

INCORPORATED VILLAGE OF
EAST ROCKAWAY

DEPARTMENT OF BUILDING, ZONING
AND CODE ENFORCEMENT
P.O. BOX 189
EAST ROCKAWAY, N.Y. 11518-0189
PHONE: (516) 887-6310
FAX: (516) 887-6311

John F. Felbinger
Superintendent of Buildings

Juan A. Garcia, P.E., C.F.M.
Village Engineer

Instructions for Filing a Pool Permit

Complete a building permit application form; supply all relevant information including names, addresses, and phone numbers of the owner, contractor, and architect or engineer. This application must be signed by the property owner and notarized. The owner and/or contractor is required to familiarize themselves with the pool code (288-89.)

We also need:

- Nassau County Board of Assessors form.
- The brochure from the Pool Company including the specs and materials. (Aboveground only)
- Two (2) sets of construction plans at a 1/4" scale (In ground only)
- Two (2) copies of a plot plan indicating where pool is going (with dimensions, setbacks, and fencing)
- Submit two (2) copies of a current, legible property survey (a final survey will be required after the pool is installed to close out the permit)
- A certificate of a licensed professional engineer that the swimming pool will not affect the structural soundness of the building in which it is to be erected and that the plan of installation, location, safeguards and the protection of the health, property and the safety of spectators as well as persons using the pool is required (for in-ground pools only)
- There is a permit and C of C fee based on the cost of construction.
- A notarized Swimming Pool Alarms and Barrier Walls Affidavit and Owners Acknowledgement Affidavit.
- Please take note of the PSEG information attached regarding overhead electrical lines before locating the pool.

Insurance requirements for contractors and plumbers:

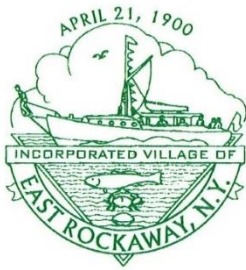
A current license along with a certificate of insurance showing coverage for liability and workers' compensation must be supplied (listing the Inc. Village of East Rockaway, 376 Atlantic Avenue, East Rockaway, NY 11518 as the Certificate Holder). In the case of a homeowner doing their own work, an affidavit supplied by this department must be submitted, signed, and notarized.

Plumbers:

Plumbing permits are required if installing a gas pool heater. All plumbers must be registered with the Village of East Rockaway and licensed by a participating town or village of the Nassau County Tri-Town Reciprocal Plumbing Agreement. There is a separate plumbing permit which is to be filed by the plumber.

Electrical:

All electricians must be licensed by the Town of Hempstead and registered with the Village of East Rockaway. A separate Electrical Permit is required and an ORIGINAL Electrical Inspection Certificate when the job is completed.



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POOL PERMIT APPLICATION

INSTRUCTIONS: This application shall be filled out in its entirety. Three fully detailed structural drawings prepared to scale of at least 1/4" to the foot and 3 surveys must accompany this application. Surveys must show all existing and proposed buildings, all setbacks, and the average front yard setback as required by the Zoning Ordinance. It is the policy of this department to abandon and destroy, without notification, any application that has been left dormant by the owner or agent thereof for 90 days. All fees paid in relation to such an application will be non-refundable and non-transferable. One copy of permit (bearing the approval of the Building Department) shall be kept at the site of the work and exhibited on demand to any Building Inspector of the Inc. Village of East Rockaway. No work, including excavations, to commence prior to issuance of permit.

Office Use Only:			
Permit # _____ Permit Fee \$ _____ C of O/C of C Fee \$ _____ TOTAL \$ _____			
OWNER		TEL #	
OFFICIAL ADDRESS PERMIT APPL. FOR		ZONE	
CURRENT USE (ie: 1 family, 2 family, retail etc..)		PROPOSED USE (ie: converting to 1 family, retail etc..)	
VILLAGE SECTION	VILLAGE BLOCK		VILLAGE LOT(S)
	NAME	MAILING ADDRESS	TEL.
ARCH. OR ENG.			
OWNER			
CONTRACTOR			
<i>Please Note:</i> A Copy of the Contractor's current Liability Insurance, Worker's Compensation Insurance and Current NC Home Improvement License MUST be Submitted w/ this application. -OR- Appropriate Notarized Affidavit Waiving Same.			

