

**NOTICE OF PUBLIC HEARING**  
**VILLAGE OF NORTH HAVEN**

PLEASE TAKE NOTICE that the Board of Trustees of the Village of North Haven will continue the public hearing on the 12<sup>th</sup> day of April, 2023, at 5:00 P.M., at Village Hall located at 335 Ferry Road, North Haven and also via Zoom to consider the adoption of a Local Law as follows. The link will be posted on our website at [www.northhavenny.us](http://www.northhavenny.us) the Friday prior to the meeting date:

**LOCAL LAW No.    of 2023**

**Village of North Haven, County of Suffolk**

**A LOCAL LAW AMENDING CHAPTER 163 – ARTICLE I GENERAL PROVISIONS**

**§163-5 DEFINITIONS AND WORD USAGE AND ENACTING ARTICLE XIII –  
WETLAND/COASTAL SETBACKS AND EXCEPTIONS**

**Section 1. Legislative Intent**

It is the intent to introduce minimum setbacks for building activities, structures, and accessory structures within wetlands or coastal setbacks in order to protect and preserve environmental areas.

**Section 2. Amending the following sections of Zoning Code Chapter 163**

**163-3. 5. B. – Definitions and word usage: (adding the following)**

**Beach:** The zone of unconsolidated earth that extends landward from mean low water line to the waterward toe of a dune or bluff, whichever is most landward. In cases where no dune or bluff exists, then the “beach” shall be all land lying between such body of water and the landward edge of beach grass or the upland vegetation if no beach grass is naturally occurring.

**Bluff Crest:** The highest surface point on a sloped bank prior to the transition to flat or near-flat area landward.

**Dune:** A ridge or hill of loose, windblown, or artificially placed earth the principal component of which is sand.

~~**High Bluff Areas:** High bluffs along the North Haven shoreline consist of tall, steep bluffs, generally greater than 20 feet tall.~~

**Section 3. Enacting the following sections of Zoning Code Chapter 163**

**Article XIII – Wetlands and Coastal Setback Requirements**

**§163-100 Enactment; purpose.**

- A. The enactment of the Village Code Article XIII, be it enacted by the Board of Trustees of the Village of North Haven as follows.
- B. Title. This article shall be known as the Village of North Haven Wetlands and Coastal Setbacks Law.
- C. Purpose. It is the purpose of this article to:  
To create minimum setbacks for building activities, structures, and accessory structures within wetlands or coastal setbacks in order to protect and preserve environmental areas.

**163-101. Wetland Setbacks.**

The following minimum setbacks shall apply to all lots, lands, uses and activities, but are subject to certain exceptions set forth in §163-24, the provisions of §163-97 and Chapter 56 (Docks):

- A. No building, structure or accessory structure shall be erected, constructed, placed, enlarged, installed, on or within a wetland.

- B. No building, structure or accessory structure shall be erected, constructed, placed, enlarged, installed, within 75 feet of the upland boundary of a wetland.

#### **163-102. Coastal Setbacks.**

The following minimum setbacks shall apply to all lots, lands, uses and activities, but are subject to certain exemptions as set forth in 163-24 and the provisions of 163-97 and Chapter 56 (Docks):

- A. No building, structure or accessory structure shall be erected, constructed, placed, enlarged, installed, on a beach, dune or bluff or seaward of the bluff line or dune crest.
- B. ~~Properties situated in high bluff areas as defined in 163-98 no building, structure or accessory structure shall be erected, constructed, placed, enlarged, installed, within 100 feet of the bluff line, dune crest or the landward most edge of beach. All other properties;~~  
No building, structure, or accessory structure shall be erected, constructed, placed, enlarged, installed, within 75 feet of the bluff line, dune crest or the landward most edge of beach.

#### **163-103. Exceptions to Wetland and Coastal Setbacks.**

The following structures and activities shall be exempt from the setback requirements contained in 163-23 and 163-24:

- A. Docks which are constructed pursuant to Chapter 56.
- B. Elevated walkways or stairways as defined in §163-97. 1.4.
- C. Flood and Erosion Protection Solutions as defined in §163-97. 1.4.

#### **Section 4. Severability.**

If any sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudicated by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

#### **Section 5. Effective Date.**

This local law shall take effect immediately upon filing with the Secretary of State.

All persons in interest will be heard by the Board of Trustees at the public hearing to be held as aforesaid and may appear in person or by representative. The Village Hall is accessible to handicapped persons.

Dated: March 30, 2023

BY ORDER OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF NORTH HAVEN.

BY: Eileen Tuohy,  
Village Clerk/Treasurer