

## **Appendix A**

### **Local Wetland and Watercourse Laws in Effect in New York State as of July 2013**

Appendix A – Local Wetland and Watercourse Laws

Local Wetland Law	Maps Referred to	Delineator Used	Appeal Process for Permit Denial	Other Information	Link
Village of Airmont, NY, Chapter 206: Wetlands	Regulated wetlands are those “including but not limited to any such lands and waters” designated on state wetlands map.	During the application process, the applicant must request a field determination of the affected area by the Village Engineer before mapping begins.	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.	Board may also, in its discretion, permit any activity otherwise prohibited by Chapter 206 to be done, except with respect to property designated on the state wetlands map or otherwise regulated by the state, provided that the planning board determines after investigation that to prohibit such activity would cause undue hardship to the property owner.	<a href="http://ecode360.com/6590420?highlight=wetlands,wetland#6590420">http://ecode360.com/6590420?highlight=wetlands,wetland#6590420</a>
Town of Babylon, NY, Chapter 128: Fresh-water Wetlands	State wetlands map filed with the Town Clerk by New York State Dep’t of Env’tl. Conserv.	No specified delineation process.  No indication as to whether Town map is to be created to supplement state maps.	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.		<a href="http://ecode360.com/6807314?highlight=wetlands,wetland#6807314">http://ecode360.com/6807314?highlight=wetlands,wetland#6807314</a>
Town of Bedford, NY, Chapter 122: Wetlands	State freshwater wetlands map.  Also refers to Bedford Regulated Wetland Area Map, which was prepared by consultants in 1991 and which shows areas that may constitute regulated wetlands.	Applicant is required to pay for land survey.	Aggrieved party may appeal planning board decision under CPLR Article 78.	The Town Environmental Consultant shall conduct a site inspection and may require the applicant to stake or otherwise locate in the field all pertinent locations of a proposed activity, including wetlands, watercourses and wetland/watercourse buffer.	<a href="http://ecode360.com/6236985?highlight=wetlands,wetland#6236985">http://ecode360.com/6236985?highlight=wetlands,wetland#6236985</a>

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Town of Bethlehem, NY, Chapter 72: Fresh-water Wetlands	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	No specified delineation process.	Aggrieved party may appeal planning board decision under ECL Article 24.	Involved agencies have the right to inspect the property to collect further information, which they may consider necessary to properly review the application.	<a href="http://ecode360.com/search/BE1011?query=wetlands">http://ecode360.com/search/BE1011?query=wetlands</a>
Town of Brant, NY, Chapter 91: Fresh-water Wetlands	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	No specified delineation process.	No specified appeal process.	Involved agencies have the right to inspect the property to collect further information, which they may consider necessary to properly review the application.	<a href="http://ecode360.com/9004304?highlight=wetlands,wetland#9004304">http://ecode360.com/9004304?highlight=wetlands,wetland#9004304</a>
Village of Briarcliff Manor, NY, Chapter 131: Fresh-water Wetlands	<p>State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.</p> <p>Also refers to Briarcliff Wetlands Control District Map, which was prepared by consultants, adapted from maps from the U.S. Dept of Agriculture and the New York State Dep't of Env'tl. Conserv. The Village of Briarcliff updates this map.</p>	<p>Applicant pays for scientific data report, including hydrological studies, as deemed necessary by the approving authority. Delineation questions on the boundaries of the Wetland Control District Map are deferred to State experts' opinion, which are submitted to the Board of Trustees to make a final determination. Applicant must submit scientific data/report, including perimeter surveys, hydrological studies, engineering reports, as deemed necessary by the approving authority to make a determination.</p>	<p>Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.</p>		<a href="http://ecode360.com/7689657">http://ecode360.com/7689657</a>

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Town of Brookhaven, NY, Chapter 81: Wetlands and Waterways	State wetlands and Tidal Wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	Applicant must receive a stamped survey or have the plan certified by an engineer, architect or landscape architect, or any other professional licensed or authorized to prepare such a plan.	Aggrieved party may appeal planning board decision under CPLR Article 78.		<a href="http://ecode360.com/BR0012">http://ecode360.com/BR0012</a>
Village of Buchanan, NY, Chapter 203: Wetlands	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	Applicant requests a field determination of the affected area by the Village engineering consultant prior to mapping. Consultant then submits a written report to the Planning Board.	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.		<a href="http://www.ecode360.com/BU0230">http://www.ecode360.com/BU0230</a>
Town of Carmel, NY, Chapter 89: Fresh-water Wetlands	Town of Carmel Wetlands Map, adopted by the Town Board but is not considered when determining absolute boundaries or locations of wetland and is used for informational purposes only.	Applicant requests a field determination by Town Wetlands Inspector, who determines the absolute boundaries and locations of wetlands.	Aggrieved party may appeal planning board decision under CPLR Article 78.	Submission of an application grants permission to the Board to enter the property to delineate wetlands.	<a href="http://ecode360.com/search/CA0321?query=wetlands">http://ecode360.com/search/CA0321?query=wetlands</a>

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Village of Centre Island, NY, Chapter 64: Fresh-water Wetlands	Village Freshwater Wetlands Map	Applicant pays for wetlands delineation and land survey. If the Board deems it necessary to receive technical advisement by an independent professional when reviewing the application, “the applicant shall be responsible for reimbursing the Village for the cost of such professional.”	Aggrieved party may appeal to the Village Board of Zoning Appeals. The standards applied by the Board of Zoning Appeals for review shall be the standards applied to a use variance under the Village Law of the State of New York.	The Building Inspection may review the site or plans to determine if a permit for disturbance of a protected environmental feature is required or may request that further information be supplied by the applicant to make this determination.	<a href="http://www.ecode360.com/13441864?highlight=wetlands,wetland#13441864">http://www.ecode360.com/13441864?highlight=wetlands,wetland#13441864</a>
Town of Chester, NY, Chapter 54: Fresh-water Wetlands	State wetlands map filed with the Town Clerk by New York State Dep’t of Env’tl. Conserv.	No specified delineation process.  The applicant must submit with application “a map showing the area of freshwater wetland or adjacent area directly affected.” No indication as to whether Town map is to be created to supplement state maps.	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78		<a href="http://www.ecode360.com/6951826?highlight=wetlands,wetland#6951826">http://www.ecode360.com/6951826?highlight=wetlands,wetland#6951826</a>
Town of Clarkson, NY, Chapter 79: Fresh-water Wetlands	State wetlands map filed with the Town Clerk by New York State Dep’t of Env’tl. Conserv.	No specified delineation process.  Applicant must include “a detailed description of the proposed activity and a map showing the area of freshwater wetland directly affected, with the location of the proposed activity thereon.”	No specified appeal process.		<a href="http://ecode360.com/8648776?highlight=wetlands,wetland#8648776">http://ecode360.com/8648776?highlight=wetlands,wetland#8648776</a>

