

REGULATION OF ACTIVITY IN OR NEAR WETLANDS

The New York State Freshwater Wetlands Act requires that an agency permit be obtained for the following whether or not they occur within the wetland:

1. any form of pollution directly in, or which drains into, the wetland, including application of pesticides or discharge of sewage effluent or other liquid waste into, or so as to drain into, the wetland;
2. installation of any on-site sewage drainage field or seepage pit or any sewer outfall in, or within 100 feet of a wetland;
3. any other activity which harms the wetland, including diversion of surface or subsurface drainage or natural water flows, or which substantially increases erosion of, or siltation or sedimentation into the wetland.

The Act also requires that permits be obtained for the following if they take place within the wetland itself:

1. subdivision (including conveying a lot which has all or part of a wetland on it);
2. draining, dredging, filling, or depositing soil, stones, sand, gravel, mud, rubbish or fill of any kind, either directly or indirectly;
3. erecting structures, building roads, driving pilings, or placing any other obstructions, whether or not they change the pattern or flow or elevation of the water;
4. clearcutting more than three acres.

The Agency will determine the exact location of wetland boundaries on your property if you wish. Please call 518-891-4050.