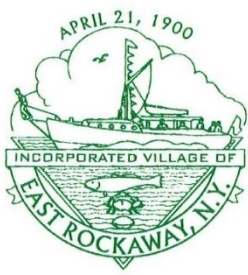
Work Proposed: _____
 _____ Construction Cost \$ _____

The owner of this building and the undersigned agree to conform to all applicable laws of the Village of East Rockaway. The Village code is on our website www.villageofeastrockaway.org
 _____ states that he/she is authorized to make this application and that all statements are true to the best of his/her knowledge and belief. (If corporation, give name of corporation and name, office, and address of its responsible officers),

_____ Sworn to me before this
 Owner's Signature _____ Day of _____, 20____

 Applicant's Signature _____

 Address _____ Tel # _____
 Notary Public



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Building Permit
240 Old County Road
Mineola, NY 11501

Section: _____ Block: _____ Lot: _____ Town, City, Village: _____ School Dist. No. _____
Permit, Number, Town, City, Village and Date Zoned As: _____ Date Rec'd: _____

Location of Building: N.E.S.W. Side of _____ FEET N.E.S.W. of _____
Or corner of _____ and _____

Number and Address of Property: _____
Post Office: _____ Zip: _____

Owner or Lessee: Owner Lessee
Name: _____ Street Address: _____
Post Office and Zip Code: _____ Telephone #: _____

Type of Improvement: Residential Industrial Commercial Other New Building Replacement
 Addition Alteration Swimming Pool Plumbing Demolition Central Air Relocation

Selected Characteristics of Building:

Principle Type of Construction: Wood Frame Masonry Steel Other Slab BSMT
Residential Only: Number of Bathrooms: _____ BSMT. finish Attic Finish
Commercial/Industrial Only:
 New Construction or Addition Must Include Floor Plan Sprinkler System
 Elevator

Plumbing Fixtures:
• Number of lavatories: _____ Kitchen Sinks: _____
• Water Closet: _____ Laundry Tub: _____
• Bath Tub: _____ Urinal: _____
• Stall Shower: _____ Bidet: _____
Total: _____

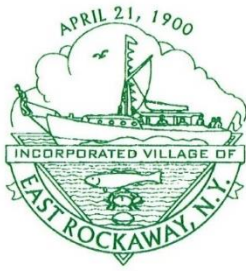
Estimated Cost of Improvement: Gas Oil Electricity Other Coal Central AC

DESCRIPTION OF IMPROVEMENT AND ESTIMATE COST: _____

FIELD REPORT: _____

Date of Granting Permit: _____
Signature of Applicant

Note: Separate application shall be made for each building
Address of Applicant Telephone #



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SWIMMING POOL ALARMS AND BARRIER WALLS AFFIDAVIT

State of New York ss: Building Permit #: _____

Country of Nassau Plumbing Permit #: _____

I/we: _____ are the Owner(s) of real property located at:

Address: _____

I/we hereby attest and affirm that, in accordance with the provisions of Section R326.4.2.8 (1) of the 2020 Residential Code of New York State, all operable windows on the first floor, shall be provided with a latching device, located not less than 48" above the floor, that will prevent the windows from opening more than 4'. Emergency Escape and Rescue Openings are not permitted in barrier walls.

I/we hereby attest and affirm that, in accordance with the provisions of Section R326.7 of the 2020 Residential code of New York State swimming pool alarm has been installed and is in proper working order.

This affidavit is submitted in accordance with New York State Executive Law, as modified by the current requirements of the 2020 Residential Code of New York State.

