

VILLAGE OF TARRYTOWN
PUBLIC INFORMATION MEETING
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)

There will be a Public Information Meeting regarding the proposed Local Waterfront Revitalization Program for the Village of Tarrytown on Monday, June 15, 2015, at 8 p.m. at Tarrytown Village Hall. The LWRP establishes policies associated with the Village's waterfront that are consistent with policies established by the State of New York. The Village's Board of Trustees is seeking your input regarding the approval of this document and submission to the State of New York for review and approval.

The median household income in 2010 in Tarrytown was \$80,683, which is only \$1,064 more than the median income for Westchester County. The median household income divides the total frequency distribution into two equal parts: one-half of households earn less than the median and one-half of the households earn more than the median income.

Approximately 5.8 percent of Tarrytown’s population had incomes below the poverty level in 2010; which is lower than the proportion for Westchester County (8.2 percent per 2010 estimates).

The majority of Tarrytown’s residents work outside of the Village but within Westchester County. On average, residents commute approximately 29 minutes to work. Approximately 63.5 percent travel by automobile, 19 percent by public transportation, and the remainder bicycle, walk or work at home. Over 58 percent of Tarrytown’s residents are employed in management and professional occupations, approximately 20 percent are employed in sales and office occupations and 15 percent in service occupations.

The most significant employment sector within the Village itself is educational, health and social services, which accounts for 27.5 percent of Tarrytown’s employment base, followed by professional management and administrative services, which account for 19.3 percent. As reported by Westchester County in 2004, Tarrytown had eight employers employing over 200 people.

According to the 2010 U.S. Census, the Village of Tarrytown is approximately 75 percent White, 8 percent African American, 8 percent Asian and 20 percent Hispanic. The race and ethnicity of Village residents is similar to the Westchester County profile as a whole, which is approximately 68 percent White, 15 percent African-American, 5 percent Asian and 22 percent Hispanic. Since 2000 the racial composition has been undergoing change, as can be seen from Table 3-2. Between 2000 and 2010, the Village’s White population declined by approximately 2 percentage points, its Hispanic population grew by 4 percentage points, and its Asian and its African-American populations each increased by 1 percentage point .

Race and Ethnicity

Race/ Ethnicity	Percent of Population: Tarrytown		Percent of Population: Westchester County	
	2000	2010	2000	2010
White alone	77%	75%	71%	68%
Black/ African American alone	7%	8%	14%	15%
Native American & Alaskan Native alone	0%	0%	0%	0%
Asian or Pacific Islander alone	7%	8%	5%	5%
Other	5%	6%	10%	8%
Hispanic (may be of any race)	16%	20%	16%	22%

Source: U.S. Census Bureau, 2000-2010

An analysis of Tarrytown’s age structure is helpful in evaluating future needs for services and facilities in the community. Approximately 34.4 percent of Tarrytown’s residents are over the age of 50, as shown in Chart 3-2. While the Village’s overall population increased between 2000 and 2010, the number of residents ages 20 to 34 decreased by 3.6 percent. During this period the population of residents ages 45 to 55 increased by 1.9 percent while the population of children between ages 10 to 19 increased by 3.6 percent. The population of residents ages 35 to 44 decreased by 4 percent.

According to the 2010 U.S. Census, Tarrytown contained a total of 4,768 housing units in 2010 (of which 7.5 percent were vacant), which is an increase of 80, or 1.7 percent, from 2000. As shown in Table 3-3, compared to the neighboring villages of Sleepy Hollow and Irvington, Tarrytown had the smallest increase in housing units between 2000 and 2010 (housing units in Sleepy Hollow increased by 11.8 percent and in Irvington by 2.6 percent). In relation to housing tenure, 53.2 percent of Tarrytown's housing units were owner occupied, which is lower than the average owner-occupancy rate of 61.6 percent for Westchester County. Almost 43 percent of housing units were single-family units.

Increase in Number of Housing Units from 1990-2010

Municipality	1990	2000	2010	%age Change	
				1990-2000	2000-2010
Village of Tarrytown	4,311	4,688	4,768	8.7%	1.7%
Village of Irvington	2,582	2,601	2,668	0.7%	2.6%
Village of Sleepy Hollow	3,160	3,253	3,637	2.9%	11.8%
Westchester County	336,727	349,445	370,821	3.8%	6.1%

Source: U.S. Census Bureau, 1990-2010

The Tarrytown Housing Authority operates the Franklin Towers and Courts, which is subject to U. S. Department of Housing and Urban Development (HUD) low and moderate income limits.

B. LAND AND WATER USE, ZONING, AND PUBLIC POLICY

For the purpose of land and water use inventory and analysis, the Village is divided into five main planning areas (see Figure 2-2):

- Downtown core (centered along Main Street and Broadway);
- Waterfront;
- Village area;
- Route 119 corridor; and
- South Tarrytown.

The focus of the inventory and analysis is those areas and issues that are most relevant to the priorities of maintaining and increasing both water-dependent uses and public access to the waterfront and of preserving and enhancing all of those environmental qualities that affect the vitality of the relationship of the Village with the Hudson River.

EXISTING ZONING

A c.1930 zoning map of the Village indicates that all land west of the railroad tracks is “parkland.” An action of the Board of Trustees on June 12, 1944 designates everything out of grant areas as “park zone.” Subsequent actions by the Board of Trustees changed the zoning designations of portions of waterfront land for different business and industrial purposes. A revised zoning law and map were adopted by the Village of Tarrytown in 1959 and have been revised from time to time since then. (The current zoning map was adopted by The Board of Trustees by Local Law No.7 of 2001). The Village of Tarrytown contains a variety of zoning districts ranging in use and intensity, including nine single-family residential districts (R-80, R-60, R-40, R-30, R-20, R-15, R-10, R-7.5, and R-5), five multi-family residential districts (M-4, M-3, M-2, M-1.5, and M-1), one industrial district (ID), seven commercial districts (OB,

MU, LB, RR, NS, GB, and WGBD), and two other districts (Waterfront -WD and Historic Commons – HC). Outside the Village’s downtown core and the waterfront, the Village is predominantly residential. Figure 2-3 presents the existing zoning within the Village, and Table 2-2 [from Comprehensive Plan] presents a summary of existing zoning districts.

DOWNTOWN CORE

The zones that allow the densest land uses are found in the downtown core. The Restricted Retail (RR) district covers most of Broadway and Main Street while the General Business (GB) covers areas on either side of Central Avenue toward the waterfront. Multi-Family Residence (M-1, M-1.5, M-2, M-3) districts and small pockets of Single-Family Residence (R5, R10) districts are located on side streets on either side of Broadway.

Permitted uses in the Restricted Retail district include restaurants, general retail establishments (including residential units above retail uses), and businesses or professional offices. Permitted uses in the General Business district include offices and shops, storage warehouses, laundry or dry cleaning shops, bakeries, hotels, fraternal organizations, automobile dealers or repair garages, and railroad and bus stations. Permitted uses in all Multi-Family Residence districts include single- and multi-family homes, churches or synagogues, and private or cooperative limited-membership community centers or recreation centers.

THE WATERFRONT

The Waterfront Area is divided into east and west by the Metro-North Railroad tracks. Generally, the area east of the tracks contains the same zoning districts as the Downtown Core including Restricted Retail (RR), General Business (GB) and Multi-family Residential (M) districts including properties currently developed with a shopping center and fast food restaurant, Asbury Terrace (a residential apartment building built with Mitchell-Lama funds from the State) and a new Village Hall and Police Station as well as Village-owned commuter and municipal parking lot on the north side of Depot Plaza.

The Industrial District (ID) is mapped along the east side of the railroad tracks at the foot of Wildey Street and on the west side of the railroad tracks along Division Street. A second ID district is located south of the train station at the end of Depot Plaza. This district runs south along the railroad tracks. The ID allows for light industrial, retail, commercial, transportation, and community facility principal permitted uses.

The area west of the railroad tracks is comprised of the Waterfront General Business District (WGBD) north of West Main Street, and the Waterfront (WD) south of West Main Street and including lands occupied by the railroad tracks running south to the Irvington border. Permitted principal uses in the WGBD include commercial ferry operations, public and private passive recreation facilities requiring a waterfront location, boating schools, marine biology research and testing centers, boat sales and rental, gift shops and artist studios, ice cream parlors, hotels, restaurants, marinas, conference centers, marine trade business, schools, places of worship, public and private active recreational facilities, community service centers, theaters, and museums. In addition, the following uses are allowed in the WGBD subject to the issuance of a special permit by the Village Board of Trustees: warehousing; freight distribution centers and terminals; marine railways; business and professional offices, and research, design, and development laboratories; residential uses and ground floor commercial space; computer manufacturing, machine shops for small parts, and plumbing establishments; and railroad stations, tracks, and appurtenant structures. The following industrial uses can be authorized by the Village Board of Trustees as development incentives: light manufacturing; motor fuel and oil storage distribution; and electrical small parts manufacturing.

Permitted uses in the WD include parks or playgrounds; marinas, yacht and boat clubs; mass transit facilities; municipal facilities; parking; and seaplane bases.

VILLAGE AREA

Zoning within the Village Area is entirely single-family and multi-family residential. Densities permitted range from one dwelling unit per 5,000 square feet (R-5) to one dwelling unit per 80,000 square feet (R-80) for single-family districts and two-family (M-2) and three-family (M-3) residences in multi-family districts. Religious, educational, and institutional uses are permitted within residence districts, with some limitations.

ROUTE 119 CORRIDOR

Zoning within the Route 119 Corridor allows greater density of residential uses (R-7.5, M-3, and M-4) as well as more intensive commercial uses including Office Building (OB), Limited Business (LB), and Mixed Use (MU) districts. Permitted uses in the OB district include single-family dwellings, offices, research facilities, training centers, and telephone exchanges or electric substations. Permitted uses in the LB district include single-family dwellings, business structures, hotels, and restaurants. The MU district permits the same uses as the OB district except single-family residences, religious institutions, training schools, electric substations and telephone exchanges.

SOUTH TARRYTOWN

The area south of the Thruway is mapped with a variety of residential zones (R-7.5, R-10, R-15, R-20, and R-60), an Office Building (OB) zone, a Limited Business (LB) zone, and a Neighborhood Shopping (NS) district. Permitted uses in the NS district include single-family residences and the smaller retail uses allowed within the Restricted Retail district primarily to serve residents within one mile of their location.

A Historic Commons (HC) district is mapped on the west side of South Broadway between the Requa property and the Irvington border. This district requires a minimum lot size of five acres and permits single-family residences, multi-family residences, senior housing, bed & breakfast or inn uses (but not hotels), public restaurants, cultural institutions, religious institutions, and conference centers. The Historic Commons district was created by the Village to preserve the historic character and open-space feeling of this area which includes several resources listed on the National Register of Historic Places.

EXISTING LAND AND WATER USES

Land uses generally correspond to the underlying zoning with the exception of some institutional uses in residential districts (which are allowed as Special Permit uses in these districts). Figure 2-4 shows general land use throughout the Village. Tarrytown is a largely built-out residential suburban community within the New York metropolitan area. According to the United States Census Bureau, the Village contains a total area of 5.7 square miles, 2.7 of which are under water, leaving a total of three square miles of land area. Population density is approximately 3,759 people per square mile of land area, or 5.8 persons per acre. This is higher than the neighboring Village of Irvington at 3.6 persons per acre but lower than the Village of Sleepy Hollow at 7.1 persons per acre.

A breakdown of the approximate acreage of the major land use categories in 2006 is shown in Chart 2-1 (from Comprehensive Plan). These figures are based on survey and Westchester County Geographic Information Systems (GIS) data.

Residential. Residential uses account for the vast majority of the Village's land area, see Figure 2.1. The higher density residential areas are located in and around the downtown, and along Route 119. There are some examples of multi-family residences, such as Hudson Harbor (127 units completed, 50 units under construction and 190 proposed units), Carrollwood (212 units), Sleepy Hollow Gardens (215 units), Asbury Terrace (107 units), Rivercliff (21 units), Franklin Tower and Courts (90 units), Tappan Manor (167 units), and Washington Irving Gardens (66 units).

Community and Institutional. Community and institutional uses comprise a large portion (19 percent) of the land use in Tarrytown. There are two public schools in Tarrytown: John Paulding School on North Broadway and the Washington Irving School on Franklin Street and Broadway. There are also two private schools: the Hackley School which is located on the boundary with Greenburgh, and the Transfiguration School. EF - Education First (formerly Marymount College) is a private international boarding school for 580 high school students from 60 different countries around the world and is located off Neperan Road on a 25-acre site. St. Jude's Habilitation Institute, located on Wilson Park Drive, is also a significant land user.

Office. There is a concentration of office uses centered on the Thruway, south of the downtown. Large office uses based here include the Talleyrand office park, the Montefiore Medical Center offices, and the Thruway Authority.

Commercial. The commercial and service core of Tarrytown lies in the northwest of the Village. This historic core contains numerous buildings of historical and architectural interest and provides an attractive downtown, with a healthy mix of retail, restaurant, and commercial uses. The downtown also contains a concentration of institutional and community uses, including the Warner Library, Music Hall and Patriots Park.

The Village has a second retail and service center, located at the intersection of South Broadway and Route 119, known as the Bridge Plaza Shopping Center. This currently contains a pharmacy and two banks, , in addition to various other neighborhood services, including delicatessens, restaurant, gas station, cleaner, liquor, stationary and nail salon. Other large commercial uses in Tarrytown consist of a number of large hotels and conference centers, including the Tarrytown House Estate and Conference Center located on East Sunnyside Lane, the Castle on the Hudson on Benedict Avenue, and the Doubletree hotel on South Broadway.

Open Space and Recreation. There are a number of municipal parks in Tarrytown totaling approximately 199 acres. Key parks and recreation areas include: Tarrytown Lakes/ Reservoir, Pierson Park, Losee Park, Gracemere Park, Scenic Hudson RiverWalk Park, Patriots Park, Neperan Park, Westchester County RiverWalk, Old Croton Aqueduct, Lagana Field, Andre Brook Trail.

DOWNTOWN CORE

The area of densest land use is the downtown core, centered around Main Street between Broadway and the railroad and on both sides of Broadway between Franklin Street and Wildey Street. As described above, this "downtown" developed from the earliest harbor both up the hill and onto filled river land.

The downtown shopping district of Tarrytown is centered on Broadway between Elizabeth and Wildey Streets and along Main Street between Broadway and Windle Park. Notable uses in the downtown area include the historic Tarrytown Music Hall; antique dealers; a number of retailers providing clothing, food, and pharmacy products as well as a wide variety of smaller shops; restaurants; banks; places of worship; and professional offices. The side streets between the railroad station and Route 9 (Broadway) are occupied primarily by single- and multi-family residential buildings. Other uses include the Public Library on Broadway near Wildey Street, scattered retail stores and professional offices, and institutional uses.

THE WATERFRONT

The waterfront area spans the Metro-North Railroad tracks and extends inland to Cottage Place to include the rehabilitated train station, Village Hall and Village police station, and the municipal and commuter

parking lots. Figures 2-5 through 2-7 are photographs showing general conditions within the Waterfront Area.

To the east of the railroad tracks at the southeast corner of Cortlandt and Wildey Streets is a plaza-style development that contains a number of commercial establishments, including fast-food restaurants, a dry cleaning establishment, a bank and a drug store. The Metro-North Commuter Railroad train station is located on Depot Plaza just south of Main Street. The station and commuter bridge crossings were completely rehabilitated by Metro-North. Across from the railroad station and Depot Plaza is the high-rise Asbury Terrace apartment building, located at the intersection of Cortlandt and Main Streets.

The Depot Plaza area serves as an important interchange in Tarrytown; it is the eastern gateway to and from the waterfront, the trains, and four major east-west streets in the downtown area: Central Avenue; and Wildey, Main, and Franklin Streets. This area was improved with a Community Development Block Grant (CDBG) in the 1990's. A new Village Hall and Police Station was built and completed across from the train station in 2009. However, the street and traffic light pattern approaching the overpass is dangerous and confusing. The stretches of paving appear like vast seas of concrete. No connection between the parts is perceived and the scale is vehicular and not pedestrian. Much improvement could be made in this area with plantings. Unattractive empty space under the bridge could be used for parking. The Village and Metro North Railroad have discussed plans to reconfigure the Depot Plaza to improve traffic circulation. The Village was awarded a DOS grant to plan and design the re-opening of the pedestrian tunnel just north of the station.

The train station parking lots are unattractive and do not make the best use of waterfront land. In particular, the lot on the west side of the railroad tracks is not the best use of such property; and new tennis and basketball courts were developed on the western portion of this lot in conjunction with the redevelopment of Pierson Park. The parking areas will be reconfigured as part of the new development of parks, recreational facilities and Hudson Harbor. The traffic patterns at the railroad station might also allow for a large increase in planting in this area.

There is a small industrial district at the foot of Wildey Street, north of the H-bridge and Hudson Harbor residential community, and west of Cortlandt Street which contains the following light industrial and retail uses: a truck storage facility, a bakery and towing company. A second industrial district is located south of the railroad station and is occupied by a distribution and storage facility for a paper recycling business.

Much of the area west of the railroad tracks is filled land. Originally tidal wetland and shallows, this area was filled from the eighteenth century until 1976 when the Losee Park ballfields were completed. The land is currently occupied by public and private recreation, community service, and heavy and light industrial uses, including the Tarrytown Public Works garage and storage facilities. Vehicular access to the Tarrytown waterfront area is limited to the "H-bridge" over the railroad tracks and Railroad Avenue/Division Street from the Sleepy Hollow waterfront. Pedestrians can use the H-bridge and pedestrian bridges at the train station to cross the railroad tracks. The Village is evaluating the concept of reopening an abandoned pedestrian tunnel accessway, near the foot of Main Street, in order to increase public access to and from the waterfront and improve connections between the waterfront and the downtown commercial district.

Of the approximately 105.5 acres of tax parcels west of the railroad tracks, 81.3 belong to the Village of Tarrytown, 21.57 are privately-owned, and the remaining 2.5 acres are classified as roads. Within the Village's property, approximately 8.7 acres are leased to the Tarrytown Boat Club and Washington Irving Boat Club. It should be noted that 53 of the 105.5 acres are covered by water. Another item to note is that approximately 6.4 acres of the waterfront is occupied by Village-owned parking lots and the Village's Department of Public Works. The Village acquired about 2.63 acres in 2010 from National RE/sources which was added to Scenic Hudson RiverWalk Park.

waterfront area. While additional visitors to the village could benefit local businesses, there is no evidence that rush hour commuters provide a significant benefit, and the additional traffic on local streets leading to the waterfront continues to be a problem. If additional parking at the train station and other development proposals are considered, it is critical that adequate provisions for reducing traffic congestion be considered. The Village has developed additional parking at the train station and is reviewing parking provisions for other development proposals (including the redeveloped Pierson Park and recreational facilities at the waterfront). New parking that will support the downtown area includes the development of a new parking lot off of South Washington Street and a lease of a privately held parking lot off South Broadway. Additional traffic congestion would detract from Village residents' quality-of-life and in the general vitality of the historic commercial district.

SOCIOECONOMIC PROFILE

Tarrytown contains two census tracts: numbers 114 and 115. Census Tract 115 encompasses the area north of Van Wart Avenue and west of the Croton Aqueduct, and Tract 114 includes the rest of the Village. According to the 2010 U.S. Census, the 2010 population of the Village of Tarrytown as a whole was 11,277 persons, a 1.7 percent increase over the 2000 population of 11,090 persons. During this period, Westchester County as a whole experienced a 2.8 percent increase in population from its 2000 level of 923,459. In 2010, the Village of Tarrytown comprised approximately 1.2 percent of the total county population of 949,113 persons.

A projection for population in 2020, at 11,704 persons, was calculated as the midpoint between the 1.7 percent increase over 2010 figures (or 11,469 persons) and potential development of undeveloped residential land within Tarrytown estimated at 280 additional housing units with 2.36 persons per household, or 11,938 persons. The 2008 recession has slowed down potential development, with about 280 units in the current pipeline (Hudson Harbor with 238 units, Jardim West with 16 units, Legends at Wilson Park with 14 units and the former Village Hall site with 12 units). The Village will continue to explore partnerships with the County and other developers to develop affordable housing.

Population Change in Tarrytown since 1970

Year	Tarrytown Total Population	%age Change Tarrytown	%age Change Irvington	%age Change Sleepy Hollow	%age Change Westchester County	%age Change NY State
1970	11,115					
1980	10,648	-4.2	-1.8	-4.1	-3.1	-3.7
1990	10,739	0.9	9.9	2.0	1.0	2.5
2000	11,090	3.3	4.5	13.0	5.6	5.5
2010	11,277	1.7	-3.2	7.1	2.8	2.1

Source: U.S. Census Bureau, 1970-2010

The number of households in Tarrytown decreased between 2000 and 2010 from 4,533 to 4,410, and the household size increased slightly over the same period from 2.33 to 2.36. The number of persons living in group quarters increased from 514 to 855 during the same period. Therefore the general population increased by 187 persons from 2000 to 2010, despite the number of persons living in households decreased by 154, because the number of persons living in group quarters increased by 341 persons.

- Amending the zoning code from Office Building (OB) districts to residential districts; and
- Subdivision requests for the remaining limited vacant parcels of land in the southern portion of the Village.

The goals with respect to potential future development include:

- A. Protect remaining open spaces and critical environmental areas
- B. Protect community character
- C. Minimize impacts from traffic
- D. Minimize impacts to schools
- E. Minimize cost to community

These goals are similar to the goals and concerns of many municipalities confronted with increasing development pressure on remaining open lands. For Tarrytown, which is a more mature community with respect to its physical development, remaining open spaces become even more important. And since Tarrytown has often been identified with the scenic and historic qualities of the Hudson River valley, its open spaces and existing village character are considered valuable assets that define not only quality-of-life for its residents, but also the overall attractiveness of the Village to tourists and other visitors.

While the Village feels that it has significantly addressed issues regarding potential development levels by adopting the zoning changes, each proposal for new development will be evaluated closely to ensure that specific impacts will not adversely affect community character and quality-of-life.

TRANSPORTATION INFRASTRUCTURE

Tarrytown's location at the crossroads of several major regional transportation corridors provides benefits and disadvantages to its citizens. Access to employment centers in New York City, White Plains, and even Connecticut are available via the Thomas E. Dewey Thruway (Interstate 87), the Cross-Westchester Expressway (Interstate 287), New York State Route 9 (Broadway), the Saw Mill River Parkway, and Metro-North Railroad. However, regional traffic, not originating or destined for Tarrytown, often clogs local roads when the major corridors are at or above capacity. This leads to traffic problems throughout the Village. In addition, Tarrytown is subject to strong development pressures as a result of its proximity to New York City, White Plains and Connecticut; its attractive Hudson River views; its historic districts, its wooded areas, and its location on the Hudson River waterfront.

The Thruway continues to be one of the defining characteristics of Tarrytown and its future. The Thruway crosses the Hudson from Tarrytown to Nyack over the Tappan Zee Bridge. The Hudson River is nearly its widest at this point—almost three miles. The bridge was built at this point in part because the gap in the Palisades on the western shore is one of the first natural gaps north of New York City. This seven-lane interstate with its bridge toll station divides the Village of Tarrytown into two areas as it passes east to west through a divide in the hills on either side of Sheldon Brook. New York State is in the process of replacing the Tappan Zee Bridge with the New NY Bridge. New York State plans for the new NY Bridge include eight traffic lanes, four breakdown/emergency lanes, and a dedicated commuter bus lane. Designed and constructed to be mass-transit-ready, the new crossing will be able to accommodate bus rapid transit, light rail or commuter rail. The bridge will also include a bike and pedestrian path. The first span of the new twin-span bridge is scheduled to open in 2016, and the new bridge should be complete in 2018.

In addition, the Village is concerned about increasing regional use of and additional traffic to and from the Tarrytown train station. Express train service to New York City is currently provided from the Tarrytown train station. The Village values this service and would like to have it continue. However, as plans for increasing regional rail-ridership are developed, Tarrytown finds itself besieged by rush-hour traffic coming from neighboring communities (including those across the Hudson River) into Tarrytown's

A. INTRODUCTION

This document is the Village of Tarrytown's Local Waterfront Revitalization Program (LWRP). The Village's LWRP has been developed as part of New York State's Coastal Management Program (CMP).

The coastal policies contained in this LWRP are based on New York State's coastal policies, but tailored specifically to Tarrytown's unique conditions and needs. Once an LWRP has been approved by the Department of State, and incorporated into the State's CMP, certain local, State, and Federal actions must be consistent with the LWRP.

Section 1 of this LWRP describes the coastal boundary within Tarrytown. Section 2 provides an inventory and analysis of land and uses and historic and natural resources within the coastal boundary. Section 3 identifies the 44 local policies for the coastal area. Section 4 identifies proposed land and water uses and proposed projects that are being considered to implement the policies of the LWRP. Section 5 outlines the implementation techniques the Village use to implement the LWRP. Subsequent sections identify specific local, State, and/or Federal actions that require consistency review with the LWRP as well as lists of agencies to be consulted regarding consistency with the LWRP.

B. EXISTING COASTAL BOUNDARY

The Village of Tarrytown is located on the eastern shore of the Hudson River in Westchester County, New York, in the Lower Hudson River Valley (see Figure 1-1). The Village is bounded on the south by the Village of Irvington, on the east by the Town of Greenburgh, and on the north by the Village of Sleepy Hollow. The western boundary of the Village extends into the Hudson River just beyond the farthest point of land on the waterfront.

The State of New York delineated a coastal zone boundary that generally follows municipal lines and the ridgeline dividing the Hudson River and Saw Mill River watersheds when it originally established the Statewide CMP (see Figure 1-2). The rationale for utilizing this boundary is the visual impact of the entire hillside, from the coastal waters to the ridge line. The entire hillside dominates the view easterly from the Hudson River, from the western shore of the river, and from the Tappan Zee Bridge.

The area within the coastal boundary delineated by the State includes those lands most frequently associated with the coastal waters in terms of use and impact from the coastal environment.

C. PROPOSED LWRP BOUNDARY

The Village of Tarrytown has determined that its entire jurisdiction should be included in the LWRP boundary. Section 3 of the New York State Coastal Management Program¹ establishes that the boundary of a local waterfront revitalization area should include all land the use of which may have a significant impact upon coastal waters with respect to any one of the following criteria:

- The area has direct contact with the coastal waters.
- The area utilizes coastal waters, either directly or indirectly.
- The area's natural features such as the tree cover, hillsides, steep slopes, ridge lines and wetlands either affect or are affected by the coastal waters.
- The area has a demonstrated relationship to the coastal waters. The relationship may be recreational, cultural, historic or business.
- The area has a direct visual relationship with the coastal waters and the waterfront.

The State Coastal Program criteria for establishing coastal boundaries states that the boundary should "conform with the nearest cultural feature or political boundary." The State document also points out that a boundary should follow "known landmarks...such as a road, railroad, utility right-of-way, or municipal boundary" to simplify determination of what lies inside or outside of the coastal zone. The boundary revision proposed below is consistent with these criteria. As stated above, the criteria also indicate that the area's "demonstrated relationship to the coastal waters" includes recreational, cultural, historic and business connections.

