

STATE OF NEW YORK
EXECUTIVE DEPARTMENT
OFFICE OF GENERAL SERVICES

APPLICATION FOR USE OF LAND UNDERWATER
PURSUANT TO THE PUBLIC LANDS LAW
ARTICLE 6 -- SECTION 75 (7b)
MARINAS, BOATHOUSES, LARGE DOCKS, DOCKS WITH MORE THAN 5 SLIPS

Check one:

- Existing facility
- Expansion of existing facility
- New facility

APPLICATION

In the Matter of the Application of _____:

For a grant of license in lands under the waters of _____:

(Town) (City) (Village) _____ County of _____:

TO: THE COMMISSIONER OF GENERAL SERVICES

The application of _____,
residing (having its principal office, if a corporation) at: _____

_____ respectfully alleges:

1. That he (she, they, it) is (are) owner(s) in fee of real property located at: _____

and adjacent to _____, which real
(name of body of water)

property is described in a deed to the Applicant(s) dated _____

recorded in the County Clerk's (Registers) Office in Liber _____ of Deeds at page _____

on _____.
(Date)

2. That the proposed use of the license hereinafter requested and the proposed work or
structures are: (insert brief description of proposed license area including dimensions and use):

3. That the full names and addresses of the owners of record of the adjoining shorefront properties are:

4. That there is attached hereto a copy of permit from the U.S. Department of the Army (Corps of Engineers) authorizing such work to be or has been done. (This is not required if the waters under which the lands are located are not federally controlled)

5. A drawing or survey delineating the applicant's upland property boundaries and State-owned lands to be used, including in-water docks and structures (existing or proposed).

6. That here is attached hereto a certified copy of the deed (or deeds) to the upland of the undersigned applicant(s), or letter of consent from upland owned together with certified copies of deed(s).

7. That there are attached hereto affidavits of service of notice on the municipality in which the proposed grant is situate, and on the adjoining owners along the shorefront with copies of the respective notices attached.

WHEREFORE, your applicant respectfully applies, pursuant to the provisions of Section 75, Subdivision 7(b) of the Public Lands Law, for a grant of license in lands under the waters of

_____ (Name of Body of Water)

in _____ (Name of city or town, including name of village, if in a village)

in the County of _____ and State of New York, for the purpose hereinabove mentioned.

Dated: _____, 20 _____

Applicant

Applicant

(To be signed by all co-owners)

Phone # (H) _____

(W) _____

Other Contact: _____

E-Mail Address: _____

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 FOR USE OF LAND UNDERWATER
PURSUANT TO THE PUBLIC LANDS LAW
ARTICLE 6 -- SECTION 75 (7b)
MARINAS, BOATHOUSES, LARGE DOCKS, DOCKS WITH MORE THAN 5 SLIPS**

Check one:

- Existing facility
- Expansion of existing facility
- New facility

In the Matter of the Application of _____:

NOTICE OF APPLICATION

for a grant of license in lands under the waters of _____:

(Town) (City) (Village) _____ County of _____:

TO: _____

You are hereby notified that it is the intention of the undersigned to apply on the _____

day of _____, 20 _____, to the Commissioner of General Services, Albany, New York, for a grant of license, pursuant to the provisions of Section 75, Subdivision 7(b), of the Public Lands Law in under water land of the State of New York, described as follows (insert brief description of proposed license area including dimensions and use):

If you believe yourself to be adversely affected by reason of such grant of license to the undersigned, you should, on or before the above date, file with the Commissioner of General Services, Albany, New York, your written objection and your reason for opposing the granting of such license.

The adjacent upland of the undersigned is located at:

Dated: _____, 20 _____

Applicant
Post Office Address:

**AFFIDAVIT OF SERVICE OF MAYOR, SUPERVISOR, CLERK OR CORPORATION COUNSEL
NEW YORK STATE OFFICE OF GENERAL SERVICES**

_____ Application of _____

*AFFIDAVIT OF SERVICE
OF
NOTICE OF APPLICATION*

:
:
:

for use of land under the waters of _____ :
in the City/Town of _____ :
County of _____ :

(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
1. served 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
(includes City, Town be said corporate owner(s) and knew said individual to be the _____
Village) thereof.

SUITABLE AGE by delivering thereat a true copy to _____ a person of suitable
PERSON age and discretion. Said premises is owner(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. business, dwelling place, usual place of abode within the State.
4.

AND

MAILING TO 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.

Sworn to before me this _____
day of _____ 20 _____.

Applicant Signature

Notary Public

Print or Type Name

**AFFIDAVIT OF SERVICE OF AN OWNER OF ADJOINING LANDS
NEW YORK STATE OFFICE OF GENERAL SERVICES**

Application of _____

:
:
:

*AFFIDAVIT OF SERVICE
OF
NOTICE OF APPLICATION*

for use of land under the waters of _____ :
in the City/Town of _____ :
County of _____ :

(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 _____

_____, 20 ____ at _____ deponent
served the Notice of Application on _____ personally known to the deponent to be the
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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.

Sworn to before me this _____
day of _____ 20 _____.

Applicant Signature

Notary Public

Print or Type Name

**AFFIDAVIT OF SERVICE OF AN OWNER OF ADJOINING LANDS
NEW YORK STATE OFFICE OF GENERAL SERVICES**

*AFFIDAVIT OF SERVICE
OF
NOTICE OF APPLICATION*

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

(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 _____

_____, 20 ____ at _____ deponent
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2. _____ personally, deponent knew said corporation so served to
(includes City, Town be said corporate owner(s) and knew said individual to be the _____
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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.

Sworn to before me this _____
day of _____ 20 _____.

Applicant Signature

Notary Public

Print or Type Name

**NEW YORK STATE OFFICE OF GENERAL SERVICES
INSTRUCTIONS
APPLICATION FOR A LICENSED USE OF LAND UNDERWATER
(marinas, boathouses, large docks, docks with more than 5 slips)**

An application for a grant of license in lands underwater, pursuant to Article 6 Section 75 Subdivision 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 7 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 and 2 are for the applicant's name, location, and deed ownership of adjacent owners' properties together with a description of the purpose of the license.
Page II of these instructions has a checklist of material necessary to complete the application process
- ◆ Page 3, Affidavit of Applicant, is a verification of applicant's or corporate officer's identity. It must be notarized.
- ◆ Page 4, *Notice of Application*, to be served upon the local municipality and upon the adjacent shorefront owners. **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 adjacent shorefront owners sufficient time to comment on your application.**
- ◆ Page 5 is the *Affidavit of Service* providing proof that you served the local municipality. (*One affidavit for each service made*). It must be notarized.
- ◆ Page 6 and 7 are the *Affidavit of Service* providing proof that you served the adjacent shorefront owner(s). They must be notarized.
- ◆ You must complete "Part 1 of the Environmental Assessment Form (EAF)" which can be found at the web address <https://www.dec.ny.gov/permits/6191.html> using the "EAF Mapper Application" which can be found at this web address <https://gjsservices.dec.ny.gov/eafmapper/>. If the project is an Unlisted Action, submit a completed Part 1 of a Short Environmental Assessment Form. If the project is a Type I Action, submit a completed Part 1 of a Full Environmental Assessment Form.

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 State-owned 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).

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
DIVISION OF STATE ASSET & LAND MANAGEMENT
CORNING TOWER, 40TH FLOOR
EMPIRE STATE PLAZA
ALBANY, NY 12242