based recreation for a fee, etc.) ☐ Yes ☒ No  
If yes, fill out Public Vessel Addendum C and submit with application

**OF THE VESSELS BERTHED AT THE SITE, HOW MANY HAVE**

Holding Tanks? \_\_\_\_\_ Port-a-Potties? \_\_\_\_\_ No facilities? \_\_\_\_\_

**WHERE WILL EFFLUENT FROM BOAT HOLDING TANKS AND PORT-A-POTTIES BE DISPOSED?**

*Not pumped on site*

If relying on another facility to provide pump-out services attach a signed and dated agreement (Addendum A). This is **required** for all marinas which do not offer on-site pump-out.

**ARE PETROLEUM PRODUCTS SOLD HERE?** ☐ Yes ☒ No

If yes, what is the DEC Bulk Storage Permit Number? \_\_\_\_\_

If yes, is there a Spill Prevention Plan on file? ☐ Yes ☐ No (include spill plan with application)

**IS A BOAT CLEANING AREA PROVIDED?** ☐ Yes ☐ No (mark location on facility plan)

**HOW MANY VEHICLE PARKING SPACES ARE AVAILABLE AT THE SITE?** \_\_\_\_\_ (mark on facility plan)

**HOW MANY BOAT TRAILER PARKING SPACES ARE AVAILABLE?** *109* (mark on facility plan)

**ARE REST ROOMS AVAILABLE TO CUSTOMERS AT ALL TIMES BETWEEN MAY 1 AND OCTOBER 31?**

☐ Yes This is **required** for all marinas. Mark the rest room's location on facility plan & attach Wastewater System Evaluation Report as needed (see instructions) *No customer access.*



# 6. PERMITS OR APPROVALS REQUIRED FROM OTHER AGENCIES OR MUNICIPALITIES

Agency	Permit or Approval	Date Applied	Date Issued
APA		2/5/20	
Town of L.G.	Approved	6/2019	7/14/20

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

NAME	NAME
TAX MAP #	TAX MAP #
MAILING ADDRESS	MAILING ADDRESS

# 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)

DATE 2/25/21

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)



# **ATTACHMENT FOR APPLICATION FOR PERMIT FOR A CLASS A MARINA**

**BRODIE LAND DEVELOPMENT  
Rt 9N, Lake George  
277.01-1-3**

## **PROPOSED MARINA ACTIVITIES:**

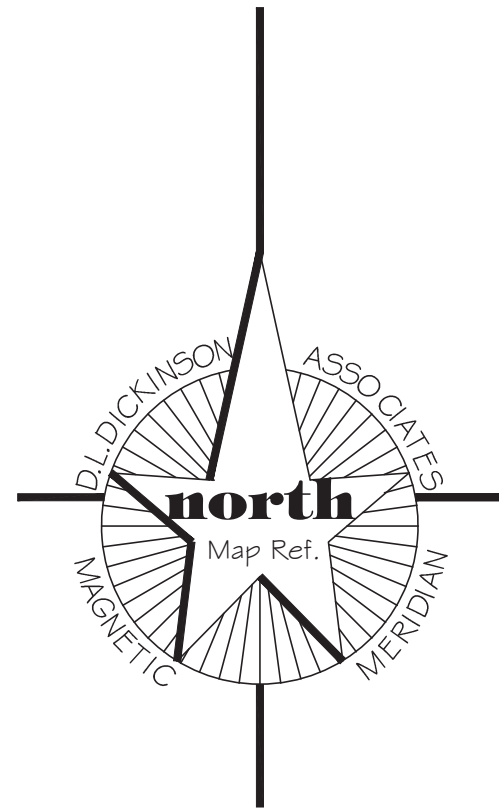
This project proposes the construction of (3) indoor boat storage buildings utilizing rack storage for maximum efficiency with a combined capacity of 225 boats that will be managed by Yankee Boating Center. There will also be outdoor storage for boats and trailers with a capacity of 109 boats. The buildings will have interior and exterior lighting. A new driveway will be installed from New York State Route 9N to access the proposed boat storage buildings. No Quick Launching will occur from this site and the property will be fenced, gated and locked. The proposed construction of the buildings will be phased over 5 years.

## **ADDITIONAL DETAILS:**

There is a need to store and maintain boats for recreational users of Lake George who are unable to store the boats themselves. Indoor storage provides the best protection for the boats, allows for year round access to service the boats and eliminates the use of one-time plastic shrink wrap. Having boats stacked vertically greatly reduces the total square ft required to store boats indoors and also allows year round access to each individual boat. Indoor and outdoor rack storage is widely used in the marine industry for all of these reasons. Yankee currently leases property for storing our customer's boats but seeks a more permanent and reliable solution by developing it's own facilities. There are not a lot of level properties within proximity of our Lake George location that are zoned for commercial boat storage and the property under consideration is within a 10 minute drive, mostly level and zoned for commercial boat storage.


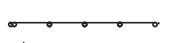
## **WHAT ARE THE PLANNED HOURS AND TIME OF YEAR OF OPERATION:**

The facility will not be open to the public and will not keep a permanent staff on site. Yankee's Service Staff will deliver boats to and from the site from either our marina or sales/service center and lift them into the racks. Our service operations are open from 8:00AM to 4:30 PM Monday - Saturday from April 1 to October 31 and from 8:00AM to 4:30 PM Monday - Friday from November 1 to March 31. We are closed Christmas week.



Vertical Datum: Assumed  
Contour Interval=2 Feet

Legend:

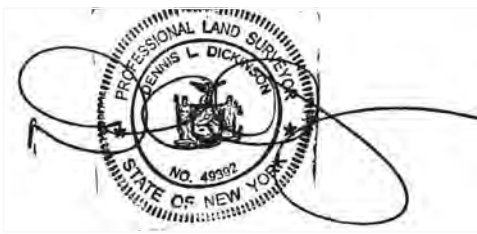
-  = Utility Pole
-  = Guard Rail
-  500.0 = Spot Elevation

# Map

of a topographic survey for  
**Jabro Development, LLC**

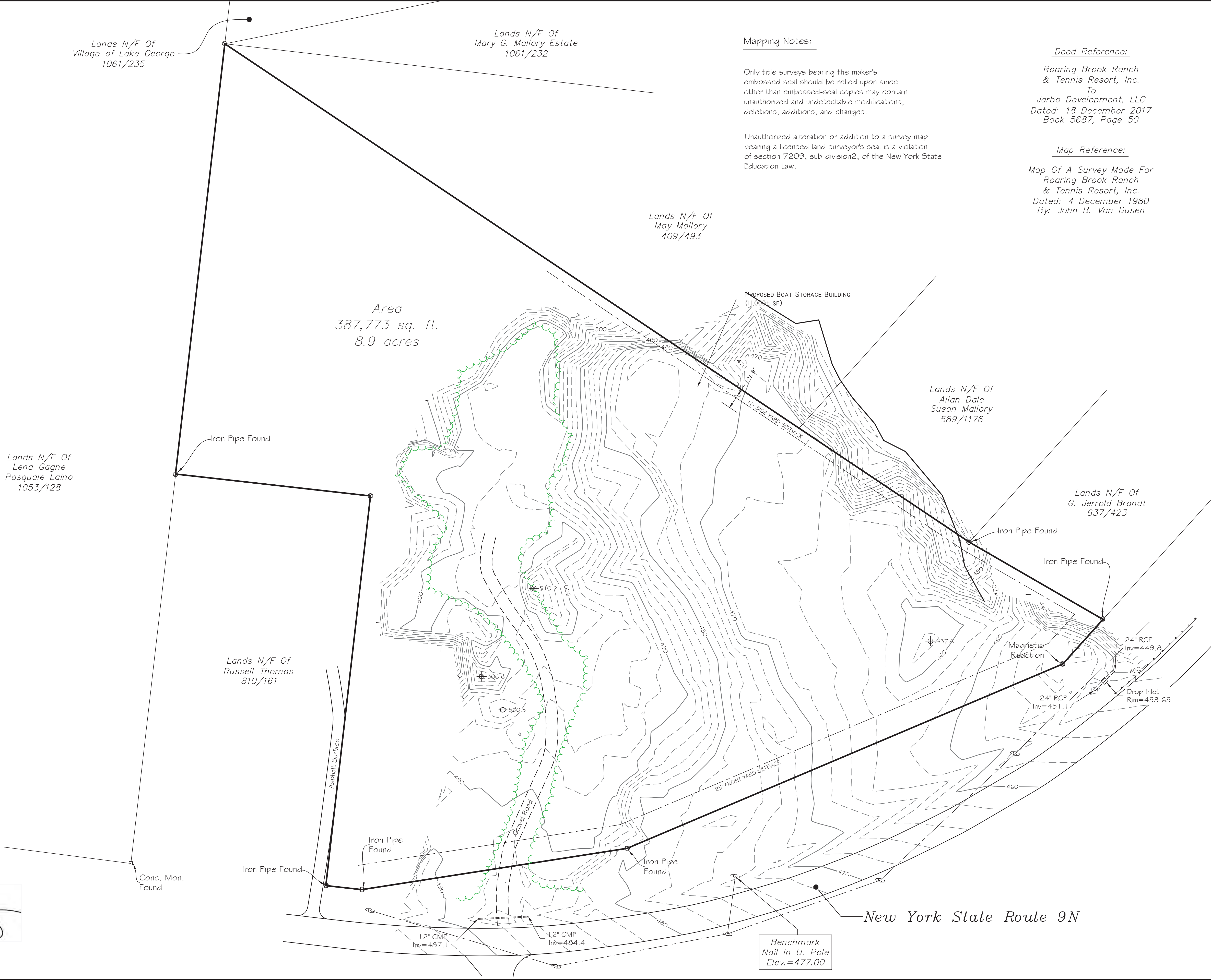
Situate in  
Town of Lake George County of Warren  
State of New York  
Scale: 1" = 50' feet Date: 22 January 2018

