REGULAR MEETING OF THE BOARD OF TRUSTEES
September 24, 2018

ROLL CALL FOR REGULAR MEETING: Present: Mayor Clyde Rabideau
Trustees: Melinda Little, Paul Van Cott, Richard Shapiro and Patrick Murphy.

Also present: Village Manager, John Sweeney, Village Treasurer, Elizabeth Benson, DPW Superintendent, Jeff Dora and Village Clerk, Kareen Tyler.

Everyone stood for the pledge of allegiance.

SPECIAL GUESTS : Franklin County Legislator, Melinda Ellis thanked community members for the beautiful flowers though the village. Franklin County resolution is attached and made part of these minutes.

PUBLIC HEARING
Chapter 10
Brewpub
No one from the public made comment on either proposed law.

AUDITING:
Chair Rabideau called for a motion to approve payment for the 2019 budget
$ 224,481.97 voucher number 11039784 to 11039886
complete detail of these vouchers is attached and made part of these minutes.
Motion: Rabideau Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

APPROVAL OF MINUTES:
Chair Mayor Rabideau called for a motion to approve minute of 9-10-2018.
with a minor change.
Motion: Van Cott Second: Litlle
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

PUBLIC COMMENT PERIOD:
Elizabeth Kochar and Susan Arnold spoke regarding plowing on Petrova Avenue.
Attached and made part of the minutes is the letter they present the board.

CORRESPONDENCE: Letter- Eleanor Sweeney and Police Department August Report
Chair Rabideau called for motion to accept and place on file the above referenced correspondence.
Motion: Little Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

ITEMS FOR BOARD ACTION:

Bill 95-2018 Declare 400 Broadway Properties Supply, Set Auction Date and Minimum Price.

A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Little Second: Van Cott
Motion to Amend: Murphy Second: Little
Amend to allow sealed bids the day of the auction if no minimum bid is received.
Roll Call to Amend: Little yes Murphy yes Shapiro yes Van Cott yes
Roll Call on Amended Motion: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 96-2018 Begin Hiring Process for Water Sewer Worker

A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Little Second: Shapiro
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 97-2018 Declare Surplus Equipment

A copy of the bill is attached and made part of these minutes
Motion: Little Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 98-2018 SEQR Unlisted Action Negative Declaration Chapter 10

A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Van Cott Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 99-2018 Adopt Law Amending Chapter 10

A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Van Cott Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 100-2018 LWRP Determination Brewpub

A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Murphy Second: Little
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 101-2018 SEQR Type 1 Negative Declaration Brewpub

A copy of the bill is attached and made part of these minutes
Motion: Little Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 102-2018 Development Code Amendment Brewpub Adoption
A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Murphy Second: Little
Roll Call: Little yes Murphy yes Shapiro no Van Cott yes

Bill 103-2018 Hire Jay Bradish Water Sewer Maintenance Helper
A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Little Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 104-2018 Set Fee for Electric Charging Station
A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Murphy Second: Little
Motion to Amend: Murphy Second: Little
Amend to charge 10% over the current kilowatt hour rate to be established at the discretion of the Village Manager
Roll Call to Amend: Little yes Murphy yes Shapiro yes Van Cott yes
Roll Call on Amended Motion: Little yes Murphy yes Shapiro yes Van Cott yes

OLD BUSINESS:
Trustee Murphy- LED Street Lights

NEW BUSINESS:
Mayor Rabideau- Street Reserves for surplus land revenue

MOTION TO ADJOURN
Chair Mayor Rabideau called for a motion
Motion: Little Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Respectfully submitted, Kareen Tyler, Village Clerk

"Permit Holder" shall mean the Person to whom a Building Permit has been issued.

"Person" shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

"Stop Work Order" shall mean an order issued pursuant to section 6 of this local law.

"Temporary Certificate" shall mean a certificate issued pursuant to subdivision (d) of section 7 of this local law.

"Village" shall mean the Village of Saranac Lake, 3 Main St., Saranac Lake, NY 12983.

Comment [PB2]: Delete physical address in case of future address change.

"Village Board" shall mean the Board of Trustees for the Village of Saranac Lake.

"Uniform Code" shall mean the New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time.

SECTION 3. CODE ENFORCEMENT OFFICER AND INSPECTORS

(a) The office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this local law. The Code Enforcement Officer shall have the following powers and duties:

(1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Temporary Certificates and Operating Permits, and the plans, specifications and construction documents submitted with such applications;

(2) upon approval of such application, to issue Building Permits, Certificates of Occupancy, Temporary Certificates and Operating Permits, and to include in Building Permits, Certificates of Occupancy, Temporary Certificates and Operating Permits such terms and conditions as the Code Enforcement Officer may determine to be appropriate;

(3) to conduct construction inspections, inspections to be made prior to the issuance of Certificates of Occupancy, Temporary Certificates and Operating Permits, fire safety and property maintenance inspections, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of this local law;

(4) to issue Stop Work Orders;

(5) to review and investigate complaints;

(6) to issue orders pursuant to subdivision (a) of section 15 (Violations) of this local law;

(7) to maintain records

(8) to collect fees as set by the Village Board of this Village;

(9) to pursue administrative enforcement actions and proceedings;

(10) in consultation with this Village's attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this local law; and

(11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

(b) The Code Enforcement Officer shall be appointed by the Village Manager. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.

(c) In the event that the Code Enforcement Officer is unable to serve as such for any reason, an individual shall be appointed by the Village Manager to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of his or her appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.

(d) One or more inspectors may be appointed by the Village Manager to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for Code Enforcement personnel, and each Inspector shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.

Comment [PB3]: Insert "by"

Comment [PB4]: Add t to correct spelling error

(e) The compensation for Code Enforcement Officer and Inspectors shall be fixed from time to time by the Village Manager .

SECTION 4. BUILDING PERMITS.

(a) Building Permits Required. Except as otherwise provided in subdivision (b) of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney or flue in any dwelling unit.

No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Code Enforcement Officer.

(b) Exemptions. No Building permit shall be required for work in any of the following categories:

(1) construction or installation of one story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.88 square meters);

(2) installation of swings and other playground equipment associated with a one or two-family dwelling or multiple single-family dwellings (townhouses);

(3) installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;

(4) installation of fences which are not part of an enclosure surrounding a swimming pool;

(5) construction of retaining walls unless such walls support a surcharge or impound Class I, II or IIIA liquids;

(6) construction of temporary motion picture, television and theater stage sets and scenery;

(7) installation of window awnings supported by an exterior wall of a one- or two- family dwelling or multiple single-family dwellings (townhouses);

(8) installation of partitions or movable cases less than 5'-9" in height;

(9) painting, wallpapering, tiling, carpeting, or other similar finish work;

(10) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;

(11) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or

(12) repairs, provided that such repairs do not involve (i) the removal or cutting away of a load bearing wall, partition, or portion thereof, or of any structural beam or load bearing component; (ii) the removal or change of any required means of egress, or the rearrangement of parts of a structure in a manner which affects egress; (iii) the enlargement, alteration, replacement or relocation of any building system; or (iv) the removal from service of all or part of a fire protection system for any period of time.

(c) Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

(d) Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information, as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

(1) a description of the proposed work

(2) the tax map number and the street address of the premises where the work is to be performed;

(3) the occupancy classification of any affected building or structure;

(4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and

(5) at least 2 sets of construction documents (drawings and/or specifications) which (1) define the scope of the proposed work; (ii) are prepared by a New York State registered architect or licensed professional engineer where so required by the Education Law; (iii) indicate with sufficient clarity and detail the nature and extent of the work proposed; (iv) substantiate that the proposed work will comply with the Uniform Code and the Energy Code; and (v) where applicable, include a site plan that shows any existing and proposed buildings and structures on the site, the location of any existing or proposed well or septic system, the location of the intended work, and the distances between the buildings and structures and the lot lines.

(e) Construction documents. Construction documents will not be accepted as party of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision (d) of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

Comment [PB5]: Edit to remove blank line

(f) Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

(g) Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

(h) Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

(i) Time limits. Building Permits shall become invalid unless the authorized work is commenced within 12 months following the date of issuance. Building Permits shall expire 15 months after the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.

(j) Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

(k) Fee. The fee specified in or determined in accordance with the provision set forth in section 16 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

SECTION 5. CONSTRUCTION INSPECTION.

(a) Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by

Comment [PB6]: Edit to remove blank lines

the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.

(b) Elements of work to be inspected. The following elements of the construction process shall be inspected made, where applicable:

(1) work site prior to the issuance of a Building Permit;

(2) footing and foundation;

(3) preparation for concrete slab;

(4) framing;

(5) building systems, including underground and rough-in;

Comment [PB7]: Add (6) Electrical inspections for installation of service, rough in wiring and final inspections shall be performed be an approved third party electrical inspector. Change the following numbers as necessary.

(6) fire resistant construction

(7) fire resistant penetrations

(8) solid fuel burning heating appliances, chimneys, flues or gas vents;

(9) Energy Code compliance, and

(10) A final inspection after all work authorized by the Building Permit has been Completed.

(c) Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to where the work fails to comply with the Uniform Code or Energy Code. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

(d) Fee. The fee specified in or determined in accordance with provision set forth in section 16 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

SECTION 6. STOP WORK ORDERS.

(a) Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

(1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

(b) Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

(c) Service of Stop Work Orders. The Code Enforcement Officer shall serve, or cause to be served, the Stop Work Order, or a copy thereof, on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to serve, or cause to be served the Stop Work Order, or a copy thereof, on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

(d) Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder and any other Person performing, taking part in or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order.

(e) Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 15 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

SECTION 7. Certificate of Occupancy

(a) Certificate of Occupancy required. A Certificate of Occupancy shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy.

(b) Issuance of Certificate of Occupancy. The Code Enforcement Officer shall issue a Certificate of Occupancy if the work which was the subject of the Building Permit was

completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure or work prior to the issuance of a Certificate of Occupancy. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy, shall be provided to the Officer prior to the issuance of the Certificate of Occupancy.

(1) a written statement of structural observations and/or a final report of special inspections, and

(2) flood hazard certifications.

(c) Contents of Certificate of Occupancy. A Certificate of Occupancy shall contain the following information:

(1) the Building Permit number, if any;

(2) the date of issuance of the Building Permit, if any;

(3) the name, address and tax map number of the property;

(4) if the Certificate of Occupancy is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy is issued;

(5) the use and occupancy classification of the structure;

(6) the type of construction of the structure;

(7) the assembly occupant load of the structure, if any;

(8) if an automatic sprinkler system is provided, a notation as to whether the sprinkler system is required.

(9) any special conditions imposed in connection with the issuance of the Building Permit; and

(10) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy and the date of issuance.

(d) Temporary Certificate. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate unless the Code

Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate, may be occupied safely, (2) that any fire- and smoke-detecting or fire protection equipment which has been installed is operational, and (3) that all required means of egress from the building or structure have been provided. The Code Enforcement Officer may place special conditions on the Temporary Certificate as appropriate to ensure safety or to further the purposes and intent of the Uniform Code. A Temporary Certificate shall be effective for a period of time, not to exceed [6] months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate. During the specified period of effectiveness of the Temporary Certificate, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

Comment [PB8]: Insert space

Comment [PB9]: Insert "place special conditions on the Temporary Certificate"

(e) Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy or a Temporary Certificate was issued in error because of incorrect, inaccurate or incomplete information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

(f) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy or for a Temporary Certificate.

SECTION 8. NOTIFICATION REGARDING FIRE OR EXPLOSION

The chief of any fire department providing fire fighting services for a property within this Village shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney or gas vent.

SECTION 9. UNSAFE BUILDING AND STRUCTURES

Unsafe structures and equipment in this Village shall be identified and addressed in accordance with the procedures established by Chapter 43 of the Code of the Village of Saranac Lake, "Buildings, Unsafe", as now in effect or as hereafter amended from time to time.

Comment [PB10]: Change to "The Uniform Fire Prevention and Building Code;"

SECTION 10. OPERATING PERMITS.

(a) Operation Permits required. Operating Permits shall be required for conducting the activities or using the categories of buildings listed below:

(1) manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4) in the publication entitled Fire Code of New York State" and incorporated by reference in 19NYCRR section 1225.1;

(2) hazardous processes and activities, including but not limited to, commercial and industrial operations which produce combustible dust as a byproduct, fruit and crop ripening, and waste handling;

(3) use of pyrotechnic devices in assembly occupancies;

(4) buildings containing one or more areas of public assembly with an occupant load of 100 persons or more; and

(5) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Village Board.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

(b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

(c) Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operating Permit.

(d) Multiple Activities. In any circumstances in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in his or her discretion, issue a single Operating Permit to apply to all such activities.

(e) Duration of Operating Permits. Operating permits shall be issued for such period of time, not to exceed one year in the case of any Operating Permit issued for an area of public assembly and not to exceed three years in any other case, as shall be determined by the Code Enforcement Officer to be consisted with local considerations. The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

(f) Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provisions of the Uniform Code, such Operating Permit shall be revoked or suspended.

(g) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid at the time or submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

SECTION 11. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS

(a) Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

(1) Fire safety and property maintenance inspections of buildings or structures which contain an area of public assembly shall be performed at least once every twelve (12) months.

(2) Fire safety and property maintenance inspections of buildings or structures being occupied as dormitories shall be performed at least once every twelve (12) months.

(3) Fire safety and property maintenance inspections of all multiple dwellings not included in paragraphs (1) or (2) of this subdivision, and all non-residential buildings, structures, uses and occupancies not included in paragraphs (1) or (2) of this subdivision, shall be performed at least once every 36- months.

(b) Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at any time upon:

(1) the request of the owner of the property to be inspected or an authorized agent of such owner;

(2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

(3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or energy Code exist; provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

(c) OFPC Inspection. Nothing in this section or in any other provision of this local law shall supersede, limit or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator under Executive Law section 156-e and Education Law section 807-b.

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by the OFPC.

SECTION 12. COMPLAINTS

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law, ordinance or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

(a) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;

(b) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 15 (violations) of this local law;

(c) if appropriate, issuing a Stop Work Order;

(d) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

SECTION 13. RECORD KEEPING.

(a) The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

(1) all applications received, reviewed and approved or denied;

(2) all plans, specifications and construction documents approved;

(3) all Building Permits, Certificates of Occupancy, Temporary Certificates, Stop Work Orders, and Operating Permits issued;

(4) all inspections and tests performed;

(5) all statements and reports issued;

(6) all complaints received

(7) all investigations conducted;

(8) all other features and activities specified in or contemplated by sections 4 through 12, inclusive, of this local law, including; and

(9) all fees charged and collected.

(b) All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period as required by the State law and regulation.

SECTION 14. PROGRAM REVIEW AND REPORTING

(a) The Code Enforcement Officer shall annually submit to Village Board a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 13 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

(b) The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this Village, on a form prescribed by the Secretary of State, a report of the activities of this Village relative to administration and enforcement of the Uniform Code.

(c) The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials this Village is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of this Village in connection with administration and enforcement of the Uniform Code.

SECTION 15: VIOLATIONS

Comment [PB11]: Replace entire section to reflect Orders to Remedy language as outlined in 19 NYCRR 1203.5, dated January 12, 2015. Attached separately

(a) Compliance Orders. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. Upon finding that any such condition or activity exists, the Code Enforcement Officer shall issue a Compliance Order. The Compliance Order shall (1) be in writing; (2) be dated and signed by the Code Enforcement Officer; (3) specify the condition or activity that violates the Uniform Code, the Energy Code or this local law; (4) specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; (5) specify the period of time which the Code Enforcement Officer deems to be reasonably necessary for achieving compliance; (6) direct that compliance be achieved within the specified period of time; and (7) state that an action or proceeding to compel compliance may be instituted if compliance is not achieved within the specified period of time. The Code Enforcement Officer shall cause the Compliance Order, or a copy thereof, to be served in any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part of assisting in work being performed at the affected property personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

(c) Civil penalties. In addition to those penalties proscribed by State law, any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code enforcement Officer pursuant to any provision of this local law, shall be liable to a civil penalty of not more than $200 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of this Village.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of this Village, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Temporary Certificate, Stop Work Order, operating Permit, Compliance Order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Compliance Order or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this Village, in the Supreme Court of in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Village Board.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

SECTION 16: FEES

A fee schedule shall be established by resolution of the Village Board of this Village. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificate of Occupancy, Temporary Certificates, Operating

Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

SECTION 17. INTERMUNICIPAL AGREEMENTS

The Village Board may, by resolution, authorize the Code Enforcement Officer and Building Inspector of this Village to enter into an agreement, in the name of this Village, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Pert 1203 of Title 19 of the NYCRR, or any other applicable law.

SECTION 18. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 19. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

SECTION 15: VIOLATIONS

(a) Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. Upon finding that any such condition or activity exists, the Code Enforcement Officer may issue an Order to Remedy. The Order to Remedy shall be in writing and shall contain the following:

1. The date of issuance of the Order;

2. The signature of the Code Enforcement Officer;

3. A statement specifically identifying the condition or activity that violates the Uniform Code, the Energy Code or this Local Law;

4. Reference to the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity;

5. A statement substantially similar to the following: "The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by _____, which is thirty (30) days after the date of this Order to Remedy."

In addition, an Order to Remedy may direct:

1. That the person or entity served with such Order (1) begin to remedy the violation(s) described in the Order immediately, or within some other specified period of time which may be less than 30 days; to continue diligently to remedy such violations until each such violation is fully remedied, which may include a timetable for completion of specific tasks, and/or

2. That the person or entity served with such Order take such other protective actions (such as but not limited to vacating the building or barricading the area where the violations exist) which are authorized by the Code Enforcement Officer, this Local Law, or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied.

The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other person taking part of assisting in work being performed at the affected property personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Order to Remedy. An Order to Remedy shall be served personally or by certified or registered mail within five (5) days of the date of the Order. For the purposes of this section:

a. if an Order to Remedy is served personally by any authorized means that requires more than one action by the person effecting service (such as service by "delivery and mail" similar to that authorized by CPLR 308(2)), the Order shall be deemed to be served on the date on which the last required action is taken; and

b. an Order to Remedy served by certified or registered mail shall be deemed to be served on the date it is mailed.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

(c) Civil penalties. In addition to those penalties prescribed by State law, any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code enforcement Officer pursuant to any provision of this local law, shall be liable to a civil penalty of not more than $500 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of this Village.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of this Village, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Temporary Certificate, Stop Work Order, Operating Permit, Compliance Order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Compliance Order or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this Village, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an

order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Village Board.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

Exhibit "A"

Village of Saranac Lake Development Code amendments

1. Section 106-6; New Definition - Brewpub
2. Section 106 attachment 1:1, 1:2 and 1:3; Amend Schedule 1 Allowed Uses to add Brewpub Use

§ 106-6 Definitions

New Definition:

BREWPUB

An establishment where beer and malt beverages are made on the premises in conjunction with a restaurant or tavern use and where 40% or more of the beer produced on site is sold and or consumed on site.

Village of Saranac Lake - Unified Development Code:
Schedule #1 - Allowed Uses

	Land Use Type:	1 District A-1	2 District A-2	3 District A-3	4 District A-4	5 District A-5	6 District B-1	7 District B-2	8 District B-3	9 District B-4	10 District C-1	11 District C-2	12 District C-3	13 District C-4	14 District D-1	15 District D-2	16 District D-3	17 District E-1	18 District E-2	19 District E-3	20 District F-1	21 District F-2	22 District G	23 District H-1	24 District H-2	25 District H-3	26 District I	27 District J-1	28 District J-2	29 District K-1	30 District K-2	31 District K-3	32 District K-4	33 District L-1	34 District L-2	35 District L-3
	Residential																																			
1	Community House																	S	S	S									S							
2	Dwelling, Manufactured Home	A																					A													
3	Dwelling, Multi-Family					SP	S		S			S	SP	SP	SP			SP	SP[1]	SP	S	S	SP	S			S	SP	S		S		S		SP	SP
4	Dwelling, Single Family	P	P	P	P	P			P		P	P		P	P	P				S	P	P	SP	P	S	P	SP	P	S	P	P	P		P	P	SP
5	Dwelling, Townhouse	SP	S	S		SP	S	SP	S		S	S	SP	SP	SP	S		SP	SP[1]	SP	S	SP	SP	SP			S	SP	S	S	S				SP	SP
6	Dwelling, Two Family	A	A	A		A	A	A	A		A	A	A	A	A	A				A	A	A	A	A	S	S	A	A	A	A	A	S		A	A	A
7	Group Home	P	P	P	P	P			P		P	P		P	S	P				S	P	P	SP	P		P	SP	P	S	P	P	P		P	P	SP
8	Manufactured Home Community	S																																		
9	Rooming House					SP	SP		S	SP		S	SP	SP	S			SP	SP[1]	SP		S	SP	S				S			S				S	S
	Public/Institutional																																			
1	Assisted Living Residence					SP		S	S	S	S			S	S			SP	SP[1]	SP			SP						S				S			S
2	Athletic Facility					SP				S	S		S	S				SP	SP	SP	SP		SP				SP		S				S			SP
3	Cemetery														SP																					
4	Club/Lodge		S			SP	SP						SP	SP	S			SP	SP	SP		S	SP						S				S		SP	SP
5	College, Private					SP	S				S		S	S	S			SP	SP	SP									S						SP	SP
6	Community Garden, Up to One (1) Acre	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P
7	Community Garden, Over One (1) Acre	SP	SP	SP	SP	SP				SP	SP	SP	SP	SP	SP	SP	SP				SP	SP	SP	SP		SP	SP	SP	S	SP	SP	SP	SP	SP	SP	SP
8	Garage, Public Parking					SP												SP	SP	SP																
9	Government Office					SP							S					SP	SP	SP	SP		SP						S						SP	SP
10	Hospital																	SP	SP	SP			SP						S						SP	SP
11	Library						S	S	S	S	S		S	S	S	S		SP	SP	SP	SP		SP						S				S			SP
12	Multi-Modal Trail	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
13	Museum					SP	S	S	S	S			S	S	S	S		SP	SP	SP			SP						S						SP	SP
14	Nursing/Convalescent Home					SP					S	S	S	S	S			SP	SP[1]	SP			SP						S				S		SP	SP
15	Park	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	SP	SP	S	SP	SP	SP	S	SP	SP	SP
16	Parking Lot, Public					SP	SP											SP	SP	SP							SP		S							
17	Place of Worship					SP	SP	SP		SP	SP		SP	SP	SP	SP		SP	SP	SP	SP	SP	SP					SP	S							SP
18	Public Utility Facility	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
19	Railroad Depot																	SP																		
20	Railway					SP				SP			SP	SP	SP	SP		SP	SP				SP													
21	Recreation Facility, Public					SP	SP			SP				SP				SP	SP	SP	SP		SP	SP			SP	SP	S							SP
22	Rehabilitation Center					SP							S		S			SP	SP	SP	S							S	S				S		S	SP
23	School																	SP	SP	SP	SP		SP						S						SP	SP

Symbol Legend: P Permitted SP Site Plan Review Required A Administrative Permit Required S Special Use Permit Required Note: Blank cells indicate use is not permitted.

Notes: 1. Residential uses in buildings within the E-2 District are not allowed on the first floor.

Village of Saranac Lake - Unified Development Code:
Schedule #1 - Allowed Uses

	Land Use Type:	1 District A-1	2 District A-2	3 District A-3	4 District A-4	5 District A-5	6 District B-1	7 District B-2	8 District B-3	9 District B-4	10 District C-1	11 District C-2	12 District C-3	13 District C-4	14 District D-1	15 District D-2	D-3	16 District E-1	17 District E-2	18 District E-3	19 District F-1	20 District F-2	21 District G	22 District H-1	23 District H-2	24 District H-3	25 District I	26 District J-1	27 District J-2	28 District K-1	29 District K-2	30 District K-3	31 District K-4	32 District L-1	33 District L-2	34 District L-3
	Commercial																																			
1	Amusement and Recreation Services						S	S		S								SP	S				S				S		S							S
2	Antique Shop						A	A	A	A								A	SP	A			A				S		S						A	A
3	Agri-Business						SP	S		S													SP				S		S							S
4	Artisan Workshop	SP	SP	SP	SP	SP	A	A	A	A	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	A	SP	S	S	S	SP	S	SP	SP			S	A	A
5	Arts Spaces	SP	SP	SP	SP	SP	A	A	A	A	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	A	SP		S	S	SP	S	SP	SP			S	A	A
6	Automotive Dealer									SP													SP													
7	Automotive Repair/Service									S													S						S							S
8	Bank						A	A	SP	A								A	SP				A						S							S
9	Bank, Drive-Through						SP	SP	SP	SP								SP	S				SP						S						S	S
10	Bed and Breakfast	SP	SP	SP	SP	SP	A	A	A	A	SP	SP	SP	SP	SP	SP		A	SP[1]	A	SP	SP	A	SP		S		SP	S	SP	SP	S		S	SP	SP
11	Boat Storage, Commercial							SP		SP													S													S
12	Brewpub						SP	SP	S	SP								SP	SP	SP			S													S
13	Building Material Supply									SP							S	S	S				SP						S							S
14	Car wash									SP								S					SP						S							S
15	Cinema						SP	SP	SP	A								SP	SP	SP			SP						S							S
16	Driving Range																						S						S							S
17	Farmer's Market						SP	SP		SP								SP	SP	SP			S					S	S							S
18	Funeral Home						S		S									SP	SP	SP			S					S	S							S
19	Gasoline Station									SP													S						S							
20	Gasoline Station/Auto Repair/Service									SP													SP						S							
21	Gasoline Station/Retail Sales									SP								S					SP						S							
22	Greenhouse, Commercial						S	S		SP			SP				S	S	S	S			S				S		S							S
23	Hotel/Motel						SP	SP	S	SP					S			SP	SP	SP		S	S				S		S							S
24	Housekeeping Cottage	SP	SP	SP	SP	SP	A	A	A	A	SP	SP	SP	SP	SP	SP		A	SP[1]	A	SP	SP	S	SP		S		SP	SP	SP	SP			S	SP	S
25	Kennel																S	SP					S					S								S
26	Marina, Type I		SP				SP	SP																												
27	Marina, Type II		SP				SP	SP	SP	SP																										
28	Medical Clinic						A	A	S	A								A	SP	A			SP					S	S				S			S

Symbol Legend: P Permitted SP Site Plan Review Required A Administrative Permit Required S Special Use Permit Required Note: Blank cells indicate use is not permitted.

Brewpub use inserted at line 12

Village of Saranac Lake - Unified Development Code:
Schedule #1 - Allowed Uses

	Land Use Type:	1 District A-1	2 District A-2	3 District A-3	4 District A-4	5 District A-5	6 District B-1	7 District B-2	8 District B-3	9 District B-4	10 District C-1	11 District C-2	12 District C-3	13 District C-4	14 District D-1	15 District D-2	District D-3	16 District E-1	17 District E-2	18 District E-3	19 District F-1	20 District F-2	21 District G	22 District H-1	23 District H-2	24 District H-3	25 District I	26 District J-1	27 District J-2	28 District K-1	29 District K-2	30 District K-3	31 District K-4	32 District L-1	33 District L-2	34 District L-3
	Commercial (continued)																																			
28	Mixed Use						A	A	S	A								A	SP	A			A					S	S				S		S	SP
28	Multi-Use Building						SP		S	SP								SP	SP	SP			S					S							S	S
29	Office						A	A	S	A								A	SP	A			A					S	S						SP	SP
30	Outdoor Storage, Type II									S							S						S												S	S
31	Personal Services						A	A	A	A								A	SP	A			A						S						SP	SP
32	Recreation Facility, Private						SP	SP		SP							S	SP	SP	SP			SP					SP								SP
33	Research and Development Facility						A	A	A	A							SP	A	SP	A			A					S	S							SP
34	Restaurant						A	A	A	A								A	SP	A			A						S							SP
35	Restaurant, Drive Through									SP													S						S							
36	Restaurant, Fast Food						A	SP	SP	SP								SP	SP	SP			SP						S							S
37	Retail Sales, Type I						A	A	A	A								A	SP	A			A					S	S						SP	SP
38	Retail Sales, Type II						S			S								S	S				S						S							S
39	Retail Sales, Outdoors						S	S	S	S							S	S	S				S						S							S
40	Retail Store, Convenience						SP	SP		SP								SP	SP				SP													S
41	Sawmill																						S													
42	Self-Service Storage Facility																S						S													
43	Shopping Center									SP													S						S							
44	Tavern						SP	SP	S	SP								SP	SP	SP			S						S							S
45	Tourist Attraction						SP	S	SP	SP								SP	SP	S			SP						S							S
46	Veterinary Clinic/Hospital						SP	SP	S	SP								SP	SP	S			SP						S							SP
	Industrial																																			
1	Chemical and Petroleum Storage																S						S													
2	Contractor Storage Yard																S						S													S
3	Heavy Equipment Repair																S						S													
4	Industry, Type I																S	S					S				S									S
5	Industry, Type II																S						S													S
6	Mining					SP																	S													
7	Transfer Station																						S													
8	Warehouse																S						S													S
	Accessory Uses																																			

For All Districts and Sub-Districts: Allowed accessory uses are those uses that are customarily subordinate and incidental to allowed principal uses.

Symbol Legend: P Permitted SP Site Plan Review Required A Administrative Permit Required S Special Use Permit Required **Note: Blank cells indicate use is not permitted.**

Saranac Lake Police Department

1 Main Street
Saranac Lake, NY 12983-1795

Telephone: (518) 891-4428
Fax: (518) 891-6321

SARANAC LAKE POLICE DEPARTMENT – ACTIVITY REPORT

09/10/18

August 2018

Total Calls for service:	239*
Total Arrests:	14
Mental Hygiene Law Arrests: (Included in total)	2
Accident Investigations:	13

Administrative:

New Patrol Vehicle delivered.
Patrolman Travis Farmer transferred to Geneva Police Department.
Work place harassment training.

Policed Events:

Hobofest

Interesting Cases:

Methamphetamine Lab located (see attached press release).

*Calls for service do not include walk-ins at the station, traffic stops, parking tickets, other interaction with the public which does not necessitate documentation.

SARANAC LAKE POLICE DEPARTMENT NEWS MEDIA INFORMATION REPORT

TO: AREA NEWS

REPORTED BY: Charles A. Potthast Jr., Chief-of-Police

SUBJECT OF RELEASE: Methamphetamine Laboratory

FOR MORE INFORMATION CONTACT: Chief Charles Potthast Jr.

NARRATIVE: On 08/30/18, the Saranac Lake Police Department assisted New York State Parole with the arrest of BERNARD J. MCCORMICK, age 34, of Saranac Lake NY, pursuant to a Parole Warrant for his arrest. The arrest occurred at 189 Kiwassa Road, Apartment 7, Saranac Lake, NY. Also arrested at the apartment was JENNIFER M. PABINS, age 38, of Saranac Lake, NY. She was arrested pursuant to an Arrest Warrant charging her with Petit Larceny.

While in the apartment, a cloth bag containing methamphetamine and the precursors to manufacture methamphetamine were discovered. The scene was secured and a Search Warrant was secured from the Town of Harrietstown Justice Court for the search of the apartment and the items therein.

The Search Warrant was executed by the New York State Police Contaminated Crime Scene Emergency Response Team and members of the Saranac Lake Police Department. As a result of the search warrant execution, the following items were secured:

A significant quantity of Methamphetamine
Ingredients used to manufacture Methamphetamine
Hypodermic Needles
A small amount of marihuana and marihuana paraphernalia
Drug paraphernalia including a digital scale

The amount of methamphetamine is significantly more than would be used for personal consumption.

MCCORMICK was taken into custody by New York State Parole pending disposition of his parole violation. PABINS was arraigned in the Town of Harrietstown Justice Court and remanded to the Franklin County Jail on $1250 cash bail.

Investigation into this case is continuing. It is anticipated that charges will be forthcoming in the near future.

To the editor:

My wife passed away three months ago, so my life has been busy. I have forgotten so many things.

I owe a lot of thanks to many people. I finally discovered what a great place Saranac Lake is to live. Much thanks to all the people who stopped to offer support and brought food to help us. Its nice to know that a community comes together to help on of their own that is going through a tough time.

My thanks to the Saranac Lake Police Department, they have been good to me. To them I say thank you for your support. Special thanks to Fortune-Keough Funeral Home; that includes Jim Law and Brendan Keough. Their help in helping to get me through was awesome.

I owe great thanks to Pastor Randy Cross and my church family. They have been right there from day one. Thank you for your support and love.

Life is never easy, but thank you to Saranac Lake for all your love and support.

In closing I would tell anybody, if you want a great place to live, come to Saranac Lake; you can get everything you need.

Sincerely yours,

George Hadynski

Saranac Lake

From: Eleanor Sweeney
Sent: Saturday, September 15, 2018 11:42 AM
To: Trustee Shapiro
Subject: parking lot

Rich--

It would be good if the Village Board could address the problem of cars going the wrong way in the parking lot next to the Artists Guild. Through the years, and especially this summer, I've been surprised by cars entering or exiting incorrectly. I realize there doesn't seem to be a rule about which way cars should go, but it has always been the usual practice to enter next to the art gallery, and exit on the other side. It's alarming when this happens--yesterday I almost walked into a large white car that was going too fast and exiting where people usually enter.

I'd like to suggest that large arrows be painted on the pavement at both the entrance and the exit, as well as at the top of the parking lot where traffic should proceed toward the exit. This would make clear to people entering from St. Bernard St. which way to go. Upright signs would also be most helpful, especially when the ground is covered with snow.

The space for driving through the parking lot is fairly narrow, and could cause trouble for two cars meeting head on. There are often long trucks that extend into the lot, which could make it impossible for cars to pass. And I have seen the confusion it creates for drivers and pedestrians when a car is going in or out the wrong way.

Anything the Village Board can do to make everyone safer would be great.

Thanks. Eleanor Sweeney

Business of the Village Board
Village of Saranac Lake

SUBJECT: Declare Surplus, Set Minimum Sale Price, Set Auction Date Date: 9-24-2018

DEPT OF ORIGIN: Mayor Rabideau BILL: 95-2018

DATE SUBMITTED: EXHIBITS: Hilcon Real Estate Appraisal

APPROVED AS TO FORM:

Village Attorney Village Administration

EXPENDITURE REQUIRED: $	AMOUNT BUDGETED	APPROPRIATION REQUIRED:

Declare 446.43-2-3 and 446.43-2-4 surplus, declare minimum sale price $170,000 and set auction date of November 26, 2018 at 4:00pm

ITEMS FOR BOARD ACTION:
Bill 95-2018 Declare 400 Broadway Properties Supply, Set Auction Date and Minimum Price.
A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Little Second: Van Cott
Motion to Amend: Murphy Second: Little
Amend to allow sealed bids the day of the auction if no minimum bid is received.
Roll Call to Amend: Little yes Murphy yes Shapiro yes Van Cott yes
Roll Call on Amended Motion: Little yes Murphy yes Shapiro yes Van Cott yes

Resolution to Declare Village-Owned Property as Surplus,
Set Auction Date and Authorize Mayor Rabideau to Auction Surplus Property

Whereas, The Village of Saranac Lake owns two properties that are not currently used for a public purpose; and,

Whereas, the Village of Saranac Lake has no intent to use these properties for any public purpose; and

Whereas, these properties have been identified by Frankin County Tax Map Numbers 446.43-2-3 and 446.43-2-4, and,

Whereas, The properties have been appraised by Hilco Real Estate Appraisal, LLC; and,

Whereas, The Village of Saranac Lake may deem municipal property as surplus and dispose of it, if it is in the overall public interest; and

Therefore Be it Resolved, the Village Board hereby declares the properties 446.43-2-3 and 446.43-2-4 as surplus.

Whereas, the Village of Saranac Lake shall set the auction date for the deemed surplus property for Monday, November 26, 2018 at 4:00pm. The auction will take place at 39 Main Street on the steps of the Harrietstown Town Hall.