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Town of Clifton Park, NY, Chapter 124: Fresh-water Wetlands and Stream Protection	State wetlands map filed with the Town Clerk promulgated by New York State Dep't of Env'tl. Conserv.	No specified delineation process.  Applicant must include "a detailed description of the proposed activity and a map showing the area of freshwater wetland directly affected, with the location of the proposed activity" and any information the Environmental Conservation Commission requires.	No specified appeal process.		<a href="http://ecode360.com/6712395?highlight=wetlands_wetland#6712395">http://ecode360.com/6712395?highlight=wetlands_wetland#6712395</a>
Town of Cornwall, NY, Chapter 90: Fresh-water Wetlands	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	No specified delineation process.  Applicant must include a map showing the area of freshwater wetland or adjacent area directly affected. No indication as to whether Town map is to be created to supplement state maps.	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78		<a href="http://ecode360.com/10555547?highlight=wetlands_wetland#10555547">http://ecode360.com/10555547?highlight=wetlands_wetland#10555547</a>
Town of Cortlandt, NY, Chapter 179: Fresh-water Wetlands, Water Bodies and Water-courses	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	Applicant pays for land survey to delineate wetland/watercourse boundaries. Applicant pays town-approved wetland consultant to approve the delineation.	No specified appeal process.		<a href="http://ecode360.com/CO0244">http://ecode360.com/CO0244</a>

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Village of Croton-on-Hudson, NY, Chapter 227: Wetlands	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	Applicant pays for wetland delineation and land survey, which must be performed less than 12 months before filing the application.	Aggrieved party may appeal to the planning board to review decisions made by the Water Control Commission or the Village Engineer. The Planning Board then becomes the approving authority for the application. Party may appeal under CPLR Article 78.	By submitting the application for the permit, the applicant is deemed to have given consent to inspection as outlined in Chapter 227.	<a href="http://ecode360.com/9144890?highlight=wetlands,wetland#9144890">http://ecode360.com/9144890?highlight=wetlands,wetland#9144890</a>
Town of East Fishkill, NY, Chapter 110: Fresh-water Wetlands, Water Bodies and Watercourses	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	Applicant must have wetlands delineation and land survey completed by Town-designated wetlands consultant and by a New York State licensed land surveyor. Applicant pays for mapping and delineation unless mapping and delineation waived by authority.	No specified appeals process.	The Building Inspector periodically prepares a list of qualified wetlands consultants for the Town Board for the provision of wetland services.	<a href="http://www.ecode360.com/10968559?highlight=wetlands%20wetlands,wetlands,wetland#10968559">http://www.ecode360.com/10968559?highlight=wetlands%20wetlands,wetlands,wetland#10968559</a>
Village of East Hampton, NY, Chapter 163: Fresh-water Wetlands	Village Freshwater Wetlands map.	No specified delineations process.  Applicant must include a survey prepared by a licensed surveyor showing the area of the wetlands directly affected.	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.		<a href="http://www.ecode360.com/8383419">http://www.ecode360.com/8383419</a>

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Town of Fenton, NY, Chapter 85: Fresh-water Wetlands	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	<p>No specified delineation process.</p> <p>Applicant must include "a map showing the area of freshwater wetland or adjacent area directly affected." No indication as to whether Town map is to be created to supplement state maps.</p>	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.		<a href="http://ecode360.com/10582433?highlight=wetlands_wetland#10582433">http://ecode360.com/10582433?highlight=wetlands_wetland#10582433</a>
Town of Fishkill, NY, Chapter 82: Fresh-water Wetlands, Watercourses and Water Bodies	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	Applicant is required to pay for wetlands delineation.	No specified appeals process.	The applicant and landowner, if different, are jointly responsible for the payment of services used by the Planning Board to make its determination.	<a href="http://www.ecode360.com/10585903?highlight=wetlands%20watercourse%20wetland_wetland_wetlands_wetland">http://www.ecode360.com/10585903?highlight=wetlands%20watercourse%20wetland_wetland_wetlands_wetland</a>
Village of Great Neck Estates, NY, Chapter 129: Fresh-water Wetlands	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	<p>No specified delineation process.</p> <p>Applicant must provide a "map showing the area of freshwater wetland or adjacent area directly affected with the location of the proposed regulated activity." No indication as to whether Town map is to be created to supplement state maps.</p>	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.		<a href="http://ecode360.com/GR0716">http://ecode360.com/GR0716</a>



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Town of Greenburgh, NY, Chapter 280: Wetlands and Watercourses	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	Applicant pays for delineation by a qualified environmental professional who determines wetland or watercourse boundaries. A survey may need to be completed by a licensed land surveyor.	Aggrieved party may appeal planning board decision under CPLR Article 78.	Applicant must pay for application fee and engineering and inspection/monitoring fees according to the schedule established by the Town Board.  Approval authority such as Town Wetlands Inspector can require applicant to provide any information deemed necessary.	<a href="http://ecode360.com/search/GR0237?query=wetlands">http://ecode360.com/search/GR0237?query=wetlands</a>
Town of Guilderland, NY, Chapter 181: Freshwater Wetlands	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	No specified delineations process.  The applicant must include a map showing the freshwater wetland or adjacent area affected.	Aggrieved party may appeal planning board decision under ECL Article 24.		<a href="http://ecode360.com/search/GU1600?query=wetlands">http://ecode360.com/search/GU1600?query=wetlands</a>
Town of Halfmoon, NY, Chapter 87: Freshwater Wetlands	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	No specified delineations process.  The applicant must include a map "a map showing the area of freshwater wetland or adjacent area directly affected, with the location of the proposed regulated activity." No indication given as to whether Town map is to be created to supplement state maps.	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.		<a href="http://ecode360.com/HA2075">http://ecode360.com/HA2075</a>

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Town of Hamburg, NY: Chapter 272: Wetlands Protection	<p>State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.</p> <p>The applicant is responsible for identifying Federal Wetlands.</p>	<p>Applicant must have delineation of state wetlands confirmed by the New York State Dep't of Env'tl. Conserv. and have the area surveyed and depicted on plan submittals. Applicant pays to delineate any development sites that include areas of hydric soils (as shown in the Erie County Soils Manual).</p> <p>Delineation will be investigated by the Hamburg Conservation Advisory Board and where advised, will require additional official wetlands delineation.</p>	No specified appeals process.		<a href="http://ecode360.com/HA0055">http://ecode360.com/HA0055</a>
Town Village of Harrison, NY, Chapter 149: Freshwater Wetlands	<p>State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.</p> <p>The map approved by the Town or Planning Board indicates freshwater wetland boundaries and can be used to identify locations of wetlands in Harrison.</p>	<p>No specified delineations process.</p> <p>Applicant must include "a map showing the area of freshwater wetland or adjacent area directly affected." No indication as to whether Town map is to be created to supplement state maps.</p>	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.		<a href="http://www.ecode360.com/8312329?highlight=wetlands,wetland#8312329">http://www.ecode360.com/8312329?highlight=wetlands,wetland#8312329</a>