Surveyed and Map by  
**D.L. Dickinson**  
ASSOCIATES  
Surveyors & Engineers  
LAKE GEORGE, NEW YORK 12845



TMP#: LG 277.01\_1\_3 (new)  
LG 20.-1-23.1 (old)

Sheet 1 of 6





Of  
George

Lands N/F Of  
Mary G. Mallory Estate  
1061/232

Lands N/F Of  
May Mallory  
409/493

Lands N/F Of  
Susan Mallory  
589/1176

Lands N/F Of  
G. Jerrold Brandt  
637/423

Lands N/F Of  
Russell Thomas  
810/161

onc. Mon.  
und

GRADING STATISTICS

TOTAL CUT VOLUME = 5320± CUBIC YARDS  
TOTAL FILL VOLUME = 7470± CUBIC YARDS

FILL TO EXCAVATED FROM SITE = 500± CUBIC YARDS

NET FILL = 1650± CUBIC YARDS

GRADING PLAN

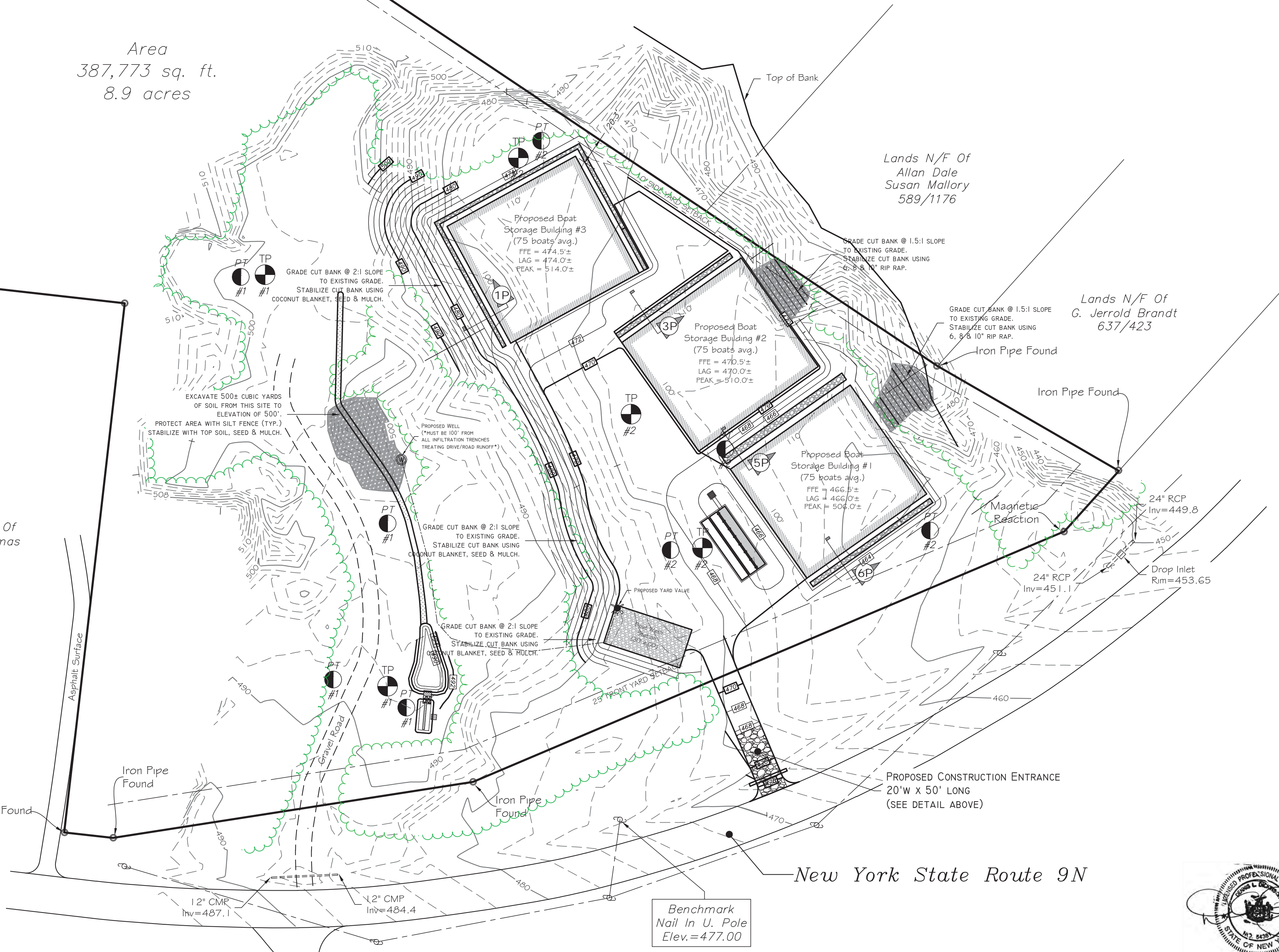
PLAN

GR

CONSTRUCTION PHASING (LGPC 646-4.13 (d) (8))

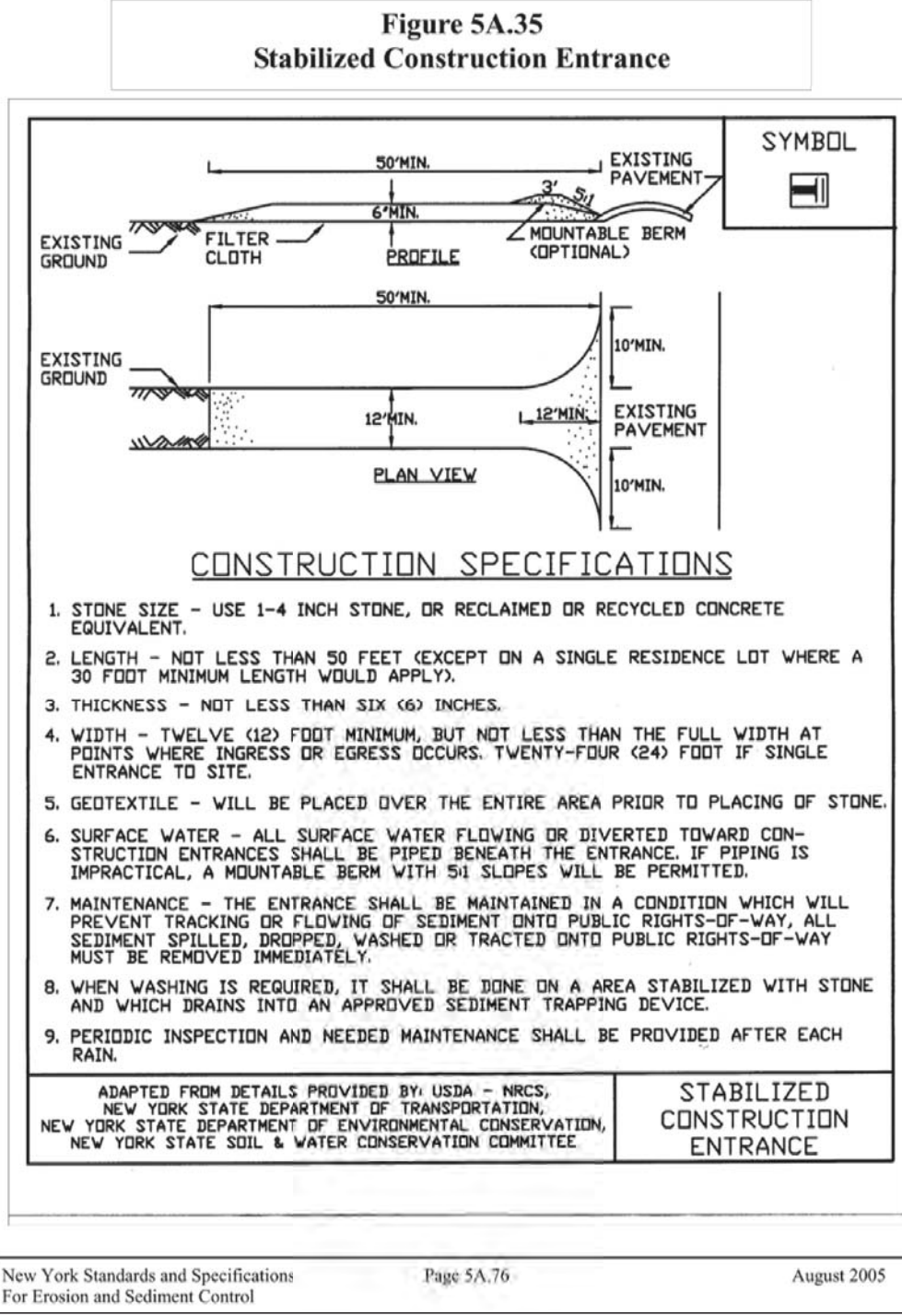
1. INSTALL SILT FENCE OR SILTSoxx AS SHOWN ON PROJECT PLANS AND DOWN GRADIENT FROM ALL PROPOSED LAND DISTURBANCE.
2. FILL AND GRADE PARKING EXPANSION AREA, AS SHOWN. SPREAD TOPSOIL IN AREAS OF PROPOSED GRASS AND SEED & MULCH.
3. CONSTRUCT INFILTRATION BASIN AND PRETREATMENT FOREBAY.
4. EXCAVATE FOR PROPOSED BOAT STORAGE BUILDING.
5. POUR FOOTINGS AND SLAB. BACKFILL AND STABILIZE CONSTRUCTION SITE.
6. INSTALL PREFABRICATED STEEL BUILDING.
7. ONCE HEAVY EQUIPMENT IS NO LONGER NEEDED, FINAL GRADE, SEED AND MULCH.
8. CONSTRUCT STORMWATER CONTROLS AND PROTECT FROM SILT RUNOFF.
9. ONCE SITE IS STABILIZED, REMOVE TEMPORARY EROSION CONTROLS.