Whereas, the village has determined the minimum acceptable bid is $170,000 for both parcels (446.43-2-3 and 446.43-2-4) and they must be sold together,

Be it Further Resolved, the Mayor shall conduct a public auction for the sale of surplus properties (446.43-2-3 and 446.43-2-4).

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Hilco Real Estate Appraisal, LLC

Valuation of

Two Adjacent Vacant Land Parcels

Broadway, (a.k.a. NYS Route 86)
Saranac Lake, Franklin County, NY 12983

Report Date:	September 12, 2018
As of:	August 15, 2018
HRA File:	18AL136
Prepared For:	Mr. John M. Sweeney Village Manager Village of Saranac Lake 39 Main St., 2nd Floor, Ste. 9 Saranac Lake, NY 12983-2294
	Purchase Order: 047723

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Hilco
Real Estate Appraisal

September 12, 2018

Mr. John M. Sweeney
Village Manager
Village of Saranac Lake
39 Main Street, 2nd Floor, Suite 9
Saranac Lake, NY 12983-2294

RE: Purchase Order: 047723
Two Vacant Land Parcels
Broadway, (a.k.a. NYS Route 86)
Town of Saranac Lake, Franklin County, New York

Dear Mr. Sweeney:

At your request, we have conducted the inspections, investigations and analyses necessary to prepare an Appraisal Report of the above referenced real property. The purpose of this appraisal is to estimate the *as is* market value of the fee simple interest as of August 15, 2018, the date of inspection.

The subject consists of two unimproved land parcels situated on Broadway, (a.k.a. NYS Route 86) in the Village of Saranac Lake, New York. The parcels are identified as:

1) Section 446.43, Block 2, Lot 3 containing 1.39 acres

2) Section 446.43, Block 2, Lot 4 containing 1.75 acres

The sites have access to municipal water and sewer and are situated within a "G" zoning district. Lot 3 is associated with an environmental easement due to contamination found at the site at one time. Remediation at the site has occurred and a Certification of Completion (COC) has been issued by the New York State Department of Environmental Conservation (NYSDEC), as of November 2011. The COC includes an ongoing site management plan (SMP) for the site. According to the statement, "the SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property." The easement indicates that acceptable site uses are: a) Restricted Residential, b) Commercial, and c) Industrial. The SMP requires that the Grantor and any successors and assigns assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from the DEC. Lot 4 has not been identified as having any easements. The sites are more fully described within the report.

Assuming competent and normal marketing conditions, it is our opinion that the subject property could be sold within approximately 12 months at the below-indicated value(s).

Our concluded opinion(s) of value is (are) subject to the Assumptions, Limiting Conditions and Certification in this appraisal report. Based on the analysis contained in the following report, the market value conclusions for the subject are detailed below.

AS IS MARKET VALUE CONCLUSIONS			
Property	**Interest Appraised**	**Dates of Value**	**Value Conclusions (Rounded)**
SBL 446.43-2-3	Fee Simple	August 15, 2018	$70,000
SBL 446.43-2-4	Fee Simple	August 15, 2018	$100,000
Source: Hilco Real Estate Appraisal, LLC			

The size of the subject was obtained by the Franklin County Real Property Services. We note that the Certificate of Completion issued by the NYS DEC references the subject parcel 446.43-2-3, but that it indicates a site size of 2.60 acres. According to the tax map, parcel identified is 1.39 acres. Based on our understanding of the material referenced above, the parcel identified as 446.43-2-4, which is also the subject of this report, does not contain an environmental easement. This parcel is 1.75 acres. We have made the extraordinary assumption that the two parcels we have identified as the subject of this report are 1.39 and 1.75 acres respectively and that there are no environmental easements on Lot 4. Should information be presented to the Appraisers indicating otherwise, we reserve the right to amend this report.

According to the 2015 Dictionary of Real Estate Appraisal, Sixth Edition, an extraordinary assumption is "an assumption, directly related to a specific assignment, as of the effective date of the assignment results, which if found to be false, could alter the appraiser's opinions or conclusions. Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal, or economic characteristics of the subject property; or about conditions external to the property such as market conditions or trends; or about the integrity of the data used in an analysis." An extraordinary assumption may be used in an assignment only if: 1) It is required to properly develop credible opinions and conclusions; 2) The appraiser has a reasonable basis for the extraordinary assumption; 3) Use of the extraordinary assumption results in a credible analysis; and 4) The appraiser complies with the disclosure requirements set forth in USPAP for extraordinary assumptions.

In reaching the opinions expressed herein, we have assumed that such information is accurate and make no warranty or representation as to the accuracy of such information. Additional information with regards to the easement associated with Lot 3 was provided by a property representative. We reserve the right to amend our opinion of value expressed in this report if a survey discloses that the size or area of the above real property, including improvements, differs from that used in this report.

The following appraisal sets forth the most pertinent data gathered, methodology and reasoning leading to our opinion of value. The analyses, opinions and conclusions were developed based on, and this report has been prepared in conformance with, our interpretation of the guidelines and recommendations set forth in the Uniform Standards of Professional Appraisal Practice (USPAP) and the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute. Furthermore, this report has been prepared in conformance with our interpretation of the appropriate regulations and guidelines set forth by the client.

In developing an opinion of value, Hilco Real Estate Appraisal performed an Appraisal Report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice. The following report presents a summarized description of the data, reasoning and analyses used in the appraisal process to develop our opinion of value.

Thank you for the opportunity to provide the outlined services. We look forward to working with you again in the near future.

Respectfully submitted,

HILCO REAL ESTATE APPRAISAL, LLC
by:

Chris L. Harland, MAI
Managing Director, Northeast Region
NYS Certification No. 46000026600

Stacey L. Godlewski
Appraiser Northeast Region
NYS Certification No. 46000051521

CERTIFICATION OF THE APPRAISERS

We certify that to the best of our knowledge and belief:

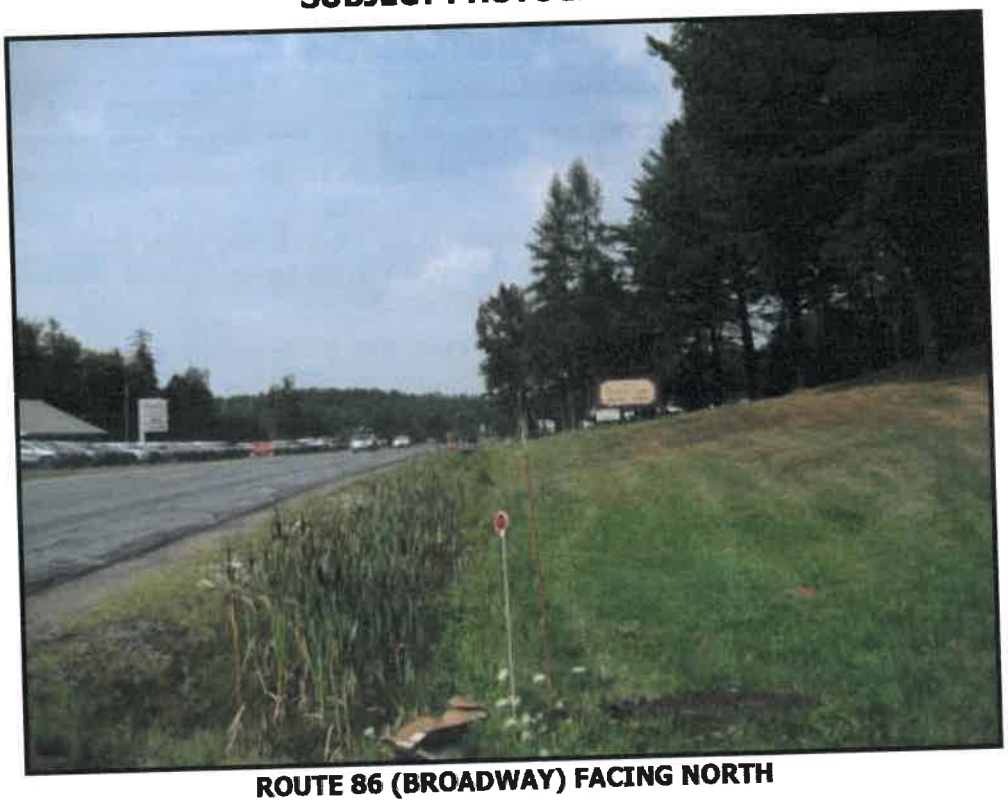
1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, unbiased professional analyses, opinions, and conclusions.
3. We have no present or prospective interest in the property that is the subject of this report and have no personal interest or bias with respect to the parties involved. We have no direct or indirect interest in the property, financially or otherwise.
4. We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice of The Appraisal Foundation and the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute. In addition, this report conforms to the requirements of the Financial Institution Reform, Recovery, and Enforcement Act (FIRREA).
8. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
9. Chris L. Harland, MAI has completed the requirements of the continuing education program of the Appraisal Institute.
10. Stacey L. Godlewski made a personal inspection of the subject property. Chris L. Harland, MAI did not inspect the property.
11. Chris L. Harland, MAI and Stacey L. Godlewski have extensive experience in the appraisal/review of similar property types.
12. Chris L. Harland, MAI and Stacey L. Godlewski are certified in the state where the subject is located.
13. No one provided real property assistance to the persons signing this certification.
14. We have not previously appraised this property or provided any appraisal related services within the past three years.

By:

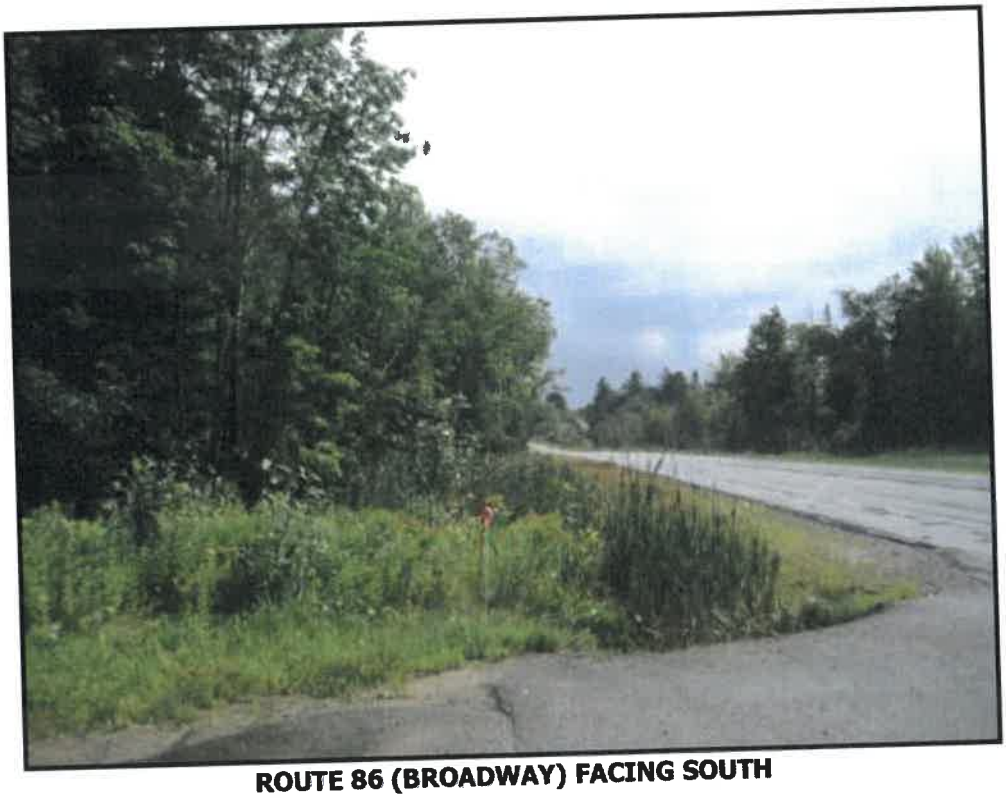
Chris L. Harland, MAI
Managing Director, Northeast Region
NYS Certification No. 46000026600

Stacey L. Godlewski
Senior Real Estate Appraiser – NE Region
NYS Certification No. 46000051521

SUBJECT PHOTOGRAPHS



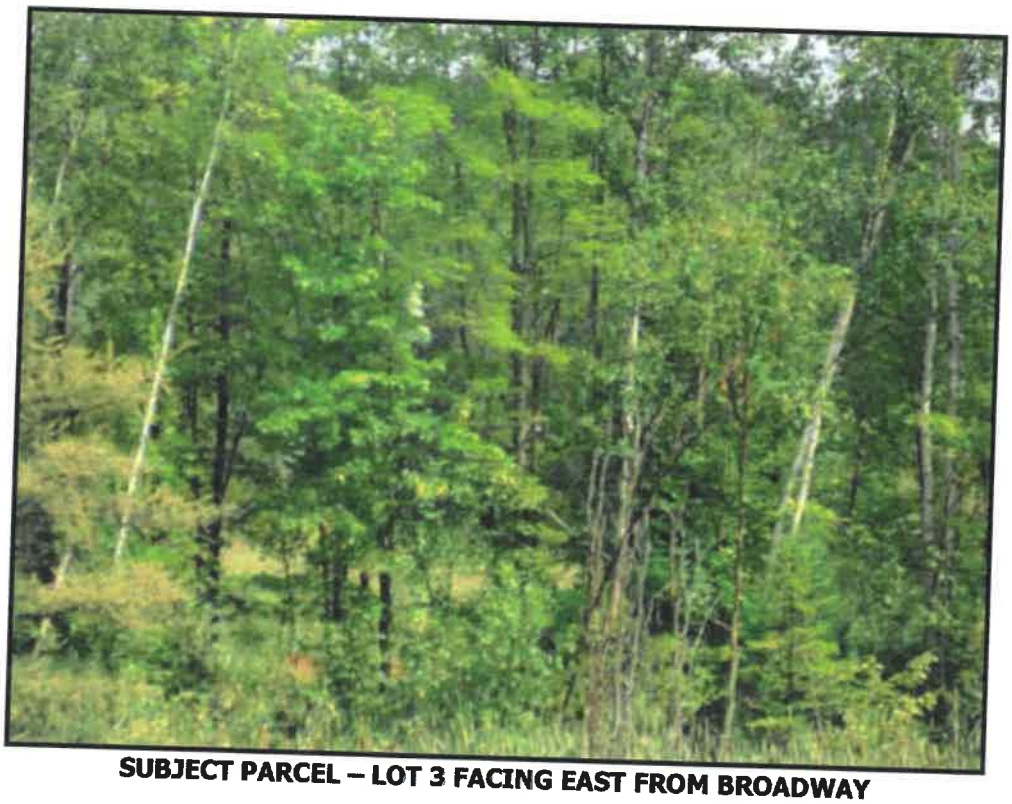
ROUTE 86 (BROADWAY) FACING NORTH



ROUTE 86 (BROADWAY) FACING SOUTH

Subject Photographs

SUBJECT PARCEL – LOT 3 & 4 FACING SOUTHEAST FROM BROADWAY



SUBJECT PARCEL – LOT 3 FACING EAST FROM BROADWAY

Subject Photographs

OLD LAKE COLBY ROAD FACING NORTH – LOT 3 AT LEFT

OLD LAKE COLBY ROAD FACING SOUTH – LOT 3 & 4 AT RIGHT

Subject Photographs

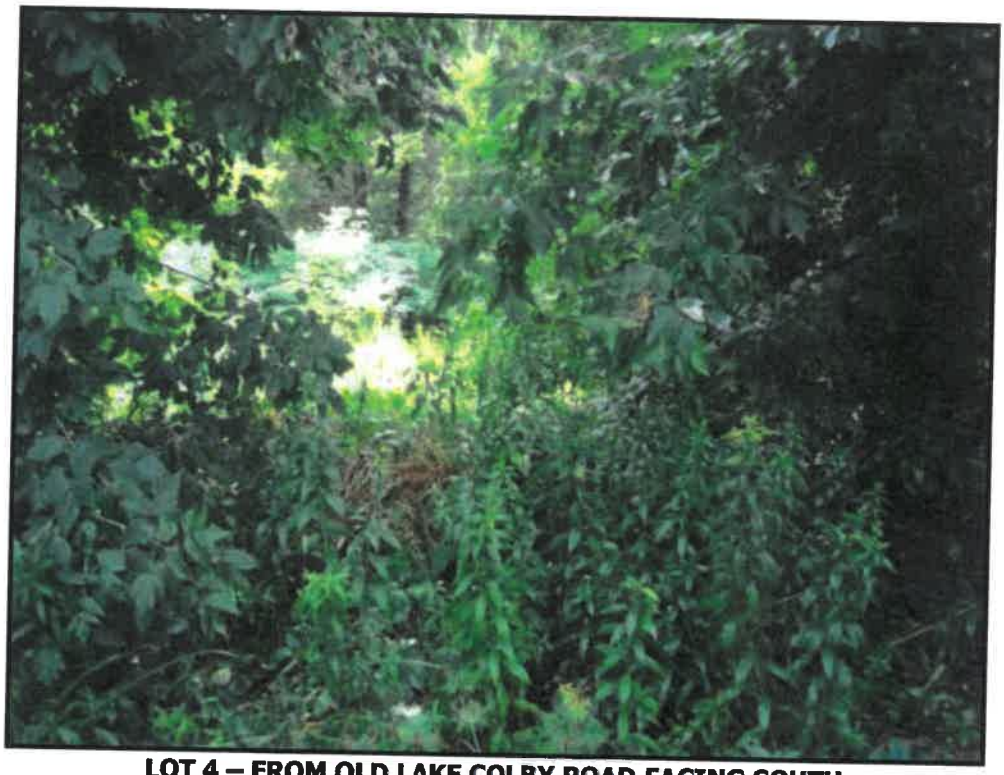
LOT 3 FROM OLD LAKE COLBY ROAD FACING WEST

LOT 3 FROM OLD LAKE COLBY ROAD FACING WEST

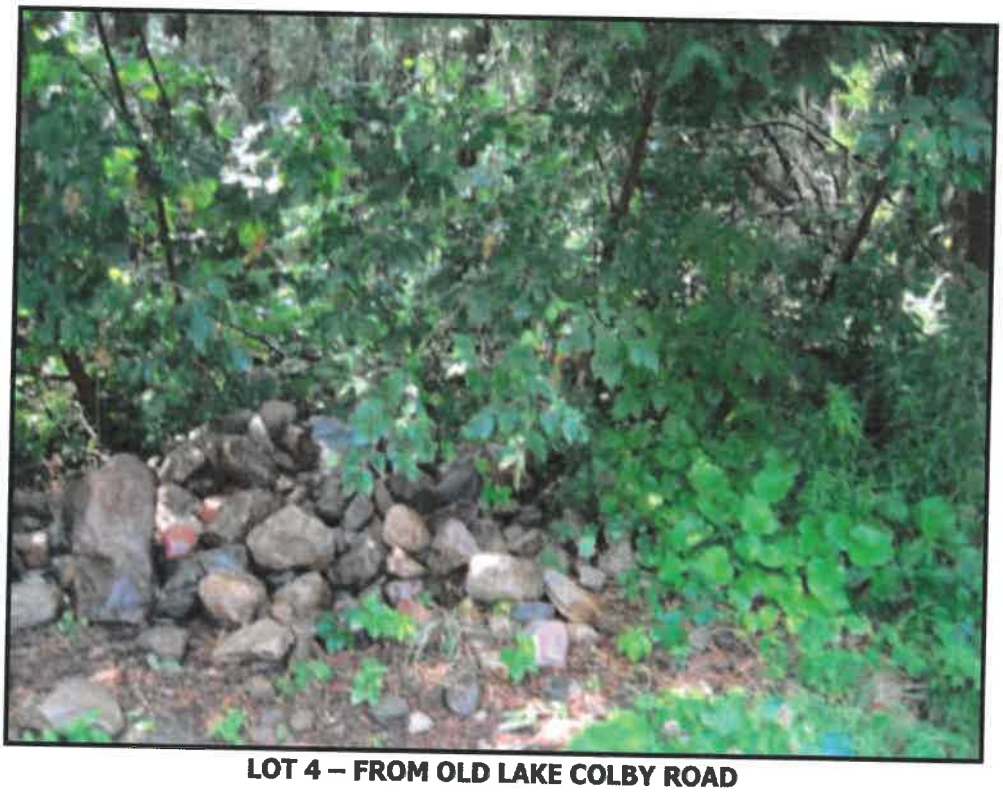
Subject Photographs

LOT 4 FROM OLD LAKE COLBY ROAD FACING WEST

LOT 4 – FROM OLD LAKE COLBY ROAD FACING WEST



LOT 4 – FROM OLD LAKE COLBY ROAD FACING SOUTH



LOT 4 – FROM OLD LAKE COLBY ROAD

SUMMARY OF SALIENT FACTS

Location:	Broadway, (a.k.a. NYS Route 86) Town of Saranac Lake, Franklin County, New York	
Assessor's Parcel Number(s):	Section 446.43, Block 2, Lots 3 and 4	
Site Description:	The sites consist of two parcels containing 1.39 and 1.75 acres respectively. The parcels are unimproved and have access to municipal water and sewer. Lot 3 is associated with an environmental easement, which requires a site management plan as determined by the NYS Department of Environmental Conservation. This does not apply to Lot 4. The sites are more fully described in the Site Analysis section of this report.	
Improvements:	There are no improvements at either of the sites with the exception of a gate in front of Lot 3.	
Zoning:	District G	
Real Estate Taxes:	As both parcels are owned by the Village of Saranac Lake, they are exempt from taxes.	
Highest and Best Use		
As Vacant:	Commercial development if owner occupied, built to suit, or substantially pre-leased. Otherwise, hold for future commercial development.	
As Improved:	N/A	
Property Rights Appraised:	Fee simple	
Date of Value:	August 15, 2018	
Estimated Marketing Time:	Within 12 months	
Valuation – AS IS	**SBL 446.43-2-3**	**SBL 446.43-2-4**
Cost Approach:	Not Applicable	Not Applicable
Sales Comparison Approach:	$70,000	$100,000
Income Capitalization Approach:	Not Applicable	Not Applicable
Final Values	**$70,000**	**$100,000**

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A. Zoning Ordinance
B. NYS DEC Certificate of Completion
C. Environmental Easement
D. Cedar Eden Environmental Report As of August 23, 2017
E. NYS Certifications
F. Summary of Qualifications

INTRODUCTION

PROPERTY DESCRIPTION

Location:	Broadway, (a.k.a. NYS Route 86) Town of Saranac Lake, Franklin County, New York
Assessor's Parcel Number(s):	Section 446.43, Block 2, Lots 3 and 4
Land Area:	1.39 and 1.75 acres respectively

OWNERSHIP & PROPERTY HISTORY

Owner:	Village of Saranac Lake, LLC
Sale Within Past Three Years:	No
Currently Listed for Sale:	No. The property has not been listed for sale within three years prior to the valuation date of this report.
Comments:	The Village of Saranac Lake has requested an appraisal of the vacant land parcels that are the subject of this report because they have had persons express an interest in the property. However, there have been no official offers on either of the parcels. As noted previously, Lot 3 is associated with an environmental easement requiring periodic environmental testing of the lot in perpetuity. The site has undergone remediation to address contaminants that had existed on the property as a result of a former use, and it has been given a certificate of completion by the NYS DEC. However, the easement mandates allowable uses, development requirements and periodic testing, which may be perceived as an inhibiting factor in purchasing and developing the land. The easement is discussed in further detail within the Site Analysis section of this report. Our values of $70,000 for Lot 3 and $100,000 for Lot 4 are fully supported in the Sales Comparison Approach analysis developed herein.

PROPERTY INSPECTION AND VALUATION

Inspection Date:	August 15, 2018
Present at Inspection:	Stacey L. Godlewski of Hilco Real Estate
Date of Valuation:	August 15, 2018

Intended Use of Report: The intended use of this report is for internal decision making purposes.

Intended User The intended user(s) of this report is for the Village of Saranac Lake and its assigns.

Purpose of Appraisal: Provide an opinion of the *as is* market value.

Property Rights Appraised: Fee Simple.

Definition of Market Value: Market value is one of the central concepts of the appraisal practice. Market value is differentiated from other types of value in that it is created by the collective patterns of the market. Market value means the most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale. [1]

SCOPE OF WORK

Steps Completed by Appraisers for

1. Identified and inspected the subject, as well as its surrounding environs; identified and considered

[1] This definition is from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990, and August 24, 1990, by the Federal Reserve System (FRS). National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of Comptroller of the Currency (OCC). This definition is compatible with the definition of market value contained in *The Dictionary of Real Estate Appraisal*, Fifth Edition, and the Uniform Standards of Professional Appraisal Practice adopted by the Appraisal Standards Board of The Appraisal Foundation, 2010 edition. This definition is also referenced in regulation jointly published by the OCC, OTS, FRS, and FDIC on June 7, 1994, and in the Interagency Appraisal and Evaluation Guidelines, dated October 27, 1994.

this Assignment:

those characteristics that may have a legal, economic or physical impact on the subject;

2. Investigated the micro and macro market trends with respect to physical and economic factors relevant to the valuation process; interviewed regional and local market participants; reviewed available published data and other various resources;
3. Conducted regional and local research with respect to applicable tax data, zoning requirements, flood zone status, demographics, and other information that could affect the value of the subject property;
4. Verified and analyzed comparable improved sales and listings. Primary sources used for verification include deeds, tax records, the grantor or grantee, attorneys, brokers, appraisers, property managers, lenders, real estate periodicals and listing/reporting services. Verification is also used to elicit additional information about the market.
5. Prepared the *Sales Comparison Approach.*
6. Estimated a reasonable exposure time associated with the value estimate.

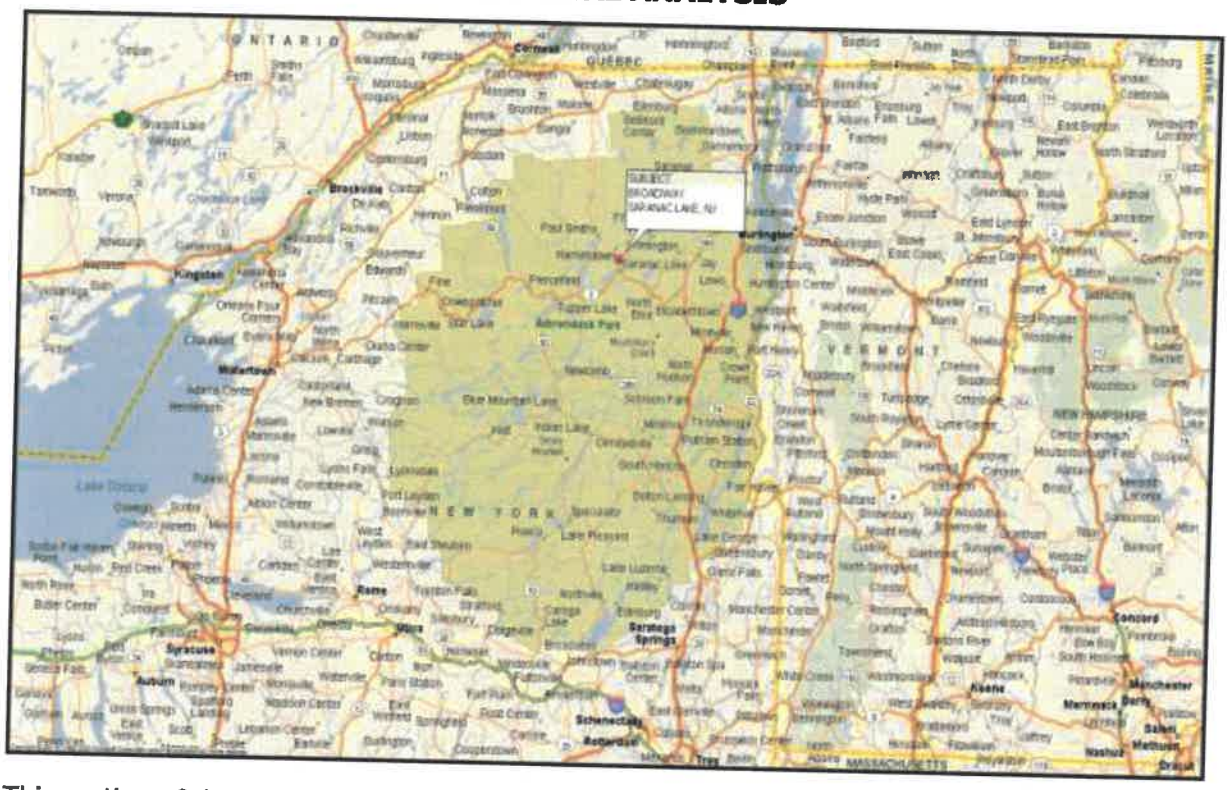
In developing an opinion of value, Hilco Real Estate Appraisal performed an Appraisal Report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice. The following report presents a summarized description of the data, reasoning and analyses used in the appraisal process to develop our opinion of value.

Special Appraisal Instructions: None

Exposure Time: Within 12 months

Marketing Time: Within 12 months

REGIONAL ANALYSIS



This section of the report is designed to isolate and examine the discernible economic trends in the region that influence and create value for the subject property.

LOCATION

The subject property is located in Franklin County, New York. Franklin County is bordered by Canada to the north, Clinton County to the east, Essex and Hamilton Counties to the south and St. Lawrence County to the west. Franklin County is part of what is known as the "North Country" in New York, which includes St. Lawrence, Jefferson, Lewis, Hamilton, Clinton and Essex Counties. It is not associated with a particular metropolitan statistical area.

UNITED STATES, NORTHEAST REGION AND NORTH COUNTY, NEW YORK

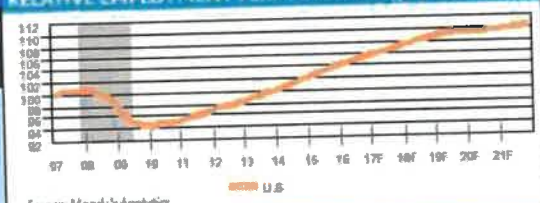
(As presented by Economy.com)

MOODY'S ANALYTICS

UNITED STATES

EMPLOYMENT GROWTH RATE		GROSS DOMESTIC PRODUCT	
2016-2018	2016-2021	2016-2018	2016-2021
1.5%	1.0%	2.5%	2.1%

RELATIVE EMPLOYMENT PERFORMANCE (JAN 2007=100)



Source: Moody's Analytics

STRENGTHS & WEAKNESSES

STRENGTHS

- Very productive workforce.
- Labor market attracts skilled and unskilled immigrants.
- High innovation and entrepreneurship.
- Mobile labor force, flexible labor system.

WEAKNESSES

- Many labor market nonparticipants.
- Large budget, current account deficits.
- Skewed income and wealth distribution.
- Polarized and fractured political system.

CURRENT EMPLOYMENT TRENDS

% CHANGE YR AGO, 3-MO MA

	Dec 16	Apr 17	Aug 17
Total	1.6	1.5	1.5
Construction	2.8	2.7	3.0
Manufacturing	0.2	0.2	0.8
Trade	1.1	0.6	0.2
Trans/Utilities	1.8	1.6	1.6
Information	0.3	-1.4	-2.2
Financial Activities	2.1	2.1	1.9
Prof & Business Svcs.	2.8	3.1	3.0
Edu & Health Svcs.	2.5	2.4	2.2
Leisure & Hospitality	2.3	1.9	2.1
Other Services	1.2	1.0	1.5
Government	1.0	0.8	0.2

FORECAST RISKS

SHORT TERM ↑ | LONG TERM ↑

UPSIDE

- Low energy prices and rising wages act as tailwinds for consumer spending.
- Long-term interest rates remain low for much longer, fueling housing's recovery and spurring more business investment.

DOWNSIDE

- Weak global demand and high dollar detract from exports longer than expected.
- Household formation remains subdued, hurting the housing recovery.

MOODY'S RATING **Aaa**

ANALYSIS

Recent Performance. The U.S. economy is powering forward. Despite the uncertainty created by Hurricanes Harvey and Irma, Washington brinkmanship over almost everything, and North Korean nuclear threats, the expansion remains firmly intact (see Chart 1). Real GDP is on track to come in just over 2% this year and well over 2 million jobs will be created.

This is about the same growth seen since the expansion began over eight years ago and is above the economy's current growth potential. Unemployment and underemployment continue to steadily decline—a half and full percentage point per annum, respectively—and are now consistent with most estimates of full employment.

Fannie and Freddie. But the cleanup from the Great Recession remains unfinished. Mortgage giants Fannie Mae and Freddie Mac marked their ninth year in conservatorship this month. Few thought they would still be under government control, and while the housing finance system is functioning reasonably well, it makes little sense to keep these institutions in limbo.

However, given the difficult economics and politics around how to resolve Fannie and Freddie's predicament, that resolution likely will not be in the foreseeable future. Stakeholders in the housing finance system, from lenders and originators to progressive groups looking out for underserved communities, understandably do not want to give anything up in any future system. Most proposals to reform the system and get Fannie and Freddie out of conservatorship fall short in this regard. And with Washington embroiled in battles over numerous other issues, including the federal budget, immigration, infrastructure spending and tax reform, there is not much political oxygen left for the housing finance system.

Normalizing monetary policy. Normalizing monetary policy from the emergency measures taken during the financial crisis is also critical unfinished business. The next step in the normalization process is the right-sizing of the Federal Reserve's balance sheet. The Fed dramatically expanded its balance sheet through several rounds of so-called quantitative easing by purchasing trillions of dollars in longer-term Treasury securities, Fannie and Freddie's debt, and mortgage securities backed by Fan, Fred and Ginnie Mae. The Fed's ownership of these securities ballooned from less than $1 trillion before the crisis, equal to just over 5% of GDP, to $4.5 trillion today, some 25% of GDP.

While there has been much debate about the economic efficacy of QE, we estimate that at its peak impact, QE reduced the yield on the 10-year Treasury bond by approximately 100 basis points. This occurred partly through a signaling effect, in which QE signaled that the Fed would keep short-term rates low long into the future. This effect was most potent in the first couple of rounds of QE. It also occurred through a portfolio balance effect, resulting from the reduced supply of these risk-free securities, for which investor demand has been supercharged given the heightened uncertainty and greater post-crisis regulatory need for liquidity at global financial institutions (see Chart 2).

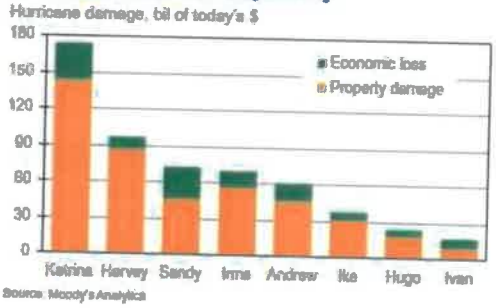
QE-induced low long-term rates have been critical to jump-starting and supporting the expansion. They have facilitated several mortgage refinancing waves that eased pressure on hard-pressed homeowners and fueled housing demand, helping to end the housing collapse. They have also been behind the raging bull market in stocks, which has lifted household wealth, and thus consumer spending via the wealth effect. More broadly, the very low rates have incented greater risk-taking, which is key to growth, but was severely depressed by the crisis.

