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Town Clerk and Special Committee members  
Santa Clara, New York

The Upper Saranac Lake Association along with the Upper Saranac Foundation (USF) would like to submit comments and suggestions as follow up to our previous responses (dated 4/8/2021 & 4/21/21) and meeting that occurred on 4/28/21. We hope that these written interactions assist the Committee throughout the process of revising commercial land use regulations.

The purpose of the Town of Santa Clara moratorium is to define land use codes for commercial properties, as residential codes were not appropriate for commercial application. With that goal in mind we make the following suggestions:

**Property boundary setbacks** – 25 feet may be reasonable for residential code as Ed LaGree so appropriately pointed out. However, commercial usage and traffic (person, vehicle, boat) will be considerable greater, louder and have a greater impact on privacy than residential usage. Additionally, we assume commercial property acreage size must be larger than most residential property to support commercial usage.

*To address these concerns, USLA suggests 50-foot property boundary setbacks and buffers for commercial property.*

**The committee's suggestion that "non-specific code" for commercial marina dock sizing be adopted:**

As you are aware, Upper Saranac Lake covers 8.2 square miles while Lake George covers 44 square miles. Specific regulations governing Lake George marinas are well defined by the LGPC and are an addendum to the NYS DEC regulations and continually approved by the NYS Legislature, provided that the park commission administer such regulations. As Chris Round correctly pointed out, a few Lake George marina docks are larger than the 100-foot length defined in LGPC regulation. These longer docks are either grandfathered or received a variance due to low water depth at the 100-foot mark. When combining dock sizing regulations with navigational impact restrictions it appears to address most situations.

Defining specific regulations assist the public in the understanding of the rules and regulations of the Town. Specific regulations also prevent the public's misperception of possible: subjective or preferential treatment, inappropriate behavior by elected officials, or changes in the application of code due to personal preferences when elected officials change. Specific code would also reduce the workload on Town officials by not having to repeatedly explain the process.

*Even though Lake George is considerably larger than Upper Saranac Lake the USLA suggests a closer review of LGPC's regulations and code as the template for TSC marina code. LGPC appears to have addressed a number of the TSC committee's marina issues and concerns including dock sizing and the number of docks permitted based on lake frontage.*

USLA would like to commend the TSC Committee for its progress to date and due diligence during this review process. The volume of material and research being reviewed is considerable and time consuming. As is the tracking, inventorying and distribution required to fulfill the various FOIL requests. USLA understands the task being undertaken and supports the Town Board's recommendation to extend the Moratorium.

We hope that our comments and suggestions continue to be helpful.

Thank you again for the opportunity to participate. If you have any questions regarding these comments please let us know.

Regards,

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CC: USLA Governmental Affairs Committee  
Guy Middleton