Area  
387,773 sq. ft.  
8.9 acres



New York State Route 9N

Benchmark  
Nail In U. Pole  
Elev.=477.00



**DICKINSON**  
ASSOCIATES

SURVEYORS • ENGINEERS • LAND CONSULTANTS

Proposed Grading Plan

Brodie Boat Storage

Town of Lake George  
County of Warren  
State of New York

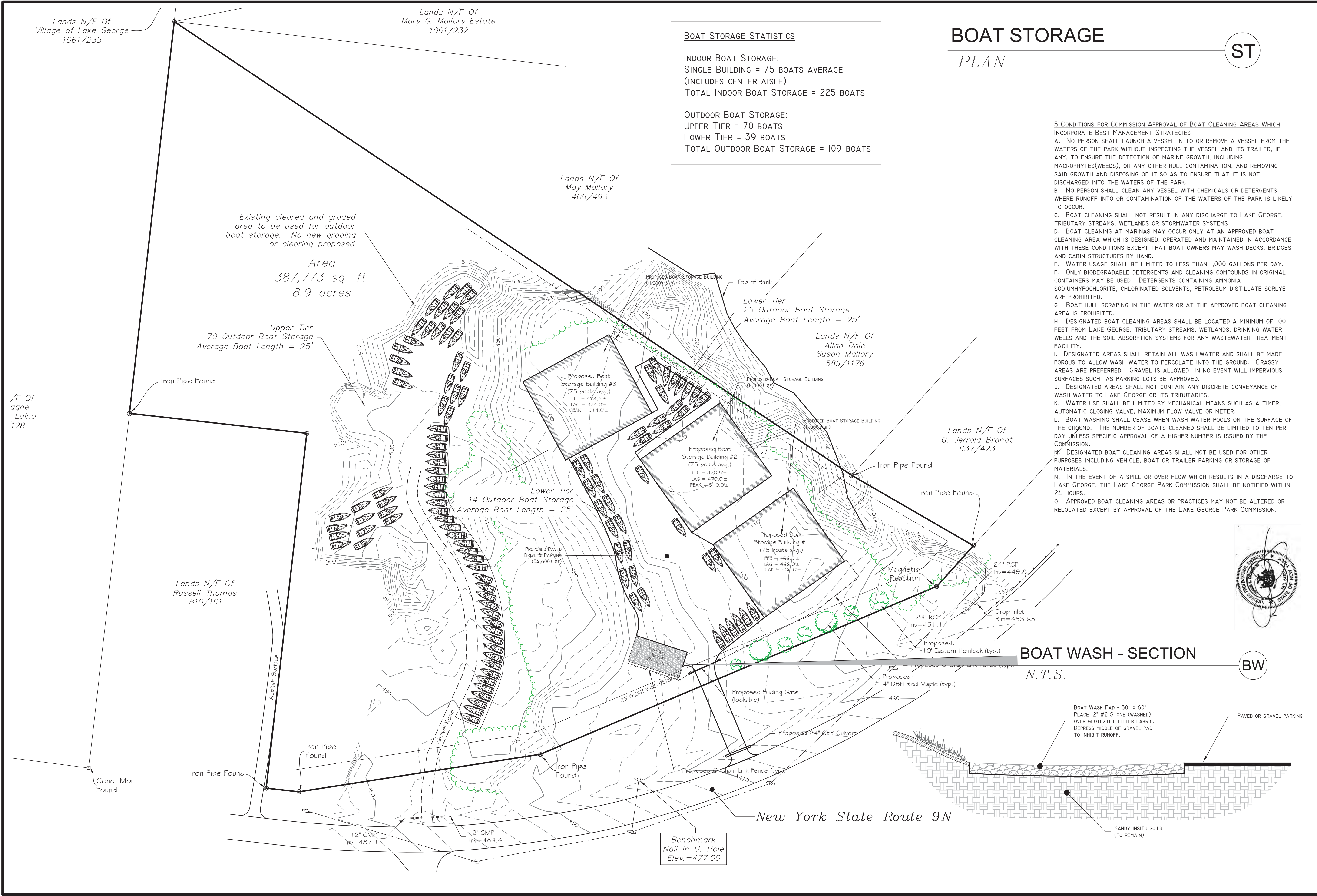
P.O. Box 388  
Lake George, New York 12845  
(518) 668-4676 - Phone  
(518) 668-4674 - Fax

Scale: 1" = 50'  
Date: 14 June 2019  
Revised: 29 July 2019

Sheet 2 of 6

LG: 277.01-1-3 (new)





ST

Scale: 1" = 50'

Date: 14 June 2019

Revised: 29 July 2019

Proposed Indoor & Outdoor Boat Storage

**Brodie Boat Storage**

Town of Lake George  
County of Warren  
State of New York

LG: 277.01-1-3 (new)

P.O. Box 388  
Lake George, New York 12845  
(518) 668-4676 - Phone  
(518) 668-4674 - Fax

**DICKINSON**  
ASSOCIATES

SURVEYORS • ENGINEERS • LAND CONSULTANTS



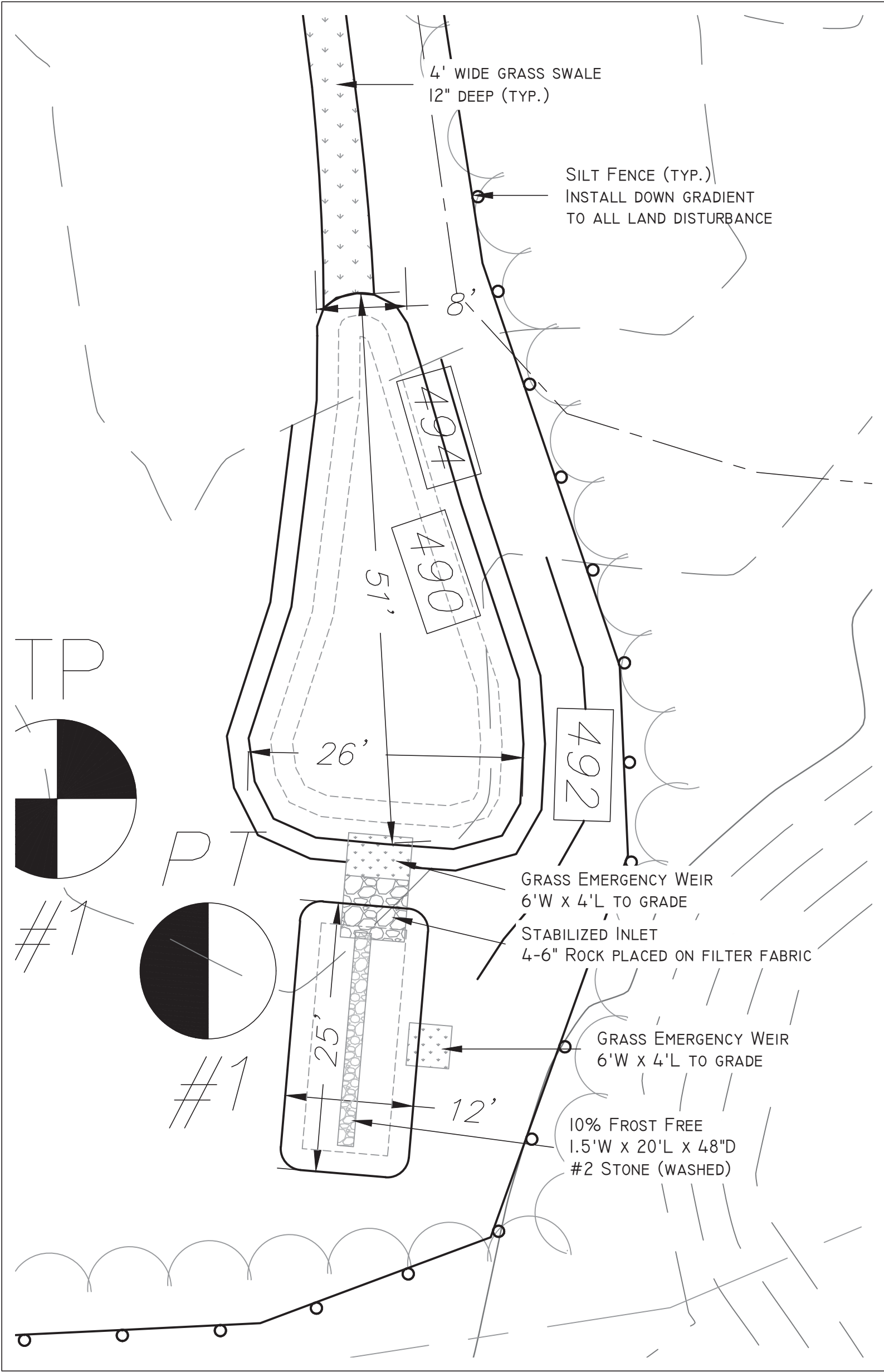
Sheet 4 of 6



PRE TREATMENT & INFILTRATION BASIN (2P)

