



December 3, 2021

Adirondack Park Agency  
1133 NY 86  
Ray Brook, NY 12977  
[apajif@apa.ny.gov](mailto:apajif@apa.ny.gov)

Enclosed please find our response to your Variance Information Request for the Hawkins Boathouse Addition Shoreline Variance Application. -**APA Project Number 2021-0249**.

Response includes:

- 1) Shoreline and Lakebed photos from September showing that there is clearly NO in-water vegetation at any point in the year.
- 2) Owner Authorization form with Both Owner's Signatures.
- 3) Drawing of Existing Floorplan A-1.1A
- 4) Explanation of Hardships to Suggested Non-Jurisdictional Alternatives.
- 5) Information submitted to DEC dated Jan. 1, 2021.\*\*
- 6) DEC Response Letter to Application dated Feb. 12, 2021.

\*\* The design that was submitted to the DEC dated January 1, 2021 was designed as much as possible to meet the current definition of a Boathouse. However, now that we need to apply for a variance we have made modifications to the design that was previously submitted to the DEC as we cannot meet the current APA definition of a Boathouse. The above DEC application was also sent to the Army Corps of Engineers who has not sent a response.

Due to modifications in the design now that we are applying for an APA Variance, we will be submitting new permit applications to the DEC and Army Corps of Engineers at our earliest convenience, and will send a copy of these applications to the Adirondack Park Agency as they are completed.

Please get back to us if any information is missing, needed or would be helpful for the efficiency of the Variance process. We look forward to your confirmation.

Respectfully Submitted,

Victoria Sturgeon  
Project Manager

CC: Andrew P. Hawkins - Property Owner



**Hawkins Boathouse Addition**  
**Project Number: 2021-0249**  
**Response to APA Variance Information Request**  
**December 2, 2021**

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Listed below are the suggestions, from your previous letter, that we should evaluate as non-jurisdictional alternatives, and reasons why each suggestion would cause our client hardship.

1. Whether the existing shoreline structure could be modified to meet the Agency's boathouse definition of a structure 1,200 square feet in size or less with a height of 15 feet or less and reducing the existing dock to a maximum of 8 feet wide;
  - a. Doing so would cause us to rebuild the entire structure, disturbing much more lake bed and shoreline than if we added one slip. Reducing the structure to meet the current definition is not practical nor cost effective. This boathouse was built legally under the existing boathouse regulations at the time. Requiring Mr. Hawkins to modify the existing structure to meet the existing Boathouse regulations is an unrealistic request as well as an undue financial burden and would create an unattainable precedence. There is never a case in zoning regulations and building codes that when adding an addition requires the homeowner to completely upgrade the existing structure to meet today's codes. We can reduce the one dock width to 8'-0" if necessary.
2. Utilizing off-site covered boat storage facilities;
  - a. This site is boat access only. Three slips are desired to store the three boats that Mr. Hawkins currently owns and to ensure that the owner can still leave the property if there are mechanical breakdowns with his boats. Having the boats off site would not ensure that the landowner can leave the property in the event of breakdowns on one or more of his boats.
3. Constructing an on-site dry covered boat storage facility outside of the shoreline setback area.
  - a. This would require installing a track system that would reach out likely 60' into the lake and create a boating hazard. The setback is 100' and that would place the structure 100' from the shore. In addition the time and effort to take a boat down the track would be very time consuming and challenging. This again is a completely impractical solution.
4. Raising the entire height of the boathouse to the existing ridge-line height of 18.8 feet , and providing two-tiered dry storage within the existing boathouse;
  - a. This again is a extremely impractical solution creating the necessity of tearing down the existing boathouse and rebuilding it completely. It likely would create an undesirable appearance along the shoreline. A two tier boat storage system may work at commercial facilities but would be arduous and impractical for a residential property.
5. Building a second boathouse closer to the existing boathouse that avoids shallow water and is located outside of the wetlands;
  - a. There is no place along the shoreline of said lot that avoids shallow water other than the location of the existing boathouse. We showed in our original application how impractical this option would be and the negative impact it would create for all neighbors, as well as creating a navigational hazard.

In summary, we could in fact build a 1200 square foot, 15 foot high boathouse and locate it 60 feet off shore based on the current APA Boathouse regulations. Doing so would be highly intrusive to all the surrounding neighbors, and a navigational hazard. The simple solution of adding a single slip to the existing structure is A.) A barely noticeable expansion of a non-conforming shoreline boathouse, B.) Far less environmentally destructive to the lake and C.) Much more practical and acceptable to the neighbors.

**SIGNATURES REQUIRED FOR AGENCY PERMIT APPLICATION**

The Adirondack Park Agency and members of its staff are authorized to enter on the project site for the purpose of conducting investigations, examinations, tests, and site evaluations as necessary, at reasonable times and with advance notice where possible, to verify information contained in or related to the application.

***In the case of any corporation, limited liability corporation, partnership, trust, or other legal entity, all parties signing below affirm that they are authorized to act on behalf of the entity.***

PLEASE **PRINT** ALL NAMES AND TITLES

**I hereby affirm under penalty of perjury that the information provided in this application is true to the best of my knowledge and belief.**

Project sponsor (if project sponsor is a landowner, please sign in both locations):

Name Andrew Hawkins Signature [Signature] Date 11/10/21

Title LANDOWNER  
LISA WASH [Signature] 11/10/21  
Landowner

Authorized contact person (if different from landowner or project sponsor):

Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

Title \_\_\_\_\_

**All parties signing below agree to act as co-applicant for the permit application.**

Landowner(s) of all lands that will be subject to the permit:

**\*\* If different from the name(s) on the current deed, please include an explanation and confirm that the signatories below are authorized to act as landowner \*\***

Name LISA WASH Signature [Signature] Date 11/10/21

Name Andrew Hawkins Signature [Signature] Date 11/10/21

Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_



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, which appears to read "Andrew Hawkins", is written over a horizontal line. The signature is stylized and cursive.

Signature

Andrew Hawkins

Print Name