

03-03-02

RESOLUTION ADOPTING THE SPECIAL POLICIES OF THE
ACCESS PERMIT SYSTEM OF THE GREAT SACANDAGA LAKE

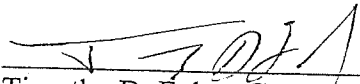
WHEREAS, the District Board has determined that certain Special Policies have been established and used in the administration of the access permit system, and

WHEREAS, the Chief Engineer has recommended that the District Board consider formally adopting the Special Policies of the access permit system of the Great Sacandaga Lake,

NOW THEREFORE BE IT RESOLVED, that the District Board does hereby approve the Special Policies used in the administration of the access permit system of the Great Sacandaga Lake which are attached hereto and incorporated herein, and

BE IT FURTHER RESOLVED, that the District Board authorizes the Chief Engineer or the Executive Director to make any necessary change or modification to the Special Policies, and that the District Board authorizes District Management personnel to interpret and apply the Special Policies as necessary in the administration of the access permit system.

Approved as to form:



Timothy D. Foley, Counsel

Motion was made by Mr. Conkling and seconded by Mr. LaFave that the Resolution be approved.

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Conkling	<u>X</u>	_____	_____
Mr. LaFave	<u>X</u>	_____	_____
Mrs. McDonald	<u>X</u>	_____	_____
Mr. Noonan	<u>X</u>	_____	_____

SPECIAL POLICIES - JANUARY 2003

- 1 No new wells allowed on Reservoir land under District jurisdiction.
- 2 Back lot owners shall be limited to a maximum permit width of ten feet.
- 3 No permittee shall be allowed to maintain both non-commercial and commercial area as a combined or adjoining permit area.

Boat liveries shall no longer be limited to five feet per boat.
- 4 Commercial and certain special permits to carry liability insurance.
Insurance shall provide not less than the following limits:
General Liability: \$1,000,000 each occurrence
 \$2,000,000 aggregate

The Regulating District and the Board shall be named as additional insured.
- 5 Permit holder shall pay current fee for new or replacement sign.
- 6 The location of a permit holder's area shall not be moved (relocated) until a new permit application has been submitted. Change in permit location subject to availability of permit area.

Regular stake-out fee to be charged for re-setting stakes.
- 8 Permittees are allowed to place their boats on their permit areas for winter storage. Canvas coverings may be used. Boats are to be moved from storage areas by May 1.
- 9 Upon the death of a permittee the spouse may place permit in his/her name for the cost of a new sign, only after all required documentation is provided. If property is placed into Estate or transferred to a family member, an administrative fee plus new sign fee will be assessed. If property is sold, the new property owner will be charged the new permit fee.

A permit held in the name of an Estate shall remain effective after the permittee's death, until such time as the Estate is settled. (See above for charges)
- 10 All non-public roadways created or now in use on Reservoir land are to be for the sole purpose of access to the beach area.
- 11 No vehicles are to be stored or abandoned on Reservoir land.

- 12 The number of boats, trailers, cradles located on land portions of commercial and special permit areas shall be included as a part of the data report from which renewal fees are determined.
- 13 No new permits are issued after October 31. Requests are placed on a tentative list and applications mailed after the first of the year.
- 14 Vegetable gardens are allowed with Board permission. Fencing around a garden is allowed provided such fencing is temporary in nature and not over two (2) feet in height.
- 15 It shall be the policy of the District where minor encroachments by access permittees or abutting property owners extend onto District lands, for the Board to entertain applications for temporary agreements of use where the encroachment has existed undetected for a period of one year or more, provided the continuance of the encroachment will not, in the opinion of the Board, cause harm or inconvenience to the District and such temporary agreements of use may be authorized on a case by case basis provided further that the following conditions are imposed and agreed to:
 - a. The agreement is to be temporary and be extended to present permittee only and not to run with the land or be permanent in nature.
 - b. The property owner must agree to hold the Board and District harmless from any and all liability claims by third parties which, during the term of the agreement, may arise out of any incident resulting in injury to any person or damage to any property.
 - c. The property owner must agree to have the Board and the District included on the owner's liability policy as additional named insured.
 - d. The property owner must agree not to further extend the encroachment nor to make it in any way a permanent structure.
 - e. The permittee shall terminate and extinguish the encroachment at the earliest possible time.
 - f. The access permittee shall execute an agreement of use.
- 16 There will be a charge equal to a new stake-out fee for SEQR work permits for work to be done below the high water shoreline requiring a DEC permit.

Failure to obtain an approved SEQR work permit and not complying with the Special Conditions included with the issued permit will result in an administrative penalty to be determined and/or revocation of the access permit.