

Jeff Dickson
Town Justice

Laurie McGill
Town Clerk

Robert Curry
Town Supervisor

TOWN OF SANTA CLARA

Variance Board
5359 State Route 30
Saranac Lake, NY 12983

July 2, 2025

Paul and Stephaie Schaeffer
12 Turning Leaf Drive
Pittsford, NY 14534

Michael L. Bird
Adirondack Design
30 Riverside Drive
Saranac Lake, NY 12983

Dear Mr. Bird and Mr. and Mrs. Schaeffer,

Thank you for applying to the Town of Santa Clara Variance Board.

A public hearing will be held on Tuesday, July 29, 2025, at 6 PM at the Santa Clara Town Hall, Route 30, Saranac Inn, New York, to consider your application for a variance:

The construction of a boathouse requires a variance due to a side lot line setback and because it would exceed 15% of the width of the shoreline as allowed in the Santa Clara Land Use Code, Section 7.35.

If you have any questions, please feel free to contact me at 860-416-9238 or Nancy LaBombard, Chairperson, at 518-891-5203. Thank you.

Sincerely,



Robin Sullivan

Secretary

Town of Santa Clara Variance Board

CC Nancy LaBombard
Todd David
Laurie McGill

PUBLIC HEARING NOTICE
VARIANCE BOARD
TOWN OF SANTA CLARA

The Variance Board of the Town of Santa Clara, County of Franklin, State of New York, will hold a Public Hearing on Tuesday, July 29, 2025, at 6:00 PM at the Santa Clara Town Hall, Route 30, Saranac Inn, New York, to hear comments on the following application:

The application of Paul and Stephanie Schaeffer would require a variance for the construction of a boathouse that exceeds 15% of the shoreline frontage, and a sideline setback from 25 ft to 0 ft.

This variance would be on the applicants' property at 478 Bungalow Bay Drive, Tupper Lake, NY 12986, Town of Santa Clara, Franklin County, New York, Tax Map 473-1-10.300.

The proposed variance is:

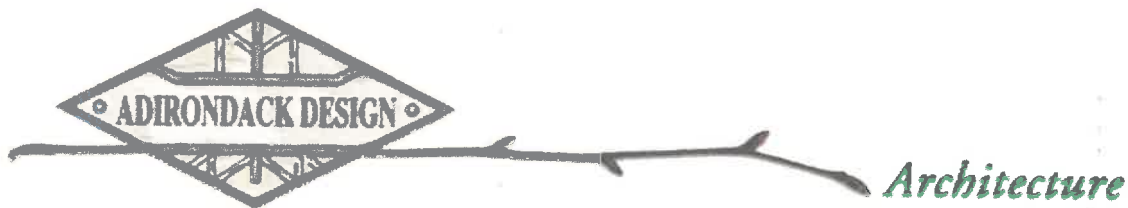
The shoreline width of the property is 157 ft. The length of the proposed boathouse is 28 ft, 4 inches, which is 18% of the shoreline. Section 7.35 of the Santa Clara Land Use Code states that the total width of any structures along the shoreline does not exceed 15% of the width of the shoreline. The adjacent lot is also owned by the applicants and is 126 ft. The applicant is asking that the shorelines of the two lots be considered as one. The proposed boathouse would be 10.2% of the total shoreline of both lots. In addition, relief is sought from a sideline setback of 25 ft to 0 ft.

The variance application of Paul and Stephanie Schaeffer is available for public review and inspection at the office of the Santa Clara Town Clerk, Santa Clara Town Hall, 5367 State Route 30, Saranac Inn, NY, during the Clerk's business hours. Contact the Clerk at 518-354-8477 or by e-mail at santaclaratownclerk@gmail.com for information about the Clerk's office hours. Arrangements to review the application can also be made by contacting the Chairperson of the Variance Board, Nancy LaBombard, at 518-891-5203.

Anyone wishing to comment on the variance application may do so, either personally or by authorizing a representative to comment. Comments can be made verbally at the Public Hearing. Comments may also be submitted in writing, either at the Public Hearing or via United States mail addressed to: Variance Board Chairperson- Town of Santa Clara, Nancy La Bombard, 41 Kimpton Rd., Saranac Lake, NY 12983. Comments submitted by U.S. Mail must be received by 5:00 PM on Monday, July 28, 2025.

Nancy LaBombard
Chairperson

Publish: July 21, 2025



June 24, 2025

Todd David
Town of Santa Clara, NY Codes Enforcement
5359 State Route 30
Saranac Lake, NY 12983
santaclaraceo@gmail.com

Enclosed please find updated drawings for Schaeffer Boathouse, from our previous Variance Submittal (emailed & postal mailed 4/30/2025).

After a site visit with the Adirondack Park Agency and their previously approved agency permit, property owners cannot cut any tree limbs into the water 16' from base of tree, and cannot touch any vegetation and grade along the shoreline. We have created a walkway to the boathouse at the location where the existing shoreline berm is at it's lowest height above the water. Hence the location of the boathouse on the shoreline is at this this location for ease of access. In order to preserve the existing trees at the shoreline, we pushed the boathouse out into the water to avoid the tree limbs as per APA requirements.

Drawings:

1. S-1.0: Site Plan
2. A-1.0: 1st Floor Plan
3. A-1.0B: First Floor Plan Square Foot Area
4. A-3.0: Lakeside Elevation

Please confirm receipt.
Respectfully Submitted,

Michael L. Bird A.I.A.
Principal Architect & Owner of Adirondack Design

CC: Paul R.Schaeffer & Stephanie L. Schaeffer - Property Owners

Application for a Variance from the provisions of Local Law #1 of 1989 and Land use Code of 2019.

Fee – Area Variance – Single Project \$160.00 Payable to the Town of Santa Clara

Use Variance – Single Project \$210.00 Payable to the Town of Santa Clara

A. Statement of Ownership and Interest:

The applicant(s) Michael L. Bird of Adirondack Design Acting Agent of Paul and Stephanie Schaeffer

Is (are) the owner(s) of property situated at the following location:

473-1-10.300 478 Bungalow Bay Drive, Tupper Lake, NY 12986
Lot #, Street #, Road (State, County, Town, Right of Way)Property Description Twp 23 BT lot 5 Bungalow Bay Filed map #1985-1136
(as per tax Bill)

B. Relief sought: The applicant(s) request(s) the following variance(s):

1. Structure setback from water or wetland

a. Indicate: N/A body of water, N/A Stream, N/A wetland, N/A Resource Management Classb. Describe structure and purpose N/A - Structure is Boathouse

(If more space is needed attach added page(s))

c. Dimensions of construction: L N/A ft, W N/A ft, H N/A ft
(Submit scaled sketch showing dimension & site Location)Excavation N/A ft. depthd. Distance Change requested: from 75 ft to N/A ft2. Lot line setback (Section 6, Article 5) **Submit scaled sketch showing both existing and new setbacks.**a. Side or rear: (indicate which or both)Side From 25 ft to 0 ftFrom N/A ft to N/A ftFrom N/A ft to N/A ft

b. Public road/right of way: (indicate which or both)

Neither

From N/A ft to N/A ft

- c. Body of water, stream, and wetland: (indicate which type and whether parcel is in APA designated Resource Management). **CONSULT CODE ENFORCEMENT OFFICER IN THIS AREA.**

TYPE N/A RESOURCE MANAGEMENT N/A

PLEASE NOTE: specific attention will be given to site size, terrain, soil structure, vegetation, animal life, type of structure (including excavation), type of water flow, etc. Owner will be responsible for any test and/or specialized data collection required.

