

**NEW YORK STATE OFFICE OF GENERAL SERVICES
INSTRUCTIONS
APPLICATION FOR A LICENSED USE OF LAND UNDERWATER
(marinas & marina structures, moorings, docks. etc.)**

An application for use of land underwater, pursuant to Article 6 Section 75 7(b) of the Public Lands Law, shall be made to the Commissioner of General Services.

Please read these instructions and the enclosed pages. The application is composed of pages 1 thru 5 and is intended to provide information on the existing or proposed structure, use or project, and notice of the project to your shorefront neighbors and municipality. Applicant should fill out each page of the application and return the same to the address set forth at the end of these instructions.

- ◆ Pages 1 & 2 is the application pursuant to Article 6 Section 75 of the Public Lands Law
 - **Please Note, as detailed on Page II of these instructions, the requirement of material necessary to complete the application process.**
- ◆ Page 3 is a notice of your application, to be served upon the local municipality.
- ◆ Page 4 is a notice of your application to be served upon your adjoining WATERFRONT owners (your neighbors on either side of your property.) For the purpose of identifying an adjacent owner of waterfront lands, you may use the latest completed tax assessment roll.
- ◆ Page 5 is the Affidavit of Service providing proof that you served the local municipality and adjacent waterfront owners with notice of the application. An affidavit of service must be completed for each service of notice.

PLEASE ALLOW A PERIOD OF AT LEAST TWENTY (20) DAYS AFTER THE DATE OF SERVICE OF THE NOTICE OF APPLICATION BEFORE YOU SUBMIT YOUR APPLICATION, TO ALLOW THE MUNICIPALITY AND ADJOINING SHOREFRONT OWNERS SUFFICIENT TIME TO COMMENT ON YOUR APPLICATION.

The following additional documents shall be submitted with your application for use of underwater lands. (You may wish to check off these documents prior to submission of the application).

- A certified copy of the deed of applicant's adjacent upland (available from the County Clerk's Office).
- Copies of adjoining waterfront owner's deeds (available from the County Clerk's Office).
- A full size copy of the Tax Map (available from the County Tax Office).
- A drawing or survey delineating the applicant's upland property boundaries and Stateowned lands to be used, including in-water docks and structures (existing or proposed).
- Photograph(s) of the project area, showing the project in relation to adjacent property lines.
- A State Environmental Quality Review Act (SEQR) Form (new projects only).

The Commissioner may require additional submissions such as a legal description, permits or letters from the U.S. Army Corps of Engineers, the NYS Department of Environmental Conservation, the NYS Department of State, the NYS Office of Parks, Recreation and Historic Preservation, and county or local agencies.

Receipt of these materials will be acknowledged immediately. After an initial review, the applicant will be advised of the fees required and whether further information is necessary.

Applications should be sent to:

NYS OFFICE OF GENERAL SERVICES
BUREAU OF LAND MANAGEMENT
CORNING TOWER, 26TH FLOOR
EMPIRE STATE PLAZA
ALBANY, NY 12242

NEW YORK STATE OFFICE OF GENERAL SERVICES

AFFIDAVIT OF APPLICANT

STATE OF }
 :
COUNTY OF } **SS.:**

On the ____ day of _____, in the year 20 , before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public, State of New York
Qualified in County of:
My Commission Expires

**NEW YORK STATE OFFICE OF GENERAL SERVICES
NOTICE OF APPLICATION PURSUANT TO
THE PUBLIC LANDS LAW**

Check One:

- Existing facility
- Expansion of existing facility
- New facility

To be served upon: Mayor, Supervisor, Clerk or Corporation
Counsel, as required

In the Matter of the Application of _____ :
: :
: :
: :
for use of land under the waters of _____ :
City/Town County :

**NOTICE
OF
APPLICATION**

To: _____
Name and Title of Official and Municipality _____
Address: _____

You are hereby notified that it is the intention of the undersigned to apply on the ____ day of _____, 20____
(Application must be dated at least 20 days after the date of Service of Notice) to the Commissioner of General
Services, pursuant to the provisions of the Public Lands Law, for use of land underwater of the State of New York,
described as follows (insert brief description of project area including dimensions and use):