1" = 10'

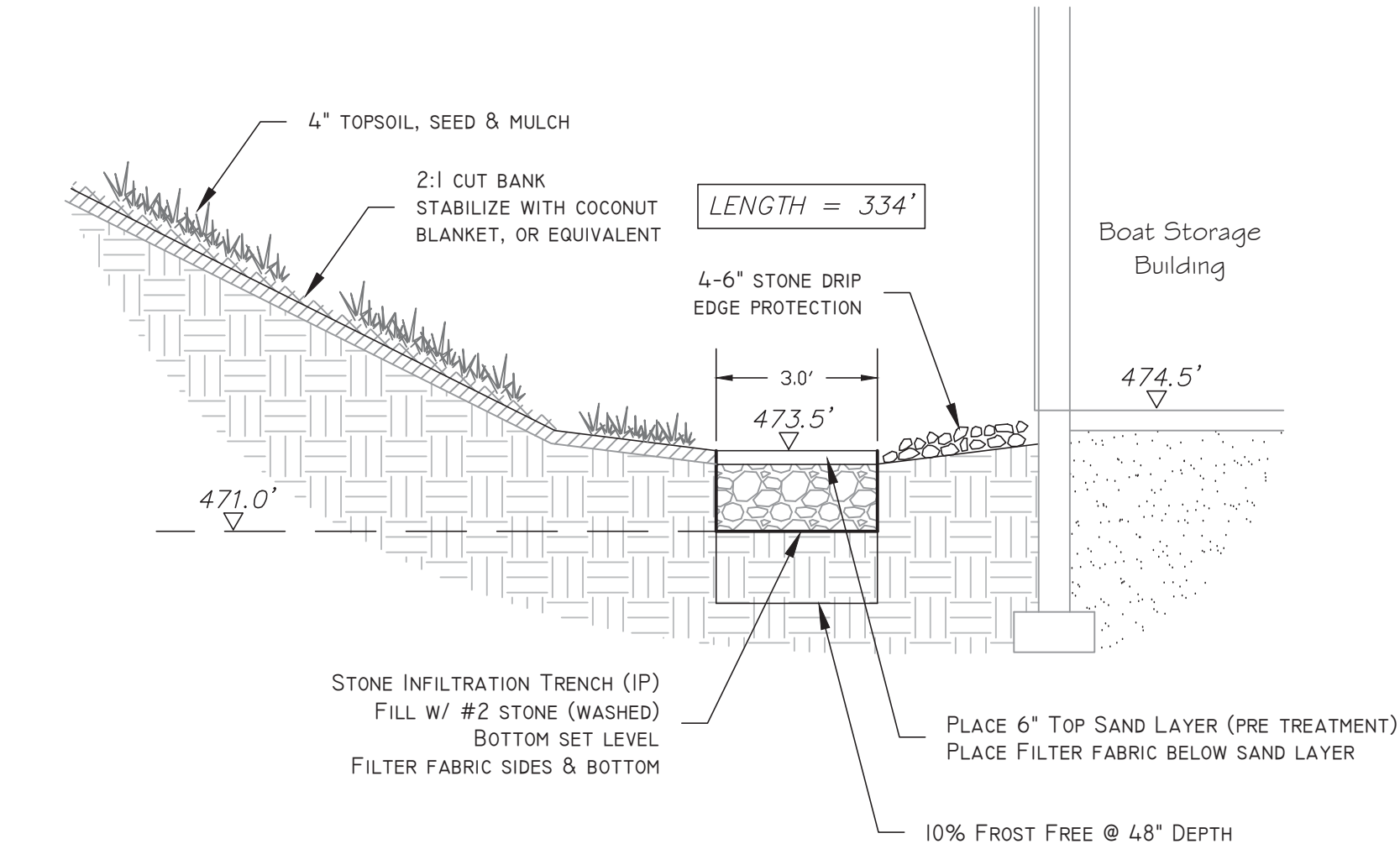
2P



INFILTRATION TRENCH

N.T.S.

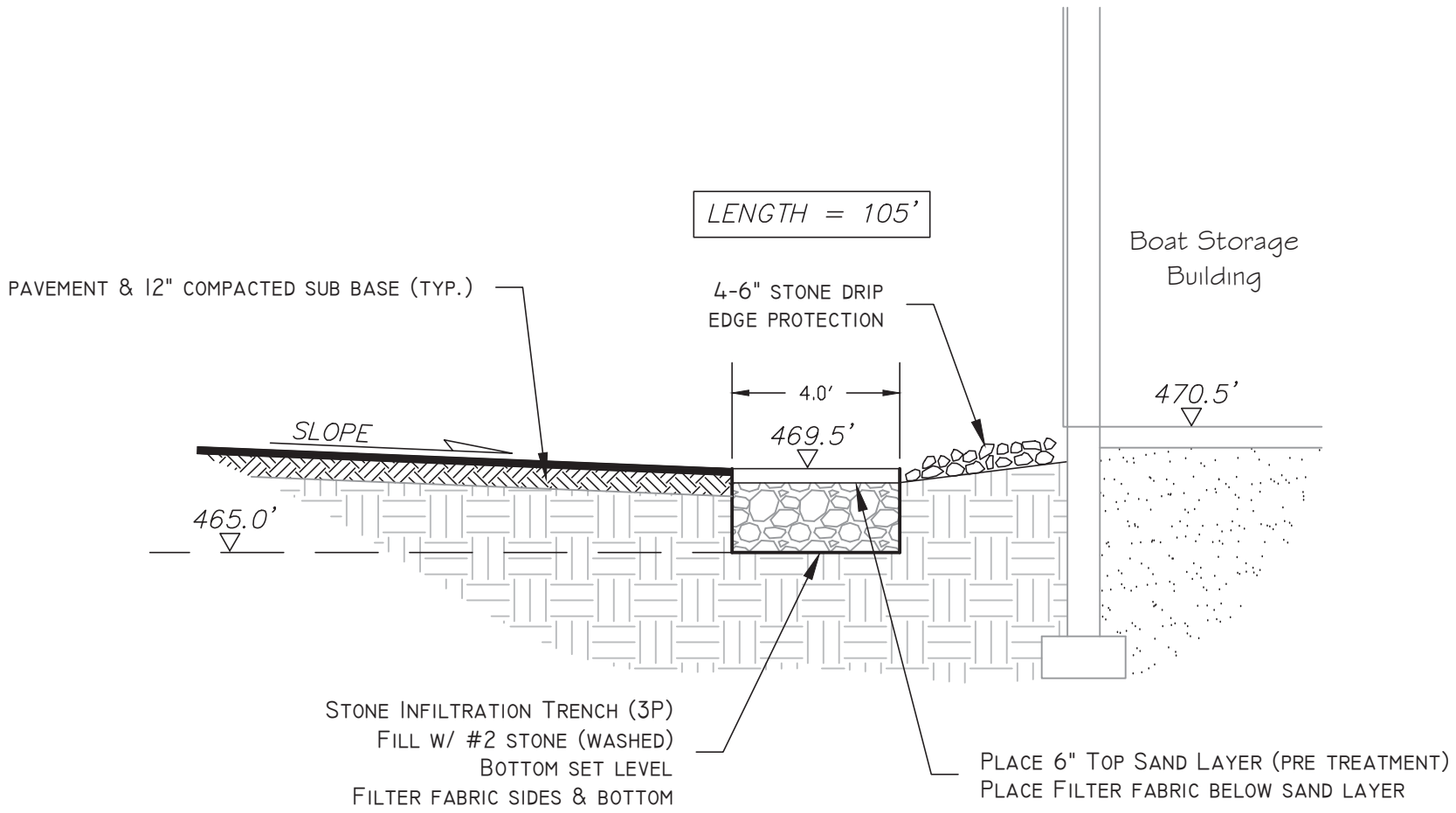
1P



INFILTRATION TRENCH

N.T.S.

