



Town of Corinth

Building Dept
600 Palmer Ave
Corinth NY, 12822

Albert Brooks Sr.
Code Enforcement Officer
Phone: (518) 654-9232 ext 6
Email: abrooks@townofcorinthny.com

Lumber or Timber Harvesting Application

Address where Harvesting will take place _____

Tax Map # _____

Property Owner Information:

Name(s) _____

Address _____

Phone Number / Email Address _____

Contractor Information:

Name of Person/Company _____

Name of Contact Person _____

Address _____

Phone Number / Email Address _____

Lumber or Timbering Harvesting Information:

Number of Acres being harvested _____

Estimated time slated for harvesting _____

*If acreage is *less than 10 acres*, you must submit a *Harvesting Plan* to the Zoning Administrator.

*If acreage is *more than 10 acres*, you must submit a *Thinning Plan* to the Zoning Administrator.

*If property is in the *Adirondack State Park*, a *Jurisdictional Inquiry* is required. Visit <https://www.apa.ny.gov> for more information.

Owner(s) Signature _____

Contractor Signature _____

Code Enforcement Officer Signature _____

Zoning Board Chairman Signature _____

****Notary is required for all Owner Signatures****

State of _____ in the County of _____

On this _____ Day of _____, 20____ before me, the undersigned Notary Public, personally appeared _____ (and) _____ proved through satisfactory evidence of Identification, which were _____, to be the person(s) whose name is signed on the preceding document and acknowledge.

Notary Signature _____ Notary Commission Expiration _____

Notary Stamp



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Code of the Town of Corinth Code

§89-43 Clearing of Land

A. Lumber or timber harvesting.

1. Purpose: The forest industry and the production of forest products are an important component of the local economy. Forestry and cutting or management of forests are temporary commercial uses of land. As a commercial use there is the potential for temporary and permanent off-site impacts, including visual, water quality and road damage, and, therefore, it is necessary to regulate forest harvesting.
2. Level of forestry.
 - a. Level 1:
 - i. Project must complete a no-fee registration with Zoning Administrator.
 - ii. Log landing must be 100 feet set back from paved roadway.
 - iii. Log land should be screened from view.
 - iv. New York State Department of Environmental Conservation timber harvesting guidelines must be followed.
 - v. No lumbered land that has been clear cut shall be considered for residential development for at least five (5) years after completion of lumbering activities on that section of land.
 - vi. A harvesting plan must be submitted and filed with the Zoning Administrator.
 - b. Clear Cutting of 10 or more acres:
 - i. Above regulations.
 - ii. A Thinning Plan must be submitted to show that the land will not be completely clear cut.



Adirondack Park Agency

JURISDICTIONAL INQUIRY FORM

A. INSTRUCTIONS

Submit this form to obtain a written determination whether an Adirondack Park Agency permit or variance is needed for a proposed project. This form is not an application. If you know you need an Agency permit or variance you should not submit this form, but instead you should contact the Agency for the appropriate application form. Information about Agency jurisdiction can be found on the Agency's website (www.apa.ny.gov) and in the Permit Checklist on pages 10 and 11 of the Agency's 'Citizen Guide,' which is also available on the website.

The Jurisdictional Inquiry Form must be signed by owners of land or their attorney, or by purchasers who have a signed contract of land or their attorney. Please note that if the person under contract to purchase the property or his attorney signs this form, then a copy of the purchase agreement signed by both parties must be provided.

The legal issues involved in determining jurisdiction are complicated. All of the information requested on this form is necessary in order for us to determine if the proposal requires an Agency permit or variance. The County Clerk's Office, Real Property Tax Services and/or the Town Office may be able to assist you in obtaining property information (i.e., tax map number, history, copies of deeds, etc.).

Please include a copy of the current recorded deed, tax map number, a description of your proposal, including a sketch map, and the necessary signature(s).

WE CANNOT RESPOND TO YOUR INQUIRY WITHOUT THIS INFORMATION

B. GENERAL INFORMATION

APPLICANT/REPRESENTATIVE:

PROPERTY OWNER (if not applicant):

Name _____

Mailing
Address _____

Telephone _____

PROPERTY LOCATION:

Town/Village _____ County _____

Road/Highway _____

Tax Map Number: (This can be found on your tax bill and it looks something like this... 89.12-1-1.4 - three numbers separated by dashes, and there may not be decimals).

Section _____ Block _____ Parcel/Lot _____

C. PROPERTY HISTORY

Please include a copy of the current recorded deed for the property.

1. Has the property been the subject of any previous Agency permit, variance, map amendment, jurisdictional determination, staff site visit, wetland site visit, or an enforcement action?

☐ Yes ☐ No ☐ Don't Know

If yes, please include the following information:

File number _____ Agency contact _____

2. What is the acreage or square footage of the property at this time? _____
3. Please describe all structures which currently exist on the property (include type and use of structure, size and construction date of each – for example, confirm if the structure is a mobile home, single family dwelling, barn, storage building, etc.). If your project involves replacement of a structure, please provide its description, even if it has already been removed (and indicate its removal date).

	<u>Structure/Use</u>	<u>Size</u>	<u>Construction Date</u>	<u>Removal Date</u>
a.	_____	_____	_____	_____
b.	_____	_____	_____	_____
c.	_____	_____	_____	_____
d.	_____	_____	_____	_____
e.	_____	_____	_____	_____
f.	_____	_____	_____	_____

D. PROJECT DESCRIPTION

Please check all that apply and fill in the appropriate blanks:

1. ☐ Subdivision
 - (a) Number of proposed lots (including any lots being retained). _____
 - (b) What is the size of the smallest lot in acres or square feet? _____
 - (c) What is the smallest shoreline lot width (if applicable)? _____
 - (d) Are any of the proposed lots being conveyed by gift? ☐ Yes ☐ No
If yes, what is the recipient's relationship to the person giving the lot?

 - ☐ Construction of a single family dwelling.
 - ☐ Installation of a mobile home.
 - ☐ Construction of a multiple-residence building (_____ housing units).
 - ☐ Construction of a commercial, industrial or public building resulting in _____ square feet of building footprint and _____ square feet of floor space (total of all floors).
 - ☐ Expansion of the footprint of an existing _____ square foot structure by _____ additional square feet. For group camps and public buildings, please also provide expansion information for the total of all floor space. **NOTE:** If you are expanding a structure other than a single-family dwelling, also provide the total square footage of the structure as of May 22, 1973.
 - ☐ Are you proposing to install, replace or expand a seepage pit, drainage field or other leaching facility within 100 feet of the mean high water mark of any lake, pond, river or stream (including intermittent streams)? ☐ Yes ☐ No
If you are proposing to replace or expand an existing system, will the new system serve an actual or potential occupancy increase of the shoreline structure served?
☐ Yes ☐ No
 - ☐ Replacement of an existing _____ square-foot structure with a new _____ square-foot structure. Confirm the existing and proposed use of the structure.

 - ☐ Conveyance of entire ownership _____
 - ☐ Other (describe) _____

2. Does the project involve establishment of a new business? ☐ Yes ☐ No
If yes:
 - (a) Will it be operated at your residential property? ☐ Yes ☐ No
 - (b) How many people will the business employ who do not live on the premises?