- d. Sewage/septic: (Section 6.4, Article 11) Follow directions as per 2 c. above.

From N/A ft to N/A ft

3. Sewage/septic/water supply distance relationship: (Section 6.4, Article 11) Follow directions as per 2 c. above.

From N/A ft to N/A ft

NOTE: Any request for a lessening of requirements of N. Y. State Health Dept. requirements must first be denied by the Code Enforcement Officer before as appeal is filed with the State Health Dept.

4. Height: (Section 6.4)

From N/A ft to N/A ft

5. Shoreline: (show location(s) and dimensions of all structures affected through scaled sketch(es) plus new dimensions and/or location(s). See Law 6.4 and indicate type(s) of structure(s).

Type of Structure

Wharf N/A Dock N/A Pier N/A Boathouse x (Check all that apply)

- a. Wharf:

Extension form shoreline: from N/A ft to N/A ft

Lateral dimension: from N/A % to N/A %

Area from N/A ft to N/A ft

- b. Dock:

Extension form shoreline: from N/A ft to N/A ft

Lateral dimension: from N/A % to N/A %

Area from N/A ft to N/A ft

- c. Pier:

Extension form shoreline: from N/A ft to N/A ft

Lateral dimension: from N/A % to N/A %

Area from N/A ft to N/A ft

d. Boathouse:

Setback Sideline from 25 ft to 0 ft

Height from N/A ft to N/A ft

Area from N/A ft to N/A ft

e. Area Combination:

Wharf from N/A ft to N/A ft

Dock from N/A ft to N/A ft

Pier from N/A ft to N/A ft

Boathouse from N/A ft to N/A ft

Total Area from N/A ft to N/A ft

6. Vegetation removal: (Section 6B.4, Article 7.26)

a. Percent removal: from N/A % to N/A %

b. Size from N/A inches to N/A inches

7. Previously completed structure:

- a. Exceptions for elements missing (making structure "incomplete" ex: windows, roof, interior fixtures – toilet, tub, etc., finish flooring) CONSULT CODE ENFORCEMENT OFFICER

List N/A

—

—

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- b. Change in use and/or occupancy: N/A

8. Justification of the request for this variance:

- a. The strict application of the section(s) of this law which relief is sought in this application would create practical difficulty inconsistent with the general purpose of the Laws in that: (Describe the nature of the difficulty and how it prevents reasonable use of the property. Attach additional sheets if needed). Please see attached document "SCHA_Supplemental"

- b. The granting of the relief sought variance(s) will not be a substantial detriment to the quality of the nature and character of the neighborhood or area, other owners' property improvements, its ecosystems, and the health and safety of the other residents because:

Please see attached document "SCHA_Supplemental"

- c. Describe any unusual impact upon municipal services provided (fire protection, rescue service, road maintenance and snow removal, animal control, etc.).

Please see attached document "SCHA_Supplemental"

SIGNATURE(S) OF OWNER(S)

SIGNATURE OF APPLICANT(S)
(If Authorized Agent)



Address (es)

Address (es)

30 Riverside Drive, Saranac Lake, NY 12983

Telephone #(s)

Telephone #(s)

Date: 4/22/2025 , updated 6/26/2025

Date:

NOTE: THE CODE ENFORCEMENT OFFICER IS AVAILABLE TO ADVISE AND AID IN THE PREPARATION OF THIS FORM.

Application and responses are to be mailed to:

Robin Sullivan
Variance Board Secretary
5359 State Route 30
Saranac Lake NY 12983

A COPY OF ALL VARIANCE APPLICATIONS SHALL BE SENT BY THE APPLICANT AT HIS/HER OWN COST AND EXPENSE BY FIRST CLASS MAIL TO ALL PROPERTY OWNERS LOCATED WITHIN 750 FEET OF THE APPLICANT'S PROPERTY LINES AS DETERMINED BY REFERENCE TO THE FRANKLIN COUNTY REAL PROPERTY TAX MAP. **ASSISTANCE WILL BE PROVIDED BY THE CODE ENFORCEMENT OFFICER TO DETERMINE THESE PROPERTIES THAT ARE WITHIN 750 FEET.**

THE APPLICANT MAY OBTAIN THE NAMES AND MAILING ADDRESSES OF SUCH PROPERTY OWNERS FROM THE MOST CURRENT ASSESSMENT ROLLS OF THE TOWN. **PROOF OF MAILING SHALL BE IN THE FORM OF CERTIFICATES OF MAILING SIGNED BY A REPRESENTATIVE OF THE U. S. POSTAL SERVICE AND CERTIFICATES SHALL BE FILED WITH THE VARIANCE BOARD AT THE TIME OF APPLICATION. PLEASE INCLUDE 6 COPIES OF ANY OVERSIZED ARCHITECTURAL DRAWINGS RELATED TO THE VARIANCE.**

IN THE EVENT THAT THE APPLICANT HAS A PARCEL OF LAND IN EXCESS OF FIVE ACRES, AND THE VARIANCE ONLY AFFECTS A PORTION OF SAID LANDS, AND THE FOREGOING REQUIREMENTS OF MAILED NOTICE WOULD REQUIRE MORE THAN 10 NOTICES TO BE SENT, THE APPLICANT MAY MAKE APPLICATION TO THE VARIANCE BOARD TO LIMIT SUCH NOTICES TO PROPERTY OWNERS WITHIN 750 FEET OF THE BOUNDARY LINES OF THE APPLICANT'S LANDS MOST DIRECTLY AFFECTED BY THE VARIANCE REQUEST.

THE VARIANCE BOARD IN CONSIDERING SUCH AN APPLICATION SHOULD ONLY GRANT IT IF A MAJORITY OF THE VARIANCE BOARD DETERMINES THAT THOSE PROPERTY OWNERS AFFECTED BY THE VARIANCE WOULD RECEIVE NOTIFICATION UNDER THE PROVISION.

ALSO SEE VARIANCE APPLICATION INSTRUCTION SHEET.



**Town of Santa Clara Variance Application
Schaeffer Boathouse
478 Bungalow Bay, Tupper Lake, NY 12986
April 22, 2025**

June 26, 2025

8. Justification of the request for this variance:

a. The strict application of the section(s) of this law which relief is sought in this application would create practical difficulty inconsistent with the general purpose of the Laws in that: (Describe the nature of the difficulty and how it prevents reasonable use of the property. Attach additional sheets if needed).