This affidavit is signed and submitted by the owner(s).

Dated: _____

Signature: _____

Sworn before me this ____ day of _____, 20_____

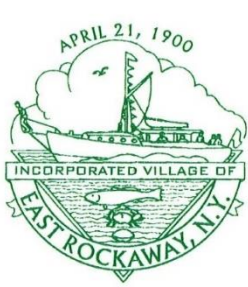
Name (print): _____

Must Be Submitted Prior to Completion

Notary Public

or Within 30 Days of Inspection

FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS CLASS A MISDEMEANOR PERSUANT TO SECTION 210.45 OF THE PENAL LAW THE STATE OF NEW YORK



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OWNERS ACKNOWLEDGEMENT AFFIDAVIT

STATE OF NEW YORK
COUNTY OF NASSAU
VILLAGE OF EAST ROCKAWAY

Date: _____

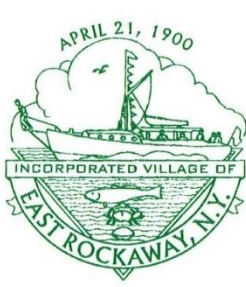
_____ Being duly sworn deposes and says that I am the owner of _____
_____, and that I have authorized the work to be performed under the
attached building permit application dated _____. I have familiarized myself with the conditions
set forth for the issuance of a building permit as well as the Code of the Village of East Rockaway
including but not limited to:

1. That the Permit is valid for one year from date of issuance and upon expiration must be renewed for an additional year at the full permit fee as per the fee schedule in effect at the time of renewal.
2. That all required inspections must be completed and all necessary paperwork submitted (electrical inspection certificate, final survey, etc..) prior to the issuance of a Certificate of Occupancy or Compliance.
3. Insuring that the Building Department is contacted at least one day prior for all inspections as listed on the Permit.
4. Construction work shall only be performed Monday thru Saturday from 7:00 am to 8:00 pm and not on Legal Holidays.
5. That the Construction site shall be kept in a clean and safe condition at all times.
6. That all Construction Waste must be disposed of at my own expense and shall not be placed at the curb for regular Sanitation Pick-up.
7. That all changes to the project must be approved by the Building Department and the Architect/Engineer of record. I make this affidavit with the full knowledge that the Building Department relies upon the truth of the statements herein contained and in relying thereon will issue a permit called for in the application.

I make this affidavit with the full knowledge that the Building Department relies upon the truth of the statements herein contained and in relying thereon will issue a permit called for the application.

Sworn to before me this
_____ Day of _____, 20_____

(Property Owner Signature Only)