 - (c) How many signs will the business have? _____
Will they be lighted? ☐ Yes ☐ No
What will be the combined square footage of the sign(s)? _____
 - (d) Please describe the type of business. _____
 3. Will the project result in any structures over 40 feet in height (measuring from the highest point of a structure to the lowest point of natural or finished grade, whichever is lower)?
☐ Yes ☐ No

(If the structure is close to 40 feet in height, it will be necessary to provide building elevations [all sides] and a grading plan which shows existing and proposed grade to obtain a jurisdictional determination.)

4. Will the project result in the removal of sand, gravel, topsoil or minerals from the property?
☐ Yes ☐ No

5. Will waste material, such as construction debris, be disposed on the property? (This does not include soil and land clearing debris generated from onsite construction activities.)

☐ Yes ☐ No

If yes, explain the type and volume of debris.

6. Does the property contain shoreline?

What will be the distance from the mean high water mark to the closest new structure or expansion? _____ feet

If an expansion, how far from the mean high water mark is the existing structure?
_____ feet

Will the existing roof ridgeline height be increased by more than 2 feet? ☐ Yes ☐ No

If yes, what is the proposed new ridgeline height in feet above the existing ridgeline height? _____ feet

7. Will any vegetation be cut within 35 feet of a lake, pond, river or stream? ☐ Yes ☐ No

Your sketch should show the size and type of vegetation to be removed relative to the size and type which will remain.

8. Does the proposal involve provision of any new or additional deeded or contractual access to the shoreline? ☐ Yes ☐ No If yes, provide the number of new or additional lots being provided access (identify by tax map designation) and the width of the access area.
-

E. SKETCH MAP

(For the purposes of this Inquiry the map does not need to be professionally prepared)

On a separate sheet, provide a scaled sketch map of the property showing acreage, boundaries, and natural features and water bodies. Include the location of all existing and proposed development (including structures, on-site wastewater treatment system, water supply, driveways, roads, and areas of clearing etc.) It should be drawn at a scale which clearly shows the location of all proposed activity, with measurements labeled. For a shoreline parcel, show the lot width along the shoreline and indicate the setback distance from mean high water mark of any existing or proposed structure and sewage system. Also, provide the north arrow, the name of the map maker and date it was prepared.

F. NARRATIVE (Please describe your proposal)

G. CHECK LIST

- ☐ Have you answered all of the questions?
- ☐ Did you include a copy of the current recorded deed?
- ☐ Did you include a sketch map?
- ☐ Is the form signed by an authorized person?
- ☐ Did you provide the tax map identification number?
- ☐ Did you include your return mailing address and phone number?

H. SIGNATURE OF AUTHORIZED PERSON

Note: This form must be signed by a person with a legal interest in the property; only owners, purchasers under an existing contract of sale or their attorneys.

The above information is correct and accurate to the best of my knowledge.

Original Signature Only	Date	Please print or type name (title if applicable)
-------------------------	------	--

If you wish to have another person, such as a contractor, process this inquiry on your behalf, please provide the name and address of that person.

I wish to have _____ complete this inquiry on my behalf.

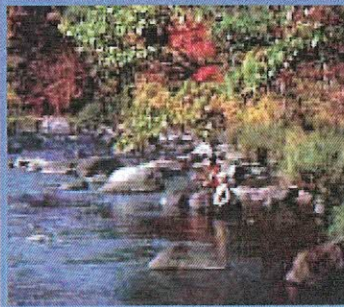
I. RETURN TO:

**Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977
Phone: (518) 891-4050**

If you are not registered to vote at your current address you may receive a registration form with the Agency's response to your inquiry. You may receive government services without being registered to vote. Would you like a registration form? ☐ Yes ☐ No

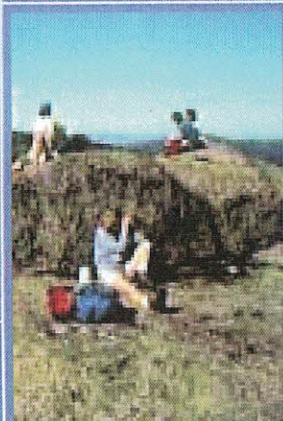
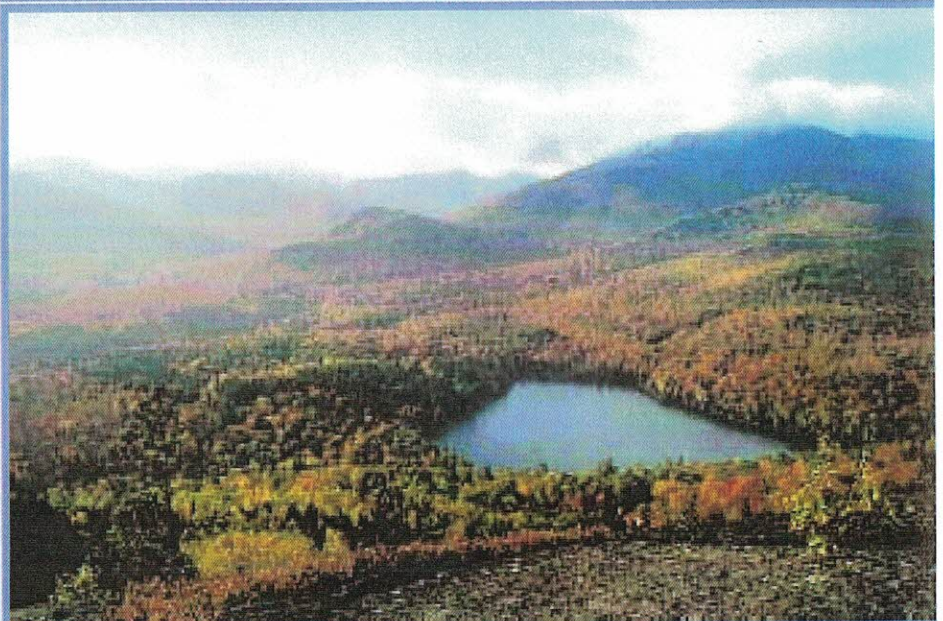
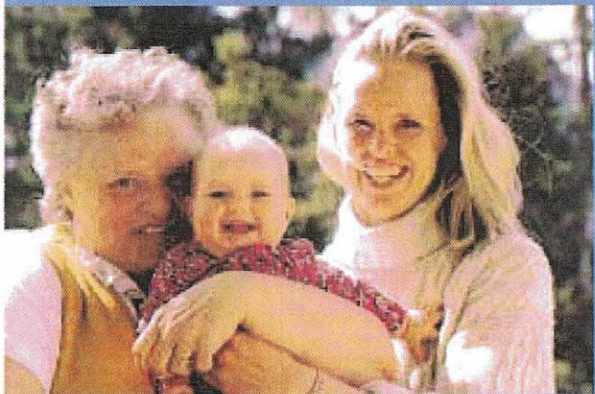


C I T I Z E N ' S



GUIDE

To Adirondack Park Agency
Land Use Regulations



NEW YORK STATE
ADIRONDACK PARK AGENCY

Andrew M. Cuomo, *Governor*

Leilani Crafts Ulrich, *Chairwoman*

Terry Martino, *Executive Director*

GUIDANCE AND ASSISTANCE

The Adirondack Park Agency regulates development on private land in the Adirondack Park. Before you develop your property, you may need a permit from the APA. For more information, please read this guide and contact Agency staff by phone or in person.