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Village of Hewlett Harbor, NY, Chapter 65: Freshwater Wetlands	<p>State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.</p> <p>Though it does not map all wetlands, the statute specifies that it applies to "other lands or waters 20,000 square feet or more in surface area" that contain listed wetland characteristics.</p>	<p>No specified delineation process.</p> <p>Applicant must include in the application "a detailed description of the regulated activity, a map showing the area of freshwater wetland or adjacent area directly affected." No indication was given as to whether Town map is to be created to supplement state maps.</p>	<p>Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.</p>		<p><a href="http://ecode360.com/10998514?highlight=wetlands_wetland#10998514">http://ecode360.com/10998514?highlight=wetlands_wetland#10998514</a></p>
Town of Irondequoit, NY, Chapter 142: Freshwater Wetlands	<p>State wetlands map prepared by the New York State Dep't of Env'tl. Conserv. and Federal wetlands map prepared by the U.S. Fish and Wildlife Service, both filed with the Town Clerk.</p>	<p>No specified delineation process.</p> <p>Applicant must submit with application "a map showing the area of freshwater wetland or adjacent area directly affected." No indication as to whether Town map is to be created to supplement state maps.</p>	<p>Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.</p>		<p><a href="http://ecode360.com/6405448?highlight=wetlands_wetland#6405448">http://ecode360.com/6405448?highlight=wetlands_wetland#6405448</a></p>
Town of Islip, NY, Chapter 67: Wetlands and Watercourses	<p>State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.</p>	<p>No specified delineation process.</p>	<p>Aggrieved party may appeal to appropriate court under CPLR Article 78</p>		<p><a href="http://ecode360.com/6510844">http://ecode360.com/6510844</a></p>

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City of Jamestown, NY, Chapter 149: Freshwater Wetlands	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	No specified delineation process.  Applicant must include "a map showing the area of freshwater wetland or adjacent area directly affected." No indication as to whether Town map is to be created to supplement state maps.	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.		<a href="http://ecode360.com/8318135?highlight=wetlands,wetland#8318135">http://ecode360.com/8318135?highlight=wetlands,wetland#8318135</a>
Town of Kent, NY, Chapter 39A: Freshwater Wetlands	State wetlands map filed with the Town Clerk by the New York State Dep't of Env'tl. Conserv.	Town pays for professionals used during the application process.  Applicant pays for professionals if positive declaration under SEQRA.	No specified appeal process.	If positive declaration results under SEQRA, applicant shall reimburse the Town for the cost of professional review services.	<a href="http://ecode360.com/12700550?highlight=wetlands,wetland#12700550">http://ecode360.com/12700550?highlight=wetlands,wetland#12700550</a>
Village of Kings Point, NY, Chapter 91: Freshwater Wetlands	Specific map is not referenced. Village refers to definition of wetlands outlined in Chapter 91, which applies to lands and waters with an area of one or more acres which fall under one or more of multiple definitions specified under the law.	Applicant pays for delineation process.  Provided with the application must be documentation of delineation with a topographic map, consent to inspection by the Village Engineer, and the qualifications of the person conducting the field delineation.	Applicant may seek review by the Board of Trustees.  Aggrieved party may then seek judicial review under CPLR Article 78.	Plans for all wetlands permit applications must be prepared and certified by a NY state licensed engineer, unless the Village Engineer recommends to the board the requirement be waived.	<a href="http://ecode360.com/11007046?highlight=wetlands,wetland#11007046">http://ecode360.com/11007046?highlight=wetlands,wetland#11007046</a>

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Town of LaGrange, NY, Chapter 124: Freshwater Wetlands, Watercourses and Water bodies	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	Applicant pays for delineation.	No specified appeal process.	Applicant is responsible for all consultant fees incurred by the Town in the review of the application.	<a href="http://ecode360.com/6410586?highlight=wetlands%20wetlands.wetlands%20wetland.wetland%20wetland.wetlands.wetland#6410586">http://ecode360.com/6410586?highlight=wetlands.wetlands%20wetland.wetland%20wetland.wetlands.wetland#6410586</a>
Village of Larchmont, NY, Chapter 341: Freshwater Wetlands	A map is not referenced to indicate wetland boundaries. "Controlled areas," as defined by the Village code, are the regulated areas.	<p>No specified delineation process.</p> <p>If proposed project costs less than \$500, plan does not have to be prepared by a licensed practitioner.</p> <p>If proposed project costs more than \$500, plan must be prepared by a professional engineer or architect or landscape architect licensed by New York State Dep't of Env'tl. Conserv.</p>	No specified appeals process.		<a href="http://ecode360.com/7082737?highlight=wetlands.wetland#7082737">http://ecode360.com/7082737?highlight=wetlands.wetland#7082737</a>

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Village of Lawrence, NY, Chapter 98: Freshwater Wetlands	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	<p>No specified delineation process.</p> <p>Applicant must include a "map showing the area of freshwater wetland or adjacent area directly affected, with the location of the proposed regulated activity." No indication as to whether Town map is to be created to supplement state maps.</p>	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.		<a href="http://ecode360.com/11019653?highlight=wetlands_wetland#11019653">http://ecode360.com/11019653?highlight=wetlands_wetland#11019653</a>
Town of Lewisboro, NY, Chapter 217: Wetlands and Watercourses	<p>State wetlands map filed with the Town Clerk promulgated by New York State Dep't of Env'tl. Conserv.</p> <p>National Wetlands Inventory Map promulgated by the United States Department of the Interior, Fish and Wildlife Service, and others show approximate boundaries.</p>	<p>Applicant pays for delineation.</p> <p>The Wetland Inspector will also conduct a site inspection of all pertinent locations of proposed activity and may require the applicant to mark these areas.</p>	Aggrieved party may appeal to the planning board, and subsequently challenge the planning board's decision under CPLR Article 78.	<p>Applicant must reimburse the town for expenses and fees incurred in the review of application, for example assistance by a planner, engineer, legal, or environmental expert, soil scientist, ecologist, biologist, or other professional.</p> <p>Wetland Inspector may require additional information be provided, such as a wetland delineation, report, and survey, to assist in making a determination, and may defer to the Planning Board.</p>	<a href="http://ecode360.com/11023984">http://ecode360.com/11023984</a>

