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Trustees

of the Freeholders and Commonalty of the

Town of East Hampton

Adopted: July ____ 2026

Resolution #2026 - _____

RESOLUTION ADOPTING A PERMIT FEE STRUCTURE FOR UNAUTHORIZED “AS-BUILT” IMPROVEMENTS TO ALL EXISTING DOCKS, FLOATING DOCKS, PLATFORMS, WALKWAYS AND/OR BULKHEADS WITHIN EAST HAMPTON TOWN TRUSTEE JURISDICTION

The following resolution was offered by _____.

WHEREAS, the Trustees of the Freeholders and Commonalty of the Town of East Hampton, (“Trustees”), are the owners in fee title of certain bottomlands and waterways within the Town of East Hampton, and;

WHEREAS, the Trustees hold these bottomlands and waterways in trust for the public and have the inherent authority to regulate the placement and alteration of said docks, floating docks, platforms, walkways and/or bulkheads (hereafter referred to as dock, or structure) which are located partially or wholly on Trustee bottomlands, and;

WHEREAS, the Trustees have determined that updating the Application Fee structure for any improvements, repairs, or alterations that have taken place without Trustee approval is proper and equitable, and;

NOW THEREFORE BE IT RESOLVED, Beginning August 1, 2026, the Trustees will adopt the following updated Application Fee structure to be paid directly to the Trustees upon submission of an “As-Built” permit application:

- a. Whereby a dock owner receives a notice from the Trustees that their dock is incongruous with Trustee records, or the owner otherwise voluntarily submits a permit application that falls under this category, the dock owner shall be afforded the opportunity to apply to reconcile, by submitting an application to the Trustees, along with supporting documentation and a standard \$125.00 application fee.
- i. In the event the Trustees determine that unauthorized improvements were made after the implementation of the moratorium on dock construction (Trustee resolution #2021-11-22, dated 11/22/21), its extensions and subsequent prohibition on any new dock construction in Trustee waters (Trustee resolution #2023-38, dated 12/11/23), and the Trustees, in their discretion, determine to approve said alterations or improvements, then a one-time ‘as built permit fee’ of \$8/sq.ft. for the entire structure, or flat fee of \$600, whichever is greater, will be applied.
- ii. In addition, if the unauthorized improvements have been in place for two or more years prior to August 1st, 2026, the standard dock fee of \$1 per sq.ft. will be charged for the entire structure, backdated for a maximum of x years.



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- iii. If the above terms are unacceptable to the applicant, the applicant must return the dock or other improvement to its prior dimensions and/or configuration.
- b. If unauthorized or otherwise questionable improvements are approved by the Trustees, and the improvements were made at an indeterminate time prior to the start of the most recent Trustee dock survey and/or moratorium, or are determined by the Trustees to be of minor or de minimis nature, and/or any inconsistencies are unable to be reconciled, the entirety of the dock, or other structure will be subject to the standard \$1/sq.ft. annual structure agreement fee from a point in time x years prior to August 1, 2026 and going forward.
- c. If any application is rejected by the Trustees, the owner must bring the structure back to its originally permitted dimensions and/or configuration.
1. This fee structure may be altered at any time upon Trustee resolution.
 2. Any improvements or alterations satisfactorily proven to be previously approved by the Trustees, or otherwise in compliance with Trustee permits and policy shall be exempted from this fee schedule.
 3. The Trustees reserve the unqualified right to deny any reconciliatory or “as built” permit applications. Further, in the event of denial, the Trustees reserve the unqualified right to require the applicant to bring the structure back to its previous compliant form.

NOW, THEREFORE, BE IT RESOLVED, Beginning August 1, 2026, the Trustees shall utilize this updated Application Fee schedule for all dock applications received by the Trustee office and for application purposes, backdated to January 1, 2026.

Dated: February 24, 2025

The motion was put forth by _____ and seconded by _____. The resolution was unanimously passed and approved. BY ORDER OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY OF THE TOWN OF EAST HAMPTON.

FRANCIS J. BOCK, CLERK OF THE TRUSTEES