As with any development project in New York State, more than one permit may be required for your proposed activity. Please check with other state agencies and your local town or village office about other regulations and permit requirements that may apply to your proposed project.

This Citizen's Guide to Adirondack Park Agency Land Use Regulations will help familiarize you with the Agency's regulations pertaining to private land within the Adirondack Park, and help you when you call the Agency with questions. This guide may not answer all your questions, nor provide you with enough information to determine whether or not you need a permit. Please call the Agency or visit us in person or at our web address; we will be happy to assist you.

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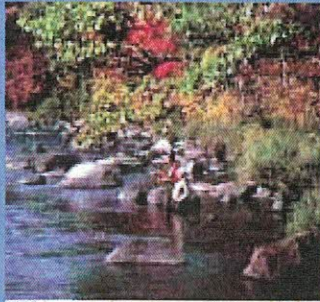
Contacting the Agency

inside back cover

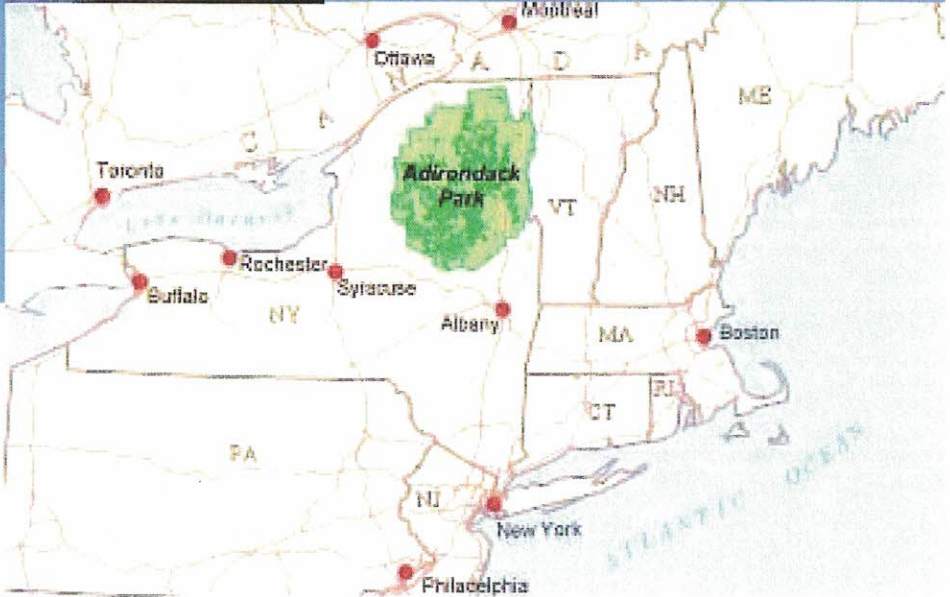
(518) 891-4050

NEW YORK STATE
ADIRONDACK PARK AGENCY
P.O. Box 99
Ray Brook, New York 12977
www.apa.ny.gov

THE BIG PICTURE



The Park, a vast, natural sanctuary, is within a day's traveling distance of 70 million residents of the United States and Canada.



About the Park

The Adirondack Park ("Park") was created in 1892 by the State of New York amid concerns for the water and timber resources of the region. Today the Park is the largest publicly protected area in the contiguous United States, greater in size than Yellowstone, Everglades, Glacier, and Grand Canyon National Parks combined, and comparable to the size of the entire state of Vermont. The boundary of the Park encompasses approximately 6 million acres, 48 percent of which belongs to all the people of New York State and is constitutionally protected to remain "forever wild" forest preserve. The remaining 52 percent is private land which includes settlements, farms, timber lands, businesses, homes and camps.

About the Adirondack Park Agency

The Adirondack Park Agency ("APA") was created in 1971 by the New York State Legislature to develop long-range land use plans for both public and private lands within the boundary of the Park, commonly referred to as the "Blue Line." The Agency prepared the State Land Master Plan, which was signed into law in 1972, followed by the Adirondack Park Land Use and Development Plan ("APLUDP") in 1973. Both Plans are periodically revised to reflect changes and current

trends and conditions. The Agency strives to conserve the Park's natural resources and assure that development is well-planned through administration of the Adirondack Park Agency Act (which includes the APLUDP and the regulations derived from it), the New York State Freshwater Wetlands Act, and the New York State Wild, Scenic and Recreational Rivers System Act.

The APA is an agency in New York State government, consisting of 65 staff and an eleven-member board, eight of whom are appointed by the Governor. The other three members are the Secretary of State, Commissioner of Environmental Conservation, and Commissioner of Economic Development. The Agency Board acts on Park policy issues and permit applications during Agency meetings, which are held monthly and are open to the public.

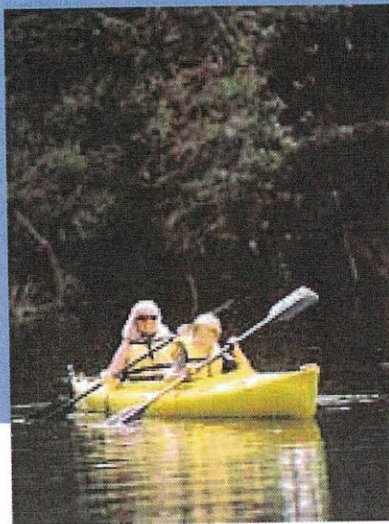
The APA offices are located in Ray Brook, NY, halfway between the

villages of Lake Placid and Saranac Lake.

What the Park Agency is NOT

- The APA, in cooperation with the NYS Department of Environmental Conservation ("DEC"), is responsible for developing and maintaining a master plan for the use of all state lands in the Park. The APA does NOT manage these state lands; the care, custody and control of state lands is the responsibility of the DEC.
- The Agency does NOT manage the public campgrounds in the Adirondack Park. Please contact the DEC for campground information.
- The Agency does NOT acquire land on behalf of New York State. Again, please contact the DEC.
- The Park Agency does NOT determine the value of your land. Please contact your town or village assessor.

WHERE IT ALL BEGINS



Land Use Area Classification

The process of determining how the Agency's regulations apply to development on private lands begins with an examination of how the land is classified.

What does classification mean?

In the Adirondack Park Land Use and Development Plan ("APLUDP"), all private lands in the Park are classified into six categories, identified by color on the Park Plan map: hamlet (brown), moderate intensity use (red), low intensity use (orange), rural use (yellow), resource management (green) and industrial use (purple).

The classification of a particular area (established when the Plan was developed) depends on such factors as:

- existing land use and population growth patterns;
- physical limitations related to soils, slopes and elevations;
- unique features such as gorges and waterfalls;
- biological considerations such as wildlife habitat, rare or endangered plants or animals, wetlands and fragile ecosystems; and
- public considerations such as historic sites, proximity to critical state lands, and the need to preserve the open space character of the Park.

