



APA Application for Variance from Shoreline Restrictions
Response to Request for Information dated December 20, 2021

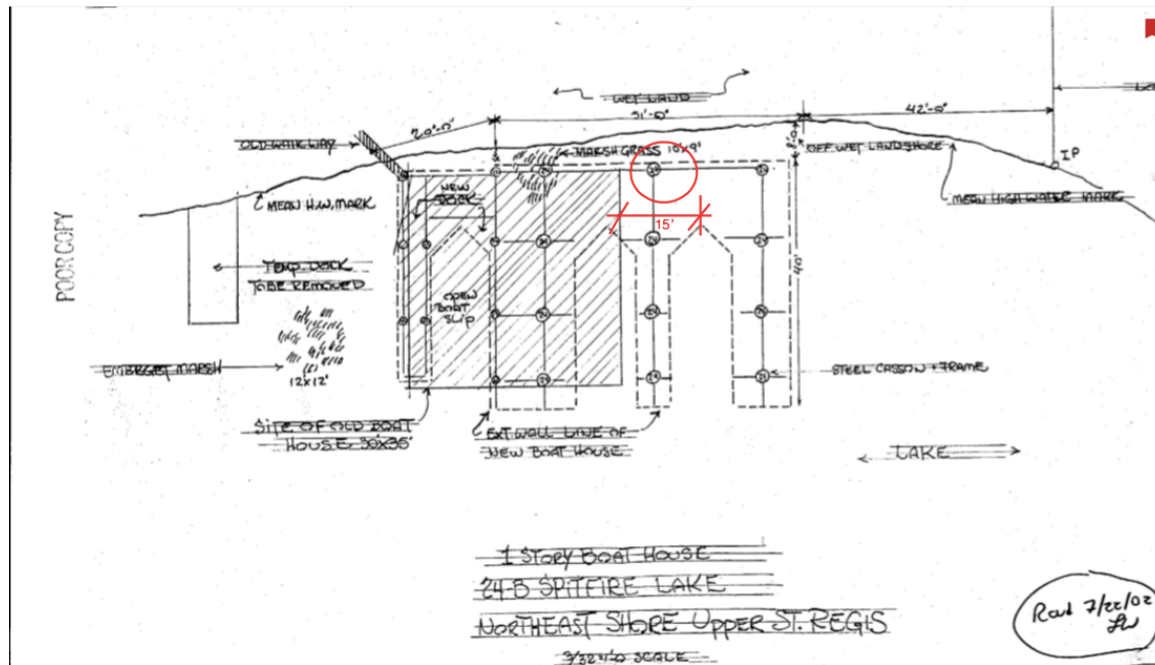
APA Project Number: J2021-0117
Andrew P Hawkins - Existing Non-Conforming Boathouse Addition
24 B Canoe Bay, Spitfire Lake, Brighton, NY
February 16, 2022

1. The photos submitted December 3, 2021 do not show the lakebed in the location of the proposed shoreline structure expansion. A summer site visit to the property will be necessary to verify the presence or absence of wetland vegetation. Please be aware that if wetland vegetation is identified in the area proposed for the shoreline structure expansion, additional information will be required.

With our FOIL request for the property we found the following information in a letter from the APA to the former owners, the Pampalone's dated March 17, 2003. In this letter there is a description of shoreline vegetation and is shown on a drawing below. I had a phone conversation with Mary O'Dell and Bart Haralson on Wednesday February 16, 2022 to review the possibility of emergent wetland at the shoreline. The existence of this wetland was shown in a sketch from the wetlands expert who visited the site and sketched the location of the wetland found. The drawing shown on p11 of the March 17 letter does not show the wetland in the correct location. I have shown in red where the wetland was located according to the sketch Mary shared with me during that conversation. There are no other emergent wetlands shown along the shoreline shown in the sketch or described in the body of the letter. Therefore one can assume the existing wetland was documented at that time and there is no other locations on the property other than those two depicted on the sketch and the drawing now revised correctly showing the location of the wetlands.



Architecture



2. The existing dock parallel to Spitfire Lake appears to be 9.25 feet wide and is considered a non-conforming structure. Please provide any information or photographs describing the year the existing dock was constructed.

We searched far and wide from contractors, to building officials and the DEC. There were no drawings available. In our FOIL request from the APA we discovered foundation plans dated 2002. Therefore we can assume the boat house was built shortly after that. Included in the March 17 letter there was a letter found from the Pampalone's regarding the width of docks stating they would comply with the regulations. Clearly it appears they did not. We are willing to make the 9.25' wide non-conforming dock a conforming structure reducing it to 8' wide assuming we don't have to cut a steel beam in order to satisfy this requirement.

Michael L. Bird, A.I.A.

Website: www.adkgreatcamps.com

Email: adk_michael@mac.com

Rhinebeck, New York.

