HOW TO DETERMINE PROPERTY LINE SETBACKS FOR DOCKS

Regulatory Reference

646-1.1(c)(11) Every dock or wharf constructed shall have a minimum setback of twenty feet from the adjacent property line extended into the lake on the same axis as the property line runs onshore where it meets the lake, or at a right angle to the mean high-water mark, whichever results in the greater setback. This provision shall control over the provisions of section 646-1.6 (k) of this Subpart.

646-1.6(k) No vessel shall be berthed at a dock, wharf or mooring without the prior consent of the adjoining landowner so as to encroach beyond the adjacent property line extended into the lake on the same axis as the property line runs onshore where it meets the lake, or at a right angle to the mean high-water mark, whichever results in the lesser setback.

Staff Methodology

The theory behind the use of a perpendicular property line extension is that it will evenly and fairly split the riparian rights of two neighbors. Staff has developed a procedure for determining the perpendicular line extension to ensure consistency. However, the methodology requires flexibility in its application due to the great variation in shoreline contour. The methodology rests on the assumption that the shoreline on both sides of the property line must be taken into consideration.

Starting at the intersection of the property line and the mean high water mark a distance is chosen, based on the size of the subject parcel's lakefrontage and the shape of the shoreline. A point is found at that distance along the shoreline, on each side of the property line. A line is drawn between the two points and then a line is drawn parallel to that line at the property line intersection point. A perpendicular line is then drawn into the lake from that line (this is the bisector of normals drawn to the shoreline on each side of the property line). This in effect, "flattens out" the curvature of the shoreline. It is important to choose a distance that bypasses minor projections and indentations along the shoreline. A series of distances may also be used, taking an "average" or mean of the results as the perpendicular.

The Lake George Park Commission is a New York State Environmental, Planning and Public Safety Agency devoted to the preservation of Lake George and the safety of its users
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