The intended purpose of the classification system is to channel growth into the areas where it can best be supported and to minimize the spread of development in areas less suited to

sustain such growth. The following are the land use area classifications of the APLUDP, and a general description of their purpose:

■ HAMLET

These are the growth and service centers of the Park where the Agency encourages development. Intentionally, the Agency has very limited permit requirements in hamlet areas. Activities there requiring an Agency permit are erecting buildings or structures over 40 feet in height, projects involving more than 100 lots, sites or units, projects involving wetlands, airports, watershed management projects, and certain expansions of buildings and uses. Hamlet boundaries usually go well beyond established settlements to provide room for future expansion.

■ MODERATE INTENSITY USE

Most uses are permitted; relatively concentrated residential development is most appropriate.

■ LOW INTENSITY USE

Most uses are permitted; residential development at a lower intensity than hamlet or moderate intensity is appropriate.

■ RURAL USE

Most uses are permitted; residential uses and reduced intensity development that preserves rural character is most suitable.

■ RESOURCE MANAGEMENT

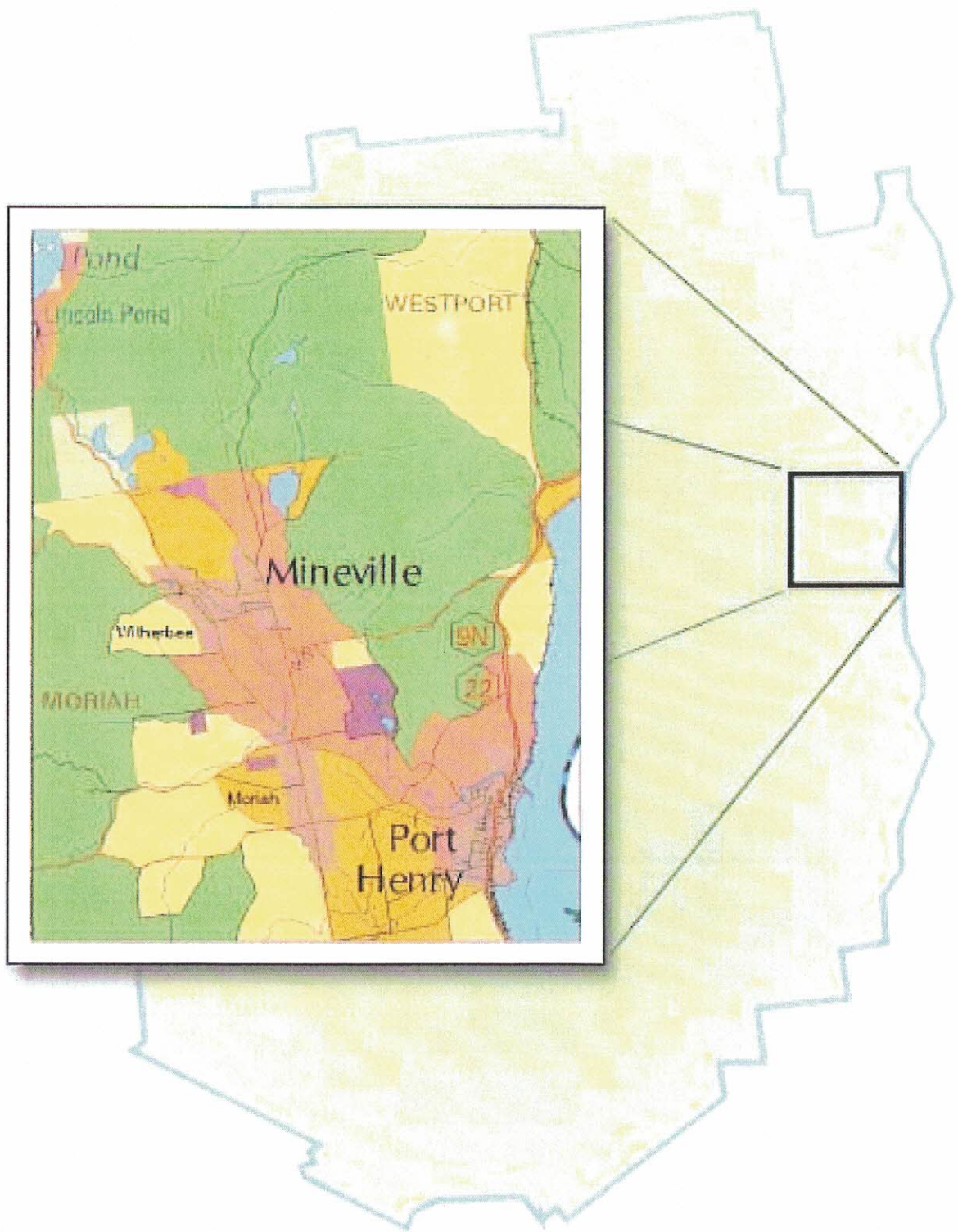
Most development activities in resource management areas will require an Agency permit; compatible uses include residential uses, agriculture, and forestry. Special care is taken to protect the natural open space character of these lands.

■ INDUSTRIAL USE

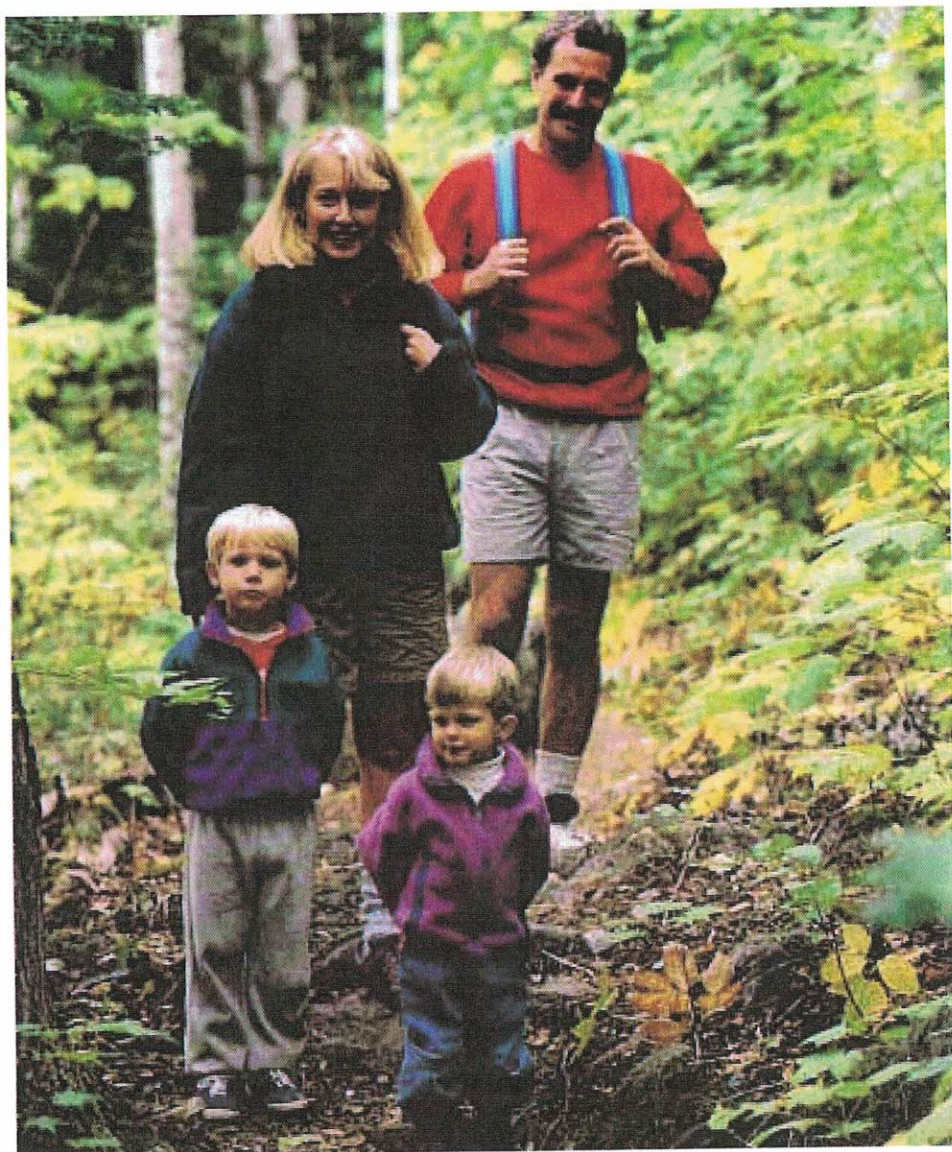
This is where industrial uses exist or have existed, and areas which may be suitable for future industrial development. Industrial and commercial uses are also allowed in other land use area classifications.

