

ARTICLE 7 - SUPPLEMENTARY REGULATIONS

Section 7.01 Shoreline Regulations.

The purpose of these regulations is to allow reasonable access and use of the Town's waterfront with concern for the public health, welfare and safety. It is the Town's intent to minimize the impact to the shoreline environment and its natural character. These regulations are in addition to other applicable federal, state, and local regulations.

A. General.

1. All construction on any shoreline lot shall be carried out in such a manner as to minimize interference with the natural course of such waterway, to avoid erosion of the shoreline, to minimize increased runoff of ground and surface water into the waterway, to remove only that vegetation which is necessary to the accomplishment of the project, and to generally maintain the existing aesthetic and ecological character of the shoreline.
2. Any marina, boat service facility or any storage of petroleum products within one hundred (100) feet, or other reasonable setback from the shoreline, as determined necessary by the Planning Board, shall include adequate provisions for insuring that any leak, rupture, or spill will be contained and not be introduced into or affect the adjacent waterway.
3. Any paved or otherwise improved parking, loading or service area within one hundred (100) feet of any shoreline shall be designed and constructed so as to minimize surface runoff and the entrance of any chemical pollutants or earthen siltation into the waterway.
4. If the minimum lot areas, widths and shore frontages specified for any uses by local and state agencies are inadequate to insure a potable water supply and safe sewerage and other waste disposal, such lot areas, widths and frontages shall be increased to meet water supply and distribution and sewerage needs.
5. Except as otherwise herein provided, the minimum shoreline setback of any on-site sewage drainage field or seepage pit shall be one hundred (100) feet from the shoreline, irrespective of the zoning district or land use classification.
6. There shall be no grading within ten (10) feet from the top of the slope of any stream bed or drainage way.

B. Shoreline Dimensional Requirements.

1. All shoreline frontage distances shall be measured horizontally. Shoreline frontages are measured along the shoreline as it winds and turns at the shoreline.
2. Building setback restrictions are measured along the shortest line between any point of the structure and any point on the shoreline.

3. Sewage disposal system setbacks are measured along the shortest line between any point of the seepage pit, draining field or other leaching facility and any point on the shoreline.
4. The minimum shoreline setback applies to all principal buildings and accessory structures in excess of 100 sq. ft., other than docks and boathouses.

DIMENSIONS			
District	Minimum Setback	Minimum Lot Width	Minimum Setbacks if within ¼ Mile of Hudson/Schroon Rivers
Hamlet	50 feet	50 feet	50 feet
Moderate Intensity	50 feet	100 feet	150 feet*
Low Intensity	75 feet	125 feet	150 feet*
Rural Use	75 feet	150 feet	150 feet*
Resource Mgmt	100 feet	200 feet	150 feet*

*Recreational River Zone: An Adirondack Park Agency determination of jurisdiction is required prior to issuance of a Zoning permit.

See Section 7.07 for shoreline frontage requirements for tourist accommodations.

C. Cutting Restrictions.

Cutting shall be permitted on shorefront lots provided the following standards are met:

1. Within 35 feet of the shoreline no vegetation may be removed, except that up to a maximum of 30 percent of the trees in excess of six inches diameter at breast height (DBH) existing at any time may be cut over any 10-year period.
2. Within six feet of the shoreline no vegetation may be removed, except up to a maximum of 30 percent of the shorefront may be cleared of vegetation on any individual lot. This provision shall be adhered to in addition to the general standards above.
3. The above cutting standards shall not be deemed to prevent the removal of diseased vegetation or of rotten or damaged trees or other vegetation that presents safety or health hazards.
4. Within a ¼ mile of the Hudson and Schroon Rivers, except within the Hamlet and Moderate Intensity District, special vegetative cutting restrictions apply. The Adirondack Park Agency shall determine jurisdiction.

D. Shoreline Retaining Wall

1. A retaining wall within the shoreline setback that meets the following criteria does not require a variance and does require a Zoning Permit from the Town of Chester. The retaining wall:

- a. is constructed of dry laid stone or untreated natural logs;
 - b. is smaller than 200 square feet in size;
 - c. does not exceed 2 feet in height above the mean high water mark;
 - d. is designed to control an on-going erosion problem;
 - e. is limited to the area necessary to control such erosion; and
 - f. follows the existing natural elevation and contour of the shoreline.
2. Any proposed retaining wall within the shoreline setback that does not meet all of the criteria listed above (a-f) requires an area variance.
 3. Retaining walls shall be measured either in elevation (face) view or plan (top) view, whichever is larger.