



May 19, 2022

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The Upper Saranac Lake Association would like to submit the following comments for inclusion and consideration in the Town of Santa Clara Planning Board Public Hearing on Tuesday, May 24, 2022, on an application from USL Marina, LLC, for a Special Use Permit for the Upper Saranac Lake Marina (formerly "Hickok's Marina").

The Upper Saranac Lake Association's Government Affairs Committee as well as our general membership have been actively participating with the Town leadership in the process of crafting the newly approved Marina and Land Use code regulations. We understand the legal complexity, issues, efforts, and expenses incurred in achieving the newly defined law.

While we may not agree with some aspects of this law, we understand the need to respect the current language of the law. We believe that we must avoid "loop hole" interpretations of the law that bend or attempt to exceed the law's intentions. Previously, Town Board members have stated that vague regulations have enabled some parties to take advantage of "loop-holes" and go well beyond the original intent of Town laws.

It is with this in mind we respectfully request closer examination of the following portions of the Marina's proposal:

**The new law states:**

1). 7.36.d.5.c "All docks, wharfs and moorings should extend no more than 20% of the width of the water-body, OR 200 ft, whichever is most restrictive."

- The intention of the 20% was to represent the total available usage of a section of the waterway for "All docks" and measured to the closest point on the opposing shoreline. This should NOT be 20% from each opposing shoreline and should NOT be measured based upon the "axis of a dock" to some distance point on the opposing shoreline. Additionally, "All" docks or structures on the closest opposing shoreline should also be considered in the calculation of the available 20%. We believe that the 20% rule is more restrictive than the 200 ft length.

2). 7.36.B.1 "Docks associated with a marina shall not interfere with navigation on the water body involved. Navigation shall be as defined by NYS OGS, NYS DEC or APA, the most stringent of which shall govern in the case of conflict." AND 7.36.D.3 "Information regarding the potential that the proposed dock will create an obstacle to navigation, recreation and use of

waters, and access to adjacent properties. Potential conflicts with navigational hazards or conflicts with other uses such as swimming areas shall be identified and a plan presented to minimize such conflicts.”

- The marina proposal identifies speed buoys markers at 50 feet from docks to give the appearance of less interference with navigation. It is our understanding that NY State states that 100 feet from docks, swimming areas and shorelines required 5 MPH speed limits. This represents an even greater interference with navigation and recreational use.

3). 7.36.D.5.a “Dock design should be limited to 50 ft in width including all lateral projections. AND 7.36.D.5.b All lateral projections should be limited to 22 ft.”

- Marina proposal exceeds both of these specifications on “Dock 4”.

In addition to the specific concerns above, USLA would also like to state for the record that the last minute addition of dock roofing over dock structures of this magnitude truly deters from the Adirondack style and impacts the character of the surrounding area. The Marina’s opinion that roofing basically covers the mess associated with boats parked at the docks also just reinforces our concerns regarding the size and scope of the marine docks.

Thank you for the opportunity to participate and comment.

Regards,

Larry Koch  
President, USLA

Dave Powalyk  
Vice President, USLA

CC: USLA Governmental Affairs Committee