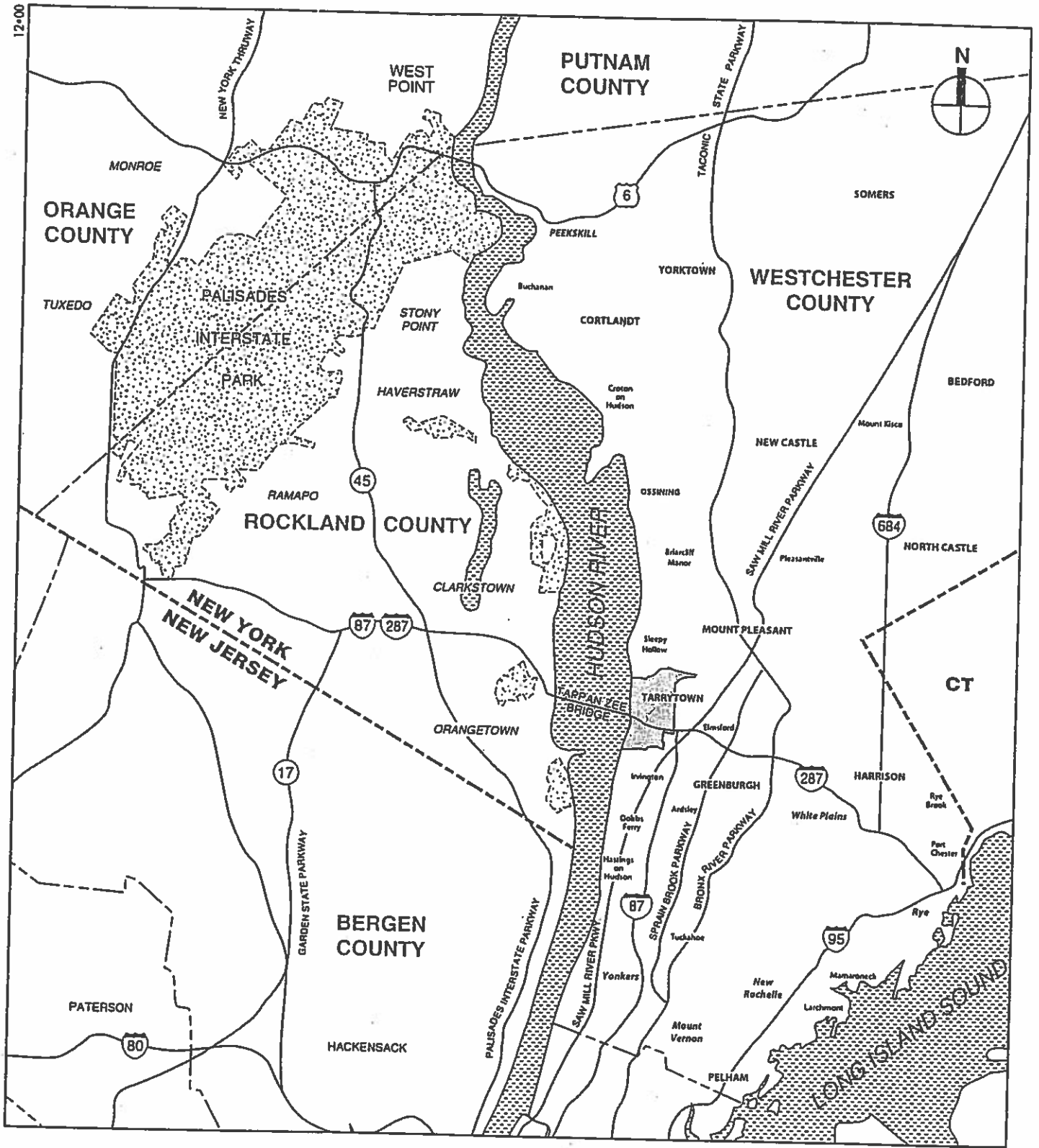
In adopting this LWRP, the Village of Tarrytown considers the entire Village to have a direct and significant relationship with the Hudson River, and proposes that the coastal boundary be revised to include all lands within the Village boundaries. Like many river towns, Tarrytown is a linear-shaped community that follows the Hudson River. The economic and cultural history of the entire village is linked with the river and residents throughout the village feel a strong connection to the river. In addition, the proposed boundary would be simpler for residents to comprehend than the existing boundary, which is not readily understandable without a map.

The proposed boundary would recognize the entire Village as a river community. Within this revised boundary, the Village will be able to establish a management program under the LWRP for the maximum area over which it has jurisdiction, the use of which has a direct impact on the coastal waters.

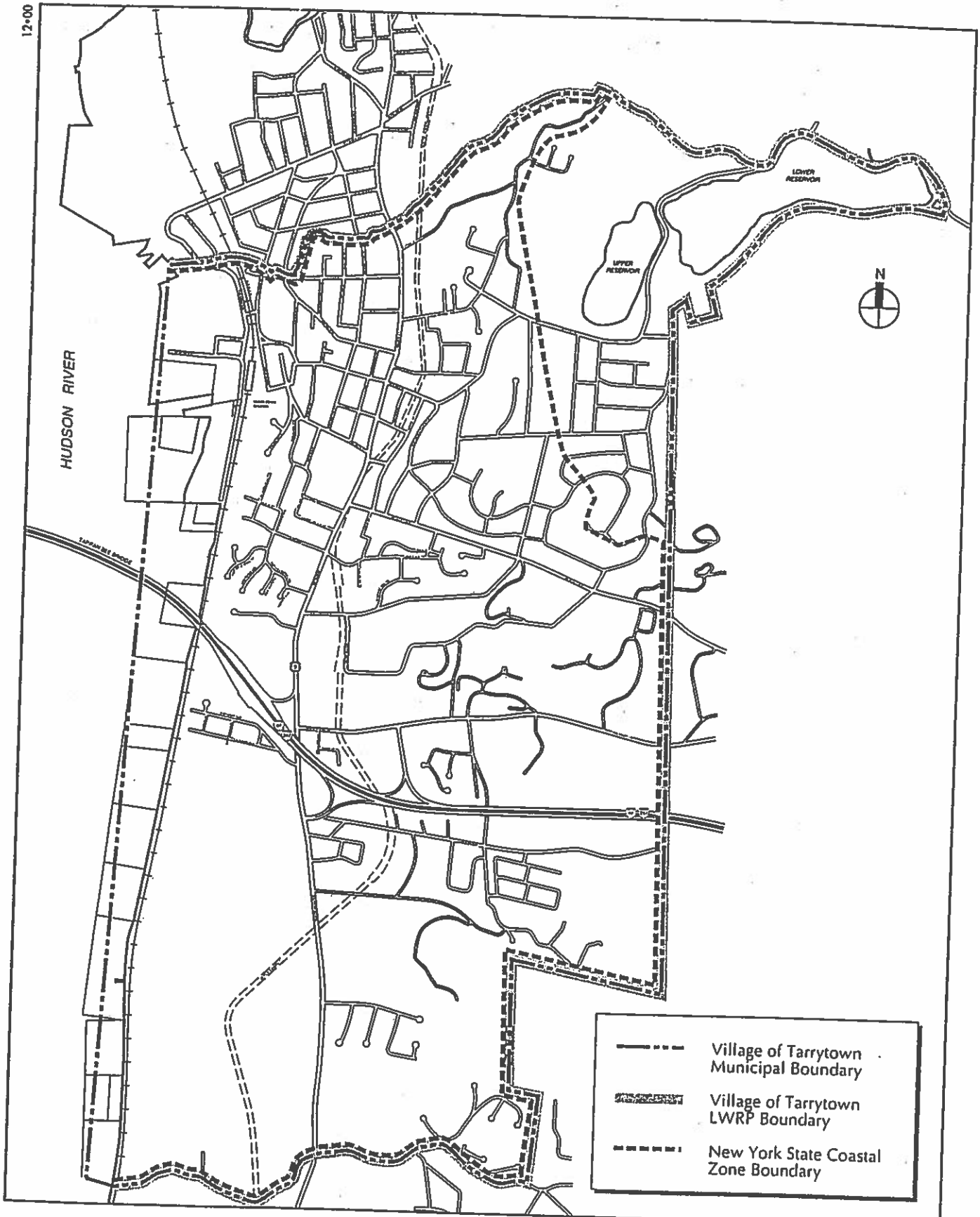
The proposed LWRP boundary is described as follows:




- Beginning at the Village of Tarrytown's southwest-most terminus of its boundary with the Village of Irvington;
- Thence the southern boundary of the coastal zone area continues inland (easterly along the Village of Irvington border) to the Town of Greenburgh boundary;
- Thence the eastern boundary of the coastal zone area continues northerly along the Town of Greenburgh boundary to the boundary of the Town of Mount Pleasant; Thence the northern boundary of the coastal zone area continues easterly along the Town of Mount Pleasant boundary; and

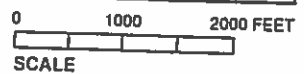
¹ *State of New York Coastal Management Program, August 1982.*



12-00



	Village of Tarrytown Municipal Boundary
	Village of Tarrytown LWRP Boundary
	New York State Coastal Zone Boundary



- Thence the northern boundary of the coastal zone area continues westerly along the boundary of the Village of Sleepy Hollow to the Hudson River.

D. REGULATION OF BOATS AND BOATING IN VILLAGE WATERWAYS

Chapter 93 of the Village Code regulates boats and boating. The general purpose of this chapter is to keep the village waterways and navigable waters in a sanitary and safe condition. The Village has defined its waterways as that portion of the Hudson River within or bounding the Village of Tarrytown to a distance of 1,500 feet from the shore.

The Village Board of Trustees recognizes the right of residents and others who use village waters for recreational and commercial purposes to enjoy clean and freely navigable waters. The discharge of sewage, treated or otherwise, may adversely affect the quality of village waterways. Secondly indiscriminate location of boats used for residential purposes may constitute a hazard to navigation. Thirdly, there is concern for the fire safety of boats used for residential purposes located in close proximity of each other and accessibility by emergency vehicles to waterfront lots.

In view of the foregoing, the Board of Trustees enacted this chapter to preserve and ensure the public health and quality of the waters as well as public safety and welfare. This chapter serves as the Village's primary harbor management controls. Guidance from this chapter has been incorporated into the applicable LWRP policy sections. The enforcing authority of this chapter is the Harbor Master of the Village of Tarrytown.

A. OVERVIEW OF THE LWRP AREA

INTRODUCTION

The Hudson River Estuary strongly appeals to the aesthetic and emotional senses of humans and supports much habitat for plants and animals. As population and development pressures slowly force change in the Tappan Zee area of the River, it becomes increasingly important that as much common access be created to this source of beauty and recreation and that water-dependent and water-related uses be given preference along the waterfront. It is also essential to protect the estuary ecologically since it is one of few remaining spawning grounds for Atlantic fisheries, a potential source of drinking water, and a habitat to many species. Locally, protection and replacement of habitats, even remnants of historical habitats, is critical.

The Hudson River Valley has been named a National Heritage Area (NHA) by the United States Congress. A NHA is defined as:

a place designated by Congress where natural, cultural, historic and scenic resources combine to form a cohesive, nationally distinctive landscape arising from patterns of human activity shaped by geography. These patterns make National Heritage Areas representative of the national experience through the physical features that remain and the traditions that have evolved in them.

Tarrytown has recognized the natural and cultural heritage value of the Hudson River for years. The Village takes its responsibility as a good steward of the multiple resources within its borders very seriously and has developed this and other plans to ensure the continued sustainability of its portion of the Hudson River Valley.

The Village of Tarrytown is located in Westchester County on the eastern shore of the section of the Hudson River known as the Tappan Zee, about 22 miles north of midtown Manhattan. Tarrytown's river shoreline extends approximately 2.5 miles from the border with the Village of Irvington north to the border with the Village of Sleepy Hollow (formerly North Tarrytown). Tarrytown also borders the Town of Mount Pleasant on the north. To the east of Tarrytown is the Town of Greenburgh (Figure 1-1). The proposed LWRP boundary encompasses all lands within the Village of Tarrytown (Figure 1-2).

According to the United States Census Bureau, the Village contains a total area of 5.7 square miles or 3,635 acres. The commercial and service core of Tarrytown lies in the northwest portion of the Village and merges with downtown Sleepy Hollow to the north (see Figure 1.3). The historic core contains numerous buildings of historical and architectural interest and provides an attractive downtown, situated on the banks of the Hudson.

The Village is bisected by the New York State Thruway and the approach to the Tappan Zee Bridge. The southern third of the Village contains significant tracts of undeveloped land. This area is characterized by low density residential development, two Westchester County Parks and also three large estates: Sunnyside, Lyndhurst Castle and Belvedere, two of which are on the Federal Register of Historic Places.

The Tarrytown Lakes lie in the northeastern corner of the Village, and the land area adjacent to the Tarrytown Lakes has been designated by the New York State Department of Environmental Conservation (NYSDEC) as the Tarrytown Lakes Watershed Critical Environmental Area. The Lakes area consists of about 150 acres (including approximately 96.3 acres of water surface area), or close to one quarter mile. All land area west of Broadway (Route 9), within the Village of Tarrytown, has also been designated part of the Hudson River CEA by New York State and Westchester County.

Land in Tarrytown generally slopes up from the original shoreline east of the railroad tracks to the ridge lines. Along the north-south length of the Village, a bluff rises steeply from the railroad tracks to a plateau which runs east to Route 9 or Broadway. From Broadway at about 175 to 225 feet above sea level, the large hills to the north and south of the Thruway rise to over 420 feet; their ridge lines generally form the eastern boundary of the Village. Thus, Tarrytown is also divided by Broadway into easterly and westerly sections.

Before the European settlers started filling in the Hudson River, the steep river edge bluff formed the edge of a bay along the northern third of the Tarrytown shoreline. To its north this bay was protected by Kingsland Point, which projected into the River. Formerly, the partially navigable Pocantico River flowed into the bay as well and helped to make it an excellent site for a harbor. The current "downtown" area of Tarrytown grew up around this harbor and along the first road (1703) from New York City to Albany (the Albany Post Road, now known as Route 9 or Broadway). In 1849, the railroad came to Tarrytown along the River and added another form of transportation available to this area. Sweeping views across the Tappan Zee and north and south up and down the Hudson River are afforded by the topography of the bluffs and the steep hills.

The development of Tarrytown and its current assets and needs have been shaped by the relation of its topography to its particular location along the Hudson River. Thus, changes along the river or in the Village can have important effects on one another. The following sections will describe the historic development of the village and its current character through an inventory of land uses and natural features. Using this information, the Village of Tarrytown has formulated LWRP policies as a basis for proposed projects and changes in land and water uses, and for the necessary procedures for legal and practical implementation of LWRP projects.

The manor flourished and grew; by 1750 the tenant population at the Upper Mills was 1,100. Frederick Philipse III leased the Upper Mills in 1751, sided with the British in the early days of the American Revolution and was banished in absentia for treason. Therefore, in 1785 all Philipse holdings were sold at auction. The Upper Mills became part of the 900-acre Beekman estate, with its south boundary following today's border between Tarrytown and Sleepy Hollow at Andre Brook.

From this point, the lands on either side of Andre Brook developed differently. The lands to the north became the hamlet of Beekmantown. The harbor at Tarrytown grew as a commerce center while the Beekman lands with their port on the Pocantico River did not. It was not until 1822 that the Beekmans, pressed for funds, laid out streets and building lots for sale.

In 1703 the Albany Post Road had been approved by the New York Provincial Legislature. Following a Native American trail, it was the main thoroughfare, aside from the River, until 1849 when the railroad was built through to Peekskill. Main Street in Tarrytown connected the Post Road (with growing travel support services) with the port (and its support industries).

During the Revolution, Westchester County was a battleground ravaged by both sides and many notable events occurred in Tarrytown, including the capture of Major John Andre by three local militiamen. Major Andre was a British soldier who carried plans for the surrender of West Point given him by the traitor Benedict Arnold for delivery to the British Commander in New York. Major Andre was captured near Tarrytown before he could deliver the plans. The largest military event in Tarrytown was the "Action at Tarrytown Bay." The British vessels eventually withdrew and the Action is commemorated by a plaque at the railroad station.

Tarrytown recovered quickly from the Revolution and became a leading port. Sloops carried flour and produce to New York City. Iron ore from the Central Avenue pits and Hastings-on-Hudson was shipped from the "Point Dock" shown on many maps at the foot of Main Street. There were also two other docks—the Requa Dock south of the later railroad station and Woods Dock at the foot of Wildey Street. Fisherman delivered catches of shad and "Albany beef" or sturgeon. Oysters were farmed off of what is now Losee Ballfield below Church Street. Local population and services grew. In 1800, the population was 3,000. By 1824, a regular steamboat service for passengers and freight had been established. The ferry to Nyack was started in 1839.

Tarrytown became the home of Washington Irving, who brought the countryside international fame with his colorful stories set in the Hudson Valley. His estate on Sunnyside Lane is listed on the National Register of Historic Places and as a National Historic Landmark.

In the mid-19th century, factories, stores, and offices began to predominate over farming-related enterprises. A map from 1881 shows a steam pump works, gas works, lumber and coal yards, a brickyard and a plenary mill. There were also, by then, a leading shoe factory, a pickle-processing plant, and factories for silk, hats, tools, and so forth. Concurrently, the farmland gave way to country estates of wealthy and noted families, and Tarrytown became known as a millionaire's colony. Gardens were laid out, fountains donated, dances and sleigh rides given, and exclusive clubs formed.

Under a new state law, the hamlets of Tarrytown and North Tarrytown (now Sleepy Hollow) incorporated as Villages in 1870 and 1873, respectively, in order to organize more services for the residents. After a great fire devastated Tarrytown in 1876, the residents voted to build a reservoir (currently the Tarrytown Lakes) and water supply system, which opened in 1888.

The basic patterns of land use in Tarrytown were well established by this time: the Village's center along Main Street and Broadway was flanked by denser residential neighborhoods and then larger estate properties. The great discoveries, inventions and events of the nation from World War I through World War II affected Tarrytown as the rest of the country.

HISTORIC DEVELOPMENT

Recorded history begins in September 1609 when Henry Hudson sailed up the Mahicantuck, the Mohican name meaning “the river that flows both ways,” which later came to be known as the Hudson River. The Weckquasqueck, a tribe of the Mohicans, had a settlement called Alipkonck, “The place of the Elms,” located along a small tributary near present-day Church Street. Early European settlers paid the Native Americans for land in the area, though relations were stormy from the start, and before long the Native Americans were driven from the area.¹

As had the Weckquasquecks, the settlers fished, hunted, farmed oysters, trapped for furs, and grew wheat and cereals in the light, loamy soil ideal for this purpose. After the English took control of this area from the Dutch in 1664, they referred to the area as “Terwe Town.” Terwe means “wheat” in Dutch, thus the probable derivation of the name of the Village.

In 1693, 90,000 acres amassed by the Dutchman Frederick Philipse in purchases from earlier settlers were elevated to manorial status by William and Mary of Great Britain. Philipse thereby became “Lord of the Manor” with governmental and judicial authority over the land and his tenant farmers.

As explained in *History of the Tarrytowns*, Frederick regarded his 90,000-acre manor as a source of revenue. He erected gristmills in two central locations—the Lower Mills in Yonkers, and the Upper Mills in what later became North Tarrytown and then Sleepy Hollow. Philipse and his descendants administered their lands from the manorial houses at the Lower Mills and the Upper Mills, which doubled as a trade depot. The mill and two-story manor house, along with a dam across the swift-flowing Pocantico River, were erected in the early 1680s. At the time much of the now filled-in, silt-clogged “marsh” was open water, and shallow-draft vessels docked beside the Upper Mills to carry the ground grain to New York City.

Philipse prospered until his death in 1702. Some 200 individuals lived near the Upper Mills, providing both a ready labor supply for processing grain and a market for finished products shipped from New York. The vast manorial farmlands supplied grain for the mills in Westchester, and Frederick’s bolting factory in New York City (which removed bran and chaff from the ground grain) prepared the refined product for packing and export. His operation was one of the few full-scale colonial production-distribution cycles.

Village of
arrytown LWRP

Section 2

¹ *History of the Tarrytowns*, by Jeff Canning and Wally Buxton.

In an effort to encourage commercial development, between 1846 and 1919 the State of New York disposed of all the parcels along the Hudson River in Tarrytown to private owners or businesses. These parcels were conveyed to the owners listed on the Historic Water Grants maps (Figures 2-1, and detailed on Figures 2-1a through 2-1f) for the expressed purpose of constructing docks or wharfs to encourage commercial access and development in the Village of Tarrytown. The grants were conditioned to allow the State to reclaim the lands if commercial activity was not established by the new private owner before a certain time period (ranging from one year to a discretionary period). Until this commercial activity, requiring wharf or dock access, was established, the new owner could not construct any other use upon the land or restrict others from accessing the land as they had when it was State property. The lot descriptions and conditions of these grants are detailed in the New York State Department of State records.

Beginning in 1924 and continuing through 1954, the State began granting title to the land under water along the Hudson River to the Village of Tarrytown and to the Tarrytown Terminal Corporation. These grants to the Village of Tarrytown and the Tarrytown Terminal Corporation are detailed in New York State Department of State records, copies of which the Village has obtained for its own files. A number of these below-water grants were given conditionally to the Village of Tarrytown: some parcels were granted upon the condition of free public access, some parcels were granted specifically for utility and sewer use, and other parcels were granted upon the condition that they remain undeveloped. Still other parcels were granted conditionally to the Tarrytown Terminal Corporation preventing the physical modification of the land below-water and the restriction of public access. The grants also provided that control of the parcels may revert to State title at the discretion of the State or if there is a violation of the grant conditions. Copies of the grants are included as an appendix to this LWRP.

Three major land use changes occurred in the 20th century:

1. The scale of riverfront industry changed to include the large operations of the North Tarrytown General Motors plant, with thousands of employees and extensive trucking operations through the Village. Another dramatic change occurred when the plant closed in June 1996. The former manufacturing facility was demolished and the 100-acre site remains vacant pending new development proposals.
2. Many of the estates of the wealthy have given way in an ongoing process to industrial research centers and company headquarters; these large employers were attracted by easy access to roadways instead of railroad and River access. This helped create demand for, and then usage of, the large interstate highways. Use of the River and the railroad for transport has declined; for decades it has become increasingly less desirable to locate industry near the railroad and the River, and many large industries in the Hudson Valley have left this zone. This has created a new opportunity to reclaim parts of the industrial riverfront for non-industrial purposes.
3. The completion of the Thruway and the Tappan Zee Bridge in 1955 was a major event; it placed Tarrytown astride the major regional and interstate highway network. This increased access to office and industrial sites, but also dramatically increased truck and car traffic on Village streets. It also diminished the wetlands along Sheldon Brook, disrupted the Pennybridge and Irving hamlets, invited increased development which led to flooding, ended the ferry service to Nyack, divided the village in half, and interrupted the continuity of the Croton Aqueduct walkway.

In recent decades, Tarrytown has worked to limit the impact of further expansion of regional transport facilities through its neighborhoods. Previous proposals which were not approved include the Hudson River Expressway (proposed in 1965 to be built on fill along the shore from I-84 in Beacon to the Major Deegan Expressway in the Bronx) and New York State Department of Transportation proposals in the 1990s to widen I-287.

In contrast to other central Westchester communities, Tarrytown has retained its essential character through the last half of the 20th century. The Village's "downtown" remained in the north area of the Village centered on Main Street between the harbor and Broadway. Historically, this area developed more densely, with a higher percentage of smaller and multi-family dwelling units with good access to work and transport. Areas outside the downtown core developed incrementally with the area along White Plains Road (Route 119) becoming a focus of commercial, office, and townhouse development. South Tarrytown and the area east of Broadway near the downtown retained its panoramic views and quiet character even as early farms were converted first to estates and later into either office parks or suburban single-family plots, clustered units, or garden apartments. Overall, Tarrytown is a densely-settled village with a balance of residential, commercial, and institutional uses with a few remaining vacant tracts of land.

Despite these many changes, Tarrytown's historic, natural, and scenic qualities and position on the river, rail line, and roadways make the Village a highly-desirable location for a wide variety of uses. The Hudson River continues to play an important role in transport, industry, fishing, recreation, and in the aesthetic character of Tarrytown.

CURRENT COMMUNITY CHARACTER

Continuity of community memories and a pedestrian-scaled environment creates pride and commitment in a heterogeneous population. In Tarrytown, the Hudson River plays an important part in all aspects of life and is the focus of ongoing revitalization. In addition, Tarrytown's village character is an essential component of its village-wide revitalization efforts. However, several factors currently conflict with Tarrytown's continued village character: increased development pressures on remaining vacant land and evolving plans for improvements to regional transportation infrastructure.

DEVELOPMENT PRESSURE

Tarrytown faces development pressures from both within the village and from surrounding areas, in particular, pressures to increase density on already developed land.

While the Village had raised legal objections to the density and traffic impacts of the proposed redevelopment of the former GM plant site, located in Sleepy Hollow along the Hudson River waterfront, Tarrytown has reached an agreement with the Village of Sleepy Hollow to address those impacts. . The approved permit for the site currently allows for the construction of 1,177 residential units as well as 135,000 square feet of retail space, 35,000 square feet of office space and a 140-room hotel to be built, along with a small parcel for Village facilities and recreational open space. The agreement will require the future developer for the site to agree to pay \$384,000 to Tarrytown for the following mitigation measures:

- Elimination of up to four parking spaces on the southbound side of Broadway just north of Main Street, and/or on the northbound side of Broadway just south of Neperan Road, and moving an existing fire hydrant on the southbound side of Broadway,
- Completing a study for and, if approved by the state DOT, the installation of a traffic signal at the intersection of Broadway and West Franklin Street,
- Implementing "traffic calming measures" in the Miller Park neighborhood of Tarrytown,
- Installing two traffic signals on the H-Bridge on both on both the east and west side of the bridge where the ramps connect to the overpass, and
- Installing a traffic signal at the intersection of West Franklin Street and White Street.

Other development pressures include:

- Requests for zoning changes to accommodate assisted living facilities;



Source: NYS Office of General Services Bureau of Land Management

A. INTRODUCTION

This Section contains the specific policies of the Village of Tarrytown with respect to land and water uses within its LWRP boundary. The policies are based upon the New York State Coastal Management Program policies and have been tailored specifically to the Village's needs and concerns. The organization of the policies follows the State-wide model.

B. LWRP POLICIES**DEVELOPMENT POLICIES**

Policy 1 Restore, revitalize and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses.

Explanation of Policy

State and Federal agencies, and local municipal governments and governmental agencies must ensure that their actions further the revitalization and environmental reclamation of urban waterfront areas. The transfer and purchase of property; the construction of a new office building, highway or park; the provision of tax incentives to businesses, are all examples of governmental means for spurring economic growth. When any such action or similar action is proposed, it must be analyzed to determine whether the action would contribute to or adversely affect a waterfront revitalization and environmental reclamation effort.

It must be recognized that revitalization and environmental reclamation of once dynamic waterfront areas is one of the most effective means of encouraging economic growth in the State. Waterfront redevelopment is also one of the most effective means of rejuvenating, or at least stabilizing, residential and commercial districts and habitats adjacent to the redevelopment area. Municipalities should review, and where appropriate utilize, their waterfronts to the greatest extent possible while striking a balance with environmental resource enhancement.

1. When a Federal, State, or Local action is proposed to take place in an urban waterfront area regarded as suitable for development, the following guidelines will be used:
 - a. Priority should be given to uses which are dependent on a location adjacent to the water;
 - b. The action should enhance existing and anticipated uses;
 - c. The action should serve as a catalyst to private investment in the area;
 - d. The action should improve the deteriorated condition of a site and at a minimum must not cause further deterioration. For example, a building could not be abandoned without protecting it against vandalism and/or structural decline; shoreline and site landscape design shall incorporate habitat enhancing features.