(Continued next page)

2011	2012	2013	2014	2015	2016	INDICATORS	2017	2018	2019	2020	2021	2022
15,021	15,355	15,612	16,013	16,472	16,716	Gross domestic product (C09$ bil)	17,082	17,578	17,940	18,148	18,571	19,013
1.6	2.2	1.7	2.6	2.9	1.5	% change	2.2	2.9	2.1	1.2	2.3	2.4
131.9	134.2	136.4	138.9	141.8	144.3	Total employment (mil)	146.5	148.6	150.1	150.6	151.4	152.9
1.2	1.7	1.6	1.9	2.1	1.8	% change	1.5	1.5	1.0	0.3	0.5	1.0
8.9	8.1	7.4	6.2	5.3	4.9	Unemployment rate (%)	4.4	4.1	4.0	4.6	4.9	4.9
6.2	5.0	1.1	5.3	5.0	2.4	Personal income growth (%)	3.6	4.8	5.3	4.4	3.9	4.0
311.7	314.0	316.2	318.6	320.9	323.1	Population (mil)	325.4	327.7	330.0	332.0	334.1	336.3
0.434	0.537	0.620	0.647	0.712	0.784	Single-family starts (mil)	0.867	1.176	1.391	1.371	1.376	1.392
0.178	0.247	0.308	0.355	0.395	0.393	Multifamily starts (mil)	0.371	0.385	0.391	0.342	0.366	0.410
1,428	2,051	1,844	1,267	1,677	1,894	Mortgage originations ($ bil)	1,607	1,512	1,434	1,350	1,472	1,593
1,363	1,181	1,039	910	820	771	Personal bankruptcies (ths)	775	776	777	858	1,006	1,184
0.1	0.1	0.1	0.0	0.3	0.3	91-day Treasury bill (%)	0.9	1.7	3.0	3.4	3.1	2.6
2.8	1.8	2.3	2.5	2.1	1.8	10-year Treasury bond (%)	2.4	3.3	4.2	4.3	4.1	4.2

Harvey and Irma Are Very Costly

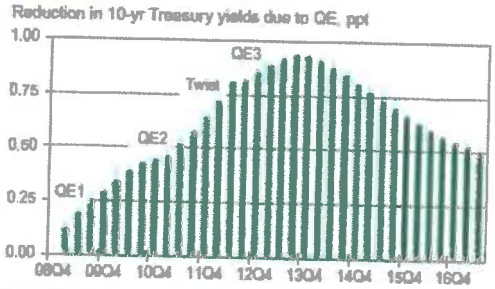
Hurricane damage, bil of today's $



Source: Moody's Analytics

QE Worked

Reduction in 10-yr Treasury yields due to QE, ppt



Sources: Federal Reserve, Moody's Analytics

QE wind-down. The Fed appropriately believes the U.S. economy is in a good enough place to slowly end QE and reduce its security holdings. In the Fed's script, the QE wind-down will occur as the securities it owns mature and prepay, ramping up from $10 billion a month initially to a peak of $50 billion a month. We expect the Fed will continue with this script until it owns approximately $3 trillion in securities, not quite 15% of GDP, which is where policymakers will hold the balance sheet (see Chart 3). Given changes in the way it manages short-term rates post-crisis, the Fed needs to maintain a bigger balance sheet than prior to the crisis. It should take the Fed approximately five years to right-size its balance sheet.

Whither short-term rates. There is little debate among investors over the wind-down of QE given the Fed's transparency on how it will go, but there is heated debate over the future path of short-term interest rates. The sentiment of policymakers as represented by the median of the dot-plot of their future interest rate expectations is for a quarter-point rate hike in December, three hikes in 2018, and a 3% equilibrium rate—the rate that prevails in the long run when the economy is at full employment and growing at its potential and inflation is at the Fed's 2% target (see Chart 4).

This seems a reasonable outlook given that while the economy is already at full employment and growing above its potential, inflation remains stubbornly below the Fed's target and has moderated so far this year. But if past business cycles are a guide, given the tightening labor market, wage and price pressures will soon develop, and the Fed will find itself scrambling to catch up a year or two from now, raising rates more quickly than policymakers currently anticipate. This would be consistent with our outlook for short-term rates.

Investors' perspective. Investors have a very different perspective on the future path of short-term rates. According to futures markets, investors think there are less than even odds of another rate hike this year, perhaps one or two at most next year, and an equilibrium rate that is closer to 2%. Behind this outlook is the expectation that inflation will remain stubbornly below the Fed's target for broader structural reasons such as heightened competition from internet retailers, and that the economy's growth potential is much lower than the Fed or we believe. Investors appear to have bought into this secular stagnation view of the economy, in which the U.S. economy has become more like the moribund Japanese economy.

If investors are wrong, and we think they are, they will soon need to shift up their expectations for future short-term rates. This will likely ignite a spike in financial market volatility, characterized by weaker stock prices, wider credit spreads, a stronger U.S. dollar, and weaker commodity prices. This is the most serious near-term threat to the expansion. That is, the volatility in markets proves much greater and its fallout on the economy much bigger than anticipated.

Washington wild card. The catalyst for a change in investor expectations may emanate from Washington. The widely held view is that the Trump administration and Congress will fail to get anything done on taxes and infrastructure and government spending—the status quo on fiscal policy will prevail.

Perhaps. But there are powerful political incentives for the administration and Republican-controlled Congress to pass something—if not tax reform, then tax relief for U.S. corporations. Given that this will likely add to future deficits, conservative Republicans may not go along, thus requiring a few Democratic votes in the Senate. Some Democrats might go along if as part of the package there was a meaningful step-up in infrastructure spending. There are lots of different directions all of this could go, but it is premature to rule out the passage of a modest package of tax and spending changes.

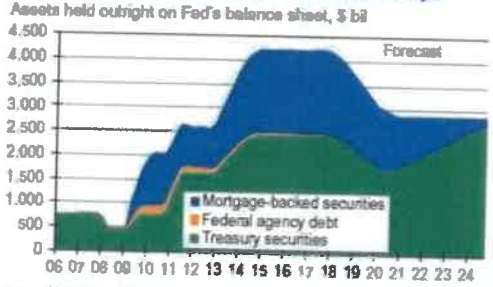
Of course, deficit-financed tax cuts and spending increases, also known as fiscal stimulus, will pump-up growth, at least temporarily, which in a full-employment economy will create greater wage and price pressures. Investors will rightly figure that the Fed will respond by normalizing interest rates more quickly.

Regardless of how all this plays out, it is clear that fully cleaning up from the Great Recession is still a long way off and rife with risk. It is important that policymakers get the job done before the next recession hits.

Mark Zandi
September 2017

Fed Will Stick to This QE Wind-Down Script

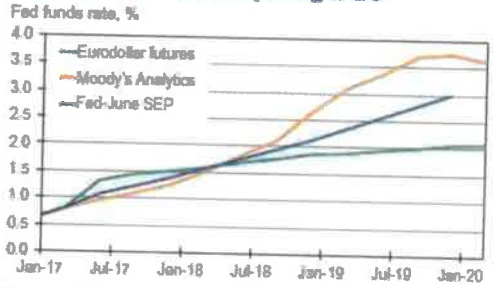
Assets held outright on Fed's balance sheet, $ bil



Source: Moody's Analytics

Investors Have Some Adjusting to Do

Fed funds rate, %



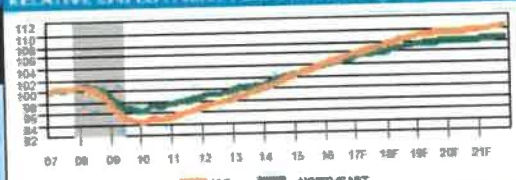
Sources: Federal Reserve, Bloomberg L.P., Moody's Analytics

MOODY'S ANALYTICS

NORTHEAST

EMPLOYMENT GROWTH RATE		GROSS DOMESTIC PRODUCT	
2016-2018	2016-2021	2016-2018	2016-2021
1.1%	0.7%	1.9%	1.6%

RELATIVE EMPLOYMENT PERFORMANCE (JAN 2007=100)



Source: Moody's Analytics

STRENGTHS & WEAKNESSES

STRENGTHS

- Highly educated labor force and productive high tech industries.
- A global financial capital.
- High per capita income.
- Sizable university and hospital presence.

WEAKNESSES

- Higher business and living costs than in other regions.
- Weak population growth and an aging workforce.

CURRENT EMPLOYMENT TRENDS

% CHANGE YR AGO, 3-MO MA

	Dec 16	Apr 17	Aug 17
Total	1.2	1.2	1.4
Construction	0.5	1.9	2.1
Manufacturing	-1.1	-1.6	-1.2
Trade	-0.9	-0.1	-0.2
Trans/Utilities	2.9	2.7	2.1
Information	-0.1	-0.4	-1.4
Financial Activities	0.4	0.7	0.6
Prof & Business Svcs.	1.9	2.2	2.4
Edu & Health Svcs.	2.7	2.6	2.7
Leisure & Hospitality	2.1	1.7	3.3
Other Services	1.3	1.0	1.8
Government	0.5	0.3	0.1

FORECAST RISKS

SHORT TERM ↓ | LONG TERM ↓

UPSIDE

- Worker shortages put more upward pressure on wages than expected.
- Positive sentiment among manufacturers powers a broader turnaround for factories.

DOWNSIDE

- Tighter border controls cause outright population losses due to out-migration.
- Aging of millennial cohort shifts more growth toward suburbs, weighing on the region's big cities.

ANALYSIS

Recent Performance. The Northeast's performance is hardly the stuff of inspiration, but its trajectory remains solid. The gap between regional and national employment growth is about as narrow as it has been in six years. Still, hiring cannot keep up with the number of open positions, indicating a shortage of qualified workers. Rapid growth in healthcare and a resilient tourism sector have kept the region moving in the right direction despite softness in manufacturing and a slowdown in construction. Meanwhile, with numerous states facing major budget challenges—chief among them Connecticut, New Jersey and Pennsylvania—the Northeast is the only region where public sector payrolls have contracted on a year-over-year basis.

White-collar. Office-using job growth will remain solid over the next year, helping the Northeast close the gap with the U.S. Strength in professional services, especially in New York, Massachusetts and Washington DC, helped income growth return to form to begin 2017. This signals that regional gateway markets remain a draw for lucrative industries and skilled workers, powering the nation's largest share of high-wage jobs.

Tech positions are providing a major boost, especially in the absence of more dynamic financial services growth. Venture capital in New York picked up during the second quarter, and while funds into Massachusetts slowed, Greater Boston remains a hotbed of activity. Further, cybersecurity plays an increasingly important role around the nation's capital, especially in Maryland.

Trade. Weakness in trade will weigh on factories. Exports in the first half of 2017 were down from a year ago, making the Northeast the only region where this happened. Shipments to Canada and the euro zone have fallen, with transportation equipment and chemical products, including pharmaceuticals, hit hardest. While the dollar has weakened somewhat of late, providing a bit of relief, its continued strength relative to the euro and the loonie has kept overseas shipments in check. This is preventing factories from escaping the doldrums that have plagued them throughout this cycle, with the Northeast the only region to shed manufacturing jobs.

However, the news is not all bad. The so-called soft data paint a more encouraging picture, with respondents to Federal Reserve manufacturing surveys in New York and Philadelphia indicating that conditions are rapidly improving. And import growth is solid, supporting robust gains in transportation and logistics over the past year. A strong stock market and high incomes have been particularly beneficial to the tri-state area of New York, New Jersey and Connecticut, partially offsetting those states' demographic challenges.

Housing. Weak demographics, however, will plague the housing market. With population growing at a snail's pace, household formation as a share of housing starts is far below that of any other region. This marks the continuation of a trend that owes in part to a surge in multifamily building in the Northeast's big cities. On the demand side, residents are largely migrating West and South due to lower costs and more vibrant economies. In addition, a persistent foreclosure overhang is keeping a lid on prices and leaving builders sidelined. This is especially so in New Jersey and New York, the two states with the most foreclosed homes per household nationally, although inventories are finally beginning to decline in each state. Put it together and construction growth will remain subpar.

The Northeast will slide further behind the nation's other regions in the short run. While strength in high-wage industries will provide a boost, flat population growth will hold back housing and contribute to worker shortages. Longer term, high costs and an elevated share of retirees will keep the region at bay.

Adam Kamins
September 2017

COST OF DOING BUSINESS 106%

2011	2012	2013	2014	2015	2016	INDICATORS	2017	2018	2019	2020	2021	2022
3,576.4	3,641.4	3,650.4	3,700.3	3,772.8	3,816.9	Gross regional product (C09$ bil)	3,875.0	3,966.6	4,030.5	4,061.6	4,146.3	4,232.8
28,767	29,102	29,430	29,810	30,238	30,647	Total employment (ths)	31,007	31,329	31,563	31,619	31,745	31,984
1.0	1.2	1.1	1.3	1.4	1.3	% change	1.2	1.0	0.7	0.2	0.4	0.8
8.1	8.0	7.3	6.1	5.2	4.8	Unemployment rate (%)	4.4	4.4	4.3	4.8	5.1	5.1
5.3	4.5	0.8	4.3	4.1	3.1	Personal income growth (%)	2.7	4.2	4.6	3.9	3.8	3.9
63,005	63,271	63,494	63,678	63,794	63,859	Population (ths)	63,941	64,022	64,082	64,112	64,138	64,202
120.1	55.7	49.4	-4.4	-42.9	-79.0	Net migration (ths)	-118.4	-120.1	-143.1	-171.9	-173.9	-133.0
50,017	56,570	67,389	69,514	68,017	70,343	Single-family permits (#)	76,896	107,488	128,877	128,195	130,622	132,752
39,511	51,277	65,686	74,658	121,201	73,597	Multifamily permits (#)	76,913	74,655	72,329	67,915	71,069	74,321
478	472	478	490	507	526	House price (1980Q1=100)	547	568	585	600	618	641
311	417	373	237	298	362	Mortgage originations ($ mil)	310	293	280	263	287	311
2,813.2	3,034.2	3,211.4	3,364.3	3,511.9	3,576.2	New vehicle registrations (ths)	3,470.4	3,590.4	3,489.3	3,393.6	3,461.3	3,679.0
200,617	171,212	147,706	134,024	120,351	115,036	Personal bankruptcies (#)	115,484	115,120	119,693	129,831	152,477	154,058

RECENT ECONOMIC DEVELOPMENT – NORTH COUNTRY, NEW YORK

- Bombardier, Inc. a manufacturing facility in the Northgate Industrial Park, City of Plattsburgh recently completed an addition to their facility, which increased the plant's size to roughly 149,000 SF. Adding 80,000 SF to the existing building. Two large contracts were also recently secured; New York City Transit, 300 subway cars and San Francisco Bay Area Rapid Transit for 410 rail cars with options for another 365 cars. These new contracts guarantee employment to the 465 employees well into the future.
- Additionally, Bombardier had previously constructed a rail car testing facility at the Champlain Valley International Trade PARC (CVIT). CVIT is the former Plattsburgh Air Force Base. An additional testing facility was originally built in 2001, also at CVIT. The company manufactures transit rail cars. The company's operation created a "ripple" effect, as a number of its suppliers and manufacturers established facilities in and around Plattsburgh.
- The Laurentian Aerospace Corporation revealed that they were proposing to build an aircraft maintenance, repair and overhaul facility on the former Air Force Base (PARC). Construction of the aircraft maintenance, repair and overhaul facility on the former Air Force Base (PARC) is still stalled due to financing. The proposed 2-bay hangar facility will be constructed at a cost of about $175 million and will contain approximately 262,000 square feet of area. Employment estimates range from 900 - 1,200 jobs (900 to overhaul jets and 300 administrative staff) that will be created within the next five years.
- In its 2016 Progress Report, the North Country Economic Development Council (NCEDC) reported that the number of retail establishments across the region remained stable from 2010 to 2015, while the average annual employment for the same period fell by 1.5 percent. By comparison, the average annual employment for New York State during the same period grew by 5.2 percent. The U.S. economy expanded at a rate similar to New York State during that period.
- One of the NCEDC's 2016-2017 projects was to construct a 33,000 square foot state-of-the-art center of health to be utilized by Adirondack Medical's nationally recognized team-based approach to creating health plans for its patients. This facility will ensure all necessary services are in one place to support this approach. The center will be the official hospital for the Lake Placid Olympic Training Center and will become an integral part of the community's ability to sponsor world-class sporting events. The project cost is over $13 million, with public investment funding of $3 million and other investments of $10 million.
- Another NCEDC project is to modernize the Olympic Venus along with other sporting assets to compete for future Winter Olympic bids. The Adirondack/Thousand Islands Sports and Events Commission will use the pursuit of a 2026 or 2030 Winter Olympic Bid as a catalyst to create the Sustainable Olympic Venues Global Center of Sports Excellence in Lake Placid. The project cost is $6 million of which $4.5 million will be funded through public investment and $1.5 million will be funded through other investment.
- Prevost was awarded a contract for up to 360 motor coaches from Greyhound Lines, Inc. The three-year deal specifies the delivery of the first 60 coaches in 2017 with the

option to purchase the balance over a three-year period. This is the single largest contract in Prevost history.

- Biotech Energy, a full-service technology company that specializes in biomass thermal energy systems opened its new corporate headquarters at Clinton Community College in May of 2017.
- In May of 2017, Plattsburgh International Airport's new terminal opened. Construction took more than two-years and cost $55.0 million.
- In spring of 2017, 13 years after entering into an agreement with the Oval Wood Dish Corporation Liquidating Trust, 5,800 acres of land was purchased by Preserve Associates for $5,200,000. These 5,800 acres is the bulk of the Adirondack Club and Resort site, and will be added to Big Tupper Ski Area, the marina, and Cranberry Pond. In the first phase of the project there are 18 "great camp" lots, of which several are under contract. These lots range from approximately 30 acres to more than 700 acres. As part of the sale of these lots, 7.5 percent of the gross sale price of each lot will be used for operation and maintenance of, and capital improvements to the Big Tupper Ski Area, around which the resort has been planned.
- In May of 2017, through New York State's Downtown Revitalization Initiative, the State of New York announced it is giving the City of Plattsburgh, $10.0 million toward 10 different projects to revitalize the city's downtown. Some of the projects include making the streets more walkable by improving the streetscapes on five central downtown streets. Another project is improving waterfront access to downtown and developing the Dock Street Waterfront by requesting proposals from developers for new uses that will connect residents and visitors at the waterfront with the city's historic center. The Durkee Street Mixed-Use Development project is a public-private partnership and may include approximately 45 residential units and almost 47,000 square feet of commercial space that will complement the character of downtown Plattsburgh.
- In February of 2017, the Adirondack Park Agency (APA) approved a permit for the Lake Flower Resort and Spa along with a variance for several features that fall within 50 feet of Lake Flower's mean high water mark. Saranac Lake Resort, LLC has purchased the Adirondack Motel, the Lake Flower Inn, and the Lakeside Motel at the north end of Lake Flower Avenue. These motels will be demolished so the four-story, 32,000 square foot resort could be constructed. The resort will feature 93-room, two restaurants, a bar, conference/meeting facilities and an indoor-outdoor spa. The buildings fourth floor would rise to 66 feet at the ridgeline, with a 69-foot tall turret at the building's highest point. The property would have a 100-car pervious paved parking area. However, in May of 2017, the owner of Lakeside Motel terminated their contract with Saranac Lake Resort, LLC. The contracts with all three motels had been extended three times over the past year without closing. Now the Saranac Lake Resort, LLC is taking the owner to court. If Saranac Lake Resort, LLC cannot purchase the motel, the project could not move forward.

- Saranac Lake was awarded $10 million for the revitalization of the downtown area from Governor Cuomo's economic development Council. Plans are to spend up to $300,000 to develop a planning committee that will analyze a strategy to spend the funds.

TRANSPORTATION

The following chart details the regional transportation network within Clinton County.

Transportation – Franklin County			
Roadways			
Interstate	U.S Route	State Route	Secondary
None	Route 11: NE-SW	Route 30: N-S	Various
		Routes 37 & 99: NW-SE	
		Route 3: NE-SW	
Other			
Airports	Plattsburgh International Airport (Plattsburgh-Clinton County)		
	Watertown International Airport (Jefferson County)		
Railroad	Amtrak (Plattsburgh-Clinton County)		
Bus	Adirondack Trailways (Plattsburgh & Massena), & Franklin County Public Transp.		

EMPLOYMENT

The following chart details the employment characteristics within Franklin County, the North Country Region and New York State.

Employment (Franklin County)				
Unemployment				
Geographic Area	Average 2015	Average 2016	Average 2017	July 2018
Franklin County	6.5%	5.7%	6.1%	4.6%
North Country	6.6%	6.0%	6.2%	4.8%
New York State	5.3%	4.8%	4.7%	4.2%
Largest Employers*				
Rank	Organization		Industry	
1	Sunmount Development Center		Intermediate Care Facility	
2	North Star Industries		Social Services	
3	NYS Dept. of Corrections – Barre Hill		Government	
4	NYS Dept. of Corrections - Franklin		Government	
5	Akwesasne Mohawk Casino		Entertainment/Leisure	
6	Franklin County		Government	
7	NYD Dept. of Correction - Upstate		Government	
8	Alice Hyde Medical Center		Health Care	
9	St. Regis Mohawk Tribe Council		Government	
10	Paul Smiths College		Education	

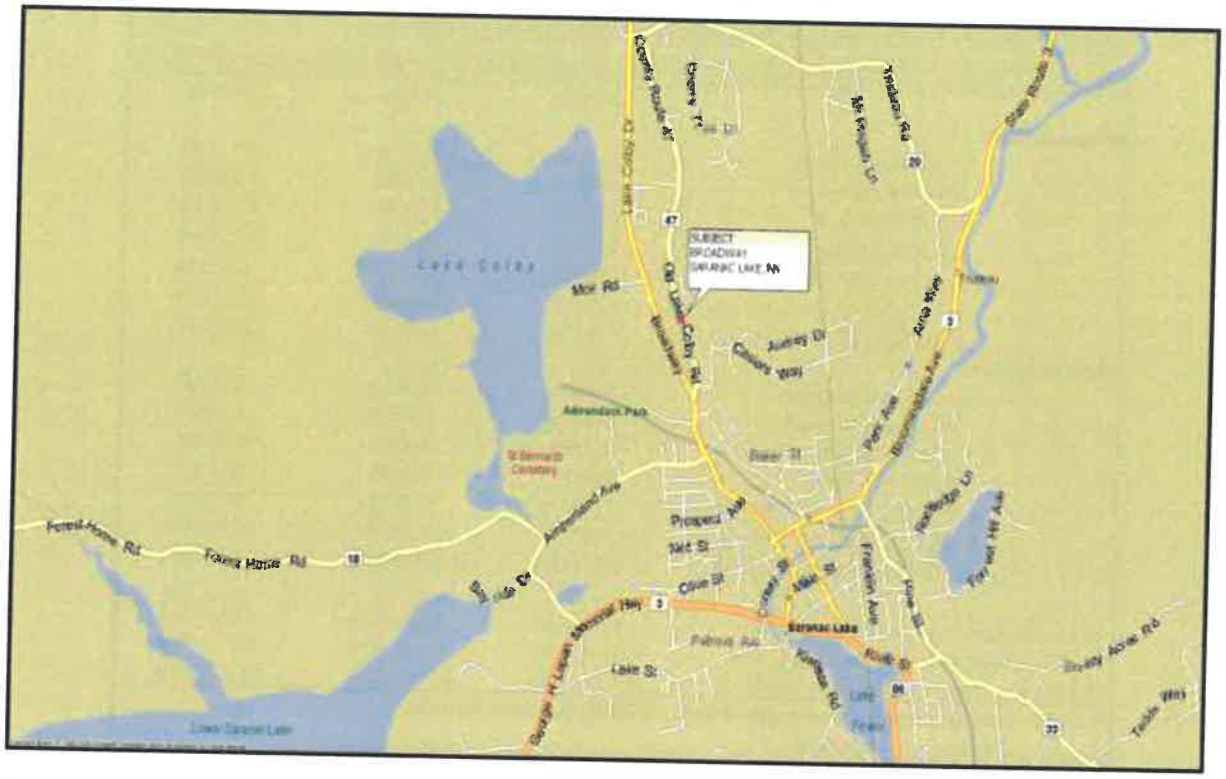
* Source: North Country Chamber of Commerce
Complied by: Hilco Real Estate Appraisal

CONCLUSION

There are a handful of projects happening in the North Country that aid with improving the area's economy. The influx of funds from governmental agencies has sparked a momentum in the larger towns encouraging new development. Transportation within the area is considered to be average to good depending on the location. Unemployment rates in the county and region are fairly consistent, and have always been higher than that of the State as a whole.

The North County's largest urban area is Plattsburgh; otherwise is it is made up of small cities and rural communities within seven counties. The North Country region is highly dependent on the tourism industry. Because the North Country is primarily rural, the loss of population to basic institutions, such as schools, grocery stores, and hospitals, is significant.

NEIGHBORHOOD ANALYSIS



LOCATION

The subject is located within the Adirondack Forest, specifically on the eastern side of Broadway and the western side of Old Lake Colby Road in the Village of Saranac Lake, Franklin County, New York. Saranac Lake is situated on the border of Franklin and Essex Counties. The neighborhood is generally delineated by the Trudeau Road to the north, Bloomingdale Avenue to the east, (also known as Route 3), Route 3, also known as the George H. Lapart Memorial Highway in this area, is to the south and Lake Colby sits to the west.

ADJACENT PROPERTIES

Immediately north of the subject are some single-family residences, along with a church. To the east are single-family residential uses, followed by vacant land. To the south is vacant land, followed by Taylor Rental Party Plus Farm & Family Supplies, and an urgent care center. Immediately to the west is vacant land and an automobile dealership.

ACCESS

The property is considered to have average access to local and regional transportation networks. Access to the sites is available via Broadway or Old Lake Colby Road, as the properties border each to the west and east. Lot 3 has a dirt pathway that is somewhat overgrown that provides access into the center of the lot. There are no other development means of ingress or egress to either site.

DEMOGRAPHICS

NEIGHBORHOOD DEMOGRAPHICS BROADWAY, SARANAC LAKE, NY			
	3-Mile	5-Mile	7-Mile
Population			
2023 Projection	6,268	8,774	15,739
2018 Estimate*	6,392	8,947	15,985
2010 Census	6,728	9,420	16,615
2000 Census	6,264	8,773	16,359
2018-2023 % Change	-1.94%	-1.93%	-1.54%
2010-2018 % Change	-4.99%	-5.02%	-3.79%
2000-2010 % Change	7.41%	7.37%	1.56%
Households			
2023 Projection	3,026	3,519	6,540
2018 Estimate*	3,066	3,554	6,545
2010 Census	3,185	3,666	6,580
2000 Census	2,836	3,235	6,117
2018-2023 % Change	-1.30%	-0.98%	-0.08%
2010-2018 % Change	-3.74%	-3.06%	-0.53%
2000-2010 % Change	12.31%	13.32%	7.57%
2018 Median Household Income	$56,399	$58,425	$60,423
2018 Average Household Income	$74,895	$76,399	$78,793
2018 Est. Median Housing Value	$173,704	$173,531	$194,278

* 2018 Estimates are based upon actual 2010 Census figures.
Source: Environics / Claritas

CONCLUSIONS

The subject is located on the outskirts of the Village, in a somewhat rural area. After experiencing healthy growth between 2000 and 2010 population and households have declined since 2010 and are anticipated to continue that trend into the future, but at a slower pace. Aside from the few development projects mentioned within the Regional Analysis, which are based within the central area of the Village, there are no other known large projects underway. Overall, we do not expect the general character and uses in the area to change significantly within the near future.

MARKET ANALYSIS

INTRODUCTION

The subject property represents two vacant land parcels on the outskirts of the village of Saranac Lake. There are primarily residential uses to the north and east and commercial uses to the west. The parcels are zoned for limited residential use and a variety of commercial uses with approvals. As the housing market in a given area often provides an indication of the health of the economy in a given area, we have provided market data on the housing market and information on historical land sales within the subject's market below.

HOUSING SALES

According to statistics provided by the New York Association of Realtors as of the December 2017, there were 344 closed sales in Franklin County for the year, which represents a decline of 2.5% from 2016, but a 34.4% increase from 2013. There was reportedly an 11.5 months' supply of inventory and sellers were receiving 91.6% of the list price. Median sale prices ranged from $90,000 to $106,000 between 2013 through 2017. The 2017 median sale price was $101,500, which represents a 12.8% increase from 2016, but a 4.2% decrease from 2013.

Year to date figures for 2018 show a decrease in listings and closed sale, but an increase in median sale prices of 8.8% as of July 2017 as compared to July 2018. According to the NYS Department of Taxation and Finance, There have been 363 homes sold in Franklin County as of May 1, 2018, with a median sale price of $100,000.

VACANT COMMERCIAL LAND SALES

A search of vacant commercial land sales within the New York State Office of Real Property Services (ORPS) database yielded six entries since January 1 of 2015. ORPS is often a few months behind on recording sales to the database, and the most recent entry was as of May 25, 2018. Because the subject sits on the border of Franklin and Essex Counties, we included both in our query. In addition, we requested only arm's length transactions be included. The sales are summarized below:

VACANT COMMERCIAL LAND SALES -ESSEX & FRANKLIN COUNTIES 1/1/15 – 8/30/2018							
No.	Address	SBL	Acres	Sale Date	Sale Price	Price Per Acre	Comments
1	West Main St., Chateauguay, Franklin County	61.13-3-12.2	0.13	3/1/17	$2,000	$15,385	Purchased by adjacent land owner.
2	Front St., Chesterfield, Essex County	4.37-3-27.00	0.5	10/20/16	$20,000	$40,000	Purchaser owns land across the street. This is a narrow lot between two buildings on the primary roadway in town.
3	14 North St., Chesterfield, Essex County	1.67-1-11.01	2.3	9/24/15	$150,000	$65,217	Mostly residential neighborhood ½ block from Lake Champlain.
4	Broadway, Saranac Lake, Franklin County	446.76-7-9	0.13	3/20/18	$70,000	$538,462	Small lot once improved; rubble on from old foundation; steep hill
5	Union St, Malone, Franklin County	98.71-2-1	164.16	12/1/17	$25,000	$152.29	Price per acre suspect. Large tract in primarily commercial area.
6	NYS Route 22 Willsboro, Essex County	30.12-3-1.0	5.0	5/25/18	$8,840	$1,768	Was vacant com'l; now coded as industrial. On hill across from junk yard.

The limited inventory of sales prevents any strong conclusions about the price of a vacant commercial lot. Nor can a conclusion be formed about increasing or decreasing prices over the timeframe analyzed. Based on the above, it was necessary to expand our search for comparable land sales to compare to the subject by extending the sales timeframe and the regional area.

RECENT CONSTRUCTION

Construction within Saranac Lake has been minimal over the past decade. As noted within the Market Analysis section of this report, there is one major development in the works on Broadway within the downtown area of the Village which involves demolishing three existing motel/hotel properties and creating a larger hotel that sits on the edge of Lake Flower. A search using Landmax.com for any new construction since 2010 yielded only single-family homes.

CONCLUSION

The subject property is located within a semi-rural village in Franklin County. Development has been minimal over the past decade, although there is a large new project online, which may add to the area draws. While surrounding areas such as Tupper Lake, Malone and the Plattsburgh areas are showing progress towards recovering from the great recession, Saranac Lake appears to be fairly stable in recent history, with most of the existing businesses remaining in place.

SITE ANALYSIS

LOTS 3 AND 4 - BROADWAY, (A.K.A. NYS ROUTE 86) SARANAC LAKE, NEW YORK			
Gross Site Area:	Lot 3: 1.39 Acres Lot 4: 1.75 Acres	Shape:	Lot 3: Irregular; Somewhat Limiting Lot 4: Irregular; Not Limiting
Excess Land:	No	Topography:	Lot 3: Generally level to gently sloping from east to west. Lot 4: Gently to moderately sloping from east to west.
Surplus Land:	Depending on use	Historical Use:	Maintenance Shop / Vacant Land
Road Frontage:	Lot 3 – 150 Ft. Lot 4 – 136 Ft.	Zoning District:	G
Other Frontage:	Lot 3 – 42.8 Ft. on Old Lake Colby Rd. Lot 4 – 136 Ft. on Old Lake Colby Rd.	Current Use:	Vacant Land
Average Depth:	N/A	Flood Panel No.:	360273 0001C
Front-Depth Ratio:	N/A	Flood Panel Date:	January 2, 1992
Soil Conditions:	Assumed Stable. Wetlands noted on the western side of each parcel. See wetlands maps.	Flood Zone:	Zone C
		Flood Insurance Required:	No

Characteristic	Rating	Characteristic	Rating
Access	Average	Adequacy of Utilities	Average
Visibility	Average	Landscaping	Natural
Functional Utility	Average	Drainage	Assumed adequate
Traffic Volume	10,140 (AADT 2015)	Adjacent Land Uses	Residential; Vacant Land; Commercial, Religious

Utility	Provider	Adequate	Other	Yes	No	Unknown
Water	Municipal	Yes	Toxic Hazards	See Below		
Sewer	Municipal	Yes	Detrimental Easements		See Below	
Natural Gas	None	N/A	Encroachments		X	
Electricity	Various	Yes	Deed Restrictions	X		
Telephone	Various	Yes	Reciprocal Parking		X	
			Common Ingress-Egress		X	

SITE SUMMARY

The subject consists of two vacant land parcels identified as Lot 3 and Lot 4. As noted previously, Lot 3 is associated with an environmental easement requiring periodic environmental testing and reporting until it is deemed unnecessary by the NYS Department of Environmental.

Lot 3 – Overview

Lot 3 is an open and wooded lot that slopes downward from the east to the west. There is a former point of ingress along Old Lake Colby Road that has a metal fence in front with a "STOP" sign. The ingress is dirt with vegetation. There is no pavement. The parcel slopes downward slightly and levels out into a large cleared area before sloping downward again. There is no current access from Broadway.

Lot 3 was once used in affiliation with an automobile sales and repair shop, manufacturing of war related items involving aircraft landing gear and land mine fuses, storage of 20,000 to 55,000-gallon drums (containing sand, sludge, grease), utility trucks and equipment, and the disposal of solid waste. After environmental testing, contaminants were identified at the site. The site has undergone remediation to address contaminants, and a Certificate of Completion was issued on November 16, 2011 by the NYS DEC.

However, as there is concern that some levels of contaminants may still exist, a Site Management Plan and Environmental Easement was mandated. In addition, allowable uses were identified as follows:

- Restricted Residential – limited to common ownership or a single owner/managing entity of the site. Apartment buildings and town houses are permitted, but single family housing is not.
- Active recreational park
- Commercial or Industrial purposes as local zoning laws allow.

The Site Management Plan also indicates that "any future disturbance and development will require a cover system consisting of a two-foot soil cover....Site development related asphalt pavement, concrete sidewalks, and concrete building slabs may be utilized in place of the soil cover." In lieu of providing a soil cover, contaminated surface soils may be excavated and disposed of off-site.

An evaluation and report must be submitted annually until the NYSDEC determines otherwise. While we are not qualified to determine the existing condition of the subject's environment, we have considered the information provided by property representatives, the NYSDEC, CT Male & Associates and the Cedar Eden Environmental report as of August 23, 2017. A copy of these documents is being kept in the Appraiser's file.

Based on our understanding of the information, the remediation efforts are considered complete to a certain level. If the ground is disturbed, (i.e. developed as permitted as outlined above), then additional testing will be completed. The entity who owns the land must submit periodic reports and perform periodic testing until such time as the NYS DEC determines it is no longer necessary. We acknowledge that should the land be developed and a ground covering system is put in place, (such as a concrete pad), testing may no longer be necessary. Because the easement poses a potential stigma and risk to any owning entity, we considered it, as well as the potential additional expenses that may be associated with the testing and reporting, within our adjustment grid in the Sales Comparison Approach. Depending on the type of testing, expenses may range from $10 to $6,000 per test based on our research.

We note that the Certificate of Completion issued by the NYS DEC references the subject parcel 446.43-2-3, but that it indicates a site size of 2.60 acres. According to the tax map, parcel identified is 1.39 acres. Based on our understanding of the material referenced above, the parcel identified as 446.43-2-4, which is also the subject of this report, does not contain an

environmental easement. This parcel is 1.75 acres. We have made the extraordinary assumption that the two parcels we have identified as the subject of this report are 1.39 and 1.75 acres respectively and that there are no environmental easements on Lot 4. Should information be presented to the Appraisers that indicates otherwise, we reserve the right to amend this report.