Table 1 — Overall Intensity Guidelines

Land Use Area	Color on Map	Avg. # Principal Bldgs. (per sq. mile)	Avg. Lot Size (acres)
Hamlet	brown	no limit	none
Moderate Intensity Use	red	500	1.3
Low Intensity Use	orange	200	3.2
Rural Use	yellow	75	8.5
Resource Management	green	15	42.7
Industrial Use	purple	no limit	none



THE ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN MAP classifies all private lands in the Park into six categories, identified by color: hamlet (brown); moderate intensity use (red); low intensity use (orange); rural use (yellow); resource management (green); and industrial use (purple). This representative segment of the Park Plan Map illustrates this color-coded system.



How is my land classified?

To determine the land use area classification for an individual parcel of land, you should write or call the Agency office.

Can the classifications be changed?

Provisions are made in the APA Act for amendments to the Land Use and Development Plan Map under certain circumstances. These changes can and often do occur in the preparation and adoption of a local government's zoning and land use program or at the request of a municipality. Call or write the Agency for more information.

The land classifications in the APA Act are designated to channel development into areas where it is best supported and to control the overall density of development. While very few types of activities are prohibited by the Act, some activities are prohibited in certain land use areas.

By setting limits on the amount of building—and accompanying roads, clearing, support services, etc.—the Act contemplates that the Park will retain its natural, open space character while communities in the Park continue to grow in an environmen-

tally sensitive manner. Overall intensity guidelines are established by land use classification. While the intensity guidelines prescribe average lot sizes for building, they are not minimum lot sizes; different minimum lot sizes are also established by the Act. Only the lands owned by the project sponsor are considered when applying intensity guidelines. Existing or proposed buildings on neighbors' land do not count.

The Adirondack Park Agency Act allows any local government within the Park to develop its own local land use programs which, if approved by the Agency, may transfer some permitting authority from the Agency to the local government's jurisdiction.

Towns with Agency Approved Local Land Use Programs

Essex County: *Chesterfield, Newcomb, Westport, Willsboro*

Fulton County: *Caroga*

Hamilton County: *Arietta, Indian Lake*

St. Lawrence County: *Colton*

Saratoga County: *Day, Edinburg*

Warren County: *Bolton, Lake George, Lake George Village, Hague, Horicon, Queensbury*

Within these towns, a landowner should always consult the local code administrator or enforcement officer, in addition to the Adirondack Park Agency, in those circumstances where the following guidance and checklists suggest a permit may be required by the Adirondack Park Agency Act.



UNDERSTANDING CEAs



Critical Environmental Areas ("CEAs") are the more sensitive features of the Park's natural environment. They are subcategories of the general land use area classifications and are provided extra protection by the law. These Critical Environmental Areas include wetlands, high elevations, areas around designated study rivers, state or federal highways, and lands in proximity to certain classifications of state-owned lands.

CEAs include:

- land at elevation of 2,500 feet or more (except in Hamlet areas) to protect thin soils and open space;
- land within 1/8 mile of state wilderness, primitive or canoe areas (except in Hamlets);
- land within 150 feet (in a Rural Use area) or within 300 feet (in a Resource Management area) of the edge of the right-of-way of a federal or state highway;
- wetlands; and
- land within 1/4 mile of rivers under study for inclusion in the Wild Scenic and Recreational Rivers System, except in Hamlet areas. (Land within 1/4 mile of rivers already classified Wild, Scenic or Recreational is subject to special regulation outside of Hamlet and Moderate Intensity Use areas, and are not designated as Critical Environmental Areas.)

Wetlands—including bogs, swamps, wet meadows or marshes.



Under the APA Act and the NYS Freshwater Wetlands Act, almost all land uses, such as draining, dredging, placing fill, structures, and subdivisions in or involving wetlands require an Agency permit.

What is a wetland? Wetlands are defined as: "any land which is annually subject to periodic or continual inundation by water and commonly referred to as a bog, swamp or marsh and which are either (a) one acre in size, or (b) adjacent to a body of water, with which there is a free interchange of water, in which case there is no size limitation." Property that is flooded every spring by surface water backup or standing water may also be a wetland, as well as forested areas with high ground water.

Is there a wetland on my property? Wetlands can be difficult to recognize. Some vegetation, like cattails, lilypads, or pickerel weed are characteristic of very wet places. Other wetland plant communities are not so obvious, yet

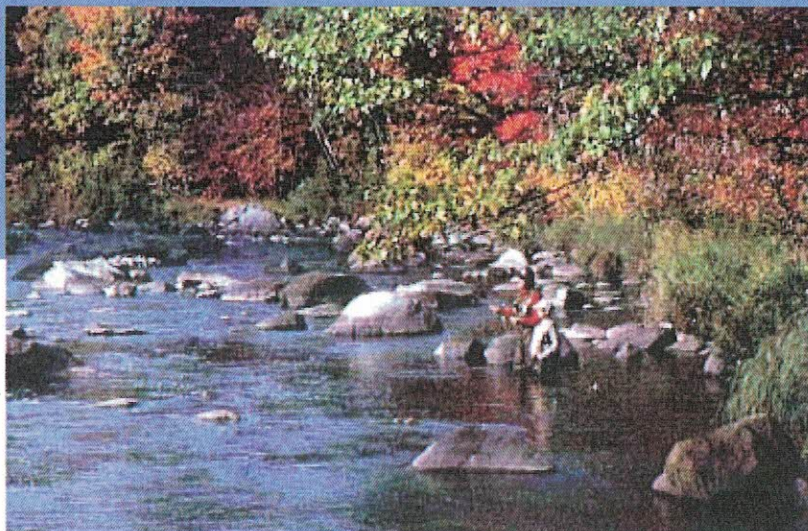
are considered to be jurisdictional wetlands, such as wet meadows or spruce swamps. Wetlands soils and hydrology can aid in determining the presence and extent of wetlands.