- e. The action must lead to development which is compatible with the character of the area, with consideration given to scale, architectural style, density, intensity of use, and ecological sensitivity.
 - f. The action should have the potential to improve the existing economic base of the community, and, at a minimum, must not jeopardize this base. For example, waterfront development meant to serve consumer needs would be inappropriate in an area where no increased consumer demands were expected and existing development was already meeting demand;
 - g. The action should improve adjacent and upland views of the water, and, at a minimum, must not affect these views in an insensitive manner;
 - h. The action should have the potential to improve the potential for multiple uses of the site including enhancement of habitats.
 - i. The action shall not increase demand for existing regional transit facilities.
2. If a Federal, State, or Local action is proposed to take place outside a given deteriorated, underutilized urban waterfront area suitable for redevelopment and is either within the relevant community or adjacent coastal communities, the agency proposing the action must first determine if it is feasible to take the action within the deteriorated, underutilized urban waterfront area in question. If such an action is feasible, the agency should give strong consideration to taking the action in that area. If not feasible, the agency must take the appropriate steps to ensure that the action does not cause further deterioration of that area.

This policy applies not just to vacant or underdeveloped portions of the Village waterfront but to the whole waterfront at the end of West Main Street including the remaining properties owned by National RE/sources. This policy also relates to sites in the broader waterfront area, but not directly on the waterfront, including the gateway area around Depot Plaza and the areas adjacent to the Metro-North Railroad Station. The areas in question should be assessed in relation to the guidelines for action outlined in this policy.

This policy also applies to the only remaining leases of properties on the waterfront which are the Tarrytown Boat Club and the Washington Irving Boat Club. Pursuant to the intent of this policy, the development of these parcels must give priority to water-dependent or water-enhanced uses. These clubs are not authorized to develop these parcels beyond what already exists. Due to the proximity of these parcels to existing parkland, the primary redevelopment goal will be to allow for greater access to the waterfront. The Village will ensure these uses upon lease renewal as well as site plan reviews.

In addition, the following actions will be taken:

1. The waterfront area will be stabilized by ensuring improved and unimpeded access and infrastructure to the existing uses while planning for increased accessibility to new uses.
2. Existing transportation facilities (bus, railroad, taxi) should be improved in order to increase access to the waterfront area. Accessory services should be expanded to connect with future water transportation facilities, which may include public anchorage adjacent to the Washington Irving Boat Club.
3. New mixed-use development compatible with public access to the river and water-dependent uses, such as the Hudson Harbor development project, will be encouraged in the Waterfront General Business District zone.

Policy 2 Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.

Explanation of Policy

There is a finite amount of waterfront space suitable for development purposes. Consequently, while the demand for any given piece of property will fluctuate in response to varying economic and social conditions, on a statewide and local basis the only reasonable expectation is that long-term demand for waterfront space will intensify.

The traditional method of land allocation; i.e., the real estate market, with or without local land use controls, offers little assurance that uses which require waterfront sites will, in fact, have access to the State's coastal waters. To ensure that such "water dependent" uses can continue to be accommodated within the State, State agencies will avoid undertaking, funding, or approving non-water dependent uses when such uses would pre-empt the reasonably foreseeable development of water-dependent uses and the Village will avoid submitting such applications to the State. Furthermore, State agencies and the local government will utilize appropriate existing programs to encourage water-dependent activities.

The following uses and facilities are considered as water dependent:

1. Uses that depend on the utilization of resources found in coastal waters (for example: fishing, mining of sand and gravel, mariculture activities, wetland habitat);
2. Recreational activities that depend on access to coastal waters (for example: swimming, fishing, boating, wildlife viewing);
3. Uses involved in the sea/land transfer of goods (for example: docks, loading areas, pipelines, short-term storage facilities, ferry transit);
4. Structures needed for navigational purposes (for example: locks, dams, lighthouses);
5. Flood and erosion protection structures (for example: breakwaters, bulkheads);
6. Facilities needed to store and service boats and ships (for example: marinas, boat repair, boat construction yards);
7. Uses that rely heavily on the waterborne transportation of raw materials or products which are difficult to transport on land, thereby making it critical that a site near to shipping facilities be obtained (for example: coal export facilities, cement and asphalt plants, automaking);
8. Uses that operate under such severe time constraints that proximity to shipping facilities become critical;
9. Scientific/educational activities which, by their nature, require access to coastal waters (for example: certain meteorological and oceanographic activities, historic, cultural and environmental interpretation);
10. Support facilities that are necessary for the successful functioning or permitted water-dependent uses (for example: parking lots, fish and crab shacks, snack bars, first-aid stations, short-term storage facilities.) Though these uses must be near the given water-dependent use, they should, as much as possible, be sited inland from the water-dependent use rather than on the shore.

In addition to water-dependent uses, uses which are enhanced by a waterfront location should be encouraged to locate along the shore, though not at the expense of water-dependent uses. A water-enhanced use is defined as a use that has no critical dependence on obtaining a waterfront location, but the profitability of the use and/or the enjoyment and educational level of the users would be increased significantly if the use were adjacent to, or had visual access to, the waterfront. A restaurant which uses good site design to take advantage of a waterfront view, and a golf course which incorporates the coastline into the course design, are two examples of water-enhanced uses.

If there is no immediate demand for a water-dependent use in a given area but a future demand is reasonably foreseeable, temporary non-water dependent uses should be considered preferable to a non-water dependent use which involves an irreversible, or nearly irreversible commitment of land.

Parking lots, additional passive recreational facilities, outdoor storage areas, and non-permanent structures are uses or facilities which would likely be considered as “temporary” non-water dependent uses.

In the actual choice of sites where water-dependent uses will be encouraged and facilitated, the following guidelines should be used:

1. Compatibility with adjacent uses and the protection of other coastal resources—Water-dependent uses should be located so they enhance the surrounding community. Consideration should also be given to such factors as the protection of nearby residential areas from odors, noise and traffic. Affirmative approaches should also be employed so that water-dependent uses and adjacent uses can serve to complement one another. For example, a recreation-oriented water-dependent use area could be sited in an area already oriented towards tourism. Clearly, a marina, fishing pier or swimming area could enhance, and in turn be enhanced by, reclaimed wetland habitats, nearby restaurants, motels and other non-water oriented tourist activities. Water-dependent uses must also be sited so as to avoid adverse impacts on the significant coastal resources. Water-dependent uses should also be compatible with the overall vision or plan for the waterfront envisioned in the Village’s WGBD zoning and this LWRP.
2. Competition for space—Competition for space, or the potential for it, should be indicated before any given site is promoted for water-dependent uses. The intent is to match water-dependent uses with suitable locations and thereby reduce any conflicts between competing uses that might arise. Not just any site suitable for development should be chosen as a water-dependent use area. The choice of a site should be made only after consideration of the anticipated impact on the real estate market. The anticipated impact could either be one of increased protection to existing water-dependent activities or else the encouragement of water-dependent development or ecological reclamation.
3. In-place facilities and services—Most water-dependent uses, if they are to function effectively, will require basic public facilities and services. In selecting appropriate areas for water-dependent uses, consideration should be given to the following factors:
 - a. The availability of public sewers, public water lines and adequate power supply;
 - b. Access to the area for trucks and rail, if heavy industry is to be accommodated; and
 - c. Access to public transportation, if a high number of person trips to be generated.

Section 3: Local Waterfront Revitalization Program Policies

4. Access to navigational channels—If commercial shipping, commercial fishing, or recreational boating are planned, the locality should consider setting aside a site, within a sheltered harbor, from which access to adequately-sized navigation channels would be assured.
5. Preference to underutilized and environmental reclamation sites—The promotion of water-dependent uses and environmental reclamation should serve to foster development as a result of the capital programming, permit expediting, and other State and local actions that will be used to promote the site. Nowhere is such a stimulus needed more than in those portions of the State's waterfront areas which are currently underutilized.
6. Providing for expansion—A primary objective of the policy is to create a process by which water-dependent uses can be accommodated well into the future. State agencies and localities should therefore give consideration to long-term space needs and, where practicable, accommodate future demand by identifying more land than is needed in the near future.

In promoting water-dependent uses the following kinds of actions should be considered:

1. Favored treatment to water-dependent use areas with respect to capital programming. Particular priority should be given to the construction and maintenance of the present level of marina facilities, roads, railroad facilities, and public transportation within areas suitable for water-dependent uses.
2. When areas suitable for water-dependent uses are publicly owned, favored leasing arrangements should be given to water-dependent uses.
3. Where possible, consideration should be given to providing water-dependent uses with property tax abatements, loan guarantees, or loans at below-market rates.
4. State and local planning and economic development agencies should actively promote water-dependent uses. In addition, a list of sites available for non-water dependent uses should be maintained in order to assist developers seeking alternative sites for their proposed projects.
5. Local, State, and Federal agencies should work together to streamline permitting procedures that may be burdensome to water-dependent uses. This effort should begin for specific uses in a particular area.
6. Local land use controls, especially the use of zoning districts exclusively for waterfront uses, can be an effective tool of local government in assuring adequate space for the development of water-dependent uses.

This policy is applicable to the land adjacent to the coastal waters in the Village. This land can be separated into five categories:

1. Land owned by Metro-North Railroad and used for mass transportation purposes. It is not anticipated that the use of these lands will change within the foreseeable future. Agencies should work with the railroad to gain access to properties located on the waterfront, between the railroad tracks and the river. No water-dependent uses will be created in such areas; however, water-enhanced areas can be created on such small parcels. Expansion of any railroad facilities should be carefully evaluated.
2. Land used for industrial purposes. As heavy industry moves away from the area, the Village will encourage the development of light industry that is water-dependent or water-enhanced

such as marinas, shipbuilding and/or the sale and repair of boats. Residential use in this area which limits public access will be discouraged.

3. Land used for recreational purposes. This category can be subdivided into property owned by the Village and used for public recreation through existing parks, and property owned by the Village and leased to private entities for the operation of marinas. Existing waterfront parkland should continue in the same capacity and the continuation of the leased land for marina purposes should be encouraged. Continuous public access to the waterfront, such as the new Scenic Hudson RiverWalk and redeveloped Pierson Park, will be developed as the opportunity arises.
4. Land owned by the Village and leased to other entities for non-water dependent use. As noted in Policy 1, the Village will assess the existing leases to determine the term of the existing use and any restrictions or covenants that adhere to the properties. Due to the proximity of the land to existing Village parks, the land may be better suited for water-enhanced purposes, as opposed to water-dependent purposes.
5. Land owned by the Village at the end of West Main Street. The land was developed to create the new Scenic Hudson RiverWalk Park. Continued dredging is needed if water-dependent uses are to continue and expand in Tarrytown.

To advance the vision outlined in the LWRP, the Village established the Waterfront General Business District (WGBD) and Waterfront District (WD). In creating these districts, the Village recognized that the waterfront encompasses a unique resource that contains both a significant opportunity for achievement of public amenities and a major potential for water-related development.

In the WD and WGBD Districts, if a use requires a compatible use permit, is not waterfront-dependent, and is proposed for development on a lot having shoreline frontage, the use shall be allowed whenever the owner provides for a waterfront esplanade along the shoreline and appropriate measures are taken to mitigate to the greatest extent possible against destruction of natural features of the site and pollution of surface waters.

In the WGBD and WD Districts, the following standards apply to all new marina projects and yacht or boat club ("club") proposals as well as projects for expansion of existing marinas or clubs:

- (1) To the extent feasible, marina or club basins shall be designed for maximum tidal flushing and circulation due to river currents and the action of wind while maintaining safe levels of wave action within the protected basin.
- (2) Marinas and clubs shall be designed and laid out such that minimal and subsequent maintenance dredging will be required. Such physical attributes include natural depths at or exceeding minimal navigable depths, low rates of sediment transport and sufficient tidal action to promote flushing. Dredging shall be limited to the minimum dimensions necessary for the project.
- (3) Applicants must demonstrate that there is an adequate water supply to serve all of the project's needs.
- (4) Signs which identify the location of public rest rooms and of pumpout facilities shall be situated in visible locations.
- (5) New marina or club projects must incorporate best management practices in their design.

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The Village has adopted Chapter 93 of their Village Code to regulate boats and boating in its waterways and serves as the Village's primary harbor management controls. The Village has defined its waterways as that portion of the Hudson River within or bounding the Village of Tarrytown to a distance of 1,500 feet from the shore. This Chapter regulates: hazards to navigation, boat speed limits, moorings and anchorages, the rights of Village residents to use the boat launching ramp at the Washington Irving Boat Club, occupying a boat as living quarters, and responsibilities of boating facilities.

The relief of regional commutation through water services such as a hydrofoil/ferry is an appropriate alternative to roadway expansion. The gateway area should be enhanced to provide facilities for pedestrians and to improve both the physical and visual connection between the River and the Village along Main Street.

Policy 3 Further develop the State's major ports of Albany, Buffalo, New York, Ogdensburg and Oswego as centers of commerce and industry, and encourage the siting, in these port areas, including those under the jurisdiction of State public authorities, of land use and development which is essential to or in support of the waterborne transportation of cargo and people.

Explanation of Policy

The policy is not applicable. The coastal area of the village of Tarrytown is not situated within any of the State's major port areas.

Policy 4 Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their unique maritime identity.

Explanation of Policy

This policy recognizes that the traditional activities occurring in and around numerous smaller harbors throughout the State's coastal area contribute much to the economic strength and attractiveness of these harbor communities. Thus, efforts of government agencies shall center on promoting such desirable activities as recreational and commercial fishing, ferry services, marinas, historic preservation, cultural pursuits, and other compatible activities which have made smaller harbor areas appealing as tourist destinations and as commercial and residential areas. Particular consideration will be given to the visual appeal and social benefits of smaller harbors which, in turn, can make significant contributions to the State's tourism industry.

The following guidelines shall be used in determining consistency:

1. The action shall give priority to those traditional and/or desired uses which are dependent on or enhanced by a location adjacent to the water (for example: charter boat service, ferries, and educational ships);
2. The action will enhance or not detract from or adversely affect existing traditional and/or desired anticipated uses;
3. The action shall not be out of character with, nor lead to development which would be out of character with, existing development in terms of the area's scale, intensity of use, and architectural style;

4. The action must not cause a site to deteriorate, e.g., a structure shall not be abandoned without protecting it against vandalism and/or structural decline;
5. The action will not adversely affect the existing economic base of the community, e.g., waterfront development designed to promote the waterborne transportation of raw materials might be inappropriate in a harbor area where the economy is dependent upon tourism and residential development.
6. The action will not detract from views of the water and smaller harbor area, particularly where the visual quality of the area is an important component of the area's appeal and identity.

The activities that have occurred along the Village's waterfront area, both past and present, are discussed in Section 2, "Inventory and Analysis." In making any determination of which activities are desirable for the future, the guidelines established above will be utilized.

A water-dependent use that should continue is marinas. The Village has issued long-term leases to the two boat clubs, which should ensure the continuation of this water-dependent activity.

The enhancement of current Village facilities and parks along the waterfront, in conjunction with establishing greater access, will assist in the development of new water-dependent uses and the continued existence of existing water-dependent uses. Additional amenities, such as a public promenade system and ecological landscape buffers in Scenic Hudson RiverWalk Park and Pierson Park and aquatic center, will promote the development.

Other appropriate uses are recreation, light industrial and transportation activities that are water related.

Policy 5 Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitates its location in other coastal areas.

Explanation of Policy

By its construction, taxing, funding and regulatory powers, government has become a dominant force in shaping the course of development. Through these government actions, development, particularly large-scale development, in the Coastal Area will be encouraged to locate within, contiguous to, or in close proximity to, existing areas of concentrated development where infrastructure and public services are adequate, where topography, geology, and other environmental conditions are suitable for and able to accommodate development.

The above policy is intended to accomplish the following:

1. Strengthen existing residential, industrial and commercial centers;
2. Foster an orderly pattern of growth where outward expansion is occurring;
3. Increase the productivity of existing public services and moderate the need to provide new public services in outlying areas;
4. Preserve open space in sufficient amounts; and
5. Where desirable, foster energy conservation by encouraging proximity between home, work, and leisure activities.

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For any action that would result in large-scale development or an action which would facilitate or serve future development, determination shall be made as to whether the action is within, contiguous to, or in close proximity to an area of concentrated development where infrastructure and public services are adequate.

Protecting and enhancing the natural resources of Tarrytown is a priority in order to preserve and replenish the natural endowment of renewable and non-renewable resources which contribute to the public, economic and environmental health, safety and welfare. It must be determined on a case-by-case basis whether the waterfront area has sufficient infrastructure to service any development that may occur, within the framework of the zoning ordinance, whether that development is water-dependent or water enhanced. Similarly, it must be determined on a case-by-case basis whether sufficient infrastructure is present in all other portions of the LWRP target area to service future development. The property in South Tarrytown west of Broadway is appropriate for limited development of signature uses on larger parcels that are consistent with the historic resources of that area.

Policy 6 Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.

Explanation of Policy

For specific types of development activities and in areas suitable for such development, state agencies and the Village will make every effort to coordinate and synchronize existing permit procedures and regulatory programs, as long as the integrity of the regulations' objectives is not jeopardized. These procedures and programs will be coordinated within each agency. Also, efforts will be made to ensure that each agency's procedures and programs are synchronized with other agencies' procedures at each level of government. Finally, regulatory programs and procedures will be co-ordinated and synchronized between levels of government, and if necessary, legislative and/or programmatic changes will be recommended.

When proposing new regulations, an agency will determine the feasibility of incorporating the regulations within existing procedures, if this reduces the burden on a particular type of development and will not jeopardize the integrity of the regulations' objectives.

When administering existing regulations concerning development and during the process of establishing new regulations, every effort will be made to consider reducing the burden on a particular type of development, but such efforts shall not jeopardize the integrity of the regulations' objectives, in an effort to reduce the burden of the regulations.

The Village of Tarrytown has outlined a clear development policy with respect to key waterfront properties in the Waterfront General Business District (WGBD) zoning. The Village intends to review development applications within the WGBD with respect to how well the proposal matches the stated intent and guidance of the WGBD zoning. Proposals that match the Village's stated goals will receive expedited review.

FISH AND WILDLIFE POLICIES

Policy 7 Significant coastal fish and wildlife habitats, as identified on the coastal area map, shall be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.

Explanation of Policy

Village of Tarrytown LWRP

This policy is not applicable. There are no areas along the Tarrytown waterfront that have been designated as Significant Coastal Fish and Wildlife Habitats.

Policy 7A Protect habitats of regional and local importance from degradation and improve ecological conditions where possible.

Explanation of Policy

Although no Significant Coastal Fish and Wildlife Habitats have been designated along the Tarrytown shoreline, the Hudson River and its shorelands, and the Tarrytown Lakes Watershed Area have been designated Critical Environmental Areas by Westchester County under NYCRR Part 617.4. The Croton State Trailway is the third designated CEA in the Village.

Development proposed in a CEA is subject to more in-depth review than other areas. Specifically, proposed development wholly or partially within or substantially contiguous to a CEA under the State Environmental Quality Review Act (SEQRA) requires the lead agency either in the Environmental Assessment Form (EAF) or a Draft Environmental Impact Statement (DEIS) to consider potential impacts on the characteristics of a CEA.

Chapter 201 (Lakes and Waterways) of the Village Code establishes rules and regulations to protect the Tarrytown Lakes Watershed Area.

In general, the Hudson River habitat continues to experience human disturbances of some type. These disturbances vary considerably, but include such activities as the effects of bulkheading; filling and dredging; removal of vegetation; adjacent land uses; and recreational activities and facilities such as fishing, boating, and associated marina and boat launch facilities. The specific impacts of these human disturbances depend on the nature and scale of the human interactions within and affecting the habitat areas.

Although not comprehensive, examples of generic types of activities and impacts within and adjacent to the Village which could destroy or significantly impair habitat within the LWRP area are listed below:

- Any activity that would substantially degrade water quality.
- Discharges of sewage or stormwater runoff containing significant amounts of sediments or chemical pollutants into the habitat area.
- Any activity that would substantially increase turbidity or sedimentation, reduce flows, increase water temperatures, or alter tidal fluctuations,
- Any major physical alteration of the habitat. Spills of oil or other hazardous substances.
- Also, of particular concern are the potential effects of upstream and adjacent disturbances, including water withdrawals, impoundments, stream-bed disturbances, vegetation removal, or runoff from agricultural, residential, commercial and industrial areas.

The generic activities and impacts discussed above do not necessarily lead to destruction or impairment of natural resources or habitats. Many management measures can be taken to ensure that negative impacts do not occur. In most cases, these measures have been included into existing local land use regulations within the Village of Tarrytown. Where analysis of specific site development activities indicates that mitigation measures will not avoid destruction or impairment of habitat, the Village should preclude development from occurring using existing powers granted by Village and State laws.

Policy 8 Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sublethal or lethal effect on those resources.

Explanation of Policy

Hazardous wastes are unwanted by-products of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law [5.27-0901(3)] as “waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may: (1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed or otherwise managed.” A list of hazardous wastes has been adopted by NYSDEC (6 NYCRR Part 371).

The handling (storage, transport, treatment and disposal) of the materials included on this list is being strictly regulated in New York state to prevent their entry or introduction into the environment, particularly into the State's air, land and waters. Such controls should effectively minimize possible contamination of and bio-accumulation in the State's coastal fish and wildlife resources at levels that cause mortality or create physiological and behavioral disorders.

Other pollutants are those conventional wastes, generated from point and non-point sources, and not identified as hazardous wastes but controlled through other States' laws.

Discharge of such hazardous wastes and pollutants is prohibited in Tarrytown in order to protect streams, vegetation, and residents from pollution.

Policy 9 Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks, and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.

Explanation of Policy

Recreational uses of coastal fish and wildlife resources include consumptive uses such as fishing and hunting, and non-consumptive uses such as wildlife photography, bird watching and nature study.

Any efforts to increase recreational use of these resources will be made in a manner which ensures the protection of fish and wildlife resources in marine and freshwater coastal areas and which takes into consideration other activities dependent on these resources. Also, such efforts must be done in accordance with existing State law and in keeping with sound resource management considerations. Such considerations include biology of the species, carrying capacity of the resource, public demand, costs and available technology.

The following additional guidelines should be considered to determine the consistency of a proposed action with the above policy.

1. Consideration should be made by Federal and State agencies as to whether an action will impede existing or future utilization of the State's recreational fish and wildlife resources. Local governments should also consider the effect actions will have on such resources.
2. Efforts to increase access to recreational fish and wildlife resources should not lead to overutilization of that resource or cause impairment of the habitat. Sometimes such impairment can be more subtle than actual physical damage to the habitat. For example, increased human presence can deter animals from using the habitat area.
3. The impacts of increasing access to recreational fish and wildlife resources should be determined on a case-by-case basis.
4. Any public or private sector initiatives to supplement existing stocks (e.g., stocking a stream with fish reared in a hatchery) or develop new resources (e.g., creating private fee-hunting or fee-fishing facilities) must be done in accord with existing State law.

The Tarrytown coastal area is a suburban area with limited existing natural wildlife features. The Hudson River provides an excellent resource for recreational fishing, and the access to the river from marinas provides an opportunity to travel on the river to sites with improved coastal fish and wildlife resources. The pier to be reconstructed for public fishing purposes as part of the redeveloped Pierson Park will increase access for recreational fishing purposes. In addition, the Tarrytown Lakes area is an important recreational resource for fishing, bird watching, hiking and nature study and nonintrusive access to these resources should be encouraged.

Policy 10 Further develop commercial finfish, shellfish and crustacean resources in the coastal area by: (i) encouraging the construction of new, or improvement of existing on-shore commercial fishing facilities; (ii) increasing marketing of the State's seafood products; and (iii) maintaining adequate stocks and expanding aquaculture facilities. Such efforts shall be in a manner which ensures the protection of such renewable fish resources and considers other activities dependent on them.

Explanation of Policy

Commercial fishery development activities must occur within the context of sound fishery management principals developed and enforced within the State's waters by the New York State Department of Environmental Conservation and the Management Plans developed by the Regional Fisheries Management Councils (Mid-Atlantic and New England) and enforced by the United States National Marine Fisheries Service within the Fishery Conservation Zone. (The Fishery Conservation Zone is the area of coastal waters extending from the three mile State waters boundary to the 200 mile offshore boundary of Conservation and Management Act of 1976.) Sound resource management considerations would include optimum sustained yield levels developed for specific commercial fish species, harvest restrictions imposed by State and Federal governments, and the economic, political (uses conflicts) and technological constraints to utilizing these resources.

The following additional guidelines should be considered by State and Federal agencies as they determine the consistency of their proposed action with the above policy:

1. A public agency's commercial fishing development initiative should not pre-empt or displace private sector initiative.
2. A public agency's efforts to expand existing or create new on-shore commercial fishing support facilities should be directed towards unmet development needs rather than merely displacing existing commercial fishing activities from a nearby port. This may be accomplished by taking into consideration existing State or regional commercial fishing development plans.
3. Consideration should be made by State and Federal agencies whether an action will impede existing utilization or future development of the State's commercial fishing resources.
4. Commercial fishing development efforts should be made in a manner which ensures the maintenance and protection of the renewable fishery resources.

If the PCB-pollution problem can be solved, there is tremendous potential for revival of the striped bass commercial fishery. Tarrytown could have more potential as a fishing base, though nobody has fished commercially from Tarrytown for many years. The other potentially large industry is blue-crabbing.

FLOODING AND EROSION POLICIES

Policy 11 Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

Explanation of Policy

On coastal lands identified as coastal erosion hazard areas, building and similar structures shall be set back from the shoreline a distance sufficient to minimize damage from erosion unless no reasonable prudent alternative site is available as in the case of piers, docks and other structures necessary to gain access to coastal waters to be able to function. The extent of the setback will be calculated, taking into account the rate at which land is receding due to erosion, and the protection provided by existing erosion protection structures as well as by natural protective features such as beaches, sandbars, spits, shoals, barrier islands, bay barriers, nearshore areas, bluffs and wetlands.

In coastal lands identified as floodways, no mobile homes shall be sited other than in existing mobile home parks. Where human lives may be endangered by major coastal storms, all

necessary emergency preparedness measures should be taken, including disaster preparedness planning.

In areas identified as being subject to flooding by the Federal Government's Flood Insurance Map, development shall occur in compliance with regulations established pursuant to the flood program. In addition, minimal elevations will be provided for compatible uses. The Village is presently, and intends to remain, a participant in this Federal Flood Insurance Program and will update this policy in conjunction with any changes in the Federal Government's Flood Insurance Map.

Chapter 169 of the Village Code applies to all areas of special flood hazard within the jurisdiction of the Village. The areas of special flood hazard for the Village are identified and defined by the Federal Emergency Management Agency. A floodplain development permit has been established for all construction and other development to be undertaken in areas of special flood hazard to protect citizens from increased flood hazards and ensure that new development is constructed in a manner that minimizes its exposure to flooding.

New structures and substantial improvement to structures in areas of special flood hazard shall be anchored to prevent flotation, collapse or lateral movement during the base flood. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

Policy 12 Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.

Explanation of Policy

Beaches, dunes, barrier islands, bluffs, and other natural protective features help safeguard coastal lands and property from damage, as well as reduce the danger to human life, resulting from flooding and erosion. Excavation of coastal features, improperly designed structures, inadequate site planning, or other similar actions which fail to recognize their fragile nature and high protective values, lead to the weakening or destruction of those landforms. Activities or development in, or in proximity to, natural protective features must ensure that all such adverse effects are minimized.