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CONTACT INFORMATION

Project Address: _____

Building Permit No. _____

Owner (or Owners representative): _____

Address (if different from above): _____

Day Time Telephone Number: _____

E-mail Address: _____

Architect/Engineer: _____

Address: _____

Day Time Telephone Number: _____

E-mail Address: _____

Contractor: _____

Address: _____

Telephone Number: _____

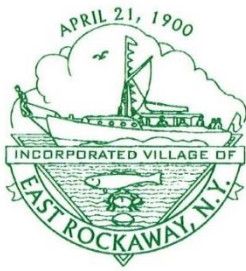
E-mail Address: _____

Plumber: _____

Address: _____

Telephone Number: _____

E-mail Address: _____



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CONTACT INFORMATION

Electrician: _____

Address: _____

Day Time Telephone Number: _____

E-mail Address: _____

Mechanical: _____

Address: _____

Telephone Number: _____

E-mail Address: _____

Other: _____

Address: _____

Telephone Number: _____

E-mail Address: _____

SWIMMING POOL, HOT TUB, AND SPA FENCING REQUIREMENTS

1. Top of fence must be at least 5 feet above grade measured on the side of the fence which faces away from the swimming pool.
2. The finished side of the fence must face away from the pool and there cannot be any structures, supports, cutouts or other items which are climbable on the outside of the fence.
3. The maximum clearance between the bottom of the fence and grade cannot exceed 2 inches.
4. Openings in the fence cannot exceed 4 inches.
5. Maximum mesh size for chain link fences cannot exceed 1.25 square inches.
6. One gate is permitted and must open away from the pool enclosure, must have a self-closing/self-latching device; must have a key, combination, or other child-proof lock; latch must be located on the pool side of the enclosure and must be at least 54 inches above grade.
7. You are required to have a temporary minimum 48" barrier around the work until a permanent barrier is installed.
8. Where a wall of a dwelling is used as part of the pool enclosure, one of the following requirements must be met:
 - o The pool must be equipped with a power safety cover in compliance with ASTM F1346 (check with your pool supplier or pool cover manufacturer to insure this standard is met; documentation must be presented to this department.)
 - o All doors opening into the pool enclosure must be equipped with an alarm which produces an audible warning when the door is opened. The alarm must sound for at least 30 seconds immediately after the door is opened and must be capable of being heard throughout the house. The alarm must automatically reset and must be equipped with a manual means to deactivate the alarm for a single opening. This deactivation cannot last for more than 15 seconds and the deactivation switch must be at least 54 inches above the threshold of the door.
 - o Doors which meet the same requirement as gates listed in item 6 above.
 - o You are required to install a latching device, located not less than 48" above the first floor that will prevent windows from opening more than 4". Emergency Escape and Rescue Openings are not permitted in barrier walls.

NOTE

All requirements listed above are the minimum standard as per The Residential Code of New York State and The Code of the Village of East Rockaway. Every possible precaution should be taken to protect the life and safety of the public. Any additional safety measures including but not limited to extra fencing, alarms, and pool safety covers meeting ASTM F1346 standard as listed in item 7 above are always recommended (tarps and winterizing covers can create additional hazards).

Remember, owning a pool is a serious responsibility. Drowning, particularly of children, is a far too common occurrence.

§ 288-89. Swimming pools.

- a. No swimming pool having a depth at any point greater than 18 inches and/or having a plane surface area larger than 99 square feet may be erected or installed without the approval of the Building Department of the Village of East Rockaway. [Amended 5-9-1988 by L.L. No. 7-1988]
- b. Swimming pools may be installed in Residential A and B Districts only as an accessory to a dwelling for the private use of the owners or occupants of such dwelling and their families and guests, or as an accessory to a nursery school or day camp for children, and only on the conditions provided in this Article and with the approval of the Board of Zoning Appeals pursuant to §§ 288-110 and 288-111 of this chapter.
- c. Notwithstanding anything in this § 288-89 to the contrary, the approval of the Board of Zoning Appeals of the Village shall not be required with respect to the erection or installation of a swimming pool in a Residential A or Residential B District, if there is compliance with all of the requirements of § 288-B89F.
- d. A certificate from the Department of Health of the State of New York is required for a public swimming pool or one used as an accessory to a school, club, place of worship, lodge or other institution.
- e. A certificate of a licensed professional engineer that the swimming pool will not affect the structural soundness of the building in which it is to be erected and that the plan of installation, location, safeguards and the protection of the health, property and the safety of spectators as well as persons using the pool is required.
- f. No swimming pool shall be installed or maintained in Residential A or Residential B District unless:
 - (1) Such pool is installed in the rear yard of the premises.
 - (2) There shall be erected and maintained a swimming pool fence enclosing the portion of the area upon which such pool shall be installed. Such fence shall either be a quality chain link fence or a quality stockade fence in accordance with the following specifications:
 - a) Chain link fence: There shall be erected and maintained a good quality link wire fence, not less than five feet in height, with posts embedded in concrete sunk in the ground to a depth of not less than four feet in intervals of not more than eight feet, enclosing the entire portion of the premises upon which such pool shall be installed and entirely surrounding the area in which such pool is located.
 - (b) Timber fence: Said fence shall extend from the ground to a height of not less than five feet, with two horizontal rails on the pool side. Galvanized steel posts shall be spaced not more than eight feet on centers and set to extend four feet below grade. The frame design shall produce a rigid structure. Fabric coverings and/or fence panels shall be securely mounted and fastened to the frame and shall be not more than one inch above the grade. All fence materials shall be the No. | grade of the type used or chosen, The fence must be maintained in good repair at all times, and any openings caused by weathering, aging or other damage must be promptly closed with suitable matching material.