A landowner proposing a project can contact the Agency for a determination as to whether a wetland is located on his or her property. Wetland determinations are made as part of the review of a jurisdictional inquiry. The process involves consulting official wetland maps where available, and by interpretation of aerial photography. Wetlands may also be identified during Agency staff site visits to project sites for which the Agency is reviewing a permit application.

Why do wetlands require special protection? Wetlands play a critical role in modulating the flow of water in any watershed, reducing flooding and erosion. They filter pollutants and purify the water; they provide critical habitat for many species of plants and animals.

SHORELINES

RIVERS AND TREES



Adirondack Shorelines

Among the most valuable resources in the Park is the land along its thousands of streams, rivers, ponds and lakes. The laws the Agency administers provide protection to water quality and aesthetics of Adirondack shorelines by establishing setbacks, lot widths and cutting restrictions.

Shoreline restrictions apply to all lakes and ponds, all rivers being studied for inclusion in the Wild, Scenic and Recreational Rivers System, and all other rivers and streams navigable by boat, including canoe.

Shoreline Setbacks and Lot Widths.

Shoreline restrictions apply whether or not an Agency permit is required (see Table 2). The restrictions may be reduced only if a variance is received (see discussion following table).

Docks and Boathouses. If you are planning new construction or expansion of either a dock or boathouse you should ask whether an Agency permit or variance is required.

Shoreline setback restrictions apply to all structures greater than 100 square feet in size except docks and boat-

houses. However, docks and boat-houses must comply with specific requirements to be exempt from shoreline setback restrictions.

PLEASE NOTE: Greater lot widths and setbacks apply to rivers classified in the Wild, Scenic and Recreational Rivers System. Local laws may be even more protective—call the local building inspector or town offices.

As noted previously, setbacks apply to all structures, other than boathouses or docks, in excess of 100 square feet in size. "Structures" include buildings, sheds, fences, tanks, etc.

Setbacks are measured horizontally from the point of the shoreline at its high water mark. If you are considering a development proposal, Agency staff will help you determine the high water mark.

Wild, Scenic and Recreational Rivers System

Many Adirondack rivers are subject to special regulations and permit requirements adopted under the New York State Wild, Scenic and Recreational Rivers System Act. These regulations apply in addition to those set forth in the APA Act.

Agency regulations apply to the designated rivers and lands adjoining them, generally up to 1/4 mile from the edge of the river. The river regulations seek to protect water quality and aesthetics by:

- establishing a 100-foot buffer strip along rivers in which vegetative

**Table 2 — Shoreline Restrictions:
Minimum Lot Widths and Setbacks**

Land Use Type	Min. Lot width (ft.)	Min. Structure Setback (ft.)
Hamlet	50	50
Moderate Intensity Use	100	50
Low Intensity Use	125	75
Rural Use	150	75
Resource Management	200	100
Industrial	NA	NA

NOTE: For sewage disposal systems, the minimum setback from any water body or wetland is 100 feet, measured from the leach field or other absorption components to the closest point on the shoreline or wetland.

- cutting is highly restricted;
- establishing minimum lot widths and building setbacks (larger than those in the APA Act);
- requiring an Agency rivers project permit for nearly all subdivisions, single family dwellings and mobile homes in river areas;
- restricting motor boating and motorized activities on and adjacent to wild and scenic rivers;
- regulating bridge and road building;
- prohibiting structures (such as dams) and activities (such as dredging) which would alter the river's natural flow;
- allowing continuation of lawfully existing nonconforming uses, but requiring permits or variances for expansion or change in use.
- prohibiting certain "noncompatible" uses; and
- prohibiting new structures in Wild River areas.

Which Rivers?

Ausable, Black, Blue Mt. Stream, Bog,

Boreas, Boquet, Cedar, Cold, Deer, East Canada Creek, Grasse, Hudson, Independence, Indian, Jordan, Kunjamuk, Long Pond Outlet, Marion, Moose, Oswegatchie, Otter Brook, Raquette, Rock, Sacandaga, St. Regis, Salmon, Saranac, Schroon, West Canada Creek and West Stony Creek.

Removing Trees

Generally, there are no requirements for the harvesting of trees on non-shoreline parcels unless you plan to clear-cut more than 25 upland acres or 3 wetland acres, or the property is located in a Designated River Area. However, cutting of trees in preparation for a project requiring a permit may not begin until the permit is obtained; tree removal is part of the project review process. In addition, there are permit requirements for the construction of woods roads or skid trails through wetlands.

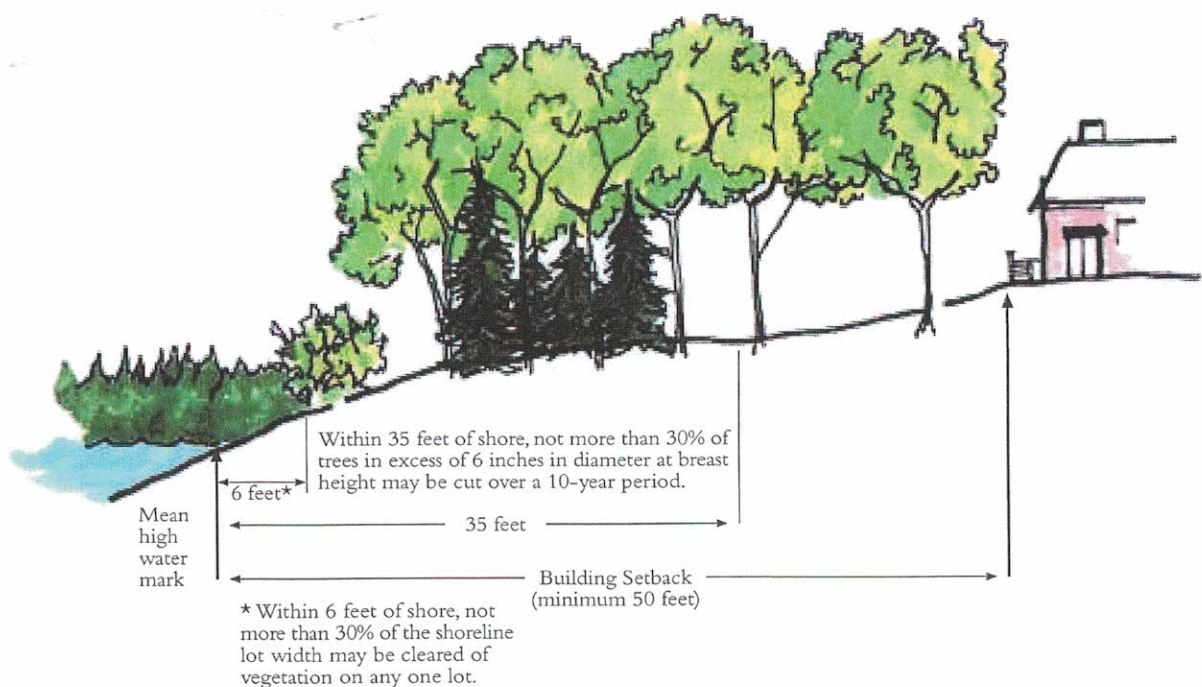
Along shorelines, cutting is limited to the following:

- Within 6 feet of shore, not more than 30 percent of the shoreline may be cleared of vegetation (bushes and trees) on any one lot.
- Within 35 feet of shore, not more than 30 percent of trees in excess of 6 inches in diameter at 4.5 feet above the ground may be cut over a 10-year period.