While there are no beaches, dunes, or other protective features within the Tarrytown waterfront area, measures to protect the shoreline through natural or engineered means will be undertaken.

Policy 13 The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.

Explanation of Policy

Erosion protection structures are widely used throughout the State's coastal area. However, because of improper design, construction and maintenance standards, many fail to give the protection which they are presumed to provide. As a result, development is sited in areas where it is subject to damage or loss due to erosion. This policy will help ensure the reduction of such damage or loss.

Policy 14 Activities and development including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.

Explanation of Policy

Erosion and flooding are processes that occur naturally. However, human actions can increase the severity and adverse effects of those processes causing damage to, or loss of property, and endangering human lives. Those actions include: the use of erosion protection structures such as groins, or the use of impermeable docks that block the littoral transport of sediment to adjacent shorelands, thus increasing their rate of recession; the failure to observe proper drainage or land restoration practices, thereby causing runoff and the erosion and weakening of shorelands; and the placing of structures in identified floodways so that the base flood level is increased causing damage in otherwise hazard-free areas.

Along the coastal area, the utilization of techniques that closely resemble natural stabilization systems will be encouraged. The development of silt retention barriers or other approved technology to reduce the recurrent siltation problem, noted by the marinas along the waterfront, will also be pursued.

Policy 15 Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.

Explanation of Policy

Coastal processes, including the movement of beach materials by water, and any mining, excavation or dredging in nearshore or offshore waters which changes the supply and net flow of such materials can deprive shorelands of their natural regenerative powers. Such mining, excavation and dredging should be accomplished in a manner so as not to cause a reduction of supply, and thus an increase of erosion, to such shorelands. Offshore mining is a future alternative option to land mining for sand and gravel deposits which are needed to support building and other industries.

Any mining, dredging or excavation efforts will be discouraged within the coastal area controlled by the Village. Although the actual western boundary of the village is the Hudson River, the Village controls the bottom lands adjacent to the waterfront. The Town of Greenburgh boundaries extend westerly beyond the shoreline. Export of materials from within the Village and Town boundaries is prohibited by ordinance. Activities that interfere with natural coastal processes should not be allowed.

Policy 16 Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long-term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.

Explanation of Policy

Public funds are used for a variety of purposes on the State's shorelines. This policy recognizes the public need for the protection of human life, wildlife habitat enhancement, and existing

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investment in development or new development which requires a location in proximity to the coastal area or in adjacent waters to be able to function. However, it also recognizes the adverse impacts of such activities and development on the rate of erosion and on natural protective features and requires that careful analysis be made of such benefits and long-term costs prior to expending public funds.

The entire length of Village waterfront consists of artificial fill. Public funds should be used strictly for the protection of human life, wildlife habitat enhancement, and development, whether new or existing which requires a location in proximity to the coastal area or in adjacent waters to be able to function. The maintenance of existing erosion protective devices along the Village waterfront should continue.

Policy 17 Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (i) the setback of buildings and structures; (ii) the planting of vegetation and the installation of sand fencing and draining; (iii) the reshaping of bluffs; and (iv) the flood-proofing of buildings or their elevation above the base flood-level.

Explanation of Policy

This policy recognizes both the potential adverse impacts of flooding and erosion upon development and upon natural protective features in the coastal area as well as the costs of protection against those hazards which structural measures entail.

“Non-structural measures” shall include, but not be limited to:

1. Within coastal erosion hazard areas identified under Section 34-104, Coastal Erosion Hazard Areas Act (Article 34, Environmental conservation Law), and subject to the permit requirements on all regulated activities and development established under that Law, (a) the use of minimum setbacks as provided for in Section 34-108; and (b) the strengthening of coastal landforms by the planting of appropriate vegetation on dunes and bluffs, the installation of sand fencing on dunes, the reshaping of bluffs to achieve an appropriate angle of repose so as to reduce the potential for slumping and to permit the planting of stabilizing vegetation, and the installation of drainage systems on bluffs to reduce runoff and internal seepage of waters which erodes or weaken the landforms; and
2. Within identified flood hazard areas, (a) the avoidance of risk or damage from flooding by the siting of buildings outside the hazard area, and (b) the flood-proofing of buildings or their elevation above the base flood level.

This policy shall apply to the planning, siting and design of proposed activities and development, including measures to protect existing activities and development. To ascertain consistency with the policy, it must be determined if any one, or a combination of, non-structural measures would afford the degree of protection appropriate both to the character and purpose of the activity or development, and to the hazard. If non-structural measures are determined to offer sufficient protection, then consistency with the policy would require the use of such measures, whenever possible.

In determining whether or not non-structural measures to protect against erosion or flooding will afford the degree of protection appropriate, an analysis, and if necessary, other materials such as plans or sketches of the activity or development, of the site and of the alternative protection measures should be prepared to allow an assessment to be made.

The entirety of the Village waterfront area is artificial fill, with structural erosion control devices. Therefore, “non-structural measures” may be used along selective protected habitat restoration areas in addition to artificial structures (e.g., the mouth of Andre Brook) and to limit flood damage to structures.

In an estuary, all wetlands and shoreline are ecologically important since their extent is limited; whatever remains in this area must be protected in order to maintain estuarine resources. Where possible, rockpiled bulkheads are preferable to sheet piling and all future shoreline development must provide for habitat revitalization.

Policy 18 To safeguard the vital economic, social and environmental interests of the State, Village, and of their citizens, proposed major actions in the coastal area must give full consideration to those interests, and to the safeguards which the State and Village have established to protect valuable coastal resource areas.

Explanation of Policy

Proposed major actions may be undertaken in the coastal area if they will not significantly impair valuable coastal waters and resources, thus frustrating the achievement of the purposes of the safeguards which the State and Village have established to protect those waters and resources. Proposed actions must take into account the social, economic and environmental interests of the State, Village and their citizens in such matters that would affect natural resources, water levels and flows, shoreline damage, hydro-electric power generation, and recreation.

PUBLIC ACCESS POLICIES

Policy 19 Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority shall be given to public beaches, boating facilities, fishing areas and waterfront parks.

Explanation of Policy

This policy calls for achieving balance among the following factors: the level of access to a resource or facility, the capacity of a resource or facility, and the protection of natural resources. The imbalance among these factors is the most significant in the State’s urban areas. Because this is often due to access-related problems, priority will be given to improving physical access to existing and potential coastal recreation sites within the heavily populated urban coastal areas of the State and to increasing the ability of urban residents to get to coastal recreation areas by improved public transportation. The particular water-related recreation resources and facilities which will receive priority for improved access are public beaches, boating facilities, fishing areas and waterfront parks. In addition, because of the greater competition for waterfront locations within urban areas, the Village will encourage mixed use areas and multiple uses of facilities to improve access. Specific sites requiring access improvements and the relative priority the program will accord to each will be identified in the public Access Planning Process.

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The following guidelines will be used in determining the consistency of a proposed action with this policy:

1. The existing access from adjacent or proximate public lands or facilities to public water-related recreation resources and facilities shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or proximate public lands or facilities to public water-related recreation resources and facilities be eliminated, unless in the latter case, estimates of future use of these resources and facilities are too low to justify maintaining or providing increased public access, or unless such actions are found to be necessary or beneficial by the public body having jurisdiction over such access, as the result of a reasonable justification of the need to meet systematic objectives.

The following is an explanation of the terms used in the above guidelines:

- a. Access—The ability and right of the public to reach and use public coastal lands and waters.
 - b. Public water-related recreation resources or facilities—All public lands or facilities that are suitable for passive or active recreation that requires either water or a waterfront location or is enhanced by a waterfront location.
 - c. Public lands or facilities—Lands or facilities held by State, local government or public utilities such as New York State Thruway Authority and Metro-North Railroad in fee simple or less-than-fee simple ownership and to which the public has access or could have access, including underwater lands and the foreshore.
 - d. A reduction in the existing level of public access—Includes but is not limited to the following:
 - (1) The number of parking spaces at a public water-related recreation resource or facility is significantly reduced.
 - (2) The service level of public transportation to a public water-related recreation resource or facility is significantly reduced during peak season use and such reduction cannot be reasonably justified in terms of meeting system-wide objectives.
 - (3) There are substantial increases in the following: already existing special fares (not including regular fares in any instance) of public transportation to a public water-related recreation resource or facility, except where the public body having jurisdiction over such fares determines that such substantial fare increases are necessary; and/or admission fees to such a resource or facility, and an analysis shows that such increases will significantly reduce usage by individuals or families with incomes below the State government established poverty level.
2. Any proposed project to increase public access to public water-related recreation resources and facilities shall be analyzed according to the following factors:
 - a. The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.
 - b. The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource or facility. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

3. The State will not undertake or fund any project that increases access to a water-related resource or facility that is not open to all members of the public.
4. In their plans and programs for increasing public access to public water-related resources and facilities, State agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation; within the boundaries of the Federal-Aid Metropolitan Urban Area but not served by public transportation; outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary but not served by public transportation.

Public parkland along the Hudson River waterfront consists of Pierson Park, Losee Park, the Scenic Hudson RiverWalk Park and land along the river opposite Paulding Avenue as well as along the Tarrytown Lakes. The redevelopment of Pierson Park complements RiverWalk Park and will provide a variety of amenities that will enhance public access to the River.

Development, but not over-development, of the coastal area will be encouraged in a manner that maintains a balance between recreational, environmental, and economic resources. Public access will be stressed as part of any development project (public or private) along the waterfront, and will be maintained and improved on parcels publicly owned or controlled. Development incentives have been codified in the WGBD zoning that have already improved and will continue to improve public access, such as: public beaches; the Scenic Hudson RiverWalk Park as a continuous pedestrian right-of-way contiguous to the edge of the river; increased boating facilities; increased access for fishing purposes and a kayak launch as part of the redeveloped Pierson Park and Losee Park; expanded waterfront parks at Pierson Park and RiverWalk Park; and improved access across the Metro-North Railroad tracks will be explored. Any development that will reduce or eliminate public access to the coastal areas will be discouraged and avenues available to prevent any decrease in public access will be utilized. During the planning process, public access will be considered as an environmental impact to be considered as part of the environmental review process. On the waterfront, the two boatclubs - Washington Irving Boat Club and Tarrytown Boat Club - comprise a substantial proportion of the Village-owned waterfront land, and currently impose restrictions on public access to the waterfront. The Village should seek ways to ensure that all Village-owned property on the waterfront, including these lands leased to the Boat Clubs, will provide full public access in the future when the leases expire or during the site plan review process.

Improved public access should be developed to the waterfront through the renovation of the H-Bridge, the re-opening of the Metro North pedestrian accessway tunnel and the creation of additional parking for waterfront visitors. These improvements will support current and recent projects such as the redevelopment of new pedestrian bridges across the Metro-North railroad tracks, the development of the Scenic Hudson RiverWalk Park (a waterfront promenade), fishing pier at the redeveloped Pierson Park and kayak launch at Losee Park. In addition, the use of current recreational facilities for education and interpretive uses should be expanded. This can be accomplished through informing educational and interpretive organizations of the availability of the facilities and through joint sponsorship of programs by public agencies and the educational/interpretive organizations.

Existing transportation facilities (bus, railroad, taxi) should be improved to increase the attractiveness of the waterfront. Accessory services require expansion in order to provide a connection to future water transportation and to provide for a comprehensive transportation

network. Proposed increases in capacity of transportation facilities should be judged against other policies in this LWRP.

Policy 20 Access the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly owned shall be provided, and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.

Explanation of Policy

In coastal areas where there are little or no recreation facilities providing specific water-related recreational activities, access to the publicly-owned lands of the coast at large should be provided for numerous activities and pursuits which require only minimal facilities for their enjoyment. Such access would provide for walking along the Village waterfront or to a vantage point from which to view the Hudson River. Similar activities requiring access would include bicycling, birdwatching, photography, nature study, beachcombing, and fishing.

For those activities, there are several methods of providing access which will receive priority attention. These include: the development of a coastal trails system; the provision of access across transportation facilities to the coast; the improvement of access to waterfronts in urban areas; and the promotion of mixed and multi-use development.

While such publicly-owned lands referenced in the policy shall be retained in public ownership, traditional sales of easements on lands underwater to adjacent onshore property owners are consistent with this policy, provided such easements do not substantially interfere with continued public use of the public lands on which the easement is granted. Also, public use of such publicly-owned underwater lands and lands immediately adjacent to the shore shall be discouraged where such use would be inappropriate for reasons of public safety, military security, or the protection of fragile coastal resources.

The following guidelines will be used in determining the consistency of a proposed action with this policy:

1. Existing access from adjacent or proximate public lands or facilities to existing public coastal lands and/or water shall not be reduced nor shall the possibility of increasing access in the future from adjacent or nearby public lands or facilities to public coastal lands and/or waters be eliminated, unless such actions are demonstrated to be of overriding regional or statewide public benefit, or in the latter case, estimates of future use of these lands and waters are too low to justify maintaining or providing increased access.

The following is an explanation of the terms used in the above guidelines:

- a. (See definitions under first policy of “access,” and “public lands or facilities”).
2. The existing level of public access within public coastal lands or waters shall not be reduced or eliminated.
 - a. A reduction in the existing level of public access includes but is not limited to the following:
 - (1) Access is reduced or blocked completely by any existing public developments.
3. Public access from the nearest public roadway to the shoreline and along the coast shall be provided by new land use or development, except where (a) it is inconsistent with public safety, military security, or the protection of identified fragile coastal resources; (b) adequate

access exists within one-half mile; or (c) agriculture would be adversely affected. Such access shall not be required to be open to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

4. The State will not undertake or fund any project which increases access to a water-related resource or facility that is not open to all members of the public.
5. In their plans and programs for increasing public access, State agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation; within the boundaries of the Federal-Aid Metropolitan Urban Area but not served by public transportation; outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary but not served by public transportation.
6. Proposals for increased public access to coastal lands and waters shall be analyzed according to the following factors:
 - a. The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.
 - b. The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

The lands owned by the Village on the waterfront, and the shoreline adjacent thereto, will remain in the possession of the Village. General Village policy discourages the sale of any Village-owned property. The recapture of the property on the waterfront that was leased for non-water related activities was achieved in order to create the new Scenic Hudson RiverWalk Park.

In furtherance of this policy, and in cooperation with other waterfront property owners, efforts will be made to enhance access to Scenic Hudson RiverWalk Park, a pedestrian walkway along the waterfront, extending beyond the property owned by the Village. Such cooperative efforts may include: leasing of land by the Village; donation of land to the Village; development concessions in exchange for access; easements; etc. Should the cooperative efforts fail to produce the desired results, acquisition of property will be considered. RiverWalk Park was developed from the former industrial property (now Hudson Harbor) located north of the Village-owned properties and provides access without interference by and with the railroad. The cooperative efforts will also be utilized for property affording special views of the river and other areas of interest to the LWRP. Areas of interest that provide a visual public access include: a bluff-top pedestrian link between Paulding Avenue and Sunnyside Lane; scenic views from the EF International School (former Marymount College) and Washington Irving Intermediate School; development of the Tappan Zee gateway area; and improved access and maintenance to the Old Croton Aqueduct.

All involved agencies will cooperate to provide for a connection to the Old Croton Aqueduct trail system. The aqueduct provides scenic views of the river as it traverses the Village. The aqueduct, in conjunction with a waterfront promenade, will provide additional and varied opportunities to enjoy the river.

Through the establishment of policies, and utilizing the planning process and environmental process, the maintenance and improvement of public access and scenic easements to and from the river and parklands will be preserved. The process noted above will provide for public and

private developments which increase passive open space along the shoreline, steep slopes and ridgeline.

Additional waterfront access will be encouraged through the restoration of railroad pedestrian bridges and pedestrian tunnel accessways. Cooperative efforts with property owners on the eastern side of the Metro-North railroad tracks will be encouraged in an attempt to improve such access. The tools available to encourage such access are noted above. (See also Policies 21 and 22.)

RECREATION POLICIES

Policy 21 Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.

Explanation of Policy

Water-related recreation includes such obviously water-dependent activities as boating, swimming, and fishing as well as certain activities which are enhanced by a coastal location and increase the general public's access to the coast such as pedestrian and bicycle trails, picnic areas, scenic overlooks and passive recreation areas that take advantage of coastal scenery.

Provided the development of water-related recreation is consistent with the preservation and enhancement of such important coastal resources as fish and wildlife habitats, aesthetically significant areas, historic and cultural resources, agriculture and significant mineral and fossil deposits, and provided demand exists, water-related recreation development is to be increased and such uses shall have a higher priority than any non-coastal dependent uses, including non-water-related recreation uses. In addition, water-dependent recreation uses shall have a higher priority over water-enhanced recreation uses. Determining a priority among coastal dependent uses will require a case by case analysis.

Among priority areas for increasing water-related recreation opportunities are those areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and those areas where the use of the shore is severely restricted by highways, railroads, industry, or other forms of existing intensive land use or development. The DOS, working with the Office of Parks, Recreation, and Historic preservation and with local governments, will identify communities whose use of the shore has been so restricted and those sites shoreward of such developments which are suitable for recreation and can be made accessible. Priority shall be given to recreational development of such lands.

The siting or design of new public development in a manner which would result in a barrier to the recreational use of a major portion of a community's shore should be avoided as much as practicable.

Among the types of water-dependent recreation, provision of adequate boating services to meet future demand is to be encouraged by this Program. The siting of boating facilities must be consistent with preservation and enhancement of other coastal resources and with their capacity

to accommodate demand. The provision of new public boating facilities is essential in meeting this demand, but such public actions should avoid competition with private boating development. Boating facilities will, as appropriate, include parking, park-like surroundings, toilet facilities, and pumpout facilities. There is a need for a better locational pattern of boating facilities to correct problems of overused, insufficient, or improperly sited facilities.

The development of water-dependent recreational facilities should be encouraged in conjunction with water-enhanced recreational facilities. The development of a kayak launch at Losee Park and the expansion of the fishing pier constructed in conjunction with the redevelopment of Pierson Park, which is a water-enhanced park, would serve the recreational needs of a large variety of the public. In particular, the existing tennis and basketball courts in Pierson Park will be relocated from directly along the riverfront to an area further inland in order to provide more direct public access to the river. Additionally, the development of the Scenic Hudson RiverWalk Park as a waterfront promenade at the end of Main Street occurred in conjunction with the proposed redevelopment of Pierson Park and the relocation of recreational facilities.

The projects noted above and in Policy 20 will be developed based upon a water-dependent/-water-enhanced priority, utilizing other factors relevant to the needs of the community. Factors to consider include the enhancement of existing ballfields and the relocation of tennis and basketball courts that are located on the waterfront due to the lack of Village-owned land east of the railroad, general limited availability of flat sites inland and the availability of direct public access to the river.

To advance this policy in the WGBD and WD zoning districts, public benefit features for which the Board of Trustees may grant development incentives, may include but not be limited to:

- Provision of land for a waterfront esplanade/RiverWalk.
- Provision of land for a waterfront park.
- Provision of public access to the waterfront.
- Preservation of view corridors to the Hudson River.
- Construction of an aquatic/recreation center at the waterfront.
- Improvements to public parkland.

Policy 22 Development, when located adjacent to the shore, will provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light of reasonably anticipated demand for such activities and the primary purpose of the development.

Explanation of Policy

Certain waterfront developments present practical opportunities for providing recreation facilities as an additional use of the site or facility. Therefore, development located adjacent to the shore should, to the fullest extent permitted by existing law, provide for some form of water-related recreation use unless there are compelling reasons why any form of such recreation would not be compatible with the development, or a reasonable demand for public use cannot be foreseen.

The types of development that can generally provide water-related recreation as a multiple use include, but are not limited to:

- parks;
- highways;
- sewage treatment facilities;
- schools, universities;¹
- nature preserves;
- small office buildings.

Prior to taking action relative to any development, State agencies should consult with the State Office of Parks, Recreation, and Historic Preservation (OPRHP), and the Village to locate, to determine appropriate recreation uses. The agency should provide OPRHP and the municipality with the opportunity to participate in project planning.

Appropriate recreation uses that do not require any substantial additional construction shall be provided at the expense of the project sponsor.

In determining whether compelling reasons exist which would make inadvisable recreation as a multiple use, safety considerations should reflect recognition that some risk is acceptable in the use of recreational facilities.

Uses that are appropriate in the Tarrytown coastal area and that can provide for water-related recreation as a multiple use include: parks, mixed-use projects (i.e., transportation rights-of-way.) When the circumstances arise whereby a proposed development would be consistent with coastal policies and where the development could significantly increase public use of the coastal area, then such development proposals should be encouraged to locate in the coastal area. The multiple use provision can be utilized in private development proposals, to increase public access.

HISTORIC AND SCENIC RESOURCES POLICIES

Policy 23 Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archeology or culture of the State, its communities, or the Nation.

Explanation of Policy

Among the most valuable of the State's man-made resources are those structures or areas that are of historic, archeological, or cultural or significance. The protection of these structures must involve recognition of their importance by all agencies and the ability to identify and describe them. Protection must include concern not just with specific sites but with areas of significance, and with the area around specific sites. The policy is not to be construed as a passive mandate but must through effective efforts when appropriate to restore or revitalize through adaptive reuse. While the program is concerned with the preservation of all such resources within the

¹ The types of recreation uses likely to be compatible with these facilities are limited to the more passive forms, such as trails or fishing access. In some cases, land areas not directly or immediately needed by the facility could be used for recreation.

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coastal boundary, it will actively promote the preservation of historic and cultural resources that have a coastal relationship.

The structures, districts, areas or sites that are of significance in the history, architecture, archeology or culture of the State, its communities, or the Nation comprise the following resources:

1. A resource that is in a Federal or State park established, among other reasons, to protect and preserve the resource.
2. A resource on, nominated to be on, or determined eligible to be on, the National or State Registers of Historic Places.
3. A resource on or nominated to be on the State Nature and Historic preserve Trust.
4. An archeological resource which is on the State Department of Education's inventory or archeological sites.
5. A local landmark, landscape, park, or locally designated historic district that is located within the boundary of an approved Local Waterfront Revitalization Program. The Hudson River is recognized by the State inter-agency Ad-Hoc Committee for Submerged Natural and Cultural Resources as having submerged historic, archeological and cultural resources. The Committee is responsible for oversight, protection and utilization of these resources. These resources can also provide substantial economic benefits. If resources of this nature are found in the waters within the purview of the Village of Tarrytown's LWRP, the Committee will be contacted to ascertain next steps for the Village.
6. A resource that is a significant component of an Urban Cultural Park.

All practicable means to protect structures, districts, areas, landscape, or sites that are of significance in the history, architecture, archeology or culture of the State, its communities or the Nation shall be deemed to include the consideration and adoption of any techniques, measures, or controls to prevent a significant adverse change to such structures, districts, areas or sites. A significant adverse change includes, but is not limited to:

1. Alteration of or addition to one or more of the architectural, structural, ornamental or functional features of a building, structure, or site that is a recognized historic, cultural, or archeological resource, or component thereof. Such features are defined as encompassing the style and general arrangement of the exterior of a structure and any original or historically significant interior features including type, color and texture of building materials; entry ways and doors; fenestration; lighting fixtures; roofing, sculpture and carving; steps; rails; fencing; windows; vents and other openings; grillwork; signs; canopies; and other appurtenant fixtures and, in addition, all buildings, structures, outbuildings, walks, fences, steps, topographical features, earthworks, paving and signs located on the designated resource property. (To the extent they are relevant, the Secretary of the Interior's "Standards for the Treatment of Historic Properties" shall be adhered to.)
2. Demolition or removal in full or part of a building, structure, or earthworks that is a recognized historic, cultural, or archeological resource or component thereof, to include all those features described in (a) above plus any other appurtenant fixture associated with a building, structure, or earthwork.
3. All proposed actions within 500 feet of the perimeter of the property boundary of the historic, architectural, cultural, or archeological resource and all actions within an historic

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district that would be incompatible with the objective of preserving the quality and integrity of the resource. Primary considerations to be used in making judgment about compatibility should focus on the visual and locational relationship between the proposed action and the resource means that the general appearance of the resource should be reflected in the architectural style, design, material, scale, proportion, composition, mass, line, color, texture, detail, setback, landscaping and related items of the proposed actions. With historic districts this would include infrastructure improvements or changes, such as, street and sidewalk paving, street furniture and lighting.

This policy shall not be construed to prevent the construction, reconstruction, alteration, or demolition of any building, structure, earthwork, or component thereof of a recognized historic, cultural or archeological resource which has been officially certified as being imminently dangerous to life or public health. Nor shall the policy be construed to prevent the ordinary maintenance, repair, or proper restoration according to the United States Department of Interior's "Standards for the Treatment of Historic Properties" of any building, structure, site or earthwork, or component thereof of a recognized historic, cultural or archeological resource which does not involve a significant adverse change to the resource, as defined above.

The Village encourages the improved relationship between historic districts and the River, where such a relationship exists. Property owned by Historic Hudson Valley (Sunnyside) and the National Trust for Historic Preservation (Lyndhurst) both possess historic connections with the waterfront. All agencies will work in a cooperative effort with both organizations to improve the historic connection of the historic properties. To this end, all historic stone walls in the South Tarrytown Historic District and abutting Route 9 shall be preserved.

The Main Street Historic District encompasses a majority of the central business district that developed in the 19th Century as a result of river commerce. The Village's steep slopes, hillsides and ridgeline constitute the overall historic landscape character of the Village as viewed from the Hudson and shall be protected.

Cooperative efforts between public agencies and historical organizations, such as the Historical Society of the Tarrytowns, are needed to develop policies and programs that will protect and preserve the numerous existing historic structures and districts, especially those with connections to the river, hillsides and ridgeline.

The historic structure and function of the railroad station is currently being restored by Metro-North by re-establishing its architectural integrity and revitalizing its importance as a regional transit center. All agencies are working in a cooperative effort with Metro-North Commuter Railroad and Amtrak to re-establish the station in this manner.

The Village's Historic Districts and Landmarks Law is an effective tool for the Village to protect its historic resources.

It is unlawful to construct, alter, repair, move, remove, demolish, equip, use, occupy, change the appearance of or maintain any building or structure or portion thereof which is a duly designated landmark or is located in a duly designated historic district, in violation of any provision of the Village's Historic Districts and Landmarks Law, or to fail in any manner to comply with a notice, directive or order of the Building Inspector hereunder or to construct, alter, use, occupy or destroy any building or structure or part thereof in a manner not permitted by an effective certificate of appropriateness or building permit or certificate of occupancy properly issued hereunder.

Policy 24 Prevent impairment of scenic resources of statewide significance, as identified on the coastal area map. Impairment shall include: (i) the irreversible modification of geological forms, the destruction or removal of vegetation, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale foam, or materials will diminish the scenic quality of an identified resource.

Explanation of Policy

This policy is not applicable as there are no Statewide Areas of Scenic Significance currently designated in the Tarrytown area.

Policy 25 Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.

Explanation of Policy

When considering a proposed action agencies shall ensure that the action would be undertaken so as to protect, restore or enhance the overall scenic quality of the coastal area.

The following siting and facility related guidelines are to be used to achieve this policy, recognizing that each development situation is unique and that the guidelines will have to be applied accordingly. Guidelines include:

1. Siting structures and other development such as highways, power lines, and signs, back from shore lines or in other inconspicuous locations to maintain the attractive quality of the shoreline and to retain views to and from the shore;
2. Clustering or orienting structures to retain views, save open space and provide visual organization to a development;
3. Incorporating sound, existing structures (especially historic buildings) into the overall development scheme;
4. Removing deteriorated and/or degrading elements;
5. Maintaining or restoring the original land form, except when changes screen unattractive elements and/or add appropriate interest;
6. Maintaining or adding vegetation to provide interest, encourage the presence of wildlife, blend structures into the site, and obscure unattractive elements, except when selective clearing removes unsightly, diseased or hazardous vegetation and when selective clearing creates views of coastal waters;
7. Using appropriate materials, in addition to vegetation, to screen unattractive elements;
8. Using appropriate scales, forms and materials to ensure that buildings and other structures are compatible with and add interest to the landscape.