Owners own both Lots 5 and 6 with the driveway crossing over both properties. Lot 6 has a strict deed restriction of "may not construct or locate any structures or-improvements on the premises whatsoever". Due to low water levels West of the proposed boathouse location and the fact that both properties are owned by same owner with driveway sharing both properties, we are asking for side-line relief with both properties functioning optimally together, in lieu of treated separately. This proposed boathouse location enhances the overall utility and aesthetics for both lots owned by the same owner. This boathouse location ensures both properties coexist harmoniously. This boathouse location allows for use and functionality of the boathouse pulling boats in and out with no disturbance to other neighbors. This is a better centralized location for both lots, and away from any potential future development on neighboring lots. This request for side-line set back relief does NOT adversely affect surrounding neighborhoods nor community's character. This location preserves views for any future neighbors development maintaining aesthetic values. This variance relief request balances compliance with the law and practical usability of the owners' land. With the combined lots, the width is 4.8% below what is allowed.

b. The granting of the relief sought variance(s) will not be a substantial detriment to the quality of the nature and character of the neighborhood or area, other owner's property improvements, its ecosystems, and the health and safety of the other residents because:

The proposed boathouse seeks relief from sideline setback. The adjacent property, aforementioned as lot 6, is also owned by Paul and Stephanie Schaeffer. Therefore the boathouse does not infringe upon a setback from any neighbor. As well as, lot 6 has a deed restriction barring any construction, development, structures or improvements.

The Proposed boathouse also seeks relief from requirement that the boathouse width be less than 15% of length of shoreline. Adirondack Design is asking that the shorelines of lot 5 & 6 be considered as one. Lots 5 & 6 are perpetually tied together and therefore should be considered one when calculating the shoreline distance. The total shoreline of lot 5 and lot 6 is 283 ft. The Schaeffers cannot construct any structures on lot 6, and the proposed boathouse would only be 10.2% of the total shoreline of both lots. In order to follow the 15% max requirement for lot 5, the proposed boathouse would have to be under 23.5 ft in width including all docks. This would not leave enough room for storage of boats.

Lot 5: 157'

Lot 6: 126'

Total of both lots: $283' / 28'-4" = 10.2\%$

c. Describe any unusual impact upon municipal services provided (fire protection, rescue service, road maintenance and snow removal, animal control, etc.).

There would be no unusual impact upon municipal services due to construction of the proposed boathouse.

Regards,



Michael L. Bird, A.I.A

Cc: Paul and Stephanie Schaeffer (Property Owners)

November 22, 2024

To Whom It May Concern:

Please allow this letter to serve as authorization for Michael Bird of Adirondack Design to act on my behalf regarding the filing of all permit applications and appearing at any regulatory agency hearings relative to property owned by me at (address)

478 Bungalow Bay, Tupper Lake, Ny. 12986

Specifically, he is authorized by me to sign and present information to all necessary regulatory agencies and to take any necessary steps to receive permitting for this project site.

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

585-899-0061

585-305-2887

Sincerely,

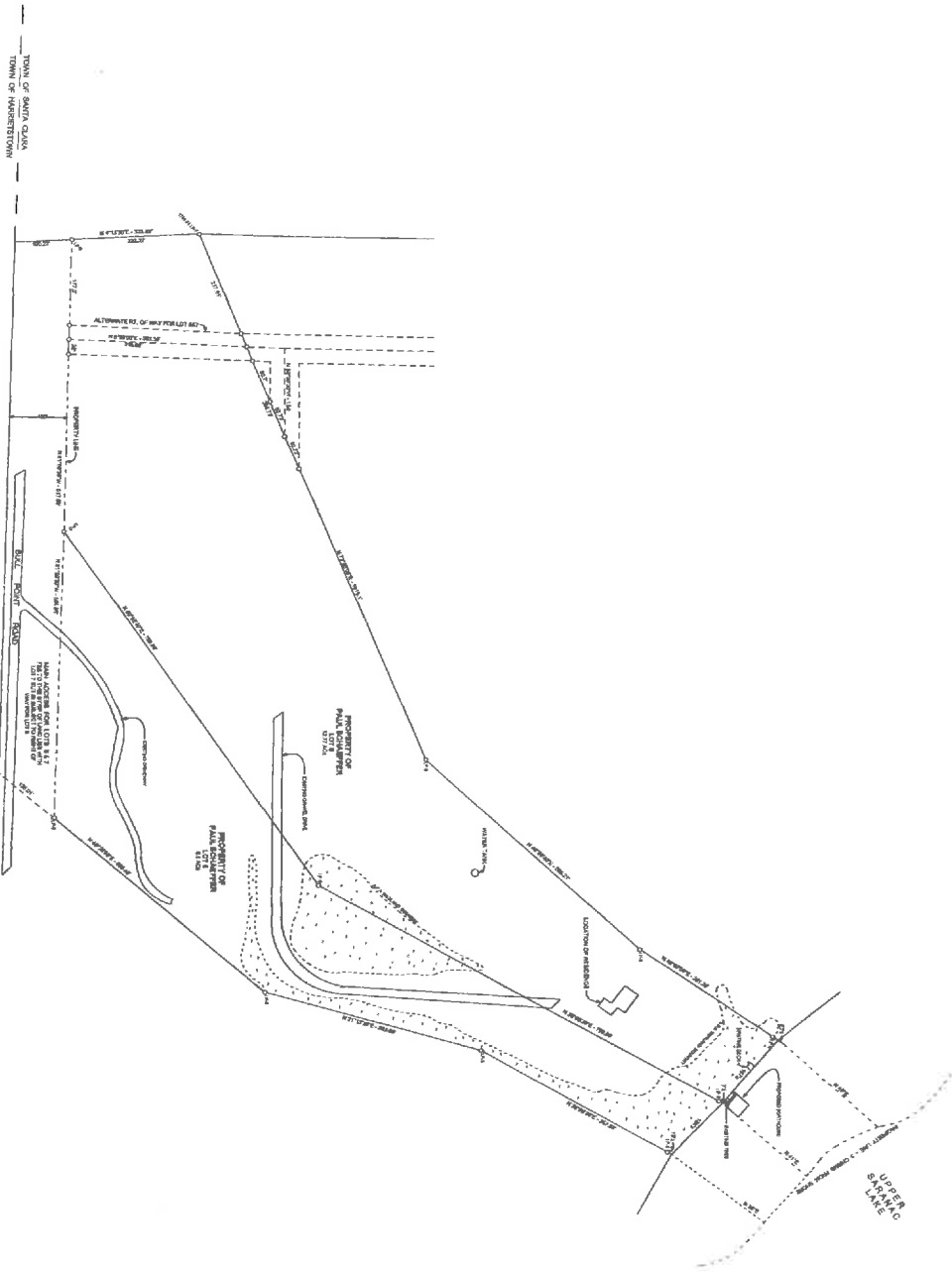
Paul Schaeffer
Signature

S. Schaeffer

Paul Schaeffer
Print Name

Stephanie Schaeffer





DATE: 08/15/24
 DRAWN BY: J. SCHAEFFER
 CHECKED BY: J. SCHAEFFER
 SCALE: 1"=40'-0"
 SHEET: S-1.0
 OF: 1.0

SCHAEFFER - BOATHOUSE

ADIRONDACK DESIGN

UPPER SARANAC LAKE,
 TOWN OF SANTA CLARA, NY

30 RIVERBROOK DRIVE, SARANAC LAKE, NY, 12853

PHONE (518) 891-5234 • FAX (518) 891-5237

1ST FLOOR PLAN

SCALE: 1/8"=1'-0"

