

ADIRONDACK PARK AGENCY Division of Regulatory Programs PO Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Telephone (518) 891-4050 www.apa.ny.gov	 Adirondack Park Agency	APPLICATION FOR VARIANCE FROM SHORELINE RESTRICTIONS APPENDIX G
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Appendix G

Removal of shoreline vegetation in excess of Agency standards

1. Please evaluate the alternatives listed below. If any of the following alternatives could meet the applicant's objectives, please contact the Agency before completing the remainder of this application because a variance may not be required. If the alternatives listed below are not feasible, please provide a narrative describing why and include any supporting documentation:
 - a. removal of no more than 30 percent of the trees in excess of six inches diameter at breast height (4 ½ feet above ground) within 35 feet of the mean high-water mark; and/or
 - b. removal of no more than 30 percent of any vegetation within 6 feet of the mean high-water mark.

* Note that a permit would be required for vegetative cutting within 100 feet of a designated Wild, Scenic, or Recreational River even if the proposal complies with the alternatives listed above.
2. Attach a site plan map prepared by a qualified professional (NYS licensed surveyor, engineer, architect, etc.) and clearly labeled with the scale, north arrow, date of preparation, and name of preparer. Draw the map to an appropriate engineer's scale between 1" = 10' and 1" = 50' to show the entire variance site. Depict and label the following on the plan, as applicable:
 - a. mean high water mark of any lake, pond, or navigable river or stream (to be determined or verified by Agency staff);
 - b. lines depicting 6 foot and 35 foot setbacks from the mean high water mark of any lake, pond, or navigable river or stream;
 - c. vegetation survey depicting the location and species of all existing trees greater than 6 inches diameter at breast height within 35 feet of the mean high water mark, and all existing vegetation of any size within 6 feet of the mean high water mark. Indicate the vegetation that is proposed to be removed;
 - d. generalized depiction of existing vegetation and cover types (fields, woodlands, shrub areas, lawns, etc.) elsewhere on the project site;

- e. proposed limits of vegetative clearing;
 - f. proposed landscape plantings;
 - g. property boundary lines, including dimensions of each line, and any applicable local setbacks from roads, water bodies, property lines, etc.;
 - h. existing structures (single family dwellings, mobile homes, sheds, docks, decks, boathouses, etc.), including location and size;
 - i. any proposed structures on the variance site;
 - j. APA land use areas;
 - k. centerline of all non-navigable streams, including intermittent streams;
 - l. wetlands as delineated in the field by Agency staff or a qualified wetlands biologist;
 - m. topography within 100 feet of any proposed structures (minimum 10-foot field-verified contour intervals);
 - n. existing areas of steep slopes (greater than 15%) within 100 feet of any proposed structures;
 - o. existing and proposed paved and unpaved roads, driveways, and parking areas, including locations, dimensions, and construction materials;
 - p. existing and proposed on-site wastewater treatment systems and water supplies, including all components;
 - q. proposed erosion and sediment control measures such as plantings, sediment basins, silt fence, and straw bales; and
 - r. proposed stormwater management practices such as eave infiltration trenches, rain gardens, and infiltration basins.
3. If applicable, provide a Planting Plan that depicts any proposed plantings and identifies the plant names, size, number and location. Note that the proposed plants must consist of vegetation native to the region. Please also describe the proposed methods for protection of existing vegetation to be retained in the vicinity of any proposed development.
4. Please provide a Stormwater Management Plan and Erosion and Sediment Control Plan prepared by a qualified professional (NYS licensed surveyor, engineer, architect, etc.). For additional guidance, please refer to the latest editions of the *New York State Stormwater Management Design Manual* and the *New York State Standards & Specifications for Erosion and Sediment Control*.
5. Variance Justification:

Minimization:

- a. Describe how the requested variance represents the minimum relief necessary from the shoreline restrictions. As part of this description, please describe and provide photographs and/or other documentation of any characteristics of the variance site that make compliance with the shoreline restrictions difficult or impossible. These characteristics may include the existence of slopes, boulders, ravines, wetlands, and other features, as well as the size or dimensions of the lot.
- b. Describe any efforts that were made *prior* to the current proposal to minimize

the request. Include a description of any efforts to minimize the amount of shoreline vegetation proposed to be removed. Also describe how the proposal incorporates selective pruning as the primary tool to create targeted filtered views from specific locations on the proposed development, such as porches or windows, if applicable.

Potential Impacts:

- c. Describe the extent to which the variance, if granted, would create impacts to the natural, scenic, open space, or other resources of the Park. Please describe and provide photographs depicting the existing character of the shoreline as viewed from the variance site and from the water body. Also, describe and provide photographs depicting the existing character of the shoreline near the variance site, on the same and opposite sides of the water body, and describe how the variance, if granted, would change the character of the shoreline in this area. Provide supporting facts and documentation. Please note that supplemental information may be requested as part of the application review, including photo-simulations or photographs altered to depict post-development conditions.
- d. Describe any potential impacts that the variance, if granted, would cause to water quality, including stormwater runoff, erosion, and sedimentation, or other project components that may impact water quality. Please include any potential benefits to water quality from the proposal.
- e. Describe any other effects, such as grading, stormwater runoff, and visual impacts that the variance, if granted, would have on adjoining and nearby properties. Provide supporting facts and documentation, including photographs, as appropriate.

Variance Site History:

- f. Describe how the need for a variance arose. This may involve the characteristics of the variance site and/or changes to the site that have occurred over time.

Adverse Consequences:

- g. Describe and provide supporting documentation of any adverse consequences that would result from denial of the variance.