The diagram below illustrates these cutting restrictions.

Variances

A variance from the mandatory shoreline restrictions may be allowed if, on the request of a landowner, the Agency determines that the strict application of the shoreline development restrictions would cause practical difficulty or undue hardship. A public hearing must be held on each variance request.



DIAGRAM—Restrictions That Apply to Cutting Trees and Vegetation Along Shorelines

PERMIT PROCESS

Not every project requires a permit. For those that do, this section provides an overview of the permitting process.

Jurisdictional Inquiry

After reading this guide, finding out your land classification and using the checklist on pages 10 and 11, you may already know you'll need a permit, but what if you're not sure? *Contact the Agency for a Jurisdictional Inquiry Form!*

Based on the information you provide on your jurisdictional inquiry form (including a description of your project, the tax map number and the history of ownership and use of the property), Agency staff will tell you if a permit is needed.

The Permitting Process

Once it is determined that an Agency

permit is required for your proposed project, the next step is to complete the appropriate application form. This form can be obtained from the Agency office.

For larger projects in particular, a pre-application meeting with APA staff is recommended before you fill out the application. These meetings are often helpful for completing the application and ensuring awareness of the Agency's process and standards for review. You can possibly save time and money by talking to the Agency first.

When the application is received by the APA, it is assigned to an individual review officer who checks it for completeness. Within 15 calendar days you will be notified whether or not the application is complete. If it is incomplete, you will be told specifically what additional information is needed. For all major projects, public notices invite comment. The APA Act specifies time limits within which Agency notifications and a public hearing (if needed) must take place. Designated time limits may be extended with consent of both the Agency and applicant.

Once the project application is complete (meaning the Agency has all

the information necessary to review the project), substantive review will start.

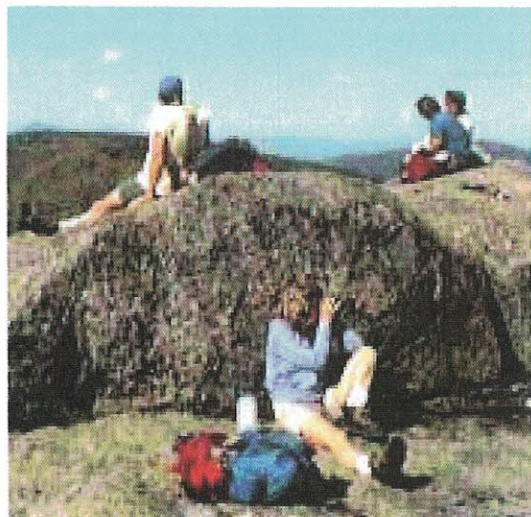
When are public hearings held?

The Agency meets in public on a monthly basis to consider permit applications. For a small percentage of projects that come to the Agency for review, a decision is made to also hold a public hearing. A public hearing may be scheduled for one of the following reasons:

- to give the public an opportunity to express views and opinions, especially in regard to large projects;
- if a project is controversial;
- if landowners adjoining the project site may be adversely affected;
- if the local government involved requests one; or
- if it appears the project may be unapprovable (the Agency cannot deny an application without first holding a public hearing).

Approving a Project

Staff Approvals. Most permit applications are acted upon by the APA staff—specifically, the Director of Regulatory Programs—without going to the full Agency Board. This procedure saves time for the applicant in that staff act on the project without



waiting for the regularly scheduled monthly meeting of the Agency members.

The Director of Regulatory Programs can only approve projects. Any recommendation for a denial must go to the Agency Board for consideration.



You are given the right to appeal any permit condition imposed by the Director of Regulatory Programs to the Regulatory Programs Committee of the Agency Board.

Board Approvals. The following projects always require the approval of the Agency Board:

- a subdivision involving 50 lots or more;
- a project upon which the Agency has held a public hearing; or
- a project involving a variance.

Conditions

About 98 percent of project applications are approved. Most of the permits issued contain conditions which are intended to protect the environment and adjacent uses.

Other Permits

Please note that other permits (federal, state and local) may be required for your project in addition to an APA permit.

Agency Decisions

Can Be Reconsidered

Procedures exist to allow you to

request that your application, if disapproved by the Agency, be reconsidered. You must demonstrate that:

- newly discovered facts or evidence exists; or
- there has been a change in Agency policy; or
- the previous determination was based on materially erroneous findings of fact.

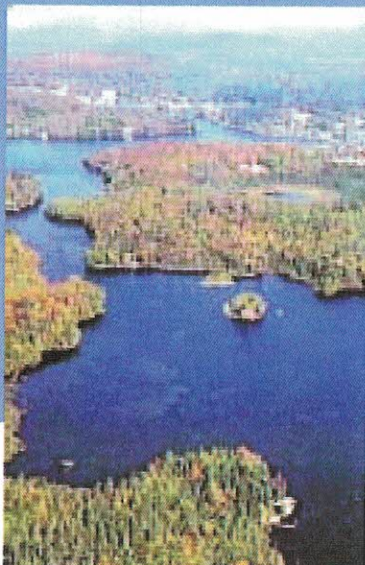
Enforcement

The APA has an enforcement program to insure that the laws are properly administered and complied with. If you have questions or want to discuss a specific matter, please call us.



PERMIT

CHECKLIST



Use this handy checklist to help you determine if a permit is necessary. We're happy to be of help. Give us a call at 518-891-4050.

The three Acts administered by the Agency—the APA Act, the Wild Scenic and Recreational Rivers System Act and the Freshwater Wetlands Act—all have a bearing on whether your project will require an Agency permit. The following checklist will help you determine whether a permit is needed.

This checklist is for general information only and is not exhaustive.

For a binding determination whether your project needs a permit, you must call the Agency and submit a Jurisdictional Inquiry Form. **If you check any of the following circles you will need a permit.**