A-1.0

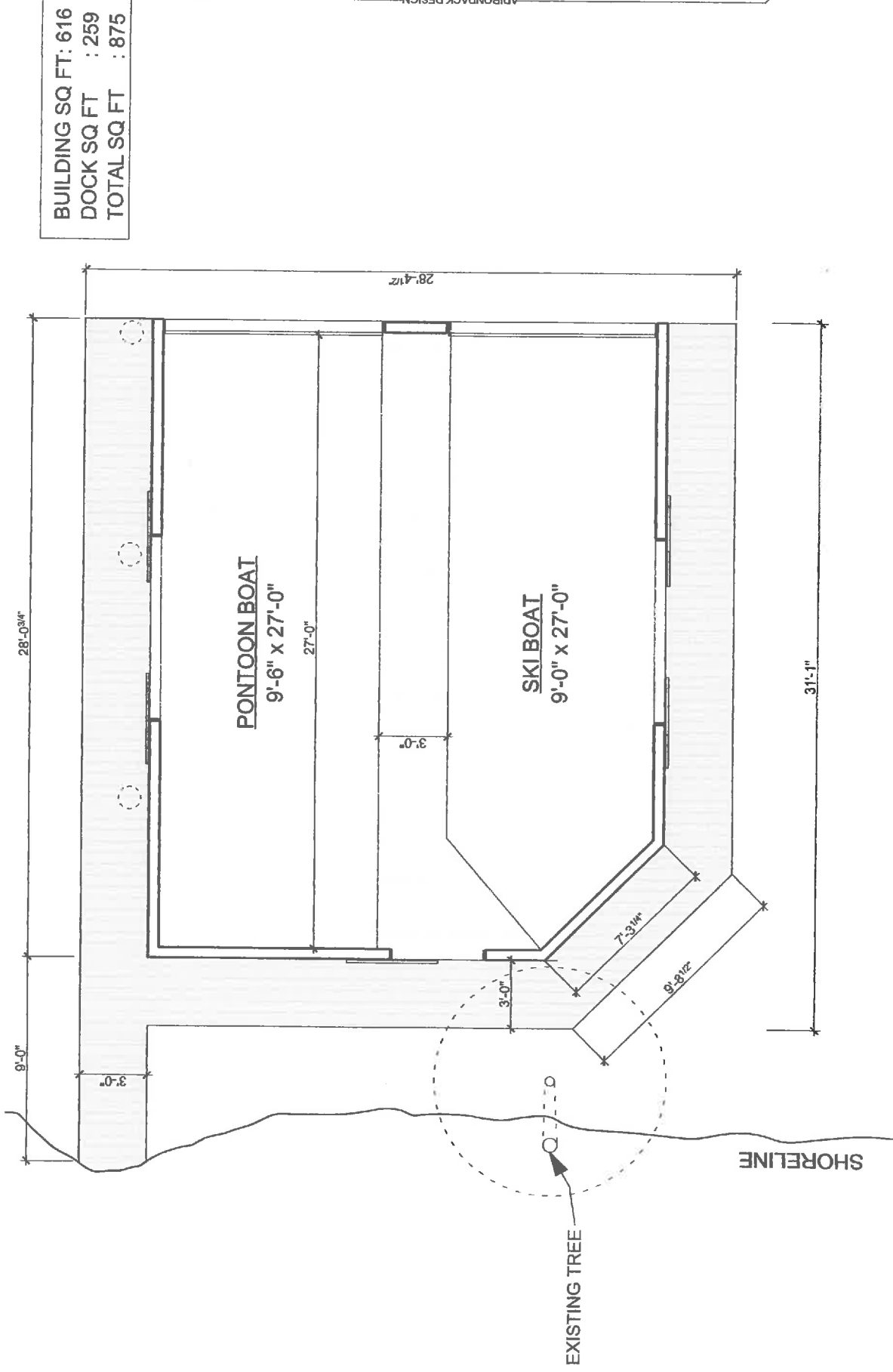
DATE: 02/25/25

REVISIONS: 06/24/25

SCHAEFFER - BOATHOUSE / UPPER SARANAC LAKE, SANTA CLARA

ADIRONDACK DESIGN

© COPYRIGHT

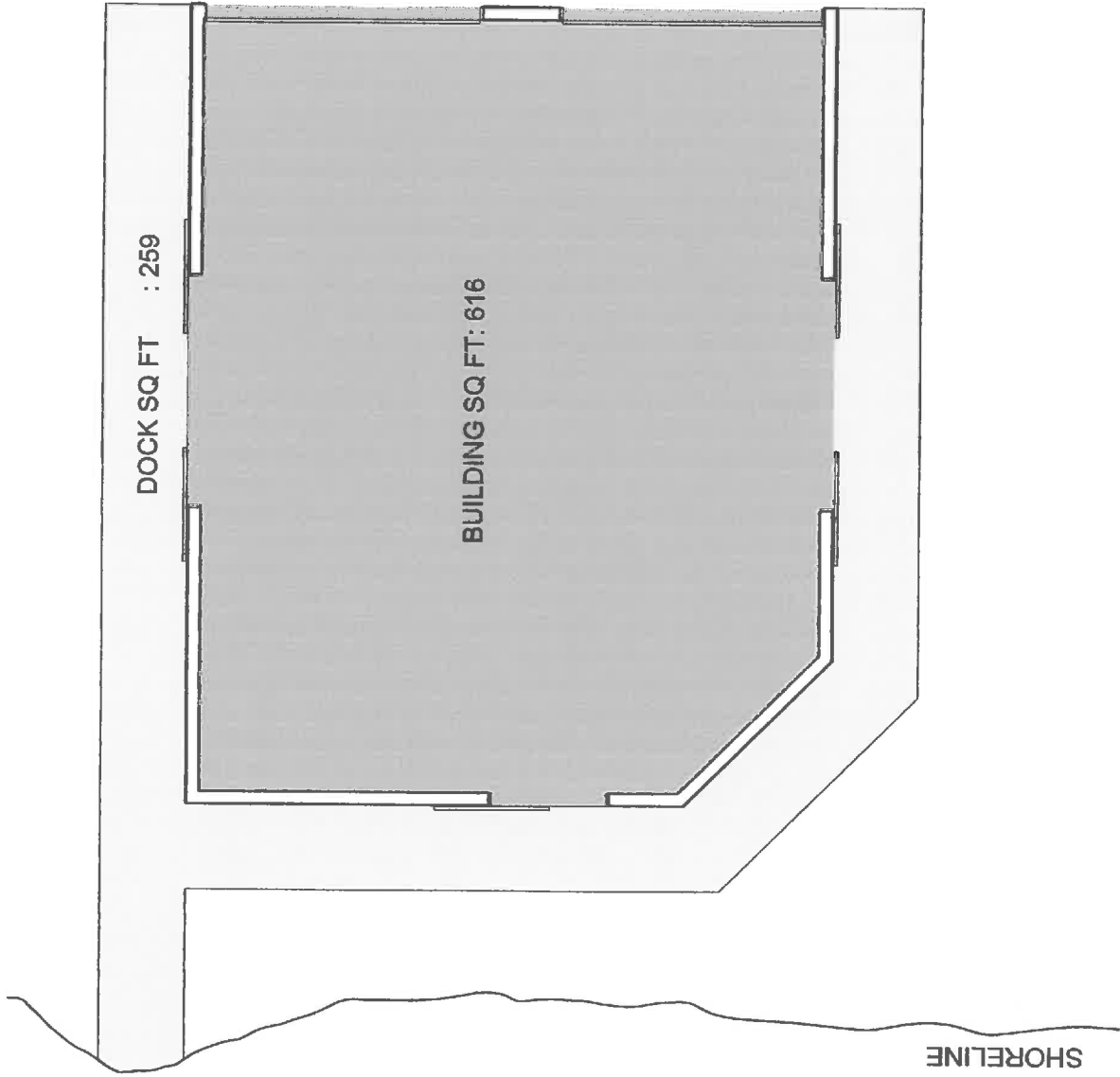


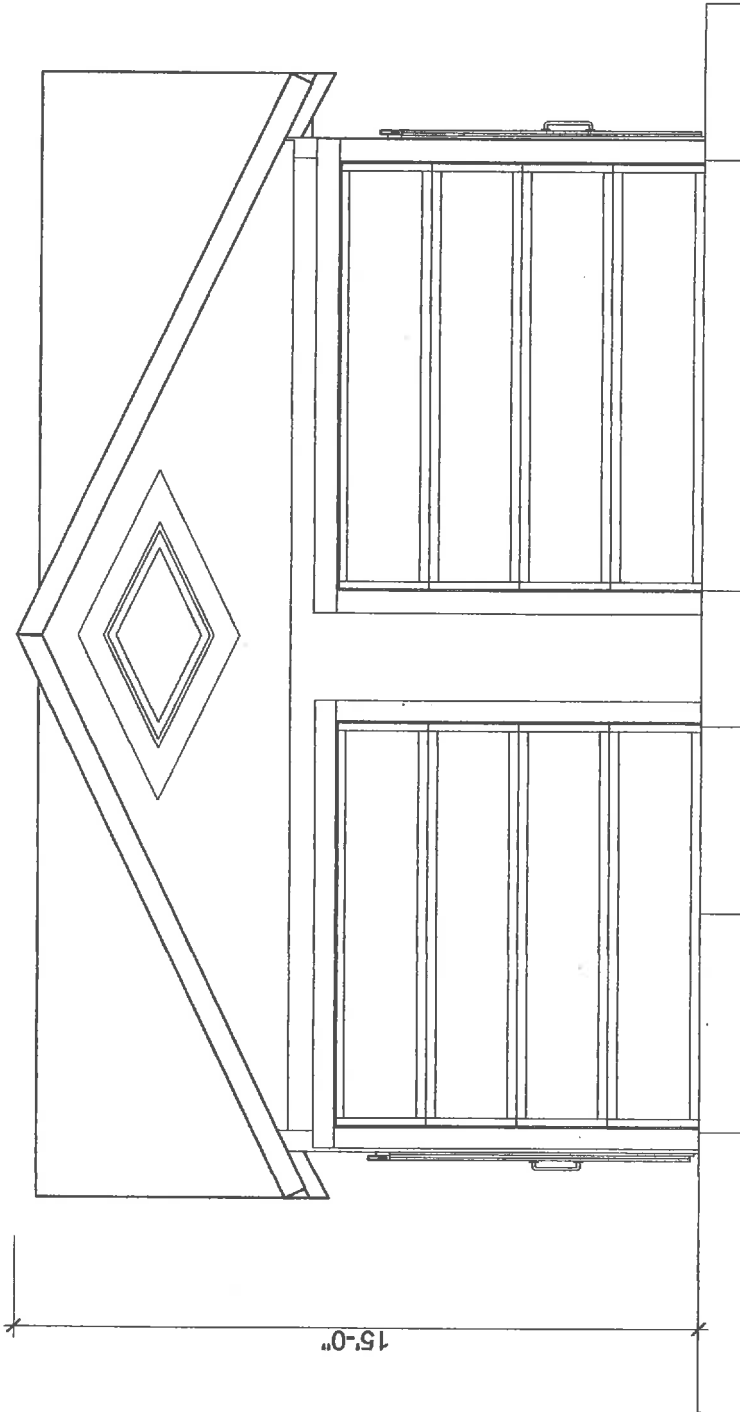
BUILDING SQ FT: 616
 DOCK SQ FT : 259
 TOTAL SQ FT : 875

SCHAEFFER - BOATHOUSE / UPPER SARANAC LAKE, SANTA CLARA		DATE 02/26/25	REVISIONS 06/24/25	SCALE 1/8"=1'-0"	A-1.0B
FIRST FLOOR PLAN					
SQUARE FOOT AREA					
© COPYRIGHT					

ADIRONDACK DESIGN

BUILDING SQ FT: 616
 DOCK SQ FT : 259
 TOTAL SQ FT : 875





7022 3330 0000 5881 8213
7022 3330 0000 5881 8244
7022 3330 0000 5881 8251
7022 3330 0000 5881 8255

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City, State, ZIP+4® **Livingston NJ 07039**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$1.29

Total Postage and Fees \$10.24

Sent To: **Thompson + Susan Swayne**
Street and Apt. No., or PO Box No. **27 Autumn Lane**
City, State, ZIP+4® **Rye NH 03870**

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Dunellen, FL 34430

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☐ Adult Signature Restricted Delivery \$0.00

Postage \$1.29

Total Postage and Fees \$10.24

Sent To: **Green Family Investments**
Street and Apt. No., or PO Box No. **PO Box 2759**
City, State, ZIP+4® **Dunellen FL 34430**

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☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$1.29

Total Postage and Fees \$10.24

Sent To: **Brian Challa Trust**
Street and Apt. No., or PO Box No. **7730 Fisher Dr**
City, State, ZIP+4® **Falls Church VA 22043**