More emphasis may need to be placed on removal of existing elements, especially those which degrade, and on addition of new elements or other changes which enhance. Removal of

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vegetation at key points to improve visual access to coastal waters is one such change which might be expected to enhance scenic quality.

NYSDEC designated the Tappan Zee East Scenic District including lands in Tarrytown from the Hudson River to the top of the ridgeline paralleling the Village's eastern boundary. The scenic qualities of the Tappan Zee area of the Hudson River are of regional significance and should be preserved to enhance the surrounding landscape. The Old Croton Aqueduct, which is owned by New York State, provides linear public access along the ridgeline and views to the Hudson River and the western shorelands.

Tarrytown has moved to protect the unique high quality landscape of the entire LWRP area through its zoning code, and other municipal laws that pertain to steep slopes, hillsides, ridgelines and wetlands. State designated wetlands and steep slopes of 25 percent or greater should not be included in development areas. A minimum setback of 150 feet should be utilized for development in the area of wetlands. Ridgelines and hillsides should only be utilized for development purposes where the development blends with, rather than dominates, the natural and historic character, taking into account the scale, bulk and height of the development. Development should be designed in reasonable conformity with existing topography in order to minimize grading, cut and fill, and to retain, insofar as possible, the natural contours of the land.

In the WD and WGBD Districts, the Board of Trustees will use the following standards to guide their decision making¹:

- the land shall be developed in such a way as to maximize public views to the Hudson River, provide view opportunities at the river's edge and make view corridors available from public streets and public places across the property. Site layout and design shall consider public views and view corridors and shall also consider the importance of views of the Village from the Hudson River.
- to avoid monotony and provide better physical and visual access to the river, riverfront facades of properties with direct frontage on the Hudson River should not exceed 300 feet in length. When the riverfront facade exceeds 300 feet in length, an opening of at least 50 feet shall be provided to provide a view corridor to the river. This access is to be open to the sky

The Village has established a rigorous Tree Preservation Law that assists in the preservation of the existing landscape in Tarrytown, and helps to maintain that portion of the Tappan Zee area (East Scenic District) in Tarrytown's LWRP area.

Further redevelopment within the Local Waterfront Revitalization Program area must maintain and improve public access and scenic easements to and from the River and parklands. In addition, the redevelopment must relate to specific site conditions (i.e., topography, soil, geology, vegetation, historic structures and landscapes) so as not to infringe upon scenic vistas to and from the River, disrupt the scenic ridgeline or vegetation or block existing views from neighboring properties to the River. All development below the fifty foot elevation must not be of a height, density or mass, so as to disrupt the remaining historic and scenic link between the Village and the River. Industrial sites should be landscaped to provide screening and enhance the waterfront area.

¹ The Village will look at amending an oversight in the Zoning Code section pertaining to the length of riverfront facades- from 300 feet to a lesser amount that conforms to existing and planned improvements.

AGRICULTURAL LANDS POLICY

Policy 26 To conserve and protect agricultural lands in the State's coastal area, an action shall not result in a loss, nor impair the productivity, of important agricultural lands, as identified on the coastal area map, if that loss or impairment would adversely affect the viability of agriculture in an agricultural district or if there is no agricultural district, in the area surrounding such lands.

Explanation of Policy

Specialty agriculture and aquaculture shall be supported in Tarrytown. Although currently no lands in the Village are in agricultural uses, it remains a permitted use.

ENERGY AND ICE MANAGEMENT POLICIES

Policy 27 Decisions on the siting and construction of major energy facilities in the coastal area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.

Explanation of Policy

This policy is not applicable. There are no sites in the Tarrytown coastal area to construct a major energy facility.

Policy 28 Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.

Explanation of Policy

Prior to undertaking actions required for ice management, an assessment must be made of the potential effects of such actions upon the production of hydroelectric power, fish and wildlife and their habitats as will be identified in the Coastal Area Maps, flood levels and damage, rates of shoreline erosion damage, and upon natural protective features.

Following such an examination, adequate methods of avoidance or mitigation of such potential effects must be utilized if the proposed action is to be implemented.

The portion of the Hudson River, adjacent to the Tarrytown coastal area, is covered by the United States Coast Guard Ice Management Program.

Policy 29 Encourage the development of energy resources on the Outer Continental Shelf, in Lake Erie and in other water bodies, and ensure the environmental safety of such activities.

Explanation of Policy

This policy is not applicable because the resources discussed are not likely to be found in the Tarrytown area.

WATER AND AIR RESOURCES POLICIES

Policy 30 Municipal, industrial, and commercial discharge of pollutants including but not limited to, toxic and hazardous substances, into coastal waters will conform to State and National water quality standards.

Explanation of Policy

Municipal, industrial and commercial discharges include not only “end-of-the-pipe” discharges into surface and groundwater but also plant site runoff, leaching, spillages, sludge and other waste disposal, and drainage from raw material storage sites. Also, the regulated industrial discharges are both those which directly empty into receiving coastal waters and those which pass through municipal treatment systems before reaching the State’s waterways.

Policy 31 State coastal area policies and purposes of approved Local Waterfront Revitalization Programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already over-burdened with contaminants will be recognized as being a development constraint.

Explanation of Policy

Pursuant to the Federal Clean Water Act of 1977 (PL 95-217) the State has classified its coastal and other waters in accordance with considerations of best usage in the interest of the public and has adopted water quality standards for each class of waters. These classifications and standards are reviewable at least every three years for possible revision or amendment. Local Waterfront Revitalization Programs and State coastal management policies shall be factored into the review process for coastal waters. However, such consideration shall not affect any water pollution control requirement establishment by the State pursuant to the Federal clean Water Act.

The State has identified certain stream segments as being either “water quality limiting” or “effluent limiting.” Waters not meeting State standards and which would not be expected to meet these standards even after applying “best practicable treatment” to effluent discharges are classified as “water quality limiting.” Those segments meeting standards or those expected to meet them after application of “best practicable treatment” are classified as “effluent limiting,” and all new waste discharges must receive “best practicable treatment.” However, along stream segments classified as “water quality limiting,” waste treatment beyond “best practicable treatment” would be required, and costs of applying such additional treatment may be prohibitive for new development.

In the vicinity of Tarrytown the Hudson River is classified SB; S for saline; B for fishing and swimming. The closest beach is located in the County Park at Kingsland Point in the Village of Sleepy Hollow.

Policy 32 Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.

Explanation of Policy

This policy is not applicable. The entire Village is served by a conventional sanitary sewer system.

Policy 33 Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.

Explanation of Policy

Best management practices include both structural and non-structural methods of preventing or mitigating pollution caused by the discharge of stormwater runoff and combined sewer overflows. At present, structural approaches to controlling stormwater runoff (e.g., replacement of retention basins) and combined sewer overflows (e.g., replacement of combined system with separate sanitary and stormwater collection systems) are not economically feasible. Proposed amendments to the Clean Water Act, however, will authorize funding to address combined sewer overflows in areas where they create severe water quality impacts. Until funding for such projects becomes available, non-structural approaches (e.g., improved street cleaning, reduced use of road salt) will be encouraged.

The Village has established regulations related to storm water management. See Chapter 258 of the Village Code - Stormwater Management. Article 1 in this Chapter establishes minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing within this jurisdiction. Article 2 provides for the regulation of nonstormwater discharges to the municipal separate storm sewer system (MS4) to the maximum extent practicable as required by federal and state law. This article also establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the SPDES general permit for municipal separate storm sewer systems.

Recognizing that rainfall becomes polluted with oil, greases, organic and inorganic wastes and other potentially harmful substances, it is the intent of the Village of Tarrytown to limit, to the extent feasible, the introduction of these contaminants into the waters surrounding the Village. New parking areas in the WGBD and the WD Districts shall be encouraged, where appropriate to the type and extent of vehicular use anticipated, to utilize porous pavements or other approved measures to reduce runoff. New development projects in the WGBD and WD Districts must incorporate best management practices in their design.

Policy 34 Discharge of waste materials into coastal waters from vessels will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.

Explanation of Policy

The discharge of sewage, garbage, rubbish, and other solid and liquid materials from watercraft and marinas into the State's waters is regulated. Priority will be given to the enforcement of this Law in areas such as shellfish beds and other significant habitats, beaches, and public water supply intakes, which need protection from contamination by vessel wastes. Also, specific effluent standards for marine toilets have been promulgated by the Department of Environmental Conservation (6NYCRR, Part 657.). Pumpout facilities will be required for any marina providing a slip for the purposes of a person living aboard a boat. Vessel waste pumpout facilities must also be provided at all new marinas or clubs and expansion of existing marinas or clubs at a minimum rate of one pumpout station for every 100 wet slips, or fraction thereof.

Chapter 93 of the Village Code provides regulations for vessel discharge.

Policy 35 Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.

Explanation of Policy

Dredging often proves to be essential for waterfront revitalization and development, maintaining navigation channels at sufficient depths, pollutant removal and meeting other coastal management needs. Such dredging projects, however, may adversely affect water quality, fish and wildlife habitats, wetlands and other important coastal resources. Often these adverse effects can be minimized through careful design and timing of the dredging operation and proper siting of the dredge spoil disposal site. Dredging permits will be granted if it has been satisfactorily demonstrated that these anticipated adverse effects have been reduced to levels which satisfy State dredging permit standards set forth in regulations developed pursuant to Environmental Conservation Law, (Articles 15, 24, 25 and 34), and are consistent with policies pertaining to the protection and enhancement of coastal resources

In Tarrytown there is a need to dredge and to develop silt retention basins to accommodate spoils that will prevent the frequency for dredging as it presently exists. Siltation affects the operation of the marinas, and based thereon, the following actions should be undertaken:

1. Maintenance of existing marinas through dredging.
2. Submission of applications for dredging.
3. Identification of retention sites to accommodate spoils. To this end, studies will be conducted to determine retention needs and the appropriate location of basins. Should the retention sites be on Village property, and the construction thereof is in compliance with the policies set forth herein, the construction will be encouraged.

Assistance should be provided to the marinas during the permit process. The marinas are encouraged to seek monetary assistance for dredging and silt retention projects and will provide support and assistance in such endeavors.

Policy 36 Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.

Explanation of Policy

See Policy 39 for definition of hazardous materials.

The definitions of terms “solid wastes” and “solid wastes management facilities” are taken from New York State’s Solid Waste Management Act (Environmental Conservation Law, Article 27). Solid wastes include sludge from air or water pollution control facilities, demolition and construction debris and industrial and commercial wastes.

Hazardous wastes are unwanted by-products of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law [527-0901.3].

A regional program should be developed on leak management/detection systems, which program may include the following:

1. Limitation on gallonage in any particular tank,
2. Require that all new tanks be installed in vaults.
3. Calculation of existing volumes of petroleum and other hazardous materials stored in the Village.

Policy 37 Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.

Explanation of Policy

Best management practices used to reduce these sources of pollution could include, but are not limited to, encouraging organic farming and pest management principles, soil erosion control practices, and surface drainage control techniques.

All development projects are required to conform to “Westchester County Construction Related Activity Best Management Practices.”

Development plans in the LWRP area will be required to include erosion protection plans to achieve the following objectives:

1. Natural ground contours should be followed as closely as possible.
2. Areas of steep slopes, where high cuts and fills may be required, should be avoided.
3. Extreme care should be exercised in areas adjacent to natural watercourses and in locating artificial drainageways so that their final gradient and resultant discharge velocity will not create additional erosion problems.
4. Natural protective vegetation should remain undisturbed, if at all possible, and restored when necessary.
5. The amount of time that disturbed ground surfaces are exposed to the energy of rainfall and runoff water should be limited.
6. The velocity of the runoff water on all areas subject to erosion should be reduced below that necessary to erode the materials.
7. A ground cover should be applied sufficient to restrain erosion on that portion of the disturbed area undergoing no further active disturbance.
8. Runoff from a site should be collected and detained in sediment basins to trap pollutants which would otherwise be transported from the site.
9. The angle for graded slopes and fills should be limited to an angle no greater than that which can be retained by vegetative cover. Other erosion control devices or structures should be used only where vegetation and grading are not sufficient to control erosion.
10. The length as well as the angle of graded slopes should be minimized to reduce the erosive velocity of runoff water.

Policy 38 *The quality and quantity of surface water and groundwater supplies, will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.*

Explanation of Policy

Surface and groundwater are the principal sources of drinking water in the State and therefore must be protected. The impact of an action on the quality of Hudson River water will be a major factor in planning and decision making. Such impacts include those resulting from construction activity, land use management, point and non-point pollution sources and direct actions on the waterways.

Although the Village currently obtains its drinking water supply from the New York City Aqueduct, the Village has adopted regulations to protect inland waterways, such as Tarrytown Lakes, and areas adjacent to any inland waterways within the Village, should the Village decide to use the source for a public water supply in the future. (See Village Code Chapter 201 - Lakes and Waterways).

Policy 39 *The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.*

Explanation of Policy

The definition of terms “solid wastes” and “solid wastes management facilities” are taken from New York State’s Solid Waste Management Act (Environmental Conservation Law, Article 27). Solid wastes include sludges from air or water pollution control facilities, demolition and construction debris and industrial and commercial wastes.

Hazardous wastes are unwanted by-products of manufacturing processes generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law (Section 27-0901) (3) as “Waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may: (1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (2) pose a substantial present or potential hazard to human health or the environment which improperly treated, stored, transported, disposed or otherwise managed.” A list of hazardous wastes has been adopted by DEC (6 NYCRR Part 371).

Examples of solid waste management facilities include resource recovery facilities, sanitary landfills and solid waste reduction facilities. Although a fundamental problem associated with the disposal and treatment of solid wastes is the contamination of water resources, other related problems may include: filling of wetlands and littoral areas, atmospheric loading, and degradation of scenic resources.

Policy 40 *Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to State water quality standards.*

Explanation of Policy

The State Board on Electric Generation Siting and the Environment must consider a number of factors when reviewing a proposed site for facility construction. One of these factors is that the

facility “not discharge any effluent that will be unduly injurious to the propagation and protection of fish and wildlife, the industrial development of the State, the public health, and public enjoyment of the receiving waters.” The effects of thermal discharges on water quality and aquatic organisms will be considered by the siting board when evaluating an applicant’s request to construct a new steam electric generating facility.

Policy 41 Land use or development in the coastal area will not cause National or State air quality standards to be violated.

Explanation of Policy

This LWRP incorporates the air quality policies and programs developed for the State by the Department of Environmental Conservation pursuant to the Clean Air Act and State Laws on air quality. The requirements of the Clean Air Act are the minimum air quality control requirements applicable within the coastal area.

Policy 42 Coastal Management policies will be considered if the State reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.

Explanation of Policy

The policies of Village’s LWRP concerning proposed land and water uses and the protection and preservation of special management areas will be taken into account prior to any action to change prevention of significant deterioration land classifications in coastal regions or adjacent areas. In addition, the Department of State will provide the Department of Environmental Conservation with recommendations for proposed prevention of significant deterioration land classification designations based upon State and local coastal management programs.

Policy 43 Land use or development in the coastal area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates.

Explanation of Policy

Tarrytown’s LWRP incorporates the State’s policies on acid rain. These efforts to control acid rain will enhance the continued viability of coastal fisheries, wildlife, agricultural, scenic and water resources.

Policy 44 Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.

Explanation of Policy

Tidal wetlands include the following ecological zones: coastal fresh marsh; intertidal marsh; coastal shoals, bars and flats; littoral zone; high marsh or salt meadow; and formerly connected tidal wetlands. These tidal wetland areas are officially delineated on the Department of Environmental Conservation’s Tidal Wetlands Inventory Map.

Freshwater wetlands include marshes, swamps, bogs, and flats supporting aquatic and semi-aquatic vegetation and other wetlands so defined in the New York State Freshwater Wetlands Act and the New York State Protection of Waters Act.

The benefits derived from the preservation of tidal and freshwater wetlands include but are not limited to:

Section 3: Local Waterfront Revitalization Program Policies

1. Habitat for wildlife and fish, including a substantial portion of the State's commercial fin and shellfish varieties; and contribution to associated aquatic food chains;
2. Erosion, flood and storm control;
3. Natural pollution treatment;
4. Groundwater protection;
5. Recreational opportunities;
6. Educational and scientific opportunities; and
7. Aesthetic open space in many otherwise densely developed areas.

This policy is applicable to the tidal and freshwater wetlands within the Village of Tarrytown, as identified in Section II.

In addition to protection at the Federal and State level, the Village has adopted local laws and guidelines for evaluating potential impacts to freshwater wetlands. Existing Freshwater and Tidal Wetlands should be expanded and enhanced wherever possible by encouraging habitat restoration and management practices in all future development.

The spread of development and increasing demands upon natural resources have the potential of encroaching upon, despoiling, polluting or eliminating many of the wetlands, ponds and streams, watercourses, rainfall-drainage systems and water-retention areas and other natural resources in the Village and associated processes which, if preserved, constitute important physical, economic, social, aesthetic, ecological and recreational assets to the Village and its present and future residents.

In their natural condition and state, wetlands and watercourse are valuable natural resources and may serve multiple functions.

In addition, sufficiently wide naturally vegetated wetland buffers improve water quality by filtering out non-point source pollutants (polluted stormwater), lower stream temperatures, serve as visual and noise barriers for wildlife, control erosion, lessen impacts from flooding, provide transitional habitats and improve floral and faunal habitat diversity.

Considerable acreage of these important natural resources has been lost or impaired by draining, dredging, filling, excavating, building, polluting, and other acts inconsistent with the natural uses of such areas. Loss or impairment of wetlands and their ecosystems can cause or aggravate flooding, erosion, degradation and diminution of water supply for drinking and waste treatment. Remaining wetlands are in jeopardy of being lost, despoiled, or impaired by such acts, contrary to public safety and welfare.

It is, therefore, the policy of the Village of Tarrytown to protect its citizens, including future generations, by preventing the despoliation and destruction of wetlands and watercourses while taking into account varying ecological, water quality, economic, recreational, and aesthetic values. Activities that may damage the functions or cause the loss of wetlands and watercourses should be avoided.

It is the intent of the Village of Tarrytown that activities in and around wetlands, watercourses and associated buffer areas be conducted in conformance with the provisions of this chapter and in a manner which promotes the preservation of wetlands, watercourses and associated buffer areas as specified in the findings of fact as set forth herein, conforms with all applicable building codes, sediment control regulations, and other applicable regulations; and does not threaten

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public safety or the natural environment or cause nuisances or adversely affect the natural functions of wetlands and watercourses. *

A. PROPOSED LAND AND WATER USES

The Village of Tarrytown is a mature community with a balanced mix of residential and non-residential uses. Industrial uses are limited in the Village, but still provide a source of employment for Village residents. The existing pattern of development described in Section 2 is the pattern that the Village would like to see continued, especially in the older Village Area and Downtown Core. Where land is available for development, the Village would like to ensure that new development minimizes impacts to the community character, environmental quality, and quality-of-life of the community.

As an adjunct to its Comprehensive Plan and waterfront planning efforts, the Village of Tarrytown completed a Village-wide planning study in 2006. This “Development Build-Out Analysis” evaluated all parcels of one-acre or more with significant development potential. The study identified three major areas (in addition to the waterfront which was not a part of the study) that have significant amounts of undeveloped land available for new development: the east side of Broadway in South Tarrytown, the west side of Broadway in South Tarrytown, and the Wilson Park area. This Section describes the development potential and proposed uses within these three areas and the waterfront area.

MAIN STREET WATERFRONT*WEST OF THE RAILROAD TRACKS*

The most vital element of Tarrytown’s waterfront is the land north of West Main Street on the west side of the railroad tracks. Privately-owned land north of West Main Street includes the current Hudson Harbor project being developed by National RE/Sources. When complete, Hudson Harbor will consist of 238 residential units (townhouses and condominiums), 65,000 square feet of office space and 15,000 square feet of restaurant and retail space on approximately 25 acres.

This mixed-use project is being developed in coordination with existing park land and adjacent areas. These parks include the newly constructed Scenic Hudson RiverWalk Park, Losee Park, and rehabilitated Pierson Park and paths adjacent to the restored Andre Brook. These parks provide active and passive recreational opportunities such as the reconstructed fishing pier in Pierson Park and the kayak launch in Losee Park. Possible future water uses could include public anchorage adjacent to the Washington Irving Boat Club.

In addition to Losee and Pierson parks, the Village owns all of the underwater lands of the Washington Irving Boat Club and Tarrytown Marina, all of the land where the Washington Irving Boat Club is situated, as well as a small portion of land leased to the Tarrytown Boat Club. The Village redeveloped a portion of Village-owned land north of Losee Park, that was utilized as a fire training center for the Village’s volunteer fire companies, for a use more

consistent with and beneficial to other waterfront and public access improvements-- a parking lot for the waterfront parks and train station during designated days and hours.

The Village-owned parking lots at the railroad station that currently serve commuters occupy approximately four acres of land directly on the waterfront. Each year, parking permits are purchased by resident and non-resident commuters. Tarrytown has both benefitted from and been harmed by its role serving regional rail users. Express service into Grand Central Terminal on Metro-North Railroad's Hudson Line is an important service to Tarrytown residents. This service enhances the attractiveness of the Village to new homebuyers and serves to retain many long-term residents as well. However, the Village's local road network is limited in its ability to handle regional traffic to the train station and use of the Village's waterfront for parking is not an optimal use of valuable land, unless it directly supports access to the waterfront parks. Thus, additional development within the waterfront area would be limited by traffic capacity and parking. Improvements to the parking conditions and access would benefit Tarrytown residents as long as additional regional traffic did not compound already difficult traffic conditions.

EAST OF THE RAILROAD TRACKS

The Village owns approximately two acres of land opposite the railroad station. A portion of this property is currently operated as a municipal parking lot and another portion consists of the Village Hall and police station, which was completed in 2009. Creating a new Village facility in this location has encouraged more public use of the waterfront area and has emphasized the gateway function of the entire waterfront.

SOUTH TARRYTOWN

WEST SIDE OF BROADWAY

The area west of Broadway from the Irvington line to I-87 contains several properties of significance within the Village. Sunnyside and Lyndhurst, both National Historic Landmarks and listed properties on the National Register of Historic Places, are linked by the Old Croton Aqueduct, also a National Register listing. A portion of waterfront property owned by the Unification Church just south of Lyndhurst was acquired jointly by Westchester County and Scenic Hudson in order to create Heritage Park and the RiverWalk in South Tarrytown. This property links Sunnyside with Lyndhurst along the Hudson River. Together, these properties comprise approximately 235 acres of land that act as an important visual and cultural gateway into the community and serve as an important buffer between the village centers of Irvington and Tarrytown. Additional development of these parcels should be limited to a level compatible to the historic landmarks and aesthetic qualities of the existing uses.

To that end, the Village adopted a "Historic Commons" zoning district and later amended that district to ensure that these resources are protected. Allowed land uses within the Historic Commons district includes single-family residential on minimum parcels of five acres and parks and open space in order to assure protection of the historic nature of the district. Other uses are permitted subject to compatible use permits, including: multi-family residence in existing historic buildings or new buildings subject to the same density requirements as single family homes, senior housing, public restaurants in historic buildings, cultural facilities, religious institutions, bed & breakfast and inns.

In addition, the Village Board adopted protections for the Old Croton Aqueduct in the form of a 30-foot buffer on either side of the Aqueduct that is applied on both the east and west sides of Broadway (with some limitations). This buffer would ensure that the visual experience of the Aqueduct is not disturbed by excessive construction or land clearance with the 30-foot buffer.

EAST SIDE OF BROADWAY

The Village rezoned the undeveloped portions of the R-20 zoning district on the east side of Broadway to R-60. Approximately 170 acres of land were rezoned between Sheldon Avenue to the north and the existing Tarryhill subdivision to the south. This action was undertaken to minimize impacts from additional residential development, to increase the amount of open space, and to minimize impacts to this hilly area.

WILSON PARK

One of the more significant parcels identified in the Development Build-Out Analysis sits atop the upper ridgeline overlooking the Tarrytown Lakes. Approximately 48 acres of undeveloped land abuts existing residential development, several Village-owned parcels, and Marymount Convent, a retirement center for elderly and infirmed sisters.

The Village rezoned approximately 200 acres in this area from R-40 to R-60 and R-80 to limit the amount of new development that could occur on these parcels and to minimize the potential environmental impacts to the Tarrytown Lakes (a designated Critical Environmental Area). It should be noted that approximately 150 acres are currently Village-owned land surrounding the Tarrytown Lakes.

B. PROPOSED PROJECTS

The Village of Tarrytown is committed to implementing the policies and programs outlined in this LWRP. The actions identified below would potentially be elements of the overall plan. Additional improvements may also be considered.

MAIN STREET WATERFRONT

To build upon the regulatory structure of the Waterfront General Business District (WGBD) zone created in 1998, the Village completed detailed planning and design studies of the waterfront to determine the optimum use of vacant land in the waterfront area. The Village's Waterfront Mater Plan was funded by the Department of State from the Environmental Protection Fund as part of the Governor's "Waterfront ReDiscovery" project and was completed in 2005. The study provided an accurate inventory of the waterfront area, solicited public input on potential access scenarios, and proposed design solutions for new development. Of specific interest to the Village were waterfront improvements in the area of Main Street, pedestrian and vehicular access improvements between the west side of the railroad tracks and the east side of the railroad tracks, improvements to Depot Plaza (including the new Village Hall), and gateway treatments at the western end of Main Street. The Waterfront Master Plan helped frame many of the following projects:

WEST OF THE RAILROAD TRACKS

- Westchester County RiverWalk— The Village has worked closely with Westchester County’s RiverWalk program and their regional goal of providing a riverfront trail along the entire Westchester shoreline. To date, the RiverWalk in Tarrytown consists of a southern portion overlooking the Hudson River along Lyndhurst, Montefiore and a number of residential properties and a northern portion along the Waterfront area. The Village is partnering with the County and LWRP to develop a segment of the RiverWalk along Losee Park; and the County is in the process of acquiring an easement for the trail under the new NY Bridge (Tappan Zee Bridge) and over the railroad tracks south of the Washington Irving Boat Club. The Village will continue to work with the County to define the routing of the trail.
- New Public Anchorage—Explore feasibility of a new public anchorage within the Hudson River using a Village-owned access easement adjacent to the Washington Irving Boat Club.
- Improve Harbor Master Dock—Make improvements to the dock currently used by the Harbor Master and Fire Department to improve its operation for these safety activities and to potentially allow public access for boating.
- Improvements to Losee Park—Replace ballfield lighting and fencing. Construct concession stand and restrooms. Install artificial turf on playing fields. Expand parking lot, and improve picnicking and playground amenities at the southern portion of the park. With a grant from the Department of State and support from the County, the Village will provide connectivity to the RiverWalk and construct pedestrian walkway along the park’s river edge. Plant additional shade trees within Losee Park to make the park more attractive and comfortable.
- H-Bridge Restoration—Continue restoration and improvements to the H-Bridge that traverses the railroad tracks just north of the Metro North train station, including pedestrian sidewalks, roadway ramps and approaches, as well as areas under the bridge.
- Restoration of the Metro North Pedestrian Tunnel Accessway—Reopen, improve and secure the pedestrian tunnel accessway located north of the train station and at the base of Main Street in order to enhance connectivity between the waterfront and the downtown areas of the Village. The Village has a grant from the Department of State to assess the feasibility of this project.
- Riverfront Sidewalk and Path Improvements—Build sidewalks and paths to safely link the Scenic Hudson RiverWalk Park, Pierson Park, Losee Park, the marinas, the Green Street Parking Lot to be used for waterfront parks and commuters and any other riverfront park or amenity created by the Village.
- Study of the maintenance and dredging of the waters along the recreational portions of the waterfront.