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Town of Mamaroneck, NY, Chapter 114: Wetlands and Watercourses	State tidal wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.  Town Freshwater Wetlands Map	Applicant pays for delineation.	No specified appeals process.	Applicant pays for additional expenses incurred for technical assistance in the review of the application.  The approving authority, its agents or employees, may enter the lands or waters to carry out investigations, inspections, examination, survey or other activity for the purpose of this chapter.  Applicant may be required to provide additional information as deemed necessary by the board.	<a href="http://ecode360.com/9158997?highlight=wetlands,wetland#9158997">http://ecode360.com/9158997?highlight=wetlands,wetland#9158997</a>
Village of Mamaroneck, NY, Chapter 192: Freshwater Wetlands	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	No specified delineation process.  Applicant must provide "a map showing the area of wetland or adjacent area directly affected." No indication as to whether Town map is to be created to supplement state maps.	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.	Applicant must pay wetland permit application fee. Applicant must also pay for the inspection costs incurred in inspecting the property if necessary. The amount is determined by the Village Engineer.	<a href="http://ecode360.com/9158997">http://ecode360.com/9158997</a>
Village of Maybrook, NY, Chapter 196: Wetlands and Watercourses	A map is not referenced to indicate wetland boundaries.  Wetlands are defined by characteristics listed in Chapter 196.	Applicant pays for mapping and delineation, unless mapping and delineation waived by authority.			<a href="http://ecode360.com/11060483">http://ecode360.com/11060483</a>

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Town of Monroe, NY: Chapter 56 Wetlands	No specified map.  Wetlands are defined by characteristics listed in Chapter 56.	Applicant pays for ecologist/botanist/wetlands specialist or soil scientist to delineate wetland boundaries.	Aggrieved party may appeal to the Town Zoning Board of Appeals within 20 days after the Town Clerk files the decision.		<a href="http://www.ecode360.com/6417099">http://www.ecode360.com/6417099</a>
Village of Montebello, NY, Chapter 191: Wetlands and Stream Protection	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	Applicant pays for wetland delineation.  Applicant must include a "map showing the area of wetland, water body or watercourse directly affected" prepared by a licensed surveyor. Where a wetland is mapped, a certified wetlands specialist delineates the wetland.	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.		<a href="http://www.ecode360.com/8769616?highlight=wetlands%20wetland.wetlands_wetland#8769616">http://www.ecode360.com/8769616?highlight=wetlands%20wetland.wetlands_wetland#8769616</a>
Town of Moreau, NY, Chapter 82: Freshwater Wetlands	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	No specified delineation process.  Applicant must include "a map showing the adjacent area directly affected." No indication is given as to whether Town map is to be created to supplement state maps.	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.		<a href="http://ecode360.com/6821075?highlight=wetlands_wetland#6821075">http://ecode360.com/6821075?highlight=wetlands_wetland#6821075</a>



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Town/Village of Mount Kisco, NY, Chapter 107: Wetlands and Drainage Control	Village Wetlands Map provides general boundaries of wetland locations.	Wetland delineation is completed by the Board, which follows criteria set by a wetland specialist. Approval by the Village Engineer, Planner or Building Inspector is required if the project is located within a wetland or buffer. The Village Manager authorizes the wetland specialist to determine regulation required.	<p>Aggrieved party may appeal to the Board of Trustees.</p> <p>Any person aggrieved by the Trustees' decision can apply to the Supreme Court of the State of NY under Chapter 107.</p>	<p>Applicant will be charged a "Value of Project Fee."</p> <p>If the project costs under \$10,000, the fee is \$500. If the project costs over \$10,000, the fee is \$1,000.</p>	<a href="http://ecode360.com/MO0865">http://ecode360.com/MO0865</a>
Town of Mount Pleasant, NY, Chapter 11: Freshwater Wetlands	<p>Mount Pleasant Wetlands Control District Map, prepared by New York State Dep't of Env'tl. Conserv.</p> <p>Map provides the general boundaries of wetland control districts and can be amended by motion or petition to the board.</p>	Planning Board delineates finite boundaries according to definitions established by statute. Field survey must be conducted by qualified staff members of the U.S. Dep't of Agriculture Soil Conservation Service, subject to recommendations by the Town Conservation Advisory Council.	Aggrieved party may appeal under Title 11 of the New York State Freshwater Wetlands Act.	<p>Applicant will be charged fees by the Planning Board for Wetlands Permit of \$7,000, plus \$200 per acre of disturbed wetland.</p> <p>Applicant may need to include topographical and perimeter surveys, hydrological computations, engineering studies and other factual or scientific data and reports to as deemed necessary by the Planning Board or Town Engineer to make a determination.</p>	<a href="http://www.ecode360.com/9606136?highlight=wetlands.wetland#9606136">http://www.ecode360.com/9606136?highlight=wetlands.wetland#9606136</a>

Appendix A – Local Wetland and Watercourse Laws

Local Wetland Law	Maps Referred to	Delineator Used	Appeal Process for Permit Denial	Other Information	Link
Town of New Castle, NY, Chapter 137: Wetlands	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	Applicant pays for delineation, which must be completed by a qualified individual less than 12 months prior to filing the application.	Aggrieved party may appeal a decision by the Environmental Review Board or the Town Wetlands Inspector to the Planning Board, making the Planning Board the approving authority for the application.	When application for wetlands permit approval is submitted, the Planning Board may require the establishment of an escrow account. Withdrawals from the account are made to reimburse the Town for the cost of consultant fees and professional staff services.  Board may require consultation with experts as necessary to make determination.	<a href="http://www.ecode360.com/11774386?highlight=wetlands,wetland#11774386">http://www.ecode360.com/11774386?highlight=wetlands,wetland#11774386</a>
Town of North Castle, NY, Chapter 209: Wetlands and Watercourse Protection	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.  2012 Environmental Map of North Castle, used for general guidance of wetland boundaries.	Applicant pays to hire qualified environmental professional to delineate wetlands.  Verification by Town Wetland Consultant is necessary to approve plans depicted on the Town of North Castle Environmental Map.	Aggrieved party may appeal to North Castle Zoning Board of Appeals.  Aggrieved party also may appeal under CPLR Article 78.	Applicant reimburses the Town for the cost of consultant services.  Board may require applicant to include survey and mapping by a licensed surveyor or consultations additional information as needed.	<a href="http://ecode360.com/8565620?highlight=wetland%20wetlands,wetlands,wetland#8565620">http://ecode360.com/8565620?highlight=wetland%20wetlands,wetlands,wetland#8565620</a>