- (3) There shall be no more than one opening in the fence, and such opening shall be equipped with a self-closing and self-latching device designed to keep, and capable of keeping, such gate securely closed at all times when not in actual use. Such gate shall be provided with a lock which can only be opened by a key to permit entry from without, or other approved type locking device when the pool is not in use. The self-closing device, the self-latching device and the lock shall be always maintained in good working order. The gate shall be closed and always locked when the pool is not in use.
- (4) Such pool shall not be erected closer than four feet from the rear and side property lines of the premises or, in the case of a corner lot, closer than 10 feet from any property line along an abutting street.
- (5) Such pool does not occupy more than 40% of the area of the rear yard, excluding all garages or other accessory structures located in such area.
- (6) If the water for such pool is supplied from a private well, there shall be no cross-connection with the public water supply system.
- (7) If the water for such pool is supplied from the public water system, the inlet shall be above the overflow level of the pool.
- (8) Such pool shall be chemically treated in a manner sufficient to maintain the bacterial standards established by the provisions of the New York State Sanitary Code relating to public swimming pools.
- (9) No permission shall be granted for the installation of any swimming pool, unless the plans therefor meet the minimum Village of East Rockaway Building Department requirements nor until the owner of the premises has filed with the Building Department a certification approved by the Village Engineer or by a professional engineer licensed by the State of New York that the drainage of such pool is adequate and will not interfere with the public water supply system, with existing sanitary facilities or with the public highways.
- (10) No loudspeaker device which can be heard beyond the property lines of the premises on which any swimming pool has been installed may be operated in connection with such pool. Any and all lights used in connection with such pool shall be installed or arranged or set out so that they will not shine into the buildings used for dwelling purposes in or near the vicinity of said pool.
- (11) A cabana shall be permitted as an accessory to such swimming pool, provided that:
 - (a) Such cabana does not exceed 7 1/2 feet in height and 700 cubic feet in total size.
 - (b) Such cabana is located at least 10 feet away from all adjoining property lines, and its entrance is located within the required fencing surrounding the swimming pool.
 - (c) The Building Department is satisfied that the proposed cabana shall be used only for the purpose of showering and dressing in conjunction with the use of the swimming pool.
 - (d) The Building Department may use any reasonable methods to determine that § 288-89F (7) is being complied with, G. including the requirement of submission by the property owner of an affidavit stating that the proposed use of the

cabana shall be limited to the requirements of § 288- 89F(11)(c). [Amended 2-14-1989 by L.L. No. 1-1989] § 288-89.1.

g. Exceptions. [Added 2-14-1989 by L.L No. 1-1989]

- (1) Aboveground pools with at least 60 inches between the pool decking or pool top and adjoining grade are exempt from the requirements of § 288- 89F(2) and (3), provided that the access ladders or steps can be blocked in an approved manner, rendering them unusable when not intended for use. A pool top, for the purposes of this subsection shall include attached or built-in fencing.
- (2) A pool less than 18 inches deep is exempt from the requirements of § 288-89F(2) and (3).