EAST OF THE RAILROAD TRACKS

- Depot Plaza Improvements—Improve the circulation and safety of pedestrian and vehicular traffic around the busy municipal center and train station, including roadway, sidewalks, crosswalks, lighting, signage and other related improvements. Beautify the north and south gateway streetscape approaches to the Depot Plaza area from Wildey Street to Franklin Street (including Main Street), including benches, lighting, plantings, signage, H-Bridge

underbody, sidewalks, landscaping and Sarah Michael's Park improvements. Develop additional parking, including parking garage.

SOUTH END OF TARRYTOWN

- Old Croton Aqueduct State Park—Seek State funding to improve access to the Old Croton Aqueduct throughout the Village, especially the South End.
- Improve Public Access to Heritage Park and RiverWalk—Develop public access (road, trail and/ or parking) from South Broadway to Heritage Park and the RiverWalk.
- Pennybridge Neighborhood Playground Improvements—Redevelop the existing Village-owned playground in order to improve safety and public access as well as improvements to Lagana Field.

TARRYTOWN LAKES

- Through a DOS LWRP grant, the Village has developed designs and completed Lakes Trail improvements at the old railroad right-of-way along the western edge of the Lower Reservoir for a new walking path. The grant rehabilitated the existing railroad bridge over a ravine along the Trail (old railroad right-of-way). Design plans also outline ways to improve pedestrian and recreational access to lands around the Upper and Lower Reservoir and, potentially, watercraft access to the water itself as well as outline trails and roadway connectivity between the Lakes area, the Old Croton Aqueduct, and the downtown business district.
- Establish a Lakes Management Program to address eutrophication issues within the Reservoirs. Address water quality issues using the results of previous studies and reports prepared for the Village.
- Preservation and adaptive reuse of the Eastview Pump Station
- Lakes Restoration Project-- In order to prevent heavy highway runoff from entering the Lakes, the Village plans to remove and replace existing sedimentation basins located in the Upper and Lower Tarrytown Lakes with the construction of concrete silt retention basins at designated locations between the Lakes and Neperan Road.
- Upgrade skate shack facility, including stairs, and accessways to the Lakes.
- Through a subdivision process, land was acquired by the Village and a soccer field and recreational trails will be developed.

VILLAGE-WIDE ACTIONS

- Update the Village's historic preservation ordinance and review possible properties for historic designation throughout the Village. The Village Board passed amendments to the Historic Commons Zoning District pertaining to density, permitted uses and the inclusion of properties in the District. The Village intends to consider alternative approaches to local landmark protection including, providing greater protection for resources from demolition or significant alteration.
- The Village will map and designate important views to be preserved in a local view preservation law.

Village of Tarrytown LWRP

- **Wayfinding and Signage Program.** The Village will develop a wayfinding and signage program, including kiosk, in order to improve public access and traffic, connectivity and tourism to the Village's waterfront, downtown business district, historic districts, municipal buildings, parking and other areas of interest.
- **Expand solar initiatives to other municipal buildings** (Village Hall and Senior Center are currently supported through solar power). The Village will partner with NYPA to create a solar-powered charging station at the train station.
- **Route 9 traffic improvements and management** will include the Village working with the New York State Thruway Authority and the NYS Department of Transportation as part of the construction of a new Tappan Zee Bridge
- **Explore the feasibility of providing trolley service** between the waterfront, downtown commercial district and historic sites in the Village and neighboring communities.
- **The Village will expand its acquisition of open space** through the subdivision and site plan process, including, but not limited to, the Wilson Park subdivision, the Jardim Estates subdivision, at Taxter Ridge through the Greystone-on-Hudson subdivision and the Emerald Woods subdivision.
- **The Village Volunteer Fire Department is in need of a facility** that will safeguard and extend the life of its support vehicles and equipment due to increased storm activity.
- **The Village will implement flood mitigation projects**, including the replacement of culverts and bridges in the Loh Park area.
- **The Village will create additional parking** where feasible, especially in the downtown area.
- **The Village will implement facility improvements at existing parks**, including:
 - **An expansion of the natural playground at Neperan Park;** and
 - **New playground equipment, basketball court and other improvements at Patriots Park.**
 - **The Village is also evaluating where additional active recreation facilities could be created especially in neighborhoods more distant from existing Village parks.** The goal of any additional urban parkland areas would be to disperse the demand placed on the existing parklands and reduce the overuse of existing recreational areas. The addition of parklands within the Village is likely to create demand for additional Recreation Department staff to maintain the parks.

A. INTRODUCTION

This Section outlines existing local laws, regulatory bodies, and actions that the Village may use to implement the policies of this LWRP.

B. LOCAL LAWS AND REGULATIONS NECESSARY TO IMPLEMENT THE LWRP

THE IMPLEMENTATION OF MOST ASPECTS OF THE LWRP CAN BE ACCOMPLISHED THROUGH EXISTING LAWS AND REGULATIONS.

ZONING (CHAPTER 305)

The Village's Zoning Code is the primary control of the type of use and its intensity for all parcels within the Village. Pertinent to the implementation of the Village's LWRP, the Village has adopted a comprehensive zoning plan of land use, type, location and development intensity. Key among the stated intentions of this zoning plan, are the following objectives:

- To guide the future development of the Village in accordance with its Comprehensive Plan
- To secure safety from flood and other dangers.
- To prevent the pollution of watercourses and wetlands, to safeguard the water table, to preserve the beneficial effects of wetlands, to avoid hazardous conditions and excessive damage resulting from stormwater runoff and flooding and to encourage the appropriate use and sound management of natural resources throughout the Village.
- To preserve and maintain the natural beauty of the physiography, geography and plant material of the Village; to preserve significant views and vistas of natural and man-made beauty or interest; to protect the Village against unsightly, obtrusive and obnoxious land uses and operations; to enhance the aesthetic aspect of the natural and man-made elements of the Village; and to ensure appropriate development with regard to those elements.
- To promote the preservation, maintenance and enhancement of the existing historic character of the Village and to encourage the development of uses which would add to or be in harmony with this character through such facilities as building and structure design, color and texture, signs, lighting, landscaping and other site plan elements.
- To assist in the provision of adequate and suitably located areas for recreation activities and the preservation of appropriate open spaces.

To preserve and enhance a scale of land use and development within the Village commensurate with the height, bulk, intensity and extent of land use categorized by the residential portions of the Village and in relation to the overall topographic and physiographic characteristics of the Village so as to promote a feeling and impression of compatibility between buildings and natural terrain and to provide an overall impression to the observer that man-made structures are in scale with their natural surroundings.

A number of steps have also been taken by the Village to protect its natural resources and preserve open space (see below). Laws regulating flood damage prevention (1987), tree preservation (1988), steep slopes, hilltops, ridgelines and hillsides (1990), wetlands (2003), and adoption of the Westchester County Greenway Compact Plan (2001) were all adopted to ensure protection of the Village's key natural features.

Special Waterfront Zones

To advance the vision outlined in the LWRP, the Village established the Waterfront General Business District (WGBD) and Waterfront District (WD). In creating these districts, the Village recognized that the waterfront encompasses a unique resource that contains both a significant opportunity for achievement of public amenities and a major potential for water-related development.

These districts limit building heights, provide for shoreline setbacks, and allow for massing of riverfront buildings to avoid monotony and provide better physical and visual access to the river. Development incentives may also be granted to encourage public benefit features. Public benefit features, for which the Board of Trustees may grant development incentives, may include but not be limited to:

- Provision of land for a waterfront esplanade/RiverWalk.
- Provision of land for a waterfront park.
- Provision of public access to the waterfront.
- Preservation of view corridors to the Hudson River.
- Construction of an aquatic/recreation center at the waterfront.
- Improvements to public parkland.

Permitted principal uses in the WGBD include:

- Conference centers, hotels, restaurants,
- Boat and watercraft sales and rental, marine engine sales, fishing tackle and supplies, diving and bathing equipment, marine insurance and other retail facilities for water-oriented recreational activities, and boat repair shops.
- Marinas, yacht clubs and boat clubs, including facilities for hauling, launching, dry storage, repairing and maintaining boats, boat engines and other equipment.
- Vessel waste pumpout facilities shall be provided at all new marinas or clubs and expansion of existing marinas or clubs at a minimum rate of one pumpout station for every 100 wet slips, or fraction thereof.

- Marine trade businesses involved in the construction, maintenance or operation of boats, docks, piles or bulkheads.
- Commercial ferry operations, charter boat and commercial sightseeing and excursion boats.
- Gift shops and artist studios, ice cream parlors, schools, places of worship, community services centers.
- Public and private passive recreation facilities requiring a waterfront location such as boat launches, fishing piers, picnic areas, parks, and swimming facilities.
- Facilities for culturally and educationally oriented activities.
- Public and private active recreational facilities.
- Single- or multiple-family residential dwellings.

Permitted principal uses in the WD include:

- Parks or playgrounds, including facilities for the sale of refreshments, beverages and food to the public.
- Any of the following uses, subject to additional conditions:
 - Seaplane base and services customarily incidental and accessory thereto.
 - Off-street private parking and outdoor vehicle parking and storage.
 - Marinas, yachts and boat clubs.
 - Mass transit facilities,
 - Municipal facilities other than recreational facilities, provided that they are not located on a waterfront site.

Compatible uses, defined as compatible use permit uses, are deemed to be permitted uses that possess characteristics of such unique and special form and impact, that such use must meet additional requirements and standards. In the WD and WGBD Districts, the Board of Trustees will use the following standards to guide their decision making:

- if a compatible use permit use which is not waterfront-dependent is proposed for development on a lot having shoreline frontage, the use shall be allowed whenever the owner provides for a waterfront esplanade along the shoreline and appropriate measures are taken to mitigate to the greatest extent possible against destruction of natural features of the site and pollution of surface waters.
- the land shall be developed in such a way as to maximize public views to the Hudson River, provide view opportunities at the river's edge and make view corridors available from public streets and public places across the property. Site layout and design shall consider public views and view corridors and shall also consider the importance of views of the Village from the Hudson River.
- to avoid monotony and provide better physical and visual access to the river, riverfront facades of properties with direct frontage on the Hudson River should not exceed 300 feet in

length. When the riverfront facade exceeds 300 feet in length, an opening of at least 50 feet shall be provided to provide a view corridor to the river. This access is to be open to the sky¹

Historic Commons (HC) Zone

A Historic Commons (HC) Zone was created to protect the historic structures and the surrounding landscape. All uses permitted in the HC Zone are subject to site development plan approval and subject to issuance of a certificate of appropriateness by the Architectural Review Board. Any proposed adaptive reuse in a historic structure, new construction, or the razing of an existing structure must be designed to be compatible with adjacent historic structures and the surrounding landscape. Site improvements, including roadways, drainage infrastructure, landscaping and lighting, shall not negatively affect, to the maximum extent practicable, the visual character of the subject property or of views across the subject property from adjacent properties. The Village Board passed amendments to the HC Zoning District pertaining to density, permitted uses and the inclusion of properties in the District.

TARRYTOWN "SOUTH END" REZONING

In 1989, the Village of Tarrytown Board of Trustees adopted zoning amendments in the area south of the Thruway to promote the following purposes:

- to maintain a strong village with a commercially viable downtown and zones of decreasing residential density radiating out from the downtown;
- to preserve a village that is distinct from its neighboring villages;
- to provide recreation for its diverse population; and
- to attempt to slow the increased urbanization of the Village and minimize traffic congestion.

The rezoning primarily affected large estate-sized parcels, covering 74 parcels of land with 19 different property owners. The rezoning increased the required minimum lot size of affected parcels; changing R-10 and R-15 properties to R-20, and R-20 parcels to R-40.

Open Space Zoning Amendments

The Board of Trustees passed several amendments, from 2000 to 2014 that reduces the overall development potential within the Village and minimizes potential future impacts from new residential development including impacts related to traffic, demographics, and demand for community services. The following amendments will have a beneficial impact on the Village by reinforcing the character of existing neighborhoods and maintaining as much of the remaining open space as possible.

- Creation of new R-60 and R-80 single-family residential districts and rezoning of certain R-20 and R-40 districts to R-60 or R-80;
- Rezoning of the M-3 zoning district on Neperan Road to R-10;
- Creation of a special setback to the Old Croton Aqueduct; and
- Adoption of a new provision stating that land under water may not be used to calculate allowable density.

¹ The Village will likely amend an oversight in the Zoning Code section pertaining to the length of riverfront facades- from 300 feet to a lesser amount that conforms with existing and planned improvements.

Environmental Regulations Applicable to All Districts

All lots or open lands, whether or not proposed for use, reuse, development or redevelopment, shall be subject to review in accordance with the environmental review procedures established in the following Village's Code:

- Chapter 302, Wetlands and Watercourse,
- Chapter 191, Historic Districts and Landmarks;
- Chapter 169, Flood Damage Prevention;
- Chapter 281, Trees; and
- Chapter 147, Article I, Environmental Quality Review Actions.

The Village has also defined and quantified particular environmental and aesthetically sensitive characteristics of the Village of Tarrytown in order to preserve and safeguard those features that identify its landscape: steep slopes, areas of high ground, hilltops and vegetation. Toward this end and in the course of subdivision, site development plan, compatible use permit or any other regulatory procedure, the Planning Board shall restrict new construction and/or vegetation removal in such designated areas.

Wireless Telecommunications Services Facilities

The Board of Trustees of the Village of Tarrytown established regulations and standards for the siting and installation of all wireless telecommunications services facilities (WTSF) equipment, including towers, monopoles, pole-mounted and building-attached equipment and other related devices and equipment. These regulations and standards were adopted in order to promote the safety and welfare of the residents of the Village of Tarrytown to the extent reasonably permitted under federal and state laws and rules and regulations to avoid blight, to prevent the interruption of viewsheds, and to limit construction of any WTSF in an area where such construction would be incompatible with the surrounding area. These regulations will ensure that all WTSFs and equipment be sited, designed, built and utilized in accordance with sound use planning that will preserve and protect the aesthetic qualities of the Village and promote and protect the safety and welfare of its residents.”

OTHER LOCAL LAWS THAT IMPLEMENT THE LWRP

Chapter 17: Comprehensive Master Plan

Adopted by Local Law No. 1 of 2007 the new Comprehensive Plan guides policy and land use decisions in the Village over the next 10 to 20 years. The Plan provides an overview of Tarrytown as it exists today, describes the Village's vision for its future, and provides a roadmap for achieving that vision.

Chapter 30: Greenway Compact Plan

The Village of Tarrytown has adopted the Westchester County Greenway Compact Plan, as amended from time to time, as a statement of policies, principles, and guides to supplement other established land use policies in the Village. In its discretionary actions under this Zoning Code, the reviewing agency should take into consideration said statement of policies, principles and guides, as appropriate.

Chapter 93: Boats and Boating

The general purpose of this chapter is to keep the village waterways and navigable waters in a sanitary and safe condition. The Village has defined its waterways as that portion of the Hudson River within or bounding the Village of Tarrytown to a distance of 1,500 feet from the shore.

The Village Board of Trustees recognizes the right of residents and others who use village waters for recreational and commercial purposes to enjoy clean and freely navigable waters. The discharge of sewage, treated or otherwise, may adversely affect the quality of village waterways. Secondly indiscriminate location of boats used for residential purposes may constitute a hazard to navigation. Thirdly, there is concern for the fire safety of boats used for residential purposes located in close proximity of each other and accessibility by emergency vehicles to waterfront lots.

In view of the foregoing, the Board of Trustees enacted this chapter to preserve and ensure the public health and quality of the waters as well as public safety and welfare. This chapter serves as the Village's primary harbor management controls. Guidance from this chapter has been incorporated into the LWRP policy section. The enforcing authority of this chapter shall be the Harbor Master of the Village of Tarrytown.

Chapter 169—Flood Damage Prevention

To promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas, the Village adopted provisions designed to:

- A. Regulate uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
- D. Control filling, grading, dredging and other development which may increase erosion or flood damages;
- E. Regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands, and;
- F. Qualify for and maintain participation in the National Flood Insurance Program. (§169-2).

Chapter 169 of the Village Code applies to all areas of special flood hazard within the jurisdiction of the Village. The areas of special flood hazard for the Village are identified and defined by the Federal Emergency Management Agency.

Chapter 191—Historic Districts and Landmarks

The Village adopted measures to provide for the creation of historic districts and landmark sites and structures which are found to promote the economic benefits, the cultural and educational advantages and the general welfare of the Village.

Chapter 201—Lakes and Waterways

The rules and regulations set forth in this chapter apply to Tarrytown Lakes and all watercourses, wells or springs tributary which may ultimately discharge into Tarrytown Lakes. It requires that no person, business or industry, including state agencies or political subdivisions, pollute or cause to be polluted any watershed properties, or any inland waterway or areas adjacent to any inland waterway within the Village of Tarrytown. Specific restrictions are included in the code.

Chapter 258 Stormwater Management

The Village has established regulations related to storm water management. This Chapter:

- establishes minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public
- provides for the regulation of nonstormwater discharges to the municipal separate storm sewer system (MS4) to the maximum extent practicable as required by federal and state law.
- establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the SPDES general permit for municipal separate storm sewer systems.

Chapter 281—Trees

This chapter provides protection against the indiscriminate destruction of trees and establishes minimum standards for tree protection.

Chapter 300—Waterfront Consistency Review

This Local Law was adopted as Local Law No. 7 of 1993 as a direct result of the Village's initial efforts to adopt a Local Waterfront Revitalization Program. This law authorizes the Board of Trustees to appoint five members to the Waterfront Advisory Committee which is empowered to conduct the Village's waterfront consistency review for applications within the designated LWRP area.

Chapter 302 Wetlands and Watercourses

The Village adopted regulations for the protection, preservation, proper maintenance and use of its ponds, lakes, reservoirs, water bodies, rivers, streams, watercourses, wetlands, natural drainage systems and adjacent land areas from encroachment, spoiling, pollution or elimination.

C. REGULATORY BODIES

BOARD OF TRUSTEES

1. The Village Board of Trustees is the legislative body within the Village. The Board of Trustees may propose and adopt amendments to the Village Code including the Zoning Code and any other environmental regulations adopted as local laws.
2. The Board of Trustees must review all Compatible Use Permit applications, which include a number of potential uses within the Waterfront General Business District.

WATERFRONT ADVISORY COMMITTEE

1. The Waterfront Advisory Committee was established to implement the consistency review provision of this LWRP.
2. The Waterfront Advisory Committee will review local, State, and Federal applications for actions within the LWRP area for consistency with the policies contained in this LWRP.

PLANNING BOARD

1. The Planning Board reviews all applications for building permits that require site plan review. The Board reviews all large scale residential proposals and all proposals within commercial zones regardless of size. The Board reviews all applications for conditional use permits and makes recommendations to the Village Board on requests for rezoning.
2. The Planning Board will play a central role in ensuring that the full range of waterfront policies is considered when project proposals and rezoning requests are being reviewed.

ZONING BOARD OF APPEALS

1. The Zoning Board of Appeals rules on requests for variances to the provisions of the Zoning Ordinance.
2. The ZBA will refer to the LWRP and will make its determinations in accordance with the program's policies.

ARCHITECTURAL REVIEW BOARD

1. A five member board appointed by the Board of Trustees is established to issue certificates of appropriateness for historic structures throughout the Village and all structures within the Landmark and Historic district Area (Local Law 3-1978 and 16-1979); and to control the exterior appearance of new and altered buildings. This review is required in all cases requiring site plan approval in historic districts and in other districts where the proposed action is visible from the street.
2. The actions of the Architectural Review Board apply to the development and scenic quality policies.

ENVIRONMENTAL ADVISORY COUNCIL

1. This article sets up a nine member council for the preservation and improvement of the quality of the natural and man-made environment within the Village.
2. The Environmental Advisory Council shall act as a watchdog to prevent actions contrary to the policies adopted in the LWRP.

BUILDING INSPECTOR

1. The Village has adopted the State Building Code. This controls the quality of construction within the Village. The Village's Building Inspector is responsible for ensuring that new construction complies with the State Building Code.

2. The Village Building Inspector serves as the Zoning Enforcement Officer for the Village. Petitions for variances from the Zoning Code are submitted to the Building Inspector for referral to the appropriate Board.
3. The office of the Village Building Inspector has a basic degree of control over new structures within the LWRP boundaries and will support implementation of the development policies.

D. OTHER PUBLIC AND PRIVATE ACTIONS NECESSARY TO IMPLEMENT THE LWRP

STATE GOVERNMENT ACTIONS

LOCAL GOVERNMENT ACTIONS NECESSARY TO IMPLEMENT THE LWRP

.MAINTENANCE AND PROGRAMMING OF EVENTS AT EXISTING PARKS AND OPEN SPACES

Continue the program of improved maintenance of public areas including, but not limited to, Losee Park, Pierson Park, Patriots Park, Tarrytown Lakes, Scenic Hudson RiverWalk Park, commuter parking lots, Depot Plaza, and all railroad pedestrian and vehicular crossings to be maintained and improved with Metro-North's assistance. Develop other "recreational" events that are water related to stimulate use and interest in these parks. These actions will improve the appearance of the waterfront area, increase recreational opportunities and aid the revitalization of Tarrytown.

E. MANAGEMENT STRUCTURE NECESSARY TO IMPLEMENT THE LWRP

LEAD AGENCY

The lead agency and local official responsible for the overall management and coordination of the LWRP would be the Waterfront Advisory Committee and the Village Administrator.

ASSIGNMENT OF SPECIFIC RESPONSIBILITIES

The functions, powers and duties of the Waterfront Advisory Committee are listed in Village Code Chapter 300-5:

The Committee shall be responsible for overall management and coordination of the LWRP and will fully participate with and advise and assist other village agencies in the implementation of the LWRP, its policies and projects, including physical, legislative, regulatory, administrative and other actions included in the program. In pursuance of this task, the Committee will:

- A. Advise the Village Board on implementation, priorities, work assignments, timetables and budgetary requirements of the program.*

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- B. As described in §300-6 of this chapter, review direct funding and permitting actions of the village, including applications for site plans, zone changes, subdivisions and public works projects in the coastal area as are referred to it and make recommendations to the appropriate agency as to their consistency with the LWRP policy standards.*
- C. Subject to the approval of the Village Board, make application for funding from state, federal or other sources to finance projects under the LWRP.*
- D. Maintain liaison with related village bodies, including but not limited to the Planning Board and Zoning Board, and with concerned nongovernmental bodies, in order to further the implementation of the LWRP.*
- E. Upon the request of the Village Board, evaluate in timely fashion proposed actions of state agencies within the coastal zone in order to assure consistency of such actions with the LWRP, advise the Village Board of any conflicts and participate in discussion to resolve such conflicts.*
- F. Assist the Village Board in the review of proposed federal actions referred to it by the Department of State and provide its opinion concerning the consistency of the action.*
- G. Prepare an annual report on progress achieved and problems encountered during the year, and recommend such actions as the Committee considers necessary for the further implementation of the LWRP to the appropriate body and the Village Board.*

PROCEDURES TO ENSURE THAT LOCAL ACTIONS COMPLY WITH LWRP POLICIES

Village Code Chapter 300-6 outlines the review procedures for local actions to ensure compliance with LWRP policies:

- A. Whenever a proposed action is located in the village's coastal area, an agency shall, prior to approving, funding or undertaking the action, make a written determination that it is consistent with the LWRP policy standards set forth in Subsection G of this section.*
- B. Whenever an agency receives an application for approval or funding of an action or as early as possible in the agency's formulation of a direct action to be located in the village's coastal area, the applicant or, in the case of a direct action, the agency shall prepare a Coastal Assessment Form (CAF) to assist with the consistency review.*
- C. After referral from an agency, the Committee shall consider whether the proposed action is consistent with the LWRP policy standards and conditions set forth in Subsection G of this section. The Committee shall require the applicant to submit all completed applications, EAF's and any other information deemed to be necessary to its consistency recommendation.*
- D. Committee recommendation.*

- (1) The Committee shall render its written recommendation to the agency within 30 days following submission of the required information, unless extended by mutual agreement of the Committee and the applicant, or in the case of a direct action, the agency. The recommendation shall indicate whether, in the opinion of the Committee, the proposed action is consistent or inconsistent with one or more of the LWRP policy standards. The recommendation shall state the manner and extent to which any inconsistency affects the The Committee shall render its written recommendation to the agency within 30 days following submission of the required information, unless extended by mutual agreement of the Committee and the applicant, or in the case of a direct action, the agency. The recommendation shall indicate whether, in the opinion of the Committee, the proposed action is consistent or inconsistent with one or more of the LWRP policy standards. The recommendation shall state the manner and extent to which any inconsistency affects the LWRP policy standards.*
- (2) The Committee shall, along with its consistency recommendation, make any suggestions to the agency concerning modification of the proposed action to make it consistent with LWRP policy standards or to greater advance the policy standards.*
- (3) Failure by the Committee to make a recommendation upon a referral within the thirty-day time period or any agreed-to extension shall not preclude the agency from making its consistency determination for the action.*

E. Agency determination.

- (1) The agency shall make the determination of consistency based on the CAF, the EAF, the recommendation of the Committee and such other information as is deemed to be necessary in its determination.*
- (2) If the Committee's recommendation is that the action would be inconsistent and the Agency determines that it is consistent, the agency must make a detailed written account describing why its determination disagrees with the recommendation.*

F. Consistency with LWRP policy standards.

- (1) Actions to be undertaken within the coastal area shall be evaluated for consistency in accordance with the following LWRP policy standards, which are derived from and further explained and described in Section III of the Village of Tarrytown LWRP.... Agencies which undertake direct actions shall also consult Section IV of the LWRP in making their consistency determination. The action shall be consistent with the policy to: [see description of 44 policies in LWRP Section III].*
- (2) If the agency determines that the action would not be consistent with one or more of the LWRP policy standards, such action shall not be undertaken unless the agency makes a written finding with respect to the proposed action that:*

- (a) No reasonable alternatives exist which would permit the action to be undertaken in a manner which would not substantially hinder the achievement of such LWRP policy standards;*
 - (b) The action would be undertaken in a manner which will minimize all adverse effects on such LWRP policy standards;*
 - (c) The action will advance one or more of the other LWRP policy standards; and*
 - (d) The action will result in an overriding village, regional or state-wide public benefit.*
- (3) Such a finding shall constitute a determination that the action is consistent with the LWRP policy standards.*
- G. The agency shall have the authority, in its finding of consistency, to impose practicable and reasonable conditions on an action to ensure that it is carried out in accordance with this chapter.*
- H. Each agency shall maintain a file for each action made subject of a consistency determination, including any recommendations received from the Committee. Such files shall be made available for public inspection upon request.*

PROCEDURES TO REVIEW STATE ACTIONS FOR CONSISTENCY WITH LWRP

NOTIFICATION PROCEDURE

- (1) When a State agency is considering an action, the State agency shall notify the Village Administrator.
- (2) Notification of a proposed action by a State agency:
 - (a) Shall fully describe the nature and location of the action;
 - (b) Shall be accomplished by use of either the State clearinghouse, other existing State agency notification procedures, or through any alternative procedure agreed upon by the State agency and local government;
 - (c) Should be provided to the Village Administrator as early in the planning stages of the action as possible, but in any event at least 30 days prior to the agency's decision on the action. (The timely filing of a copy of a completed Coastal Assessment Form with the Village Administrator should be considered adequate notification of a proposed action.)
- (3) If the proposed action will require the preparation of a draft environmental impact statement, the filing of this draft document with the Village Administrator can serve as the State agency's notification to the local government.