LAND USE CLASSIFICATION	You will first need to establish in which land classification your property lies. YOU CAN CONTACT THE AGENCY TO ASSIST YOU.
PROJECTS IN CRITICAL ENVIRONMENTAL AREAS	<p>Critical environmental areas include wetlands, high elevations, and areas near certain rivers, highways and State-owned lands. An APA permit is required in all land use areas for most development activities and subdivisions of land in:</p> <ul style="list-style-type: none"> <input type="radio"/> Wetlands (refer to section of this guide regarding wetlands). <input type="radio"/> At elevations over 2,500 feet. <input type="radio"/> Within 1/4 mile of a "study river," including portions of the Oswegatchie, Osgood, Grasse, N. Branch Saranac, N. Branch Boquet, The Branch, East Stony Creek and Pleasant Lake Stream. (A "study river" is a river being considered for inclusion in the State's Wild, Scenic and Recreational Rivers System. Many other Adirondack rivers and streams are already classified in the system and are subject to its special regulations.) <input type="radio"/> Within 1/8 mile of State Forest Preserve lands classified as Wilderness, Primitive or Canoe areas. <input type="radio"/> Within 150 feet of state or federal highway right-of-way (in Rural Use areas only). <input type="radio"/> Within 300 feet of state or federal highway right-of-way (in Resource Management areas only).
DESIGNATED WILD, SCENIC AND RECREATIONAL RIVERS	<ul style="list-style-type: none"> <input type="radio"/> Generally, an APA permit is needed for projects within 1/4 mile of a river included in the State's Wild, Scenic and Recreational Rivers System: Ausable, Black, Blue Mt. Stream, Bog, Boreas, Boquet, Cedar, Cold, Deer, East Canada Creek, Grasse, Hudson, Independence, Indian, Jordan, Kunjamuk, Long Pond Outlet, Marion, Moose, Oswegatchie, Otter Brook, Raquette, Rock, Sacandaga, St. Regis, Salmon, Saranac, Schroon, West Canada Creek and West Stony Creek.
SUBDIVISIONS	<p>An APA permit may be needed for subdivisions. Subdivisions are broadly defined to include any division of land into two or more lots, parcels or building sites (including that portion retained by the owner) for the purpose of sale, lease or any form of separate ownership or occupancy. Construction of a second principal building or dwelling or a two-unit dwelling on a parcel is a subdivision.</p> <p>To determine if a permit is required, several factors must be examined, including:</p> <ul style="list-style-type: none"> • the resulting total number of lots, parcels or sites created from the original parcel of land as it existed on May 22, 1973; • the size of the smallest lot in the proposed subdivision; and • the smallest shoreline lot width in the subdivision.

	<p>An APA permit is needed :</p> <p><input type="radio"/> If the total number of lots, sites or residential units created from the original May 22, 1973 parcel is equal to or greater than:</p> <table><tr><td>100 in Hamlet</td><td>10 in Low Intensity Use areas</td></tr><tr><td>15 in Moderate Intensity Use areas</td><td>5 in Rural Use areas</td></tr></table> <p><input type="radio"/> For any subdivision in a Resource Management area, Industrial Use area or within a designated Wild, Scenic, or Recreational Rivers area.</p> <p><input type="radio"/> For the entire subdivision if any non-shoreline lot in the proposed subdivision is less than:</p> <table><tr><td>40,000 sq. ft. (0.92 acres)</td><td>Moderate Intensity Use areas</td></tr><tr><td>120,000 sq. ft. (2.75 acres)</td><td>Low Intensity Use areas</td></tr><tr><td>320,000 sq. ft. (7.35 acres)</td><td>Rural Use areas</td></tr></table> <p><input type="radio"/> If the project involves any shoreline* lots if either the smallest lot area or shoreline lot width measurement is less than:</p> <table><tr><td>Hamlet</td><td>n/a</td><td>50 ft.</td></tr><tr><td>Moderate Intensity Use areas</td><td>25,000 sq. ft. (0.57 acres)</td><td>100 ft.</td></tr><tr><td>Low Intensity Use areas</td><td>50,000 sq. ft. (1.14 acres)</td><td>125 ft.</td></tr><tr><td>Rural Use areas</td><td>80,000 sq. ft. (1.83 acres)</td><td>150 ft.</td></tr><tr><td>Resource Management areas</td><td>42.7 acres</td><td>200 ft.</td></tr></table> <p>* A shoreline lot includes any lot partly or entirely within the minimum setback distance from the water for the land use area involved. Different shoreline widths apply if your site is located in a Wild, Scenic, or Recreational River area.</p>	100 in Hamlet	10 in Low Intensity Use areas	15 in Moderate Intensity Use areas	5 in Rural Use areas	40,000 sq. ft. (0.92 acres)	Moderate Intensity Use areas	120,000 sq. ft. (2.75 acres)	Low Intensity Use areas	320,000 sq. ft. (7.35 acres)	Rural Use areas	Hamlet	n/a	50 ft.	Moderate Intensity Use areas	25,000 sq. ft. (0.57 acres)	100 ft.	Low Intensity Use areas	50,000 sq. ft. (1.14 acres)	125 ft.	Rural Use areas	80,000 sq. ft. (1.83 acres)	150 ft.	Resource Management areas	42.7 acres	200 ft.
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SINGLE FAMILY DWELLINGS	<p>An APA permit is needed for a single family dwelling or mobile home in:</p> <p><input type="radio"/> Resource Management areas</p> <p><input type="radio"/> Industrial Use areas</p> <p><input type="radio"/> Critical Environmental areas</p> <p><input type="radio"/> Designated River areas</p> <p><input type="radio"/> Wetlands (within or near)</p> <p>In other land classifications, a single family dwelling to be constructed on a lot already having a dwelling or other principal building on it may be subject to Agency review as a subdivision.</p>																									
OTHER PROJECTS	<p>An APA permit is needed for:</p> <p><input type="radio"/> Structures over 40' high. Note: height is measured from the highest point of a structure to the lowest point of either the natural or finished grade.</p> <p><input type="radio"/> Any new commercial or industrial use in all but Hamlet areas.</p> <p><input type="radio"/> An expansion totaling 25% or more (whether such expansion is undertaken all at once or over an extended time) of an existing use or structure included on the list of regional projects in the APA Act. In all but Hamlet areas, expansion is measured by size, square footage or capacity.</p> <p><input type="radio"/> Any multiple family dwelling, i.e., a structure containing two or more separate dwelling units. This applies in all land use areas except Hamlet areas.</p> <p>In areas governed by an Agency-approved local land use program, certain projects normally requiring an Agency permit will need only a local permit.</p> <p>Shoreline restrictions apply along lakes, ponds, rivers and streams regardless of whether an Agency permit is needed.</p>																									

NOTES

CONTACTING THE AGENCY

When you call, have this guide handy. Have paper and pencil ready.

For questions about...

- **LAND USE CLASSIFICATION** or presence of wetlands on a particular parcel:

Ask for the Jurisdictional Inquiry Office.

Have ready basic property information including:

Town or Village

Owner's Name

Parcel Number— this is a set of three numbers (separated by hyphens like your social security number) that appears on your tax bill. You can also get this number from your local assessor or county real property tax services.

- The **STATUS OF A PERMIT APPLICATION** that you have sent in:

Ask for Regulatory Programs.

If you have a project number and name of assigned reviewer, ask for him/her specifically. Please note that these people are often in the field. It is very helpful to leave voice mail messages with specific questions and your project number.

- **AN ON-SITE WETLAND DETERMINATION REQUEST:**

You will be directed to the wetland specialist of the Resource Analysis Unit. If you leave a voice mail message, property location is required. Staff will contact you to schedule an appointment.

- **AN ON-GOING ENFORCEMENT MATTER:**

Ask for the assigned enforcement investigator.

- **REPORTING A POTENTIAL VIOLATION:**

Ask for the Jurisdictional Inquiry Office. Please remember we cannot investigate a violation report without property location. You need not identify yourself when reporting a potential violation.

- **THE PARK'S NATURAL OR CULTURAL RESOURCES:**

Questions will be forwarded to the Planning Department or the Resource Analysis Unit. Information is available on the Agency's website accessed at www.apa.ny.gov

- **MAP AMENDMENTS:**

Questions will be forwarded to the Planning Department.

(518) 891-4050

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