Lot 4 Overview

As noted above, this lot is not associated with an environmental easement. The topography on this lot appears to be more moderately sloped and rolling on the eastern portion as compared to Lot 3. Lot 4 is heavily wooded. Like Lot 3, there are Freshwater Forested/Shrub Wetlands on approximately 0.20 acres of the western most portion of each lot. Measurements were taken using the National Wetlands Inventory mapping tool. There were no signs of entry points from either the east (Broadway) or west (Old Lake Colby) sides.

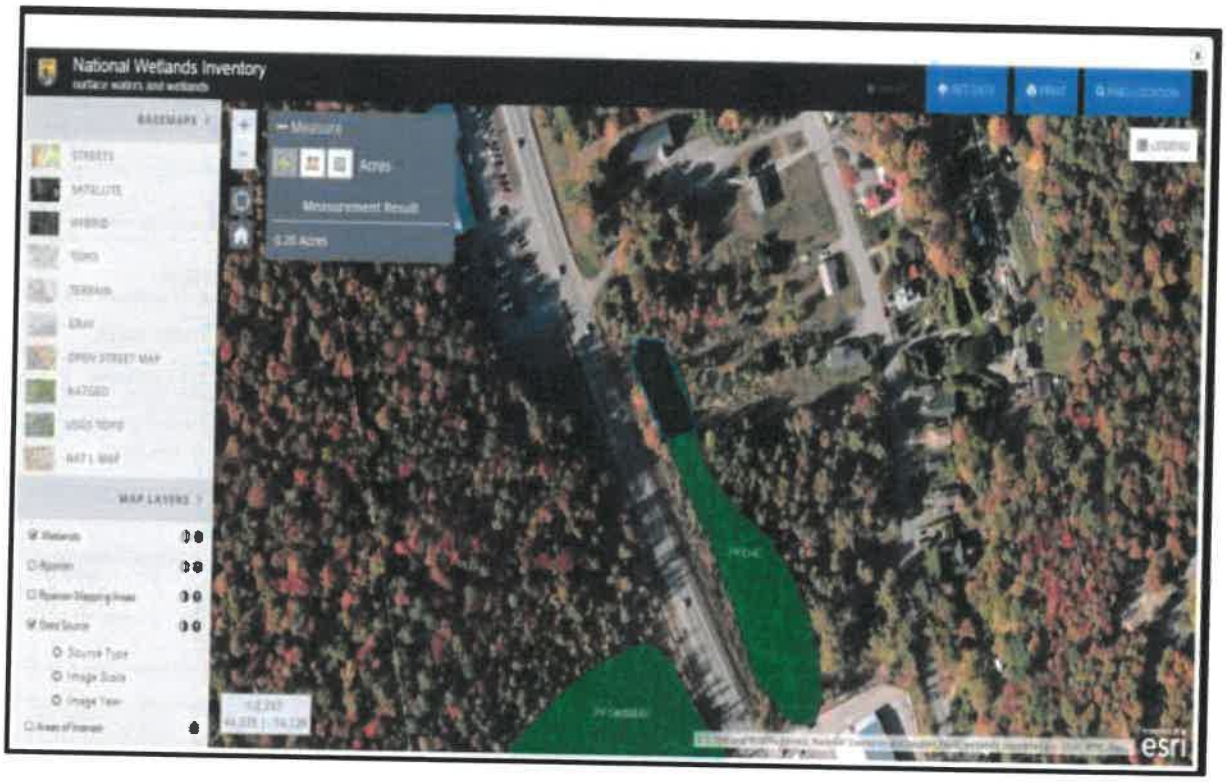
Overall, we see no significant limitations to developing either lot to its highest and best use.

SUBJECT TAX MAPS

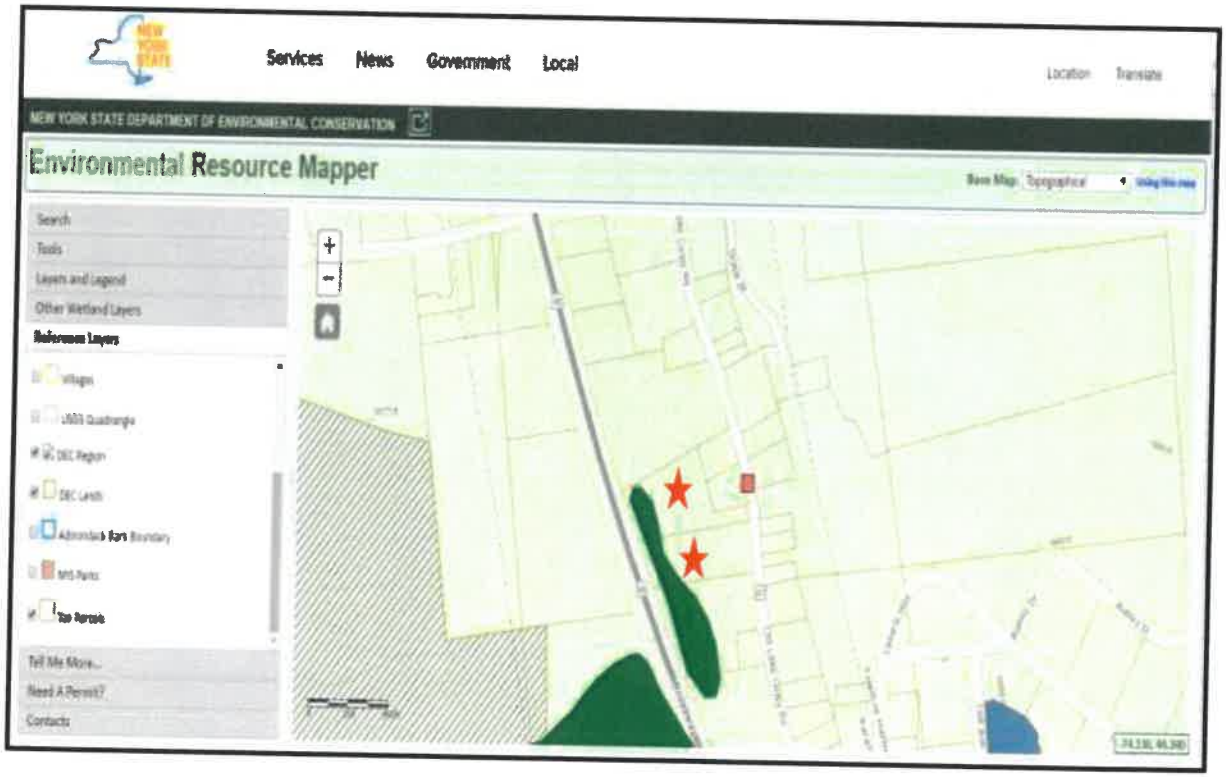
SBL 446.43-2-3

446.43-2-4

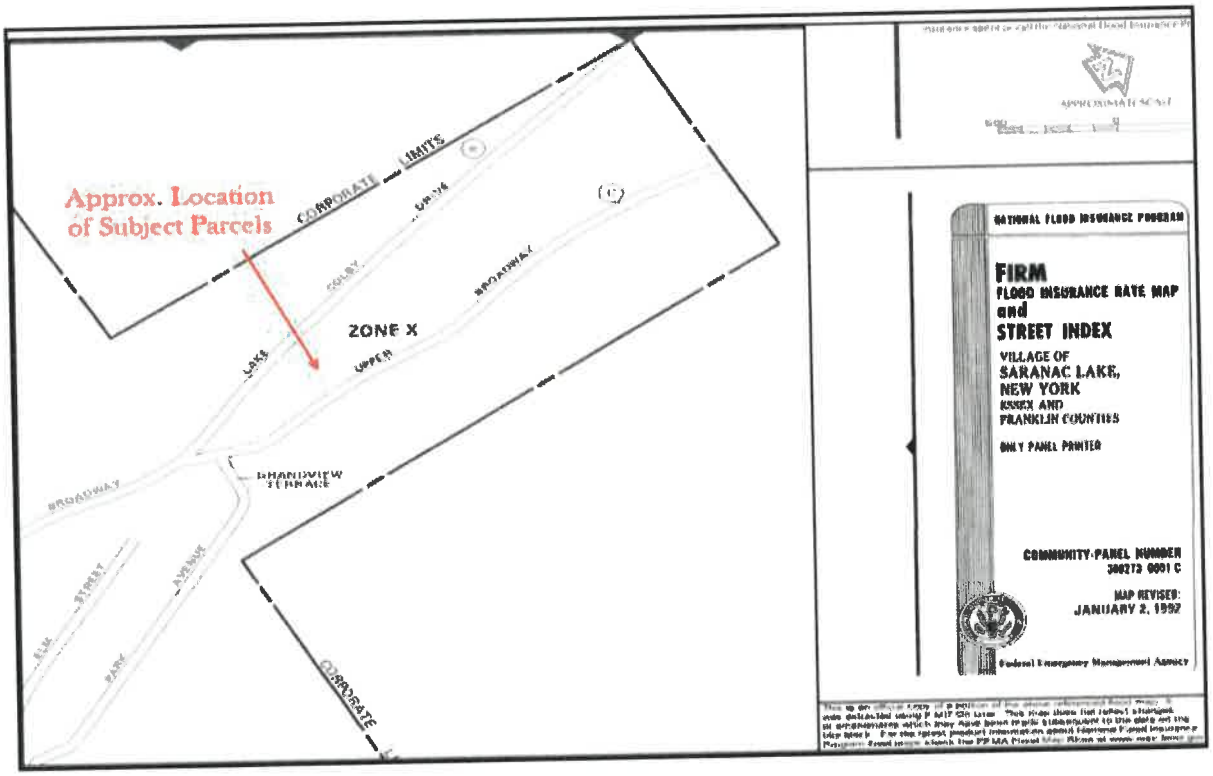
NATIONAL WETLANDS MAP



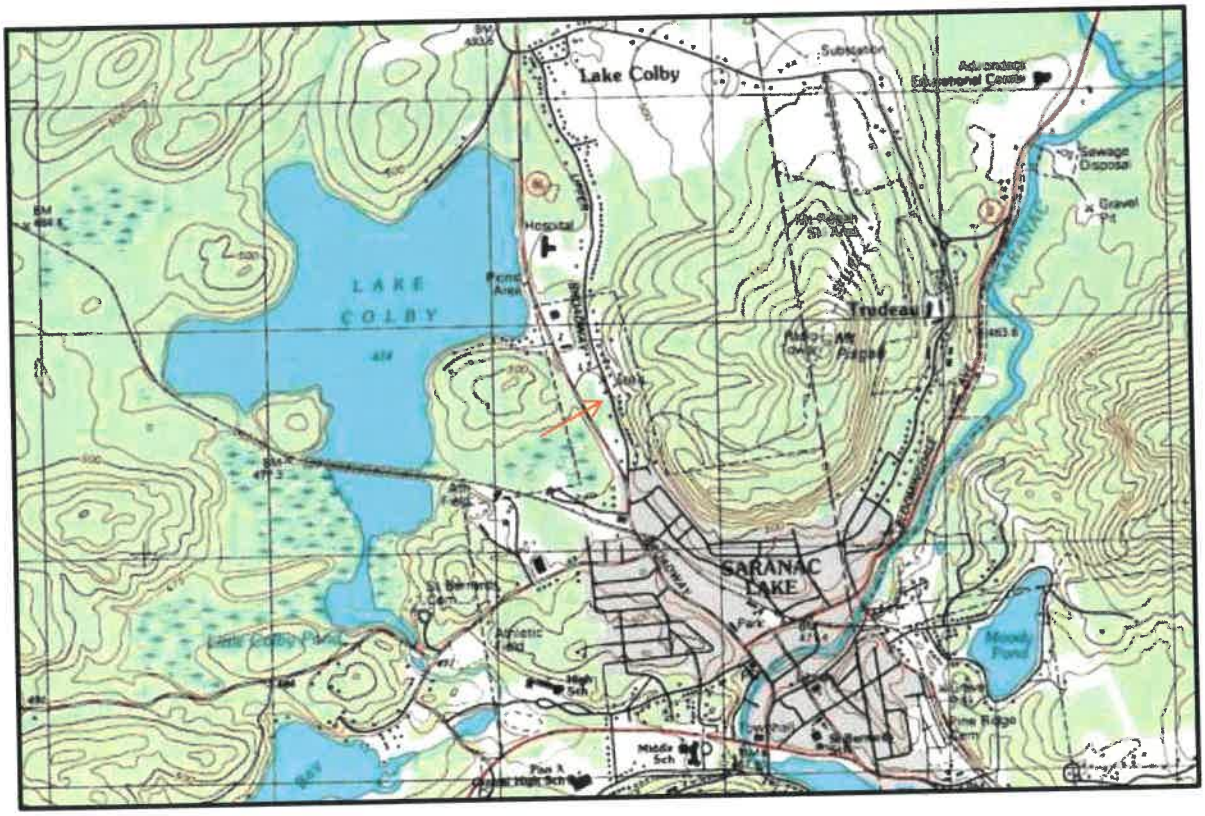
NYS WETLANDS MAP



FLOOD MAP



TOPOGRAPHIC MAP OF AREA



ZONING AND TAX ANALYSIS

ZONING

The subject is located in zoning district "G" according to the Village of Saranac Lake zoning map. The only permitted use by right in this district is a community garden up to one acre. Otherwise, there are a variety of residential, institutional, commercial and industrial uses allowed with a site plan review or administrative permit.

Dimensional standards for district "G" are as follows:

ZONING BULK AND SETBACK REQUIREMENTS	
Minimum Lot Size	5,000 SF
Max Lot Coverage	40%
Max Lot Coverage – Impervious Surface	30%
Front Yard	30 Feet
Rear Yard	20 Feet
Side Yard	15 Feet
Max Height	40 Feet or Site Plan Review Approval
Source: Saranac Lake Building & Codes	

As the subject represents vacant land, it represents a legally conforming use. A copy of the zoning permitted uses, bulk and setback requirements are included in the Addenda.

TAX AND ASSESSMENT DATA

The subject is located in the Village of Saranac Lake, which has a 100 percent equalization rate. As the parcels are owned by the Village, they are exempt. Based on their current assessments and tax rates (school, library, County, Airport, Board of Election, and Village) property taxes would be as follows if the parcels were taxable.

CURRENT ASSESSMENT AND TAX INFORMATION (2017-2018) VILLAGE OF SARANAC LAKE, NEW YORK					
Tax ID	Land	Improvements	Total	Rate Per $1,000	Gross Taxes
446.43-2-3	$31,200	$0	$31,200	$28.125349	$878
446.43-2-4	$48,300	$0	$48,300	$28.125349	$1,358
Source: Franklin County Real Property Tax Services					

Our estimate of market value of $70,000 and $100,000 respectively is higher than the Assessor's estimate of value. However, we note that based on our experience, it is not uncommon for undeveloped land to be assessed at lower levels until such time as they are improved.

HIGHEST AND BEST USE

DEFINITION

According to the Fifth Edition of The Dictionary of Real Estate Appraisal (Appraisal Institute, 2010), 'highest and best use' is defined as "the reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value."

The chart below summarizes the subject's highest and best use as vacant and as improved.

HIGHEST AND BEST USE SUMMARY		
	As Vacant	**As Improved**
Legal Permissibility	Based on the zoning district, a variety of residential, commercial or industrial uses are permitted with either site plan review and approval or administrative approval.	N/A
Physical Possibility	Based on the size, shape, topography, and frontage, a wide range of uses are physically possible.	N/A
Financial Feasibility	Based on the subject's physical characteristics and specific location with frontage along Broadway (a.k.a. Route 86), a primary roadway in the area, future development of the site with commercial or retail uses that are complimentary to the surrounding area would represent the most likely financially feasible option. As the current economic climate in the area does not indicate a significant demand for such uses, the most likely financial feasible use would be for an owner occupied, built-to-suit, or significantly preleased commercial or retail property, or it should be held for future development.	N/A
Maximum Profitability	The use for the subject should conform to the neighborhood trends and be consistent with existing land uses, which may include commercial/retail and/or residential uses.	N/A
Compiled by Hilco Real Estate Appraisal		

CONCLUSION: HIGHEST AND BEST USE AS VACANT

Based on the foregoing, the highest and best use of the sites as vacant would be for commercial or retail use if owner occupied, built to suit, or substantially preleased. Otherwise, the highest and best use would be to hold for future commercial and/or retail development.

CONCLUSION: HIGHEST AND BEST USE AS IMPROVED

As the subject represents vacant land, the highest and best use as improved is not applicable.

APPRAISAL METHODOLOGY

INTRODUCTION

The appraisal process is defined as an orderly program by which the appraisal problem is identified, the appraisal process is planned, and the data involved is acquired, classified, analyzed and interpreted into an estimate of value. In this process three basic approaches to value are considered: Income Capitalization Approach, Sales Comparison Approach, and Cost Approach. In appraisal practice, an approach to value is included or omitted based on its applicability to the property type being valued and the quality and quantity of information available.

THE COST APPROACH

The Cost Approach is based upon the principle of substitution, which infers that a prudent purchaser would pay no more for the subject property than the cost of producing an equally desirable substitute product with comparable utility. It is also based on the premise that market participants relate value to cost. Using the Sales Comparison Approach, the appraiser must first estimate the market value of the land, assuming it were vacant and available for development, to its highest and best use. The appraiser must then calculate the reproduction cost new of the subject. From the reproduction cost new, deductions for the physical deterioration, functional obsolescence and external obsolescence are made. The resulting estimate of depreciated reproduction cost of the improvements is added to the value of the underlying land. Cost Approach techniques are often employed to derive information needed in the Sales Comparison and Income Capitalization Approaches.

SALES COMPARISON APPROACH

Using the Sales Comparison Approach, the appraiser produces a value indication by comparing the subject property to similar properties referred to as comparable sales. After consideration of various elements of comparison, adjustments are applied to the sale prices of these properties for differences between the subject and the comparable sales. This approach is considered to be most useful for owner-user type properties and when many similar properties have recently sold and there are similar properties currently for sale in the subject market area.

INCOME CAPITALIZATION APPROACH

Using the Income Capitalization Approach, the appraiser measures the present value of future benefits of property ownership by estimating a property's income potential and converting the income into value. The approach is based upon the principle that value in income producing properties is created upon the expectation of monetary benefits to be derived in the future. In determining value through the Income Capitalization Approach, the appraiser can employ two valuation methods: Direct Capitalization and Discounted Cash Flow (DCF) analysis. Direct Capitalization converts an estimate of a single year's income stream into value in one step, either

dividing the income estimate by an appropriate capitalization rate or by multiplying the income estimate by an appropriate factor. Using the Discounted Cash Flow analysis, the appraiser converts future income streams over a projected holding period, and the reversionary value of the property, to present value by discounting each future benefit at an appropriate discount rate.

RECONCILIATION AND VALUE CONCLUSIONS

The final step in the appraisal process is reconciliation, where the appraiser analyzes alternative conclusions and selects a final value estimate. In this section, the appraiser weighs the relative significance, applicability and defensibility of each approach as it relates to the type of property being appraised.

As there are no improvements to analyze, the Cost Approach is not applicable. Additionally, as there is no demand for leasing vacant land in the subject's market, the Income Capitalization Approach has been omitted. The Sales Comparison Approach is considered the most reliable analysis for this type of property and has been fully developed within this report.

SALES COMPARISON APPROACH

Using the Sales Comparison Approach, the appraiser produces a value indication by comparing the subject property to similar properties referred to as comparable sales. After consideration of various elements of comparison, adjustments are applied to the sale prices of these properties for differences between the subject and the comparable sales. This approach is considered to be most useful when many similar properties have recently sold and there are similar properties currently for sale in the subject market area.

Proper application of this approach requires that a degree of comparability of each sale to the subject be considered, that differences in physical, functional and economic characteristics be noted, and that adjustments for these differences be made. Also, only market transactions should be considered in the analysis. For a conveyance to qualify as a market transaction, the following factors must be present:

MARKET TRANSACTION CRITERIA

1. The conveyance must be "arm's length;" that is, it must be made between two non-related parties, each acting in self-interest.
2. Neither the buyer nor the seller should have been under compulsion to act. In situations where non-market conditions of sale are present (i.e. when a purchaser pays more than market value for a lot needed in site assemblage), the circumstances of the sale must be thoroughly researched by the appraiser so that appropriate adjustments can be made.
3. The property should be available for a reasonable period of time to the class of purchasers best able to utilize the property.
4. The price must be expressed in cash or terms equivalent to cash, adjusted for any special financing, concessions, or special terms.

VERIFICATION

The appraiser must verify factual information regarding property characteristics, financing terms, conditions of sale, and property rights conveyed. Primary sources used for verification include deeds, tax records, the grantor or grantee, attorneys, brokers, appraisers, property managers, lenders, real estate periodicals and listing/reporting services. Verification is also used to elicit additional information about the market.

UNITS OF COMPARISON

There are various units of comparison available in the evaluation of sales data in this approach. The units of comparison selected depend upon the appraisal problem and the nature of the property. Examples of physical units of comparison include price per square foot of gross building area or gross leasable area, price per apartment unit, price per guestroom, price per seat, and price per acre. The price per acre is the most commonly used for properties similar to the subject.

ELEMENTS OF COMPARISON

Elements of comparison are the characteristics of properties and transactions that cause prices paid for real estate to vary. Basic elements of comparison that should be considered in sales comparison analysis of include property rights conveyed, financing terms, conditions of sale, expenditures made immediately after purchase such as capital costs, market conditions, location, physical characteristics (size, construction quality and condition), economic characteristics (occupancy, operating expenses, lease provisions management, tenant mix), use (zoning), and non-realty components of value.

DEGREE OF COMPARABILITY GUIDELINES

1. Choose sales considered to be in the same competitive market as the subject. For properties that are particularly large, unique or when local comparables are scarce, it may be necessary to expand the search criteria to include regional comparables.
2. Choose sales whose sale dates are as close as possible in time to the appraisal date in order to minimize the effect of varying market conditions. The boundaries of a market are consequently economic in character, and not purely physical or geographical.
3. Choose sales that are reasonably similar to the subject with respect to physical characteristics.
4. Choose sales whose functional adequacy compared with the subject are competitive in terms of the ability of each to support similar, although not necessarily identical, uses.

ADJUSTMENT GRID PROCESS

To account for relevant differences that exist between the subject and each of the comparable sales presented, appropriate adjustments must be made. The following paragraphs summarize this process.

Initial adjustments (property rights, financing terms, conditions of sale, and market conditions) are made on a dollar ($) basis while physical and economic adjustments are made on a percentage basis. Each initial item is adjusted independently, and then summed to arrive at a base amount for each comparable sale. Physical and economic adjustments are also adjusted independently, and then summed to arrive at a final adjustment to the previously adjusted base determined in the first phase of the adjustment process. Adjustments are of three types and are explained below.

Each element of comparison with no adjustment indicates a degree of similarity or equality between the comparable and the subject property, sufficient to justify no numerical adjustment.

Each element of comparison with a positive (+) adjustment indicates a degree of inferiority of the property when compared to the subject property. In this case, the subject could be expected to sell for more on a square foot basis than the comparable property if that factor alone were considered.

Each element of comparison with a negative (-) adjustment indicates a degree of superiority of the property when compared to the subject property. In this case, the subject could be

expected to sell for less on a square foot basis than the comparable property if that factor alone were considered.

ANALYSIS OF COMPARABLE SALES

The inventory of recent commercial land sales within the subject's immediate market was limited. Therefore, it was necessary to expand our search to the subject's regional market in areas that could be considered similar to the subject and include sales of similar properties that occurred beyond the typical three year timeframe. In developing the Sales Comparison Approach, as we have determined that the highest and best use of the property would be for commercial use, we have selected commercially zoned sales within the subject's region.

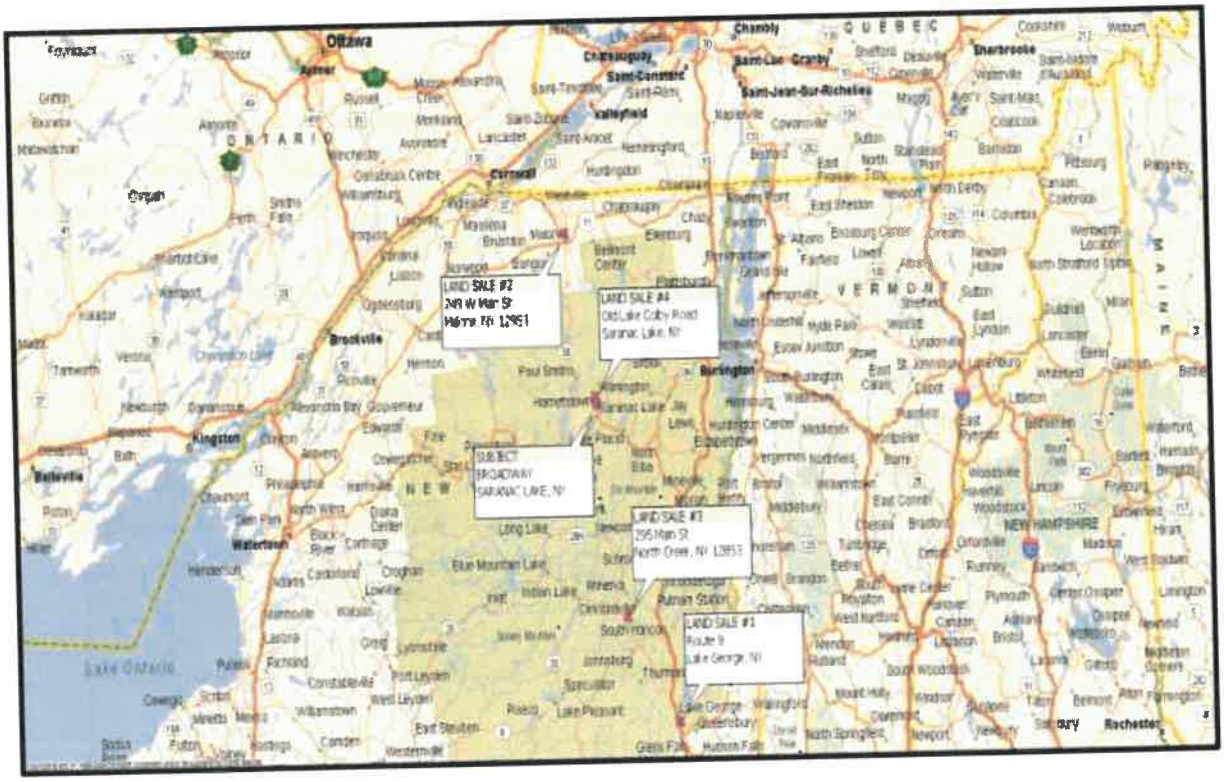
Our analysis includes four vacant land sales within Franklin County and Warren Counties. The sales occurred between November 2011 and May 2016. The sale prices range from $37,500 to $136,719 per acre. Data summaries for each of the selected sales are provided in the chart below, followed by a map illustrating the location of each property in relation to the subject.

VACANT LAND SALES SUMMARY

No.	Name & Location	Sale Date	Sale Price	Acreage	Price/Acre
1	Route 9 Lake George Warren County	May-16	$95,000	2.0	$47,500
2	249 W. Main St. Malone, NY Franklin County	Dec-15	$175,000	1.28	$136,719
3	295 W Main St. North Creek, NY Warren County	Jun-15	$100,000	1.54	$64,516
4	Old Lake Colby Rd. Saranac Lake Franklin County	Nov-11	$30,000	0.80	$37,500

Compiled by Hilco Real Estate Appraisal

VACANT COMMERCIAL LAND SALES LOCATION MAP



Additional Sales

We note that our research yielded two sales within Saranac Lake worth mentioning here. These sales were not utilized within our analysis as they were considered less comparable, or actually represent sales associated with other properties. The sales are summarized as follows:

ADDITIONAL SALES – SARANAC LAKE, NY

No.	Name & Location	Acreage	Sale Date	Sale Price	Price Per Acre	Comments
1	135 Broadway SBL: 446.68-7-5.1	0.68	Oct-14	$295,000	$435,824	This parcel sold with an adjacent apartment building. This parcel was improved with a parking lot for the apartment building.
2	Broadway SBL: 446.76-7-9	0.13	Mar-18	$70,000	$538,462	This parcel appears to have been improved at one time as it has remnants of a structure on it. It is next to a retail use. A portion of the lot is level at the road; otherwise, there is a steep hill at the rear. ORPS shows it sold with 446.68-7-5.10, at 135 Broadway (above) which is improved with apartments.

Compiled by Hilco Real Estate Appraisal

LAND SALE NO. 1

LOCATION DATA

Property Name:		**County:**	Warren
Address:	Route 9 Lake George, NY	**Tax ID Number (s):**	277.04-2-19
		Subcategory:	Commercial
Property Type:	Vacant Land		

PHYSICAL DATA

Size of Property:	2.00 Acres	**Zoning:**	TC-A
		Shape:	Irregular/Not Limiting
Frontage (Feet):	557 Feet	**Average Lot Depth:**	N/A
Front. /Depth Ratio:	N/A	**Traffic Count:**	7,038 AADT
Primary Frontage:	Route 9	**Secondary Frontage**	None
Topography:	Generally Level	**Drainage:**	Assumed Adequate
View:	Open, Wooded, & Mtn.	**Envir. Conditions**	Assumed None
Utilities Available:	Private		
Land Features/Other:	None		

SALE DATA

Transaction Type:	Sale	**Sale Date:**	5/19/2016
Grantor(s):	Anthony Tomasovic	**Grantee(s):**	Bruce Mowery
Sale Price:	$95,000.00	**Deed Reference:**	5358/134
Financing:	Cash Equivalent	**Financing Adjust:**	$0.00
Site/Demo Cost:	$0.00	**Adjusted Sale Price**	$95,000.00
Verification:	Public Record, Lake George Planning Board Mtg.		

ANALYSIS

Sale Indicator One	$47,500.00 Per Acre
Sale Indicator Two	$0.00

COMMENTS

This comparable represents the sale of a two acre parcel of land in the Town of Lake George, NY. The property is situated just north of a retail strip center and further to the south of a handful of motels and commercial uses. The owner has petitioned the town to be able to sell travel trailers on the site as of May 2018. A site plan had been reviewed and there were no indications the approvals would not be granted.

LAND SALE NO. 2

LOCATION DATA

Property Name:		**County:**	Franklin
Address:	249 W. Main Street Malone, NY	**Tax ID Number (s):**	112.31-1-1
		Subcategory:	Commercial
Property Type:	Vacant Land		

PHYSICAL DATA

Size of Property:	1.28 Acres	**Zoning:**	Commercial
		Shape:	Irregular/Not Limiting
Frontage (Feet):	227 Feet	**Average Lot Depth:**	N/A
Front. /Depth Ratio:	N/A	**Traffic Count:**	18,228 AADT
Primary Frontage:	Main Street	**Secondary Frontage**	Sawyer Ave.
Topography:	Generally Level	**Drainage:**	Assumed Adequate
View:	Commercial	**Envir. Conditions**	Assumed None
Utilities Available:	All		
Land Features/Other:	None		

SALE DATA

Transaction Type:	Sale	**Sale Date:**	7/31/2014
Grantor(s):	Border Distributing	**Grantee(s):**	Malone FDS
Sale Price:	$175,000.00	**Deed Reference:**	2014/3756
Financing:	Cash Equivalent	**Financing Adjust:**	$0.00
Site/Demo Cost:	$0.00	**Adjusted Sale Price**	$175,000.00
Verification:	Public Record; Town of Malone Building Department		

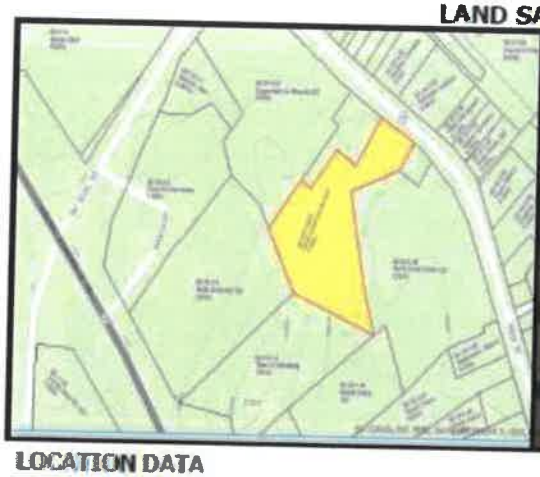
ANALYSIS

Sale Indicator One	$136,718.75 Per Acre
Sale Indicator Two	

COMMENTS

This comparable represents the sale of a parcel situated on the corner of W. Main Street and Sawyer Avenue. There are primarily commercial and retail uses in the immediate area, with some residential intermixed. Main Street is a primary roadway through the area. The developer had full approvals to develop the property into a Family Dollar store prior to the sale.

LAND SALE NO. 3



LOCATION DATA

Property Name:		**County:**	Warren
Address:	295 Main Street North Creek, NY	**Tax ID Number (s):**	66.10-1-49.2
		Subcategory:	Commercial
Property Type:	Vacant Land		

PHYSICAL DATA

Size of Property:	1.54 Acres	**Zoning:**	H02 - Hamlet, business
		Shape:	Irregular
Frontage (Feet):	99.72	**Average Lot Depth:**	N/A
Front. /Depth Ratio:	N/A	**Traffic Count:**	3,000
Primary Frontage:	Main Street	**Secondary Frontage**	None
Topography:	Level to Gently Sloping	**Drainage:**	Assumed Adequate
View:	Residential & Comm.	**Envir. Conditions**	Assumed None
Utilities Available:	All		
Land Features/Other:	Open & Wooded		

SALE DATA

Transaction Type:	Sale	**Sale Date:**	6/25/2015
Grantor(s):	Elliot Monter	**Grantee(s):**	North Creek Center LLC
Sale Price:	$100,000.00	**Deed Reference:**	5186/282
Financing:	Cash Equivalent	**Financing Adjust:**	$0.00
Site/Demo Cost:	$0.00	**Adjusted Sale Price**	$100,000.00
Verification:	Public Record		

ANALYSIS

Sale Indicator One	$64,935.07 Per Acre
Sale Indicator Two	

COMMENTS

This comparable represents the sale of a 1.55 acre parcel of land with frontage along Main Street in the Hamlet of North Creek, Town of Johnsburg, New York. This property was purchased by an adjacent land owner (TOPS) to the south. It is generally surrounded by commercial and retail properties and is situated within the retail hub of the Hamlet.

LAND SALE NO. 4

LOCATION DATA

Property Name:		**County:**	Franklin
Address:	Old Lake Colby Road Saranac Lake, NY	**Tax ID Number (s):**	446.43-2-2.3
		Subcategory:	Comm/Res.
Property Type:	Vacant Land		

PHYSICAL DATA

Size of Property:	0.80 Acre	**Zoning:**	G - Primarily Business
		Shape:	Square
Frontage (Feet):	156.33	**Average Lot Depth:**	N/A
Front. /Depth Ratio:	N/A	**Traffic Count:**	N/A
Primary Frontage:	Old Lake Colby Rd.	**Secondary Frontage**	N/A
Topography:	Level to Gently Sloping	**Drainage:**	Assumed Adequate
View:	Residential & Comm.	**Envir. Conditions**	
Utilities Available:	All		
Land Features/Other:	Open and Wooded		

SALE DATA

Transaction Type:	Sale	**Sale Date:**	11/7/2011
Grantor(s):	John S. Moody	**Grantee(s):**	Sunday LOJ LLC
Sale Price:	$30,000.00	**Deed Reference:**	2011/5755
Financing:	Cash Equivalent	**Financing Adjust:**	$0.00
Site/Demo Cost:	$0.00	**Adjusted Sale Price**	$30,000.00
Verification:	Public Record, Inspection		

ANALYSIS

Sale Indicator One	$37,500.00 Per Acre
Sale Indicator Two	

COMMENTS

This comparable represents the sale of a vacant parcel of land in Saranac Lake, NY. The parcel is identified as Vacant Residential, but is situated within a "G" Zoning District, which is primarily commercial. The eastern portion of the parcel faces a primarily residential neighborhood, while the western portion faces commercial uses. This purchase was by an adjacent land owner.