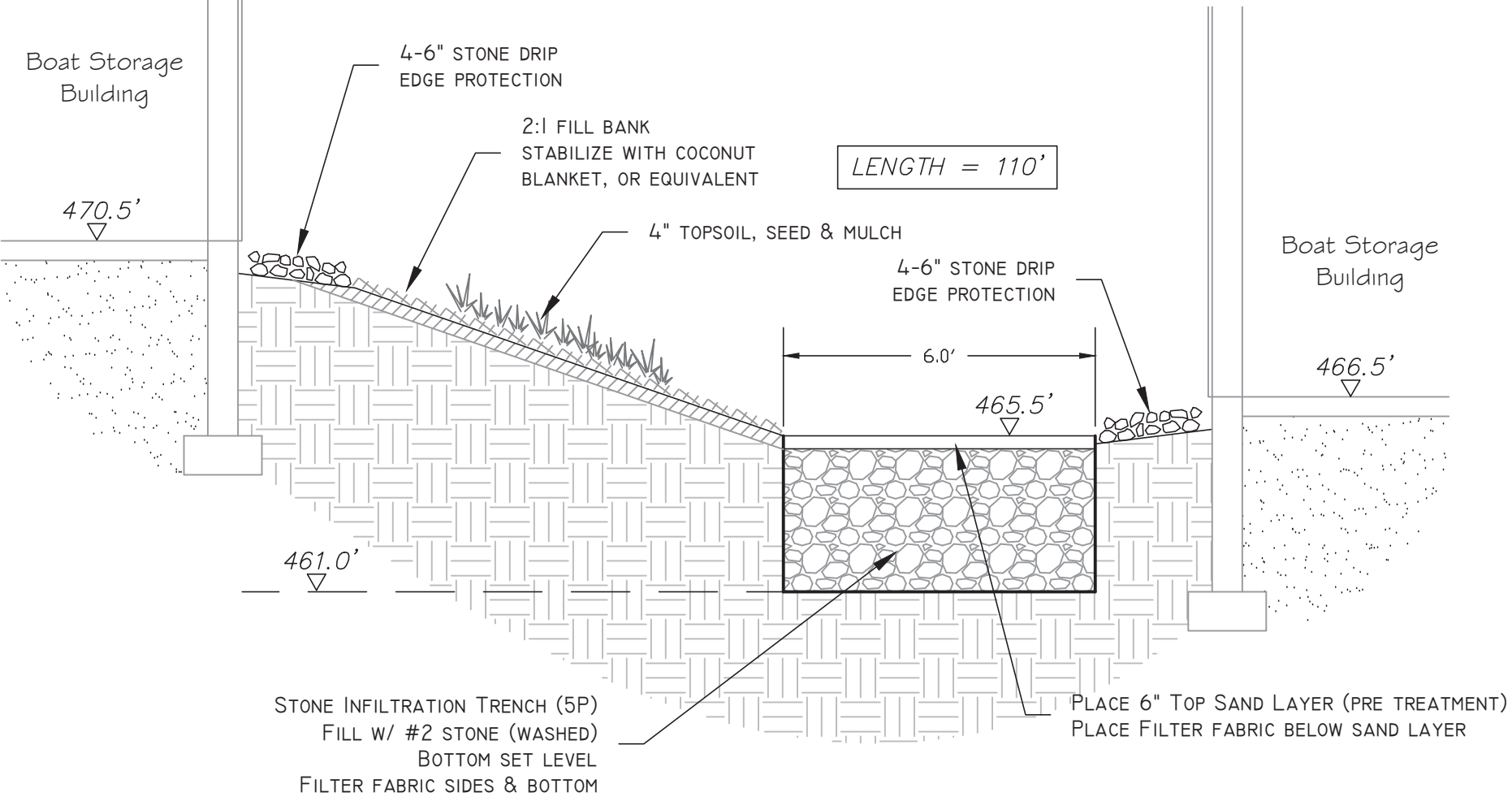
3P



INFILTRATION TRENCH

N.T.S.

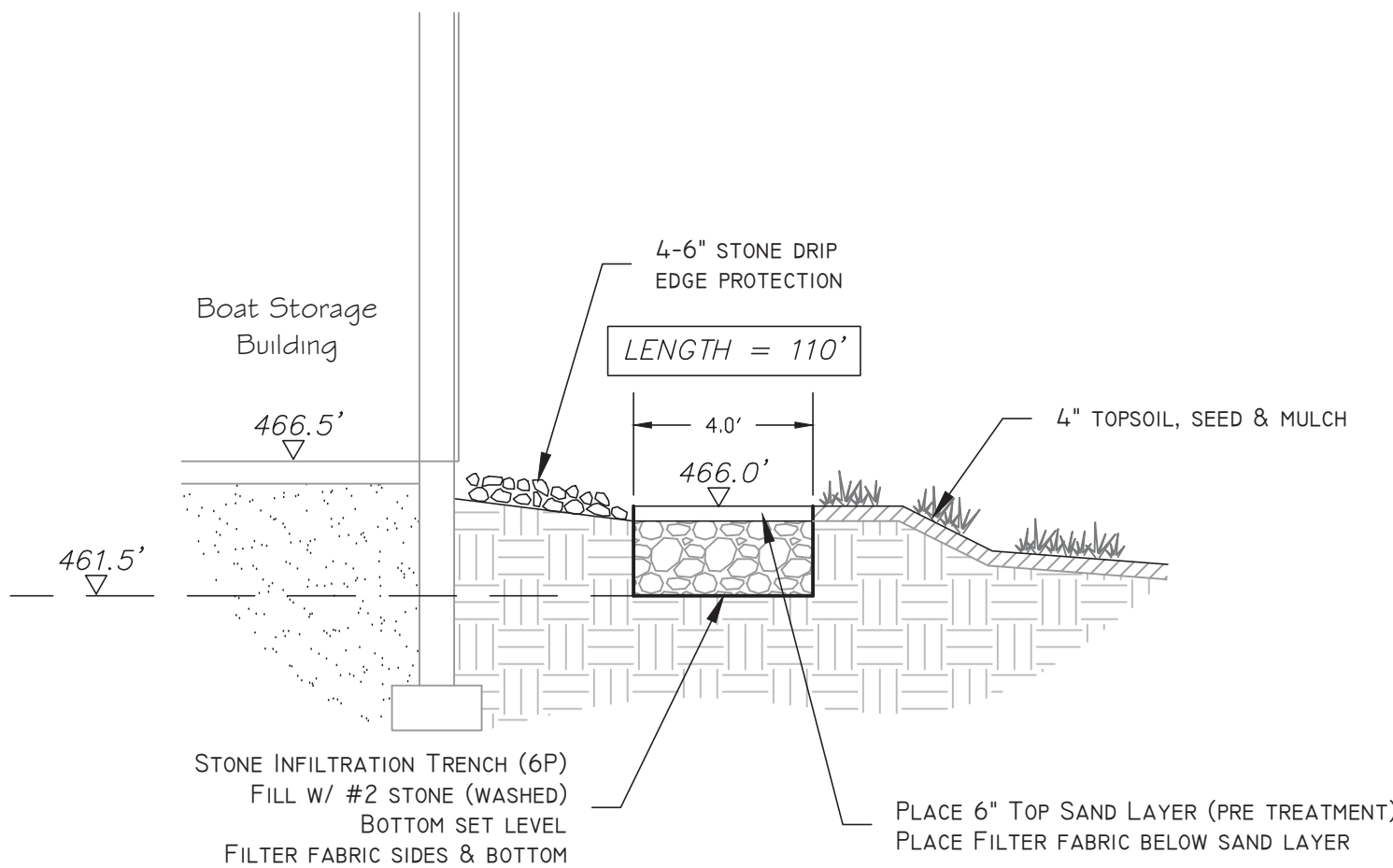
5P



INFILTRATION TRENCH

N.T.S.

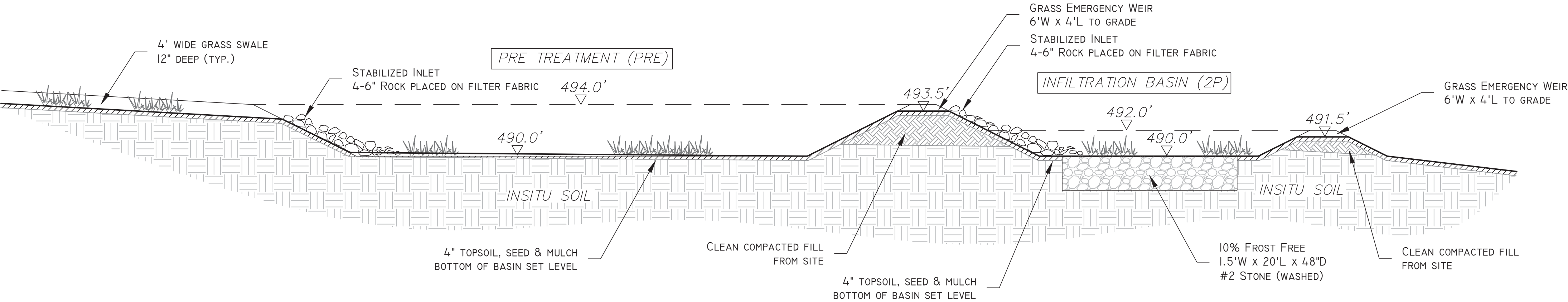
6P



PRE TREATMENT & INFILTRATION BASIN (2P)

N.T.S.