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Tupper Lake, NY 12986

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☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$1.29

Total Postage and Fees \$10.24

Sent To: **Ronald + Sandra Otten**
Street and Apt. No., or PO Box No. **480 Otten Way**
City, State, ZIP+4® **Tupper Lake NY 12986**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Town of Santa Clara, NY 12983
SITE PLAN REVIEW APPLICATION

FEE: \$210

ALL APPLICABLE FEES ARE NON-REFUNDABLE

APPLICANT INFORMATION:

NAME: Michael L. Bird A.I.A. - Architect of Adirondack Design

ADDRESS: 30 Riverside Dr, Saranac Lake, NY, 12983

PHONE: (518) 891-5224

E-MAIL: info@adkgreatcamps.com

OWNERS INFORMATION: (if different than applicant)

NAME: Paul Robert Schaeffer & Stephanie Lynn Schaeffer

ADDRESS: 12 Turning Leaf Drive, Pittsford, NY 14534

PHONE: _____

E-MAIL: paulrschaeffer@gmail.com stephanielschaeffer@gmail.com

PROJECT INFORMATION:

Name of project: Schaeffer Boathouse

Parcel Location: : 478 Bungalow Bay Drive, Tupper Lake, NY 12986

Parcel Tax ID: : 473-1-10.300

Current Use: : Residential

Proposed Use: : Residential

Area of proposed Structure: Building Sq Ft: 610 // Dock Sq Ft: 265 // Total Sq Ft: 875

Area of Existing Structure: No Existing Structure

Estimated Total Project Cost: \$375,000.00

Demolition Planned: N/A

Other Permits: APA Permit Amendment to be filed

Applicant's Signature:  Date: 4/22/2025

Date Received by the Town: _____

Town of Santa Clara, NY 12983

SITE PLAN REVIEW CHECKLIST

*Starred items 1, 2, 3 and 22 required and not waivable.

- A. One copy of the site plan, to include, where applicable,
- *1. Title of drawing, including name and address of applicant and person responsible for preparation of such drawing;**
 - *2. North arrows, scale and date prepared;**
 - *3. Boundaries and dimensions of the property plotted to scale, including identification of contiguous properties and all easements or rights-of-way and roadways;**
 - 4. Existing watercourses and on-site or adjacent waterbodies;
 - 5. Grading and drainage plan, showing existing and proposed contours;
 - 6. Location, proposed use and dimensions of all buildings, including height;
 - 7. Location, design and construction materials of all parking, circulation and truck loading areas, including means and ingress and egress; number of parking spaces
 - 8. Provision for pedestrian access; including cross walks (if applicable)
 - 9. Location of outdoor storage, if any;
 - 10. Location, design and construction materials of all existing or proposed site improvements and stormwater management equipment and features, including drains, culverts, retention / detention ponds or basins, drywells, retaining walls and fences;
 - 11. Description of the method of sewage disposal and location, design and construction materials of such facilities;
 - 12. Description of the method of securing potable water and location, design and construction materials of such facilities;
 - 13. Location, design and visual screening of solid waste temporary-storage facilities for commercial uses;
 - 14. Location of fire and other emergency zones, including the location of fire hydrants;
 - 15. Location, design and construction materials for all utilities that will be serving the project, including all energy supply and distribution facilities for electrical, gas or solar energy;

16. Location, size, design and construction materials of all proposed signs, both indoor and outdoor, that are visible from adjoining properties, public highways or water ways;
 17. Location and proposed development of all buffer areas, including existing vegetation cover;
 18. Location and design of outdoor lighting facilities and fixtures;
 19. Designation of the amount of building area proposed for retail sales or similar commercial activity;
 20. General landscaping plan and planting schedule;
 21. Other elements integral to the proposed development as considered necessary by the Planning Board, including identification of any State or County permits required for the project's execution.
 - *22. Sketch of any proposed building, structure or sign, including exterior dimensions and elevations of front, side and rear views.**
- B. Such additional information as the Planning Board or enforcement officer may reasonably require to understand and review the proposed project, including additional scale drawings where necessary.
- C. Applicant may request, in writing, a waiver of any of the forgoing requirements.
- D. Accompanying data, to include the following;**
1. **Application form and applicable fee.**
 2. **Name and address of applicant and any professional consultants.**
 3. **Copy of the deed to the property in question.**
 4. **Written and acknowledged authorization of owner if applicant is not the owner of the property in question.**
- E. Applicant shall either mail a copy of the Application and all accompanying materials to each member of the Santa Clara Township Planning Board OR relevant material may be scanned into a pdf file and emailed to PlanningBoard.tosc@gmail.com or Scottie.Adams@roadrunner.com.**
- It is not necessary to include the site plan review checklist or the boathouse/dock checklist. These are for your information only.**
- An acknowledgment of receipt of the email should be obtained. Application Fees can be mailed to Scottie Adams, Town of Santa Clara, 5359 State Route 30, Saranac Lake, NY 12983 or delivered to the Code Enforcement Officer.**

Town of Santa Clara, NY 12983

Boathouse/Dock Checklist

Name: Michael L. Bird of Adirondack Design Acting Agent of Paul and Stephanie Schaeffer

Tax Map #: 473-1-10.300

Zoning District: R-1-3.2

Shoreline Lot Width: Lot 5: 157 ft // Lot 6: 126 ft // Total: ~~282 ft~~ 283 ft

Boathouse/ Dock Width: (15%) Please see attached document "SCHA_Supplemental"

Side yard Setback: (25 ft.) 0 ft. Please see attached document "SCHA_Supplemental"

Boathouse Sq. ft.: (Max 625 sq. ft.) ~~610 sq ft~~ 616 sq ft

Dockage Sq. ft.: (Max 500 sq. ft.) ~~265 sq ft~~ 259 sq ft

Combined boathouse/Dockage: (Max 875 sq. ft.) 875 sq ft

Boathouse Height: (Max 15 ft.) 15 ft

Boathouse/Dockage Length (Max 33 ft.) 28 ft ~~5-1/4 in~~

Notes: Please see attached document "SCHA_Supplemental"



FRANKLIN COUNTY – STATE OF NEW YORK
KIP CASSAWAW, 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**



INSTRUMENT #: 2024-4422

Receipt#: 2024317533

Clerk: CW

Rec Date: 09/13/2024 01:26:02 PM

Doc Grp: RP

Descrip: DEED

Num Pgs: 6

Rec'd Frm: CENTENNIAL ABSTRACT

Party1: WHALEY ROSS

WHALEY BEVERLY/SURVIVOR

Party2: SCHAEFFER PAUL ROBERT

SCHAEFFER STEPHANIE LYNN

Town: SANTA CLARA

473.-1-10.300

473.-1-10.500

Recording:

Cover Page	5.00
Recording Fee	45.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
Notice of Transfer of Sal	10.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 210.00

Transfer Tax	
Transfer Tax	8780.00
Mansion Tax	21950.00

Sub Total: 30730.00

Total: 30940.00
**** NOTICE: THIS IS NOT A BILL ****

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

Transfer Tax #: 277
Transfer Tax

Transfer Tax	8780.00
Mansion Tax	21950.00

Total: 30730.00

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

County Clerk

Record and Return To:

HARTER SECREST & EMERY LLP
1600 BAUSCH & LOMB PLACE
ROCHESTER NY 14604-6901

Notice Information may change during the
verification process and may not be reflected on this
page

Warranty Deed

This Indenture, made the 12th day of September, 2024, between

ROSS WHALEY, individually and as surviving spouse of, BEVERLY WHALEY,
residing at 478 Bungalow Bay Drive, Tupper Lake, New York 12986,

parties of the first part; and

PAUL ROBERT SCHAEFFER and STEPHANIE LYNN SCHAEFFER, residing at
12 Turning Leaf Drive, Pittsford, NY 14534, as tenants by the entirety

parties of the second part.