SUMMARY OF ADJUSTMENTS AND CONCLUSIONS

The adjustment grid following the land sale summary sheet summarizes the reasoning and magnitude of the adjustments. The subject and all four comparables are located within in rural or semi-rural areas. Prior to adjustments, the sale prices ranged from $37,500 to $136,719 per acre and occurred between November 2011 and May 2016. We have utilized the same set of sales to analyze both Lot 3 and Lot 4, but have prepared separate adjustment grids in order to adjust for the specific characteristics of each.

Initial Adjustments

The subject and all of the comparables represent fee simple interests. There were no atypical financing terms of which we are aware. Based on our research and conversations with local brokers, market conditions have remained relatively stable in the subject's area over the timeframe analyzed. Thus, there were no adjustments for market conditions required.

Physical Adjustments

Location -

Similar to the subject, all of the sales are situated in a semi-rural or rural area of New York in the North Country. In determining adjustments for location, we have considered surrounding uses, growth trends in the neighborhood, specific location, access to major transportation systems and traffic counts. The subject's location is considered to be average to good overall. According to the NYS Department of transportation, traffic along Broadway is 10,140 AADT as of 2015 (the most recent survey available). Sale #1 is situated to the southeast in the town of Lake George, which, like the subject's area is a tourist destination. Lake George is a much larger town and draws a larger share of the tourism industry due to the various services and amenities offered; however in this specific area, traffic counts are lower as compared to the subject. Overall, we consider it similar overall and did not apply a location adjustment.

Sale #2 is situated within the Village of Malone, New York. This specific location is along the primary business corridor in the area where there are numerous other retail, commercial and hospitality services. It also has higher traffic counts as compared to the subject's location. We have applied a moderate downward adjustment for its superior location.

Sale #3 is situated in the Hamlet of North Creek, which is also situated within Warren County. The specific location of this parcel is along a roadway with commercial uses, but the area in general is less developed as compared to the subject and traffic counts are lower. We have applied an upward adjustment to this comparable for its inferior location as compared to the subject.

Sale #4 is situated in the Village of Saranac, like to the subject. It has frontage on Old Lake Colby Road, as do the subject parcels. Traffic counts were not available on this road. Although

identified in public record as Residential Vacant land, this parcel is situated in as the same zoning district as the subject, which allows for residential, commercial and industrial uses. It was purchased by an adjacent land lower who owns a business bordering this lot to the west. The lot improved with a business has access along Broadway. Because Old Lake Colby Road is considered a secondary roadway and there is no access from this parcel by itself to Broadway, we have applied an upward adjustment for location.

Size (Acres) -

The subject parcels contain 1.39 and 1.75 acres each. Size adjustments are typically applied based on the economies of scale principal, which indicates that generally, larger parcels sell for a lower price per acre than smaller parcels. Although not supported by the comparable sales chosen, they represent a very small sample, and the principle generally holds true in larger sale samplings. Further, this adjustment is widely accepted and applied within the appraisal industry. The comparables range from 0.80 to 2.0 acres.

For Lot 3, with 1.39 acres, we have applied a slight upward adjustment to Sale #1, with 2.0 acres and a slight downward adjustment to Sale #4, with 0.80 acres. No adjustments were applied to Sales #2 and #3 as they are considered similar overall with 1.28 and 1.54 acres respectively.

For Lot 4, which has 1.75 acres, we have applied slight downward adjustments to Sales #2 and #4 for their smaller parcel sizes.

Frontage/Access -

Both of the subject parcels are considered to have average frontage with good access in that they are accessible from roadways on both the east and west borders. Sale #1 and #4 have adequate frontage and are accessible via one primary roadway. We have adjusted them upward slightly. Sales #2 and #3 are similar to the subject with two points of access. They were not adjusted.

Shape –

As the shape of a parcel may limit development, we have researched this feature on each of the comparables. Lot 3 is considered to be irregularly shaped and somewhat limiting in that it has a narrow entry way at the current access point on Old Lake Colby Road. Sales #1, #2 and #4 do not have any limitations and were adjusted downward slightly. Sale #3 is considered to be similar to the subject and was not adjusted.

Lot 4 is slightly irregular in shape, but not considered limiting. A small upward adjustment was applied to Sale #3 for its somewhat limiting shape. No other adjustments were required.

Topography –

A parcel's topography can impact the cost to develop the land as there are costs associated with clearing, leveling and, or filling a parcel that are not necessary with open lots. Lot 3 is a lot that is gently sloping to the west from Old Lake Colby Road, before leveling out in the center and gently sloping downwards towards Broadway again. It consists of both open and wooded areas. Sale #1 and Sale #2 were adjusted downward slightly due to superior conditions. Sales #3 and #4 are considered similar and were not adjusted.

Lot 4 appears to be gently to moderately sloped and it is heavily wooded. All of the comparables were adjusted downward for superior conditions.

Utilities -

The subject has access to municipal water and sewer as do all of the sales except Sale #1. Sale #1 requires private well and septic systems which are less desirable in the market and often result in higher costs to install and maintain. We have applied an upward adjustment to Sale #1.

Approvals -

As there are always costs associated with obtaining development approvals on a parcel for such things as site surveys, environmental assessments, permit fees, etc., we have researched whether any of the comparables had approvals at the time of sale. Neither of the subject parcels have approvals for development. The same was true of Sales #1, #3 and #4. Sale #2; however, had full approvals at the time of sale. As such, we have applied a significant downward adjustment.

Other -

Both of the subject parcels contain approximately 0.20 acre of forested/shrub wetlands on their western border towards Broadway. It is not uncommon for developers to have additional expenses when dealing with monitored wetlands. Therefore, we have researched the sale comparables for similar characteristics.

In addition, as was discussed in detail within the Site Analysis section of this report, the subject's Lot 3 is associated with an environmental easement. Although the environmental issues have been generally remediated, there is additional reporting and potential testing requirements associated with the cleanup should the ground be disturbed (developed). A potential purchaser of this lot would likely perceive the easement terms as a risk with expenses associated. We did not locate any wetlands on any of the comparable sales; and we are not aware of any detrimental easements that would affect their overall value. We have applied downward adjustments to each of the comparables when analyzing Lot 3 to account for the lack of any development constraints.

Lot 4 also has approximately 0.20 acre of forested/shrub wetlands on its western border towards Broadway, but there are no detrimental easements associated with this parcel. We have applied a slight downward adjustment to each of the comparables for the lack of any wetlands.

Summary and Conclusions

Prior to adjustments the sale prices of the comparables ranged from $37,500 to $136,719 per acre.

Lot 3 - After adjustments, the comparable sales range from $38,438 to $75,195 per acre, with an average of $57,409 per acre. We have placed slightly less weight on Sale #2, as it required the greatest number of adjustments overall and have estimated $52,000 per acre for the subject's Lot 3, which is slightly below the middle of the adjusted range.

Lot 4 – After adjustments, the comparable sales range from $37,500 to $71,777 per acre, with an average of $56,724 per acre. We have placed slightly more weight on Sales #1 and #3, as they required the fewest adjustments overall and have estimated $58,000 per acre for Lot 4, which is towards the middle of the adjusted range.

Over value conclusion is summarized below:

VALUE INDICATED BY SALES COMPARISON APPROACH	
Lot 3 Acreage	1.39
Estimated Price Per Acre	$52,000
Estimated Preliminary Value	$72,280
Lot 3 Concluded Value (Rounded)	**$70,000**
Lot 4 Acreage	1.75
Estimated Price Per Acre	$58,000
Estimated Preliminary Value	$101,500
Lot 4 Concluded Value (Rounded)	**$100,000**
Compiled by: Hilco Real Estate Appraisal, LLC	

LAND SALES ADJUSTMENT GRID - SBL 446.43-2-3

	SUBJECT	SALE NO. 1	SALE NO. 2	SALE NO. 3	SALE NO. 4
Location:	Broadway	Trailer Sales Route 9	Family Dollar 249 W Main St.	Unkown Use 295 Main Street	Unkown Use Old Lake Colby Rd.
Tax Map Identification:	Saranac Lake, NY 446.-43-2-3	Lake George, NY 277.04-2-19	V. of Malone, NY 112.31-1-1	North Creek, NY 66.10-1-49.2	Saranac Lake, NY 446.43-2-2.3
Unadjusted Price/Acre	---	**$47,500**	**$136,719**	**$64,516**	**$37,500**
Initial Adjustments					
Property Rights:	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Adjustment:		$0	$0	$0	$0
Adjusted Price:		$47,500	$136,719	$64,516	$37,500
Financing Terms:	Cash Equivalent	Cash Equivalent	Cash Equivalent	Cash Equivalent	Cash Equivalent
Adjustment:		$0	$0	$0	$0
Adjusted Price:		$47,500	$136,719	$64,516	$37,500
Conditions of Sale:	Normal	Normal	Normal	Normal	Normal
Adjustment:		$0	$0	$0	$0
Adjusted Price:		$47,500	$136,719	$64,516	$37,500
Market Conditions:	Aug-18	May-16	Jul-14	Jun-15	Nov-11
Adjustment:		$0	$0	$0	$0
Adjusted Price:		$47,500	$136,719	$64,516	$37,500
Physical Adjustments					
Location/Traffic Count:	Avg.-Good/10,140 AADT	Avg.-Good/7,038	Good/18,228	Average/±3,000	Average/Not Avail.
Adjustment:		0.0%	-10.0%	10.0%	15.0%
Size (Acres):	1.39	2.00	1.28	1.54	0.80
Adjustment:		5.0%	0.0%	0.0%	-5.0%
Frontage/Access:	Average-Good	Average	Average-Good	Average-Good	Average
Adjustment:		2.5%	0.0%	0.0%	2.5%
Shape:	Irregular; Slightly Limiting	Irregular - Not Limiting	Irregular - Not Limiting	Irregular - Somewhat Limiting	Irregular -Not Limiting
Adjustment:		-2.5%	-2.5%	0.0%	-2.5%
Topography	Gen. Level to Gently Sloped; Open & Wooded	Gen. Level to Gent. Slope; Open & Shrubbed	Gen. Level to Gently Sloping; Open	Gen. Level to Gently Sloping; Open & Wooded	Gen. Level to Gently Sloping; Open & Wooded
Adjustment:		-2.5%	-5.0%	0.0%	0.0%
Utilities	Municipal	Private	Municipal	Municipal	Municipal
Adjustment:		10.0%	0.0%	0.0%	0.0%
Approvals:	None	None	Full	None	None
Adjustment:		0.0%	-20.0%	0.0%	0.0%
Other:	0.20 Acre in Forested/Shrub Wetlands, Environmental Easement	None	None	None	None
Adjustment:		-7.5%	-7.5%	-7.5%	-7.5%
Subtotal	---	5.0%	-45.0%	2.5%	2.5%
Unadjusted Price/Acre	---	**$49,875**	**$75,195**	**$66,129**	**$38,438**

Prepared by Hilco Real Estate Appraisal, LLC

Average: **$57,409**

LAND SALES ADJUSTMENT GRID - SBL 446.43-2-4

	SUBJECT	SALE NO. 1	SALE NO. 2	SALE NO. 3	SALE NO. 4
Location:	Broadway Saranac Lake, NY	Trailer Sales Route 9 Lake George, NY	Family Dollar 249 W Main St. Malone, NY	Unkown Use 295 Main Street North Creek, NY	Unkown Use Old Lake Colby Rd. Saranac Lake, NY
Tax Map Identification:	446.-43-2-4	277.04-2-19	112.31-1-1	66.10-1-49.2	446.43-2-2.3
Unadjusted Price/Acre	---	**$47,500**	**$136,719**	**$64,516**	**$37,500**
Initial Adjustments					
Property Rights:	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Adjustment:		$0	$0	$0	$0
Adjusted Price:		$47,500	$136,719	$64,516	$37,500
Financing Terms:	Cash Equivalent	Cash Equivalent	Cash Equivalent	Cash Equivalent	Cash Equivalent
Adjustment:		$0	$0	$0	$0
Adjusted Price:		$47,500	$136,719	$64,516	$37,500
Conditions of Sale:	Normal	Normal	Normal	Normal	Normal
Adjustment:		$0	$0	$0	$0
Adjusted Price:		$47,500	$136,719	$64,516	$37,500
Market Conditions:	Aug-18	May-16	Dec-15	Jun-15	Nov-11
Adjustment:		$0	$0	$0	$0
Adjusted Price:		$47,500	$136,719	$64,516	$37,500
Physical Adjustments					
Location/Traffic Count:	Avg.-Good/10,140 AADT	Avg.-Good/7,038	Good/18,228	Average/±3,000	Average/Not Avail.
Adjustment:		0.0%	-10.0%	10.0%	15.0%
Size (Acres):	1.75	2.00	1.28	1.54	0.80
Adjustment:		0.0%	-5.0%	0.0%	-10.0%
Frontage/Access:	Average-Good	Average	Average-Good	Average-Good	Average
Adjustment:		2.5%	0.0%	0.0%	2.5%
Shape:	Slightly Irregular/ Not Limiting	Irregular - Not Limiting	Irregular - Not Limiting	Irregular - Somewhat Limiting	Irregular -Not Limiting
Adjustment:		0.0%	0.0%	2.5%	0.0%
Topography	Gently and Mod. Sloped; Wooded	Gen. Level to Gent. Slope; Open & Shrubbed	Gen. Level to Gently Sloping; Open	Gen. Level to Gently Sloping; Open & Wooded	Gen. Level to Gently Sloping; Open & Wooded
Adjustment:		-5.0%	-10.0%	-5.0%	-5.0%
Utilities	Municipal	Private	Municipal	Municipal	Municipal
Adjustment:		10.0%	0.0%	0.0%	0.0%
Approvals:	None	None	Full	None	None
Adjustment:		0.0%	-20.0%	0.0%	0.0%
Other:	0.20 Acre in Forested/Shrub Wetlands	None	None	None	None
Adjustment:		-2.5%	-2.5%	-2.5%	-2.5%
Subtotal	---	5.0%	-47.5%	5.0%	0.0%
Unadjusted Price/Acre	---	**$49,875**	**$71,777**	**$67,742**	**$37,500**
				Average:	**$56,724**

Prepared by Hilco Real Estate Appraisal, LLC

RECONCILIATION OF VALUE

SUMMARY OF VALUE CONCLUSION	
	As Is
Cost Approach	Not Applicable
Sales Comparison Approach	$170,000
Income Capitalization Approach	Not Applicable
Source: Hilco Real Estate Appraisal, LLC	

COST APPROACH

The Cost Approach is predicated on the principle that an investor would pay no more for an existing property than it would cost to acquire land and construct a building with similar utility. Because the subject represents vacant land, the Cost Approach is not applicable for this analysis.

SALES COMPARISON APPROACH

The Sales Comparison Approach is predicated on the principle that an investor would pay no more for an existing property than for a comparable property with similar utility. The applicability of this approach is contingent on the reliability and comparability of available data. Overall, the quality and quantity of sales data is good and has been developed in this analysis.

INCOME CAPITALIZATION APPROACH

The Income Capitalization Approach is based upon the principle that value in income producing properties is created on the expectation of monetary benefits to be derived in the future. As the subject represents vacant land, this approach is not applicable.

RECONCILIATION

We have relied on the Sales Comparison Approach for this analysis and our value conclusion is summarized below.

AS IS MARKET VALUE CONCLUSIONS			
Property	**Interest Appraised**	**Dates of Value**	**Value Conclusions (Rounded)**
SBL 446.43-2-3	Fee Simple	August 15, 2018	$70,000
SBL 446.43-2-4	Fee Simple	August 15, 2018	$100,000
Source: Hilco Real Estate Appraisal, LLC			

Our value opinion was formed on our experience in the field of real property valuation, as well as the research and analysis set forth in this appraisal. Our value conclusion is subject to the Assumptions and Limiting Conditions and Certification in this appraisal report.

ASSUMPTIONS AND LIMITING CONDITIONS

1. Unless otherwise specifically noted in the body of the report, it is assumed that title to the property or properties appraised is clear and marketable and that there are no recorded or unrecorded matters or exceptions to title that would adversely affect marketability or value. Hilco Real Estate Appraisal, LLC is not aware of any title defects nor has it been advised of any unless such is specifically noted in the report. Hilco Real Estate Appraisal, LLC, however, has not examined title and makes no representations relative to the condition thereof. Documents dealing with liens, encumbrances, easements, deed restrictions, clouds and other conditions that may affect the quality of title have not been reviewed. Insurance against financial loss resulting in claims that may arise out of defects in the subject property's title should be sought from a qualified title company that issues or insures title to real property.
2. Unless otherwise specifically noted in the body of this report, it is assumed: that the existing improvements on the property or properties being appraised are structurally sound, seismically safe and code conforming; that all building systems (mechanical/electrical, HVAC, elevator, plumbing, etc.) are in good working order with no major deferred maintenance or repair required; that the roof and exterior are in good condition and free from intrusion by the elements; that the property or properties have been engineered in such a manner that the improvements, as currently constituted, conform to all applicable local, state, and federal building codes and ordinances. Hilco Real Estate Appraisal, LLC professionals are not engineers and are not competent to judge matters of an engineering nature. Hilco Real Estate Appraisal, LLC has not retained independent structural, mechanical, electrical, or civil engineers in connection with this appraisal and, therefore, makes no representations relative to the condition of improvements. Unless otherwise specifically noted in the body of the report: no problems were brought to the attention of Hilco Real Estate Appraisal, LLC by ownership or management; Hilco Real Estate Appraisal, LLC inspected less than 100% of the entire interior and exterior portions of the improvements; and Hilco Real Estate Appraisal, LLC was not furnished any engineering studies by the owners or by the party requesting this appraisal. If questions in these areas are critical to the decision process of the reader, the advice of competent engineering consultants should be obtained and relied upon. It is specifically assumed that any knowledgeable and prudent purchaser would, as a precondition to closing a sale, obtain a satisfactory engineering report relative to the structural integrity of the property and the integrity of building systems. Structural problems and/or building system problems may not be visually detectable. If engineering consultants retained should report negative factors of a material nature, or if such are later discovered, relative to the condition of improvements, such information could have a substantial negative impact on the conclusions reported in this appraisal. Accordingly, if engineering consultants report negative findings, Hilco Real Estate Appraisal, LLC reserves the right to amend the appraisal conclusions reported herein.
3. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property was not observed by the appraisers. Hilco Real Estate Appraisal, LLC has no knowledge of the existence of such materials on or in the property. Hilco Real Estate Appraisal, LLC, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea formaldehyde foam insulation, contaminated groundwater or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.
4. We have inspected, as thoroughly as possible by observation, the land; however, it was impossible to personally inspect conditions beneath the soil. Therefore, no representation is made as to these matters unless specifically considered in the appraisal.
5. All furnishings, equipment and business operations, except as specifically stated and typically considered as part of real property, have been disregarded with only real property being considered in the report unless otherwise stated. Any existing or proposed improvements, on or off-site, as well as any alterations or repairs considered, are assumed to be completed in a workmanlike manner according to standard practices based upon the information submitted to Hilco Real Estate Appraisal, LLC This report may be subject to amendment upon re-inspection of the subject property subsequent to repairs, modifications, alterations and completed new construction. Any estimate of Market Value is as of the date indicated; based upon the information, conditions and projected levels of operation.
6. It is assumed that all factual data furnished by the client, property owner, owner's representative, or persons designated by the client or owner to supply said data are accurate and correct unless otherwise specifically noted in the appraisal report. Unless otherwise specifically noted in the appraisal report, Hilco Real Estate Appraisal, LLC has no reason to believe that any of the data furnished contain any material error. Information and data referred to in this paragraph include, without being limited to, numerical street addresses, lot and block

numbers, Assessor's Parcel Numbers, land dimensions, square footage area of the land, dimensions of the improvements, gross building areas, net rentable areas, usable areas, unit count, room count, rent schedules, income data, historical operating expenses, budgets, and related data. Any material error in any of the above data could have a substantial impact on the conclusions reported. Thus, Hilco Real Estate Appraisal, LLC reserves the right to amend conclusions reported if made aware of any such error. Accordingly, the client-addressee should carefully review all assumptions, data, relevant calculations, and conclusions within 30 days after the date of delivery of this report and should immediately notify Hilco Real Estate Appraisal, LLC of any questions or errors.

7. The date of value to which any of the conclusions and opinions expressed in this report apply, is set forth in the Letter of Transmittal. Further, that the dollar amount of any value opinion herein rendered is based upon the purchasing power of the American Dollar on that date. This appraisal is based on market conditions existing as of the date of this appraisal. Under the terms of the engagement, we will have no obligation to revise this report to reflect events or conditions that occur subsequent to the date of the appraisal. However, Hilco Real Estate Appraisal, LLC will be available to discuss the necessity for revision resulting from changes in economic or market factors affecting the subject.
8. Hilco Real Estate Appraisal, LLC assumes no private deed restrictions, limiting the use of the subject property in any way.
9. Unless otherwise noted in the body of the report, it is assumed that there are no mineral deposit or subsurface rights of value involved in this appraisal, whether they be gas, liquid, or solid. Nor are the rights associated with extraction or exploration of such elements considered unless otherwise stated in this appraisal report. Unless otherwise stated it is also assumed that there are no air or development rights of value that may be transferred.
10. Hilco Real Estate Appraisal, LLC is not aware of any contemplated public initiatives, governmental development controls, or rent controls that would significantly affect the value of the subject.
11. The estimate of market value, which may be defined within the body of this report, is subject to change with market fluctuations over time. Market value is highly related to exposure, time promotion effort, terms, motivation, and conclusions surrounding the offering. The value estimate(s) consider the productivity and relative attractiveness of the property, both physically and economically, on the open market.
12. Any cash flows included in the analysis are forecasts of estimated future operating characteristics are predicated on the information and assumptions contained within the report. Any projections of income, expenses and economic conditions utilized in this report are not predictions of the future. Rather, they are estimates of current market expectations of future income and expenses. The achievement of the financial projections will be affected by fluctuating economic conditions and is dependent upon other future occurrences that cannot be assured. Actual results may vary from the projections considered herein. Hilco Real Estate Appraisal, LLC does not warrant these forecasts will occur. Projections may be affected by circumstances beyond the current realm of knowledge or control of Hilco Real Estate Appraisal, LLC.
13. Unless specifically set forth in the body of the report, nothing contained herein shall be construed to represent any direct or indirect recommendation of Hilco Real Estate Appraisal, LLC to buy, sell, or hold the properties at the value stated. Such decisions involve substantial investment strategy questions and must be specifically addressed in consultation form.
14. Also, unless otherwise noted in the body of this report, it is assumed that no changes in the present zoning ordinances or regulations governing use, density, or shape are being considered. The property is appraised assuming that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, nor national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report is based, unless otherwise stated.
15. This study may not be duplicated in whole or in part without the specific written consent of Hilco Real Estate Appraisal, LLC nor may this report or copies hereof be transmitted to third parties without said consent, which consent Hilco Real Estate Appraisal, LLC reserves the right to deny. Exempt from this restriction is duplication for the internal use of the client-addressee and/or transmission to attorneys, accountants, or advisors of the client-addressee. Also exempt from this restriction is transmission of the report to any court, governmental authority, or regulatory agency having jurisdiction over the party/parties for whom this appraisal was prepared, provided that this report and/or its contents shall not be published, in whole or in part, in any public document without the express written consent of Hilco Real Estate Appraisal, LLC which consent Hilco Real Estate Appraisal, LLC reserves the right to deny. Finally, this report shall not be advertised to the public or otherwise used to induce a third party to purchase the property or to make a "sale" or "offer for sale" of any "security", as such terms are defined and used in the Securities Act of 1933, as amended. Any third party, not covered by the exemptions herein, who may possess this report, is advised that they should rely on their own independently

secured advice for any decision in connection with this property. Hilco Real Estate Appraisal, LLC shall have no accountability or responsibility to any such third party.

16. Any value estimate provided in the report applies to the entire property, and any pro ration or division of the title into fractional interests will invalidate the value estimate, unless such pro ration or division of interests has been set forth in the report.
17. The distribution of the total valuation in this report between land and improvements applies only under the existing program of utilization. Component values for land and/or buildings are not intended to be used in conjunction with any other property or appraisal and are invalid if so used.
18. The maps, plats, sketches, graphs, photographs and exhibits included in this report are for illustration purposes only and are to be utilized only to assist in visualizing matters discussed within this report. Except as specifically stated, data relative to size or area of the subject and comparable properties has been obtained from sources deemed accurate and reliable. None of the exhibits are to be removed, reproduced, or used apart from this report.
19. No opinion is intended to be expressed on matters that may require legal expertise or specialized investigation or knowledge beyond that customarily employed by real estate appraisers. Values and opinions expressed presume that environmental and other governmental restrictions/conditions by applicable agencies have been met, including but not limited to seismic hazards, flight patterns, decibel levels/noise envelopes, fire hazards, hillside ordinances, density, allowable uses, building codes, permits, licenses, etc. No survey, engineering study or architectural analysis has been made known to Hilco Real Estate Appraisal, LLC unless otherwise stated within the body of this report. If the Consultant has not been supplied with a termite inspection, survey or occupancy permit, no responsibility or representation is assumed or made for any costs associated with obtaining same or for any deficiencies discovered before or after they are obtained. No representation or warranty is made concerning obtaining these items. Hilco Real Estate Appraisal, LLC assumes no responsibility for any costs or consequences arising due to the need, or the lack of need, for flood hazard insurance. An agent for the Federal Flood Insurance Program should be contacted to determine the actual need for Flood Hazard Insurance.
20. Acceptance and/or use of this report constitutes full acceptance of the Contingent and Limiting Conditions and special assumptions set forth in this report. It is the responsibility of the Client, or client's designees, to read in full, comprehend and thus become aware of the aforementioned contingencies and limiting conditions. Neither the Appraiser nor Hilco Real Estate Appraisal, LLC assumes responsibility for any situation arising out of the Client's failure to become familiar with and understand the same. The Client is advised to retain experts in areas that fall outside the scope of the real estate appraisal/consulting profession if so desired.
21. Hilco Real Estate Appraisal, LLC assumes that the subject property analyzed herein will be under prudent and competent management and ownership; neither inefficient nor super-efficient.
22. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined and considered in the appraisal report.
23. No survey of the boundaries of the property was undertaken. All areas and dimensions furnished are presumed to be correct. It is further assumed that no encroachments to the realty exist.
24. The Americans with Disabilities Act (ADA) became effective January 26, 1992. Notwithstanding any discussion of possible readily achievable barrier removal construction items in this report, Hilco Real Estate Appraisal, LLC has not made a specific compliance survey and analysis of this property to determine whether it is in conformance with the various detailed requirements of the ADA. It is possible that a compliance survey of the property together with a detailed analysis of the requirements of the ADA could reveal that the property is not in compliance with one or more of the requirements of the ADA. If so, this fact could have a negative effect on the value estimated herein. Since Hilco Real Estate Appraisal, LLC has no specific information relating to this issue, nor is Hilco Real Estate Appraisal, LLC qualified to make such an assessment, the effect of any possible non-compliance with the requirements of the ADA was not considered in estimating the value of the subject property.
25. Client shall not indemnify Appraiser or hold Appraiser harmless unless and only to the extent that the Client misrepresents, distorts, or provides incomplete or inaccurate appraisal results to others, which acts of the Client proximately result in damage to Appraiser. The Client shall indemnify and hold Appraiser harmless from any claims, expenses, judgments or other items or costs arising as a result of the Client's failure or the failure of any of the Client's agents to provide a complete copy of the appraisal report to any third party. In the event of any litigation between the parties, the prevailing party to such litigation shall be entitled to recover from the other reasonable attorney fees and costs.
26. The report is for the sole use of the client; however, client may provide only complete, final copies of the appraisal report in its entirety (but not component parts) to third parties who shall review such reports in connection with loan underwriting or securitization efforts. Appraiser is not required to explain or testify as to

appraisal results other than to respond to the client for routine and customary questions. Please note that our consent to allow an appraisal report prepared by Hilco Real Estate Appraisal, LLC or portions of such report, to become part of or be referenced in any public offering, the granting of such consent will be at our sole discretion and, if given, will be on condition that we will be provided with an Indemnification Agreement and/or Non-Reliance letter, in a form and content satisfactory to us, by a party satisfactory to us. We do consent to your submission of the reports to rating agencies, loan participants or your auditors in its entirety (but not component parts) without the need to provide us with an Indemnification Agreement and/or Non-Reliance letter.

ADDENDA

A. Zoning Ordinance

B. NYS DEC Certificate of Completion

C. Environmental Easement

D. Cedar Eden Environmental Report As of August 23, 2017

E. NY Certifications

F. Summary of Qualifications

Addendum A
Zoning Ordinance

Addenda

DEVELOPMENT CODE

Village of Saranac Lake - Unified Development Code:
Schedule #1 - Allowed Uses

Districts:

Land Use Type:	1 District A-1	2 District A-2	3 District A-3	4 District A-4	5 District A-5	6 District B-1	7 District B-2	8 District B-3	9 District B-4	10 District C-1	11 District C-2	12 District C-3	13 District C-4	14 District D-1	15 District D-2	16 District D-3	17 District E-1	18 District E-2	19 District E-3	20 District F-1	21 District F-2	22 District G	23 District H-1	24 District H-2	25 District H-3	26 District I	27 District J-1	28 District J-2	29 District K-1	30 District K-2	31 District K-3	32 District K-4	33 District L-1	34 District L-2	35 District L-3
Residential																																			
1 Community House																	S	S	S									S							
2 Dwelling, Manufactured Home	A																					A													
3 Dwelling, Multi-Family					SP	S		S			S	SP	SP	SP			SP	SP[1]	SP	S	S	SP	S			S	SP	S		S		S		SP	SP
4 Dwelling, Single Family	P	P	P	P	P			P		P	P		P	P	P				S	P	P	SP	P	P	P	SP	P	S	P	P	P		P	P	SP
5 Dwelling, Townhouse	SP	S	S		SP	S	SP	S		S	S	SP	SP	SP	S		SP	SP[1]	SP	S	SP	SP	SP			S	SP	S	S	S				SP	SP
6 Dwelling, Two Family	A	A	A		A	A	A	A		A	A	A	A	A	A				A	A	A	A	A	A	S	A	A	A	A	A	S		A	A	A
7 Group Home	P	P	P	P	P			P		P	P		P	S	P				S	P	P	SP	P	P	P	SP	P	S	P	P	P		P	P	SP
8 Manufactured Home Community	S																																		
9 Rooming House					SP	SP		S	SP		S	SP	SP	S			SP	SP[1]	SP		S	SP	S				S			S				S	S
Public/Institutional																																			
1 Assisted Living Residence					SP		S	S	S	S			S	S			SP	SP[1]	SP			SP						S				S			S
2 Athletic Facility					SP				S	S		S	S				SP	SP	SP	SP		SP				SP		S				S			SP
3 Cemetery														SP																					
4 Club/Lodge		S			SP	SP						SP	SP	S			SP	SP	SP		S	SP						S				S		SP	SP
5 College, Private					SP	S				S		S	S	S			SP	SP	SP									S						SP	SP
6 Community Garden, Up to One (1) Acre	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
7 Community Garden, Over One (1) Acre	SP	SP	SP	SP	SP				SP	SP	SP	SP	SP	SP	SP	SP				SP	SP	SP	SP	SP	SP	SP	SP	S	SP	SP	SP	SP	SP	SP	SP
8 Garage, Public Parking					SP												SP	SP	SP																
9 Government Office					SP							S					SP	SP	SP	SP		SP						S						SP	SP
10 Hospital																	SP	SP	SP			SP						S						SP	SP
11 Library						S	S	S	S	S		S	S	S	S		SP	SP	SP	SP		SP						S				S			SP
12 Multi-Modal Trail	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
13 Museum					SP	S	S	S	S			S	S	S	S		SP	SP	SP			SP						S				S		SP	SP
14 Nursing/Convalescent Home					SP					S	S	S	S	S			SP	SP[1]	SP			SP						S				S		SP	SP
15 Park	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	S	SP	SP	SP	S	SP	SP	SP
16 Parking Lot, Public					SP	SP											SP	SP	SP							SP		S							
17 Place of Worship					SP	SP	SP		SP	SP		SP	SP	SP	SP		SP	SP	SP	SP	SP	SP					SP	S							SP
18 Public Utility Facility	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
19 Railroad Depot																	SP																		
20 Railway					SP				SP			SP	SP	SP	SP		SP	SP				SP													
21 Recreation Facility, Public					SP	SP			SP				SP				SP	SP	SP	SP		SP	SP	SP		SP	SP	S							SP
22 Rehabilitation Center					SP							S		S			SP	SP	SP	S							S	S				S		S	SP
23 School																	SP	SP	SP	SP		SP						S						SP	SP

Symbol Legend: P Permitted SP Site Plan Review Required A Administrative Permit Required S Special Use Permit Required Note: Blank cells indicate use is not permitted.

Notes: 1. Residential uses in buildings within the E-2 District are not allowed on the first floor.

Addenda

SARANAC LAKE CODE

Village of Saranac Lake - Unified Development Code:
Schedule #1 - Allowed Uses

	Districts:																																			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15		16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34
Land Use Type:	District A-1	District A-2	District A-3	District A-4	District A-5	District B-1	District B-2	District B-3	District B-4	District C-1	District C-2	District C-3	District C-4	District D-1	District D-2	District D-3	District E-1	District E-2	District E-3	District F-1	District F-2	District G	District H-1	District H-2	District H-3	District I	District J-1	District J-2	District K-1	District K-2	District K-3	District K-4	District L-1	District L-2	District L-3
Commercial																																				
1 Amusement and Recreation Services						S	S		S								SP	S				S				S		S							S
2 Antique Shop						A	A	A	A								A	SP	A			A				S		S						A	A
3 Agri-Business						SP	S		S													SP				S		S							S
4 Artisan Workshop	SP	SP	SP	SP	SP	A	A	A	A	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	A	SP	SP	S	S	SP	S	SP	SP			S	A	A
5 Arts Spaces	SP	SP	SP	SP	SP	A	A	A	A	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	A	SP	SP	S	S	SP	S	SP	SP			S	A	A
6 Automotive Dealer									SP													SP													
7 Automotive Repair/Service									S													S						S							
8 Bank						A	A	SP	A								A	SP				A						S							S
9 Bank, Drive-Through						SP	SP	SP	SP								SP	S				SP						S							S
10 Bed and Breakfast	SP	SP	SP	SP	SP	A	A	A	A	SP	SP	SP	SP	SP	SP		A	SP[1]	A	SP	SP	A	SP	SP	S		SP	S	SP	SP	S		S	SP	SP
11 Boat Storage, Commercial							SP		SP													S													S
12 Building Material Supply									SP							S	S	S				SP						S							S
13 Car wash									SP								S					SP						S							S
14 Cinema						SP	SP	SP	A								SP	SP	SP			SP						S							S
15 Driving Range																						S						S							S
16 Farmer's Market						SP	SP		SP								SP	SP	SP			S					S	S							S
17 Funeral Home						S		S									SP	SP	SP			S					S	S							S
18 Gasoline Station									SP													S						S							
19 Gasoline Station/Auto Repair/Service									SP													SP						S							
20 Gasoline Station/Retail Sales									SP								S					SP						S							
21 Greenhouse, Commercial						S	S		SP			SP				S	S	S	S			S					S	S							S
22 Hotel/Motel						SP	SP	S	SP					S			SP	SP	SP		S	S					S	S							S
23 Housekeeping Cottage	SP	SP	SP	SP	SP	A	A	A	A	SP	SP	SP	SP	SP	SP		A	SP[1]	A	SP	SP	S	SP	SP	S		SP	SP	SP	SP			S	SP	S
24 Kennel																S	SP					S					S								S
25 Marina, Type I		SP				SP	SP																												
26 Marina, Type II		SP				SP	SP	SP	SP																										
27 Medical Clinic						A	A	S	A								A	SP	A			SP					S	S				S			S

Symbol Legend: P Permitted SP Site Plan Review Required A Administrative Permit Required S Special Use Permit Required Note: Blank cells indicate use is not permitted.