2P



**DICKINSON**  
ASSOCIATES

SURVEYORS • ENGINEERS • LAND CONSULTANTS

Proposed Stormwater Details for  
**Brodie Boat Storage**  
Town of Lake George  
County of Warren  
State of New York  
LG: 277.01-1-3 (new)

P.O. Box 388  
Lake George, New York 12845  
(518) 668-4676 - Phone  
(518) 668-4674 - Fax

Scale: as shown  
Date: 14 June 2019  
Revised: 29 July 2019

Sheet 5 of 6

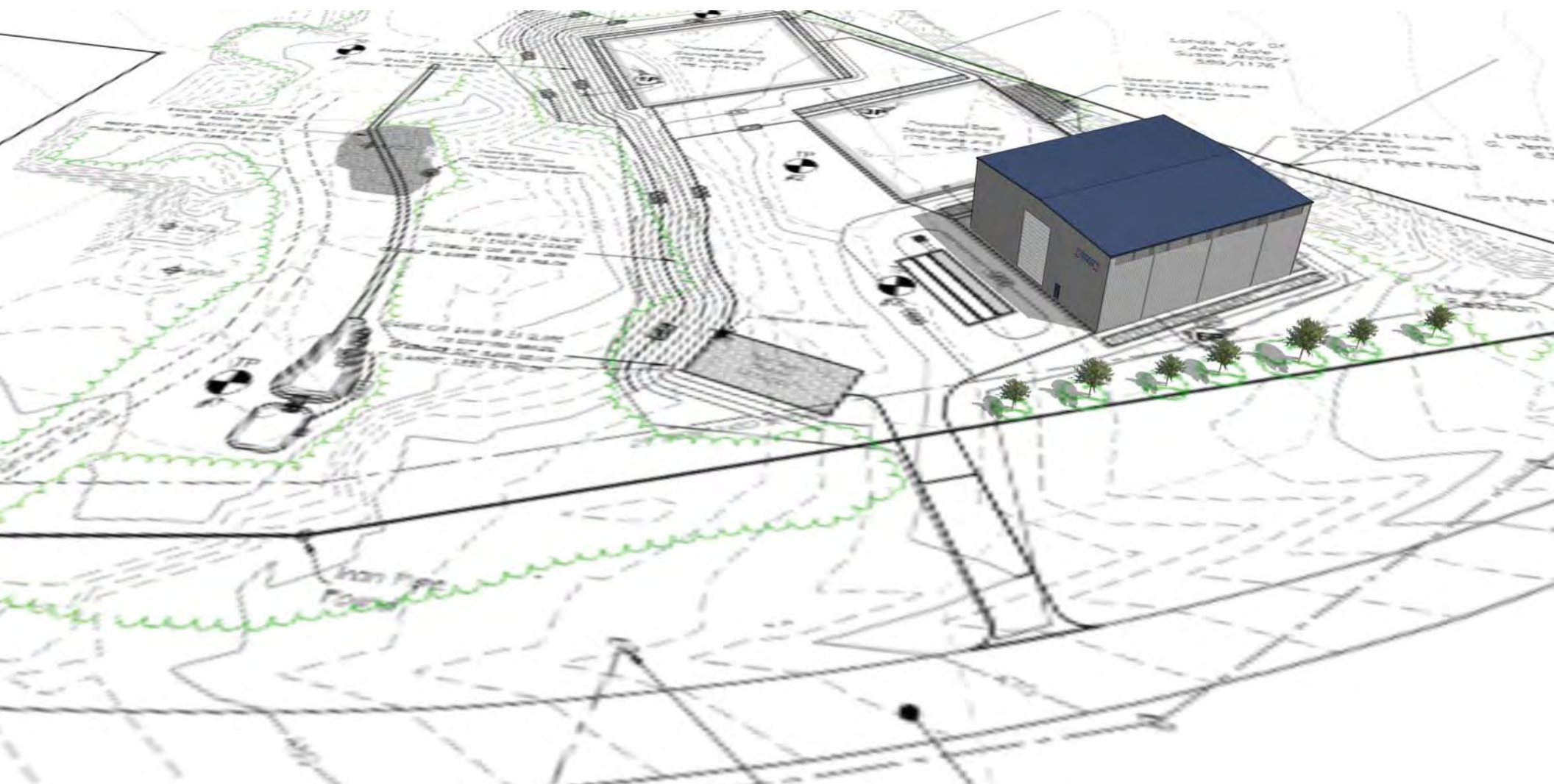














Application Addendum  
Provided by Andrew Brodie

1. The entrance [to the western, upper storage area] is currently locked by chain and padlock.  
[The main entrance to the indoor storage facility is proposed to be gated]
2. Launching of winter storage boats typically occurs from the last week in April to the end of July and retrieval from Labor Day to the first week in November. Throughout the winter boats will be retrieved from the property and transported to Yankee Boating Center at 3578 Lake Shore Dr. for repairs.
3. Our service operations are open from 8:00AM to 4:30 PM Monday - Saturday from April 1 to October 31 and from 8:00AM to 4:30 PM Monday - Friday from November 1 to March 31. We are closed Christmas week.
4. Yankee owns two 3/4 ton and one 1 ton Ram pickup trucks and uses hydraulic boat trailers manufactured by Conolift and Hostar Trailers to transport the boats unless the customer owns their own trailer. Boats will be lifted to and from the racks by a diesel powered Taylor TSE-120 Marina Forklift
5. Yankee uses it's own private launch located at Yankee Marina (3910 Lake Shore Dr., Diamond Pt.) and will be providing service and maintenance to the boats at Yankee Boating Center (3578 Lake Shore Dr., Lake George, NY). When a boat is retrieved from the water for winter storage it will travel on Lake Shore Dr. (Rt. 9N) from Yankee Marina to Yankee Boating Center where any winterization, services and cleaning will be performed on it. The boat will then be transported to the proposed storage facility by means of Lake Shore Dr. (Rt. 9N) to the on ramp of exit 22 of I-87 and then take Exit 21 off of I-87 and go approximately 1 mile west on Rt. 9N to the proposed facility.
6. The max number of vessels that would be launched or retrieved in a single day: 10 boats
7. The proposed indoor facilities are designed to accommodate powerboats and pontoon boats from 17' to 30'. Small sailboats up to 24' can be stored on ground level on their own trailers.
8. Engine service, hull repair and other types of marine repair and maintenance will not occur on site. One aim of creating indoor storage facilities is to minimize if not eliminate our need to shrink wrap boats. If shrink wrapping does occur here it will occur indoors.
9. No restrooms or septic facilities are proposed for the site as customers will not have access to this facility and it will not be staffed. The only foreseen reason for possible staff to remain non-transient on site is for possible shrink wrapping in the month of October and first week of Nov and shrink wrap removal in May and if that occurs then a dumpster and portable restrooms will be provided.
10. Project phasing: Complete site work including road construction and stormwater and the first building closest to Rt 9N will be commenced within 1 year of all regulatory approvals. The 2nd building from Rt. 9N will be commenced within 1 to 3 years of all regulatory approvals. The 3rd building is planned on being commenced between 3 to 5 years.



# 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.

<b>Part 1 – Project and Sponsor Information</b>			
Jabro Development, LLC			
Name of Action or Project: Boat storage			
Project Location (describe, and attach a location map): NYS Route 9N TMP# 277.1-1-3			
Brief Description of Proposed Action: Construct (3) boat storage buildings with associated parking and stormwater controls. Utilize existing cleared, level area for outdoor boat storage.			
Name of Applicant or Sponsor:  Andrew Brodie		Telephone: 518-339-4566  E-Mail: andrew@yankeeboat.com	
Address:  3578 Lakeshore Drive			
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? 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.		NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: County Building Permit/NYS DEC SPEDES		NO  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		8.9 acres	
b. Total acreage to be physically disturbed?		2.4 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		8.9 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 checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Transfer Station/Landfill			
<input type="checkbox"/> Parkland			

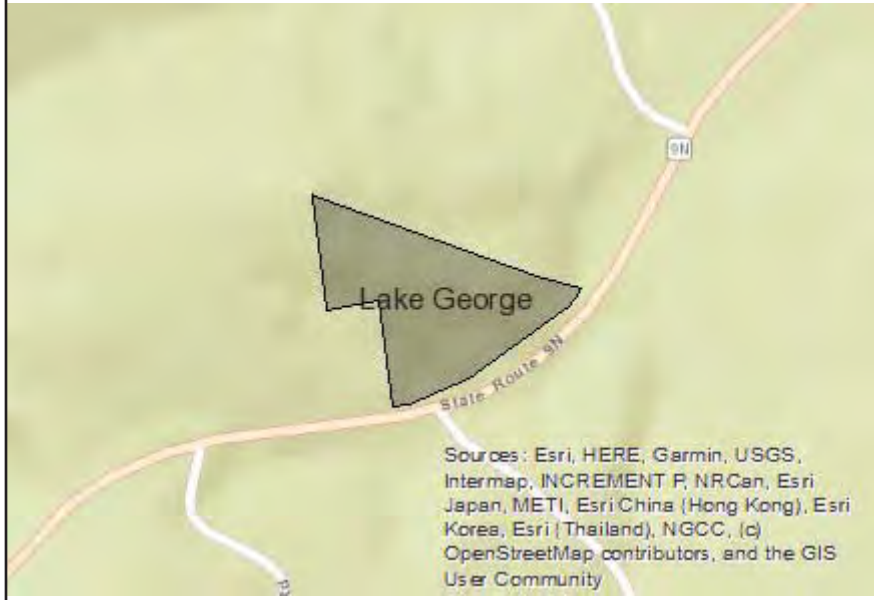


5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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: _____ Drilled well for potable water. _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ N/A _____	<input checked="" type="checkbox"/>	<input 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: _____ _____ _____			



14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <div style="margin-left: 20px;">           a. Will storm water discharges flow to adjacent properties?             b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?         </div> If Yes, briefly describe: <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 5px;"></div>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input 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: <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 5px;"></div>	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: <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 5px;"></div>	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: <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 5px;"></div>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor/name: <u>Andrew Brodie</u> Date: <u>3-1-2021</u></p> <p>Signature: <u>Andrew Brodie</u> Title: _____</p>		





**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No



Minutes of the Town of Lake George Planning Board meeting held on July 14, 2020 at 6:00 p.m., at the Town Center, 20 Old Post Road, Lake George, New York.