Appendix A – Local Wetland and Watercourse Laws

Local Wetland Law	Maps Referred to	Delineator Used	Appeal Process for Permit Denial	Other Information	Link
Town of North Salem, NY, Chapter 107: Freshwater Wetlands	<p>State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.</p> <p>Wetlands and Watercourses Map of North Salem delineates wetlands and watercourses according to the criteria accepted by the Town.</p>	<p>In the application process, wetlands are delineated by a qualified environmental professional, and subsequent survey and mapping by a New-York-State-licensed land surveyor, with final acceptance of the wetland delineation by the Wetlands Inspector.</p> <p>Applicant may request a field review by the Wetlands Inspector of a delineation flagging prior to its survey and mapping by a New-York-State-licensed land surveyor.</p>	<p>Aggrieved party may appeal under CPLR Article 78.</p>		<p><a href="http://www.ecode360.com/8327873">http://www.ecode360.com/8327873</a></p>
Town of Ossining, NY, Chapter 105: Freshwater Wetlands, Watercourses and Waterbody Protection	<p>Westchester County wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv. indicates approximate locations of the actual boundaries.</p> <p>Town Wetlands and Drainage Map, updated to show the approximate wetland locations, intended to be used as general guidance.</p>	<p>Applicant pays for licensed land surveyor to delineate accurate boundaries through field investigation, flagging and survey.</p>	<p>Aggrieved party may appeal Building Inspector's decision under specified procedure for zoning matters in Chapter 200, Zoning, of the Ossining Town Code.</p>	<p>Applicant pays for consult with biologists, hydrologists, soil scientists, ecologists/botanists or other experts if deemed necessary by approving authority to make a determination.</p>	<p><a href="http://www.ecode360.com/OS0797">http://www.ecode360.com/OS0797</a></p>

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Local Wetland Law	Maps Referred to	Delineator Used	Appeal Process for Permit Denial	Other Information	Link
Village of Oyster Bay Cove, NY, Chapter 177: Freshwater Wetlands and Steep Slopes	No specified map.  Hydric soils, as defined by the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, are included in specified definition of wetlands, along with areas commonly referred to as swamp, marsh, bog, vernal pool, or swales.	Applicant pays to have wetlands delineated by a professional engineer, landscape architect or licensed surveyor, and must include wetlands location on a site plan.  Surveyor must flag boundaries in the field in a manner deemed acceptable to the Planning Board.	No specified appeal process.	Planning Board may refer the application to any independent professional as deemed necessary to receive proper advisement on the application’s technical matters. Applicant pays a fee for the cost of professional review in advance, in the amount determined by the Planning Board, in addition to any other fees required by law.	<a href="http://ecode360.com/10367663?highlight=wetlands_wetland#10367663">http://ecode360.com/10367663?highlight=wetlands_wetland#10367663</a>
Town of Parma, NY, Chapter 62: Freshwater Wetlands	State wetlands map filed with the Town Clerk by New York State Dep’t of Env’tl. Conserv.	No specified delineation process.  Applicant must include a map showing the area of freshwater wetland or adjacent area directly affected. No indication is given as to whether Town map is to be created to supplement state maps.	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.		<a href="http://ecode360.com/11763294?highlight=wetlands_wetland#11763294">http://ecode360.com/11763294?highlight=wetlands_wetland#11763294</a>

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Local Wetland Law	Maps Referred to	Delineator Used	Appeal Process for Permit Denial	Other Information	Link
Town of Pawling, NY, Chapter 111: Freshwater Wetlands and Watercourse Protection	Town of Pawling Freshwater Wetlands and Watercourse Map is intended for use as a guide only. Finite wetland/watercourse boundaries are determined by field investigation.	<p>Applicant must hire Town consultant or other Board approved qualified individual to delineate wetlands. Applicant must include mapped wetland boundaries and site soil designations with application.</p> <p>Inspections when deemed necessary by the Planning Board are allowed to determine compliance with the law. Applicant is required to pay an inspection fee in an amount set forth by the Town Board when necessary.</p>	Aggrieved party may appeal to the Town Zoning Board of Appeals or under CPLR Article 78.	Applicant pays for additional expenses of technical assistance if any are incurred by the Town. Additional information may be required from the applicant, such as plan certification by a New York State licensed professional, or location of area directly affected by construction plans.	<a href="http://ecode360.com/PA0446">http://ecode360.com/PA0446</a>
Town of Philipstown, NY, Chapter 93: Freshwater Wetlands and Watercourses	<p>Town Freshwater Wetlands and Watercourses map is intended for use as a guide to the approximate wetlands locations. Field inspection determines precise location.</p> <p>All areas depicted or excluded from the map that meet the definition of "controlled wetland," area are regulated by the statute.</p>	<p>Map created at a cost to the applicant by a licensed surveyor or engineer. Map delineates wetland and shows the controlled area directly affected by the proposed activity.</p> <p>Applicant may elect to have Wetland Inspector delineate wetlands through flagging. Fee paid by applicant increases with the acreage of the area in question.</p>	No specified appeal process.	Approving authority may request additional information to make a determination, including certified plans for the proposed activity, and the specified location of all controlled wetlands, determined no earlier than 12 months prior to the filing date of the application.	<a href="http://ecode360.com/6317362?highlight=wetlands.wetland#6317362">http://ecode360.com/6317362?highlight=wetlands.wetland#6317362</a>

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Local Wetland Law	Maps Referred to	Delineator Used	Appeal Process for Permit Denial	Other Information	Link
Town of Pleasant Valley, NY, Chapter 53: Wetland, Water Body and Watercourse Protection	Town map prepared by the Dutchess County Environmental Management Council.	Applicant pays for delineation.  Applicant and landowner, if different, must pay for consultant services (private engineers, attorneys, or other consultants) as needed by any Town board or agency involve in the application process.	Aggrieved party may appeal decision made by the Wetlands Administrator using the same procedure for appealing a decision by the Zoning Administrator.	To secure reimbursement of the Town’s consultant service expenses, advance periodic monetary deposits (escrow deposits) may be required of the applicant or landowner.	<a href="http://ecode360.com/7088601?highlight=wetlands,wetland#7088601">http://ecode360.com/7088601?highlight=wetlands,wetland#7088601</a>
Village of Pleasantville, NY, Chapter 182: Wetlands	Pleasantville Wetlands Control District Map. Provides general boundaries.  Planning Commission interprets exact boundaries after field survey work by qualified staff members of the U.S. Dep’t of Agriculture Soil Conservation Service.	Applicant pays to have delineation completed by field survey work of qualified staff members of the U.S. Dep’t of Agriculture Soil Conservation Service.	Aggrieved party may appeal to the Zoning Board of Appeals, then to the Village Board of Trustees, and then to the Supreme Court, Westchester County.	Applicant may need to include topographical and perimeter surveys, profiles, hydrological computations, engineering studies, and other factual or scientific data reports as deemed necessary by the Planning Commissioner of the Village Engineer to make a determination.	<a href="http://ecode360.com/10903269?highlight=wetlands,wetland#10903269">http://ecode360.com/10903269?highlight=wetlands,wetland#10903269</a>

