

 <p>P.O. Box 99 • Ray Brook, New York apa.ny.gov.</p>	<p style="text-align: center;"><b>General Permit 2005G-4R</b></p>	<p>Effective Date: <b>August 12, 2005</b></p>
	<p>In the Matter of the Issuance of a General Permit for:</p> <p style="text-align: center;"><b>Hunting and Fishing Cabins Greater Than 500 Square Feet in a Resource Management Area</b></p>	

**SUMMARY AND AUTHORIZATION**

This general permit is issued pursuant to §809(13) of the Adirondack Park Agency Act (Executive Law Article 27) authorizing an expedited Agency review process for the construction of a greater-than-500 square foot (but less than 1,250 square foot) hunting and fishing cabin on lawfully existing parcels in a Resource Management area or an otherwise jurisdictional hunting and fishing cabin in conformance with the Agency’s regulatory definition.

To be eligible to use this general permit, a hunting and fishing cabin shall be a cabin, camp or lean-to or other similar structure designed and used only for occasional occupancy and primarily for hunting and fishing and similar purposes that:

- (i) is a one-story structure but may include a sleeping loft;
- (ii) is built on posts or piers and does not have a permanent foundation;
- (iii) is served by a sanitary pit privy or chemical toilet and does not have a conventional, on-site wastewater treatment system;
- (iv) does not have pressurized or indoor plumbing (this prohibition does not preclude a kitchen sink with appropriate grey water leach pit); and
- (v) is not connected to any public utilities (such as electric, phone, cable, water or sewer systems).

The Agency’s Deputy Director (Regulatory Programs) shall determine whether the project as proposed adequately conforms to the eligibility and approval criteria contained herein. Only if it is determined that the project is in conformance with the criteria will use of the general permit be allowed. Otherwise, a regular permit application will be required.

The projects authorized by this General Permit shall be undertaken and completed only as shown on approved project site plans and in accordance with the terms and conditions of a separate General Permit Certificate to be obtained for each project from the Agency.

This general permit is in effect from the date of reissuance unless otherwise modified or revoked by the Agency.

**PROJECTS AS PROPOSED**

The project is for construction of a hunting and fishing cabin as described in the narrative and as shown on the site plan required as attachments to the application.

## **ADIRONDACK PARK AGENCY JURISDICTION**

The projects eligible for and subject to this general permit are jurisdictional as Class A or Class B projects as identified in Section 810 of the Adirondack Park Agency Act and/or “rivers projects” identified in 9 NYCRR Part 577.

### **PROCEDURES**

General Permit Application Review Process:

1. To utilize this APA General Permit 2005G-4R, a Project Sponsor must fully complete the application entitled “Application for Hunting and Fishing Cabin”. The application will not be accepted for review unless it is complete, including all required attachments. The application materials must be submitted to:

Adirondack Park Agency  
Deputy Director, Regulatory Programs Division  
Route 86, P.O. Box 99  
Ray Brook, New York 12977

2. By signing the Application, the applicant agrees that the review clocks of §809 of the Adirondack Park Agency Act do not apply to the application. However, within ten work days of receipt of the application, the Agency will review it for completeness, confirm Agency jurisdiction, determine whether the proposed activity meets the eligibility criteria described herein and contact the applicant to arrange a meeting at the project site. The meeting does not have to take place within the ten day period, but will be scheduled at the earliest mutually agreeable time. If the application is incomplete, the Agency will inform the applicant by mail indicating what specific information is missing. Upon receiving all missing information, a new 10 work-day review period begins for determining completeness.
3. Within ten business days of the site visit or when the application is deemed complete, whichever is later, the Agency will issue a signed APA General Permit 2005G-4R Certificate approving the project provided it meets all eligibility criteria listed below.
4. Where an application has been determined to be ineligible for treatment under this General Permit, the Agency will send a letter explaining why the project is ineligible and stating that the activity may be reviewed again upon receipt of a new application for a regular major permit.
5. Approval Criteria:

Upon office and/or field verification, the proposed project must be determined by APA Deputy Director (Regulatory Programs) to:

- a. be consistent with the information contained in the application;
- b. not have been undertaken;

- c. not require additional detailed engineering or environmental studies to more fully demonstrate no undue adverse impacts on important resources of the Park;
- d. not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational or open space resources of the Park or upon the ability of the public to provide supporting facilities and services made necessary by the project, taking into account the economic and social benefits that might be derived therefrom;
- e. not adversely affect historic or archeological resources or rare, threatened or endangered species;
- f. be capable of meeting the conditions contained within this General Permit and as stated in "Section C. - Conditions" of the Certificate form;
- g. comply with Section 809(10) and all minimum shoreline requirements of Section 806 of the APA Act and any specific shoreline conditions imposed herein;
- h. not have adverse impacts to any wetland; and
- i. comply with the requirements of the New York State Wild, Scenic and Recreational Rivers System Act.

6. Applicant Certification:

By signing the application, a Project Sponsor:

- a. confirms that the information contained in the application is true, accurate and complete;
- b. agrees that if a jurisdictional project has been determined to be ineligible for approval under the APA General Permit Program, the determination may not be appealed and the appropriate individual permit application must be submitted to the Agency and a permit issued before that activity can be undertaken;
- c. agrees that the time period for review for completeness of any subsequent application for an individual permit will not begin until the Agency has received the individual permit/order application;
- d. agrees that there is no default approval of the Agency General Permit if the time periods specified herein are not complied with by the Agency. The Agency will make every effort to provide timely review; and
- e. agrees to undertake and complete the project in full compliance with the terms and conditions of a General Permit Certificate issued by the Agency.

**FINDINGS OF FACT**

The projects subject to this general permit will not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational or open space resources of the Park or upon the ability of the public to provide supporting facilities and services made necessary by the project, taking into account the commercial, residential, recreational or other benefits that might be derived therefrom.

The projects subject to this general permit will not cause any change in the quality of "registered," "eligible," or "inventoried" property as those terms are defined in 9 NYCRR 426.2

for the purposes of implementing §14.09 of the New York State Historic Preservation Act of 1980.

### **CONCLUSIONS OF LAW**

The Agency has considered all the statutory and regulatory criteria for project approval as set forth in Section 809(10) of the Adirondack Park Agency Act (Executive Law, Article 27) and 9 NYCRR Part 574. The Agency hereby finds that those certain regulated minor project activities as described herein are approvable provided they are undertaken in compliance with the approved permit certificate and required attachments and the terms and conditions therein.