LOCAL GOVERNMENT REVIEW PROCEDURE

- (1) Upon receipt of notification from a State agency, the Village Administrator will refer the notification to the Village Board and Planning Board as appropriate and also to the Waterfront Committee. These entities will be responsible for evaluating a proposed action against the policies and purposes of the approved LWRP. They shall notify the Village Administrator of their findings.

Upon request of the Village Administrator, the State agency should promptly provide whatever additional information is available which will assist the Village to evaluate the proposed action.

- (2) If the Village Board, Planning Board and Waterfront Committee cannot identify any conflicts between the proposed action and the applicable policies and purposes of the approved LWRP, the Village Administrator should inform the State agency in writing of their finding. Upon receipt of the finding, the State agency may proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.
- (3) If the Village Administrator does not notify the State agency in writing of the finding within the established review period, the State agency may then assume that the proposed action does not conflict with the policies and purposes of the approved LWRP.
- (4) If the Village Administrator notifies the State agency in writing that the proposed action does conflict with the policies and/or purposes of the approved LWRP, the State agency shall not proceed with the action for a period of 90 days or until the identified conflicts have been resolved, whichever is earlier. The Village Administrator shall forward a copy of the identified conflicts to the Secretary of State at the time when the State agency is notified. In notifying the State agency, the Village shall identify the specific policies and purposes of the LWRP with which the proposed action conflicts.

RESOLUTION OF CONFLICTS

- (1) In accordance with the procedural guidelines issued by the Department of State the following procedure shall apply whenever the Village Administrator has notified the Secretary of State and the State agency that a proposed action conflicts with the policies and purposes of its approved LWRP.
 - (a) Upon receipt of notification from the Village Administrator that a proposed action conflicts with its approved LWRP, the State agency should contact the Village Administrator to discuss the content of the conflicts and the means for resolving them. A meeting of State agency and Village representatives may be necessary to discuss and resolve the identified conflicts. This discussion should take place within 30 days of the receipt of a conflict notification form the Village Administrator.
 - (b) If the discussion between the Village and the State agency results in the resolution of the identified conflicts, the State agency can then proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600. The Village Administrator shall notify the State agency in writing within seven days, with a copy forwarded to the Secretary of State, that all of the identified conflicts have been resolved.
 - (c) If the consultation between the Village and the State agency does not lead to the resolution of the identified conflicts, either party may request, in writing, the assistance of the Secretary of State to resolve one or all of the identified conflicts. This request must be received by the Secretary within 15 days following the discussion between the Village and the State agency. The party requesting the assistance of the Secretary of State shall forward a copy of their request to the other party.
 - (d) Within 30 days following the receipt of a request for assistance, the Secretary or a Department of State official or employee designated by the Secretary, will discuss the identified conflict and circumstances preventing their resolution with appropriate representatives from the State agency and the Village.
 - (e) If agreement among all parties cannot be reached during this discussion, the Secretary shall, within 15 days, notify both parties of his/her findings and recommendations.
 - (f) The State agency shall not proceed with the proposed action until either the Secretary's findings and recommendations have been received, or 90 days from the date a notification of a conflict was received from the Village Administrator whichever is earlier.

**PROCEDURES FOR DEPARTMENT OF STATE AND VILLAGE OF TARRYTOWN
REVIEW OF FEDERAL ACTIONS FOR CONSISTENCY WITH THE LWRP**

PERMIT AND LICENSES

- (1) The Department of State (DOS) will acknowledge the receipt of an applicant's consistency certification and application materials, and at that time forward a copy of the submitted documentation to the Village Administrator and identify DOS's principal reviewer for the proposed action.
- (2) Within thirty (30) days of receiving such information, the Village Administrator will contact the assigned DOS reviewer to discuss: (1) the need to request additional information for

review purposes; and (b) any possible problems pertaining to the consistency of a proposed action with local coastal policies.

- (3) When the DOS and Village agree that additional information is necessary, the DOS will request the applicant to provide the information. A copy of this information will be provided to the Village Administrator.
- (4) Within thirty (30) days of receiving the requested additional information or discussing possible problems of a proposed action with the DOS reviewer, whichever is later, the Village Administrator will notify DOS of the reasons why a proposed action may be inconsistent or consistent with Village coastal policies.
- (5) After that notification, the Village Administrator will submit written comments and recommendations on a proposed permit action to the DOS before or at the conclusion of the official public comment period. If such comments and recommendations are not forwarded to DOS by the end of the public comment period, DOS will assume that the Village has “no opinion” on the consistency of the proposed action with Village coastal policies.
- (6) If the DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the Village Administrator on a proposed action, DOS will contact the Village Administrator to discuss any differences of opinion prior to issuing its letter of “concurrence” or “objection” to the applicant.
- (7) A copy of the DOS “concurrence” or “objection” letter to the applicant will be forwarded to the Village Administrator.

DIRECT ACTIONS

- (1) After acknowledging the receipt of a consistency determination and supporting documentation from a Federal agency, DOS will forward copies of the determination and other descriptive information on the proposed direct action to the Village Administrator and other interested parties.
- (2) This notification will state the date by which all comments and recommendations must be submitted to DOS and will identify the assigned DOS reviewer.
- (3) The review period will be about twenty-five (25) days. If comments and recommendations are not received by the end of the established review period, DOS will presume that the Village has “no opinion” on the consistency of the proposed direct Federal agency action and Village coastal policies.
- (4) If DOS does not fully concur with and/or has any questions on the comments and recommendations submitted by the Village Administrator, DOS will contact the Village Administrator to discuss any differences of opinion or questions prior to agreeing or disagreeing with the Federal agency’s consistency determinations on the proposed direct action.
- (5) A copy of the DOS “agreement” or “disagreement” letter to the Federal agency will be forwarded to the Village Administrator.

FINANCIAL ASSISTANCE

- (1) DOS will request information on a proposed financial assistance action from the applicant (State or Village agency) for consistency review purposes. A copy of the letter will be forwarded to the Village Administrator and will serve as notification that the proposed action may be subject to review.
- (2) If the applicant is a Village agency, the Village Administrator will contact the local agency and request copies of any application documentation for consistency review purposes. If the proposed action has already been reviewed by the Planning Board and Waterfront Committee for consistency with the LWRP, the Village Administrator will notify DOS of the outcome of that review.
- (3) The Village Administrator will acknowledge receipt of the requested information and send a copy to the DOS.
- (4) If the applicant is a State agency, DOS will request the agency to provide a copy of the application documentation to the Village Administrator.
- (5) The DOS will acknowledge the receipt of the requested information and provide a copy of this acknowledgment to the Village Administrator.
- (6) The review period will conclude thirty (30) days after the date of the Village Administrator's or DOS' letter of acknowledgment.
- (7) The Village Administrator must submit comments and recommendations on the proposed action to DOS within twenty (20) days from the start of the review period. If comments and recommendations are not received within that twenty (20) days from the start of the review period, DOS will presume that the Village has "no opinion" on the consistency of the proposed financial assistance action with local coastal policies.
- (8) If the DOS does not fully concur with or has any questions on the comments and recommendations submitted by the Village Administrator, the DOS will contact the Village Administrator to discuss any differences of opinion prior to agreeing or objecting to the Federal agency's consistency determination on the proposed financial assistance or action.
- (9) A copy of the DOS "no objection" or "objection" letter to the applicant will be forwarded to the Village Administrator.

F. FINANCIAL RESOURCES NECESSARY TO IMPLEMENT THE LWRP

Summary of the local, public and private financial resources that are available or will be available to implement the proposed projects, actions and management of the LWRP.

PROPOSED PROJECTS

WESTCHESTER COUNTY RIVERWALK

An application for funding will be made through the Environmental Protection Fund, Hudson River Valley Greenway and any other Federal or State or County programs. Some funding will be available through Village programs and from private development through site plan review.

RIVERFRONT SIDEWALK AND PATH IMPROVEMENTS

In order to safely link riverfront parks, marinas, and commuter parking lots, an application for funding will be made through the NYS Department of Transportation, Environmental Protection Fund, Hudson River Valley Greenway and any other Federal or State or County programs. Some funding will be available through Village programs and from private development.

STUDY OF THE MAINTENANCE AND DREDGING OF THE TARRYTOWN MARINA AREA

An application for funding will be made through the U.S. Army Corps of Engineers and any other Federal or State or County programs. Some funding will be available through Village programs and from private development.

UPGRADES TO LOSEE PARK AND BALLFIELD

An application for funding will be made through the Environmental Protection Fund, Hudson River Valley Greenway and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

PROMOTE THE HISTORIC DESIGNATION AND MAINTENANCE OF SIGNIFICANT GROUPS OF BUILDINGS AS WELL AS INDUSTRIAL BUILDINGS.

This is being done within the Village management structure and budget. Additional support from the County and State offices of Historic Preservation will be requested.

IMPROVE THE OLD CROTON AQUEDUCT STATE PARK.

Primary funding shall be sought from the NYS Office of Parks and Historic Preservation and Hudson River Valley Greenway. Matching funds will come from the Village and private development.

ENHANCE PUBLIC ACCESS TO HERITAGE PARK AND RIVERWALK FROM SOUTH BROADWAY

An application for funding will be made through the Environmental Protection Fund, Hudson River Valley Greenway and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

PLAN, INSTALL AND IMPROVE DOCKS ALONG THE WATERFRONT

An application for funding will be made through the Environmental Protection Fund, Hudson River Valley Greenway and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

IMPROVEMENTS TO THE H-BRIDGE

An application for funding will be made through the Environmental Protection Fund, Community Development Block Grant, Department of Transportation and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

RESTORATION OF THE METRO-NORTH PEDESTRIAN TUNNEL ACCESSWAY

DOS provided grants to study the feasibility of reopening the tunnel accessway. In order to implement the reopening of the tunnel accessway, an application for funding will be made through the Environmental Protection Fund, Hudson River Valley Greenway, Department of

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Transportation and any other Federal, State or County Programs. Matching funds will come from the Village and public/ private partnerships.

DEPOT PLAZA UPGRADES FROM WILDEY STREET TO FRANKLIN STREET/ TRAIN STATION (INCLUDING SARAH MICHAELS PARK)

An application for funding will be made through the Environmental Protection Fund, Department of Transportation, NYS Office of Parks and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

UPGRADE PENNYBRIDGE NEIGHBORHOOD PLAYGROUND AND LAGANA FIELD

An application for funding will be made through the Environmental Protection Fund, NYS Office of Parks and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

UPGRADE PATRIOTS PARK

An application for funding will be made through the Environmental Protection Fund, Community Development Block Grant, NYS Office of Parks and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

TRAIL AND ROADWAY IMPROVEMENTS BETWEEN DOWNTOWN AND THE LAKES

An application for funding will be made through the Environmental Protection Fund, Hudson River Valley Greenway and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

PRESERVATION AND ADAPTIVE REUSE OF THE EASTVIEW PUMP STATION

An application for funding will be made through the Environmental Protection Fund, NYS Office of Parks and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

RESTORATION OF LAKES WATER QUALITY BY PREVENTING HIGHWAY RUNOFF

An application for funding will be made through the Environmental Protection Fund, Department of Transportation and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

UPGRADE THE TARRYTOWN LAKES PARK FACILITIES

An application for funding will be made through the Environmental Protection Fund, Hudson River Valley Greenway, NYS Office of Parks and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

UPGRADE NEPERAN PARK

An application for funding will be made through the Environmental Protection Fund, NYS Office of Parks and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

PROVIDE TROLLEY SERVICE BETWEEN WATERFRONT, DOWNTOWN COMMERCIAL DISTRICT AND HISTORIC SITES IN VILLAGE AND NEIGHBORING COMMUNITIES

An application for funding will be made through the Environmental Protection Fund, Department of Transportation and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

OPEN SPACE ACQUISITION IN LAKES, TAXTER RIDGE AND OTHER AREAS

An application for funding will be made through the Environmental Protection Fund, Hudson River Valley Greenway and any other Federal, State or County Programs. Matching funds will come from the Village and private development through the subdivision and site plan process.

UPGRADE WAYFINDING AND SIGNAGE THROUGHOUT THE VILLAGE

An application for funding will be made through the Environmental Protection Fund, Hudson River Valley Greenway, Department of Transportation and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

EXPAND SOLAR INITIATIVES TO MUNICIPAL FACILITIES

An application for funding will be made through NYPA, NYSERDA, and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

IMPLEMENT FLOOD MITIGATION PROJECTS

An application for funding will be made through FEMA, Community Development Block Grant, NYS Environmental Facilities Corporation, and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

FIRE DEPARTMENT VEHICLE AND EQUIPMENT PRESERVATION

An application for funding to protect equipment from storms will be made through FEMA and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

UPGRADE PARKING IN THE DOWNTOWN AND WATERFRONT

An application for funding will be made through the Environmental Protection Fund, Department of Transportation and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

IMPROVE TRAFFIC ON ROUTE 9

An application for funding will be made through the Environmental Protection Fund, Department of Transportation and any other Federal, State or County Programs. Matching funds will come from the Village and private development.

MANAGEMENT OF THE LWRP

It is not anticipated that the management of the LWRP will cost additional funds over the current expenses of running the government and supervising actions within the waterfront area. The lead people and agencies are currently covered by annual budget appropriations and it is felt that this will be sufficient for the management of the LWRP. *

State and Federal Actions and Programs

Section 6:

Likely to Affect Implementation

A. INTRODUCTION

State and federal actions will affect and be affected by implementation of the LWRP. Under State law and the U.S. Coastal Zone Management Act, certain State and federal actions within or affecting the local waterfront area must be "consistent" or "consistent to the maximum extent practicable" with the enforceable policies and purposes of the LWRP. This consistency requirement makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions and helps to prevent detrimental actions from occurring and future options from being needlessly foreclosed. At the same time, the active participation of State and federal agencies is also likely to be necessary to implement specific provisions of the LWRP.

The first part of this section identifies the actions and programs of State and federal agencies which should be undertaken in a manner consistent with the LWRP. This is a generic list of actions and programs, as identified by the NYS Department of State; therefore, some of the actions and programs listed may not be relevant to this LWRP. Pursuant to the State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), the Secretary of State individually and separately notifies affected State agencies of those agency actions and programs which are to be undertaken in a manner consistent with approved LWRPs. Similarly, federal agency actions and programs subject to consistency requirements are identified in the manner prescribed by the U.S. Coastal Zone Management Act and its implementing regulations. The lists of State and federal actions and programs included herein are informational only and do not represent or substitute for the required identification and notification procedures. The current official lists of actions subject to State and federal consistency requirements may be obtained from the NYS Department of State.

The second part of this section is a more focused and descriptive list of State and federal agency actions that are necessary to further implement the LWRP. It is recognized that a State or federal agency's ability to undertake such actions is subject to a variety of factors and considerations; that the consistency provisions referred to above, may not apply; and that the consistency requirements cannot be used to require a State or Federal agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Section 4 and Section 5, which also discuss State and Federal assistance needed to implement the LWRP.

B. STATE AND FEDERAL ACTIONS AND PROGRAMS THAT SHOULD BE UNDERTAKEN IN A MANNER CONSISTENT WITH THE LWRP

STATE AGENCIES

OFFICE FOR THE AGING

- 1.00 Funding and/or approval programs for the establishment of new or expanded facilities providing various services for the elderly.

DEPARTMENT OF AGRICULTURE AND MARKETS

- 1.00 Agricultural Districts Program
- 2.00 Rural Development Program
- 3.00 Farm Worker Services Programs.
- 4.00 Permit and approval programs:
 - 4.01 Custom Slaughters/Processor Permit
 - 4.02 Processing Plant License
 - 4.03 Refrigerated Warehouse and/or Locker Plant License

DIVISION OF ALCOHOLIC BEVERAGE CONTROL/STATE LIQUOR AUTHORITY

- 1.00 Permit and Approval Programs:
 - 1.01 Ball Park - Stadium License
 - 1.02 Bottle Club License
 - 1.03 Bottling Permits
 - 1.04 Brewer's Licenses and Permits
 - 1.05 Brewer's Retail Beer License
 - 1.06 Catering Establishment Liquor License
 - 1.07 Cider Producer's and Wholesaler's Licenses
 - 1.08 Club Beer, Liquor, and Wine Licenses
 - 1.09 Distiller's Licenses
 - 1.10 Drug Store, Eating Place, and Grocery Store Beer Licenses
 - 1.11 Farm Winery and Winery Licenses
 - 1.12 Hotel Beer, Wine, and Liquor Licenses
 - 1.13 Industrial Alcohol Manufacturer's Permits
 - 1.14 Liquor Store License
 - 1.15 On-Premises Liquor Licenses

Section 6: State and Federal Actions Likely to Affect Implementation

- 1.16 Plenary Permit (Miscellaneous-Annual)
- 1.17 Summer Beer and Liquor Licenses
- 1.18 Tavern/Restaurant and Restaurant Wine Licenses
- 1.19 Vessel Beer and Liquor Licenses
- 1.20 Warehouse Permit
- 1.21 Wine Store License
- 1.22 Winter Beer and Liquor Licenses
- 1.23 Wholesale Beer, Wine, and Liquor Licenses

DIVISION OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

- 1.00 Facilities, construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certificate of approval (Substance Abuse Services Program)
- 3.00 Permit and approval:
 - 3.01 Letter Approval for Certificate of Need
 - 3.02 Operating Certificate (Alcoholism Facility)
 - 3.03 Operating Certificate (Community Residence)
 - 3.04 Operating Certificate (Outpatient Facility)
 - 3.05 Operating Certificate (Sobering-Up Station)

COUNCIL ON THE ARTS

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Architecture and environmental arts program.

DEPARTMENT OF BANKING

- 1.00 Permit and approval programs:
 - 1.01 Authorization Certificate (Bank Branch)
 - 1.02 Authorization Certificate (Bank Change of Location)
 - 1.03 Authorization Certificate (Bank Charter)
 - 1.04 Authorization Certificate (Credit Union Change of Location)
 - 1.05 Authorization Certificate (Credit Union Charter)
 - 1.06 Authorization Certificate (Credit Union Station)
 - 1.07 Authorization Certificate (Foreign Banking Corporation Change of Location)

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- 1.08 Authorization Certificate (Foreign Banking Corporation Public Accommodations Office)
- 1.09 Authorization Certificate (Investment Company Branch)
- 1.10 Authorization Certificate (Investment Company Change of Location)
- 1.11 Authorization Certificate (Investment Company Charter)
- 1.12 Authorization Certificate (Licensed Lender Change of Location)
- 1.13 Authorization Certificate (Mutual Trust Company Charter)
- 1.14 Authorization Certificate (Private Banker Charter)
- 1.15 Authorization Certificate (Public Accommodation Office - Banks)
- 1.16 Authorization Certificate (Safe Deposit Company Branch)
- 1.17 Authorization Certificate (Safe Deposit Company Change of Location)
- 1.18 Authorization Certificate (Safe Deposit Company Charter)
- 1.19 Authorization Certificate (Savings Bank Charter)
- 1.20 Authorization Certificate (Savings Bank De Novo Branch Office)
- 1.21 Authorization Certificate (Savings Bank Public Accommodations Office)
- 1.22 Authorization Certificate (Savings and Loan Association Branch)
- 1.23 Authorization Certificate (Savings and Loan Association Change of Location)
- 1.24 Authorization Certificate (Savings and Loan Association Charter)
- 1.25 Authorization Certificate (Subsidiary Trust Company Charter)
- 1.26 Authorization Certificate (Trust Company Branch)
- 1.27 Authorization Certificate (Trust Company-Change of Location)
- 1.28 Authorization Certificate (Trust Company Charter)
- 1.29 Authorization Certificate (Trust Company Public Accommodations Office)
- 1.30 Authorization to Establish a Life Insurance Agency
- 1.31 License as a Licensed Lender
- 1.32 License for a Foreign Banking Corporation Branch

NEW YORK STATE BRIDGE AUTHORITY (REGIONAL AGENCY)

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

Section 6: State and Federal Actions Likely to Affect Implementation

DEPARTMENT OF CORRECTIONAL SERVICES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

- 1.00 Financing of higher education and health care facilities.
- 2.00 Planning and design services assistance program.

DEPARTMENT OF ECONOMIC DEVELOPMENT

- 1.00 Preparation or revision of statewide or specific plans to address State economic development needs.
- 2.00 Allocation of the state tax-free bonding reserve.

EDUCATION DEPARTMENT

- 1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certification of Incorporation (Regents Charter)
 - 2.02 Private Business School Registration
 - 2.03 Private School License
 - 2.04 Registered Manufacturer of Drugs and/or Devices
 - 2.05 Registered Pharmacy Certificate
 - 2.06 Registered Wholesale of Drugs and/or Devices
 - 2.07 Registered Wholesaler-Repacker of Drugs and/or Devices
 - 2.08 Storekeeper's Certificate

ENERGY PLANNING BOARD AND ENERGY OFFICE

- 1.00 Preparation and revision of the State Energy Master Plan.

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

- 1.00 Issuance of revenue bonds to finance pollution abatement modifications in power-generation facilities and various energy projects.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Department.
- 2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.

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- 3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 4.00 Financial assistance/grant programs:
 - 4.01 Capital projects for limiting air pollution
 - 4.02 Cleanup of toxic waste dumps
 - 4.03 Flood control, beach erosion and other water resource projects
 - 4.04 Operating aid to municipal wastewater treatment facilities
 - 4.05 Resource recovery and solid waste management capital projects
 - 4.06 Wastewater treatment facilities
- 5.00 Funding assistance for issuance of permits and other regulatory activities (New York City only).
- 6.00 Implementation of the Environmental Quality Bond Act of 1972, including:
 - (a) Water Quality Improvement Projects
 - (b) Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects and Waterways Projects.
- 7.00 Marine Finfish and Shellfish Programs.
- 8.00 New York Harbor Drift Removal Project.
- 9.00 Permit and approval programs:

Air Resources

- 9.01 Certificate of Approval for Air Pollution Episode Action Plan
- 9.02 Certificate of Compliance for Tax Relief - Air Pollution Control Facility
- 9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System
- 9.04 Permit for Burial of Radioactive Material
- 9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
- 9.06 Permit for Restricted Burning
- 9.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System

Construction Management

- 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities

Fish and Wildlife

- 9.09 Certificate to Possess and Sell Hatchery Trout in New York State

Section 6: State and Federal Actions Likely to Affect Implementation

- 9.10 Commercial Inland Fisheries Licenses
- 9.11 Fishing Preserve License
- 9.12 Fur Breeder's License
- 9.13 Game Dealer's License
- 9.14 Licenses to Breed Domestic Game Animals
- 9.15 License to Possess and Sell Live Game
- 9.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)
- 9.17 Permit to Raise and Sell Trout
- 9.18 Private Bass Hatchery Permit
- 9.19 Shooting Preserve Licenses
- 9.20 Taxidermy License
- 9.21 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway
- 9.22 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbances
- 9.23 Permit - Article 24, (Freshwater Wetlands)

Hazardous Substances

- 9.24 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 9.25 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 9.26 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish

Lands and Forest

- 9.27 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
- 9.28 Floating Object Permit
- 9.29 Marine Regatta Permit
- 9.30 Navigation Aid Permit

Marine Resources

- 9.31 Digger's Permit (Shellfish)
- 9.32 License of Menhaden Fishing Vessel
- 9.33 License for Non-Resident Food Fishing Vessel
- 9.34 Non-Resident Lobster Permit

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- 9.35 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
- 9.36 Permits to Take Blue-Claw Crabs
- 9.37 Permit to Use Pond or Trap Net
- 9.38 Resident Commercial Lobster Permit
- 9.39 Shellfish Bed Permit
- 9.40 Shellfish Shipper's Permits
- 9.41 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean
- 9.42 Permit - Article 25, (Tidal Wetlands)

Mineral Resources

- 9.43 Mining Permit
- 9.44 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
- 9.45 Underground Storage Permit (Gas)
- 9.46 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)

Solid Wastes

- 9.47 Permit to Construct and/or Operate a Solid Waste Management Facility
- 9.48 Septic Tank Cleaner and Industrial Waste Collector Permit

Water Resources

- 9.49 Approval of Plans for Wastewater Disposal Systems
- 9.50 Certificate of Approval of Realty Subdivision Plans
- 9.51 Certificate of Compliance (Industrial Wastewater Treatment Facility)
- 9.52 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
- 9.53 Permit - Article 36, (Construction in Flood Hazard Areas)
- 9.54 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 9.55 State Pollutant Discharge Elimination System (SPDES) Permit
- 9.56 Approval -drainage Improvement District
- 9.57 Approval - Water (Diversion for) Power
- 9.58 Approval of Well System and Permit to Operate
- 9.59 Permit - Article 15, (Protection of Water) - Dam
- 9.60 Permit - Article 15, Title 15 (Water Supply)
- 9.61 River Improvement District Approvals

Section 6: State and Federal Actions Likely to Affect Implementation

- 9.62 River Regulatory District Approvals
- 9.63 Well Drilling Certificate of Registration
- 9.64 401 Water Quality Certification
- 10.00 Preparation and revision of Air Pollution State Implementation Plan.
- 11.00 Preparation and revision of Continuous Executive Program Plan.
- 12.00 Preparation and revision of Statewide Environmental Plan.
- 13.00 Protection of Natural and Man-made Beauty Program.
- 14.00 Urban Fisheries Program.
- 15.00 Urban Forestry Program.
- 16.00 Urban Wildlife Program.

ENVIRONMENTAL FACILITIES CORPORATION

- 1.00 Financing program for pollution control facilities for industrial firms and small businesses.

FACILITIES DEVELOPMENT CORPORATION

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

OFFICE OF GENERAL SERVICES

- 1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land and grants of easement of land under water, issuance of licenses for removal of materials from lands under water, including for residential docks over 5,000 feet and all commercial docks, and oil and gas leases for exploration and development.
- 2.00 Administration of Article 4-B, Public Buildings Law, in regard to the protection and management of State historic and cultural properties and State uses of buildings of historic, architectural or cultural significance.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition.
- 4.00 Administration of Article 5, Section 233, sub. 5 of the Education Law on removal of archaeological and paleontological objects under the waters of State water bodies.
- 5.00 Administration of Article 3, Section 32 of the Navigation Law regarding location of structures in or on navigable waters.

GREENWAY HERITAGE CONSERVANCY FOR THE HUDSON RIVER VALLEY (REGIONAL AGENCY)

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Conservancy.