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Local Wetland Law	Maps Referred to	Delineator Used	Appeal Process for Permit Denial	Other Information	Link
Village of Pomona, NY, Chapter 126: Wetland Protection	State wetlands map is filed with the Village Clerk by New York State Dep't of Env'tl. Conserv.	Applicant pays for delineation and must include a map showing the area of wetland, watercourse directly affected by the proposed plans and flag these locations in the field. Applicant must also have the map and field locations certified by a licensed professional authorized by the New York State Dep't of Env'tl. Conserv.	Aggrieved party may appeal board decision under CPLR Article 78 within 30 days after the determination has been filed with the Village Clerk.		<a href="http://ecode360.com/12718511?highlight=wetlands_wetland#12718511">http://ecode360.com/12718511?highlight=wetlands_wetland#12718511</a>
Town of Pound Ridge, NY, Chapter 63: Freshwater Wetlands	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv. provides general boundaries of "controlled areas."	The Town's Water Control Commission delineates wetlands following field work by qualified professionals in a manner in accordance with the statute.	Aggrieved party may appeal to the Water Control Commission.  Aggrieved party may appeal Commission's decision to Supreme Court of the State of NY or to the Freshwater Wetlands Appeal Board under Title 11.		<a href="http://ecode360.com/6833186?highlight=wetlands#6833186">http://ecode360.com/6833186?highlight=wetlands#6833186</a>

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Local Wetland Law	Maps Referred to	Delineator Used	Appeal Process for Permit Denial	Other Information	Link
<p>Town of Putnam Valley, NY, Chapter 144: Freshwater Wetlands, Watercourses and Waterbodies</p>	<p>State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.</p> <p>Putnam Valley Freshwater Wetlands and Watercourse Maps provide approximate locations of regulated wetlands.</p> <p>Town map is updated by the Town through public hearing when needed.</p>	<p>Applicant pays for delineation by a qualified ecologist, botanist, wetlands specialist or soil scientist.</p> <p>Applicant pays an individualized application fee that covers the cost of the Wetlands Inspector. The Wetland Inspector will further clarify the locations of wetlands on the Putnam map.</p>	<p>Party aggrieved by the decision of the Wetlands Inspector or Planning Board can seek either review by the NY State Freshwater Wetlands Appeals Board or judicial review under CPLR Article 78 in the Supreme Court for the County of Putnam.</p>		<p><a href="http://ecode360.com/9474400?highlight=wetlands,wetland#9474400">http://ecode360.com/9474400?highlight=wetlands,wetland#9474400</a></p>
<p>Town of Rhinebeck, NY, Chapter 120: Wetlands</p>	<p>State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.</p>	<p>Applicant pays for a qualified professional to delineate wetlands.</p>	<p>Aggrieved party may appeal under CPLR Article 78</p>	<p>The Code Enforcement Officer conducts an initial review of the readily available data from the application.</p> <p>Applicant pays consultant fees acquired by the Planning Board when in conference with environmental, planning, engineering, or technical consultants as deemed necessary in review of application.</p>	<p><a href="http://ecode360.com/14083295?highlight=wetland%20wetlands,wetlands,wetland#14083295">http://ecode360.com/14083295?highlight=wetland%20wetlands,wetlands,wetland#14083295</a></p>



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Local Wetland Law	Maps Referred to	Delineator Used	Appeal Process for Permit Denial	Other Information	Link
<p>Town of Riverhead, NY, Chapter 107: Tidal and Freshwater Wetlands</p>	<p>State wetlands map and Tidal Wetland Map of Riverhead filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.</p> <p>Town of Riverhead Fresh Water Wetlands Inventory Map is updated by a town-hired delineator when requested by a Town Board initiative or a property owner.</p>	<p>Applicant submits a request to change wetland delineation. The Town Board hires a qualified wetland delineator to examine the wetlands and prepare a report in accordance with the definition of wetlands.</p> <p>Applicant must include a map certified by a register land surveyor or professional engineer licensed in New York state.</p>	<p>The decision of the Town Board regarding a permit application is judicially reviewable.</p>		<p><a href="http://ecode360.com/6247390?highlight=wetlands,wetland#6247390">http://ecode360.com/6247390?highlight=wetlands,wetland#6247390</a></p>

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Local Wetland Law	Maps Referred to	Delineator Used	Appeal Process for Permit Denial	Other Information	Link
Rockland County, NY, Chapter 270: Freshwater Wetlands	State wetlands map filed with the Town Clerk by New York State Dep't of Env'tl. Conserv.	<p>No specified delineation process.</p> <p>Applicant is required to submit a "map showing the area of freshwater wetland or adjacent area directly affected." No indication is given as to whether Town map is to be created to supplement state maps.</p>	Aggrieved party may appeal planning board decision under ECL Article 24 or CPLR Article 78.		<a href="http://www.ecode360.com/9666158?highlight=wetlands.wetland#9666158">http://www.ecode360.com/9666158?highlight=wetlands.wetland#9666158</a>
City of Rye, NY, Chapter 195: Wetlands and Watercourses	<p>State freshwater wetlands map and state tidal wetlands map by New York State Dep't of Env'tl. Conserv.</p> <p>City wetlands map is on file to provide general guidance of wetland boundaries.</p>	<p>Applicant pays for the delineation to be completed by Planning Commission or its consultant in the field.</p> <p>The Planning Commission delineates wetlands through a field investigation and may consult with qualified biologists, hydrologists, soil scientists, ecologists/botanists/zoologists or other experts as necessary to make a determination.</p> <p>Applicant may then be required to have a survey drawn by a licensed land surveyor.</p>	<p>Applicant may appeal to the Planning Board if City Naturalist determined land area to be subject to regulation by fitting the requirements of Chapter 195.</p> <p>Aggrieved party may appeal under CPLR article 78.</p>		<a href="http://ecode360.com/6977170?highlight=wetlands.wetland">http://ecode360.com/6977170?highlight=wetlands.wetland</a>

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Village of Rye Brook, NY, Chapter 245: Wetlands and Watercourses	<p>State wetlands map by New York State Dep't of Env'tl. Conserv.</p> <p>Village wetlands map shows the approximate boundaries of known wetlands.</p>	<p>Applicant pays for delineation through field survey work by a qualified wetland scientist and acceptance by the approval authority. Delineation occurs upon request by the owner, applicant, approval authority, or commissioner of the New York State Dep't of Env'tl. Conserv., or other persons whose interests are affected.</p>	<p>No specified appeal process.</p>		<p><a href="http://ecode360.com/10844566?highlight=wetlands_wetland#10844566">http://ecode360.com/10844566?highlight=wetlands_wetland#10844566</a></p>
Village of Sag Harbor, NY, Chapter 285: Wetlands	<p>State wetlands and tidal wetlands maps by New York State Dep't of Env'tl. Conserv.</p> <p>Village wetlands map, specifically for brackish wetlands.</p>	<p>Applicant pays for the delineation.</p> <p>Applicant must submit a "guaranteed survey" dated within the last six months to show current and proposed improvements, boundaries, and setbacks from wetlands.</p>	<p>No specified appeal process.</p>	<p>Applicant pays for the reasonable engineering review and environmental consultant fees of the Village Engineer and environmental consultant for services rendered in reviewing the applicant's submissions and rendering advice with respect to the proposed subdivision.</p>	<p><a href="http://ecode360.com/14671475?highlight=wetlands_wetland#14671475">http://ecode360.com/14671475?highlight=wetlands_wetland#14671475</a></p>

