

MEMORANDUM

TO: Commission Staff
FROM: Carl DeSantis
DATE: July 7, 1998

RE: Lake George Park Commission
Policy and Procedure Memorandum #01-96
Decision of Policy and Direction to Staff
DOCKS, WHARFS & MOORINGS PROGRAM - BOAT LIFTS

Revised JUNE 30, 1998

STATUTORY AUTHORITY: ECL §43-0117.4

REGULATORY ENACTMENT: 6 NYCRR 646-1 and 6 NYCRR 645-2.1

PURPOSE

This is intended to provide instructional guidelines for jurisdictional determinations and permit decisions regarding certain structures appurtenant to wharfs, specifically, boat lifts as defined herein. The guidelines are issued consistent with definitions contained in 645-2.1 and standards contained in 646-1.1. These guidelines should not be construed as affecting, limiting or altering the meaning and intent of those sections.

It is further the purpose of this memorandum to delegate authority to the Chief Permit Administrator or such Deputy Permit Administrator appointed to issue permit decisions required pursuant to 6 NYCRR 645 and 646 for jurisdictional determinations and permit decisions in accordance with these guidelines.

DEFINITION

A "Boat Lift" is a structure used for the dry berthing of vessels above the lake level and lowering of vessels into the lake periodically. A boat lift as herein defined is used to berth and launch a single vessel, suspended over the water's surface. A boat lift is generally purchased as a manufactured unit with or without a canopy cover and may be placed adjacent to a dock or as stand-alone structure. These may be designed either for boats or personal watercraft. This is to be differentiated from a hoist or crane used for the launching of vessels.

JURISDICTION

The construction or placement of a boat lift requires a permit as a wharf or wharf modification. (A wharf is defined in the regulations as: " Wharf means any structure or device built or used as a berthing place for vessels, including any dock, pier, pile, lateral projection, walkway, quick launch facility, or structure or area used for the dry storage of vessels as part of a quick launch facility.")

If attached to a wharf, a wharf modification permit is required. If stand alone, a new wharf permit is required. The boat hoist would then count as an additional dock on the parcel and be subject to an annual fee.

Application of Regulatory Design Standards:

SETBACKS: If a stand-alone structure, the structure must meet setback limits. If attached to a wharf the hoist may be located within the setback, but may not extend over the property line.

HEIGHT: The structure must meet the height limit

LENGTH: The structure must meet the length from MLW and MHW limits

WIDTH OF DOCK: The structure does not add to the width of the dock

SIZE: The structure does not add square footage to an existing dock as long as it does not include decked surfaces or walkways

WIDTH OF PIER: The structure does not add to the width of a pier to which it is connected.

DELEGATION

Authority is granted to the Chief Permit Administrator or such Deputy Permit Administrator appointed to issue permit decisions required pursuant to 6 NYCRR 645 and 646 for jurisdictional determinations and permit decisions in accordance with these guidelines. Projects not meeting regulatory design standards will require a variance and will be brought to the full Commission for decision.