DEVELOPMENT CODE

Village of Saranac Lake - Unified Development Code:
Schedule #1 - Allowed Uses

	Land Use Type:	1 District A-1	2 District A-2	3 District A-3	4 District A-4	5 District A-5	6 District B-1	7 District B-2	8 District B-3	9 District B-4	10 District C-1	11 District C-2	12 District C-3	13 District C-4	14 District D-1	15 District D-2	District D-3	16 District E-1	17 District E-2	18 District E-3	19 District F-1	20 District F-2	21 District G	22 District H-1	23 District H-2	24 District H-3	25 District I	26 District J-1	27 District J-2	28 District K-1	29 District K-2	30 District K-3	31 District K-4	32 District L-1	33 District L-2	34 District L-3
	Commercial (continued)																																			
28	Mixed Use						A	A	S	A								A	SP	A			A					S	S				S		S	SP
28	Multi-Use Building						SP		S	SP								SP	SP	SP			S					S							S	S
29	Office						A	A	S	A								A	SP	A			A					S	S						SP	SP
30	Outdoor Storage, Type II									S							S						S												S	S
31	Personal Services						A	A	A	A								A	SP	A			A						S						SP	SP
32	Recreation Facility, Private						SP	SP		SP							S	SP	SP	SP			SP					SP								SP
33	Research and Development Facility						A	A	A	A							SP	A	SP	A			A					S	S							SP
34	Restaurant						A	A	A	A								A	SP	A			A						S							
35	Restaurant, Drive Through									SP													S						S							S
36	Restaurant, Fast Food						A	SP	SP	SP								SP	SP	SP			SP						S						SP	SP
37	Retail Sales, Type I						A	A	A	A								A	SP	A			A					S	S							S
38	Retail Sales, Type II						S			S								S	S				S						S							S
39	Retail Sales, Outdoors						S	S	S	S							S	S	S				S													S
40	Retail Store, Convenience						SP	SP		SP								SP	SP				SP													
41	Sawmill																						S													
42	Self-Service Storage Facility																S						S													
43	Shopping Center									SP													S						S							S
44	Tavern						SP	SP	S	SP								SP	SP	SP			S						S							S
45	Tourist Attraction						SP	S	SP	SP								SP	SP	S			SP						S							SP
46	Veterinary Clinic/Hospital						SP	SP	S	SP								SP	SP	S			SP						S							
	Industrial																																			
1	Chemical and Petroleum Storage																S						S													S
2	Contractor Storage Yard																S						S													
3	Heavy Equipment Repair																S	S					S					S								S
4	Industry, Type I																S						S													S
5	Industry, Type II																						S													
6	Mining					SP																	S													
7	Transfer Station																S						S													S
8	Warehouse																																			

Accessory Uses

For All Districts and Sub-Districts: Allowed accessory uses are those uses that are customarily subordinate and incidental to allowed principal uses.

Symbol Legend: P Permitted SP Site Plan Review Required A Administrative Permit Required S Special Use Permit Required Note: Blank cells indicate use is not permitted.

Addenda B
NYS DEC Certification of Completion

New York State Department of Environmental Conservation
Division of Environmental Remediation
Office of the Director, 12th Floor
625 Broadway, Albany, New York 12233-7011
Phone: (518) 402-9706 • Fax: (518) 402-9020
Website: www.dec.ny.gov

Joe Martens
Commissioner

Honorable Clyde Rabideau
Mayor
Village of Saranac Lake
3 Main Street
Saranac Lake, NY 12983

NOV 18 2011

COPY

Re: Certificate of Completion,
Site Name: 400 Upper Broadway Site
Site No. E517007
State Assistance Contract No.: C3033219
Village of Saranac Lake
Franklin County

Dear Mayor Rabideau:

Congratulations on having satisfactorily completed the Remediation phase of the environmental restoration project that the Village of Saranac Lake undertook with State Assistance funds provided pursuant to the 1996 Clean Water/Clean Air Bond Act. The New York State Department of Environmental Conservation (Department) has determined, based upon our inspection of the above-referenced site and upon our review of the documents you have submitted, that you completed the project in accordance with the terms and conditions of the above-referenced State Assistance Contract (SAC).

As a result, the Department is pleased to inform you that the Final Engineering Report is hereby approved, allowing the Certificate of Completion (COC) to be issued for the above referenced site. Enclosed please find an original, signed COC. The Village of Saranac Lake is hereby entitled to the benefit of the liability limitation provisions described in the New York State Environmental Conservation Law (ECL) 56-0509.

Please be advised that the significant benefits described in ECL 56-0509 are contingent upon the Village of Saranac Lake fulfilling all continuing obligations set forth in ECL Article 56, Title 5, accompanying regulations, and the above-referenced SAC, including but not limited to, the obligations involving reimbursement to the State if the municipality receives payments or other consideration with respect to the project; disposition of proceeds upon the sale, transfer, or lease of the property; ensuring that Department has access to the property; and providing complete notice of any proposed change of use, as defined in ECL 56-0511.

Please note that in addition to the requirements discussed above, you are required to perform the following tasks:

- Record a notice of the COC in the recording office for the County (or Counties) where any portion of the site is located within 30 days of issuance of the COC. A standard notice form is attached to this letter;

NYSDEC ENVIRONMENTAL RESTORATION PROGRAM (ERP)

CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name
Village of Saranac Lake

Address
3 Main Street, Saranac Lake, NY 12983

SITE INFORMATION

Site No.: E517007 **Site Name:** 400 Upper Broadway Site
State Assistance Contract No.: C303219
Site Owner: Village Of Saranac Lake
Street Address: State Route 86
Municipality: Saranac Lake **County:** Franklin **DEC Region:** 5
Site Size: 2.600 Acres
Tax Map Identification Number(s): 446.43-2-3

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

CERTIFICATE ISSUANCE

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to Article 56, Title 5 of the New York State Environmental Conservation Law ("ECL") and 6NYCRR 375.

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the State Assistance Contract, as well as any other relevant information regarding the Site, that the applicable remediation requirements set forth in the ECL have been or will be achieved in accordance with the time frames, if any, established in the approved remedial work plan.

The remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

Allowable Uses under the ERP: Restricted-Residential, Commercial, and Industrial

The Remedial Program includes use restrictions or reliance on the long term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Franklin County with recording identifier 446.43-2-3.

LIABILITY LIMITATION

Upon issuance of this Certificate of Completion, and subject to the terms and conditions set forth herein, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 56-0509. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in ECL Section 56-0509. The liability limitation shall be subject to all rights reserved to the State by ECL Section 56-0509 and any other applicable provision of law.

NOTICE OF CERTIFICATE OF COMPLETION
Environmental Restoration Program
Pursuant to 6 NYCRR Part 375-1.9(d)

400 Upper Broadway Site, Site ID No. E517007
Village of Saranac Lake, Franklin County

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to 6 NYCRR Part 375 to the Village of Saranac Lake for a parcel approximately 2.61 acres located at 400 Upper Broadway in the Village of Saranac Lake, Franklin County.

PLEASE TAKE NOTICE, the Certificate was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the State Assistance Contract, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 56, Title 5 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

PLEASE TAKE NOTICE, the remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- ☐ Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- ■ Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- ■ Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- ■ Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by the Department as not inconsistent with the remedy.

PLEASE TAKE NOTICE, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Franklin County as the Village of Saranac Lake Tax Map Parcel I.D. number 446.43-2-3.

PLEASE TAKE NOTICE, the Environmental Easement requires that the approved site management plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

PLEASE TAKE NOTICE, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 56-0509. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in ECL Section 56-0509. The liability limitation shall be subject to all rights reserved to the State by ECL Section 56-0509 and any other applicable provision of law.

PLEASE TAKE NOTICE, any change of use of the site, as defined in 6 NYCRR 375, must be proceeded by notice to the Department in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
11/16/2011

SITE NO. E517007

SITE DESCRIPTION

SITE NAME 400 Upper Broadway Site

SITE ADDRESS: State Route 86 ZIP CODE: 12983

CITY/TOWN: Saranac Lake

COUNTY: Franklin

ALLOWABLE USE: Restricted-Residential, Commercial, and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES:	YES	NO
IC/EC Certification Plan	■	□
Monitoring Plan	■	□
Operation and Maintenance (O&M) Plan	■	□

Periodic Review Frequency: 1 year

First Periodic Review Date: 06/01/2013

Description of Institutional Control

Village of Saranac Lake
State Route 86
Environmental Easement
Block:
Lot:
Sublot:
Section:
Subsection:
S_B_L Image: 446.43-2-3
Ground Water Use Restriction
IC/EC Plan
Monitoring Plan
Site Management Plan
Soil Management Plan

Exhibit A Legal Description

Address: 400 Upper Broadway, Saranac Lake, NY
Franklin County
Tax Map: 446.43-2-3

EASEMENT D.E.C. SITE No. E617007
METES & BOUNDS DESCRIPTION

All that certain parcel of land being situate in Township No. 21, Great Tract One, Macomb's Purchase, Village of Saranac Lake, Town of Harrietstown, County of Franklin, and State of New York: being more particularly bounded and described as follows:

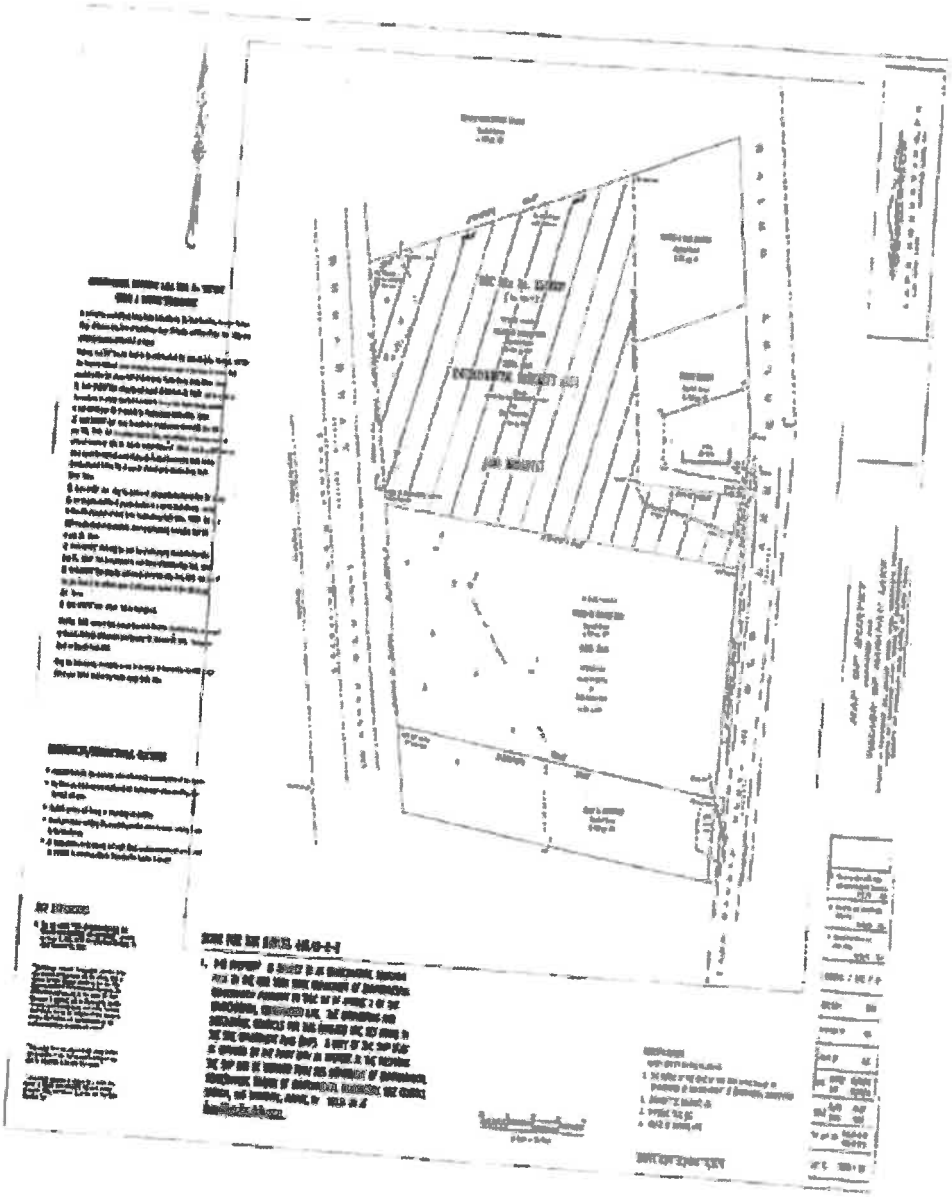
Beginning at a 3/4" pipe found on the east bounds of NYS Route 86 (a.k.a. Broadway), said pipe also being the northwest corner of property described in a deed to the Village of Saranac Lake, recorded in Liber 805 at page 297 of deeds in the Franklin County Clerk's Office; thence

1) North 15°15'23" West along the east bounds of NYS Route 86, 147.82 feet to a point on the south line of property described in a deed to Saranac Lake Baptist Church, recorded in Liber 852 at page 132 of deeds in the Franklin County Clerk's Office; thence
2) North 78°12'05" East along the south line of said property described in Liber 852 at page 132, 36.19 feet to a drillhole found in stone, and continuing on the same course an additional distance of 270.66 feet, for a total distance of 306.85 feet, to a 5/8" rebar set with a cap at the northwest corner of property described in a deed to Shellie & Gary Manning, recorded in Liber 781 at page 21 of deeds in the Franklin County Clerk's Office; thence
3) South 9°41'35" East along the west line of said property described in Liber 781 at page 21, and along the west line of property described in a deed to Shellie Manning, recorded in Liber 618 at page 51 of deeds in the Franklin County Clerk's Office, 185.59 feet to a ½" iron pipe found at the southwest corner of said property described in Liber 618 at page 51; thence
4) South 88°20'51" East along the south line of said property described in Liber 618 at page 51, 124.97 to a point on the west bounds of Old Lake Colby Road; thence
5) South 3°15'21" West along the west bounds of Old Lake Colby Road, 42.44 feet to a 1" iron pipe found at the southeast corner of said property described in Liber 805 at page 297; thence
6) North 86°45'10" West 415.89 feet to the beginning.

Containing 1.388 acres of land, more or less, within the above described bounds, as surveyed by Stacey L. Allott, LS of Geomatics Land Surveying, PC, November 22, 2010. Bearings are based on Magnetic North, 1964.

Being the same property described in a deed to the Village of Saranac Lake recorded in Liber 805 at page 294 of deeds in the Franklin County Clerk's Office

Exhibit B Survey



Addendum C
Conservation Easement

FRANKLIN COUNTY – STATE OF NEW YORK
WANDA D. MURTAGH COUNTY CLERK
P.O. BOX 70, 355 W. MAIN ST, STE 248, MALONE, NEW YORK 12953

COUNTY CLERK'S RECORDING PAGE
THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH

RECEIPT NO. : 201194968

Clerk: LH
Instr #: 2011-1158
Rec Date: 03/04/2011 02:25:15 PM
Doc Grp: RP
Descrip: EASEMENT
Num Pgs: 10
Rec'd Frm: CHARLES J NOTH

Party1: SARANAC LAKE VILLAGE OF
Party2: N Y S PEOPLE OF
Town: HARRIETSTOWN

Recording:

Cover Page	
Recording Fee	0.00
Cultural Ed	0.00
Records Management - Coun	0.00
Records Management - Stat	0.00
Sub Total:	0.00
Transfer Tax	
Transfer Tax	0.00
Sub Total:	0.00
Total:	0.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****

Transfer Tax# : 880

Consideration: 0.00
Transfer Tax: 0.00

COPY

I hereby certify that the within and foregoing was recorded in the Franklin County Clerk's Office

Wanda D. Murtagh

Record and Return To:

CHARLES J NOTH
145 PARK AVE
STE 1
SARANAC LAKE NY 12983

County: Franklin Site No: E 517007 SAC Index No: C303219

ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

THIS INDENTURE made this 17th day of February, 2011, between Owner(s) Village of Saranac Lake, having an office at 3 Main Street, Saranac Lake, NY 12983, (the "Grantor"), and The People of the State of New York (the "Grantee."), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, Grantor, is the owner of real property located at the address of 400 Upper Broadway in the Village of Saranac Lake, County of Franklin and State of New York, known and designated on the tax map of the County Clerk of Franklin as tax map parcel numbers: Section 446.43 Block 2 Lot 3, being the same as that property conveyed to Grantor by deed dated June 6, 2002 and recorded in the Franklin County Clerk's Office in Book 805 at Page 294 comprising approximately 1.388 ± acres, and hereinafter more fully described in the Land Title Survey dated September 28, 2010, revised October 6, 2010, November 22, 2010 and January 31, 2011 prepared by Stacy L. Allott, LS # 49670, which will be attached to the Site Management Plan. The property description and survey (the "Controlled Property") is set forth in and attached hereto as Schedule A; and

WHEREAS, the Department accepts this Environmental Easement in order to ensure the protection of human health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and

County: Franklin Site No: E 517007 SAC Index No: C303219

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of State Assistance Contract Number: C303219, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement")

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Controlled Property may be used for:

Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii), Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv)

(2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP.

(4) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(5) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;

(6) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

(7) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP.

(8) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP.

County: Franklin Site No: E 517007 SAC Index No: C303219

(9) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Controlled Property shall not be used for Residential purposes, and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

NYSDEC - Region 5
Division of Environmental Remediation
1115 NYS Route 86, P.O. Box 296
Ray Brook, NY 12977-0296,
Phone: (518) 897-1227

or

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 12233
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the Environmental Conservation Law.

County: Franklin Site No: E 517007 SAC Index No: C303219

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall annually, or such time as NYSDEC may allow, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:

(i) are in-place;

(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved b the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5 the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;

5. Enforcement

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a

County: Franklin Site No: E 517007 SAC Index No: C303219

defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

B. If any person violates this Environmental Easement, the Grantee may revoke the Certificate of Completion with respect to the Controlled Property.

C. Grantee shall notify Grantor of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall set forth how Grantor can cure such breach or suspected breach and give Grantor a reasonable amount of time from the date of receipt of notice in which to cure. At the expiration of such period of time to cure, or any extensions granted by Grantee, the Grantee shall notify Grantor of any failure to adequately cure the breach or suspected breach, and Grantee may take any other appropriate action reasonably necessary to remedy any breach of this Environmental Easement, including the commencement of any proceedings in accordance with applicable law.

D. The failure of Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar any enforcement rights.

6 Notice. Whenever notice to the Grantee (other than the annual certification) or approval from the Grantee is required, the Party providing such notice or seeking such approval shall identify the Controlled Property by referencing the following information:

County, NYSDEC Site Number, NYSDEC Brownfield Cleanup Agreement, State Assistance Contract or Order Number, and the County tax map number or the Liber and Page or computerized system identification number.

Parties shall address correspondence to:

Site Number: E 517007
Office of General Counsel
NYSDEC
625 Broadway
Albany New York 12233-5500

With a copy to:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, NY 12233

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

County: Franklin Site No: E 517007 SAC Index No: C303219

8. Amendment. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

Grantor: Village of Saranac Lake

By: Clyde Rabideau

Print Name: Clyde Rabideau

Title: MAYOR Date:

Grantor's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF Franklin)

Christine M. Krebbiel
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01KR6233036
Qualified in Franklin County
Commission expires December 13, 2014

On the 7th day of February in the year 20 11, before me, the undersigned, personally appeared Clyde Rabideau, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Christine M. Krebbiel
Notary Public - State of New York

County: Franklin Site No: E 517007 SAC Index No: C303219

THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

By: _____
Dale A. Desnoyers, Director
Division of Remediation

Grantee's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF Albany)

On the 17th day of February in the year 2011, before me, the undersigned, personally appeared Dale Desnoyers personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public - State of New York

David J. Chiusano
Notary Public, State of New York
No. 01CH6032146
Qualified in Schenectady County
Commission Expires August 23, 2014

County: Franklin Site No: E 517007 SAC Index No: C303219

SCHEDULE "A" PROPERTY DESCRIPTION

Address: 400 Upper Broadway, Saranac Lake, NY
Franklin County
Tax Map: 446.43-2-3

EASEMENT D.E.C. SITE No. E517007
METES & BOUNDS DESCRIPTION

All that certain parcel of land, being situate in Township No. 21, Great Tract One, Macomb's Purchase, Village of Saranac Lake, Town of Harrietstown, County of Franklin, and State of New York; being more particularly bounded and described as follows:

Beginning at a 3/4" pipe found on the east bounds of NYS Route 86 (a.k.a. Broadway), said pipe also being the northwest corner of property described in a deed to the Village of Saranac Lake, recorded in Liber 805 at page 297 of deeds in the Franklin County Clerk's Office, thence

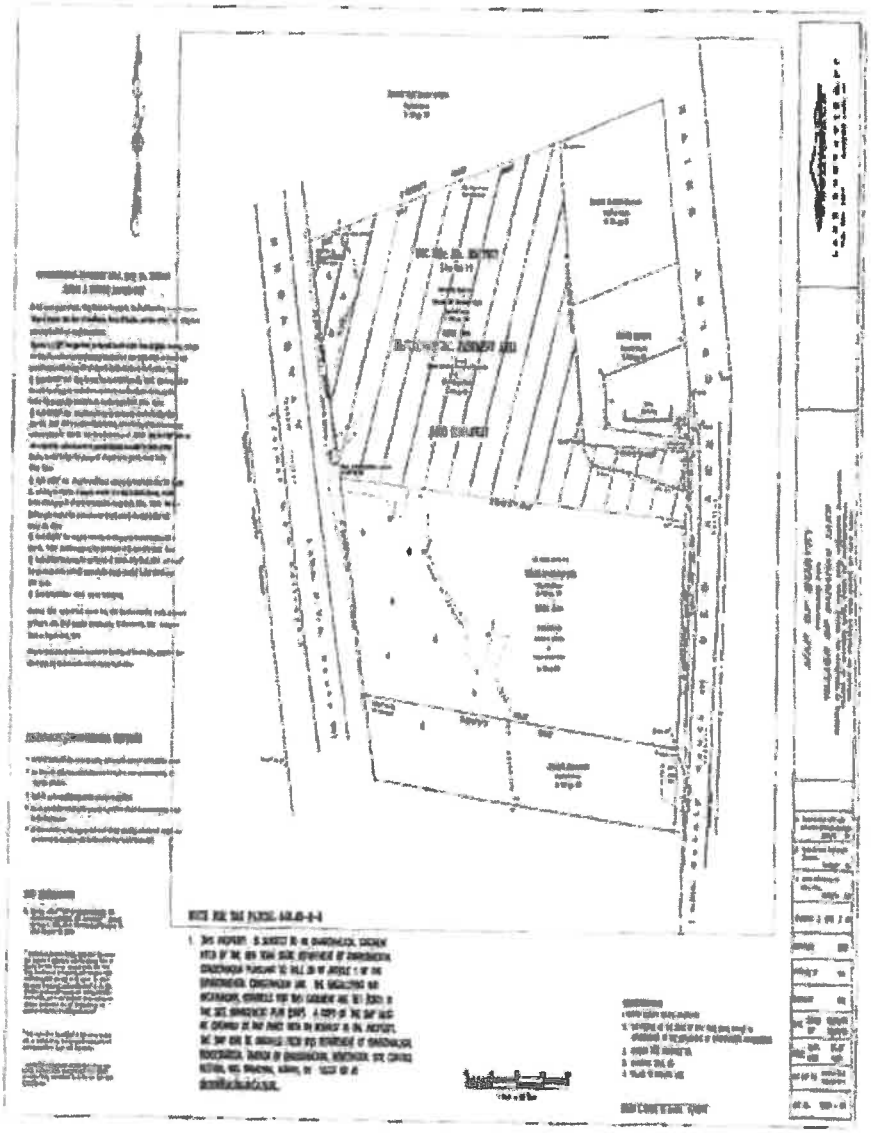
1) North 15°15'23" West along the east bounds of NYS Route 86, 147.82 feet to a point on the south line of property described in a deed to Saranac Lake Baptist Church, recorded in Liber 852 at page 132 of deeds in the Franklin County Clerk's Office; thence
2) North 78°12'00" East along the south line of said property described in Liber 852 at page 132, 36.19 feet to a drillhole found in stone, and continuing on the same course an additional distance of 270.86 feet, for a total distance of 306.85 feet, to a 5/8" rebar set with a cap at the northwest corner of property described in a deed to Shellie & Gary Manning, recorded in Liber 781 at page 21 of deeds in the Franklin County Clerk's Office; thence
3) South 7°41'35" East along the west line of said property described in Liber 781 at page 21, and along the west line of property described in a deed to Shellie Manning, recorded in Liber 618 at page 51 of deeds in the Franklin County Clerk's Office, 115.30 feet to a 3/4" iron pipe found at the southwest corner of said property described in Liber 618 at page 51; thence
4) South 88°29'51" East along the south line of said property described in Liber 618 at page 51, 124.97 to a point on the west bounds of Old Lake Colby Road; thence
5) South 3°25'21" West along the west bounds of Old Lake Colby Road, 42.84 feet to a 1" iron pipe found at the southeast corner of said property described in Liber 805 at page 297; thence
6) North 86°45'10" West 415.89 feet to the beginning.

Containing 1.388 acres of land, more or less, within the above described bounds, as surveyed by Stacey L. Allatt, LS of Geometics Land Surveying, PC, November 22, 2010. Bearings are based on Magnetic North, 1964.

Being the same property described in a deed to the Village of Saranac Lake, recorded in Liber 805 at page 294 of deeds in the Franklin County Clerk's Office.

County: Franklin Site No: E 517007 SAC Index No: C303219

SURVEY



Addendum E

Cedar Eden Environmental Report As of August 23, 2017

400 Upper Broadway Periodic Review Report
NYSDEC Site Number: E517007
Village of Saranac Lake, Franklin County, NY

Prepared for:

Village of Saranac Lake
Attn: John Sweeney, Village Manager
39 Main Street
Saranac Lake, NY 12983
518.891.4150 • [illegible]

COPY

Prepared by:

Cedar Eden Environmental, LLC
1519 State Route 86
Saranac Lake, NY 12983
518.304.3697 • mmartin@cedareden.com

http://cedareden.com
Established 2001

July 5, 2017 – Revised August 23, 2017

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Attachments:

- Site Location and Boundary Map
- ESS17007 Institutional and Engineering Controls Certification Form

Cedar Eden Environmental, LLC
Saranac Lake, NY

I. Executive Summary

This report presents the findings of the annual Periodic Review of 400 Broadway, DEC Site E517007. The property was inspected by Michael R. Martin of Cedar Eden Environmental (CEE) on November 5, 2016 and July 3, 2017 and by Michael R. Martin of CEE and Dominic Fontana, P.E. of Saranac Engineering on August 23, 2017.

The site is located in the Village of Saranac Lake, Franklin County, New York and is identified as Block 2, Lot 3 on the Village of Saranac Lake Tax Map. The site is approximately 1.39 acres in size and bounded by a church and landscaped areas to the north, wooded undeveloped land to the south, Upper Broadway (Old Lake Colby Road) and residential dwellings to the east and NYS SR86 (Lake Colby Drive) to the west[1]. A Remedial Investigation[2] determined that historic commercial and manufacturing activities resulted in impacts to soils and groundwater from volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), pesticides and metals.

Remedial actions were completed in two phases. The first phase involved cleaning up the site (removal of waste materials) and was completed August & September, 2007. The second phase involved stabilizing the site to address the remaining contamination and took place in 2012, with additional work conducted in 2014 and 2017.

Minor elements of non-compliance during this reporting period included failure of some silt fence and lack of vegetated cover over the entire site. The remediation will be 100% complete and these non-compliance issues was resolved with the placement of additional topsoil followed by seeding and mulching, completed in August 2017. This work has achieved the objectives of the SMP as no further development is planned for the property.

No changes are recommended for the SMP. It is recommended that Site Closeout be granted after the installation of these measures following a final inspection and submission of a Final Engineering Report (FER) to be undertaken on or before July 1, 2018.

[1] Site Management Plan: 400 Upper Broadway Site, C. T. Male Associates. June 2010.

[2] Site Investigation Report for the 400 Broadway ERP Site, C.T. Male Associates October 2008 (revised January 2009); Record of Decision, NYS DEC. March 2010.

II. Site Overview

The site is located in the Village of Saranac Lake, Franklin County, New York and is identified as Block 2, Lot 3 on the Village of Saranac Lake Tax Map (see Site Location and Boundary Map). The site is approximately 1.39 acres in size and bounded by a church and landscaped areas to the north, wooded undeveloped land to the south, Upper Broadway (Old Lake Colby Road) and residential dwellings to the east and NYS SR86 (Lake Colby Drive) to the west.

A Remedial Investigation determined that historic commercial and manufacturing activities resulted in impacts to soils and groundwater from volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), pesticides and metals.

Site cleanup goals were to remove waste materials and stabilize/seal the remaining contamination using a soil cover. Remedial actions were completed in two phases. The first phase involved cleaning up the site, was completed August & September, 2007 and included:

1. Removal of waste materials from the site, including several 55 gallon and 20 gallon drums and their contents (predominantly sand, sludge and grease) and a 1000 gallon above ground tank containing hazardous, high-lead content tar-like sludge.
2. Execution and recording of an Environmental Easement to restrict land use and prevent future exposure to any remaining contamination
3. Development of Site Management Plan for Lot 3 including Institutional and Engineering Controls, Monitoring Plan, O&M Plan and Reporting.

The second phase involved stabilizing the site to address the remaining contamination in accordance with the SMP, SWWP[3] and EC/IC and included[4]:

1. 2012: Placement of a geomembrane to serve as visual demarcation layer, 2+ feet of cover material, seed & mulch lower portion
2. 2014: Additional stabilization, creation of soil berm to prevent material movement
3. 2017: regrade entrance to minimize flow of road onto site (complete); repair perimeter silt fence (complete); removal of berm and placement of topsoil, seed and mulch to stabilize entire site (complete)

[3] Stormwater Pollution Prevention Plan: 400 Broadway. AES Northeast. July 13, 2012

[4] Jeff Dora, Village of Saranac Lake DPW Superintendent, personal communication, July 5, 2017

III. Evaluation of Remedy Performance, Effectiveness and Protectiveness

The remedial goals were achieved by implementing the following:

1. Removal of waste materials on-site
2. Creation of an environmental easement on the property to protect future use
3. Creation of required site documents, including SMP, EC/IC and O&M Plan
4. Creating a vegetated soil cover over remaining contamination
5. Monitoring and Periodic Review Reporting

As of August 2017, all objectives have been met and are in place.

Results of Site Inspection During Current Reporting Period

Overall, the ECS was functioning as planned and stated in the SMP. Several deficiencies were noted for corrective action primarily dealing with controlling runoff onto and from the site and stabilizing the cover system. Those deficiencies and recommendations included:

1. The upper property (east, above the berm) cover system should be further stabilized, which should include topsoil and seeding. (Completed August 2017) (Photograph 1)
2. The silt fence along the west and south sides of the property was laying down flat in a number of places, although still buried at the base. Corrective measures would include setting of new stakes where necessary. (Completed July 2017) (Photograph 2)
3. The existing berm that divides the property should be removed during the placement of topsoil and seeding/mulching. (Completed August 2017)
4. There was some gully erosion occurring along the driveway, indicating concentrated flows. Flow should be diverted at Old Lake Colby Road so it doesn't run down the property driveway and add more stabilizing rock on the driveway. This will minimize the amount of water that runs onto the property. (Completed July 2017)
5. Cover access road with topsoil, mulch and seed (Completed August 2017)

IV. IE/EC Plan Compliance Report

The Engineering Control System on the site consists of a cover system created through the placement of filter fabric over the surface soils which has been topped by a minimum of two feet of clean soil fill. The cover system is a permanent control and is acting to contain and protect the contaminated surface soils. Additional top soil and seeding/mulching was completed in August 2017 to further stabilize the cover system.

Institutional Controls have been implemented by the execution and recording of an Environmental Easement to restrict land use and prevent future exposure to any remaining contamination.

V. Monitoring Plan Compliance Report

There is no Monitoring Plan requiring physical testing. Periodic visual inspections are conducted of all remedial components installed at the site and the findings are incorporated into the annual PRR.

VI. O&M Plan Compliance Report

The site remedy does not rely on any mechanical systems. Therefore, the operation and maintenance of such components is not included in the SMP.

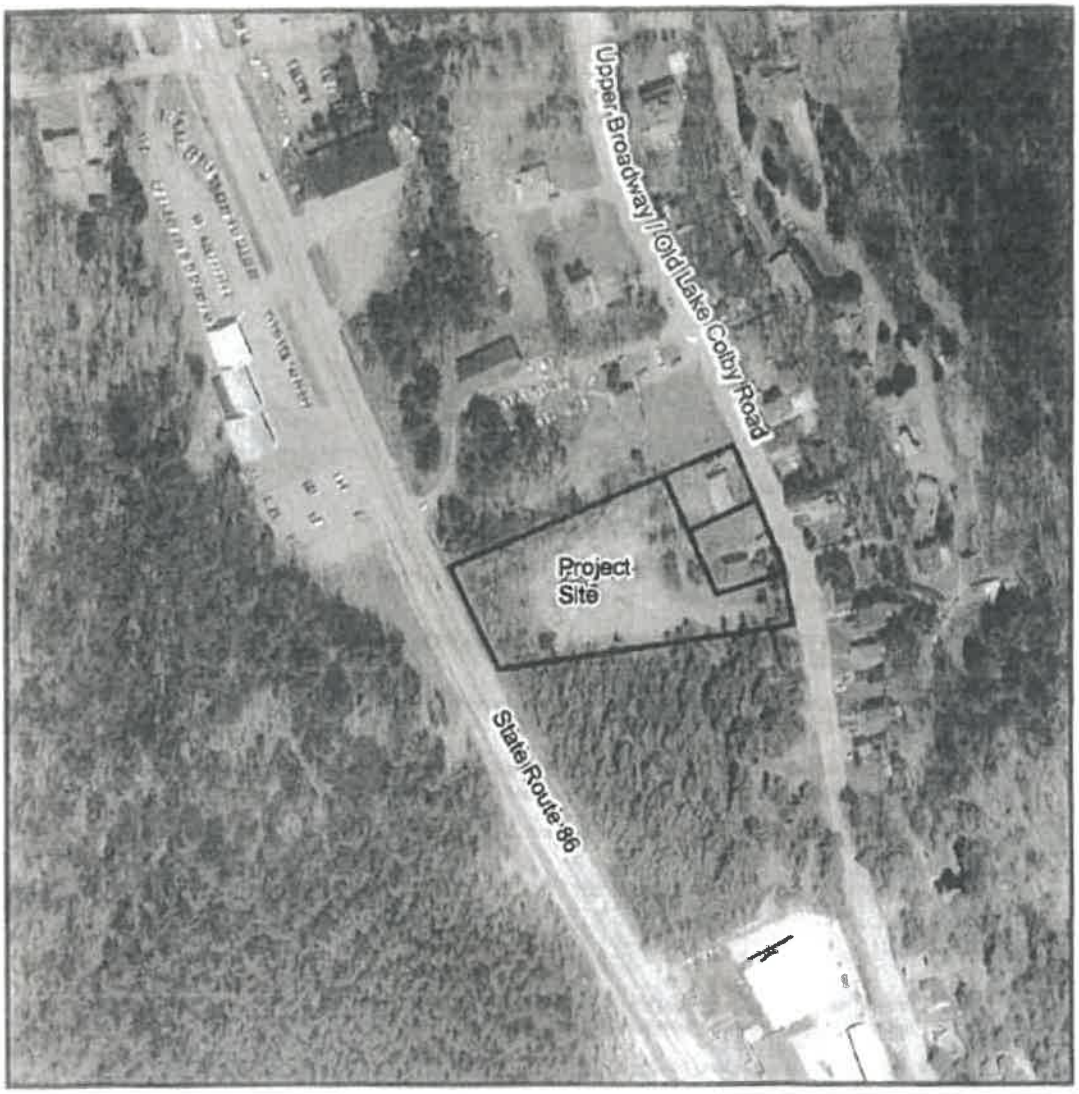
VII. Overall PRR Conclusions and Recommendations

Each component of the SMP has been implemented and are operating fully as intended. Recommended site maintenance during this reporting period included fixing silt fences (completed July 5), fully stabilizing the cover system with topsoil, seed and mulch (completed August 2017) and rerouting stormwater runoff from Upper Broadway away from the property driveway (completed July 5). With the completion of these recommendations the remedial measures achieve the remedial objectives for the site. Further, it is believed that the requirements for site closure will be achieved and a determination to discontinue site management is requested. It is recommended that a final site inspection and reporting be conducted upon completion of all recommended site activities. A final inspection is planned for Spring 2018, followed by the preparation of a Final Engineering Report (FER) to be submitted for NYS DEC review on or before July 1, 2018. The FER will detail the site cover system and requirements for proper maintenance.