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Local Wetland Law	Maps Referred to	Delineator Used	Appeal Process for Permit Denial	Other Information	Link
<p>Village of Sagaponack, NY, Chapter 225: Wetlands</p>	<p>A specific map is not referenced by the village.</p>	<p>Applicant completes delineation.</p> <p>The applicant submits a description of the “nature, size, and location of wetlands as flagged or verified by the staff of the Department of Land Management, Environmental Division” and a “location map” prepared by a licensed surveyor.</p>	<p>Aggrieved party may appeal the boundary determination regarding the location of a wetlands boundary to the approving authority, which will consider the evidence at a public hearing. The approving authority will establish the final boundary as part of its decision to approve, approve with modifications, or deny the issuance of a permit.</p> <p>Aggrieved party may appeal under CPLR article 78.</p>		<p><a href="http://ecode360.com/8082502?highlight=wetlands,wetland#8082502">http://ecode360.com/8082502?highlight=wetlands,wetland#8082502</a></p>

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Local Wetland Law	Maps Referred to	Delineator Used	Appeal Process for Permit Denial	Other Information	Link
Village of Scarsdale, NY, Chapter 171: Freshwater Wetlands	<p>State wetlands map by New York State Dep't of Env'tl. Conserv.</p> <p>The Village Board can amend the map on file upon review and report from the Planning Board.</p>	No specified delineation process.	<p>Applicant may appeal any decision of the Village Engineer to the Planning Board within 30 days after the decision is made, and may appeal any decision of the Planning Board.</p> <p>Aggrieved party may then appeal under CPLR Article 78.</p>		<a href="http://ecode360.com/6438454?highlight=wetlands,wetland#6438454">http://ecode360.com/6438454?highlight=wetlands,wetland#6438454</a>
Village of Sleepy Hollow, NY, Chapter 418: Wetlands and Watercourses	State wetlands map for Westchester County by New York State Dep't of Env'tl. Conserv. is relied upon only for approximate boundaries.	<p>Applicant pays for delineation, completed through a field survey by a licensed land surveyor.</p> <p>The Planning Board and/or the applicant may need to consult with biologists, hydrologists, soil scientists, ecologists/botanists or other experts to make a determination.</p>	<p>Aggrieved party may appeal the Planning Board or officer's decision to the Board of Trustees.</p> <p>Aggrieved party may then appeal under CPLR Article 78 in the Supreme Court for the County of Westchester.</p>		<a href="http://www.ecode360.com/15072312?highlight=wetlands,wetland#15072312">http://www.ecode360.com/15072312?highlight=wetlands,wetland#15072312</a>

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Town of Somers, NY, Chapter 167: Wetlands and Watercourse Protection	State wetlands map by New York State Dep't of Envtl. Conserv.	<p>Applicant must pay for delineation through a field investigation by a qualified environmental professional and survey by a licensed land surveyor.</p> <p>Applicant must map wetland locations no earlier than 12 months prior to filing the application.</p> <p>The approval authority and/or applicant may need to consult with biologists, hydrologists, soil scientists, ecologists/botanists or other experts to make a determination.</p>	<p>Aggrieved party may appeal decision by any town office or employee to the Zoning Board of Appeals.</p> <p>Aggrieved party may appeal any determination by the Zoning Board under CPLR Article 78.</p>		<a href="http://ecode360.com/SO0406">http://ecode360.com/SO0406</a>
Town of Southampton, NY, Chapter 325: Wetlands	A map is not specified by the town.	<p>Applicant pays for delineation, which is verified by the Town.</p> <p>The boundaries mapped by the applicant are compared to the official boundaries documented by the Chief Environmental Analyst, which are presumed to be the correct boundaries. In the case of a discrepancy, the approving authority decides the final boundaries as part of its decision to approve, approve with modifications, or deny the issuance of the permit.</p>	Aggrieved party may appeal under CPLR article 78.		<a href="http://ecode360.com/SO0286">http://ecode360.com/SO0286</a>

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Town of Southeast, NY, Chapter 78: Freshwater Wetlands	A map is not specified by the town. Instead, the statute refers to multiple definitions of “controlled areas,” wetlands, and buffer areas.	Applicant pays for delineation of wetland and includes a map showing the controlled area affected, the wetland locations within, and the location and extent of the proposed activity, prepared and certified by a licensed surveyor, engineer, or architect.	Aggrieved party may appeal decision under CPLR article 78.	Wetlands Inspector may request additional information deemed necessary to determine compliance with this chapter. This may include chemical and biological evaluation of waters involved and the effects by the proposed activity, hydraulic and hydrological studies of the wetlands, and a geologic evaluation of the wetland setting.	<a href="http://www.ecode360.com/9064518?highlight=wetlands&amp;wetland#9064518">http://www.ecode360.com/9064518?highlight=wetlands&amp;wetland#9064518</a>
Town of Southold, NY, Chapter 275: Wetlands and Shoreline	No map is specified by the town. Instead, the statute refers to definitions of wetland characteristics.	Applicant pays for delineation of wetland pursuant to methodology of the New York State Dep’t of Env’tl. Conserv. Technical Methods Statement of the Freshwater Wetlands Act.  Applicant must provide a map certified by a registered land surveyor or engineer licensed by New York State. The map or survey should show the area affected by the proposed plans.	No specified appeals process.	Applicant is required to pay a consult fee by the Board at the Board’s discretion and depending on the scale and potential impact of proposed operations.  A past Article 78 challenge led to an amendment to the law on January 29, 2013 regarding exceptions to permitting requirements.	<a href="http://www.ecode360.com/5161352?highlight=wetland%20wetland&amp;wetlands,wetland#5161352">http://www.ecode360.com/5161352?highlight=wetland%20wetland&amp;wetlands,wetland#5161352</a>

