



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

BOATHOUSES

Agency regulations which took effect on September 21, 2010 contain a revised definition of “boathouse” which includes specific limitations on size, use and amenities.

9 NYCRR 570.3(c): *Boathouse* means a covered structure with direct access to a navigable body of water which (1) is used only for the storage of boats and associated equipment; (2) does not contain bathroom facilities, sanitary plumbing, or sanitary drains of any kind; (3) does not contain kitchen facilities of any kind; (4) does not contain a heating system of any kind; (5) does not contain beds or sleeping quarters of any kind; (6) does not exceed a single story in that the roof rafters rest on the top plate of the first floor wall, and all rigid roof surfaces have a minimum pitch of four on twelve, or, alternatively, one flat roof covers the entire structure; and (7) has a footprint of 1200 square feet or less measured at the exterior walls (or in the absence of exterior walls, at the perimeter of the roof), and a height of fifteen feet or less. For the purpose of this definition, the height of a boathouse shall be measured from the surface of the floor serving the boat berths to the highest point of the structure. The dimensional requirements specified herein shall not apply to a covered structure for berthing boats located within the Lake George Park, provided the structure is built or modified in accordance with a permit from the Lake George Park Commission and is located fully lakeward of the mean high-water mark of Lake George.

Agency regulations effective May 1, 2002 also contain a companion regulation pertaining to decks attached to boathouses.

9 NYCRR 575.4(c): Decks or porches which are above water level and extend beyond the structural footprint of any boathouse [as defined above] are subject to the shoreline setback restrictions if those portions which extend beyond the structural footprint exceed 100 square feet in the aggregate.

To clarify certain aspects of the definition:

“Direct access” means that boats are able to be driven into the boathouse, with one opening or berth per boat. An exception is made for canoes, kayaks and small sailboats which can be lifted or pulled into the structure, but the structure must still be immediately adjoining the shoreline for the access to be “direct”. A storage shed or garage is not a boathouse, even if boats are stored in them.

Flat-roofed boathouses continue to be allowed without an Agency variance, even if the roof is used as a deck and includes safety railings. The surface used as a deck covers the entire boathouse structure and a deck cannot be constructed above a sloping boathouse roof.

Other than a dock, any structure which exceeds 100 square feet in size which provides access to the boathouse from the shore will require a variance from the shoreline setback requirements.

This guidance reflects the consistent advice of Agency legal staff, but it must be evaluated and explained in jurisdictional advice based on the specific circumstances of any particular boathouse proposal. Such an evaluation will be provided upon request by the Jurisdictional Inquiry Office of the Adirondack Park Agency.

Please be aware that this flyer is only intended to provide general information regarding Agency jurisdiction. If an Agency permit is required (or if the property has previously been subject to Agency review) then other restrictions may apply.

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