WITNESSETH:

That the parties of the first part, in consideration of One and 00/100 (\$1.00) Dollar
lawful money of the United States, and other good and valuable consideration, paid by the parties
of the second part, does hereby grant and release unto the parties of the second part, their heirs and
assigns forever:

(SEE SCHEDULE A)

This conveyance is made subject to all enforceable covenants, conditions,
easements and restrictions of record, and zoning and environmental protection laws; also subject
to any existing tenancies, any unpaid installments of street or other improvement assessments
payable after the date hereof, and any state of facts which an inspection and/or accurate survey
may show.

Together with the appurtenances and all the estate and rights of the parties of the
first part in and to said premises.

To Have and to Hold the premises herein granted unto the parties of the second
part, their heirs and assigns forever.

And, said parties of the first part covenant as follows:

First. That the parties of the second part shall quietly enjoy the said premises;

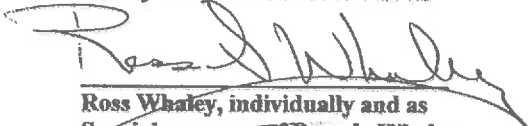
Second. That said parties of the first part will forever WARRANT the title to said
premises.

Third. Subject to the trust fund provisions of Section 13 of the Lien Law.

5
25
10
26
780
11950
30940

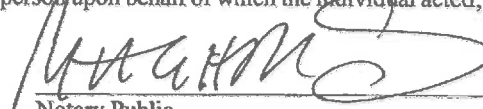
In Witness Whereof, the parties of the first part does hereunto set his hand and seal

the day and year first above written.


Ross Whaley, individually and as
Surviving spouse of Beverly Whaley

STATE OF NEW YORK)
) ss.:
COUNTY OF FRANKLIN)

On the 5th day of September, 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared **ROSS WHALEY**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

Matthew H. McArdle
Notary Public - State of New York
No. 02MC8102972
Qualified in Franklin County
My Commission Expires December 15, 2027

Schedule "A"

ALL THAT PIECE OR PARCEL OF LAND situate in the Town of Santa Clara, County of Franklin and State of New York, being a part of the Barbour 4000 acre tract in Township number 23 of Macombs Purchase, Great Tract One and being designated as Lot 5 of a subdivision shown on a map entitled "Bungalow Bay, a subdivision of property to be acquired by William Cantwell, E. Major Day, Jr., Kathleen P. Day and Deirdre J. Moreau" etc. by Bert Hough, L.S., December 1984, a copy of said map being filed in the office of the Clerk of the County of Franklin on the 30th day of January 1985, as map #1136, the parcel hereby conveyed being more particularly described as follows:

BEGINNING at a point on the westerly shore of Upper Saranac Lake where the shoreline is intersected by the southerly line of lot number 4 of the above mentioned subdivision and running thence S 40° 02' W along said southerly line a distance of 23 feet, more or less, to a point marked by an iron pipe; thence continuing along said line in the same course a distance of 281.26 feet to a point marked by an iron pipe; thence S 48° 09' 40" W a distance of 505.21 feet to a point marked by an iron pipe; thence S 72° 55' W, still along the southerly line of lot 4, a distance of 1019.1 feet to a point marked by an iron pipe standing at an angle point in the westerly bounds of the Barbour 4000 acre tract; thence S 4° 13' 30" W along the westerly bounds of said tract a distance of 223.27 feet to a point marked by an iron pipe standing in the northerly bounds of a 100 foot right-of-way to be known as Bull Point Road, which point is located N 4° 13' 30" E a distance of 100.22 feet from an iron pipe and stones marking the southwest corner of the said Barbour 4000 acre tract; thence S 81° 59' 30" E along the northerly bounds of said right-of-way, being parallel to and 100 feet distant northerly from the southerly line of the Barbour Tract a distance of 517.59 feet to a point marked by an iron pipe; thence N 60° 52' 40" E along the northwesterly bounds of lot 6 a distance of 782.65 feet to a point marked by an iron pipe; thence N 35° 00' 30" E, still along the bounds of lot 6, passing through an iron pipe at 799.69 feet, a distance of 806.69 feet, more or less, to the shore of Upper Saranac Lake; thence northwesterly along the shore as it winds and turns a straight line distance of 155.87 feet to the point or place of beginning. Containing 12.77 acres of land to be the same more or less.

RESERVING unto the party of the first part, its successors and assigns from the above described parcel a right-of-way over a strip of land of uniform width of 50 feet known as Maple Lane having a centerline described as follows; beginning at a point in the southerly line of the above described parcel which point is located S 81° 59' 30" E a distance of 177.0 feet from the southwest corner thereof and running thence N 8° 58' E a distance of 315.06 feet to an intersection with the northerly bounds of lot 5, which point is located N 72° 55' E a distance of 217.51 feet from the northwest corner thereof.

ALSO GRANTING a right-of-way in common with the party of the first part, its successors and assigns over a strip of land of uniform width of 50 feet partially known as Maple Lane having a centerline described as follows; beginning at a point in the northerly bounds of the herein described parcel which point is located N 72° 55' E a distance of 217.51 feet from the northwest corner thereof and running thence N 8° 58' E a distance of 68.33 feet to an angle point in said centerline; thence N 7° 37' 30" E a distance of 460.9 feet to an intersection with the centerline of Bungalow Bay Road; thence N 89° 12' 40" W along said centerline a distance of 117.23 feet to a point marked by an iron pipe; thence N 85° 15' 40" W a distance of 82.9 feet to an intersection with the westerly line of the Barbour 4000 acre tract.

ALSO GRANTING a right-of-way in common with the party of the first part, its successors and assigns over a strip of land of uniform width of 50 feet having a centerline described as follows; beginning at the angle point in the centerline of Maple Lane located N 8° 58' E a distance of 68.33 from its intersection with the northerly line of the above described parcel and running thence S 83° 35' 30" E a distance of 154.0 feet to an intersection with said northerly line, which point is located N 72° 55' E a distance of 388.75 feet from the northwest corner thereof.

