



## CLASS A MARINA APPLICATION INSTRUCTIONS

### A. GENERAL INFORMATION

Lake George is a State-owned resource held in custody of the people of the State and protected under several State laws. Operation of a marina on the Lake requires a permit from the Lake George Park Commission.

This is a general guide for completing the application form for a Class A Marina Permit from the Lake George Park Commission (LGPC). This is not a description of all applicable laws or regulations - other permits may be required for your facility. It is the owners responsibility to obtain all required approvals **prior to commencing marina operations, construction related to marina operations or modifying activities at an existing marina.** LGPC regulations contain specific requirements for Class A Marinas.

### B. PERMIT REQUIREMENTS

A permit must be obtained to construct, operate or modify a Class A Marina. If you have any question as to whether your project requires a permit please contact the Commission. A Class A Marina is defined in the regulations (6 NYCRR Part 645-2.1(f)) as:

*Class A marina means any facility located in whole or in part with the Park which provides services or berthing places for vessels by engaging in any of the following:*

*(1) the sale of marine products or services, except for such sale as part of a dry land facility which does not quick launch vessels or regularly service vessels berthed on the waters of Lake George;*

*(2) the sale, lease, rental or charter of vessels of any type;*

*(3) the operation of a boat launch;*

*(4) the offering of rides, instruction or water-based recreation for a fee;*

*(5) the operation of a quick launch facility servicing the waters of Lake George regardless of the location where the vessels are stored; or*

*(6) the storage, berthing or mooring of two or more motorized vessels and/or non-motorized vessels 18 feet in length or more not registered to the owner of the property, regardless of remuneration or profit, except:*

*(i) the use of residential or association docks, wharfs or moorings by the owner of the facility, the owner's family or the owner's gratuitous guest, or such use by a person as part of the single family residential rental of a residence or a residential unit which includes the use of a dock, wharf or mooring;*

*(ii) docks, wharfs and moorings used as an accessory use to a hotel, motel, inn, housekeeping cottage, campground or recreational vehicle park, used exclusively by registered guests;*

*(iii) docks, wharfs, and moorings used as an accessory use to a restaurant, used exclusively by patrons while dining at such restaurant; and*

*(iv) docks, wharfs and moorings used exclusively by persons engaged in the sale of fishing products or the sale and service of SCUBA products. The exceptions provided herein shall not apply to facilities which are otherwise engaged in any of the services or activities set forth in paragraphs (1) - (5) of this subdivision.*

## B. PERMIT REQUIREMENTS (continued)

A Class B Marina is a berthing facility offering berthing for a single vessel only. A Class B Marina must **register** as such with the Commission and is defined in the regulations (6 NYCRR Part 645-2.1(f)) as:

*Class B marina means any dock, wharf or mooring made available for use by any person as a berthing place for one motorized vessel or one nonmotorized vessel 18 feet in length or more not registered to the owner of the property, regardless of remuneration or profit, except:*

*(1) the use of residential or association docks, wharfs or moorings by the owner of the facility, the owner's family or the owner's gratuitous guest, or such use by a person as part of the single family residential rental of a residence or a residential unit which includes the use of a dock, wharf or mooring;*

*(2) docks, wharfs used as an accessory use to a hotel, motel, inn, housekeeping cottage, campground or recreational vehicle park, used exclusively by registered guests;*

*(3) docks, wharfs, and moorings used as an accessory use to a restaurant, used exclusively by patrons while dining at such restaurant; and*

*(4) docks, wharfs and moorings used exclusively by persons engaged in the sale of fishing products or the sale and service of SCUBA products.*

A Class B Registration form may be obtained from the Commission office.