Phone 518-637-2524

30 Riverside Drive, Saranac Lake, New York 12983 Phone 518-891-5224



3. The new proposal shows an uncovered structure (walkway) wrapping around the proposed shoreline structure. Please evaluate the alternative of not constructing this walkway in order to minimize the variance request.

The drawing you were looking at was the previous application filed with the DEC. A new application was submitted changing the structure. Please refer to the new DEC application.

4. Please further evaluate other non-jurisdictional alternatives as staff's review indicates this proposal does not meet the criteria in Executive Law § 806 and Agency regulations at 9 NYCRR § 576.1 to be granted a variance. Please see Page 1 of the Enclosed Variance Process Summary for Applicants for more information.

The current Boathouse located on the east side of the property has 2 enclosed slips and an open slip to the west of the enclosed slips. The ridge height of the boathouse is 24'-5" above the dock. We propose to add one slip to the east by adding a dock to create the slip and covering the slip with a hip roof coming off of the existing Boathouse roof. The addition will be 26'-11" x 16'-3". The ridge height of the addition would be 15'-5".

Our previous application for a Non-jurisdictional Determination was denied due to the existing 24'-5" ridge height which does not meet the current boathouse defined regulation. Thus the expansion was denied.

We have considered building a new 1200 sq foot boathouse at the West end of the property following the new boathouse guidelines. Ultimately we decided on a single slip boathouse and have provided renderings of this design in our application. We have 2 grave concerns and hardships with constructing a boathouse in that location.



A boathouse in that location would create greater man made structures on the shoreline creating a negative visual impact for everyone viewing the property from various angles from the lake.

The water depth all along the shore on the West side of the property is extremely shallow. Forty feet from the shore the water depth is only 3' deep. In order to get the proper water depth to safely land a boat without damaging the propeller, a new boathouse would have to extend a total of 57'-11" out into the lake. A structure this far into the lake will have a severely negative visual impact not only for my clients point of view but also many of the neighboring properties. The shore to the East of the existing boat house turns 90 degrees at the property corner and heads South. The Cathers (the neighbors to the East) will be looking at the new single slip boathouse from their camp sticking way out into the lake. This would be both very odd looking due to it being so far from the shore but also interrupting their view up the lake toward St. Regis Mountain.

Shore owners across the lake to the south, would view a structure that would appear to be sitting in the middle of the lake. It will look very odd to see the roof line of the structure and have the trees so far behind it as opposed to nestled into the shoreline like so many others.

Shore owners to the west however would have the most awkward view of a new boathouse. It would stick so far out from the shoreline sticking nearly 60' in the water. It would nearly block the view of the existing boathouse from this angle. In fact the existing boathouse would be visible to the left of the new boathouse or back behind the new boathouse due to being so far out into the water.

I don't believe the Army Corps of Engineers nor the DEC would permit a boathouse this far from shore as it would negatively impact the navigable waters of the lake.

These negative factors clearly show the addition of a new boathouse on the west side of the property is far less acceptable than a subtle expansion of a one slip addition on east side of the existing boathouse in the corner of the lake. It would have extremely low impact to the shoreline no matter what angle it was viewed from. It would be much less destructive to the lake due to requiring far less construction in the water and far less invasive to the surroundings. In the end this addition would hardly be noticed.

Michael L. Bird, A.I.A.

Website: www.adkgreatcamps.com ♦ Email: adk_michael@mac.com
Rhinebeck, New York. ♦ Phone 518-637-2524
30 Riverside Drive, Saranac Lake, New York 12983 ♦ Phone 518-891-5224



I have included renderings from various angles of both the one slip boathouse addition, the simple one slip addition to the existing structures as well as photos from the same locations showing the existing views from those locations in the original variance application.

5. In order to facilitate a coordinated review with the NYS Department of Environmental Conservation (DEC) and US Army Corps of Engineers (ACOE), please continue to provide documentation from each agency regarding their respective jurisdictional roles in this proposal, as well as the status of any required applications. Please provide any required future submissions and all supporting documentation to each entity simultaneously to enable a coordinated review.

We have prepared a new submission that has been sent to the DEC, US Army Corps of Engineers, and APA for your records. I have included the DEC and Army Corps application in a separate email.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Bird".

Michael Bird A.I.A.



November 12, 2020

To Whom It May Concern:

Please allow this letter to serve as authorization for Michael Bird of Adirondack Design to act on my behalf regarding the filing of all permit applications and appearing at any regulatory agency hearings relative to property owned by me located at Canoe Bay, 24B on Spitfire Lake, NY. Specifically, he is authorized by me to sign and present information to all necessary regulatory agencies and to take any necessary steps to receive permitting for this project site.

If you have any questions regarding this matter, please do not hesitate to call me at 917 864 0807

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew Hawkins", is written over a horizontal line. The signature is stylized and cursive.

Signature

The name "ANDREW HAWKINS" is printed in blue ink, with each letter in all caps and a slightly irregular, hand-drawn style. It is positioned below a horizontal line.

Print Name