



**SOUTHOLD VOICE INFORMATION SESSION: DOCKS
BUYER BEWARE SELLER TAKE CARE
October 31, 2015**

SOUTHOLD VOICE INFORMATION SESSION ON DOCKS

The panel was moderated by Marie Beninati, Chair Southold VOICE. The panel included:

John Bredemeyer Southold Town Trustee
Pat Moore Attorney
Bruce Anderson Engineer and Consultant

Q. What government agencies have jurisdiction over docks and how?

Southold Town Board
Local Waterfront Revitalization Program
US Army Corp of Engineers
NYS Dept. of State
NYS Office of General Services Real Estate Development- Land
Management
NYS DEC

Q. What is the permit process?

At your dock site there must be at least 2 1/2 feet of water at low tide to insure that the dock will not sit on the land, and a dock cannot extend more than 1/3 into the waterway, although this varies very much by the channel.

Before beginning the permit process you will need to hire a dock builder to create detailed drawings for the dock you want to build. You will need to submit the drawings with your permit.

Know your budget before you submit your permit application. Estimate the cost of the dock you want to build before submitting the permit application. Once your permit is approved it will be a lengthy process to amend it if you discover the dock that has been approved is too expensive for you to build.



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Dock applicants often hire an expeditor or attorney to guide their dock permit through the various agencies.

You or your expeditor should personally send your application packet to every agency in the review process. Do not assume one agency will coordinate with another on your application.

Follow the status of your review at each agency to be sure comments from one agency are forwarded to others.

Consider using contractors who are local because they are familiar with codes and will build to your permit. Any variance from the permit is the owner's responsibility

Q. How long does it usually take?

Time from filing a dock permit application to approval is at least 6 months, but can easily take one year. There are many local, state and federal agencies involved.

Q. When do I need a permit to repair my dock and why?

If you have a permitted dock and at least 25% is functioning as a dock, then you do not need a permit to do repairs that are considered general maintenance, such as replacing a piling or rotted boards.

If you don't have a permitted dock and it needs repair, then a Town trustee must inspect the dock and approve a permit for your dock. If the repair is simple and clear then the Trustee who inspected the dock will recommend that the Board of Trustees approve the permit. If it is not clear cut then you must file for a permit and all Trustees will inspect on their monthly tour of docks.

Q. What the definition of a “functional” dock?

“if you tie up a boat and you can walk to the shore it is functioning. If you are required to walk on water then it is not functioning. “ Jay B

Q. Do I need to get permission to add lights, water and electricity to my dock? If so, what is the process?

All lighting requires a permit – even solar to be in compliance with dark sky requirements.



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Q. Can I extend my dock if it is below the permitted size per the code (4ft wide, 6x20 float) without a permit?

Alteration does require an amendment such as adding a step, a bench or extending your dock.

Q. Does an existing dock need a permit?

It is very important for property owners to know your dock history. A permit for your dock is required when you want to transfer the dock, sell your home or make major repairs.

Q. If my neighbors have a dock, why can't I have one just like theirs?

There are generally three reasons:

- Each year the waterway and environment where you are building can change.
- Each year can bring changes to the environmental codes and acts that regulate docks.
- Southold Town Trustees have local jurisdiction over docks and each Trustee can have differing views on the balance between property owner's rights and protection of the environment. Since Town trustees are elected officials, the Board changes with each election. It is, therefore, important for property owners to understand the views of candidates for Trustee and vote locally.

Buyer Beware: When you buy a home do not assume that all the permits for the dock are in place Ask to see the Certification of Compliance which is important when you want to make repairs and maintenance are necessary.