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- 2.00 Financial assistance/grant programs
- 3.00 Model Greenway Program
- 4.00 Greenway Trail Activities

DEPARTMENT OF HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Approval of Completed Works for Public Water Supply Improvements
 - 2.02 Approval of Plans for Public Water Supply Improvements.
 - 2.03 Certificate of Need (Health Related Facility - except Hospitals)
 - 2.04 Certificate of Need (Hospitals)
 - 2.05 Operating Certificate (Diagnostic and Treatment Center)
 - 2.06 Operating Certificate (Health Related Facility)
 - 2.07 Operating Certificate (Hospice)
 - 2.08 Operating Certificate (Hospital)
 - 2.09 Operating Certificate (Nursing Home)
 - 2.10 Permit to Operate a Children's Overnight or Day Camp
 - 2.11 Permit to Operate a Migrant Labor Camp
 - 2.12 Permit to Operate as a Retail Frozen Dessert Manufacturer
 - 2.13 Permit to Operate a Service Food Establishment
 - 2.14 Permit to Operate a Temporary Residence/Mass Gathering
 - 2.15 Permit to Operate or Maintain a Swimming Pool or Public Bathing Beach
 - 2.16 Permit to Operate Sanitary Facilities for Realty Subdivisions
 - 2.17 Shared Health Facility Registration Certificate

DIVISION OF HOUSING AND COMMUNITY RENEWAL AND ITS SUBSIDIARIES AND AFFILIATES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition.
- 2.00 Financial assistance/grant programs:
 - 2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)
 - 2.02 Housing Development Fund Programs
 - 2.03 Neighborhood Preservation Companies Program
 - 2.04 Public Housing Programs

Section 6: State and Federal Actions Likely to Affect Implementation

- 2.05 Rural Initiatives Grant Program
- 2.06 Rural Preservation Companies Program
- 2.07 Rural Rental Assistance Program
- 2.08 Special Needs Demonstration Projects
- 2.09 Urban Initiatives Grant Program
- 2.10 Urban Renewal Programs
- 3.00 Preparation and implementation of plans to address housing and community renewal needs.

HOUSING FINANCE AGENCY

- 1.00 Funding programs for the construction, rehabilitation, or expansion of facilities.
- 2.00 Affordable Housing Corporation

HUDSON RIVER VALLEY GREENWAY COMMUNITIES COUNCIL (REGIONAL AGENCY)

- 1.00 Greenway Planning and Review
- 2.00 Greenway Compact Activities
- 3.00 Financial Assistance/Grants Program
- 4.00 Greenway Trail Activities

INTERSTATE SANITATION COMMISSION (REGIONAL AGENCY)

- 1.00 Adoption and enforcement of air and water pollution standards within the Interstate Sanitation District.

JOB DEVELOPMENT AUTHORITY

- 1.00 Financing assistance programs for commercial and industrial facilities.

MEDICAL CARE FACILITIES FINANCING AGENCY

- 1.00 Financing of medical care facilities.

OFFICE OF MENTAL HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Operating Certificate (Community Residence)
 - 2.02 Operating Certificate (Family Care Homes)
 - 2.03 Operating Certificate (Inpatient Facility)
 - 2.04 Operating Certificate (Outpatient Facility)

OFFICE OF MENTAL RETARDATION AND DEVELOPMENT DISABILITIES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Establishment and Construction Prior Approval
 - 2.02 Operating Certificate Community Residence
 - 2.03 Outpatient Facility Operating Certificate

METROPOLITAN TRANSPORTATION AUTHORITY (REGIONAL AGENCY)

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Increases in special fares for transportation services to public water-related recreation resources.

DIVISION OF MILITARY AND NAVAL AFFAIRS

- 1.00 Preparation and implementation of the State Disaster Preparedness Plan.

NATURAL HERITAGE TRUST

- 1.00 Funding program for natural heritage institutions.

NEW YORK CITY TRANSIT AUTHORITY (REGIONAL AGENCY)

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Increases in special fares for transportation services to public water-related recreation resources.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION (INCLUDING REGIONAL STATE PARK COMMISSION)

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Office.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 3.00 Funding program for recreational boating, safety and enforcement.
- 4.00 Funding program for State and local historic preservation projects.
- 5.00 Land and Water Conservation Fund programs.
- 6.00 Nomination of properties to the Federal and/or State Register of Historic Places.
- 7.00 Permit and approval programs:

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- 7.01 Floating Objects Permit
- 7.02 Marine Regatta Permit
- 7.03 Navigation Aide Permit
- 7.04 Posting of Signs Outside State Parks
- 8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation or related purposes.
- 9.00 Recreation services program.
- 10.00 Urban Cultural Parks Program.

PORT AUTHORITY OF NEW YORK AND NEW JERSEY (REGIONAL AGENCY)

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Commission.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 3.00 Waterfront development project activities.

POWER AUTHORITY OF THE STATE OF NEW YORK

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

NEW YORK STATE SCIENCE AND TECHNOLOGY FOUNDATION

- 1.00 Corporation for Innovation Development Program.
- 2.00 Center for Advanced Technology Program.

DEPARTMENT OF SOCIAL SERVICES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Homeless Housing and Assistance Program.
- 3.00 Permit and approval programs:
 - 3.01 Certificate of Incorporation (Adult Residential Care Facilities)
 - 3.02 Operating Certificate (Children's Services)
 - 3.03 Operating Certificate (Enriched Housing Program)
 - 3.04 Operating Certificate (Home for Adults)
 - 3.05 Operating Certificate (Proprietary Home)
 - 3.06 Operating Certificate (Public Home)

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- 3.07 Operating Certificate (Special Care Home)
- 3.08 Permit to Operate a Day Care Center

DEPARTMENT OF STATE

- 1.00 Appalachian Regional Development Program.
- 2.00 Coastal Management Program.
- 3.00 Community Services Block Grant Program.
- 4.00 Permit and approval programs:
 - 4.01 Billiard Room License
 - 4.02 Cemetery Operator
 - 4.03 Uniform Fire Prevention and Building Code

STATE UNIVERSITY CONSTRUCTION FUND

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

STATE UNIVERSITY OF NEW YORK

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the University.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

THRUWAY AUTHORITY/CANAL CORPORATION/CANAL RECREATION WAY COMMISSION (REGIONAL AGENCY)

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land and other resources under the jurisdiction of the Thruway Authority, Canal Corporation, and Canal Recreation way Commission.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.
- 3.00 Permit and approval programs:
 - 3.01 Advertising Device Permit
 - 3.02 Approval to Transport Radioactive Waste
 - 3.03 Occupancy Permit
 - 3.04 Permits for use of Canal System lands and waters.
- 4.00 Statewide Canal Recreation way Plan

DEPARTMENT OF TRANSPORTATION

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Department.

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- 2.00 Construction, rehabilitation, expansion, or demolition of facilities, including but not limited to:
 - (a) Highways and parkways
 - (b) Bridges on the State highways system
 - (c) Highway and parkway maintenance facilities
 - (d) Rail facilities
- 3.00 Financial assistance/grant programs:
 - 3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)
 - 3.02 Funding programs for development of the ports of Albany, Buffalo, Oswego, Ogdensburg and New York
 - 3.03 Funding programs for rehabilitation and replacement of municipal bridges
 - 3.04 Subsidies program for marginal branch lines abandoned by Conrail
 - 3.05 Subsidies program for passenger rail service
- 4.00 Permits and approval programs:
 - 4.01 Approval of applications for airport improvements (construction projects)
 - 4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)
 - 4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities
 - 4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
 - 4.05 Certificate of Convenience and Necessity to Operate a Railroad
 - 4.06 Highway Work Permits
 - 4.07 License to Operate Major Petroleum Facilities
 - 4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)
 - 4.09 Real Property Division Permit for Use of State-Owned Property
- 5.00 Preparation or revision of the Statewide Master Plan for Transportation and sub-area or special plans and studies related to the transportation needs of the State.
- 6.00 Water Operation and Maintenance Program--Activities related to the containment of petroleum spills and development of an emergency oil-spill control network.

EMPIRE STATE DEVELOPMENT CORPORATION (AND ITS SUBSIDIARIES AND AFFILIATES)

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Corporation.
- 2.00 Planning, development, financing, construction, major renovation or expansion of commercial, industrial, and civic facilities and the provision of technical assistance or financing for such activities, including, but not limited to, actions under its discretionary economic development programs such as the following:
 - (a) Tax-Exempt Financing Program
 - (b) Lease Collateral Program
 - (c) Lease Financial Program
 - (d) Targeted Investment Program
 - (e) Industrial Buildings Recycling Program
- 3.00 Administration of special projects.
- 4.00 Administration of State-funded capital grant programs.

DIVISION OF YOUTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding or approval of such activities.

FEDERAL AGENCIES: DIRECT ACTIVITIES AND DEVELOPMENT PROJECTS

DEPARTMENT OF COMMERCE

National Marine Fisheries Services

- 1.00 Fisheries Management Plans

DEPARTMENT OF DEFENSE

Army Corps of Engineers

- 1.00 Proposed authorizations for dredging, channel improvements, break-waters, other navigational works, or erosion control structures, beach replenishment, dams or flood control works, ice management practices and activities, and other projects with potential to impact coastal lands and waters.
- 2.00 Land acquisition for spoil disposal or other purposes.
- 3.00 Selection of open water disposal sites.

Army, Navy and Air Force

- 4.00 Location, design, and acquisition of new or expanded defense installations (active or reserve status, including associated housing, transportation or other facilities).
- 5.00 Plans, procedures and facilities for landing or storage use zones.

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- 6.00 Establishment of impact, compatibility or restricted use zones.

DEPARTMENT OF ENERGY

- 1.00 Prohibition orders.

GENERAL SERVICES ADMINISTRATION

- 1.00 Acquisition, location and design of proposed Federal Government property or buildings, whether leased or owned by the Federal Government.
- 2.00 Disposition of Federal surplus lands and structures.

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

- 1.00 Management of National Wildlife refuges and proposed acquisitions.

Mineral Management Service

- 2.00 OCS lease sale activities including tract selection, lease sale stipulations, etc.

National Park Service

- 3.00 National Park and Seashore management and proposed acquisitions.

DEPARTMENT OF TRANSPORTATION

Amtrak

- 1.00 Expansions, curtailments, new construction, upgrading or abandonments or railroad facilities or services, in or affecting the State's coastal area.

Coast Guard

- 2.00 Location and design, construction or enlargement of Coast Guard stations, bases, and lighthouses.
- 3.00 Location, placement or removal of navigation devices which are not part of the routine operations under the Aids to Navigation Program (ATON).
- 4.00 Expansion, abandonment, designation or anchorages, lightening areas or shipping lanes and ice management practices and activities.

Federal Aviation Administration

- 5.00 Location and design, construction, maintenance, and demolition of Federal aids to air navigation.

Federal Highway Administration

- 6.00 Highway construction.

FEDERAL AGENCIES: LICENSES AND PERMITS

DEPARTMENT OF DEFENSE

Army Corps of Engineers

- 1.00 Construction of dams, dikes or ditches across navigable waters, or obstruction or alteration of navigable waters required under Sections 9 and 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401, 403).
- 2.00 Establishment of harbor lines pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 U.S.C. 404, 405).
- 3.00 Occupation of seawall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the U.S. pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408).
- 4.00 Approval of plans for improvements made at private expense under USACE supervision pursuant to the Rivers and Harbors Act of 1902 (33 U.S.C. 565).
- 5.00 Disposal of dredged spoils into the waters of the U.S., pursuant to the Clean Water Act, Section 404, (33 U.S.C. 1344).
- 6.00 All actions for which permits are required pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
- 7.00 Construction of artificial islands and fixed structures in Long Island Sound pursuant to Section 4(f) of the River and Harbors Act of 1912 (33 U.S.C.).

DEPARTMENT OF ENERGY

Economic Regulatory Commission

- 1.00 Regulation of gas pipelines, and licensing of import or export of natural gas pursuant to the Natural Gas Act (15 U.S.C. 717) and the Energy Reorganization Act of 1974.
- 2.00 Exemptions from prohibition orders.

Federal Energy Regulatory Commission

- 3.00 Licenses for non-Federal hydroelectric projects and primary transmission lines under Sections 3(11), 4(e) and 15 of the Federal Power Act (16 U.S.C. 796(11), 797(11) and 808).
- 4.00 Orders for interconnection of electric transmission facilities under Section 202(b) of the Federal Power Act (15 U.S.C. 824a(b)).
- 5.00 Certificates for the construction and operation of interstate natural gas pipeline facilities, including both pipelines and terminal facilities under Section 7(c) of the Natural Gas Act (15 U.S.C. 717f(c)).
- 6.00 Permission and approval for the abandonment of natural gas pipeline facilities under Section 7(b) of the Natural Gas Act (15 U.S.C. 717f(b)).

Section 6: State and Federal Actions Likely to Affect Implementation

ENVIRONMENTAL PROTECTION AGENCY

- 1.00 NPDES permits and other permits for Federal installations, discharges in contiguous zones and ocean waters, sludge runoff and aquaculture permits pursuant to Section 401, 402, 403, 405, and 318 of the Federal Water Pollution Control Act of 1972 (33 U.S.C. 1341, 1342, 1343, and 1328).
- 2.00 Permits pursuant to the Resources Recovery and Conservation Act of 1976.
- 3.00 Permits pursuant to the underground injection control program under Section 1424 of the Safe Water Drinking Water Act (42 U.S.C. 300h-c).
- 4.00 Permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857).

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Services

- 1.00 Endangered species permits pursuant to the Endangered Species Act (16 U.S.C. 153(a)).

Mineral Management Service

- 2.00 Permits to drill, rights of use and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to 43 U.S.C. 1334, exploration and development plans, and any other permits or authorizations granted for activities described in detail in OCS exploration, development, and production plans.
- 3.00 Permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334) and 43 U.S.C. 931 (c) and 20 U.S.C. 185.

INTERSTATE COMMERCE COMMISSION

- 1.00 Authority to abandon railway lines (to the extent that the abandonment involves removal of trackage and disposition of right-of-way); authority to construct railroads; authority to construct coal slurry pipelines.

NUCLEAR REGULATORY COMMISSION

- 1.00 Licensing and certification of the siting, construction and operation of nuclear power plants pursuant to Atomic Energy Act of 1954, Title II of the Energy Reorganization Act of 1974 and the National Environmental Policy Act of 1969.

DEPARTMENT OF TRANSPORTATION

Coast Guard

- 1.00 Construction or modification of bridges, causeways or pipelines over navigable waters pursuant to 49 U.S.C. 1455.
- 2.00 Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33 U.S.C. 1501).

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Federal Aviation Administration

3.00 Permits and licenses for construction, operation or alteration of airports.

FEDERAL ASSISTANCE ¹

DEPARTMENT OF AGRICULTURE

- 10.068 Rural Clean Water Program
- 10.409 Irrigation, Drainage, and Other Soil and Water Conservation Loans
- 10.410 Low to Moderate Income Housing Loans
- 10.411 Rural Housing Site Loans
- 10.413 Recreation Facility Loans
- 10.414 Resource Conservation and Development Loans
- 10.415 Rural Renting Housing Loans
- 10.416 Soil and Water Loans
- 10.418 Water and Waste Disposal Systems for Rural Communities
- 10.422 Business and Industrial Loans
- 10.424 Industrial Development Grants
- 10.426 Area Development Assistance Planning Grants
- 10.429 Above Moderate Income Housing Loans
- 10.430 Energy Impacted Area Development Assistance Program
- 10.901 Resource Conservation and Development
- 10.902 Soil and Water Conservation
- 10.904 Watershed Protection and Flood Prevention
- 10.906 River Basin Surveys and Investigations

DEPARTMENT OF COMMERCE

- 11.300 Economic Development - Grants and Loans for Public Works and Development Facilities
- 11.301 Economic Development - Business Development Assistance
- 11.302 Economic Development - Support for Planning Organizations
- 11.304 Economic Development - State and Local Economic Development Planning
- 11.305 Economic Development - State and Local Economic Development Planning

¹ Numbers refer to the Catalog of Federal Domestic Assistance Programs, 1980 and its two subsequent updates.

Section 6: State and Federal Actions Likely to Affect Implementation

- 11.307 Special Economic Development and Adjustment Assistance Program - Long Term Economic Deterioration
- 11.308 Grants to States for Supplemental and Basic Funding of Titles I, II, III, IV, and V Activities
- 11.405 Anadromous and Great Lakes Fisheries Conservation
- 11.407 Commercial Fisheries Research and Development
- 11.417 Sea Grant Support
- 11.427 Fisheries Development and Utilization - Research and Demonstration Grants and Cooperative Agreements Program
- 11.501 Development and Promotion of Ports and Intermodal Transportation
- 11.509 Development and Promotion of Domestic Waterborne Transport Systems

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

- 14.112 Mortgage Insurance - Construction or Substantial Rehabilitation of Condominium Projects
- 14.115 Mortgage Insurance - Development of Sales Type Cooperative Projects
- 14.117 Mortgage Insurance - Homes
- 14.124 Mortgage Insurance - Investor Sponsored Cooperative Housing
- 14.125 Mortgage Insurance - Land Development and New Communities
- 14.126 Mortgage Insurance - Management Type Cooperative Projects
- 14.127 Mortgage Insurance - Mobile Home Parks
- 14.218 Community Development Block Grants/Entitlement Grants
- 14.219 Community Development Block Grants/Small Cities Program
- 14.221 Urban Development Action Grants
- 14.223 Indian Community Development Block Grant Program

DEPARTMENT OF THE INTERIOR

- 15.400 Outdoor Recreation - Acquisition, Development and Planning
- 15.402 Outdoor Recreation - Technical Assistance
- 15.403 Disposal of Federal Surplus Real Property for Parks, Recreation, and Historic Monuments
- 15.411 Historic Preservation Grants-in-Aid
- 15.417 Urban Park and Recreation Recovery Program
- 15.600 Anadromous Fish Conservation
- 15.605 Fish Restoration
- 15.611 Wildlife Restoration

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- 15.613 Marine Mammal Grant Program
- 15.802 Minerals Discovery Loan Program
- 15.950 National Water Research and Development Program
- 15.951 Water Resources Research and Technology - Assistance to State Institutes
- 15.952 Water Research and Technology - Matching Funds to State Institutes

DEPARTMENT OF TRANSPORTATION

- 20.102 Airport Development Aid Program
- 20.103 Airport Planning Grant Program
- 20.205 Highway Research, Planning, and Construction
- 20.309 Railroad Rehabilitation and Improvement - Guarantee of Obligations
- 20.310 Railroad Rehabilitation and Improvement - Redeemable Preference Shares
- 20.506 Urban Mass Transportation Demonstration Grants
- 20.509 Public Transportation for Rural and Small Urban Areas

GENERAL SERVICES ADMINISTRATION

- 39.002 Disposal of Federal Surplus Real Property

COMMUNITY SERVICES ADMINISTRATION

- 49.002 Community Action
- 49.011 Community Economic Development
- 49.013 State Economic Opportunity Offices
- 49.017 Rural Development Loan Fund
- 49.018 Housing and Community Development (Rural Housing)

SMALL BUSINESS ADMINISTRATION

- 59.012 Small Business Loans
- 59.013 State and Local Development Company Loans
- 59.024 Water Pollution Control Loans
- 59.025 Air Pollution Control Loans
- 59.031 Small Business Pollution Control Financing Guarantee

ENVIRONMENTAL PROTECTION AGENCY

- 66.001 Air Pollution Control Program Grants
- 66.418 Construction Grants for Wastewater Treatment Works

Section 6: State and Federal Actions Likely to Affect Implementation

- 66.426 Water Pollution Control - State and Areawide Water Quality Management Planning Agency
- 66.451 Solid and Hazardous Waste Management Program Support Grants
- 66.452 Solid Waste Management Demonstration Grants
- 66.600 Environmental Protection Consolidated Grants Program Support Comprehensive Environmental Response, Compensation and Liability (Super Fund)

C. STATE AND FEDERAL ACTIONS AND PROGRAMS NECESSARY TO FURTHER THE LWRP¹

STATE ACTIONS AND PROGRAMS

METRO NORTH

1. Improving the scenic quality of the visual access to the Hudson River requires painting and/or refinishing existing deteriorated railroad-related structures and tunnels by painting and providing adequate buffering or screening around structures. Metro-North should incorporate clean-up, i.e., painting and screening of these structures into their maintenance program or cooperate with local agencies in the maintenance of views to the River.
2. Use of low sulphur fossil fuels to decrease air quality emissions.
3. The cooperation of Metro-North is essential to the provision of public access, i.e. granting of public access easements and the maintenance of the water quality of the Hudson River.
4. Metro-North should consult the Village with regard to any proposed changes in parking facilities.

DEPARTMENT OF ECONOMIC DEVELOPMENT

1. Any action or provision of funds for the development or promotion of tourism related activities or development.

¹ *In addition to the State agency actions and programs listed above, important technical support is available from the Westchester County Soil and Water Conservation District, an agency established by the Westchester County government under New York State law and deriving part of its funding from the State. In cooperation with the Westchester County Planning Department, the District provides technical expertise on hydrological studies and facilitates municipal and inter-municipal drainage basin management programs. Its services are important for watershed management and flood and erosion control throughout the County's coastal regions.*

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

1. Planning, development, construction, major renovation, or expansion of facilities in waterfront, including recreational improvement projects.
2. Advance assistance under the Small Communities Grant Program and a subsequent construction grant subsidy.
3. Review of actions affecting properties listed on the State and National Register of Historic Places, pursuant to SEQR.
4. Approval of protection of waters permits, freshwater wetlands permits and tidal wetlands permits must be coordinated with local regulations and policies.
5. State Pollution Discharge Elimination System (SPDES) permits should only be granted in conformance with the policies and criteria established in the LWRP so as to enforce its objectives.
6. Funding for flood and erosion control projects could substantially further the objectives of the LWRP.
7. Provide water quality monitoring results for the Hudson River to the Village.
8. Establish NYSDEC air quality monitoring station within Tarrytown to determine the level of ambient air quality standards and if contraventions of such standards have occurred.

ENVIRONMENTAL FACILITIES CORPORATION

EFC's environmental initiatives extend financial and technical assistance to municipalities, non-profits and small businesses, ensuring they meet water and air quality regulations. The Corporation's programs also serve to build lasting relationships with communities, promote innovative infrastructure solutions and allow staff to pinpoint the State's future water infrastructure needs.

OFFICE OF GENERAL SERVICES

Prior to any development in the water or on the immediate waterfront, OGS should be consulted for a determination of the State's interest in underwater or formerly underwater lands and for authorization to use and occupy lands.

GREENWAY HERITAGE CONSERVANCY FOR THE HUDSON RIVER VALLEY

1. Provision of funding for Greenway projects and planning, including the Hudson River shoreline trail or esplanade, park improvements, signage, and general tourism promotion.
2. Designation of the various elements of the Greenway Trail within the Village as part of the Hudson River Greenway Trail.
3. Inclusion of the Village's proposed small scale boat (kayak) launch in Losee Park, which is part of the riverfront parks improvement project which includes Pierson Park rehabilitation and Andre Brook restoration.

NEW YORK STATE HOMES AND COMMUNITY RENEWAL

New York State Homes and Community Renewal (HCR) consists of all the State's major housing and community renewal agencies, including, The Affordable Housing Corporation, The Division of Housing and Community Renewal, Housing Finance Agency, State of New York Mortgage Agency, Housing Trust Fund Corporation and others.

1. Finance and Development - aligns all programs that fund the development of affordable housing, including Low Income Housing Tax Credit programs, tax exempt and taxable bond finance programs, single family loan and Capital awards programs.
2. Housing Preservation - includes all the programs that maintain and enhance the state's portfolio of existing affordable housing. This includes the Office of Rent Administration, the Section 8 program, Asset Management and the Weatherization Assistance Program.
3. Community Renewal - includes all the programs geared toward community and economic development, job creation and downtown revitalization, including the NYS Community Development Block Grant Program, NY Main Street program, Affordable Housing Corporation, Neighborhood Stabilization Program and the Neighborhood and Rural Preservation programs.

HUDSON RIVER VALLEY GREENWAY COMMUNITIES COUNCIL

1. Provision of funding and technical assistance for Greenway projects and planning, including the Hudson River shoreline trail or esplanade, park improvements, signage, and general tourism promotion.
2. Acceptance of the Village of Tarrytown LWRP as the community's Greenway Plan.

JOB DEVELOPMENT AUTHORITY

1. Provision of low interest mortgage loans to local non-profit development corporations to finance commercial and industrial facilities.

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

The NYSERDA Focus on Local Government Program assists local governments with accessing funding available through NYSERDA and offers a range of services that includes providing assistance related to inventorying energy use, developing and implementing energy reduction strategies, and monitoring progress. NYSERDA also supports the New York State Climate Smart Communities program, a State and local partnership to encourage climate protection.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

1. Planning, development, construction, major renovation or expansion of recreational facilities or the provision of funding for such facilities.
2. Provision of funding for State and local activities from the Land and Water Conservation Fund, and the Environmental Protection Fund.

Village of Tarrytown LWRP

3. Planning, development, implementation or the provision of funding for recreation services programs.
4. Nomination to State and Federal Register of Historic Places: Can assist in the preservation of historic resources through both legal protection and funding eligibility.
5. Certification of properties within the National Register Districts.
6. Provision of funding for State and local historic preservation activities.
7. Review of Type I actions within the National Historic Districts.
8. Any proposed linkage of shoreline public parks should be designed and constructed with the cooperation and assistance of OPRHP. This trail system would eventually link with other local trails to become part of a greenway system along the entire span of the eastern side of the Hudson River throughout Westchester County.
9. The NYS Office of Park, Recreation, and Historic Preservation has identified portions of the Tarrytown coastal area as sensitive for the presence of archaeological sites, representing settlement patterns, important to our understanding of the State's prehistory and history. Any ground-modifying construction should be preceded by an archaeological investigation through consultation with the State Historic Preservation Officer when necessary.

DEPARTMENT OF STATE

1. Provision of funding and technical assistance for all aspects of implementation of the LWRP, including the provision of funding from the Environmental Protection Fund for project design and planning.

NYS THRUWAY AUTHORITY

1. All actions should be consistent with the LWRP.

DEPARTMENT OF TRANSPORTATION

1. Assistance for street repairs through the Consolidated Highway Improvements Program.
2. Any actions affecting State roads should be consistent with the LWRP.

FEDERAL ACTIONS AND PROGRAMS

DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

NRCS's natural resources conservation programs help people reduce soil erosion, enhance water supplies, improve water quality, increase wildlife habitat, and reduce damages caused by floods and other natural disasters.

DEPARTMENT OF HOMELAND SECURITY *Federal Emergency Management Agency*

Section 6: State and Federal Actions Likely to Affect Implementation

1. The Pre-Disaster Mitigation (PDM) program provides funds to states, territories, Indian tribal governments, communities, and universities for hazard mitigation planning and the implementation of mitigation projects prior to a disaster event.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Community Planning and Development

1. Funding under the Community Development Block Grant Program for improvements in the waterfront.

DEPARTMENT OF THE INTERIOR

National Park Service

1. Provision of funding under the Land and Water Conservation Fund Program.
2. Review of federal actions affecting properties listed on the National Register of Historic places pursuant to NEPA.

DEPARTMENT OF THE TREASURY

1. Continuation of incentives for qualified building rehabilitation.
2. Provision of appropriate tax-exempt status for non-profit agencies active in the coastal area.

DEPARTMENT OF DEFENSE

US Army Corps of Engineers

1. Any proposal dredging and stabilization of the Hudson River shoreline would require a US Army Corps of Engineers permit.
2. Authorization of Dredging Corps approval is a condition of federal financial support as a complement to local and county efforts.
3. Approval of Private Improvement Plans important for dredging, bulkheads, etc. undertaken privately to ensure that such projects consider environmental consequences.

ENVIRONMENTAL PROTECTION AGENCY

1. State and area-wide water quality management planning agency support can help develop the inter-municipal programs and cooperation needed to develop drainage basin solutions of water pollution problems.

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