## C. FILING YOUR APPLICATION

A pre-application meeting with Commission staff may be desirable for large or complex projects. Please contact the Commission's Environmental Analyst for an appointment. A complete application must include the following:

- ☺ Application Form - completed and signed.
- ☺ An application fee (\$100) in the form of a check or money order made payable to Lake George Park Commission. Application fees are **not refundable**.
- ☺ Names and legal mailing addresses of adjacent lakefront owners (this information may be obtained from your town's tax assessment office).
- ☺ Facility Plan (to scale and with all pertinent dimensions) showing entire parcel, all buildings, wharfs, moorings, rental berthing slips, parking areas, trailer storage areas, boat storage areas, fuel storage and pumps, launch ramps, trash dumpsters, sewage management facilities, rest rooms and adjacent wharfs within 50 feet of property lines.
- ☺ A vicinity or location map of the property sufficient to direct someone to your site.
- ☺ A completed Environmental Assessment Form.
- ☺ For facilities offering fuel sales, a copy of your DEC Bulk Storage Permit and spill prevention and control plan.
- ☺ For facilities proposing to utilize an existing septic system, an Onsite Wastewater Treatment System Evaluation Report.
- ☺ Signed and dated pumpout agreement with providing facility where on site pumpout is not provided.

**NOTE:** Failure to include any one of these items will result in an incomplete notice and delay in processing your application.

## **D. HOW TO PREPARE FACILITY PLANS**

The Facility Plan is a plan showing all authorized wharfs and moorings, all structures and locations of marina services provided at the site. It will be made part of the permit should one be issued.

- ☞ The Plan must be to scale, with all pertinent dimensions labeled, and must show the entire parcel with all buildings labeled by their use.
- ☞ The Plan must show all wharfs & moorings to scale, with all berthing slips labeled by use; ie: rental slip, rental boat, owner's boat, parasail platform, charter vessel, etc.
- ☞ Indoor and outdoor dry berths for quick launch must be shown using typical boat size.
- ☞ All parking spaces must be delineated based on 10' x 20' spaces.
- ☞ All trailer storage areas, boat & trailer storage areas, boat cleaning areas, fuel storage and pumps, launch ramps, outside trash receptacles & dumpsters, sewage management facilities, rest rooms must be labeled.
- ☞ The Plan must show all adjacent wharfs within 50 feet of property lines.
- ☞ If the marina offers fuel sales, the location of the spill kit & turn-off switch must be shown.
- ☞ It is usually not required to have plans prepared by an engineer, architect or land surveyor although this might be required under certain conditions. You may wish, however, to obtain professional help in preparing the plans.
- ☞ All Right of Ways and easements which may be affected by the project should be noted.
- ☞ All distances and dimensions should be noted including: existing and proposed structures, existing shoreline structures and shoreline frontage.

## **E. GUIDANCE DOCUMENTS AVAILABLE**

The following documents have been prepared by the Commission to assist applicants in preparing complete permit applications:

- Advisory Bulletin No. 1 Boat Cleaning Management Measures
- A Compilation of Generally Accepted Testing Standards for On-site Wastewater Treatment Systems
- A Compilation of Generally Accepted Standards for Marina Parking
- Spill Prevention Plans for Marinas with Fuel Sales Facilities

## **F. PROCESSING YOUR APPLICATION**

Applicants are generally notified within a week that their application has been received and within 15 days whether the application is complete or additional information is required. Processing a complete application requires certain statutory notice and review periods including notice and opportunity for comments from adjacent owners, the town in which the project is located and the general public. Additionally a determination pursuant to the State Environmental Quality Review Act must be made.

Your project will generally be scheduled for review at the first Commission meeting following the determination of completeness and the close of the public comment period. Meetings of the Commission are public meetings and anyone wishing to speak on behalf of or in opposition to your project will have an opportunity to speak at the meeting. You are encouraged to be present or to send a representative on your behalf to the meeting.

**F. PERMITS FROM OTHER AGENCIES**

Other permits or approvals for projects may be required from Federal, State, Regional or Local agencies. Project sponsors should inquire at these agencies as to authorizations which may be necessary before commencing work.

The list of agencies which follow is provided to assist project sponsors. It is not intended to mean that a permit is required from the agency, nor does the list include all agencies from which authorization may be required.

Town or Village Zoning Administrator  
County Planning Board

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

US Army Corps of Engineers, New York District  
26 Federal Plaza  
New York, NY 10278-0090  
(212) 264-0183

NYS Department of Environmental Conservation  
(Essex County) (Warren or Washington Counties)  
P.O. Box 67 Hudson Avenue Extension P.O. Box 220  
Ray Brook, NY 12885 Warrensburg, NY 12885  
(518) 891-1370 (518) 623-1200

NYS Office of General Services  
Division of Land Utilization  
Corning Tower Building, Room 2680  
Albany, NY 12242  
(518) 474-2195