

Lot Number: \_\_\_\_\_; Date: \_\_\_\_\_

Applicants Name: \_\_\_\_\_

Signature: \_\_\_\_\_

This Request is for Installation/removal of permanent moorings and floating objects	Check Box
(a) Installation/removal of permanent moorings.	
(b) Installation or removal of Buoys or other navigational markers.	

**[Reference reverse side, Section 3 and NYSDEC Requirements]**

**Attach a map or plan with dimensions to scale (1/4 inch per foot minimum scale) showing the location of desired moorings and/or buoys.**

**Identify the type of mooring including floating object, line type and anchor system.**

**Show details of floating objects intended to be moored giving length, width, deck height, mast height and materials of construction.**

**Identify extreme max possible point of floating objects projection into the lake from the shoreline assuming the floating object is at the end of its tether. Maximum Projection \_\_\_\_\_ ft.**

**Will floating object be marked with an anchor light to be lit from sun set to sun rise?    Yes    No**

**Excerpts from the Cuba Lake District Land Use Restrictions & Controls:**

6.3 The combination of docks, slips, boatlifts, and moored boats, rafts, slides and other floating devices shall not occupy more than forty percent (40%) of any individual lot's shoreline length, or more than fifty (50) feet of shoreline, whichever is the lesser. Docks shall not be located closer than six (6) feet to an adjoining property line.

6.8 **Moored Objects:** Moored boats, rafts, slides and other floating devices shall be tethered so as not to extend more than 50 feet, at its greatest extremity, from the break-wall, or normal summer shoreline if there is no break-wall. Moored objects shall also be tethered so that the extremities of the object are a minimum of six (6) feet away from a line coincident with the side lot line, extended fifty (50) feet into the lake. If this method of extension of property line into the lake is considered inequitable to the leaseholder/lot owner or to the neighbor, the disagreement will be settled by application of the more recognized "Perpendicular Method"; or, "Long Lake Method"; or, "Round Lake (Pie) Method" as most applicable to the shape of the lake at the lot position in question. (Ref. Subtitle G Office of General Services, Part 274, Interference with Riparian Rights, Statutory authority: Navigation Law, Par 32), Par 274.5 Standards.)

At the time of the Board's review of these objects, the Board of Commissioners shall determine if an anchorage light affixed to the object is required.

## Floating Object Permits [taken from <http://nysparks.state.ny.us/boating/services.asp>]

- *Floating Object:*
  - Any anchored marker or platform floating on the surface of the water other than aids to navigation and shall include, but not be limited to; bathing beach markers, swimming or diving platforms, mooring buoys, fishing buoys, ski jumps and special anchorage areas.

Waterfront property owners are permitted to put one mooring buoy and/or one diving platform (100 square foot maximum) within 100 feet of their shoreline, and within the boundaries of their property lines. If they wish to place a floating object beyond 100 feet from shore, or in excess of the one object allowed, they must seek permission from State Parks in accordance with Section 35-a of the NYS Navigation Law. This category of floating object includes mooring buoys, bathing beach markers, special anchorage area markers, speed zone markers, and swimming floats.

In general, the permit is granted based upon the recommendation of a local marine law enforcement agency using the following two criteria:

- a) Does the object pose a hazard to safe navigation?
- b) Does the object restrict free access to and from the shore for other residents?

## NYSDEC Requirements [Cuba Lake is in Region 9 of the NYSDEC]

<http://www.dec.state.ny.us/website/dcs/streamprotection/protwater2c.htm#top>

### Regulated Activities

A Protection Of Waters Permit is required for constructing, reconstructing, or repairing docks or platforms **and installing moorings on, in or above navigable waters to create docking facilities, mooring areas or to facilitate other activities.**

A docking facility is any marina, boat basin, marine terminal and any other areas on navigable waters containing a single structure or a collection of related structures such as docks, piers, bulkheads, breakwaters and pilings used for the reception, securing and protection of boats, ships, barges or other watercraft. **A mooring facility is defined as any device that is fixed in navigable waters to which a vessel can be made fast including buoys, chains, ropes, piles, spars and dolphins.** A platform is generally a flat surface located in, on or over a water body, on which structures can be constructed or activities can be conducted. Some examples of activities requiring a permit are:

- installation of a floating dock or dock constructed on piles;
- establishment of a marina consisting of multiple docks and ramps, breakwaters and other in-water structures;
- installation of a platform to accommodate a use or activity on or above the water (i.e., deck, boathouse);
- restoring or rebuilding an existing dock, pier, or wharf;
- substantially changing the use of an existing dock or platform;
- the installation of mooring devices.

### Exempt Activities

The most common activities which are exempt from the requirement to obtain a Protection of Waters Permit for a Dock and Mooring Facility are:

1. Constructing, reconstructing or repairing docks or platforms, and installing moorings in, on or above navigable waters lying above underwater lands owned by the State of New York for which a lease or other approval authorizing use or occupancy of such lands has been obtained from the New York State Office of General Services. See Jurisdictions of Other Agencies on page 13.
2. **Constructing, reconstructing or repairing a docking facility for five or fewer boats and encompassing within its perimeter an area less than 4,000 square feet.** Perimeter means a boundary encompassing all structures and related water surface area utilized at a docking facility including docks, piers, platforms, bulkheads, breakwaters, pilings, travel lanes and berthing areas. See Figure 2, Facility Perimeter Examples on page 27.
3. **Establishing a mooring area for fewer than ten boats.**
4. Temporary anchoring where a boat is not attached to an in-place or fixed mooring device.
5. The seasonal replacement or reinstallation of floating docks and other structures, exceeding the thresholds for regulated activities, which legally existed prior to May 4, 1993 or for which a permit was previously obtained.
6. The relocation, replacement, or rearrangement of floating structures such as docks, ramps, walkways and anchoring devices within an approved perimeter.
7. The ordinary maintenance and repair of structures such as repainting, re-driving piles or replacing boards in docks. Ordinary maintenance and repair does not include substantial reconstruction or restoration involving 50 percent or more of an existing structure.

### Is Your Project Minor or Major?

Review time frames, procedures and requirements for public notice for applications are different for Minor and Major projects under the Uniform Procedures Act requirements (6NYCRR Part 621). Generally, Minor projects have shorter review time frames and require less public review. *Minor* Dock and Mooring Facility projects include:

1. Construction or installation of docks, piers, wharves or other structures used solely as a landing place, providing dockage for 6 to 10 boats and encompassing an area of 4,000 to 8,000 square feet within the facility perimeter.
2. The in-kind replacement of a structure on open supports.
3. The establishment of a mooring facility for 10 to 20 boats.

All other activities are considered *Major* Dock, Platform or Mooring projects for purposes of review and public notice as required by the Uniform Procedures Act. For additional information, see [Time Frames](#).