**Members Present:** Fred Pape, Chairman  
Heath Mundell Vice Chairman  
Robert Flacke  
Nathan Hall  
Rich Askew  
David Meixner

**Also Present:** Adele Behrmann, Dan Barusch, Jesse Potter, Jeff Meyer, Esq., Robb Hickey, Kathy & Charlie Schaeffer, Karen Hanchett, Keith Hanchett, Devin Dickinson, Andrew Brodie and others.

Dan Barusch announces that the August meeting will be back via Zoom. This meeting has been set up in person under the auspices that the Covid-19 confirmed cases have declined and the fact that Phase IV allows to have a limited number of people at meetings. However recently we're starting to see a re-surgency in the number of cases therefore the Town Board declared that future meetings will be on Zoom and the doors to the building will remain locked. For tonight's meeting the chairs for the Board Members and public have been spaced out; the microphone shouldn't be touched and the mask can be removed while speaking.

Chairman Pape opens the meeting at 6:05 p.m.

## ACCEPTANCE OF MINUTES

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A motion is introduced by Heath Mundell; seconded by Bob Flacke to accept the June 9, 2020 minutes in the record.

All in favor, motion carries.

## PUBLIC HEARINGS

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1. **Application for Site Plan Review SPR2-2020 submitted by Jesse Potter for an after-the-fact addition of several accessory structures between 2016 and 2019, for property located at 2860 Route 9; Tax Map No. 238.17-1-22. Lot size is 0.22 acres. Zoning Classification is RCM-1. Code References are 175-30, 175-37 & 175-91. SEQRA is Type II.**

This a returning application that was tabled last month. Jesse Potter begins by updating the Board as follows:

- **He currently has a carport and a shed that he painted; he removed one shed and cleaned out the site and painted the shed making the lot look more uniform.**

Chairman Pape opens the meeting to the public.

Karen Hanchett is a neighbor and owns the adjacent property. In 2016 he was issued a permit by the Town for a plastic carport which eventually turned into a garage used to work on cars. She shows pictures of the cars Mr. Potter worked on which is mostly body work. In 2011 more cars were brought in and stored on this property. In 2009 the conditions of the sheds and carport were horrible. Mr. Potter has permission to use her driveway however the amount of junk on the site prevented her to get in her shed. This junk was ultimately removed from the property after he received an Order to Remedy letter from the Town.

Subsequently a new shed was built and the original one removed with another tent put up with cars underneath.



Karen Hanchett continues by stating that the RCM-1 zone doesn't allow the operation body shops for cars that includes the use of paint, accelerants, cars being cut up, put together and being towed as well as welding at all times of the day and into the evening including until midnight with flood lights on. She feels that due to an error made by the Town in issuing permits without Planning Board approvals, she wasn't able to voice her concerns and an opportunity to explain to the Board her plight with Mr. Potter. She understands that errors are made but believes that there are many that can be prevented.

Another concern is erosion to her driveway made by the constant driving in and out of vehicles on it that she had to have repaired.

Nathan Hall appreciates the summary by Mrs. Hanchett and asks what would she like to see happen with this applicant. She responds that she would like conditions posed that no additional carports, plastic buildings and sheds be put on the site and that no car work be done. Several Board Members feels that Mr. Potter has a right to work on his cars and although there have been different cars in the driveway some being worked on, it is not an indication that he is running a business from the site but conditions can be put on the noise and the hours.

The Board Members are having a hard time determining that a business is being run by Mr. Potter without concrete proof. They would like to see if a compromise can be reached between them by allowing Mr. Potter to work on his cars and not having any adverse effect on Mrs. Hanchett.

Keith Hanchett adds that what's on the site is a carport and not a garage. Should there be a garage then Mr. Potter could work on his cars with the doors closed and have very little effect on them.

A discussion ensues among the Board Members and Dan Barusch relating to the ability to work on vehicles as long as it is not a business venture. Dan Barusch states that he understands the Hanchetts' position dealing with a quality of life issue in addition to noise, odors, etc.; but cautions the Board to stipulate a condition that can be challenged in Court i.e. not being able to work on his vehicles on his property regardless on whether he uses a permanent structure or a carport. An auto body repair shop with monetary compensation is not a permissible use in this zone but there is no proof that a business is conducted at this site.

David Meixner suggests to possibly condition the hours that Mr. Potter can work on his vehicles. Dan Barusch goes over the "Noise Ordinance" section of the code including the hours, the type of noise and odors with the Board. One of the challenges of enforcing this noise or odor is that very often these calls don't come during office hours therefore they can't be authenticated the next day.

A discussion ensues between David Meixner and Jesse Potter; Mr. Potter agrees to limit the time he can work on the vehicles between 7:00 am and 7:00 pm – Monday through Sunday.

Robb Hickey, a friend of Mr. & Mrs. Hanchett and prior Code Enforcement Officer for the Town of Lake George, approaches the podium and hands out copies of the Use Controls from the Code to the Board Members. He is concerned and upset over the belief by Dan Barusch that the Board cannot impose conditions that could be challenged in Court; he then proceeds to inform the Board of his interpretation of the Code for this zone. He states that Mr. Potter received a permit for a car port when in fact it is a hut with a tarp. He then goes over the definition of "auto repair shop" as a service business and believes that a business doesn't have to strictly have exchange of money, it could be in exchange for favors, barter, etc. He is allowed to have an accessory structure however the way he has been using it is negatively effecting the Hanchetts' lives. In addition, there are two additional unregistered vehicles on the property under tarps making the site a junk yard and believes that Dan Barusch is not enforcing the Code. If the application is approved, he might suggest that the Hanchetts will be in for a fence permit to keep Mr. Potter from accessing the back of the property which will force him to use the North side of the property where the septic is located.



A discussion ensues between Robb Hickey and the Board focusing on the fact that Jesse Potter is not using the accessory structures as mandated by the Code that states that the its use should support the use of the principal structure.

Dan Barusch replies to several comments Robb Hickey makes as follows:

- He goes over the definition of accessory structures which include carports and sheds, and their uses with the Board; when permits are issued, he doesn't micro-manage their use.
- The County denied the Town's request since they don't issue permits for any temporary accessory structure and shed under 144 sq. ft.
- The definition of a business is an exchange of services or goods for money. In this case there is no proof that a business is conducted by Jesse Potter.
- He is a professional Planner and when he advises the Boards, the Members have an option to agree or not with his determinations. The Town has not had any lawsuits relating to planning and zoning in the last 5 years.
- He always advises the Boards of placing conditions on approvals, if necessary, as long as all of them can be upheld in a Court of Law.

Karen Hanchett responds to questions by Board Members and is satisfied with the 7 a.m. to 7 p.m. Monday through Sunday condition. She would also like to ask that no additional sheds are added but is advised that, as per the Code, Mr. Potter is allowed to have three sheds and currently he has two. He would have to get an approval from the Planning Board for a 3<sup>rd</sup> shed. Mr. Potter states that he will make an effort to keep the site clean but is reminded that there cannot be more than one unregistered vehicle on the site and to keep the other two unregistered vehicles inside a structure.

A motion is introduced by Nathan Hall; seconded by Bob Flacke to close the Public Hearings.

All in favor, motion carries.

A motion is introduced by Nathan Hall; seconded by Bob Flacke to approve Site Plan Review SPR2-2020 with the following condition:

- All and any work on vehicles shall be done between the hours of 7:00 a.m. and no later than 7:00 p.m. Monday through Sunday in strict compliance with Chapter 108 (Noise Ordinance).

Ayes: 6 Meixner, Flacke, Mundell, Hall, Askew, Chairman Pape  
Nays: 0  
Abstain: 0

All in favor, motion carries.

2. Application for Site Plan Review SPR13-2020 submitted by Charles Schaeffer with Jeff Meyer, Esq. as agent with a proposal to replace the deteriorating front (1<sup>st</sup> & 2<sup>nd</sup> floors) of the existing residence as well as expanding the 2<sup>nd</sup> floor (by volume) over the rear of the house while maintaining the same footprint, for property located at 10 Lake Street; being Tax Map No. 251.20-1-33. Lot size is .12 acres. Zoning Classification is RSH. Code References are 175-23 & 175-37. SEQRA it Type II.

Jeff Meyer, Esq. as agent for Mr. Schaeffer, begins by reiterating that the goal of the applicant is to tear down all but one portion of the structure and rebuild on the same foot print but increasing the volume by putting a second story over the rear portion of the house; currently it is a single story dwelling with a peaked roof. Any work in this area of the Town requires some type of variance due to undersized lots pre-existing and non-conforming. The Zoning Board



reviewed the application and tabled it requesting a rain garden be designed to capture runoff from the eaves and the roof. A fourth bedroom will be added with an attic that will be used strictly for storage.

Dan Barusch adds that the new plan just handed to the Board addresses the Zoning Board request for a minor stormwater plan and the addition of a retaining wall and permeable pavers in the rear of the dwelling address the request for proposed and existing permeability. The only remaining question is whether or not Mr. Schaeffer chooses to remove a portion of the driveway or will he want to use permeable material; the applicant replies that they plan on using permeable material that completely allows water to go through. Further, with the removal of the stoop and the steps from the new permeable deck there will be a reduction in lot coverage of 31 sq. ft. thus voiding a permeability variance. Gutters will be installed.

Chairman Pape opens the meeting to the public.

