



WIND AND SOLAR POWER

This is a supplement to the Citizen's Guide, which provides basic information about Adirondack Park Agency regulations.

The Adirondack Park Agency Act and Agency regulations implementing the Freshwater Wetlands Act and the Wild, Scenic, and Recreational Rivers System Act establish permitting requirements for certain activities. In some circumstances, these provisions require Agency review of wind and solar power projects.

Wind Power and APA Permitting

Except in Industrial Use areas, wind turbines require an Agency permit on private lands when they are greater than 40 feet in height. When the energy derived from a wind power project will be sold for use off the project site, a permit for a major public utility use or commercial use may also be required.

To expedite the review of certain proposals, the Agency has developed a General Permit, available at <http://www.apa.ny.gov/Forms/GP/GP2009G-2-Application.pdf>, for the installation of small-scale, individual wind turbines and wind-monitoring masts for residential and small business use.

Solar Power and APA Permitting

The development of solar panels on private lands may require an Agency permit as new land use or development within a critical environmental area or designated river area, or if the project will involve wetlands or will be greater than 40 feet in height. When the energy derived from a solar power project will be sold for use off the project site, a permit for a major public utility use or commercial use may also be required. In addition, solar panels may be reviewed by the Agency as part of a project that requires a permit for other reasons, such as the construction of a single family dwelling in a Resource Management land use area.

In most instances, solar project proposals have been found to be accessory structures that did not require Agency review.

Wind and Solar Power and Adirondack Shorelines

All wind turbines and solar panels must meet the Agency's shoreline setback restrictions, found in Section 806 of the Adirondack Park Agency Act and Parts 575 and 577 of Agency regulations.

This flyer is intended to provide general information regarding Agency jurisdiction. Other provisions or restrictions may apply if an Agency permit or variance is required or if the property has previously been subject to Agency review.

Please contact the Agency with any questions at 518-891-4050. For a binding written response as to whether a specific proposal requires Agency review, please submit a Jurisdictional Inquiry Form (JIF). The JIF form is available on the Agency website at www.apa.ny.gov/Forms/jiform.pdf.