Photograph 1 Upper (east) side of property. Area needs topsoil and establishment of cover

Cedar Eden Environmental, LLC
Saranac Lake, NY

Photograph 2 Area of downed silt fence along south edge of property



Legend

Approx. Property Boundary

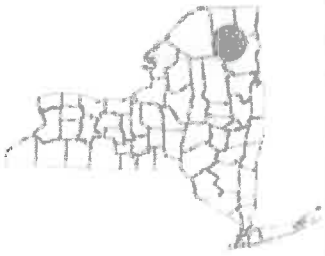
N

Site Location and Boundary Map

Project: 400 Upper Broadway Site Remediation
Town: Village of Saranac Lake
County: Franklin County

Notes:
Digital orthophoto: April 2014, NYS Orthos Online

Cedar Eden Environmental, LLC
1519 State Route 86
Saranac Lake, NY 12983
518.304.3697
http://cedareden.com



Enclosure 2

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form

Site Details — Box 1

Site No. E817007

Site Name 400 Upper Broadway Site

Site Address: State Route 86 **Zip Code:** 12983
City/Town: Saranac Lake
County: Franklin
Site Acreage: 2.6

Reporting Period: June 01, 2016 to June 01, 2017

	YES	NO
1. Is the information above correct?	☒	☐
If NO, include handwritten above or on a separate sheet.		
2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?	☐	☒
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?	☐	☒
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?	☐	☒
If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.		
5. Is the site currently undergoing development?	☐	☒

Box 2

	YES	NO
6. Is the current site use consistent with the use(s) listed below? Restricted-Residential, Commercial, and Industrial	☒	☐
7. Are all ICs/ECs in place and functioning as designed?	☒	☐

IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative _____ Date _____

SITE NO. E617007

Box 3

Description of Institutional Controls

Parcel	Owner	Institutional Control
446.43-2-3	Village of Saranac Lake	Monitoring Plan IC/EC Plan Ground Water Use Restriction Soil Management Plan Site Management Plan

The institutional controls are: Compliance with the EE by the Grantor and the Grantor's successors and assigns with all elements of the SMP; all engineering controls must be operated and maintained as specified in the SMP; all engineering controls on the controlled property (LOT 3)must be inspected and certified at a frequency and in the manner defined in the SMP; data and information pertinent to site management for the controlled property must be reported at a frequency and in a manner described in the SMP; all future activities on the property that will disturb the remaining contaminated material are prohibited unless they are conducted in accordance with the SMP; the property may be used for restricted residential use provided that EC/ICs included in the SMP are employed; the property may not be used for a less restictive use; and, the site owner must submit to the NYSDEC a written statement that certifies that (1) controls employed at the controlled property are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and, nothing has occurred that impairs the ability to protect public health and the environment or that constitutes a violation with the SMP

Box 4

Description of Engineering Controls

Parcel	Engineering Control
446.43-2-3	Cover System

A cover system will be installed should the site undergo development or disturbance. Any cover must adhere to specifications described in the site specific SMP. The cover system must be comprised of one of the following: minimum of 24" of clean soil, asphalt pavement, concrete covered sidewalks, and concret building slabs. As of 2013, a partial cover has been established at the site. Procedures for inspection and maintenance of the cover is included in Section 4 of the site specific SMP

Box 5

Periodic Review Report (PRR) Certification Statements

1. I certify by checking "YES" below that:

   a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

   b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

YES	NO
☒	☐

2. If this site has an IC/EC Plan (or equivalent as required in the Decision Document), for each Institutional or Engineering control listed in Boxes 3 and/or 4, I certify by checking "YES" below that all of the following statements are true:

   (a) the Institutional Control and/or Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;

   (b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;

   (c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;

   (d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and

   (e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES	NO
☒	☐

IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative _____ Date _____

IC CERTIFICATIONS
SITE NO. E517007

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1,2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Jeffrey D. Dero at 39 Main Street Dorset Lake, NY
print name print business address

am certifying as Owner (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.

[signature] 9/30/19
Signature of Owner, Remedial Party, or Designated Representative Rendering Certification Date

IC/EC CERTIFICATIONS

Box 7

Professional Engineer Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Dominic C. Fontana 164 Kuwassa Rd Saranac Lake NY
print name print business address

am certifying as a Professional Engineer for the Village of Saranac Lake
(Owner or Remedial Party)

STATE OF NEW YORK
DOMINIC C. FONTANA
052416-1
PROFESSIONAL ENGINEER

Signature of Professional Engineer, for the Owner or Remedial Party, Rendering Certification

Stamp (Required for PE)

8-26-17
Date

Addendum F
NYS Certifications

UNIQUE ID NUMBER
46000026600

State of New York
Department of State
DIVISION OF LICENSING SERVICES

FOR OFFICE USE ONLY
Control No. 93438

PURSUANT TO THE PROVISIONS OF ARTICLE 6E OF THE EXECUTIVE LAW AS IT RELATES TO R.E. APPRAISERS.

EFFECTIVE DATE
MO 10 DAY 08 YR 16

EXPIRATION DATE
MO 10 DAY 07 YR 18

HARLAND CHRIS L
C/O HILCO REAL ESTATE APPRAISA
668 COLUMBIA TPKE
STE 3
EAST GREENBUSH, NY 12061

HAS BEEN DULY CERTIFIED TO TRANSACT BUSINESS AS A
R.E. GENERAL APPRAISER

In Witness Whereof, The Department of State has caused its official seal to be hereunto affixed
ROSSANA ROSADO
SECRETARY OF STATE

DOS-1296 (Rev. 3/01)

UNIQUE ID NUMBER
46000051521

State of New York
Department of State
DIVISION OF LICENSING SERVICES

FOR OFFICE USE ONLY
Control No. 97839

PURSUANT TO THE PROVISIONS OF ARTICLE 6E OF THE EXECUTIVE LAW AS IT RELATES TO R.E. APPRAISERS.

EFFECTIVE DATE
MO 01 DAY 26 YR 17

EXPIRATION DATE
MO 01 DAY 25 YR 19

GODLEWSKI STACEY L
C/O HILCO REAL ESTATE APPRAISA
668 COLUMBIA TPKE
EAST GREENBUSH, NY 12061

HAS BEEN DULY CERTIFIED TO TRANSACT BUSINESS AS A
R.E. GENERAL APPRAISER

In Witness Whereof, The Department of State has caused its official seal to be hereunto affixed
ROSSANA ROSADO
SECRETARY OF STATE

DOS-1296 (Rev. 3/01)

Addendum E
Summary of Qualifications

Qualifications for Chris L. Harland, MAI

Hilco Real Estate Appraisal, LLC
Managing Director - Northeast Region

Scope of Experience:

Chris L. Harland, MAI has been engaged in the appraisal, underwriting and analysis of real estate throughout the northeast since 1990. Before joining Hilco Real Estate Appraisal, Mr. Harland was the President of Capstone Appraisal Group, a commercial real estate appraisal company based in New York's Capital District, for 13 years. He was also employed at three national, multi-service real estate companies: Grubb & Ellis Landauer, CB Richard Ellis, and Holliday Fenoglio Fowler. He began his appraisal career at McGrath, Basciani & Associates in 1990.

Mr. Harland holds the MAI (commercial) designation with the Appraisal Institute, the worldwide leader in commercial and residential real estate appraisal education, research, publishing, and professional membership designation programs. In 1994, Mr. Harland obtained a Master of Science in Real Estate (MS) degree from New York University with a concentration in Valuation and Analysis. He has held a variety of Appraisal Institute leadership positions and is actively involved in litigation support through court testimony as an expert witness.

Specialties:

Mr. Harland has performed studies and appraisals involving a wide range of property types including golf courses, hotels, resorts, and other hospitality-related assets, regional malls, shopping centers, big box stores, drug stores, student housing projects, mobile home parks, healthcare facilities, office buildings, industrial and distribution facilities, apartment and condominium projects, residential and commercial subdivisions, as well as special-use developments such as restaurants, banks, religious facilities, schools, cultural and entertainment facilities, camps, automobile dealerships, farms and marinas.

Professional Activities & Affiliations:

Appraisal Institute, Member (MAI) since 1997 – Certificate No. 11294
Upstate NY Chapter – Appraisal Institute – Regional Representative (2008-2018)
Upstate NY Chapter – Appraisal Institute – President (2007)
Upstate NY Chapter – Appraisal Institute – Board of Directors (2002-2010 and 2015-2017)
Capital District Chapter – Appraisal Institute – District Chair (2002 & 2006)
Nominating Committee – Appraisal Institute – Region IV (2011-2016)
Grievance Committee Member – Ethics and Counseling Department – Appraisal Institute
Instructor – Upstate NY Chapter - Appraisal Institute - Case Studies Seminars
Sample Topics: "The Market Analysis Section", "Common Appraisal Errors", and "Repositioning Sears Space"
Commercial and Industrial Real Estate Brokers (CIREB) – Principal Appraiser Member
GCAR (Greater Capital Association of Realtors) – Member #21309

Certifications/Licenses:

State Certified General Real Estate Appraiser (New York) – License No. 46000026600
State Certified General Real Estate Appraiser (various states throughout the northeast)

Formal Education:

Master of Science in Real Estate (MS), New York University (The Real Estate Institute), New York, NY
Bachelor of Arts Degree in History (BA), Franklin & Marshall College, Lancaster, PA
Appraisal Institute – Fulfilled requirements of the Continuing Education Program (effective through 12/31/22).
James Felt Scholarship – New York University (The Real Estate Institute), New York, NY

Qualified Before Courts & Administrative Bodies:

Mr. Harland has provided expert witness testimony in numerous counties throughout New York State, as well as Massachusetts, Connecticut and Vermont.

Hilco Real Estate Appraisal, LLC
668 Columbia Turnpike
East Greenbush, NY 12061
518-472-0380 (Main) 518-472-0388 (Fax)
charland@hilcoglobal.com

Qualifications for Stacey L. Godlewski

Hilco Real Estate Appraisal, LLC
Senior Real Estate Appraiser – Northeast Region

Scope of Experience:

Ms. Godlewski provides real estate valuations encompassing all aspects of the appraisal process. Her experience is primarily associated with commercial properties, including single-and multi-tenant retail, commercial and industrial properties, hospitality, recreational, and institutional properties throughout Upstate New York and surrounding states. She is also experienced with preparing valuations of single-family residential and multi-family residential properties. Her appraisal reports have been written for various purposes including lending and credit decisioning by national and local financial institutions, litigation proceedings, internal business decisions and personal uses. Reports have included market and going concern valuations. Ms. Godlewski has been writing appraisals since June 2009 to the present.

Education:

Ms. Godlewski is a graduate of Portland State University, Portland Oregon where she received a Bachelor of Science degree in Social Sciences in June of 1988. Additionally, Ms. Godlewski completed the Secondary Education Program and passed the CBEST (California Basic Educational Skills Test), which qualified her to teach the Social Sciences to secondary education students as of July 1988.

Ms. Godlewski is a New York State Certified General Real Estate Appraiser - License Number 46000051521.

Prior Experience

Key Bank N.A. – Ms. Godlewski began working at Key Bank in Portland, Oregon in 1988. Her career at Key Bank included administrative responsibilities within the commercial lending arena initially. She was promoted several times through 1996, when she was asked to relocate to Albany, New York to assist in establishing a systems and programming commercial lending department within the corporate headquarters of the bank. Upon relocating to Albany, she was promoted to a Senior Business Analyst, with the bulk of her duties performing as a liaison between the business and programming departments. This required understanding the functions and processes of various lines of business, capturing their system requirements and then translating them into technical specifications used by programmers. During this time, Ms. Godlewski served as Project Manager for various high profile projects within the bank. Upon leaving the bank in 2007, Ms. Godlewski's final job title was Business Systems Consultant and Subject Matter Expert (SME) in the commercial lending technology environment.

Hilco Real Estate Appraisal, LLC
668 Columbia Turnpike
East Greenbush, NY 12061
(518) 472-0380 – Main
(518) 421-2319 – Cell
sgodlewski@hilcoglobal.com

Business of the Village Board
Village of Saranac Lake

SUBJECT: Begin Hiring Process Date: 9-24-2018

DEPT OF ORIGIN : Village Manager BILL #96 -2018

DATE SUBMITTED: EXHIBITS: _____

APPROVED AS TO FORM:

_____ _____
Village Attorney Village Administration

EXPENDITURE REQUIRED: $	AMOUNT BUDGETED: $	APPROPRIATION REQUIRED:

SUMMARY STATEMENT

Authorize Village Manager and DPW Superintendent to begin hiring process for water sewer worker

Bill 96-2018 Begin Hiring Process for Water Sewer Worker
A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Little Second: Shapiro
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

RESOLUTION TO BEGIN PROCESS TO HIRE
WATER SEWER WORKER

WHEREAS, The Village of Saranac Lake is committed to maintaining a full staff in the Department of Public Works for the well-being of village residents and visitors alike and,

WHEREAS, The Village of Saranac Lake staff is authorized to work through Franklin County Civil Service for a list of qualified candidates and,

WHEREAS, This position is a member of the Department of Public Works Union and will begin with all the benefits of a starting union member and,

NOW, THEREFORE BE IT RESOLVED, The Village Manager, the Superintendent of Public Works are authorized to begin the recruiting and hiring process.

Business of the Village Board
Village of Saranac Lake

SUBJECT: Declare Equipment Surplus Date: 9-24-2018

DEPT OF ORIGIN : Village Manager BILL #97-2018

DATE SUBMITTED: EXHIBITS: _____

APPROVED AS TO FORM:

_____ _____
Village Attorney Village Administration

EXPENDITURE REQUIRED: $ AMOUNT BUDGETED: $ APPROPRIATION REQUIRED:

SUMMARY STATEMENT

Declare Equipment Surplus and Allow Sale by Auction International

Bill 97-2018 Declare Surplus Equipment
A copy of the bill is attached and made part of these minutes
Motion: Little Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

RESOLUTION DECLARING EQUIPMENT SURPLUS AND AUTHORIZING THE SALE OF SURPLUS EQUIPMENT

WHEREAS, the Village of Saranac Lake has determined the equipment on the attached list is no longer useful to the village; and,

WHEREAS, The Village of Saranac Lake may deem equipment as surplus and dispose of it, if it is no longer useful to the village.

NOW THEREFORE BE IT RESOLVED, That the Village Board deems the equipment on the attached list as surplus and allows the services of Auction International to sell the equipment.

BE IT FURTHER RESOLVED, the revenue from the sale of this surplus equipment will be transferred to the surplus equipment account.

SEPT. 24, 2018 2018 SURPLUS EQUIPMENT

1. 2007 INTERSTATE 20 TON EQUIPMENT TRAILER
   VIN#1JKDLA4067M008232

2. 2005 DOWNEASTER 6X8 DUMP TRAILER
   VIN#1C9DD08114T821402

3. AMMCO BRAKE LATHE MODEL 3000, SERIAL 27831A

4. DISC BRAKE LATHE MAKE/MODEL UNKNOWN

5. TRUCK CRANE LIFTMOORE 3200 LBS

   i. VILLAGE RESERVES RIGHT TO REJECT ANY AND ALL BIDS
   ii. VILLAGE RESERVE RIGHT TO SELL OR TRADE CERTAIN ITEMS.
   iii. ALL ITEMS AS IS

Business of the Village Board
Village of Saranac Lake

SUBJECT: SEQR UNLISTED ACTION NEGATIVE DECLARATION Date: 9-24-18

DEPT OF ORIGIN: Com Dev Bill: 98 2018

DATE SUBMITTED: 9-14-18 EXHIBITS: _____

APPROVED AS TO FORM:

_____ _____

Village Attorney Village Administration

EXPENDITURE REQUIRED:	AMOUNT BUDGETED	APPROPRIATION REQUIRED:

Resolution to issue a Negative Declaration for purposes of SEQR regarding a proposed Village Code amendment

Bill 98-2018 SEQR Unlisted Action Negative Declaration Chapter 10
A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Van Cott Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Date: 9/24/2018

RESOLUTION
OF THE
VILLAGE OF SARANAC LAKE BOARD OF TRUSTEES

SUBJECT: RESOLUTION RECOGNIZING UNLISTED SEQR ACTION

WHEREAS, the Development Code Administrator and Code Enforcement Officer have reviewed Chapter 10 of the Village Code which pertains to Administration of the NYS Uniform Fire Prevention and Building Code and recommended changes to said law; and

WHEREAS, the Board of Trustees must hold a public hearing prior to the adoption of a local law and said public hearing must be noticed 10 days prior to the hearing; and

WHEREAS, in consideration of the circumstances as described above the Board is proposing to amend the Village of Saranac Lake Code; and

WHEREAS, the Board must evaluate all proposed actions submitted to it for its consideration that may affect the environment in light of the State Environmental Quality Review Act ("SEQR") and the regulations promulgated thereunder, and

WHEREAS, the required environmental assessment will be conducted by the Board; and

WHEREAS, the Board desires to serve and act as the lead agency for the purposes of SEQR; and

WHEREAS, this project is as Unlisted action for the purposes of SEQRA as it adopts an amendment to the Development Code; and;

NOW, THEREFORE, BE IT RESOLVED, the Board makes the following findings and determinations with respect to the proposed project:

(1) That the proposed Development Code amendment has been determined not to have a significant impact on the environment and a negative declaration is issued.

(2) This resolution shall take effect immediately.

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.

Part 1 - Project and Sponsor Information Village of Saranac Lake Board of Trustees		
Name of Action or Project: Village Code Chapter 10 amendment		
Project Location (describe, and attach a location map): Village of Saranac Lake		
Brief Description of Proposed Action: Amendment of Village Code Chapter 10		
Name of Applicant or Sponsor: Village of Saranac Lake Board of Trustees	Telephone: 518-891-4150 E-Mail: ceo2@saranaclakeny.gov	
Address: 39 Main Street		
City/PO: Saranac Lake	State: NY	Zip Code: 12983

	NO	YES
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.	☐	☑
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	☐	☐

3.a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

4. Check all land uses that occur on, adjoining and near the proposed action.

☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☐
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☐	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☐	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☐
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☐
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☐	☐
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☐
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	☐
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☐	☐
b. Is the proposed action located in an archeological sensitive area?	☐	☐
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?	☐	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? 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:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☐ Suburban

	NO	YES
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?	☐	☐
16. Is the project site located in the 100 year flood plain?	☐	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES _____		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	☐	☐
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:	☐	☐
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:	☐	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Village of Saranac Lake Board of Trustees Date: 9/24/2018

Signature:

PRINT FORM

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☑	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☑	☐
3. Will the proposed action impair the character or quality of the existing community?	☑	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☑	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☑	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☑	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☑	☐
b. public / private wastewater treatment utilities?	☑	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☑	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☑	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☑	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☑	☐

PRINT FORM

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Village of Saranac Lake Board of Trustees	9/24/2018
Name of Lead Agency	Date
Mayor Clyde Rabideau	Mayor of Saranac Lake
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Business of the Village Board
Village of Saranac Lake

SUBJECT: Adopt Local Law Amending Village Code Date: 9-24-18

DEPT OF ORIGIN: Com. Dev. Bill: 99 2018

DATE SUBMITTED: 9-14-18

EXHIBITS: Village Code, Chapter 10 with comments
Village Code, Chapter 10, Section 15

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE REQUIRED:	AMOUNT BUDGETED	APPROPRIATION REQUIRED:

Adopt Local Law amending Chapter 10 of the Village of Saranac Lake Code

Bill 99-2018 Adopt Law Amending Chapter 10
A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Van Cott Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Date: 9/24/2018

RESOLUTION OF THE
VILLAGE OF SARANAC LAKE BOARD OF TRUSTEES

SUBJECT: RESOLUTION ADOPTING A LOCAL LAW AMENDING CHAPTER 10 OF THE VILLAGE OF SARANAC LAKE CODE

WHEREAS, the Development Code Administrator and Code Enforcement Officer have reviewed Chapter 10 of the Village Code which pertains to Administration of the NYS Uniform Fire Prevention and Building Code and recommended changes to said law; and

WHEREAS, the Board of Trustees held a public hearing to gather public input about the proposed local law on September 24, 2018;

NOW, THEREFORE, BE IT RESOLVED, the Village Board hereby adopts Local Law ##-2018 amending Chapter 10 of the Village of Saranac Lake Code.

Village of Saranac Lake Code
Chapter 10 Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code

SECTION 1. PURPOSE AND INTENT

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in this Village. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other section of this local law, all buildings, structures and premises, regardless of use or occupancy, are subject to the provisions of this local law. This local law also repeals Chapter 10 of the Code of the Village of Saranac Lake, "Building Code" adopted on October 10, 1997 and adopts and substitutes in its place a new Chapter 10 of the Code of the Village of Saranac Lake, "Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code".

SECTION 2. DEFINITIONS

In this law:

"Building Permit" shall mean a permit issued pursuant to section 4 of this local law. The term "Building Permit" shall also include a Building Permit which is renewed, amended or extended pursuant to any provision of this local law.

"Certificate of Occupancy" shall mean a certificate issued pursuant to subdivision (b) of section 7 of this local law.

"Code Enforcement Officer" shall mean the Code Enforcement Officer appointed pursuant to subdivision (b) of section 3 of this local law.

"Code Enforcement Personnel" shall include the Code Enforcement Officer and all Inspectors.

"Compliance Order" shall mean an order issued by the Code Enforcement Officer pursuant to subdivision (a) of section 15 of this local law.

Comment [PB1]: Change all references to "Compliance Order" to "Order To Remedy"

"Energy Code" shall mean the State Energy Conservation Code, as currently in effect and as hereafter amended from time to time.

"Inspector" shall mean an inspector appointed pursuant to subdivision (d) of section 3 of this local law.

"Operating Permit" shall mean a permit issued pursuant to section 10 of this local law. The term "Operating Permit" shall also include an Operating Permit which is renewed, amended or extended pursuant to any provision of this local law.

"Permit Holder" shall mean the Person to whom a Building Permit has been issued.

"Person" shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

"Stop Work Order" shall mean an order issued pursuant to section 6 of this local law.

"Temporary Certificate" shall mean a certificate issued pursuant to subdivision (d) of section 7 of this local law.

"Village" shall mean the Village of Saranac Lake, 3 Main St., Saranac Lake, NY 12983.

Comment [PB2]: Delete physical address in case of future address change.

"Village Board" shall mean the Board of Trustees for the Village of Saranac Lake.

"Uniform Code" shall mean the New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time.

SECTION 3. CODE ENFORCEMENT OFFICER AND INSPECTORS

(a) The office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this local law. The Code Enforcement Officer shall have the following powers and duties:

(1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Temporary Certificates and Operating Permits, and the plans, specifications and construction documents submitted with such applications;

(2) upon approval of such application, to issue Building Permits, Certificates of Occupancy, Temporary Certificates and Operating Permits, and to include in Building Permits, Certificates of Occupancy, Temporary Certificates and Operating Permits such terms and conditions as the Code Enforcement Officer may determine to be appropriate;

(3) to conduct construction inspections, inspections to be made prior to the issuance of Certificates of Occupancy, Temporary Certificates and Operating Permits, fire safety and property maintenance inspections, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of this local law;

(4) to issue Stop Work Orders;

(5) to review and investigate complaints;

(6) to issue orders pursuant to subdivision (a) of section 15 (Violations) of this local law;

(7) to maintain records

(8) to collect fees as set by the Village Board of this Village;

(9) to pursue administrative enforcement actions and proceedings;

(10) in consultation with this Village's attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this local law; and

(11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

(b) The Code Enforcement Officer shall be appointed by the Village Manager. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.

(c) In the event that the Code Enforcement Officer is unable to serve as such for any reason, an individual shall be appointed by the Village Manager to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of his or her appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.

(d) One or more inspectors may be appointed by the Village Manager to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for Code Enforcement personnel, and each Inspector shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.

Comment [PB3]: Insert "by"

Comment [PB4]: Add t to correct spelling error

(e) The compensation for Code Enforcement Officer and Inspectors shall be fixed from time to time by the Village Manager .

SECTION 4. BUILDING PERMITS.

(a) Building Permits Required. Except as otherwise provided in subdivision (b) of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney or flue in any dwelling unit.

No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Code Enforcement Officer.

(b) Exemptions. No Building permit shall be required for work in any of the following categories:

(1) construction or installation of one story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.88 square meters);

(2) installation of swings and other playground equipment associated with a one or two-family dwelling or multiple single-family dwellings (townhouses);

(3) installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;

(4) installation of fences which are not part of an enclosure surrounding a swimming pool;

(5) construction of retaining walls unless such walls support a surcharge or impound Class I, II or IIIA liquids;

(6) construction of temporary motion picture, television and theater stage sets and scenery;

(7) installation of window awnings supported by an exterior wall of a one- or two- family dwelling or multiple single-family dwellings (townhouses);

(8) installation of partitions or movable cases less than 5'-9" in height;

(9) painting, wallpapering, tiling, carpeting, or other similar finish work;

(10) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;

(11) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or

(12) repairs, provided that such repairs do not involve (i) the removal or cutting away of a load bearing wall, partition, or portion thereof, or of any structural beam or load bearing component; (ii) the removal or change of any required means of egress, or the rearrangement of parts of a structure in a manner which affects egress; (iii) the enlargement, alteration, replacement or relocation of any building system; or (iv) the removal from service of all or part of a fire protection system for any period of time.

(c) Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

(d) Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information, as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

(1) a description of the proposed work

(2) the tax map number and the street address of the premises where the work is to be performed;

(3) the occupancy classification of any affected building or structure;

(4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and

(5) at least 2 sets of construction documents (drawings and/or specifications) which (1) define the scope of the proposed work; (ii) are prepared by a New York State registered architect or licensed professional engineer where so required by the Education Law; (iii) indicate with sufficient clarity and detail the nature and extent of the work proposed; (iv) substantiate that the proposed work will comply with the Uniform Code and the Energy Code; and (v) where applicable, include a site plan that shows any existing and proposed buildings and structures on the site, the location of any existing or proposed well or septic system, the location of the intended work, and the distances between the buildings and structures and the lot lines.

(e) Construction documents. Construction documents will not be accepted as party of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision (d) of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

Comment [PB5]: Edit to remove blank line

(f) Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

(g) Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

(h) Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

(i) Time limits. Building Permits shall become invalid unless the authorized work is commenced within 12 months following the date of issuance. Building Permits shall expire 15 months after the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.

(j) Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

(k) Fee. The fee specified in or determined in accordance with the provision set forth in section 16 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

SECTION 5. CONSTRUCTION INSPECTION.

(a) Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by

Comment [PB6]: Edit to remove blank lines

the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.

(b) Elements of work to be inspected. The following elements of the construction process shall be inspected made, where applicable:

(1) work site prior to the issuance of a Building Permit;

(2) footing and foundation;

(3) preparation for concrete slab;

(4) framing;

(5) building systems, including underground and rough-in;

Comment [PB7]: Add (6) Electrical inspections for installation of service, rough in wiring and final inspections shall be performed be an approved third party electrical inspector. Change the following numbers as necessary.

(6) fire resistant construction

(7) fire resistant penetrations

(8) solid fuel burning heating appliances, chimneys, flues or gas vents;

(9) Energy Code compliance, and

(10) A final inspection after all work authorized by the Building Permit has been Completed.

(c) Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to where the work fails to comply with the Uniform Code or Energy Code. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

(d) Fee. The fee specified in or determined in accordance with provision set forth in section 16 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

SECTION 6. STOP WORK ORDERS.

(a) Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

(1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

(b) Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

(c) Service of Stop Work Orders. The Code Enforcement Officer shall serve, or cause to be served, the Stop Work Order, or a copy thereof, on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to serve, or cause to be served the Stop Work Order, or a copy thereof, on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

(d) Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder and any other Person performing, taking part in or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order.

(e) Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 15 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

SECTION 7. Certificate of Occupancy

(a) Certificate of Occupancy required. A Certificate of Occupancy shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy.

(b) Issuance of Certificate of Occupancy. The Code Enforcement Officer shall issue a Certificate of Occupancy if the work which was the subject of the Building Permit was

completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure or work prior to the issuance of a Certificate of Occupancy. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy, shall be provided to the Officer prior to the issuance of the Certificate of Occupancy.

(1) a written statement of structural observations and/or a final report of special inspections, and

(2) flood hazard certifications.

(c) Contents of Certificate of Occupancy. A Certificate of Occupancy shall contain the following information:

(1) the Building Permit number, if any;

(2) the date of issuance of the Building Permit, if any;

(3) the name, address and tax map number of the property;

(4) if the Certificate of Occupancy is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy is issued;

(5) the use and occupancy classification of the structure;

(6) the type of construction of the structure;

(7) the assembly occupant load of the structure, if any;

(8) if an automatic sprinkler system is provided, a notation as to whether the sprinkler system is required.

(9) any special conditions imposed in connection with the issuance of the Building Permit; and

(10) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy and the date of issuance.

(d) Temporary Certificate. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate unless the Code

Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate, may be occupied safely, (2) that any fire- and smoke-detecting or fire protection equipment which has been installed is operational, and (3) that all required means of egress from the building or structure have been provided. The Code Enforcement Officer may place special conditions on the Temporary Certificate as appropriate to ensure safety or to further the purposes and intent of the Uniform Code. A Temporary Certificate shall be effective for a period of time, not to exceed [6] months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate. During the specified period of effectiveness of the Temporary Certificate, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

Comment [PB8]: Insert space

Comment [PB9]: Insert "place special conditions on the Temporary Certificate"

(e) Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy or a Temporary Certificate was issued in error because of incorrect, inaccurate or incomplete information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

(f) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy or for a Temporary Certificate.

SECTION 8. NOTIFICATION REGARDING FIRE OR EXPLOSION

The chief of any fire department providing fire fighting services for a property within this Village shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney or gas vent.

SECTION 9. UNSAFE BUILDING AND STRUCTURES

Unsafe structures and equipment in this Village shall be identified and addressed in accordance with the procedures established by Chapter 43 of the Code of the Village of Saranac Lake, "Buildings, Unsafe", as now in effect or as hereafter amended from time to time.

Comment [PB10]: Change to "The Uniform Fire Prevention and Buioding Code."

SECTION 10. OPERATING PERMITS.

(a) Operation Permits required. Operating Permits shall be required for conducting the activities or using the categories of buildings listed below:

(1) manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4) in the publication entitled Fire Code of New York State" and incorporated by reference in 19NYCRR section 1225.1;

(2) hazardous processes and activities, including but not limited to, commercial and industrial operations which produce combustible dust as a byproduct, fruit and crop ripening, and waste handling;

(3) use of pyrotechnic devices in assembly occupancies;

(4) buildings containing one or more areas of public assembly with an occupant load of 100 persons or more; and

(5) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Village Board.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

(b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

(c) Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operating Permit.

(d) Multiple Activities. In any circumstances in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in his or her discretion, issue a single Operating Permit to apply to all such activities.

(e) Duration of Operating Permits. Operating permits shall be issued for such period of time, not to exceed one year in the case of any Operating Permit issued for an area of public assembly and not to exceed three years in any other case, as shall be determined by the Code Enforcement Officer to be consisted with local considerations. The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

(f) Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provisions of the Uniform Code, such Operating Permit shall be revoked or suspended.

(g) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid at the time or submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

SECTION 11. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS

(a) Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

(1) Fire safety and property maintenance inspections of buildings or structures which contain an area of public assembly shall be performed at least once every twelve (12) months.

(2) Fire safety and property maintenance inspections of buildings or structures being occupied as dormitories shall be performed at least once every twelve (12) months.

(3) Fire safety and property maintenance inspections of all multiple dwellings not included in paragraphs (1) or (2) of this subdivision, and all non-residential buildings, structures, uses and occupancies not included in paragraphs (1) or (2) of this subdivision, shall be performed at least once every 36- months.

(b) Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at any time upon:

(1) the request of the owner of the property to be inspected or an authorized agent of such owner;

(2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

(3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or energy Code exist; provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

(c) OFPC Inspection. Nothing in this section or in any other provision of this local law shall supersede, limit or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator under Executive Law section 156-e and Education Law section 807-b.

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by the OFPC.

SECTION 12. COMPLAINTS

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law, ordinance or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

(a) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;

(b) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 15 (violations) of this local law;

(c) if appropriate, issuing a Stop Work Order;

(d) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

SECTION 13. RECORD KEEPING.

(a) The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

(1) all applications received, reviewed and approved or denied;

(2) all plans, specifications and construction documents approved;

(3) all Building Permits, Certificates of Occupancy, Temporary Certificates, Stop Work Orders, and Operating Permits issued;

(4) all inspections and tests performed;

(5) all statements and reports issued;

(6) all complaints received

(7) all investigations conducted;

(8) all other features and activities specified in or contemplated by sections 4 through 12, inclusive, of this local law, including; and

(9) all fees charged and collected.

(b) All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period as required by the State law and regulation.

SECTION 14. PROGRAM REVIEW AND REPORTING

(a) The Code Enforcement Officer shall annually submit to Village Board a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 13 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

(b) The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this Village, on a form prescribed by the Secretary of State, a report of the activities of this Village relative to administration and enforcement of the Uniform Code.

(c) The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials this Village is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of this Village in connection with administration and enforcement of the Uniform Code.

SECTION 15: VIOLATIONS

Comment [PB11]: Replace entire section to reflect Orders to Remedy language as outlined in 19 NYCRR 1203.5, dated January 12, 2015. Attached separately.