Gerry Reinhart, who is the next - door neighbor, begins by stating that their property was recently surveyed by Devin Dickinson to be able to install a fence between the two properties and at that time, it was discovered that one of the pins had been moved. The stake was put back in the right spot but moving a stake is against the law. Subsequently, stakes that were put in the wooded area of his lot were also removed and placed in his driveway. He is here to caution the Board; should they trust someone who broke the law, to be open and trustworthy on the renovation of his house? In the past Mr. Schaeffer was given an approval from the Zoning Board to remove an old shed that is encroaching on his property and replace it with one in a compliant location; the shed is was never removed.

He is reminded by Heath Mundell that the footprint of the house isn't changing therefore there will be no effect on the boundary lines. Dan Barusch also reassures him that any changes to an approved project would be difficult to be missed by the Town. Nathan Hall adds that it is not the Board's jurisdiction to enforce pins in the ground and although public input is greatly appreciated, the survey the Board is working with doesn't indicate any problem with the boundaries or pins but should there be anything non-compliant, the Planning & Zoning office will address it. Dan Barusch suggests that Mr. Reinhart show a police officer a copy of the State Law about removing stakes in the ground since they are charged with enforcing that law.

Mary Lou Vosburg is attending the meeting in support of Gerry Reinhart. The area in questions has undersized lots and over the years people have overbuilt on these lots; she is certain the Schaeffers will do a great job however adding a second story is too much for this lot. She is afraid that an approval would set a negative precedent; the applicants knew what they were buying when they bought it. She believes in following the rules and asks the Board to look at the bigger picture and hold people accountable. She is informed that the house is remaining in the same footprint and the second story is added in the rear above the kitchen; she will stop by Planning & Zoning Office to look at the plans. She is also informed that a rain garden is planned that will be fed by a downspout from the gutters is planned however should there be an issue with stormwater, the Town will deal directly with the Schaeffers.

Dan Barusch explains that the precedent has been set years ago. In the last 5 years, approximately 60 volume variances have been approved on small pre-existing and non-conforming lots where the homeowners built up which is preferred since the Zoning Board would most likely not grant relief for building out. In some instances volume variance are preferred since, if done a certain way, have negated the need for a variance by changing a dwelling to a conforming structure.

Chairman Pope reads the application into the record.

A motion is introduced by Heath Mundell; seconded by Rich Askew to accept SPR13-2020 application as read.

All in favor, motion carries.

A motion is introduced by Heath Mundell; seconded by Bob Flacke to table SPR13-2020 and keep the public hearing open.

All in favor, motion carries.

## Planning Board Positive Advisory Recommendation

3. Modification to Site Plan Review SPR12-2019 submitted by Brodie Land Development (Andrew Brodie) with a proposal to install 3 (three) metal boat storage buildings each 100 ft. x 110 ft. as well as outdoor boat storage and a paved parking area to accommodate traffic flow, for property located at NYS Route 9N; being Tax Map No. 277.01-1-3. Lot size is 8.9 acres. Zoning Classification is RCM-S2B. Code References are 175-37 & 175-55. SEQRA is Unlisted.

Andrew Brodie begins by describing the project as follows:

- The proposal is to add three large rack boat storage buildings similar to the ones that Dennis Quirk with Shoreline installed in the Village. The site is undeveloped land with road access. Last year the Planning Board reviewed the project and tabled it with a request for additional information. They are now back with a resolution to the outstanding items. One of the items was a response to Chazen, the second one was a request for a tree buffer and third to reach out to the neighbor and get his input. He spoke to the neighbor a few times and tried to meet with him on the site but he cancelled several meetings.

Dan Barusch reviews the conditions imposed by the Board last year as follows:

- Chazen is done with their review and all their comments have been satisfied.
- He received an email from Jim Davis with DOT stating that they have no issues with the proposal for the curb cut as long as the appropriate site distance is maximized with egress and ingress on State roads.

A revised site plan has been submitted with the following updates:

- New planting plan
- Updated topography showing the buffer along the side boundary next to the neighbor, Mr. Mallory.
- The location of the proposed fence and gate.
- The heights of the structures at 39.6 ft.
- The lighting is indicated as being down facing lighting on by the main doors.
- A document was received in July drafted by Devin Dickinson describing the rationale on the waiver for the buffer waiver and the material of the building.

Dan Barusch adds that this is a Class A Project which will require APA submission and approval due to proposal being for commercial buildings over 10,000 sq. ft. The Planning Board is charged with submitting an advisory declaration for either an approval or denial.

As per Andrew Brodie, this project is going to be a work in progress building one structure at a time probably over a 5-year span.

A motion is introduced by Nathan Hall; seconded by Heath Mundell to close the Public Hearings.

All in favor, motion carries.

Chairman Pape reads Parts I & II of the SEQRA.

Dan Barusch brings up two changes on Part I of the SEQRA which are: the ownership of the site changed to Brodie Land Development LLC and "APA review" needs to be checked.

A motion is introduced by Chairman Pape; seconded by Nathan Hall to declare a Negative Declaration.

All in favor, motion carries.



A motion is introduced by Nathan Hall; seconded by Bob Flacke to declare a Positive Advisory Recommendation supporting Site Plan Review SPR12-2019.

Ayes: 6 Meixner, Flacke, Mundell, Hall, Askew, Chairman Pape  
Nays: 0  
Abstain: 0

All in favor, motion carries.

A motion is introduced by Nate Hall; seconded by Heath Mundell to adjourn the meeting at 8:15 p.m.

All in favor, motion carries.

Respectfully Submitted,

Adele Behrmann  
Planning & Zoning Clerk

## Joe Thouin

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**From:** apa.sm.Referrals <Referrals@apa.ny.gov>  
**Sent:** Wednesday, March 3, 2021 11:35 AM  
**To:** Joe Thouin  
**Cc:** Staab, Sarah A (APA)  
**Subject:** RE: NAR Yankee Marina Exit 21

Thank you for supplying us with this information. The Agency has received a permit application **P2021-0027** for this proposal and the application is currently being reviewed.

Please contact EPS Sarah Staab with any specific questions you may have concerning the Agency's review of this project.

Cross reference R2021-0041

Thank you,

**Matthew Brown**

Environmental Program Specialist 1

**NYS Adirondack Park Agency**

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

(518) 891-4050 | [Matthew.Brown@apa.ny.gov](mailto:Matthew.Brown@apa.ny.gov)  
[www.apa.ny.gov](http://www.apa.ny.gov)

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**From:** Joe Thouin <Joe@lgpc.state.ny.us>  
**Sent:** Monday, March 01, 2021 10:22 AM  
**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>; Dan Barusch <dbarusch@lakegeorgetown.org>  
**Subject:** NAR Yankee Marina Exit 21

*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 of review for a new marina proposing indoor and outdoor boat storage.

Please let me know if you have any concerns or related jurisdiction and the status of your review.



## Joe Thouin

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**From:** Staab, Sarah A (APA) <Sarah.Staab@apa.ny.gov>  
**Sent:** Tuesday, March 9, 2021 8:06 AM  
**To:** Joe Thouin  
**Subject:** APA File P2021-0027 (Brodie Land Development LLC)-RE: Yankee Marina Exit 21  
**Attachments:** P2021-0027-20210217-SAS-F-1stNIPA-slp.pdf; Boat Storage Plan-Sheet 3 of 6-Revised 07-29-2019.pdf; Erosion Control and Stormwater Plan-Sheet 4 of 6-Revised 07-29-2019.pdf; LGPC-Correspondence-dated 07-25-2019.pdf

Good Morning Joe,

The Agency has jurisdiction over the entire project site because it involves a new commercial use. I've attached the Agency's Notice of Incomplete Permit Application highlighting the outstanding questions/areas of concern the Agency needs addressed before the project can be completed and approved. Once completed, there will be a 30-day public comment period, and the Agency has 90-days to issue the permit.

Other than receiving the initial application materials and sending this NIPA, there has been no other correspondence. The initial application consisted of 41 pages of documents and plans, including architectural plans, building cross sections, vegetative buffer cross sections, erosion control and stormwater plans, topo map, grading plan, landscape and lighting plan, and stormwater details. The gist of the proposal can be seen on the two plans attached to this email. I've also included a letter to the Lake George Planning Board dated July 25, 2019.

Please feel free to reach out if you'd like any other documentation or have any other questions.

Best Regards,

**Sarah Staab**

Environmental Program Specialist 1

**NYS Adirondack Park Agency**

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

(518) 891-4050 | Cell: (518) 443-9358 | [sarah.staab@apa.ny.gov](mailto:sarah.staab@apa.ny.gov)  
[www.apa.ny.gov](http://www.apa.ny.gov)

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**From:** Joe Thouin <Joe@lgpc.state.ny.us>  
**Sent:** Monday, March 08, 2021 6:57 AM  
**To:** Staab, Sarah A (APA) <Sarah.Staab@apa.ny.gov>  
**Subject:** Yankee Marina Exit 21

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

Dear Sarah,

I hope this finds you well.

I would appreciate if you could please identify the Agency's jurisdiction, scope of review over the project (all or a portion), and the status of your review. A copy of any recent correspondence with the application would be helpful to me.

Please take care, and I'll look forward to hearing from you on this.

Best regards as always,  
Joe

Joe Thouin  
Environmental Analyst

**Lake George Park Commission**

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

(518) 668-9347 | fax (518) 668-5001 | [joe@lgpc.state.ny.us](mailto:joe@lgpc.state.ny.us)

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