ALSO RESERVING unto the party of the first part, its successors and assigns a right-of-way and easement to establish electric and telephone transmission lines over the most feasible locations for the benefit of the remaining lots in said subdivision within the bounds of said Maple Lane.

TOGETHER with a right-of-way for ingress, egress and regress over, across and through Bungalow Bay Road westerly from the west line of said Barbour 4000 acre tract to the easterly bounds of New York State Highway Route number 30 to be used in common with other owners in said subdivision.

ALSO GRANTING all right, title and interest that the party of the first part herein may have in and to the land and land under water abutting the above described parcel and extending for a distance of 198 feet out into the lake and lying between a line running N 49° E from the northeast corner of said parcel and a line running N 41° E from the southeast corner.

Conveyance is made subject to a right-of-way for highway purposes not more than three rods in width to be located as near as shall be practicable to the west line of the Barbour 4000 acre tract as construction would permit as reserved in deed from Amos C. Hall, et al to Svante M. Swenson, et al by deed dated

November 1, 1893 and recorded in the Franklin County Clerk's Office January 23, 1893 in Liber 94 of Deeds at page 242. Said highway was never constructed.

SUBJECT to electric and-utility easement. as shown on the attached map prepared by Niagara Mohawk Power Corporation which is attached hereto and made a part hereof and any amendments thereto originally recorded in Liber 524 of deeds at page 216 in the Franklin County Clerk's Office. SUBJECT to the terms and conditions of project and permit no 84-293A as issued and amended. by Adirondack Park Agency.

TOGETHER with the right to connect to the N.Y. Telephone terminus and lay telephone cable from said terminus located on lot 4 as shown on the above-entitled map for the benefit of lot 5 being conveyed herein.

This conveyance is made subject to the covenants, conditions and restrictions forth in a declaration of covenants recorded in the Franklin County Clerk's Office in Liber 517 at page 1155 on the 30th day of January, 1985. The parties of the second part by accepting this deed, bind themselves; their heirs, devisees, personal representatives, grantees and assigns to adhere to, abide by and perform the covenants, conditions and restrictions set forth in said declaration of covenants.

BEING a portion of the premises conveyed by Svante Magnus Swenson, et al to Frank B. Morrison and Elsie B. Morrison by deed dated October 16, 1952 and recorded in said County Clerk's office on November 6, 1952 in Liber 325 at page 91.

BEING part of the same premises conveyed by Chabets Holding Corp. to Bungalow Bay Holding Corp. by deed dated January 16, 1985 and recorded in the Franklin County Clerk's Office on January 30, 1985 in Liber 517 of deeds at page 1151.

ALSO ALL THAT PIECE OR PARCEL OF LAND situate in the Town of Santa Clara, County of Franklin and State of New York, being a part of the Barbour 4000 acre tract in Township number 2 of Macombs Purchase, Great Tract One and being designated as Lot 6 of a subdivision shown on a map entitled "Bungalow Bay, a subdivision of property to be acquired by William W. Cantwell, E. Major Day, Jr., Kathleen P. Day and Deirdre J. Moreau" etc. by Bert Hough, L.S., "December 1984, a copy of said map being filed in the office of the Clerk of the County of Franklin on the 30th day of January, 1985, as map #1136, the parcel hereby conveyed being more particularly described as follows:

BEGINNING at a point on the westerly shore of Upper Saranac Lake where the shoreline is intersected by the southeasterly line of lot number 5 of the above mentioned subdivision and running thence S 35° 00' 30" W along said line a distance of 7 feet, more or less, to a point marked by an iron pipe; thence continuing along said line in the same course a distance of 799.69 feet to a point marked by an iron pipe; thence S 60° 52' 40" W a distance of 782.65 feet to a corner of Lot 5, which corner is marked by an iron pipe; thence S 81° 59' 30" E, parallel to and 100 feet distant, Northerly from the Southerly line of the Barbour 4000 acre Tract a distance of 524.86 feet to a point marked by an iron pipe; thence N 45° 29' E along the Northwesterly bounds of lot 7 a distance of 485.49 feet to a point marked by an iron pipe; thence N 21° 13' 30" E a distance of 399.66 feet to a point marked by an iron pipe; thence N 35° 00' 30" E, still along the bounds of lot 7, passing through an iron pipe at 364.83 feet, a distance of 377.83 feet, more or less, to the shore of Upper, Saranac Lake; thence Northwesterly along the shore as it winds d turns straight-line distance of 125.58 feet to the point or place of beginning. Containing 6.6 acres of land to be the same more or less.

ALSO GRANTING all right, title and interest that the party of the first part herein may have in and to the land and land under water abutting the above described parcel and extending for a distance of 198 feet out into the lake and lying between a line running N 41° E from the northerly, corner of said parcel and a line running N 38° from the most easterly corner.

SUBJECT to electric and utility easement to the Niagara Mohawk Power Corporation which easement is recorded in the Franklin County Clerk's Office in Liber 524 of deeds at page 216 and further subject to the right of the owner of lot numbered 7 to enter upon lot numbered 6 for the sole purpose of gaining access to and hooking up to the electrical distribution box located by the Niagara Mohawk Power Corporation upon said lot numbered 6 with the express understanding that the owner of lot numbered 7 shall return the ground to its natural state after digging and laying the underground cable to be used from said electrical distribution box located on lot numbered 6.

TOGETHER with the right to connect to the New York Telephone terminus and lay telephone cable from said terminus located on lot numbered 4 as shown on the above-entitled map for the benefit of lot numbered 6 being conveyed herein.

SUBJECT to the terms and conditions of project permit numbered 84-293A as issued and amended by the Adirondack Park Agency.

SUBJECT TO the following restrictive covenant, which shall run with the land:

The Premises may not be developed for any purpose including, but not limited to, use as a private residence or business. In addition, the grantee, his heirs, successors and assigns may not construct or locate any structures or improvements on the Premises whatsoever. However, this restriction does not limit in any way, the rights of the grantee and the heirs or successors and assigns of the grantee to use and improve the driveway crossing the Premises. The grantee, for himself and intending to fully bind his heirs, successors and assigns, agrees to this restrictive covenant and by his signature to this Deed, hereby agrees to be bound, and does hereby bind his heirs, successors and assigns by this restrictive covenant. It is intended that this restrictive covenant can be enforced by the grantor, her heirs, successors and assigns as well as the Town of Santa Clara or any property owner of any lands adjacent to any portion of the Premises, it being expressly intended and agreed that all such parties are beneficiaries of such restrictive covenant.

AND the grantor covenants that the grantor has not done or suffered anything whereby the said Premises have been encumbered in any way whatever.

BEING the same premises conveyed to Ross Whaley by virtue of a deed from Georgia P. Gosnell dated December 12, 2014 and recorded in the Franklin County Clerk's Office on April 22, 2015 as Instrument