(a) Compliance Orders. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. Upon finding that any such condition or activity exists, the Code Enforcement Officer shall issue a Compliance Order. The Compliance Order shall (1) be in writing; (2) be dated and signed by the Code Enforcement Officer; (3) specify the condition or activity that violates the Uniform Code, the Energy Code or this local law; (4) specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; (5) specify the period of time which the Code Enforcement Officer deems to be reasonably necessary for achieving compliance; (6) direct that compliance be achieved within the specified period of time; and (7) state that an action or proceeding to compel compliance may be instituted if compliance is not achieved within the specified period of time. The Code Enforcement Officer shall cause the Compliance Order, or a copy thereof, to be served in any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part of assisting in work being performed at the affected property personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

(c) Civil penalties. In addition to those penalties proscribed by State law, any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code enforcement Officer pursuant to any provision of this local law, shall be liable to a civil penalty of not more than $200 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of this Village.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of this Village, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Temporary Certificate, Stop Work Order, operating Permit, Compliance Order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Compliance Order or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this Village, in the Supreme Court of in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Village Board.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

SECTION 16: FEES

A fee schedule shall be established by resolution of the Village Board of this Village. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificate of Occupancy, Temporary Certificates, Operating

Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

SECTION 17. INTERMUNICIPAL AGREEMENTS

The Village Board may, by resolution, authorize the Code Enforcement Officer and Building Inspector of this Village to enter into an agreement, in the name of this Village, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Pert 1203 of Title 19 of the NYCRR, or any other applicable law.

SECTION 18. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 19. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

SECTION 15: VIOLATIONS

(a) Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. Upon finding that any such condition or activity exists, the Code Enforcement Officer may issue an Order to Remedy. The Order to Remedy shall be in writing and shall contain the following:

1. The date of issuance of the Order;

2. The signature of the Code Enforcement Officer;

3. A statement specifically identifying the condition or activity that violates the Uniform Code, the Energy Code or this Local Law;

4. Reference to the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity;

5. A statement substantially similar to the following: "The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by _____, which is thirty (30) days after the date of this Order to Remedy."

In addition, an Order to Remedy may direct:

1. That the person or entity served with such Order (1) begin to remedy the violation(s) described in the Order immediately, or within some other specified period of time which may be less than 30 days; to continue diligently to remedy such violations until each such violation is fully remedied, which may include a timetable for completion of specific tasks, and/or

2. That the person or entity served with such Order take such other protective actions (such as but not limited to vacating the building or barricading the area where the violations exist) which are authorized by the Code Enforcement Officer, this Local Law, or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied.

The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other person taking part of assisting in work being performed at the affected property personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Order to Remedy. An Order to Remedy shall be served personally or by certified or registered mail within five (5) days of the date of the Order. For the purposes of this section:

a. if an Order to Remedy is served personally by any authorized means that requires more than one action by the person effecting service (such as service by "delivery and mail" similar to that authorized by CPLR 308(2)), the Order shall be deemed to be served on the date on which the last required action is taken; and

b. an Order to Remedy served by certified or registered mail shall be deemed to be served on the date it is mailed.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

(c) Civil penalties. In addition to those penalties prescribed by State law, any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code enforcement Officer pursuant to any provision of this local law, shall be liable to a civil penalty of not more than $500 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of this Village.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of this Village, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Temporary Certificate, Stop Work Order, Operating Permit, Compliance Order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Compliance Order or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this Village, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an

order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Village Board.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

Business of the Village Board
Village of Saranac Lake

SUBJECT: LWRP DETERMINATION

Date: 9-24-18

DEPT OF ORIGIN: Com Dev

Bill: 100-2018

DATE SUBMITTED: 9-12-18

EXHIBITS: _____

APPROVED AS TO FORM:

_____
Village Attorney

_____
Village Administration

EXPENDITURE REQUIRED:	AMOUNT BUDGETED	APPROPRIATION REQUIRED:

Resolution to find the proposed Development Code amendment consistent and in accordance with the goals and objectives of LWRP policies and standards

Bill 100-2018 LWRP Determination Brewpub
A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Murphy Second: Little
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Date: 9/24/2018

RESOLUTION
OF THE
VILLAGE OF SARANAC LAKE BOARD OF TRUSTEES

SUBJECT: RESOLUTION CONSIDERING LOCAL WATERFRONT REVITALIZATION PLAN

WHEREAS, in 2016 the Village Board of Trustees adopted the Village of Saranac Lake Unified Development Code; and;

WHEREAS, the Code does not define or expressly provide for a Brewpub use; and

WHEREAS, the Board has received draft Development Code amendments with input from the Development Board; and

WHEREAS, in consideration of the circumstances as described above the Board needs to amend the Code to add a Brewpub definition to Section 106-6 and amend Schedule 1 Allowed Uses Section 106 attachment 1 pages 1-3; and

WHEREAS, the Board must evaluate all proposed amendments in relation to the goals and objectives of the LWRP; and

WHEREAS, the required evaluation will be conducted by the Board; and

NOW, THEREFORE, BE IT RESOLVED, the Board makes the following findings and determinations with respect to the proposed project:

(1) That the proposed Development Code amendment has been determined to be consistent and in accordance with the goals and objectives of LWRP policies and standards

(2) This resolution shall take effect immediately.

Village of Saranac Lake

Community Development Department
3 Main Street
Saranac Lake, NY 12983
Phone (518) 891-0490
Fax (518) 891-5928
www.saranaclakeny.gov

VILLAGE OF SARANAC LAKE
WATERFRONT ASSESSMENT FORM (WAF)

Section A. Instructions

Instructions: Applicants or, in the case of direct actions, Village agencies, shall complete this WAF for proposed actions which are subject to the LWRP consistency review law. This assessment is intended to supplement other information used by a Village agency in making a determination of consistency with the Village's Local Waterfront Revitalization Program.

Before answering the questions in Section C, the preparer of this form should review the policies and explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the Village of Saranac Lake Offices, 3 Main Street, Saranac Lake, NY 12983 or online at www.saranaclakeny.gov. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the waterfront area.

If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the LWRP policy standards and conditions contained in the consistency review law. Thus, the actions should be analyzed in more detail and, if necessary, modified prior to making a determination that it is consistent to the maximum extent practicable with the LWRP policy standards and conditions. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.

SECTION B. Description of Site and Proposed Action

1. Name of applicant: Village of Saranac Lake
2. Mailing address: 39 Main St
3. Telephone Number: 518-891-4150
4. Location of action: Village of Saranac Lake
5. Tax Map # (s): N/A
6. Size of site: N/A
7. Present land use(s): N/A
8. Present zoning classification: N/A
9. Percentage of site which contains slopes of 15% or greater: N/A
10. Type of action (check appropriate response)
    - ☒ Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction)
    - ☐ Financial assistance (e.g. grant, loan, subsidy)
    - ☐ Permit, approval, license, certification
    - ☒ Agency undertaking action: Village of Saranac Lake
11. Streams, lakes, ponds, or wetlands existing within or continuous to the project area?
    - ☒ No
    - ☐ Yes If yes, Waterbody Name: Waterbody Size(in acres):
12. Describe nature and extent of action: Development Code amendment
13. Describe any unique or unusual land forms on the project site (i.e. bluffs, ground depressions, other geological formations): N/A
14. Will the action be directly undertaken, require funding, or approval by a State or Federal Agency?
    - ☒ No
    - ☐ Yes If yes, which State or Federal Agency?

SECTION C. Waterfront Assessment (To be completed by reviewing agency)

1. Will the proposed action have a significant effect upon:	YES	NO
(a) Commercial or recreational use of fish and wildlife resources	☐	☑
(b) Scenic quality of the waterfront environment?	☐	☑
(c) Development of future, or existing water dependent uses?	☐	☑
(d) Stability of the shoreline?	☐	☑
(e) Surface or groundwater quality?	☐	☑
(f) Existing or potential public recreation opportunities?	☐	☑
(g) Structures, sites or districts of historic, archeological or cultural significance to the Village, State or nation?	☐	☑
2. Will the proposed action involve or result in any of the following:	**YES**	**NO**
(a) Physical alteration of land along the shoreline, land under water or coastal waters?	☐	☑
(b) Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area?	☐	☑
(c) Expansion of existing public services or infrastructure in undeveloped or low density areas of the waterfront area?	☐	☑
(d) Energy facility not subject to Article VII or VIII of the Public Service Law?	☐	☑
(e) Mining, excavation, filling or dredging?	☐	☑
(f) Reduction of existing or potential public access to or along the shore?	☐	☑
(g) Sale or change in use of publicity-owned lands located on the shoreline or under water?	☐	☑
(h) Development within designated flood hazard area?	☐	☑
(i) Development on a natural feature that provides protection against flooding or erosion?	☐	☑
(j) Diminished surface or groundwater quality?	☐	☑
(k) Removal of ground cover from the site?	☐	☑
3. Project:	**YES**	**NO**
(a) If a project is to be located adjacent to shore:		
(1) Will water-related recreation be provided?	☐	☑
(2) Will public access to the shoreline be provided?	☐	☑
(3) Does the project require a waterfront site?	☐	☑
(4) Will it supplant a recreational or maritime use?	☐	☑
(5) Do essential public services and facilities presently exist at or near the site?	☐	☑
(6) Is it located in a flood prone area	☐	☑
(7) Is it located in an area of high erosion	☐	☑
(b) If the project site is publicly owned:		
(1) Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities?	☐	☑
(2) If located in the foreshore, will access to those and adjacent lands be provided?	☐	☑
(3) Will it involve the siting and construction of major energy facilities?	☐	☑
(4) Will it involve the discharge of effluents from major steam electric generating and industrial facilities into a waterway	☐	☑
(c) Is the project site presently used by the community as an open space or recreation area?	☐	☑
(d) Does the present site offer or include scenic views or vistas known to be important to the community?	☐	☑
(e) Will the surface area of any waterways or wetland areas be increased or decreased by the proposal?	☐	☑
(f) Will the project involve any waste discharges?	☐	☑
(g) Does the project involve surface or subsurface liquid waste disposal?	☐	☑
(h) Does the project involve transport, storage, treatment or disposal of solid waste or hazardous material?	☐	☑
(i) Does the project involve shipment or storage of petroleum products?	☐	☑
(j) Does the project involve discharge of toxics, hazardous substances or other pollutants?	☐	☑
(k) Will the project affect any area designated as a freshwater wetland?	☐	☑
(l) Will the project alter drainage flow, patterns or surface water runoff on or from the site	☐	☑
(m) Will best management practices be utilized to control storm water runoff into waterways?	☑	☐
(n) Will the project cause emissions which exceed Federal or State air quality standards or generate significant amounts of nitrates or sulfates?	☐	☑

SECTION D. Remarks or Additional Information

For questions answered "Yes" in Section C, explain methods you will undertake to reduce adverse effects. Review the LWRP to see if the project is consistent with each policy. List policies the project is not consistent with and explain all mitigating actions. Add any additional sheets necessary to complete this form.

SECTION E. Preparer Information

Preparer's Name (Please print): Paul Blaine	
Title: Development Code Adminstrator	
Organization Name: Village of Saranac Lake	
Phone Number: 518-891-4150 ext. 236	
Signature:	Date: 9/12/2018

SECTION F. Determination of LWRP Consistency (To be completed by the Planning Board)

The Village of Saranac Lake Planning Board finds that the above referenced project is:

- ■ consistent with LWRP policy standards and conditions.
- □ not consistent with LWRP policy standards and conditions and shall not be undertaken.

Clyde Rabideau, Mayor

Print Name of Planning Board Chair

9/24/2018

Signature of Planning Board Chair

Date

Business of the Village Board
Village of Saranac Lake

SUBJECT: SEQR TYPE I NEGATIVE DECLARATION Date: 9-24-18

DEPT OF ORIGIN: Com Dev Bill: 101-2018

DATE SUBMITTED: 9-12-18 EXHIBITS: _____

APPROVED AS TO FORM:

_____ _____
Village Attorney Village Administration

EXPENDITURE REQUIRED:	AMOUNT BUDGETED	APPROPRIATION REQUIRED:

Resolution to issue a Negative Declaration for purposes of SEQR regarding a proposed Development Code amendment

Bill 101-2018 SEQR Type 1 Negative Declaration Brewpub
A copy of the bill is attached and made part of these minutes
Motion: Little Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Date: 9/24/2018

RESOLUTION
OF THE
VILLAGE OF SARANAC LAKE BOARD OF TRUSTEES

SUBJECT: RESOLUTION RECOGNIZING TYPE I SEQR ACTION

WHEREAS, in 2016 the Village Board of Trustees adopted the Village of Saranac Lake Unified Development Code; and;

WHEREAS, the Code does not define or expressly provide for a Brewpub use; and

WHEREAS, the Board has received draft Development Code amendments with input from the Development Board; and

WHEREAS, in consideration of the circumstances as described above the Board is proposing to amend the Village of Saranac Lake Development Code; and

WHEREAS, the Board must evaluate all proposed actions submitted to it for its consideration that may affect the environment in light of the State Environmental Quality Review Act ("SEQR") and the regulations promulgated thereunder, and

WHEREAS, the required environmental assessment will be conducted by the Board; and

WHEREAS, the Board desires to serve and act as the lead agency for the purposes of SEQR; and

WHEREAS, this project is a Type I action for the purposes of SEQRA as it adopts an amendment to the Development Code; and;

NOW, THEREFORE, BE IT RESOLVED, the Board makes the following findings and determinations with respect to the proposed project:

(1) That the proposed Development Code amendment has been determined not to have a significant impact on the environment and a negative declaration is issued.

(2) This resolution shall take effect immediately.

Agency Use Only [If applicable]	
Project :	
Date :	

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer **"Yes"** to a numbered question, please complete all the questions that follow in that section.
- If you answer **"No"** to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) ☑ NO ☐ YES
If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: _____		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☑ NO ☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts: _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) ☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D,2,h, D.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☑ NO ☐ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

☐ NO ☑ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	☑	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☑	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☑	☐

d. Other impacts: N/A		☑	☐
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts:		☐	☐

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts:		☐	☐

13. Impact on Transportation
The proposed action may result in a change to existing transportation systems. (See Part 1. D.2.j) ☑ NO ☐ YES
If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy
The proposed action may cause an increase in the use of any form of energy. (See Part 1. D.2.k) ☑ NO ☐ YES
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light
The proposed action may result in an increase in noise, odors, or outdoor lighting. (See Part 1. D.2.m., n., and o.) ☑ NO ☐ YES
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☑ NO ☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, Elb	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) ☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____		☐	☐

PRINT FULL FORM

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: 2018 Revision of the Village of Saranac Lake Development Code for Brewpub use		
Project Location (describe, and attach a general location map): 39 Main Street, Suite 9, Saranac Lake, NY 12983, Essex County and Franklin County		
Brief Description of Proposed Action (include purpose or need): The action is the Village Board of Trustees adoption of a revision to the Village of Saranac Lake Development Code to provide for a Brewpub use. Definition of Brewpub will be added and Schedule #1 of the Development Code will be revised to reflect appropriate review of the use.		
Name of Applicant/Sponsor: Village of Saranac Lake	Telephone: 518-891-4150 x236 E-Mail: ceo2@saranaclakeny.gov	
Address: 39 Main Street, Suite 9		
City/PO: Saranac Lake	State: New York	Zip Code: 12983
Project Contact (if not same as sponsor; give name and title/role):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees ☑Yes☐No	Village of Saranac Lake Board of Trustees	9/24/18
b. City, Town or Village Planning Board or Commission ☐Yes☑No		
c. City Council, Town or Village Zoning Board of Appeals ☐Yes☑No		
d. Other local agencies ☐Yes☑No		
e. County agencies ☑Yes☐No	Essex County Planning Board	7/30/2018
f. Regional agencies ☐Yes☑No		
g. State agencies ☐Yes☑No		
h. Federal agencies ☐Yes☑No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☑Yes☐No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes☐No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☑Yes☐No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐Yes☑No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes☑No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
B-1, B-2, B-4, E-1, E-2, E-3, B-3 and G

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? Brewpub use

C.4. Existing community services.

a. In what school district is the project site located? Saranac Lake Central School District

b. What police or other public protection forces serve the project site?
Village of Saranac Lake Police, NYS police

c. Which fire protection and emergency medical services serve the project site?
Saranac Lake Volunteer Fire Department

d. What parks serve the project site?
Various

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? ☐ Yes ☐ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐Yes☐No
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes☐No
If Yes,
i. Total number of structures _____
ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length
iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes☐No
If Yes,
i. Purpose of the impoundment: _____
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐Surface water streams ☐Other specify:
_____
iii. If other than water, identify the type of impounded/contained liquids and their source.
_____
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
_____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐Yes☐No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
If Yes:
i .What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
_____
_____
iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes☐No
If yes, describe. _____
_____
v. What is the total area to be dredged or excavated? _____ acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting? ☐Yes☐No
ix. Summarize site reclamation goals and plan: _____
_____
_____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes☐No
If Yes:
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____
_____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐Yes☐No

If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes☐No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐Yes☐No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes☐No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes☐No
- Is the project site in the existing district? ☐Yes☐No
- Is expansion of the district needed? ☐Yes☐No
- Do existing lines serve the project site? ☐Yes☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes☐No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes☐No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes☐No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes☐No
- Is the project site in the existing district? ☐Yes☐No
- Is expansion of the district needed? ☐Yes☐No

- Do existing sewer lines serve the project site? ☐Yes☐No
- Will line extension within an existing district be necessary to serve the project? ☐Yes☐No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes☐No

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐Yes☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

_____

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes☐No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

_____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

_____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

_____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes☐No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes☐No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☐No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☐No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☐No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐Yes ☐No

If yes:

i. Provide details including sources, time of day and duration:

_____

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐Yes ☐No

Describe: _____

n.. Will the proposed action have outdoor lighting? ☐Yes ☐No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

_____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐Yes ☐No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐Yes ☐No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐Yes ☐No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐No

If Yes:

i. Describe proposed treatment(s):

_____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐Yes☐No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐Yes☐No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

_____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

_____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐Yes☐No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐Yes☐No

If Yes,

i. Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐Yes☐No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes☐No

If Yes:

i. Has the facility been formally closed? ☐Yes☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

_____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes☐No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐Yes☐ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐Yes☐No

☐ Yes – Spills Incidents database Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

_____

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐Yes☐No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

_____

v. Is the project site subject to an institutional control limiting property uses? ☐Yes☐No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? ☐Yes☐No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ _____% _____ _____% _____ _____%

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: ☐ Well Drained: _____% of site
☐ Moderately Well Drained: _____% of site
☐ Poorly Drained _____% of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____% of site
☐ 10-15%: _____% of site
☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☐Yes☐No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐Yes☐No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐Yes☐No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐Yes☐No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes☐No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐Yes☐No

j. Is the project site in the 100 year Floodplain? ☐Yes☐No

k. Is the project site in the 500 year Floodplain? ☐Yes☐No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes☐No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? ☐Yes ☐No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐Yes ☐No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☐No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☐No

If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐Yes ☐No

If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☐No

i. If Yes: acreage(s) on project site? _____

ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☐No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☐No

If Yes:

i. CEA name: _____

ii. Basis for designation: _____

iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? ☐ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. 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? ☐ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☐ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Village of Saranac Lake Board of Trustees Date 9/12/2018

Signature Paul Blaine Title Development Code Admininstrator

PRINT FORM

Agency Use Only [IfApplicable]

Project :

Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:
To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☑ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
N/A

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the Village of Saranac Lake Board of Trustees as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:	2018 Revision of the Village of Saranac Lake Development Code for Brewpub use	
Name of Lead Agency:	Village of Saranac Lake Board of Trustees	
Name of Responsible Officer in Lead Agency:	Clyde Rabideau	
Title of Responsible Officer:	Mayor of the Village of Saranac Lake	
Signature of Responsible Officer in Lead Agency:	Date:	9/24/2018
Signature of Preparer (if different from Responsible Officer)	Date:	9/12/2018

For Further Information:

Contact Person: Paul Blaine

Address: 39 Main Street, Saranac Lake, NY 12983

Telephone Number: 518-891-4150 ext. 236

E-mail: ceo2@saranaclakeny.gov

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

Business of the Village Board
Village of Saranac Lake

SUBJECT: DEVELOPMENT CODE AMENDMENT Date: 9-24-18

DEPT OF ORIGIN: Com Dev Bill: 102-2018

DATE SUBMITTED: 9-12-18

EXHIBITS: Exhibit A

APPROVED AS TO FORM:

Village Attorney Village Administration

EXPENDITURE REQUIRED:	AMOUNT BUDGETED	APPROPRIATION REQUIRED:

Resolution to amend the Village of Saranac Lake Development Code

Bill 102-2018 Development Code Amendment Brewpub Adoption
A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Murphy Second: Little
Roll Call: Little yes Murphy yes Shapiro no Van Cott yes

Date: 9/24/2018

RESOLUTION
OF THE
VILLAGE OF SARANAC LAKE BOARD OF TRUSTEES

SUBJECT: RESOLUTION AMENDING THE VILLAGE OF SARANAC LAKE DEVELOPMENT CODE

WHEREAS, in 2016 the Village Board of Trustees adopted the Village of Saranac Lake Unified Development Code; and;

WHEREAS, the Code does not define or expressly provide for a Brewpub use; and

WHEREAS, the Board has received draft Development Code amendments with input from the Development Board; and

WHEREAS, in consideration of the circumstances as described above the Board needs to amend the Code to add a Brewpub definition to Section 106-6 and amend Schedule 1 Allowed Uses Section 106 attachment 1 pages 1-3; and

WHEREAS, the Board has reviewed the proposed amendment for purposes of the State Environmental Quality Review Act (SEQRA) and determined that a negative declaration should be issued with respect to the proposed action; and

WHEREAS, the Board has reviewed the proposed amendment in regard to the Local Waterfront Revitalization Program and found it consistent and in accordance with the goals and objectives of the LWRP policies and standards; and

NOW, THEREFORE, BE IT RESOLVED, the Board makes the following findings and determinations with respect to the proposed project:

(1) The Village of Saranac Lake Board of Trustees amends the Development Code with changes as set forth in Exhibit 'A'.
(2) The amendment will become effective upon filing with the Secretary of State.

Exhibit "A"

Village of Saranac Lake Development Code amendments

1. Section 106-6; New Definition - Brewpub
2. Section 106 attachment 1:1, 1:2 and 1:3; Amend Schedule 1 Allowed Uses to add Brewpub Use

§ 106-6 Definitions

New Definition:

BREWPUB

An establishment where beer and malt beverages are made on the premises in conjunction with a restaurant or tavern use and where 40% or more of the beer produced on site is sold and or consumed on site.

Village of Saranac Lake - Unified Development Code:
Schedule #1 - Allowed Uses

	Land Use Type:	1 District A-1	2 District A-2	3 District A-3	4 District A-4	5 District A-5	6 District B-1	7 District B-2	8 District B-3	9 District B-4	10 District C-1	11 District C-2	12 District C-3	13 District C-4	14 District D-1	15 District D-2	16 District D-3	17 District E-1	18 District E-2	19 District E-3	20 District F-1	21 District F-2	22 District G	23 District H-1	24 District H-2	25 District H-3	26 District I	27 District J-1	28 District J-2	29 District K-1	30 District K-2	31 District K-3	32 District K-4	33 District L-1	34 District L-2	35 District L-3
	Residential																																			
1	Community House																	S	S	S									S							
2	Dwelling, Manufactured Home	A																					A													
3	Dwelling, Multi-Family					SP	S		S			S	SP	SP	SP			SP	SP[1]	SP	S	S	SP	S			S	SP	S		S		S		SP	SP
4	Dwelling, Single Family	P	P	P	P	P			P		P	P		P	P	P				S	P	P	SP	P	S	P	SP	P	S	P	P	P		P	P	SP
5	Dwelling, Townhouse	SP	S	S		SP	S	SP	S		S	S	SP	SP	SP	S		SP	SP[1]	SP	S	SP	SP	SP			S	SP	S	S	S				SP	SP
6	Dwelling, Two Family	A	A	A		A	A	A	A		A	A	A	A	A	A				A	A	A	A	A	S	S	A	A	A	A	A	S		A	A	A
7	Group Home	P	P	P	P	P			P		P	P		P	S	P				S	P	P	SP	P		P	SP	P	S	P	P	P		P	P	SP
8	Manufactured Home Community	S																																		
9	Rooming House					SP	SP		S	SP		S	SP	SP	S			SP	SP[1]	SP		S	SP	S				S			S				S	S
	Public/Institutional																																			
1	Assisted Living Residence					SP		S	S	S	S			S	S			SP	SP[1]	SP			SP						S				S			S
2	Athletic Facility					SP				S	S		S	S				SP	SP	SP	SP		SP				SP		S				S			SP
3	Cemetery														SP																					
4	Club/Lodge		S			SP	SP						SP	SP	S			SP	SP	SP		S	SP						S				S		SP	SP
5	College, Private					SP	S				S		S	S	S			SP	SP	SP									S						SP	SP
6	Community Garden, Up to One (1) Acre	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P
7	Community Garden, Over One (1) Acre	SP	SP	SP	SP	SP				SP	SP	SP	SP	SP	SP	SP	SP				SP	SP	SP	SP		SP	SP	SP	S	SP	SP	SP	SP	SP	SP	SP
8	Garage, Public Parking					SP												SP	SP	SP																
9	Government Office					SP							S					SP	SP	SP	SP		SP						S						SP	SP
10	Hospital																	SP	SP	SP			SP						S						SP	SP
11	Library						S	S	S	S	S		S	S	S	S		SP	SP	SP	SP		SP						S				S			SP
12	Multi-Modal Trail	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
13	Museum					SP	S	S	S	S			S	S	S	S		SP	SP	SP			SP						S						SP	SP
14	Nursing/Convalescent Home					SP					S	S	S	S	S			SP	SP[1]	SP			SP						S				S		SP	SP
15	Park	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	SP	SP	S	SP	SP	SP	S	SP	SP	SP
16	Parking Lot, Public					SP	SP											SP	SP	SP							SP		S							
17	Place of Worship					SP	SP	SP		SP	SP		SP	SP	SP	SP		SP	SP	SP	SP	SP	SP					SP	S							SP
18	Public Utility Facility	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
19	Railroad Depot																	SP																		
20	Railway					SP				SP			SP	SP	SP	SP		SP	SP				SP													
21	Recreation Facility, Public					SP	SP			SP				SP				SP	SP	SP	SP		SP	SP			SP	SP	S							SP
22	Rehabilitation Center					SP							S		S			SP	SP	SP	S							S	S				S		S	SP
23	School																	SP	SP	SP	SP		SP						S						SP	SP

Symbol Legend: P Permitted SP Site Plan Review Required A Administrative Permit Required S Special Use Permit Required Note: Blank cells indicate use is not permitted.

Notes: 1. Residential uses in buildings within the E-2 District are not allowed on the first floor.

Village of Saranac Lake - Unified Development Code:
Schedule #1 - Allowed Uses

	Land Use Type:	1 District A-1	2 District A-2	3 District A-3	4 District A-4	5 District A-5	6 District B-1	7 District B-2	8 District B-3	9 District B-4	10 District C-1	11 District C-2	12 District C-3	13 District C-4	14 District D-1	15 District D-2	D-3	16 District E-1	17 District E-2	18 District E-3	19 District F-1	20 District F-2	21 District G	22 District H-1	23 District H-2	24 District H-3	25 District I	26 District J-1	27 District J-2	28 District K-1	29 District K-2	30 District K-3	31 District K-4	32 District L-1	33 District L-2	34 District L-3
	Commercial																																			
1	Amusement and Recreation Services						S	S		S								SP	S				S				S		S							S
2	Antique Shop						A	A	A	A								A	SP	A			A				S		S						A	A
3	Agri-Business						SP	S		S													SP				S		S							S
4	Artisan Workshop	SP	SP	SP	SP	SP	A	A	A	A	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	A	SP	S	S	S	SP	S	SP	SP			S	A	A
5	Arts Spaces	SP	SP	SP	SP	SP	A	A	A	A	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	A	SP		S	S	SP	S	SP	SP			S	A	A
6	Automotive Dealer									SP													SP													
7	Automotive Repair/Service									S													S						S							S
8	Bank						A	A	SP	A								A	SP				A						S							S
9	Bank, Drive-Through						SP	SP	SP	SP								SP	S				SP						S						S	S
10	Bed and Breakfast	SP	SP	SP	SP	SP	A	A	A	A	SP	SP	SP	SP	SP	SP		A	SP[1]	A	SP	SP	A	SP		S		SP	S	SP	SP	S		S	SP	SP
11	Boat Storage, Commercial							SP		SP													S													S
12	Brewpub						SP	SP	S	SP								SP	SP	SP			S													S
13	Building Material Supply									SP							S	S	S				SP						S							S
14	Car wash									SP								S					SP						S							S
15	Cinema						SP	SP	SP	A								SP	SP	SP			SP						S							S
16	Driving Range																						S						S							S
17	Farmer's Market						SP	SP		SP								SP	SP	SP			S					S	S							S
18	Funeral Home						S		S									SP	SP	SP			S					S	S							S
19	Gasoline Station									SP													S						S							
20	Gasoline Station/Auto Repair/Service									SP													SP						S							
21	Gasoline Station/Retail Sales									SP								S					SP						S							
22	Greenhouse, Commercial						S	S		SP			SP				S	S	S	S			S				S		S							S
23	Hotel/Motel						SP	SP	S	SP					S			SP	SP	SP		S	S				S		S							S
24	Housekeeping Cottage	SP	SP	SP	SP	SP	A	A	A	A	SP	SP	SP	SP	SP	SP		A	SP[1]	A	SP	SP	S	SP		S		SP	SP	SP	SP			S	SP	S
25	Kennel																S	SP					S					S								S
26	Marina, Type I		SP				SP	SP																												
27	Marina, Type II		SP				SP	SP	SP	SP																										
28	Medical Clinic						A	A	S	A								A	SP	A			SP					S	S				S			S

Symbol Legend: P Permitted SP Site Plan Review Required A Administrative Permit Required S Special Use Permit Required Note: Blank cells indicate use is not permitted.

Brewpub use inserted at line 12

Village of Saranac Lake - Unified Development Code:
Schedule #1 - Allowed Uses

	Land Use Type:	1 District A-1	2 District A-2	3 District A-3	4 District A-4	5 District A-5	6 District B-1	7 District B-2	8 District B-3	9 District B-4	10 District C-1	11 District C-2	12 District C-3	13 District C-4	14 District D-1	15 District D-2	District D-3	16 District E-1	17 District E-2	18 District E-3	19 District F-1	20 District F-2	21 District G	22 District H-1	23 District H-2	24 District H-3	25 District I	26 District J-1	27 District J-2	28 District K-1	29 District K-2	30 District K-3	31 District K-4	32 District L-1	33 District L-2	34 District L-3
	Commercial (continued)																																			
28	Mixed Use						A	A	S	A								A	SP	A			A					S	S				S		S	SP
28	Multi-Use Building						SP		S	SP								SP	SP	SP			S					S							S	S
29	Office						A	A	S	A								A	SP	A			A					S	S						SP	SP
30	Outdoor Storage, Type II									S							S						S												S	S
31	Personal Services						A	A	A	A								A	SP	A			A						S						SP	SP
32	Recreation Facility, Private						SP	SP		SP							S	SP	SP	SP			SP					SP								SP
33	Research and Development Facility						A	A	A	A							SP	A	SP	A			A					S	S							SP
34	Restaurant						A	A	A	A								A	SP	A			A						S							SP
35	Restaurant, Drive Through									SP													S						S							
36	Restaurant, Fast Food						A	SP	SP	SP								SP	SP	SP			SP						S							S
37	Retail Sales, Type I						A	A	A	A								A	SP	A			A					S	S						SP	SP
38	Retail Sales, Type II						S			S								S	S				S						S							S
39	Retail Sales, Outdoors						S	S	S	S							S	S	S				S						S							S
40	Retail Store, Convenience						SP	SP		SP								SP	SP				SP													S
41	Sawmill																						S													
42	Self-Service Storage Facility																S						S													
43	Shopping Center									SP													S						S							
44	Tavern						SP	SP	S	SP								SP	SP	SP			S						S							S
45	Tourist Attraction						SP	S	SP	SP								SP	SP	S			SP						S							S
46	Veterinary Clinic/Hospital						SP	SP	S	SP								SP	SP	S			SP						S							SP
	Industrial																																			
1	Chemical and Petroleum Storage																S						S													
2	Contractor Storage Yard																S						S													S
3	Heavy Equipment Repair																S						S													
4	Industry, Type I																S	S					S				S									S
5	Industry, Type II																S						S													S
6	Mining					SP																	S													
7	Transfer Station																						S													
8	Warehouse																S						S													S
	Accessory Uses																																			

For All Districts and Sub-Districts: Allowed accessory uses are those uses that are customarily subordinate and incidental to allowed principal uses.

Symbol Legend: P Permitted SP Site Plan Review Required A Administrative Permit Required S Special Use Permit Required **Note: Blank cells indicate use is not permitted.**

Business of the Village Board
Village of Saranac Lake

SUBJECT: Hire Date: 9-24-2018

DEPT OF ORIGIN : Village Manager BILL # 103-2018

DATE SUBMITTED: EXHIBITS: _____

APPROVED AS TO FORM:

_____ _____
Village Attorney Village Administration

EXPENDITURE REQUIRED: $	AMOUNT BUDGETED: $	APPROPRIATION REQUIRED:

SUMMARY STATEMENT

Hire Jay Bradish as a Water Sewer Maintenance Helper

Bill 103-2018 Hire Jay Bradish Water Sewer Maintenance Helper
A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Little Second: Murphy
Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

RESOLUTION AUTHORIZING HIRING OF A WATER SEWER MAINTENANCE HELPER

WHEREAS, The Village of Saranac Lake is committed to maintaining a full staff in the highway department for the safety and well being of village residents and visitors alike and,

WHEREAS, The Village of Saranac Lake staff wss authorized to work through Franklin County Civil Service for a list of qualified candidates and,

WHEREAS, This position is a member of the DPW Union and will begin with all the benefits of a starting union member and,

WHEREAS, The Village Manager and the DPW Superintendent recommending the hiring of Jay Bradish in the position of Water Sewer Maintenance Helper to the Village Board and,

NOW, THEREFORE BE IT RESOLVED, The Village Board gives authorization to hire Jay Bradish for the Water Sewer Maintenance Helper position.

Business of the Village Board
Village of Saranac Lake

SUBJECT: Fee for Electric Charging Station Date: 9-24-2018

DEPT OF ORIGIN : Trustee Murphy BILL #104-2018

DATE SUBMITTED: EXHIBITS: _____

APPROVED AS TO FORM:

_____ _____
Village Attorney Village Administration

EXPENDITURE REQUIRED: $ AMOUNT BUDGETED: $ APPROPRIATION REQUIRED:

SUMMARY STATEMENT

Establish the fee for the electric charging station

Bill 104-2018 Set Fee for Electric Charging Station
A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.
Motion: Murphy Second: Little
Motion to Amend: Murphy Second: Little
Amend to charge 10% over the current kilowatt hour rate to be established at the discretion of the Village Manager
Roll Call to Amend: Little yes Murphy yes Shapiro yes Van Cott yes
Roll Call on Amended Motion: Little yes Murphy yes Shapiro yes Van Cott yes

WHEREAS, the Village of Saranac Lake (hereafter referred to as the Village) is dedicated to increasing its self-reliance and decreasing its impact on the environment and,

WHEREAS, the Village is a Clean Energy Community designated by the State of New York and,

Whereas, the Village received a New York State Energy Research and Development Authority grant due to its Clean Energy Community designation and,

WHEREAS, the grant helped to fund the purchase and installation of an electric vehicle charging station from the company EV Connect and,

WHEREAS, the electric vehicle charging station will be located at 3 Main St. and,

WHEREAS, EV Connect will accept payment for the electricity used to charge vehicles at $.13 per kilowatt hour and,

WHEREAS, EV Connect charges a 10% transaction fee for accepting the payment on behalf of the Village that will be passed on to the consumer and,

WHEREAS, EV Connect will make a yearly payment to the Village based on the amount collected minus the 10% transaction fee and,

WHEREAS, EV Connect has a 4 year service agreement to manage the charging station,

IT IS HEREBY RESOLVED that EV Connect will install an electric vehicle charging station at 3 Main St. and is allowed to charge consumers $.13 per kilowatt hour plus a 10% transaction fee, this fee will be reviewed annually.