§ 288-89.1. Hot tubs. [Added 5-9-1988 by L.L. No. 6-1988]

- A. Definitions. As used in this section, the following terms shall have the meanings indicated:
HOT TUB — Any receptacle, other than swimming pools as defined in § 288-2, installed in any exterior portion of the yard of any residential, apartment, Commercial A or industrial property within the Village, for the containment of water or other liquids for recreational, therapeutic or other purposes, which shall have a capacity of more than 16 cubic feet, regardless of whether it shall contain electrical connections or devices affixed thereto.
- B. Installation. No hot tub shall be installed unless a building permit shall have been issued in accordance with the provisions of this chapter. In addition to the requirements for building permits as provided in this code, every such application therefor shall include specifications for water supply, overflow, filtration and drainage systems and fencing with approved landscaping.
- C. Bromination and chlorination, Bromination and chlorination must be maintained continuously, and testing therefor shall be done daily to conform to the bacterial content and other standards established by the New York Sanitary Code relating to public swimming pools, as provided in the Public Health Law of the State of New York and the Health Codes of the County of Nassau. Records of testing shall be maintained by the owner or resident of the premises for three years and of the adjustments of such levels made with appropriate chemicals.
- D. Temperature. The temperature of any hot-water installations shall not exceed 103° F.
- E. General requirements. Every hot tub shall conform to the provisions set forth for swimming pools in § 288-89C and F(1) through (7), (10) and (11), inclusive, of this Village code.

IMPORANT PSEG INFORMATION

You may request to PSEG to inspect to ensure for a safe install, this is NOT mandatory

CLEARANCE REQUEST LINK:

<https://www.psegliny.com/buildingrenovationservices/poolclearancerequest>

RED BOOK LINK:

<https://www.psegliny.com/buildingrenovationservices/codesandstandards/-/media/df3bS5e3cfe0a41be81903ef29fe9a8ab.ashx>

PSEG Customer Service Residential Phone Number: 1-800-490-0025

PSEG Building and Renovation services Phone Number: 1-844-341-6378



The following information is taken from the PSEG Long Island Redbook. Drawing D2 is attached as well

3.4 Swimming Pools

3.4.1 All overhead and underground conductors must maintain a minimum distance away from all pools, hot tub, spas, and any other swimming area. The minimum distances shall be in accordance with the latest applicable codes and local ordinances, including the latest addition of the NESC (see Section 11, drawing D2)

3.4.2 If there are any questions regarding the clearance at a specific site, PSEG Long Island must be contacted to determine available clearances before work is started. Under no circumstances should anyone, other than qualified PSEG Long Island Personnel, attempt to measure clearances to LIPA distribution system.

3.4.3 Public Swimming Pools — The New York State Sanitary Code (i.e., Public Health Law Section 225) requires that overhead electrical wires must have a minimum clearance of 20 feet, measure horizontal from the edge of public swimming pools, or from the mean high water mark at public bathing beaches. This does not apply to private swimming pools, or other bathing facilities owned and maintained by an individual for use by family and friends.

3.4.4 Customers may be requested to relocate any portable, above grade swimming pool to correct any violation created by the improper placement, with respect to LIPA overhead lines.

3.4.5 If LIPA facilities must be relocated to accommodate a swimming pool, the customer shall bear all costs associated with this work.