**If you believe that you will be adversely affected by this application, you should file, on or before the above
date, or within 20 days upon receipt of this notice, your objections to the application with the
Commissioner of General Services, Corning Tower, Empire State Plaza, Albany, NY 12242.**

Applicant address and telephone: (please print or type)

Applicant (signature)

Dated:

**NEW YORK STATE OFFICE OF GENERAL SERVICES
NOTICE OF APPLICATION PURSUANT TO
THE PUBLIC LANDS LAW**

Check One:

- Existing facility
- Expansion of existing facility
- New facility

To be served upon: Adjoining Owner

In the Matter of the Application of _____ :
: :
: :
: :
: :
for use of land under the waters of _____ :
City/Town _____ County _____ :

**NOTICE
OF
APPLICATION**

To:

Name of Adjoining Owner

Address:

You are hereby notified that it is the intention of the undersigned to apply on the ____ day of _____, 20____
(Application must be dated at least 20 days after the date of Service of Notice) to the Commissioner of General
Services, pursuant to the provisions of the Public Lands Law, for use of land underwater of the State of New York,
described as follows (insert brief description of project area including dimensions and use):

If you believe that you will be adversely affected by this application, you should file, on or before the above date, or within 20 days upon receipt of this notice, your objections to the application with the Commissioner of General Services, Corning Tower, Empire State Plaza, Albany, NY 12242.

Applicant address and telephone: (please print or type)

Applicant (signature)

Dated:

NEW YORK STATE OFFICE OF GENERAL SERVICES

(Extra copies of this form may be made as needed)

Application of : AFFIDAVIT OF SERVICE
: OF
: NOTICE OF APPLICATION
for use of land under the waters of :
in the City/Town County : (To be completed by the person
serving the Notice of Application)

STATE OF NEW YORK, COUNTY OF _____, _____ being duly sworn,
deposes and says; deponent is over 18 years of age and resides at _____
_____. That on _____ 20__ at _____ deponent served
the Notice of Application on _____ personally known to the deponent to be the
owner(s) of record of the waterfront land adjoining the land of the applicant and the area applied for, as follows:

INDIVIDUAL by delivering a true copy to said owner(s) personally; deponent knew the person so served
1. [] to be the owner(s) described in said record.

CORPORATION a _____ corporation, by delivering thereat a true copy to
2. [] _____ personally, deponent knew said corporation so served to be said
(includes City, corporate owner(s) and knew said individual to be the _____ thereof.
Town, Village)

SUITABLE AGE by delivering thereat a true copy to _____, a person of suitable
PERSON age and discretion. Said premises is owner's(s') actual place of business, dwelling place,
3. [] usual place of abode within the State.

If the owner(s) cannot be personally served within this State after making diligent efforts
to do so, then service methods 4 and 5 may be used.

AFFIXING TO by affixing a true copy to the door of said premises, which is owner(s) actual place of
DOOR, ETC. place of business, dwelling place, usual place of abode within the State.
4. []

AND

MAILING TO EITHER deponent enclosed a copy of same in a postpaid envelope properly addressed to
RESIDENCE OR owner(s) at owner(s) last known residence, as shown on local tax rolls at
BUSINESS _____ and deposited said
5. [] envelope (certified mail) in an official depository under the exclusive care and custody of the
U.S. Postal Service within New York State OR deponent enclosed a copy of same in a
postpaid envelope addressed to owner(s) at owner's actual place of business, at _____
_____ and deposited said envelope (certified mail) in an official
depository under the care and custody of the U.S. Postal Service within New York State.

Deponent's (Server's) Signature

STATE OF }
: SS.:
COUNTY OF }

On the ____ day of _____, in the year 20 __, before me, the undersigned, a Notary Public in and for said State,
personally appeared _____, personally known to me or proved to me on the basis of satisfactory
evidence to be the individual(s) whose name(s) is (are) subscribed to the instrument and acknowledged to me that
he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public, State of New York
Qualified in County of:
My Commission Expires

PLEASE ATTACH COPY OF THE NOTICE OF APPLICATION