

<b>Topic:</b>	Zoning; Natural Resource Protection; Site Plan Approval; Coastal Protection
<b>Resource Type:</b>	Regulations
<b>State:</b>	New York
<b>Jurisdiction Type:</b>	Municipal
<b>Municipality:</b>	Town of Babylon
<b>Year (adopted, written, etc.):</b>	Unknown
<b>Community Type - applicable to:</b>	Suburban; Rural
<b>Title:</b>	Town of Babylon Structures Over Water Ordinance
<b>Document Last Updated in Database:</b>	March 23, 2017

### ***Abstract***

Chapter 213, Article XXXII, allows building permits to be given for structures erected over water (which are usually banned under the zoning laws) if two criteria are met. Those criteria are: that the town board must find that (1) No discharges of pollutants or other activities of any kind deleterious to surrounding wetland and surface water shall be permitted to occur on the site, and (2) there shall be provision made for the safe collection and disposal of waste.

### ***Resource***

Town of Babylon NY Structures Over Water  
Code of the Town of Babylon NY  
Chapter 213: Zoning  
Article XXXII: Special Exception Use Permits  
§ 213-284 Specific Standards and Safeguards

#### § 213-284(B)

B. Structures over water. When tidal lands are not shown as zoned on the Zoning Map, they shall be considered to lie within the residential use district to which they are contiguous. No structure shall be erected over water or upon tidal lands unless the Town Board shall find that and provision shall be made such that:

- (1) No discharges of pollutants or other activities of any kind deleterious to surrounding wetland and surface water shall be permitted to occur on the site; and
- (2) There shall be provision made for the safe collection and disposal of waste.