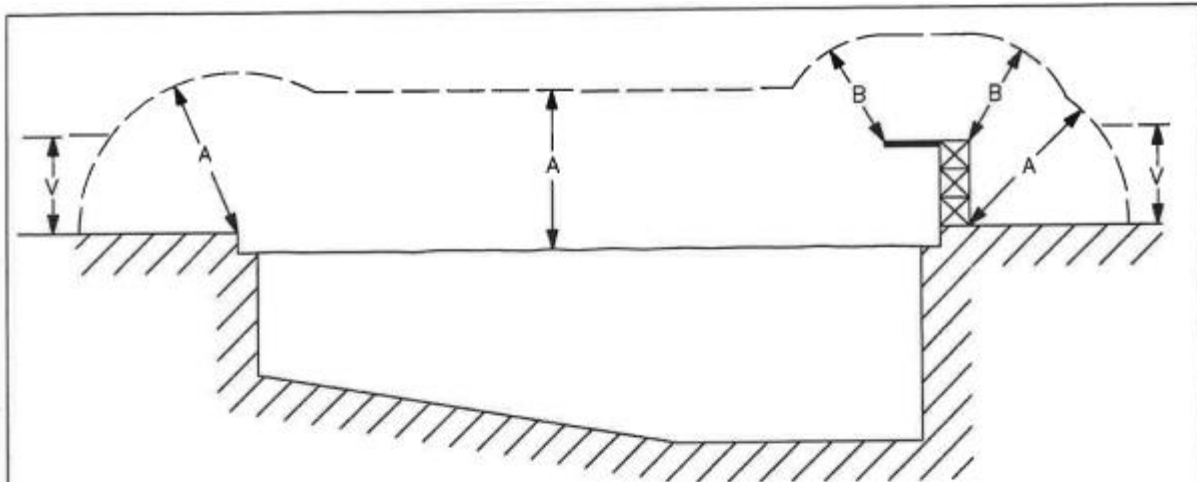


FIG. 1
(NESC FIG. 234-3)
SWIMMING POOL CLEARANCES

TABLE 1

	TYPE 1: MESSENGERS; SURGE PROTECTION WIRES; GROUNDED GUYS; GROUNDED NEUTRAL CONDUCTORS (FEET)	TYPE 2: SUPPLY CABLES 0 TO 750v (OVERHEAD TRIPLEX OR QUADRAPLEX SECONDARY OR SERVICE WIRE) (FEET)	TYPE 3: OPEN SUPPLY CABLES 0 TO 750v (OVERHEAD OPEN WIRE SECONDARY OR SERVICE) (FEET)	TYPE 4: OPEN SUPPLY CABLES 750v TO 22 kv (PRIMARY WIRE, BARE AND COVERED) (FEET)
A: CLEARANCE IN ANY DIRECTION FROM THE WATER LEVEL, EDGE OF POOL, BASE OF DIVING PLATFORM OR ANCHORED RAFT	22.0	22.5	23.0	25.0
B: CLEARANCE IN ANY DIRECTION TO THE DIVING PLATFORM OR TOWER	14.0	14.5	15.0	17.0
V: VERTICAL CLEARANCE OVER ADJACENT LAND	CLEARANCE SHALL BE AS SHOWN ON DRAWING D1			

PSEG LONG ISLAND BASES ITS REQUIRED CLEARANCES FROM SWIMMING POOLS AND ASSOCIATED STRUCTURES UPON THE REQUIREMENTS OF THE NATIONAL ELECTRICAL SAFETY CODE (NESC). WHERE WIRES CONDUCTORS OR CABLES CROSS OVER A SWIMMING POOL OR THE SURROUNDING AREA THE CLEARANCES IN ALL DIRECTIONS SHALL NOT BE LESS THAN THOSE SHOWN IN TABLE 1 AND ILLUSTRATED IN FIG. 1, AND AS DESCRIBED IN THE NESC. LOCAL MUNICIPALITY MAY HAVE STRICTER POOL CLEARANCE REQUIREMENTS. FOR ADDITIONAL PUBLIC POOL REQUIREMENTS SEE SECT. 3.4

THESE CLEARANCE REQUIREMENTS DO NOT APPLY TO TYPE 1 AND TYPE 2 CABLES DESCRIBED ABOVE THAT ARE 10 FEET OR MORE HORIZONTALLY FROM THE EDGE OF THE POOL OR DIVING PLATFORM.

UNDERGROUND WIRING SHALL NOT BE LOCATED UNDER OR WITHIN AN AREA EXTENDING 5' HORIZONTALLY FROM THE INSIDE WALL OF A POOL, HOT TUB OR SPA.

WARNING: UNDER ON CIRCUMSTANCES SHOULD ANYONE, OTHER THAN PSEG LONG ISLAND PERSONAL ATTEMPT TO MEASURE CLEARANCES TO LIPA DISTRIBUTION SYSTEM.

DWG. BASED ON
CS 2035

MINIMUM POOL CLEARANCES