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Village of Spring Valley, NY, Chapter 130: Freshwater Wetlands	State wetlands map by New York State Dep't of Env'tl. Conserv.	<p>No specified delineation process.</p> <p>The application must include a map showing the wetland or adjacent area affected. No indication is given as to whether Town map is to be created to supplement state maps.</p>	Aggrieved party may appeal under Article 24 of ECL or CPLR Article 78.		<a href="http://ecode360.com/9393470?highlight=wetlands,wetland#9393470">http://ecode360.com/9393470?highlight=wetlands,wetland#9393470</a>
Town of Stony Point, NY, Chapter 116: Freshwater Wetlands	<p>Town wetlands map provides approximate boundaries, but precise locations of wetlands are determined by reference to statutory definitions.</p> <p>Planning Board may amend maps to clarify or eliminate wetland locations or include supplemental maps.</p>	<p>No specified delineation process.</p> <p>Applicant must include a “map showing the boundary of the wetlands, location of flags to identify boundaries during a site inspection, and the location of the proposed regulated activity.</p>	Aggrieved party may appeal planning board decision under Article 24 of ECL or CPLR Article 78.		<a href="http://ecode360.com/11117722?highlight=wetlands,wetland#11117722">http://ecode360.com/11117722?highlight=wetlands,wetland#11117722</a>



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Town of Sweden, NY, Chapter 117: Freshwater Wetlands	State wetlands map by New York State Dep't of Envtl. Conserv.	<p>No specified delineation process.</p> <p>Applicant must include a “map showing the area of freshwater wetland or adjacent land directly affected, with the location of proposed activity thereon.” No indication is given as to whether Town map is to be created to supplement state maps.</p>	No specified appeals process.	The Town Board reserves the right to require a permit or license fee for any operations or uses pursuant to Chapter 117.	<a href="http://www.ecode360.com/search/SW0122?query=wetlands">http://www.ecode360.com/search/SW0122?query=wetlands</a>
Village of Tarrytown, NY, Chapter 302: Wetlands and Watercourses	State wetlands map by New York State Dep't of Envtl. Conserv. provides approximate boundaries for wetlands.	<p>Applicant pays to delineate wetland through a field investigation and survey by a qualified environmental professional and a licensed land surveyor.</p> <p>Consultation with the Wetland Inspector will determine finite boundaries of the wetland, subject to acceptance by the Planning Board and its authorized agents.</p>	Aggrieved party may appeal under CPLR article 78.	<p>The Applicant must cover costs incurred during review and verification of the application.</p> <p>The Wetland Inspector or other authorized representative may require an applicant to provide additional information, such as a qualified wetland delineation, report and survey, to assist in making a determination, and can defer the determination decision to the Planning Board.</p>	<a href="http://ecode360.com/TA1273">http://ecode360.com/TA1273</a>

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Town of Union, NY, Chapter 125: Freshwater Wetlands	State wetlands map by New York State Dep't of Envtl. Conserv.	No specified delineation process.	<p>Applicant may appeal to the Town Board.</p> <p>Aggrieved party may request a review of the decision made pursuant to Chapter 125 by the New York State Freshwater Wetlands Appeals Board.</p> <p>Aggrieved party may then appeal under Article 24 of ECL or CPLR Article 78.</p>		<a href="http://ecode360.com/6837420?highlight=wetlands,wetland#6837420">http://ecode360.com/6837420?highlight=wetlands,wetland#6837420</a>

Appendix A – Local Wetland and Watercourse Laws

Local Wetland Law	Maps Referred to	Delineator Used	Appeal Process for Permit Denial	Other Information	Link
Town of Wappinger, NY, Chapter 137: Freshwater Wetland, Waterbody and Watercourse Protection	State wetlands map by New York State Dep't of Env'tl. Conserv.	<p>No specified delineation process.</p> <p>Applicant must include a sketch plan that indicates the boundaries of the property and wetland. Approval authority may require the wetland to be delineated by a qualified professional and verified by other agencies that have jurisdiction over the wetland, such as the Army Corps of Engineers and the New York State Dep't of Env'tl. Conserv.</p>	Aggrieved party may appeal under CPLR Article 78.		<a href="http://ecode360.com/11071898?highlight=wetlands_wetland#11071898">http://ecode360.com/11071898?highlight=wetlands_wetland#11071898</a>
Town of Wheatland, NY, Chapter 72: Freshwater Wetlands	State wetlands map by New York State Dep't of Env'tl. Conserv.	<p>No specified delineation process.</p> <p>Applicant must include “a map showing the area of freshwater wetland or adjacent area directly affected.” No indication is given as to whether Town map is to be created to supplement state maps.</p>	Aggrieved party may appeal under Article 24 of ECL or CPLR Article 78.	According to the Town Clerk, applications to build on or near state or federal wetlands are sent to New York State Dep't of Env'tl. Conserv. or the Army Corps of Engineers, respectively. Once the state or federal permit is issued, the local permit follows.	<a href="http://ecode360.com/10499756?highlight=wetlands_wetland#10499756">http://ecode360.com/10499756?highlight=wetlands_wetland#10499756</a>

Appendix A – Local Wetland and Watercourse Laws

Local Wetland Law	Maps Referred to	Delineator Used	Appeal Process for Permit Denial	Other Information	Link
Town of Woodbury, NY, Chapter 165: Freshwater Wetlands	State wetlands map by New York State Dep't of Envtl. Conserv.	<p>No specified delineation process.</p> <p>Applicant must include “a map showing the area of freshwater wetland or adjacent area directly affected with the location of the proposed regulated activity.”</p>	Aggrieved party may appeal under Article 24 of ECL or CPLR Article 78.		<a href="http://woodburyny.org/towcode2.html">http://woodburyny.org/towcode2.html</a>
Town of Yorktown, NY, Chapter 178: Freshwater Wetlands	<p>State wetlands map by New York State Dep't of Envtl. Conserv.</p> <p>Yorktown Wetlands and Drainage Map shows the approximate location of wetlands.</p>	<p>Applicant pays to hire town consultant from a list available in the Town Clerk's office or other licensed land surveyors approved by the Conservation Board to delineate wetlands.</p> <p>The approval authority or applicant may need to consult with biologists, hydrologists, soil scientists, ecologists/botanists or other experts to make a determination pursuant to the definition stipulated by statute.</p>	<p>Any interested party can appeal any decision or order made by the approval authority, officer or employee for review by the Town Board.</p> <p>Any final determination, decision or order of the approval authority may be judicially reviewed pursuant to Article 78.</p>	<p>The Town of Yorktown intends to develop an official watercourse map to be used to delineate all watercourses located within the town's boundaries. The Town Engineer and Conservation Board are intended to develop this map as permits are processed and watercourses are delineated.</p> <p>The approval authority may require the establishment of an applicant-funded escrow account as determined by the Master Fee Schedule when an application is submitted. The Town will use this account to pay for the costs incurred by outside professional review services.</p>	<a href="http://www.ecode360.com/YO1560">http://www.ecode360.com/YO1560</a>